

Clause 58

Better Apartment Design Standards

1.1 Overview

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- 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

1.2 Requirements

A development:

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

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

For Clause 58.04-1 (Building setback):

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

1.3 Definition

An Apartment is defined in Clause 72 as:

- A dwelling located above the ceiling level or below the floor level of another dwelling and is part of a building containing two or more dwellings.

This assessment should be read in conjunction with the architectural plans prepared by Point Architects.

Clause 58.02 – Neighbourhood Character and Infrastructure

Clause 58.02-1 – Urban Context Objectives

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.

Achieved

Standard D1 The design response must be appropriate to the urban context and the site.
The proposed design must respect the existing or preferred urban context and respond to the features of the site.

Complies with the standard

Clause 58.02-1 – Urban Context Objectives Assessment

The proposed response to the Site's context is described at length in the Planning and Urban Context Report. For completeness this is summarised as follows:

- The proposed development represents a contemporary approach to inner-urban densification adopting a modified podium-tower typology that seeks to provide a variety of setback and internal interface conditions to create a diversity of occupant experiences.
 - The proposed development delivers an attractive and active ground floor frontage to Sutton Street and the proposed future laneways incorporating brick arches and glazed facades to facilitate passive surveillance and interaction with the streetscape.
 - The proposed façade treatment of the podium and tower elements is designed to reinstate the fine-grain and rhythm of the prevailing industrial architectural character of the area. High-quality and human-scale detailing in the form of brickwork and steel-detailing to windows provide a texture and tactility to the presentation, with recessed balconies and a central vertical recess serving to modulate the sheer street-wall. The erosion of the western end of the Sutton Street podium further breaks down the appearance of the building mass while highlighting views towards the neighbouring heritage façade and mural.
 - Above the podium, the tower element retains the underlying geometric language while adopting a subtler grid expression. Additional vertical articulation off-sets the more robust rhythm of the podium to deliver a well-proportioned and recessive façade presentation.
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Clause 58.02-2 – Residential Policy Objectives

Objectives To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
To support higher density residential development where development can take advantage of public and community infrastructure and services.

Achieved

Standard D2 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 State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

Complies with the standard

Clause 58.02-2 – Residential Policy Objectives Assessment

The proposed response to the Site's context is described at length in the Planning and Urban Context Report. For completeness this is summarised as follows:

- The proposal increases the supply of high quality and diverse apartment dwellings in a location that is exceptionally serviced by a range of public transport options, future public open spaces, employment opportunities and other services, and is identified as being suitable to accommodate a substantial increase in residential density consistent with the primary function of the Macaulay Urban Renewal Area.
 - The proposal contributes positively to affordability and diversity of housing in Macaulay and the municipality more broadly, providing for a mix of one-, two- and three-bedroom typologies, including tenure-blind affordable housing dwellings and a substantial number of accessible dwellings (50.5%).
 - The proposal will contribute positively to the development of 20-minute neighbourhoods in the Macaulay precinct in accordance with Plan Melbourne through providing for an intensification of residential density as well as the provision of a food and drinks premises and various communal resident facilities throughout the building. The proposal also includes a co-working centre that will offer opportunities for flexible working arrangements and local employment opportunities
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Clause 58.02-3 – Dwelling Diversity Objectives

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

Achieved

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.

Complies with the standard

Clause 58.02-3 – Dwelling Diversity Objectives Assessment

The development is proposed to provide 214 apartments in a range of typologies comprising:

- 5 X 2-bedroom + office apartments
- 78 x 1-bedroom apartments
- 127 x 2-bedroom apartments
- 4 x 3-bedroom apartments

As such it is submitted that the proposal provides an appropriate range of dwelling types and sizes.

Clause 58.02-4 – Infrastructure Objectives

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.

Achieved

Standard D4 Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.
Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.
In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

Complies with the standard

Clause 58.02-4 – Infrastructure Objectives Assessment

The development will be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas.

An onsite electrical substation is proposed at Ground Floor on the Sutton Street frontage and designed to meet all relevant requirements. The proposed electrical substation does not impede on the presentation of the streetscape and is effectively integrated within the façade. Glassbacked doors are proposed to the substation, consistent with the treatment of windows on the same façade.

There is nothing to suggest that the development will exceed the capacity of other utility services and infrastructure.

Clause 58.02-5 – Integration with the Street Objectives

Objectives To integrate the layout of development with the street.

Achieved

Standard D5 Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.

Development should be oriented to front existing and proposed streets. High fencing in front of dwellings should be avoided if practicable.

Development next to existing public open space should be laid out to complement the open space.

Complies with the standard

Clause 58.02-5 – Integration with the Street Objectives Assessment

The proposal complies with the standard as follows:

- The development proposes to replace to existing crossovers with a single crossover located at the eastern end of the Sutton Street frontage. It is submitted that this will facilitate a more consistent and active streetscape presentation supported by the siting of services including the electrical substation internal to the building and provision of a food and drinks premises on the Sutton street frontage.
 - In accordance with the Arden Macaulay Structure Plan and Outcomes for Macaulay the proposal incorporates a north-south aligned laneway along the Site's western boundary and a section of a future east-west aligned laneway along the Site's southern boundary. These contributions to the public realm will facilitate pedestrian and cyclist movement by improving the permeability of the future street network.
 - The proposal sleeves the proposed laneways with active uses in the form of a food and drinks premises, a micro-café and a co-working centre, as well as a variety of communal resident facilities, a dining space, a gym and a games room. On its southern frontage five apartments of the '2 Bedroom + Office' variation are incorporated at ground level as well as a gym facility with window lookouts to the laneway. Noting the orientation of the apartment office spaces towards the future laneway, it is considered that these can offer further passive surveillance of these spaces. Balconies on the podium forms are oriented to face Sutton Street and the future laneways where possible to provide additional opportunities for interaction.
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Clause 58.03 – Site Layout

Clause 58.03-1 – Energy Efficiency Objectives

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.

Achieved

Standard D6 Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.

Living areas and private open space should be located on the north side of the development, if practicable.
Developments should be designed so that solar access to north-facing windows is optimised.
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

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

Table B4 Cooling Load
Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy)

Complies with the standard

Clause 58.03-1 – Energy Efficiency Objectives Assessment

The proposed development is designed to orient dwellings and living spaces to the north where possible, with the majority of dwellings being oriented to the north, east or west.

The submitted SMP demonstrates that the dwellings do not exceed the NatHERS maximum cooling load.

The proposal has been designed to attain a NatHERS area-weighted energy rating average of 6.5 stars and a minimum individual NatHERS energy rating of 7.0 stars for each apartment.

It is therefore submitted that the proposal complies with the standard.

Clause 58.03-2 – Communal Open Space Objective

Objectives To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.

Achieved

Standard D7 Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, whichever is lesser.

Communal open space should:

- Be located to:
 - 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. Be designed to protect any natural features on the site.
 - Maximise landscaping opportunities.
 - Be accessible, useable and capable of efficient management.
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Complies with the standard

Clause 58.03-2 – Communal Open Space Objective Assessment

The proposal development incorporates 214 apartments. On this basis, Standard D7 requires that 250sqm of communal open space should be provided.

Multiple outdoor communal spaces are proposed on Level 1, Level 6 and Level 11 totalling an overall area of approximately 852sqm (345sqm at Level 1, 382sqm at Level 6 and 125sqm at Level 11), well in excess of the 250 sqm required to meet Standard D7.

All communal open spaces are readily accessible by lift and stairs, and have been located to provide passive surveillance opportunities to Sutton Street. It is noted that the future laneways are sleeved by active uses and indoor communal facilities. No communal spaces encroach or overlook into habitable rooms.

The proposed outdoor communal areas will be well designed and incorporate a range of landscape treatments included a number of medium sizes trees. Planting has been strategically selected and placed to provide privacy and intimate spaces for residents, without reducing passive surveillance opportunities or obstructing views to the Melbourne CBD. Refer to Tract landscape report enclosed.

All communal open spaces are designed to facilitate efficient management and maintenance.

Clause 58.03-3 – Solar Access to Communal Outdoor Open Space Objective

Objectives To allow solar access into communal outdoor open space.

Achieved

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.

Complies with the standard

Clause 58.03-3 – Solar Access to Communal Outdoor Open Space Objective Assessment

The development provides multiple communal outdoor open spaces without a clear hierarchy defining a primary communal outdoor open space. The communal outdoor open space on Level 1 is sited primarily to the east, and the communal outdoor open spaces on Level 6 are sited to the north and east respectively.

It is noted that the communal open space above the northern podium (200sqm) on Level 6 will have unimpeded solar access. The communal spaces above the southern podium (182sqm) on Level 6 will have unimpeded solar access between 9am and 12pm. The communal outdoor space at Level 11 will have generally uninterrupted solar access.

It is therefore submitted that the provision of solar access to communal open spaces is substantially in excess of the Standard.

Refer to Drawings TP400-402 on the Architectural Plans for further detail.

Clause 58.03-4 – Safety

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

Achieved

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.

Complies with the standard

Clause 58.03-4 – Safety Assessment

There are two (2) access points to the proposed buildings for pedestrians via the proposed public plaza at the north-west corner of the Site and proposed laneway along the western boundary of the Site.

The laneways have been designed incorporating CPTED principles to ensure the layout of the laneways will provide for the safety and security of residents. The laneways will be well lit, provide active frontages in the form of a co-working office space and other communal facilities such as gym, yoga studio, games room, and offer legible spaces at Ground level with the absence of any entrapment spaces. Direct sightlines along the laneway and accessways will not be obscured by planting.

It is noted that the southern laneway element will only be accessible to residents until such time that the full east-west aligned laneway network is delivered and as such will be secured by a demountable gate. Upon completion of the east-west laneway network as per the Structure Plan, the proposed southern laneway will be designated as a public plaza adjacent to the laneway, with the intention of the plaza to be publicly accessible and privately owned.

The mixed-use nature of the ground floor ensures both building entries will benefit from strong passive surveillance.

Entry is also afforded via lift or stairs situated in the car park for residents arriving by car. Access to the car park will be secure and controlled, with access to car parking via a remote garage door. All basement spaces will be well-lit and legible to pedestrians.

Clause 58.03-5 – Landscaping Objectives

- Objectives**
- To encourage development that respects the landscape character of the area.
 - To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.
 - To provide appropriate landscaping.
 - To encourage the retention of mature vegetation on the site.
 - To promote climate responsive landscape design and water management in developments that support thermal comfort and reduces the urban heat island effect.

Achieved

Standard D10

The landscape layout and design should:

- Be responsive to the site context.
- Protect any predominant landscape features of the area.
- Take into account the soil type and drainage patterns of the site and integrate planting and water management.
- Allow for intended vegetation growth and structural protection of buildings.
- In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.
- Provide a safe, attractive and functional environment for residents.
- Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site storm water infiltration.
- Maximise deep soil areas for planting of canopy trees.

Development should provide for the retention or planting of trees, where these are part of the urban context.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

The landscape design should specify landscape themes, vegetation (location and species), paving and lighting. Development should provide the deep soil areas and canopy trees specified in Table D2.

If the development cannot provide the deep soil areas and canopy trees specified in Table D2, an equivalent canopy cover should be achieved by providing either:

- Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements.
- Vegetated planters, green roofs or green facades.

>2500 square metres	15% of site area (minimum dimension of 6 metres)	1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil
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Complies with the objective

Clause 58.03-5 – Landscaping Assessment

The proposed development incorporates a range of landscaped zones and treatments, including three sensitively landscaped communal outdoor terraces at Level 1 and Level 6, public realm improvements to Sutton Street including public seating and canopy tree planting, a landscaped public plaza and public laneways.

The landscape response prepared by Tract Consultants incorporates a number of key principles that respond to the objectives of the Clause:

- *To create an attractive and functional environment for the future residents and visitors to the development;*
- *To provide spreading canopy trees in a variety of areas for improved landscape outcomes, biodiversity and occupant amenity;*

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- *To enhance the streetscape environment and reduce the 'heat island effect' by proposing a number of street trees;*
 - *To enhance the public realm amenity of this part of North Melbourne through inclusion of an attractive and accessible north-facing public plaza;*
 - *To integrate the building with the streetscape and extend the pedestrian realm through and beyond the development site by incorporating meaningful pedestrian connections;*
 - *To provide a diversity of spaces and functions for the future occupants to use, including upper level courtyard spaces to take advantage of key views and the city skyline;*
 - *To create courtyard spaces with distinct identities, visual character and functioning to provide occupants with a variety of choice through seasonal and solar change;*
 - *To provide for a range of vegetation types, species, colour and texture including differing planting forms to present horizontal and vertical vegetated spaces (through provision of raised garden beds, arbour structures, climbing wires and other green infrastructure);*
 - *To create an environmentally sensitive design through re-use of stormwater in the irrigation design and integration of WSUD opportunities; and*
 - *To employ safety in design / CPTED principles within the open space areas.*

It is noted that the Site does not accommodate any existing trees, nor were any significant trees removed in the last 12 months.

The Landscape Plan prepared by Tract clearly details the proposed landscape themes, vegetation (location and species), paving and lighting.

With respect to the provision of canopy trees and deep soil areas, it is noted that the proposal incorporates 564sqm of raised planters of appropriate volume and 15 medium trees, in excess of the requirements of the Clause for 516sqm of deep soil planting and 6 large trees or 12 medium trees. It is noted that as the Site is encumbered by basement, raised planters represent an appropriate alternative that will deliver a high quality landscape outcome.

It is therefore submitted that the proposal complies with the standard.

Clause 58.03-6 – Access Objective

Objectives To ensure the number and design of vehicle crossovers respects the urban context.

Achieved

Standard D11 The width of accessways or car spaces should not exceed:

- 33 per cent of the street frontage, or
- If the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.

No more than one single-width crossover should be provided for each dwelling fronting a street. The location of crossovers should maximise the retention of on-street car parking spaces. The number of access points to a road in a Road Zone should be minimised. Developments must provide for access for service, emergency and delivery vehicles.

Complies with the standard

Clause 58.03-6 – Access Objective Assessment

The proposal provides for vehicular access to the Ground Floor car parking and basement levels via one new vehicle crossover is located on the Sutton Street frontage sited to the eastern end of the Site. The proposed development will remove the two existing crossovers servicing the Site and reinstate the pavement/kerb in this location.

This frontage measures 42.55m, with a maximum accessway width of 14m allowable to meet Standard D11. The proposed double accessway to the basement carparking is 6.35m in width which satisfies the requirements of Standard D11. The design of the accessway appropriately responds to the context of the Sutton Street frontage and does not impede on the active frontage of the development to Sutton Street. A 6.35m accessway is an appropriate outcome in relation to the frontage therefore it can be submitted that the proposal complies with the standard.

The proposed access arrangements are appropriate for the needs of service, emergency and delivery vehicles.

Refer to the Transport Impact Assessment prepared by One Mile Grid for further information.

Clause 58.03-7 – Parking Location Objectives

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

Achieved

Standard D12 Car parking facilities should:

- Be reasonably close and convenient to dwellings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

Complies with the standard

Clause 58.03-7 – Parking Location Objectives Assessment

A two-level basement, and Ground Level carpark will provide secure car parking for residents, and will be appropriately ventilated.

Access to the apartments will be provided via lift and/or stairs.

The vehicular entrance to the development is located at least 1.5m from any dwelling.

Clause 58.03-8 – Integrated Water and Stormwater Management Objectives

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 run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

Achieved

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

Complies with the standard

Clause 58.03-8 – Integrated Water and Stormwater Management Objectives Assessment

The development will exceed the best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee 1999) as amended, being designed to achieve the following reduction in typical urban load:

- Reduction in Total Suspended Solids (TSS) load: 84.2%
- Reduction in Total Phosphorus (TP) load: 47.2%
- Reduction in Total Nitrogen (TN) load: 45.7%
- Reduction in Gross Pollutants (GP) load: 98.9%

In addition to the harvesting and re-use of rainwater, the following features will be incorporated into the proposed design to facilitate treatment of stormwater runoff:

- Landscape areas that promote infiltration and reduce runoff during storm events.
- A Rocla CDS Nipper gross pollutant trap (or equivalent primary treatment device) located near stormwater legal Point of Discharge to capture suspended solids and litter generated onsite.

Please refer to the ESD report prepared by Ark Resources.

Clause 58.04 – Amenity Impacts

Clause 58.04-1 – Building Setback Objectives

Objectives To ensure that the location, length, and height of a wall on a boundary respects existing or preferred neighbourhood character and limits impact on amenity of existing dwellings.

Achieved

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. Developments should avoid relying on screening to reduce views.
 - Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.
 - Ensure the dwellings are designed to meet the objectives of Clause 58.
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Complies with the standard

Clause 58.04-1 – Building Setback Objectives Assessment

The proposed development's setbacks, building separation and location of habitable room windows and balconies is described at length in the Planning and Urban Context Report.

For completeness the proposal complies with the standard as follows:

- The proposed development adopts a massing strategy consistent with the objective for Macaulay to provide a compact, high-density built form outcome.
 - The proposed setbacks are appropriate to minimise any impact of overlooking and to minimise the need for privacy screening.
 - The proposed setbacks provide appropriate opportunities for daylight and outlook noting that all dwellings oriented towards a neighbouring site are setback from the shared boundary by at least 4.5m.
 - The proposed setbacks limit opportunities for internal overlooking.
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Clause 58.04-2 – Internal Views Objective

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

Achieved

Standard D15 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.

Complies with the standard

Clause 58.04-2 – Internal Views Objective Assessment

The proposed development has sited and oriented windows and balconies so as to avoid opportunities for internal overlooking.

Where opportunities for internal overlooking of private open space and habitable room windows screening treatments in the form of metal screens and opaque glazing have been incorporated.

Screening has been limited to the south facing apartments on ground floor, and apartments with frontages to the communal open spaces at Level 1 and Level 6. Moreover it is submitted that the substantial provision of landscaping treatments will assist in providing an appropriate privacy outcome for dwellings with a frontage to the communal outdoor terraces.

On this basis it is submitted that the proposal complies with the standard.

Clause 58.04-8 – Noise Impacts

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

Achieved

Standard D16 Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.
The layout of new dwellings and buildings should minimise noise transmission within the site.
Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.
New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.
Buildings within a noise influence area specified in Table D3 should be designed and constructed to achieve the following noise levels:

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

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

Table D3 Noise Influence Area

Complies with the objective

Clause 58.04-8 – Noise Impacts Assessment

It is noted in the first instance that the Site is within 300m from the nearest trafficable lane of City Link, which has an Annual Average Daily Traffic Volume in excess of 40,000.

It is respectfully submitted that ensuring the proposed development complies with the standard can be resolved via a condition of approval. It is submitted that the design of the proposal in no way prejudices an appropriately noise attenuated outcome with respect to City Link and that appropriate noise attenuation measures can be resolved via detailed design.

The Acoustic Assessment prepared by Acoustic Logic details proposed minimum glazing requirements. The Assessment indicates that the noise level from the Laurens Street Industrial Precinct will comply with the criteria nominated under Schedule 26 of the Design and Development Overlay

It is submitted further that the proposed location of building services, car parking and the design of apartments will not result in any adverse impacts with respect to noise for dwellings on or off the site.

Refer to the Acoustic Assessment prepared by Acoustic Logic for further details.

Clause 58.05 – On Site Amenity and Facilities

Clause 58.05-1 – Accessibility Objective

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

Achieved

Standard D17 At least 50 per cent of dwellings should have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D4.

Complies with the standard

Clause 58.05-1 – Accessibility Objective Assessment

108 out of the 214 apartments meet the requirements of the Standard, specifically apartment Types B, D, E, F, J, K and M. This equates to 50.5% of dwellings achieving the accessibility Standard.

All 'accessible' apartments have a clear path with a minimum width of 1.2m connecting the dwelling entrance to the main bedroom.

It is therefore submitted that the proposal complies with the Standard.

Please refer to refer to Drawings TP150-TP153 of the Architectural Plans for further detail.

Clause 58.05-2 – Building Entry and Circulation Objectives

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.

Achieved

Standard D18 Entries to dwellings and buildings should:

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

The layout and design of buildings should:

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

Complies with the standard

Clause 58.05-2 – Dwelling Entry Assessment

Pedestrian access to the apartments is afforded via the lobby facing the proposed new public and will be readily identifiable via the variation in materiality and provision of an awning.

The entrances are distinguished clearly for residents and non-residents within the laneway, with the publicly accessible food and drinks premises situated at the Sutton Street frontage and communal facilities located progressively towards the rear. It is noted that the Ground floor (south facing) apartments are accessed internally rather than via the laneway. Each Ground Floor (south facing) apartment has a distinguishable entry via the internal corridor which allows for safe and cohesive access to the dwelling from the building lobby as the other apartments.

The entry will be lit in the evening/ night and the range of uses on the ground floor ensures the building entry will benefit from strong passive surveillance.

The corridor widths are comfortable and maintain clear sight lines for safe and efficient movement of residents, and are provided with multiple sources of natural light and ventilation.

Clause 58.05-3 – Private Open Space Objective

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

Achieved

Standard D19

A dwelling should have private open space consisting of:

- An area of 25 square metres, with a minimum dimension of 3 metres at natural ground floor level and convenient access from a living room, or
- An area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room, or
- A balcony with an area and dimensions specified in Table D5 and convenient access from a living room, or
- A roof-top area 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 balcony should provide an additional area of 1.5 square metres.

Dwelling Type	Minimum Area	Minimum Dimension
Studio or 1 bedroom dwelling	8 square metres	1.8 metres
2 bedroom dwelling	8 square metres	2 metres
3 or more bedroom dwelling	12 square metres	2.4 metres

Table D5 Balcony Size

Complies with objective

Clause 58.05-3 – Private Open Space Objective Assessment

The proposal provides for private open spaces for all balconies that will provide a high degree of amenity for the reasonable recreation and service needs of residents. It is noted that all dwelling typologies comply with the relevant requirements of the standard.

Further to the above, it is noted that the development provides over 745sqm of communal open spaces at Level 1 and Level 6 that are accessible to all residents and feature extensive and attractive landscaping treatments, seating and barbeque areas. As such it is submitted that the minor variations sought for the provision of private open spaces are more than off-set by the communal open spaces provided, which far exceed the relevant requirements, and will provide capacity for a range of landscaping treatments (including canopy tree planting) that are not typically feasible within balconies or private terraces.

It is noted also that minor variation is sought for Apt 116 which is located at the podium level and do not provide the required area of SPOS for balcony specifically located at a podium level. Given the borrowed amenity of the communal open space which incorporate extensive planting including canopy trees it is submitted that the variation sought is not unreasonable.

Clause 58.05-4 – Storage Objective

Objectives To provide adequate storage facilities for each dwelling.

Achieved

Standard D20 Each dwelling should have convenient access to usable and secure storage space. The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table D6.

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

Table D6 Storage

Complies with objective

Clause 58.05-4 – Storage Objective Assessment

The proposal provides for appropriate storage space for all dwellings in the form of BIRs and WIRs, cupboard spaces, laundries and kitchen storage, as well as accessible and secure external storage cages located in the basement levels. It is noted that the majority of the proposed dwellings comply with the relevant requirements of the standard, where variations for specific typologies are sought these are detailed below:

- Type K (2 bedrooms – 5 instances): The Type K dwellings provide internal storage of 11.3 cubic metres (2.3 cubic metres additional to the requirement) and overall storage of 13.7 cubic metres (0.3 cubic metres less than the requirement). Given the variation sought regarding internal storage is limited and there are only five instances of this typology it is submitted that the outcome is not unreasonable. Furthermore, Type K is a designated accessible dwelling typology therefore accommodates specific features of accessible design in an efficient manner and accommodates a balcony of 9.6sqm, providing further opportunities for future residents to add furniture storage solutions.
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Clause 58.06 – Detailed Design

Clause 58.06-1 – Common Property Objectives

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.

Achieved

Standard D21 Developments should clearly delineate public, communal and private areas.
Common property, where provided, should be functional and capable of efficient management.

Complies with the standard

Clause 58.06-1 – Common Property Objectives Assessment

Areas of common property (including the Level 1, Level 6 and Level 11 communal outdoor open space areas) which have been designed to be practical, attractive and easily maintained. The car parking levels are appropriately designed to allow for clear sight lines and provide for safe pedestrian and vehicle movement.

It is noted that the development includes a number of communal resident facilities at ground floor sleeving the proposed new laneways. These areas are designed to provide active frontages and points of interaction between the indoor and outdoor spaces. Similarly, the primary entrance lobby adjacent the new public plaza is designed to provide a liminal zone between the entrance hall and landscaped plaza and offer a unique sense of address.

That said, the design of these spaces to blur the user experience of the private and public spheres in no way detracts from the clear delineation of these zones with respect to ownership, management and access. All private and communal areas are easily secured and will be open to those with appropriate access (i.e. residents and guests).

Clause 58.06-2 – Site Services Objectives

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

Achieved

Standard D22 The design and layout of dwellings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically. Mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.
Mailboxes should be provided and located for convenient access as required by Australia Post.

Complies with the standard

Clause 58.06-2 – Site Services Objectives Assessment

The proposed has been carefully designed so as to locate all site services internal to the development to minimise any impact on the Sutton Street streetscape. The electrical substation proposed to be located within the Sutton Street frontage ensure to not have an adverse impact on the streetscape as the services have been effectively integrated within the façade. The access to services is internal only and the exterior windows are cohesive with the balance of the development frontage to Sutton Street as to not remove or stand out from the streetscape.

All site services are appropriately sized and easily accessible for maintenance.

A secure mail room for residents is located on Ground Floor internal to the development adjacent to the concierge. The mailroom comprises a click and collect feature and mailroom which is easily accessible via entry door to the lobby. Refer to Drawing TP102 for details.

For the reasons outlined above it is submitted that the proposal complies with the standard.

Clause 58.06-3 – Waste and Recycling Objectives

Objectives	<p>To ensure dwellings are designed to encourage waste recycling.</p> <p>To ensure that waste and recycling facilities are accessible, adequate and attractive.</p> <p>To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.</p>
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Achieved

Standard D23	<p>Developments should include dedicated areas for:</p> <ul style="list-style-type: none">• Waste and recycling enclosures which are:<ul style="list-style-type: none">◦ Adequate in size, durable, waterproof and blend in with the development.◦ Adequately ventilated.◦ Located and designed for convenient access by residents and made easily accessible to people with limited mobility.• Adequate facilities for bin washing. These areas should be adequately ventilated.• Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.• Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.• Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.• Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate. <p>Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:</p> <ul style="list-style-type: none">• Be designed to meet the best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria.• Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.
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Complies with the standard

Clause 58.06-3 – Waste and Recycling Objectives Assessment

It is submitted that the proposal complies with the standard as follows:

- The proposal will utilise the City of Melbourne’s municipal waste collection services to manage the collection and disposal of all waste streams associated with the development.
 - It is noted that the City of Melbourne offers collection of garbage and recycling bins three times weekly for developments with 151-250 dwellings.
 - A private contractor will be engaged to under collection of all waste streams associated with the commercial components (food and drinks premises, office) of the development.
 - The proposal will include twin chute technology with openings on each floor for both garbage and recycling. Each of the two residential towers will have a waste chute leading to a separate bin room in the basement car park. Empty bins will be rotated beneath the chutes by the building manager to ensure that they do not overflow.
 - Residents will be responsible for disposing of recyclables or bagged garbage into the appropriate waste chutes located on each floor of the development.
 - Staff will be responsible for disposing of recyclables or bagged garbage into the appropriate bins within the shared commercial bins in the bin storage area within the basement.
 - On collection days, the waste vehicle will enter the Site from Sutton Street and navigate to Basement Level 1 where it will circulate to both waste rooms in a clockwise direction. At each waste room the bin will be collected from the bin storage area, emptied and returned immediately. After collection the waste vehicle will exit via the internal ramp to Sutton Street.
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For full details of the proposed waste management strategy please refer to the WMP prepared by One Mile Grid.

Clause 58.07 – Internal Amenity

Clause 58.07-1 – Functional Layout Objective

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

Achieved

Standard D24 Bedrooms should:

- Meet the minimum internal room dimensions specified in Table D7.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

Dwelling Type	Minimum Width	Minimum Depth
Main bedroom	3 metres	3.4 metres
All other bedrooms	3 metres	3 metres

Table D7 Bedroom Dimensions

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D8.

Dwelling Type	Minimum Width	Minimum Area
Studio and 1 bedroom dwelling	3.3 metres	10 square metres
2 or more bedroom dwelling	3.6 metres	12 square metres

Table D8 Living Area Dimensions

Complies with objective

Clause 58.07-1 – Functional Layout Objectives Assessment

It is submitted that all dwellings present generous and functional layouts that will suit the diverse housing needs of future residents. Most dwelling typologies comply with the requirements of the standard. It is noted that the majority of the proposed dwellings comply with the relevant requirements of the standard, where variations for specific typologies are sought these are detailed below:

- Type O (1 bedroom – 4 instances): The Type O dwellings provide a main bedroom of 3.2m x 3.0m therefore does not meet the bedroom dimensions of Table D7. Given the variation sought regarding main bedroom width is limited to 0.2m and there are only four instances of this typology, it is submitted that the outcome is not unreasonable.
 - Type Y (2 bedroom – 4 instances): The Type Y dwellings provide a living room with width of 3.5m and an area of 10.85sqm. Given the variation sought regarding living room width and area is limited to 0.1m and there are only four instances of this typology, it is submitted that the outcome is not unreasonable. Additionally, this typology provides for an 'open plan' kitchen, dining and living area therefore, the overall amount of space provides an outcome that complies with the objective.
 - Type V (1 bedroom – 5 instances): The Type V dwellings provide a living room with width of 3.2m and an area of 10.24sqm. Given the variation sought regarding living room width and area is limited to 0.1m and the overall area complies with the requirements of Table D8, it is submitted that the outcome is not unreasonable. Additionally, this typology provides for an 'open plan' kitchen, dining and living area therefore, the overall amount of space provides an outcome that complies with the objective.
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Clause 58.07-2 – Room Depth Objective

Objectives To allow adequate daylight into single aspect habitable rooms.

Achieved

Standard D25 Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height. The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

- The room combines the living area, dining area and kitchen.
- The kitchen is located furthest from the window.
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen. The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

Complies with the standard

Clause 58.07-2 – Room Depth Objective Assessment

The floor to ceiling height of the proposed apartments is 3.1 metres. Where single aspect apartments have a room depth greater than 7.75m it is noted that these rooms have a depth of no greater than 9m, contain an open plan living room incorporating kitchen and dining, and are designed so that the kitchen is located furthest from the window specifically Type J, M, O, Y and TH01.

As such, the proposal complies with Standard D25.

Clause 58.07-3 – Windows Objective

Objectives To allow adequate daylight into new habitable room windows.

Achieved

Standard D26 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.

Complies with the standard

Clause 58.07-3 – Windows Objective Assessment

It is submitted that all new habitable rooms will receive an appropriate degree of daylight. Specifically it is noted that:

- All living rooms have a window in an external wall of the building noting that in many instances this faces onto the balcony area.
 - The majority of bedrooms have a window on an external wall of the building. Where secondary spaces are required these have a minimum width of 1.2m and a maximum depth of no greater than 1.5 times the width and are clear to the sky, thereby complying with the standard.
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Clause 58.07-4 – Natural Ventilation

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

Achieved

Standard D27 The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.
At least 40 per cent of dwellings should provide effective cross ventilation that has:

- 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.

Complies with the objective

Clause 58.07-4 – Natural Ventilation Assessment

Of the 214 apartments proposed, 65 comply with the requirements of the Standard. This equates to 30% of the proposed dwellings and includes apartment Types A, C, J, K, M, P, Q, T, U, W, X, and Y.

It is to be noted that although the dwelling typologies do not meet the requirements of the Standard in terms of providing effective cross ventilation, each typology is provided with ample balcony space to maximise ventilation across the apartment. The provision of balconies with openings into the habitable spaces allow for a sufficient level of ventilation. As such it is submitted that the non-compliance with Standard D27 is not unreasonable.

Please refer to Drawings TP150-53 for further detail.
