217/2019 | 11-17 DORCAS STREET, SOUTH MELBOURNE

Section 87A Amendment Application

Prepared for
DORCAS DEVELOPMENT NOMINEES
22 December 2021

URBIS

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Report Number	Section 87A_Rep01

Urbis acknowledges the important contribution that Aboriginal and Torres Strait Islander people make in creating a strong and vibrant Australian society.

We acknowledge, in each of our offices, the Traditional Owners on whose land we stand.

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1. INTRODUCTION

Urbis continue to act on behalf of Dorcas Development Nominees in relation to Planning Permit 217/2019 at 11-17 Dorcas Street, South Melbourne. We have been instructed to lodge a Section 87A Amendment application to amend the permit preamble, various permit conditions and the endorsed plans. The changes to the architectural plans generally include:

- Revised façade design to create a robust form at the podium level with a gridded tower.
- Reduced podium height
- Rearrangement of podium uses to provide retail at Ground and Level 1, office at Levels 2 and 3 and communal residential amenities at Level 4
- Relocation of all car parking within five levels of basement parking
- Internal rearrangement of residential apartments
- Provision of a roof terrace for the penthouse apartment

The following documents are included in this submission:

- Certificate of Title
- Architectural Plans prepared by Wood / Marsh, dated December 2021.
- Traffic Memo prepared by Traffix Group, dated 21 December 2021.
- Landscape Plan prepared by Aspect Studios, Issue P4, dated 21 December 2021.
- Waste Management Plan prepared by Leigh Design, dated 4 November 2021.
- Sustainable Management Plan prepared by Integrated Group Services, Version 05, dated 10 December 2021.
- Environmental Wind Considerations Memo prepared by MEL Consultants, dated 24 September 2021.
- External Reflected Glare Report prepared by Inhabit Group, Revision 02, dated 8 October 2021.

Figure 1 Render Image – View west along Dorcas Street

Source: Wood / Marsh

2. SUBJECT SITE & SURROUNDS

2.1. SUBJECT SITE

The subject site is oriented on a north – south axis, located on the southern side of Dorcas Street, bounded by Middleton Lane to the east and Wells Street to the west. The site's frontage is to Dorcas Street and is bordered by roads on three sides, with Middleton Lane to the east and an unnamed lane to the south. The site is generally rectangular albeit it's extended northeast corner and has a street frontage of 35.69m to Dorcas Street, maximum depth of 34.3m and a total area of approximately 1019sqm.

The site is currently occupied by a six-storey office building with a rooftop balcony, recreation areas and a 32-space lower ground car park. The building is constructed to the side and rear property boundaries and is slightly set back from its street frontage, allowing for minimal landscaping within the front setback.

Figure 2 Aerial Image

2.2. SURROUNDING AREA

Dorcas Street has a mixed character with a range of uses, building heights and setbacks. Landscaped setbacks vary along the street and vehicle crossovers are common. Middleton Lane is a service road which borders the east side of the property, providing access to the rear of properties facing St Kilda Road. The laneway to the south of the property connects to Middleton Lane and provides access to properties facing Dorcas and Wells Street. There is consistent street tree planting on both sides of Dorcas Street, however landscaping within the street is limited.

Building styles vary considerably within the area however tower design is generally consistent in that podiums are not a common element of the immediate area and do not form a defining character element of the streetscape. On the north side of Dorcas Street, buildings are set back marginally from their respective front property boundaries to allow space for limited landscaping and then extend up as a continuous tower form.

Figure 3 Surrounding Area

Picture 1 Subject Site

Picture 2 Middleton Lane

Picture 3 Northern interface

Picture 4 View from the north-east

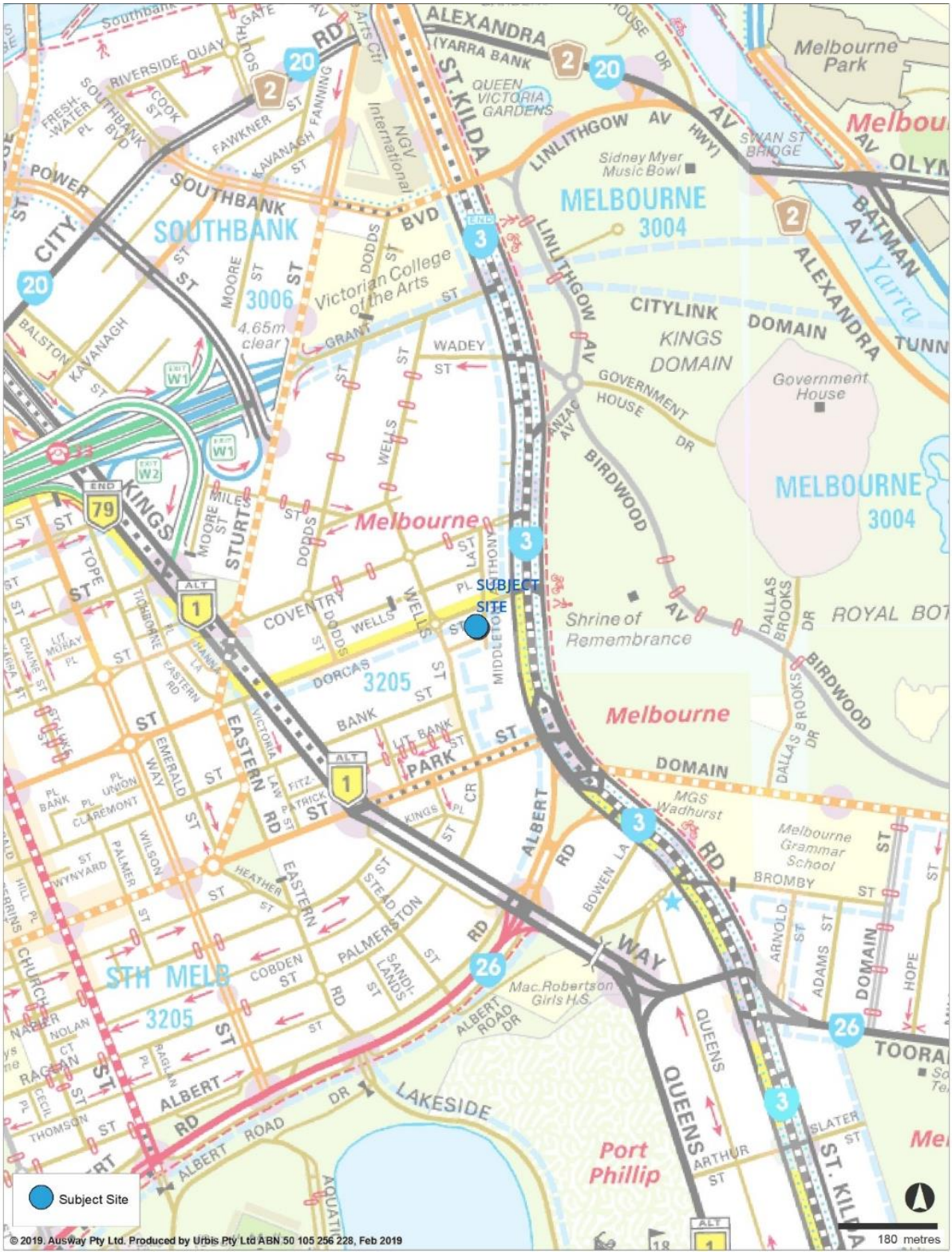
There is excellent access to public open space within close proximity to the subject site including the Royal Botanic Gardens and Shrine of Remembrance environs.

The site also has exceptional access to public transport, particularly tram and bus services. These services are primarily accessed from St Kilda Road and include:

- Tram: routes 3, 3a, 5, 6, 8, 16, 64, 67 and 72; and
- Bus: routes 216, 219, 220 and 980 (Nightrider)

The majority of these transport routes provide a direct connection to the CBD where connecting transport links to the rest of the city can be conveniently accessed. The new Domain Train Station is also currently under construction as part of the Melbourne Metro Rail Link project and is located approximately 400m south of the subject site.

Figure 4 Subject Site Context



2.3. SURROUNDING CONTEXT

1.1.1. North

There are several buildings of varying heights to the north of the subject site.

Directly opposite, across Dorcas Street, is 10-16 Dorcas Street which comprises an eight-storey office building. There is a car parking facility on the ground and lower ground levels. Access is provided via an accessway to Dorcas Street.

To the west of 10-16 Dorcas Street is 22 Dorcas Street which comprises a 24-storey building containing apartments, car parking and ground floor retail. Access to the car park is provided via an accessway to Dorcas Street.

To the east at 8 Dorcas Street is a 20-storey residential building consisting of apartments, ground floor retail and car parking. Access to the car park is provided via an accessway to Anthony Lane.

Land to the north of the site is within the City of Melbourne.

Picture 5 Northern Interface

1.1.2. East

To the east of the subject site is Middleton Lane. Further east are several buildings of varying, low-scale heights which face St Kilda Road.

336 St Kilda Road, South Melbourne is located immediately east of Middleton Lane and comprises the 'First Church of Christ Science'. This building is listed as a National Trust building and is on the Victorian Heritage Register, classified as No. 4871. The building is of significance as one of the '*most complete and scholarly essays in 1920s classicism applied to an ecclesiastical building in Melbourne'*.

Also located to the east of the subject site at 340 St Kilda Road is a one and two storey building comprising the Christian Science Reading Room. The Honorary Consulate General of France is located at 342 St Kilda Road

Figure 5 Eastern Interface

1.1.3. South

To the south of the site, across the lane, is 145 Wells Street, a single storey office building with a car park at the front of the site, adjoining Wells Street.

Further south, is 368 St Kilda Road, known as the Royal Domain Tower. This building is 42 storeys tall and comprises apartments and ten levels of car parking. Access to the site is provided via an accessway to Wells Street.

1.1.4. West

To the west, immediately adjoining the subject site is a single storey café set back from the Dorcas Street frontage. Further west are two single storey office buildings and one double storey office building located on the corner of Dorcas Street and Wells Street. These buildings have a varying range of setbacks.

Further to the west, across Wells Street, is a 12-storey residential building located on the corner of Wells Street and Dorcas Street. The site is 148 Wells Street.

Figure 6 Western Interface

Picture 6 19 Dorcas Street

Picture 7 View east towards 148 Wells Street

3. PERMIT HISTORY

Urbis lodged an application for a planning permit on behalf of SM Dorcas Trust on 2 April 2019. Following an extensive application process including community consultation, the City of Port Phillip issued a Notice of Decision for application 217/2019 on 3 June 2020.

A Section 82(1) Application for Review was lodged on 30 June 2020. Following the appeal, VCAT affirmed Council's decision and a revised permit was issued on 18 December 2020 to allow for:

In accordance with the endorsed plans:

- *Construction of a mixed use building comprising a retail premises and dwellings; and*
- *Reduction in car parking*

generally in accordance with the endorsed plans and subject to the following conditions.

Subsequently, the following documents were endorsed by Council on 20 July 2021:

- Architectural Plans (Condition 1)
- Landscape Plan (Condition 3)
- Sustainability Management Plan (Condition 6)
- Water Sensitive Urban Design Report (Conditions 9 & 11)

3.1. AMENDMENT PRE-APPLICATION MEETING

On 17 September 2021, a pre-application meeting was held between the applicant and Port Phillip Council with a set of plans dated 18 August 2021. The meeting was generally positive and Council provided the following written feedback on 11 October 2021.

- Council officers were generally supportive of the revised design.
- The new design is a significant change from the approved building but is considered to be of a high quality architectural response that would have a positive impact on Sub Precinct 1 of DDO26.
- The revised design is considered more responsive to the preferred podium / tower typology sought under the DDO but still providing an innovative design though the use of a curved façade to the tower.
- The revised design, which significantly reduces the amount of glazing, would be a much improved energy efficient building.
- The changes to the podium are also supported, where the podium is now shown to align to the front boundary to the street along with a change to the ground floor uses from retail to residential dwellings. The changes to the ground floor are considered to create a more 'human scale' sense of address and resolve accessibility concerns of the previous retail space where the retail space was separated from the street.
  - We note that the ground floor dwellings are no longer proposed as part of this application.
- The commercial entrance would be difficult to find as it was set far from the primary frontage and features like an awning extruding into the laneway may be required to highlight its location. Identifying ways to improve both access and legibility should be explored. An appropriate response would ensure the commercial entrance is separate from the residential entrance but in a location that is connected to the primary frontage and strengthens the sense of address.
- The new façade has more scope to improve internal amenity. Cross ventilation is a challenge and managing light, shade and heat on the north face will vary due to the new façade and its tapering pattern.
- The roof top screens around the plant equipment and lift over run were not apparent in the 3D renders. It is expected that they be included to demonstrate the design intent and extent as seen from the vantage points illustrated.
- It appears that a larger entrance to the basement car park and a revised loading bay arrangement would be provided. This looks to improve the access arrangement into the car park and for loading on site.

- The plans show that the setback of the tower has been reduced from the east and south (no dimension is included for the tower setback to the south). There are concerns that these reduced setbacks may not provide equitable development opportunities for property to the east and south You are advised to increase the tower setbacks to the east and south to provide a minimum 4.5m setback from the middle of Middleton Lane at both the side and the rear.
- The pre application plans indicate that car parking has been increased. However, no allocation of car parking has been indicated. Please ensure that the rate of car parking complies with the requirements of condition 18, including the provision of at least two spaces for residential visitor car parking.

Modifications to the plans have been made since the pre-application meeting was held. These modifications primarily relate to internal layout and the mix of uses.

4. PROPOSED AMENDMENTS

Since the issue of the permit, a new ownership structure and changes to market demands have led to a rethink of the building's mix of uses and design. This amended proposal seeks to retain the key elements of the original approval whilst allowing for a greater mix of uses which are consistent with the Commercial 1 Zoning. The more monolithic design of the façade is intended to improve on the former glazing treatment to create a more robust and grounded building which responds to its urban context and presents with a design aesthetic that reflect the luxury apartments within. The more solid materiality also responds to issues of reflectivity and glare.

With regard to the apartment layouts, changes have been required to allow for the minor modifications in the building footprint, the additional tower levels and as a result of further design detailing. The apartments are generous in size remain with a similar or greater BADS compliance when compared with the approved scheme.

Finally, the car parking has been removed from the podium levels and relocated in to a 5-level basement. Commercial office space has replaced the above ground car parking and residential sleeving on these levels, assisting with activation of the podium in the round.

Other consequential changes have been made and are summarised below.

4.1. ARCHITECTURAL PLANS

In addition to amending the permit preamble, our client is seeking approval to amend the architectural plans, including the layout, design, and overall built form of the building.

- Redesign of the entire façade treatment to create a robust form at the podium level with a concave gridded tower element above. Variations of concrete have been used in lieu of the formally proposed bronze glazing.
- Podium parapet height reduced from 18m to 12.6m.
- Removal of podium parking levels resulting in all parking being provided within five basement car parking levels.
- Internal rearrangement of ground and first floor level to provide 366sqm of retail space and separate residential and commercial entrances.
- 1,570sqm of commercial office space provided at Levels 2 and 3 of the podium.
- Communal residential areas relocated to the western side of Level 4 (top of podium).
- General internal rearrangement of residential apartments and increase of one apartment.
- Provision of a roof terrace to service the penthouse apartment.
- Further reduction in the car parking requirements.

The list below provides a comparative summary of the key changes to the endorsed and proposed amended schemes.

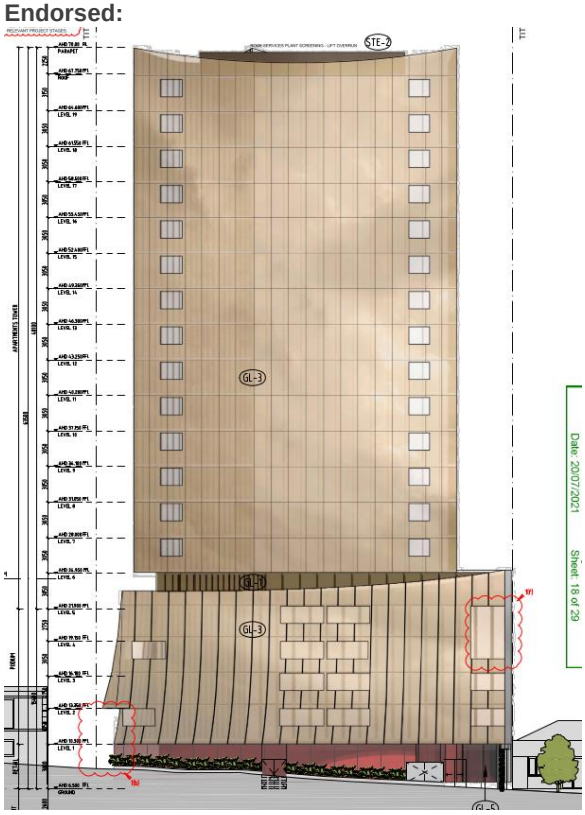
Table 1: Comparison of Endorsed vs Amended Scheme

	Endorsed	**Amended**
Building Height:	70m AHD	70m AHD
Podium Height:	15.1 – 18.45m	10.75-12.6m
Ground Floor Front Setback:	Zero to 2.3m	Zero to 1.4m
Side and Rear Setbacks:	East: 4.5m South: 4.5m West: 4.5m	East: 4.5m South: 4.5m West: 4.5m +350mm architectural feature

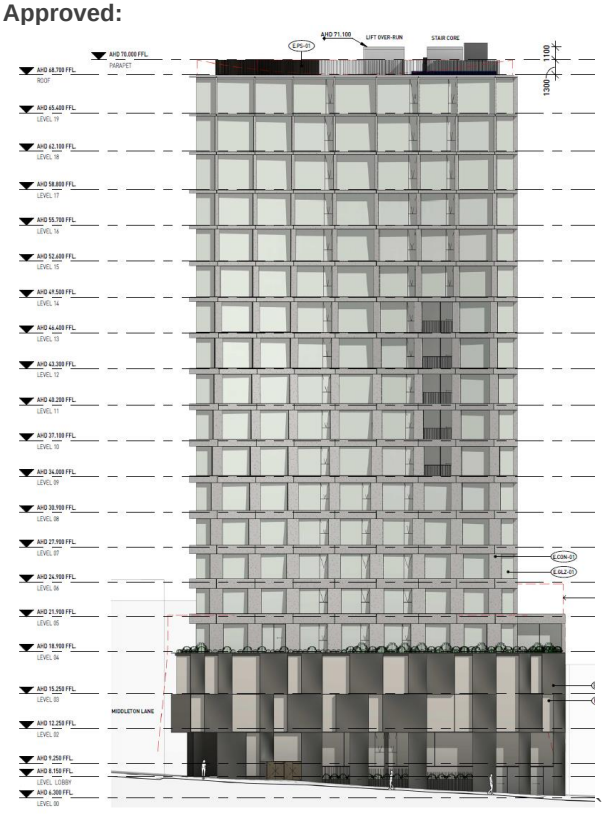
	Endorsed	Amended
Apartment numbers:	One-bedroom: 11 Two-bedroom: 20 Three-bedroom: 23 Four-bedroom: 2 Penthouse: 2 Total: 58	One-bedroom: 4 Two-bedroom: 24 Three-bedroom: 30 Four-bedroom: 1 Penthouse: - Total: 59
Communal Open Space:	283sqm	286sqm
Retail Area:	159sqm	366sqm
Commercial Area	Zero	1,570sqm
Car Parking Spaces:	89 spaces	106 spaces
Bicycle Spaces:	45 spaces	94 spaces

Table 2: Comparison of North Elevation

Endorsed:



Approved:



Source: Wood / Marsh

4.2. AMENDMENTS TO THE PLANNING PERMIT

To accommodate the above changes, the following amendments to the Planning Permit are sought:

4.2.1. Permit Preamble

It is proposed to amend the permit preamble as follows:

In accordance with the endorsed plans:

- *Construction of a mixed use building comprising a retail premises, **office,** and dwellings; and*
- *Reduction in car parking.*

generally in accordance with the endorsed plans and subject to the following conditions.

The proposed amendments will result in part of the podium being repurposed for office use. Additional basement car parking will also be provided for the additional residential apartments and the office use. However, a parking waiver is still required.

4.2.2. Permit Conditions

As part of the proposed amendment application, we proposed to amend and/or delete the following conditions:

Table 3 Permit Condition Changes

Conditions	**Proposed Changes**
Condition 1 (Amended Plans	It is proposed to delete Condition 1a-x. The condition will be amended to allow the architectural plans submitted as part of this application and discussed throughout the amendment process to be endorsed.
Condition 3 (Landscape Plan)	It is proposed to delete Condition 3a-g. The condition will be amended to allow the landscape plan submitted as part of this application and discussed throughout the amendment process to be endorsed.
Condition 6 (Sustainable Management Plan)	It is proposed to delete Condition 6a-e. The condition will be amended to allow the Sustainable Management Plan submitted as part of this application and discussed throughout the amendment process to be endorsed.
Condition 9 (Water Sensitive Urban Design)	Condition 9 will be amended to allow the WSUD report submitted as part of this application and discussed throughout the amendment process to be endorsed.
Condition 13 (Waste Management Plan)	Condition 13 will be amended to allow the WMP report submitted as part of this application and discussed throughout the amendment process to be endorsed.
Condition 18 (Car Parking Allocation)	It is proposed to amend Condition 18 to ensure the car parking allocation is consistent with what is shown on the architectural plans.
Condition 22 (Glare)	Condition 22 will be updated to reference the updated glare report.

A tracked changes version of the planning permit is included in this submission.

5. PLANNING CONSIDERATIONS

The key considerations of the proposed amendments are as follows:

- Built Form & Compliance with DDO26
- Is the Mix of Uses Appropriate?
- Internal Amenity Impacts
- External Amenity Impacts
- Car Parking, Bicycle Parking, Traffic, Access, & Loading
- Environmentally Sustainable Design
- Landscape
- Waste Management

5.1. BUILT FORM & COMPLIANCE WITH DDO26

The proposal seeks approval to retain elements of the concave form across the northern face of the tower whilst moving away from the glazed sweeping curvilinear design to a more geometric and rectilinear form. While the proposal represents a shift from the approved façade appearance, the building will continue to provide a high quality form that meets the General Requirements of DDO26.

The site's location within the St Kilda Road North Precinct provides opportunity for architectural expression and innovation given the varied built form character of the area and lack of sensitive interfaces within the immediate vicinity.

The revised design provides a significant reduction in the amount of glazing and a reduction to the tapering out of the edges of the building. The proposal will also provide a more defined podium / tower form, bring the podium forward so it will now be built directly on the Dorcas Street boundary. VCAT and Council have already determined that a building of this scale is appropriate on the subject site. As such, it is now necessary to ensure that the revised design continues to satisfy DDO26.

The podium is unapologetically robust in form and materiality, and appropriately presents as a distinct and solid base supporting the tower above. The podium incorporates both the main foyer and small office spaces at ground floor, and residential and commercial uses above. Unlike the existing five-storey building on site, the proposed podium height responds to its immediate context, respecting its position in the streetscape, particularly the heritage building to the east.

Consistent with the existing permit conditions (Condition 1b), a 1.5m setback is provided on both the southern and eastern edges to widen Middleton Lane. This will increase accessibility to parking and services. This setback continues along the Ground Floor and Level 1 to comply with the condition.

The tower itself is formed by a formal grid that becomes lighter as it climbed up. The tower glazing sits at the required setback with the grid form wrapping around the façade and protruding 350mm out from the glazing. This architectural feature creates interest and depth in the design and assists to mitigate issues of glare. The tower element comprises a mix of one, two and three bedroom apartments, consistent with the approved scheme.

Similar to the approved design, the proposal continues to incorporate a concave indentation on the north façade of the tower. This helps to create perceived movement of the building when viewed along the length of Dorcas Street. The tower provides a maximum setback from the centre of the building the Dorcas Street of 4.99m at Level 12. This decreases to 3.53m at Level 5 and 3.46m at Level 19. This is a variation from the uniform 5m setback provided to the centre of the approved scheme. We submit that this decrease in setback can be accommodated on Dorcas Street. Given the concave appearance and surrounding towers bult to the street with no podium element, it will not result in a substantial impact on the streetscape or the residential apartment buildings to the north.

To improve the activation with Dorcas Street, the ground floor interface has been redesigned to provide a public entry in the north-east corner that is at the same level as Dorcas Street. This will focus activity to one area and provide opportunities to utilise and pedestrianize the Dorcas Street and Middleton Lane interface.

Overall, the proposed building will continue to be a unique and positive addition to the area with active street frontages, hidden services and an interesting and unusual façade, aimed at engaging the pedestrian eye.

Figure 7 Design Comparison

Picture 8 Endorsed Scheme

Picture 9 Proposed Scheme

Source: Wood / Marsh

5.1.1. DD026 General Requirements

The revised massing of the proposal has been developed to respond to a number of factors relating to its urban context, outlook, solar access and compliance with DDO26.

An assessment against the relevant built form outcomes is provided below.

5.1.1.1. Separation Distance / Side and Rear Setbacks

The following setback requirements apply:

- *Development above the podium height (including balconies) should be set back a minimum of 4.5 metres from common side and rear boundaries and at least 9 metres from existing towers.*

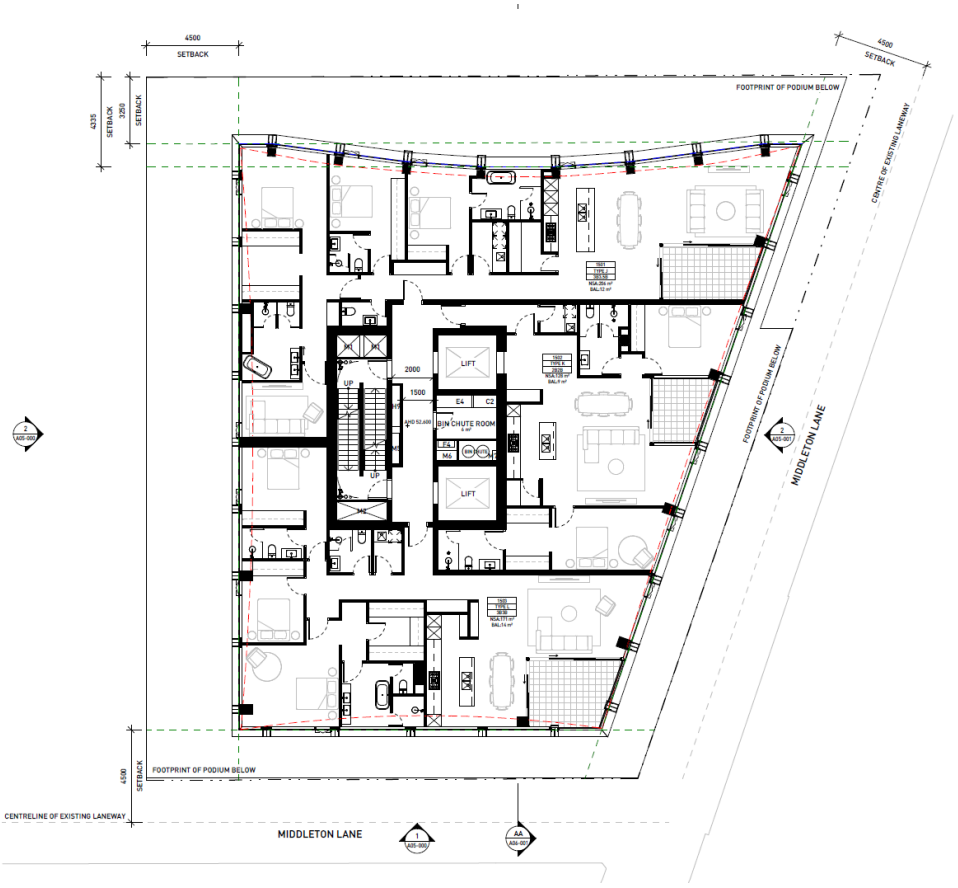
The revised design provides a distinct podium / tower form with the glazing of the tower element setback as follows:

- West – 4.5m from the west boundary
- South – 4.5m from the centre of Middleton Lane
- East – 4.5m from the centre of Middleton Lane

Figure 8 shows a typical tower floorplate with the red dotted line showing the formerly approved scheme. These setbacks are generally consistent with the approved scheme and compliant with DDO26.

We note that the grid form on the tower will protrude 350mm into the required setback. However, this is considered to be an architectural feature. Pursuant to sub-section 2.3 of DDO26, a permit may be granted to allow for architectural features on the exterior of the building within the area of a setback required by the schedule. As such, the proposed setbacks are considered to be appropriate.

Figure 8 Typical Tower Setbacks (Level 15)



Source: Wood / Marsh

5.1.1.2. Landscaped Setbacks

There is no requirement for a landscaped setback to the subject site. To ensure activation to the street and appropriate opportunities for passive surveillance, the proposed building is to be constructed to Dorcas Street with a 1.4m setback in front of the retail tenancy to allow for a raingarden. This will provide opportunities for low level planting, similar to the approved scheme.

5.1.1.3. Heritage

The First Church of Christ, Scientist at 336-340 St Kilda Road is located to the east of the subject site, across Middleton Lane. The building, which is listed on the Victorian Heritage Register, was designed by Bates, Peeble and Smart with construction completed in 1922. The building is of architectural and historical significance to the State of Victoria. Architecturally, the building is significant as a rare example of early twentieth century classicism applied to a religious building. Historically, the building is significant as the first church of the Christian Science movement.

It is not considered that the revised proposal will unreasonably impact the heritage significance of the church. The subject site is separated from the church by a laneway and is well separated from the prominent St Kilda Road frontage so as not to overwhelm this primary interface. The revised podium height has also been designed to create a more respectful transition from the heritage building, up to the tower element. Furthermore, the setback of the tower element from the Church remains similar to the approved scheme and the concrete and glazed materiality will create an appropriate backdrop to the heritage building.

5.1.1.4. Street Wall / Podium Level

DDO26 stipulates a discretionary requirement that development within 5m of Dorcas Street should not exceed a height of 18m. The proposed amendment seeks to create a distinct street wall that has a height of 12.6m at the north-eastern corner, adjacent to Dorcas Street and Middleton Lane. The podium has been designed to provide a respectful transition from the heritage building to the east. Figure 9 below

demonstrates how the revised design will step up from the double storey heritage form to a three and a half storey street wall / podium.

The amended street wall has been designed to reinforce the 'human scale' by creating an active and legible frontage which is intended to draw the eye at the pedestrian level. The provision of a retail use at the ground floor level and office uses at Levels 2 and 3 will continue to provide activation and surveillance to the street. Additionally, all north facing apartments within the podium level have balconies which face the street to enhance the passive surveillance opportunities.

To the Middleton Lane frontages, the podium level car parking areas have been relocated to the basement and replaced with communal residential facilities and commercial office space to improve the interface.

Figure 9 Render Image of North-East Corner

Source: Wood / Marsh

5.1.1.5. Active Frontages

The proposed ground floor retail use will include glazing at the Dorcas Street frontage to ensure the development is integrated into the wider surrounds and contributes to the public realm. Overall, the building will continue to be orientated toward Dorcas Street to provide an appropriate sense of place and address. The active frontage will allow for passive surveillance and visual connection into the building through the glazed windows and balcony areas.

The relocation of all car parking from the podium to the basement will allow for a further activation at the levels above the street. The retail space will occupy ground and Level 1 with office proposing to accommodate Levels 2 and 3. This will allow for additional activation and surveillance of Dorcas Street.

Above the commercial uses, north-facing residential apartments have their areas of open space fronting Dorcas Street to increase opportunities for views to the street. This arrangement is consistent with the approved scheme.

5.1.1.6. Town Design and Internal Amenity

DDO26 encourages that towers do not exceed a maximum width of 35m. The tower form above the podium will have a maximum width of approximately 28.2m to ensure that daylight can penetrate through to parts of the building, street and adjoining buildings. It also aids in reducing the perceived visual bulk and maintain sightlines between buildings. The width of the building is consistent with the approved scheme.

Internal amenity is discussed in detail in Section 3.4 of this report.

5.1.1.7. Building Services

With the exception of the required fire booster at the frontage, all ground floor building services including waste collection, the substation and main switchboard will be located toward the rear of the building, accessed via Middleton Lane. The services will not be visible from the street, ensuring that the building retains an entirely active frontage.

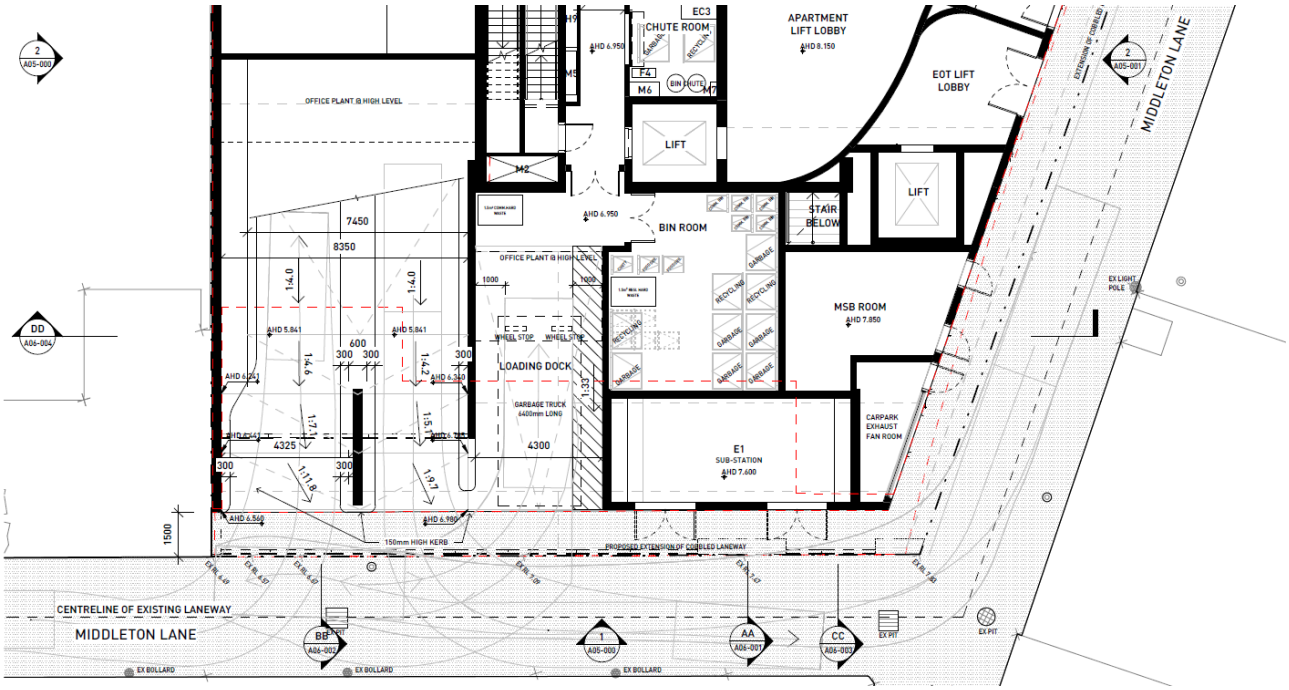
Waste is proposed to be collected onsite via the rear loading bay. Further details on waste collection see Section 4.7.3 of this report and the Waste Management Plan.

5.1.1.8. Vehicular Access and Car Parking

Vehicular access will continue to be provided via Middleton Lane at the rear of the proposed development, which is consistent with the endorsed plans. However, all car parking has been relocated from the podium levels to five basement levels. The vehicle crossover from Middleton Lane leads to the basement which comprises of 106 spaces. This is an increase from the approved scheme which provided 89 spaces.

The location of car parking within the basement and the crossover at the rear of the property enable active uses to the Dorcas Street frontage.

Figure 10 Revised Access Arrangements



Source: Wood / Marsh

5.1.2. Sub-Precinct 1 – Edge of Shrine Memorial Gardens

The subject site is identified within Sub-Precinct 1 'Edge of Shrine Memorial Gardens' within the DDO. The following built form controls apply to Sub-Precinct 1c:

Table 4 Built Form Controls

Built Form Control	DDO Requirement	Proposal
Overall Height	The overall height limit is mandatory and must not exceed 70 metre AHD	*Complies* Section 3.3 of the architectural plans demonstrates that the stair structure on the roof will have a maximum height of 70m AHD. It is therefore considered that the building complies with this requirement. There are service elements that exceed the mandatory height limit. However, it is considered that these are not 'roofed elements' in their own right and do not contribute to the overall building height.
Podium Height and Tower Setback	Development within 5 metres of Dorcas Street should not exceed a height of 18 metres (discretionary)	*Complies* The proposed podium (within 5m of Dorcas Street) is 12.6m. Above the podium, the tower element is set back 3.54m from the front façade. This is a decrease from the endorsed plans which provided a 5m setback. It is submitted that the proposal complies with the intent of the preferred controls by ensuring that the tower is setback above the podium. It also draws reference from the surrounding street context where the common building envelope presents with tower and podiums constructed generally along the same plane along the street frontage, with limited or no tower setback from the street wall.
Shrine Silhouette	Development must not protrude into the Shrine's silhouette above the level of the Portico roof when viewed from Birdwood Avenue.	*Complies* The views provided in the architectural package demonstrate that the development will not protrude above the height of the Shrine. This is consistent with the approved scheme.
Overshadowing	Development must not cast any additional shadow across the Shrine of Remembrance and its northern forecourt between 11am and 3pm from 22 April to 22 September.	*Complies* The proposed shadow diagrams are generally consistent with the approved scheme and will not overshadow the Shrine of Remembrance or its northern forecourt within the protected times.

5.1.3. Architecture and Façade Treatments

The proposed redesign continues to form a contemporary and creative design response which uses different building elements, materials, openings, and setbacks to achieve an interesting and visually appealing building which will positively contribute to the high standard of development encouraged within the St Kilda Road North Precinct.

The high-quality design continues the precedent set by other recent approvals and will sit comfortably as a welcome addition to the streetscape. Specifically, the proposal incorporates the following elements to ensure that it makes a positive contribution to the area:

- A robust podium form that is more distinct than the previous approval. It will create a clear podium and tower separation with the podium comfortably stepping up from the two-storey heritage building to the east.
- The façade of the proposed tower element will be well articulated using a grid formation with a dramatic concave indentation to the Dorcas Street façade. The combination of these elements generates a built form that is dynamic with perceived movement when viewed along the length of Dorcas Street.
- The concave feature will also enhance views east and west along Dorcas Street from the north-facing apartments.
- Landscaping and the architecturally designed commercial space at the ground floor level will create an inviting and usable space, designed for public amenity.
- The tactile and robust concrete materiality is of high quality and works to create a striking building which seeks to respond to the surrounding area and the streetscape

5.2. IS THE MIX OF USES APPROPRIATE?

Council and VCAT have already determined that the use of the site for residential apartments and retail uses is appropriate for the area. As such, the assessment of the uses should be limited to the inclusion of commercial office space within the podium level. To that extent, we note the following:

- Pursuant to the table of uses of Clause 34.01-1 of the Port Phillip Planning Scheme, office use is a Section 1 use and therefore does not need a permit to commence.
- The purpose of the C1Z seeks to create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses. The use of the land as office is therefore considered to be consistent with the C1Z.
- The proposal seeks approval for the inclusion of approximately 1,600sqm of office space. This is considered to be an appropriate level of office intensity for the predominantly residential area and will add to the diversity of uses within the precinct.
- The office space is located within the podium and Levels 2 and 3. As such, it will contribute to the activation of Dorcas Street.
- The subject is well serviced by the public transport network to ensure it is accessible for future workers.
- Clause 21.04 the Port Phillip Planning Scheme states that the primary function of the Commercial 1 Zone is to have a commercial / office role. The provision of office space will help to contribute to this.

5.3. INTERNAL AMENITY

The proposed changes continue to ensure future residents are provided with a high level of internal amenity. The revised apartment layouts will ensure that all apartments are compliant with the internal amenity standards of the Better Apartment Design Standards, included at Clause 58.07 of the Port Phillip Planning Scheme. Importantly, we note the following:

- All habitable rooms and living rooms will continue to be in accordance with the minimum dimensions required under Standard D24 of Clause 58 and will meet the functional needs of future residents.
- The proposed development will allow for minimum 2.7 metre ceiling heights. As such, room depths should not exceed 9m. The proposal will continue to comply with this requirement. Please refer to architectural plans for further details.

- Generally, all bedrooms are provided with windows in the external walls. Apartment Type I is provided with daylight access via the balcony. The balcony has a width of 2.75m and as such must not exceed a depth of 4.13m. It has a depth of approximately 3m to the edge of the façade, therefore complying with the standard.
- The dwellings will continue to be provided with operable windows to all habitable rooms, ensuring good natural ventilation. The breeze paths are illustrated in the floor plans provided by Wood / Marsh and show that 100% of apartments comply with Standard D27.
- The building provides high quality communal facilities for the use of future residents. Whilst the communal open space provision doesn't strictly comply with the BADS requirements, the location of the site adjacent to the Royal Botanic Gardens makes this variation appropriate. This approach is also consistent with the approved scheme. The provision of 286sqm of communal area is generally consistent with the approved scheme which provided 283sqm.

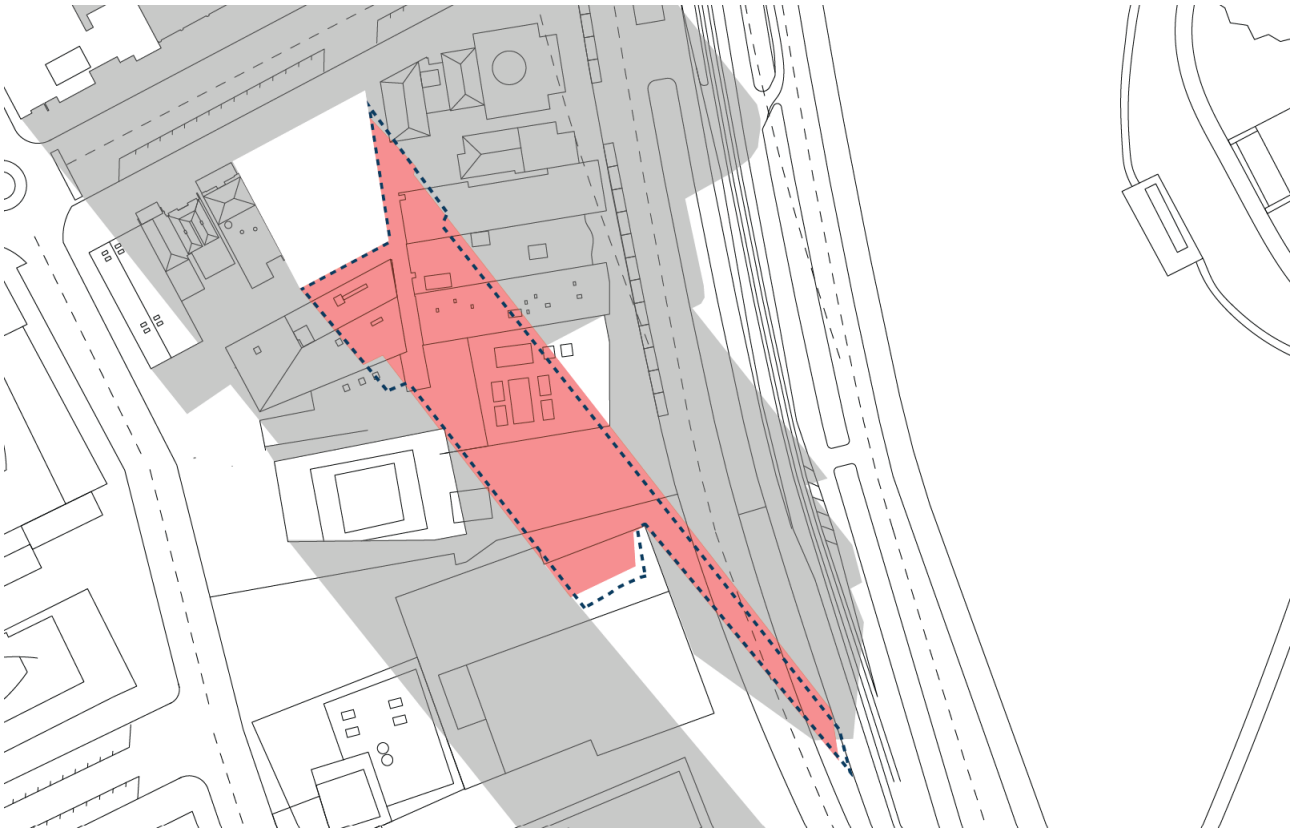
BADS diagrams are included within the architectural plan set and a full Clause 58 assessment is included within **Appendix A** of this report.

5.4. EXTERNAL AMENITY

5.4.1. Overshadowing

The amended shadow diagrams demonstrate general compliance with the approved scheme. There are some minor changes at varying times of the day. In particular, there is a minor increase to the width of the shadow throughout the day on 22 June and 22 September. However, there is also a minor reduction in the length of the shadow at these times (Figure 10). Critically, there will be no additional shadows cast to the Shrine of Remembrance of the surrounding northern forecourt area during the protected times.

Figure 11 June 22 3pm Shadow Diagram



Source: Wood / Marsh

5.4.2. Wind Impacts

MEL Consultants reviewed the approved scheme at the subject site in 2019 and completed a wind tunnel model study of the environmental wind conditions. They determined that the wind conditions at all test locations met the safety criteria for all wind directions.

The 2019 wind tunnel study showed that the development would have good shielding from surrounding buildings of similar height. As such, there would be little significant change of the existing wind conditions of the majority of the ground level study locations.

MEL Consultants have considered the revised design and concluded that the wind conditions in the surrounding streetscape are expected to be similar to those reported in 2019. Therefore, the findings of the previous report are still relevant, and the revised design can be supported.

5.4.3. Heat & Glare Impacts

Inhabit Group prepared an external reflected glare report as part of the Condition 1 and Condition 22 requirements associated with the Planning Permit. Given the result of the initial glare assessment, design changes were made to the design that were approved by Council. Compared to the approved scheme, the extent of glazing has dramatically reduced. It can therefore be considered that the glare impacts to the surrounding area will have also reduced.

Inhabit Group have determined that the key locations surrounding the development will not receive any unreasonable glare impacts. They note the following:

Table 5 Reflected Glare Assessment Summary

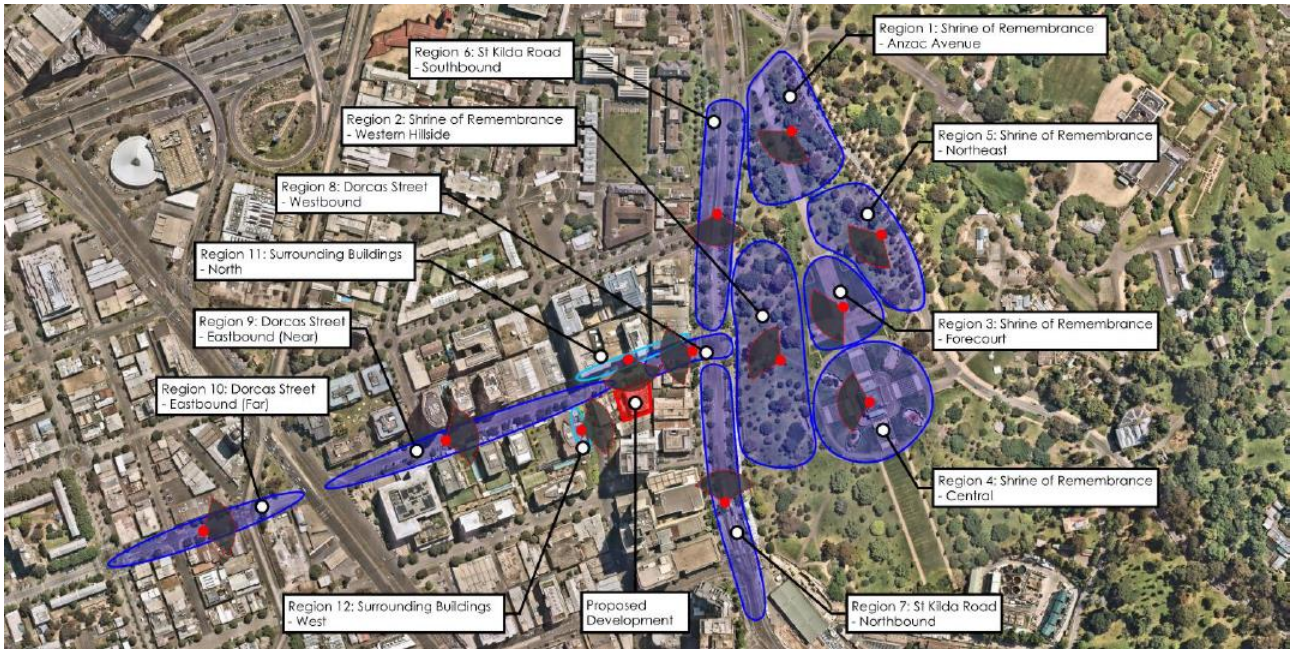
Location	Description
1. Shrine of Remembrance – Anzac Avenue	As per approved conditions. Exceedance occurs outside ANZAC and Remembrance Day services and occurs no more than 2% of annual daylight hours.
2. Shrine of Remembrance – Western Hillside	No exceedances identified.
3. Shrine of Remembrance – Forecourt	Minor increase to exceedance. Exceedance occurs outside ANZAC and Remembrance Day services and occurs no more than 2% of annual daylight hours.
4. Shrine of Remembrance – Central	As per approved conditions. Exceedance occurs outside ANZAC and Remembrance Day services and occurs no more than 2% of annual daylight hours. We note that reflectivity during the ANZAC Day dawn service period is less than 20 Cd/m² (limit of 500 Cd/m²). The assessment assumes a clear sky and observers in this region are standing at the main Shrine building, facing directly towards the proposed development. This is considered conservative.
5. Shrine of Remembrance – Northeast	Minor increase to exceedance.

Location	Description
	Exceedance occurs outside ANZAC and Remembrance Day services and occurs no more than 2% of annual daylight hours.
6. St Kilda Road – Southbound	Improved exceedance levels from approved scheme. No exceedances identified.
7. St Kilda Road – Northbound	As per approved conditions. No exceedances identified.
8. Dorcas Street – Westbound	As per approved conditions. Due to the high upward angles of the glare source on the building (~60°), glare is likely to be outside the viewing limits from inside the vehicle (i.e. obstructed by the vehicle roof).
9. Dorcas Street – Eastbound (near)	Minor increase to exceedance levels. Exceedance occurs no more than 2% of annual daylight hours.
10. Dorcas Street – Eastbound (far)	Minor increase to exceedance levels. Exceedance occurs no more than 2% of annual daylight hours.
11. Surrounding Buildings – North	As per approved conditions. No exceedances identified.
12. Surrounding Buildings – West	Improved exceedance levels from approved scheme. No exceedances identified.

Source: Inhabit Group

Based on the above and the enclosed glare assessment, the proposed scheme will perform worse in regions 3, 5, 9 and 10. However, the minor exceedance levels will occur outside of the key ANZAC and Remembrance Day services and will occur for no more than 2% of annual daylight hours. Based on findings from this assessment, all glare and heat criteria have been satisfied in accordance with the Reflectivity Expert Witness Report, dated 28 October 2020.

Figure 12 Glare Assessment Regions



Source: Inhabit Group

5.5. CAR PARKING, BICYCLE PARKING, TRAFFIC, ACCESS, & LOADING

5.5.1. Car Parking

A total of 106 car parking spaces are proposed in the revised design, compared to 89 spaces in the approved scheme. The proposed development seeks approval for a reduction in 49 car parking spaces. This is an increase from the approved scheme which sought a reduction of 3 car spaces associated with the retail use.

Traffix Group have prepared an assessment of the car parking arrangements based on the proposed changes to the scheme. The endorsed plans demonstrated compliance with the residential parking requirements. As the proposed changes will continue to comply with the residential requirements, no further assessment is provided against this use.

With the provision of additional commercial office space within the development, Traffix Group have prepared an assessment to determine the appropriateness of the reduced parking provision for the office use. They have determined that the reduction in office parking can be supported for the following reasons:

- The site's location within the Domain Precinct and PPTN area ensures there are ample opportunities for sustainable public transport modes.
- Local and State planning policies encourage the use of sustainable transport modes.
- The constrained on-street parking environment does not allow for staff to drive to work and park within close proximity to the site. As such, the reduction in office parking will encourage staff to use surrounding infrastructure to travel to work.
- The reduced provision of parking will assist in reducing the traffic impacts of the development on the local and broader road network.

Figure 13 Car Parking Comparison

Use	Approved Scheme by VCAT			Proposed Scheme			Net Change
	Size/ No.	Parking Allocation	Car Parking Rate	Size/ No.	Parking Allocation	Car Parking Rate	
One-bedroom apt.	11	11	1/apt.	4	4	1/apt.	-7 apt. -7 spaces
Two-bedroom apt.	20	20	1/apt.	25	25	1/apt.	+5 apt. +5 spaces
Three-bedroom apt.	23	46	2/apt.	29	58	2/apt.	+6 apt. +12 spaces
Four-bedroom apt.	2	4	2/apt.	-	-	-	-2 apt. -4 spaces
Penthouse	2	4	2/apt.	1	6	6/apt.	-1 apt +2 spaces
Apartment Sub-total	**58**	**85 spaces**	**1.47/apt.**	**59**	**93**	**1.58/apt.**	**+1 apt. +8 spaces**
Residential Visitors	-	2	0.03/apt.	-	2	0.03/apt.	-
Retail	159m²	2	1.26/ 100m²	366m²	-	-	+207m² -2 spaces
Office	-	-	-	1,570m²	10	0.64/ 100m²	+1,570m² +10 spaces
Shared Electric Vehicle Car Space	-	-	-	-	1	-	+1 space
Total Car Parking		**89 car spaces**		**-**	**106 car spaces**		**+17 spaces**

Source: Traffix Group

5.5.2. Bicycle Parking

The provision of 94 bicycle spaces exceeds the bicycle parking provision requirements of Clause 52.34 and is an increase from the approved scheme which provided 45 spaces.

The design of the bicycle spaces accords with AS2890.3-2015 and is satisfactory. The provision of horizontal bicycle spaces satisfies the minimum 20% requirement of bicycle spaces being in the form of horizontal spaces set out under Clause 2.1 (e) of AS2890.3-2015.

Based on the above, Traffix Group are satisfied that the provision of bicycle parking accords with the requirements of Clause 52.34.

5.5.3. Traffic

The development is expected to generate 173 daily vehicle movements with 20 vehicle movements occurring in each of the peak hours or one vehicle trip every 2-3 minutes in the peak hour.

The approved development (with 58 apartments and 159m² of retail floor area) produced a daily traffic generation of 151 vehicle trip ends per day including 16 during the commuter peak hours.

Traffix Group are satisfied that the additional five vehicle trip ends during the commuter peak hours and 34 over the course of the day can be accommodated within the nearby road network. They have determined that this is at level that is consistent with the current approval and will not have a detrimental impact to the safety and operation of Middleton Lane.

Notably, the amended proposal retains the previously approved 1.5m wide building setback to Middleton Lane. This allows Middleton Lane to be equitably widened by adjacent properties to accommodate additional traffic over time as the area redevelops.

5.5.4. Access

The proposed amendments will retain vehicle access to the site via Middleton Lane. Compared to the approved design, the key amendments to the access arrangements include:

- Removal of the car lift and podium car parking levels to accommodate five levels of basement car parking. As a consequence, vehicle access to all car parking levels is provided by conventional vehicle ramps.
- The basement vehicle access point has been amended to provide separate entry and exit aisles. Its location remains the same.

Based on the proposed changes, Traffix Group are satisfied that the design and layout of the car park and vehicle accessways comply with the relevant objections.

5.5.5. Loading

The loading area has been rotated 90 degrees from the approved scheme and has dimensions of 4.28m wide x 8.7m long with a height clearance of 4.5m provided.

We are satisfied that the proposed layout of loading area is satisfactory from a traffic engineering perspective.

5.6. ENVIRONMENTALLY SUSTAINABLE DESIGN

The sustainable design measures that have been incorporated into the revised design are generally consistent with the endorsed Sustainability Management Plan. The approved scheme achieved a BESS score of 55%. This has increased to 56% for the amended application. As such, it will continue to achieve 'Best Practice' in ESD and meet Council's ESD objectives. The key measures include:

- 10,000L rainwater tank connected to toilets for flushing and irrigation.
- High performance double glazing.
- Residential and commercial bicycle spaces.

The proposed development has been designed to reach a 5-Star Green Star and As Built rating and will achieve a minimum 6.5 star NatHERS energy rating. This is consistent with the approved scheme.

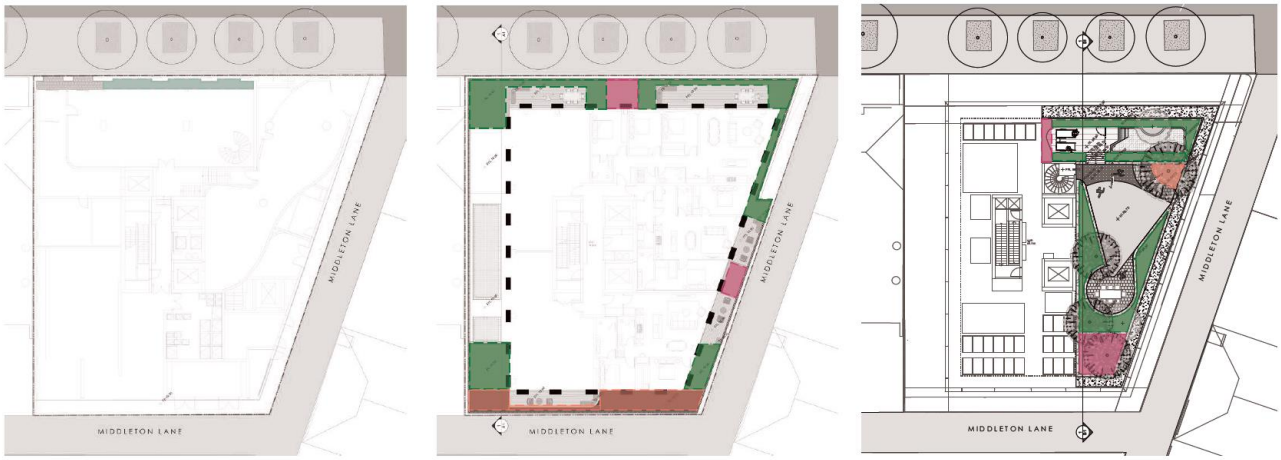
5.7. LANDSCAPE

Aspect Studios have prepared an updated landscape plan which is included in this submission. The revised landscape plan seeks to retain the street level raingarden, albeit reduced in size, which is consistent with the approved scheme. Additional landscaping will be provided on the Level 4 podium and the penthouse roof terrace. This will result in an improved outcome from the previous design. The proposed design can be summarised as follows:

- **Ground Floor**
  - Raingarden planter box in front of the ground floor retail premises.
- **Level 4 Podium**
  - A variety of low-level planting to surround communal and private open space areas to be used be residents on this level and throughout the building.
- **Roof Terrace**
  - A large private roof top garden incorporating:
    - A lawn area with integrated perimeter seating.
    - A paved BBQ and dining zone.
    - Private pool with infinity style edge.
    - Pool deck and sun lounge area.

- Lawn and garden bed area.

Figure 14 Proposed Landscaping



Source: Aspect Studios

5.8. WASTE MANAGEMENT

Leigh Design have prepared an updated Waste Management Plan which accompanies this submission. It confirms that the waste storage and collection arrangements will remain generally unchanged. A private waste collector will collect both residential and commercial waste, to be selected and paid for by the operator. All waste is to be collected within the onsite loading bay accessed via the rear laneway.

Waste will be divided into garbage and recycling for residential and commercial uses with the minor green waste generation to be collected separately, organised by the operator. Residents will dispose of garbage and recyclables through dedicated chutes which will be located on each level of the apartment building. Commercial tenants will transfer waste directly to the bin store on the ground floor.

6. CONCLUSION

The proposed changes to Planning Permit 217/2019 will ensure that the building will continue to provide a positive contribution to the area through built form, height, siting and architectural design. It is submitted that the proposed changes are appropriate for the following reasons:

- The design continues to ensure general compliance with the objectives of DDO26. It will also continue to meet the relevant objectives of the Port Phillip Planning Scheme
- The amended scheme provides a diverse mix of uses that will add to the amenity and employment opportunities within the area. In addition to the previously approved residential and retail offering, the building will provide more than 1,570sqm of office space.
- The revised design will continue to comply with Clause 58 and provide a high level of internal amenity for all future residents.
- The proposal continues to activate and provide passive surveillance Dorcas Street. With the addition of office uses at levels 2 and 3 and residential above. With the removal of the podium car parking, the proposal also improves activation to the laneway and oblique views to Dorcas Street.
- The additional car parking reduction for the proposed office use is considered to be appropriate for the proposal and a development within the highly accessible area.
- The design will ensure general compliance with Clause 58. In particular, the key internal amenity and built form standards.
- The building provides high quality communal facilities for the use of future residents. Whilst the communal open space provision doesn't strictly comply with the BADS requirements, the location of the site adjacent to the Royal Botanic Gardens makes this variation appropriate. This approach is also consistent with the approved scheme.

The proposed amendments to the development will ensure it continues to provide an exceptionally high-quality architectural response and will make a valuable contribution to the provision of housing and vitalisation of the commercial area within the St Kilda Road North precinct. With this in mind, we respectfully request that VCAT supports this application with the issue of an amended planning permit.

DISCLAIMER

This report is dated 22 December 2021 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd **(Urbis)** opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Dorcas Development Nominees **(Instructing Party)** for the purpose of Section 87A Amendment **(Purpose)** and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

APPENDIX A CLAUSE 58 ASSESSMENT

CLAUSE 58 ASSESSMENT

Standard	Objective	Standard	Complies / Does Not Comply / Variation Required
Standard D1 *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.	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 met? Complies** **Standard met? Complies** The proposal is responsive to the features of the site and surrounding area and will contribute to the emerging character of South Melbourne.
Standard D2 *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. To support higher density residential development where development can take advantage of public and community infrastructure and services.	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.	**Objective met? Complies** **Standard met? Complies** Council and VCAT have already considered the subject site to be suitable for a high-density residential development. Despite the proposed changes to the design, the development will continue to be consistent with the relevant State and Local policies.
Standard D3 *58.02-3 - Dwelling diversity objective*	To encourage a range of dwelling sizes and types in developments of ten or more dwellings.	Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.	**Objective met? Complies** **Standard met? Complies** The proposed development comprises a mix of 1, 2 and 3+ bedroom dwellings, with 7% 1 beds, 41% 2 beds, and 52% 3+ beds. The previous scheme had a breakdown of 19% 1 beds, 24% 2 beds and 57% 3+ beds.
Standard D4	To ensure development is provided with appropriate	Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.	**Objective met? Complies** **Standard met? Complies**

<table>
<tr><th>Standard</th><th>Objective</th><th>Standard</th><th>Complies / Does Not Comply / Variation Required</th></tr>
<tr><td>58.02-4 - Infrastructure objectives</td><td>utility services and infrastructure.

To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</td><td>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.</td><td>The development will be provided with appropriate utility services and infrastructure and will not overload capacity.</td></tr>
<tr><td>Standard D5

58.02-5 - Integration with the street objective</td><td>To integrate the layout of development with the street.</td><td>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.</td><td>Objective met? Complies

Standard met? Complies

The vehicular access is consistent with the approved scheme. It has been consolidated to one point via Middleton Lane to the rear, thereby maximising active frontages to Dorcas Street.</td></tr>
<tr><td>Standard D6

58.03-1 Energy efficiency objectives</td><td>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.</td><td>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><tr><td>NatHERS climate zone</td><td>NatHERS maximum cooling load

MJ/M ² per annum</td></tr><tr><td>Climate zone 21 Melbourne</td><td>30</td></tr><tr><td>Climate zone 22 East Sale</td><td>22</td></tr></table></td><td>Objective met? Complies

Standard met? Complies

The accompanying SMP report confirms that the proposal will exceed the BCA requirements for an average NatHERS rating of 6.0 stars (average of 6.5 stars achieved).

This is consistent with the approved scheme.</td></tr>
</table>

Standard	Objective	Standard		Complies / Does Not Comply / Variation Required
		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	
Standard D7 *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.	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. 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.		**Objective met? Complies** **Standard met? Variation Required** As the development accommodates 59 dwellings, Standard D7 requires 147.5sqm of communal open space. The proposal provides approximately 286sqm of communal area, including a pool and gym at the top of the podium. This is generally consistent with the 283sqm of communal space that was provided as part of the approved scheme. Given the accessibility to large areas of open space including the Royal Botanic Garden, this variation is considered appropriate.
Standard D8 *58.03-3 Solar access to communal outdoor open space objective*	To allow solar access into communal outdoor open space.	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? Complies** **Standard met? Complies** The communal open space has been relocated from the south-eastern corner to the western side of the podium. Given the revised location on the western side of the building, the solar

Standard	Objective	Standard	Complies / Does Not Comply / Variation Required
			access will be improved from the previous scheme.
Standard D9 *58.03-4 Safety objective*	To ensure the layout of development provides for the safety and security of residents and property.	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 met? Complies** **Standard met? Complies** A distinct, safe and secure entrance to the building will continue to be provided for residents, which is separate to the entrance of the retail space.
Standard D10 *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.	The landscape layout and design should: • Be responsive to the site context. • Protect any predominant landscape features of the area. • Take into account the soil type and drainage patterns of the site and integrate planting and water management. • Allow for intended vegetation growth and structural protection of buildings. • In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals. • Provide a safe, attractive and functional environment for residents. • Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site storm water infiltration. • Maximise deep soil areas for planting of canopy trees. Development should provide for the retention or planting of trees, where these are part of the urban context. Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made. The landscape design should specify landscape themes, vegetation (location and species), paving and lighting. Development should provide the deep soil areas and canopy trees specified in Table D2.	**Objective met? Variation Required** **Standard met? Variation Required** Given the context of the site and the provision of basement car parking, there is not the potential for deep soil planting. Nonetheless, a landscape setback has been provided at the Dorcas Street frontage. The area of landscaping has decreased from 84sqm to 30sqm. However, the extent of landscaping on the podium has increased from the approved scheme. As such, it is submitted that the landscape design is generally consistent with what was approved.

Standard	Objective	Standard	Complies / Does Not Comply / Variation Required

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.

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

Standard	Objective	Standard			Complies / Does Not Comply / Variation Required
				2 medium trees per 90 square metres of deep soil	
Standard D11 *58.03-6 Access objective*	To ensure the number and design of vehicle crossovers respects the urban context	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 met? Complies** **Standard met? Complies** The proposal does not include any crossovers to Dorcas Street. Vehicular access is provided via Middleton Lane to the rear of the property. The accessway has a width of 8.35m (34.9%). However, as the accessway is to a lane, rather than a street, it is considered that this is compliant with the standard. The proposed crossover is wider than the endorsed scheme but provides a similar access arrangement.
Standard D12 *58.03-7 Parking location objectives*		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? Complies** **Standard met? Complies** All car parking has been relocated from 2 basement levels and Levels 1-5 of the approved scheme to 5 basement levels. The car park entry is at ground and located well clear of any habitable room windows. The parking is convenient and will not adversely impact on residents within the development.
Standard D13 *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.	Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use. Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority. The stormwater management system should be: • Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best			**Objective met? Complies** **Standard met? Complies** The building has been designed to collect rainwater in a 10,000L tank for non-drinking purposes. This is consistent with the approved scheme.

Standard	Objective	Standard	Complies / Does Not Comply / Variation Required
	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.	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	
Standard D14 *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.	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.	**Objective met? Complies** **Standard met? Complies** The tower has been set back above the podium in response to the surrounding development and the requirements of DDO26 to ensure compliance with Standard D14. Whilst not fully meeting with the discretionary setback requirements, the curvilinear built form results in building pulling away from each frontage and therefore providing a setback of at least 4.5m. This will allow for a combined 9m setback for developments on adjoining sites. This is considered appropriate given the overall internal amenity provided to each dwelling.
Standard D15 *58.04-2 Internal views objective*	To limit views into the private open space and habitable room windows of dwellings within a development.	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 met? Complies** **Standard met? Complies** The proposed changes continue to ensure there is limited opportunity for overlooking within the development.
Standard D16	To contain noise sources in developments that may affect existing dwellings.	Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.	**Objective met? Complies** **Standard met? Complies**

<table>
<tr><th>Standard</th><th>Objective</th><th>Standard</th><th>Complies / Does Not Comply / Variation Required</th></tr>
<tr><td>58.04-3 Noise impacts objectives</td><td>To protect residents from external and internal noise sources</td><td>The layout of new dwellings and buildings should minimise noise transmission within the site.

Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.

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

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

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

Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.

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

<table><tr><td>Noise Source</td><td>Noise Influence Area</td></tr><tr><td colspan="2">Zone Interface</td></tr><tr><td>Industry</td><td>300 metres from the Industrial 1, 2 and 3 zone boundary</td></tr><tr><td colspan="2">Roads</td></tr><tr><td>Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume</td><td>300 metres from the nearest trafficable lane</td></tr><tr><td colspan="2">Railways</td></tr></table></td><td>All mechanical plant equipment has been provided away from existing and proposed bedrooms and each dwelling has been designed to minimise noise transmission throughout the site.</td></tr>
</table>

<table>
<tr><th>Standard</th><th>Objective</th><th colspan="2">Standard</th><th>Complies / Does Not Comply / Variation Required</th></tr>
<tr><td></td><td></td><td>Railway servicing passengers in Victoria</td><td>80 metres from the centre of the nearest track</td><td></td></tr>
<tr><td></td><td></td><td>Railway servicing freight outside Metropolitan Melbourne</td><td>80 metres from the centre of the nearest track</td><td></td></tr>
<tr><td></td><td></td><td>Railway servicing freight in Metropolitan Melbourne</td><td>135 metres from the centre of the nearest track</td><td></td></tr>
<tr><td>Standard D17
58.05-1 Accessibility objective</td><td>To ensure the design of dwellings meets the needs of people with limited mobility.</td><td colspan="2">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.</td><td>Objective met? Complies

Standard met? Complies

The proposed amendments seek to provide 39 dwellings that comply with Standard D17. This equates to 66% of dwellings that are compliant. Therefore, the standard is met.

This is an improvement from the approved scheme which had 41% compliance.</td></tr>
<tr><td></td><td></td><td colspan="2"><table><tr><th></th><th>Design option A</th><th>Design option B</th></tr><tr><td>Door opening</td><td>A clear 850mm wide door opening.</td><td>A clear 820mm wide door opening located opposite the shower.</td></tr><tr><td>Door design</td><td>Either:
A slide door, or
A door that opens outwards, or
A door that opens inwards that is clear of the</td><td>Either:
A slide door, or
A door that opens outwards, or
A door that opens inwards and has readily removable hinges.</td></tr></table></td><td></td></tr>
</table>

Standard	Objective	Standard			Complies / Does Not Comply / Variation Required
			circulation area 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.	

<table>
<tr><th>Standard</th><th>Objective</th><th>Standard</th><th>Complies / Does Not Comply / Variation Required</th></tr>
<tr><td>Standard D18
58.05-2 Building entry and circulation objectives</td><td>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</td><td>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.</td><td>Objective met? Complies

Standard met? Complies

A single residential entry is proposed and is clearly identifiable from Dorcas Street. Compared to the approved scheme, the proposal seeks to provide a separate entrance for the retail and commercial office tenancies. This will ensure a safe and distinguishable entrance for the residents.

Each residential level is provided with their own lift lobby and dwelling entrances to provide each dwelling with their own sense of identity.</td></tr>
<tr><td>Standard D19
58.05-3 Private open space objective</td><td>To provide adequate private open space for the reasonable recreation and service needs of residents.</td><td>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

<table><tr><th>Dwelling Type</th><th>Minimum area</th><th>Minimum dimension</th></tr><tr><td>Studio or 1 bedroom</td><td>8sqm</td><td>1.8m</td></tr><tr><td>2 bedroom dwelling</td><td>8 sqm</td><td>2m</td></tr></table></td><td>Objective met? Complies

Standard met? Complies

Adequate areas of private open spaces have been provided for all apartment in the form of balconies that have convenient access from a living room.

This is no change from the endorsed plans which complied with Standard D19.</td></tr>
</table>

<table>
<tr><th>Standard</th><th>Objective</th><th>Standard</th><th>Complies / Does Not Comply / Variation Required</th></tr>
<tr><td></td><td></td><td>
<table>
<tr><td>3 + bedroom dwelling</td><td>12 sqm</td><td>2.4m</td></tr>
</table>
</td><td></td></tr>
<tr><td>Standard D20
58.05-4 Storage objective</td><td>To provide adequate storage facilities for each dwelling.</td><td>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.
<table>
<tr><th>Dwelling type</th><th>Total minimum storage</th><th>Minimum storage volume within the dwelling</th></tr>
<tr><td>Studio</td><td>8 cubic metres</td><td>5 cubic metres</td></tr>
<tr><td>1 bedroom dwelling</td><td>10 cubic metres</td><td>6 cubic metres</td></tr>
<tr><td>2 bedroom dwelling</td><td>14 cubic metres</td><td>9 cubic metres</td></tr>
<tr><td>3 or more bedroom dwelling</td><td>18 cubic metres</td><td>12 cubic metres</td></tr>
</table>
</td><td>Objective met? Complies

Standard met? Complies

Each apartment is provided with an adequate amount of storage to meeting the requirements of Standard D20.</td></tr>
<tr><td>Standard D21
58.06-1 Common property objectives</td><td>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.</td><td>Developments should clearly delineate public, communal and private areas.

Common property, where provided, should be functional and capable of efficient management.</td><td>Objective met? Complies

Standard met? Complies

The Level 4 communal residential area is appropriately delineated from the adjoining residential terraces.

Further, the proposed waste and car parking areas are functional, practical and can be easily maintained.</td></tr>
<tr><td>Standard D22
58.06-2 Site services objectives</td><td>To ensure that site services can be installed and easily maintained.</td><td>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.</td><td>Objective met? Complies

Standard met? Complies

The development will ensure site services and facilities can be installed, are accessible and</td></tr>
</table>

Standard	Objective	Standard	Complies / Does Not Comply / Variation Required
	To ensure that site facilities are accessible, adequate and attractive.	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.	easily maintained. Mailboxes are shown on the architectural plans, within the residential lobby, with convenient access for residents.

Standard D23
 	
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.
		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 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.
			Objective met? Complies
			
			Standard met? Complies
			
			Dedicated space for waste and recycling is provided at the ground level. The design has been informed by the Waste Management Plan (WMP) prepared by Leigh Design. Refer to the body of this Report and the WMP for further detail.

Standard D24 *58.07-1 Functional layout objective*	To ensure dwellings provide functional areas that meet the needs of residents.	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.	**Objective met? Complies** **Standard met? Complies** All habitable rooms and living rooms will continue to be in accordance with the minimum

<table>
<tr><th>Standard</th><th>Objective</th><th>Standard</th><th>Complies / Does Not Comply / Variation Required</th></tr>
<tr><td></td><td></td><td>
<table>
<tr><td>Bedroom type</td><td>Minimum width</td><td>Minimum depth</td></tr>
<tr><td>Main bedroom</td><td>3 metres</td><td>3.4 metres</td></tr>
<tr><td>All other bedrooms</td><td>3 metres</td><td>3 metres</td></tr>
</table>
Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D8.
<table>
<tr><td>Dwelling type</td><td>Minimum width</td><td>Minimum area</td></tr>
<tr><td>Studio and 1 bedroom dwelling</td><td>3.3 metres</td><td>10 sqm</td></tr>
<tr><td>2 or more bedroom dwelling</td><td>3.6 metres</td><td>12 sqm</td></tr>
</table>
</td><td>dimensions required under Standard D24 of Clause 58. This is illustrated in the typical floor plans prepared by Wood / Marsh.

The layouts will meet the functional needs of future residents.</td></tr>
<tr><td>Standard D25

58.07-2 Room depth objective</td><td>To allow adequate daylight into single aspect habitable rooms.</td><td>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.</td><td>Objective met? Complies

Standard met? Complies

The proposed development will allow for minimum 2.7 metre ceiling heights. As such, room depths should not exceed 9m.

The proposal will continue to comply with the requirement. Please refer to architectural plans for further details.</td></tr>
<tr><td>Standard D26

58.07-3 Windows objective</td><td>To allow adequate daylight into new habitable room windows</td><td>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.</td><td>Objective met? Complies

Standard met? Complies

Generally, all bedrooms are provided with windows in the external walls.

Apartment Type I is provided with daylight access via the balcony. The balcony has a</td></tr>
</table>

Standard	Objective	Standard	Complies / Does Not Comply / Variation Required
		• A maximum depth of 1.5 times the width, measured from the external surface of the window.	width of 2.75m and as such must not exceed a depth of 4.13m. It has a depth of approximately 3m to the edge of the façade, therefore complying with the standard. The endorsed scheme was also compliant with this standard.
Standard D27 *58.07-4 Natural ventilation objectives*	To encourage natural ventilation of dwellings. To allow occupants to effectively manage natural ventilation of dwellings.	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.	**Objective met? Complies** **Standard met? Complies** The dwellings will continue to be provided with operable windows to all habitable rooms, ensuring good natural ventilation. The breeze paths are illustrated in the floor plans provided by Wood / Marsh. 100% of apartments comply with Standard D27.

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