CLAUSE 58.01 - URBAN CONTEXT REPORT AND DESIGN RESPONSE

Operation

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 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.
- Decision guidelines. The decision guidelines set out the matters that the responsible authority must consider before deciding if an application meets the objectives.

Requirements

A development:

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

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

For Clause 58.04-1 (Building setback):

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

TITLE & OBJECTIVE	URBAN CONTEXT REPORT	COMMENTS
CLAUSE 58.01-1 Application requirements An application must be accompanied by: • An urban context report. • A design response.	Submitted and satisfactory.	The submitted Town Planning Report is supplemented by the detailed urban context report and design response prepared Hayball Architecture.
CLAUSE 58.01-2 Urban context report The urban context report may use a site plan, photographs or other techniques.	Submitted and satisfactory.	A site plan, photographs, and written description has been provided in the architectural package prepared by Hayball Architecture.
CLAUSE 58.01-3	Submitted and satisfactory.	

Design response The design response must explain how the proposed design:	A design response has been provided in the architectural package prepared by Hayball Architecture.
 Responds to any relevant planning provision that applies to the land. 	
Meets the objectives of Clause 58.	
 Responds to any relevant housing, urban design and landscape plan, strategy or policy set out in this scheme. 	
Derives from and responds to the urban context report.	
The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings.	
If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.	

CLAUSE 58.	02 - URBAN CON	NTEXT
TITLE & OBJECTIVE	COMPLIANCE WITH STANDARD?	ASSESSMENT
 CLAUSE 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. 	Yes	Please refer to Sections 11.1 to 11.5 inclusive of the main body of the report. It is considered that that the proposed development will sit comfortably within the existing, emerging and preferred future development of the area. The standard and objective is met.
CLAUSE 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	Yes	The application and its design response accords with the Municipal Planning Strategy and the Planning Policy Framework. Please refer to Sections 11.1 to 11.5 inclusive of the main body of the report.

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	and the Planning Policy Framework.		The standard and objective is met.
•	To support higher density residential development where development can take advantage of public and community infrastructure and services.		
Sta	ndard 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.		
CL	AUSE 58.02-3	Yes	Please refer to Section 11.1.1 of the
Dw	elling diversity objective		report.
•	To encourage a range of dwelling sizes and types in developments of ten or more dwellings.		The range of apartment size and types meets diverse needs and ensures that housing stock matches changing demand by widening housing choice. It is
Sta	indard D3		further noted the layout facilitates
•	Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.		amalgamating apartment types as required. The proposal also provides for social and affordable housing. The standard and objective is met.
CL	AUSE 58.02-4	Yes	The development is to be connected to
Inf	rastructure objectives		all reticulated services as appropriate and is readily available as a result of the
•	To ensure development is provided with appropriate utility services and infrastructure.		existing infrastructure. All upgrades required will be the
•	To ensure development does not unreasonably overload the capacity of utility services and infrastructure including reticulated services and roads.		responsibility of the developer. The standard and objective is met.
Sta	indard D4		
•	Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.		
•	Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.		
•	In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact		

on services or infrastructure.		
CLAUSE 58.02-5 Integration with the street objective To integrate the layout of development with the street.	Yes	Please refer to Section 11.3, 11.7 and 11.8 of the report. The standard and objective is met.
Standard D5		
Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.		
Development should be oriented to front existing and proposed streets.		
High fencing in front of dwellings should be avoided if practicable.		
Development next to existing public open space should be laid out to complement the open space.		

CLAUSE 5	58.03 - SITE LAY(оит
TITLE & OBJECTIVE	COMPLIANCE	ASSESSMENT
 CLAUSE 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 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. 	Yes	The site is in the NatHERS climate zone 21 Melbourne that specifies a maximum cooling load 30 MJ/M2 per annum. The SMP notes a minimum average NatHERS rating of 7.5 stars and the cooling load within the appropriate range. The standard and objective is met.

Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the following table.		
CLAUSE 58.03-2 Communal open space objective To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development. Standard D7 Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, which ever is lesser.	Yes	335m2 of communal open space is proposed to the top of the podium. Council's Urban Designers have raised concerns about the wind conditions to this area. Please refer to section 11.37 of the report.
 CLAUSE 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. 	Yes	The communal outdoor open space is located to the west and between the two towers at the top of the podium level. A portion of the open space is located on the north side of the buildings maximising opportunities for solar access. Shadow diagrams prepared by Hayball Architects for 21 June between 9am and 3pm confirm sunlight access to these areas between for approximately 127-145m2.
 CLAUSE 58.03-4 Safety objective To ensure the layout of development provides for the safety and security of residents and property. Standard D9 Entrances to dwellings should not be obscured or isolated from the street and internal accessways. Planting which creates unsafe spaces along streets and accessways should be avoided. Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways. 	Yes	The dwelling entrances are accessed via lobbies off Buckhurst Street and Lane. See section 11.3.8 for further discussion. The standard and objective is met.

Private spaces within developments should be protected from inappropriate use as public thoroughfares.		
 CLAUSE 58.03-5 Landscaping objectives To encourage development that respects the landscape character of the area. To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance. To provide appropriate landscaping. To encourage the retention of mature vegetation on the site. To promote climate responsive landscape design and water management in developments that support thermal comfort and reduces the urban heat island effect. Standard D10 Be responsive to the site context. 	Yes	Given construction to all boundaries and basement levels, limited landscaping opportunities exist, however, opportunities to provide a response could be better resolved and are recommended as conditions of any Incorporated Document. Please refer to section 11.1.1 of the report.
CLAUSE 58.03-6	Yes	Please refer to section 11.8 of the report.
Access objective		The standard and objective is met.
To ensure the number and design of vehicle crossovers respects the urban context.		
Standard D11		
The width of accessways or car spaces should not exceed:		
33 per cent of the street frontage, or		
if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.		
No more than one single-width crossover should be provided for each dwelling fronting a street.		
The location of crossovers should maximise the retention of on-street car parking spaces.		
The number of access points to a road in a Road Zone should be minimised.		
Developments must provide for access for service, emergency and delivery vehicles.		
CLAUSE 58.03-7	.,	Please refer to section 11.2.4 of the report.
Parking location objectives	Yes	·
To provide convenient parking for resident and visitor vehicles.		

To protect residents from vehicular noise within developments.		
Standard D12		
Car parking facilities should:		
Be reasonably close and convenient to dwellings.		
Be secure. Be well ventilated if enclosed.		
CLAUSE 58.03-8	Yes	Please refer to section 11.12 of the report.
Integrated water and stormwater management objectives		The standard and objective is met.
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 <i>Urban Stormwater - Best Practice Environmental Management Guidelines</i> (Victorian Stormwater Committee, 1999).		
Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.		

CLAUSE 58.0	4 - AMENITY IMP	PACTS
TITLE & OBJECTIVE	COMPLIANCE	ASSESSMENT

CLAUSE 58.04-1	No	For Clause 58.04-1 (Building setback):
Building setback objectives		If the land is included in an overlay and
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.		a schedule to the overlay specifies a building setback requirement different from the requirement set out Clause 58.04-1 or a requirement set out in the zone or a schedule to the zone, the
 To allow adequate daylight into new dwellings. 		requirement for building setback in the overlay applies.
 To limit views into habitable room windows and private open space of new and existing dwellings. 		See section 11.3 of the report.
 To provide a reasonable outlook from new dwellings. 		
 To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents. 		
Standard D14		
The built form of the development must respect the existing or preferred urban context and respond to the features of the site.		
Buildings should be set back from side and rear boundaries, and other buildings within the site to:		
 Ensure adequate daylight into new habitable room windows. Avoid direct views into habitable room windows and private open space of new and existing dwellings. 		
 Developments should avoid relying on screening to reduce views. 		
 Provide an outlook from dwellings that creates a reasonable visual connection to the external environment. 		
 Ensure the dwellings are designed to meet the objectives of Clause 58. 		
CLAUSE 58.04-2	Yes	No windows or balconies will allow for
Internal views objective		overlooking of more than 50 per cent of the private open space (balconies) of a
To limit views into the private open space and habitable room windows of dwellings within a development.		lower-level dwelling directly below or within the same development.
Standard D15		The standard and objective is met.
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.		
CLAUSE 58.04-3	Yes	The submitted Acoustic Engineering
Noise impacts objectives To contain noise sources in developments that may affect existing dwellings.		Report prepared by Cogent Acoustics confirms that the development will achieve compliance with the relevant guidelines.
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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.
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

CLAUSE 58.05 - ON-SITE AMENITY AND FACILITIES		
TITLE & OBJECTIVE	COMPLIANCE	ASSESSMENT
 CLAUSE 58.05-1 Accessibility objective To ensure the design of dwellings meets the needs of people with limited mobility. Standard D17 At least 50 per cent of dwellings should have: A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom. A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area. A main bedroom with access to an adaptable bathroom. At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D4. 	Yes	As shown on TP- of the architectural plan set prepared by Hayball, 66% of dwellings are accessible.
CLAUSE 58.05-2 58.05-2 Building entry and circulation objectives • To provide each dwelling and building with its own sense of identity.	Yes	Considering the development typology, the buildings internal circulation design is considered to provide for the safe, functional and efficient movement of residents but could be improved as per the recommendations outlined at

To ensure the internal layout of buildings		Section 11.3.8 of the report.
provide for the safe, functional and efficient movement of residents.		Daylight access has been satisfactorily
To ensure internal communal areas provide		achieved given the site's orientation and other constraints.
adequate access to daylight and natural ventilation.		The standard and objective is met.
Standard D18		
Building entry and circulation		
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.		
CLAUSE 58.05-3	Yes	The balconies for all apartments meet
Private open space objective		the minimum area and dimension
To provide adequate private open space for the		requirements.
reasonable recreation and service needs of residents.		
Standard D19		
A dwelling should have private open space consisting of:		
An area of 25 square metres, with a minimum dimension of 3 metres at natural ground floor level and convenient access from a living room, or		
An area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room, or		
A balcony with an area and dimensions specified in Table D5 and convenient access from a living room, or A roof-top area of 10 square metres with a minimum dimension of 2 metres and convenient		

access from a living room. If a cooling or heating unit is located on a balcony, the balcony should provide an additional area of 1.5 square metres.		
CLAUSE 58.05-4 Storage objective	Yes	Storage areas meet the total minimum internal volume requirements for all 1, 2 and 3 bedroom dwellings.
To provide adequate storage facilities for each dwelling		The storage volumes provided external to the apartments are in the basement.
Standard D20		
Each dwelling should have convenient access to usable and secure storage space.		The standard and objective is met.
The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table D6.		

CLAUSE 58.06 - DETAILED DESIGN		
TITLE & OBJECTIVE	COMPLIANCE	ASSESSMENT
CLAUSE 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 D21 Developments should clearly delineate public, communal and private areas. Common property, where provided, should be functional and capable of efficient management.	Yes	The communal spaces, car parking, access areas and site facilities are practical and management matters could be resolved by civil means. The standard and objective is met.
CLAUSE 58.06-2 Site services objectives To ensure that site services can be installed and easily maintained. To ensure that site facilities are accessible, adequate and attractive. Standard D22 The design and layout of dwellings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.	Yes	All services are able to be accommodated. The standard and objective is met.

Mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development. Mailboxes should be provided and located for convenient access as required by Australia		
Post.		
CLAUSE 58.06-3	Yes	See section 11.9 of the report.
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 D23		
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. 		

CLAUSE 58.07 - INTERNAL AMENITY		
TITLE & OBJECTIVE	COMPLIANCE	ASSESSMENT
CLAUSE 58.07-1 Functional layout objective To ensure dwellings provide functional areas that meet the needs of residents. Standard D24	Yes	Each apartment meets the minimum bedroom dimensions for width and depth and; the minimum living area dimensions for width and area. The standard and objective is met.
Bedrooms should: Meet the minimum internal room dimensions specified in Table D7. Provide an area in addition to the minimum internal room dimensions to accommodate		

a wardrobe.		
CLAUSE 58.07-2	Yes	All single aspect habitable rooms
Room depth objective		comply with the standard.
To allow adequate daylight into single aspect habitable rooms.		The standard and objective is met.
Standard D25		
Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.		
The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:		
• The room combines the living area, dining area and kitchen.		
• The kitchen is located furthest from the window.		
 The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen. 		
The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.		
CLAUSE 58.07-3	Yes	All habitable room windows feature a
Windows objective		window located on an external wall.
To allow adequate daylight into new habitable room windows.		
Standard D26		
Habitable rooms should have a window in an external wall of the building.		
A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.		
The secondary area should be:		
A minimum width of 1.2 metres.		
 A maximum depth of 1.5 times the width, measured from the external surface of the window. 		
CLAUSE 58.07-4	Yes	As shown on the architectural plans
Natural ventilation objectives		prepared by Hayball Architects, 63% of dwellings achieve appropriate breeze
T		paths.
 To encourage natural ventilation of dwellings. 		

Standard D27 The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.

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

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same area.

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