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URBIS

11-27 DORCAS STREET SOUTH MELBOURNE

Town Planning Report

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Prepared for
MIDDLETON LANE DEVELOPMENT PARTNERSHIP PTY LTD
18 September 2024



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SUBMISSION DOCUMENTS

This report is to be read in conjunction with:

- Town Planning Summary Letter prepared by Urbis, dated 18 September 2024.
- Certificate of Titles pertaining to the subject properties.
- Financial Feasibility Confirmation Letter issued by Invest Victoria, dated 26 July 2024.
- Architectural Plans prepared by Bates Smart Architects, dated 11 September 2024.
- Statement of Changes prepared by Bates Smart Architects, dated 12 September 2024
- Development Summary prepared by Bates Smart Architects, dated 12 September 2024
- Urban Context Report prepared by Bates Smart Architects, dated September 2024.
- Urban Context Report prepared by Urbis Ltd, dated September 2024.
- Landscape Concept Plan prepared by Acre, dated 11 September 2024.
- Economic Benefits Assessment prepared by Urbis Ltd, dated September 2024.
- Affordable Housing Report prepared by Urbis Ltd, dated May 2024.
- Project Feasibility Assessment Report prepared by Time & Place, dated 7 June 2024.
- Traffic Impact Assessment prepared by Traffix, dated September 2024.
- Waste Management Plan prepared by Traffix, dated September 2024.
- Sustainability Management Plan, prepared by NDY, dated 12 September 2024.
- Shrine Vista Development Report prepared by Veris, dated 5 September 2024.
- Stormwater Management Plan Report prepared by NDY, dated 9 September 2024.
- Wind Impact Assessment prepared by MEL Consultants, dated September 2024.
- Reflectivity Assessment prepared by Inhabit, dated 10 September 2024.
- Arboricultural Impact Assessment, prepared by Melbourne Tree Care, dated 11 September 2024
- Acoustic Report prepared by Watson Moss Growcott. dated 17 September 2024

Urbis acknowledges the important contribution that Aboriginal and Torres Strait Islander people make in creating a strong and vibrant Australian society. We acknowledge, in each of our offices, the Traditional Owners on whose land we stand.

All information supplied to Urbis in order to conduct this research has been treated in the strictest confidence. It shall only be used in this context and shall not be made available to third parties without client authorisation. Confidential information has been stored securely and data provided by respondents, as well as their identity, has been treated in the strictest confidence and all assurance given to respondents have been and shall be fulfilled.

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EXECUTIVE SUMMARY

This report has been prepared on behalf of Middleton Lane Development Partnership Pty Ltd (the client) in support of a Planning Permit application to construct a mixed-use development at 11-27 Dorcas Street, South Melbourne.

The application is being made via the application pathway available through Clause 53.23 of the Port Phillip Planning Scheme (Significant Residential Development with Affordable Housing). In this instance, this application is made to the Minister for Planning, care of the Development Facilitation Program.

The application consists of a 19-storey development comprising 243 apartments, 493 square metres of ground floor retail space and 223 car parking spaces. The tower form will be a single structure joined by a central sky bridge. The sky bridge will contain the associated lift and structural core, with the tower form being carved and articulated meticulously so that the tower appears as two separate entities.

The proposal's design has evolved as a direct response to the site's context, the objectives of both the State and Local Planning Policy and other built form objectives contained within Design Development Overlay – Schedule 26 in the Port Phillip Planning Scheme.

The proposed development is an excellent opportunity to add a high-quality development offering in this highly sought after South Melbourne enclave. Moreover, it will facilitate the valuable provision of housing in line with the intent and objectives of Clause 53.23 of the Port Phillip Planning Scheme. The building design reflects commitment to design excellence stemming from the client vision to deliver a premium housing choice to the area.

PORT PHILLIP PLANNING SCHEME

The site is affected by the following planning controls and permissions:

CONTROLS/PROVISIONS	PERMISSIONS
Commercial 1 Zone (Clause 34.01)	<ul style="list-style-type: none"> Use of the subject site for 'Dwellings' Construct a building or to construct or carry out works.

Design and Development Overlay – Schedule 26-1C

- Construct a building or to construct or carry out works.

Clause 52.06 – Car Parking

- To reduce the number of car parking spaces required under Clause 52.06-5.

Table 1 – Applicable Controls and Permissions

ASSESSMENT SUMMARY

Overall, this report demonstrates that the proposal is an acceptable and appropriate outcome for the site for the following reasons:

- Is consistent with the statutory and strategic frameworks of the PORT PHILLIP Planning Scheme.
- The development's overall architectural response has been meticulously thought out to respond to its local context, built form design considerations, and sustainability endeavours.
- The development achieves a highly compliant and responsive building design in relation to the building height, setback, and design requirements set by DDO26.
- Responds positively and sensitively to its local context within the Shrine of Remembrance Environs and is not considered to cause visual distraction on Anzac Day and Remembrance Day. Further, the development complies with reflectivity requirements for roads and adjoining buildings.
- The development is compliant with the requirements of the Better Apartments Design Standards and will provide good internal amenity for future residents.
- The development's associated landscaping response will result in a high quality and accentuated biophilic presence, softening the overall façade appearance.
- Meets best practice ESD requirements pursuant to the Built Environment Sustainability Scorecard criteria.

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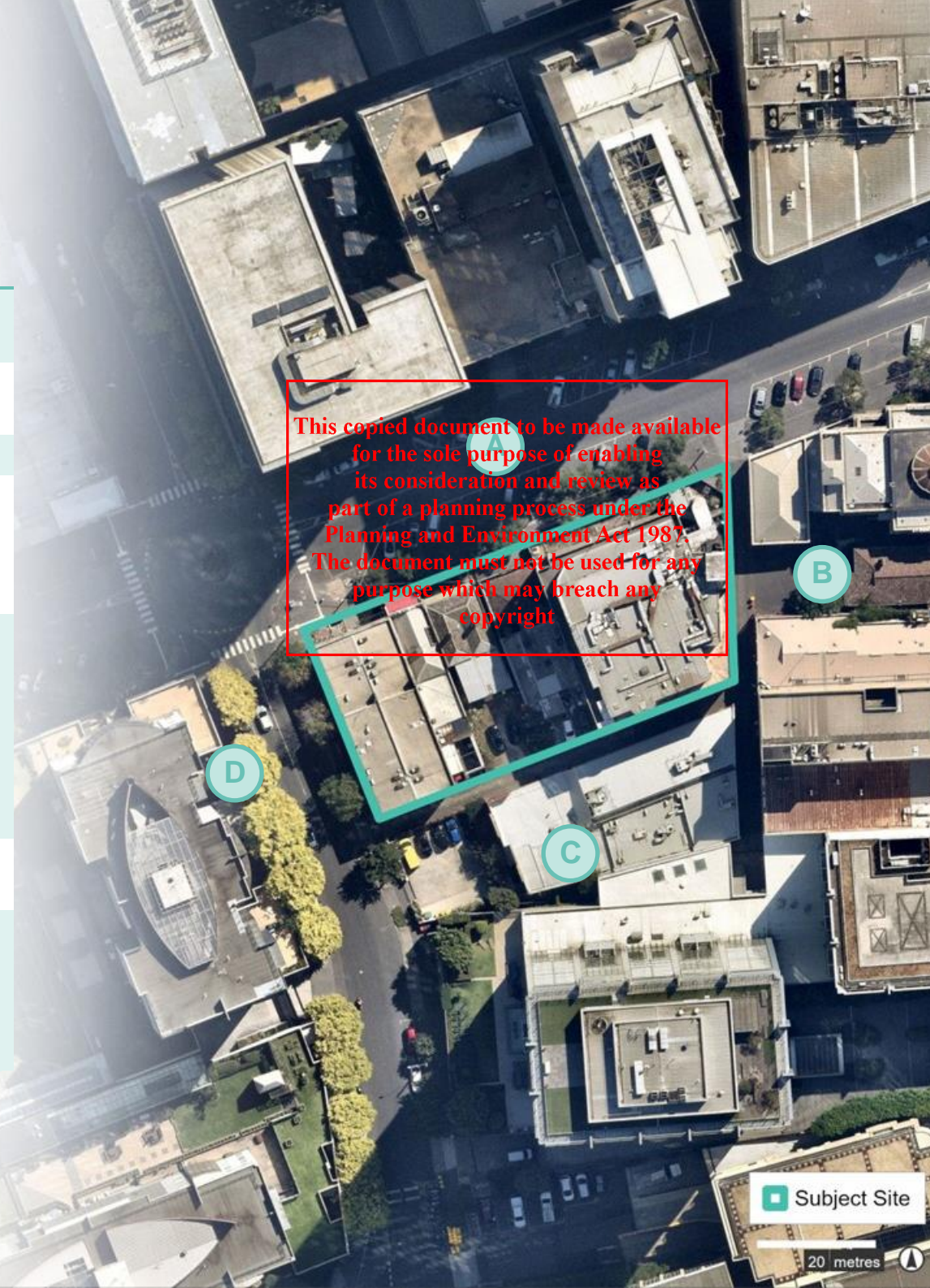
1. SITE CONTEXT

1.1. SUBJECT SITE

CATEGORY	DESCRIPTION
Existing Conditions	The site comprises five separate lots across 11-17, 19, 21, 23 and 25-27 Dorcas Street.
Location	Site is an island lot bounded by Dorcas Street (north), Wells Street (west), and Middleton Lane (east & south)
Area	Consolidated area of 2,394m ²
Frontages	<ul style="list-style-type: none">76 metres to Dorcas Street34 metres to Wells Street36 metres to Middleton Lane East64 metres to Middleton Lane South
Title	<ul style="list-style-type: none">Land in Plan of Consolidation 153719Allotment 20 Section 59 City of South Melbourne, parish of Melbourne SouthAllotment 19 Section 59 City of South Melbourne, parish of Melbourne SouthLot 1 on Title Plan 412247Lot 1 and Lot 2 on Title Plan 687121
Vehicle Access	Provided at the rear of the properties via Middleton Lane which connects to Wells Street.
Vegetation	Two minor trees contained to the rear of 21 Dorcas Street. Nine street trees located along the site's frontage to Dorcas Street, with a further three street trees located along to the site's frontage to Wells Street. All vegetation is varying in height and maturity.

Table 2 – Details of Subject Site

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Subject Site

20 metres

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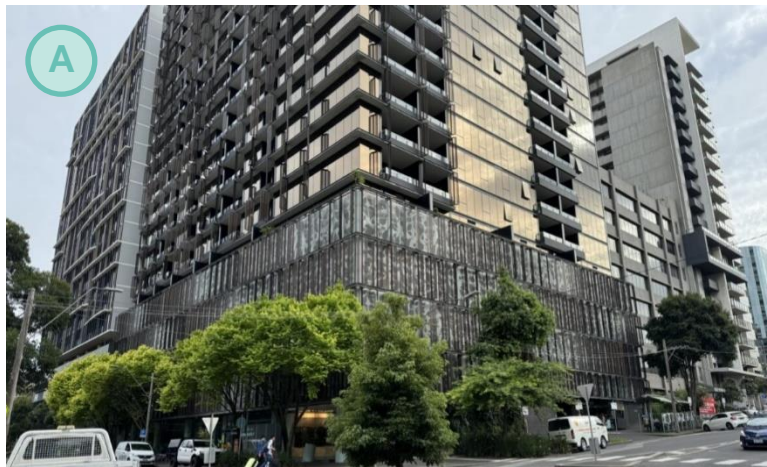
1.2. IMMEDIATE SURROUNDS

North

Immediately north of the site is Dorcas Street, a local road providing a single lane of vehicle traffic in each direction. Parking is provided on each side of the road, as well as a footpath on each side.

Land north of Dorcas Street is located within the City of Melbourne municipality. There are several buildings of varying heights, including the below properties of relevance:

- Directly opposite, across Dorcas Street, is 22 Dorcas Street which comprises a 24-storey building containing apartments, car parking and ground floor retail. Access to the car park is provided via an accessway to Dorcas Street.
- To the east of 22 Dorcas Street is 10-16 Dorcas Street which comprises an 8-storey office building. There is a car parking facility on the ground and lower ground levels. Access is provided via an accessway to Dorcas Street. On 4 February 2021, approval was granted for the construction of 19-storey mixed-use building at 10-16 Dorcas Street (TP-2020-235).
- Further along at 8 Dorcas Street is a 20-storey residential building consisting of apartments, ground floor retail and car parking. Access to the car park is provided via an accessway to Anthony Lane.



Picture 1 No. 22 Dorcas Street
Source: Urbis

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 which face St Kilda Road.

336 St Kilda Road, South Melbourne is located immediately east of Middleton Lane and comprises the 'First Church of Christ Science'. 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, providing oversight of the VHR listing.

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



Picture 2 Middleton Lane
Source: Urbis

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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 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 St James Apartments and the Royal Domain Tower, respectively. Each building is 26-storeys and 42-storeys, both comprising apartments and associated car parking within podium levels.

The southern surrounding area predominantly comprises residential apartment developments, however, also includes remnant commercial tenancy developments including that at 1 Bank Street, South Melbourne.



Picture 3 No. 145-149 Wells Street (taken from SW perspective)
Source: Urbis

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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, as well as a footpath on each side.

Further, on the adjacent side of Wells Street is a residential building (148 Wells Street) located on the corner of Wells Street and Dorcas Street. The development comprises of two towers, being 12-storeys and 10-storeys, respectively. A three storey podium occupies the site, with various residential amenities at the top of the podium levels.

Approximately 300 metres west of the site is Kings Way, a major regional road that seeks to connect the CBD and northern suburbs to Dandenong Road and southern suburbs. In turn, Kings Way is considered a primary and strategic access route to Metropolitan Melbourne.



Picture 4 No. 148 Wells Street
Source: Urbis

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1.3. SURROUNDING CONTEXT

Dorcas Street has a mixed character with a range of uses, building heights and setbacks, although new developments are largely consistent. Landscaped setbacks and vehicle crossovers vary along the street.

Styles of adjacent buildings vary considerably within the area noting the differing timeframes for redevelopment. Notwithstanding, recently developed buildings are generally consistent with a typical podium and tower design. However, tower setbacks are typically smaller than the 5 metres recommended in DD026, and DDO60 (City of Melbourne land to the north). Accordingly, podiums do not form a defining character element of the streetscape.

There is excellent access to public open space within the site's proximity, including the Royal Botanic Gardens and Shrine of Remembrance environs.

Additionally, the site has exceptional access to public transport, particularly tram and bus services. Moreover, the Anzac Station is to be operational from 2025. Current services are primarily accessed from St Kilda Road and include:

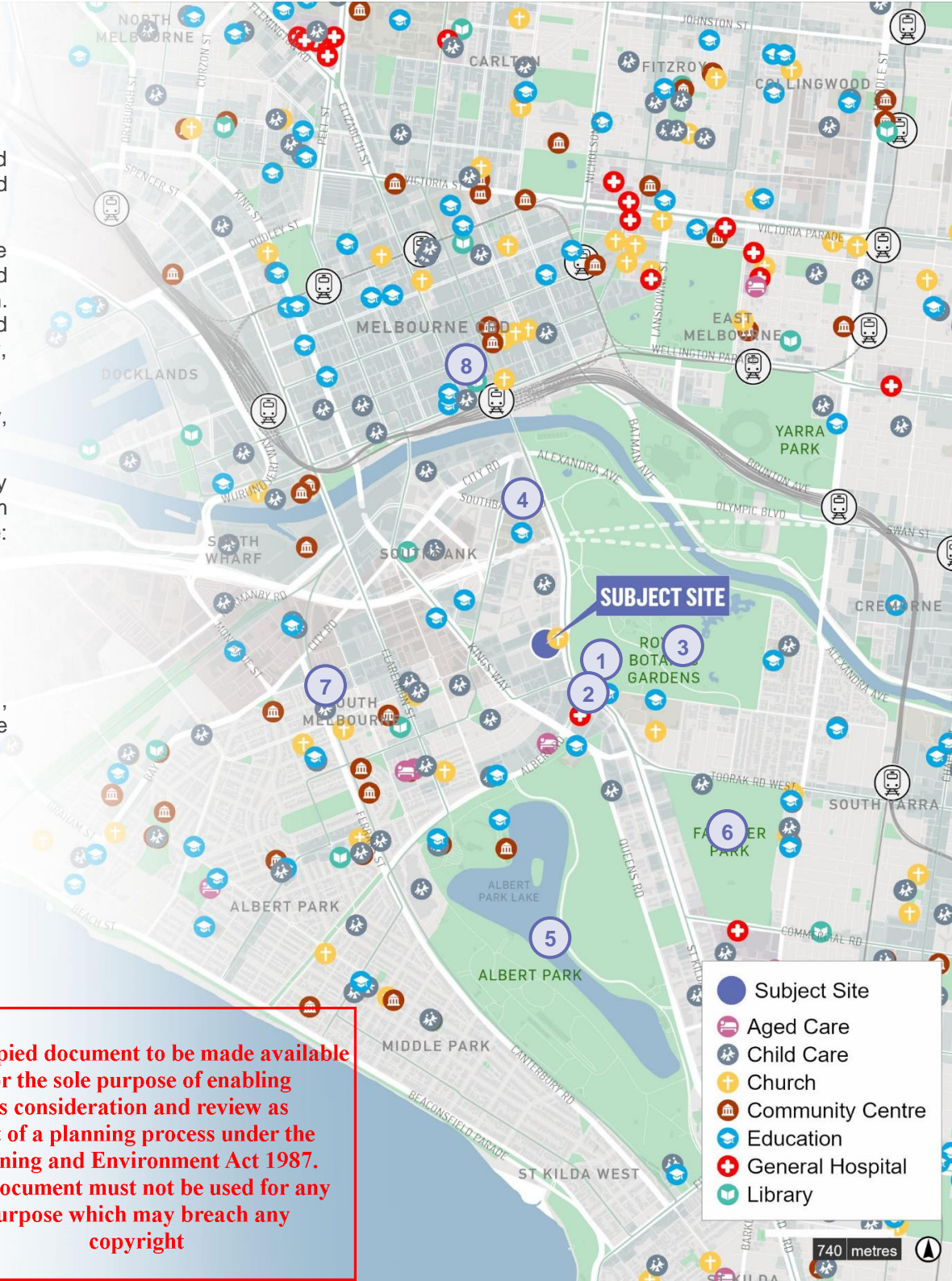
- Tram (St Kilda Road): Routes 3, 3a, 5, 6, 16, 64, 67 and 72.
- Tram (Kings Way): Routes 1 and 58.
- Bus: Routes 216, 219, 220 and 980 (NightRider).

The majority of these transport routes provide a direct connection to the CBD, where connecting transport links to the rest of the Metropolitan Area can be conveniently accessed. Nearby community services and facilities include:

- 1 Shrine of Remembrance approximately 300m east
- 2 Anzac Station approximately 500m south (complete ~2025)
- 3 Royal Botanic Gardens approximately 650 metres east
- 4 National Gallery of Victoria approximately 950 metres north
- 5 Albert Park approximately 1km south
- 6 Fawcner Park approximately 1km south-east
- 7 South Melbourne Market approximately 1.8km west
- 8 Melbourne CBD, approximately 1.6km north

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2. PROPOSAL

2.1. OVERVIEW OF PROPOSAL

This proposal seeks approval from the Minister for Planning for the use and development of a mixed-use development. This application consists of a 20-storey development, inclusive of a four-storey podium and three basement levels. Comprising 243 apartments, the podium and basement levels will also include 497 square metres of ground floor retail space and 223 car parking spaces. The development's primary land use will be 'Dwellings,' with supporting 'Food and Drink Premises' and 'Shop' at ground floor.

Appreciating the site's width, the tower form has been designed through meticulous investigation to minimise visual bulk to public realms. The tower has been significantly articulated through a central visual break to make the tower appear as two separate entities. An interplay with materials, façade expression and depth has also been achieved to create visual interest and separation. Each tower entity will be connected through a shared lift and structural core central to the built form.

The proposal's key details are as follows:

ELEMENT	PROPOSAL
Total GFA (including basement)	41,130m ²
Total GFA (above ground)	34,652m ²
Total Building Height	70 metres AHD, including plant.
Number of Apartments	243 apartments including 11 studios, 50 x one-beds, 130 x 2-beds, 47 x 3-beds, and 4 x 4-bed, and 1 x 4-bed penthouse.
Podium Setbacks	<ul style="list-style-type: none"> North & West: nil East: 4.35 metres, to the centre of Middleton Lane.

	<ul style="list-style-type: none"> South (Lower ground & Upper ground): 4.45 metres to the centre of the laneway. South (Level 01 & above): nil
Tower Setbacks	Varying curved tower setbacks as follows: <ul style="list-style-type: none"> North: min 1.5m, max 4.72m, average 3.61m East: min 4.02m, max 5.11m, average 4.5m to the centre of Middleton Lane. South: 4.5m to the centre of the laneway West: min 1.1m, max 5.25m, average 2.92m
Retail Area	493m ² associated with a ground floor café at the corner of Dorcas Street and Middleton Lane, and three retail spaces fronting Wells Street.
Car Parking	223 car spaces
Bicycle Parking	114 bicycle spaces
Communal Space	753m ² of residential amenity spaces across the ground floor and podium levels. These amenities include a pool, sauna, gym, and residential lounge for the residents' private enjoyment. In addition, a 97m ² communal space is included at the Level 03 podium level, inclusive of a 40.7m ² area of communal open space.
ESD Initiatives	50% BESS score Commitment to average 6.5 star NatHERS rating.

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Table 3: Details of Proposal

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2.2. DWELLING DIVERSITY

The proposed development will contain an array of dwelling types thereby contributing to the overall dwelling diversity of both the building and the immediate locality. Twenty-four apartments are contained within the development's podium levels, with the majority of housing stock located within tower floorplates.

The predominant dwelling type will be 2-bedroom apartments representing approximately 54% (130) of dwellings proposed. Approximately 19% of the proposed dwellings will be 3-bedroom apartments, with 11 dwellings being 4-bedroom sub-penthouse and penthouse floor-plates, aimed at a premium residential housing market to complement the broader diversity of dwelling types.

Rounding out the diversity of dwelling offerings are 50, 1-bedroom floor plans comprising 20% of the total apartments, with inclusion of 11 studio apartments (4.5%).

The overall intent is to offer a range of options to cater for all demographics in the area, contributing to Port Phillip's dwelling diversity consistent with local housing strategies.

2.3. LANDSCAPING

The development will be enhanced by a comprehensive landscape concept package that has been designed and prepared by Acre. The primary landscape features will include planter beds and soft landscaping to the residential entry and vehicle porte-cochere, to provide a welcoming entrance.

Further, apartment balconies to the development's podium levels will be enhanced by balcony planter beds and on-site landscaping will be planted on the rooftop communal open space to soften the space and provide a natural aspect.

The development's sky-bridge element will be softened through planter beds to each storey at the frontage to Dorcas Street. The sky-bridge will act as the connector to the two tower elements, with the planter beds assisting in visually softening its appearance and placing more emphasis and separation to the two tower portions.

Included within the proposed landscaping package are several elements outside of the subject site's title boundary to Council owned and managed assets being:

- Along Wells Street, the existing gravel beds to the Elm street trees are proposed to be replaced with low level planting.
- Along Dorcas Street, the existing street trees are proposed for replacement with six native feature trees to frame the entry and development, supported by minimal maintenance planter beds along the street edge.

It is considered that these proposed landscaping works will be a positive contribution to the public realm and will benefit the Dorcas Street and Wells Street streetscape, appreciating the current state of the existing vegetation. The proposal is concurrently supported by an arboricultural report prepared by Melbourne Tree Care Pty Ltd, noting the sub-optimal health of the current vegetation.

We acknowledge that the public realm landscaping elements are not within the title boundary and accordingly, technically do not form part of the application scope. Notwithstanding, the works are provided for concept purposes, and we request review of the concept by Council's asset team. We consider this landscape concept will facilitate a high quality and symbiotic treatment to the development and public realm, as it will result in a net-positive outcome for the Council-managed Dorcas Street and Wells Street nature strips.

2.4. CAR PARKING AND LOADING

The development proposal will be supported and accessed via a porte-cochere toward the rear of the site in Middleton Lane, which will act as a drop off zone for residents and visitors, but also as the entry to basement car parking.

The development will include provision of 223 car parking spaces to be divided amongst residents of the building. These car parking spaces will be split across three basement levels (167 bays), as well as three podium levels (56 bays).

All car parking will be accessible via crossovers to Middleton Lane. Access to the site's basement parking will be provided via a ramp extending off the entry

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porte-cochere, with sufficient aisle widths and manoeuvring space afforded to ensure a spacious and accessible area for drivers.

Whereas, the development's podium car parking will be accessible via two hydraulic car lifts positioned to the site's eastern frontage, and accessible via Middleton Lane. The car lifts will lead directly to each of the podium car parking areas, and residents will be trained thoroughly via an induction process to ensure correct and seamless use of these facilities.

Similarly to the site's car parking, access to the service loading bay will be via Middleton Lane, toward the south-west of the site. Access will be available at the site's ground floor, adjacent the Retail 04 space fronting Wells Street. The loading bay will be multi-faceted acting as a loading bay for the 'Retail Premises' tenancies, and also as a waste collection bay for both the residential and commercial waste generation.

2.5. SIGNIFICANT RESIDENTIAL DEVELOPMENT PATHWAY

Clause 72.01 of the Port Phillip Planning Scheme has the effect of making the Minister for Planning the Responsible Authority for applications eligible to be assessed under the Clause 53.23 pathway. The Clause 53.23 pathway offers eligible applications a specialised assessment pathway aimed at facilitating the development of residential projects that include affordable housing needs.

To be eligible for assessment under this pathway, the development must meet the following requirements:

- *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 must be at least:*
 - *\$50 million if any part of the land is in metropolitan Melbourne;*
- *At least 10% of the total number of dwellings in the development must be affordable housing, or alternatively this condition may be met 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.*

- *Must have written advice from the Chief Executive Officer, Invest Victoria confirming the likely financial feasibility of the proposal.*

In this respect, we confirm that the Project Feasibility Assessment Report prepared by Time & Place contains an excerpt for the quantity surveyor's report, which has estimated the development at \$165.5 million.

Further, the development has received written advice from the Chief Executive Officer, Invest Victoria, confirming the project's financial feasibility. The aforementioned letter is attached to this submission for the Department's review and records.

With respect to the delivery of affordable housing, and pursuant to the options permitted under Clause 53.23, the permit applicant will make a cash contribution to the social housing growth fund, at an amount equal to 3% of the estimated cost of development. We understand that the specifics surrounding the amount payable will be investigated and resolved as part of the Department's assessment process.

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3. PORT PHILLIP PLANNING SCHEME

A detailed overview of the relevant planning controls and policies is provided in [Appendix A](#). A summary of the key controls and policies is provided below.

3.1. ZONE

Commercial 1 Zone

The subject site is affected by the Commercial 1 Zone (C1Z) pursuant to Clause 34.01 of the Port Phillip Planning Scheme. The purpose of the C1Z is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.
- To provide for residential uses at densities complementary to the role and scale of the commercial centre.

Pursuant to Clause 34.01-1, use of the land for 'Dwellings' is a Section 1 use (permit not required) provided that any ground floor frontage does not exceed 2 metres. Noting the development's residential component will occupy more than 2 metres of ground floor frontage, a planning permit is required for the land use.

Use of the land as 'Retail Premises' is allowed 'as of right,' and accordingly does not require planning permission.

A Planning Permit is required to:

- Use the land for the purpose of 'Dwellings' (Clause 34.01-1)
- Construct a building or to construct or carry out works (Clause 34.01-04).

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Planning Zones

Commercial 1 (C1Z)

Mixed Use (MUZ)

20 metres



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3.2. OVERLAYS

Design and Development Overlay – Schedule 26

The subject site is affected by the Design and Development Overlay – Schedule 26 (DDO26) pursuant to Clause 43.02 of the Port Phillip Planning Scheme. Under the DDO, a planning permit is required to construct a building or to construct or carry out works.

Schedule 26 to the DDO denotes a number of precinct wide design objectives, noted below in [Appendix A](#).

Moreover, the subject site is located within Sub-Precinct 1C: Edge of Shrine Memorial Gardens, which contains the following design objectives:

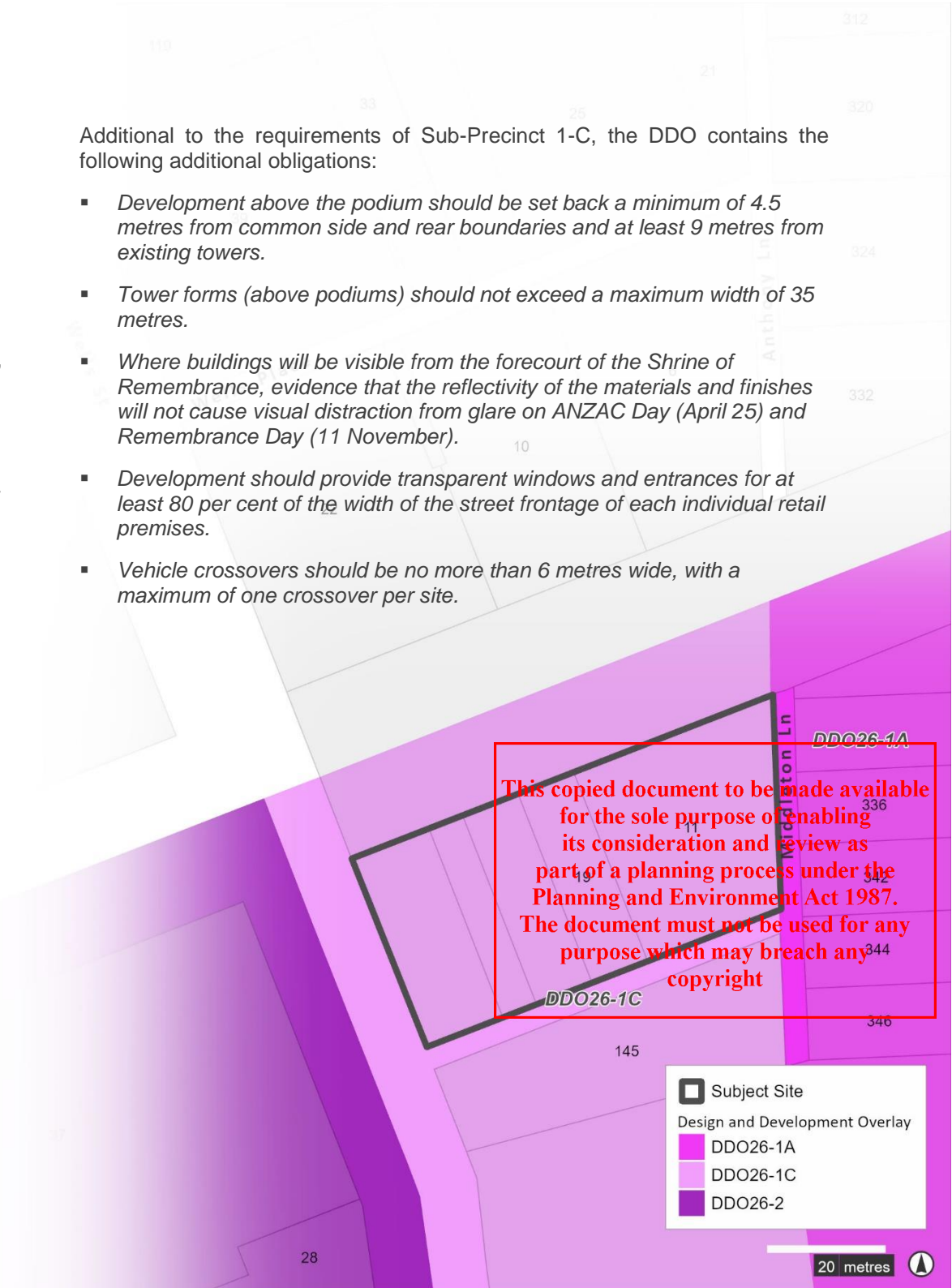
- To ensure that buildings are of a scale, form and design detail that creates a respectful background to the Shrine of Remembrance and Memorial Gardens.
- To ensure that buildings are designed to respect the sensitivity of the immediate vicinity of the Shrine of Remembrance and the more distant elevated 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.

The subject site is located within Sub Precinct 1-C which has the following requirements:

- Development within 5 metres of Dorcas Street should not exceed a height of 18 metres.
- Development beyond the 5 metre setback must not exceed a height of 70 metres AHD.
- Development must not protrude into the Shrine's silhouette above the level of the Portico roof when viewed from Birdwood Avenue.
- Buildings and works must not 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.

Additional to the requirements of Sub-Precinct 1-C, the DDO contains the following additional obligations:

- Development above the podium should be set back a minimum of 4.5 metres from common side and rear boundaries and at least 9 metres from existing towers.
- Tower forms (above podiums) should not exceed a maximum width of 35 metres.
- Where buildings will be visible from the forecourt of the Shrine of Remembrance, evidence that the reflectivity of the materials and finishes will not cause visual distraction from glare on ANZAC Day (April 25) and Remembrance Day (11 November).
- Development should provide transparent windows and entrances for at least 80 per cent of the width of the street frontage of each individual retail premises.
- Vehicle crossovers should be no more than 6 metres wide, with a maximum of one crossover per site.

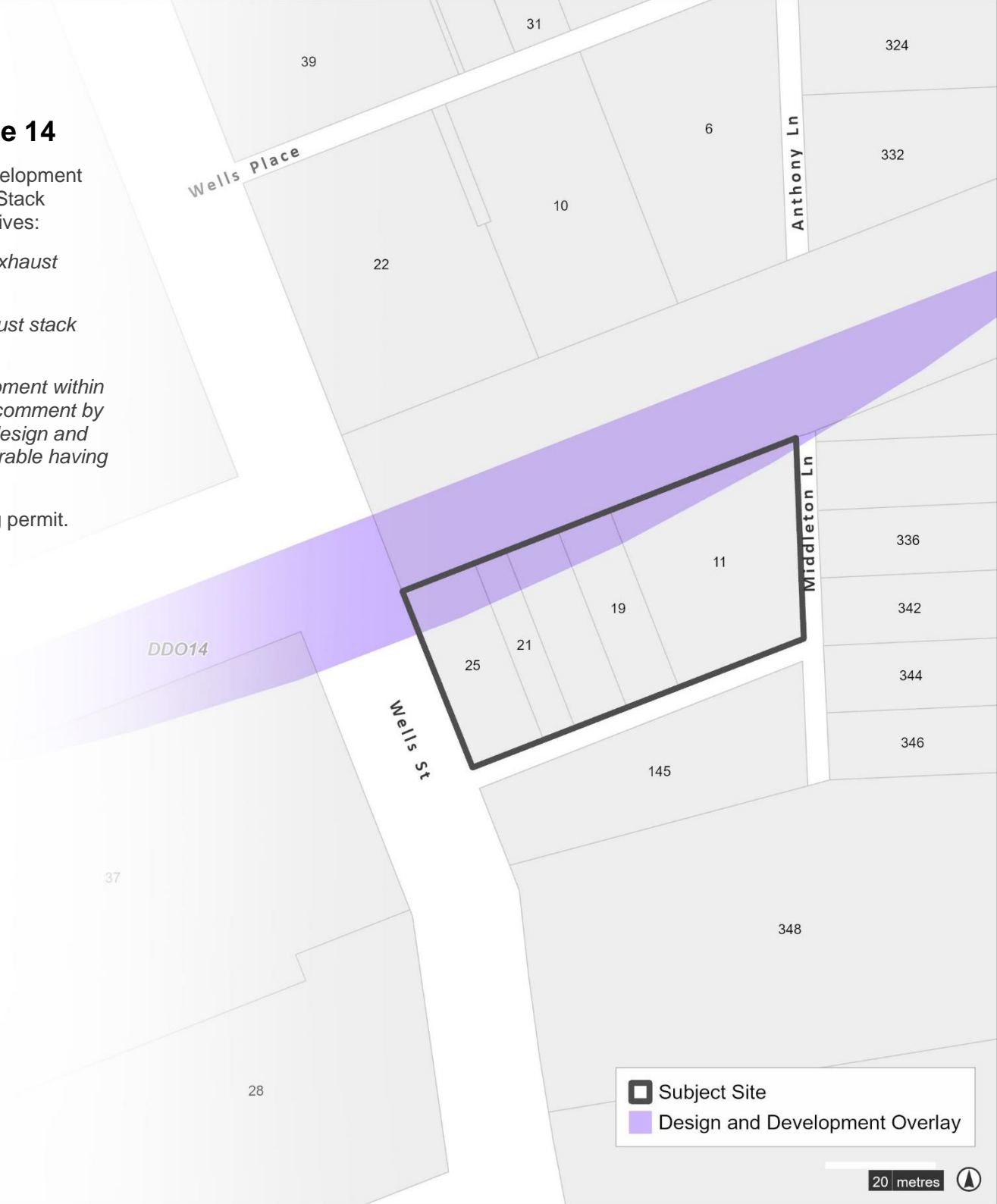


Design and Development Overlay – Schedule 14

Moreover, the subject site is partially impacted by Design and Development Overlay – Schedule 14 (DDO14) relating to the City Link Exhaust Stack Environs. Schedule 14 to the DDO has the following design objectives:

- To ensure that the development of land around the City Link exhaust stack is not adversely affected by the operation of the stack.
- To ensure that development of land around the City Link exhaust stack does not adversely affect the operation of the stack.
- To ensure that the relevant authorities are informed of development within close proximity of the City Link exhaust stack and to facilitate comment by those authorities on any specific requirements relating to the design and built form of new development in the area which might be desirable having regard to the proximity of the stack.

The DDO schedule does not trigger the requirement for a planning permit.



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 Subject Site
 Design and Development Overlay

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3.3. GENERAL AND PARTICULAR PROVISIONS

The following general and particular provisions are related to the proposal:

- Clause 52.06 – Car Parking
- Clause 52.34 – Bicycle Facilities
- Clause 53.18 – Stormwater Management in Urban Development
- Clause 53.23 – Significant Residential Development with Affordable Housing
- Clause 58 – Apartment Developments
- Clause 65 – Decision Guidelines

3.4. MUNICIPAL PLANNING STRATEGY

The following Clauses of the MPS are related to the proposal:

- Clause 02.01 – Context
- Clause 02.02 – Vision
- Clause 02.03 – Strategic Directions
- Clause 02.03-1 – Settlement
- Clause 02.03-4 – Built Environment and Heritage
- Clause 02.3-5 – Housing
- Clause 02.03-7 – Transport
- Clause 02.04 – Strategic Framework Plans

3.5. PLANNING POLICY FRAMEWORK (PPF)

The following Clauses off the PPF are relevant to the proposal:

- Clause 11 – Settlement
- Clause 11.01.1S – Settlement
- Clause 15 – Built Environment and Heritage

- Clause 15.01-1S – Urban Design
- 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 15.01-5S – Neighbourhood Character
- Clause 16 – Housing
- Clause 16.01-1S – Housing Supply
- Clause 16.01-1L-01 – Housing Diversity
- Clause 16.01-1L-02 – Location of Residential Development
- Clause 16.01-2S – Housing Affordability
- Clause 18 – Transport
- Clause 18.02-3R – Principal Public Transport Network
- Clause 18.02-4L-01 – Car Parking
- Clause 19 – Infrastructure
- Clause 19.03-3L – Stormwater Management

Broadly speaking, these Clauses aim to:

- Ensure design development responds and contributes to the strategic and cultural context of its location.
- Encourage development that respects the existing residential pattern and rhythm of the built form character.
- Provide for a range of housing types to meet increasingly diverse needs.
- Deliver more affordable housing closer to jobs, transport and services.
- Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.

- Direct the majority of new residential development to locations with the highest level of accessibility to the Principal Public Transport Network (PPTN).
- Achieve best practice in environmentally sustainable development from the design stage through to construction.

Of note:

- Clause 15.01-2L-01 – Building Design includes objectives and strategies which include to ensure that the height and scale of new development is appropriate to the identified preferred character of an area; and seeks to ensure new development protects, conserves and enhances all identified significant and contributory heritage places.
- Clauses 15.01-2L-02 – Environmentally Sustainable Development applies to residential developments and seeks to achieve best practice in environmentally sustainable development from the design phase through to construction and occupation. This is achieved through facilitating development that minimises impacts and ensures developments adopt best practice methods.
- Clause 15.01-5L – Neighbourhood character ensures that the design development so that its height, scale, massing and bulk respects the scale and form of nearby buildings in areas where the existing built form character is to be retained, or a preferred character for an area has been identified.
- Clause 16.01-1R – Housing Supply facilitates the provision of well-located, integrated and diverse housing in designated locations and well-established urban areas. Of note, higher density housing development is encouraged on sites that are well located in relation to jobs, services and public transport.
- Clause 16.01-1L-01 – Housing Diversity ensures that new developments provide an appropriate mix of housing types that include a mix of dwelling sizes and are accessible for people of all abilities and older persons.

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4. ASSESSMENT

The following sections of this report provide an assessment of the proposal against the relevant statutory and strategic provisions of the Port Phillip Planning Scheme.

This assessment focuses on the appropriateness of the following key matters:

1. Appropriateness of the Dwelling land use.
2. Consistency with planning framework.
3. Built form & design response.
4. Response of design to OVGA pre-application feedback.
5. Internal amenity.
6. Management of external amenity impacts.
7. Landscaping response.
8. Traffic & car parking.
9. Waste management.
10. Environmentally sustainable design.

Each of these matters is dealt with in turn below.

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APPROPRIATENESS OF THE DWELLING LAND USE

The site's Commercial 1 zoning (C1Z) supports an array of land uses including residential uses at 'densities complementary to the role and the scale of the commercial centre'.

The surrounding area comprises high density apartment style development within proximity to the site and within the C1Z, and further Clause 11.03-1L-01 identifies that the St Kilda Road North Precinct's role is to provide well designed, higher density residential development amongst commercial and office uses.

Moreover, in complete support of the proposed development the City of Port Phillip Housing Strategy 2007 to 2017 identifies the site's location as preferred for 'Substantial Residential Growth Areas'.

Notably, the 11-17 Dorcas Street parcel of the subject site was most recently received a planning permit 217/2019/A for 55 dwellings at the site, granted on 3 May 2022 with plans endorsed on 2 March 2023. Given the permit's recent nature, and other surrounding approvals, there is precedent for residential land uses to be approved within the C1Z.

The site's location proximate to the excellent public transport options, and array of services and community facilities make it prime to accommodate high density development for dwellings.

Appropriateness of the use of the land for dwellings will also be determined by ensuring appropriate management of car parking, waste and traffic matters, which are discussed in the succeeding sections of this report.

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CONSISTENCY WITH PLANNING POLICY

Planning Controls

The proposal is consistent with the purpose of the C1Z noting the preceding section and is considered to make a future positive contribution to the vibrancy and activation of the precinct. The proposal will facilitate additional housing to strengthen the area's existing character and will significantly improve the activation of the ground floor plane through the proposed retail premises (shop) to Wells Street, the food and drinks premises to Dorcas Street, and the residential entry and lounge to Dorcas Street. The design of the ground floor plane has been carefully considered to ensure passive surveillance is achieved.

The proposal also achieves a high level of consistency with DDO26, which is discussed in greater detail in the following sections of this report.

Notwithstanding, the proposal is considered to positively contribute to the objectives of DDO26 by:

- Introducing a new development of high-architectural quality within the St Kilda Road North precinct that is compliant with the mandatory built form requirements.
- The development reinforces the existing pattern of a low-scale built form at the street edge, with substantially set back tower forms set back above the proposed street wall.
- Provides high levels of internal amenity while ensuring no unreasonable amenity impacts arise.
- Provides an appropriate built form outcome within proximity to the Shrine of Remembrance, to ensure that the scale, significance, and vistas of the Shrine is appropriately maintained.
- The proposed landscaping outcome will make a positive contribution to the landscape qualities of Dorcas Street and Wells Street.

These matters are discussed further in following sections of this report.

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Planning Policy

The proposal is consistent with other relevant planning policies as it:

- Provides housing choice and diversity through a comprehensive and varied residential scheme, which includes a mix of studio, one-, two-, three-, and four-bedroom apartments which meets the changing housing needs of existing future communities (Clauses 02.03-1, 02.03-4, 02.03-5, 11, 11.02-1S, 16 and 16.01-1L-01).
- Results in the intensified redevelopment of several underutilised sites within an inner city area in close proximity to central Melbourne. The subject site currently comprises of an unused, derelict office building and several single storey buildings (Clauses 11.02-1S, 16).
- Significantly improves passive surveillance and activation through the ground floor plane, and upper-level balconies (Clause 02.03-4 and 15).
- Incorporates high quality architecture and design which positively contributes to the site's urban setting (Clause 02.03-2, 02.03-3, 02.03-4, 02.03-5, 15, 15.01-2S and 16).
- Will not result in unreasonable amenity impacts to nearby properties noting the site's 'island' status for the reasons identified in the 'External Amenity' section of this report (Clause 15).
- Provides 114 bicycle parking spaces to promote the use of sustainable personal transport (Clause 18).
- Contributes to Melbourne's economy through job creation during construction as well as throughout the life of the development with permanent staff required to operate the development, including retail staff and staff associated with the owners corporation and ongoing management of the residential component (Clause 17).
- The development achieves a 59% BESS score and commits to an average 6.5-star NatHERS rating (Clauses 15.01-2L-02).

BUILT FORM & DESIGN RESPONSE

Key considerations regarding built form and design stem from DDO26 and Clause 15.01 of the Planning Scheme. Having regard to these Clauses, the proposal is an appropriate outcome for the site.

Building Scale, Height & Setbacks

Building Height

The proposal is compliant with the mandatory building height requirements of DDO26 - Precinct 1C, reaching a total height of 70 metres AHD, inclusive of rooftop plant services, and lift overruns. Further, the development complies entirely with the discretionary podium setback requirements to Dorcas Street and Wells Street.

Appreciating the site has a varied natural ground level, the podium will measure 10.93 metres to the north-eastern corner of the podium, 12.9 metres to the Dorcas Street residential entry, and 14.8 metres to Wells Street. This podium height is considered to sit well within the context of the adjoining VHR listed heritage building, sitting 6m AHD lower.

Massing

As evidenced through the architectural plans, the tower facades will be curved in both concave and convex fashions. Each interface will incorporate the following typical setbacks.

- North: min 1.5m, max 4.72m, average 3.61m
- East: min 4.02m, max 5.11m, average 4.5m to the centre of Middleton Lane.
- South: 4.5m to the centre of the laneway
- West: min 1.1m, max 5.25m, average 2.92m

While it is noted the tower design does not completely address the preferred tower setbacks, it is considered that the proposal warrants a variation owing to its exemplar tower form, high architectural quality and striking façades. The tower's narrowest setbacks are to Wells Street and Dorcas Street being 1.1m and 1.5m respectively, however are consistent with the surrounding building context that employ the same setback variations (i.e. 22 & 70 Dorcas Street).

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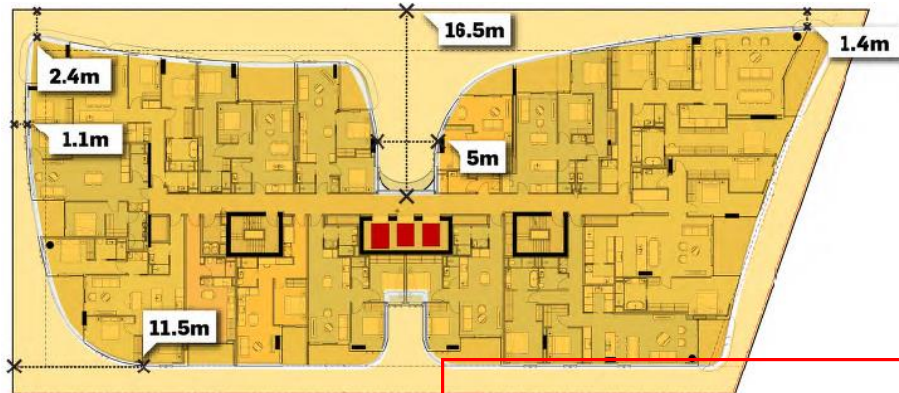
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The surrounding context analysis of the South Melbourne locality yielded that, particularly in the case of recent developments to the north of Dorcas Street, the typical podium and tower development pattern does not form a defining characteristic of the neighbourhood. Rather, minimised setbacks to each of these has resulted in the appearance of a sheer tower street wall, as depicted by Picture 1.

Unlike surrounding developments, the proposed tower form deliberately elected to forego a straight façade edge (which would generate greater yield), in favour of a varied and shaped tower façade. The effect being that the potential visual bulk associated with the tower setbacks are balanced by the larger than required setbacks in other areas as indicated below.

When accounting for the tower's average setback to each of these interfaces of 2.92 metres and 3.61 metres, respectively, it is evident that the resultant visual bulk to adjoining properties and the public realm will be appropriately managed. Moreover, that the setbacks proposed by the development are consistent with, if not more generous than surrounding developments in the locality.

Appreciating the immediately surrounding development context, the proposal is considered to meet the precinct design objective by reinforcing the established built form pattern within the area, by recreating the endorsed podium height with tower setbacks that are considered generous in the context of immediately adjoining properties. On balance, the tower design is considered to respond appropriately to the site's local context and the objectives of DDO26.



Picture 4 – Typical Tower Floorplate setbacks
Source: Urbis Urban Context Report

DDO26 also sets a preferred 35 metre tower width requirement aimed at reducing a tower's perceived visual bulk, maintain sightlines, and allow for daylight to penetrate internally. While noting the tower form is technically a single structure, as depicted by Picture 4 the design has been pinched at the centre to introduce a perceived separation and create two elements. Each of the towers have been shaped to appear visually distinct from one another, thereby reducing perceived visual bulk, breaking up the massing and creating variation. Each individual tower mass maintains the 35 metre requirement in keeping with DDO26 preferred outcomes.

The tower facades visible from the Shrine of Remembrance and St Kilda Road have applied a concave form to further respond to the development's perceived visual bulk. While the proposal technically does not comply with this discretionary breadth requirements, the design affords a much more efficient floorplate through use of a single lift core.

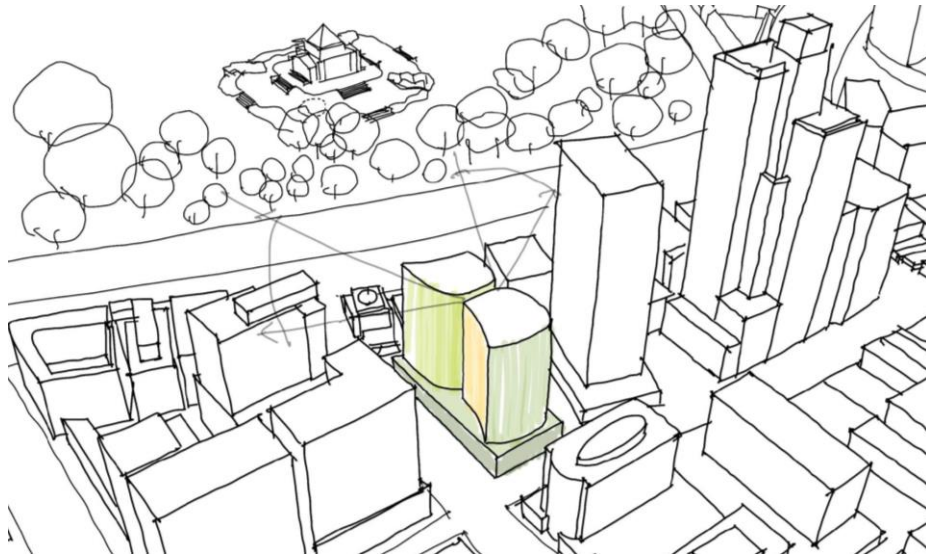
Design

The proposal is considered to represent a landmark and exemplar architectural design with the journey and inspiration of this being detailed comprehensively within the Urban Context Report prepared by Bates Smart Architects. Notwithstanding, we note the following in summary.

- The development's tower form has been developed with distinct and varied orientations to each face. Three facades to each tower form have been designed as concave, to provide significance and attention to the 'primary faces.' These primary faces are most visible from the northern oncoming approach, and are characterised as the eastern elevation, and the northern façade of the western tower component.
- The use of horizontal sculpted ribbing and subtle vertical mullions is a nod to both the Victorian-style mansions that occupied St Kilda Road in a historic context and the mid-century/modern buildings that were constructed primarily between the 1930s and 1970s in the local South Melbourne/South Yarra context.
- The architectural design to the development's façade, depicted below by Figure 1, has been tailored so that each living and bedroom window is orientated to maximise visibility to key views from the site. These key areas include the Shrine of Remembrance, Government House, Melbourne Sports Precinct, central city skyline, and the Port Phillip Bay. This carefully tailored design will have the effect of maximising views, quality of daylight, and the internal amenity of dwellings.

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- Façade materiality and colouring has been carefully considered and chosen to accentuate the development's key spatial features. These are inclusive of the warm hues and textural palette; profiled metal banding to each level and complementary vertical elements; interplay between metal and glass balustrading; and the concrete look textured finishes to the podium levels. The high quality and durable nature of these will ensure the development weathers appropriately.



Picture 5 – Massing Sketch of Tower form
Source: Bates Smart Architects

Activation

Currently, the building at 25-27 Dorcas Street presents a blank wall to Wells Street with an inactivated car park to the rear. While the buildings at 19-23 Dorcas Street contain glazing at the front of each site, their designs are not considered to be activated. The building at 11-17 Dorcas Street has physical separation between the street verge and glazing, finished floor levels, indicating a clear separation between public and private realms.

Accordingly, when comparing the site's existing conditions the proposal caters for a significant uplift in public street activation and consequently passive surveillance. The proposal incorporates a café at the north-eastern corner of the site, which wraps around Middleton Lane to the Dorcas Street frontage. Retail premises will occupy the entirety of the Wells Street frontage, and the north-western corner of Dorcas Street.

Figure 1 – Façade Design Renders



Picture 6 – Dorcas Street Façade
Source: Bates Smart Architects

Picture 7 – Middleton Lane Façade
Source: Bates Smart Architects

The remainder of the street frontage will be highly activated through a generous and grand residential lobby entrance, and a residential lounge to

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provide a direct connection and activation to Dorcas Street. The resulting outcome will be a highly activated island site, blurring the lines between public and private spaces to encourage inviting and appropriate spaces for both patrons and residents.

While noting Middleton Lane will primarily contain services and back of house operations, the space will remain activated through a range of different approaches. To Middleton Lane's eastern portion, the communal pool and wellness centre will provide passive surveillance opportunities. Whereas pedestrian traffic to the southern portion of Middleton Lane will be achieved through activation of the vehicle porte-cochere, the residential bike entrance, and the 'Retail Premises' tenancy wrapping around the corner.



Picture 8 – Proposed Street Interface
Source: Bates Smart Architects

DESIGN RESPONSE TO OVGA PRE-APPLICATION FEEDBACK

We note as part of the proposal's pre-application review process with the Development Facilitation Program, a briefing and review was undertaken with the Office of the Victorian Government Architect (OVGA), appreciating that Clause 53.23 requires consideration and the views of the OVGA.

A memorandum including key design components was issued on 15 April 2024 for further consideration. Inter alia, the written feedback was largely positive and supportive of the design. Commentary was provided as below for key components requiring refinement in the design, with the primary comments paraphrased below:

- Further consideration and 'design awareness' was required to the adjacent heritage building located on the VHR, and the Shrine of Remembrance.
- A suggestion to revise the building's bulk and massing, through the alteration of the eastern façade from a convex to concave expression, to provide a stronger response from the city approach, and to couple in with the broader heritage response.
- Recommendation for additional and improved façade articulation to the carpark podium facing Middleton Lane.
- Suggested reconsideration of layouts to the site's central apartments, to achieve effective cross ventilation.
- Further consideration required into the incorporation of bicycle parking within the ground floor plane and back of house areas. Moreover, consideration for rear access to the Middleton Lane southern interface.
- Clarification required regarding appropriateness of glazing extents, from the perspective of best practice ESD principles.
- Full integration and concealment of roof plant services and lift overruns.

In response to the commentary raised by the OVGA, further design interrogation to the architectural outcomes were undertaken as part of the pre-application process. Further design tweaks and alterations have since been made following receipt of eligibility confirmation from the DFP through the detailed design process. We consider these design revisions continue to effectively address the commentary raised by the OVGA noting the following:

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- ✓ The design and material colour choices for the podium structure have been revised to a more muted and complementary colour palette, which presents an outcome more akin to the material finishes of the Shrine of Remembrance, and the adjacent 'First Church of Christ Scientist' building.
- ✓ The revised podium form will provide a textured masonry base with simple and muted colours. In addition, the podium columns and beams have been accentuated to give a more complementary and sympathetic façade expression, in keeping with the architectural language of nearby heritage buildings.
- ✓ The development's eastern façade has been revised to a concave expression providing a more uniform appearance for vistas from the north-east. Additionally, the revision in façade expression will reduce building bulk and increase its visually recessive appearance when viewed with the adjacent VHR building in the foreground, thereby assisting with the overall heritage response.

Further alterations have been made to the eastern balcony locations and façade presentation since pre-application submission, with balconies relocated to the north-eastern corner of the tower, and the tower façade accentuated through ribboned architectural projection. We consider the resultant effect will be the tower form appears increasingly visually recessive at a human scale, with the face façade appearing as less dominant to emphasise the prominence of nearby heritage buildings.

- ✓ The southern elevation's podium façade has been significantly improved through the incorporation of varied building materials, textures, colours and depths. The improved articulation and activation to the southern interface is felt through an opening of the Bike lift lobby through glazed doors, and the generous porte-cochere vehicle and pedestrian entry for patrons. While much of the façade will be flush, the use of corrugated and perforated metal panelling will provide depth, including to the loading bay which will serve a dual purpose of sleeving back of house uses.
- ✓ The central apartments' layouts have been revised to ensure the cross ventilation requirements can be achieved. With respect to the two southern dwellings closest to the lift core (Apt Type 2.15 & 2.16), while it is acknowledged the dwellings do not technically address the BADS cross ventilation criteria, we expect that ventilation of the apartments will occur through the varied depth façade.

- ✓ Visitor bicycle parking has been incorporated into the site's ground floor plane to Wells Street, with a dedicated lift and bicycle parking entry provided to Middleton Lane for resident and staff bicycle parking. The lift will lead to a Level 1 bicycle parking area that provides spaces in excess of statutory requirements.
- ✓ The extent of glazing within the development is considered an appropriate sustainability outcome, noting it achieves an average 7.4-star NatHERS rating. When reviewing the NCC 2019 standards, the achieved NatHERS average rating is well in excess of the minimum requirement.
- ✓ Rooftop services and lift overruns are concealed by the tower parapet wall, which extends to 70 metres AHD. Additional plant screening will be provided at roof level for acoustic amelioration purposes.

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Better Apartment Design Standards

The proposal requires assessment against Clause 58 of the Port Phillip Planning Scheme and the Better Apartment Design Standards (BADS). An assessment against BADS requirements is contained within Appendix B of this report, which demonstrates the proposal's high level of compliance with these standards. A summary of the assessment is noted below:

- ✔ 100% of the proposed apartments achieve the functional and adaptable requirements for accessibility and bathroom design, as required by Standard D18, which is substantially higher than the minimum 50%.
- ✔ All pedestrian entries to the proposed development are easily accessible and clearly visible from street frontages. Noted by elevation drawings, the ground floor plane along Dorcas and Wells Street will be highly activated. Each dwelling will contain their own individual entry, accessed via common corridors to each floor.
- ✔ All dwellings comply with the maximum allowable 9 metre room depth required by Standard D27.
- ✔ Whilst a small number of apartments rely on daylight access from a secondary area, they comply with the width and depth requirements of the Standard D28, and the windows will be clear to sky.
- ✔ All apartments will be provided an outdoor balcony area in accordance with the minimum areas stipulated by Table D8. However, it is commented that eight apartment types require variations with regard to the minimum balcony dimensions required by Table D8.

Although each balcony will achieve the minimum dimension at a point on the balcony, due to the curved nature of the building the private open space cannot be a perfect rectangle as technically required by the Standard.

Irrespective, each of these balconies will provide additional compensatory spaces outside the minimum dimension due to the balcony curve, allowing each space to achieve the minimum area required. Accordingly, we consider each of the balconies are of

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sufficient size so that the space remains useable and functional for residents.

The development will achieve highly compliant and functional dwelling layouts having regard to the requirements of Standard D26. Notwithstanding, it is acknowledged that 10 out of 48 apartment types that propose minor intrusions to the functional room dimensions required by Table D11 and D12. On balance, these variations are considered appropriate noting:

- The variation only applies to a minority of apartment types within the development. Where variations are proposed, they range between 0.1 and 0.4 square metres.
- Due to the building's curved façade, each of the marginal encroachments in these apartment types are afforded with compensatory extra spaces that will provide a bedroom or living area larger than the minimum requirements.
- While there are some minor encroachments into the room dimension requirements, each of these spaces will remain highly functional and will provide room sizes that are commensurate to the typical needs of residents.
- ✔ A variation is also required to the D26 functional layout requirements for dwellings, noting the Studio apartment layouts do not seek to provide a designated 'living room' area. However, these dwellings are considered to meet the objectives, noting:
 - A functional 40sqm floor plan has been achieved providing a high level of internal amenity for future occupants.
 - Studios are, for the majority, single occupancy units and accordingly it is considered sufficient space has been provided for future resident needs.
 - The living area exceeds the minimum width 3.3m and minimum area 10sqm for a studio as required by Table D12 under Standard D26. This provides for a generous combined bedroom/ living/ kitchen layout for a studio apartment with appropriate circulation space. We note that there is no bedroom dimension requirement by Table D11, under Standard D26 for a studio apartment given the open plan nature of this dwelling typology.

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- The depth of the studio floor plan ensures that the minimum 9m depth from back of kitchen to edge of balcony is satisfied. This will ensure that the studio layout is provided with appropriate levels of daylight. This is supported by the Sustainability Management Plan.
- A generous amount of fixed storage and shelving is provided to increase the liveability of studio apartment, in excess of the minimum total storage required by Standard D21.
- An efficient and functional bathroom is provided at the rear of the floor plan.
- The studio apartments play an appropriate role in contributing to the development's dwelling diversity and providing an increasingly popular dwelling type for purchasers. The functional layouts and sizes of these apartments are considered to meet the Clause 58.07-1 objective.

✓ All apartments comply with the total storage requirements, with the majority providing this internal to the apartments. All dwellings provide the minimum required internal storage, and where additional storage volume is required, supplementary external storage cages are provided within podium and basement back of house areas.

✓ In relation to the development's Communal Open Space (COS)

- The development will provide 41m² of communal outdoor open space, and 753m² total of residential amenity space throughout the development. These areas are substantially in excess of the 220m² requirement for Standard D7.
- The area of communal outdoor open space will be situated to the northern elevation of the building, directly above the residential entry. However, noting the development height of the northern adjacent built form to Dorcas Street, overshadowing diagrams on 21 June depict the area will fail to achieve 2 hours of direct sunlight required by Standard D8.

Notwithstanding, appreciating the highly urban nature of the site and the existing development approvals to the north, a level of discretion should be applied. Given the accessibility to large areas of open space with sufficient solar access, including the Royal Botanic Garden and Albert Park, this variation is considered appropriate.

- Moreover, each dwelling incorporates functional balcony and terrace areas, which provide each resident with a practical area of outdoor space for their private use.

Daylight Access

To determine each dwelling's access to sunlight, investigation has been conducted by NDY using the BESS Daylight Assessment tool and is contained within Appendix B of the Sustainability Management Plan.

In summary, 100% of habitable rooms will contain a window to an external building wall and accordingly will have access to daylight. The BESS daylight assessment tool deemed that 100% of bedrooms will comply with the required daylight levels and will achieve a daylight factor greater than 0.5%. With respect to the development's Living Rooms, 88% will comply with the required daylight levels and achieve a daylight factor greater than 1%.

With respect to those living rooms that do not comply with the minimum required 1% daylight factor, we make the following commentary:

- The number of dwellings with non-compliant daylight access levels are considered to be wholly minimal, and an absolute minority of the overall dwellings at 27 out of 249 (10.8%)
- Of those that fail to meet the 1% threshold, we note that each living room will continue to receive appropriate levels of daylight access only marginally under the 1% factor.
- The non-compliant living rooms are located at northern and western interfaces, and accordingly will receive appropriate levels of winter and afternoon sun.
- All southern and eastern orientated living rooms comply.

Noting the above, it is appropriate to conclude that each dwelling will be afforded appropriate levels of daylight and will service maintenance of the apartments' internal amenity. The strategically advantageous characteristics of this site allow suitable separation to adjoining buildings, resulting in the highly compliant scheme. Prudently, while we appreciate that 27 living rooms (10.8%) will fail to meet the required 1% daylight factor, we note that the margin of non-compliance is minimal, and each dwelling will continue to receive appropriate levels of internal amenity.

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Acoustics

In accordance with the requirements of Standard D16, an acoustic noise assessment has been prepared by Watson Moss Growcott to identify the proposal's response and requirements for acoustic amelioration to dwellings.

The report identifies the site as being within a noise influence area noting Kings Way is approximately 300 metres from the site and has an average daily volume of circa 90,000 vehicles.

Attended measurements on site indicated that existing noise levels at the site, during the assessment period, were in excess of the required decibel limits set by D16. The exceedances were in the order of 26 decibels and 21 decibels, for living rooms and bedrooms, respectively.

Specific façade noise control treatments are recommended within Section 8.2 of the acoustic report, as well as guidance relating to the placement and selection of mechanical services, services exhaust, car parking, loading bay usage, and adjacent retail tenancies.

On the proviso that the relevant considerations are addressed in relation to obtrusive noise sources, the report finds the development can meet the required noise reductions to comply with decibel limits set by Standard D16. Accordingly it is considered the development will provide an appropriate internal amenity response with respect to acoustic considerations.



MANAGEMENT OF EXTERNAL AMENITY IMPACTS

Visual Bulk

As identified in the preceding sections, the overall built form and design response is considered appropriate having regard to the building's visual bulk impacts to adjoining properties, and the Dorcas and Wells Streets environs.

Of additional importance, a key objective of the DDO26 is to ensure the protection and maintenance of the Shrine of Remembrance's historical and cultural significance. Relevant strategies to do so include, but are not limited to:

- 1 Require attention to the scale of development within the Shrine's backdrop;
- 2 Preserve views and vistas to and from the Shrine; and
- 3 Prevent intrusion of built form into the Shrine's silhouette above the portico roof, when viewed from Birdwood Avenue.

In order to understand the developments response to its setting near the Shrine of Remembrance, Bates Smart Architects has prepared a set of image renders with the building superimposed into its surrounds. Further to this, we note a Shrine Vista assessment has been undertaken by Veris and is attached to this submission. Full compliance with Shrine Vista controls has been found by the assessment.

As evidenced by the below Figure 2, the development is considered to represent a respectful and sensitive presentation of built form to the Shrine nearby. Of primary relevance:

- Picture 11 identifies the development will be wholly sleeved behind the Shrine's silhouette, from Birdwood Avenue. Given the buildings within the figure are located to the northern side of Dorcas Street, the proposal is estimated to sit visually behind the northern stairs and portico silhouette.
- When viewed from the Shrine's northern forecourt, vegetation lining the westernmost parklands provides a sleeving effect to lessen the overall visibility of adjacent development within the Shrine vistas. This assists with maintaining its significance and sense of singularity.
- When in full view (Picture 9) it is evident the proposal maintains a consistent scale with other like developments in the surrounding locality. Particularly, the proposal sits well within its context appreciating the nearby scale of 350 and 368 St Kilda Road.

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Figure 2 - Shrine vista impact perspectives.



Picture 9 – View from adjacent to the Second World War Memorial Forecourt
Source: Bates Smart Architects



Picture 10 – View from Northern forecourt, with development superimposed to the west.
Source: Bates Smart Architects

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Picture 11 - Eastern view of Shrine of Remembrance, with development superimposed in background.
Source: Bates Smart Architects

Overshadowing

DDO26 requires that development does not cast additional shadow across the Shrine of Remembrance and its northern forecourt, between the hours of 11am and 3pm from 22 April to 22 September. More generally, demonstration of any overshadowing impacts on adjoining residential zoned land, between 9am and 3pm on September 22 is also required.

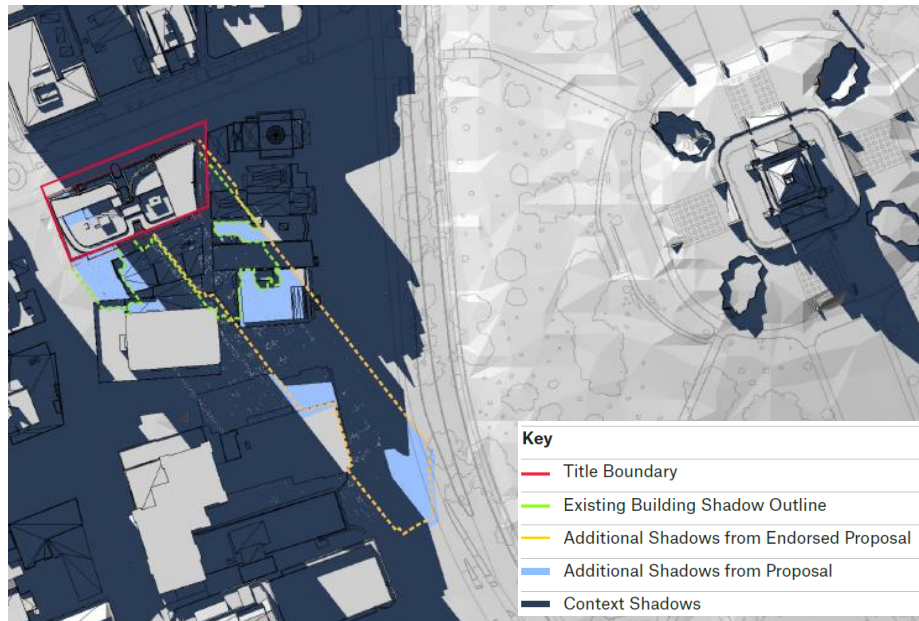
Accordingly, overshadowing diagrams have been prepared for the Autumn and Spring Equinoxes, as well as the Winter Solstice. Pursuant to the analysis contained in Appendix A of the Bates Smart Architects Urban Context Report, the development will have no overshadowing impacts proximate to the Shrine of Remembrance and the DDO26 environs.

While the development will cast additional shadow to its immediately surrounding environs, appreciating the site's urban locality and the context of surrounding development approvals, the response is considered appropriate.

Noting an absence of applicable overshadowing controls separate to those defined above, while the development will cast shadow to Wells Street and some southern adjoining properties, there will no overshadowing to frequented private or public open spaces. As identified by the Urbis Urban Context Report, the southern adjoining property maintains equitable development rights which, when developed, will be afforded appropriate sunlight access.

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Figure 3 - June 22 3pm Shadow diagram



Source: Bates Smart Architects

Overlooking

Given the subject site is bordered by four streets and laneways, any adjacent properties are located outside the 9 metre horizontal distance enforced by overlooking standards within the Port Phillip Planning Scheme. Accordingly there are no pertinent considerations which need to be provided attention regarding overlooking to adjacent properties.

Relating to the development's internal views, the majority of dwellings proposed are designed to comply with the visibility between dwellings. Of primary relevance are the apartments located on either side of the building's massing break noting they will have direct views within a 9 metre plane.

In these instances, visual privacy mitigation treatments such as the use of balcony separating walls and directional screens will be employed to ensure views and overlooking are mitigated to a maximum 50% permeability pursuant to Standard D15.

Reflectivity

In response to the requirements of Design and Development Overlay – Schedule 26, an external reflected glare report has been prepared by Inhabit.

In the absence of any quantitative and applicable assessment criteria within the Port Phillip Planning Scheme, Inhabit has conducted their assessment against the same methodology utilised within their Expert Witness Report for the subject site, pertaining to the Planning Permit 217/2019/A previously granted for a development at 11-17 Dorcas Street.

It is noted that DDO26 only requires a reflectivity assessment of the Shrine and its northern forecourt on Anzac Day and Remembrance Day. However, in keeping with the abovementioned Expert Witness Report, the development has also been assessed to ensure that there will be no unreasonable reflectivity and glare to nearby roads, adjoining buildings, and aircrafts.

Building materials have been selected and formulated carefully for the development to ensure that its overall reflectivity is mitigated where possible. Of relevance, façade and podium glazing will be selected to have a specular reflectivity of 15%, with balustrade glazing to have a specular reflectivity of 10%. The lower four levels of the tower's eastern interface have been modelled and will require a maximum specular reflectivity of 12%. Other elements have been modelled within the report as an assumed matte or powder-coat finish to ensure an appropriate outcome.

In order to ensure the building's reflectivity was appropriate, architecturally modelled sun-shades will be installed to the northern curved façade of the eastern tower, to break up any potential glare to the street level. These sunshades will have a depth and width of 450mm and 400mm, respectively, and will be spaced at 3.6 metres i.e. at the slab edge of each storey. The sunshades will offer a realistic mitigation solution to reflectivity and have been given careful consideration to ensure they fit within the design ethos. These have now been proposed as bullnose shaped shades which will form a contrast to the main profiled horizontal banding throughout the development.

In accordance with the methodology employed, as defined by relevant literature, reflected glare to the Shrine of Remembrance has been assessed to ensure a veiling luminance performance of 500 Cd/m² is not exceeded on Anzac Day (April 25, 6am-12pm) and Remembrance Day (November 11, 10am-2pm).

For times exceeding the above veiling luminance criteria were given further assessment under a daylight glare probability (DGP) metric, to determine

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overall light levels within a person's field of view to determine more realistic impacts. For the purposes of this assessment, glare reflected off a façade is considered acceptable when direct glare (i.e. caused by the sun) is also within the field of view, due to the higher amount of veiling luminance caused by direct glare.

Overall, the assessment identified that veiling luminance exceedances would occur at an annual frequency above 2%. The exceedance locations were at Anzac Avenue, Northern Forecourt, and the northeast area. However, none of these exceedances would occur during Anzac Day or Remembrance Day services.

Noting these exceedances, further assessment was conducted against the DGP performance criterion, which confirmed the development was found to comply with the applicable threshold limits, and accordingly represents an appropriate reflectivity response at these locations.

At all other locations, the assessment found that the proposed development complied with the veiling luminance criteria at all other times, both on Anzac and Remembrance Days. The development also complied with the veiling luminance criteria for neighbouring buildings and aircraft glare.

While the veiling luminance of the building exceeded tests for vehicles travelling eastbound on Dorcas Street, when accounting for the introduction of the architectural sunshades the development complies. Further, any remaining reflections can be appropriately blocked by a car sun visor as they are likely to occur at high elevations.

Overall, the report is considered to sufficiently demonstrate the proposal will not result in visual distraction from glare or uncomfortable glare conditions, through the use of multiple assessment criteria. Significantly, the development will maintain appropriate conditions when viewed from the Shrine of Remembrance environs on Anzac Day and Remembrance Day.

Wind

An assessment of the development's wind conditions has been undertaken by MEL Consultants by way of a wind tunnel simulation test, placing a scale model of the building within its surrounding area. The revised wind tunnel assessment has been conducted against the safety and comfort wind criterion listed within Clause 58.04-4 of the planning scheme, to determine the proposal's compliance relative to the maximum allowable thresholds.

For completeness, Clause 58.04-4 identifies that developments of five or more storeys should not cause unsafe wind conditions in public land, private open space, and communal open space; and should achieve the criteria for wind comfort for public land and publicly accessible areas on private land, as detailed by Table D6 of the Clause.

The development's pedestrian transit areas and upper level terraces / balconies have been assessed against the walking criterion, whereas the building entrances have been assessed against the standing comfort criterion. Notwithstanding, it is identified that the requirements of Clause 58.04-4 do not require areas of private or communal open space to achieve comfortable wind conditions.

Section 4 of the assessment report identifies the development will maintain compliance with relevant safety criteria at all 67 test locations when compared to the existing conditions. Moreover, the development's response to comfort wind conditions are considered entirely appropriate for their context. While the wind conditions at test location 13 will marginally increase when compared to the existing conditions, they remain compliant with standing wind criteria. Moreover, the wind conditions to all tested terraces and balconies will remain compliant with comfort wind conditions, in excess of their statutory obligations.

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LANDSCAPE RESPONSE

Working congruently and symbiotically with the overall built form proposal, a landscaping concept strategy has been devised by Acre to identify opportunities for urban greening within the built form and surrounds.

Specifically, the following landscape elements will be incorporated to the building design and entry areas such as:

- ✔ Landscape planter beds along the site's ground floor interface, and to the main pedestrian entries to the building, which will soften and complement the use of the textured concrete materials.
- ✔ Podium balcony planting including cascading, low maintenance species to further the building's biophilic connection to the public realm.
- ✔ Low level planter beds raising up the building's sky bridge, providing visual relief and assisting in accentuating the massing break in the podium and tower.
- ✔ Generous landscaping buffers will be installed to the rooftop terrace (allocated to Apt Type PH) to provide green amenity and an urban oasis, utilising several native and sprawling species.

The landscape response responds to numerous local planning policies pertaining to urban design and building design, by utilising resilient and drought tolerant species which will require very low maintenance. Further, the use of green walls establishes an evident support toward urban biodiversity, which will contribute to local amenity and the overall streetscape response.

Additional to the on-site landscaping response, the concept plan identifies desired opportunities to work with Council's assets team to replace existing vegetation along the Dorcas Street corridor for several native species. Specifically, two 'Brachychiton populneus' to frame the front entry, with four supporting 'Melia azedarach' trees. This will be coupled with low maintenance street planting under each of the trees on Dorcas Street and Wells Street to frame and soften the street edge.

In support of this proposal to remove the existing vegetation along Dorcas Street, an arboricultural assessment report has been prepared by Melbourne Tree Care Pty Ltd which echoes the findings of the arboricultural report associated with the previous planning permit 217/2019/A. Within the report, Trees 2 to 5 are noted as being in poor to fair health and structure, with a short

useful life expectancy. Accordingly we consider that their replacement is warranted. This was affirmed by Council's Parks Department noting they previously agreed to the removal and replacement of vegetation along the 11-17 Dorcas Street frontage as part of the endorsement process for 217/2019/A.

While Trees 5 to 9 are considered in better health, several of these trees are labelled as pest species and contain sooty mould. Further, they are only classed as having 'medium' useful life expectancy. Accordingly we consider that their removal is warranted noting it will allow a consistent and coherent canopy to instead be realised along Dorcas Street. The proposal utilises Victorian natives, which will have mature spreads of 10m (h) x 8m (w), a vast improvement to existing conditions.

Figure 4 – Existing street vegetation.



Picture 12 – Existing vegetation within Dorcas Street public realm.

Source: Urbis, 2024

On balance, we consider the replacement of these Council owned assets along Dorcas Street will assist greatly in improving the Dorcas Street streetscape and overall canopy coverage. Moreover, the vegetation will provide a contribution to the municipality's desire for improved canopy cover, pursuant to the Sub Precinct 1 objectives of DDO26. This accordingly warrants favourable consideration by Council's assets team.

For completeness, it is commented that the Council should be encouraged to remove the minor vegetation to the rear of the site as part of the planning process.

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TRAFFIC & CAR PARKING

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In support of the proposal's car parking, loading, and traffic generation components, a Traffic Engineering Assessment Report has been undertaken by Traffix Group. The assessment determined ultimately that the traffic engineering response is appropriate to facilitate the granting of a permit, and is summarised below as follows:

- The proposal has a statutory requirement for 312 car parking spaces under Clause 52.06-5 of the Planning Scheme, with the following split:
 - 61 spaces for 1-bed dwellings
 - 130 spaces for 2-bed dwellings
 - 104 spaces for 3 or more bedroom dwellings
 - 17 spaces for the proposed Retail Premises (food and drink premises, shop)
- The development will provide 223 spaces equating to a proposed car parking shortfall of 89 spaces. Specifically, the development will provide zero car parking spaces to 1-bed dwellings and the proposed retail premises. In addition, the development will cater 119 car parking spaces out of the required 130 for 2-bed dwellings.
- The parking shortfall sought by this development is considered an appropriate outcome for the locality on the following grounds:
 - The site is located within close proximity to an array of public transport and active transport services, as noted within Section 1.3. In this regard, various transport options exist outside of traditional car transport.
 - Residents without car parking will be unable to maintain a vehicle on-street, given the existing utilisation and restrictions of nearby parking. Additionally, residents will be ineligible for a parking permit.
 - ABS data indicates that, within South Melbourne and the Port Phillip LGA, there is existing demand for studio and 1-bedroom apartments with no on-site parking.
 - Staff to the Retail Premises are expected to be local to the area, and therefore will likely use alternate transport means to the site rather than private vehicles which would need to utilise metered parking.
- There are an array of available car share vehicles within proximity to the site, specifically 14 car share pods within 500 metres. Accordingly, alternative modes of transport are available to residents who may not own a private motor vehicle.
- The proposed parking layout and access arrangements are in accordance with the requirements of Clause 52.06-9 of the planning scheme, as well as Australian Standard AS2890.1-2004.
- Both the southern right of way and Middleton Lane will be afforded 6.1 metres width given the laneway setbacks proposed by this development. This will allow two way passing movements in each direction, with a 'prop and pass' arrangement required for those vehicles turning from Middleton Lane to the right of way, and vice versa. This arrangement is considered appropriate noting the minimal additional traffic movements expected.
- The porte-cochere has been designed with sufficient room, to allow for two-way movements on the ramp by B99 vehicles. Further, there is sufficient width to allow a vehicle to idle for drop off / pick up, without impacting on ramp movements.
- The swept path plans prepared identify that appropriate access will be provided to car parking spaces, with aisle widths and turning movements sufficient to cater for two-way vehicle movement.
- The proposed car lifts, providing access to podium parking, have been designed with appropriate size and height clearance. In addition, modelling undertaken identifies the car lifts will have a system capacity of 34 vehicles per hour per lift. The systems are expected to be empty 72% of the time, with the average delay for vehicles waiting approximately 106 seconds, which is an appropriate given queuing is highly unlikely, predicted 0.7% of the time.
- The on-site loading bay has been provided to service a 6.4 metre Small Rigid Vehicle (SRV), which will be appropriate for both loading and waste collection arrangements. Swept path plans identify appropriate manoeuvrability for these SRV's.
- Based on traffic generation modelling, Middleton Lane is anticipated to have sufficient capacity to absorb the additional traffic generated by the proposal, which is indicated at 46 movements during AM peak hours.

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WASTE MANAGEMENT

A Waste Management Plan (WMP) has been prepared by Traffix Group in support of the proposal. The WMP notes the following with regard to the proposal:

- The proposal will cater the following waste streams for residential dwellings, noting consistency with Sustainability Victoria preferred streams:
 - 5 x 1,100L general waste bin.
 - 6 x 1,100L comingled recycling bin.
 - 12 x 240L FOGO waste bins.
 - 7 x 240L Glass waste bins.
- Further, the following waste bin provision will be provided for commercial land uses, in accordance with the waste generation rates estimated.
 - 1 x 1,100L and 1 x 660L general waste bin.
 - 1 x 1,100L comingled recycling bin.
 - 3 x 240L FOGO waste bins.
 - 1 x 1,1100L paper & cardboard waste bins.
- All waste streams will be collected three times weekly, excepting FOGO and Paper & Cardboard streams which will be collected twice per week. Collection frequencies will be refined to ensure sufficient waste storage capacity is catered for on-site.
- Waste collection will be completed by a 6.4m Waste-wise Hino Truck and will be carried out to ensure that amenity impacts are wholly minimised.
- A hard waste area will be provided of approximately 5 square metres, with any waste generated to be collected on an as needs basis.
- The development will provide for adequate waste storage and collection within the ground floor plane back of house areas. That being, the waste storage areas will provide an area in excess of the bin sizes, ensuring appropriate circulation.

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- These waste storage areas will be separated for commercial waste and residential waste and will be located conveniently in proximity to the collection locations.

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ENVIRONMENTALLY SUSTAINABLE DESIGN

A Sustainability Management Plan (SMP) has been prepared by NDY in support of the proposed building. The SMP provides an overview of the ESD initiatives that are proposed as part of the overall development, demonstrating best practice in Environmentally Sustainable Design.

In summary, the SMP details that the proposal will achieve the following key metrics:

- 59% BESS Score, noting the development has been assessed against NCC 2022 standards, while still eligible for assessment against NCC 2019.
- Commitment to a 6.5 star NatHERS average for all apartments, with no dwelling less than 5 star NatHERS.
- An average cooling load for the development of 15.9MJ/m².
- All building services will be designed to be free of gas reticulation.

Further to the above point on the development's BESS score, it must be raised that the NCC 2022 construction standards came into force on 1 May 2024, with the BESS tool now solely being assessed on those metrics. However, appreciating the significant design work completed for the proposal prior to 1 May 2024, it remains eligible for assessment against the NCC 2019 standards.

Given this, the development fails the BESS score for energy criteria under NCC 2022 as noted within the BESS assessment (Appendix A of the SMP). However, when assessed under NCC 2019 standards the development fully complies.

Realistically when assessed under NCC 2019, the 59% BESS score would be substantially higher. Accordingly, while the proposal technically fails these criteria under the BESS assessment, we consider it represents an appropriate response to the overall development and sustainability initiatives.

Relevant to the key BESS initiatives of Water, Energy, Indoor Environment Quality, Transport, Waste, and Urban Ecology, the proposal will adopt the following initiatives:

- Reduction of potable water consumption through installation of a 30kL rainwater tank for reuse in toilet flushing, water efficient fittings, and drought tolerant plant species.
- Provision of a 10 kilowatt photovoltaic energy system on the development's roof for on-site energy generation.

- Maximised thermal energy performance rating through use of appropriate insulative materials, and energy efficient heating/cooling appliances.
- All dwellings will achieve best practice standards with respect to daylight access to the overwhelming majority of habitable rooms. It is considered that the 27 living rooms with a daylight factor of less than 1 are considered appropriate having regard to the justification provided within the above 'Internal amenity. section. More than one-third of non-residential spaces will achieve a daylight factor of 2.0.
- Bicycle parking will be provided for residents to the building in excess of the statutory minimum, with a dedicated bicycle parking entry, encouraging sustainable transport methods. Further, employee bicycle parking is provided 50% in excess of statutory rates.
- The proposal will employ effective and efficient waste management practices, detailed in the above section.
- Building facades and ground floor planes will be flanked by green planting to assist in the development's biodiversity response. Further, taps and floor drains will be provided to each balcony and terrace space.

Stormwater Management

Further to the above, a Stormwater Management Plan has been prepared by NDY having regard to the Melbourne Water MUSIC guidelines, and Best Practice environmental guidelines.

In relation to Clause 53.18 and Clause 19.03-3L of the Scheme, the report addresses components against stormwater quantity and runoff flows; reduction of gross pollutants and maintaining water quality; and reducing the development's overall risk of flooding. The proposed development provides an appropriate response noting the below:

- ✔ The subject site is not identified as being in an area subject to 1% AEP flooding events.
- ✔ There will be an overall reduction of stormwater discharge from the site, noting the ESD initiative for collection and reuse of rainwater runoff for toilet flushing from a 30kL tank.
- ✔ In addition, the development will employ further stormwater management tools being the installation of a 1m² raingarden, and a proprietary

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OceanGuard & Jellyfish stormwater device aimed at sediment and debris detention.

✓ The development will achieve the MUSIC modelling water quality performance targets, with the modelling identifying the following post-development load reductions:

- Total Suspended Solids 80.6%
- Total Phosphorus 79.9%
- Total Nitrogen 79.9%
- Gross Pollutant 98.3%

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5. CONCLUSION

Overall, the proposed development at 11-27 Dorcas Street South Melbourne is considered to be a positive planning and urban design outcome for the site and one that will considerably raise the architectural contribution in its immediate surrounds. Overall, the proposal warrants favourable consideration as it:

- ✔ Is consistent with the statutory and strategic frameworks of the PORT PHILLIP Planning Scheme.
- ✔ Will cater for a significant provision of housing and dwelling diversity in response to the outcomes of the Housing Statement. This includes a full range of apartment typologies ranging from 4 Bedroom penthouses to functional and efficient studio apartments.
- ✔ Provides an exemplar architectural design response to the locality that will raise the bar of architectural responses in this immediate area.
- ✔ Responds positively and sensitively to its local context within the State of Remembrance Environs and will not to cause visual detriment on Anzac Day and Remembrance Day. Further, the development complies with reflectivity requirements for roads and adjoining buildings.
- ✔ Provides an appropriate and highly compliant response to Clause 58 ensuring to deliver a high level of internal amenity for future residents.

- ✔ Will reinvigorate the site's existing conditions and further enhance the area's ground floor activation and passive surveillance by providing a highly functional ground floor plane with various interaction points and upper floor balconies.
- ✔ Provides for a comprehensive and high quality landscaping response, to assist with the building's biophilic presence and to make a positive contribution to the landscape qualities of both Dorcas Street and Wells Street.
- ✔ Achieves a highly compliant and responsive building design in relation to the building height, setback, and design requirements set by DDO26.
- ✔ Addresses external amenity impacts on adjoining properties by way of visual bulk, overshadowing, overlooking and equitable development opportunities.
- ✔ Will respond appropriately to the various car parking, waste, and traffic considerations.
- ✔ Addresses best practice ESD requirements pursuant to the Built Environment Sustainability Scorecard criteria.

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APPENDIX A

PORT PHILLIP PLANNING SCHEME

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A.1 ZONE

COMMERCIAL 1 ZONE

The subject site is affected by the Commercial 1 Zone (C1Z) pursuant to Clause 34.01 of the Port Phillip Planning Scheme. The purpose of the C1Z is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.*
- *To provide for residential uses at densities complementary to the role and scale of the commercial centre.*

A Planning Permit is required to:

- Construct a building or to construct or carry out works (Clause 34.01-04).

A.2 OVERLAYS

DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 26

The subject site is affected by the Design and Development Overlay – Schedule 26 (DDO26) pursuant to Clause 43.02 of the Port Phillip Planning Scheme. Under the DDO, a planning permit is required to construct a building or to construct or carry out works.

Schedule 26 to the DDO denotes a number of precinct wide design objectives, which include the following pertinent components inter alia:

- *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.*

- *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.*
- *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 a lower scale edge along St Kilda Road in the vicinity of the Shrine, north of Park Street.*
- *To maintain solar access to the Shrine’s Memorial Gardens.*
- *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 ensure new development enhances the public realm and contributes to a network of pedestrian friendly streets.*
- *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 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.*

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Moreover, the subject site is located within Sub-Precinct 1C: Edge of Shrine Memorial Gardens, which contains the following design objectives:

- 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.

Noting the subject site is located within Sub Precinct 1-C, the following development requirements will be applicable to the application which are both general in nature, and specific to Sub-Precinct 1-C:

- Development within 5 metres of Dorcas Street should not exceed a height of 18 metres.
- Development beyond the 5 metre setback must not exceed a height of 70 metres AHD.
- Development above the podium should be set back a minimum of 4.5 metres from common side and rear boundaries and at least 9 metres from existing towers.
- Tower forms (above podiums) should not exceed a maximum width of 35 metres.
- Development must not protrude into the Shrine's silhouette above the level of the Portico roof when viewed from Birdwood Avenue.
- Buildings and works must not 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.
- Where buildings will be visible from the forecourt of the Shrine of Remembrance, evidence that the reflectivity of the materials and finishes

will not cause visual distraction from glare on ANZAC Day (April 25) and Remembrance Day (11 November).

- Development should provide transparent windows and entrances for at least 80 per cent of the width of the street frontage of each individual retail premises.
- Vehicle crossovers should be no more than 6 metres wide, with a maximum of one crossover per site.

DESIGN AND DEVELOPMENT OVERLAY – SCHEDULE 14

Moreover, the subject site is partially impacted by Design and Development Overlay – Schedule 14 (DDO14) relating to the City Link Exhaust Stack Environs. Schedule 14 to the DDO has the following design objectives:

- To ensure that the development of land around the City Link exhaust stack is not adversely affected by the operation of the stack.
- To ensure that development of land around the City Link exhaust stack does not adversely affect the operation of the stack.
- To ensure that the relevant authorities are informed of development within the proximity of the City Link exhaust stack and to facilitate comment by the authorities on any specific requirements relating to the design and built form of new development in the area which might be desirable having regard to the proximity of the stack.

The DDO schedule does not trigger the requirement for a planning permit.

A.3 GENERAL AND PARTICULAR PROVISIONS

CLAUSE 52.06 – CAR PARKING

Clause 52.06 'Car Parking' aims to ensure that an appropriate amount of car parking is provided to new developments. The requirements of this Clause relate to the likely demand anticipated, the function of the land, the local context and associated State and Local Planning Policy Frameworks.

Further, Clause 52.06 seeks to ensure that car parking does not adversely impact upon the amenity of an area and aims to support sustainable transport alternatives.

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Clause 52.06-5 provides car parking rates for a number of land uses, including dwellings, food and drink premises and shop. Dwellings require one car parking space per every one- to two-bedroom dwelling and two car parking spaces for every three-plus bedroom dwelling.

'Food and drink premises' and 'shop' land uses require 3.5 car parking spaces to every 100 sqm of leasable floor area. It is noted that the site is located within the Principal Public Transport Network, so the car parking rates at Column B apply.

The proposal requires 312 (295 to dwellings and 17 to food and drink premises and shop) car parking spaces pursuant to Clause 52.06-5 and seeks to provide 223 car parking spaces. The proposed development seeks a parking shortfall of 89 spaces. Specifically, the development will provide zero car parking spaces to 1-bed dwellings and the proposed retail premises. In addition, the development will cater 119 car parking spaces out of the required 130 for 2-bed dwellings. Accordingly, a Car Parking Demand Assessment has been provided by Traffix demonstrating the proposal's acceptability. No car parking spaces are required to be provided for visitors, as the site falls within the Principal Public Transport Network (PPTN).

CLAUSE 52.34 – BICYCLE FACILITIES

Clause 52.34 'Bicycle Facilities' outlines provisions relating to bicycle parking rates and associated requirements, including end of trip facilities. Clause 52.34-5 requires that the following minimum bicycle spaces be provided:

- Dwelling
 - Residents: 1 bicycle space per 5 dwellings
 - Visitors: 1 bicycle space per 10 dwellings for visitors.
- Retail Premises
 - Staff: 1 bicycle space to each 300sqm of leasable floor area
 - Visitors: 1 bicycle space to each 500sqm of leasable floor area
- Shop
 - Staff: 1 bicycle space to each 600sqm of leasable floor area
 - Visitors: 1 bicycle space to each 500sqm of leasable floor area, if the LFA exceeds 1000sqm.

The proposal requires 68 bicycle spaces (45 for residents and 22 for visitors (Dwellings), and 1 staff space (Retail Premises)) pursuant to Clause 52.34-5, with 114 spaces for residents, visitors, and staff members. Therefore, the proposed development satisfies the requirements of Clause 52.34-5.

CLAUSE 53.18 – STORMWATER MANAGEMENT IN URBAN DEVELOPMENT

Clause 53.18 'Stormwater Management in Urban Development' seeks to ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety and provide cooling, local habitat and amenity benefits.

Applications that involve buildings and works should comply with Standard W2 and Standard W3, pertaining to best practice stormwater management practices.

A Stormwater management plan has been prepared by NDY in response to the requirements of Clause 53.18

CLAUSE 53.23 – SIGNIFICANT RESIDENTIAL DEVELOPMENT WITH AFFORDABLE HOUSING

Clause 53.23 of the Port Phillip Planning Scheme has the effect of making the Minister for Planning the Responsible Authority for applications eligible to be assessed under the Clause 53.23 pathway. The Clause 53.23 pathway offers eligible applications an expedited assessment timeframe aimed at facilitating the development of residential projects that include affordable housing needs.

To be eligible for assessment under this pathway, the development must meet the following requirements:

- *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 must be at least:*
 - \$50 million if any part of the land is in metropolitan Melbourne;
- *At least 10% of the total number of dwellings in the development must be affordable housing, or alternatively this condition may be met 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.*

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- *Must have written advice from the Chief Executive Officer, Invest Victoria confirming the likely financial feasibility of the proposal.*

CLAUSE 65 – DECISION GUIDELINES

Clause 65 specifies a range of general ‘Decision Guidelines’ that the responsible authority must consider prior to deciding on any application. This includes the need to considering any associated amenity, traffic flow and road safety impacts.

A.4 MUNICIPAL PLANNING STRATEGY

The Municipal Planning Strategy sets out the following vision and strategic directions to guide development in the City of Port Phillip within the Port Phillip Planning Scheme.

- **Clause 02.01 – Context** acknowledges that City of Port Phillip is the most densely populated municipality in Victoria with more than twice the population density of the metropolitan Melbourne average.
- **Clause 02.01-2 – Housing profile** recognises the different densities found within City of Port Phillip with 8.4% of dwellings being separate houses, 37.7% being medium density and 52.2% being high density.
- **Clause 02.02 – Vision** establishes the vision for Port Phillip which includes a city that promotes sustainable economic growth, high accessibility to goods and services; a city that promotes affordable, accessible and diverse housing types to meet the needs of all current and future residents; and a city of distinct neighbourhoods where an understanding of local character and heritage is an important element of a sustainable future.
- **Clause 02.03-1 – Settlement** recognises the neighbourhood of South Melbourne neighbourhood includes the South Melbourne Major Activity Centre including Clarendon Street, the South Melbourne Market, and significant established business precincts which are experiencing residential and commercial development pressure. Council supports maintaining high quality residential environments in established residential areas.
- **Clause 02.03-4 – Built Environment and Heritage** recognises that Port Phillip’s built, and natural heritage places are among the earliest and most significant in Melbourne. Protecting, revealing and embracing heritage and

character is a priority within the municipality. A high quality, liveable and inclusive urban environment is critical to support the vitality and wellbeing of the City.

- **Clause 02.03-5 – Housing** identifies that managing housing growth and urban form is a key challenge. As a part of housing growth, provision must be made for a variety of dwellings to meet the diverse needs of Port Phillip’s community and ensuring that in terms of household size, lifestyles, abilities, income levels and lifecycle stages.

A.5 PLANNING POLICY FRAMEWORK (PPF)

The State Planning Policy Framework (SPPF) seeks to develop objectives for planning in Victoria to foster high level land use and development strategies which are the same for each municipality in the State. Generally, the SPPF contains objectives for particular policy areas with strategies of how the objectives are to be achieved.

- **Clause 11 – Settlement** recognises that planning is to ‘anticipate and respond to the needs of existing and future communities through provision of zones, and service land for housing, employment, recreation and open space, commercial and community facilities and infrastructure’. The policy also seeks to facilitate sustainable development that takes full advantage of existing settlement patterns.

Clause 11.01-1S – Settlement aims to facilitate the sustainable growth and development of Victoria.

- **Clause 15 – Built Environment and Heritage** identifies the role of planning to ‘recognise the role of urban design, building design, heritage and energy and resource efficiency in delivering liveable and sustainable cities, towns and neighbourhoods.’
- **Clause 15.01-1S – Urban Design** seeks to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity. This requires development to respond to its context in terms of character, cultural identity and surrounding landscape.
- **Clause 15.01-1L-02 – Urban Design** seeks to facilitate high quality urban design and architecture that integrates with the prevailing neighbourhood character and contributes to the amenity and vitality of the area.

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- **Clause 15.01-2S – Building Design** provides a range of urban design strategies which seek ‘to achieve building design outcomes that contribute positively to the local context and enhance the public realm’.
- **Clause 15.01-2L-01 Building Design** seeks to enhance the design quality of multi-unit residential development over five storeys by promoting sustainable landscaping, improving pedestrian and cyclist access and ensuring thoughtful integration of parking and sunlight access.
- **Clause 15.01-2L-02 – Environmentally Sustainable Development** seeks to achieve best practice in environmentally sustainable development from the design stage through to construction and operation. A Sustainability Management Plan is triggered under this Clause (including an assessment using BESS/Green star, STORM/MUSIC or other methods) and a Green Travel Plan for:
 - 10 or more dwellings.
 - A building used for accommodation other than dwellings with a gross floor area of more than 1000 square metres.
- **Clause 15.01-5S – Neighbourhood Character** seeks to recognise, support and protect neighbourhood character, cultural identity and a sense of place. This includes supporting development that respects or contributes to neighbourhood character and ensuring that development responds to its context.
- **Clause 16 – Housing** identifies that planning should provide for housing diversity and ensure the efficient provision of supporting infrastructure.
- **Clause 16.01-1S – Housing Supply** seeks to facilitate well-located, integrated and diverse housing that meets community needs. This includes encouraging development of well-designed housing that provides a high level of internal and external amenity and incorporates universal design and adaptable internal dwelling design.
- **Clause 16.01-1L-01 – Housing Diversity** aims to provide a mix of housing types and are accessible for people of all abilities and older persons. Policy guidelines are included with respect to ensuring housing is designed to be adaptable and accessible.
- **Clause 16.01-1L-02 – Location of Residential Development** seeks to direct housing growth to designated locations that have the highest capacity for change and offer high accessibility while maintaining the

heritage, neighbourhood character and amenity values of established residential areas that have limited potential for housing growth.

- **Clause 16.01-2S – Housing Affordability** aims to deliver more affordable housing in close proximity to jobs, transport and key services. Council supports increasing choice in housing type, tenure and cost to meet the needs of diverse households.
- **Clause 18 – Transport** ensures a safe, integrated and sustainable transport system that provides access to social and economic opportunities, actively contributes to environmental sustainability facilitates network-wide efficient movements and supports health and wellbeing.
- **Clause 18.02-3R – Principal Public Transport Network** seeks to facilitate high-quality public transport access in close proximity to jobs.
- **Clause 18.02-4L-01 – Car Parking** supports car parking to be contained within a building or located at the rear of a building.
- **Clause 19 – Infrastructure** aims to ensure the efficient, equitable and timely provision of social and physical infrastructure by recognising social needs and setting aside land for community resources and future transport routes.
- **Clause 19.03-3L – Stormwater Management** promotes the use of water sensitive urban design, including stormwater reuse in new buildings.

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APPENDIX B CLAUSE 58 ASSESSMENT

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CLAUSE 58 (BADS) ASSESSMENT

Objectives	Standard	Assessment	Complies	Variation Required
Clause 58.02 – Urban Context				

<p>58.02-1 – Urban Context objectives</p> <p>To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area.</p> <p>To ensure that development responds to the features of the site and the surrounding area.</p>	<p>Standard D1</p> <p>The design response must be appropriate to the urban context and the site.</p> <p>The proposed design must respect the existing or preferred urban context and respond to the features of the site.</p>	<p>✓</p> <p>Does the proposal meet the objective?</p>	<p>✓</p> <p>Does the proposal meet the standard?</p>	<p>The proposed architectural design of the development has been specifically considered with reference to the surrounding urban context, local policy, and surrounding existing developments. The development is considered to respond positively to the South Melbourne preferred urban context and has given thoughtful consideration to the site’s unique characteristics.</p>
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<p>58.02-2 - Residential policy objectives</p> <p>To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.</p> <p>To support higher density residential development where development can take advantage of public and community infrastructure and services.</p>	<p>Standard D2</p> <p>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>	<p>✓</p> <p>Does the proposal meet the objective?</p>	<p>✓</p> <p>Does the proposal meet the standard?</p>	<p>An assessment of the proposal’s consistency against the Municipal Planning Strategy and Planning Policy Framework has been provided in the report’s preceding sections. The proposal provides residential development that is consistent with the municipality’s vision for the area and note that the site has been earmarked by various Clauses as being able to support high density residential developments.</p>
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58.02-3 - Dwelling diversity objective

To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

Standard D3

Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.

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Does the proposal meet the **objective**?



Does the proposal meet the **standard**?

The development provides a mixture of dwelling types with significant provision of 1, 2, and 3 bedroom apartments. In addition, high-end 3 & 4 bedroom apartments are provided on upper levels, with several studio apartments to provide increased diversity of dwelling sizes.

58.02-4 - Infrastructure objectives

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.

Standard D4

Development should be connected to reticulated services, including reticulated sewerage, drainage and electricity, 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.



Does the proposal meet the **objective**?



Does the proposal meet the **standard**?

The development will provide connection to all dwellings for sewerage, drainage, electricity and water, and is not considered to be excessive. In line with sustainability initiatives, the development will be gas-free.

58.02-5 - Integration with the street objective

To integrate the layout of development with the street.

To support development that activates street frontage.

Standard D5

Development should be oriented to front existing and proposed streets.

Along street frontage, development should:

- Incorporate pedestrian entries, windows, balconies or other active spaces.
- Limit blank walls.
- Limit high front fencing, unless consistent with the existing urban context.
- Provide low and visually permeable front fences, where proposed.
- Conceal car parking and internal waste collection areas from the street.



Does the proposal meet the **objective**?



Does the proposal meet the **standard**?

The development has been appropriately designed so that it is activated along all street frontages to Dorcas Street, Wells Street, and Middleton Lane. Each façade will be provided

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Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.

with multiple pedestrian entries, glazing and balconies to activate the street interfaces.

The development's design has been carefully thought out to ensure that a high level of articulation is achieved on facades, with blank spaces wholly minimised. Car parking and waste collection areas are provided to the rear of the site at Middleton Lane and appropriately sleeved.

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 dwelling or small second 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



Does the proposal meet the **objective**?



Does the proposal meet the **standard**?

Where possible, all dwellings have been oriented and designed so that solar access is maximised, with minimal impacts to adjoining properties.

Per the Sustainability Management Plan prepared by NDY, the development achieves an average cooling load of 15.9MJ/m² which is compliant with the maximum allowable load.

Climate zone 62 Moorabbin	21
Climate zone 63 Warrnambool	21
Climate zone 64 Cape Otway	19
Climate zone 66 Ballarat	23

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.

If a development contains 13 or more dwellings, the development should also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is the lesser. This additional area may be indoors or outdoors and may consist of multiple separate areas of communal open space.

Each area of communal open space should be:

- Accessible to all residents.
- A useable size, shape and dimension.
- Capable of efficient management.
- Located to:
 - a. Provide passive surveillance opportunities, where appropriate.
 - b. Provide outlook for as many dwellings as practicable.
 - c. Avoid overlooking into habitable rooms and private open space of new dwellings.
 - d. Minimise noise impacts to new and existing dwellings and existing second small dwellings.

Any area of communal outdoor open space should be landscaped and include canopy cover and trees.



Does the proposal meet the **objective**?



Does the proposal meet the **standard**?

Overall, the development provides 753sqm of communal open spaces as part of the residential amenity areas. These include a pool and wellness area, as well as a Residential Lounge at the ground floor entry. This communal space provision is substantially in excess of the 220sqm requirement of Standard D7.

Of note, the provision of communal open space includes a 41 square metre area of communal outdoor open space located at the Level 3 terrace. This area of communal outdoor open space will be accessible to all residents, of a functional size, will be visible to numerous apartments both on podium levels and upper floors, and will not result in any visual privacy concerns.

Complementary landscaping will border the terrace balcony to ensure an appropriate and softened response. In this regard, we consider the standard and objective to be met.

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58.03-3 Solar access to communal outdoor open space objective

To allow solar access into communal outdoor open space.

Standard D8

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.

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Does the proposal meet the **objective**?



Does the proposal meet the **standard**?

The area of communal outdoor open space will be situated to the northern elevation of the building, directly above the residential entry.

However, given the terrace's siting to the north and noting the as-built development height to the north of Dorcas Street, overshadowing diagrams on 21 June depict the area will fail to achieve 2 hours of direct sunlight.

Notwithstanding, appreciating the highly urban nature of the site and the existing development approvals to the north, a level of discretion should be applied.

Given the accessibility to large areas of open space with sufficient solar access, including the Royal Botanic Garden and Albert Park, this variation is considered appropriate.

58.03-4 Safety objective

To ensure the layout of development provides for the safety and security of residents and property.

Standard D9

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.



Does the proposal meet the **objective**?



Does the proposal meet the **standard**?

All dwellings will be provided with a consolidated entry point to the site's Dorcas Street frontage. The development's entry has been opened up with a crescent entry, instilling passive surveillance through lighting and visibility.

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58.03-5 Landscaping objectives

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.

Standard D10

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:
 - a. 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.
 - b. Consistent with the canopy diameter and height at maturity specified in Table D4.
 - c. 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.



Does the proposal meet the **objective**?



Does the proposal meet the **standard**?

Given the context of the site and the provision of basement car parking, there is not the potential for deep soil planting on site.

Nonetheless, the proposal provides a generous provision of landscaping at the ground floor plane, and on podium levels. Cascading planters will be provided throughout balconies and the ground floor plane to provide a diverse planting array, and to make a positive landscape contribution to the streetscapes.

A proposed renewal of street vegetation is requested for further consideration with Council, to provide refreshed and robust species to Dorcas Street. In turn, this will assist with the restoration and enhancement of canopy cover in the area, thus supporting the preferred urban context of the site.

The species selected are hearty, climate responsive and will improve resident wellbeing and amenity.

Appreciating the highly urban area and surrounding urban context, the proposal is considered an appropriate response in its locality.

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- Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.

Table D2 – Canopy Cover and Deep Soil Requirements

Site Area	Canopy Cover	Deep Soil
1000 sqm or less	5% of site area Include at least 1 Type A Tree	5% of site area or 12 sqm (whichever is the greater)
1001 – 1500 sqm	50 sqm plus 20% of site area above 1,000 sqm Include at least 1 Type B Tree	7.5% of site area
1501 – 2500 sqm	150 sqm plus 20% of site area above 1,500 sqm Include at least 2 Type B trees or 1 Type C Tree	10% of site area
2500+ sqm	350 sqm plus 20% of site area above 2,500 sqm Include at least 2 Type B trees or 1 Type C Tree	15% of site area

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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 sqm (min. plan dimension of 2.5 metres)	12 cubic metres (min. plan dimension of 2.5 metres)	0.8 metres
B	49 sqm (min. plan dimension of 4.5 metres)	28 cubic metres (min. plan dimension of 4.5 metres)	1 metre
C	121 sqm (min. plan dimension of 6.5 metres)	64 cubic metres (min. plan dimension of 6.5 metres)	1.5 metres

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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	Minimum height
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.



Does the proposal meet the **objective**?



Does the proposal meet the **standard**?

The subject site has consolidated seven crossovers across the existing land parcels to four points of access being to the basement parking, the loading bay, and the podium parking entries.

All vehicle access is provided via Middleton Lane and is clearly distinctive from both pedestrian and cyclist entries. The benefit of rear site access means that frontages to Dorcas Street and Wells Street are entirely free of obstruction for pedestrians, maximising pedestrian safety.

58.03-7 Parking location objectives

To provide convenient parking for resident and visitor vehicles.

Standard D12

Car parking facilities should:

- Be reasonably close and convenient to dwellings.
- Be secure.



Does the proposal meet the **objective**?



Does the proposal meet the **standard**?

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To protect residents from vehicular noise within developments.

- 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.

Car parking facilities are accessible via the central lift shaft within the development. The car parking is accessible and convenient from dwellings and are secured appropriately. There are no habitable room windows located within 1.5 metres of accessways or car parks.

58.03-8 Integrated water and stormwater management objectives

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 runoff on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

Standard D13

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:

- Designed to meet the objectives for stormwater quality as contained in the Urban Stormwater Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).
- Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

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Does the proposal meet the **objective**?



Does the proposal meet the **standard**?

Per the Sustainability Management Plan and Stormwater Management Report, the proposal will result in Best Practice urban stormwater objectives through Clause 53.18. The development will utilise a 30kL rainwater tank which will be used for flushing toilets and landscaping irrigation. Water collected from the development's gutters will be collected into the rainwater tank.

Clause 58.04 – Amenity Impacts

58.04-1 Building setback objectives

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.

Standard D14

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:

- Ensure adequate daylight into new habitable room windows.
- Avoid direct views into habitable room windows and private open space of new and existing dwellings and existing small second dwellings. Developments should avoid relying on screening to reduce views.



Does the proposal meet the **objective**?



Does the proposal meet the **standard**?

The subject site is an island property and is bordered by Dorcas Street to the north, Middleton Lane to the east and south, and Wells Street to the west.

To provide a reasonable outlook from new dwellings and existing small second dwellings.

To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.

- Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.
- Ensure the dwellings are designed to meet the objectives of Clause 58.

In this regard, the development will be provided with adequate daylight and is appropriately set back from adjoining properties to maintain visual privacy and create a reasonable visual outlook from the proposed dwellings.

The development has been carefully designed to respond sensitively to the existing urban context of the site, and also any future developments to surrounding properties.

58.04-2 Internal views objective

Standard D15

To limit views into the private open space and habitable room windows of dwellings within a development.

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.



Does the proposal meet the **objective**?



Does the proposal meet the **standard**?

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The majority of apartments comply entirely with respect to preventing internal views between dwellings.

Where apartments have direct views between balconies and habitable rooms i.e. those either side of the central core, visual privacy mitigation treatments will be employed to ensure views and overlooking are mitigated to a maximum 50% permeability, per Standard D15.

A range of treatments will be employed including the use of solid walls between balconies, and directional screens where required.

58.04-3 Noise impacts objectives

Standard D16



Does the proposal meet the **objective**?

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To contain noise sources in developments that may affect existing dwellings or small second dwellings.

To protect residents from external and internal noise sources.

Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings or small second dwellings.

The layout of new dwellings and buildings should minimise noise transmission within the site.

Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.

New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.

Buildings within a noise influence area specified in Table D5 should be designed and constructed to achieve the following noise levels:

- 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.

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 D5 - 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



Does the proposal meet the **standard**?

In response to Standard D16 requirements, an acoustic report has been prepared by WatsonMossGrowcott. The report places the site within a noise influence area noting Kings Way is approximately 300 metres from the site and has an average daily volume of circa 90,000 vehicles.

The report indicates that, provided specific façade construction requirements within the report are met, and guidance is provided on the placement and selection of mechanical services, the development can meet the required noise reductions to comply with decibel limits set by Standard D16.

We note that noise generating components to the development have been separated entirely from proximity to dwellings, to ensure that noise sources are contained, and residential apartments are protected from potential impacts.

Of relevance, mechanical plant will be placed on the roof level with acoustic screening to ensure that the penthouse's area of open space maintains appropriate amenity standards.

Car parking is segregated to basement levels and podium areas where they are separated appropriately from residential apartments. Due to the building treatments, it is expected there will be minimal noise transfer.

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Railway servicing freight in Metropolitan Melbourne	135 metres from the centre of the nearest track
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58.04-4 Wind impacts objective

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 direction.	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: 3 metres per second for sitting areas,



Does the proposal meet the **objective**?



Does the proposal meet the **standard**?

An Environmental Wind Assessment has been prepared by MEL Consultants to determine any detrimental impacts on surrounding wind conditions. The assessment was conducted by way of a wind tunnel simulation test, placing a scale model of the building within its surrounding area.

The development's pedestrian transit areas and upper level terraces / balconies have been assessed against the walking criterion, whereas the building entrances have been assessed against the standing comfort criterion. Notwithstanding, it is identified that the requirements of Clause 58.04-4 do not require areas of private or communal open space to achieve comfortable wind conditions.

In summary, the development will maintain compliance with relevant safety criteria at all 67 test locations when compared to the existing conditions. Moreover, the development's response to comfort wind conditions are considered entirely appropriate for their context. While the wind conditions at test location 13 will marginally increase when compared to the existing conditions, they

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	4 metres per second for standing areas, 5 metres per second for walking areas.
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remain compliant with standing wind criteria which is an appropriate threshold for the location.

Wind conditions to all tested terraces and balconies will remain compliant with comfort wind conditions, in excess of their statutory obligations.

Clause 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 D7.

Table D7 – 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: 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: A slide door, or A door that opens outwards, or A door that opens inwards and has readily removable hinges.



Does the proposal meet the **objective**?



Does the proposal meet the **standard**?

Pursuant to the BADS Compliance plans, it is confirmed that the majority of dwellings will be compliant with the requirements of Standard D18, ensuring that the design of dwellings will meet the needs of residents with limited mobility.

We confirm that each of the 243 dwellings will achieve the accessibility requirements of Standard D18. This 100% compliance ratio is substantially higher than that required by Standard D18.

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Circulation area	A clear circulation area that is: 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: A minimum width of 1 metre. The full length of the bathroom and a minimum length of 2.7 metres. Clear of the toilet and basin. The circulation area can include a shower area.
Path to circulation area	A clear path with a minimum width of 900mm from the door opening to the circulation area.	Not applicable.
Shower	A hobless (step-free) shower.	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.
Toilet	A toilet located in the corner of the room.	A toilet located closest to the door opening and clear of the circulation area.

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58.05-2 Building entry and circulation objectives **Standard D19**

To provide each dwelling and building with its own sense of identity.

Entries to dwellings and buildings should:

- Be visible and easily identifiable.



Does the proposal meet the **objective**?



Does the proposal meet the **standard**?

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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.

- Provide shelter, a sense of personal address and a transitional space around the entry.

The layout and design of buildings should:

- 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:
 - a. Include at least one source of natural light and natural ventilation.
 - b. Avoid obstruction from building services.
 - c. Maintain clear sight lines.

Access to the building will be via a single consolidated entry to Dorcas Street, which has been designed as an enclave to the street to give a sense of privacy. The entry will be highly visible and will be clearly identifiable as the building entry, maintaining a sense of address. The entry will be sheltered and will act as a sensible transition.

Commercial spaces within the development will have separate entries ensuring that they do not get confused with residential areas. Each lift lobby will be provided with an expansive window to accommodate natural light and natural ventilation to corridors. Sight lines will be maintained appropriately.

58.05-3 Private open space objective

To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard D20

A dwelling should have private open space consisting of at least one of the following:

- An area at ground level of at least 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.



Does the proposal meet the **objective**?



Does the proposal meet the **standard**?

Pursuant to the BADS compliance plans, all apartments will be provided an outdoor balcony area in accordance with the minimum areas stipulated by Table D8.

However, it is commented that eight apartment types require variations with regard to the minimum balcony dimensions required by Table D8.

While we note each balcony has the minimum required dimension required by the Standard on the balcony, due to the curved nature of the building the balcony cannot be provided as a

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Table D8 – Balcony Size

Orientation of dwelling	Dwelling Type	Minimum area	Minimum dimension
North (between north 20 degrees west to north 30 degrees east)	All	8 sqm	1.7m
South (between south 30 degrees west to south 30 degrees east)	All	8 sqm	1.2m
Any other orientation	Studio or 1 bedroom dwelling	8 sqm	1.8m
	2 bedroom dwelling	8 sqm	2m
	3 or more bedroom dwelling	12 sqm	2.4m

Table D9 – Additional Living Area or Bedroom Area

Dwelling Type	Additional area
Studio or 1 bedroom dwelling	8 sqm
2 bedroom dwelling	8 sqm
3 + bedroom dwelling	12 sqm

perfect rectangle, with the minimum dimension the whole way across.

While the entirety of the balcony cannot achieve the minimum dimension, we note that compensatory spaces will be provided on the balcony curve, and each balcony will achieve the minimum area required.

The balconies are considered to be of sufficient size so that the space remains useable and functional for future purchasers.

Note that several of the apartments located on Podium Level 03 are provided with balconies at least the minimum required area, and an area on the podium base that are larger than 15 square metres as required.

In addition, the penthouse apartment contains an additional area of private open space on the roof floor of 144 square metres, in excess of the minimum required 10 square metres required.

Accordingly, it is considered that each apartment is provided with sufficient outdoor spaces to address the objective and standards of Clause 58.05-3

58.05-4 Storage objective

To provide adequate storage facilities for each dwelling.

Standard D21

Each dwelling should have convenient access to usable and secure storage space.



Does the proposal meet the **objective**?



Does the proposal meet the **standard**?

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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	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 BADS compliance table, located on Page 151 of the Bates Smart Urban Context Report, identifies that each of the dwellings will be afforded with sufficient storage in excess of the minimum requirements of Standard D10.

Of the 48 apartment types within the development, 28 of these contain sufficient internal storage and accordingly have not been allocated external storage cages.

The dwellings comprising of the remaining 20 apartment types have been allocated additional external storage cages pursuant to the compliance table to meet the total storage requirements in Table D10.

All dwellings achieve the minimum internal storage volumes required by Table D10.

Clause 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.

Standard D22

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



Does the proposal meet the **objective**?



Does the proposal meet the **standard**?

The proposal is considered to appropriately delineate areas of private, communal, and public spaces through sensitive treatments. Each of the common property spaces will be highly functional and useable, including resident amenities and lounges, and dwell spaces within the residential lobby. Each of the spaces are consolidated to ensure

management is easy and effective by the body corporate.

58.06-2 Site services objectives

Standard D23

To ensure that site services are accessible and can be installed and maintained.

Development should provide adequate space (including easements where required) for site services to be installed and maintained efficiently and economically.

To ensure that site services and facilities are visually integrated into the building design or landscape.

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.



Does the proposal meet the **objective**?



Does the proposal meet the **standard**?

The site has adequately planned for site services to be housed within accessible locations on the ground floor, primarily to the Middleton Lane south elevation.

Mailboxes will be housed within a dedicated area to the residential lobby as identified on the floor plans. These will be appropriately located for resident use while also maintaining water protection and durability.

Mechanical plant and remaining services are contained on the roof levels, with plant screening provided around the stipulated area.

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58.06-3 Waste and recycling objectives

Standard D24

To ensure dwellings are designed to encourage waste recycling.

Developments should include dedicated areas for:

- Waste and recycling enclosures which are:



Does the proposal meet the **objective**?



Does the proposal meet the **standard**?

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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.

- a. Adequate in size, durable, waterproof and blend in with the development.
- b. Adequately ventilated.
- c. 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.
- Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.
- Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.

Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:

- Be designed to meet the better practice design options specified in Waste Management and Recycling in Multi-unit Developments (Sustainability Victoria, 2019).
- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

Waste storage areas have been provided in back of house areas to the ground floor, which will be serviced via a waste bin chute to each level. Waste will be separated into respective streams including general waste, comingled recycling, glass and food organics in line with Sustainability Victoria requirements. Further information regarding the waste and recycling measures to be employed on site can be found within the Waste Management Plan prepared by Traffix Group.

58.06-4 External walls and materials objective

To ensure external walls use materials appropriate to the existing

Standard D25

External walls should be finished with materials that:

- Do not easily deteriorate or stain.
- Weather well over time.



Does the proposal meet the **objective**?



Does the proposal meet the **standard**?

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urban context or preferred future development of the area.

To ensure external walls endure and retain their attractiveness.

- Are resilient to the wear and tear from their intended use.

External wall design should facilitate safe and convenient access for maintenance.

The external schedule of materials and finishes, contained within the Architectural set of plans prepared by Bates Smart Architects, demonstrate that the materials chosen for use by the development will be hardy, resilient and weatherproof. A mixture of materials will be used including glazing, metal and glass balustrading, textured concrete, and profiled metal cladding within the podium levels. Maintenance will be readily accessible when required.

Clause 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 specified in Table D11.
- Provide an area in addition to the minimum internal room dimensions 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
Main bedroom	3 metres	3.4 metres
All other bedrooms	3 metres	3 metres

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



Does the proposal meet the **objective**?



Does the proposal meet the **standard**?

Pursuant to the Architectural Plans and BADS compliance drawings, the development provides bedroom and living dimensions that are highly compliant with the requirements of Standard D26.

It is acknowledged that, due to the nature of the building having a curved façade, and due to structural support requirements, there are 10 out of 48 apartment types that propose minor intrusions to the functional room dimensions required by Table D11 and D12. These apartment types include 2.04, 2.12, 2.13, 2.16, 2.19, 2.21, 3.03, 3.05, 3.08, and 3.11.

In all instances, due to the building's curved façade, each of the marginal encroachments in

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these apartment types are afforded with compensatory extra spaces that will provide a bedroom or living area larger than the minimum requirements. In this respect, while there are some minor encroachments into the room dimension requirements, each of these spaces will remain highly functional and will provide room sizes that are commensurate to the typical needs of residents. Accordingly the variation is considered appropriate.

A variation is also required in relation to the eleven studio dwellings proposed within the development and, specifically, Levels 4 to 14. The variation is considered appropriate as:

- A functional 40sqm floor plan has been achieved providing a high level of internal amenity for future occupants of the studios.
- Studios are, for the majority, single occupancy units and accordingly it is considered sufficient space has been provided for future resident needs.
- The living area exceeds the minimum width 3.3m and minimum area 10sqm for a studio as required by Table D12 under Standard D26. This provides for a generous combined bedroom/ living/ kitchen layout for a studio apartment with appropriate circulation space. We note that there is no bedroom dimension requirement by Table D11, under Standard D26 for a studio apartment given the open plan nature of this dwelling typology.

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- The depth of the studio floor plan ensures that the minimum 9m depth from back of kitchen to edge of balcony is satisfied. This will ensure that the studio layout is provided with appropriate levels of daylight. This is supported by the Sustainability Management Plan.
- A generous amount of fixed storage and shelving is provided to increase the liveability of studio apartment, in excess of the minimum total storage required by Standard D21.
- An efficient and functional bathroom is provided at the rear of the floor plan.
- The studio apartments play an appropriate role in contributing to the development's dwelling diversity and providing an increasingly popular dwelling type for purchasers. The functional layouts and sizes of these apartments are considered to meet the Clause 58.07-1 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:



Does the proposal meet the **objective**?



Does the proposal meet the **standard**?

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- 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.

Appreciating that all dwellings' living rooms combine the living, dining, and kitchen areas, all dwellings comply with the 9 metre depth requirements of Standard D27.

58.07-3 Windows objective

To allow adequate daylight into new habitable room windows.

Standard D28

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:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.



Does the proposal meet the **objective**?



Does the proposal meet the **standard**?

All habitable rooms within the development's proposed dwellings are provided with a window to an external wall of the building.

Due to the layout of some podium apartments, several bedrooms contained within Apartment Types 2.01, 2.03, and 2.03b have secondary daylight areas proposed with windows clear to the sky.

In these instances, each secondary area provides a minimum width of 1.2 metres, with the associated depth not exceeding 1.5 times the respective widths. The window constructed to each secondary daylight area will be clear to sky in accordance with the standard.

58.07-4 Natural ventilation objectives

To encourage natural ventilation of dwellings.

Standard D29

The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.



Does the proposal meet the **objective**?



Does the proposal meet the **standard**?

To allow occupants to effectively manage natural ventilation of dwellings.

At least 40 per cent of dwellings should provide effective cross ventilation that has:

- 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.

Each of the proposed dwellings have been designed to ensure that, at their external wall interfaces, ventilation has been maximised where possible through the use of operable windows and sliding doors.

Appreciating the development total of 243 dwellings, a total of 108 of these dwellings (44%) comply with the effective cross ventilation requirements of breeze paths between 5 and 18 metres.

As required, each of the dwelling windows occupy approximately the same operable area, ensuring occupants can appropriately maintain natural ventilation of their dwellings.

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