

Planning Permit Officer Report

PA2403211: 11-17, 19, 21, 23 and 25-27 Dorcas Street,
South Melbourne



Planning Permit Officer Report
Development Approvals & Design



Department
of Transport
and Planning

OFFICIAL

Executive Summary



Key Information	Details
Application No.:	PA2403211
Received:	19 September 2024
Applicant:	Middleton Lane Development Partnership Pty Ltd
Architects:	BatesSmart
Planning Scheme:	Port Phillip
Land Address:	11-17, 19, 21, 23 and 25-27 Dorcas Street, South Melbourne, South Melbourne
Total Site Area:	2,398sqm
Proposal:	Use and development for a 19 to 20-storey mixed-use building comprising dwellings and retail premises, and a reduction in car parking requirements
Development Value:	\$165.5M
Gross Floor Area:	41,130sqm (total)
Floor Area Ratio	17.15:1
Built form:	Part 19, part 20 storeys plus 3 levels of basement 65.762 metres AHD, 70m AHD, including plant
Tower Setbacks:	North: 1.5 -4.72m (with a rebate of 16.19m) – average of 3.61m East: 2.02m – 3.11m (4.5m from Centre of Middleton Lane) South: 2.5m (with a rebate of 7.78m) (4.5m from Centre of Middleton Lane) West: 1.15 – 6.035m (average 2.915m)
Dwellings:	243 (committing to provide 10% affordable housing or equivalent cash contribution) Studios 11 (or 5.1%), 1BDR 50 (or 20.6%), 2BDR 130 (or 53.5%), 3BDR 47 (or 19.3%), 3+BDR 5 (or 2%),
Retail	493sqm
Parking:	223 Car parks, 114 Bicycle
Zone:	Commercial 1 Zone – (C1Z)
Overlays:	Design and Development Overlay – Schedule 14 (DDO14) Design and Development Overlay – Schedule 26 (DDO26-1C)
Why is a permit required?	A permit is required under the following provisions: <ul style="list-style-type: none">• Clause 34.01-1: to use the land as a dwelling with a frontage at ground floor level exceeding 2 metres in the Commercial 1 Zone• Clause 34.01-4: to construct a building or construct or carry out works in the Commercial 1 Zone• Clause 43.02-2: to construct a building or construct or carry out works in the Design and Development Overlay• Clause 52.06-3 to reduce, including to zero, the number of car parking spaces required under CI 52.06-5.
Referral authorities/ Notice:	Port Phillip City Council (informal referral) Transport for Victoria/DTP (formal Section 55, determining referral authority and s52 Notice)
Public Notification:	Clause 53.23-5 - An application under any provision of this planning scheme is exempt from the decision requirements of sections 64(1), (2) and (3), and the review rights of sections 82(1) of the Act.
Responsible Authority:	The Minister for Planning is the Responsible Authority for applications lodged under Clause 53.23 Significant Residential Development with Affordable Housing of the Port Phillip Planning Scheme.
Delegates List:	13 January 2025
Recommendation:	Approved subject to conditions discussed in the report and included in Form 4 (permit)

Subject site

- The subject site consists of five separate lots across 11-17, 19, 21, 23 and 25-27 Dorcas Street, South Melbourne the site is located on the south side of Dorcas Street and bounded by Wells Street (west) and Middleton Lane (east & south), acting as an island site (see figure 1).

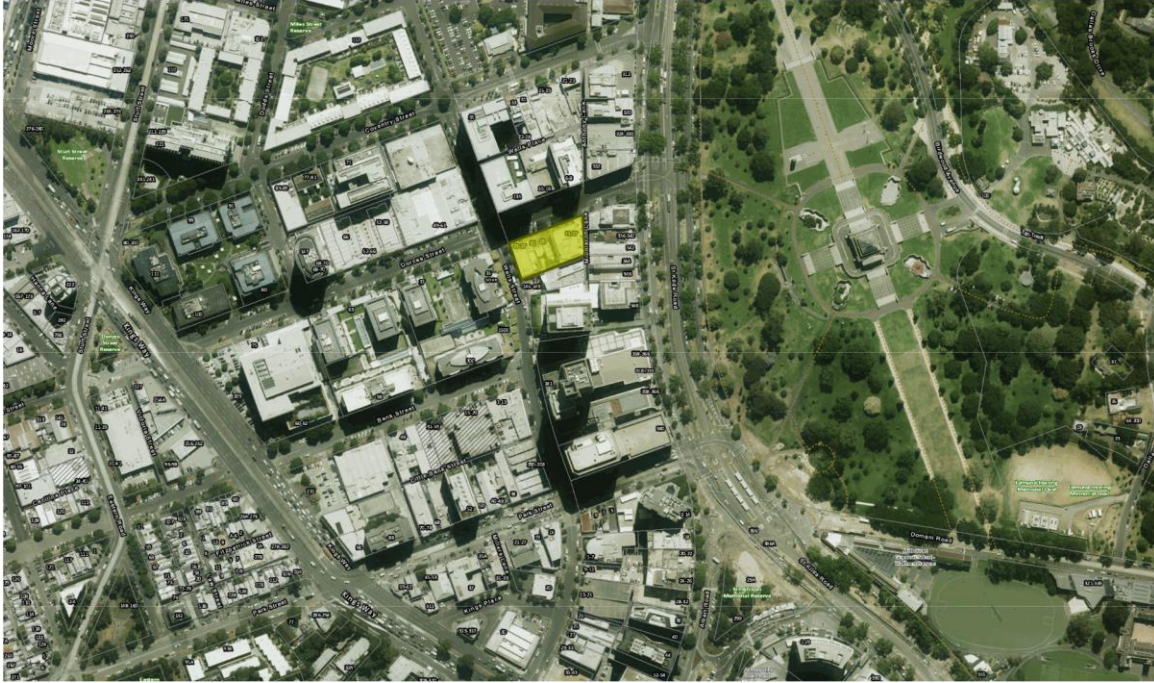


Figure 1: Subject site 11-17, 19, 21, 23 and 25-27 Dorcas Street, South Melbourne (source Vic Plan)

Legal description	Commonly known as
Land in Plan of Consolidation 153719. Vol 10224 Fol 394	11-17 Dorcas Street, South Melbourne
CA 20 Section 59 City of South Melbourne Parish of Melbourne South. Vol 03062 Fol 211	19 Dorcas Street, South Melbourne
CA 19 Section 59 City of South Melbourne Parish of Melbourne South. Vol 03066 Fol 057	21 Dorcas Street, South Melbourne
Lot 1 on Title Plan 412247E (formerly known as part of CA 18 Section 59 City of South Melbourne Parish of Melbourne South). Vol 08399 Fol 303	23 Dorcas Street, South Melbourne
Lots 1 and 2 on Title Plan 687121Q. Vol 04220 Fol 837	25-27 Dorcas Street, South Melbourne

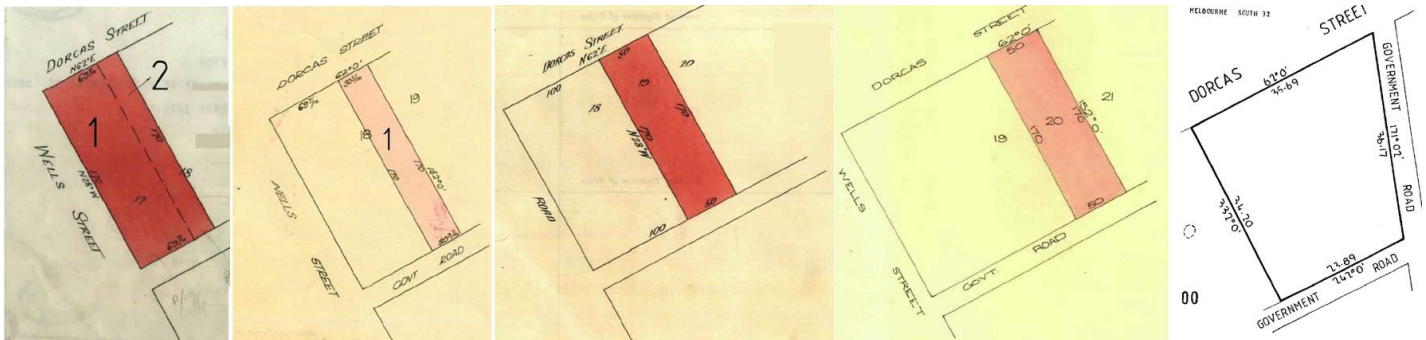


Figure 2: Land parcels that make the subject land



2. The site has a frontage of 76 metres to Dorcas Street, 34 metres to Wells Street, 36 metres to Middleton Lane East and 64 metres to Middleton Lane South and encompasses a site area of 2,394m². The site has a 4m appreciable fall along Dorcas Street, from the east to the west (Middleton Lane to Wells Street), with a gradient of 1:0.05
3. The site currently contains a mix of single, double and multi storey buildings, used for retail and commercial uses. Vehicle Access are provided at the rear of the properties via Middleton Lane which connects to Wells Street.
4. Nine street trees are located along the site's frontage to Dorcas Street, two to the rear of 21 Dorcas Street and three along to the site's frontage to Wells Street. Eight of the nine street trees located along Dorcas Street are proposed to be removed as part of this proposal.



Figure 3 & 4: Existing condition- Dorcas Street interface and Wells Street interface (Middleton Lane to the right)

Background

City of Port Phillip provides the following background on this site:

5. On 18 December 2020, Planning Permit 217/2019 approved a multi-storey (70 metres AHD or 20 storeys) building plus two basements for a mixed development, comprising of retail on the ground floor and 58 dwellings above. A total of 89 car spaces and 50 bicycle spaces were to be provided. The permit related to the 11-17 Dorcas Street, the eastern portion of the site only.
6. On 3 May 2022, an Amendment applied for under Section 87A of the Planning and Environment Act 1987 was approved by VCAT. The amended permit 217/2019/A approved a new mixed use development. The amendment made changes to the planning permit preamble, conditions and endorsed architectural plans. One of the key changes was a redesigned building where the angled highly glazed design approved under the original permit was modified for a more rectangular design.
7. The permit was extended on 22 July 2024 and now expires on 18 December 2026 if development has not commenced by this date.

Site Surrounds

8. The subject land (and land to the east and south) is located within the Commercial 1 Zone (CZ1). Further east of the site is the Shrine of Remembrance, zoned Public Park and Recreation Zone (PPRZ). Land to the north and west of the subject site are located with a Mixed-Use Zone (MUZ). Dorcas Street and St Kilda Road are Local Government Area (LGA) administrative boundaries that divide Melbourne LGA from Port Phillip LGA (blue line on the map below).

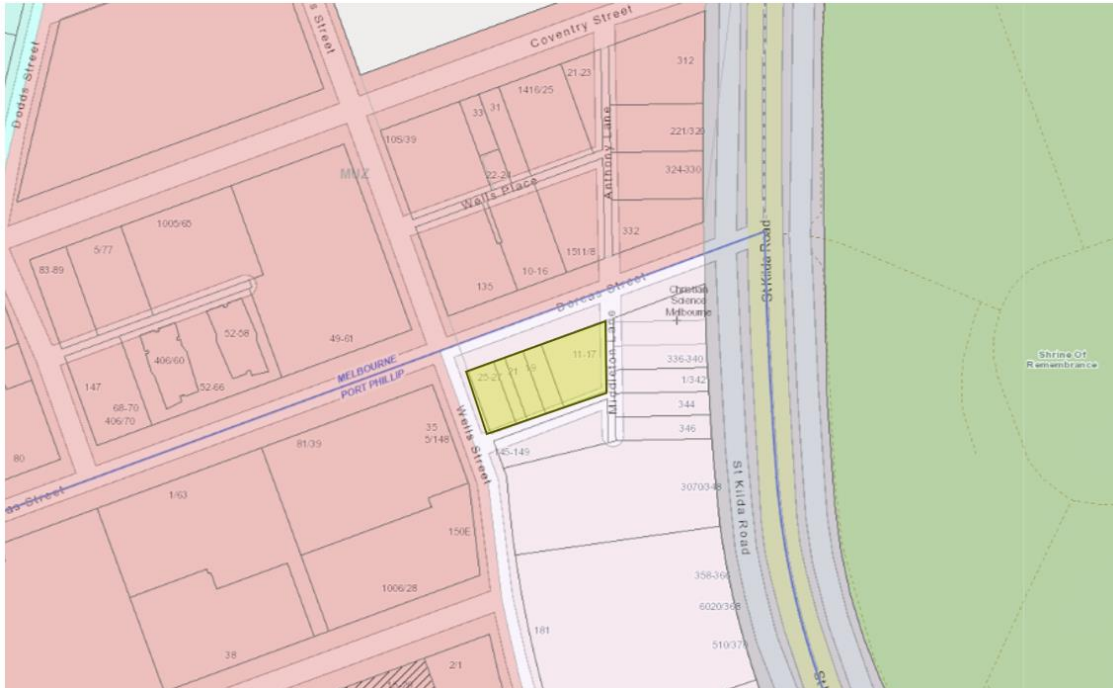


Figure 4: Zoning of the land surrounding the subject site

- North:**
- Dorcas Street is a local road providing a single lane of vehicle traffic in each direction, with parking and footpath provided on each side of the road.
- Immediately north of the site is a 24-storey building containing apartments, car parking and ground floor retail (commonly known as 135 Wells Street). The building fronts Wells Street with vehicular access to the car park provided via Dorcas Street.
- At 10-16 Dorcas Street, east of 135 Wells Street building, is an 8-storey office building with car parking at the ground floor and lower ground levels. Vehicular access is provided via an accessway to Dorcas Street. This site has an approval for the construction of 19-storey mixed-use building (City of Melbourne approval).
- Further east, at 8 Dorcas Street is a 20-storey residential building consisting of Quest apartments, ground floor retail and car parking. Vehicular access to the car park is provided via an accessway to Anthony Lane, located to the east of this building.



Figure 5: Built form to the north of the subject site

East:

To the east of the subject site is Middleton Lane, a 3-metre wide laneway which provides rear vehicle access to select properties fronting St Kilda Road, Dorcas Street, and Wells Street. Further east are several buildings of varying, low-scale heights that face St Kilda Road.



Figure 6: Site's abuttal with Middleton Lane to the east



The 'First Church of Christ Science' is located immediately east of Middleton Lane (336 St Kilda Road, South Melbourne). The building is listed as a National Trust building and is on the Victorian Heritage Register, classified as Listing No. 4871. The building is of significance as one of the 'most complete and scholarly essays in 1920s classicism applied to an ecclesiastical building in Melbourne'. The property is also included within the local Heritage Overlay consistent with the VHR listing (Source – Planning Report).

Also located to the east of the subject site is the one and two storey Christian Science Reading Room building at 340 St Kilda Road. The building operates in tandem with the First Church of Christ Science building to its north.

The Shrine of Remembrance is located approximately 300m east, located within the Kings Domain.

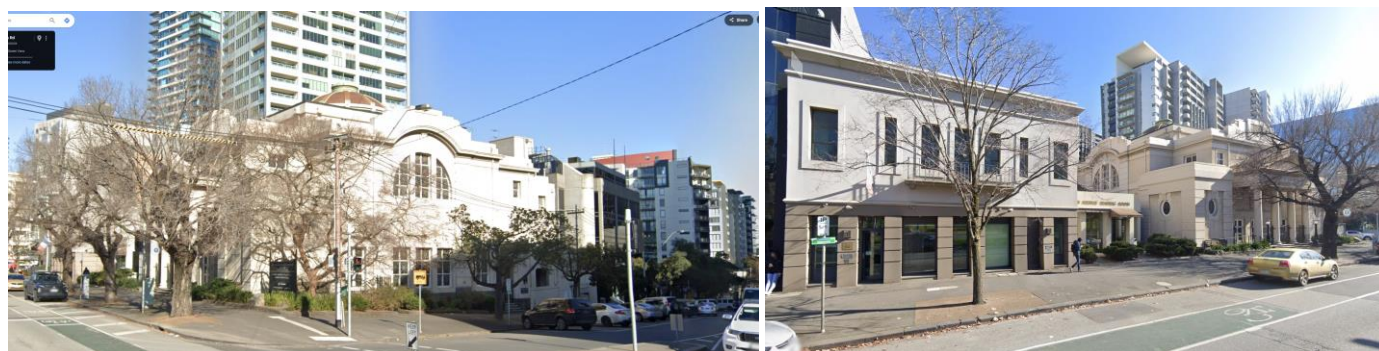


Figure 7: Properties to the east of the site (left) Dorcas Street view, (right), St Kilda Street view

West:

To the west of the subject site is Wells Street, a local road providing a single lane of vehicle traffic in each direction. The road acts as a local connector between Southbank to the north, and Park Street to the south. Parking is provided on each side of the road.

Further, on the adjacent side of Wells Street is a 10-12 storey residential building (148 Wells Street) located on the corner of Wells Street and Dorcas Street. Approximately 300 metres west of the site is Kings Way.



Figure 8: Property to the west of the site

South:

To the south of the site is a continuation of Middleton Lane which wraps around the southern and eastern boundaries of the site.

On the opposite side of Middleton Lane is 145-149 Wells Street, a single storey office building with a car park within its front setback. Also located to the south of the subject site are 350 St Kilda Road and 368 St Kilda Road, which are occupied by the 26-storeys St James Apartments and 42-storeys Royal Domain Tower, respectively, comprising apartments and associated car parking within podium levels with vehicular access provided from Wells Street.

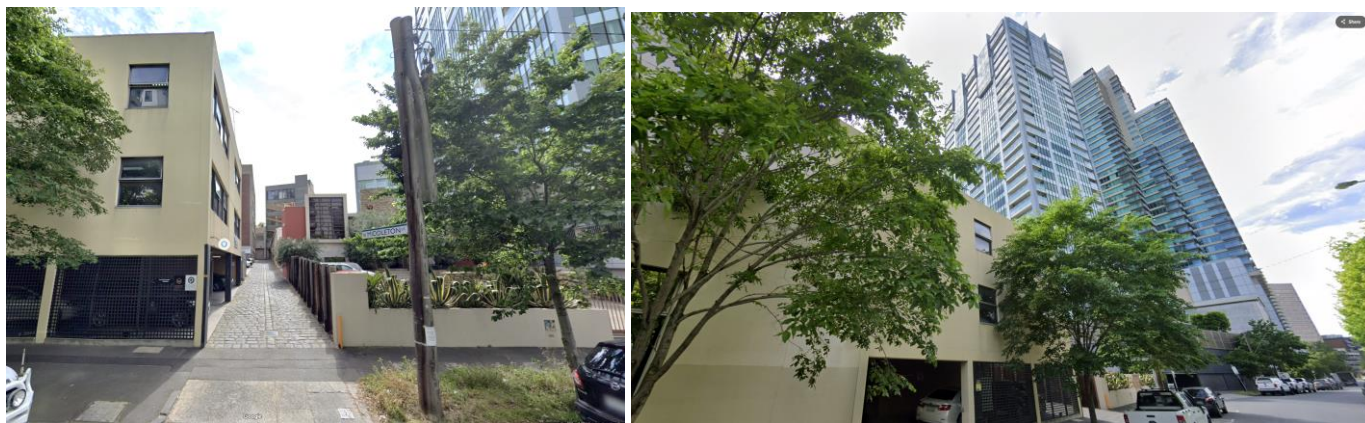


Figure 9: (Left) Middleton Lane to the south of the site and (Right) rear of 26-storeys St James Apartments and 42-storeys Royal Domain Tower



Proposal:	Use and development for a 19/20-storey mixed-use building comprising dwellings and retail premises, and a reduction in car parking requirements
Gross Floor Area:	41,130sqm (total) 34,652sqm (excluding three levels of basement)
Floor Area Ratio	17.15:1 (incl basement) or 1: 14.45 (excluding basement)
Built form:	Part 19, part 20 storeys plus 3 levels of basement 65.762 metres AHD, 70m AHD, including plant
Podium Setbacks:	North: nil East: 2.35m from the property boundary and 4.35m from the centre of Middleton Lane South: nil to 2.25m from the property boundary, 4.45m from the centre of Middleton Lane. Level 1 & above – nil West: nil
Tower Setbacks:	North: 1.5 -4.72m (with a rebate of 16.19m) – average of 3.61m East: 2.02m – 3.11m (4.5m from Centre of Middleton Lane) South: 2.5m (with a rebate of 7.78m) (4.5m from Centre of Middleton Lane) West: 1.15 – 6.035m (average 2.915m)
Dwellings:	243 (committing to provide 10% affordable housing or equivalent cash contribution) Studios 11 (or 5.1%), 1BDR 50 (or 20.6%), 2BDR 130 (or 53.5%), 3BDR 47 (or 19.3%), 3+BDR 5 (or 2%),
Retail	493sqm The development will provide a total of four retail tenancies, two with direct access to Wells Street and two with direct access to Dorcas Street.
Parking (shared):	223 Car parks, 114 Bicycle



Above: View from corner of Dorcas Street and Wells Street



Above: View from corner of Dorcas Street and St Kilda Road Wells Street



Above : The development response to Dorcas Street slope at street level



Above : Wells Street and Middleton Lane (south) interface



Planning Policy

9. The planning principles set out under the Planning Policy Framework (PPF) are to be used to guide decision making on planning proposals across the state. The following policies are considered relevant to this application.

Municipal Planning Strategy

10. The following objectives and strategies of the Municipal Strategic Statement of the scheme are relevant to the proposal:

Clause	Description
02.03-1	Settlement
02.03-3	Environmental Risks and Amenity
02.03-4	Built Environment and Heritage
02.03-5	Housing
02.03-6	Economic Development
02.03-7	Transport
02.03-8	Infrastructure
02.03-9	Open Space
02.04	Strategic Framework Plans

Planning Policy Framework

11. The following objectives and strategies of the Planning Policy Framework of the scheme are relevant to the proposal:

Clause 11	Settlement
Clause 11.01-1S	Settlement
Clause 11.01-1R	Settlement – Metropolitan Melbourne
Clause 11.03-1R	Activity Centres
Clause 11.03-1L-01	Activity Centres
Clause 11.03-6L-02	St Kilda Road North Precinct
Clause 13	Environmental Risks and Amenity
Clause 13.05	Noise
Clause 13.05-1S	Noise Management
Clause 13.06	Air Quality
Clause 13.06-1S	Air Quality Management
Clause 13.07	Amenity, Human Health and Safety
Clause 13.07-1S	Land Use Compatibility
Clause 14.02	Water
Clause 15	Built Environment and Heritage
Clause 15.01	Built Environment
Clause 15.01-1S	Urban Design
Clause 15.01-1R	Urban Design – Metropolitan Melbourne



Clause 15.01-1L-02	Urban Design
Clause 15.01-2S	Building Design
Clause 15.01-2L-01	Building Design
Clause 15.01-2L-02	Environmentally Sustainable Development
Clause 15.01-2L-03	Urban Art
Clause 15.01-4S	Healthy Neighbourhoods
Clause 15.01-4R	Healthy Neighbourhoods – Metropolitan Melbourne
Clause 15.01-5S	Neighbourhood Character
Clause 15.01-5L	Neighbourhood Character
Clause 16	Housing
Clause 16.01	Residential Development
Clause 16.01-1S	Housing Supply
Clause 16.01-1R	Housing Supply - Metropolitan Melbourne
Clause 16.01-1L-01	Housing Diversity
Clause 16.01-1L-02	Location Of Residential Development
Clause 16.01-2S	Housing Affordability
Clause 16.01-2L	Affordable Housing
Clause 17	Economic Development
Clause 17.02	Commercial
Clause 17.02-1S	Business
Clause 17.02-1L	Mixed Use and Office Areas
Clause 18	Transport
Clause 18.01-1S	Land Use and Transport Integration
Clause 18.01-1L	Land Use and Transport Integration
Clause 18.01-3S	Sustainable And Safe Transport
Clause 18.01-3R	Sustainable And Safe Transport – Metropolitan Melbourne
Clause 18.01-3L-01	Sustainable And Safe Transport in City of Port Phillip
Clause 18.02	Movement Networks
Clause 18.02-1S	Walking
Clause 18.02-2S	Cycling
Clause 18.02-2R	Cycling- Metropolitan Melbourne
Clause 18.02-3S	Public Transport
Clause 18.02-3L-01	Public Transport
Clause 18.02-4L-01	Car Parking
Clause 18.02-4L-02	Loading Facilities
Clause 19	Infrastructure
Clause 19.03-3S	Integrated Water Management
Clause 19.03-3L	Stormwater Management (Water Sensitive Urban Design)

Statutory planning controls

Significant Residential Development with Affordable Housing (Clause 53.23)

12. This proposal has been submitted under the Clause 53.23 pathway of the Port Phillip Planning Scheme.

An application can be submitted under this pathway if the estimated cost of the development of land for accommodation (other than camping and caravan park, group accommodation and residential hotel) as specified in the quantity surveyor report required under clause 53.23-3 is at least \$50 million, is located in metropolitan Melbourne and provides at least 10% of the total number of dwellings in the development as affordable housing, or alternatively, via an alternative mechanism for the provision of affordable housing specified in the agreement under section 173 of the Act referred to in clause 53.23-4.

Zone and Overlay provisions

13. A planning permit is triggered for the proposal pursuant to:

Commercial Zone – Schedule 1

- Pursuant to Clause 34.01-1: A permit is required to use the land as a dwelling with a frontage at ground floor level exceeding 2 metres in the Commercial 1 Zone.
- Pursuant to Clause 34.01-4: A permit is required to construct a building or construct or carry out works in the Commercial 1 Zone

Design and Development Overlay – Schedule 14 (City Link Exhaust Stack Environs)

- Pursuant to Clause 43.02-2 a permit is required to construct a building or construct or carry out works.

Design and Development Overlay – Schedule 26 1C (St Kilda Road North Precinct)

- Pursuant to Clause 43.02-2 a permit is required to construct a building or construct or carry out works.

Other applicable particular provisions

Car Parking (Clause 52.06)

- Pursuant to Clause 52.06-3, a permit is required to reduce, including to zero, the number of car parking spaces required under Clause 52.06-5.

Bicycle Parking (Clause 52.34)

- Pursuant to Clause 52.34-2 a permit may be granted to vary, reduce or waive the bicycle requirements.

Strategic considerations

Plan Melbourne

14. Plan Melbourne 2017-2050: Metropolitan Planning Strategy (Department of Environment, Land, Water and Planning, 2017) outlines the long-term plan to manage growth in the city and suburbs to the year 2050. It seeks to integrate long-term land use, infrastructure and transport planning, and in doing so, meet the city's future environmental, population, housing and employment needs. The following are relevant:

- Direction 1.1: Create a city structure that strengthens Melbourne's competitiveness for jobs and investment.
- Policy 1.1.1: Support the central city to become Australia's largest commercial and residential centre by 2050.
- Direction 2.2: Deliver more housing closer to jobs and public transport.
- Policy 2.2.1: Facilitate well-designed, high-density developments that support a vibrant public realm in Melbourne's central city.
- Direction 2.5: Provide greater choice and diversity of housing.
- Policy 2.5.1: Facilitate housing that offers choice and meets changing household needs.
- Direction 4.3: Achieve and promote design excellence.
- Policy 4.3.1: Promote urban design excellence in every aspect of the built environment.

Referrals

15. The application was referred to the following authorities. Their comments are as follows:

Authority	Referral/Notice	Position
Port Phillip City Council	S52 Notice	Conditional support
Transport for Victoria	S55 (Determining RA)	Conditional support
EPA	S52 Notice	No objections
Transurban	S52 Notice	No response
DTP Urban Design	Internal comments	Conditional support
DTP 3D Team	Internal comments	No objections

Referral Authority comments	Planning officer comments
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Port Phillip City Council (CoPP)

CoPP generally supports the proposal in its current form, subject to DTP ensuring the following issues are addressed/mitigated:

- Ensure no overshadowing of the Shrine of Remembrance and no unreasonable overshadowing of any adjoining property.
- Require revised plans to show the removal of street trees along Dorcas.
- Include a condition on any approval that maybe granted that the permit holder provide integrated urban art in new developments that reflects the identity of place, community values and innovation and creativity.
- Include appropriate conditions on any approval that maybe granted that addresses outstanding matters to ensure the proposal would achieve best practice in environmentally sustainable development.
- Include appropriate conditions on any approval ensuring:
 - Reflectivity would not create offsite impacts.
 - Appropriate urban design outcomes at street level
 - Provision of car share spaces
 - Safe and appropriate car parking, access and loading
 - Provision of appropriate bicycle parking
 - Provision of appropriate shading to windows
 - Provision of Landscape plans
 - Provision of Lighting plans
 - Appropriate waste management on site.

Planning Officer comments:

The above will be included, as considered appropriate (with discussions in the report), in any approval that may be granted.

Transport for Victoria

Provides the following footnote to be included in any approval:

The permit holder must take all reasonable measures to ensure that these works shall not reduce water levels of Coode Island Silt and shall not affect the ground water system around the CityLink tunnels

Planning Officer comments:

This will be included as a footnote on any approval that may issue.


Urban Design

The proposal was referred to OVGA for their comments when it was lodged through DFP. As OVGA were generally supporting of the proposal, subject to some design changes, this proposal was not re-referred.

Planning Officer comments:

Comments provided by OVGA and how the proposal responds to these are contained within the body of this report.

DTP 3D Team



The 3D Team assessed/tested the submitted 3D model and were satisfied it was correct. They tested shadows on protected areas using this model and found overshadowing to be within limits.

Planning Officer comments:

3D Team's prepared shadow diagrams that are included in the body of this report.

Public Notification

16. The application is not 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 *Planning and Environment Act 1987* pursuant to the following provisions:

- Clause 34.01-7 (Commercial 1 Zone for land use)
- Clause 43.02-2 refers to the schedules for exemption from the notice requirements:

A schedule to this overlay may specify that an application 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.

The schedules do not provide any exemptions but specifies additional parties that need to be notified:

- Clause 43.02-2 (DDO14) requires notice to be given to Environment Protection Authority, Transurban City Link Ltd and Roads Corporation.
- Clause 43.02-2 (DDO26) requires notice to be given to The Shrine of Remembrance Trustees if works exceed the maximum development height requirements specified under Clause 2.2 for Sub-precinct 2 - North West Corner, Sub-precinct 5 - St Kilda Road South of Kings Way or Sub-precinct 6 Queens Road. Although the development exceeds the heights of 18m within 5m from Wells Street and Dorcas Street, notice to The Shrine of Remembrance Trustees is not required under this provision as the site is in Precinct 1C.
- Notwithstanding the above, Inhabit was engaged by the proponent to undertake an external reflected glare assessment for the façade of the proposed development due to its proximity to the Shrine of Remembrance. The reflected glare assessment has identified that the impacts of reflected glare from the proposed building can achieve compliance against the performance criteria or otherwise can effectively be mitigated (i.e., through the use of car sun visors). This will be required as a condition on any approval that the recommendations of this report be incorporated in the design of the proposal, if approval is granted.

- Clause 52.06-4 (Car Parking) – The application is not 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. As such, notice is required to be given under this provision.
- This application is lodged under Clause 53.23 pathway. Pursuant to Clause 53.23-5, an application under any provision of this planning scheme is exempt from the decision requirements of sections 64(1), (2) and (3), and the review rights of sections 82(1) of the Act.

17. The applicant was required to notify the adjoining owners and occupiers of the development by way of display of signs on the land and by postal mail or email.

18. The submitted Statutory Declaration declares that the notice was posted on the land 8 November 2024 and maintained in good order for 14 days. The Statutory Declaration was signed and returned to the Department on 25 November 2024.

Submissions

19. DTP received a total of 18 submissions following the notification of the proposal. Objections have been raised on the following grounds:
- a. Noise disruption during construction/outside of normal hours work
 - b. Noise, dust, traffic pollution during construction
 - c. Effect of demolition and construction on heritage listed First Church of Christ, Scientist building.
 - d. Restricted access to the church car park during demolition and construction (if Middleton Lane is closed)
 - e. Will affect character of the neighbourhood and heritage listed church building
 - f. Does not align with design objectives of DDO26 (setbacks, tower width, roof services)
 - g. Presents bulk and mass issues
 - h. Overdevelopment/scale of development/high density, increased floor space ratio
 - i. Will set poor built form precedence
 - j. Will impact on equitable development outcomes
 - k. Increased traffic congestion
 - l. Does not provide sufficient car parking (increase to 250)
 - m. Lack of on street parking to address shortage of car parking provision
 - n. Access/egress to the site/queuing of vehicles on our use of Middleton Lane for car two lifts
 - o. Loss of natural light/equitable access
 - p. Privacy/overlooking concerns
 - q. Poor internal amenity due to the small size of the dwellings
 - r. Loss of view/line of sight
 - s. Will affect general amenity
 - t. Increased wind tunnel effects
 - u. Will devalue properties
 - v. Will cast a shadow on the Shrine of Remembrance, Government house and Botanical Gardens
 - w. Opportunity to improve vegetation/greenery in the area
 - x. Abuse of planning legislation - discussions on development occurred with state government before the community were notified, process bypasses Council, cash contribution offered in lieu of provision of affordable housing on site
 - y. Impact on Local Infrastructure- drainage, sewage, schools, parks, healthcare facilities, on-street carparking and public transport services.



Strategic Direction and Land Use

Key considerations

Some of the key considerations in the assessment of this proposal are:

- *Is the proposal consistent with the relevant planning policies?*
- *Is the proposal consistent with the purpose of the Commercial 1 Zone and other overlays and particular provisions that affect the site, including the requirements of Clause 53.23 pathway?*
- *Does the proposal provide an appropriate design response to existing conditions, built form that interface the development?*
- *Does the proposal provide appropriate level of public realm and landscaping?*
- *Does the development provide adequate response to wind conditions, weather protection, light and shade and overshadowing*
- *Does the proposal provide a reasonable level of internal amenity?*
- *Is the proposal representative of Environmentally Sustainable Development?*
- *Is the provision of car parking and bicycle parking appropriate?*
- *Are the proposed access, loading and waste arrangements appropriate?*
- *Does the proposal provide a net community benefit?*
- *Does the proposal have regard to flooding implications?*
- *Will the development be constructed in stages?*
- *Is the site environmentally sound for a sensitive land use?*
- *Does the application trigger a Cultural Heritage Management Plan?*
- *Should the proposal be support? If so, what time frame is appropriate for the commencement and completion of the development?*
- *How does the development respond to the grounds of objections raised?*

Consistency of the proposal with the relevant planning policy

Municipal Planning Strategy

20. The proposal is consistent with the Vision of the Port Phillip Planning Scheme in that it will provide a development:
- That is liveable, well-designed that contribute to safe, lively, high amenity places with public spaces that are safe and inviting places for people to enjoy.
 - That is easy to get around, with 10-minute neighbourhoods that give locals access to shops, community spaces and a strong sense of place.
 - Will provide a range of affordable, accessible and diverse housing types to meet the needs of the population and is supported by a range of community facilities and services.
21. The proposal is consistent with the Strategic Direction of the Port Phillip Planning Scheme in that the development:
- Will contribute to maintaining high quality residential environments in established residential areas of South Melbourne (clause 2.03-1: Settlement).
 - Is designed and will be managed so that it can appropriately respond to a changing climate by using sustainable methods to reduce emissions and burden on the environment (clause 2.03-3: Environmental Risks and Amenity).
 - Responds to the context of the area, existing built forms, open spaces, including the Shrine of Remembrance (clause 2.03-4: Built Environment and Heritage).
 - Provides for a variety of dwellings to meet the diverse needs of Port Phillip's community and ensuring that in terms of household size, lifestyles and abilities, and provides affordable housing to address the needs of marginalised residents (clause 2.03-5: Housing).



- Provides further retail spaces to this area of South Melbourne (clause 2.03-6: Economic Development).
- Reduces car-based travel and takes advantage of the City's well-established public transport network, promotes walking and bicycle riding (clause 2.03-7: Transport).
- Locates in an area that is well serviced by existing utilities and infrastructure (clause 2.03-8: Infrastructure).
- Does not detrimentally impact on the amenity, landscape and environmental values of public open space, including the Shrine of Remembrance (clause 2.03-9: Open Space).

Planning Policy Framework

22. The planning policy framework encourages sustainable growth and development of Victoria. It seeks development of sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities. It encourages form and density of settlements that supports healthy, active and sustainable transport, limit urban sprawl and direct growth into existing settlements and promotes and capitalises on opportunities for urban renewal and infill redevelopment (clauses 11.01-1S and 11.01-1R).
23. Clause 11.03-6L-02 relates to St Kilda Road North Precinct where the site is located and seeks to:
 - To reinforce the St Kilda Road North Precinct as a dynamic, connected, integrated, safe and inclusive place to live, work and visit.
 - To maintain the role of St Kilda Road North as a preferred location for premier office accommodation and well-designed, higher density residential development.
24. The Planning Policy Framework encourages appropriate land use and development which enhances the built environment, supports economic growth, meets the community expectations on retail provision, delivers diversity in housing supply, to meet existing and future needs, and integrates transport and infrastructure planning.
25. The proposal will contribute development of local significance and achieve a high standard of design. The proposal will provide a diverse form of housing in proximity to the work, cultural and social venues and existing infrastructure.
26. The proposal is broadly in accordance with the Development Plan that applies to the site. On balance, the layout of the development achieves an acceptable outcome, as it presents to both Dorcas Street and Wells Street and appropriately responds to surrounding public realm interfaces in terms of its form, scale and program.
27. The provision of balconies to dwellings along all interfaces will increase activation, vibrancy and offer passive surveillance and will enhance the safety and amenity of the public realm. The development will be provided with central entry points that are legible, with good levels of passive surveillance alongside both, Dorcas Street and Wells Street interface.
28. The proposed development will align with transport policy by providing safe access and egress for the public, relying on the use of existing roads for pedestrian and cyclist access. The site is afforded with excellent access to sustainable, alternative modes of transport, and provide no on-site car parking, seeking a modal shift to sustainable alternatives.
29. In all, the proposal will increase the supply of housing in an area that offers excellent access to services and transport. The proposal will create visually interesting, good quality architecture and urban design, contributing to the design vision for the South Melbourne and the public realm in accordance with clauses 15.01-1S and 15.01-2S. The development appropriately responds to the gradient of the site. It will provide street interfaces and that will provide a pleasant and safe pedestrian experience for users of the public realm in accordance with clauses 15.01-1S and 15.01-4S.
30. Clause 15.01-2L-03, seeks to encourage the integrated urban art in new developments that reflects the identity of place, community values and innovation and creativity. This proposal does not provide any urban art submission despite the estimated cost of works exceeding the threshold trigger of Clause 15.01-2L-03 of \$2M. This can be resolved by way of condition if approval is granted.
31. The proposal will mitigate any noise and amenity concerns through design of the development. Finished floor levels of the development are acceptable, providing a good balance between addressing any potential flooding issues and having a good activation/interface between the private and public realm in accordance with clauses 13.05-1s, 13.07 and 13.07-1S.



32. The proposal will facilitate well-located, integrated and diverse housing that meets community needs in an area that is well serviced. It will provide a mix of dwelling sizes to cater for different demographics and family types. The development will provide affordable housing (10% of the dwelling stock or equivalent), all in accordance with clauses 16.01, 16.01-1S, 16.01-1R, 16.01-1L-01, 16.01-1L-02, 16.01-2S and 16.01-2L.
33. The proposal will provide retail uses at the ground floor level, consistent with clause 17.02-1L which classes Dorcas Street, South Melbourne - Mixed Use Zone as primary employment and commercial/office role.
34. The proposal seeks a reduction in car parking provision to instead take advantage of public transport, cycling, walking and shared modes of transport that exist in the immediate area. The development will provide an adequate supply of bicycle parking spaces to encourage sustainable transport in accordance with clauses 18.01-1S, 18.01-1L, 18.01-3S, 18.01-3R, 18.01-3L-01, 18.02-1S, 18.02-2S, 18.02-2R, 18.02-3S and 18.02-3L-01. The proposal will meet the intent of clause 18.02-4L-02 (Loading facilities).
35. A Stormwater Management Plan has been submitted with the application. This report will address the requirements of Clause 19.03-3L for stormwater management, subject to conditions.

Strategic considerations

36. The proposal is consistent with Direction 2.2, 2.5 and Policy 2.5.1 of Plan Melbourne in that it will deliver more housing closer to jobs and public transport, provide greater choice and diversity of housing and facilitate housing that offers choice and meets changing household needs.
37. It will be consistent with Direction 4.3 and Policies 2.2.1 and 4.3.1 of Plan Melbourne in that it will achieve and promote design excellence, facilitate well-designed, high-density developments that support a vibrant public realm in Melbourne's central city and promote urban design excellence in every aspect of the built environment.

Consistency of the proposal with the purpose of the Commercial Zone, Design and Development Overlays and that affect the site, including particular provisions that apply to the proposal.

Zoning

Commercial Zone – Schedule 1 (Clause 34.01)

38. The proposal is for a mixed-use development with retail, food and drink premises, and dwellings. A permit is not required under the Commercial 1 Zone for retail or food and drink premises, pursuant to clause 34.01-1. A permit is however required for dwellings if any ground floor frontage exceeds 2 metres. The ground floor plan indicates a residential lounge, which also serves as the entrance to the apartments, occupying part of the Dorcas Street frontage. Despite this, the commercial uses still dominate the frontages on both Dorcas and Wells Streets. This is consistent with other local mixed-use developments, where ground floors feature commercial spaces with large lobby areas or lounges. The intent of the control is to ensure active ground-floor uses, and the proposed design meets this by maintaining significant commercial activity while introducing a residential lounge that adds to the frontage's activity. Therefore, the proposal aligns with the objectives of the Commercial 1 Zone.
39. The proposal will provide for residential uses at a density that is complementary to the role and scale of the commercial centre. The retail uses provided will help create a vibrant mixed use commercial centres for retail, office, business, entertainment and community uses in South Melbourne.
40. Pursuant to clause 34.01-8, an apartment development must meet the requirements of clause 58. An assessment against clause 58 is included in the appendix to this report and further discussed in the latter part of this report.

Design and Development Overlay – Schedule 14 – City Link Exhaust Stack Environs)

41. Pursuant to Clause 43.02-2, a permit is required to construct a building or construct or carry out works, although DDO14 does not trigger a permit for buildings and works. It however requires that relevant authorities (City Link-Department of Transport (DoT)) are informed of development within proximity of the City Link exhaust stack and their comments relating to the design and built form of new development considered in any assessment process. Further, the responsible authority, in assessing such applications must have regard to the following:
 - *Ensure that the development of land around the City Link exhaust stack is not adversely affected by the operation of the stack.*



- *Ensure that development of land around the City Link exhaust stack does not adversely affect the operation of the stack.*
42. City Link (DoT) was given notice of the application, who provided a footnote to be included in any permit that may issue.
43. DTP considers that the development of land will not adversely affect the operation the City Link exhaust stack nor will the City Link exhaust stack adversely affect the development and use.

Design and Development Overlay – Schedule 26 -1C – St Kilda Road North Precinct

44. Pursuant to Clause 43.02-2 a permit is required to construct a building or construct or carry out works.
45. The subject site falls within the St Kilda North precinct which has the following purpose (as relevant):

General

- *To provide for the future development of the St Kilda Road North Precinct, as a Precinct integrated with its urban and landscape surrounds.*
- *To ensure development is environmentally sustainable.*
- *To ensure development does not dominate or obstruct view corridors to key landmark and civic buildings, including the Shrine of Remembrance.*
- *To encourage building design that minimises adverse amenity impacts upon residential properties, Albert Park Reserve, the Shrine of Remembrance and other open space, streets and public places in the area as a result of overshadowing, wind tunnelling or visual bulk.*

Shrine setting

- *To protect the Shrine of Remembrance as a significant historic and cultural landmark and place of reverence by:*
 - *Maintaining the scale of development within its setting and backdrop.*
 - *Preserving important views and vistas to and from the Shrine.*
 - *Ensuring that external building materials and finishes are selected to minimise solar reflectivity and glare impacts, particularly on ANZAC Day and Remembrance Day.*
 - *Ensuring that signs do not adversely affect the significance of the Shrine of Remembrance as a place providing contemplation and reflection.*
- *To prevent further intrusion of built form into the Shrine's silhouette above the level of the portico roof when viewed from its western elevation.*
- *To maintain solar access to the Shrine's Memorial Gardens.*

City Beautiful

- *To reinforce a sense of symmetry and consistency in the streetscapes of St Kilda Road and Queens Road, through regularity of building heights, spacing and frontage setbacks.*
- *To create a built form that transitions between the higher scale buildings in St Kilda Road and medium scale buildings in Queens Road respectively.*

Landscape setting

- *To ensure development contributes to an expanded network of high-quality green streets and public places.*
- *To maintain and consolidate the grand landscape setting of the Precinct as an important and distinctive feature of the area by requiring consistent front and side boundary setbacks and high-quality landscaping.*
- *To maintain solar access to major open spaces.*

Streets for People

- To ensure new development enhances the public realm and contributes to a network of pedestrian friendly streets.
- To ensure development contributes to connections that achieve a fine-grained pedestrian network.
- To create an active, high quality pedestrian environment at street level.

Private Amenity and Outlook

- To ensure a high degree of internal amenity for building occupants, including providing for outlook and privacy, natural ventilation, sunlight and daylight and noise minimisation.
- To ensure spacing between towers is sufficient to:
 - Allow for cross ventilation within the building.
 - Assist in maintaining the sense of space and 'open sky views' at street level.
 - Provide opportunities for buildings to have an outlook.
- To ensure development does not unreasonably impact on the amenity of adjoining residential areas.
- To ensure development in the Precinct does not unreasonably overshadow adjoining residential properties south/west of Kings Way.
- To ensure that the design of buildings constructed 'boundary to boundary' minimises building bulk across the width of the site, reflects the existing fine grain subdivision pattern and promotes vertical articulation in the design.

46. An assessment of the proposal against the DDO 26-1C control is located in the latter part of this report.

Car Parking (Clause 52.06)

47. Pursuant to clause 52.06-3, a permit is required to reduce the number of car parking spaces under clause 52.06-5, including any reduction to zero. The plans must comply with the design standards outlined in clause 52.06-9, unless the responsible authority grants an exemption.
48. The proposal triggers a requirement for a minimum of 312 car parking spaces; however, it provides only 223 spaces. As such, a permit is required under clause 52.06-3. Further details regarding these aspects of the proposal are discussed later in this report.

Bicycle Parking (Clause 52.34)

49. Pursuant to clause 52.34-2, a permit may be granted to vary, reduce, or waive the bicycle parking requirements. Clause 52.34-3 mandates the provision of 1 bicycle parking space for every 5 dwellings for residents, 1 bicycle parking space for every 10 dwellings for visitors, 1 space for every 300 square metres of leasable floor area for employees, and 1 space for every 500 square metres of leasable floor area for visitors in retail use.
50. The proposal triggers a requirement for a minimum of 48 bicycle parking spaces for residents, 1 space for retail employees, and 24 spaces for resident visitors, totalling 73 spaces.
51. The proposal will provide 114 bicycle parking spaces, surplus of what is required. A permit is not triggered under clause 52.34. These matters are further discussed in the latter part of this report.

Significant Residential Development with Affordable Housing (Clause 53.23)

52. This application qualifies for and is submitted under this pathway, as it is in line with the Victorian Housing Statement to provide more dwellings for Victorians, as the estimated cost of the development of land for accommodation is at least \$50 million and is located in metropolitan Melbourne.
53. The purpose of clause 53.23 is to:
- To facilitate residential development that includes affordable housing to meet existing and future needs.
 - To facilitate the redevelopment and renewal of public housing stock to meet existing and future needs.

- To facilitate residential development carried out by the State of Victoria or jointly or in partnership with the private sector, including via innovative funding, investment and partnership approaches.
- To facilitate residential development with high quality urban design, architecture and landscape architecture.
- To provide opportunities for non-residential use and development in association with residential development.

54. The applicant has provided commercial in confidence documents, to demonstrate their financial capability. They have also appropriately demonstrated viability of the project in its current form and ability to commence development immediately, if a permit is granted. This has been assessed by Investment Victoria and DTP's Development Facilitation Project Team and deemed to be satisfactory.

55. The applicant will provide at least 10% of the total number of dwellings in the development as affordable housing, or alternatively, via an alternative mechanism for the provision of affordable housing specified in the agreement under section 173 of the Act referred to in clause 53.23-4. The proponent elects to provide a cash contribution equal to 3% of the estimated development cost for the residential component of the development to the Social Housing Growth Fund (SHGF) (Payment to be made to the Department of Treasury (DTF) and Finance accounts receivable prior to occupation. This will be required as a condition on any approval that may issue.

Assessment of the proposal against DDO26 - 1C – St Kilda Road North Precinct

56. The site falls within the Edge of Shrine Memorial Gardens in Map 1 to Schedule 26 to Clause 43.02 - St Kilda Road North Precinct and Sub-precincts (**Sub Precinct 1**).

57. Sub-Precinct 1: The Edge of Shrine Memorial Gardens Sub-Precinct forms the western backdrop to the Shrine and the edge to the Memorial Gardens and the Domain Parklands. The scale, form and detailed design elements of buildings within this Sub-Precinct are critical in respecting the sensitivity of the Shrine setting. The following design objectives apply:

- To ensure that buildings are of a scale, form and design detail that creates a respectful background to the Shrine of Remembrance and Memorial Gardens.
- To ensure that buildings are designed to respect the sensitivity of the immediate vicinity of the Shrine of Remembrance and the more distant elevated points of the Shrine of Remembrance site.
- To ensure that new development reinforces the established and consistent built form pattern of low scale built form at street edge with high towers that have substantial setback from the street edge.
- To ensure the continuation of consistent street tree planting that contributes to the maintenance of a high amenity of the streetscape.



Figure 10: Map 1 to Schedule 26 to Clause 43.02 - St Kilda Road North Precinct and Sub-precincts

58. The above is achieved through compliance with the controls below:

DDO requirements that apply to Sub Precinct 1	Design response
<p>Design Quality</p> <ul style="list-style-type: none"> New developments should achieve urban design and architectural excellence. Where a podium / tower typology is not proposed for a corner site, a high-quality architectural response is required which achieves an appropriate transition to podium/setback requirements on adjoining sites, including through building articulation/massing, building materials, finishes and design detail. Developments on large sites should minimise building bulk and promote vertical articulation in their design. 	<p>The development is on a large site and uses a number of techniques to minimise the building bulk. It proposes a podium/tower typology where the upper form is designed to appear as two distinct tower forms. The materiality of the tower form is distinct from the design and treatment of the podium base. The podium reads as residential and presents a textural plinth with thick vertical columns creating a strong vertical rhythm along the Dorcas Street frontage.</p> <p>The towers are sculptural in their form, presenting concave elements towards Dorcas Street and St Kilda Road. Each tower form is designed with a sculptural 'shell' with a 'primary' concave façade and a horizontality sculpted ribbon of metal banding. Provision of vertical elements help break the length of this façade, whilst providing a rhythm and grain. The open balconies located at the corners reinforce and link the change in facade expression.</p> <p>The podium is designed to read as more residential in scale and grain, and is broken up into four modules, utilises thicker, solid elements in a light beige, textured concrete finish. The main building entry is clearly expressed by the central break in the podium. This aligns with the central 'garden bridge' extrusion, emphasising the two-tower expression.</p> <p>The development is architecturally well designed to respond to the streetscape and surrounding built forms.</p>
<p>Separation Distances / Side and Rear Setbacks</p> <ul style="list-style-type: none"> Development above the podium height (including balconies) <u>should</u> be set back a minimum of 4.5 metres from common side and rear boundaries and at least 9 metres from existing towers. Where no podium is proposed as part of the development, a setback of 4.5 metres to the common boundary should be provided. <p><i>*A permit may not be granted to construct a building or construct or carry out works which are not in accordance with this requirement unless allowed by Clause 2.3 of this schedule.</i></p> <ul style="list-style-type: none"> Additional side and rear setbacks and/or separation distances may be required to ensure buildings are designed and spaced to: <ul style="list-style-type: none"> Respect the existing urban character and pattern of development. Equitably distribute access to an outlook, daylight and achieve privacy from primary living areas for both existing and proposed development. Achieve sky views between towers, ensure adequate sun penetration to street level and mitigate wind effects. 	<p>Variation to the discretionary tower setbacks is sought for the tower element along all elevations.</p>  <p>Front setback (to Dorcas Street): setbacks of up to 4.85m are provided. This is compliant for most of the central portion of the development with encroachment within the setback only towards the edges, reducing the setback to 2.4m. This is considered acceptable given the main portion of the building is 4.5m setback or greater and incorporates a generous recess in the middle of the tower to create two distinct forms.</p> <p>The development would have a varied setback of 1.15m increasing to 6.035m to the west. As this will have a direct interface with Wells Street, no equitable development issues are raised.</p> <p>As for the east elevation, the development will be setback 2.2-3.1m from the boundary and 5.1m from the centre of Middleton Lane, providing sufficient setback from any development along this elevation.</p>



- Avoid windows of primary living areas and balconies that directly facing one another.
- Maintain the equitable development potential of adjoining lots.

To the **south**, the development will be setback 2.5m from the boundary and 4.55m from the centre of Middleton Lane, providing sufficient setback from any development along this elevation

Given the site is bound by roads on all sides, the proposal would maintain equitable development for the surrounding properties.

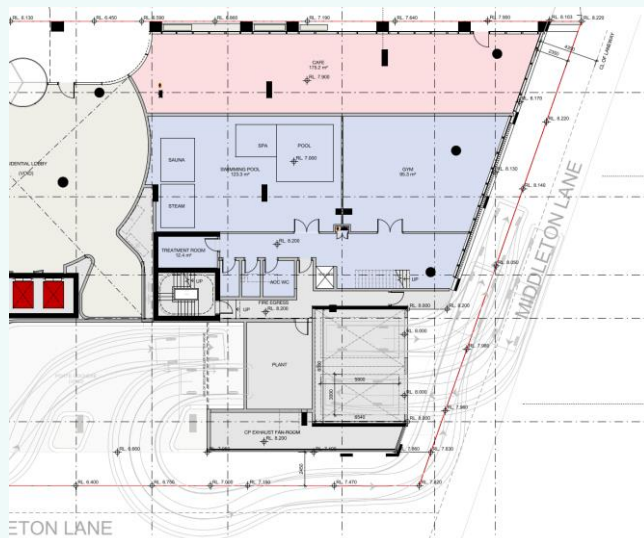
Landscaped Setbacks

- Clear sightlines should be provided from the footpath to the building façade to increase perceptions of pedestrian safety.
- Water sensitive urban design treatments should be incorporated into frontage design to manage and reduce stormwater runoff.
- Exhaust stacks from underground car parks should be located away from main pedestrian areas and incorporated into the building design or adequately screened.
- Grade differences between the ground floor level and natural ground level should be kept to a minimum. Where level differences cannot be avoided (for example, due to the Special Building Overlay), stairs, terraces, disabled access ramps should be designed to not visually dominate the frontage setback space or significantly reduce the area for landscaping.

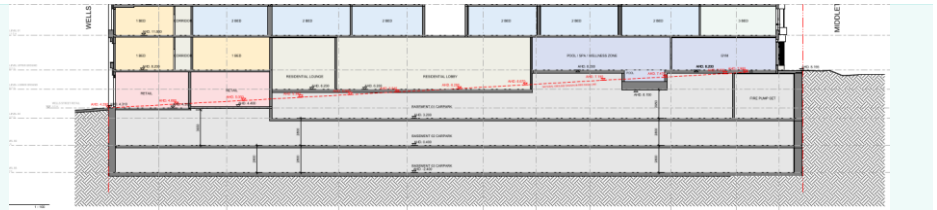
- The development will maintain clear sightlines from the footpath to the building façade to increase perceptions of pedestrian safety (Dorcas Street view below).



- The development will use water sensitive urban design treatments into design to manage and reduce stormwater runoff, subject to conditions. The proposed development incorporates roof catchment to divert rainwater to on-site 30KL rainwater tank for re-use.
- The development will locate exhaust stacks from underground car parks away from main pedestrian areas.

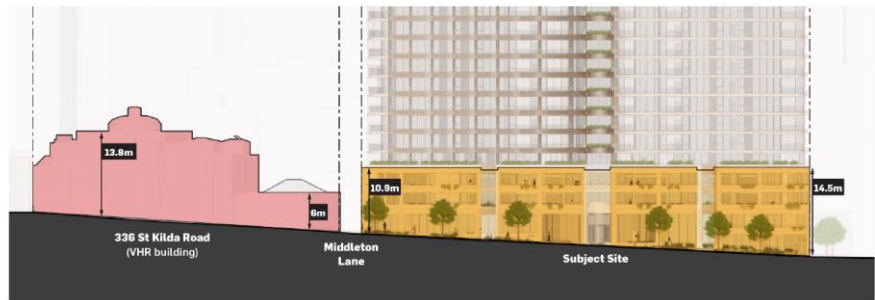


- The development will appropriately manage grade differences between the ground floor level and natural ground level.



Heritage

- *New development should respect the form, massing and siting of heritage buildings on the development site or adjoining sites.*
- The proposal will appropriately respond to the heritage building located to the east. The street wall of the adjacent component of the podium along this interface is lower (10.9m) to respond to the adjacent 6m high heritage building street wall. The separation of form resulting from Middleton Lane will assist in providing an appropriate transition in height. This is satisfactory.



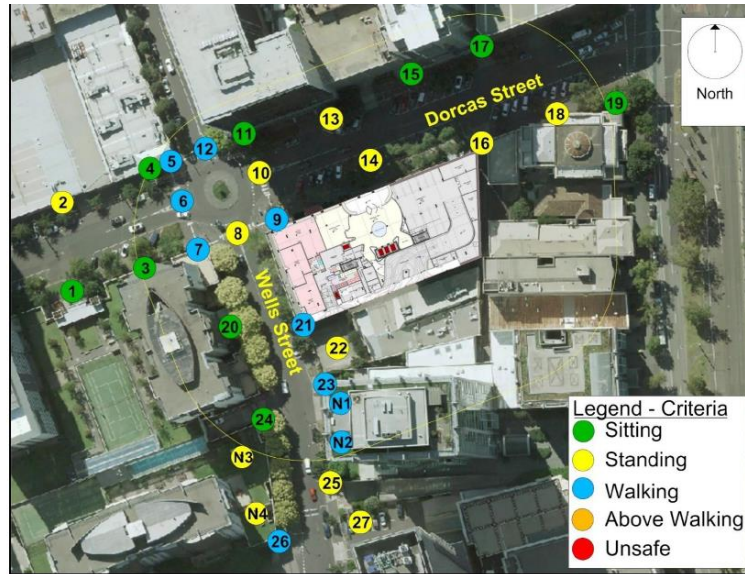
Street Wall / Podium Level

- *The design of podiums should create a 'human scale' providing visual interest and activity for pedestrians at the street edge (Dorcas Street and Wells Street interfaces). This is partly achieved by breaking up the massing of the podium into four distinct elements as shown in the render below.*
- *The design of buildings should reinforce the pattern of the street by aligning their façade with the curvature of the street frontage.*
- *The design of new buildings should include openable habitable windows and balcony doors on the first five levels of the 'street wall' to enhance the sense of connection, surveillance and safety at ground level.*
- *All car parking at ground level or above should be sleeved with active uses to ensure it is not visible from the street.*
- *Buildings located on corner sites should address both street frontages.*
- The design of podium creates a 'human scale' providing visual interest and activity for pedestrians at the street edge (Dorcas Street and Wells Street interfaces). This is partly achieved by breaking up the massing of the podium into four distinct elements as shown in the render below.



Figure 15 Oblique view from the west on Dorcas Street (source: Bates Smart)

- Wind conditions, access to sunlight and sky view are acceptable, typical of what would be expected in a built form environment in an urban setting.

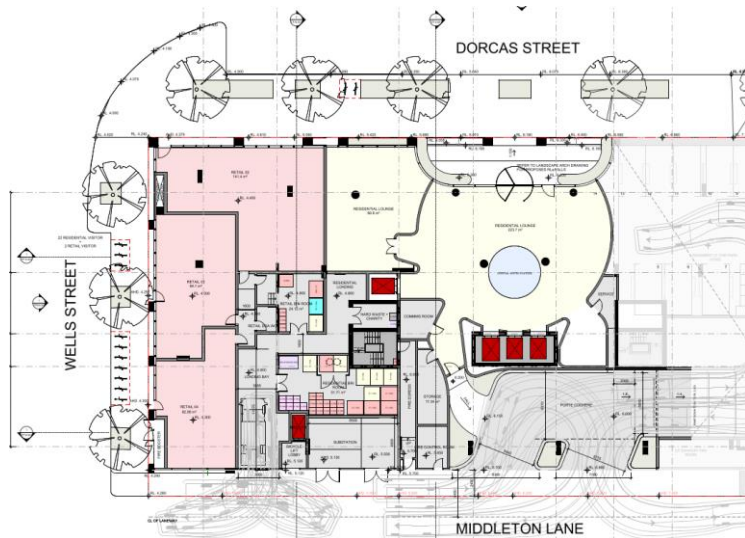


Summary of the surrounding streetscapes wind conditions for the Proposed Configuration for

- The design of buildings will be keeping with the pattern of the street and aligns the façade with the curvature of the street frontage.
- The design will include openable habitable windows and balcony doors on the first five levels of the 'street wall' to enhance the sense of connection, surveillance and safety at ground level to Dorcas and Wells Streets.
- Majority of car parking will be located at the basement level. Where located above ground levels, these will be located to the rear laneway and will not be visible from primary streets (i.e. Dorcas and Wells Streets).
- The development will provide a direct interface to both Dorcas and Wells Streets.

Active Frontages

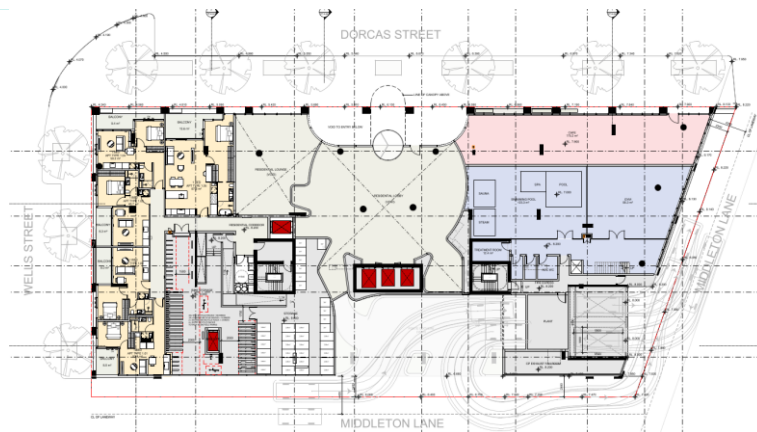
- New development should provide integrated community and active space at street level that contributes to a high-quality public realm.
- All building frontages (except on laneways and service streets) should:
 - Be orientated towards the street.
 - Allow for natural surveillance and a visual connection into the building through transparent windows and balconies.
 - Avoid blank walls, large areas of reflective services, high fences, service areas, car parks and garage doors in the podium interface areas.
 - Provide clear glazing to street frontages; security grills should be visually permeable and mounted internally.
 - Provide no or low, visually permeable front fencing.
- Design pedestrian entrances to open directly onto the street, as a key feature of the façade and at the same level as the public footpath.
- Foyer areas should have visibility to the street and be designed to encourage
- The development will achieve active street frontages to both Dorcas and Wells Streets through provision of retail uses at ground level along these elevations. Transparent windows and entrances for at least 80 per cent of the width of the street frontage will be provided of each individual retail premises.





activity and interest both within and external to the building.

- New development within a commercial or mixed-use zone should provide:
 - Transparent windows and entrances for at least 80 per cent of the width of the street frontage of each individual retail premises, or at least 60 per cent of the width of the street frontage of each premises for other commercial uses.
 - Lighting design that is incorporated to the façade to contribute to a sense of safety at night.



- The development will integrate active space at street level (Dorcas Street) that will contribute to a high-quality public realm. The pedestrian entrance and foyer will open directly onto Dorcas Street. As a key feature of the façade, it will provide visibility to the street and be designed to encourage activity and interest both within and external to the building.
- At the upper levels within the podium and tower, the development will have direct frontages to both Dorcas and Wells Streets, allowing for natural surveillance and a visual connection into the building through transparent windows and balconies.
- It will be required as a condition on any approval that may issue that the lighting design plan is provided that incorporates to the façade, to contribute to a sense of safety at night.

Tower Design and Internal Amenity

- Tower forms (above podiums) should not exceed a maximum width of 35 metres to:
 - Ensure that daylight penetrates through to parts of the building and streets, and adjoining buildings.
 - Reduce their perceived visual bulk.
 - Maintain sightlines between buildings.
- New residential development should have access to onsite communal or private open space in the form of rooftops, podiums, balconies or courtyards.

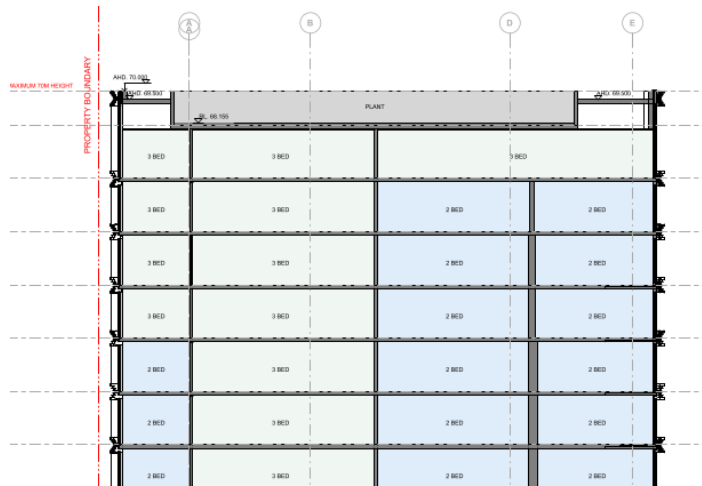
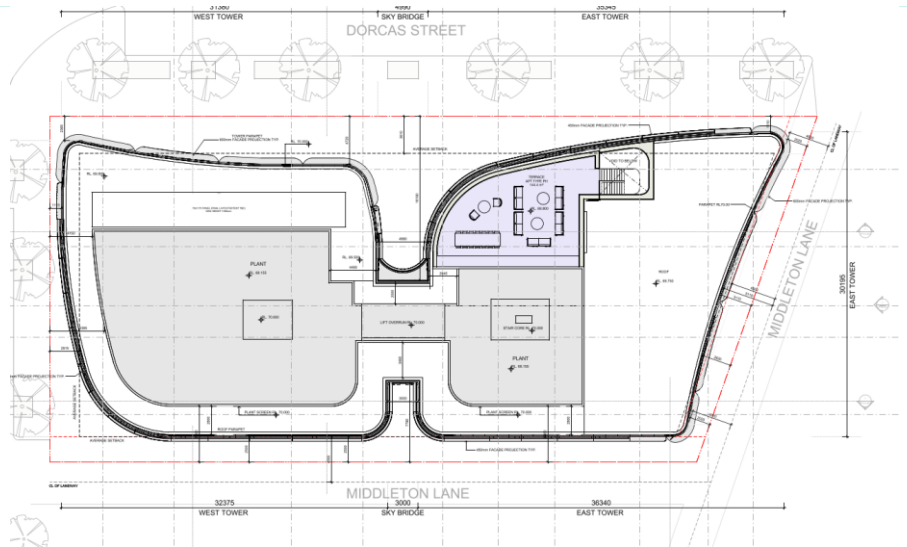
- While the width of the tower along Dorcas Street is wider than 35m, the upper form has been designed to appear as two distinct yet related tower forms. Each tower element is approximately 32-34m in width along Dorcas Street. While this does not strictly meet the (discretionary) tower width of 35m required, it is acceptable as the design successfully maintains sightlines between buildings and creating a perception of two towers from the public realm.

Building Services

- Waste materials storage and services should be provided on site and should be screened from areas of high pedestrian activity.
- Waste storage or service should not impede pedestrian access and should be located away from footpaths.
- New buildings should provide internal and on-site loading facilities and on-site service vehicle parking at the rear of buildings to minimise disruption of traffic or pedestrian access and avoid laneway congestion.
- Building services on rooftops should be screened to avoid detrimental noise and visual impacts on the amenity of both private and public realms.

- Waste materials storage/services will be provided on site, internal to the building away from view from the public realm.
- Internal and on-site loading facilities and on-site service vehicle parking at the rear of buildings will be provided to minimise disruption of traffic or pedestrian access and avoid laneway congestion.
- Building services on rooftops will be appropriately setback and screened to avoid detrimental noise and visual impacts on the amenity of both private and public realms (see images below).

- Noise attenuation measures and suppression techniques should be incorporated into development to ensure noise does not unreasonably affect the amenity of public areas and nearby residences.
- Green roofs, roof gardens and vertical gardens should be encouraged in new or refurbished buildings. Green roofs are defined as a vegetated landscape built up from a series of layers that are installed on the roof surface as 'loose laid' sheets or modular blocks.



- An acoustic report has been submitted with the application. Implementing the recommendations of the report will ensure noise attenuation measures and suppression techniques are incorporated into development to ensure noise does not unreasonably affect the amenity of public areas and nearby residences.

Vehicular Access and Car Parking

- Vehicle crossovers should be no more than 6 metres wide, with a maximum of one crossover per site.
- Vehicle ingress and egress should be located on lanes, where possible.
- Car access ways should not visually dominate the façade of a building, and be visually permeable to retain a visual connection through the site and allow for natural surveillance.
- Car parks should be built underground or located to the rear of the site to enable active uses on the street frontage. Where car parks are built above ground, they should not front the site or be visible from St Kilda Road, Queens Road or Punt Road.



- Vehicle crossovers are less than 6 metres wide (5.44m and 5.775m) and accessed via Middleton Laneway. Two crossovers are proposed, separate for ingress and



- Car parking within a podium should incorporate floor to ceiling heights of 3.5 metres to enable future adaptation for habitable uses.
- Open/at-grade car parks should not be located in front setback areas.

gress. This is acceptable given its location in a laneway and will not visually dominate the façade of a building. It is noted that this development will remove two vehicle crossings on Wells Street, which is a much prominent location compared to the laneway.

- Majority of the car parks will be located underground (basements), with a smaller proportion within the podium. Car parking within a podium does not incorporate floor to ceiling heights of 3.5 metres to enable future adaptation for habitable uses (3.175-3.2m proposed). This is acceptable in this instance as the car parking is located to the rear, with the street interfaces provided predominately with active uses (dwellings, lobby and commercial space).



Pedestrian Permeability

- Development should enhance existing links/laneways by providing a mix of active and non-active frontages, appropriate to the role of the link/laneway.

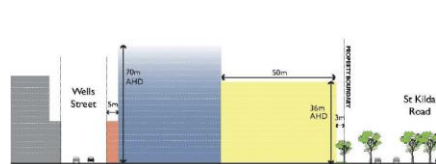
- The development provides active interfaces to the east (Middleton Lane). Services and access points need to be placed somewhere, and Middleton Lane (south) carries this burden for the development. This is satisfactory.

Sub-precinct requirements



Map 2 to Schedule 26 to Clause 43.02 - Built Form and Setback Requirements: Sub-Precinct 1

Cross section A-A



Development should be generally in accordance with Map 2 of this schedule.

- Development must not protrude into the Shrine's silhouette above the level of the Portico roof when viewed from Birdwood Avenue.

**A permit may not be granted to construct a building or construct or carry out works which are*

- The controls envisage a maximum height of 70m for sites to the west of Middleton Lane and a podium height of 18m along Dorcas Street and Wells Street. The development will have a maximum height of 70m and street wall height of between 10.9m to 14.5m.

- The development will not protrude into the Shrine's silhouette, nor will it cast any additional shadow across the Shrine of Remembrance and its northern forecourt, between the hours of 11.00am and 3.00pm from the 22 April to the 22 September.





not in accordance with this requirement unless allowed by Clause 2.3 of this schedule.

- Buildings and works must not cast any additional shadow across the Shrine of Remembrance and its northern forecourt, shown in Figure 1 of this schedule, between the hours of 11.00am and 3.00pm from the 22 April to the 22 September.

*A permit may not be granted to construct a building or construct or carry out works which are not in accordance with this requirement.

Figure 1: Shrine of Remembrance and Northern Forecourt



3pm shadows only are shown above as that's where the greatest impact would be, if any (prepared by DTP's 3d Team)

The Development Design Report prepared by Veris dated 5 September 2024 suggests that the building model provided by the applicant complies with the Shrine Vista Controls.

Sub-Precinct 1-c

- Development within 5 metres of Dorcas, Wells and Park Streets should not exceed a height of 18 metres.
- Development beyond the setbacks identified above must not exceed a height of 70 metres AHD.

*A permit may not be granted to construct a building or construct or carry out works which are not in accordance with this requirement unless allowed by Clause 2.3 of this schedule.

Due to the reduced setbacks provided for this development, development within 5 metres of Dorcas and Wells Streets exceed a height of 18 metres but do not exceed a height of 70 metres AHD. Given that this will not cause undue visual amenity or cause increased overshadowing, this is acceptable, and a variation is accepted.

*Clause 2.3 Exceptions to Mandatory Requirements (this proposal can benefit from the highlighted exemptions)

In relation to any requirements of this schedule which otherwise operate as mandatory requirements, a permit may be granted to vary such requirements if either of the following circumstances apply:

- A permit may be granted to allow the construction of minor buildings and works within the area of a setback required by this schedule, including:
 - reskinning or recladding of an existing building, sunshades or architectural features on the exterior of the building, or verandahs, architectural features, shelters, sunshades, art works, outdoor furniture, play equipment, art works, landscaping, fences, and basements which do not exceed the height of ground level or balconies within the front setback, and seating at ground level.
- Within Sub-Precinct 2 and Sub-Precinct 3, a permit may be granted to allow architectural features such as domes, towers, masts and building services that do not exceed the maximum height by more than 4 metres and do not exceed 10% of the gross floor area of the top building level or 50 square metres (whichever is the greater). (No gross floor area limit applies to the installation of solar panels.)
- Within Sub-Precinct 2 and Sub-Precinct 3, allow the construction of a green roof (defined as a vegetated landscape built up from a series of layers that are installed on the roof surface as 'loose laid' sheets or modular blocks) or communal open space that does not exceed the mandated building height by more than 2 metres.
- A permit may be granted to replace a building or works which existed on 15 May 2016 which does not meet the height or setback requirements of this schedule so long as all of the following apply:
 - The responsible authority is satisfied that an increased height or reduced setback does not unreasonably impact on the vision for the Sub-Precinct as set out in the Design Objectives for the relevant Sub-Precinct.
 - The building or works is no higher than the building being replaced.
 - The building or works is to be constructed no closer to a boundary than the building being replaced.



Design response to existing conditions and built form that interface the development

59. As noted earlier, the site is located within sub-Precinct 1 (Edge of Shrine Memorial Gardens), which forms the western backdrop to the Shrine and the edge to the Memorial Gardens and the Domain Parklands. Buildings are to be of a scale, form and design detail that creates a respectful background to the Shrine of Remembrance and Memorial Gardens, respects the sensitivity of the immediate vicinity of the Shrine of Remembrance and reinforces the established and consistent built form pattern of low scale-built form at street edge with high towers that have substantial setback from the street edge. Further, it encourages the continuation of consistent street tree planting that contributes to the maintenance of a high amenity of the streetscape.
60. The submitted Urban Context report describes the urban character in Wells Street and Dorcas Street as being a mix of zoning (Mixed Use zone and Commercial Zone), containing a number of high-rise development along both streetscapes pre-dating DDO26 and maxing out their development footprints. This includes newer, taller buildings that are emerging with a clearer podium-tower form as envisaged within DDO26 interspersed between a number of remaining underdeveloped low rise buildings and some heritage buildings, including the VHR building adjacent to the site (see Figure 11).



Figure 11: Existing built form context (source Urban Context Report)

Podium height and width and overall height

61. The proposal will have 3-4 level podium (heights on 10.9m to 14.5m), which is well within the DDO preferred maximum podium height of 18m (along the Dorcas and Wells Street frontages). To Dorcas Street, the podium reaches a maximum height of 14.5m at its highest point. To Middleton Lane, the development will have a podium height of 10.8m to respond to the low scale, 6m high podium of the heritage building at 336 St Kilda Rd. Consistent with the objective of sub-precinct 1C, the proposal will appropriately respond to the context and adjacent heritage features.
62. The design approach/response, following OVGA comments (see Figure 12) is more cohesive and complementary to the site's broader context and provides for a high architectural outcome.



Previous Podium Facade (OVGA Presentation - Prepared 8th of March 2024)

Current Proposed Podium Facade

Figure 12: Design evolution of podium along Dorcas Street following OVGA comments

63. DDO26 requires tower forms (above podiums) to not exceed a maximum width of 35m to ensure daylight penetrates through to parts of the building and streets, and adjoining buildings, reduce their perceived visual bulk and to maintain sightlines between buildings.
64. The tower form is designed in a 'butterfly' shape with the western wing having a width of 31.38m and the eastern wing having a width of 35.245m. A resulting skybridge with a rebate of 16.19m (width of 4.99m) distinctly separates the two wings, although the towers are not physically separated. Technically, the tower width exceeds the 35m breath envisaged by DDO26. This design technique, i.e., alternating concave and convex facades successfully articulate the two halves of the building. It presents as two buildings when viewed from most angles in the public realm. The design allows for daylight penetration into the building and helps reduce perception of visual bulk. Each tower form is further modulated through scalloped elements, giving each tower its own identity, while retaining a consistent, sculptural language.
65. Given the above, the design appropriately responds to the neighbourhood context and DDO26 and the variation to the total tower width is supported.
66. The proposal has a height of 70m AHD to the top of the roof which complies with the mandatory height prescribed at DDO26.

Setbacks

67. As discussed earlier, the development will have a varied setback of 1.15m increasing to 6.035m to the side and rear boundaries.

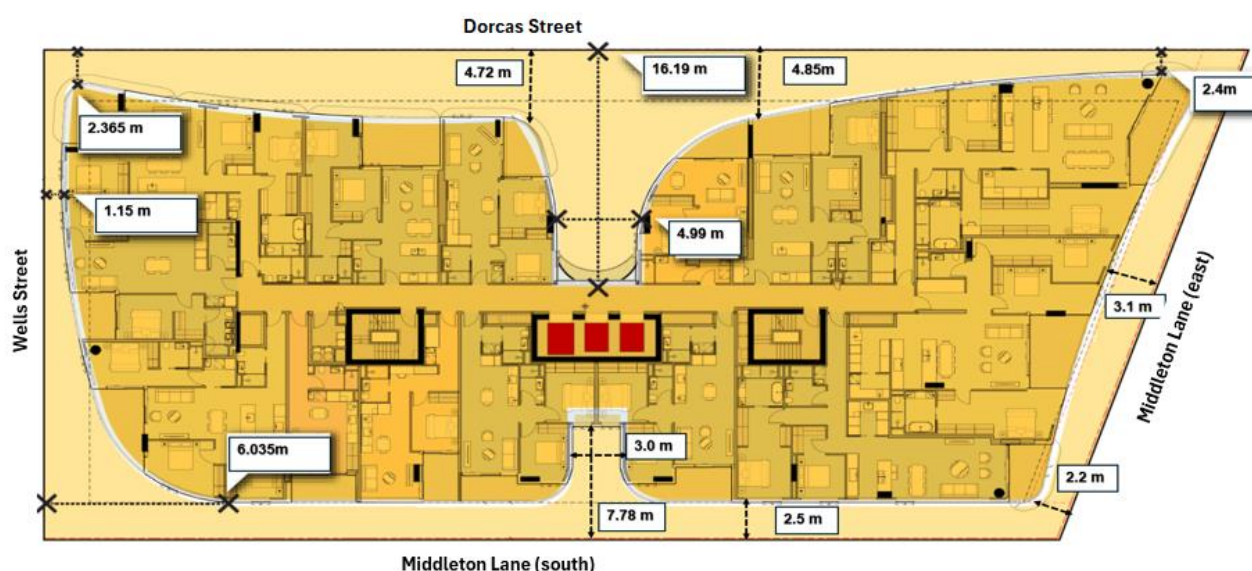


Figure 13: Setbacks of the tower from each property boundary

68. In response to the eastern interface, the proposed tower would have a curved form with a setback between 2.2 to 3.1m from the eastern property boundary. The tower will be set back a minimum of 4.5m from the centre of Middleton Lane. While the edges of the tower will not be setback 4.5 metres (as required by DDO26), it is considered that the tower setback is acceptable in this instance given only a small part of the tower would encroach into the 4.5m setback. The varying setbacks of the tower will create visual interest and ensure the podium remains the dominant built form element in the streetscape.
69. In response to the rear interface, the tower is proposed with a 2.5 setback from the property boundary and 4.5m from Middleton Lane. This will ensure a 9m setback to any future tower form at 145-149 Wells Street allowing for an appropriate physical break and the protection of the reasonable amenity expectations of future residents.
70. OVGA acknowledged the setbacks were significantly less than the preferred setback but considered the design approach using a shaped tower over rectilinear podium was appropriate in this context.



Overall Architectural Design

71. The OVGA was satisfied that the single building presenting as two towers worked well in the urban context. They provided that the central core configuration, with deep recess and glazing was a successful strategy for the site. They were however not supportive of the convex expression of the east façade and provided that the idea of twin towers would be significantly stronger if both primary faces were concave, both of which would be clearly visible from the northeast (city approach).
72. The proponent has not taken this recommendation on board and has instead responded to this concern by increasing the extend of vertical and horizontal expressions on the building (see design evolution in Figure 14). The proposal continues to comprise two tower elements connected by a functional 'garden bridge' comprising a central lift core. Each tower form is designed with a sculptural 'shell' form with the façade expression informed by width of the residential dwellings. A vertical language is added through repeating bay windows.
73. A sculpted ribbon of metal banding introduces horizontal elements to the facade. Vertical elements break down the length of each façade. The rotated orientations of each tower contribute to uniqueness of each elevation when viewed from various vantage points. The consistency of the open balconies placed at the corners reinforce and link the change in the facade expression. The scalloping and shaping of the towers pushing outwards towards the corners optimises the number of apartments that benefit from high levels of amenity and views towards to the Botanic Gardens and Shrine.
74. The podium has been designed to read as more residential in scale and grain, and is broken up into four modules, which better assists in breaking down the length of the facade. The podium employs thicker, solid elements in a light beige, textured concrete finish which responds to the colour palette of the heritage building. The overall design of the building is considered satisfactory.
75. In response to OVGA's comments, the design appropriately responds to the heritage adjacencies, the carpark podium has improved façade depth and articulation and will be integrated into a holistic design solution. The roof plant and lift overruns are fully integrated and concealed by a coherent design expression.



Figure 14: Design evolution following OVGA comments

Materials and finishes

76. The towers will be expressed through the introduction of horizontal bands that make reference to similarly orientated buildings in the surrounding area.
77. The podium reads as residential. It presents a textural plinth with thick vertical columns creating a strong vertical rhythm along the broad Dorcas Street frontage. The balcony landscaping, the garden lobby and the vertical garden bridge expression directly respond to the DDO intent for green, leafy streetscapes. Behind the masonry framing elements, the podium level apartments are glazed, providing good levels of activation and surveillance to the street.
78. The main building entry is expressed by the central break in the podium, aligned with the central 'garden bridge' extrusion, separating and emphasising the two tower components.



- 79. Overall, the proposed architectural expression responds to DDO26, by delivering a high-quality design that is well articulated, visually interesting and incorporating a range of materials and finishes that complement the surrounding and streetscape context.
- 80. Further details are required from architectural treatments to services and the development along Wells Street and Dorcas Street. It will be required as conditions, that elevation details generally at a scale of 1:50, illustrating typical building details, entries and doors, utilities, services and any special features which are important to the building's presentation and relationships with public spaces. It will further be required that services are incorporated as part of any architectural response.

Public realm and activation and landscaping

- 81. The development responds to the slope of the land by incorporating a split-level ground floor program, with active uses along both street frontages, in line with the DDO26. Along Dorcas Street, there will be two retail tenancies and a residential lobby (see Figure 15). A fully glazed residential lobby is proposed to separate them. The residential lobby will be centrally located, marked by a four-story recessed curving façade (skybridge).
- 82. Landscaping will define the Dorcas Street entry, along retail frontages, and within the porte cochère. Along Wells Street, the lower ground level will have three retail tenancies, each with street frontage, glazed and set behind a solid podium frame.
- 83. The podium levels will contain apartments, providing passive surveillance to the public realm. Balconies with low-maintenance planting will enhance the street's greenery.
- 84. Car parking and servicing will be accessed via rear laneways, preserving active frontages. Middleton Lane will be widened at both ends to accommodate basement access and porte cochère movements.



Figure 15: Ground level activation along Dorcas Street

Street Trees and Landscaping

- 85. There are 13 street trees that surround the subject site. Eight (8) of these (along Dorcas Street are proposed to be removed) to allow access to the construction site.

Location	Tree Id	Botanical Name	TPZ Radius (m)	SRZ Radius (m)	Retention Status
Council Tree	1	<i>Brachychiton populneus</i>	4.2	2.51	Retain
Council Tree	2	<i>Alnus jorullensis</i>	3.92	2.3	Remove
Council Tree	3	<i>Alnus jorullensis</i>	3.48	2.2	Remove
Council Tree	4	<i>Alnus jorullensis</i>	2.76	1.94	Remove
Council Tree	5	<i>Alnus jorullensis</i>	4.56	2.41	Remove
Council Tree	6	<i>Brachychiton populneus</i>	6.24	2.9	Remove
Council Tree	7	<i>Brachychiton populneus</i>	2.28	2.02	Remove
Council Tree	8	<i>Brachychiton populneus</i>	4.44	2.53	Remove
Council Tree	9	<i>Brachychiton populneus</i>	2.88	2.15	Remove
Council Tree	10	<i>Ulmus sp.</i>	3	2.02	Retain
Council Tree	11	<i>Ulmus sp.</i>	2.88	2	Retain
Council Tree	12	<i>Ulmus sp.</i>	3.12	2.05	Retain
Council Tree	13	<i>Ulmus sp.</i>	2.52	1.91	Retain

Figure 16: Street trees. Trees 2-9 are proposed to be removed (Source: Arboricultural Assessment and Tree Management Plan)



- 86. Council has not supported this and have requested that the proposed works in the public realm (the removal of all street trees along Dorcas Street replacement trees and planting and changes to the landscape strip to enlarge the entrance to Middleton Lane from Dorcas Street) be removed from the proposal.
- 87. To appease Council's concerns, appropriate conditions will be placed on any approval that is granted to ensure that trees that are to be retained are protected during construction. Street trees proposed to be removed will be required to be replaced with comparable species. The submitted landscape plans show that these will be replaced with four native deciduous trees (*Melia azedarach*) and two *Brachychiton populneus*. These species selection and size of trees should be of a size and maturity to the satisfaction of Council.
- 88. Low maintenance landscaping will be provided in the Porte cochère, lobby entrance, balconies, skybridge and roof top. It will be required as a condition on any approval that species selection, location and size of pots/soil are to the satisfaction of Council.

Wind conditions, weather protection, light and shade and overshadowing

- 89. A wind tunnel study has been conducted by Mel Consultants and has found that the wind conditions for all test locations in the immediate surrounds and the streetscapes surrounding the development have been shown to satisfy the walking comfort criterion at a minimum, with many locations satisfying the sitting or standing comfort criteria.
- 90. The wind conditions at the ground level entrances to the development have been shown to satisfy the recommended standing comfort criterion or better. The wind conditions at the podium level terraces of the neighbouring buildings have been shown to satisfy the walking comfort criterion at a minimum. The wind conditions at private terraces and balconies on the development have been shown to satisfy the recommended walking comfort criterion or better.
- 91. A line of street trees retained along Wells Street and proposed along Dorcas Street will provide appropriate shading for pedestrians. Consistent with Council's recommendation, a lighting plan will be required as a condition on any approval that will detail illumination of footpath.
- 92. The proposal is located on the south side of Dorcas Street and will therefore have minimal overshadowing on the Dorcas Street public realm. Overshadowing of the Wells Street footpath will be consistent with overshadowing in other nearby streets by commensurate scaled buildings.
- 93. Pursuant to DDO26, the development should not protrude into the Shrine's silhouette, nor should it cast any additional shadow across the Shrine of Remembrance and its northern forecourt, between the hours of 11.00am and 3.00pm from the 22 April to the 22 September. The diagrams below demonstrate that the development will not overshadow the Shrine's silhouette or cast any additional shadow across the Shrine of Remembrance and its northern forecourt for the times indicated above.





3pm shadows only are shown above as that's where the greatest impact would be, if any.

Sun's glare

94. Inhabit was engaged by the proponent to undertake an external reflected glare assessment for the façade of the proposed development due to its proximity to the Shrine of Remembrance. It is required that the proposed development must ensure that the proposed external building materials and finishes are selected to minimise glare impacts, particularly on ANZAC Day and Remembrance Day.
95. The report assessed reflected glare, assuming a variety of normal specular reflectivity values for the glazed façade elements (measured normal to the surface).
 - Typical façade and podium glazing – specular reflectivity of 15%
 - Specified areas on eastern façade glazing – specular reflectivity of 12%
 - Balustrade glazing – specular reflectivity of 10%
96. The assessment has also included the sunshade design (450mm depth and 400mm wide, spaced at 3,600mm centres along the northern curved façade of the eastern tower).
97. The outcome of the reflected glare assessment has identified that the impacts of reflected glare from the proposed building can achieve compliance against the performance criteria or otherwise can effectively be mitigated (i.e., through the use of car sun visors).
98. It will be required as a condition on any approval that the recommendations of this report be incorporated in the design of the proposal, if approval is granted.

Internal and Onsite Amenity

99. Pursuant to Clause 43.02-2, development of land around the City Link exhaust stack should not adversely affect by the operation of the stack, nor should the City Link exhaust stack adversely affect the proposed development and land use.
100. City Link (DoT) has raised no such concerns.
101. The site is located within 300 meters of Kings Way. The submitted acoustic report by WatsonMossGrowcott suggests that Kings Way experiences an average daily traffic volume of approximately 90,000 vehicles, which may have noise implications for future residents. However, the report indicates that, provided the specific façade construction requirements outlined within the report are met, along with proper placement and selection of mechanical services, the development can achieve the necessary noise reductions. Noise-generating components within the development have been carefully positioned to be separate from residential dwellings to contain noise sources and protect the apartments from potential impacts. Mechanical plants will be located on the roof level, with acoustic screening to ensure that the penthouse area's open space maintains appropriate amenity standards. Car parking will be segregated to basement levels and podium areas, ensuring sufficient separation from residential apartments. It will be required that the recommendations of this report be implemented, at no cost to, and be to the satisfaction, of the Responsible Authority.
102. Prior to occupation, a report from a qualified acoustic consultant must demonstrate compliance with the following noise criteria for all dwellings within the development of:
 - a) 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am and;



b) 40dB(A) for living areas, assessed as an LAeq,16h from 6am to 10pm.

103. Subject to conditions, there are no overlooking issues between dwellings.
104. As noted earlier, the wind tunnel study has been conducted by Mel Consultants has found that the wind conditions for all test locations in the immediate surrounds and the streetscapes surrounding the development have been shown to satisfy the walking comfort criterion at a minimum, with many locations satisfying the sitting or standing comfort criteria.

Clause 58 (Apartment Developments)

105. Clause 58 encourages apartment development that provides reasonable standards of amenity for existing and new residents and supports apartment developments that are responsive to the site and the surrounding area. Relevant Clause 58 considerations are discussed below.
106. Subject to conditions, dwellings are provided with functional layouts which ensure a high level of amenity for future residents. A full assessment against the Standards of Clause 58 is provided at Attachment A.

Environmentally Sustainable Design (ESD) and Water Sensitive Urban Design (WSUD)

107. A Sustainability Management Plan prepared by NDY dated 12 September 2024 has been submitted with the application. It details that the development will seek to encourage the use of sustainable building materials during construction and will provide convenient recycling to promote waste avoidance. The proposed development provides a BESS score of 59%.
108. Council has raised a number of shortcomings/discrepancies of this report/plans. References/claims have been made to studies and reports and these have not been provided (e.g. 30kL RWT has no supporting WSUD report or plan and no connection details for stormwater reuse, MUSIC – 100% score claimed. MUSIC report not provided).
109. Concerns are raised with respect to daylight access to Retail 03 (along Wells Street), Residential cooling loads to Apt 1.2 and 2.1, Carpark ventilation, provision of Electric Vehicle Infrastructure (E/V charging is claimed but not marked on relevant plans). The preliminary NatHERS certificates show an average of 7.4 stars and which is greater than the figure in current SMP/BESS at 6.5 stars. This increased star rating should be input to BESS to reflect this greater score.
110. These will be rectified as conditions, as appropriate, on any approval that may issue.

Car parking and bicycle parking

Car Parking (Clause 52.06)

111. Pursuant to clause 52.06-3, a permit is required to reduce the number of car parking spaces under clause 52.06-5, including any reduction to zero. The plans must comply with the design standards outlined in clause 52.06-9, unless the Responsible Authority grants an exemption.
112. The proposal triggers a requirement for a minimum of 312 car parking spaces. 223 spaces are provided representing a shortfall of 89 spaces. This is acceptable given that the site is located in an area that is well serviced by public transport, have good quality walking and cycling paths.
113. No on-site car sharing is proposed as part of this proposal. However, the submitted Traffic Engineering Assessment by Traffix Group suggests extensive car share pods are also available in the wider area. The nearest existing car share pod is located immediately opposite the site on Dorcas Street with an additional 14 are located within 500m of the site (see Figure 17 below, sourced from this report).

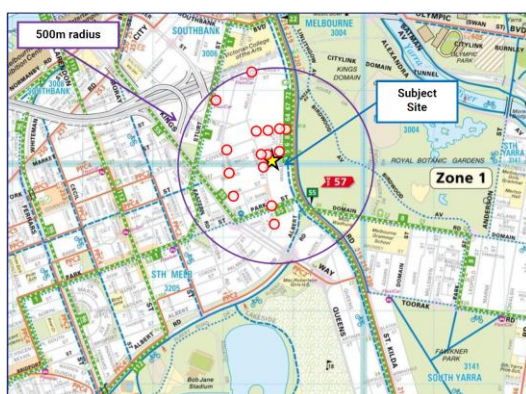


Figure 17: Car share pods available in the area

114. No EV charging points are shown for any of the car spaces. It will be required as a condition on any approval that each car space provided with the ability to upgrade to a trickle charge EV station.

Bicycle Parking (Clause 52.34)

115. Pursuant to clause 52.34-2, 1 bicycle parking space for every 5 dwellings for residents, 1 bicycle parking space for every 10 dwellings for visitors, 1 space for every 300 square metres of leasable floor area for employees, and 1 space for every 500 square metres of leasable floor area for visitors in retail use.
116. The proposal triggers a requirement for a minimum of 48 bicycle parking spaces for residents, 1 space for retail employees, and 24 spaces for resident visitors, totalling 73 spaces. The proposal will provide 114 bicycle parking spaces, more than what is required under Clause 52.34.
117. The bulk of the bicycle storage will be located in the upper ground level following OVGA's suggestion to locate them securely, on ground plane, back of house areas rather than in the basement. A bike lift via a bike lift lobby will be available via Middleton Lane (south) allowing bikes to be transported to this location.
118. Clause 52.34 requires provision of showers and change rooms for residents (End of Trip facilities) but not for visitors. For employees, if 5 or more employee bicycle spaces are required, 1 one shower for the first 5 employee bicycle spaces, plus 1 to each 10 employee bicycle spaces thereafter. 1 bicycle space is required for and provided for retail employees. This does not trigger for change facilities for employees under this provision.

Access, loading and waste arrangements

Access

119. Access to the loading bay and car parking areas will be provided via Middleton Lane (south).
120. It is expected Middleton Lane (south) will carry up to 37 vehicle movements and Middleton Lane (east) will carry up to 24 vehicle movements per hour post-development (two-way, split between in and out movements). Middleton Lane (south) is currently 4.2m but will be widened to 6.1m between the porte cochère and Wells Street to facilitate two-way traffic movements post development. It however appears that the doors to the substation, which open onto Middleton Street will obstruct the laneway. A condition on any approval will require the doors of the substation open to the inside so that it does not obstruct the laneway (see Figure 18).



B99 - PROP AND TURN AROUND VIA PORTE COCHERE

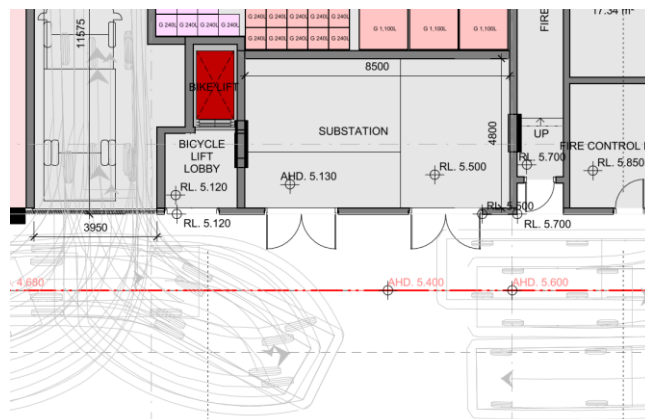
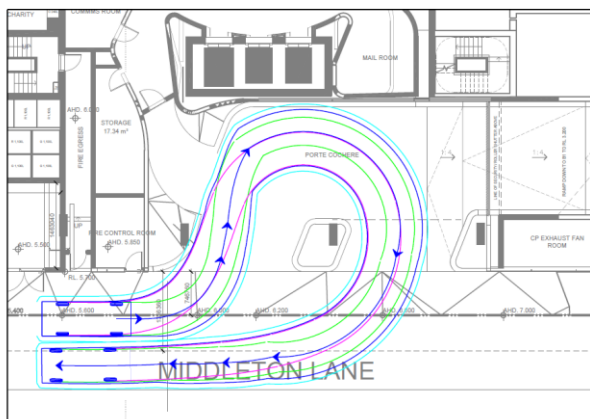


Figure 18: Doors opening to Middleton Lane will obstruct laneway

121. Vehicles using the porte cochère and main ramp will access the site via Wells Street, where simultaneous passing is provided. Vehicles using the car lifts will likely access the site via Dorcas Street, where two-way passing will also be provided. The porte cochère will be designed to allow for simultaneous B99 movements to and from the main ramp. It will allow a vehicle to informally park in the porte-cochere (for drop off/pick up), whilst not blocking access to the basement. This is satisfactory.

Queuing for parking

122. It is proposed to access the podium carpark via two conventional hydraulic car lifts. Drivers will enter and exit via Middleton Lane along the eastern side of the site.
123. The submitted Traffic Engineering Assessment by Traffix Group suggests that the development is designed to accommodate the 98th percentile queue within the development, with no external queues to Middleton Lane when both the car lifts are occupied. It also indicates the chance of a vehicle waiting for the car lift is approximately 0.7%, which includes vehicle queuing internally to exit the site. The Traffic Report suggests that the car lifts will operate satisfactorily.

Car parking functionality

124. The submitted Traffic Engineering Assessment by Traffix Group confirms that the development is designed to comply with clause 52.06-9 Design Standard 2 & 3 – Car Parking Spaces and Gradients.

Traffic generation at peak times

125. The submitted Traffic Engineering Assessment by Traffix Group suggests estimates a traffic generation rate for each dwelling type, an average of 2 vehicle trips per day with 10% of the daily traffic generation occurring during the road network peak hours. Applying the above rates to the development equates to 446 vehicle trips per day and 46 vehicle trips per peak hour for the dwellings during the AM and PM peak hours. The Traffic Report is satisfied that Dorcas Street, Wells Street, Middleton Lane and surrounding streets will be able to absorb this traffic with undue amenity impacts during AM and PM peak hours.

Loading area

126. The proposed development will provide a dedicated loading bay accessed via Middleton Lane (south). The loading area will be utilised for residential move-in/move-out and commercial deliveries are designed to accommodate up to a 6.4 metre Small Rigid Vehicle. Swept paths have been provided and are satisfactory

Waste arrangements

127. A Waste Management plan (WMP) prepared by Traffix Group has been submitted with the application. This report confirms that sufficient space for onsite bin storage can be accommodated on site to meet the demand of this development.
128. A dual chute system (for garbage and recycling waste) will be provided at each level for residents and terminate into the chute discharge area provided at the lower ground level. A shared residential waste storage area will be

provided at the lower ground level for glass and food organics waste. Small caddy bins will be provided at each residential level for residents to dispose of and glass waste. This waste will be manually transferred to the waste room which is directly accessible to the delegated staff through the lifts.

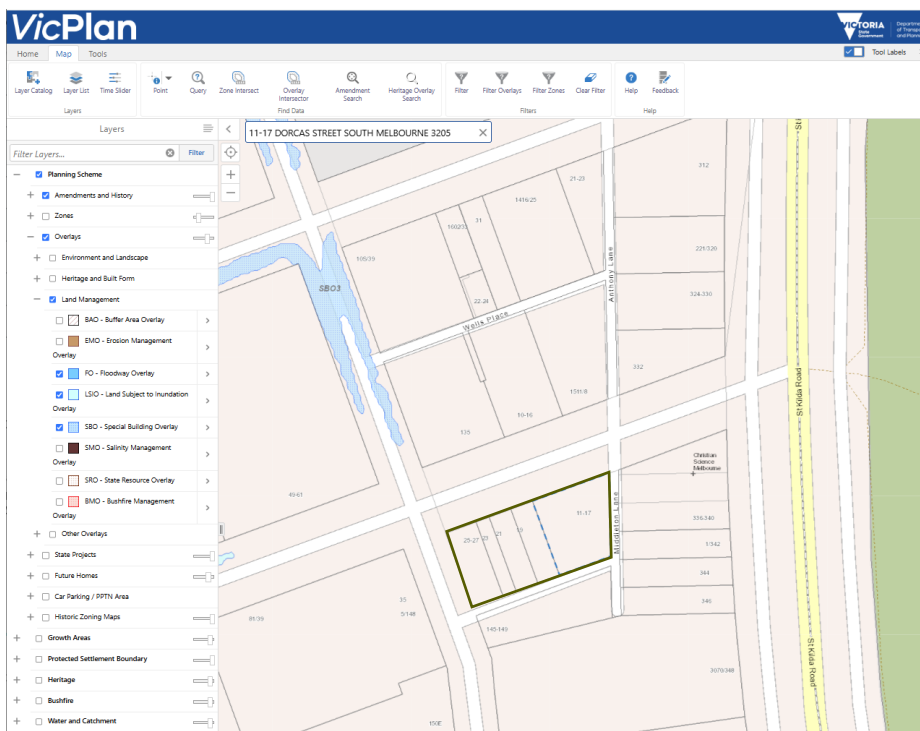
129. A separate hard waste storage area is provided at lower ground. This waste will be collected via a private contractor as required.
130. Waste collection for residential and commercial uses will occur on-site within the loading bay, provided at lower ground level via a private contractor using a 6.4m long Mini-Hino rear loading waste collection vehicle.

Net community benefit

131. To be considered under the clause 53.23 pathway, the proponent is required to provide at least 10% of the total number of dwellings in the development as affordable housing, or alternatively, via an alternative mechanism for the provision of affordable housing specified in the agreement under section 173 of the Act referred to in clause 53.23-4. The proponent has opted to provide a cash contribution equal to 3% of the estimated development cost for the residential component of the development to the Social Housing Growth Fund (SHGF) (Payment to be made to the Department of Treasury (DTF) and Finance accounts receivable prior to occupation. This will be required as a condition on any approval that may issue.
132. Further, a condition on any approval will require the permit holder to provide an urban art plan in accordance with Council's Urban Art Strategy to the value of at least 0.5% of the total building cost of the development, with the urban art installed prior to the occupation of the building.

Flooding implications

133. The subject land is not located on land that is subject to flooding (source: VicPlan on 19 December 2024). The application was not informally referred to Melbourne Water either.



Development staging

134. The development is not proposed to be staged.

Environmental Audit Assessment

135. The site is located within a Commercial Zone and has no specific requirements for environmental audit assessment.

Cultural Heritage Management Plan

136. The site is not located within an area of Aboriginal cultural heritage significance. A Cultural Heritage Management Plan is therefore not required for this application.

Permit Expiry

137. This application is lodged under clause 53.23, which is for shovel-ready proposals in accordance with the Housing Statement. Therefore, the expiry dates should align with developments of this scale: three years to commence and five years to complete from the permit date, should a permit issue.

How does the development respond to the grounds of objections raised?

Grounds of objection	Planning Officer Response
<ul style="list-style-type: none"> Noise disruption during construction/outside of normal hours work Noise, dust, traffic pollution during construction Effect of demolition and construction on heritage listed First Church of Christ, Scientist building. Restricted access to the church car park during demolition and construction (if Middleton Lane is closed) 	<p>These can be addressed under the Building Regulations, Local Laws and via the requirement for a Construction Management Plan on any approval.</p>
<ul style="list-style-type: none"> Will affect character of the neighbourhood and heritage listed church building 	<p>As discussed in the report, the proposal will appropriately respond to the heritage building located to the east. The street wall along this interface is lower (10.9m) to respond to the 6m high heritage building street wall.</p> <p>An analysis of the development in the neighbourhood context is discussed in Paragraphs 59- 80 of this report.</p>
<ul style="list-style-type: none"> Does not align with design objectives of DDO26 (setbacks, tower width, roof services) 	<p>An analysis of the development against DDO26 is located in Paragraph 58 of this report</p>
<ul style="list-style-type: none"> Presents bulk and mass issues 	<p>The design response such as curvature of the tower, provision of rebate between towers, varied setbacks and design articulation combined with the separation of the development from adjacent buildings, due to the fact the development site is bounded by road/lanes will not pose bulk or mass considerations.</p>
<ul style="list-style-type: none"> Overdevelopment/scale of development/high density, increased floor space ratio 	<p>The proposal is in keeping with the policy aspirations of a Commercial 1 Zone and St Kilda Road North Precinct and Sub-precincts. The proposal will provide for residential uses at a density that is complementary to the role and scale of the commercial centre, without having undue amenity impacts to the surrounding area.</p>
<ul style="list-style-type: none"> Will set poor built form precedence 	<p>Each application lodged will be assessed on their merits against the relevant policies and controls.</p>
<ul style="list-style-type: none"> Will impact on equitable development outcomes 	<p>Given the site is bound by roads on all sides, the proposal would maintain equitable development for the surrounding properties.</p>
<ul style="list-style-type: none"> Increased traffic congestion Access/egress to the site/queuing of vehicles on our use of Middleton Lane for car two lifts 	<p>The submitted Traffic Engineering Assessment by Traffix Group estimates a traffic generation rate for each dwelling type, an average of 2 vehicle trips per day with 10% of the daily traffic generation occurring during the road network</p>



	<p>peak hours. Applying the above rates to the development equates to 446 vehicle trips per day and 46 vehicle trips per peak hour for the dwellings during the AM and PM peak hours. The Traffic Report is satisfied that Dorcas Street, Wells Street, Middleton Lane and the surrounding streets will be able to absorb this traffic with undue amenity impacts.</p> <p>The submitted Traffic Engineering Assessment by Traffix Group suggests that the development is designed to accommodate the 98th percentile queue within the development, with no external queues to Middleton Lane, when both the car lifts are occupied.</p>
<ul style="list-style-type: none"> • Does not provide sufficient car parking (increase to 250) • Lack of on street parking to address shortage of car parking provision 	<p>The proposal triggers a requirement for a minimum of 312 car parking spaces. However, it provides only 223 spaces, a shortfall of 89 spaces. This is acceptable given that the site is located in an area that is well serviced by public transport, have good quality walking and cycling paths.</p>
<ul style="list-style-type: none"> • Loss of natural light/equitable access 	<p>The proposal will not cause unreasonable loss of natural light to the adjoining developments given the separation between the developments.</p>
<ul style="list-style-type: none"> • Privacy/overlooking concerns 	<p>The proposal will comply with Clause 58, subject to conditions (see Appendix of this report)</p>
<ul style="list-style-type: none"> • Poor internal amenity due to the small size of the dwellings 	<p>The proposal is designed to comply with Clause 58 on minimum rooms sizes, subject to conditions (see Appendix of this report)</p>
<ul style="list-style-type: none"> • Loss of view/line of sight 	<p>The proposal will not unreasonably affect the sight lines to and from the Shrine of Remembrance. The Development Design Report prepared by Veris dated 5 September 2024 suggests that the building model provided by the applicant complies with the Shrine Vista Controls.</p>
<ul style="list-style-type: none"> • Will affect general amenity 	<p>As discussed in the report, the proposal will offer good public realm outcomes.</p>
<ul style="list-style-type: none"> • Increased wind tunnel 	<p>A wind tunnel study has been conducted by Mel Consultants and has found that the wind conditions for all test locations in the immediate surrounds and the streetscapes surrounding the development have been shown to satisfy the walking comfort criterion at a minimum, with many locations satisfying the sitting or standing comfort criteria.</p>
<ul style="list-style-type: none"> • Will devalue properties. 	<p>This is not a planning consideration.</p>
<ul style="list-style-type: none"> • Will cast a shadow on the Shrine of Remembrance, Government house and Botanical Gardens 	<p>The development will not overshadow the Shrine's silhouette or cast any additional shadow across the Shrine of Remembrance and its northern forecourt between the hours of 11.00am and 3.00pm from the 22 April to the 22 September, as required by DDO26. See overshadowing diagrams prepared by DTP's 3D Team on Paragraph 93.</p>
<ul style="list-style-type: none"> • Opportunity to improve vegetation/greenery in the area 	<p>The proposal will replace street trees and provided additional landscaping.</p>



<ul style="list-style-type: none">• Abuse of planning legislation - discussions on development occurred with state government before the community were notified, process bypasses Council, cash contribution offered in lieu of provision of affordable housing on site	<p>The applicant has lodged this application under Clause 53.22 (Significant Economic Development) of the Port Phillip Planning Scheme. The purpose of this provision is to prioritise and facilitate the planning, assessment and delivery of projects that will make a significant contribution to Victoria's economy and provide substantial public benefit, including jobs for Victorians and to provide for the efficient and effective use of land.</p> <p>To be considered under this provision, the development is required to provide at least 10% of the total number of dwellings in the development as affordable housing, or alternatively, via an alternative mechanism for the provision of affordable housing specified in the agreement under section 173 of the Act referred to in clause 53.23-4. The proponent elects to provide a cash contribution equal to 3% of the estimated development cost for the residential component of the development to the Social Housing Growth Fund (SHGF) (Payment to be made to the Department of Treasury (DTF) and Finance accounts receivable prior to occupation. This proposal accords with these requirements.</p>
<ul style="list-style-type: none">• Impact on Local Infrastructure- drainage, sewage, schools, parks, healthcare facilities, on-street carparking and public transport services.	<p>The proposed development will be located within South Melbourne, an existing, well established and functioning urban area, which is well serviced and has connections to appropriate utility services and infrastructure. The available services and trunk infrastructure will be able to service this development.</p>



Conclusion

139. The development is generally consistent with the relevant planning policies of the Port Phillip Planning Scheme. Subject to conditions recommended in this report, the proposal will contribute to the provision of a high-quality development within South Melbourne and include public benefits through the provision of affordable housing. The proposal is generally supported by the various referral agencies, including City of Port Phillip.
140. It is noted that there are objections by residents to this proposal. An assessment has been provided on how the development responds to the grounds raised or conditions that will be imposed to address these issues.
141. It is noted that this proposal is lodged under clause 53.23 pathway. Clause 53.23-5 exempts an application under any provision of this planning scheme from the decision requirements of sections 64(1), (2) and (3), and the review rights of sections 82(1) of the Act for review and as such, **it is recommended that Planning Permit No. PA2403211 issue for the use and development for a multi storey mixed-use building comprising dwellings and retail premises, and a reduction in car parking requirements at, 11-17, 19, 21, 23 and 25-27 Dorcas Street, South Melbourne, subject to conditions.**

Recommendation



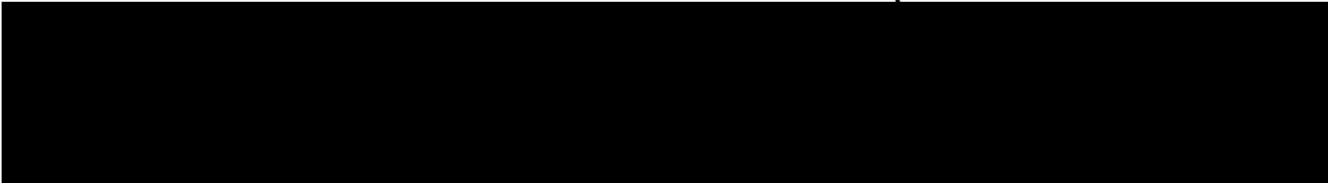
142. It is recommended that a planning permit be approved, subject to conditions.

143. It is recommended that the applicant and objectors be notified of the above in writing.

Prepared by:

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

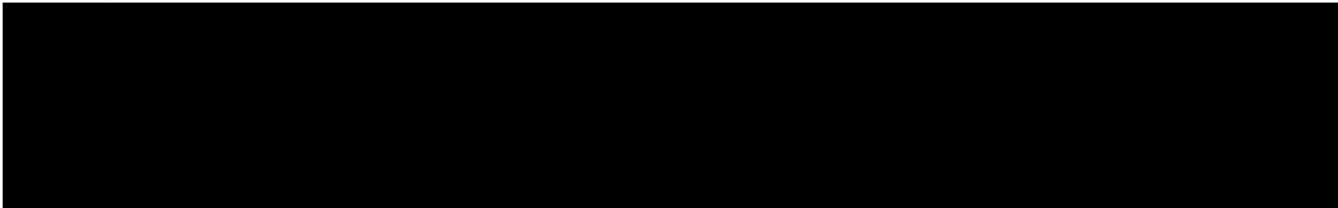
- No Conflict**
- Conflict and have therefore undertaken the following actions:
 - Completed the **Statutory Planning Services declaration of Conflict/Interest form.**
 - Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.
 - Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.



Reviewed / Approved by:

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- No Conflict**
- Conflict and have therefore undertaken the following actions:
 - Completed the **Statutory Planning Services declaration of Conflict/Interest form.**
 - Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.
 - Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.



APPENDIX 1

CLAUSE 58 ASSESSMENT: BETTER APARTMENTS DESIGN STANDARDS RESPONSE

Clause 58.01 Urban Context Report and Design Response	
<p><u>58.01-1 Application requirements</u></p> <p>An application must be accompanied by:</p> <ul style="list-style-type: none"> • An urban context report. • A design response. 	<p><u>Assessment</u></p> <p>An Urban Context report prepared by Urbis dated September 2024 and BATESSMART dated September 2024 was submitted as part of this application, which adequately responds to this requirement.</p> <p style="text-align: right;">Compliance with Standard <input checked="" type="checkbox"/></p> <p style="text-align: right;">Compliance with Objective <input checked="" type="checkbox"/></p>
<p><u>58.01-2 Urban Context Report</u></p> <p>The urban context report may use a site plan, photographs or other techniques and must include:</p> <p>An accurate description of:</p> <ul style="list-style-type: none"> • Site shape, size, orientation and easements. • Levels and contours of the site and the difference in levels between the site and surrounding properties. • The location and height of existing buildings on the site and surrounding properties. • The use of surrounding buildings. • The location of private open space of surrounding properties and the location of trees, fences and other landscape elements. • Solar access to the site and to surrounding properties. • Views to and from the site. • Street frontage features such as poles, street trees and kerb crossovers. • The location of local shops, public transport services and public open spaces within walking distance. • Movement systems through and around the site. • Any other notable feature or characteristic of the site. <p>An assessment of the characteristics of the area including:</p> <ul style="list-style-type: none"> • Any environmental features such as vegetation, topography and significant views. • The pattern of subdivision. • Street design and landscape. 	<p><u>Assessment</u></p> <p>An Urban Context report prepared by Urbis dated September 2024 and BATESSMART dated September 2024 was submitted as part of this application, addressing the relevant features.</p> <p style="text-align: right;">Compliance with Standard <input checked="" type="checkbox"/></p> <p style="text-align: right;">Compliance with Objective <input checked="" type="checkbox"/></p>



<ul style="list-style-type: none"> • The pattern of development. • Building form, scale and rhythm. • Connection to the public realm. • Architectural style, building details and materials. • Off-site noise sources. • The relevant NatHERS climate zones (as identified in Clause 58.03-1). • Social and economic activity. • Any other notable or cultural characteristics of the area. 	
<p><u>58.01-3 Design response</u></p> <p>The design response must explain how the proposed design:</p> <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. <p>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>	<p><u>Assessment</u></p> <p>A satisfactory assessment of how the policy responds to the PPF, Clause 58, relevant housing, urban design and landscape policy was submitted to support this application.</p> <p style="text-align: right;">Compliance with Standard <input checked="" type="checkbox"/></p> <p style="text-align: right;">Compliance with Objective <input checked="" type="checkbox"/></p>

<p>Clause 58.02 Urban Context</p>	
<p><u>58.02-1 Urban context objectives</u></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><u>Assessment</u></p> <p>The Urbis and BATESSMART Urban Context reports demonstrate that the proposal will be consistent with the existing urban context and will positively contribute to the preferred future development of South Melbourne.</p>
<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 style="text-align: right;">Compliance with Standard <input checked="" type="checkbox"/></p> <p style="text-align: right;">Compliance with Objective <input checked="" type="checkbox"/></p>
<p><u>58.02-2 Residential Policy objectives</u></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><u>Assessment</u></p> <p>A satisfactory assessment of how the policy responds to the PPF, Clause 58, relevant housing, urban design and landscape policy was submitted as part of this application.</p>



<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>Compliance with Standard <input checked="" type="checkbox"/></p> <p>Compliance with Objective <input checked="" type="checkbox"/></p>
<p>58.02-3 Dwelling Density objectives</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>Assessment</p> <p>The development will have a total of 243 dwellings with the following configuration:</p> <ul style="list-style-type: none"> Studios : 11 apartments (5.1%) 1 bedroom apartment : 50 apartments (20.6%) 2 bedroom apartment: 130 apartments (53.5%) 3 bedroom apartment: 47 apartments (19.3%) 3+ bedroom apartment: 5 apartments (2%) <p>The proposal provides a range of dwelling sizes and types, including dwellings with a different number of bedrooms.</p> <p>Compliance with Standard <input checked="" type="checkbox"/></p> <p>Compliance with Objective <input checked="" type="checkbox"/></p>
<p>58.02-4 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>Assessment</p> <p>The proposed development will be located within South Melbourne, an existing, well established and functioning urban area, which is well serviced and has connections to appropriate utility services and infrastructure. The available services and trunk infrastructure will be able to service this development.</p> <p>Compliance with Standard <input checked="" type="checkbox"/></p> <p>Compliance with Objective <input checked="" type="checkbox"/></p>
<p>58.02-5 Integration with the street objective</p> <ul style="list-style-type: none"> To integrate the layout of development with the street. <p>Standard D5</p> <ul style="list-style-type: none"> Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility. Development should be oriented to front existing and proposed streets. High fencing in front of dwellings should be avoided if practicable. Development next to existing public open space should be laid out to complement the open space. 	<p>Assessment</p> <p>The development will have a high level of integration with Dorcas Street to the north and Wells Street to the west. The development responds to the slope of the land by incorporating a split-level ground floor program, with active uses along both street frontages. Along Dorcas Street, there will be two retail tenancies and a residential lobby. Along Wells Street, the lower ground level will have three retail tenancies, each with street frontage, glazed and set behind a solid podium frame.</p> <p>The proposal will provide a well accessible development for both pedestrians, cyclists and vehicles.</p> <p>Compliance with Standard <input checked="" type="checkbox"/></p>



Compliance with Objective

Clause 58.03 Site Layout

58.03-1 Energy Efficiency objectives

- 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

Standard D6

- Buildings should be:
- 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.

Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the following table.

Table D1 Cooling load

NatHERS climate zone	NatHERS maximum cooling load MJ/M ² per annum
Climate zone 21 Melbourne	30
Climate zone 22 East Sale	22
Climate zone 27 Mildura	69
Climate zone 60 Tullamarine	22
Climate zone 62 Moorabbin	21
Climate zone 63 Warrambool	21
Climate zone 64 Cape Otway	19
Climate zone 66 Ballarat	23

Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

Assessment

The site functions as an island site (circled by roads and laneways) and has an advantage of clear building separation and direct street frontages to Dorcas and Wells Streets. The proposal has been designed and sited to maximise daylight and solar energy and to ensure dwellings achieve adequate thermal efficiency.

The submitted SMP suggests the development will achieve the following targets:

- BESS score of 59%
- NatHERS , with an average of 7.4 stars.

Compliance with Standard

Compliance with Objective

58.03-2 Communal open space objective

- 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.

Standard D7

- A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres. A development of 13 or more dwellings, the development should also provide an additional minimum area of communal open space of 2.5 square metres per dwelling

Assessment

The proposal consists of 243 dwellings and is required to provide 30sqm + 607 = 637sqm, or 220sqm of communal open space, whichever is lesser.

The development provides 40.7 square metre area of communal outdoor open space on Level 3 terrace, which is less than what is envisaged under this standard. Other forms of communal spaces, such as communal area on Level 3, a pool and wellness area (upper ground), a Residential Lounge (ground floor entry) are provided but these are not 'open space'. This is acceptable in this instance as the site is within walking distance of open space areas and parks.

Compliance with Standard



<p>or 220 square metres, whichever is the lesser. Each area of communal open space should be:</p> <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. <ul style="list-style-type: none"> • Any area of communal outdoor open space should be landscaped and include canopy cover and trees. 	<p style="text-align: right;">Compliance with Objective <input checked="" type="checkbox"/></p>
<p><u>58.03-3 Solar access to communal outdoor open space objective</u></p> <ul style="list-style-type: none"> • To allow solar access into communal outdoor open space. 	<p><u>Assessment</u></p> <p>The development provides 40.7 square metre area of communal outdoor open space on Level 3 terrace, with has a direct northern orientation. This is acceptable in this instance as the site is within walking distance of open space areas and parks.</p> <p style="text-align: right;">Compliance with Standard <input checked="" type="checkbox"/> Compliance with Objective <input checked="" type="checkbox"/></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><u>58.03-4 Safety objective</u></p> <ul style="list-style-type: none"> • To ensure the layout of development provides for the safety and security of residents and property 	<p><u>Assessment</u></p> <p>The layout of the development provides for the safety and security of residents. Pedestrian and vehicle accessways will be easily identifiable from the public realm. Pedestrian and vehicle access to the site will be adequately lit (subject to inclusion of conditions pertaining to provision of footpath lighting).</p> <p style="text-align: right;">Compliance with Standard <input checked="" type="checkbox"/> Compliance with Objective <input checked="" type="checkbox"/></p>
<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><u>58.03-5 Landscaping objectives</u></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><u>Assessment</u></p> <p>A concept landscape plan prepared by Acre is provided with the application that provides concept of how the public realm areas of the development will be laid out and landscaped. An Arboricultural Assessment and Tree Management Plan by Melbourne Tree Care Pty Ltd details street trees that will be removed and how the existing one, to be retained will be protected.</p>
<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: 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:
 - Located in an area of deep soil specified in Table D3. Where deep soil cannot be provided trees should be provided in planters specified in Table D3.
 - 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.
- 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.

The proposal incorporates sky bridge garden, podium planters, and streetscape works. Any approval should be consistent with these plans.

The development will meet the objective of this clause.

Compliance with Standard

Compliance with Objective

Table D2 Canopy cover and deep soil requirements

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



Table D3 Soil requirements for trees

Tree type	Tree in deep soil Area of deep soil	Tree in planter Volume of planter soil	Depth 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

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%.

Table D4 Tree type

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

58.03-6 Access objective

- 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.

Standard D11

- 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.
- Pedestrian and cyclist access should be clearly delineated from vehicle access.
- 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.

Assessment

Vehicular access is minimised and will be from Middleton Lane (south). It is located on the laneway to have minimal impact of main streets (Dorcas and Wells Streets).

Pedestrian and cyclist access should be clearly delineated from vehicle access along Middleton Lane.

Compliance with Standard

Compliance with Objective

58.03-7 Parking Location objectives

- To provide convenient parking for resident and visitor vehicles.
- To protect residents from vehicular noise within developments.

Standard D12

- Car parking facilities should:
 - > Be reasonably close and convenient to dwellings.
 - > Be secure.
 - > Be well ventilated if enclosed.
- Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

Assessment

The proposal provides convenient access to car parking for residents with functionality demonstrated in the supplied traffic report. Shared accessways do not have a direct interface with dwelling windows.

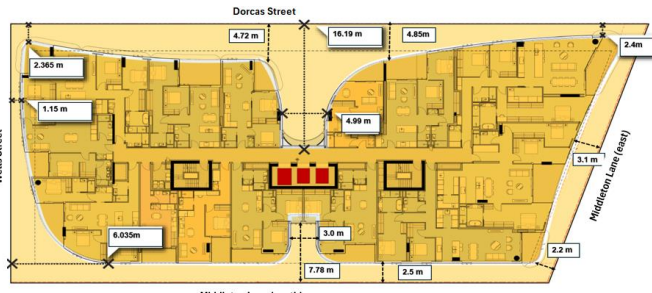
Compliance with Standard

Compliance with Objective



<p>58.03-8 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>Assessment</p> <p>The plan emphasises best practice standards identified through the MUSIC treatment, including stormwater harvesting via 30kL rainwater tanks to collect stormwater from clean roof catchments as primary treatment, enhancement of water quality through the use of filters and stormwater proprietary water treatment systems as overflow before leaving the site towards a nominated point of discharge. As noted in the body of this report, Council has raised a number of shortcomings/discrepancies of this report/plans such as references /claims have been made to studies and reports and these have not been provided (e.g. 30kL RWT has no supporting WSUD report or plan and no connection details for stormwater reuse, MUSIC – 100% score claimed. MUSIC report not provided). These will be required to be rectified as conditions on any approval.</p> <p style="text-align: right;">Compliance with Standard <input checked="" type="checkbox"/></p> <p style="text-align: right;">Compliance with Objective <input checked="" type="checkbox"/></p>
<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. The stormwater management system should be: <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. 	

Clause 58.04 Amenity Impacts

<p>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>Assessment</p> <p>The proposal will set the tower back as shown in the image below. As discussed in the body of this report, this is considered acceptable. Given the site is bound by roads on all sides, the proposal would maintain equitable development for the surrounding properties, provide sufficient view lines and natural light access to dwellings.</p> 
<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. 	



<p>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.</p> <p>Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.</p> <p>Ensure the dwellings are designed to meet the objectives of Clause 58.</p>	<p>Compliance with Standard <input checked="" type="checkbox"/></p> <p>Compliance with Objective <input checked="" type="checkbox"/></p>
<p>58.04-2 Internal views objective</p> <ul style="list-style-type: none"> To limit views into the private open space and habitable room windows of dwellings within a development. <p>Standard D15</p> <ul style="list-style-type: none"> 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>Assessment</p> <p>Some habitable room windows and balconies have the potential to overlook habitable room windows and balconies of other dwellings. It will be required as a condition on any approval that details of mitigation measures to windows and balconies to habitable rooms and balconies of dwellings that have potential of overlooking be provided, that ensure compliance with this standard, unless otherwise agreed to by the Responsible Authority.</p> <p>Compliance with Standard <input checked="" type="checkbox"/></p> <p>Compliance with Objective <input checked="" type="checkbox"/></p>
<p>58.04-3 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 D3 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 LAeq,16h from 6am to 10pm. 	<p>Assessment</p> <p>The site is located within 300 metres of Kings Way. The submitted acoustic report by WatsonMossGrowcott suggests that Kings Way experiences an average daily traffic volume of approximately 90,000 vehicles, which may have noise implications for future residents. However, the report indicates that, provided the specific façade construction requirements outlined within the report are met, along with proper placement and selection of mechanical services, the development can achieve the necessary noise reductions to comply with the decibel limits set by Standard D16.</p> <p>Mechanical plants will be located on the roof level, with acoustic screening to ensure that the penthouse area's open space maintains appropriate amenity standards. Car parking will be located within the basement levels and podium areas, to ensure sufficient separation from residential apartments. It will be required that the recommendations of this report be implemented, at no cost to and be to the satisfaction of the Responsible Authority and that it be demonstrated by a report from a qualified acoustic consultant compliance with the following noise criteria for all dwellings within the development of:</p> <ul style="list-style-type: none"> 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am and; 40dB(A) for living areas, assessed as an LAeq,16h from 6am to 10pm;



- 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.

Table D3 Noise influence area

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

Note: The noise influence area should be measured from the closest part of the building to the noise source.

Compliance with Standard

Compliance with Objective

58.04-4 Wind impacts objectives

- To ensure the built form, design and layout of development does not generate unacceptable wind impacts within the site or on surrounding land.

Standard D17

- Development of five or more storeys, excluding a basement should:
 - > 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
- 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.
- 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.

Table D6 Wind conditions

Unsafe	Comfortable
Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions.	Hourly mean wind speed or gust equivalent mean speed (3 second gust wind speed divided by 1.85), from all wind directions combined with probability of exceedance less than 20% of the time, equal to or less than: <ul style="list-style-type: none"> • 3 metres per second for sitting areas, • 4 metres per second for standing areas, • 5 metres per second for walking areas.

Assessment

A wind tunnel study has been conducted by Mel Consultants and has found that the wind conditions for all test locations in the immediate surrounds and the streetscapes surrounding the development have been shown to satisfy the walking comfort criterion at a minimum, with many locations satisfying the sitting or standing comfort criteria.

Compliance with Standard

Compliance with Objective



58.05 On-Site Amenity and Facilities

58.05-1 Accessibility objective

- To ensure the design of dwellings meets the needs of people with limited mobility.

Standard D18

- At least 50 per cent of dwellings should have:
 - > 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 one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D4.

Table D4 Bathroom design

	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.

Assessment

The typical apartment layout/dimension plans indicate that the accessibility requirements of this Standard will be achieved for 100% of the development. This exceeds the minimum requirement of 50%. A condition on any approval will however require the provision of at least two disabled car space.

Compliance with Standard

Compliance with Objective

58.05-2 Building entry and circulation objectives

- 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.

Standard D19

- Entries to dwellings and buildings should:
 - > Be visible and easily identifiable.
 - > Provide shelter, a sense of personal address and a transitional space around the entry.
- The layout and design of buildings should:

Assessment

The proposed development clearly defines ground floor entry and residential lobby and commercial tenancies.

Residential access to the building will be via a single sheltered entry to Dorcas Street, designed as an enclave to the street to give a sense of privacy, yet a highly visible and clearly identifiable as the building entry.

Common areas will maintain clear sight lines and incorporate multiple sources of natural light and ventilation.

Compliance with Standard

Compliance with Objective



<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>58.05-3 Private open space objective</p> <ul style="list-style-type: none"> • To provide adequate private open space for the reasonable recreation and service needs of residents 	<p>Assessment</p> <p>All but eight apartment types require variations with regard to the minimum balcony dimensions required by Table D8.</p>																				
<p>Standard D20</p> <ul style="list-style-type: none"> • A dwelling should have private open space consisting of at least one of the following: <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. > An area on a roof of 10 square metres, with a minimum dimension of 2 metres and convenient access from a living room. • 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. • 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>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> <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	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	<p>Whilst each balcony will have the minimum required dimension required by this standard, due to the curved nature of the building the balcony cannot be provided as a perfect rectangle, with the minimum dimension the whole way across. Additional area have been provided to compensate the shortfall in width dimensions. This is acceptable and typical of developments of this type. Typical plans for all dwelling types will be required as a condition on any approval.</p> <p>All dwellings will include a balcony which will be accessed via the living room. Each dwelling has been provided with private open space area that are usable in accordance with this standard</p> <p>Heating and cooling equipment will not be located on the balconies of the dwellings.</p> <p style="text-align: right;">Compliance with Standard <input checked="" type="checkbox"/></p> <p style="text-align: right;">Compliance with Objective <input checked="" type="checkbox"/></p>
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																			
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																				
<p>58.05-4 Storage objective</p> <ul style="list-style-type: none"> • To provide adequate storage facilities for each dwelling 	<p>Of the 48 dwelling types proposed, 28 will be provided internal storage in accordance with this standard.</p>																				



Standard D21

- Each dwelling should have convenient access to usable and secure storage space.
- The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table D10.

Table D10 Storage

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

The remaining 20 dwelling types will be allocated additional external storage cages in accordance with Table D10. This is satisfactory, subject to the inclusion of these conditions:

- Details of any dwellings within the development which rely on the allocation of a lockable storage cage on the Basement Levels in order to meet the standards set out at Table B11 (Clause 55.07-10) and Table D6 (Clause 58.05-4) on the updated development summary.
- A note on any plan relating to the Basement Levels stating that all storage cages assigned to specific dwellings (as listed on the development summary) must be clearly labelled and set aside at no additional charge for the future tenants of those dwellings in accordance with the standards set out at Table B11 (Clause 55.07-10) and Table D6 (Clause 58.05-4) of the Port Phillip Planning Scheme.

Compliance with Standard

Compliance with Objective

58.06 Detailed Design

58.06-1 Common property objectives

- 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.

Assessment

The proposal has been designed to clearly delineate public, communal and private areas. Common property will be functional and capable of efficient management

Compliance with Standard

Compliance with Objective

Standard D22

- Developments should clearly delineate public, communal and private areas.
- Common property, where provided, should be functional and capable of efficient management.

58.06-2 Site services objectives

- To ensure that site services can be installed and easily maintained.
- To ensure that site facilities are accessible, adequate and attractive

Assessment

The proposal has been designed to ensure that site services can be installed and easily maintained within accessible locations throughout the development.

Sufficient space is set aside for mailboxes for the dwellings in a convenient location in the lobby for regular access by Australia Post.

Compliance with Standard

Compliance with Objective

Standard D23

- 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.

58.06-3 Waste and recycling objectives

Assessment



<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 D24</p> <ul style="list-style-type: none"> • Developments should include dedicated areas for: <ul style="list-style-type: none"> > Waste and recycling enclosures which are: <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. > 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. 	<p>The proposal has been designed to ensure that waste and recycling facilities are accessible, adequate and attractive. Waste and recycling facilities have been designed to be managed to minimise impacts on residential user amenity.</p> <p>Compliance with Standard <input checked="" type="checkbox"/></p> <p>Compliance with Objective <input checked="" type="checkbox"/></p>
<ul style="list-style-type: none"> > Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate. • Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and: <ul style="list-style-type: none"> > Be designed to meet the best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria. > 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>58.06-4 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>Assessment</p> <p>The external walls use materials appropriate to the existing urban context or preferred future development of the area and will be able to endure and retain their attractiveness.</p>
<p>Standard D25</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. 	<p>Compliance with Standard <input checked="" type="checkbox"/></p> <p>Compliance with Objective <input checked="" type="checkbox"/></p>



- > 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.

58.07 Internal Amenity

58.07-1 Functional layout objective

- To ensure dwellings provide functional areas that meet the needs of residents

Standard D26

- Bedrooms should:
 - 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.
- Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D12.

Table D11 Bedroom dimensions

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

Table D12 Living area dimensions

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

Assessment

All dwellings within the development will be provided with bedrooms and living areas with minimum dimensions outlined in the standard. Typical plans for all dwelling types will be required as a condition on any approval.

- Compliance with Standard
- Compliance with Objective

58.07-2 Room depth objective

- To allow adequate daylight into single aspect habitable rooms

Standard D27

- 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:
 - > 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.

Assessment

The proposed building includes a 3.10 metre floor to floor height which allows for a minimum 2.7m finished floor to ceiling level. All apartments with single aspect habitable rooms, including combined living, dining and kitchen area. Some dwellings however do not comply with standard e.g. Apt type 2.21. It will be required as a condition that the development complies with this standard.

- Compliance with Standard
- Compliance with Objective

58.07-3 Windows objective

- To allow adequate daylight into new habitable room windows.

Assessment



<p>Standard D28</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>All habitable rooms are provided with a window in an external wall of the building. No snorkel rooms are proposed.</p> <p>Compliance with Standard <input checked="" type="checkbox"/></p> <p>Compliance with Objective <input checked="" type="checkbox"/></p>
<p>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>Assessment</p> <p>A total of 108 of these dwellings (44%) comply with the effective cross ventilation requirements of breeze paths between 5 and 18 metres.</p>
<p>Standard D29</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>Compliance with Standard <input checked="" type="checkbox"/></p> <p>Compliance with Objective <input checked="" type="checkbox"/></p>