

Planning Report



Planning Permit Application

Bunurong Country
16 Murray Street, Elsternwick

Prepared for EDK Murray Street Pty Ltd

Acknowledgement of Country

We pay our respects to the Traditional Custodians of Country throughout Australia, their Elders and ancestors, recognising their rich heritage and enduring connection to Country and acknowledging the ongoing sovereignty of all Aboriginal and Torres Strait Islander Nations.

We recognise the profound connection to land, waters, sky and community of the First Nations peoples, with continuing cultures that are among the oldest in human history. We recognise that they are skilled land shapers and place makers, with a deep and rich knowledge of this land which they have cared for, protected and balanced for millennia.

Our Country, 2022

88 x 119 cm Acrylic on canvas

Original artwork by

Alfred Carter

Gunaikurnai

Overview

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Applicant / Owner	EDK Murray Street Pty Ltd
Address	16 Murray Street, Elsternwick VIC 3815
Lot Description	Lot 1 on Plan of Subdivision 902383C (Vol. 12579 Fol. 684)
Easements/Restrictions	Caveat AZ288955L
Lot Size	1022 m ²
Planning Scheme	Glen Eira
Responsible Authority	Minister for Planning (Clause 53.25)

Permit Application Details

Description of Proposal	Development of a three-storey apartment building comprising eight dwellings, demolition of a front fence, and construction of a 2m high front fence.	
Permit Requirement(s)	Clause 32.09-7 (NRZ1)	Construct two or more dwellings on a lot.
	Clause 43.02-2 (DDO4)	Construct a fence.
	Clause 43.05-2 (NCO4)	Construct a building or carry out works.
	Clause 43.05-2 (NCO4)	Demolish or remove a building.

Relevant Planning Provisions

Zone	Neighbourhood Residential Zone, Schedule 1 (NRZ1 – Neighbourhood Residential Areas).
Overlays	- Design and Development Overlay, Schedule 4 (DDO4 – Fences) - Neighbourhood Character Overlay, Schedule 4 (NCO4 – Victorian & Edwardian Significant Character Area)
Particular Provisions	- Clause 52.06 – Car parking - Clause 53.25 – Great Design Fast Track - Clause 55 – Two or more dwellings on a lot
Aboriginal Cultural Heritage	N/A
Car Parking Requirement Map Area	Category 2
Bushfire Prone Area	No

Quality Assurance

Planning Report

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Project Number
325-0084-00-P-04-RP02

Revisions

No.	Date	Description	Prepared By	Reviewed By	Project Principal
00	19/02/2026	GDFT Pre-Application	CBB	AZ	EH
01	02/06/2026	GDFT Lodgement	CBB	AZ	EH

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1 Introduction

This report has been prepared by **Tract** upon the instructions of **EDK Murray Street Pty Ltd**.

The purpose of the report is to accompany a planning application for the development of a three-storey apartment building consisting of eight (8) dwellings (including the demolition of a fence and the construction of a front fence) on the land at 16 Murray Street, Elsternwick ("Site").

This application has been made via the Great Design Fast Track (Clause 53.25) pathway.

1.1 Permit Requirements

Under the *Glen Eira Planning Scheme* ("Planning Scheme"), a planning permit is required:

- **Clause 32.09-7 (NRZ1)** – construct two or more dwellings on a lot.
- **Clause 43.02-2 (DDO4)** – construct a fence.
- **Clause 43.05-2 (NCO4)** – construct a building and carry out works.
- **Clause 43.05-2 (NCO4)** – demolish or remove a building.

1.2 Overview

The proposal involves the development of a three-storey apartment building, containing seven three-bedroom and one two-bedroom (total eight) dwellings.

The proposed apartment development provides for an attractive and contemporary built form which positively responds to the surrounding area and enhances a site which is currently undeveloped.

Key features of the proposal include:

- An attractive, active frontage to Murray Street.
- A contemporary design which evokes the valued characteristics of surrounding Victorian and Edwardian dwellings on Murray Street.
- A high level of internal amenity to dwellings including well-proportioned living spaces, access to daylight and a variety of secluded private open space areas.
- Generous landscaping in the front, side and rear setbacks, and throughout the building.

1.3 Great Design Fast Track

This application is being made under Clause 53.25 Great Design Fast Track (GDFT) pathway of the Planning Scheme.

The project meets the eligibility requirements as specified at Clause 53.25-1 of the Planning Scheme, making it a suitable candidate for approval under this pathway.

Eligibility Requirement	Response
<i>The application submits written confirmation that the application is an application to which this clause applies.</i>	The proposal is seeking to utilise the provisions of Clause 53.25 (Great Design Fast Track).
<i>The application includes the construction of at least eight dwellings.</i>	The proposed development seeks to deliver eight dwellings.

Any proposed building contains at least two storeys and not more than eight storeys.

The proposed building contains three storeys.

The proposed development achieves a minimum NatHERS rating of:

- 8.0 stars average, with no individual dwelling less than 6.5 stars for apartment developments.
- 7.5 stars for all other dwellings.

The proposal achieves a minimum BESS Rating of 70%.

The proposed energy efficient design achieves an average NatHERS rating of 8.0 stars, with no unit below 6.5 stars, reducing heating and cooling demand.

Refer to Sustainable Design Assessment prepared by GIW Environmental Solutions (May 2026).

Each proposed dwelling provides effective natural ventilation, which includes cross ventilation, single sided ventilation or mechanically assisted ventilation.

Each dwelling provides effective natural cross ventilation in accordance with the requirements of Standard B3-10.

The Minister for Planning has advised in writing that they are satisfied the proposed use or development of land for accommodation (other than camping and caravan park, group accommodation, residential hotel and small second dwelling) is of significance having regard to:

- The application includes the construction of at least eight dwellings.
- Whether the quality of the design, liveability and sustainability of the proposed development meets the design principles published by the Minister for Planning on the Department's Internet Site for the purposes of Clause 53.25 ('the design principles').
- The location of the proposed development and whether it has convenient access to jobs, services, infrastructure and community facilities.

The Department of Transport and Planning provided a letter dated 13 May 2026 confirming that, under delegation from the Minister of Planning, the application is eligible to be processed under Clause 53.25 (Great Design Fast Track).

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Information demonstrating that the proposed development meets the design principles is provided to the satisfaction of the Minister for Planning. This must include written advice from the Office of the Victorian Government Architect to the satisfaction of the Minister for Planning.

The proposal is supported by written advice from the OVGA confirming support for the application to be considered via the Clause 53.25 'Great Design Fast Track' pathway. Refer accompanying letter dated 21 April 2026.

The application material submitted demonstrates how the proposal provides a strong response to the design principles of this pathway.

Information demonstrating the likely feasibility of the proposed development is provided to the satisfaction of the Minister for Planning. This must include written advice from the Chief Executive Officer or delegate, Invest Victoria (Department of Jobs, Skills, Industry and Regions) to the satisfaction of the Minister for Planning.

Invest Victoria has confirmed in a letter dated 14 May 2026 that it agrees that the project is feasible.

1.4 Project Background

The proposal has been developed in consultation with the Department of Transport and Planning's Development Facilitation Program team (DFP), as well as the Office of Victorian Government Architect (OVGA). It has been the subject of a series of workshops with DTP and the OVGA which has resulted in adjustments and refinements following the feedback received.

Planning Permit GE/DP-38012/2025

The subject Site benefits from an existing planning permit, Planning Permit GE/DP-38012/2025, which was issued by Glen Eira Council on 28 November 2025, allowing:

Demolition of the existing tennis courts and associated fencing; construction of a two storey apartment development on land affected by the Neighbourhood Character overlay; and construction of a fence in a Design and Development Overlay.

1.5 Project Team

The project team includes:

- Studio McCue (Architecture)
- Phillip Withers (Landscape)
- Tract (Planning)
- Traffix Group (Traffic and Waste)
- GIW Environmental Solutions (Sustainability)

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2 Site & Surrounds

2.1 Title Particulars

The Site is formally described as Lot 1 on Plan of Subdivision 902383C.

The Site is not affected by any easements or encumbrances. Caveat AZ288955L applies to the land, in favour of EDK Development Pty Ltd and forbidding the registration of any instrument affecting the land.

Refer to the Certificate of Title submitted as part of this application for further information.

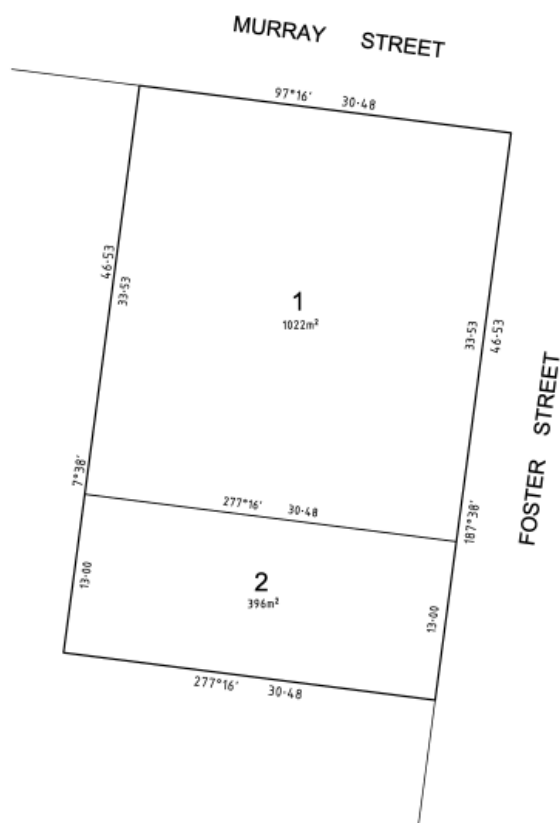


Figure 1. Lot 1 on Plan of Subdivision 902383C (excerpt)

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2.2 Site Analysis

The Site is located at 16 Murray Street, Elsternwick.

It is rectangular in shape, with an area of approximately 1,022m². The Site is situated on the south-west corner of the intersection of Murray Street and Foster Street.

It has a frontage to Murray Street of 30.4m and to Foster Street of 33.6m. The Site currently contains two tennis courts, previously used for St Johns Uniting Tennis Club. It is devoid of any buildings or vegetation and is enclosed by a circa 3.8m high chainwire mesh fence.



Figure 2. Site aerial (source: Nearmap)

Interfaces

The Site's interfaces are described as follows:

North

- Immediately north of the Site is Murray Street, a road reserve approximately 18m in width, running in an east west alignment. Murray Street benefits from nature strips and footpaths on each side. It also contains numerous street trees.
- Further to the north:
 - 13 Murray Street, a narrow allotment of approximately 333.1m² that accommodates a single storey, semi-attached dwelling (attached to 11 Murray Street). The property has a 1.8m high brick fence, and pedestrian entry is provided by a wooden gate. The property has secluded private open space in the rear, and vehicle entry is provided by a roller door to the rear laneway.
 - 15 Murray Street, a rectangular allotment of approximately 661.68m² that accommodates a single storey, detached brick dwelling with a front verandah and a hipped roof form (corrugated iron). The property has a 1.5m high timber picket front fence, and pedestrian and vehicle entry are provided via in the fencing in the front setback. The property has secluded private open space in the rear.
 - 19 Murray Street, a rectangular allotment of approximately 661.59m² that accommodates a double storey detached dwelling with a brick front fence and hedging up to 1.8m, and pedestrian and vehicle entry are provided by separate wrought iron gates. The property has secluded private open space in the rear. The dwelling has a projecting gable roof form and balcony accented by two prominent chimneys.

East

- Immediately east of the Site is Foster Street – a road reserve approximately 12.5m in width, running in a north-south alignment. Foster Street also benefits from footpaths on each side. However, no street trees or nature strips are present.
- Further to the east, across Foster Street:
 - 4 Foster Street, containing a single storey brick dwelling with pitched roof on a lot of approximately 500m². The property is generously vegetated in the front setback.
 - 6 Foster Street, containing a double storey dwelling on a lot of approximately 511m². Situated on a corner, it interfaces both Foster and Murray Street, with its primary frontage to Foster Street. It has distinctive upper storey recessed balcony and a gable roof.

South

- 1 Foster Street, an intact former church hall with a weatherboard extension at the rear. The site has recent planning approval (GE/SP-37701/2025) for the conversion of the church hall into a single dwelling.
- Further to the south:
 - 559 Glen Huntly Road, a two-storey brick apartment building consisting of ten (10) dwellings. The apartment building features a double storey sheer wall to Foster Street. Car parking is accommodated in the northern (side) setback. Vehicle access is provided by a single crossover.

West

- 14 Murray Street – a narrow allotment of approximately 352m² which accommodates an attached single-storey brick dwelling (with party wall to 12 Murray Street). The dwelling has a corrugated iron gable style roof, with multiple chimneys. Vehicle access is accommodated in the front setback, along the common boundary with the subject Site. The property is fronted by a 1.2m high timber picket fence.

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Photos of Site Surrounds



13 Murray Street



15 Murray Street



19 Murray Street



4 Foster Street

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4 Foster Street (frontage to Murray Street)



6 Foster Street



1 Foster Street



1 Foster Street (view from north-east corner of the Site)



561 Glen Huntly Road

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561 Glen Huntly Road



14 Murray Street



14 Murray Street

2.3 Surrounding Context

The Site is located in Elsternwick, just outside of the Elsternwick Major Activity Centre boundary. This centre consists of strip-based retail along Glen Huntly Road and evolves into more intensive mixed-use development (moving west) towards the Elsternwick Train Station.

The Site also benefits from proximity to the Caulfield South Neighbourhood Activity Centre, which runs along Glen Huntly Road towards Hawthorn Road (200m south-east of the Site).

Given the Site's excellent location between two activity centres, it benefits from proximity to a wide range of public transport services. It is approximately 1.1 km from the Elsternwick train station, which is served by the Sandringham line. It is also within walking distance to the following bus routes:

- 604 – Elsternwick Station to Anzac Station (via Toorak Station).
- 605 – Gardenvale to City (Queen Victorian Market).
- 625 – Elsternwick to Chadstone (via Ormond and Oakleigh).

The Site is also approximately 140m from a tram stop on the 67 Tram Line (Carnegie to Melbourne University) with the tram stop located at the corner of Foster Street and Glen Huntly Road.

In addition to public transport options, key amenities surrounding the Site include:

- Public open space (Hopetoun Gardens, Elsternwick Station Reserve, Elsternwick Park).
- Retail services, including:
 - Restaurants, cafes and small retail premises within the Caulfield South Neighbourhood Activity Centre.
 - More Essential services, including banks, health services, a post office, and a Coles supermarket within the Elsternwick Major Activity Centre.
- Health Facilities (Caulfield Hospital, Graceland Manor Aged Care).
- Education (Adass Israel School, St Joseph's Primary School, Sholem Aleichem College, Wesley College).

In addition to the above, the Site is situated in proximity to nearby social and cultural institutions, such as the Hamerkaz Centre.

Elsternwick Station has been identified as one of the 50 'train and tram zones' through the State Government's Activity Centre program, and further development in the area can be reasonably expected following the implementation of new planning controls. Elsternwick Station is part of Phase 2 in the program, which is discussed in further detail in Section 5.3 of this report.

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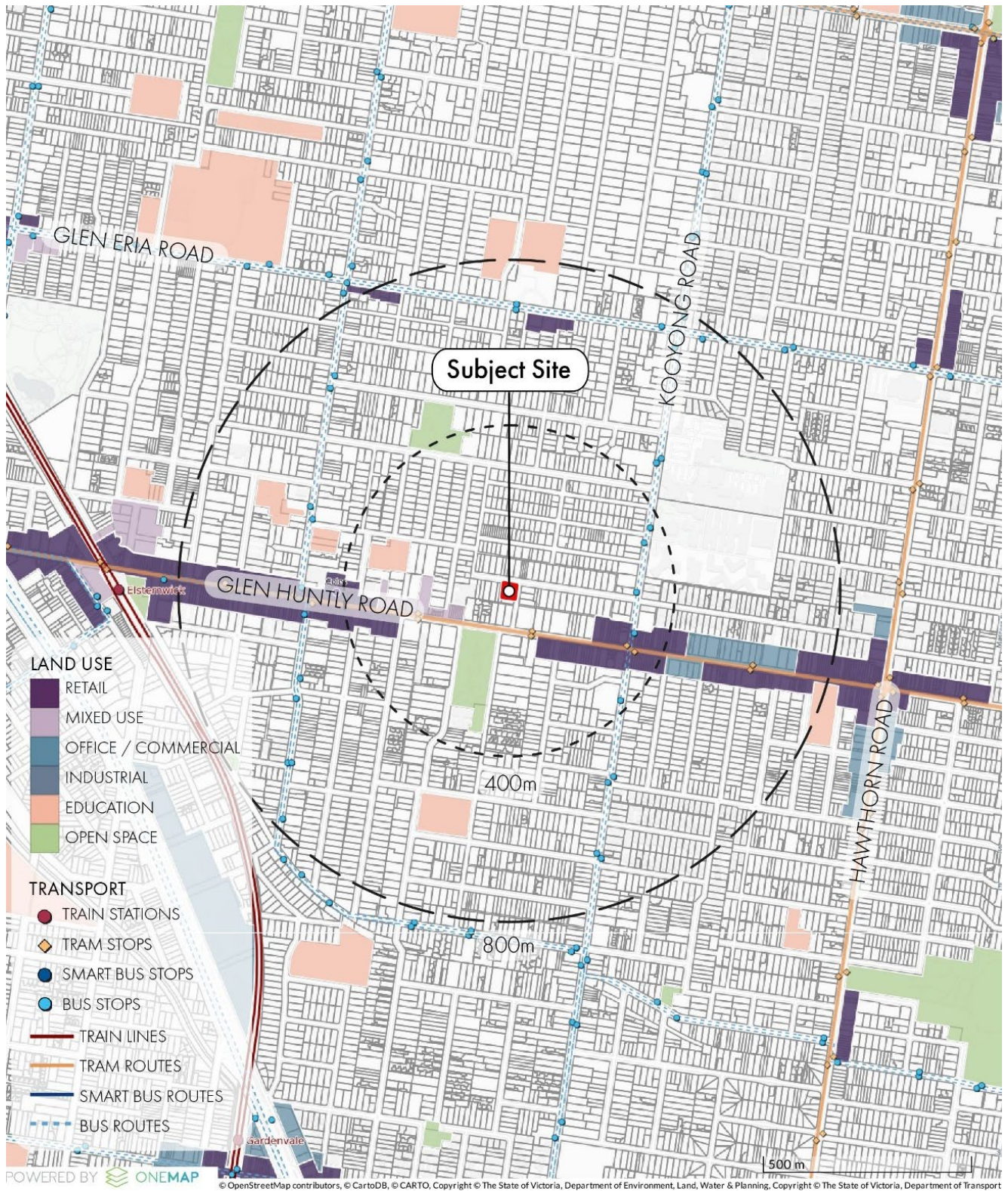


Figure 3. Context plan (OneMap 2026)

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3 Proposal

3.1 Overview



Figure 4. Foster Street Frontage - 3D Render (Studio McCue 2026)

The proposal seeks planning approval for the development of a three-storey apartment building, consisting of eight dwellings.

Each dwelling has been designed to provide future residents with well-proportioned living areas, bedrooms and private open spaces.

3.2 Planning Permit Triggers

A planning permit is required under the following provisions of the Planning Scheme:

- Clause 32.09-7 (NRZ1) – construct two or more dwellings on a lot.
- Clause 43.02-2 (DDO4) – construct a fence.
- Clause 43.05-2 (NCO4) – construct a building and carry out works.
- Clause 43.05-2 (NCO4) – demolish or remove a building.

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3.3 Development

This section of the report should be read in conjunction with the accompanying Architectural Plans and Design Statement prepared by Studio McCue.

3.3.1 Demolition

The extent of demolition proposed is limited to the removal of the chainwire mesh fence along the northern (Murray Street) and eastern (Foster Street) boundary of the Site.

3.3.2 Massing & Built Form

The proposed building achieves a maximum building height of 11.96 metres. It includes minimum front setback of 4.535 metres to Murray Street, and a minimum side setback of 2 metres to Foster Street.

The proposed massing features a distinctive building form featuring a prominent roof, which is split through the centre and features a recessed upper storey within the roof cutout (fronting Murray Street). The roof form has been designed to allow the building to be viewed in four parts:

- Facing Murray Street, the interface is split by a distinctive void element above the entry. This allows this interface to be viewed as two distinct parts of the building.
- Facing Foster Street, the southern portion of the building features a distinct stepped gabled roof. This allows for the building's presentation to be visually split to Foster Street, encompassing two distinct portions.

Balconies fronting Murray Street and Foster Street are provided for upper-level apartments. These balconies provide visual interest and depth to the façade, as well as provide opportunity for passive surveillance to the street.

Walls and roof lines are raked and angled to present consistently with the surrounding one and two storey dwellings.



Figure 5. Murray Street elevation (left) and Foster Street elevation (right) (Studio McCue 2026)

3.3.3 Materials, Finishes and Colours

The established character has informed the proposed material palette. Natural terracotta tile and red hit and miss bricks have been selected as primary materials, as they reference surrounding dwellings (notably those with prominent terracotta tiled roofs).

In addition to this, bronze metal finish has been selected as a material for window and door frames (and service cupboard doors). The bronze metal finish will complement the broader colour palette and contribute to the overall contemporary presentation of the building as a distinct accent.



Figure 6. Proposed materiality (left) and surrounding dwellings (right)

3.3.4 Apartment Layouts

Seven apartments include three bedrooms. Apartment 03 has two bedrooms. All apartments are designed to be adaptable to the future needs of residents with reduced mobility as they age. All apartments are single level, with generous circulation spaces (min 1200mm) and adaptable bathrooms.

Key features of each dwelling are as follows:

Ground Floor (Apartments 1, 2,3)

- Two (APT-3) to Three bedrooms (APT-01 and APT-02), including main bedroom with walk in robe and ensuite.
- Bathroom and separate laundry. (Note: APT-01 contains a secondary bedroom with ensuite).
- Combined living, kitchen and dining space.
- Ground floor private open space.

First Floor (Apartments 4, 5, 6)

- Three bedrooms, including main bedroom with walk in robe and ensuite.
- Two additional bathrooms and separate laundry.
- Combined living, kitchen and dining space.
- Private open space provided by balconies.

Third Floor (Apartments 7, 8)

- Three bedrooms, each with an ensuite bathroom (except for secondary bedroom in APT-07).
- Bathroom/powder room and separate laundry.
- Combined living, kitchen and dining space.
- Private open space provided by balconies.

Access to each dwelling is provided via the entry foyer accessed from Murray Street.

Ground floor apartments have direct street access, with a private gate entrance to APT-01 from Murray Street and separate gated entrances to APT-02 and APT-03 from Foster Street.

Access to first and second floor apartments is to be provided via a central lobby/stairwell and lift area.

A shared parking area is provided in a basement garage, which includes designated areas for waste, storage, and bike parking. Vehicle access is provided via a crossover to Foster Street, parallel to the southern boundary of the Site.

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3.4 Landscape Response

Landscape is an integral feature of the proposal, with generous planting areas incorporated throughout the development. The landscape response achieves a canopy coverage of 316sqm (30.92%).

The primary building entrance is from Murray Street. A 1.7-metre-high front fence is proposed, consisting of a solid brick base with hit and miss bricks above approximately 1 metre height to allow for views into the front garden. The front setback is to feature four deciduous canopy trees and associated understorey planting. Bench seating is provided opposite the mailbox area, opening the Site out to Murray Street and creating a friendly interface between private and public realm.

Additional canopy tree planting is also proposed within the eastern (Foster Street) setback, allowing for an attractive presentation to the public realm on both street frontages.

Four small trees are to be provided along the building's western interface. Ground level private open space is to feature flexible furniture, bench seating and associated barbeques.

Level 1 and Level 2 balconies feature planters and pots, providing greenery in balcony spaces – enhancing both on-site and off-site amenity. Vertical climbers are proposed along the building's façades to Murray Street and Foster Street, creating verticality in the landscape response and blending the development into the landscape.

The common entrance is a core component of the landscape response. It will be a communal space for all residents to utilise and includes a seating area and feature pond in addition to garden bed planting.

The proposal has a total garden area of 35% (357.7m²).



Figure 7. Murray Street frontage landscape response (source: Phillip Withers)



Figure 8. Mailbox seating area 3D render and plan (source: Studio McCue)

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3.5 Parking and Transport

This section of the report should be read in conjunction with the accompanying Traffic Impact Assessment prepared by Traffix Group.

A total of 18 car parking spaces are to be provided on site, within the basement car park. APT-01 to APT-06 have two designated spaces each. APT-07 and APT-08 have three designated spaces each. The car parking spaces are to be located within a basement car park, which will be accessed via a ramp from Foster Street.

A total of 14 bike parking spaces (12 resident and 2 visitor) are provided in the secure basement bike store. The bike store can be accessed via the basement lift, allowing for movement from the apartments and ground floor lobby. An additional bicycle hoop is provided at the Murray Street entrance.

3.6 Waste

This section of the report should be read in conjunction with the accompanying Waste Management Plan prepared by Traffix Group.

Waste collection is proposed to be undertaken on-site via a private waste contractor utilising a nominal 6.4-metre-long waste collection vehicle. The contractor will utilise the internal accessway for waste collection.

The bin store is located in the basement. Waste collection will be undertaken once weekly. Swept paths have been undertaken to confirm that waste vehicles can appropriately navigate the basement. Similarly, testing has been undertaken to confirm that the bin tug will be easily navigated from the bin room to the street kerb, with both a 120L and 240L bin in tow.

3.7 Environmentally Sustainable Design

This section of the report should be read in conjunction with the accompanying Sustainability Design Assessment prepared by GIW Environmental Solutions.

The sustainability approach seeks to ensure the building is sustainable, both through construction and its operation. It embeds several features into the project, including:

- An average 8-star NatHERS rating, with no dwelling less than 6.5 stars.
- Effective natural ventilation, with all dwellings being natural cross ventilated. This ensures excellent access to fresh air throughout the day.
- Individual electric instantaneous hot water systems for each dwelling,
- Inverter split system units within each dwelling.
- A 10kW Solar PV system will be located on the roof, generating renewable energy and reducing energy costs for residents.
- 101% Blue Factor Score.
- An 18,000 litre rainwater tank will capture rainwater run off from the roof, and re-use in the building for toilet flushing and landscape irrigation. This reduces fresh water use.
- Future provision for the installation of EV charging stations to all car parking spaces.

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4 Planning Provisions

4.1 Zoning

Clause 32.09 – Neighbourhood Residential Zone

The Site is located in the Neighbourhood Residential Zone, Schedule 1 (NRZ1).

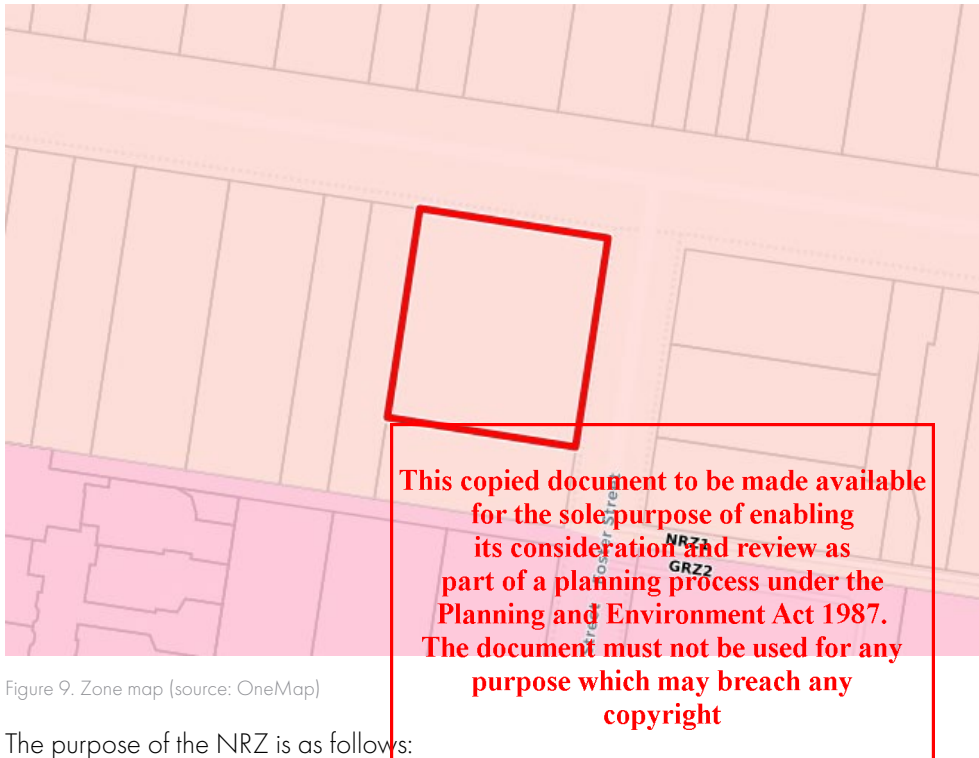


Figure 9. Zone map (source: OneMap)

The purpose of the NRZ is as follows:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To recognise areas of predominantly single and double storey residential development.
- To manage and ensure that development is responsive to the identified neighbourhood character, heritage, environmental or landscape characteristics.

Schedule 1 to the Neighbourhood Residential Zone applies to 'Neighbourhood Residential Areas', and includes the following neighbourhood character objective:

- To support development that positively responds to and enhances the prevailing neighbourhood character elements of the local area.

Pursuant to Clause 32.09-7, a permit is required to construct two or more dwellings on a lot. A development must meet the requirements of Clause 55.

NRZ1 does not provide any local variations to the Clause 55 standards.

Maximum building height

Pursuant to Clause 32.09-11, a building constructed for use as a dwelling must not exceed 9 metres or contain more than two storeys at any point.

Notwithstanding, as described at Section 4.3.3 below, the Responsible Authority may vary any building height or setback requirement for an application under Clause 53.25.

4.2 Overlays

4.2.1 Clause 43.05 – Neighbourhood Character Overlay, Schedule 4

The Site is affected by the Neighbourhood Character Overlay, Schedule 4 (NCO4).

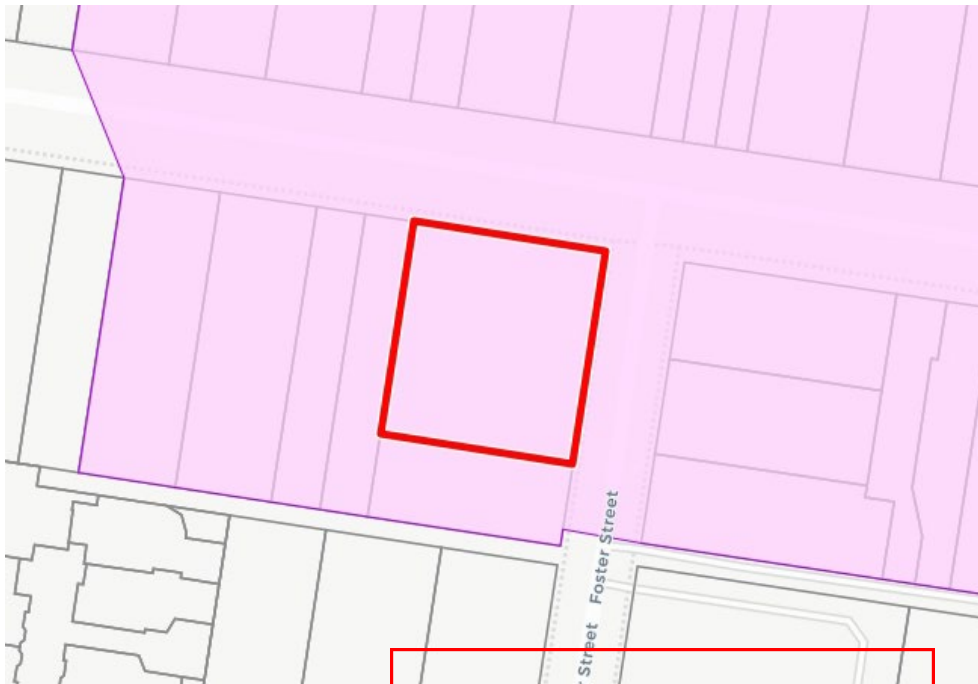


Figure 10. Neighbourhood Character Overlay map (source: OneMap)

The purpose of the Neighbourhood Character Overlay is:

- To identify areas of existing or preferred neighbourhood character.
- To ensure that development respects the neighbourhood character.
- To prevent, where necessary, the removal of buildings and vegetation before the neighbourhood character features of the site and the new development have been evaluated.

Pursuant to Clause 43.05-2, a permit is required to construct a building and carry out works, and to demolish or remove a building.

Schedule 4 to the NCO (NCO4) applies to the 'Victorian & Edwardian Significant Character Areas'.

NCO4 has the following neighbourhood character objectives relevant to this proposal:

- To ensure that new buildings and works reflect the statement of neighbourhood character of the area.
- To maintain the established pattern of front and side setbacks in the street.
- To ensure that new dwellings or extensions to existing dwellings respect the dominant building height, form, façade articulation, materials and roof forms of the streetscape.
- To ensure that the use of design detail in new buildings complements, rather than mimics, that of the predominant building styles in the street.
- To maintain the pattern of low or visually permeable front fencing that creates a sense of openness in the streetscape and allows views of dwellings and into front gardens, and complements the building era and style.
- To minimise the loss of front garden space due to car parking and driveways, and minimise the dominance of car parking structures in the streetscape.

NCO4 also contains a statement of neighbourhood character. This statement outlines the important elements of the streetscape which inform the Victorian and Edwardian significant character areas (our emphasis added):

*'The Victorian and Edwardian Era Significant Character Areas are **distinct streetscapes** representing this era of Glen Eira's development. The neighbourhood character of these areas is formed by the groups of Edwardian and Victorian homes set in leafy streetscapes. While **later infill development is evident, it is generally***

respectful of the form and setbacks of original buildings and the streets retain a strong neighbourhood character as a result.

The streetscapes have a consistency of character in the landscaped frontage and side setbacks and the form, scale and articulation of buildings. The character of these areas is defined by the consistency of the single storey building scale, the **use of a range of construction materials** and **pitched roof forms**. The streets have a **strong landscape character** due to mature street planting and well established gardens. In addition, the mature canopy trees in private gardens and street planting create a leafy garden suburban environment. These areas include Clarinda Street Caulfield South, the Downshire Road Area Elsternwick and Murray Street, Elsternwick.

The preferred future neighbourhood character will be defined by the many intact Victorian and Edwardian era dwellings with their highly consistent building form, scale, materials, setbacks and established gardens. New dwellings **will respect the key characteristics of the streetscape**, comprising of:

- Established garden settings with **substantial planting**.
- A single storey scale of buildings, with **upper levels well recessed** from the front façade.
- **Consistent front and side setbacks** that maintain the distinct spatial rhythm of the street and provide space for planting.
- **Pitched roof forms** with eaves to reinforce existing building forms.
- Use of **render and textured brickwork**.
- Articulated building form and façade achieved through variations in plan form with a projecting front room, front porch or a front verandah.
- Simple architectural detailing typical of the era of development.
- Low front fences constructed of permeable materials that complement the dwelling design and retain the sense of openness in the streetscape.
- Garages set back towards the rear of the dwelling.

NCO4 outlines modifications to some Clause 55 standards, specifically Standard B2-1 (Street setback), Standard B2-4 (Walls on boundaries), and Standard B2-8 (Front fences). These have been addressed in Appendix A to this report (Clause 55 Assessment).

Clause 6.0 to the NCO4 includes design and development requirements for developments within the overlay.

4.2.2 Design and Development Overlay, Schedule 4

The Site is affected by the Design and Development Overlay, Schedule 4 (DDO4).

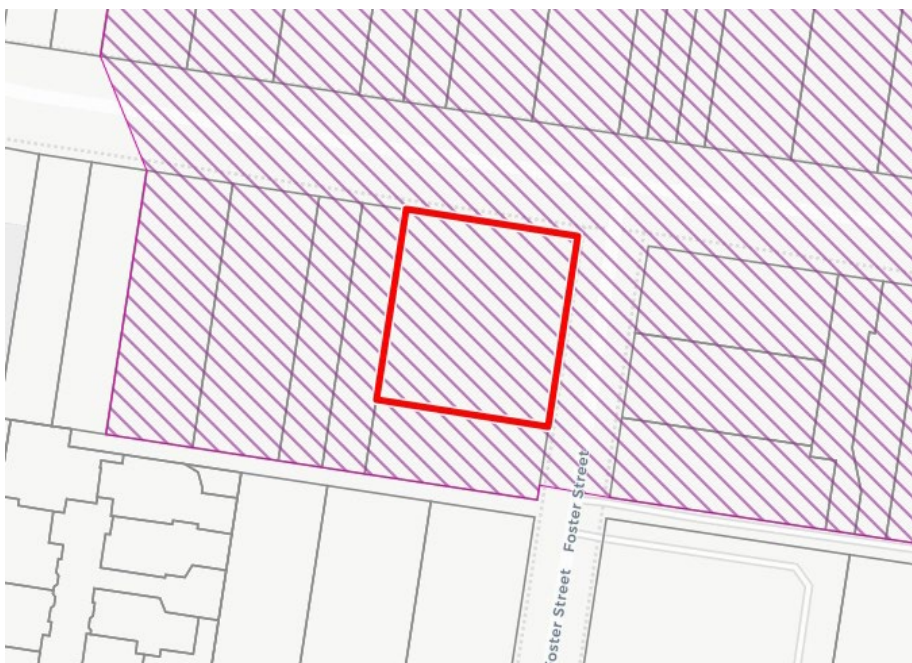


Figure 11. Design and Development Overlay map (Source: OneMap)

The DDO4 seeks to maintain the character of low front fences which allow for views into the front gardens of dwellings. It includes the following objectives:

- To maintain the character of low front fences that allows unimpeded views to front gardens and dwellings.
- To ensure that front and side fences within the building frontage complement the design and materials of the preferred neighbourhood character, prevailing style and scale in the overlay area and the building on the lot.

Pursuant to Clause 2.0 of DDO4, a permit is required to construct a fence unless it meets the following requirements:

- It is a front fence within 3 metres of a street that is at least 25% visually permeable to allow views to front gardens and dwellings and does not exceed 1.2 metres in height; or
- It is a solid fence that does not exceed 0.8 metres in height; or
- It is a side fence forward of the dwelling not greater than 1.2 metres in height.

As the proposed front fences exceed 1.2m in height, a planning permit is required under DDO4.

4.3 Particular Provisions

The following particular provisions are relevant to this application:

- Clause 52.06 – Car parking.
- Clause 53.25 – Great Design Fast Track
- Clause 55 – Two or more dwellings on a lot and residential buildings

4.3.1 Clause 52.06 – Car parking

The purpose of Clause 52.06 is:

- To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Clause 52.06 applies to a new use.

Before a new use commences, the minimum number of car parking spaces required under Clause 52.06-5 must be provided, a permit is required to reduce (including to zero) the minimum number of car spaces required under Clause 52.06-5 or to exceed the maximum parking requirement specified in the same clause.

The Site is located within a Category 2 area, as identified in the Car Parking Requirement Maps.

The Table to Clause 52.06-5, specifies a minimum requirement of one car parking space to each dwelling in Category 2 areas. No maximum requirement applies. As such, the proposal generates a minimum requirement of eight car parking spaces.

As noted above, the proposal provides for a total of 18 car parking spaces, exceeding the minimum requirement. Therefore, no planning permit is required.

4.3.2 Clause 53.25 – Great Design Fast Track

The purpose of Clause 53.25 is:

- To facilitate innovative dwelling, apartment and mixed-use residential development.
- To facilitate development that increases the density and diversity of dwellings to respond to Victoria's population growth.

- To facilitate the development of dwellings with convenient access to public transport, and community, retail and other services.
- To facilitate development that is of a high quality in its design, liveability and sustainability.

Clause 53.25-1 applies to an application under any provision of the Planning Scheme for the use and development of land, if all of the following are met:

- The applicant submits written confirmation that the application is an application to which this clause applies.
- The application includes the construction of at least eight dwellings.
- Any proposed building contains at least two storeys and not more than eight storeys.
- The proposed development achieves a minimum NatHERS rating of:
 - 8.0 stars average, with no individual dwelling less than 6.5 stars for apartment developments.
 - 7.5 stars for all other dwellings.
- Each proposed dwelling provides effective natural ventilation, which includes cross ventilation, single sided ventilation or mechanically assisted ventilation.
- The Minister for Planning has advised in writing that they are satisfied the proposed use or development of land for accommodation (other than camping and caravan park, group accommodation, residential hotel and small second dwelling) is of significance having regard to:
 - The purpose of clause 53.25
 - Whether the quality of the design, liveability and sustainability of the proposed development meets the design principles published by the Minister for Planning on the Department's Internet site for the purposes of clause 53.25 ('the design principles').
 - The location of the proposed development and whether it has convenient access to jobs, services, infrastructure and community facilities.
- Information demonstrating that the proposed development meets the design principles is provided to the satisfaction of the Minister for Planning. This must include written advice from the Office of the Victorian Government Architect to the satisfaction of the Minister for Planning.
- Information demonstrating the likely feasibility of the proposed development is provided to the satisfaction of the Minister for Planning. This must include written advice from the Chief Executive Officer or delegate, Invest Victoria (Department of Jobs, Skills, Industry and Regions) to the satisfaction of the Minister for Planning.

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The provisions of Clause 53.25 prevail over any inconsistent provision in the Planning Scheme.

Planning Scheme Requirements

For an application under Clause 53.25, the responsible authority may waive or vary any of the following in relation to an application or a proposed use or development:

- A minimum garden area requirement.
- Any building height or setback requirement.
- A condition opposite a use in Section 2 in a zone or a schedule to a zone.

Exemption from review

Pursuant to Clause 53.25-4, an application under any provision of this planning scheme is exempt from the decision requirements of sections 64(1), (2) and (3), and the review rights of section 82(1) of the Act.

Responsible Authority

Pursuant to Clause 72.01-1, the Minister for Planning is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and endorsement of, approval of or being satisfied with matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, in relation to the use and development of land for use and development to which clause 53.25 applies.

4.3.3 Clause 55 – Two or more dwellings on a lot and residential buildings

As outlined above, an application to construct or carry out works associated with two or more dwellings on a lot must comply with the objectives and standards of Clause 55.

The purpose of Clause 55 is:

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

The provisions of this clause contain:

- Objectives – An objective describes the desired outcome to be achieved in the completed development
- Standards – A standard contains the requirements to meet the objective.

A standard should typically be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, then this design solution may be considered.

A development:

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

If the land is included in a Neighbourhood Character Overlay and a schedule to the overlay specifies a standard that modifies the standard set out in this clause, or a modified standard in the zone or a schedule to the zone, the modified standard in the schedule to the overlay applies.

An assessment against the objectives and standards of Clause 55 has been undertaken. Appendix A details how the proposed dwelling meets the objectives and requirements set out in Clause 55.

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5 Planning Policy

5.1 Municipal Planning Strategy

Clause 02.01 – Context

Clause 02.01 provides an overview of the history of land use and development of the City of Glen Eira, and identifies some of the City's attributes, as well as some of the challenges faced by the municipality. It provides an insight into population and housing statistics within the municipality. Importantly, it outlines strategies for growth (see below).

Clause 02.01-3 – Growth

Clause 02.01-3 acknowledges that the City of Glen Eira is a municipality with good access to transport networks and the Melbourne CBD. For this reason, Glen Eira plays an important role in accommodating new housing to support broader metropolitan growth objectives. Specifically:

- Glen Eira needs to accommodate 40,000 additional people between 2016 and 2036.
- Glen Eira needs to accommodate 18,000 additional dwellings between 2016 and 2036.

Clause 02.01-3 also acknowledges that household sizes are expected to reduce, and that the population will continue to diversify. These factors will impact housing choice and preferred housing locations.

Clause 02.02 – Vision

Clause 02.02 outlines Council's strategic vision as per the Glen Eira Council Plan 2021-2025. This vision contains the following relevant priority:

'A liveable and well planned City:

Our planning aims to balance population growth with enhancing the unique character and heritage of our City.'

Clause 02.03 – Strategic Directions

Clause 02.03-1 – Settlement and Activity Centres

Clause 02.03-1 outlines the various roles of major and neighbourhood activity centres within the City of Glen Eira. This clause also outlines some of the challenges faced by the designated activity centres within the municipality. It emphasises that Glen Eira is currently in a space of transition where activity centres are evolving to accommodate growth and development pressures.

This clause states that activity centres will be the key to managing growth across Glen Eira. To manage this growth, this clause outlines various strategies. Strategies relevant to this application are as follows:

- *Support an activity centre hierarchy across the municipality that reflects the role and function of each centre to meet the needs of the Glen Eira community.*
- *Support 20-minute neighbourhoods where residents can reach employment, shops and services within a 20 minute walk, cycle or public transport trip.*
- *Direct employment and housing growth into activity centres and along transport corridors at a scale that reflects local opportunities and context.*

Clause 02.03-2 – Environment and Amenity

Clause 02.03-2 outlines the importance of responding to the impacts of climate change, supporting local biodiversity, and contributing to green open space and canopy cover. To encourage the development of an attractive and environmentally sustainable city, this clause outlines various strategies. Strategies relevant to this application are as follows:

- *Foster environmental resilience, enhanced biodiversity outcomes and protection of natural values in the design of development, landscaping and public spaces.*

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- Reinforce the important role and function of green spaces and canopy trees across all areas of the City in mitigating urban heat island effect, promoting community health and wellbeing and facilitating liveable and sustainable communities.
- Respond to the impacts of climate change, flooding events and other environmental impacts in the location and design of development and infrastructure.

Clause 02.03-3 – Built Environment and Heritage

Clause 02.03-3 outlines the challenging aspects of urban development and increased densities within the City of Glen Eira, particularly where community concern has emerged as a result of design outcomes which have resulted in visual bulk, loss of vegetation, reduced open space and impact on local character.

This clause is concerned with the facilitation of high standards of design for development. These standards have been implemented in local policies. Council is concerned with ensuring development responds to the amenity of existing areas and promotes internal amenity.

Council is also concerned with good urban design outcomes, and ensuring development responds positively to neighbourhood character policy. To encourage a balanced and positive built environment, this clause outlines various strategies. Strategies relevant to this application are as follows:

- Support development and landscape outcomes that respect the amenity, character and heritage values of existing areas.
- Provide for a transition of built form height and scale across the City, aligned to Council's growth strategies for the municipality and local context.
- Support development that provides good internal amenity and outlook.
- Support the diversity, character and heritage of Glen Eira's residential and commercial areas.
- Provide for built form outcomes which respect the neighbourhood character objectives of land environed for incremental built form outcomes.
- Support high quality development at a local level and appropriate to structure plans and the local context in activity centres and other substantial change areas.
- Support the application of environmentally sustainable design principles for development.

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Clause 02.03-4 – Housing

Clause 02.03-4 outlines the changing household needs within the City of Glen Eira, and the demand for additional dwellings to accommodate the continued growth projections within the municipality and the broader metropolitan region. It also specifies that there needs to be increased housing options for older people and students, as well as an increased supply of affordable housing.

This clause specifies that the 'Glen Eira City Plan: Activity Centre, Housing and Local Economy Strategy' (Glen Eira City Council, 2020) outlines Council's approach to housing growth within the municipality.

To plan for and manage housing growth in Glen Eira, this clause outlines various strategies. Strategies relevant to this application are as follows:

- Facilitate a diversity of housing to meet the changing needs of the community.
- Support housing growth across the City that reflects the level of preferred change and building scale for each local area.
- Focus new housing and increased population densities in locations close to transport, shops and services.

Clause 02.04 – Strategic Framework Plans

Clause 02.04-1 – Strategic Framework Plan

Clause 02.04 includes various framework plans for the City which are to be read in conjunction with the strategic directions. The Site is identified as being within a 'minimal change area'. However, it is just north of a 'Transport Corridor / Substantial Change Area outside an activity centre'. As above, it is east of the Elsternwick Major Activity Centre.

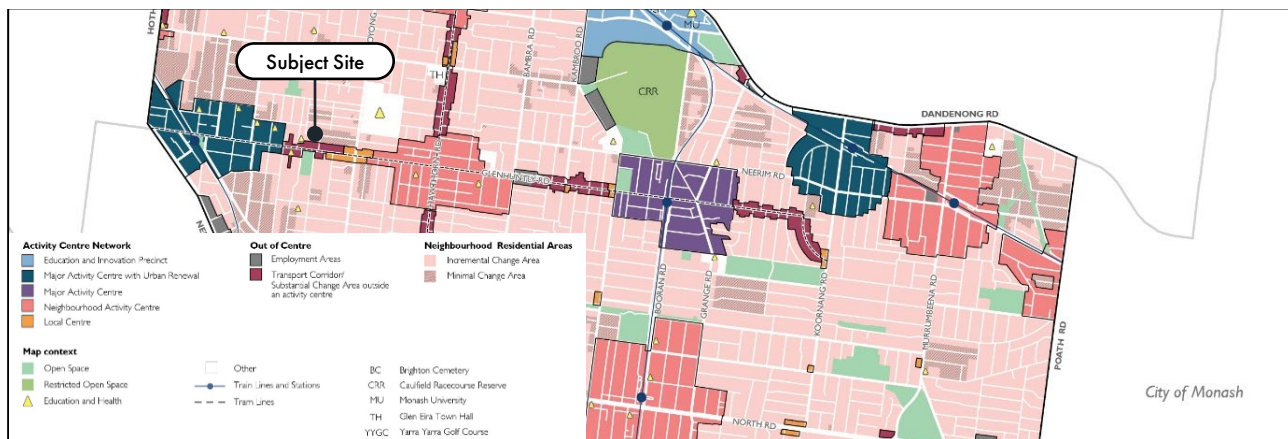


Figure 12. Excerpt of the Glen Eira Strategic Framework Plan (Clause 02.04-1)

5.2 Planning Policy Framework

Clause 15 – Built Environment and Heritage

Clause 15.01-1S – Urban Design

Clause 15.01-1S seeks to create safe, healthy, functional and enjoyable urban environments that contribute to a sense of place and cultural identity. It includes the following relevant strategies:

- Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.
- Ensure the interface between the private and public realm protects and enhances personal safety.
- Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.
- Ensure that development provides landscape amenity and supports the amenity, attractiveness and safety of the public realm.

Clause 15.01-1L – Landscaping

Clause 15.01-1L seeks to strengthen landscape character across Glen Eira, and to mitigate the impact of urban heat island effect and support community health and wellbeing. It outlines various strategies relating to the retention of vegetation and the provision of new landscaping, including:

- Integrate landscaping, including canopy trees, into new development.
- Ensure new landscaping responds to the landscape character of the surrounding area.
- Provide for landscaping that will:
 - Soften the built form.
 - Positively contribute to the visual amenity and character of the area, including public realm.
 - Provide for high levels of on-site amenity and privacy.
 - Provide shade and contribute to passive cooling of hard surfaces.
 - Use materials, landscape treatments and plants that are permeable, durable and resistant to adverse environmental conditions.
- Support urban landscaping opportunities, including green roofs, planter boxes, green walls and landscaping within building entries.

Clause 15.01-1L guides decision makers to consider (as relevant):

- Maintaining deep soil areas for canopy trees to grow to full size at maturity.
- In residential zones, landscaping to provide for:

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- The provision of a minimum of one 8 metre high canopy tree for every 8 metres of the front boundary. If the result is not a whole number, round to the nearest whole number.
- The provision of a minimum of one 6 metre high canopy tree for every 8 metres of rear boundary in the Neighbourhood Residential Zone and the General Residential Zone. If the result is not a whole number, round to the nearest whole number.

Clause 15.01-2S – Building design

Clause 15.01-2S seeks to achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.

Clause 15.01-2L-01 – Building Design

Clause 15.01-2L-01 outlines various strategies relating to building design in Glen Eira. Relevant strategies include the following:

- Ensure a comprehensive site analysis forms the starting point of the design process and provides the basis for the consideration of height, scale, massing and energy performance of new development.
- Ensure development responds and contributes to the strategic and cultural context of its location.
- Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.
- Improve the energy performance of buildings through siting and design measures that encourage:
 - Passive design responses that minimise the need for heating, cooling and lighting.
 - On-site renewable energy generation and storage technology.
 - Use of low embodied energy materials.
- Ensure the layout and design of development supports resource recovery, including separation, storage and collection of waste, mixed recycling, glass, organics and e-waste.
- Encourage use of recycled and reusable materials in building construction and undertake adaptive reuse of buildings, where practical.
- Encourage water efficiency and the use of rainwater, stormwater or recycled water.
- Minimise stormwater discharge through site layout and landscaping measures that support on-site infiltration and stormwater reuse.
- Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.
- Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.
- Ensure development considers and responds to transport movement networks and provides safe access and egress for pedestrians, cyclists and vehicles.
- Ensure development provides landscaping that responds to its site context, enhances the built form, creates safe and attractive spaces and supports cooling and greening of urban areas.

In designing for residential apartments, Clause 15.01-2L-01 requires development to:

- Establish building setbacks to respond to the existing or preferred urban context.
- Provide separation between buildings to allow access to adequate daylight and provide reasonable outlook from new dwellings, while limiting views into habitable room windows and private open space of new and existing dwellings.
- Minimise the extent of basement footprint, vehicle crossovers and basement access ramps to maximise the provision of deep soil areas for canopy tree planting as appropriate to the urban context.
- The design of front fencing to provide a minimum 25 per cent transparency for any part of the fence that is over 1.2 metres in height.

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Clause 15.01-2L-02 – Environmentally sustainable development

Clause 15.01-2L-02 seeks to achieve best practice in environmentally sustainable development from the design stage through to construction and operation. It includes the following relevant strategies:

- Facilitate development that minimises environmental impacts.
- Support environmentally sustainable development that:
 - Is consistent with the type and scale of the development.
 - Responds to site opportunities and constraints.
 - Adopts best practice through a combination of methods, processes and locally available technology that demonstrably minimise environmental impacts.

In addition to the above, it includes strategies relating to integrated water management, indoor environmental quality, transport and urban ecology. It also requires a Sustainable Design Assessment (including a BESS or STORM assessment) for residential development for 2-9 dwellings.

Clause 15.01-5L – Neighbourhood Character

Clause 15.01-5L applies to all land within the Neighbourhood Residential Zone (NRZ) and General Residential Zone (GRZ). It outlines various strategies. Relevant strategies applying to both the NRZ and the GRZ are as follows:

- Support development that integrates into the residential streetscape and respects the garden character of the area.
- Support development that incorporates contemporary architectural interpretations of traditional roof forms.
- Support use of building and fencing materials and colours to complement those prevailing in the street.
- Site buildings to respond to the predominant pattern of setbacks in the street and maintain spaces between dwellings.
- Support development with front setbacks that facilitate a consistent garden corridor, where landscape character and canopy trees soften the built form.
- Reduce the visibility and impact of upper levels through increased setbacks.
- Ensure garages, carports and car parking spaces do not dominate the streetscape.
- Provide low, permeable front fences that maintain viewlines from the street.
- Enhance the garden character of the area with well-planted gardens and regular street tree planting.
- Design buildings to respond to the scale of adjoining development.
- Support development that complements the original dwelling stock and respects the key elements of these styles.
- Support development in the Neighbourhood Residential Zone that achieves preferred character outcomes for the neighbourhood character precincts identified in the Neighbourhood Character Precinct Plan to this clause, as follows:

Precinct 5: Elsternwick (Prentice Street area)

- Maintain the Victorian, Edwardian and interwar period dwelling base and provide for respectful infill development.
- Maintain the development pattern of dense, low-rise development, with small lots, minimal front and side setbacks and compact dwelling types such as cottages and terraces.

This policy expires three years from the date of gazettal of Amendment C220glen, being 20 April 2026.

Clause 16 – Housing

Clause 16.01-1S – Housing Supply

Clause 16.01-1S seeks to facilitate well-located, integrated and diverse housing that meets community needs. It includes the following relevant strategies:

- Plan to accommodate housing targets specified in this clause by ensuring zones and overlays deliver sufficient realisable development capacity (63,500 in Glen Eira).
- Increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas.

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- Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.
- Identify opportunities for increased residential densities to help consolidate urban areas.
- Facilitate diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types.
- Encourage the development of well-designed housing that:
 - Provides a high level of internal and external amenity.
 - Incorporates universal design and adaptable internal dwelling design.

Clause 16.01-1L-01 – Housing Supply

Clause 16.01-1L-01 addresses housing supply across the municipality. Relevant strategies include:

- Provide for a transition of building height and scale across the municipality consistent with the scale of housing change identified on the Housing Change Area map to this clause.
- Support the redevelopment of large development sites to contribute to housing diversity.
- Encourage a mix of dwelling types and layouts within developments.
- Support a diversity of apartment sizes to cater for a range of different household types.

The subject Site is identified as being within a 'Minimal Change Area' in the Housing Change Area map to Clause 16.01-1L-01 (refer Figure 13 below) but has a direct interface with a 'Substantial Change Area' (along Glen Huntly Road).

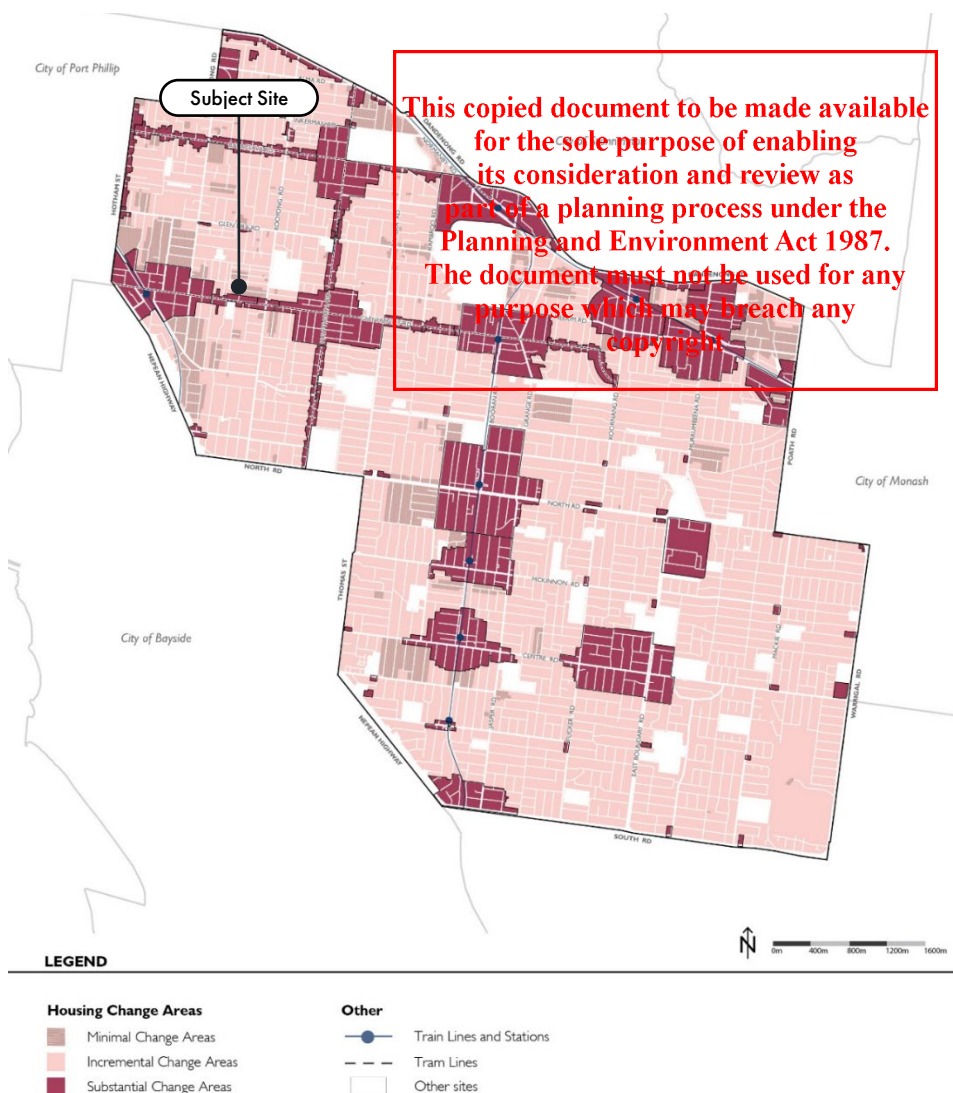


Figure 13. Glen Eira Housing Change Area Map (Clause 16.01-1L-01)

5.3 Other Planning Considerations

5.3.1 State Planning Considerations

Plan for Victoria and Glen Eira Housing Targets

Plan for Victoria (PfV) was released in 2025. It is an evolving document which sets statewide strategic directions. It sets various short-, medium- and long-term actions to contribute to urban and regional development of Victoria. Notably, this includes the activity centre program, which includes Elsternwick Station. Plan for Victoria also includes housing targets for each municipality.

It states that Glen Eira is expected to accommodate 63,5000 additional dwellings by 2051. It states that new housing should be provided in locations which are well-provided with jobs, shops, public transport and community facilities and serviced.

Train and Tram Zone Activity Centre Program

The Department of Transport and Planning has recently expanded the Activity Centre Program to include 50 additional activity centres within metropolitan Melbourne. These new 'Tram and Train Zone Activity Centres' have been identified as suitable for increased densities due to their excellent proximity to transport services, amenity and community infrastructure. These Activity Centres will benefit from new planning controls to accommodate increased development.

Elsternwick Station has been identified as one of these Activity Centres. In 2025, the Department of Transport and Planning released a preliminary investigation area to inform community consultation. In 2026, the department released draft maps which position the Site within the 'inner catchment' area. These draft maps will inform further community consultation.

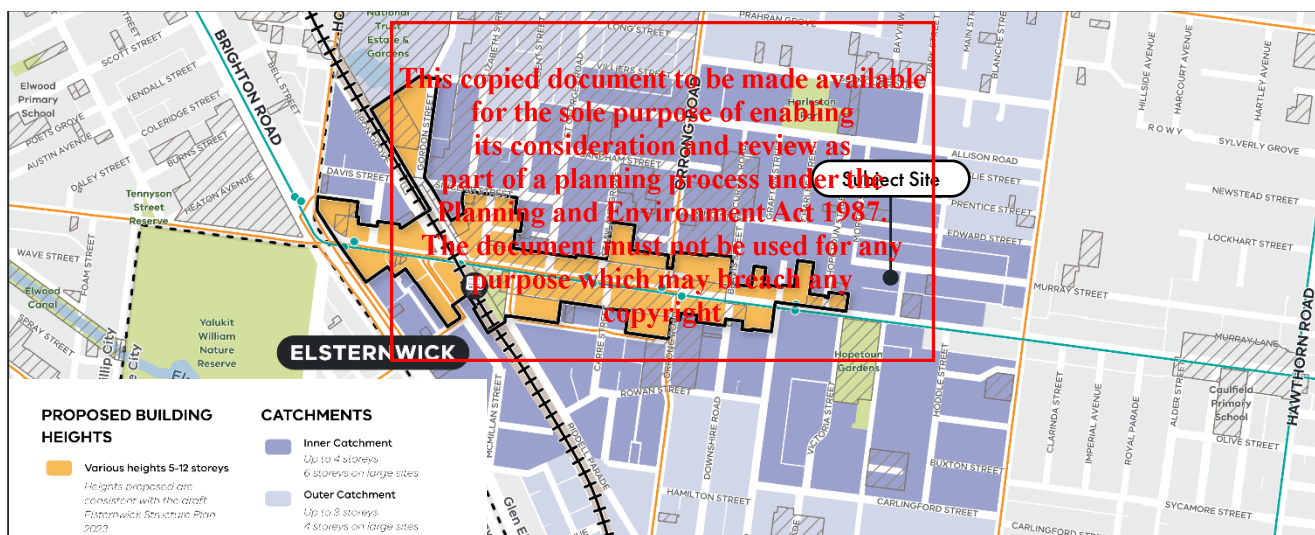


Figure 14. Draft Elsternwick Activity Centre Core and Catchment Plan (DTP 2026)

Great Design Fast Track – Design Principles

Great Design Fast Track – Design Principles (April 2025, DTP) sets out design principles to guide proposals submitted under the Great Design Fast Track planning pathway.

There are seven principles which are interconnected and intended to be considered holistically. Proposals committed to 'great design' will demonstrate these principles.

There are various ways to respond to the design principles, with suggested outcomes accompanying the principles that are not prescriptive but provide guidance as to how the principles might be met in practice.

The design principles are set out below.

- 01 Neighbourly homes** – *Enhancing local identity by embracing change and generating lasting social value.*
- 02 Welcoming homes** – *Creating welcoming and safe homes that promote a sense of family and community.*

- 03 Landscaped homes –** *Enhancing local biodiversity, natural systems and connections to nature.*
- 04 Sustainable homes –** *Enduring and high-performing, embedding climate resilience and minimising environmental impacts.*
- 05 Healthy homes –** *Enhancing health and wellbeing through integrating the natural and built environment.*
- 06 Adaptable homes –** *Housing that meets the diverse and changing needs of households and families.*
- 07 Good value homes –** *Supporting more affordable housing through innovative housing development and delivery models that respond to changing housing markets.*

5.3.2 Local Planning Strategies

Glen Eira City Plan: Activity Centre, Housing and Local Economy

The Glen Eira City Plan provides strategies and directions relating to activity centres, housing and economic growth within the municipality. It is identified as a policy document in Clause 16.01-1L-01 (Housing Supply).

Notably, it reiterates the fact that Glen Eira has recently experienced a housing boom and needs to continue to accommodate population growth. It provides a housing framework plan which situates the Site in a 'minimal change area'. It provides the following statement in relation to these areas:

'Areas of minimal change will apply to suburban residential areas outside of activity centres where special characteristics have resulted in a Heritage Overlay or a Neighbourhood Character Overlay applying to the land through the planning scheme. Protection of the identified characteristics will result in minimal housing growth and change.'

Glen Eira Neighbourhood Character Review (2014 Update)

The Glen Eira Neighbourhood Character Review was conducted in 2006 and updated in 2014. It is identified as a background document in the Neighbourhood Character Overlay as a policy document in Clause 15.01-5L (Neighbourhood Character), and is a background document in the planning scheme. The original review saw the introduction of neighbourhood character overlays. The review was part of a planning process under the Planning and Environment Act 1987.

The amendments included variations to Clause 54 and 55 through schedules to the Neighbourhood Character Overlays. The document identifies the following specific threats to the Murray Street area (NCO4):

- Loss of original buildings, particularly if replaced with new buildings that do not respond to the key characteristics of the street.
- Development that breaks the general rhythm of built form along the street (spacious to the east, more contained to the west).
- Boundary to boundary development, where this is not the setback pattern of adjacent sites.
- Reduced frontage setbacks.
- Double storey buildings or second storey additions that are out of scale with the street.
- Buildings with an overall rectangular or box form or extensive surfaces of unarticulated brick or masonry.
- Extensive areas of hard paving – greater than existing driveway widths or single car space.
- Carports or large scale garaging, particularly if constructed forward of the building line, or dominating the width of the frontage.
- High front fences or fences constructed of an impermeable material.
- Highly visible reduction in frontage widths (i.e. that may result in additional crossovers, smaller front gardens or building forms).

Glen Eira Housing Strategy

Glen Eira City Council endorsed the *Glen Eira Housing Strategy* in 2022. The document has not yet been incorporated or resulted in any amendments to the Planning Scheme. However, the strategy outlines strategic directions to meet the housing needs of the municipality over the coming decades.

Notably, the strategy provides an overview of liveability across the municipality and the Site is identified as being within an area with high levels of amenity (Figure 16).



Figure 15. Liveability Index (Glen Eira City Council 2022)

The strategy identifies that there is a *lack of capacity* to meet the needs of households who are expected to seek medium density dwellings (defined as units, townhouses and apartments up to 2 storeys). This is due to consumer preference for large, attached townhouses (in comparison to 3+ unit developments or low scale apartment buildings), as well as restrictive planning controls.

Glen Eira Neighbourhood Character Assessment and Future Character Framework (2022)

The Glen Eira Neighbourhood Character Assessment and Future Character Framework was prepared by Tract Consultants in 2022. It works in conjunction with the Glen Eira Neighbourhood Character Framework (2022). It provides an assessment of the existing character areas and identifies future precincts (informed by the Planning Strategy). This document places the Site in precinct B5 (Inner Urban – Minimal Change Area, up to 2 storeys).

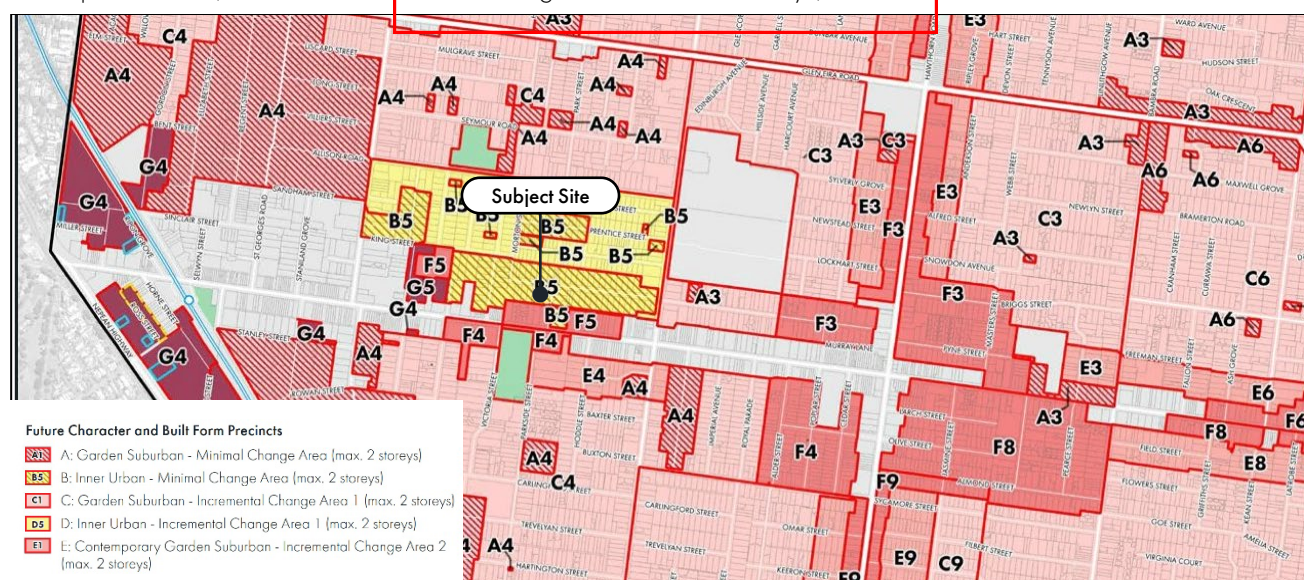


Figure 16. Glen Eira Neighbourhood Character Assessment and Future Character Framework

Area B includes the following statement:

The streetscapes of Inner Urban - Minimal Change Areas have a compact but leafy feel. Small front gardens containing trees, shrubs and garden beds have a strong presence and are visible through low to medium front

fencing. Original dwellings feature prominently within streets and are complemented by new, contemporary style dwellings and residential buildings that respond to the predominant form, scale and siting. The key character elements of the Inner Urban - Minimal Change Areas are:

- Building heights up to two storeys.
- A strong presence of original dwellings.
- Compact front setbacks with established gardens.
- Small trees within gardens.
- Small breaks between dwellings providing for a consistent rhythm and allowing views into rear gardens.
- Consistent low to medium height front fencing.
- Low, scale dwellings with narrow frontages.

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6 Planning Assessment

6.1 Overview

A planning permit is required under the following provisions of the Planning Scheme:

- **Clause 32.09-7 (NRZ1)** – construct two or more dwellings on a lot.
- **Clause 43.02-2 (DDO4)** – construct a fence.
- **Clause 43.05-2 (NCO4)** – construct a building and carry out works.
- **Clause 43.05-2 (NCO4)** – demolish or remove a building.

When assessing the proposal against the *Glen Eira Planning Scheme*, the following matters must be considered:

- How does the proposal respond to the Great Design Fast Track design principle?
- Does the proposal respond to the relevant provisions of the MPS and PPF?
- Does the proposal provide an appropriate response to neighbourhood character, having regard to the NRZ, NCO4 and DDO4?
- Does the proposal provide an appropriate response to Clause 55?
- Does the proposal provide an appropriate response to Clause 52.06?

Each of these matters are discussed further below.

6.2 How does the proposal respond to the Great Design Fast Track design principles?

This section of the report should be read in conjunction with the accompanying Design Statement prepared by Studio McCue.

This section provides a brief assessment against the GDFT design principles.

Design Principle	Response
01 Neighbourly homes – Enhancing local identity by embracing change and generating lasting social value.	The proposal provides a contextual response which has been informed by the surrounding character of Elsternwick. The proposal involves generously sized apartments which provide active residential frontages to both Murray Street and Foster Street. This is achieved through a considered landscape response, a welcoming communal entrance to Murray Street, and by incorporating both architectural and material references from within the immediate neighbourhood. The raked roof form and articulation of building elevations – to each orientation – carefully manages the increase in height, allowing the building to be read coherently within the streetscape. The high-quality architectural expression paired with the carefully considered siting and massing of the proposed building will ensure that the proposed development will be a welcoming and positive contribution to Murray Street and the broader identity of Elsternwick. Each ground-floor apartment features a separate, private entrance direct from the street, increasing opportunities for passive surveillance and establishing a clear sense of address. Windows and balconies of upper-level dwellings similarly provide outlook to the street, further emphasising the relationship between the development and its interfaces.

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Landscape has been a guiding principle throughout the design of the building. It has been purposefully integrated into the architecture, strengthening the garden setting and identity of the neighbourhood.

02 Welcoming homes –

Creating welcoming and safe homes that promote a sense of family and community.

The proposal strikes a careful balance between communal and private spaces, supporting opportunities for social connection.

Each dwelling has a distinct entry from within the central foyer, while ground floor apartments are also afforded secondary access direct from their respective street frontage. Seating areas within communal spaces, provide points of repose and create opportunities for incidental interaction.

The welcoming entrance to the building provides high-quality communal outdoor space area, including a bench seat for building users to gather, interact and socialise – either within their family unit, with friends, or with other residents.

The basement includes a generous bicycle storage area, easily accessed from the lobby and providing a dedicated area for servicing and maintenance of bicycles. Visitor bicycle parking is also provided within the Murray Street frontage.

In addition to ample storage within each dwelling, secure storage areas are also provided within the basement.

03 Landscaped homes – Enhancing local biodiversity, natural systems and connections to nature.

The proposal involves a thoughtful landscape response for a Site which is currently devoid of vegetation.

Deep soil planting is proposed at ground level, achieving a total deep soil area of approximately 234m² (22.9%). This will support generous canopy tree planting, providing shade for pedestrians and building users, and contributing to the existing mature canopy coverage along Murray Street. Plant selection has been informed by the local climate and indigenous species have been incorporated wherever practicable.

Trees are provided throughout the development, including in planters at Level 1 and Level 2, while garden beds integrated across all levels create further opportunities for greening. The planting palette has been selected to provide a mix of vegetation that enhances local biodiversity and is ecologically responsive.

04 Sustainable homes – Enduring and high-performing, embedding climate resilience and minimising environmental impacts.

The proposal has been designed to reduce carbon use through all stages of the lifecycle of the building, including construction and operation.

Solar panels on the rooftop will generate renewable electricity, minimising reliance on fossil fuels within the energy grid and reducing costs for residents.

The proposed rainwater tank will capture stormwater runoff, re-using it for toilet flushing and landscape irrigation, reducing fresh water use and strengthening climate resilience.

Dwellings have been oriented to have frontages to Murray Street and Foster Street This provides excellent access to daylight, minimising costs for lighting, as well as heating and cooling throughout the day. The shading provided to the building also assists residents with managing natural heating and cooling throughout the day.

Bicycle parking spaces – both private and communal – have been provided, encouraging active transport use.

The landscaping spaces provided around the building assist in mitigating the urban heat island impact. Refer to the SDA prepared by GIW Environmental Solutions (May 2026) which accompanies the application.

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05 Healthy homes – Enhancing health and wellbeing through integrating the natural and built environment.

The dwellings have been designed to provide excellent residential amenity. All apartments have windows to multiple aspects, providing natural light, cross ventilation, and outlook. Premium quality finishes and a comprehensive ESD response will further ensure that dwellings have good thermal and acoustic comfort.

Private open spaces and communal open spaces has been provided to ensure all residents have convenient access to outdoor areas which benefit from adequate sunlight, through all months of the year.

06 Adaptable homes – Housing that meets the diverse and changing needs of households and families.

The proposal provides adaptable homes, capable of meeting the diverse and changing needs of households and families.

The development offers an alternative housing typology within an established the predominantly low-density, single detached dwelling neighbourhood. It has been designed with due consideration to the local demographic and caters, in particular, to downsizers looking to stay within their community, while reducing the burden of managing a conventional, single-family detached home. Seven of the eight total apartments include three bedrooms. Apartment 3 contains two bedrooms and a study. All apartments would feature generous living spaces.

The proposal has been designed around a simple grid structure, allowing for cost-effective and efficient future renovations, and allowing their layouts to adapt with households as they change.

All apartments have also been designed to be accessible for people with limited mobility, supporting aging in place.

07 Good value homes – Supporting more affordable housing through innovative housing development and delivery models that respond to changing housing markets.

The proposal delivers eight new apartments to Elsternwick, on a Site which is currently vacant and in a location that is well serviced by public transport, services and amenities.

The dwelling mix, generous living areas across all apartments, and flexible spaces within each dwelling would ensure that the development delivers a product that meets the needs of large families and different family units.

Apartment sizes (GFA) vary across the development by up to 50m², maintaining variation in sale price.

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6.3 Does the proposal respond to the relevant provisions of the MPS and PPF?

The proposal is consistent with various policy provisions outlined in the *Glen Eira Planning Scheme*, including state, regional and local planning policy, and the Municipal Planning Strategy (MPS). It is noted that:

- The proposal aligns with the direction of Clause 02.01-3 which seeks to support the delivery of new housing across the municipality to accommodate population growth and projected housing capacity targets.
- The subject Site is suitably located between two activity centres, and serviced by a range of transport options including train, tram and bus routes, and presents an opportunity to support housing growth on a strategic, well serviced and currently underdeveloped property (Clause 02.03-1). This sentiment is amplified by the notion that the Site is identified as being potentially included in the Housing Choice and Transport Zone 1 in the State Government's draft Activity Centre plan for Elsternwick.
- The proposed landscape response would be a positive contribution to both Murray Street and Foster Street, and would respect the valued character within the neighbourhood and broader municipality (Clause 02.03-3).
- The proposal supports the broader housing and built form provisions of the Planning Policy Framework, as well as Plan for Victoria and relevant Council strategies, as outlined below:
 - The proposal supports the revitalisation of a currently vacant lot by providing eight (8) new homes in a location with excellent access to transport, services and amenities. Specifically, the proposal facilitates development in walking distance to public transport, open space, retail, health and community facilities.
 - The proposal provides housing that achieves a high standard of internal amenity, including generous living spaces and secluded private open space, in excess of the minimum required by Clause 55 (as discussed further below).
 - The proposal incorporates a maximum three-storey building height that provides an appropriate transition to adjoining dwellings and draws reference from the existing housing stock in its response and interface to the public realm.
 - The proposed building is responsive to the streetscape, including through the use of a variety of robust materials, and an architectural expression that balances the proportion of solid to void elements through the integration of street-facing balconies, variation in material finish, and fenestration to both street interfaces.
 - The proposal incorporates a well-laid landscape design which responds to the site context, broader neighbourhood character and the design objectives of the precinct. The proposed landscaping would not only provide excellent amenity for future residents but will also act to soften the built form, increase canopy coverage within the immediate area, and contribute to the passive cooling of hard surfaces. Canopy cover is provided via the provision of multiple canopy trees, primarily within the Murray Street and Foster Street setbacks (ground floor).
- Having regard to Clause 15.01-2L-01 (Building Design), we note:
 - The development responds positively to the surrounding streetscape by providing a contemporary low-scale apartment building which has been designed to emulate the surrounding character of Murray Street.
 - The development has been designed to achieve sustainable energy performance through passive heating, cooling and lighting, a rooftop solar energy system and the limited use of high embodied energy materials. Refer to Sustainable Design Assessment prepared by GIW Environmental Solutions (May 2026) for full details.
 - The development allows for safe pedestrian, cyclist and vehicle access and movement.
 - The development incorporates water efficiency methods including the use of rainwater tanks.
 - The development responds positively to the public realm and incorporates attractive landscaping into the front and side setbacks.
 - The accompanying Design Statement prepared by Studio McCue further details how the building's architecture has been informed by the Site's context.

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6.4 Is the proposal appropriate having regard to the provisions of the NRZ1, NCO4 and DDO4?

- The proposed development respects the neighbourhood character of the area, in accordance with the neighbourhood character objective of the NRZ1, 'to support development that positively responds to and enhances the prevailing neighbourhood character elements of the local area'.

- As outlined in Section 6.3 above, the proposal provides for a considered response to the prevailing neighbourhood character through its architectural expression, scale, materials, finishes and colours.
- The proposal achieves a garden area of 35% (357.7m²), consistent with the minimum requirement for a Site greater than 650m² within the NRZ.
- The proposed additional building height (2.96m) and storey above the maximum height specified at Clause 32.09-11 (NRZ1) is appropriate, having due regard to the considered architectural response, specific attributes of the Site and the proposal's compliance with the GDFT design principles as described above.
- The below table provides a brief assessment of the development against the key characteristics identified in the Statement of Neighbourhood Character of the NCO4:

Response to key characteristics in Statement of Neighbourhood Character (NCO4)

Characteristic	Assessment
<i>Established garden settings with substantial planting.</i>	The development provides for substantial planting in the front and side setbacks, achieving a 316sqm of canopy cover, as demonstrated in the accompanying landscape plan prepared by Phillip Withers. The landscaping is to consist of deciduous trees which align with the landscape character of neighbouring properties.
<i>A single storey scale of buildings, with upper levels well recessed from the front façade.</i>	Although the proposed development consists of three-storeys, it responds sensitively to the streetscape and has been designed to integrate with the surrounding two-storey development, providing a suitable visual transition in height. The integrated, raked roof form has been carefully designed to transition to adjoining dwellings and includes recessed balconies on the Murray Street interface. The recessed balconies reduce the prominence of the third storey and echoes the surrounding distinct roof forms within the streetscape.
<i>Consistent front and side setbacks that maintain the distinct spatial rhythm of the street and provide space for planting.</i>	The proposal provides a minimum front setback of 4.53 metres to Murray Street. This is less than the abutting dwelling at 14 Murray Street, which has a minimum front setback of 7.6 metres. Although the proposed building does not strictly comply with the modified NCO4 standard, it is noted that the setback of 6 Foster Street (opposite the Site) to Murray Street is approximately 2.6m. The proposed setback provides for a suitable transition in street setback, while ensuring the efficiency of the Site is not hindered. The proposal provides a minimum setback to Foster Street (side street) of 2m. This is consistent with the prevailing setbacks along the west side of Foster Street, noting the building immediately south of the Site at 1 Foster Street is built to the street boundary.
<i>Pitched roof forms with eaves to reinforce existing building forms.</i>	The proposed massing features a distinctive dual pitched roof form, which gives the appearance of two separate buildings (when viewed from Murray Street), and draws reference from the prevailing streetscape character. When viewed from Foster Street, the roof form is consistent with the stepped gable form common in the streetscape.
<i>Use of render and textured brickwork.</i>	Terracotta tile cladding will be the primary façade material, which will be complimented by the brick features (void element, fencing and balcony screening). The materiality and colour palette draws inspiration from the surrounding brickwork.

Articulated building form and façade achieved through variations in plan form with a projecting front room, front porch or a front verandah.

Articulated building form is achieved through the central pedestrian access to the lobby from Murray Street, which bisects the building and provides a notable void element to the Murray Street frontage.

This void element is replicated to the Foster Street frontage, where similar brickwork intersects the façade.

In addition to this, several projecting balconies are proposed which provide a distinct form (breaking down the bulk of the building).

Simple architectural detailing typical of the era of development

The proposal involves a contemporary interpretation of the surrounding streetscape and does not seek to replicate older dwellings. The building is clearly a modern development.

Low front fences constructed of permeable materials that complement the dwelling design and retain the sense of openness in the streetscape.

The proposed front fence has a maximum height of 1.7 metres. This is consistent with front fences of surrounding dwellings.

The front fence will consist of solid brick up to approximately 1 metres height, with feature perforation above this height to allow for permeable views into the front garden.

Garages set back towards the rear of the dwelling.

No garage is proposed, rather a communal basement car parking area which contains all additional site services is provided. This ensures that car parking structures do not dominate either street frontage.

- In accordance with the neighbourhood character objectives of NCO4, we note:
 - As the Site is currently vacant, the proposed development will result in a positive contribution to the streetscape which will emulate the surrounding neighbourhood character.
 - The proposed front setback varies slightly from the neighbouring dwelling on 14 Murray Street. However, it is more generous than the front setback of 1 Foster Street (the other abutting dwelling within the same Overlay area), which is built to the street boundary. In addition to this, the dwelling at 6 Foster Street has a side setback to Murray Street of approximately 2.0m. The proposed front and side landscaping will contribute to the landscaped character of the area and soften the setbacks. Please refer to Appendix A (Clause 55 Assessment) for full assessment.
 - The proposed three storey building is consistent in scale with 4 and 6 Murray Street (directly opposite the Site, to the west). In addition to this, the proposed architecture reads as a series of distinct parts through solid and void elements, fenestration, balcony expressions, and pitched roof forms to ensure the proposal sympathetically integrates into the streetscape.
 - The design detail of the proposed building has been developed to complement the surrounding prominent building styles, whilst retaining the contemporary elements of the building. For example, the incorporation of natural terracotta tiles on the roof complements the surrounding character while the distinctive sloped roof form emulates but does not imitate the surrounding dwellings.
 - The proposed fencing is to consist of permeable brick work which will allow for open views into the landscaping of the front setback. The proposed brick work complements the materiality of the building. The proposed development would see the demolition of the existing chainlink fence surrounding the Site.
 - Car parking and driveways are minimised. A single crossover is proposed to Foster Street, which will accommodate entry to the basement car park.
- It is noted that the subject Site is also within DDO4 which seeks to maintain the character of low front fences throughout the precinct.
- The proposed hit and miss brick component of the front fence will ensure passive surveillance of the street and limited views into the front garden, while maintaining privacy for residents of the dwellings, recognising that their private open space is to be provided within the setback.

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- The proposed 1.7m high brick front fence is consistent with the pattern of front fencing surrounding the Site, where fences are often solid and exceed 1.8m.

6.5 Does the proposal provide an appropriate response to Clause 55?

Please refer to Appendix A (Clause 55 Assessment) for a full assessment against the standards and objectives.

Having regard to the relevant objectives and standards of Clause 55, it is noted that:

- The proposal complies with the neighbourhood character objectives, with minor variations sought to Standard B2-1 (Street setback), Standard B2-2 (Building height), Standard B2-8 (Front fences). These variations are acceptable for the following reasons:
 - Although the proposed building does not strictly comply with the modified NCO4 standard for street setbacks, it is noted that the side setback of 6 Foster Street (opposite the Site) to Murray Street is approximately 2.6m. The proposed setback of 4.5m provides for a suitable transition in street setback, while ensuring the development efficiency of the Site is not hindered.
 - The proposed building achieves a maximum building height of 3 storeys (11.96 metres). This exceeds the maximum height permitted under the NRZ1, however, as outlined above, the Site can suitably accommodate the proposed building height, features a raked, integrated roof form, and is setback appropriately at the third storey. Further, the site has been earmarked for up to potentially 6 storeys (under the Activity Centres program).
 - The front fence exceeds the maximum height specified under Standard B2-8. Notwithstanding, the proposed hit and miss brick component of the front fence will ensure passive surveillance of the street and limited views into the front garden, while maintaining privacy for residents of the dwellings, recognising that their private open space is to be provided within the setback. The hit and miss pattern also allow for views into the front garden landscape. In addition to this, high front fencing forms part of the existing neighbourhood character. It is worth noting that the fence, as proposed, is consistent with the fence made available through the existing planning permit (GE/DP-38012/2025).
- The proposal largely complies with the liveability standards. The proposal has been designed to provide future residents with a high level of internal amenity. This is facilitated through well-proportioned living spaces, access to daylight and effective cross ventilation, and a variety of well landscaped and sizeable private open space areas. Minor variations are sought to Standard B3-6 (Solid access to private open space), this is appropriate given:
 - The southern portion of APT-03 secluded private open space is not setback in accordance with Standard B3-6. Nonetheless, the western portion of APT-03 SPOS equates to approximately 28sqm (of 93.9 sqm total). The western portion of the SPOS is not impacted by any wall to the north of this space, and thus benefits from unencumbered solar access.
- The proposal is fully compliant with the external amenity standards. The proposal has been designed to sensitively transition to surrounding dwellings and to avoid detrimental impacts on external amenity.
- The proposal is almost fully compliant with the sustainability standards, although minor variations are sought to Standard B5-4 (Solar protection to north facing windows). APT-01, APT02, APT-4, APT-05, APT-07 and APT-08 all feature north facing windows to habitable rooms. These windows have been designed with solar protection in mind – through purposeful selection of window size, balcony overhangs and external shading devices.

6.6 Car parking

The proposal has been designed in accordance with the design standards set out at Clause 52.06-9 of the Planning Scheme. The basement car park design has been informed by input from Traffix Group, and an assessment against the relevant provisions of the Planning Scheme and Australian Standards is provided within the accompanying Traffic Engineering Assessment. The Traffic Engineering Assessment concludes that the proposal:

- Delivers in excess of the minimum statutory car parking requirement for the development of eight dwellings within a Category 2 area, providing for a total of 18 car parking spaces on-site.
- Provides a car parking layout and access arrangements which are in accordance with the requirements of the Planning Scheme and relevant Australian Standards.
- Would generate a level of traffic which can be readily accommodated by the surrounding road network.

7 Conclusion

The development represents exemplary architecture and is a suitable candidate for assessment under the Great Design Fast Track.

The proposal has been designed to address all design principles of the GDFT program.

It delivers a high quality design that carefully considers each of its interfaces, providing for activation to both Murray Street and Foster Street, while protecting the amenity of neighbouring dwellings. Generous communal open space areas throughout the development, creating a range of opportunities for social interaction, outdoor living and entertainment, and landscaping. Landscape is integrated throughout the development, accenting balconies, adding visual interest, softening and grounding the architecture, and establishing a generous canopy coverage. ESD excellence has been embedded throughout the development. It achieves a total BESS score of 70% and an average NatHERS rating of 8 stars.

The proposal has had due consideration with the Glen Eira Planning Scheme, and planning objectives across Victoria. The development will deliver 8 new dwellings in a location which benefits from excellent public transport connectivity and amenity. The proposal integrates sensitively into its context, drawing architectural reference – both in form and material – from the neighbourhood, and should be supported.

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Appendices

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Clause 55 Assessment

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Project Number	325-0084-00-P-04-RP02
Address	16 Murray Street, Elsternwick
Plan Reference	Architectural Plans prepared by Studio McCue (Rev I dated 01 June 2026)
Date of Assessment	1 June 2026

Operation

The provisions of this clause contain:

- **Objectives.** An objective describes the outcome to be achieved in the completed development
- **Standards.** A standard contains the requirements to meet the corresponding objective.
If a zone or a schedule to a zone specifies a standard that modifies the standard set out in this clause, the modified standard in the zone or a schedule to the zone applies.
If the land is included in a Neighbourhood Character Overlay and a schedule to the overlay specifies a standard that modifies the standard set out in this clause, or a modified standard in the zone or a schedule to the zone, the modified standard in the schedule to the overlay applies.
If the land is included in an overlay, other than a Neighbourhood Character Overlay, and the schedule to the overlay specifies a standard that modifies the standard set out in this clause, or a modified standard in the zone or a schedule to the zone, the modified standard in the schedule to the overlay applies.
- **Decision Guidelines.** If a standard is not met, the decision guidelines set out the matters that the responsible authority must consider before deciding if the corresponding objective is met.

Requirements

A development must meet all of the applicable objectives contained in this clause.

If a development **meets a standard**:

- The corresponding **objective is deemed to be met**.
- The responsible authority is **not required** to consider the corresponding **decision guidelines**.

If a development does not meet a standard, the responsible authority must consider the applicable decision guidelines in determining whether the corresponding objective is met.

Clause 55.01 – Application Requirements

An application to which Clause 55 applies must be accompanied by:

- A site description.
- A design response.
- A written statement outlining which standards are met and which are not met. If a standard is not met the written statement must include an explanation of how the development meets the corresponding objective having regard to the corresponding decision guidelines.

Townhouse and Low-Rise Code Compliance Summary Table

Where all the *applicable standards* (shaded in grey) are met, an objector has no right of appeal.

Standard	Is the standard met?
Neighbourhood Character	
Standard B2-1 Street setback (Clause 55.02-1)	Variation Required
Standard B2-2 Building height (Clause 55.02-2)	Variation Required
Standard B2-3 Side and rear setbacks (Clause 55.02-3)	✓
Standard B2-4 Walls on boundaries (Clause 55.02-4)	NA
Standard B2-5 Site coverage (Clause 55.02-5)	✓
Standard B2-6 Access (Clause 55.02-6)	✓
Standard B2-7 Tree canopy (Clause 55.02-7)	✓
Standard B2-8 Front fences (Clause 55.02-8)	Variation Required
Liveability	
Standard B3-1 Dwelling diversity (Clause 55.03-1)	NA
Standard B3-2 Parking location (Clause 55.03-2)	Variation Required
Standard B3-3 Street integration (Clause 55.03-3)	✓
Standard B3-4 Entry (Clause 55.03-4)	✓
Standard B3-5 Private open space (Clause 55.03-5)	✓
Standard B3-6 Solar access to open space (Clause 55.03-6)	Variation Required
Standard B3-7 Functional layout (Clause 55.03-7)	✓
Standard B3-8 Room depth (Clause 55.03-8)	✓
Standard B3-9 Daylight to new windows (Clause 55.03-9)	✓
Standard B3-10 Natural ventilation (Clause 55.03-10)	✓
Standard B3-11 Storage (Clause 55.03-11)	✓
Standard B3-12 Accessibility for apartment developments (Clause 55.03-12)	✓
External Amenity	
Standard B4-1 Daylight to existing windows (Clause 55.04-1)	✓

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Standard B4-2 Existing north-facing windows (Clause 55.04-2)	✓
Standard B4-3 Overshadowing secluded open space (Clause 55.04-3)	✓
Standard B4-4 Overlooking (Clause 55.04-4)	✓
Standard B4-5 Internal views (Clause 55.04-5)	✓
Sustainability	
Standard B5-1 Permeability and stormwater management (Clause 55.05-1)	✓
Standard B5-2 Overshadowing domestic solar energy systems (Clause 55.05-2)	✓
Standard B5-3 Rooftop solar energy generation area (Clause 55.05-3)	✓
Standard B5-4 Solar protection to new north-facing windows (Clause 55.05-4)	Variation Required
Standard B5-5 Waste and recycling (Clause 55.05-5)	✓
Standard B5-6 Noise impacts (Clause 55.05-6)	✓
Standard B5-7 Energy efficiency for apartment developments (Clause 55.05-7)	✓

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Clause 55.02 – Neighbourhood Character

Clause 55.02-1 – Street setback

Objective	To ensure that the setbacks of buildings from a street respond to the existing or preferred neighbourhood character and make efficient use of the site.		
NCO4 Modified Requirement	Walls of buildings should be setback from streets the distance specified in Street Setback Table below.		
Street setback table			
Development context	Minimum setback from front street (metres)	Complies?	
All buildings	Equal to the greater setback from the front street of adjacent dwellings within the same Overlay area.	Variation Required	
Development context	Minimum setback from side street (metres)	Complies?	
All buildings	Equal to the greater setback from the side street of all dwellings on a corner allotment within the same Overlay area.	Variation Required	

Assessment:

Complies with the Objective

The proposal provides a minimum front setback of 4.535 metres to Murray Street. This is less than the abutting dwelling at 14 Murray Street which has a minimum front setback of 7 metres, requiring a variation to the NCO4 street setback standard.

This variation is appropriate given that the side setback of 6 Foster Street (opposite the Site) to Murray Street is markedly less at 2.655 metres. The proposed setback provides for a suitable transition in street setback, while ensuring the efficiency of the Site is not hindered (refer Figure 1 below).

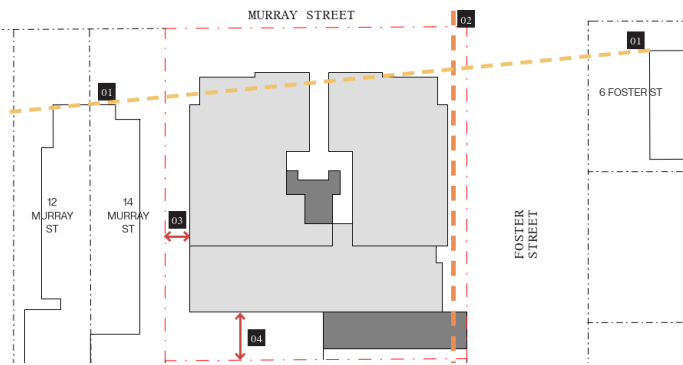


Figure 1. Murray Street setback transition diagram (Studio McCue 2026)

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The proposal provides a minimum side setback of 2 metres to Foster Street. This is consistent with the prevailing setbacks along the west side of Foster Street, noting the building immediately south of the Site, at 1 Foster Street, is built to the street boundary.

Clause 55.02-2 – Building height

Objective	To ensure that the height of buildings respond to the existing or preferred neighbourhood character.
Standard B2-2	The maximum building height does not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land. If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height does not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height does not exceed 10 metres.

Assessment:

Complies with the Objective

The building has a maximum height of 11.96 metres (3 storeys) (excluding lift overrun). The proposed variation to the maximum building height is considered appropriate given the scale of the Site and it's capacity to accommodate a three-storey building, the raked roof form which accommodates an appropriate transition in height from surrounding buildings, and the considered architectural response which seeks to ensure unreasonable off-site amenity impacts are not caused as a result of the height variation.

Clause 55.02-3 – Side and rear setbacks

Objective	To ensure that the height and setback of a building from a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings or small second dwellings.
Standard B2-3	A new building not on or within 200mm of a boundary is set back from side or rear boundaries in accordance with either B2-3.1 or B2-3.2. Standard B2-3 is met if the building is setback in accordance with either B2-3.1 or B2-3.2, rather than needing to comply with both of these provisions:

B2-3.1:

The building is setback at least 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres

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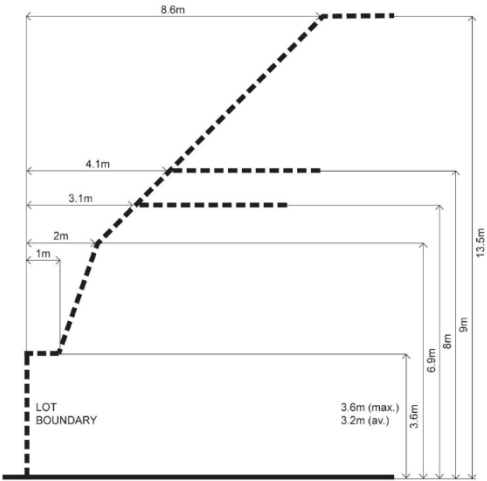


Diagram B2-3.1 Side and rear setbacks

B2-3.2:

If the boundary is not to the south of the building, the building is setback at least 3 metres up to a height not exceeding 11 metres and at least 4.5 metres for a height over 11 metres. If the boundary is to the south of the building, the building is setback at least 6 metres up to a height not exceeding 11 metres and at least 9 metres for a height over 11 metres between south 30 degrees west to south 30 degrees east.

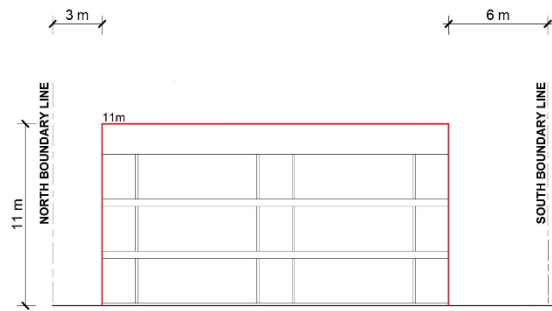


Diagram B2-3.2 Side and rear setbacks

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the side and rear setbacks.

Landings that have an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may

Assessment:

Complies with Standard B2-3

The side and rear setbacks comply with Standard B2-3.1.

Clause 55.02-4 – Walls on boundaries

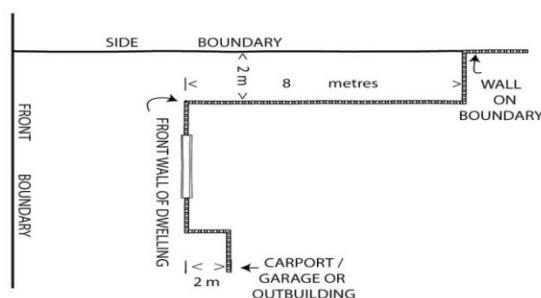
Objective

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

NCO4 Modified Requirement

A wall may be constructed on a boundary where:

- It is a carport, garage or outbuilding setback at least 2 metres behind the front wall of the dwelling, and located on one side boundary only; or
- It is any other part of the dwelling and the building is setback a minimum of 2 metres from the side boundary for a distance of 8 metres from the front wall of the building. (see sketch).



All other requirements of Standard A11 and Standard B2-4 continue to apply.

Standard B2-4

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot does not abut the boundary for a length that exceeds the greater of the following distances:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot; or
- The length of existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary does not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

Assessment:

Not applicable

No walls on boundaries are proposed.

Clause 55.02-5 – Site coverage

Objective To ensure that the site coverage responds to the existing or preferred neighbourhood character and responds to the features of the site.

Standard B2-5 The site area covered by buildings does not exceed:

- The maximum site coverage specified in a schedule to the zone; or
- If no maximum site coverage is specified in a schedule to the zone 60 per cent.

Assessment:

Complies with Standard B2-5

The proposal would result in a maximum site coverage of 616.0sqm equalling to 60% of the Site area. This is compliant with the maximum site coverage specified by Standard B2-5.

Clause 55.02-6 – Access

Objective To ensure the number and design of vehicle crossovers responds to the neighbourhood character.

Standard B2-6 The width of accessways or car spaces (other than to a rear lane) does not exceed:

- 33 per cent of the street frontage; or
- 40 per cent of the street frontage if the width of the street frontage is less than 20 metres

The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 is not increased.

The location of a vehicle crossover or accessway does not encroach the tree protection zone of an existing tree that is proposed to be retained in a road by more than 10 per cent.

Assessment:

Complies with Standard B2-6

A single crossover with a maximum width of 3.6m is proposed to Foster Street. The Foster Street frontage is 33.53m, and the proposed crossover therefore equates to approximately 10.7% of the street frontage, complying with this standard.

No retained street trees are within proximity of the proposed crossover.

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Clause 55.02-7 – Tree canopy

Objectives	To provide tree canopy that responds to the neighbourhood character 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 new canopy trees are climate responsive, support biodiversity, wellbeing and amenity, and help reduce urban heat.
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Standard B2-7	Provide a minimum canopy cover of: 10% of the site area on sites 1,000sqm or less; or 20% of the site area on sites more than 1,000sqm. Existing trees to be retained meet all of the following: - Has a height of at least 5 metres, - Has a trunk circumference of 0.5 metres or greater at 1.4 metres above ground level, - Has a trunk that is located at least 4 metres from proposed buildings. The minimum canopy cover is met using any combination of trees specified in Table B2-7.2. Existing trees that are retained can be used in calculating canopy cover.
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Table B2-7.2 Tree type, canopy cover, deep soil and planter requirements

Tree type	Minimum canopy diameter at maturity	Minimum height at maturity	Minimum mature canopy cover	Tree in deep soil Area of deep soil	Tree in planter Volume of planter	Minimum depth of planter soil
A	4 m	6 m	12.0 m ²	12 m ² (min. plan dimension 2.5 m)	12 m ³ (min. plan dimension 2.5 m)	0.8 m
B	8 m	8 m	50.3 m ²	49 m ² (min. plan dimension 4.5 m)	28 m ³ (min. plan dimension 4.5 m)	1 m
C	12 m	12 m	113.1 m ²	121 m ² (min. plan dimension 6.5 m)	64 m ³ (min. plan dimension 6.5 m)	1.5 m

Provide at least one new or retained tree in the front setback and the rear setback.

Trees are located in either:

- An area of deep soil as specified in Table B2-7.2; or
- A planter as specified in Table B2-7.2.

Any tree required to be planted under this standard must be of species to the satisfaction of the responsible authority, having regard to the location and relevant geographic factors.

Assessment:

Complies with Standard B2-7

The proposal achieves a total canopy coverage of 316 sqm. Tree canopy in accordance with Standard B2-7 equates to 288 sqm (28.18% of the total Site area). This includes the provision of 3 'Type A' and 2 'Type B' trees.

All canopy trees relied on for canopy coverage as above are located in deep soil in accordance with Standard B2-7, which occupies approximately 14.2% of the total site area.

Clause 55.02-8 – Front fences

Objective	To encourage front fence design that responds to the existing or preferred neighbourhood character.
Modified NCO4 Requirement	The design of front fences within 3 metres of a street in the Downshire Road Area Elsternwick and Murray Street Elsternwick should: • not exceed a height of 1.2 metres and • have at least 25% permeability, or • not exceed a height of 0.8 metres if constructed in brick/masonry.

Assessment:

Complies with the Objectives

A 1.7 metre high perforated (hit and miss) brick front fence is proposed. Although this exceeds the preferred maximum height specified in NCO4 and DDO4, it is appropriate having regard to the immediate context of the Site.

As outlined in the accompanying Town Planning Report, there is an established pattern of high, solid front fences (up to 1.8m) around the subject Site and along Murray Street.

The proposed hit and miss brick component of the front fence will ensure passive surveillance of the street, while maintaining sufficient privacy for residents of the dwellings, recognising that their private open space is to be provided within the setback.

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Clause 55.03 – Liveability

Clause 55.03-1 – Dwelling diversity

Objective	To encourage a range of dwelling sizes and types in developments of ten or more dwellings.
Standard B3-1	Developments include at least: • One dwelling that contains a kitchen, bath or shower, bedroom and a toilet and wash basin at ground floor level for every 10 dwellings. • One dwelling that includes no more and no less than 2 bedrooms for every 10 dwellings. • One dwelling that includes no more and no less than 3 bedrooms for every 10 dwellings.

Assessment:

Not Applicable

Clause 55.03-1 does not apply to developments of less than 10 dwellings.

Clause 55.03-2 – Parking location

Objective	To minimise the impact of vehicular noise within developments on residents.
Standard B3-2	Habitable room windows with sill heights of less than 2 metres above ground level are setback from accessways and car parks by at least: • 1.5 metres; or • If there is a solid fence with a height of at least 1.5 metres between the accessway or car park and the window, 1 metre; or • 1 metre where windowsills are at least 1.5 metres above ground level. This standard is met if an accessway or relevant car parking space is used exclusively by the resident of the building with the habitable room.

Assessment:

Complies with the Objective

The study of APT-03 has a window interfacing the communal vehicle accessway. This window features obscured glazing to 2.705 metres above the finished surface level of the driveway. This is considered an acceptable variation having regard to the use of as a study. This large window provides natural light to this room and it is considered that an appropriate balance between solar access and amenity impacts needs to be struck. It is also relevant to note that the basement only serves a total of eight dwellings.

Clause 55.03-3 – Street integration

Objective	To integrate the layout of development with the street to support the safety and amenity of residents
Standard B3-3	Where a development fronts a street, a vehicle accessway or abuts public open space: • Passive surveillance is provided by a direct view from a balcony or a habitable room window to each street, vehicle accessway and public open space.

- The total cumulative width of all site services to be located within 3 metres of a street, do not take up more than 20 per cent of the width of the frontage and are screened from view from the street or located behind a fence. Screens or fences are to provide no more than 25 per cent transparency.

Lighting is provided to all external accessways and paths.

Mailboxes are provided for each dwelling and can be communally located.

Assessment:

Complies with Standard B3-3

The layout of the proposed development has considered each of its interfaces to ensure it is suitably integrated into the streetscape and supports safety and amenity. Interfaces to Murray Street, Foster Street, and the common accessway, allow for passive surveillance from habitable room windows or balconies.

The Site services have a maximum width of approximately 5.75m to Murray Street, which equates to 18.86% of the frontage in accordance with Standard B3-3. Services will be enclosed in an integrated cupboard with a bronze metal finish.

Wall mounted lights and garden lights will be provided to all accessways, paths and gates.

Mailboxes are communally located in the front (Murray Street) setback.

Clause 55.03-4 – Entry

Objectives

To provide each dwelling, apartment development or residential building with its own sense of identity.

To provide entries with weather protection, safe design, natural light and ventilation.

Standard B3-4

Apartment development and residential building with a shared entry

An apartment development and each residential building has:

- A ground level entry door, gate or walkway with a direct line of sight from a street, accessway or shared walkway.
 - An external covered area of at least 1.44 square metres with a minimum dimension of least 1.2 metres over the entry door to the building.
 - Shared corridors and common areas have at least one source of natural light and natural ventilation.
-

Assessment:

Complies with Standard B3-4

The entry to the apartment building has a direct line of site to the shared walkway and to Murray Street and is provided with a canopy above the entryway with a minimum dimension of 1.8m and total area of 4.55sqm.

Natural light and ventilation are provided to the pedestrian entry on the ground floor, while a light court will allow natural light to the common lobby area. A skylight is positioned over the stairwell to allow light penetration to the landings of Level 01 and Level 02.

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Clause 55.03-5 – Private open space

Objective	To provide adequate private open space for the reasonable recreation and service needs of residents
Standard B3-5	A dwelling or residential building has private open space of an area and dimensions specified in a schedule to the zone. If no area or dimension is specified in a schedule to the zone, a dwelling or residential building has private open space with direct access from a living area, dining area or kitchen consisting of: • An area of 25 square metres of secluded private open space, with a minimum dimension of 3 metres width; or • A balcony with at least the area and dimensions specified in Table B3-5; or • An area on a podium or similar of at least 15 square metres, with a minimum dimension of 3 metres width; or • An area on a roof of at least 10 square metres, with a minimum dimension of 2 metres width. If the area and dimensions of the private open space or secluded private open space is specified in a schedule to the zone. • The area and dimensions specified in the schedule must be 25 square metres or less; and • The area and dimensions specified for a podium, balcony or an area on a roof must be less than the area and dimensions specified in this standard. If a cooling or heating unit is in the secluded private open space or private open space the required area is increased by 1.5 square metres. Where ground level private open space is provided an area for clothes drying is provided.

Table B3-5 Private open space for a balcony

Orientation of dwelling	Dwelling type	Minimum area	Minimum dimensions
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 20 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-bedroom dwelling	12 square metres	2.4 metres

Assessment:

Complies with Standard B3-5.

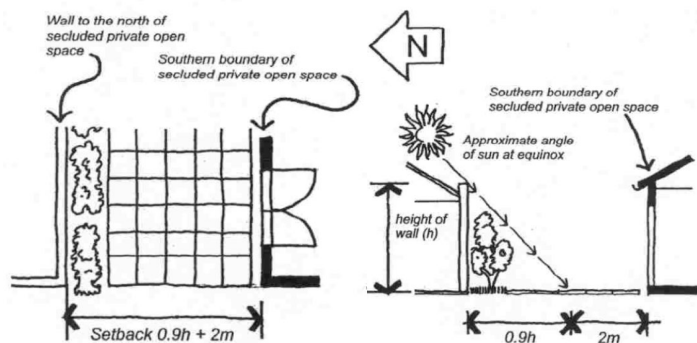
Each dwelling is provided with a private open space which exceeds the minimum area and dimensions specified in Standard B3-8.

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Clause 55.03-6 – Solar access to open space

Objective	To allow solar access into the secluded private open space of new dwellings and residential buildings.
Standard B3-6	The southern boundary of secluded private open space is set back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall.

Diagram B3-6 Solar access to open space



Assessment:

Complies with Objective

All ground level secluded private open space areas are provided with suitable solar access.

A minor variation to Standard B3-6 is required for 2 APUs which feature a 'sub-standard' secluded private open space are in the southern and western portion of the Site. The private open space area is generous (93.9m²), however the area south of the building does not strictly comply with the minimum setback required by this standard.

The southern boundary of this portion of the SPOS is set back from the building on its northern side has a maximum height of between 7m and 11.75m (raked roof form). The SPOS setback is 12.6 to 19.6m.

Notwithstanding, given the generous size of the SPOS area and recognising the western portion of the SPOS equates to approximately 28sqm the variation to this standard is appropriate.

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Clause 55.03-7 – Functional layout

Objective	To ensure dwellings provide functional areas that meet the needs of residents.
Standard B3-7	Bedrooms: • Meet the minimum internal room dimensions specified in Table B3-7.1; and • Provide an additional area of at least 0.8 square metres to accommodate a wardrobe. Living areas (excluding dining and kitchen areas) meet the minimum internal room dimensions specified in Table B3-7.2.

Table B3-7.1 Bedroom dimensions

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

Table B3-7.2 Living area dimensions

Dwelling type	Minimum width	Minimum area
Studio and 1 bedroom dwelling	3.3 metres	10 metres

Assessment:**Complies with Standard B3-7.**

All living rooms and bedrooms meet the internal room dimensions required by Standard B3-7.

Clause 55.03-8 – Room depth

Objective	To allow adequate daylight into single aspect habitable rooms.
Standard B3-8	The depth of a single aspect habitable room does not exceed 2.5 times the ceiling height measured from the external surface of the habitable room window to the rear wall of the room. 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; and • The kitchen is located furthest from the window; and • 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; and • An overhang extends no more than 2m beyond the window of the single aspect habitable room. In Clause 55.03-8 a single aspect habitable room is a habitable room with windows on only one wall.

Assessment:**Complies with Standard B3-8**

All single aspect habitable rooms throughout the development comply Standard B3-8.

Clause 55.03-9 – Daylight to new windows

Objective	To allow adequate daylight into new habitable room windows.
Standard B3-9	Dwelling in or forming part of an apartment development A window in an external wall of the building is provided to all habitable rooms. Where daylight to a bedroom is provided from a smaller secondary area within the bedroom, the secondary area is to have: • A minimum width of 1.2 metres. • A maximum depth of 1.5 times the width, measured from the external surface of the window. • A window clear to the sky.

Assessment:**Complies with Standard B3-9**

All habitable rooms are provided windows to external walls and do not rely on any secondary areas.

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Clause 55.03-10 – Natural ventilation

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

Standard B3-10

Dwelling in or forming part of an apartment development

At least 40 per cent of dwellings have openable windows, doors or other ventilation devices in external walls of the building that provide:

- 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 size.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

Assessment:

Complies with Standard B3-10

All bedrooms benefit from natural ventilation in accordance with Standard B3-10.

Clause 55.03-11 – Storage

Objective	To provide adequate storage facilities for each dwelling.	
Standard B3-11	Dwelling (other than a dwelling in or forming part of an apartment development)	
	Each dwelling has exclusive access to at least 10 cubic metres of externally accessible storage space.	
	Dwelling in or forming part of an apartment development	
	Each dwelling has exclusive access to storage at least the total minimum storage volume that is specified in Table B3-11.	
Table B3-11 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

Assessment:

Complies with Standard B3-11

All dwellings are provided with storage which exceed the minimum amount required by Standard B3-11. Internal storage provided ranges from 20.28 to 30.17 cubic metres. Additional storage is provided in the basement.

Clause 55.03-12 – Accessibility for apartment developments

Objective	To ensure the design of dwellings meets the needs of people with limited mobility.
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Standard B3-12

At least 50 per cent of dwellings in or forming part of an apartment development 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 B3-12.

Table B3-12 Bathroom design

	Design option A	Design option B
Door opening	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower.
Door design	Either: • A slide door, or • A door that opens outwards, or • A door that opens inwards that is clear of the circulation area and has readily removable hinges.	Either: • A slide door, or • A door that opens outwards, or • A door that opens inwards and has readily removable hinges.
Circulation area	A clear circulation area that is: • A minimum area of 1.2 metres by 1.2 metres. • Located in front of the shower and the toilet. • Clear of the toilet, basin, and shower swing. • The circulation area can include a shower area.	A clear circulation area that is: • A minimum width of 1 metre. • The full length of the bathroom and a minimum length of 2.7 metres. • Clear of the toilet and basin.
Path to circulation area	A clear path with a minimum width of 900mm from the door opening of the circulation area.	Not applicable.
Shower	A hobless (step-free) shower.	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.
Toilet	A toilet located in the corner of the room.	A toilet located closest to the door opening and clear of the circulation area.

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Assessment:**Complies with Standard B3-12**

All dwellings are provided with a clear opening and adaptable bedroom in accordance with Standard B3-12.

All dwellings, excluding APT-01 and APT-03, are provided with an adaptable bathroom in accordance with Standard B3-12. This represents 75% of the dwellings.

While the bathrooms to APT-01 and APT-03 do not strictly comply with either Design option A or Design option B, they have been designed to comply with the NCC liveable housing design standards and have been designed to be adaptable to the needs of people with limited mobility.

Clause 55.04 – External Amenity

Clause 55.04-1 – Daylight to existing windows

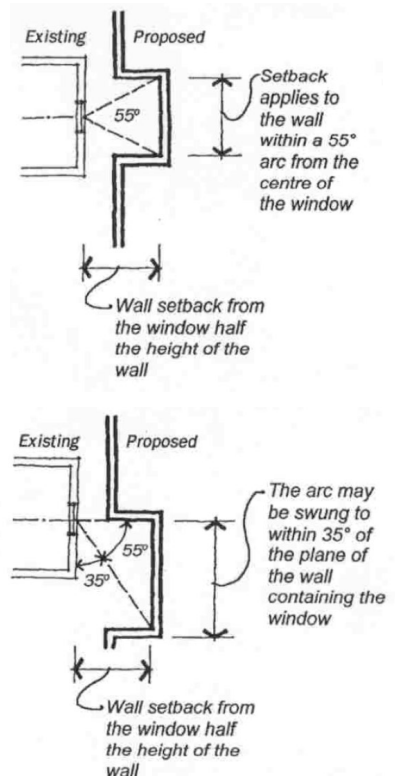
Objective To allow adequate daylight into existing habitable room windows.

Standard B4-1 Buildings opposite an existing habitable room window provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window are set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55-degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

Diagram B4-1 Daylight to existing windows



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Assessment:

Complies with Standard B4-1

The western wall of the apartment development interfaces a number of habitable room windows at 14 Murray Street.

The proposed wall at Level Ground / Level 1 is 7.5m high. Standard B4-1 requires a setback of 3.75m from any existing habitable room window. The development is setback approximately 5.25m from the window at this point.

Beyond Level 1, the wall is sloped. The wall at Level 2 has a maximum height of 11.3 metres. Standard B4-1 requires a setback of 5.65m from any existing habitable room window. The development is setback approximately 8.3m from the window at this point.

Clause 55.04-2 – Existing north-facing windows

Objective To allow adequate solar access to existing north-facing habitable room windows.

Standard B4-2

Diagram B4-2.1 North-facing windows

Where a north-facing habitable room window of a neighbouring dwelling or small second dwelling is within 3 metres of a boundary on an abutting lot:

- A new building is to be set back from the boundary by at least 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window.
- For new buildings that meet the Standard B2-3.2 setback, the building is setback at least 6 metres up to a height not exceeding 11 metres and at least 9 metres for a height over 11 metres between south 30 degrees west to south 30 degrees east. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window.

For this standard a north-facing window is a window with an axis perpendicular to its surface oriented from north 20 degrees west to north 30 degrees east

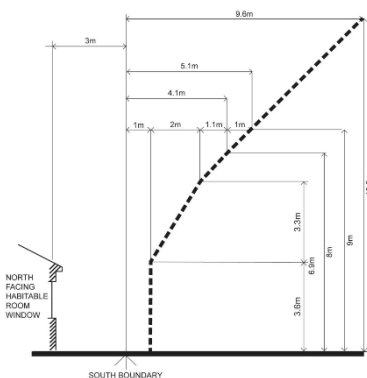


Diagram B4-2.2 North-facing windows



Assessment:

Complies with Standard B4-2

There are no existing north facing habitable room windows abutting the Site. Nonetheless, the new building is set back from the southern boundary in accordance with Standard B4-2.

Clause 55.04-3 – Overshadowing of secluded open space

Objective

To ensure buildings do not significantly overshadow existing secluded private open space.

Standard B4-03

The area of secluded private open space that is not overshadowed by the new development is greater than:

- 50 per cent, or
- 25 square metres with a minimum dimension of 3 metres, whichever is the lesser area, for a minimum of five hours between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling or small second dwelling is less than the requirements of this standard, the amount of sunlight will not be further reduced.

Assessment:

Complies with Standard B4-3

The future (proposed) dwelling at 1 Foster Street and the adjoining dwelling at 14 Murray Street will enjoy solar access in accordance with Standards B4-3.

The proposed dwelling at 1 Foster Street has a secluded private open space area of 105 sqm. This would require a minimum of 52.5sqm of SPOS being not overshadowed by the development for a minimum of five hours between 9 am and 3pm on 22 September. The accompanying shadow diagrams demonstrate that the secluded private open space of the proposed dwelling at 1 Foster Street would continue to enjoy at least 52.5 sqm of unshadowed area between 11 am and 3pm on 22 September in accordance with the standard.

Clause 55.04-4 – Overlooking

Objective To limit views into existing secluded private open space and habitable room windows.

Standard B4-4 In Clause 55.04-4 a habitable room does not include a bedroom.

A habitable room window, balcony, podium, terrace, deck or patio is located and designed to avoid direct views into the secluded private open space of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views are measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio that is located with a direct view into a habitable room window of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio:

- Is offset a minimum of 1.5 metres from the edge of one window to the edge of the other; or
- Has sill heights of at least 1.7 metres above floor level; or
- Has fixed, obscure glazing in any part of the window below 1.7 metre above floor level; or
- Has permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent; or
- Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins.

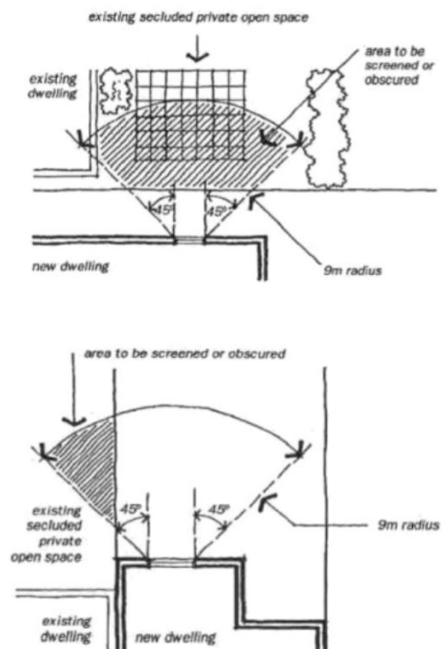
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view are:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

Diagram B4-4 Overlooking



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Assessment:

Complies with Standard B4-4

The building has been sited to avoid views into 14 Murray Street from APT-06 and APT-07, and views into 1 Foster Street from APT-07. Specifically, potential for overlooking has been avoided via the provision of obscure glazing to 1.7 metres at windows, and solid fencing and hit and miss brick screening to at least 1.7 metres at balconies. Refer to overlooking section on sheet TP-310 on architectural plans prepare by Studio McCue.

Clause 55.04-05 – Internal views

Objective	To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.
Standard B4-5	In Clause 55.04-5 a habitable room does not include a bedroom. Within the development, a habitable room window, balcony, terrace, deck or patio that is located with a direct view into the secluded private open space of another dwelling: • Is offset a minimum of 1.5 metres from the edge of the secluded private open space; or • Has a sill height of at least 1.7 metres above floor level; or • Has a fixed, visually obscure balustrade to at least 1.7 metre above floor level; or • Has permanently fixed external screens to at least 1.7 metres above floor level; or. • Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins. Direct views are measured at a height of 1.7 metres above floor level and within: • A 45 degree horizontal angle from the edge of the new window or balcony. • A 45 degree angle in the downward direction. Screens provided for overlooking are no more than 25 per cent transparent. Screens may be openable provided that this does not allow direct views as specified in this standard.
Assessment:	
Complies with Standard B4-5	
	There is no potential for direct views into the secluded private open space of other apartments.

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Clause 55.05 – Sustainability

Clause 55.05-1 – Permeability and stormwater management

Objectives	To reduce the impact of increased stormwater run-off on the drainage system and downstream waterways. To facilitate on-site stormwater infiltration. To encourage stormwater management that maximises the retention and reuse of stormwater. To contribute to urban cooling.
Standard B5-1	The site area covered by the pervious surfaces is at least 20 percent of the site. The development includes a stormwater management system designed to: • Meet the best practice quantitative performance objectives for stormwater quality specified in the Urban stormwater management guidance (EPA Publication 1739.1, 2021) of: ◦ Suspended solids 80% reduction in mean annual load. ◦ Total phosphorus and Total Nitrogen 45% reduction in mean annual load. ◦ Litter 70% reduction of mean annual load. Note: A certificate generated from a stormwater assessment tool including Stormwater Treatment Objective - Relative Measurement (STORM) or an equivalent tool approved by the responsible authority may be used to demonstrate the performance objectives are met. • Direct flows of stormwater into treatment areas, garden areas, tree pits and permeable surfaces, with drainage of residual flows to the legal point of discharge.
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Complies with Standard B5-1

The proposal achieves permeability of 23% (234.3m²).The proposal achieves a Blue Factor Score 101%.

Refer to SDA report prepared by GIW Environmental Solutions (May 2026) for full details.

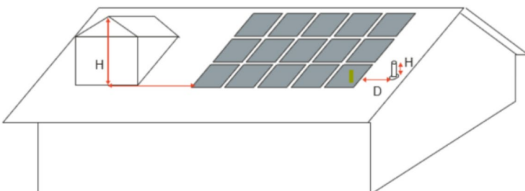
Clause 55.05-2 – Overshadowing domestic solar energy systems

Objective	To ensure that the height and setback of a building from a boundary allows reasonable solar access to existing domestic solar energy systems on the roofs of buildings.
Standard B5-2	Any part of a new building that will reduce the sunlight at any time between 9am and 4 pm on 22 September to an existing domestic solar energy system on the roof of a building on an adjoining lot be set back from the boundary to that lot by at least 1 metre at 3.6 metres above ground level, plus 0.3 metres for every metre of building height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. This standard applies to an existing building in a Township Zone, General Residential Zone or Neighbourhood Residential Zone. In Clause 55.05-2 domestic solar energy system means a domestic solar energy system that existed at the date the application was lodged.
Assessment:	

Complies with Standard B5-2

There are no existing domestic solar energy systems on the roofs of abutting dwellings. Nonetheless, the proposal complies with Standard B5-2.

Clause 55.05-3 – Rooftop solar energy generation area

Objective	To support the future installation of appropriately sited rooftop solar energy systems for a dwelling.										
Standard B5-3	In Clause 55.05-3 rooftop solar energy area means an area provided on the roof of a dwelling to enable the future installation of a solar energy system. An area on the roof is capable of siting a rooftop solar energy area for each dwelling which: • Has a minimum dimension of 1.7 metres. • Has a minimum area in accordance with Table B5-3. • Is oriented to the north, west or east. • Is positioned on the top two thirds of a pitched roof. • Can be a contiguous area or multiple smaller areas. • Is free of obstructions on the roof of the dwelling within twice the height of each obstruction (H), measured horizontally (D) from the centre point of the base of the obstruction to the nearest point of the rooftop solar energy area. This standard does not apply to apartment buildings or residential buildings.	Diagram B5-3 Allowable distance between obstructions and the rooftop solar energy area  Obstructions located south of all points of the rooftop solar energy area are not subject to the horizontal distance requirements. Table B5-3 Minimum rooftop solar energy generation area <table><tr><th>Number of bedrooms</th><th>Minimum roof area</th></tr><tr><td>1 bedroom dwelling</td><td>15 square metres</td></tr><tr><td>2 or 3 bedroom dwelling</td><td>26 square metres</td></tr><tr><td>4 or more bedroom dwelling</td><td>34 square metres</td></tr></table>	Number of bedrooms	Minimum roof area	1 bedroom dwelling	15 square metres	2 or 3 bedroom dwelling	26 square metres	4 or more bedroom dwelling	34 square metres	
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4 or more bedroom dwelling	34 square metres										
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Not Applicable											

Standard B5-3 does not apply to apartment buildings.

Notwithstanding, a solar energy system is to be installed. Please refer to SDA report prepared by GIW Environmental Solutions (May 2026) for full details.

Clause 55.05-4 – Solar protection to new north-facing windows

Objective	To encourage external shading of north facing windows to minimise summer heat gain.
Standard B5-4	North facing windows are shaded by eaves, fixed horizontal shading devices or fixed awnings with a minimum horizontal depth of 0.25 times the window height.
Assessment:	
Complies with the Objective	
APT-01, APT02, APT-4, APT-05, APT-07 and APT-08 all feature north facing windows to habitable rooms. These windows have been designed with solar protection in mind – through purposeful selection of window size, balcony overhangs and external shading devices. The efficiency of the building, including in limiting solar heat gain, is demonstrated in the accompanying SDA.	

Clause 55.05-5 – Waste and recycling

Objectives

To ensure dwellings are designed to facilitate waste recycling.

To ensure that waste and recycling facilities are accessible and are of sufficient size to manage organic and general waste, and mixed and glass recycling.

To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity.

Standard B5-5

Dwelling (other than a dwelling in or forming part of an apartment development)

The development includes an individual bin storage area for each dwelling, or a shared bin storage area for use by each dwelling, of at least the applicable area, depth and height specified in Table B5-5.1.

Table B5-5.1 Bin storage

Type of bin storage area	Minimum area	Minimum depth	Minimum height
Individual bin storage area for a dwelling	1.8 square metres	0.8 metres	1.8 metres
Shared bin storage area for 3 dwellings or less	5.4 square metres	0.8 metres	1.8 metres
Shared bin storage area for 4 or more dwellings	4 square metres plus 1 square metre per dwelling	0.8 metres	1.8 metres

If the development includes a shared bin storage area:

- The shared bin storage area:
 - Is located within 40 metres of a kerbside collection point.
 - Includes a tap for bin washing.
- There is a continuous path of unobstructed access and egress from dwellings to the bin storage area.

Where access is provided for private bin collection on the lot, the design of access ways must allow the vehicle to enter and exit in a forward direction.

Each dwelling includes an internal waste and recycling storage space of at least 0.07 cubic metres with a minimum depth of 250 millimetres.

Dwelling in or forming part of an apartment development

The development includes a shared bin storage area for use by each dwelling of at least the applicable area, depth and height specified in Table B5-5.2.

Table B5-5.2 Apartment bin storage

Number of dwellings	Minimum area	Minimum depth	Minimum height
15 or less dwellings	0.7 square metres per dwelling in a shared waste storage area	0.8 metres	2.7 metres
16 to 55 dwellings	0.5 square metres per dwelling, plus 5 square metres in a shared waste storage area	1 metre	2.7 metres
56 or more dwellings	0.5 square metres per dwelling in a shared waste storage area	1 metre	2.7 metres

Enclosed bin storage areas are ventilated by:

- Natural ventilation openings to the external air with an area of at least 5 per cent of the area for bin storage area; or

- A mechanical exhaust ventilation system.

A tap and drain is provided to wash bins.

A continuous path of travel is provided from each dwelling to bin storage areas.

Each dwelling includes an internal waste and recycling storage space of at least 0.07 cubic metres with a minimum depth of 250 millimetres.

Assessment:

Complies with Standard B5-5

The proposal provides for eight dwellings, require a total bin storage area of 5.6 square metres. A bin store area of 22.6 square metres has been provided. Washing facilities are provided. A continuous path of travel from the basement stairwell and lift is provided. Each dwelling has internal waste and recycling storage space in accordance with Standard B5-5.

Clause 55.05-6 – Noise impacts

Objective	To minimise the impact of mechanical plant noise located in the development.
Standard B5-6	Mechanical plant, including mechanical car storage and lift facilities are not located immediately adjacent to bedrooms of new or existing dwellings or small second dwellings, unless a solid barrier is in place to provide a line of sight barrier to transmission of noise and the location of all relevant bedrooms.

Assessment:

Complies with Standard B5-6	
Mechanical plants including the lift facilities have been located to minimise potential noise impacts on bedrooms in accordance with Standard B5-6.	
Clause 55.05-7 –Energy efficiency for apartment developments	
Objectives	To achieve energy efficient dwellings and buildings. To ensure dwellings achieve adequate thermal efficiency.

Standard B5-7 Dwellings in or forming part of an apartment development located in a climate zone identified in Table B5-7 do not exceed the maximum NatHERS annual cooling load.

Table B5-7 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).

Assessment:

Complies with Standard B5-7

The proposal complies with the NatHERS maximum cooling load requirements of Standard B5-7. Refer to Sustainable Design Assessment prepared by GIW Environmental Solutions (May 2026) for full details.

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