

URBIS

50-52 QUEENS LANE, MELBOURNE

Section 87A Amendment Application

Prepared for
**TRUST COMPANY LTD AS CUSTODIAN FOR ALTIS BULKY RETAIL PTY LTD AS
TRUSTEE FOR ALTIS ARET SUB TRUST**

URBIS STAFF RESPONSIBLE FOR THIS REPORT

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Project Code	P0038202
Report Number	1

SUBMISSION DOCUMENTS

This report is to be read in conjunction with:

- Certificate of Title
- Architectural Drawings (Rev H) prepared by Bates Smart, dated 25.06.24
- Schedule of Drawings Changes prepared by Bates Smart, dated 25.06.24
- BADS Compliance Tables prepared by Bates Smart, dated 25.06.24
- BADS Storage Calculations prepared by Bates Smart, dated 25.06.24
- Area Schedule prepared by Bates Smart, dated 25.06.24
- Transport Impact Report (Rev 5) prepared by Ratio, dated 03.07.24
- Waste Management Plan (REP03-F01) prepared by Ratio, dated 26.06.24
- Landscape Plan (Rev 2) prepared by Arcadia, dated 27.06.24
- Public Realm Plan (Rev 4) prepared by Arcadia, dated 26.03.24
- Environmental Wind Considerations Addendum prepared by MEL Consultants, dated 26.06.24
- Sustainability Management Plan (Rev 13) prepared by ADP Consulting, dated 28.06.24
- Climate Change Adaptation & Resilience Plan (Rev 02) prepared by ADP Consulting, dated 20.03.24

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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EXECUTIVE SUMMARY

This planning report has been prepared by Urbis Ltd on behalf of the Trust Company Ltd as Custodian for Altis Bulky Retail Pty Ltd as Trustee for Altis Aret Sub Trust in support of amendment application for the development of land at 50-52 Queens Lane, Melbourne for the purpose of a thirteen-storey residential development.

This report is prepared in support of an application to amend the existing Planning Permit 'PDPL/00392/2022' via Section 87A of the *Planning and Environment Act 1987*. Currently, the permit allows for:

'Construct a multi-storey apartment building with basement car parking, on land in the Residential Growth Zone and Design and Development Overlay and alteration of access in a Transport Zone 2'

This application specifically seeks to alter the internal apartment mix to better respond to the requirements of the build-to-rent apartment market. This includes proposal of a studio apartment typology within the development, as well as an overall increase of single bedroom apartments and reduction of two- and three-bedroom offerings. The amendment also seeks to address:

- Floor layout reconfigurations,
- Minor reconfiguration of external elevations, including façade refinements,
- Altered storage cages, and car and bicycle parking spaces within basement levels (accommodating additional residents and EV offering),
- External bike parking increases,
- Alteration of building service locations (SW Tank and bins)
- Minor landscaping changes, and
- Alterations to photovoltaic solar array to rooftop area.
- Confirmation of no alteration to built form or height of the development.

PORT PHILLIP PLANNING SCHEME

The site is affected by the following planning controls and permissions:

CONTROLS/PROVISIONS	PERMISSIONS
Residential Growth Zone – Schedule 1 <i>(Individual Sites and Precincts)</i>	▪ No additional permit triggers beyond existing approvals.
Design & Development Overlay – Schedule 26-6B <i>(St Kilda Road North Precinct)</i>	▪ No additional permit triggers beyond existing approvals.
Special Building Overlay – Schedule 2 <i>(Port Phillip City Council Local Drain)</i>	▪ No additional permit triggers beyond existing approvals.

Table 1 – Applicable Controls and Permissions

ASSESSMENT SUMMARY

The amended proposal is consistent with the objectives of the State and Local Planning Policy Frameworks and is considered to continue to benefit the municipality.

Overall, this report demonstrates that the proposal is an acceptable and appropriate outcome for the site for the following reasons:

- ✔ The proposed alterations better meet the expected demand requirements of the Build-to-Rent sector.
- ✔ The proposed changes do not conflict with applicable zones and overlays and continue to align with their purposes.

- ✔ The proposal continues to meet the relevant strategies and objectives of the Port Phillip Planning Scheme.
- ✔ The amended proposed continues to comply with Clause 58 (BADS), including in relation to standards guiding functional layouts, accessibility, room depth, storage, ventilation and private open space.
- ✔ Proposed bicycle parking exceeds residential requirements and suitably meets visitor parking requirements defined at Clause 52.34-5 (Required Bicycle Facilities).
- ✔ The proposed car parking arrangement is in compliance with relevant planning scheme requirements (Clause 52.06) and meets required demand.
- ✔ The proposal continues to achieve relevant waste management requirements.
- ✔ Amendments are inconsequential to the assessed wind impact to the site surrounds.
- ✔ Landscape and public realm changes maintain alignment with the statutory requirements of the Port Phillip Planning Scheme.
- ✔ No changes are proposed to the built form nor height of the development.



1. SITE CONTEXT

1.1. SUBJECT SITE

Key details of the site are as follows:

CATEGORY	DESCRIPTION
Existing Conditions	Vacant lot undergoing early basement works.
Location	East side of Queens Road, Melbourne.
Area	6,966 m ²
Frontages	North – 48 Queens Road, Melbourne East – Queens Lane South – 54 Queens Road, Melbourne West – Queens Road & Albert Park Golf Course
Title	Crown Allotment 9 – Section T, Crown Allotment 10 – Section T and Crown Allotment 11 – Section T, City of South Melbourne, Parish of Melbourne South Volume 10260, Folio 522
Encumbrances, Caveats & Easements	Nil
Vehicle Access	Vehicle access is currently maintained for site workers via Queens Lane.
Vegetation	Nil

Table 2 – Details of Subject Site

1.2. IMMEDIATE SURROUNDS

The subject site forms part of an established mixed-use commercial and residential precinct that is generally bound by the open space of Albert Park Golf Course to the west, and open space of Fawkner Park that abuts

properties located to the eastern side of St Kilda Road. The precinct features land parcels generally in the order of 2,300 square metres with subsequent consolidation of allotments leading to relatively larger land holding exceeding 4,000 square metres. The large land parcels and existing subdivision pattern leads to properties typically fronting two or more roads near the subject site, with properties fronting St Kilda Road or Queens Road both featuring secondary (rear) access to Queens Lane.

The subject site is located within the City of Port Phillip LGA and early works are currently underway including site clearance and early works allowed by the approved planning permit.

North

- A To the north is No.48 Queens Road, Melbourne which is developed with an apartment building rising 13 storeys above ground. The building is setback in the order of 3 metres from the common boundary with a vehicle accessway located within this setback.
- A The development features high site coverage with landscaping predominantly located within the ground floor building setback to its Queens Road frontage. While No. 48 Queens Road is located to the south-eastern corner of Roy Street and Queens Road, the building has been designed with apartment outlooks to all site boundaries. Apartments orientated to the south are noted to feature balconies with outlooks over the subject site. The apartment building form is characterised by its height transition which occurs through stepped building levels that rise from the west up to the eastern frontage to Queens Lane.



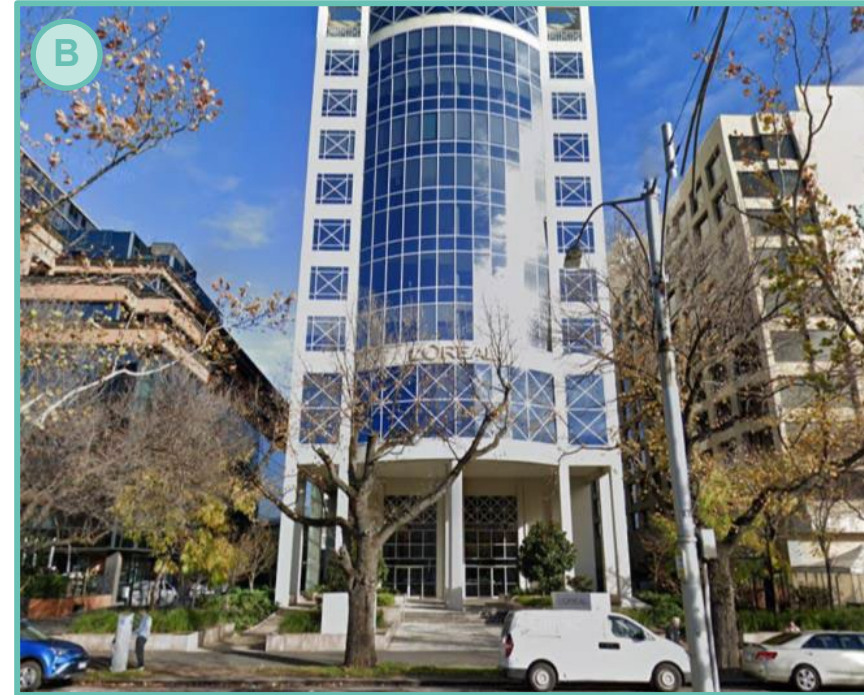
Picture 1: 48 Queens Road, viewing north

Source: Nearmap

East

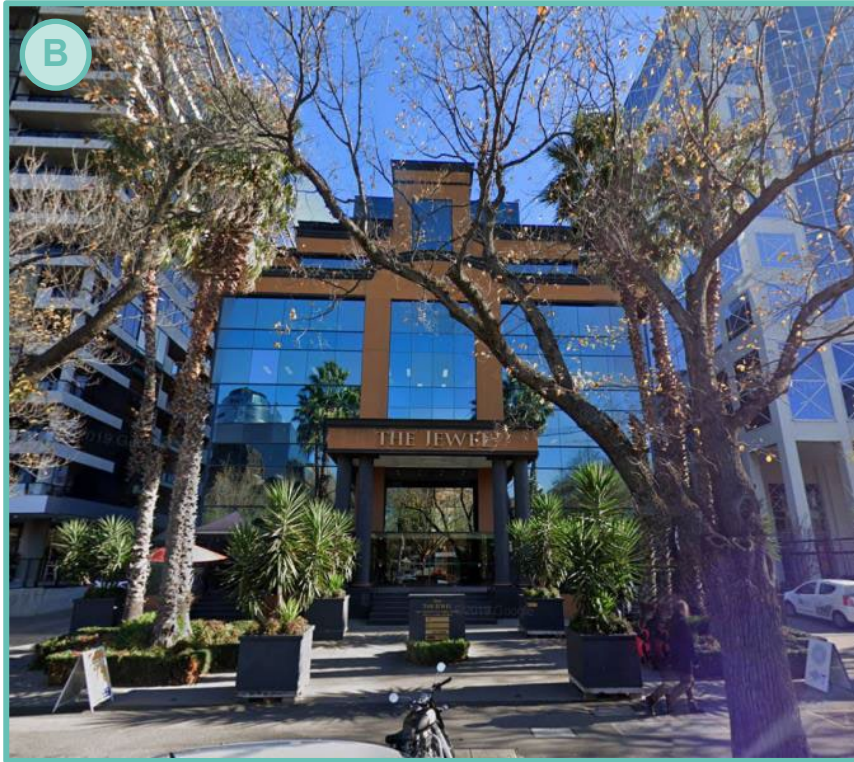
B The subject site abuts Queens Lane to the immediate east, which is a narrow road reserve accommodating one lane of vehicle traffic in each direction on a north-south axis. Restricted, parallel parking is accommodated to the eastern side of Queens Lane in proximity to the site. To the eastern side of Queens Lane, opposite the subject site are a number of multi-storey buildings with primary frontages to St Kilda Road, and rear access off Queens Lane.

- No.564 St Kilda Road, Melbourne – 16 storey office building.
- No.566 St Kilda Road, Melbourne – nine-storey predominantly office building.
- No.568 St Kilda Road, Melbourne – 17 storey apartment building.



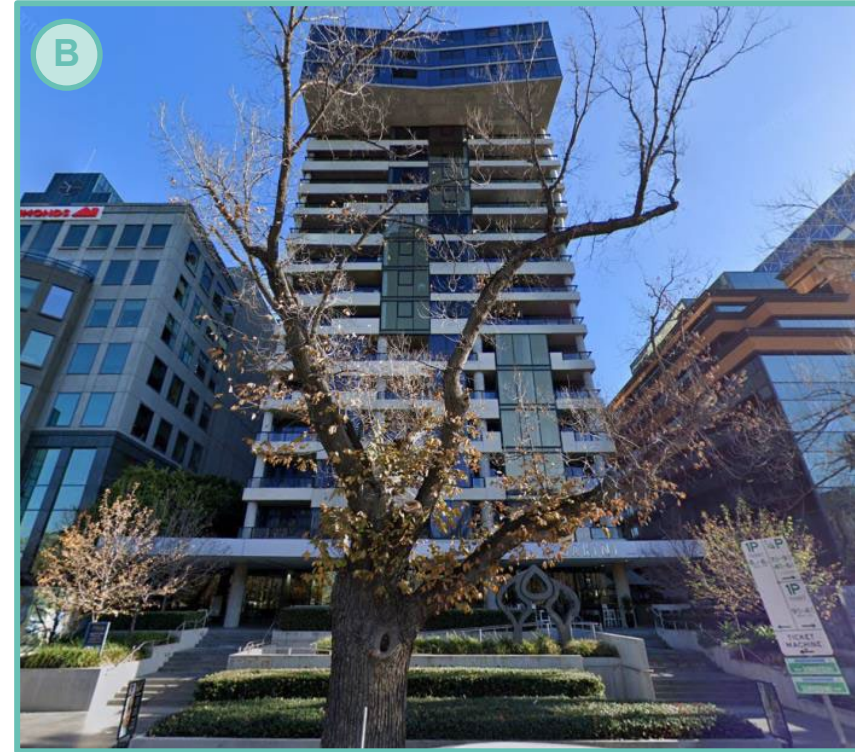
Picture 2 564 St Kilda Road, Melbourne

Source: Google Street View



Picture 3 566 St Kilda Road, Melbourne

Source: Google Street View



Picture 4 568 St Kilda Road, Melbourne

Source: Google Street View

South

- C** To the south is No. 54 Queens Road, Melbourne. This site is a 14-storey apartment building 'Grosvenor on Queens' and a c.1887 two storey Renaissance Revival brick mansion (The Grosvenor). The lands features frontages to three streets (Queens Road – West, Beatrice Street – South and Queens Lane – East)
- C** The fourteen-storey apartment building is sited to the north-western corner of the land in partial response to the heritage context of The Grosvenor mansion. The fourteen storey apartment building features minimal setbacks of less than 3 metres to the common boundary and sheer facades which extend along the majority of the boundary to the

subject site. The maximum building height of the fourteen-storey apartment building is concentrated to the north-eastern corner of the land with a stepped height transition down to Queens Road to the west. The apartment building includes apartments with direct outlooks to the subject site.



Picture 5 54 Queens Road (Viewing Northeast)

Source: Google Street View

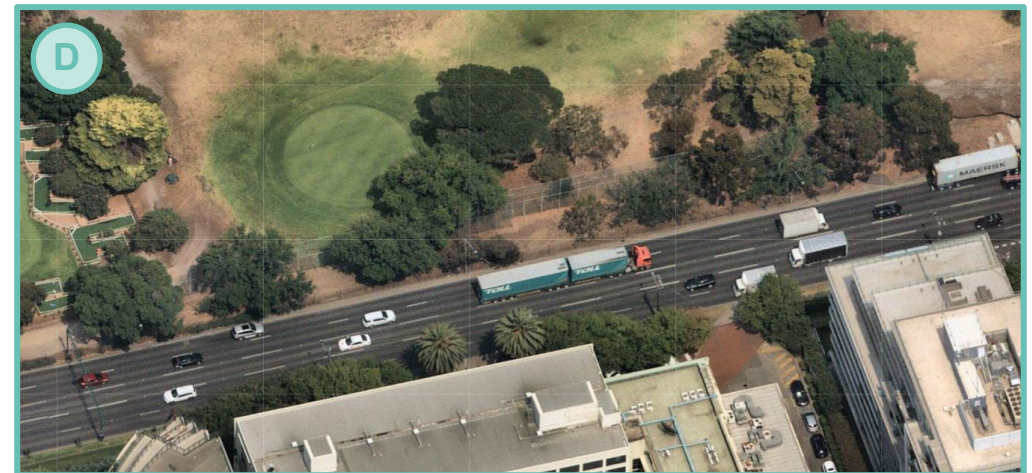


Picture 6 54 Queens Road, Viewing South

Source: Nearmap

West

- D** The subject site fronts Queens Road to the west, a Category 1 Road Zone (RDZ1) which accommodates five vehicle lanes on a north-south axis. Queens Road (also referred to as Princes Highway) is characterised by high levels of vehicle traffic, minimal landscaping to its eastern verge and no footpath to its western edge. Further west of Queens Road is land located within the Public Park and Recreation Zone, currently used as a golf course known as 'Albert Park Golf Course'. Proximate to the subject site, the Albert Park Golf Course is characterised by landscaped open space featuring established canopy trees.



Picture 7 Albert Park Golf Course

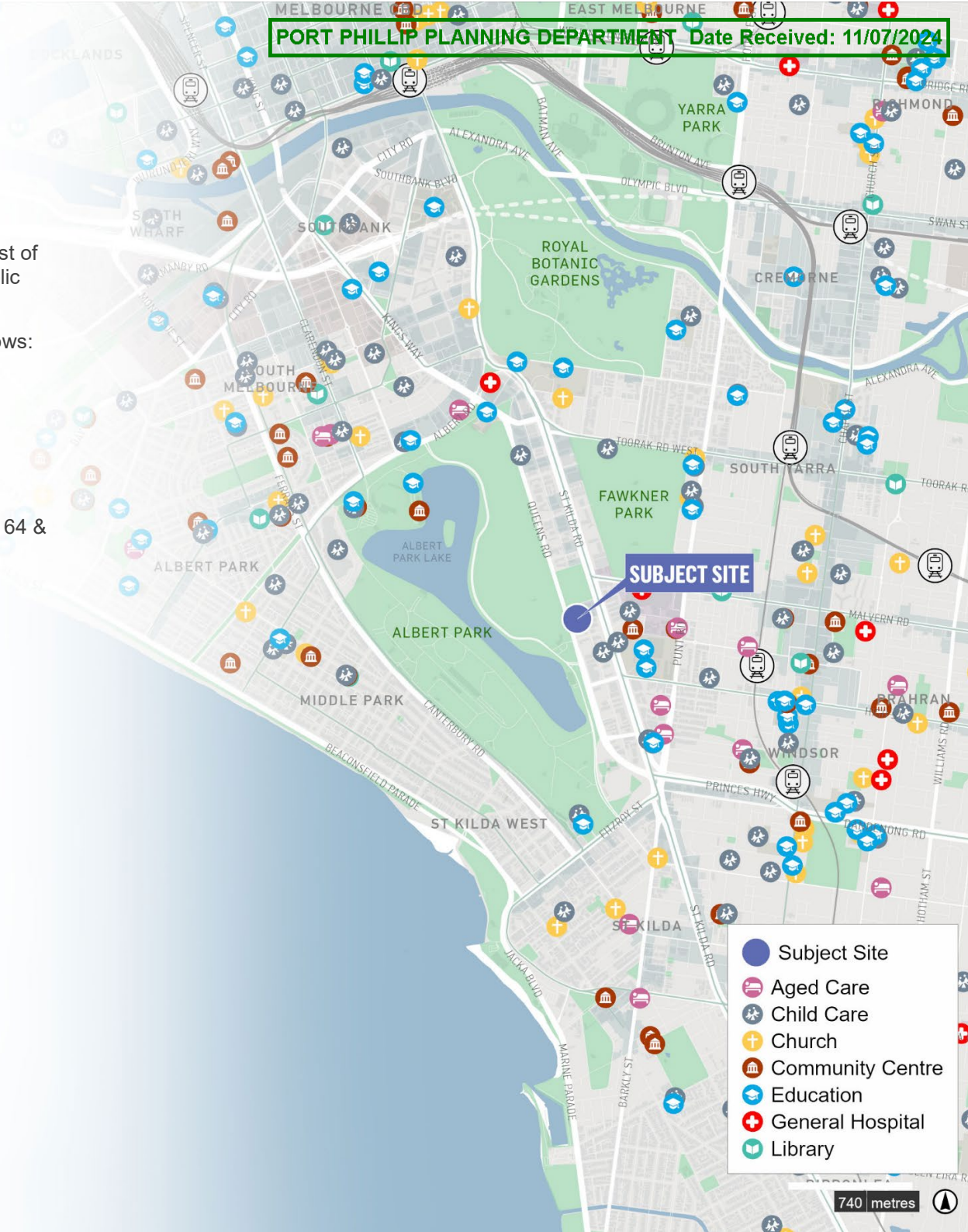
Source: Nearmap

1.3. SURROUNDING CONTEXT

The area surrounding the subject site is characterised by a mix of uses including residential, retail and commercial which can be attributed to its location within the St Kilda Road North Precinct. St Kilda Road, located approximately 100 metres east of the site and Queens Road directly west of the site are recognised as main arterial roads, bicycle networks and public transport corridors.

Key locations in the vicinity (1.5km radius) of the subject site are as follows:

- 1 Albert Park Lake and Public Golf Course
- 2 The Alfred Hospital
- 3 Wesley College St Kilda Road Campus
- 4 Moubray St/St Kilda Road (Yarra Trams Stop) – Lines 3, 5, 6, 16, 64 & 67
- 5 Anzac Metro Tunnel Station (Future)
- 6 Prahran Train Station
- 7 Prahran Market
- 8 Chapel Street Activity Centre
- 9 Fawkner Park
- 10 Royal Botanic Gardens
- 11 South Melbourne Beach
- 12 Melbourne Sports & Aquatic Centre (MSAC)



- Subject Site
- + Aged Care
- ⚙️ Child Care
- + Church
- Ⓜ️ Community Centre
- 🎓 Education
- + General Hospital
- 📖 Library

2. PROPOSAL

2.1. OVERVIEW OF PROPOSAL

Pursuant to Section 87A of the *Planning and Environment Act 1987*, it is proposed to alter the internal apartment mix to respond to the requirements of the build-to-rent apartment market. This includes proposal of a studio apartment typology within the development, as well as an overall increase of single bedroom apartments and reduction of two- and three-bedroom offerings. The amendment also seeks to address:

- Floor layout reconfigurations,
- Minor reconfiguration of external elevations, including façade refinements,
- Altered storage cages, and car and bicycle parking spaces within basement levels (accommodating additional residents and EV offering),
- External bike parking increases,
- Alteration of building service locations (SW Tank and bins)
- Minor landscaping changes, and;
- Alterations to photovoltaic solar array to rooftop area.

It is proposed to amend the existing permit and seek re-endorsement of the relevant plans and documentation to facilitate the following changes:

ELEMENT	PROPOSAL
Floor Layout	<ul style="list-style-type: none"> ▪ Alter approved floor layout to facilitate incorporation of 80 additional apartments: <ul style="list-style-type: none"> – 64 Studio Apartments – 223 One Bedroom Apartments – 129 Two Bedroom Apartments – 18 Three Bedroom Apartments
Balconies	<ul style="list-style-type: none"> ▪ Re-arrangement of various external balconies

Floor Layout	<ul style="list-style-type: none"> ▪ Update to all floor layouts with new apartment types
Building Envelope	<ul style="list-style-type: none"> ▪ Minor alterations to building envelope across all elevations, including simplification of L12-L13 form and distribution of vertical façade fins.
Photovoltaic Panels	<ul style="list-style-type: none"> ▪ Additional PV to roof plant area to accommodate proposed apartments
Storage	<ul style="list-style-type: none"> ▪ Supply additional storage cages within basement plan to accommodate proposed apartments.
Car Parking	<ul style="list-style-type: none"> ▪ 78 additional spaces provided ▪ Additional EV parking spaces within Basement Level 1
Bicycle Parking	<ul style="list-style-type: none"> ▪ Amendment of bicycle parking spaces to 258 across the development ▪ Addition of 8 external bike parking spaces to building entrance. ▪ Addition of 26 internal bike parking spaces to basement.
Structural	<ul style="list-style-type: none"> ▪ Minor structural coordination updates to basement column locations and basement mezzanine/core
Landscaping	<ul style="list-style-type: none"> ▪ Reduction of exhaust louvre within landscape area reduced in size and setback from Queens Road.
Waste	<ul style="list-style-type: none"> ▪ Updated bin room/waste areas to align waste requirement to increased apartment count.

Table 3 – Details of Proposal

2.2. PLANNING HISTORY

Initial Permit Application – August 2022

In August 2022, planning permit application PDPL/00392/2022 was lodged with Port Phillip City Council requesting permission for:

‘Construction of a 15-storey apartment building with three levels of basement car parking, alteration of access to a Transport Road Zone 2 and a reduction in car parking pursuant to Clause 52.06.

The application was subsequently advertised under public notice provisions and received 56 objections. In the period between lodgement and delegation to a Council meeting, the application was submitted to the Victorian Civil and Administrative Tribunal (VCAT) pursuant to Section 79 of the *Planning and Environment Act 1987* – to review the failure of Port Phillip City Council to grant a permit within the prescribed time.

The Trust Company (Australia) Limited v Port Phillip CC [2023] VCAT 738 – 4 July 2023

Council subsequently formed a position on the application based on amended plans provided to VCAT which supported the proposal subject to the following conditions:

- The removal of Levels 13 and 14 with a consequential reduction in building height by 6.8 metres,
- Provision of two visitor car spaces within the basement,
- Relocation of the layby spaces in Queens Lane further north,
- Provision of privacy screens on balconies of apartments facing Queens Lane,
- Updated roof plan,
- Improved ESD rating for apartments and non-residential spaces,
- Apartment layout modifications to meet standard D18, and,
- Increased loading bay size in basement.

The application proceeded to a hearing over the dates 1, 2, 3, 4, 8, 9, 10 and 11 May.

Following the proceedings of this hearing, VCAT directed a permit be issued subject to the removal of one level and increased setback to upper levels and roof plant from Queens Lane.

Condition Endorsement & S72 – October 2023

An application was submitted to Port Phillip City Council on October 30 2023, seeking permission for a number of minor alterations to various town planning and landscape drawings and the endorsement of the following Conditions:

- Condition 1 – Architectural Drawings
- Condition 4 – Sustainability Management Plan
- Condition 8 – Stormwater Treatment Maintenance Plan
- Condition 13 – Waste Management Plan
- Condition 14 – Public Realm Plan
- Condition 15 – Lighting Plan
- Condition 16 – Landscape Plan
- Condition 19 – Arboricultural Impact Assessment

Following the subsequent referral period, Council included the below additional conditions before endorsement issue:

(P) Footpath ramps to be wholly within the subject site

(Q) A flush steel edge between the public and private footpath boundary along Queens Road.

Joint approval for the above conditions and design amendments within the listed documents was issued formally on March 25th 2024.

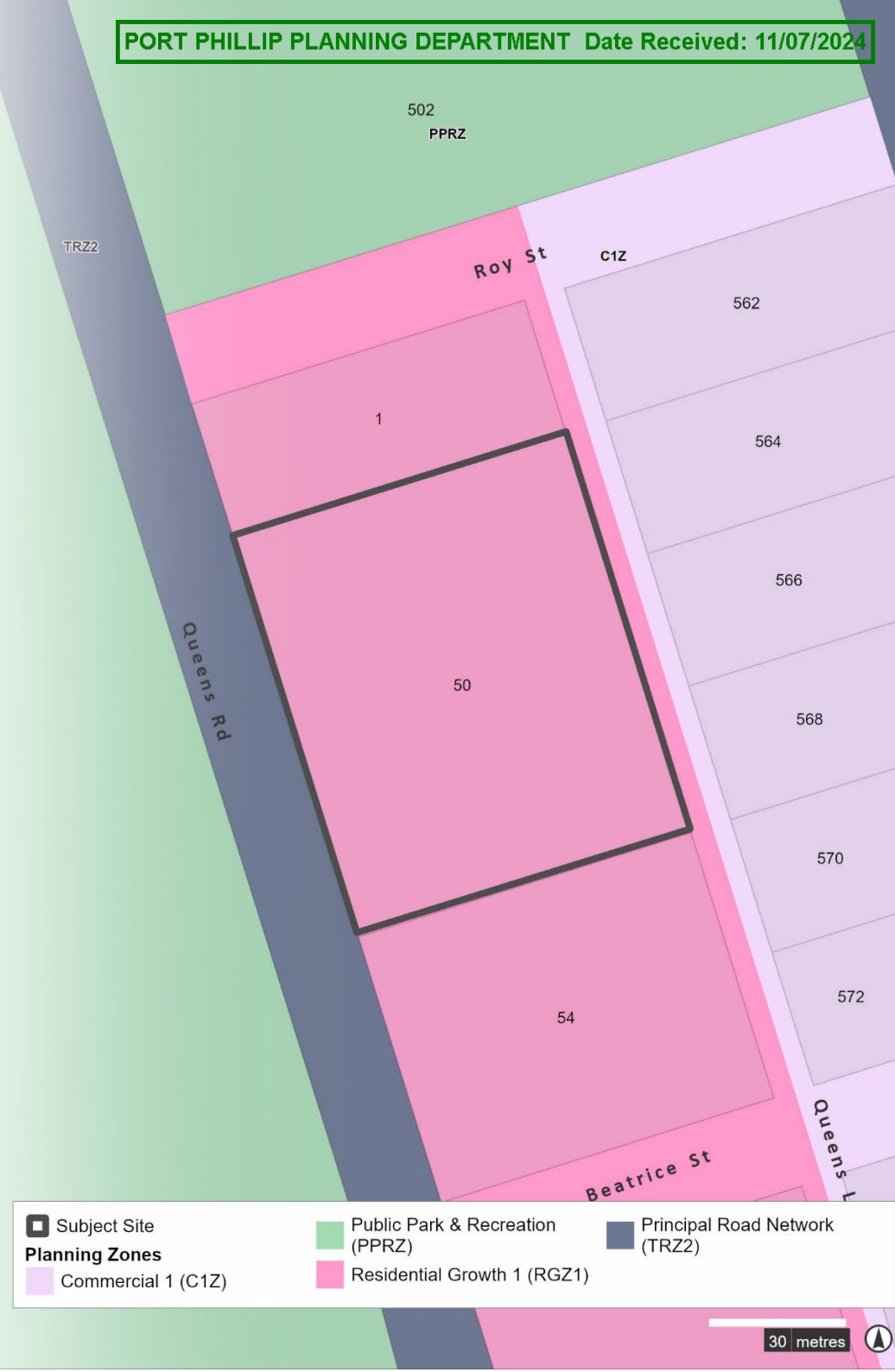
3. PORT PHILLIP PLANNING SCHEME

A detailed overview of the relevant planning controls and policies is provided in [Appendix A](#). A summary of the key controls and policies is provided below.

3.1. ZONE

The purpose of the RGZ is as follows:

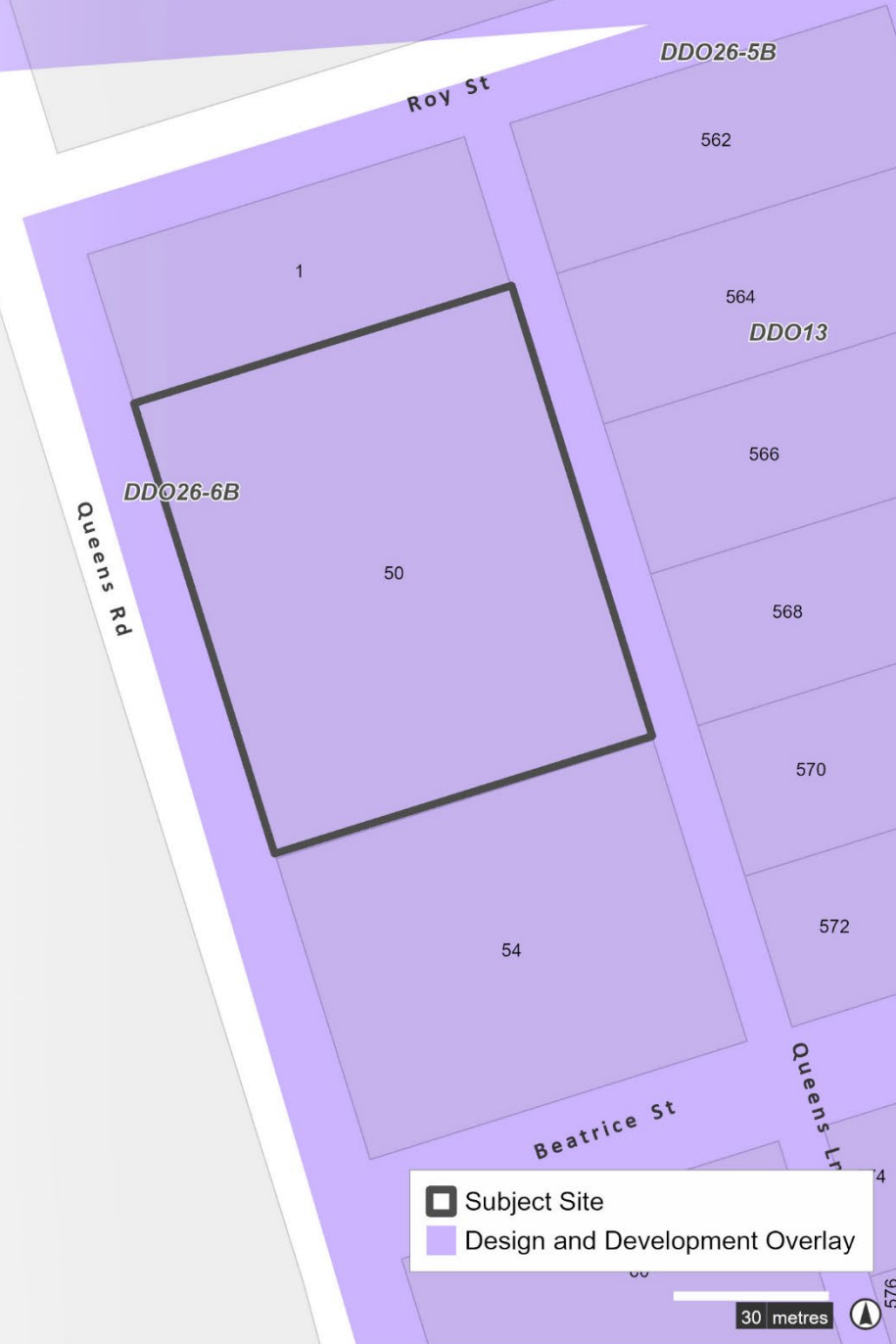
- To provide housing at increased densities in buildings up to and including four storey buildings.
- To encourage a diversity of housing types in locations offering good access to services and transport including activity centres and town centres.
- To encourage a scale of development that provides a transition between areas of more intensive use and development and other residential areas.
- To ensure residential development achieves design objectives specified in a schedule to this zone.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.



3.2. DESIGN & DEVELOPMENT OVERLAY – SCHEDULE 26 – AREA 6B

The design objectives of DDO26 are as follows:

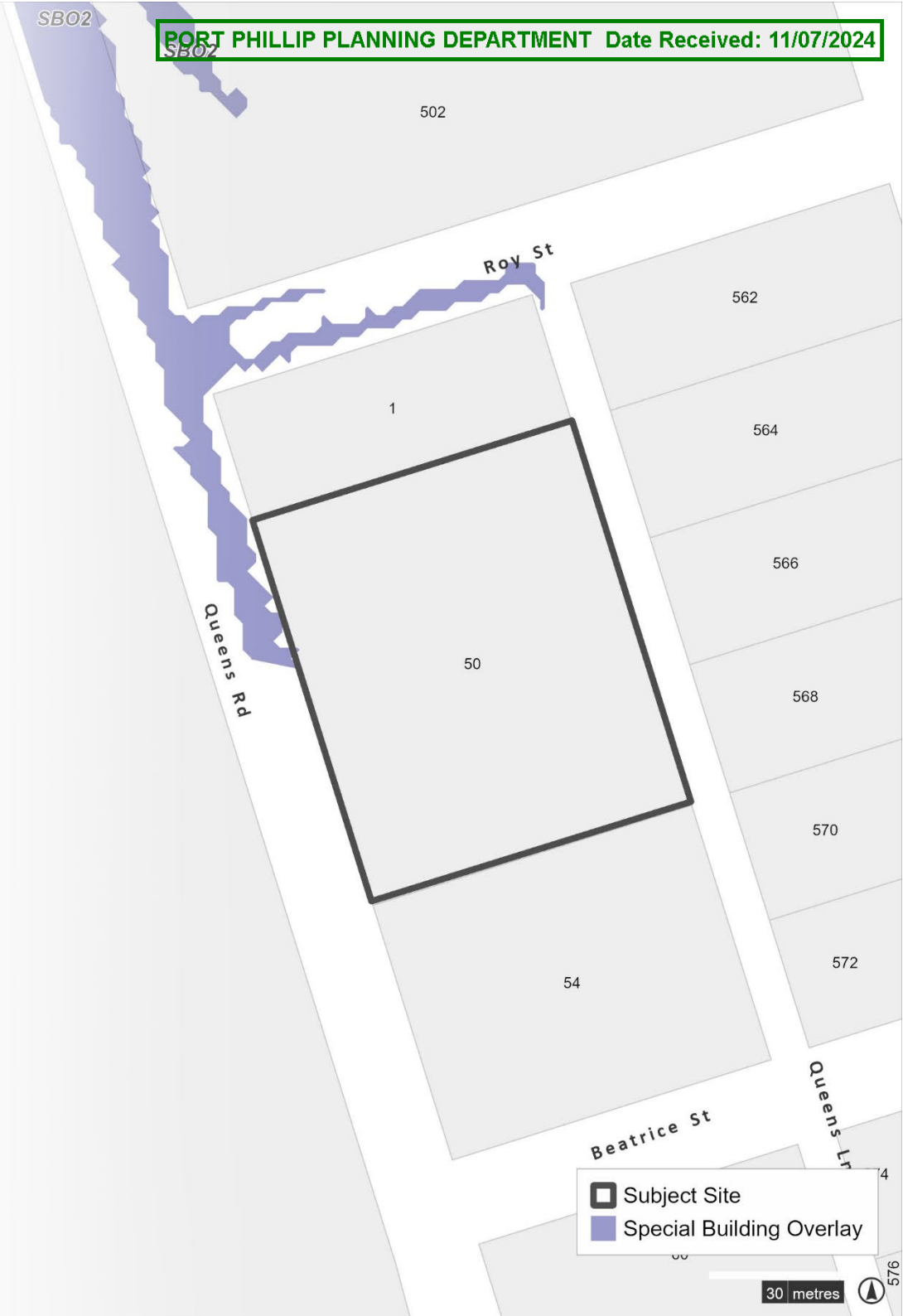
- To reinforce the primacy of the St Kilda Road boulevard by creating a preferred future-built form which provides a transition down in height from the high rise buildings along St Kilda Road to medium rise buildings along Queens Road.
- To ensure that buildings are of a medium scale with towers setback above a podium.
- To ensure that development frames long ranging views along Queens Road and forms an edge to Albert Park.
- To ensure that development provides generous and consistent front setbacks and regular spacing between buildings.
- To ensure that front setbacks provide for canopy trees and other larger plants to enhance the streetscape and pedestrian space.
- To provide landscaped links along east-west streets.
- To retain and enhance important heritage buildings.
- To ensure that development improves the pedestrian environment along Queens Lane through buildings designed to address and engage with the street edge while maintaining the service role of this lane.
- To ensure that buildings are scaled to maintain a respectful backdrop for the Shrine of Remembrance.



3.3. SPECIAL BUILDING OVERLAY – SCHEDULE 2

The purposes of the Special Building Overlay are as follows:

- To identify land in urban areas liable to inundation by overland flows from the urban drainage system as *determined by, or in consultation with, the floodplain management authority.*
- *To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.*
- *To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).*



Subject Site
 Special Building Overlay

3.4. MUNICIPAL PLANNING STRATEGY

The following provisions of the Municipal Planning Strategy are relevant to this application:

- **Clause 02.01 – Context**
- **Clause 02.02 – Vision**
- **Clause 02.03 – Strategic Direction**
- **Clause 02.04-3 – Pedestrian and Bicycle Network Plan**
- **Clause 02.04-4 – Public Transport Network Framework Plan**

3.5. STATE AND LOCAL PLANNING POLICY FRAMEWORK

The Planning Policy Framework seeks to develop the objectives for planning in Victoria as set out in the (*Planning and Environment Act 1987*) to foster appropriate land-use and development planning and practices that encompass relevant environmental, social and economic factors.

The following State and Local policies continue to be relevant to this application:

- **Clause 11 – Settlement:**
 - Clause 11.03-6L-02 – St Kilda Road, North Precinct – The subject site is located within Precinct 6: Queens Road.
- **Clause 15 – Built Environment and Heritage**
 - Clause 15.01-1L-02 – Urban Design
 - Clause 15.01-2L-01 – Building Design
 - Clause 15.01-5L – Neighbourhood Character
- **Clause 16 – Housing**
 - Clause 16.01-1L-01 – Housing Diversity
 - Clause 16.01-1L-02 – Location of Residential Development – The subject site is located within a moderate residential growth area.

- **Clause 18 – Transport**
 - Clause 18.01-1S – Land use and transport integration
 - Clause 18.01-1L-01 – Land use and transport integration
 - Clause 18.01-3L-01 – Sustainable and safe transport in Port Phillip
 - Clause 18.02-3R – Principal Public Transport Network
 - Clause 18.02-4L-01 – Car Parking
- **Clause 19 – Infrastructure**
 - Clause 19-03-3L – Stormwater Management (Water Sensitive Urban Design)

3.6. GENERAL AND PARTICULAR PROVISIONS

The following general and particular provisions are relevant to this application:

- **Clause 52.06 – Car Parking**

Broadly speaking, this Clause aims to:

- Ensure the provision of appropriate car parking spaces having regard to the demand likely to be generated.

- **Clause 52.34 – Bicycle Facilities**

Broadly speaking, this Clause aims to:

- Provide secure, accessible and convenient bicycle parking spaces.

- **Clause 58 – Apartment Developments**

This clause aims to encourage apartment development that provide reasonable standards of residential amenity and encourages site responsive development.

- A full Clause 58 Assessment is completed within Appendix A.

4. ASSESSMENT

The following sections of this report provide an assessment of the proposal against the relevant statutory and strategic provisions of the Planning Scheme having regard to the site's physical context.

This assessment focuses on the appropriateness of the following key matters:

1. Apartment Remix and Design Appropriateness
2. Traffic and Parking Considerations
3. Waste Changes
4. Landscape Amendments
5. Public Realm Changes and Impacts
6. Sustainability & Climate

Each of these matters is dealt with in turn below.



APARTMENT REMIX AND DESIGN

Amendment is required to proposed internal floor layouts to accommodate a studio apartment typology as well as facilitate an increase in single bedroom apartments, and a reduction in two and three-bedroom apartments. All changes remain in compliance with Condition 1 sub-clauses of the Planning Permit.

- ✔ All façade systems, expression and material selections generally remain the same as previously submitted.
- ✔ The proposed floor layout changes result in an amended dwelling mix. Subsequent design modifications throughout the building to accommodate these changes will continue to satisfy the objectives of the RGZ1, Clause 15 (Built Form) and Clause 16 (Housing) of the Planning Scheme.
- ✔ Residential development continues to be encouraged for the subject site, satisfying Planning Policy and Local Planning Policy which seeks to make efficient use of existing services and infrastructure due to its urban location, providing for diverse housing options (Clause 19 – Infrastructure).
- ✔ Residential development is strongly supported where residents are afforded access to existing community facilities and services, and where high-quality designs are proposed, contributing to attractive built environments.
- ✔ Appropriate storage, car and bicycle parking will be supplied throughout the development.
- ✔ Amendments within the proposal are not in conflict to previous items raised at VCAT proceedings in 2023.
- ✔ MEL Consultants have confirmed that wind impacts to the surrounds are expected to achieve the same result as formerly endorsed.
- ✔ The amendment application maintains compliance with objectives of Clause 58 of the Port Phillip Planning Scheme.

- ✔ The landscaping continues to meet the objectives of Standard D10 however it technically continues to not comply with the technical standards of D10. The amended proposal does not propose alteration to the approved 8.1% of deep soil planting and is consistent with the endorsed landscape plan deep soil provisions.
- ✔ The proposal improves (relative to endorsed plans) on the extent of private open space compliance, with only four ground floor apartments not meeting the technical Standards of D20 (Private Open Space). The non-compliant apartments may not achieve an area at ground level of at least 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room, however these apartments will benefit from immediate access to excellent levels of natural amenity within the site and within the broader surrounds. The private open space provisions therefore continue to meet objectives of Clause 58.05-3 as per the original approval.
- ✔ Standard D27 (Room Depth) has been improved upon from the endorsed planning set. All dwellings now meet the requirements to provide an open plan room that does not exceed 9 metre depth requirements and ceiling heights of at least 2.7 metres.
- ✔ The revised apartment layouts result in a reduction in the number of dwellings achieving cross ventilation, and therefore a non-compliance with the technical requirements of Standard D29 (Natural ventilation) through a total of 28% complying, below the 40% minimum sought. The development still meets the objective of D29, with residents able to manage natural ventilation of their dwellings through each apartment being provided with operable windows and balcony doors for access to external ventilation. The build to rent nature of the development influencing the addition of the studio apartment typology and an increase in single bedroom apartments is partially driving the reduction in cross ventilation opportunities. This is due to the reduced dwelling sizes and reduced ability to accommodate multiple exterior orientations per dwelling. The development provides a significant amount of communal spaces for increased resident amenity, which is important to consider on balance, where individual dwelling amenity may be compromised.

Amendments to the architectural package are deemed as suitable to the requirements of the Port Phillip Planning Scheme.

TRAFFIC & PARKING

The updated Traffic Impact Assessment assess the expected demand and statutory compliance of the amended site bicycle and vehicle parking provision, and further reviews the compliance of accessibility and swept path in accordance with the Port Phillip Planning Scheme and Australian Standards.

- The amended Impact Assessment assesses the impact of the following alterations as follows:
 - Alteration of apartment type provision (mix) throughout development.
 - Increase of on-site car parking spaces from 425 to 503 spaces.
 - Increase of bicycle parking spaces from 242 to 258 spaces.
 - Proposed access arrangements
 - Loading and waste collection swept paths within basement levels.
 - Traffic distribution and impact.
 - Pursuant to Clause 52.06 (Car Parking), the use of the site as a dwelling requires provision of one (1) space per one or two bedroom dwelling, and two (2) spaces per three bedroom dwelling.
- ✔ A total of 501 spaces will be allocated to residents of the site within the basement area, a further two (2) spaces will continue to be provided for maintenance and medical professionals pursuant to Condition 1 (b) of the approved planning permit.
 - ✔ The amended car parking layout meets the statutory requirement of 452 spaces, providing a total of 501 resident spaces and 503 total spaces inclusive of two additional spaces for medical and maintenance staff.
 - ✔ Spaces continue to be designed with appropriate considerations of Clause 52.06-9, being dimensioned, and assessed as satisfactory to all relevant standards.
- Pursuant to Clause 52.34 (Bicycle Facilities), the use of the site as a dwelling requires provision of one space to each 10 dwellings.

- ✔ 214 spaces and a bicycle repair station within two secure bicycle stores are maintained within the basement area and 44 visitor bicycle spaces are provided at ground level, accommodating visitors to the 434 apartments within the site.
- ✔ The amended visitor and resident bicycle parking spaces meets the statutory requirement of 130, providing a total of 258 spaces.
- ✔ Spaces continue to be designed within the appropriate considerations of Clause 52.34-6, being appropriately dimensioned, and assessed as of little to no impact to public safety
- ✔ Loading and waste collection arrangements are deemed as satisfactory, providing appropriate access and turning circles within the allocated basement areas.
- ✔ Estimated vehicle movements during AM and PM peak hours and throughout the day generated by the site, are expected to be readily accommodated within the capacity of Queens Lane

The development proposal is considered to be acceptable from a transport engineering perspective and meets the requirements of the Port Phillip Planning Scheme.



WASTE

The updated Waste plan introduces a Green Star performance pathway (Specialist Plan), providing diversion from landfill targets and an ongoing plan towards monitoring operational waste management.

The WMP provides further update to expected waste volumes and waste collection requirements to be implemented.

Further changes to the WMP include:

- Increased bin provision to collect organic fertilisers in both the Northern and Southern Building.
 - Northern Building count increased to 9 total
 - Southern Building count increased to 8 total
 - Amendment to residential guide (Section 2.3 – General Waste), directing residents to use non-biodegradable materials waste bags.
 - Minor amendments to specify square metreage of each bin storage room (inclusive of circulation) within a scaled figure (Appendix A).
- ✓ The amendment continues to meet the objectives and standards of Clause 58.06-3 (Standard D24).
 - ✓ The amendment further continues to meet the relevant guidelines and policies as below:
 - National Waste Policy: Less Waste, More Resources (2018)
 - Recycling Victoria: A New Economy (2020)
 - Guidelines for Preparing a Waste Management Plan (2019)
 - Guidelines for Waste Management Plans (2021)
 - EPA: Noise Control Guidelines (2021)



LANDSCAPE

The updated landscape plan amends the main central lawn area from Sir Walter Buffalo natural turf grass to synthetic grass surfacing, captures changes to visitor bike hoops within the public realm and balcony arrangements and amends the total count of four fern species within the planting schedule:

- Rough Maidenhair
 - Fishbone Water Fern
 - Prickly Rasp Fern
 - Kangaroo Fern
- ✓ The provision of artificial turf remains in accordance with Clause 58.03-5 under the provision of safe, attractive and functional environments for residents. The amended surface will reduce overall maintenance requirements in location which is anticipated to generate high usage amongst building tenants.
 - ✓ The amended fern counts are suitable within the provisions of Clause 15.01-2L-02 (Environmentally Sustainable Design), with the development proposing largely indigenous vegetation to the site's urban ecology.
 - ✓ Balcony and public realm amendments have been suitably addressed throughout this report. Updated built form changes within the landscape plan has been completed for parity across architectural and public realm plans.

Amendments to the proposed landscape plan are deemed suitable to the requirements of the Port Phillip Planning Scheme.



PUBLIC REALM

Minor alterations have been proposed to the endorsed Public Realm Plan which seek to increase the total supply of visitor parking hoops in alignment with statutory planning requirements of the Port Phillip Planning Scheme.

- ✓ The amended public realm plan has been updated to reflect requirements for visitor bicycle spaces as discussed earlier in this report.
- ✓ Bicycle hoops have further been designed to reflect City of Port Phillip engineering standard drawing CPP4101.
- ✓ The public realm space as delineated within the amended plan will continue to remain high quality in its provision of an attractive public realm and maintains appropriate pedestrian flow around the proposed bike parking spaces
- ✓ Bicycle hoops have further been designed to reflect City of Port Phillip engineering standard drawing CPP4101.

Amendments to the proposed public realm are deemed as suitable to the requirements of the Port Phillip Planning Scheme.



SUSTAINABILITY & CLIMATE

ADP have amended the following:

- Removal of Green Star wording to ensure compliance with City of Port Phillip benchmark requirements
- Transport and bike storage analysis update due to increased bicycle parking arrangements.
- MUSIC Analysis – updated Stormwater Management Plan in accommodation of apartment remix and reduced demand to rainwater tanks supplied throughout the development.
- Amended NatHERS analysis and result to reflect apartment changes.
- ✓ Following advice received from Port Phillip City Council at an earlier date, references to Green Star as a benchmark to the proposal are removed.
- ✓ The proposal continues to meet residential and visitor bike parking demand within a well-serviced and walkable environment.
- ✓ The development does not result in a noticeable effect on stormwater treatment capability, improves on its management of Suspended Solids and does not alter target compliance in regards to Phosphorous, Nitrogen nor Gross Pollutants.
- ✓ The amended development achieves NatHERS compliance of a similar scale to the endorsed planning set.

Amendments to the proposed SMP are deemed suitable to the requirements of the Port Phillip Planning Scheme.

CONCLUSION

It is submitted that the proposed S87a application to amend the proposed apartment mixtures and floor layout across the development as response to the build-to-rent market, will ensure the mixed housing requirements of future residents will be met while maintaining the high-quality design of the development as currently approved.

We trust the documentation provided enables ease of consideration of this amendment under the provision of Section 87a of the *Planning and Environments Act 1987*.

- ✔ The proposal is consistent with the relevant policy of the Port Phillip Planning Scheme.
- ✔ The architectural package provided by Bates Smart continues to provide a high-quality built form which appropriately meets the needs of the build to rent sector.
- ✔ Assessment of the architectural package against Better Apartment Design Guidelines demonstrates the development continues to comply with the objectives and maintains high residential amenity.
- ✔ No amendment is proposed to the built form or height of the proposal.
- ✔ Traffic and parking assessment identifies the site's accessibility and vehicle and bicycle parking as achieving the expected demands of the development and requirements of the Port Phillip Planning Scheme.
- ✔ The amended Waste Management Plan maintains a site responsive management plan, which adequately addresses the needs of future residents and achieves relevant standards.
- ✔ Amendments to the Landscape and Public Realm Plan demonstrate a similar proposal to the endorsed scheme, which maintains high amenity and readily maintained urban ecology reflective of Planning Scheme requirements.
- ✔ The amended Sustainability Management Plan (SMP) demonstrates benefit to parking and transport offerings within the development. The SMP maintains the previous approach by designing for a net zero ready

development, an average NatHERS rating of 7.5 star, 10% improvement on NCC energy efficiency requirements and best practice stormwater management.

- ✔ MEL Consultants have confirmed that the amended development will maintain assessed external wind comfort levels to the surrounding area.
- ✔ The proposed amendments to the development are considered minor in nature relative to the endorsed scheme. It is deemed that the site can comfortably accommodate the required changes, which in summary aims to support the built-to-rent nature of the use.

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APPENDIX A

CLAUSE 58 (BADS) ASSESSMENT

Objectives

Standard

Assessment  Complies  Variation Required

Clause 58.02 – Urban Context

58.02-1 – Urban Context objectives

Standard D1

To ensure that the design responds to the existing urban context or contributes to the preferred future development of the 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.



To ensure that development responds to the features of the site and the surrounding area.

The proposed is appropriate to the existing and preferred urban context of the site.

Queens Road is characterised by residential apartment developments of comparable scale (height and boundary setbacks) to the proposed. The proposal features a high level of landscaped open space to integrate the development into its surrounds and will feature an activated frontage to Queens Lane to enhance the lane connections to St Kilda Road.

58.02-2 - Residential policy objectives

Standard D2

To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.



To support higher density residential development where development can take advantage of public and community infrastructure and services.

The proposal is considered to be consistent with the overarching objectives of the State and Local Planning Policy relating to housing, as detailed further within the planning assessment of this report.

58.02-3 - Dwelling diversity objective

Standard D3



The proposal includes a range of dwellings, types and sizes for future residents across 434

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.

apartments. The proposal comprises of the following:

- x64 Studio Apartments (15%)
- x223 Single Bedroom & Bathroom Apartment (51%)
- x129 Double Bedroom & Bathroom Apartments (30%)
- x18 Three Bedroom & Two Bathroom Apartments (4%)

58.02-4 - Infrastructure objectives

Standard D4

To ensure development is provided with appropriate utility services and infrastructure.

Development should be connected to reticulated services, including reticulated sewerage, drainage and electricity, if available.

To ensure development does not unreasonably overload the capacity of utility services and infrastructure.

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.



All dwellings will be provided with appropriate utility services and infrastructure.

58.02-5 - Integration with the street objective

Standard D5

To integrate the layout of development with the street.

Development should be oriented to front existing and proposed streets.

To support development that activates street frontage.

Along street frontage, development should:

- Incorporate pedestrian entries, windows, balconies or other active spaces.
- Limit blank walls.
- Limit high front fencing, unless consistent with the existing urban context.
- Provide low and visually permeable front fences, where proposed.
- Conceal car parking and internal waste collection areas from the street.



The proposal has sited vehicle and pedestrian links throughout the site. Partial links are considered private for residents only for safety reasons with additional public entry points located in clear view, integrated with the street and urban design of the proposal for a well-considered public realm outcome.

Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.

Clause 58.03: Site Layout

58.03-1 Energy efficiency objectives

To achieve and protect energy efficient dwellings and buildings.

To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

To ensure dwellings achieve adequate thermal efficiency.

Standard D6

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwelling or small second dwellings on adjoining lots is not unreasonably reduced.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is optimised.

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

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



The provision of north-facing windows has been maximised throughout the proposal via the U shape design. The energy efficiency of the existing built form to the north and south will not be unreasonably reduced as a result of the proposed built form.

Please refer to the Sustainability Management Plan for further details of the ESD principals that have been integrated into the development.

The SMP sets a commitment that the rated cooling or heating capacity of the unit does not exceed the design cooling or heating load (whichever is greater) by more than 15%.

The development achieves a high performance NatHERS rating of 7.6 stars across the development.

58.03-2 Communal open space objective



The proposal includes the provision of 2,798 sqm of communal open space at ground level alone.

To provide communal open space that meets the recreation and amenity needs of residents.

To ensure that communal open space is accessible, practical, attractive, easily maintained.

To ensure that communal open space is integrated with the layout of the development and enhances resident amenity.

A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres.

If a development contains 13 or more dwellings, the development should also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is the lesser. This additional area may be indoors or outdoors and may consist of multiple separate areas of communal open space.

Each area of communal open space should be:

- Accessible to all residents.
- A useable size, shape and dimension.
- Capable of efficient management.
- Located to:
 - a. Provide passive surveillance opportunities, where appropriate.
 - b. Provide outlook for as many dwellings as practicable.
 - c. Avoid overlooking into habitable rooms and private open space of new dwellings.
 - d. Minimise noise impacts to new and existing dwellings and existing second small dwellings.

Any area of communal outdoor open space should be landscaped and include canopy cover and trees.

Located predominantly on ground floor, the U shape design has allowed for an extensive wide open park area for residents, providing areas of landscaped privacy and areas of open space for residents to utilise and enjoy.

Further amenities are located on Ground, Level 1 and Level 13.

Terrace area on Level 13 with the provision of 291 sqm of communal open space for residents to enjoying the sweeping vista views.

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.



The proposal included a variety of communal spaces for future residents, most notably the proposed large green area located at the ground level surrounding and within the U shape of the built form. Facing out towards Albert Park Lake this communal open space provides increased vistas across the natural landscapes for residents to enjoy.

Overshadowing of the communal open space occurs predominantly in the morning, with at least 125 sqm receiving a minimum of 2 hours sunlight.

58.03-4 Safety objective

To ensure the layout of development provides for the safety and security of residents and property.

Standard D9

Entrances to dwellings should not be obscured or isolated from the street and internal accessways.

Planting which creates unsafe spaces along streets and accessways should be avoided.

Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.

Private spaces within developments should be protected from inappropriate use as public thoroughfares.



Safety and security for residents has been a prevalent consideration for the proposed development as a whole. Access via Queens Lane is considered to be the primary access and vehicle entry point. As such, the Architectural Plans prepared by Bates Smart demonstrate appropriate lighting solutions, public pathways and internal access and pedestrian wayfinding to ensure passive surveillance for residents.

58.03-5 Landscaping objectives

To provide landscaping that supports the existing or preferred urban context of the area and reduces the visual impact of buildings on the streetscape.

To preserve existing canopy cover and support the provision of new canopy cover.

To ensure landscaping is climate responsive, supports biodiversity, wellbeing and amenity and reduces urban heat.

Standard D10

Development should retain existing trees and canopy cover.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

Development should:

- Provide the canopy cover and deep soil areas specified in Table D2. Existing trees can be used to meet the canopy cover requirements of Table D2.
- Provide canopy cover through canopy trees that are:
 - a. Located in an area of deep soil specified in Table D3. Where deep soil cannot be provided trees should be provided in planters specified in Table D3.
 - b. Consistent with the canopy diameter and height at maturity specified in Table D4.
 - c. Located in communal outdoor open space or common areas or street frontages.
- Comprise smaller trees, shrubs and ground cover, including flowering native species.
- Include landscaping, such as climbing plants or smaller plants in planters, in the street frontage and in outdoor areas, including communal outdoor open space.



Meets Objective & Canopy Standard:

The Landscape Plan, prepared by Arcadia landscape architects has been design to embrace the sites park side (Albert Park Lake and Golf Course) location, promoting permeable setbacks, design hardscaped area and integrated planting and greenery solutions. The landscape layout comprises of significant ground level open space, gateways, pathways, seating and open grass area for residents to enjoy. It is envisaged that planting will be relatively low maintenance, with strategically placed planting solutions to provide privacy and direct pedestrian access through wide open space.

In accordance with Table D2 Deep Soil Area Requirement under Clause 58, for a site greater than 2,500sqm, canopy coverage for the site should be 1,253sqm. As part of this proposal, a total of 1,282 sqm area is provided by proposed trees (18% of the development).

A total of 8.1% of the development site has been allocated for deep soil planting. This is less than the statutory requirement of 15% however, the proposed landscaping across the site, including the rooftop terrace have been provided with appropriate planter soil volumes

- Shade outdoor areas exposed to summer sun through landscaping or shade structures and use paving and surface materials that lower surface temperatures and reduce heat absorption.
- Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water.
- Protect any predominant landscape features of the area.
- Take into account the soil type and drainage patterns of the site.
- Provide a safe, attractive and functional environment for residents.
- Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.

to support landscape establishment and growth. The inner-city context of the site in combination with over 2,500 sqm of open space being provided, supports the 8.1% deep planting proposed.

Please refer to the accompanying Landscape Plan for further details.

Table D2 – Canopy Cover and Deep Soil Requirements

Site Area	Canopy Cover	Deep Soil
1000 sqm or less	5% of site area Include at least 1 Type A Tree	5% of site area or 12 sqm (whichever is the greater)
1001 – 1500 sqm	50 sqm plus 20% of site area above 1,000 sqm Include at least 1 Type B Tree	7.5% of site area
1501 – 2500 sqm	150 sqm plus 20% of site area above 1,500 sqm Include at least 2 Type B trees or 1 Type C Tree	10% of site area
2500+ sqm	350 sqm plus 20% of site area above 2,500 sqm Include at least 2 Type B trees or 1 Type C Tree	15% of site area

Table D3 – Soil Requirements for Trees

Tree Type	Tree in deep soil - Area of deep soil	Tree in planter - Volume of planter soil	Depth of planter soil

A	12 sqm (min. plan dimension of 2.5 metres)	12 cubic metres (min. plan dimension of 2.5 metres)	0.8 metres
B	49 sqm (min. plan dimension of 4.5 metres)	28 cubic metres (min. plan dimension of 4.5 metres)	1 metre
C	121 sqm (min. plan dimension of 6.5 metres)	64 cubic metres (min. plan dimension of 6.5 metres)	1.5 metres

Note: Where multiple trees share the same section of soil the total required amount of soil can be reduced by 5% for every additional tree, up to a maximum reduction of 25%

Table D4 – Tree Type

Tree Type	Minimum canopy diameter	Minimum height
A	4 metres	6 metres
B	8 metres	8 metres
C	12 metres	12 metres

58.03-6 Access objective

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

To ensure the vehicle crossovers are designed and located to minimise visual impact.

Standard D11

Vehicle crossovers should be minimised.

Car parking entries should be consolidated, minimised in size, integrated with the façade and where practicable located at the side or rear of the building.

Pedestrian and cyclist access should be clearly delineated from vehicle access.

The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees.

Developments must provide for access for service, emergency and delivery vehicles.



The building provided vehicle access from Queens Lane. This in turn has made the current vehicle access to Queen Road redundant, pursuant to the strategies for Queens Road under Port Phillip Local Planning Policy.

The built form provides clear and reasonable access to the rear of the development at Queens Lane, minimising the impact of vehicle movements to the major network of Queens Road, this enhances the scheme, pedestrian movement and access to the site.

It is considered that the proposed access design does not detract from the urban design

response and seeks to minimise any negative impacts to pedestrians and the public realm.

58.03-7 Parking location objectives Standard D12

To provide convenient parking for resident and visitor vehicles.
To protect residents from vehicular noise within developments.

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.



The proposal wholly complies with Standard D12. The car parking facilities (Basement Levels 1-3) are easily access by residents via internal accessways and lift facilities. Parking is secure, well-ventilated and provides the apartment development with a full amenity suite including EV charging, storage, bicycle spaces and utility areas.

58.03-8 Integrated water and stormwater management objectives Standard D13

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.

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 Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).
- Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.



The development has been designed with integrated water and stormwater management objectives in mind. The proposal is generally consistent with the relevant objectives of stormwater standards and practices as outlined within the Sustainability Management Plan prepared by ADP Consulting. The overall proposal has been afforded rooftop and terrace run off stormwater treatments into rainwater tanks for toilet flushing and irrigation, with a water cleaning unit to remove suspended solids.

Clause 58.04 – Amenity Impacts

58.04-1 Building setback objectives

To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area.

To allow adequate daylight into new dwellings.

To limit views into habitable room windows and private open space of new and existing dwellings.

To provide a reasonable outlook from new dwellings and existing small second dwellings.

To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.

Standard D14

The built form of the development must respect the existing or preferred urban context and respond to the features of the site.

Buildings should be set back from side and rear boundaries, and other buildings within the site to:

- Ensure adequate daylight into new habitable room windows.
- Avoid direct views into habitable room windows and private open space of new and existing dwellings and existing small second dwellings. Developments should avoid relying on screening to reduce views.
- Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.
- Ensure the dwellings are designed to meet the objectives of Clause 58.



The proposal complies with the Standard D14 setback objectives and relevant requirements under the DDO.

The subject site, with a total land area of 7,013sqm has been designed to provide wide open space internal to the built form for communal amenity and enhanced landscaping.

The approximate ground floor site setbacks are identified as:
 North: between 4.5m – 6.07m
 South: between 4.5m – 8m
 East: between 2.445m – 5.7m
 West: 15m

We note the building has been designed to include stepped recessive upper levels tapering to the Queens Road interface, maximising terrace views to Albert Park Lake, and articulation.

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.



The proposed built form has been designed to achieve an efficient floor layout that delivers high levels of amenity to future residents.

The building shape is such that dwellings within the building ‘wing’ that extends parallel to the northern boundary, is sufficiently distanced from dwellings within the building ‘wing’ that extends parallel to the southern boundary.

The sheer upper levels of the building also result in zero overlooking of lower-level dwellings directly below.

58.04-3 Noise impacts objectives

To contain noise sources in developments that may affect existing dwellings or small second dwellings.

To protect residents from external and internal noise sources.

Standard D16

Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings or small second dwellings.

The layout of new dwellings and buildings should minimise noise transmission within the site.

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

New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources. Buildings within a noise influence area specified in Table D5 should be designed and constructed to achieve the following noise levels:

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

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

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

Table D5 - Noise influence area

Noise Source	Noise Influence Area
Zone Interface	
Industry	300 metres from the Industrial 1, 2 and 3 zone boundary
Roads	
Freeways, tollways, and other roads carrying 40,000 Annual Average Daily Traffic Volume	300 metres from the nearest trafficable lane
Railways	
Railway servicing passengers in Victoria	80 metres from the centre of the nearest track



The development has included relevant design measures to minimise the environmental and building services noise to the Australian Standard levels, ensuring that indoor spaces are comfortable.

The Acoustic Report has assessed the relevant acoustic requirements regarding this proposal and has found the proposal achieves compliance against the relevant industry and standard noise limits and requirements.

The acoustic report notes that the development is within 300m of a freeway, tollway or road carrying an annual average daily traffic volume of >40,000 vehicles and therefore notes the traffic noise from Queen Road is designed to comply with Clause 58.04-3 criteria.

The report concluded the proposal is anticipated to operate without adverse impacts on the residential amenity of the area and provide suitable amenity to the proposed internal apartments.

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

58.04-4 Wind impacts objective

To ensure the built form, design and layout of development does not generate unacceptable wind impacts within the site or on surrounding land.

Standard D17

Development of five or more storeys, excluding a basement should:

- Not cause unsafe wind conditions specified in Table D6 in public land, publicly accessible areas on private land, private open space and communal open space; and
- Achieve comfortable wind conditions specified in Table D6 in public land and publicly accessible areas on private land

Within a distance of half the greatest length of the building, or half the total height of the building measured outwards on the horizontal plane from the ground floor building façade, whichever is greater.

Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas, where trees and landscaping may be used to supplement fixed wind mitigation elements.

Wind mitigation elements, such as awnings and screens should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area.

Table D6 – Wind Conditions

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



A Wind Assessment has been prepared by Mel Consultants. The report details the wind tunnel study for the proposal based on the appropriate wind tests.

The report has assessed the model development, and the results are shown to satisfy the walking comfort criterion at a minimum in all locations including terraces.

Please refer to the Wind Assessment Report for further detail, which specifically addresses standard D32.

	4 metres per second for standing areas, 5 metres per second for walking areas.
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Clause 58.05: On-Site Amenity and Facilities

58.05-1 Accessibility objective

To ensure the design of dwellings meets the needs of people with limited mobility.

Standard D18

At least 50 per cent of dwellings should have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D7.

Table D7 – Bathroom Design

	Design option A	Design option B
Door opening	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower.
Door design	Either: A slide door, or A door that opens outwards, or A door that opens inwards that is clear of the circulation area and has readily removable hinges.	Either: A slide door, or A door that opens outwards, or A door that opens inwards and has readily removable hinges.



As demonstrated within the Architectural Plans, the variety in apartment layouts provides compliance with this standard.

54% achieve appropriate accessibility layouts and adaptable bathroom compliance, surplus to the 50% requirement.

The variety of apartments afford optimum accessibility for a range of residents needs including clear openings, main bedrooms with ensuite and functional layouts for ease of movement and can be adaptable.

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.

58.05-2 Building entry and circulation objectives Standard D19

To provide each dwelling and building with its own sense of identity.

To ensure the internal layout of buildings provide for the safe,

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:



Entries to the development are visible and easily identifiable, with pedestrian access clearly located at Ground Level. Passive surveillance and proposed landscaped areas afford clear sight lines and can be accessed via the main entry ways to the internal lift lobby area

functional and efficient movement of residents.

To ensure internal communal areas provide adequate access to daylight and natural ventilation.

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

58.05-3 Private open space objective

To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard D20

A dwelling should have private open space consisting of at least one of the following:

- An area at ground level of at least 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- A balcony with at least the area and dimensions specified in Table D8 and convenient access from a living room.
- An area on a podium or other similar base of at least 15 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- An area on a roof of 10 square metres, with a minimum dimension of 2 metres and convenient access from a living room.

If a cooling or heating unit is located on a balcony, the minimum balcony area specified in Table D8 should be increased by at least 1.5 square metres.

If the finished floor level of a dwelling is 40 metres or more above ground level, the requirements of Table D8 do not apply if at least the area specified in Table D9 is provided as living area or bedroom area in addition to the minimum area specified in Table D11 or Table D12 in Standard D25.

Table D8 – Balcony Size

Orientation of dwelling	Dwelling Type	Minimum area	Minimum dimension
North (between north 20 degrees	All	8 sqm	1.7m



Variation required. Objective met.

The variety of apartment layouts achieve a minimum balcony size area correlating to the specific dwelling type. The proposal provides adequate private open space for the reasonable recreation and service needs of residents to the majority of apartments (99%).

Where the level of POS is not met in some instances, the development provides extensive communal open space and amenities for residents well exceeding the 250sqm required for the development. Generous communal areas are located on the Ground Floor, Level 1 and level 13 terrace areas for residents to utilise.

west to north 30 degrees east)			
South (between south 30 degrees west to south 30 degrees east)	All	8 sqm	1.2m
Any other orientation	Studio or 1 bedroom dwelling	8 sqm	1.8m
	2 bedroom dwelling	8 sqm	2m
	3 or more bedroom dwelling	12 sqm	2.4m

Table D9 – Additional Living Area or Bedroom Area

Dwelling Type	Additional area
Studio or 1 bedroom dwelling	8 sqm
2 bedroom dwelling	8 sqm
3 + bedroom dwelling	12 sqm

58.05-4 Storage objective

To provide adequate storage facilities for each dwelling.

Standard D21

Each dwelling should have convenient access to usable and secure storage space.

The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table D10.

Table D10 – Storage

Dwelling type	Total minimum storage	Minimum storage volume within the dwelling
Studio	8 cubic metres	5 cubic metres
1 bedroom dwelling	10 cubic metres	6 cubic metres



All apartments are provided with sufficient internal and external storage, with storage cages allocated within the basement levels for ease of access.

Appropriate internal storage is also provided to all apartments, internal and external for residential amenity.

2 bedroom dwelling	14 cubic metres	9 cubic metres
3 or more bedroom dwelling	18 cubic metres	12 cubic metres

Clause 58.06: Detailed Design

58.06-1 Common property objectives

To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.

To avoid future management difficulties in areas of common ownership.

Standard D22

Developments should clearly delineate public, communal and private areas. Common property, where provided, should be functional and capable of efficient management.



All communal areas are clearly delineated, functional and capable of efficient management.

58.06-2 Site services objectives

To ensure that site services are accessible and can be installed and maintained.

To ensure that site services and facilities are visually integrated into the building design or landscape.

Standard D23

Development should provide adequate space (including easements where required) for site services to be installed and maintained efficiently and economically.

Meters and utility services should be designed as an integrated component of the building or landscape.

Mailboxes and other site facilities should be adequate in size, durable, water-protected, located for convenient access and integrated into the overall design of the development.



The proposed development services are designed to be install and easily maintained through ease of access and adaptability of site location and facilities.

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

Standard D24

Developments should include dedicated areas for:

- Waste and recycling enclosures which are:
 - a. Adequate in size, durable, waterproof and blend in with the development.
 - b. Adequately ventilated.
 - c. Located and designed for convenient access by residents and made easily accessible to people with limited mobility.



In accordance with Standard D23 the proposal demonstrates commitment to ensure the dwellings are encouraged to recycle and manage waste effectively. The Waste Management Plan further details the waste collection and management services relating to this proposal.

to minimise impacts on residential amenity, health and the public realm.

- 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 better practice design options specified in Waste Management and Recycling in Multi-unit Developments (Sustainability Victoria, 2019).
- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

58.06-4 External walls and materials objective Standard D25

To ensure external walls use materials appropriate to the existing urban context or preferred future development of the area.

To ensure external walls endure and retain their attractiveness.

External walls should be finished with materials that:

- Do not easily deteriorate or stain.
- Weather well over time.
- Are resilient to the wear and tear from their intended use.

External wall design should facilitate safe and convenient access for maintenance.



As demonstrated within the Architectural Plans and Urban Context Report, the proposed architectural design incorporates high quality materiality and articulation, with built form becoming recessive in the upper levels, tapering towards Albert Park Lake. Slab edges with glazing and panels will continue to enhance the architectural sky line of Queens Road, a feature in the Albert Park Lake vista.

The materiality has been proposed with materials considered to be of high quality, not subject to high weathering and of architectural excellence.

Clause 58.07: Internal Amenity

58.07-1 Functional layout objective Standard D26

To ensure dwellings provide functional areas that meet the needs of residents.

Bedrooms should:

- Meet the minimum internal room dimensions specified in Table D11.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D12.

Table D11 – Bedroom Dimensions

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

Table D12 – Living Area Dimensions

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



The proposal meets the objectives and requirements of Standard D25 by meeting the minimum room dimensions and area as specified in Table D11. The proposal meets the objectives by allowing adequate daylight into new habitable room windows.

100% of apartments meet the Functional Layout Objective and Standard.

58.07-2 Room depth objective Standard D27

To allow adequate daylight into single aspect habitable rooms.

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.



100% of the proposal meets the requirements under the standard providing the depth of an open plan room that does not exceed the maximum 9 metre depth requirement and ceiling heights are at least 2.7 metres.

- 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.

Overall, the proposal meets the objectives of Standard D27 by allowing adequate daylight into single aspect habitable rooms.

58.07-3 Windows objective

To allow adequate daylight into new habitable room windows.

Standard D28

Habitable rooms should have a window in an external wall of the building.

A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.

The secondary area should be:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.



The proposal meets the objectives and requirements of Standard D28 by allowing adequate daylight into new habitable room windows. Where windows are provided from a secondary area, they have a minimum width of 1.2 metres and maximum depth of 1.5 metres

58.07-4 Natural ventilation objectives

To encourage natural ventilation of dwellings.

To allow occupants to effectively manage natural ventilation of dwellings.

Standard D29

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

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

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

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



The proposal does not comply with Standard D29, providing only 28% of dwellings with effective natural ventilation.

