

Clause 58 Assessment

Better Apartments Design Standards

43, 63 & 67 River Street, Richmond

March 2026

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Better Apartments Design Standards – Clause 58 of the Yarra Planning Scheme.

Purpose

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage apartment development that provides reasonable standards of amenity for existing and new residents.*
- *To encourage apartment development that is responsive to the site and the surrounding area.*

Application

Provisions in this clause apply to an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, if:

- *The apartment development is in the Commercial 1 Zone, Commercial 3 Zone, Special Use Zone, Comprehensive Development Zone, Capital City Zone, Docklands Zone, Priority Development Zone, Activity Centre Zone or Precinct Zone.*

The Proposal

It is noted that the proposed development consists of both an apartment development and townhouse dwellings. As per the above and the provisions of Clause 34.01 of the Yarra Planning Scheme, Clause 58 only applies to the apartment development component of the application.

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58.01 URBAN CONTEXT REPORT AND DESIGN RESPONSE

58.01-1 Application requirements

Requirements	Complies / Does Not Comply / Variation required
<p>An application must be accompanied by:</p> <ul style="list-style-type: none"> An urban context report A Design Response 	<p>✓ Complies</p> <p>An Urban Context Report and Design Response has been prepared by SJB Architects and is enclosed. We also refer to the Town Planning and Urban Context report prepared by Contour Consultants.</p>

58.01-2 Urban context report

Requirements	Complies / Does Not Comply / Variation required
<p>The urban context report may use a site plan, photographs or other techniques and must include:</p> <p>An accurate description of:</p> <ul style="list-style-type: none"> Site shape, size, orientation and easements. Levels and contours of the site and the difference in levels between the site and surrounding properties. The location and height of existing buildings on the site and surrounding properties. The use of surrounding buildings. The location of private open space of surrounding properties and the location of trees, fences and other landscape elements. Solar access to the site and to surrounding properties. Views to and from the site. Street frontage features such as poles, street trees and kerb crossovers. The location of local shops, public transport services and public open spaces within walking distance. Movement systems through and around the site. Any other notable feature or characteristic of the site. <p>An assessment of the characteristics of the area including:</p> <ul style="list-style-type: none"> Any environmental features such as vegetation, topography and significant views. The pattern of subdivision. Street design and landscape. The pattern of development. 	<p>✓ Complies</p> <p>Refer to the accompanying architectural materials provided by SJB Architects and the Town Planning and Urban Context report prepared by Contour Consultants.</p> <p style="text-align: center;">ADVERTISED PLAN</p> <div style="border: 2px solid red; padding: 10px; text-align: center; color: red; font-weight: bold;"> <p>This copied document to be made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright</p> </div>

Requirements	Complies / Does Not Comply / Variation required
<ul style="list-style-type: none"> - Building form, scale and rhythm. - Connection to the public realm. - Architectural style, building details and materials. - Off-site noise sources. - The relevant NatHERS climate zones (as identified in Clause 58.03-1). 	

58.01-3 Design response

Requirements	Complies / Does Not Comply / Variation required
<p>The design response must explain how the proposed design:</p> <ul style="list-style-type: none"> - Responds to any relevant planning provision that applies to the land. - Meets the objectives of Clause 58. - Responds to any relevant housing, urban design and landscape plan, strategy or policy set out in this scheme. - Selects materials and finishes for the external walls. - Derives from and responds to the urban context report. <p>The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.</p>	<p>✓ Complies</p> <p>Refer to the accompanying material provided by SJB Architects and the Town Planning and Urban Context Report prepared by Contour Consultants.</p> <div style="border: 2px solid red; padding: 10px; text-align: center; color: red; font-weight: bold;"> <p>This copied document to be made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright</p> </div>

58.02 URBAN CONTEXT

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58.02-1 Urban context objectives

- To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area.
- To ensure that development responds to the features of the site and the surrounding area.

Standard D1	Complies / Does Not Comply / Variation required
<p>The design response must be appropriate to the urban context and the site.</p>	<p>✓ Complies</p> <p>Refer to the accompanying architectural material provided by SJB Architects and the Town Planning and Urban Context Report prepared by Contour Consultants.</p>

Standard D1	Complies / Does Not Comply / Variation required
The proposed design must respect the existing or preferred urban context and respond to the features of the site.	✓ Complies Refer to the accompanying architectural material provided by SJB Architects and the Town Planning and Urban Context Report prepared by Contour Consultants.

58.02-2 Residential policy objectives

- To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.
- To support higher density residential development where development can take advantage of public and community infrastructure and services.

Standard D2	Complies / Does Not Comply / Variation required
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.	✓ Complies Refer to the accompanying Town Planning and Urban Context Report prepared by Contour Consultants.

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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	Complies / Does Not Comply / Variation required
Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.	<p>✓ Complies</p> <p>The proposed development provides for a total of 200 dwellings with 187 apartments, comprising of the following mix:</p> <ul style="list-style-type: none"> • 20x one-bedroom apartments • 92x two-bedroom apartments • 64x three-bedroom apartments <p>The 187 apartments are supplemented by 13 townhouses.</p> <p>This will appropriately contribute to high-quality housing diversity and capacity within the Richmond and Bridge Road area for a development of this scale.</p>

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	Complies / Does Not Comply / Variation required
Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.	<p>✓ Complies</p> <p>The development can be connected to the appropriate services and utilities.</p>
Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.	<p>✓ Complies</p> <p>The development cannot unreasonably exceed service capacity and where necessary services can be augmented, if required.</p>
In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.	<p>✓ Complies</p> <p>The development can include appropriate infrastructure and services to meet the needs of future residents.</p>

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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	Complies / Does Not Comply / Variation required
<p>Development should be oriented to front existing and proposed streets.</p>	<p>✓ Complies</p> <p>The proposed development has been designed to provide frontage and outlook to both River Street and Crown Street, in addition to the private road to the south. This seeks to ensure that an interactive built form edge is provided at each interface in enhancing the public realm and movement networks within the site.</p>
<p>Along street frontage, development should:</p> <ul style="list-style-type: none"> - Incorporate pedestrian entries, windows, balconies or other active spaces. - Limit blank walls. - Limit high front fencing, unless consistent with the existing urban context. - Provide low and visually permeable front fences, where proposed. <p>Conceal car parking and internal waste collection areas from the street.</p>	<p>✓ Complies</p> <p>The development incorporates dwelling terraces to each street interface at ground level from public areas.</p> <p>These will provide outlook and activity to each streetscape interface.</p> <p>The building's port cochere area is directly accessible from a streetscape (River Street) and acts as an internal streetscape where the building entrance and entrance to the communal landscape spine are delineated and inviting.</p> <p>At the upper levels, dwellings are provided with balconies that provide for outlook. This is in addition to wider views at all other vantage points of the building providing passive surveillance opportunities to the street.</p> <p>Each facade provides articulation through the incorporation of different materials, design detailing using elements such as brick detailing, and staggered setback forms which provides definition of the building.</p> <p>Bin storage and other building services are concealed within the basement level of the building.</p>
<p>Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.</p>	<p>✓ Complies</p> <p>The development has been designed from the ground up to respond to the important Yarra River environs to the east of the site. This includes compliance with the mandatory requirements of the Design and Development Overlay (Schedule 1) which relates to this public open space.</p> <p>Holistically, dwellings and the broader communal spaces including the observation deck and staircase connection to the Main Yarra Trail have been designed to facilitate connection and passive surveillance to the river corridor.</p>

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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	Complies / Does Not Comply / Variation required
Buildings should be: <ul style="list-style-type: none"> • Oriented to make appropriate use of solar energy. • Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. 	✓ Complies The proposed building has been appropriately sited and oriented to ensure that there will not be an unreasonable impact on existing buildings in the surrounding areas including those with residential apartments, and to ensure that the proposed dwellings receive adequate solar access.
Living areas and private open space should be located on the north side of the development, if practicable.	✓ Complies Where possible, living areas and balconies are located to achieve northern solar access including orientations to the east and west of the building.
Developments should be designed to optimise solar access to north-facing windows.	Complies The proposal has been designed to optimise solar access through the design across two building (tower) forms which provides separation and opportunities for outlook and cross ventilation to apartment dwellings.
A dwelling located in a climate zone identified in Table D1 should not exceed the specified maximum NatHERS annual cooling load specified in the following table.	Complies The maximum cooling load of 30MJ/M ² for Climate Zone 21 (Melbourne) is not exceeded by any dwelling within the development. A Sustainability Management Plan has been prepared by Hip V Hype and details a cooling load average of 25.3MJ/M ² across the development.

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Table D1 Cooling load

NatHERS CLIMATE ZONE	NatHERS MAXIMUM COOLING LOAD MJ/M ² PER ANNUM
Climate zone 21 Melbourne	30
Climate zone 22 East Sale	22
Climate zone 27 Mildura	69
Climate zone 60 Tullamarine	22
Climate zone 62 Moorabbin	21
Climate zone 63 Warrnambool	21
Climate zone 64 Cape Otway	19
Climate zone 66 Ballarat	23

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

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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	Complies / Does Not Comply / Variation required
<p>A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres.</p>	<p>✓ Complies</p> <p>A total of 712m² of communal open space is provided at the ground level of the building including an expansive outdoor terrace area and green spine to the eastern side of the apartment building, and an indoor space for exclusive use of residents.</p> <p>These spaces generously exceed the required amount of 30m² in servicing the 187 apartment dwellings.</p>
<p>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.</p>	<p>✓ Complies</p> <p>A total of 712m² of communal open space is provided at the ground level of the building including an expansive outdoor terrace area and green spine to the eastern side of the apartment building, and an indoor space for exclusive use of residents.</p> <p>These spaces generously exceed the required amount of 250m² in servicing the 187 apartment dwellings.</p>
<p>Each area of communal open space should be:</p> <ul style="list-style-type: none"> - Accessible to all residents. - A useable size, shape and dimension. - Capable of efficient management. - Located to: <ul style="list-style-type: none"> - Provide passive surveillance opportunities, where appropriate. - Provide outlook for as many dwellings as practicable. - Avoid overlooking into habitable rooms and private open space of new dwellings. - Minimise noise impacts to new and existing dwellings. 	<p>✓ Complies</p> <p>The proposed development integrates a diverse and well-designed areas of communal open space, offering both indoor and outdoor areas that enhance residential amenity and seek to create vibrant social hubs. These spaces are thoughtfully designed to ensure generous proportions, allowing for a range of activities that cater to different residents' needs.</p> <p>The ground floor communal open space contains landscaping designed by Arcadia. It also contains a north-facing orientation allowing for year-round solar opportunities.</p> <p>The rooftop amenity terrace provides for a separate area for residents and contains generous setbacks integrating landscaping.</p> <div style="border: 2px solid red; padding: 10px; text-align: center; margin-top: 20px;"> <p>This copied document to be made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright</p> </div>

Standard D7	Complies / Does Not Comply / Variation required
Any area of communal outdoor open space should be landscaped and include canopy cover and trees.	<p>✓ Complies</p> <p>Communal outdoor open space includes generous landscaping provision designed by Arcadia and includes a generous provision of tree planting throughout.</p>

58.03-3 Solar access to communal outdoor open space objective

- To allow solar access into communal outdoor open space.

Standard D8	Complies / Does Not Comply / Variation required
The communal outdoor open space should be located on the north side of a building, if appropriate.	<p>✓ Complies</p> <p>Each of the communal outdoor open space has been designed to accommodate a north-facing orientation.</p>
At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.	<p>✓ Complies</p> <p>Across the provided communal outdoor open spaces. At least 30 square metres (i.e minimum area for communal outdoor open space under Standard D7) will receive sunlight between the hours outlined.</p>

58.03-4 Safety objective

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

Standard D9	Complies / Does Not Comply / Variation required
Entrances to dwellings should not be obscured or isolated from the street and internal accessways.	<p>✓ Complies</p> <p>A shared entry point from the central and expansive port cochere is provided to the development which is appropriately detailed by an overhead canopy in providing identification of the access point.</p> <p>The entrances to dwellings are appropriately located and are not obscured or isolated from internal accessways or hallways.</p>
Planting which creates unsafe spaces along streets and accessways should be avoided.	<p>✓ Complies</p> <p>The proposed planting is appropriate within the site's context and does not obscure views from the street or accessway and does not create any unsafe spaces.</p> <p>The primary planting will be located at ground level within each of the communal open spaces, with supplementary landscaping to each of the street frontages which is enabled by the generous building setbacks.</p>
Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.	<p>✓ Complies</p> <p>The development will contain corridors with sufficient window openings at each interface and is subject to a sense of openness which will ensure that visibility and passive surveillance is prioritised.</p> <p>Balconies are also located at the upper levels with outlook at each interface of the building.</p>

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Standard D9	Complies / Does Not Comply / Variation required
Private spaces within developments should be protected from inappropriate use as public thoroughfares.	<p>✓ Complies</p> <p>Private areas will not be accessible for use as public thoroughfares. The design of the building provides a mixture of a public and private facilities and has been specifically considered to clearly delineate these areas.</p> <p>The staircase to the Main Yarra Trail will function as a public thoroughfare but remain on private land. It is located outside the development's security gate.</p>

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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	Complies / Does Not Comply / Variation required
Development should retain existing trees and canopy cover.	<p>✓ Complies</p> <p>The development has been thoughtfully considered in its design response to enable the on-site retention of twelve (12) trees and on the periphery of the site.</p> <p>Three of these trees are located along the western, northern and eastern boundary of the site and will enhance the landscape response around the site with the retention of mature canopy cover.</p>
Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.	<p>✓ Complies</p> <p>No significant trees have been removed from the subject site within the last 12 months.</p>
<p>Development should:</p> <ul style="list-style-type: none"> - Provide the canopy cover and deep soil areas specified in Table D2. Existing trees can be used to meet the canopy cover requirements of Table D2. - Provide canopy cover through canopy trees that are: <ul style="list-style-type: none"> - Located in an area of deep soil specified in Table D3. Where deep soil cannot be provided trees should be provided in planters specified in Table D3. - Consistent with the canopy diameter and height at maturity specified in Table D4. - Located in communal outdoor open space or common areas or street frontages. - Comprise smaller trees, shrubs and ground cover, including flowering native species. - Include landscaping, such as climbing plants or smaller plants in planters, in the street frontage and in outdoor areas, including communal outdoor open space. - Shade outdoor areas exposed to summer sun through landscaping or shade structures and use paving and surface materials that lower surface 	<p>✓ Complies</p> <p>The Landscape document prepared by Arcadia contains the following key landscape provisions:</p> <ul style="list-style-type: none"> - 44 x Type A trees - 12 X Type B trees - 3 X Type C trees <p>- Deep soil area approx. 1788sqm (refer attached soil depth diagram)</p> <p>- Canopy cover approx. 2242sqm (1847sqm proposed in addition to the existing 395m2)</p> <p>- Retention of 12x existing trees.</p> <p>- Smaller trees, shrubs and ground cover, climbing plants are included across the site</p> <p>Having regard to the urban context, the landscaping extent proposed is appropriate and provides rehabilitation of landscaping at the rivers edge when compared to the existing site condition.</p> <p>A landscape plan has been prepared by Arcadia which incorporates a mixed planting palette which incorporates compatible species in creating a diverse landscape profile.</p>

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Standard D10	Complies / Does Not Comply / Variation required
<p>temperatures and reduce heat absorption.</p> <ul style="list-style-type: none"> - Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water. - Protect any predominant landscape features of the area. - Take into account the soil type and drainage patterns of the site. - Provide a safe, attractive and functional environment for residents. - Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting. 	<div style="border: 2px solid red; padding: 10px; margin: 10px auto; width: 80%;"> <p>This copied document to be made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright</p> </div> <p style="font-size: 24px; font-weight: bold; color: red; margin-top: 20px;">ADVERTISED PLAN</p>

Table D2 Canopy cover and deep soil requirements

Site Area	Canopy cover	Deep soil
1000 square metres or less	5% site area Include at least 1 Type A tree	5% of site area or 12 square metres whichever is the greater
1001 – 1500 square metres	50 square metres plus 20% of site area above 1,000 square metres Include at least 1 Type B tree	7.5% of site area
1501-2500 square metres	150 square metres plus 20% of site area above 1,500 square metres Include at least 2 Type B trees or 1 Type C tree	10% of site area
2500 square metres or more	350 square metres plus 20% of site area above 2,500 square metres Include at least 2 Type B trees or 1 Type C tree	15% of site area

Table D3 Soil requirements for trees

Tree type	Tree in deep soil Area of deep soil	Tree in planter Volume of planter soil	Depth of planter soil
A	12 square metres (min. plan dimension 2.5 metres)	12 cubic metres (min. plan dimension of 2.5 metres)	0.8 metre
B	49 square metres (min. plan dimension 4.5 metres)	28 cubic metres (min. plan dimension of 6.5 metres)	1 metre

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C	121 square metres (min. plan dimension 6.5 metres)	64 cubic metres (min. plan dimension of 6.5 metres)	1.5 metre
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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 at maturity	Minimum height at maturity
A	4 metres	6 metres
B	8 metres	8 metres
C	12 metres	12 metres

58.03-6 Access objective

- To ensure that vehicle crossovers are designed and located to provide safe access for pedestrians, cyclists and other vehicles.
- To ensure the vehicle crossovers are designed and located to minimise visual impact.

Standard D11	Complies / Does Not Comply / Variation required
Vehicle crossovers should be minimised.	<p>✓ Complies</p> <p>The proposal will utilise a single vehicle crossover from River Street to facilitate access to the port-cochere.</p>
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.	<p>✓ Complies</p> <p>The car park entry is to be accessed via a dedicated access point along the private road to the south and will be recessed from the frontage and street-facing façade.</p>
Pedestrian and cyclist access should be clearly delineated from vehicle access.	<p>✓ Complies</p> <p>Bicycle access is provided via a separate entry along the south It contains an internal access ramp and access to the ground floor bike store and lift to the B2 bike store and will not appear incongruous as part of the building façade.</p>
The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees.	<p>✓ Complies</p> <p>A single vehicle crossover is provided to River Street in an appropriate location which will allow for safe vehicle movement. Existing crossovers from River Street will be reinstated.</p>

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Developments must provide for access for service, emergency and delivery vehicles.	<p>✓ Complies</p> <p>Appropriate access is provided for service, emergency and delivery vehicles via the existing road network.</p>
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58.03-7 Parking location objectives

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

Standard D12	Complies / Does Not Comply / Variation required
<p>Car parking facilities should:</p> <p>Be reasonably close and convenient to dwellings.</p> <p>Be secure.</p> <p>Be well ventilated if enclosed.</p>	<p>✓ Complies</p> <p>Car parking facilities are located within the basement levels and are accessible via a ramp from the private road to the south.</p> <p>Each car parking level is suitably enclosed and contains direct access to apartment dwellings via internal lifts.</p>
<p>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.</p>	<p>N/A</p>

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58.03-8 Integrated water and stormwater management objectives

- To encourage the use of alternative water solutions such as rainwater, stormwater and recycled water.
- To facilitate stormwater collection, utilisation and infiltration within the development.
- To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

Standard D13	Complies / Does Not Comply / Variation required
<p>Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.</p>	<p>✓ Complies</p> <p>The development can be provided with rainwater harvesting system as per the Class 01A Project Response and Commitment.</p> <p>Further detail is provided in the accompanying Sustainability Management Plan prepared by Hip V Hype.</p>
<p>Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.</p>	<p>N/A</p>
<p>The stormwater management system should be:</p> <p>Designed to meet the current best practice performance objectives for stormwater quality as contained in the <i>Urban Stormwater – Best Practice Environmental Management Guidelines</i> (Victorian Stormwater Committee 1999).</p>	<p>✓ Complies</p> <p>Please refer to the Stormwater Management initiatives addressed in the accompanying Sustainability Management Plan prepared by Hip V Hype.</p>

Standard D13	Complies / Does Not Comply / Variation required
Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.	

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.
- To provide a reasonable outlook from new dwellings.
- To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.

Standard D14	Complies / Does Not Comply / Variation required
The built form of the development must respect the existing or preferred urban context and respond to the features of the site.	<p>✓ Complies</p> <p>The proposed built form delivers a site responsive outcome that provides a balanced response having regard to the site context as detailed within the Urban Context Report and Architectural Design Response prepared by SJB Architects</p>
<p>Buildings should be set back from side and rear boundaries, and other buildings within the site to:</p> <p>Ensure adequate daylight into new habitable room windows.</p> <p>Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views.</p> <p>Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.</p> <p>Ensure the dwellings are designed to meet the objectives of Clause 58.</p>	<p>✓ Complies</p> <p>The proposed development has been designed with regard to the site context and pattern of surrounding development whilst acknowledging its location on the periphery of a commercial precinct to the west. This has informed its siting and setbacks from the site boundaries, and its relationship with existing built form including the provision of its commercial component to the western side.</p> <p>This seeks to ensure that it is appropriately setback in promoting built form separation, in addition to ensuring that appropriate daylight is provided to each dwelling within the development in addition to surrounding developments to the north and south.</p> <div style="border: 2px solid red; padding: 10px; text-align: center; margin-top: 20px;"> <p>This copied document to be made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright</p> </div>

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58.04-2 Internal views objective

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

Standard D15	Complies / Does Not Comply / Variation required
<p>Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the private open space of a lower-level dwelling directly below and within the same development.</p> <p style="text-align: center; font-size: 2em; font-weight: bold; color: red;">ADVERTISED PLAN</p>	<p>Variation required</p> <p>Apartments across the development have generally been designed to ensure an outward interface of windows and balcony terraces generally oriented toward the river environs or toward River Street, Crown Street and Murphy Street.</p> <p>Where balconies and windows face internally, they have been staggered to ensure an acceptable balance of privacy and outward view opportunity. A variation is however sought in the following instances.</p> <p>Apartments A107 and A110</p> <p>Habitable room windows of Apartments A107 and A110 will contain views outward and into the communal courtyard at Building A.</p> <p>Apartment AG08 on the ground floor contains a direct interface to the courtyard with a low balustrade to provide views for those occupants out into the space.</p> <p>Planning acknowledges that views from Apartments A107 and A110 into Apartment AG08's courtyard will be possible from select angles at the eastern ends of these first floor apartments, it is submitted that Apartment AG08's terrace will be highly visible at ground floor including those accessing the internal amenity space and therefore upper-level views from two apartments will be of minimal additional adverse impact.</p> <p>Apartments A207 and A210</p> <p>Habitable room windows of Apartments A207 and A210 will contain views outward and into the communal courtyard at Building A.</p> <p>It is acknowledged that views from these apartments into the lower-level balconies of A108 and A109 will be possible from select angles.</p> <p>As shown on Drawing SD30_100 of the architectural drawings, where a standard 45-degree angle viewline using the relationship between Apartment A210 and A109 has been prepared.</p> <p>it has been confirmed that overlooking of the lower-level balconies will be limited to 50% of the space and will be obstructed vertically by the upper parapet of the next level.</p>

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58.04-3 Noise impacts objectives

- To contain noise sources in developments that may affect existing dwellings.
- To protect residents from external and internal noise sources.

Clause 58 Assessment - Better Apartments Design Standards

Standard D16	Complies / Does Not Comply / Variation required
Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.	✓ Complies Refer to the acoustic assessment prepared by Acoustic Logic. Mechanical plants are located at rooftop level in ensuring appropriate separation from bedrooms of new and existing dwellings.
The layout of new dwellings and buildings should minimise noise transmission within the site.	✓ Complies
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.	✓ Complies ADVERTISED PLAN
New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.	✓ Complies
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	✓ Complies The development is located within 300 metres of an industrial zone to the west of the site. The proposal has been designed to comply with Clause 58.04-3 as follows: - 40dB(A) internal design noise levels for living rooms between (6am – 10pm) - 35dB(A) internal design noise levels for bedrooms (10pm – 6am).
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.	N/A purpose which may breach any copyright
Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.	✓ Complies

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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
Railway servicing freight in Metropolitan Melbourne	135 metres from the centre of the nearest track

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

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	Complies / Does Not Comply / Variation required
<p>Development of five or more storeys, excluding a basement should:</p> <ul style="list-style-type: none"> not cause unsafe wind conditions specified in Table D6 in public land, publicly accessible areas on private land, private open space and communal open space; and achieve comfortable wind conditions specified in Table D6 in public land and publicly accessible areas on private land. <p>within a distance of half the greatest length of the building, or half the total height of the building measured outwards on the horizontal plane from the ground floor building façade, whichever is greater.</p>	<p>✓ Complies</p> <p>A pedestrian wind safety assessment has been completed by MEL Consultants which incorporates a wind tunnel assessment.</p> <p>The wind testing has been undertaken including the existing site conditions, and proposed conditions.</p> <p>The assessment concludes that the proposed wind environment is generally expected to be commensurate with the existing environment in achieving a safe sitting and standing use throughout the year at the majority of key locations without the need for wind mitigation.</p> <p>Wind mitigation within private terraces is limited to solid backing to select balustrades and the inclusion of planters to select terraces.</p>
<p>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.</p>	<div style="border: 2px solid red; padding: 10px; text-align: center;"> <p>This copied document to be made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright</p> </div>
<p>Wind mitigation elements, such as awnings and screens should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area.</p>	

Table D6 Wind conditions

Unsafe	Comfortable
<p>Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions.</p>	<p>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:</p> <ul style="list-style-type: none"> 3 metres per second for sitting areas, 4 metres per second for standing areas, 5 metres per second for walking areas

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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	Complies / Does Not Comply / Variation required
<p>At least 50 per cent of dwellings should have:</p> <ul style="list-style-type: none"> A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom. A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area. A main bedroom with access to an adaptable bathroom. At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D7. 	<p>✓ Complies</p> <p>91% of the proposed apartment dwellings are accessible in accordance with the parameters of Standard D18.</p> <p>Accessible bathrooms are provided in both Design Option A and Design Option B typologies.</p> <p style="text-align: center; color: red; font-weight: bold; font-size: 24px;">ADVERTISED PLAN</p>

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: <ul style="list-style-type: none"> A slide door, or A door that opens outwards, or A door that opens inwards that is clear of the circulation area and has readily removable hinges 	Either: <ul style="list-style-type: none"> A slide door, or A door that opens outwards, or A door that opens inwards and has readily removable hinges.
Circulation Area	A clear circulation area that is: <ul style="list-style-type: none"> A minimum area of 1.2m x 1.2m Located in front of the shower and the toilet. Clear of the toilet, basin and the door swing The circulation area for the toilet and shower can overlap	A clear circulation area that is: <ul style="list-style-type: none"> A minimum width of 1m The full length of the bathroom and a minimum length of 2.7m 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.

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	Design Option A	Design Option B
Toilet	A toilet located in the corner of the room	A toilet located closest to the door opening and clear of the circulation area.

58.05-2 Building entry and circulation objectives

- To provide each dwelling and building with its own sense of identity.
- To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.
- To ensure internal communal areas provide adequate access to daylight and natural ventilation.

Standard D19	Complies / Does Not Comply / Variation required
<p>Entries to dwellings and buildings should:</p> <ul style="list-style-type: none"> - Be visible and easily identifiable. - Provide shelter, a sense of personal address and a transitional space around the entry. 	<p>✓ Complies</p> <p>All dwelling entries are visible and easily identifiable from the central lobby at each level given the layout provided which provides clear sightlines. Each is also provided with a transitional area which provides views out toward the central courtyards.</p> <p>The residential entry to the building is visible and easily identifiable and provides appropriate shelter.</p>
<p>The layout and design of buildings should:</p> <ul style="list-style-type: none"> - Clearly distinguish entrances to residential and non-residential areas. - Provide windows to building entrances and lift areas. - Provide visible, safe and attractive stairs from the entry level to encourage use by residents. - Provide common areas and corridors that: <ul style="list-style-type: none"> ▪ Include at least one source of natural light and natural ventilation. ▪ Avoid obstruction from building services. ▪ Maintain clear sight lines. 	<p>✓ Complies</p> <p>The façade of the building to each street is characterised by fenestrated glazing providing daylight, natural ventilation and outlook from all areas of the building.</p> <p style="text-align: center;">ADVERTISED PLAN</p>

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58.05-3 Private open space objective

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

Standard D20	Complies / Does Not Comply / Variation required
<p>A dwelling should have private open space consisting of at least one of the following:</p> <ul style="list-style-type: none"> - An area of 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room - A balcony with at least the area and dimensions specified in Table D8 and convenient access from a living room - An area on a podium or other similar base of at least 15 square metres, with a minimum dimension of 3 metres and convenient access from a living room <p>An area on a roof of 10 square metres with a minimum dimension of 2 metres and convenient access from a living room.</p>	<p>Variation Required Each dwelling generally contains an area of secluded private open space which accords with the requirements in Table D8.</p> <p>A variation is sought to either the minimum dimension or area sought by Table D8 to just 2 of the 187 apartment dwellings proposed across the development.</p> <p>Type C18 This type contains three bedrooms and is an upper-level dwelling.</p> <p>Each of the ground level dwellings contain a direct access gate linking the balcony to the immediate streetscape outside of the site. The balcony within this type contains an integrated planter within the space required for wind mitigation therefore providing a minor encroachment into the useable width.</p> <p>This results in the compliant 2.4 metre minimum dimension achieved for 6 square metres in lieu of Table D8 requirement of 2 square metres. 0.2 square metre overall sized terrace is provided in this type however with a minimum dimension of 1.5 metres.</p> <p>In these instances the level of non-compliance in terms of either balcony dimension or area is minor, and dwelling occupants are also provided with access to both communal open space and the site is in a location that experiences a high level of immediate access to public open space.</p>
<p>If an air conditioning/heating/condenser unit is located on a balcony, the minimum balcony area specified in Table D8 should be increased by at least 1.5 square metres.</p>	<p>N/A All air conditioning condensers to be located on the roof.</p>
<p>If the finished floor level of a dwelling is 40 metres or more above ground level, the requirements of Table D8 do not apply if at least the area specified in Table D9 is provided as living area or bedroom area in addition to the minimum area specified in Table D11 or Table D12 in Standard D25.</p>	<p>N/A</p> <p style="text-align: center; color: red; font-weight: bold; font-size: 2em;">ADVERTISED PLAN</p>

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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 square metres	1.7 metres

South (between south 30 degrees west to south 30 degrees east)	All	8 square metres	1.2 metres
Any other orientation	Studio or 1 bedroom dwelling	8 square metres	1.8 metres
	2 bedroom dwelling	8 square metres	2 metres
	3 or more bedroom dwelling	12 square metres	2.4 metres

Table D9 Additional living area or bedroom area

Dwelling type	Additional area
Studio or 1 bedroom dwelling	8 square metres
2 bedroom dwelling	8 square metres
3 or more bedroom dwelling	12 square metres

58.05-4 Storage objective

- To provide adequate storage facilities for each dwelling.

Standard D21	Complies / Does Not Comply / Variation required
Each dwelling should have convenient access to usable and secure storage space.	Complies
The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table D10.	✓ Complies

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Table D10 Storage

Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling
Studio	8 cubic metres	5 cubic metres
1 bedroom dwelling	10 cubic metres	6 cubic metres
2 bedroom dwelling	14 cubic metres	9 cubic metres
3 or more bedroom dwelling	18 cubic metres	12 cubic metres

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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	Complies / Does Not Comply / Variation required
Developments should clearly delineate public, communal and private areas.	✓ Complies The proposed development clearly delineates between public realm to both River Street and Crown Street and those areas which are private to the building.
Common property, where provided, should be functional and capable of efficient management.	✓ Complies

58.06-2 Site services objectives

- To ensure that site services are accessible and can be installed and maintained.
- To ensure that site services and facilities are visually integrated into the building design or landscape.

Standard D23	Complies / Does Not Comply / Variation required
Development should provide adequate space (including easements where required) for site services to be installed and maintained efficiently and economically.	✓ Complies Site services are located at the rooftop and can be accessed by authorised personnel via the central staircase or lifts.
Meters and utility services should be designed as an integrated component of the building or landscape.	✓ Complies
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.	✓ Complies

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58.06-3 Waste and recycling objectives

- To ensure dwellings are designed to encourage waste recycling.
- To ensure that waste and recycling facilities are accessible, adequate and attractive.
- To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.

Standard D24	Complies / Does Not Comply / Variation required
Developments should include dedicated areas for:	
Waste and recycling enclosures which are: <ul style="list-style-type: none"> - Adequate in size, durable, waterproof and blend in with the development. - Adequately ventilated. Located and designed for convenient access by residents and made easily accessible to people with limited mobility.	✓ Complies Waste storage and collection details have been provided within the architectural package prepared by SJB Architects which are commensurate with the Waste Management Plan prepared by One Mile Grid. <div style="text-align: center; color: red; font-weight: bold; font-size: 1.2em;"> ADVERTISED PLAN </div>
Adequate facilities for bin washing. These areas should be adequately ventilated.	✓ Complies
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.	✓ Complies
Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.	✓ Complies
Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.	✓ Complies
Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.	✓ Complies
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 best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria.	✓ Complies
Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and	✓ Complies

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hazards associated with waste collection vehicle movements.	
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58.06-4 External walls and materials objective

- To ensure external walls use materials appropriate to the existing urban context or preferred future development of the area.
- To ensure external walls endure and retain their attractiveness.

Standard D25	Complies / Does Not Comply / Variation required
External walls should be finished with materials that: <ul style="list-style-type: none"> - Do not easily deteriorate or stain. - Weather well over time. - Are resilient to the wear and tear from their intended use. 	✓ Complies
External wall design should facilitate safe and convenient access for maintenance.	✓ Complies

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58.07 INTERNAL AMENITY

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58.07-1 Functional layout objective

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

Standard D26	Complies / Does Not Comply / Variation required
Bedrooms should: <ul style="list-style-type: none"> - 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. 	✓ Complies All bedrooms demonstrate compliance with the minimum room dimensions.
Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D12.	✓ Complies All living areas demonstrate compliance with the minimum room dimensions.

Table D11- Bedroom dimensions

Bedroom type	Minimum width	Minimum depth
Main bedroom	3 metres	3.4 metres
All other bedrooms	3 metres	3.0 metres

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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

58.07-2 Room Depth Objective

- To allow adequate daylight into single aspect habitable rooms.

Standard D27	Complies / Does Not Comply / Variation required
Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.	✓ Complies

<p>The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:</p> <ul style="list-style-type: none"> - The room combines the living area, dining area and kitchen. - The kitchen is located furthest from the window. - The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen. <p>The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.</p>	<p>Variation Required</p> <p>The majority of single aspect apartments have been designed to accord with this design standard with no apartment exceeding a depth of 9-metres through the kitchen, living and dining area from the external surface of the habitable room window to the rear wall of the room.</p> <p>Apartment Types C07, C08 and C09 represent just three (3) proposed apartments within the development at ground level where a depth of 9 metres is exceeded for a single aspect habitable room combining living, dining and kitchen.</p> <p>A variation is sought having regard to each of these typologies, with each being carefully designed to ensure sufficient daylight which meets the parameters of the Daylight modelling assessment required by the Green Star assessment pathway. This is detailed within the included Sustainability Management Plan. This aligns with the intent of the standard and achieves the objective.</p> <p>It has also been ensured that in each type, the area beyond 9 metres is limited to the kitchen where it would be expected that the LED lighting is utilised in all instances to assist with tasks.</p>
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58.07-3 Windows objective

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- To allow adequate daylight into new habitable room windows.

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Standard D28	Complies / Does Not Comply / Variation required
<p>Habitable rooms should have a window in an external wall of the building.</p>	<p>Complies</p> <p>All habitable rooms including bedrooms and open plan living, dining and kitchen areas are provided with windows within the external walls to the buildings.</p>
<p>A window may provide daylight to a bedroom from a smaller secondary area within the bedroom, where the window is clear to the sky.</p> <p>The secondary area should be:</p> <ul style="list-style-type: none"> - A minimum width of 1.2 metres. - A maximum depth of 1.5 times the width, measured from the external surface of the window. 	<p>Variation required</p> <p>This arrangement is proposed for Apartment B01, B02 and B03, and all comply with the minimum dimensions as shown on the architectural drawings.</p> <p>A variation is sought to Apartment Types B01, B02 and B03 (representing 14 apartments across the development) having regard to Standard D28 given each contains a secondary area where the window interfaces with the balcony.</p> <p>Each of these areas align with the parameters of the Daylight modelling assessment required by the Green Star assessment pathway. This is detailed within the included Sustainability Management Plan.</p> <p>We therefore consider the quantum of apartments which seek a variation to the design standard to be appropriate.</p>
<p>The secondary area should be:</p> <ul style="list-style-type: none"> - A minimum width of 1.2 metres. - A maximum depth of 1.5 times the width, measured from the external surface of the window. 	<p>✓ Complies</p> <p>This arrangement is proposed for Apartment B01, B02 and B03, and all comply with the minimum dimensions as shown on the architectural drawings.</p>

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58.07-4 Natural ventilation objectives

- To encourage natural ventilation of dwellings.
- To allow occupants to effectively manage natural ventilation of dwellings.

Standard D29	Complies / Does Not Comply / Variation required
The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.	✓ Complies
<p>At least 40% of dwellings should provide effective cross ventilation that has:</p> <p>A maximum breeze path through the dwelling of 18 metres.</p> <ul style="list-style-type: none"> - A minimum breeze path through the dwelling of 5 metres. - Ventilation openings with approximately the same area. <p>The breeze path is measured between the ventilation openings on different orientations of the dwelling.</p>	✓ Complies

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