City of Port Phillip Assessment against Clause 58 (Apartment Developments) of the Planning Scheme

As per the requirements of Clause 58, a development:

- Must meet all of the objectives of this clause that apply to the application.
- Should meet all of the standards of this clause that apply to the application.

Title & Objective/s & Standard/s	Assessment
Clause 58.01 **Urban context report and design response Achieved** An application must be accompanied by: • An urban context report, and • A design response.	**Complies**

Clause 58.02 URBAN CONTEXT

Title & Objective/s & Standard/s	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.	**Objective & standard met**
Planning Officer Comments: As per the assessments at sections 13.4 and 13.5, the proposal is considered to represent a high quality design response.	
Clause 58.02-2 **Residential policy objectives** • To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies. • To support higher density residential development where development can take advantage of public and community infrastructure and services. **Standard D2**	**Objective & standard met**

• An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.	

Planning Officer Comments:
As discussed in section 13.1 of the Report, the subject site is considered an appropriate location for the provision of higher density housing given its strategic and highly accessible location along with its proximity to a major activity centre, which provides for a '20 minute neighbourhood'.

A written statement was provided with the application substantiating the proposal's position against the relevant state and local policies.

58.02-3 Dwelling diversity objective	**Objective & standard met**
• 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.	

Planning Officer Comments:
The proposed mix of dwelling sizes is as follows:

- 38 x 1bed units.
- 54 x 2bed units.
- 19 x 3bed units.
- 1 x 4bed unit.
- 1 x 5bed unit.
- 6 x townhouses (2 to 4bed).

58.02-4 Infrastructure objectives	**Objective & standard met**
• 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, 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.	

Planning Officer Comments:
The Site benefits from access to reticulated services and there is no evidence to suggest the development would exceed the capacity of relevant services, infrastructure or roads.

The applicant has confirmed that the development is readily capable of being connected to relevant reticulated services and the that all services will be provided to the satisfaction of the Responsible Authorities .

58.02-5 Integration with the street objective • To integrate the layout of development with the street. **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.	**Objective & standard met**

Planning Officer Comments:
The proposal would comply as follows:

- Suitable laneways/pedestrian links would be provided through the Site.
- The layout of the development would be such that it addresses all streets along with the proposed laneways.
- High fencing would be avoided.
- The layout of the development would complement the adjacent open space next to the tram terminus, providing landscaping, a pedestrian laneway and an alfresco area to interface the space. Furthermore, the development would be orientated to overlook the foreshore, while providing a recessive, tiered form to ensure the development would not overwhelm the public space.

58.03 SITE LAYOUT

Title & Objective/s & Standard/s	Assessment
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.	**Objective & standard met**

- 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.
- Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the following table.

Table D1 Cooling load

NatHERS climate zone	NatHERS maximum cooling load MJ/M^2 per annum
Climate zone 21 Melbourne	30
Climate zone 22 East Sale	22
Climate zone 27 Mildura	69
Climate zone 60 Tullamarine	22
Climate zone 62 Moorabbin	21
Climate zone 63 Warrnambool	21
Climate zone 64 Cape Otway	19
Climate zone 66 Ballarat	23

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

Planning Officer Comments:

The development would be orientated to make use of solar energy, optimising solar access to living areas and outdoor space, as far as practical.

No neighbouring lots would be impacted in terms of reduced solar energy.

The subject site is located within Climate Zone 21 – Melbourne, which has a maximum NatHERS cooling load of 30 MJ/M^2 per annum. The submitted Sustainable Management Plan (SMP) indicates that the cooling loads would fall well below 30 MJ/M^2 per annum, this is further enforced by the fact the applicant has proposed 'design excellence' (BESS rating of 70%) in terms of ESD. However, the SMP does not make categorically clear that all dwellings would achieve the rating, thus a condition is recommended on any permit which would require an updated SMP to ensure the relevant cooling loads are met for all dwellings.

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

Objective & standard met

open space of 2.5 square metres per dwelling or 250 square metres, whichever is lesser. Communal open space should: • Be located to: - Provide passive surveillance opportunities, where appropriate. - Provide outlook for as many dwellings as practicable. - Avoid overlooking into habitable rooms and private open space of new dwellings. - Minimise noise impacts to new and existing dwellings. • Be designed to protect any natural features on the site. • Maximise landscaping opportunities. • Be accessible, useable and capable of efficient management.	
Planning Officer Comments: The communal open space is provided in the form of public open space. Two areas of public open space (courtyards) would be provided at ground level. The areas are generous in size, being approximately 177sqm to the north and 304sqm to the central/southern space. The layout and design of the spaces would achieve the relevant criteria.	
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.	**Objective met**
Planning Officer Comments: Both areas of public open space would be open to the sky. With regard to sunlight access, the northern space has a northerly aspect which is optimal. The southern space has a southerly aspect; however, the northern boundary is a single storey link, thus it would have a minimal impact upon direct sun light for the majority of the space. The applicant hasn't categorically demonstrated that the at least 125sqm of the space would receive a minimum of two hours of sunlight at solstice. However, based on the winter shadow diagrams it appears that the majority of the northern space would receive direct light for at least 2	

hours. In addition, parts of the southern space would also receive direct light, particularly at 11am and 12 noon. The response is considered to be acceptable.	
58.03-3 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. • Private spaces within developments should be protected from inappropriate use as public thoroughfares.	**Objective & standard met**
Planning Officer Comments: The residential lobby would be highly visible from the surrounding streets and overlooked by parts of the development itself, providing for passive surveillance. The approaches to the lobby would be landscaped, but they are not considered to result in unsafe space. The carpark and internal accessways would be well designed to accommodate lighting and to ensure good levels visibility and surveillance. It is noted that the carpark would not be open to the general public. Private spaces would not have public access.	
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** The landscape layout and design should: • Be responsive to the site context. • Protect any predominant landscape features of the area.	**Objective met**

• Take into account the soil type and drainage patterns of the site and integrate planting and water management. • Allow for intended vegetation growth and structural protection of buildings. • In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals. • Provide a safe, attractive and functional environment for residents. • Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site storm water infiltration. • Maximise deep soil areas for planting of canopy trees. Development should provide for the retention or planting of trees, where these are part of the urban context. Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made. The landscape design should specify landscape themes, vegetation (location and species), paving and lighting. Development should provide the deep soil areas and canopy trees specified in Table D2. If the development cannot provide the deep soil areas and canopy trees specified in Table D2, an equivalent canopy cover should be achieved by providing either: • Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements. • Vegetated planters, green roofs or green facades	

Table D2 Deep soil areas and canopy trees

Site area	Deep soil areas	Minimum tree provision
750 - 1000 square metres	5% of site area (minimum dimension of 3 metres)	1 small tree (6-8 metres) per 30 square metres of deep soil
1001 - 1500 square metres	7.5% of site area (minimum dimension of 3 metres)	1 medium tree (8-12 metres) per 50 square metres of deep soil or 1 large tree per 90 square metres of deep soil
1501 - 2500 square metres	10% of site area (minimum dimension of 6 metres)	1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil
>2500 square metres	15% of site area (minimum dimension of 6 metres)	1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil

Where an existing canopy tree over 8 metres can be retained on a lot greater than 1000 square metres without damage during the construction period, the minimum deep soil requirement is 7% of the site area.

Planning Officer Comments:

Considerable planting is proposed throughout the site, including; planting along the edges of the balconies; creepers growing along the arbor and down the façade of the western retail units; a green wall to the first and second floor levels above the food and drink premises, to the northern elevation; a significant extent of green roof to the podium level; trees to the front setback of the townhouses; trees to the parklet, public open space areas and alfresco area.

In terms of table D2, the Site would require 15% of its area to be 'deep soil areas'. The Site area is 5,487sqm, thus 15% equates to 823sqm of deep soil areas; approximately 60sqm is proposed (118sqm including the area to the south, albeit the southern area falls short of the 6m minimum dimension requirement).

Notwithstanding the above, the standard allows for equivalent planting to be achieved by way of planters, green roofs, green walls and climbers. As demonstrated by the development plans and landscape plan, suitable levels of planting would be achieved.

It is noted that while the submitted landscape plan is useful to indicate the extent of planting, it is lacking detail and does not reflect the aforementioned façade and green wall planting (which is shown on the development plans). As such, and should a permit issue, additional details would be required on the landscape plan by way of condition.

58.03-6 Access objective

- 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.

Objective & standard met

Planning Officer Comments: One vehicle crossover would be provided, from the northwest corner of the Site. The number of crossovers has been minimised and would equate to significantly less than 33% of the street frontage. The location and width of the crossover would ensure the retention of on-street parking spaces are maximised, as far as is practicable. Appropriate access would be available for service, emergency and delivery vehicles. As per section 9 of the Report, Council's Traffic Engineer has reviewed the proposal and raises no objection to the vehicle access.	
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: • 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.	**Objective met**
Planning Officer Comments: Parking would be provided within the basement in accordance with the standard. With regard to the vehicle access's proximity to habitable windows, there are no dwellings adjacent to the accessway; with regard to the dwellings above, height clearances in excess of 5m are achieved which is considered to be acceptable.	
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.	**Objective & standard met**

• Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority. The stormwater management system should be: • Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee 1999) as amended. • Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.	

Planning Officer Comments:
The proposal would include a 60,000L rainwater tank within the basement, designed to collect water from the roof to be reused for toilet flushing and irrigation. The proposal would achieve a minimum STORM rating of 100% which is considered to be best practice.

The extensive landscaped areas would assist in absorbing and filtering storm water.

58.04 AMENITY IMPACTS

Title & Objective/s & Standard/s	Assessment
58.04-1 Building setback objectives • To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area. • To allow adequate daylight into new dwellings. To limit views into habitable room windows and private open space of new and existing dwellings. • To provide a reasonable outlook from new dwellings. • To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents. **Standard D14** 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.	**Objective & standard met subject to conditions**

• 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. Note: Where zones, overlays or their schedules specify different setbacks, these apply over this clause.	
Planning Officer Comments: As per the requirements of Clause 58, where zones, overlays or their schedules specify different setbacks, these apply over this clause. DDO23 requires specific building setbacks; a detailed assessment has been provided under the DDO which is considered to be compliant, subject to conditions.	
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** • 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.	**Objective & standard met**
Planning Officer Comments: The siting of windows and balconies would ensure that no more than 50% of neighbouring POS would be visible, within a distance of 9m.	
58.04-3 Noise impacts objectives • To contain noise sources in developments that may affect existing dwellings. • To protect residents from external and internal noise sources. **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.	**Objective & standard met subject to conditions**

- New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.

Buildings within a noise influence area specified in Table D3 should be designed and constructed to achieve the following noise levels:

  - Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
  - Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

- Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.
- Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

Table D3 Noise influence area

Noise source	Noise influence area
Zone interface	
Industry	300 metres from the Industrial 1, 2 and 3 zone boundary
Roads	

Noise source	Noise influence area
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

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

Planning Officer Comments:

The development is sufficiently separated from existing residences to ensure it would not unduly impact them in terms of noise.

The layout of the development is acceptable, ensuring noise sensitive rooms would be appropriately separated from noise sources within the Site. Services are proposed to the roof of the towers and within the basement, which is acceptable.

With regard to the gym use, a recommended condition would require the updated Acoustic Report to address noise and vibration from the use. Conditions are also recommended to prohibit mechanical plant from being located on balconies.

As per the Acoustic Consultant's comments at section 9 of the Report, the tram/light rail should be treated as 'railway' for the purpose of Table D3, thus the Site is within a 'noise influence area'. It is noted that even if it was found that the tram should not be considered 'railway', it is clear that the port operations along with the tram would generate noise.

Irrespective of the definitions in Table D3, the objectives to the standard remain relevant along with part of the standard that reads *new dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.* Given the above, it is expected that future residents of the development are appropriately protected from offsite noise sources, with the noise levels specified in the standard remaining relevant to ascertain suitable internal amenity.

The applicant submitted an Acoustic Assessment in support of the proposal which takes into account the port operations along with other noise sources such as the tram and traffic; the report found that the development would be in compliance with the internal criteria set out by DDO23, being 30dBA in any bedrooms; and 45 dBA in living areas. The report was reviewed by an acoustic consultant on behalf of Council, their comments are provided at section 9 of the Report; ultimately, they determined that while the internal criteria would be achievable, further details should be required by conditions.

However, it is also highlighted that while the DDO provides a more restrictive noise criteria for bedrooms, Clause 58 provides a more restrictive criteria for living areas. The most restrictive of both criteria should be required in the updated Acoustic Report, being 30dBA in any bedrooms; and 40 dBA in living areas.

The standard is considered to be met subject to conditions.

58.05 ON-SITE AMENITY AND FACILITIES

Title & Objective/s & Standard/s	Assessment
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.	**Objective & standard met**

Table D4 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.

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

Planning Officer Comments:
The applicant has provided an analysis of this Standard which confirms that 81.5% of dwellings would achieve the relevant criteria, which is in excess of the requirements. The analysis has been crosschecked against the proposed pans and is considered to be accurate.

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 D18

Entries to dwellings and buildings should:

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

The layout and design of buildings should:

- Clearly distinguish entrances to residential and non-residential areas.
- Provide windows to building entrances and lift areas.
- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.

Provide common areas and corridors that:

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

Objective met

Planning Officer Comments:
The entries are considered to be visible, easily identifiable, provide shelter, a sense of address and a sense of identity for the building. Residential and non-residential entries are clearly distinguishable.

Windows would be provided to the residential lobby and list areas.

It would not be practicable to provide natural light and ventilation to the common corridors above ground floor level.

The overall design response is considered to be acceptable.

58.05-3 Private open space objective

Objective met

- To provide adequate private open space for the 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.

Table D5 Balcony size

Dwelling type	Minimum area	Minimum dimension
Studio or 1 bedroom dwelling	8 square metres	1.8 metres
2 bedroom dwelling	8 square metres	2 metres
3 or more bedroom dwelling	12 square metres	2.4 metres

Planning Officer Comments:

All dwelling would be provided with balconies which achieve the minimum area requirements. However, some balconies would comprise irregular shapes such that parts of the balconies would fall short of the minimum dimension requirements. Regardless, all balconies would constitute 'usable' space and are considered to be acceptable.

To ensure available space and amenity is not reduced to these areas, conditions are recommended which would prohibit mechanical plant from being located on balconies

58.05-4 Storage objective

- To provide adequate storage facilities for each dwelling.

Standard D20

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

Objective & standard met subject to conditions

Table D6 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

Planning Officer Comments:
The applicant has provided a schedule of the storage volumes for all dwellings; however, the schedule contains errors and also states that some units would fall short of the storage volume requirements. Given the size and layout of the units, there should be no reason why non-compliance should occur in relation to this standard. As such, it is recommended to include a condition that would require an updated storage volume schedule which demonstrates full compliance with Standard D20.

58.06 DETAILED DESIGN

Title & Objective/s & Standard/s	Assessment
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.	**Objective & standard met**
Planning Officer Comments: Public, communal and private areas are considered to be clearly delineated. Common property would provide a functional layout which would be capable of efficient management.	
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. • Mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.	**Objective & standard met**

• Mailboxes should be provided and located for convenient access as required by Australia Post.	
Planning Officer Comments: There would be sufficient space for services with mailboxes to be conveniently located within the residential lobby.	

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 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.
• Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.
• Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.
• Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.
• Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.
Waste and recycling management facilities should be designed and managed in
	Objective & standard met

accordance with a Waste Management Plan approved by the responsible authority and: • Be designed to meet the best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria. • Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.	
Planning Officer Comments: Commercial waste would be stored within the building at ground level, immediately abutting the loading area. Residential waste would be stored within the basement, collection would also occur from the basement. As per section 9 of the Report, Council's Waste Technical Officer has reviewed the application including the submitted WMP and raised no objection.	

58.07 INTERNAL AMENITY

Title & Objective/s & Standard/s	Assessment
58.07-1 Functional layout objective • To ensure dwellings provide functional areas that meet the needs of residents. **Standard D24** Bedrooms should: Meet the minimum internal room dimensions specified in Table D7. Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe. **Table D7 Bedroom dimensions** Bedroom type / Minimum width / Minimum depth Main bedroom / 3 metres / 3.4 metres All other bedrooms / 3 metres / 3 metres Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D8. **Table D8 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 & standard met**
Planning Officer Comments: All dwellings would be provided with layouts in accordance with this standard.	
58.07-2 Room depth objective • To allow adequate daylight into single aspect habitable rooms. **Standard D25**	**Objective met subject to conditions**

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. The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.	

Planning Officer Comments:
Apartments within the podium level only achieve floor to ceiling heights of 2.5m; this is the unfortunate consequence of minimum floor level requirements along with a 12m height limit to the podium level, which has resulted in limited floor to ceiling heights.

While 2.5m is an acceptable floor to ceiling height in its own right, an issue arises when viewing the heights in conjunction with the single aspect the room depths, some of which are up to 9.9m.

Daylight modelling was submitted as part of the Sustainable Management Plan (SMP) which also indicated poor light penetration to the deep parts of bedrooms and living areas. However, Council's Sustainable Design Advisor reviewed the SMP and advised that windows with low visible light transmissions (VLTs) have been used and that it would be possible to improve the level of light penetration using glazing with higher VLT.

As such, it is recommended that a condition be included on any permit which requires residential windows within the podium levels be utilised with a VLT exceeding 50%, to achieve best practice in terms of internal daylight levels.

The tower levels have floor to ceiling heights of 2.7m and achieve the relevant criteria.

58.07-3 Windows objective	**Objective & standard met**

• 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.	

Planning Officer Comments:
All habitable rooms would have windows in an external wall of the building.

58.07-4 Natural ventilation objectives	**Objective & standard met**

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

Planning Officer Comments:
50% of dwellings would achieve the relevant standard.