

CLAUSE 58 – APARTMENT DEVELOPMENTS

The following provides an assessment of the proposal against Clause 58 of the Monash Planning Scheme*.

*Note: Clause 58 is not applicable to a Retirement Village.

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58.02 URBAN CONTEXT	
58.02-1 Urban context	<ul style="list-style-type: none"> • To ensure that: <ul style="list-style-type: none"> ○ the design responds to the existing urban context or contributes to the preferred future development of the area ○ development responds to the features of the site and the surrounding area.
Standard D1	<ul style="list-style-type: none"> • 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.
Assessment Achieved – Refer to urban planning report and architectural plans package.	
58.02-2 Residential policy	<ul style="list-style-type: none"> • To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework. • To support higher density residential development where development can take advantage of public and community infrastructure and services.
Standard D2	<ul style="list-style-type: none"> • 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.
Assessment Achieved – Refer to urban planning report for detailed discussion.	
58.02-3 Dwelling diversity	<ul style="list-style-type: none"> • To encourage a range of dwelling sizes and types in developments of ten or more dwellings.
Standard D3	<ul style="list-style-type: none"> • Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.
Assessment Achieved – The development consists of 70 x one (1) bedroom units, 86 x two (2) bedroom units, and 30 x three (3) bedroom units, which provides an efficient and compact housing product for the area.	
58.02-4 Infrastructure objectives	<ul style="list-style-type: none"> • To ensure development: <ul style="list-style-type: none"> ○ is provided with appropriate utility services and infrastructure ○ does not unreasonably overload the capacity of utility services and infrastructure.
Standard D4	<ul style="list-style-type: none"> • Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available. • Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads. • In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.
Assessment Achieved – It is understood that the site is appropriately connected to services and any upgrade required will be undertaken as part of the project.	

58.02-5 Integration with the street	<ul style="list-style-type: none"> To integrate the layout of development with the street.
Standard D5	<ul style="list-style-type: none"> Developments should: <ul style="list-style-type: none"> provide adequate vehicle and pedestrian links that maintain or enhance local accessibility. 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.
Assessment Achieved – Refer to urban planning report for detailed discussion.	

58.03 SITE LAYOUT	
58.03-1 Energy efficiency	<ul style="list-style-type: none"> To achieve and protect energy efficient dwellings and buildings To ensure: <ul style="list-style-type: none"> the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. dwellings achieve adequate thermal efficiency.
Standard D6	<ul style="list-style-type: none"> Buildings should be: <ul style="list-style-type: none"> 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 table.
Assessment Achieved – The proposed development has been designed taking account of the site constraints to ensure the maximum number of dwellings benefit from a northerly orientation, comfortable outdoor spaces and appropriate levels of daylight to all habitable rooms at all levels.	
58.03-2 Communal open space	<ul style="list-style-type: none"> To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.
Standard D7	<ul style="list-style-type: none"> 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, whichever is lesser. Communal open space should: <ul style="list-style-type: none"> Be located to: <ul style="list-style-type: none"> 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.
Assessment Achieved – The proposal provides a total of 2,456 square metres of internal and external communal open space and facilities. The location of the communal facilities is spread throughout the building providing a variety of social and recreational engagements, with convenient access to all residents.	

58.03-3 Solar access to communal outdoor open space	<ul style="list-style-type: none"> To allow solar access into communal outdoor open space.
Standard D8	<ul style="list-style-type: none"> 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.
<p>Assessment Achieved – The location of the primary communal open space areas, being the roof top terrace (244sqm) and garden at level 3 (165sqm) of the development are oriented north and will be unencumbered with full access to sunlight at all times of the day.</p>	
58.03-4 Safety	<ul style="list-style-type: none"> To ensure the layout of development provides for the safety and security of residents and property.
Standard D9	<ul style="list-style-type: none"> 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.
<p>Assessment Achieved – main entrance to the building is centrally positioned to front Lemont Avenue and appropriately designed in accordance with the Standard</p>	
58.03-5 Landscaping	<ul style="list-style-type: none"> To encourage development that respects the landscape character of the area. To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance. To provide appropriate landscaping. To encourage the retention of mature vegetation on the site. To promote climate responsive landscape design and water management in developments that support thermal comfort and reduces the urban heat island effect.
Standard D10	<ul style="list-style-type: none"> The landscape layout and design should: <ul style="list-style-type: none"> 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. Development should provide for the retention or planting of trees, where these are part of the urban context. Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made. The landscape design should specify landscape themes, vegetation (location and species), paving and lighting. Development should provide the deep soil areas and canopy trees specified in Table D2. If the development cannot provide the deep soil areas and canopy trees specified in Table D2, an equivalent canopy cover should be achieved by

	<p>providing either:</p> <ul style="list-style-type: none"> ○ 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.
<p>Assessment Achieved – Refer to urban planning report for detailed discussion. A detailed landscape plan has been prepared by Land Design Partnership. The proposal has setback the building form a minimum of 7.6m along the Lemont Avenue and Blackburn Road allowing a consistent approach to landscaping along both frontages. The proposal has set the lower ground level of the building below the natural ground level of the pedestrian pavement between 1.1m and 0.75m along the frontage. The landscaping has been designed to 'step up' to street level, placing emphasis on the presence of ground covers and establishment of canopy trees planted in full soil at the street edge and the circumference of the site.</p>	
58.03-6 Access	<ul style="list-style-type: none"> • To ensure the number and design of vehicle crossovers respects the urban context.
Standard D11	<ul style="list-style-type: none"> • The width of accessways or car spaces should not exceed: <ul style="list-style-type: none"> ○ 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.
<p>Assessment Achieved – only one cross over is required to service the basement and no access is taken via the Road Zone Cat 1. The proposal provides for convenient access for service, emergency and delivery vehicles.</p>	
58.03-7 Parking location	<ul style="list-style-type: none"> • To provide convenient parking for resident and visitor vehicles. • To protect residents from vehicular noise within developments.
Standard D12	<ul style="list-style-type: none"> • Car parking facilities should: <ul style="list-style-type: none"> ○ 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.
<p>Assessment Achieved – Refer to Planning Report and Traffic Report for detailed assessment. Parking is provided within the basement and will include safe and convenient access to the upper levels via a lift. There are limited windows to habitable room rooms adjacent to the ramp into the basement. The sill heights of these windows have been appropriately raised above the ramp.</p>	
58.03-8 Integrated water and stormwater management	<ul style="list-style-type: none"> • To encourage the use of alternative water sources such as rainwater, stormwater and recycled water. • To facilitate stormwater collection, utilisation and infiltration within the development. • To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.
Standard D13	<ul style="list-style-type: none"> • 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:

	<ul style="list-style-type: none"> ○ Designed to meet the current best practice performance objectives for stormwater quality as contained in the <i>Urban Stormwater – Best Practice Environmental Management Guidelines</i> (Victorian Stormwater Committee 1999) as amended. ○ Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.
<p>Assessment Achieved – Refer to the Sustainability Management Plan for a detailed assessment of storm water management, which demonstrates a STORM rating of 102% is achieved. Rainwater tank of 120,000KL is proposed at the basement 1 level which will service toilets within the building and reduce the storm water runoff.</p>	

58.04 AMENITY IMPACTS	
58.04-1 Building setback	<ul style="list-style-type: none"> ● To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area. ● To allow adequate daylight into new dwellings. ● To limit views into habitable room windows and private open space of new and existing dwellings. ● To provide a reasonable outlook from new dwellings. ● To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.
Standard D14	<ul style="list-style-type: none"> ● 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: <ul style="list-style-type: none"> ○ 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.
<p>Assessment Achieved - Refer to Planning Report for detail assessment. The proposal has setback the building form a minimum of 7.6m along the Lemont Avenue and Blackburn Road, consistent with the frontage setbacks of between 6m-8m within the residential 'Garden Character' of the area. Setbacks of the building at each level and amenity considerations are addressed within the Planning Report.</p>	
58.04-2 Internal views	<ul style="list-style-type: none"> ● To limit views into the private open space and habitable room windows of dwellings within a development.
Standard D15	<ul style="list-style-type: none"> ● 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.
<p>Assessment Achieved - The position of balconies and terraces has been designed to limit overlooking within the development and will result in no overlooking of adjoining properties.</p>	
58.04-3 Noise impacts	<ul style="list-style-type: none"> ● To contain noise sources in developments that may affect existing dwellings. ● To protect residents from external and internal noise sources.
Standard D16	<ul style="list-style-type: none"> ● Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings. ● The layout of new dwellings and buildings should minimise noise transmission within the site. ● Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-

	<p>residential uses, car parking, communal areas and other dwellings.</p> <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> ○ 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.
<p>Assessment Achieved - Given the position of the site on a side street and the layout of the dwellings in relation to the surrounding residential development, it is not expected to cause unreasonable noise impacts will be experienced by future residents. It is also noted that the immediate environment is already affected by the noise impacts of the abutting arterial roads, in particular the Monash Freeway which is audible at all times of the day and the childcare centre will only operate between 7am to 7pm week days.</p>	

58.05 ON SITE AMENITY AND FACILITIES	
58.05-1 Accessibility	<ul style="list-style-type: none"> • To ensure the design of dwellings meets the needs of people with limited mobility.
Standard D17	<ul style="list-style-type: none"> • At least 50 per cent of dwellings should have: <ul style="list-style-type: none"> ○ 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.
<p>Assessment Achieved – Typical and detailed floor plans demonstrate compliance with this standard is achieved and exceeded to meet the silver standards under the Liveable Housing Design Guidelines. A clear path with between a width of 1.2 to 1.5 metres that connects the dwelling entrance to the main bedroom, an all units area adaptable bathroom and the living area's.</p>	
58.05-2 Building entry and circulation	<ul style="list-style-type: none"> • To provide each dwelling and building with its own sense of identity. • To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents. • To ensure internal communal areas provide adequate access to daylight and natural ventilation.
Standard D18	<ul style="list-style-type: none"> • Entries to dwellings and buildings should: <ul style="list-style-type: none"> ○ 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: <ul style="list-style-type: none"> ○ 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: <ul style="list-style-type: none"> - Include at least one source of natural light and natural ventilation. - Avoid obstruction from building services.

	- Maintain clear sight lines.
Assessment	
Achieved – Typical and detailed floor plans demonstrate compliance with this standard is achieved and exceeded to meet the silver standards under the Liveable Housing Design Guidelines.	
58.05-3 Private open space	<ul style="list-style-type: none"> To provide adequate private open space for the reasonable recreation and service needs of residents.
Standard D19	<ul style="list-style-type: none"> A dwelling should have private open space consisting of: <ul style="list-style-type: none"> 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.
Assessment	
Achieved – Typical and detailed floor plans demonstrate compliance with this standard is achieved with each unit provided with a minimum balcony or terrace of 8sqm.	
58.05-4 Storage	<ul style="list-style-type: none"> To provide adequate storage facilities for each dwelling.
Standard D20	<ul style="list-style-type: none"> 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.
Assessment	
Achieved - Detailed floor plans demonstrate compliance with this standard is achieved with internal storage volume of a minimum of 6 cubic metres and external storage minimum of 5.5 cubic metres.	

58.06 DETAILED DESIGN	
58.06-1 Common property	<ul style="list-style-type: none"> To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership.
Standard D21	<ul style="list-style-type: none"> Developments should clearly delineate public, communal and private areas. Common property, where provided, should be functional and capable of efficient management.
Assessment	
Achieved - All common property and communal spaces both internally and externally have been designed with a clear function in mind and can be appropriately managed and maintained by the operators of the Retirement Village.	
58.06-2 Site services	<ul style="list-style-type: none"> To ensure that site services can be installed and easily maintained. To ensure that site facilities are accessible, adequate and attractive.
Standard D22	<ul style="list-style-type: none"> The design and layout of dwellings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically. Mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development. Mailboxes should be provided and located for convenient access as required by Australia Post.
Assessment	

Achieved - Detailed floor plans demonstrate compliance with this standard is achieved, including the provision of a mail room at lower ground level.	
58.06-3 Waste and recycling	<ul style="list-style-type: none"> To ensure dwellings are designed to encourage waste recycling. To ensure that waste and recycling facilities are accessible, adequate and attractive. To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.
Standard D23	<ul style="list-style-type: none"> Developments should include dedicated areas for: <ul style="list-style-type: none"> Waste and recycling enclosures which are: <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> 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.
Assessment	
Achieved – Refer to Waste Management Plan for detailed initiatives and management of waste for the development. Bin storage for residents is provided within the basement. It is understood that collection by a suitable waste contractor will occur in accordance with a waste management plan	

58.07 INTERNAL AMENITY	
58.07-1 Functional layout	<ul style="list-style-type: none"> To ensure dwellings provide functional areas that meet the needs of residents.
Standard D24	<ul style="list-style-type: none"> Bedrooms should: <ul style="list-style-type: none"> 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. Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D8.
Assessment	
Achieved – the typical and detailed floor plans demonstrate compliance with this standard is achieved.	
58.07-2 Room depth	<ul style="list-style-type: none"> To allow adequate daylight into single aspect habitable rooms.
Standard D25	<ul style="list-style-type: none"> 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:

	<ul style="list-style-type: none"> ○ 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.
<p>Assessment Achieved – the typical and detailed floor plans demonstrate compliance with this standard is achieved. The BESS assessment demonstrates that adequate daylight is achieved to all units within the development to meet this standard.</p>	
58.07-3 Windows	<ul style="list-style-type: none"> ● To allow adequate daylight into new habitable room windows.
Standard D26	<ul style="list-style-type: none"> ● 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: <ul style="list-style-type: none"> ○ A minimum width of 1.2 metres. ○ A maximum depth of 1.5 times the width, measured from the external surface of the window.
<p>Assessment Achieved – the typical and detailed floor plans demonstrate compliance with this standard is achieved. The BESS assessment demonstrates that adequate daylight is achieved to all units within the development to meet this standard.</p>	
58.07-4 Natural ventilation	<ul style="list-style-type: none"> ● To encourage natural ventilation of dwellings. ● To allow occupants to effectively manage natural ventilation of dwellings.
Standard D27	<ul style="list-style-type: none"> ● 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: <ul style="list-style-type: none"> ○ 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.
<p>Assessment Achieved – the typical and detailed floor plans demonstrate compliance with this standard is achieved. The BESS assessment demonstrates that adequate cross ventilation is achieved to the development to meet this standard.</p>	