CLAUSE 58 RESCODE COMPLIANCE CHECKLIST – 49 NEWCOMBE STREET, PORTARLINGTON

Application

Provisions in this clause apply to an application to construct or extend an apartment development in the Commercial 1 Zone.

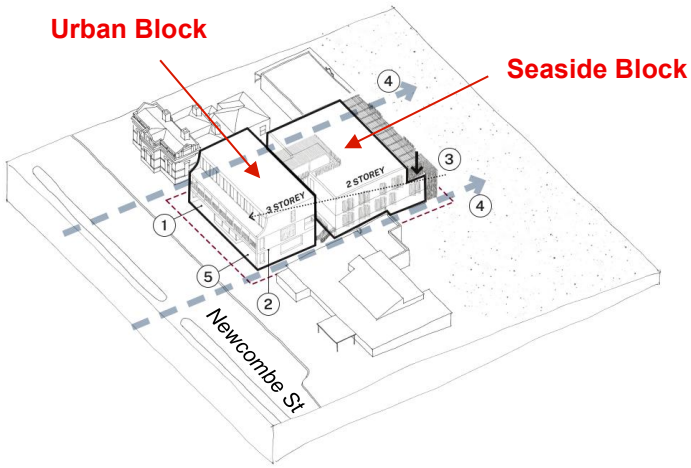
Operation

The provisions of this Clause 58 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 normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.

The development comprises two buildings connected by a central breezeway. For ease of identification, the block fronting Newcombe Street is referred to as the 'Urban Block' and the block at the rear is called 'Seaside Block'.



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Assessment Summary

The following table provides an overview of which aspects of the development require a variation to the standards of Clause 58.

Objectives/ Standard	Complies?	Objectives/ Standard	Complies?	Objectives/ Standard	Complies?
D1 Urban Context	✓	**D11** Access	✓	**D21** Storage	✓
D2 Residential Policy	✓	**D12** Parking Location	✓	**D22** Common Property	✓
D3 Dwelling Diversity	✓	**D13** Integrated Water and Stormwater Management	✓	**D23** Site Services	✓
D4 Infrastructure	✓	**D14** Building Setback	✓	**D24** Waste and Recycling	✓
D5 Integration with the Street	✓	**D15** Internal Views	✓	**D25** External Walls and Materials	✓
D6 Energy Efficiency	✓	**D16** Noise Impacts	✓	**D26** Functional Layout	✓
D7 Communal Open Space	✓	**D17** Wind Impacts	N/A	**D27** Room Depth	✓
D8 Solar Access to Communal Outdoor Open Space	✓	**D18** Accessibility	✓	**D28** Windows	✓
D9 Safety	✓	**D19** Building Entry and Circulation	✓	**D29** Natural Ventilation	✓
D10 Landscaping	✓	**D20** Private Open Space	✓		

58.01 Urban Context Report and Design Response

An urban context report and a design response report are provided with the planning application.

Objective	Compliance	Comment
58.01-1 Application Requirements		
An application must be accompanied by: ▸ An urban context report. ▸ A design response.	✓	These documents have been prepared by Spiire and KTA and are included with the application.
Clause 58.01-2 Urban Context Report		
The urban context report may use a site plan, photographs or other techniques and must include: An accurate description of: ▸ Site shape, size, orientation and easements. ▸ Levels and contours of the site and the difference in levels between the site and surrounding properties. ▸ The location and height of existing buildings on the site and surrounding properties. ▸ The use of surrounding buildings. ▸ The location of private open space of surrounding properties and the location of trees, fences and other landscape elements. ▸ Solar access to the site and to surrounding properties. ▸ Views to and from the site. ▸ Street frontage features such as poles, street trees and kerb crossovers.	✓	All information as required by this provision has been provided within the Planning and Urban Context Report prepared by Spiire and the Design Statement prepared by KTA.

Objective	Compliance	Comment
▸ The location of local shops, public transport services and public open spaces within walking distance. ▸ Movement systems through and around the site. ▸ Any other notable feature or characteristic of the site. An assessment of the characteristics of the area including: ▸ Any environmental features such as vegetation, topography and significant views. ▸ The pattern of subdivision. ▸ Street design and landscape. ▸ The pattern of development. ▸ Building form, scale and rhythm. ▸ Connection to the public realm. ▸ Architectural style, building details and materials. ▸ Off-site noise sources. ▸ The relevant NatHERS climate zones (as identified in Clause 58.03-1). ▸ Social and economic activity. ▸ Any other notable or cultural characteristics of the area.		

58.02 Urban Context

Objective	Compliance	Comment
58.02-1 Urban context objectives		
▸ To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area. ▸ To ensure that development responds to the features of the site and the surrounding area. **Standard D1** ▸ The design response must be appropriate to the urban context and the site. ▸ The proposed design must respect the existing or preferred urban context and respond to the features of the site.	✓	**Complies** A detailed response in relation to the urban context is provided within the Planning Report and the Design Statement. In summary, the proposed development is appropriate for the site and responds to the street character of Newcombe Street and the Portarlington Town Centre, and the broader coastal character of Portarlington.
58.02-2 Residential policy objectives		
▸ To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework. ▸ To support higher density residential development where development can take advantage of public and community infrastructure and services. **Standard D2** ▸ An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.	✓	**Complies** A written statement assessing the proposal against relevant policy for housing in MPS and PPF is provided in Section 5 of the Planning Report.
58.02-3 Dwelling diversity objective		

Objective	Compliance	Comment
▸ To encourage a range of dwelling sizes and types in developments of ten or more dwellings. **Standard D3** ▸ Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.	✓	**Complies** The development provides ten (10) apartments in a range of typologies, from studio to four-bedroom dwellings, including accessible dwellings for people with disability. Both objectives and Standard D3 are achieved.
58.02-4 Infrastructure objectives		
▸ To ensure development is provided with appropriate utility services and infrastructure. ▸ To ensure development does not unreasonably overload the capacity of utility services and infrastructure. **Standard D4** ▸ Development should be connected to reticulated services, including reticulated sewerage, drainage and electricity, if available. ▸ Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads. ▸ In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.	✓	**Complies** The proposed development is in an area well serviced by all appropriate utility services and infrastructure. Connection can be made to existing utility services such as electricity, water and telecommunications. This will be further assessed during the detailed design phase with the relevant approvals sought from authorities at that time.
58.02-5 Integration with the street objective		
▸ To integrate the layout of development with the street. ▸ To support development that activates street frontage. **Standard D5**	✓	**Complies** **Urban Block**

Objective	Compliance	Comment
▸ Development should be oriented to front existing and proposed streets. ▸ Along street frontage, development should: – Incorporate pedestrian entries, windows, balconies or other active spaces. – Limit blank walls. – Limit high front fencing, unless consistent with the existing urban context. – Provide low and visually permeable front fences, where proposed. – Conceal car parking and internal waste collection areas from the street. ▸ Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.		The Urban Block is oriented to Newcombe Street with a ground floor retail premises offering an active street frontage. No front fencing is proposed. The balconies of the upper storey offer further activation to the street and the public realm. Visually permeable fencing and windows on the upper floors are provided to ensure sufficient passive surveillance to the street. The carpark entrance is located to the easternmost boundary and distanced from the active uses at the west, where the residential and retail entrance and shop frontage locates. This provides a greater visual connection from public realm to the former post office, ensuring its significance is maintained. The carpark entrance is also screened off and integrated with the overall frontage façade design, ensuring greater integration with the streetscape. Car park and waste areas will be located in the basement and not visible from the public realm. **Seaside Block** The Seaside Block is oriented to the north, facing the Foreshore Reserve. No hard rear boundary fencing is proposed. Instead, the proposal adopts a soft boundary treatment in the form of landscaping.

Objective	Compliance	Comment
		The north facing windows and balconies offer excellent passive surveillance of the adjoining Foreshore Reserve. In view of above, both objectives and standard D5 are achieved.

58.03 Site Layout

Objective	Compliance	Comment
58.03-1 Energy efficiency objectives		
▸ To achieve and protect energy efficient dwellings and buildings. ▸ To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. ▸ To ensure dwellings achieve adequate thermal efficiency. **Standard D6** ▸ Buildings should be: – Oriented to make appropriate use of solar energy. – Sited and designed to ensure that the energy efficiency of existing dwellings or small second dwellings on adjoining lots is not unreasonably reduced. ▸ Living areas and private open space should be located on the north side of the development, if practicable. ▸ Developments should be designed so that solar access to north-facing windows is optimised. ▸ Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the following table.	✓	**Complies** The proposed development has designed to ensure the energy efficiency objectives and standard are met by north-south orientation of the development and a solar optimized layout to ensure maximum solar access. A 11.8kW Solar PV system is also proposed to be installed on the roof of the Urban Block Refer to roof plans within the architectural drawing set. A Sustainable Management Plan (SMP), prepared by GIW Environmental Solutions, is provided as an attachment to the Planning Report, demonstrating that that the proposal has achieved a high level of energy efficiency.

Objective	Compliance	Comment
Table D1 Cooling load **NatHERS climate zone** / **NatHERS maximum cooling load MJ/M² 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		The project achieves a total BESS score of 71%, demonstrating best practice. Refer to the SMP for further details.

Objective	Compliance	Comment
58.03-2 Communal open space objective		
▸ To provide communal open space that meets the recreation and amenity needs of residents. ▸ To ensure that communal open space is accessible, practical, attractive, easily maintained. ▸ To ensure that communal open space is integrated with the layout of the development and enhances resident amenity. **Standard D7** ▸ A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres. ▸ If a development contains 13 or more dwellings, the development should also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is the lesser. This additional area may be indoors or outdoors and may consist of multiple separate areas of communal open space. ▸ Each area of communal open space should be: – Accessible to all residents. – A useable size, shape and dimension. – Capable of efficient management. – Located to: ○ Provide passive surveillance opportunities, where appropriate. ○ Provide outlook for as many dwellings as practicable. ○ Avoid overlooking into habitable rooms and private open space of new dwellings. ○ Minimise noise impacts to new and existing dwellings and existing small second dwellings.	✓	**Complies** With a minimum standard of communal open space of 30m^2 for 10 dwellings, the proposal has **exceeded** this through the provision of outdoor communal open space area of approximately 100m^2 between the proposed building blocks and the eastern property boundary. This linear landscaped space provides residents with direct access to the Foreshore Reserve from the breezeway as well as a connection to Newcombe Street. Refer to the Landscape Drawings at Attachment D of the planning report. This area will be gated and accessible for all residents. As it is intended to provide passive open space, noise impacts to new and existing dwellings are expected to be minimal. Passive surveillance will be provided via dwelling's windows and have direct sight from Newcombe Street / Foreshore Reserve. Hence, **both objectives and standard D7 are achieved**.

Objective	Compliance	Comment
▸ Any area of communal outdoor open space should be landscaped and include canopy cover and trees.		
58.03-3 Solar access to communal outdoor open space objective		
▸ To allow solar access into communal outdoor open space. **Standard D8** ▸ The communal outdoor open space should be located on the north side of a building, if appropriate. ▸ At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.	✓	**Complies** The communal outdoor open space has an area of approximately 100m^2 (i.e. the linear landscape path at the east). The standard stipulates that solar access to the communal outdoor open space should be at least 50% or 125m^2 whichever is lesser. In respect to the proposal this means that the development should have at least 50m^2 (50% of the space) receiving at least two hours of sunlight between 9am to 3pm on 21 June. Detailed shadow diagrams are provided within the Architectural Drawing Set showing that this requirement can be met.
58.03-4 Safety objective		
▸ To ensure the layout of development provides for the safety and security of residents and property. **Standard D9** ▸ Entrances to dwellings should not be obscured or isolated from the street and internal accessways.	✓	**Complies** **Building Blocks** The pedestrian entry to the retail premises and dwellings is via Newcombe Street, separated from the carpark entrance and clearly denoted from

Objective	Compliance	Comment
▸ Planting which creates unsafe spaces along streets and accessways should be avoided. ▸ Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways. ▸ Private spaces within developments should be protected from inappropriate use as public thoroughfares.		Newcombe Street. This separation ensures a safe access for residents from/to the property. The primary residential access on Newcombe Street is gated to ensure the safety and security of residents and property. A generous 2.35m-wide paved access provides access to the breezeway and the lift and stairs for residents and visitors of upper storey apartments. Like the entry path, the breezeway, serving as the internal corridor connecting the Urban Block and Seaside Block, is generously dimensioned to create a sense of space and safety. The breezeway provides natural ventilation and benches, and will be well lit. **Communal Open Space – Linear landscaped path** The linear communal open space is gated at both the Urban Block and Seaside Block interfaces, providing secure access for residents as a secondary access to the building blocks. **Carpark** A security gate at the carpark ramp prevents unauthorised access via the basement. Landscaping surrounding the carpark entrance has been kept at a minimal to ensure visibility is maintained at all times.

Objective	Compliance	Comment
		In view of above, **both objectives and standard D9 are achieved.**
58.03-5 Landscaping objectives		
▸ To provide landscaping that supports the existing or preferred urban context of the area and reduces the visual impact of buildings on the streetscape. ▸ To preserve existing canopy cover and support the provision of new canopy cover. ▸ To ensure landscaping is climate responsive, supports biodiversity, wellbeing and amenity and reduces urban heat. **Standard D10** ▸ Development should retain existing trees and canopy cover. ▸ Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made. ▸ Development should: – Provide the canopy cover and deep soil areas specified in Table D2. Existing trees can be used to meet the canopy cover requirements of Table D2. – Provide canopy cover through canopy trees that are: ○ Located in an area of deep soil specified in Table D3. Where deep soil cannot be provided trees should be provided in planters specified in Table D3. ○ Consistent with the canopy diameter and height at maturity specified in Table D4. ○ Located in communal outdoor open space or common areas or street frontages. – Comprise smaller trees, shrubs and ground cover, including flowering native species.	✓	**Complies** The subject site is currently void of any notable vegetation. With a site area of approximately 990m^2, the proposed development is required to provide a minimum of 5% canopy tree cover with at least one Type A tree of the site (i.e.49.5m^2). Deep soil area should be provided of about 5% of the site or 12m^2 whichever is greater. Landscaping opportunities are created throughout the development, including the landscaped northern setback, a landscaped path abuttal the eastern property boundary, a rooftop garden, as well as pockets of greenery to provide interest. A Landscape Drawing Set, prepared by Simon Ellis Landscape Architects, is provided at Attachment D to the Planning Report. Refer to the Landscape Drawing for further details. Four new trees are proposed. Two canopy trees are proposed within the northern setback of the Seaside Block with 12m^2 deep soil planting zones respectively (shown on Landscape Drawing No. L101). One canopy tree is near the western boundary (Landscape Drawing No. L101); and one

Objective	Compliance	Comment
– Include landscaping, such as climbing plants or smaller plants in planters, in the street frontage and in outdoor areas, including communal outdoor open space. – Shade outdoor areas exposed to summer sun through landscaping or shade structures and use paving and surface materials that lower surface temperatures and reduce heat absorption. – Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water. – Protect any predominant landscape features of the area. – Take into account the soil type and drainage patterns of the site. – Provide a safe, attractive and functional environment for residents. – Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.		canopy tree being a White Cedar to reflect existing street trees, is within the southern frontage. As shown in the Landscape Drawing No. L200, the total canopy tree coverage is about 10%. Refer to the LMP for a detailed planting schedule. Hence, the proposed development has **achieved both objectives and standard D10**.

Table D2 Canopy cover and deep soil requirements

Site area	Canopy cover	Deep soil
1000 square metres or less	5% of site area Include at least 1 Type A tree	5% of site area or 12 square metres whichever is the greater
1001 - 1500 square metres	50 square metres plus 20% of site area above 1,000 square metres Include at least 1 Type B tree	7.5% of site area
1501 - 2500 square metres	150 square metres plus 20% of site area above 1,500 square metres Include at least 2 Type B trees or 1 Type C tree	10% of site area
2501 square metres or more	350 square metres plus 20% of site area above 2,500 square metres Include at least 2 Type B trees or 1 Type C tree	15% of site area

Objective	Compliance	Comment

Table D3 Soil requirements for trees

Tree type	Tree in deep soil Area of deep soil	Tree in planter Volume of planter soil	Depth of planter soil
A	12 square metres (min. plan dimension 2.5 metres)	12 cubic metres (min. plan dimension of 2.5 metres)	0.8 metre
B	49 square metres (min. plan dimension 4.5 metres)	28 cubic metres (min. plan dimension of 4.5 metres)	1 metre
C	121 square metres (min. plan dimension 6.5 metres)	64 cubic metres (min. plan dimension of 6.5 metres)	1.5 metre

Table D4 Tree type

Tree type	Minimum canopy diameter at maturity	Minimum height at maturity
A	4 metres	6 metres
B	8 metres	8 metres
C	12 metres	12 metres

58.03-6 Access objectives

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

✓ **Complies**

A singular crossover with a width of approximately 6.6 metres is proposed, at the eastern end of the

Objective	Compliance	Comment
Standard D11 ▸ Vehicle crossovers should be minimised. ▸ Car parking entries should be consolidated, minimised in size, integrated with the façade and where practicable located at the side or rear of the building. ▸ Pedestrian and cyclist access should be clearly delineated from vehicle access. ▸ The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees. ▸ Developments must provide for access for service, emergency and delivery vehicles.		Newcombe Street frontage. The existing crossover at the western end will be removed and reinstated with kerb and channel. Siting the singular vehicle access point to the east ensures greater pedestrian safety, as the pedestrian and cyclist entrance will be located to the west of the ground floor of the Newcombe Street frontage, ensuring clear delineation between the two, maximising the pedestrian safety (shown in architectural drawing No. TP102). As per the assessment of Parking Requirement (Chapter 4) in the Traffic Impact Assessment at Attachment F to the Planning Report, it is proposed to modify on-street parking to create two parallel car bays at the front of the property (Architectural drawing No. TP070). As demonstrated within the TIA, the reduction of on-street parking is considered appropriate, given that there are sufficient parking spaces available to accommodate the visitor demand in the area, particularly with the retail component of the development.
58.03-7 Parking location objectives		
▸ To provide convenient parking for resident and visitor vehicles. ▸ To protect residents from vehicular noise within developments. **Standard D12** ▸ Car parking facilities should:	✓	**Complies** The basement carpark offers convenient, covered access. Both residential and retail components of

Objective	Compliance	Comment
– Be reasonably close and convenient to dwellings. – Be secure. – Be well ventilated if enclosed. ▸ Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.		the development are accessed from the basement by a lift and stairwell/ A security gate ensures the basement is secure whilst allowing ventilation. Hence, the **objectives and standard D12 are achieved**.
58.03-8 Integrated water and stormwater management objectives		
▸ To encourage the use of alternative water sources such as rainwater, stormwater and recycled water. ▸ To facilitate stormwater collection, utilisation and infiltration within the development. ▸ To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site. **Standard D13** ▸ Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use. ▸ Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority. ▸ The stormwater management system should be: – Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban stormwater management guidance (Environment Protection Authority - Publication 1739.1, 2021). – Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.	✓	**Complies** The proposed development is designed to provide an efficient stormwater management system. - A 10,000-litre rainwater tank located at LG/F (shown on architectural drawing no. TP101) for rainwater harvesting will be connected to all lower and upper ground level toilets, plus landscape irrigation - Rainwater collection off the green roof will be directed into a ≥4m^2, minimum 950mm deep raingarden with 100mm of extended detention As demonstrated within the SMP, the Blue Factor result of 108% is achieved. Further details can refer to the SMP at Attachment E to the Planning Report.

58.04 Amenity Impacts

Objective	Compliance	Comment
58.04-1 Building setback objectives		
▸ To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area. ▸ To allow adequate daylight into new dwellings. ▸ To limit views into habitable room windows and private open space of new and existing dwellings. ▸ To provide a reasonable outlook from new dwellings and existing small second dwellings. ▸ To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents. **Standard D14** ▸ The built form of the development must respect the existing or preferred urban context and respond to the features of the site. ▸ Buildings should be set back from side and rear boundaries, and other buildings within the site to: – Ensure adequate daylight into new habitable room windows. – Avoid direct views into habitable room windows and private open space of new and existing dwellings and existing small second dwellings. Developments should avoid relying on screening to reduce views. – Provide an outlook from dwellings that creates a reasonable visual connection to the external environment. – Ensure the dwellings are designed to meet the objectives of Clause 58.	✓	**Complies** **Complies** The design response demonstrates how the proposed setbacks respond to the urban context and DDO21. Refer to KTA's Architectural Design Response at Section 3 of the Design Statement, and the Urban Design Statement, at Attachments B and C to the Planning Report. The proposal provides setbacks of 2.23m to 13.53m to the north boundary, 3.45m to 6.95m to Newcombe Street, 2.35m to 51 Newcombe Street, and 2.50m to 6.95m to Harding Street. The 2.35m eastern boundary setback is generally consistent across all levels, while other setbacks vary due to recesses, balconies and the central breezeway. **Front setback and frontage of the Urban Block** The Urban Block is set back about 4m from Newcombe Street, with the pedestrian entry further recessed to 5.9m. Upper levels are set back about 4m at 1/F and 5.9m at 2/F, creating a stepped profile that respects the adjacent former Post Office. The façade treatment also strengthens the visual connection to Newcombe Street and the Portarlington Township character.

Objective	Compliance	Comment
		Rear setback and frontage of the Seaside Block A landscaped rear setback of about 3.5m provides a stepped, softer interface to the Foreshore Reserve, reduces massing, supports equitable solar and foreshore views, and uses materials and design elements responsive to the coastal setting. **Side setbacks from the property boundary** The side setbacks make efficient use of the site while respecting adjoining uses. The setback to the former Post Office, together with its separation from the shared boundary, provides reasonable daylight to habitable room windows and SPOS in the C1Z. The 2.5m side setback to the east accommodates a linear landscaped path, separates the building from adjoining development and maintains view gaps from Newcombe Street to the foreshore. Potential amenity impacts are further managed through angled screening to windows along the side façades where overlooking of future development may occur (Architectural Drawing No. TP940).
58.04-2 Internal views objective		
▸ To limit views into the private open space and habitable room windows of dwellings within a development. **Standard D15**	✓	**Complies** All balconies and windows have been designed to minimise overlooking to lower-level SPOS and at

Objective	Compliance	Comment
▸ Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the private open space of a lower-level dwelling directly below and within the same development.		least 50% of each SPOS area will enjoy full privacy. Refer to the overlooking within the Architectural Drawing Set.
58.04-3 Noise impacts objectives		
▸ To contain noise sources in developments that may affect existing dwellings or small second dwellings. ▸ To protect residents from external and internal noise sources. **Standard D16** ▸ Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings or small second dwellings. ▸ The layout of new dwellings and buildings should minimise noise transmission within the site. ▸ Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings. ▸ New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources. ▸ Buildings within a noise influence area specified in Table D5 should be designed and constructed to achieve the following noise levels: – Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am. – Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm. ▸ Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.	✓	**Complies** A full Acoustic Assessment is provided as an attachment to the Planning Report. The subject site is not located within a noise influence area. As set out in the Acoustic Assessment, while the development is not expected to generate significant noise, a range of acoustic treatments and noise attenuation measures are proposed to ensure noise transfer from other apartments and the public realm is minimised. Construction noise impacts have also been demonstrated as unlikely, nonetheless this can be further managed via condition on permit. **Both objectives and standard D16 are achieved**.

Objective	Compliance	Comment

- Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

Table D5 Noise influence area

Noise source	Noise influence area
Zone interface	
Industry	300 metres from the Industrial 1, 2 and 3 zone boundary
Roads	
Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume	300 metres from the nearest trafficable lane
Railways	
Railway servicing passengers in Victoria	80 metres from the centre of the nearest track
Railway servicing freight outside Metropolitan Melbourne	80 metres from the centre of the nearest track
Railway servicing freight in Metropolitan Melbourne	135 metres from the centre of the nearest track

Objective	Compliance	Comment
58.04-4 Wind impacts objective		
▸ To ensure the built form, design and layout of development does not generate unacceptable wind impacts within the site or on surrounding land. **Standard D17** ▸ Development of five or more storeys, excluding a basement should: – not cause unsafe wind conditions specified in Table D6 in public land, publicly accessible areas on private land, private open space and communal open space; and – achieve comfortable wind conditions specified in Table D6 in public land and publicly accessible areas on private land within a distance of half the greatest length of the building, or half the total height of the building measured outwards on the horizontal plane from the ground floor building façade, whichever is greater. ▸ Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas, where trees and landscaping may be used to supplement fixed wind mitigation elements. ▸ Wind mitigation elements, such as awnings and screens should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area.	N/A	**Not applicable** The proposed development is only part three and part four storeys.

Table D6 Wind conditions

Unsafe	Comfortable
Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions.	Hourly mean wind speed or gust equivalent mean speed (3 second gust wind speed divided by 1.85), from all wind directions combined with probability of exceedance less than 20% of the time, equal to or less than: ▪ 3 metres per second for sitting areas, ▪ 4 metres per second for standing areas, ▪ 5 metres per second for walking areas.

58.05 On-site Amenity and Facilities

Objective	Compliance	Comment
58.05-1 Accessibility objective		
▸ To ensure the design of dwellings meets the needs of people with limited mobility. **Standard D18** ▸ At least 50 per cent of dwellings should have: – A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom. – A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area. – A main bedroom with access to an adaptable bathroom. – At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D7.	✓	**Complies** Seven (7) out of ten (10) apartments are designed to be accessible, **exceeding** the 50% standard. Details of the nominated accessible apartments are shown on the submitted architectural drawings. All accessible bathrooms will meet the design standards outlined in Table D7.

Table D7 Bathroom design

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

Objective	Compliance	Comment
58.05-2 Building entry and circulation objectives		
▸ To provide each dwelling and building with its own sense of identity. ▸ To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents. ▸ To ensure internal communal areas provide adequate access to daylight and natural ventilation. **Standard D19** ▸ Entries to dwellings and buildings should: – Be visible and easily identifiable. – Provide shelter, a sense of personal address and a transitional space around the entry. ▸ The layout and design of buildings should: – Clearly distinguish entrances to residential and non-residential areas. – Provide windows to building entrances and lift areas. – Provide visible, safe and attractive stairs from the entry level to encourage use by residents. – Provide common areas and corridors that: ○ Include at least one source of natural light and natural ventilation. ○ Avoid obstruction from building services. ○ Maintain clear sight lines.	✓	**Complies** **Residential access** The primary pedestrian entry to the residential blocks is from Newcombe street, leading to the lobby and breezeway area. The residential access is visually separated from the entry of the retail premises and installed with security gate, clearly distinguishing between residential and non-residential areas. A weather-proof covered building entry is provided by the cantilevered balconies of the upper storey Refer to the roof plan within the Architectural Drawing Set. Alternative access is from the linear landscaped path at the east, which is also gated to provide secure access for residents to the property. **Lift and staircases** The lift and stairwells are separated from the commercial area, with access available from the breezeway only. **Central breezeway connection** The breezeway allows for a high level of natural light and ventilation, with the generous width allowing for observation of the landing areas and stairs from internal dwelling windows and doorways.

Objective	Compliance	Comment
		Benches are also provided in the breezeway areas for residents.

Objective	Compliance	Comment
58.05-3 Private open space objective		
▸ To provide adequate private open space for the reasonable recreation and service needs of residents. **Standard D20** ▸ A dwelling should have private open space consisting of at least one of the following: – An area at ground level of at least 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room. – A balcony with at least the area and dimensions specified in Table D8 and convenient access from a living room. – An area on a podium or other similar base of at least 15 square metres, with a minimum dimension of 3 metres and convenient access from a living room. – An area on a roof of 10 square metres, with a minimum dimension of 2 metres and convenient access from a living room. ▸ If a cooling or heating unit is located on a balcony, the minimum balcony area specified in Table D8 should be increased by at least 1.5 square metres. ▸ If the finished floor level of a dwelling is 40 metres or more above ground level, the requirements of Table D8 do not apply if at least the area specified in Table D9 is provided as living area or bedroom area in addition to the minimum area specified in Table D11 or Table D12 in Standard D25.	✓	**Complies** Each dwelling will have individual secluded private space areas in the forms of courtyards and balconies, with size ranging from 9m^2 to 65m^2. Refer to the architectural drawing set for specific open space locations and sizing. All balconies are accessed via a living room providing opportunity for a variety of indoor-outdoor living and passive surveillance opportunities to Newcombe Street and the Foreshore Reserve. Where a cooling unit is located on a balcony, balcony areas still meet the minimum area requirement.

Objective	Compliance	Comment

Table D8 Balcony size

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

Table D9 Additional living area or bedroom area

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

Objective	Compliance	Comment
58.05-4 Storage objective		
▸ To provide adequate storage facilities for each dwelling. **Standard D21** ▸ Each dwelling should have convenient access to usable and secure storage space. ▸ The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table D10.	✓	**Complies** Each dwelling meets the storage space requirements set under Table D10. **External Storage** Three (3) 6m³ storage cages are provided within the basement .A further Ten (10) 6m³ residential storage cages are provided within the lower ground floor level at. a dedicated commercial storage area is also provided within the lower ground floor, distinct from the residential storage cages. All residential storage located on the basement and lower ground floor is easily accessible and identifiable. **Internal Storage** All dwellings are provided with internal storage area meeting the minimum requirement as per Table 10.

Table D10 Storage

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

58.06 Detailed Design

Objective	Compliance	Comment
58.06-1 Common property objectives		
▸ To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. ▸ To avoid future management difficulties in areas of common ownership. **Standard D22** ▸ Developments should clearly delineate public, communal and private areas. ▸ Common property, where provided, should be functional and capable of efficient management.	✓	**Complies** Public and private spaces are clearly delineated in the proposal. The retail premises is clearly distinct from the apartments, with access to the residential realm located at each side of the frontage. These access points are designed to provide clear distinction that areas beyond are not publicly accessible. All common property is functional and capable of efficient management by the owner's corporation.
58.06-2 Site services objectives		
▸ To ensure that site services are accessible and can be installed and maintained. ▸ To ensure that site services and facilities are visually integrated into the building design or landscape. **Standard D23** ▸ Development should provide adequate space (including easements where required) for site services to be installed and maintained efficiently and economically.	✓	**Complies** Provision of site services are designed to be integrated within the design of the building. Sufficient space is provided for services to be installed and maintained. The following key features are provided within accessible locations: - Letterboxes are conveniently located at the entry of the building blocks at ground floor level.

Objective	Compliance	Comment
▸ Meters and utility services should be designed as an integrated component of the building or landscape. ▸ Mailboxes and other site facilities should be adequate in size, durable, water-protected, located for convenient access and integrated into the overall design of the development.		- Fire safety facilities are located along the lobby at ground floor level. - Plant room and meter are located at lower ground floor level.
58.06-3 Waste and recycling objectives		
▸ To ensure dwellings are designed to encourage waste recycling. ▸ To ensure that waste and recycling facilities are accessible, adequate and attractive. ▸ To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm. **Standard D24** ▸ Developments should include dedicated areas for: – Waste and recycling enclosures which are: ○ Adequate in size, durable, waterproof and blend in with the development. ○ Adequately ventilated. ○ Located and designed for convenient access by residents and made easily accessible to people with limited mobility. – Adequate facilities for bin washing. These areas should be adequately ventilated. – Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.	✓	**Complies** Dedicated hard-waste and bin areas are located within the basement. Commercial and residential hard-waste and bin areas are separated. The bin area is secure and provides separate storage for general waste, recyclables and organic waste The owner's corporation will be responsible for managing the waste system. Staff and/or contractors will transfer bins between the building and kerbside. Residents will sort their waste and dispose garbage and recyclables into their respective collection bins. The SMP provides the details in relation to collection frequency and other waste management components.

Objective	Compliance	Comment
– Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing. – Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing. – Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate. ▸ Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and: – Be designed to meet the better practice design options specified in Waste Management and Recycling in Multi-unit Developments (Sustainability Victoria, 2019). – Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.		
58.06-4 External walls and materials objective		
▸ To ensure external walls use materials appropriate to the existing urban context or preferred future development of the area. ▸ To ensure external walls endure and retain their attractiveness. **Standard D25** ▸ External walls should be finished with materials that: – Do not easily deteriorate or stain. – Weather well over time. – Are resilient to the wear and tear from their intended use. ▸ External wall design should facilitate safe and convenient access for maintenance.	✓	**Complies** High quality materials are proposed throughout to ensure durability in the coastal context. Two distinct material palettes are proposed. The Urban Block provides a more formal, civic response of masonry. The Seaside Block offers less formal, lightweight materials. These distinct design directions respond to the opposing frontages to Newcombe Street and the Foreshore Reserve.

Objective	Compliance	Comment
		Detailed materials schedules are provided within the architectural drawing set and the Design Response in the Design Statement.

58.07 Internal Amenity

Objective	Compliance	Comment
58.07-1 Functional layout objective		
▸ To ensure dwellings provide functional areas that meet the needs of residents. **Standard D26** ▸ Bedrooms should: – Meet the minimum internal room dimensions specified in Table D11. – Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe. ▸ Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D12.	✓	**Complies** All internal room dimensions meet or exceed the minimal area requirement. All living areas meet or exceed the minimum areas based on 2 or more-bedroom dwelling type.

Table D11 Bedroom dimensions

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

Table D12 Living area dimensions

Dwelling type	Minimum width	Minimum area
Studio and 1 bedroom dwelling	3.3 metres	10 sqm
2 or more bedroom dwelling	3.6 metres	12 sqm

Objective	Compliance	Comment
58.07-2 Room depth objective		
▸ To allow adequate daylight into single aspect habitable rooms. **Standard D27** ▸ Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height. ▸ The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met: – The room combines the living area, dining area and kitchen. – The kitchen is located furthest from the window. – The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen. ▸ The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.	✓	**Complies** All single aspect habitable rooms and living rooms are located closest to the windows to ensure adequate daylight exposure. All ceiling heights met the standard by being at least 2.7m from finished floor level to finished ceiling level.
58.07-3 Windows objective		
▸ To allow adequate daylight into new habitable room windows. **Standard D28** ▸ Habitable rooms should have a window in an external wall of the building. ▸ A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky. ▸ The secondary area should be: – A minimum width of 1.2 metres. – A maximum depth of 1.5 times the width, measured from the external surface of the window.	✓	**Complies** All habitable rooms have at least one window to ensure that adequate daylight is provided.

Objective	Compliance	Comment
58.07-4 Natural ventilation objectives		
▸ To encourage natural ventilation of dwellings. ▸ To allow occupants to effectively manage natural ventilation of dwellings. **Standard D29** ▸ The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate. ▸ At least 40 per cent of dwellings should provide effective cross ventilation that has: – A maximum breeze path through the dwelling of 18 metres. – A minimum breeze path through the dwelling of 5 metres. – Ventilation openings with approximately the same area. ▸ The breeze path is measured between the ventilation openings on different orientations of the dwelling.	✓	**Complies** All apartments meet the cross-ventilation and breeze path standards, as shown in the breeze path diagrams within Architectural Drawing Set As noted in the SMP, 100% of the development's apartments are effectively naturally ventilated. For specific details refer to the BESS IEQ and page 24 of the SMP.