Town Planning and Urban Context Report

Buildings and works associated with multiple dwellings on a lot, use of land for an office and food and drink premises.

Stage B (Buildings 1 and 2) – Thomas Street Apartments (Second Stage)

Prepared on behalf of Hamton Hostplus JVM Pty Ltd
R03 01 October 2019
Overview

Background
Applicant/Owner
Hamton Hostplus JVMV Pty Ltd
Address
33 Dean Street, Moonee Ponds
Lot Description
Lot B on PS 805188R

Relevant Planning Controls
State Planning Policy Framework
Clause 11.01 - Supply of Urban Land
Clause 11.03 - Planning for Places
Clause 15 - Built Environment and Heritage
Clause 16 - Housing
Clause 18 - Transport
Clause 19.03-4S - Stormwater

Local Planning Policy Framework
Clause 21.04 - Sustainable Environments
Clause 21.05 - Housing
Clause 21.06 - Built Environment
Clause 21.07 - Activity Centres
Clause 21.09 - Transport
Clause 21.10 - Social and Physical Infrastructure
Clause 22.01 - Heritage
Clause 22.02 - Public Open Space Contribution
Clause 22.03 - Stormwater Management

Zone
Clause 37.08 - Activity Centre Zone (Schedule 1)

Overlays
Clause 43.01 - Heritage Overlay (HO379)

Particular Provisions
Clause 52.06 - Car Parking
Clause 52.34 - Bicycle Parking
Clause 58 - Apartment Developments

Strategic Planning Documents
Plan Melbourne 2017-2050
Moonee Ponds Activity Centre Structure Plan 2010
Moonee Valley Racecourse Incorporated Plan - Conservation Policy and Permit Exemptions April 2014

Permit Application Details
Description of proposal
Buildings and works associated with the construction of multiple dwellings on a lot, use of land for office and restaurant and xxx

Permit requirement
Clause 37.08-5 (ACZ1) - to construct a building or construct or carry out works.
Clause 37.08-2 (ACZ1) - to use land for 'office' and 'restaurant'
Clause 42.01-2 (ESO2) - to construct a building or construct or carry out works.
# Quality Assurance - Report Record

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<td>Revision (see below)</td>
<td>01</td>
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<tr>
<td>Prepared By</td>
<td>Angus Bevan</td>
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<tr>
<td>Reviewed By</td>
<td>Andrew Robertson</td>
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<td>Approved By</td>
<td>Andrew Robertson</td>
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<td>Date of Issue</td>
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## Revision Status - all revisions must be identified by the following information

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5.6  Does the application provide an appropriate level of internal amenity?  
5.7  Does the planning permit application provide adequate traffic and access, parking, and waste management arrangements?  
5.8  Does the application provide for appropriate environmentally sustainable design and stormwater outcomes?  
6  Conclusion  

Appendix 1 - Clause 58 Assessment
1 INTRODUCTION

This report has been prepared by Tract Consultants Pty Ltd on behalf of Hamton Hostplus JVMV Pty Ltd to accompany a planning permit application for the staged construction of a mixed use apartment building at the Moonee Valley Racecourse.

More particularly, the proposal involves the construction of a 12 storey building across two stages that will be highly integrated with the Thomas Street Apartments. The new development will comprise:

- 314 dwellings (150 in Building 1 and 164 in Building 2) consisting of a mix of one, two, three, and four bedroom apartments;
- 1,224.9sqm of office space;
- 136.9sqm of retail space;
- 396 car parking spaces across three basement levels which are integrated with the basement level of the adjacent Thomas Street apartment (approved under MV/601/2018);
- 356 bicycle parking spaces; and
- Delivery of the interim Kenna Street extension (with permanent vehicle access to be provided once the north-south access road adjacent to the race track is delivered).
- The delivery of 5% affordable housing in Building 1 (8 total one and two bedroom dwellings).

The proposal represents a high degree of design excellence. It provides high quality internal and external amenity for residents and visitors whilst responding sympathetically to the Site’s existing built-form context.

Pursuant to the Moonee Valley Planning Scheme, a planning permit is required for:

- Buildings and works under the provisions of the Schedule 1 to the Activity Centre Zone at Clause 37.08-5.
- Use of the land for an office and restaurant under the provisions of Schedule 1 to the Activity Centre Zone at Clause 37.08-2.
- Buildings and works under the provisions of Schedule 2 to the Environmental Significance Overlay at Clause 42.01-2.

The project team assembled by Hamton Hostplus JVMV Pty Ltd for this application consists of:

- Rothe Lowman – Architecture
- Tract Consultants – Town Planning and Landscape Architecture
- GTA Consultants – Traffic
- Leigh Design – Waste Management
- Ark Resources – Sustainability Management
- Meinhardt – Servicing, Stormwater, and Drainage

Following a comprehensive review and assessment of the proposal it is submitted that the application is entirely consistent with the relevant State and Local planning policy objectives and strategies contained
within the Moonee Valley Planning Scheme and meets the intent and objectives of the Activity Centre Zone (Schedule 1).

1.1 Background

Moonee Valley Racing Club Incorporated (MVRC) is the owner of the land known as the Moonee Valley Racecourse.

Hamton Hostplus JVMV Pty Ltd is the developing entity in partnership with the MVRC responsible for the redevelopment of surplus racecourse land.

To date, two permits have been approved by the Moonee Valley City Council for the redevelopment of the western racecourse land (not including signage applications). These include:

- MV/222/2018 which was granted by Council on 17 October 2018 for the development of the land towards McPherson Street for 67 townhouses.
- MV/601/2018 which allows a 6 storey apartment building located at Thomas Street.

This application relates to an irregularly shaped portion of the racecourse land that extends from Thomas Street into the broader racecourse land. It is located adjacent to the land for Planning Permit MV/222/2018 and MV/601/2018.

The proposal is intended to integrate and share basement levels and some amenities with the Thomas Street permit MV/601/2018. These are further discussed within this report.

In preparing this application, Hamton Hostplus JVMV Pty Ltd and its project team sought feedback from the City of Moonee Valley through pre-application meetings and discussions in recent months.

1.2 Report Structure

This report describes the Site and its context (Section 2), outlines the proposal (Section 3), and provides a detailed assessment of the proposal against the relevant provisions of the Moonee Valley Planning Scheme (Sections 4 & 5).
2 SITE & SURROUNDS

This section of the report is to be read in conjunction with the Architectural plans and urban context report prepared by RotheLowman dated 17 May 2019.

2.1 Moonee Valley Racecourse

The Moonee Valley Racecourse is located approximately 6km north-west of Melbourne’s CBD within the suburb of Moonee Ponds. Moonee Ponds is a well-established, primarily residential suburb consisting of a mixture of period dwellings, townhouses and more recently built apartments in and around the Moonee Ponds Activity Centre.

The Moonee Valley Racecourse landholding is approximately 39.5 hectares in size. It is bound by Thomas Street and Wilson Street to the north, the Tullamarine Freeway to east, Dean Street to the south and McPherson Street to the west. The MVRC’s master planning process determined that portions of its landholding in the west and north-east of the overall racecourse site, being land contained within Schedule 1 to the Activity Centre Zone and Schedule 2 to the Mixed Use Zone respectively, is surplus to its future needs in its racecourse operations. These portions of the Moonee Valley Racecourse will be released for residential, commercial and open space purposes in a manner that is commensurate with the Moonee Ponds activity centre immediately west. These portions are described further below and identified in Figure 1.

The Western Portion

The western portion of the Moonee Valley Racecourse is approximately 7.6 hectares in size with a frontage of approximately 184m to Thomas Street, approximately 405m to McPherson Street and 225m to Dean Street.

It currently contains the grandstand, horse stables, horse float car park, members car park, racing administration offices, and former club’s secretary’s house in the north-west corner.

The western portion of the Site is part of Moonee Ponds Activity Centre, which is described within the Moonee Valley Planning Scheme as being ‘a regional retail centre and the major centre for professional and financial services in Melbourne’s northwest region’. It features office, retail, food and drink and high density residential uses.

The North-East Portion

The north-east portion of the Moonee Valley Racecourse is on the southern side of the Wilson Street / Victoria Street bridge.

It is currently occupied by a caretaker’s house, plant nursery, and maintenance yard. The north-east portion is approximately 1.6 hectares in size with a frontage of approximately 216m to Wilson Street / Victoria Street.
2.1 Stage B

Stage B is in the north of the western portion of the site as seen in Figure 2 below.

Due to the size of Stage B, Hamton Hostplus intends to develop it through two separate phases. This application represents the second phase of Stage B and is formed as an irregularly shaped staging boundary (the ‘Site’).
Topographically, the northern boundary of the Site (along Thomas Street) forms a high-point of the Moonee Valley Racecourse landholding. The land gently falls to the south-east from this point by approximately 3-4m to the southern boundary of the staging area.

Within the Site is an existing car park and a number of scattered trees and informal garden beds. Two significant Stone Pine (Pinus Pinea) trees are located to the south of the Site. These trees are located within the Environmental Significance Overlay (Schedule 2). The proposed development does not encroach on either trees TPZ.

The application area will have a direct frontage to the western pedestrian path that has been established by Stage A and Stage B applications and the eastern north-south connector road that is to be delivered later in broader MVRC redevelopment. The Site will form an interface with previous stages of the MVRC development including MV-222-2019 to the west and MV-601-2019 to the north.

Refer Figure 3 for an analysis of the context and site prepared by RotheLowman.
2.2 Title Particulars

The Site is formally recognised as Lot B on Plan of Subdivision 805188R.

An inspection of the Certificate of Title reveals:

- The sole proprietor of the Site is the Moonee Valley Racing Club Incorporated.
- Telstra Corporation Ltd has a caveat on the Moonee Valley Racecourse for telecommunication transmittal purposes.
- Agreement under Section 173 of the Planning and Environment Act 1987 have been executed between the MVRC and Moonee Valley City Council for night racing and traffic management purposes and social and infrastructure contributions associated with the redevelopment of the western precinct.

This application applies to land which is understood to be recognised as 33 Dean Street, Moonee Ponds. Refer to accompanying Certificate of Title.
2.3 Site Context

2.3.1 Immediate Surrounds

The Site is an irregular shaped parcel and has the following immediate interfaces:

<table>
<thead>
<tr>
<th>North</th>
<th>Thomas Street Interface</th>
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<tbody>
<tr>
<td></td>
<td>Immediately north of the Site is Thomas Street, which is a local road that links Pascoe Vale Road to the west with Wilson Street to the north. It is configured with a lane of traffic in each direction and on-street car parking, landscaped verges, and footpaths on either side of the carriageway.</td>
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<tr>
<td></td>
<td>On the opposite side of Thomas Street is a row of detached dwellings (No’s 23-43). These dwellings are generally two-storey in height with marginal side setbacks. Each dwelling is setback approximately 6-7 metres from Thomas Street.</td>
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<table>
<thead>
<tr>
<th>Stage B Interface</th>
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<tr>
<td>Immediately north of the central section of the staging boundary is the first Stage B application area. The interface is characterised as an approximately 16.7m deep communal terrace space which provides separation from the built-form interface of the main apartment building proposed in Stage B.</td>
</tr>
<tr>
<td>Stage B interfaces this terrace area with a six storey built-form comprised of balcony spaces projecting from a predominantly glazed façade. This interface also includes the exterior of the internal lift cores. See Figure 4 below for this interface.</td>
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<tr>
<th>West</th>
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2.3.2 Wider Context

The Site is located at the eastern edge of the Moonee Ponds Activity Centre where more intensive forms of development are present and actively being encouraged through the application of the Activity Centre Zone.
The activity centre is well serviced by a train station and several tram and bus services and contains a rich mix of land uses, built forms, and architectural styles. It provides an excellent degree of goods, services, and public transport options to local residents within a convenient walkable catchment.

Several substantial passive and active public open spaces are located nearby, including:

- Queens Park (300 metres to the west);
- Fanny Reserve and Moonee Ponds Creek (575 metres to the north-east); and
- Ormond Park (800 metres to the south-east).

The redevelopment of the Moonee Valley Racecourse will also see a series of parks and urban spaces delivered within the Site and immediately accessible to future residents.

The Site is well served by a large network of arterial roads, with direct access to Ascot Vale and Mt Alexander Road to the west, the Citylink to the east, and Ormond Road to the south.

Refer Figure 5.
Figure 5 - Locality Context Plan
3 PROPOSAL

This section of the report is to be read in conjunction with the Architectural Plans and Urban Context Report prepared by RotheLowman.

Figure 6 - RotheLowman Impression of residential lobby entrance (east) and office interface with the Kenna Street extension (centre and left).

3.1 Overview

The proposal seeks planning approval for:
- Clause 37.08-5 (ACZ1) - to construct a building or construct or carry out works.
- Clause 37.08-2 (ACZ1) - to use land for 'office' and 'restaurant'
- Clause 42.01-2 (ESO2) - to construct a building or construct or carry out works.

No permit is required under the Heritage Overlay, Clause 52.06, or Clause 52.34 as discussed in Section 4 of this report.
3.2 Design Response

3.2.1 Overview and Design Response

The broader design response has been informed by an analysis of the MVRC precinct, the two previous Hamton-led applications within the precinct, the ACZ1 requirements, Clause 58, and comments and suggestions provided by Moonee Valley City Council through the pre-application phase.

The proposal provides for a high quality response that adopts the architectural language of previous stages whilst asserting itself as a distinct and attractive element of the broader precinct. Specific design themes ensure the proposal visually and functionally integrates with the approved Thomas Street apartment proposal to the north.

The siting, massing, and use of setbacks deliver a sympathetic response that affords excellent amenity outcomes for existing and future residents and future stages of MVRC redevelopment.

The building incorporates a mix of uses in addressing the needs of future residents and the broader public. High-quality employment-generating uses form the principal ground-floor use which provides interest and activation of the Kenna Street extension whilst residential uses and amenities occupy upper levels.

High-quality materiality and articulation continue to establish visual interest from key vantage points from public spaces. This includes the continuation of the internal pedestrian thoroughfares which continue to be highly functional and generously landscaped spaces.

The design vision is to blend pedestrian and street level activity between the building and the future Stone Pine park area south of the building. Creating a safe, convenient, and walkable precinct is paramount to the broader MVRC redevelopment.

On upper levels, the building provides for various architectural responses to avoid the building being read as one solid massing. A variety of forms, setbacks, and materials are employed through three distinct forms:

- The eastern wing of the building. This portion of the building is oriented along a north and south axis that maximises its interface to the racecourse to the east. This building tapers in height towards the Thomas Street interface from the main massing located central to the Site at distance from sensitive interfaces. The façade is composed of glazing set within an interlocking series of exposed solid concrete floorplates, balconies, and vertical elements that are easily read within the overall composition.

- A sense of depth is provided within the façade through a series of balconies that project from the strongly established wall. Solid vertical elements that project to the edge of the balcony provide for vertical links between levels and provide legibility to the residential purpose of the building through denoting separate balconies.

- A consistent materials palette of white concrete finish, clear glazing, ocean grey tinted glazing is balanced by interspersed contrasting dark grey bricks, dark grey applied finish and dark grey external paint.

- The middle section of the building. This form provides the link between the eastern and western wings of the building and is oriented along an east-west axis. This section of the building represents a more solid and architecturally restrained form that provides consistent spacing and pattern within the façade through equally sized and spaced vertical and horizontal columns. Depth is established through balcony voids arranged along vertical lines across the façade and minor glazing rebates in balance areas.

- This building utilises a bronze colour scheme including bronze tinted glazing set within solid masonry elements.

- The western wing of the building. This portion of the building is oriented along a north and south axis and provides for immediate connection to the middle portion of the building. The western wing extends into the central east-west portion of the building. This form strikes a balance between the lighter forms at the east of the building and the heavier central element of the building. It employs a mix of recessed balconies aligned in vertical rows within the façade. Bronze tinted and clear glazing and recessed balconies are set within strong horizontal lines established by the white finished concrete floor plates.

The building provides for a minor overhang towards Kenna Street at upper levels.
3.2.2 Height

The building varies in height ranging from three to five storeys at its lowest at the interface to Thomas Street to a maximum of 12 storeys central to the staging boundary. The maximum height of the building is 44.05m above NGL (varying to an approximate lower height of 39m due to topography).

The maximum height occurs in an area central to the Site in precinct 9B of the ACZ1.

The maximum height of the building within precinct 9A of the ACZ1 does not exceed the 20m mandatory maximum height limit of the ACZ1.

3.2.3 Setbacks

The irregular staging boundaries provide for varying setbacks across the Site. The setbacks are discussed with reference to Figure 7 below.

The building is setback as follows:

- **A** - (North Thomas Street) – Levels 1 and 2 extend over the ground-floor and form the wall nearest to the Thomas Street boundary. These levels are setback from the boundary by 3 metres as per the minimum required setback for ‘Residential Front Interface (Racecourse) – Type 1’. The building gradually recesses from Level 3 to level 5 where it reaches a 30m setback from Thomas Street in accordance with the envelope prescribed by Precinct 9A of the ACZ1.

- **B** - (North Thomas Street Apartments) – The building forms an 11 storey interface to the Thomas Street apartment building. These buildings are setback from each other by a minimum of 22.8m.

- **C** - (East Racecourse) – The building maintains a 5 metre setback from the eastern title boundary in accordance with the ‘Racecourse Interface – Type 1’.

- **D** - (South Kenna Street) – The building has a varied setback from the southern staging boundary to the eastern extension of Kenna Street and future stages of development to the south. This setback will be discussed in future stages of development as the form of future development is unknown.
E - (West Thomas Street Apartments) - At the north-east of the permit area the building has an interface with the eastern edge of the Thomas Street apartments. At ground-floor (where the basement car park entrance is located) the buildings are setback by 6m from one another. At first floor the buildings are setback by an approximate minimum of 10m.

F - (McPherson Street Townhouses) - The building has a minimum setback of 12.8m to the Stage A boundary to the west.

3.2.4 Kenna Street Extension

Kenna Street is proposed to be extended east into the Site via a circular-driveway that provides ‘front-of-house’ access for taxi / uber servicing and immediate deliveries. This arrangement is an interim solution until the north-south access road is delivered. At this time Kenna Street will be constructed to its final layout and connected.

3.2.5 Building Layout

Basement (Levels B3-B1)

The three basement levels are proposed to integrate with the extent of basement proposed to be delivered in the Thomas Street Apartment to the north of the current proposal.

Both basements will share the 6m wide accessway via Thomas Street that permits simultaneous two-way traffic. Further, they will share the dual-loading bay, bicycle storage facility, and dog wash facility on Basement level 1.

An additional 6.1m wide accessway for south and north bound traffic movements is proposed to constructed in-part, but not made useable until north-south access road is delivered. The additional accessway provides sufficient clearance and is appropriately graded to ensure this connection can be delivered with relative ease and no change to the overall basement layout upon the construction of the north-south road. Appropriate signage within the basement will be provided to prevent the use of this additional driveway in the interim.

With regards to car parking, the proposal will include three basement levels and provide for:

- 348 resident car spaces (32 of which are provided in a tandem format) and allocated as per the following:
  - one space for each one and two bedroom dwellings (including the duplex dwellings); and
  - two spaces for each three or more bedroom dwellings.
- 7 visitor car spaces.
- 37 Office car spaces.
- 4 Retail car spaces.
- 356 bicycle parks.

All car parking spaces will have convenient access to internal lift and stair cores.

All necessary infrastructure has been programmed into the design of the basement to ensure appropriate ventilation, security, bin storage, and circulation.

Five dwellings are located at the west of the development which include a partial basement level serviced by a 10.3sqm (minimum) light courts.

Lower Ground

Due to the topography of the site falling from the north to the south, the lower-ground level predominantly forms the ground-floor level to the southern interface.

The Lower ground level comprises a mix of spaces including:

- A double-height lobby space located central to the Kenna Street frontage which provides access to internal lobby/stair access to levels above and below. Back of house offices and parcel store room is also located adjacent to the lobby.
- A 136.9sqm café with frontage to Kenna Street.
- Eight office spaces ranging from 50.1sqm to 163.5sqm in area.
- One bookable private dining rooms.
- Separate shower, changeroom, and secure lockers for cyclists.
Five ‘duplex’-type apartments which are located at the interface to the pedestrian path at the west.

A total of 324 internal bicycle parking spaces are located in two separate secure bicycle parking facilities at the west and east of the building. 32 external bicycle parking spaces are provided along Kenna Street.

Two visitor parking spaces and a loading parking space are provided within Kenna Street adjacent to the entrance lobby.

A pedestrian footpath is proposed to extend across the buildings southern frontage to Kenna Street. This is to be branched from the main north-south pedestrian footpath to the west of the building. The path will be extended through to the eastern side of the building and provide a secondary connection to Thomas Street.

Two existing Stone Pine trees are proposed to be retained south of Kenna Street in what is to become a primary landscaped park. See Figure 8 below.

### Ground Level

The ground-floor forms the principal interface to the shared terrace between the proposed building and the Thomas Street apartments to the north. This space is accessed from the proposed development via stairs on lower-ground level or via the north-south pedestrian footpath to the west of the building.

At ground-level and above there is no direct connection between the eastern and western portion of the building.
The ground level comprises a mix of spaces including:

- 25 dwellings comprising of 11 one bedroom, 13 two bedroom, and one three bedroom dwellings.
- Six office spaces ranging from 46.2sqm to 180.8sqm.
- A 222.9sqm ‘wellness’ centre for residents.

The eastern and western masses of the building have direct access to the central terrace space.

See Figure 9 below.

Figure 9 - Proposed ground-level

Upper Levels

The upper levels of the building comprise of the balance of dwellings that range in size from one, two, three, and four bedroom apartments.

A communal space is located at Level 11 which is formed as an indoor/outdoor rooftop space at the east of the building and includes a pool, changeroom, meeting areas, and a display suite.

 Appropriately sized plant and service rooms are located on level 9, 11, and the rooftop.

3.2.6 Landscaping

A landscape concept has been prepared by Tract Consultants Pty Ltd for this proposal.

The landscape concept plan continues to evolve and refine the broader landscaping response within the MVRC redevelopment. Refer to Error! Reference source not found. below for the broader landscape masterplan concept for this Precinct when the Grandstand is demolished.

Several distinct responses are provided throughout the precinct. This includes the ‘Stone Pine Square’ south of Kenna Street, the ‘Rainforest Garden’ in the terrace between the proposal and the Thomas Street apartments, the ‘Conservatory’ on lower-ground floor, and upper level terraces.
Deep soil planting and larger species have been maximised through the staging area to provide for a generous treed character throughout.

For further information, please refer to the Landscape Concept Plan prepared by Tract Consultants enclosed with this application.

3.2.7 Materiality

The proposal features a palette consisting of high quality materials and finishes that will form a cohesive architecture response for the building. It includes:

- Concrete finish (white & natural grey)
- Glazing (clear, bronze tint, ocean grey, reflective)
- External Paint (dark grey)
- Applied finish (dark grey, charcoal, and light)
- Metal cladding (rose gold, white, dark grey, bronze, light bronze)
- Brick finish (dark grey, white)

The materials palette provides reference and visual similarities to the approved Kenna Street townhouses and the proposed Thomas Street apartments.

3.2.8 Waste Arrangements

A central bin storage room is provided in Basement Level 1. Two smaller bin stores/chute receipt are located in Basement Level 1 associated with B1 and B2 which feeds the central storage room.

A Waste Management Plan has been prepared by Leigh Design to accompany the application. The Plan notes that:

- Sufficient space has been provided for on-site bin storage;
- Residents and tenants will dispose of waste through dedicated waste chutes available on each level.
- Commercial tenants will dispose of waste into designated collection bins located within the central bin storage.
- Collection will occur three times weekly either via municipal waste services or a private contractor.
- Collection will occur from within the on-site loading bay located in the first basement level.
- Waste collection will be undertaken via best practice methods and will reduce amenity impacts generated by waste storage and collection.

For further information, please refer to the Waste Management Plan prepared by Leigh Design enclosed with this application.

3.3 Infrastructure Delivery

The following infrastructure is proposed to be delivered as part of this application:

- 16% of overall financial contribution to be paid upon Statement of Compliance;
- Approximately 1,800sqm of open space which will be publicly available but not vested to Council;
- Majority of interface/management of Racecourse operations works to be completed as part of this Stage;
- 5% Affordable Housing of Building 1 Apartments to be delivered; and
- Interim extension of Kenna Street to form part of Stage B which will ultimately be connected through to the north-south connector street.

For further information, please refer to the Staging Plan prepared by Hamton enclosed with this application.

3.4 Environmentally Sustainable Development

ARK Resources have prepared a Sustainable Management Plan to ensure the proposal achieves best practice environmental outcomes.

Key components of the sustainability response include:

- Integrated landscape areas;
- Rooftop solar photovoltaic system;
- High-performance glazing and energy efficient building services, appliances and fixtures; and
- Environmentally preferable internal finishes.

The SMP will ensure the building will exceed the Building Code of Australia energy efficiency requirements; all BESS Standards; and the Best Practice standard for stormwater quality.

For further information, please refer to the Sustainable Management Plan prepared by Ark Resources enclosed with this application.

With respect to stormwater management, it is noted that Council has approved a Drainage Strategy for the overall Moonee Valley Racecourse site. This proposal has been designed to integrate with this, and more particularly the interim arrangement prior to the demolition of the grandstand.

### 3.5 Affordable Housing

Hamton are committing 5% of Building 1 as affordable housing. This is proposed to be a total of 8 dwellings across a mix of one and two bedroom typologies.

Further details will be provided on the mechanism to provide affordable housing through the application.
4 PLANNING POLICIES & CONTROLS

4.1 Planning Policy Framework

The provision of the Planning Policy Framework that are most relevant to this proposal have been summarised below.

- Clause 11.03 (Planning for Places) which seeks “to encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community”.
- Clause 15 (Built Environment and Heritage) states that “planning should ensure all land use and development appropriately responds to its surrounding landscape and character, valued built form and cultural context.”
- Clause 15.01-1S (Urban Design) aims to “create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.”
  - Clause 15.01-1R (Urban Design – Metropolitan Melbourne) aims to “create a distinctive and liveable city with quality design and amenity.”
- Clause 15.01-2S (Building Design) seeks “to achieve building design outcomes that contribute positively to the local context and enhance the public realm.”
- Clause 15.01-4S (Healthy Neighbourhoods) seeks “to achieve neighbourhoods that foster healthy and active living and community wellbeing.”
  - Clause 15.01-4R (Healthy Neighbourhoods – Metropolitan Melbourne) seeks to “create a city of 20 minute neighbourhoods that give people the ability to meet most of their everyday needs within a 20 minute walk, cycle or local public transport trip from their home.”
- Clause 15.01-5S (Neighbourhood Character) seeks “to recognise, support and protect neighbourhood character, cultural identity, and sense of place.”
- Clause 15.02-1S (Energy and Resource Efficiency) seeks “to encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions.”
- Clause 16.01-1S (Integrated housing) promotes the supply of well-designed and sustainable housing that meets community needs.
  - Clause 16.01-1R (Integrated Housing – Metropolitan Melbourne) which seeks to “allow for a range of minimal, incremental and high change residential areas that balance the need to protect valued areas with the need to ensure choice and growth in housing.”
- Clause 16.01-2S (Location of residential development) seeks to locate new housing supply in “sites that offer good access to jobs, services and transport.”
  - Clause 16.01-2R (Housing Opportunity Areas – Metropolitan Melbourne) which seeks to “facilitate increased housing in established areas to create a city of 20 minute neighbourhoods close to existing services, jobs and public transport.”
- Clause 16.01-3S (Housing diversity) encourages housing development that meets the diverse range of community needs.
Clause 16.01-3R (Housing Diversity – Metropolitan Melbourne) which seeks to “To deliver more affordable housing closer to jobs, transport and services.”

Clause 18.01-1S (Land Use and Transport Planning) which seeks “to create a safe and sustainable transport system by integrating land use and transport.”

Clause 18.02-1S (Sustainable personal transport) aims to “promote the use of sustainable personal transport.”

Clause 18.02-1R (Sustainable Personal Transport – Metropolitan Melbourne) which seeks to “improve local travel options for walking and cycling to support 20 minute neighbourhoods.”

Clause 18.02-2S (Public Transport) which seeks “to facilitate greater use of public transport and promote increased development close to high-quality public transport routes.”

Clause 18.02-2R (Principal Public Transport Network) which seeks to “maximise the use of existing infrastructure and increase the diversity and density of development along the Principal Public Transport Network, particularly at interchanges, activity centres and where principal public transport routes intersect.”

Clause 18.02-4S (Car parking) aims to ‘ensure an adequate supply of car parking that is appropriately designed and located’. Strategies to achieve this include: ‘Encourage the efficient provision of car parking through the consolidation of car parking facilities’.

Clause 19.03-4S (Stormwater) seeks to “reduce the impact of stormwater on bays and catchments.”

Clause 21.04 (Sustainable Environments) which seeks

- ‘To adapt the urban environment to the impacts of climate change, in particular more extreme storms, extended droughts, and more heatwaves.
- To reduce greenhouse emissions.
- To protect and enhance the natural assets of the City.
- To use resources more efficiently to reduce our impact on the environment and improve the long-term health and wellbeing of the community through the use of ecologically sustainable design principles.
- To significantly enhance the quality and quantity of open space areas.
- To encourage the recycling of waste.
- To achieve best practice in waste minimisation and kerbside recycling.’

Specifically, Clause 21.04-3 states that for developments of ten or more dwellings, a Sustainability Management Plan is requested.

Clause 21.05 (Housing) which seeks:

- ‘To provide a variety of housing choices in appropriate locations to meet the needs of an increasingly diverse range of households.
- To encourage new housing to be designed which caters for changing needs over time.
- To improve housing affordability within the municipality for households with household incomes below the 60th percentile of income groups.’

Clause 21.05-1 also notes that the RA must ‘consider the majority of housing growth and higher density development to occur within Activity Centres identified in Plan Melbourne provided that the height, scale, and massing of new development is in accordance with the requirements and the recommendations of adopted structure plans or strategies for those centres, and that development respects the surrounding built form context’.

Clause 21.06 (Built Environment) which seeks to:

- ‘To ensure new development is in accordance with the preferred character of each residential precinct as outlined in the Neighbourhood Character Precinct Profiles 2012.
- To ensure new developments create safe environments.
- To ensure that the design of the public and private environment supports accessibility, wellbeing and healthy living
- To achieve contemporary development that is innovative, legible and designed in a manner that responds to its location and context.
- To ensure that new development of five or more storeys is designed and located to complement the surrounding neighbourhood, and is consideration of potential off site impacts’.

Clause 21.07 (Activity Centres) which acknowledges the significance of the Moonee Ponds Activity Centre in the municipality. Specifically, it seeks to ‘ensure that any proposed use or development within the Moonee Ponds Activity Centre is generally consistent with the Moonee Ponds Activity Centre Structure Plan 2010’.
- Clause 21.09 (Transport) which seeks ‘to increase the number of residents and visitors who walk and cycle, particularly for short trips’ and to ‘reduce private vehicle use throughout the municipality’.

- Clause 21.10 (Social and Physical Infrastructure) which seeks:
  - ‘To ensure that infrastructure is able to accommodate new development
  - To minimise the impact of flooding on the community.
  - To improve water efficiency and sustainability by considering environmental impacts of development.’

- Clause 22.01 (Heritage) which applies to all land in the Heritage Overlay and seeks to encourage conservation of heritage places in accordance with the principles and procedures set out in the Burra Charter.

- Clause 22.02 (Public Open Space Contribution) which applies to all subdivision of three lots or more. Clause 22.02 seeks:
  - ‘To identify when and where land contributions for public open space are preferred over cash contributions.
  - To ensure that where appropriate, land suitable for public open space is set aside as part of the design of a development so that it can be transferred to or vested in Council, to satisfy the public open space contribution requirement’

Clause 22.02 states that land contributions for public open space will generally be preferred over cash contributions for the purposes of Clause 52.01 of the scheme within areas identified in Map 1. Map 1 identifies the Site as being within ‘precincts where land contributions may be sought as identified in the Open Space Strategy’.

- Clause 22.03 (Stormwater Management) which applies to applications for new buildings and works and seeks to ‘achieve best practice water quality performance objectives as set out in the Urban Stormwater Best Practice Environmental Management Guidelines, Victoria Stormwater Committee 1999’. Pursuant to Clause 22.03-3, it is policy to ‘require development applications to demonstrate that the best practice performance objectives for suspended solids, total phosphorus and total nitrogen, as set out in the Urban Stormwater Best Practice Environmental Management Guidelines, Victoria Stormwater Committee 1999 will be achieved by the development’.
4.2 Zone

The Site is located within the Activity Centre Zone - Schedule 1 (ACZ1).

Under the ACZ1, the Site is located within Precinct 9. See Figure 10 below.

The key objectives for Precinct 9 are:

- To encourage residential, retail, commercial and employment opportunities that will enhance the role and function of Moonee Ponds AC and the Moonee Valley Racecourse.
- To encourage a street pattern, building design and land use mix that creates opportunities for street level activation, passive surveillance of the street and changing streetscapes.
- To enable taller and more intense built form in the eastern section of the precinct which provides for a transition in height from established residential areas to the north, south and west.
- To ensure a street pattern and subdivision layout which encourage walking and cycling over other modes of transport.
- To ensure that new development, including building heights, complements the remainder of the Moonee Ponds AC and the surrounding area.
- To ensure a high standard of building design that displays dwelling diversity, permeability, flexibility, site responsiveness and environmentally sustainability.
- To encourage diversity in housing opportunities, including affordable housing options.

The ‘Precinct Plan’ at Clause 5.9-1 of the ACZ1 identifies eight sub-precincts within Precinct 9, and a broad urban structure for the redevelopment of the western portion of the overall Moonee Valley Racecourse land holding (refer to Figure 13).

With respect to Stage B1, the ‘Precinct Plan’ identifies:

- The Stage is located partly within Precinct 9A (at the north) and Precinct 9B (at the south).
- Residential Front Interface (racecourse) Type 1 along the north Thomas Street Interface; and
- Residential Front Interface (racecourse) Type 2 along the east interface with the Moonee Valley Racecourse.

The ‘Precinct Plan’ also notes:
“All of Precinct 9 is covered by a Heritage Overlay (HO379). The sub precinct boundaries in Precinct 9 are indicative only and are to be finalised as part of the Staging Plan required by Clause 6 of this Schedule to the satisfaction of the Responsible Authority.”

Other relevant key provisions of the ACZ1 include:

- **Clause 3.0 (Table of Uses)** - this identifies the use of the land for a:
  - ‘dwelling’ as a Section 1 use
  - ‘office’ & ‘food and drink premises’ as a Section 1 use where it is ‘not located in sub-precinct 9A or 9B’ that said, the use of the land as an ‘office’ and ‘food and drink premises’ is a Section 2 use. This application requires a planning permit for the use of ‘office’ and ‘food and drink premises’.

- **Clause 4.3 (Buildings and Works)** - This does not exempt the construction of the building or the carrying out of works from requiring a permit. This application requires a planning permit for buildings and works under Clause 37.08-5.

- **Clause 4.4 (Building Height)** - This states that ‘a permit cannot be granted or amended to vary a mandatory maximum building height specified in the precinct provisions at Clause 5 of this Schedule’. This clause also specifies that the mandatory maximum building height does not apply to service equipment including plant rooms, lift overruns, solar collectors and other such equipment provided a number of tests (outlined at Clause 4.4) are met.

- **Clause 5.9-3 (Precinct Requirements)** - this identifies that a permit cannot be granted for use, development and/or subdivision of the whole or any part of Precinct 9 until a Transport Assessment and Management Plan and Integrated Transport Plan are prepared to the satisfaction of the responsible authority, Vic Roads and Public Transport Victoria. It also specifies that any permit granted in Precinct 9 must be consistent with the approved Transport Assessment and Management Plan and Integrated Transport Plan. These plans have been approved.

- **Clause 5.9-4 (Precinct Guidelines)** - As noted earlier, the proposal is subject to ‘Residential Front Interface (Racecourse) – Type 1’ along Thomas Street and the ‘Racecourse Interface – Type 1’ at the east of the precinct.
  
  The guideline specifies that for ‘Residential Front Interface (Racecourse) – Type 1’ that the following street setback guideline should be met:

  Minimum 3 metres to the street for buildings up to a height of 11 metres (3 storeys) from ground floor level. Building elements fronting the street above 11 metres (3 storeys) in height set back at an angle of 45 degrees (1:1) from the street wall up to the maximum building height in Table 1 at Clause 5.9-3.

  The guideline specifies that for ‘Racecourse Interface – Type 1’ that the following street setback guideline should be met:

  Minimum 5 metres to the street up to the maximum building height in Table 1 at Clause 5.9-3.

  For all other streets in precinct 9, the following setback applies:

  Minimum 5 metres to the street up to a height of 20 metres (6 storeys) from ground floor level. Building elements above 20 metres (6 storeys) set back 5 metres from the street wall up to the maximum building height in Table 1 at Clause 5.9-3.

  Clause 5.9-4 also outlines the following relevant guidelines:

  - Development should activate new and existing streets and encourage passive surveillance.
Built form should respond appropriately to sensitive interfaces in terms of scale, visual mass, overshadowing, and overlooking;

Where residential dwellings front public space at street level, the setback should be landscaped and articulated vertically and horizontally to create well designed public space;

Where retail uses front public space at street level, the setback may be used for outdoor seating and furniture;

Built form should be carefully designed to maintain reasonable levels of sunlight to public spaces at the September equinox.

Future development should be designed to carefully consider impacts on the amenity of other uses within the Precinct;

Car parking for residential development should be provided below ground level;

Encourage predominantly residential development within sub-precinct 9A & 9B;

Clause 5.9-4 (Precinct Guidelines) which recognises that ‘a new north-south street should be established along the eastern edge of the Precinct to create a connection between Dean Street and Thomas Street’. This road will be delivered in later stages as a singular contiguous element.

Clause 5.9-5 (Any other requirements) – this specifies that before any permit is granted for use, development, or subdivision, the land owner must enter into a Section 173 Agreement with the responsible authority to secure the provision of public open space, financial contributions for sporting facilities, and financial contributions for on and off site physical and community infrastructure. A Section 173 Agreement (AQ569425F – refer enclosed) addressing this requirement has been registered on the Certificate of Title.

Clause 6.0 (Application Requirements) – this identifies the application requirements and the information to support a permit application

Clause 7.0 (Notice and Review) – pursuant to the parent ACZ provisions at Clause 37.08-8 ‘an application under Clause 37.08-5 is exempt from the notice requirements of Section 52(1)(a), (b), and (d), the decision requirements of Section 64(1), (2), and (3) and the review rights of Section 82(1) of the Act unless the schedule to this zone specifies otherwise’. Clause 7 of the ACZ1 states that:

‘An application to construct a building or construct or carry out works is not exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act if it exceeds a preferred maximum building height in Clause 5 or exceeds the discretionary building heights within Table 2 of Clause 5.9-3 or does not meet other precinct requirements contained within Clause 5 of this schedule’

The proposal exceeds the preferred maximum or discretionary building heights and therefore this application is not afforded the exemption under this Clause.

See Figure 14 for relevant zoning plan.
Figure 11 - ACZ1 Precinct 9 Plan
4.3 Overlays

The Site is affected by Schedule 379 to the Heritage Overlay (HO379). No other overlays affect the Site. The Environmental Significance Overlay (Schedule 2) is located close to the Site at the location of two trees to the south.

4.3.1 Clause 43.01 - Heritage Overlay (Schedule 379)

The purposes of the HO379 are:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To conserve and enhance heritage places of natural or cultural significance.
- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.
- To conserve specifically identified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

Under the Heritage Overlay, a permit is required to ‘construct a building or construct or carry out works’.

HO379 is identified as the heritage place of the ‘Moonee Valley Racecourse’. The following provisions apply to the development of the Site:

<table>
<thead>
<tr>
<th>PS Map Ref</th>
<th>Heritage Place</th>
<th>External Paint Controls Apply?</th>
<th>Internal Alteration Controls Apply?</th>
<th>Tree Controls Apply?</th>
<th>Outbuildings or fences which are not exempt under Clause 43.01-2</th>
<th>Included on the Victorian Heritage Register under the Heritage Act 1999?</th>
<th>Prohibited uses may be permitted?</th>
<th>Name of Incorporated Plan under Clause 43.01-2</th>
<th>Aboriginal heritage place?</th>
</tr>
</thead>
<tbody>
<tr>
<td>HO379</td>
<td>Moonee Valley Racecourse</td>
<td>Yes</td>
<td>Yes - the Cape Chestnut (Grevillea) the Poppocono (Phalaenopsis) and the Eme (Ulmus sp) in proximity to the horse stalls and the trees within the front and rear gardens of the Club Secretary’s House</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Moonee Valley Racecourse Incorporated Plan - Conservation Policy and Permit Exemptions (April 2014)</td>
<td>No</td>
</tr>
</tbody>
</table>

Clause 43.01-3 provides that a permit is not required for anything done in accordance with an incorporated plan specified in the schedule to Clause 43.01. The Schedule to Clause 43.01 confirms that the Moonee Valley Racecourse Incorporated Plan – Conservation Policy and Permit Exemptions (April 2014) (Incorporated Plan) is an incorporated plan in respect of HO379.

Section 5.8 of the Incorporated Plan states that ‘it is policy to exempt the following buildings and works from a planning permit in accordance with Clause 43.01-2 of the Planning Scheme:

- Construct a building or fence, construct or display a sign provided that it is not less than:
  - 10 metres from the boundary fence surrounding the Club Secretary’s House.
  - 10 metres from the Main Tote Building.
  - 15 metres from the canopy edge of the significant trees within the horse stalls area.
  - 5 metres from the brick boundary fence or horse stalls.
- To construct or carry out works including landscaping, provided that it does not require the demolition, removal or alteration of a heritage asset of primary significance.
- For buildings and structures that are not heritage assets:
  - Complete or part demolition’

All proposed demolition and buildings and works are located in the north-east corner of the surplus MVRC land which is located at greater distance than those thresholds outlined above. Therefore no permit is required under Clause 43.01-2 for this application.

Please refer to Figure 13 for details on the location of each heritage asset within the Moonee Valley Racecourse.
FIGURE 1: MOONEE VALLEY RACECOURSE HERITAGE ASSETS

Heritage assets of Primary significance:
1. Club Secretary’s house (former), perimeter fence and garden
2. S.R. Burston Stand
3. Main Tote
4. Alister Clark Rose Garden and Manikato Memorial Garden
5. Horse stalls, saddling paddock/parade ground, perimeter brick fence and mature trees
6. Racetrack (shown in part)

Heritage assets of Secondary significance:
7. South Hill Stand
8. Former Cafeteria
9. Member’s Stand
10. Turnstiles

Figure 13 - Moonee Valley Incorporated Plan (excerpt) - Heritage Assets
4.3.2 Clause 42.01 - Environmental Significance Overlay (Schedule 2)

The purpose of Clause 42.01 is 'to identify areas where the development of land may be affected by environmental constraints' and 'to ensure that development is compatible with identified environmental values'.

Clause 42.01-2 states that a permit is required to construct a building or construct or carry out works, construct a fence, construct bicycle pathways and trails, subdivide land, and remove, destroy or lop any vegetation unless otherwise specified in the schedule to the overlay.

Two existing trees located south of the internal access road are located within the Environmental Significance Overlay (Schedule 2). The purpose of Schedule 2 is to 'preserve trees that have been identified as being significant', 'to minimise the impact of development on the health of trees that have been identified as being significant' and 'to maintain the respective values of trees identified as being significant, as per the Moonee Valley City Council Significant Tree Register 2017, listed in the attached table'.

The ESO2 extent is predicated on the TPZ of significant trees included in the table to Schedule 2. The Trees within the staging area includes T49 and T50 which are both Pinus Pinea or 'Stone Pines'. Their respective TPZ areas are 12.6m and 11.88m in radius. Minor landscaping works are proposed within the extent of the TPZ and as such a permit is required for the application under Clause 42.01-2 of the Environmental Significance Overlay.

Refer to Figure 16 and 17 for relevant Overlay details.
Figure 14 – Overlay Plan

Overlay Plan (ESO, DDO, EMO)
MV/RC Hamilton
4.4 Particular Provisions

4.4.1 Clause 52.06 - Car Parking

Clause 52.06 seeks to ‘ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land, and the nature of the locality’.

Clause 52.06 applies to ‘a new use’. Before this use commences, ‘the number of car parking spaces required under Clause 52.06-5 must be provided to the satisfaction of the responsible authority’.

Pursuant to Clause 52.06-5, Column B of Table 1 applies if ‘any part of the land is identified as being within the Principal Public Transport Network Area Maps’. As the Site falls within the PPTN area it therefore adopts Column B car parking rates (refer to Figure 18).

Under Clause 52.06-5, the proposed use of the land generates the following parking demands:

<table>
<thead>
<tr>
<th>Use</th>
<th>Rate</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling</td>
<td>One space for each one or two bedroom dwellings; plus Two spaces for each three or more bedroom dwellings (with studies or studios that are separate rooms counted as a bedroom). No spaces for visitors.</td>
<td>348 parking spaces (90 x one bedroom, 190 x two bedroom, and 34 three+ bedroom dwellings).</td>
</tr>
<tr>
<td>Office</td>
<td>3 spaces to each 100sqm of leasable floor area.</td>
<td>37 spaces (1,224.9sqm)</td>
</tr>
<tr>
<td>Food and Drink</td>
<td>3.5 spaces to each 100sqm of leasable floor area.</td>
<td>4 spaces (136.9sqm)</td>
</tr>
</tbody>
</table>

As discussed in the enclosed traffic report, the development produces a demand for 389 parking spaces. As the proposal provides for 396 parking spaces, a surplus of car parking is provided.

As a surplus of car parking is provided, no permit is required under the provisions of Clause 52.06.

4.4.2 Clause 52.34 - Bicycle Facilities

Pursuant to Clause 52.34-1 ‘a new use must not commence until the required bicycle facilities and associated signage has been provided on the land’.

The following requirements are generated as part of the proposal pursuant to Clause 52.34-5:

<table>
<thead>
<tr>
<th>Use</th>
<th>Employee/Resident Space Requirement</th>
<th>Shopper/Visitor Space Requirement</th>
<th>Total Bicycle Parking Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling</td>
<td>In developments of four or more storeys, 1 to each 5 dwellings</td>
<td>In developments of four or more storeys, 1 to each 10 dwellings</td>
<td>94 spaces (63 Resident &amp; 31 Visitor)</td>
</tr>
<tr>
<td>Office</td>
<td>1 to each 300sqm of net floor area if the net floor area exceeds 1000sqm.</td>
<td>1 to each 1000 sqm of net floor area if the net floor area exceeds 1000 sqm</td>
<td>5 spaces (4 Employee &amp; 1 Visitor/Shopper)</td>
</tr>
<tr>
<td>Food and drink premises (as under Retail Premises)</td>
<td>1 to each 300sqm of leasable floor area.</td>
<td>1 to each 500sqm of leasable floor area.</td>
<td>0 Spaces</td>
</tr>
</tbody>
</table>

As discussed in the enclosed traffic report, the development produces a demand for 99 bicycle parking spaces. The proposal provides for 356 parking spaces.

An additional change room and shower has been provided as 11 bicycle parking spaces are required. This meets the requirement of Clause 52.34.

As a surplus of bicycle parking is provided, no permit is required under the provisions of Clause 52.06.

4.4.3 Clause 58 – Apartment Developments

The purpose of Clause 58 is:

- To encourage apartment development that provides reasonable standards of amenity for existing and new residents.
- To encourage apartment development that is responsive to the street and surrounding area.

Under Clause 58, a development:

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

Please refer to Appendix A of this report for a full assessment of the proposal against the provisions of Clause 58.
4.5 Other Planning Considerations

4.5.1 Plan Melbourne 2017-2050

Plan Melbourne 2017-2050 is a long-term plan designed to guide the state and its regions in response to current and future local challenges and opportunities. It identifies the subject Site as being located in the eastern-most portion (i.e. closest to the CBD) of the Western Metropolitan sub-region.

Plan Melbourne designates the Moonee Ponds centre as a Major Activity Centre.

Refer to Figure 16 below.

Plan Melbourne seeks to deliver a more compact and higher density form of residential development that is appropriately located within a close proximity to established services and infrastructure inclusive of the metropolitan public transport network. These areas are commonly Major Activity Centre locations such as the Moonee Ponds centre.

![Map 14: Metropolitan and major activity centres](image)

**Map 14**

**Metropolitan and major activity centres**

- Central city
- Metropolitan activity centre
- Metropolitan activity centre — future
- Major activity centre
- Major activity centre — future

Figure 16 - Excerpt of Plan Melbourne Activity Centre Plan [Map 14]

4.5.2 Moonee Valley Racecourse Incorporated Plan

The Moonee Valley Racecourse Incorporated Plan seeks to:

- ‘To conserve the significance of the MVR as an example of a major metropolitan racecourse.
- To conserve and enhance the buildings and features, which demonstrate key phases in the historic development of the MVR.
- To ensure that the story of the MVR and its heritage significance is communicated effectively to the wider community.’
The proposal is not located in close proximity to any heritage asset identified in the Incorporated Plan.

As per Section 5.8 of the Incorporated plan:

- Under Clause 43.01-2 of the Planning Scheme, no planning permit is required for the following buildings and works:
  - Construct a building or fence, construct or display a sign provided that it is not less than:
    - 10 metres from the boundary fence surrounding the Club Secretary’s House.
    - 10 metres from the Main Tote Building.
    - 15 metres from the canopy edge of the significance trees within the horse stalls area.
    - 5 metres from the brick boundary fence or horse stalls structures.
  - To construct or carry out works including landscaping, provided that it does not require the demolition, removal or alteration of a heritage asset of primary significance.
- For buildings or structures that are not heritage assets:
  - Complete or part demolition.
  - Alterations or additions to, or repairs or routine maintenance that would change the appearance of that building.
  - Externally painting a previously unpainted surface.

As acknowledged in Section 4.3.1 of this report the proposal does not require a planning permit under the Heritage Overlay (Schedule 379).

4.5.3 Moonee Ponds Activity Centre Structure Plan 2010

The Moonee Ponds Activity Centre Structure Plan 2010 outlines the key vision and framework for the ongoing development of the centre. The Site is located within the eastern extent of the activity centre, otherwise known as Precinct J – Racecourse. Refer to Figure 17 below.

![Moonee Ponds Structure Plan](image)

**Figure 19 – Moonee Ponds Structure Plan**

Within the structure plan, Precinct J is largely outlined as an ‘area subject to master planning exercise’ and remains largely vacant of specific details. Despite this, several key initiatives are outlined for the precinct which generally seeks to encourage the ongoing operations of the Racecourse and the future master planning process:

- ‘Support and recognise the MVRC’s role as an integral part of the municipality generating major economic, social and tourist activity for the activity centre, Municipality and the State"
Provide ongoing support for the operation of the MVRC, the racecourse and its associated function and entertainment facilities.

Recognise the need for the MVRC to change and adapt to community and market needs - to support the primary activity of racing, and a range of other uses compatible with the racecourse uses.

Support the modernisation of the complex with associated mixed development to underpin the function and entertainment facilities.

Encourage the orderly planning and development of these facilities. Any redevelopment would be subject to a separate comprehensive planning process and would involve a series of urban design and development guidelines for the potential future development of part of, or the entire Racecourse site.

Several general urban design guidelines are also provided to guide the future master planning process of the MVRC:

- ‘Ensure appropriate setbacks of upper levels of development from existing residential development’
- ‘Consider the location and type of access to the site.’
- ‘Consider the interface with adjoining zones.’
5 PLANNING ASSESSMENT

5.1 Overview
This planning permit application raises the following key planning questions:

- Is the proposed use consistent with relevant planning policies?
- Is the design response consistent with the relevant provisions of the ACZ1?
- Is the proposal consistent with the Moonee Ponds Activity Centre (MPAC) Structure Plan?
- Does the planning permit application create any unreasonable amenity impacts?
- Does the planning permit application provide adequate traffic, parking, and waste management arrangements?
- Does the application provide an appropriate level of internal amenity?
- Does the application provide for appropriate environmentally sustainable design and stormwater outcomes?

5.2 Is the proposed use consistent with relevant planning policies?
It is respectfully submitted that the proposal is consistent with the various policy provisions contained in the Moonee Valley Planning Scheme, including Plan Melbourne, and the PPF and having regard to both the land use zoning and overlay provisions that affect the Site and the relevant particular provisions.

More specifically, it is noted that:

- The use of land for ‘dwelling’ is a Section 1 use within the ACZ1 and does not require a permit. Residential use is clearly encouraged within this area of the Moonee Ponds Activity Centre and it is noted that well-designed and diverse housing options is a key objective of Precinct 9.

- The use of land for an ‘office’ and ‘food and drink premises’ requires a permit under the ACZ1 where located in sub-precinct 9A or 9B. These uses are afforded as-of-right (no permit required) in all other sub-precincts of Precinct 9 with the exception of sub-precinct C. This purposefully drafted use provision reflects the key objective of Precinct 9, which is to encourage residential, retail, commercial, and employment opportunities that will enhance the role of the Moonee Ponds Activity centre and the racecourse.

The proposal to incorporate small areas of ‘office’ and ‘food and drink premises’ in this otherwise predominantly residential development is considered to be consistent with the overarching objective of development in Precinct 9 and conducive to being co-located with residential development. As such, it is considered appropriate under the ACZ1 to use the land for small elements of ‘office’ and ‘food and drink premises’. They also encourage active frontages which will add vitality and people movement at the street edge which is an important urban design outcome.

- The development is afforded an exemption from requiring a permit under the Heritage Overlay (Clause 43.01-2) as outlined in the Moonee Valley Racecourse Incorporated Plan. In this regard the Heritage Overlay is not considered to be relevant to the application.
The development seeks to retain the two Stone Pines (Pinus Pinea) and undertake minor landscaping works in the area located in the Environmental Significance Overlay (Schedule 2) and therefore requires a permit under this provision. The nature of the works are minor in nature and not anticipated to impact the health of the trees as the level of encroachment constitutes less than 10% of each trees TPZ area. In this regard it is considered to be entirely consistent with the intention of the overlay in minimising vegetation loss.

The proposed scale and use of the development will deliver a diverse range of residential dwellings to the Moonee Ponds activity centre which is well serviced by transport, commercial, retail, entertainment, recreational, and cultural uses. It represents a location that is encouraged for high-density residential development and is consistent with Clause 11.03, Clause 16, and Clause 18 which seek to encourage residential intensification in well-serviced, walkable, activity centre locations. The proposal is consistent with Clause 21.05 and Clause 21.07 for the same reasons.

The smaller provisions of ‘office’ and ‘food and drink premises’ will integrate well with future commercial and retail included in later stages of the redevelopment and provide small-scale employment opportunities opposite the prominent Stone Pine Square public open space early in the life of the broader development. In this regard, it satisfies the objectives of activity centre consolidation under Clause 11.03 and contributes to the notion of 20 minute cities as per Plan Melbourne and Clause 15.01-2S.

The use provides for a substantial amount of bicycle parking in a location close to substantial pedestrian and cycling infrastructure and public transport. It is consistent with the objectives of Clause 18 and Clause 21.09 in encouraging safe and sustainable transport modes.

The proposal represents a well designed contemporary architectural response that appropriately addresses its physical context and provides for a visually interesting and engaged built-form and streetscape. It will positively contribute to the previous stages of development within the MVRC and deliver a form and use compatible with future stages of development. In this regard, the proposal represents a high-quality architectural and urban design outcome as encouraged under Clause 15.01 and Clause 21.06.

5.3 Is the proposal’s design response consistent with the relevant provisions of the ACZ1?

The proposal represents a high quality architectural design that will integrate well with previous and future stages of MVRC redevelopment. RotheLowman have developed a scheme that provides for a high level of articulation and visual interest when viewed from various perspectives both internally and externally of the MVRC redevelopment.

Specific built-form is envisaged through the provisions of the ACZ1. These are addressed in turn below.

5.3.1 Clause 5.9-3 - Transport

Transport Assessment and Management Plan and Integrated Transport Plan

The Integrated Transport Plan envisages Kenna Street as a public access street between McPherson Street and the new north-south connector street which connects Thomas Street and Dean Street.

The ITP envisages the delivery of Kenna Street within a 16m road reserve with a carriageway width of 10.6m. It is to carry two-way traffic and have on-street parking and pedestrian facilities on either side of the road. Bicycle facilities are to be shared on-road. It also envisages Kenna Street providing direct vehicle access to the subject Site and the Site to the south.

It is acknowledged that the interim Kenna Street is a minor deviation from that envisaged in the ITP. Kenna Street is proposed as a private single-lane road 6m in width that will ultimately connect from the public section of Kenna Street to the west and the north-south connector to the east.

The ultimate layout of the road will deliver Kenna Street within a 16 metre wide reserve and connect through to the north-south road at the east of the precinct as envisaged in the ITP.

To this effect the interim solution is not considered unreasonable whilst the rest of the precinct develops. At the time that the north-south road at the east of the precinct is delivered Kenna Street will be upgraded and connected through.
5.3.2 Clause 5.9-3 - Building Height

Pursuant to the ACZ1 Precinct 9A and 9B have varied height controls:

- 9A entails a mandatory maximum of 20m.
- 9B entails a preferred maximum building height of 32m.

The section of the proposal that is located within the extent of precinct 9A remains below the mandatory 20m maximum. Clause 4.4 of the ACZ1 states that the mandatory maximum height does not apply to service equipment provided it meets the specific criteria. These are outlined and assessed below:

The building within the extent of precinct 9B reaches a maximum height of 44m. Despite being taller than the preferred maximum building height of 32m by 6m to 12m, this is considered to be appropriate as:

- The objectives of Precinct 9 explicitly envisage taller and more intensive built form at the east of the precinct adjacent to the racecourse to provide for an appropriate transition in height between the established residential areas to the north, south, and west.
- The preferred maximum building heights of Precinct 9D and 9F (immediately due south) are 50m and 62m respectively. The proposal is a maximum height of 44m above NGL and as such will provide an appropriate visual transition between the established residential areas and the Thomas Street apartments to the north and the taller built form envisaged further south.
- The massing of the building ensures that it does not result in any unreasonable degree of overshadowing of any key elements of Precinct 9.

The proposed height of the building at 12 storeys reflects the evolving character of the Moonee Ponds major activity centre which recently has seen approvals for a 20 storey building (Focus - 55 Homer Street), a 14 storey building (687 Mount Alexander Road) and a number of 10 storey buildings and lower. These more intense built forms are provided in and around the Moonee Ponds Train Station and fulfils its role as a major transit oriented activity centre that consists of a vibrant mix of uses. The Racecourse is an extension to this activity centre and provides a unique opportunity to provide more intensive built forms at distance from sensitive interfaces.

The proposed additional height above the preferred height of 32m is not clearly visible from the north side of Thomas Street as the street wall and design limits direct views. Importantly, the building transitions lower in height at the Thomas Street interface and places the higher parts of the building central to the MVRC site.

In this regard, the height is appropriate with regards to the design outcomes sought by the ACZ1.

5.3.3 Clause 5.9-4 - Street Setbacks

The permit area is subject to the ‘Residential Front Interface (Racecourse) – Type 1’ at the Thomas Street interface and the ‘Racecourse Interface – Type 1’ at the east of the precinct. Clause 4.4 of the ACZ1 states that for all other streets not identified in Clause 5 of the ACZ1 walls should provide for 0m setback for the first 11m in height and should be setback above the 11m podium.

Residential Front Interface (Racecourse) – Type 1

The setback at the Thomas Street interface is generally in accordance with the requirements of the Residential Front Interface (Racecourse) – Type 1 as the built form is:

- Setback from the title boundary by three metres up to 11m above NGL;
- Upper levels are setback at a 45 degree angle from the streetwall up to the 20m maximum height limit.

See Figure 17 which demonstrates this setback arrangement.

In this regard the proposal satisfies this setback requirement.
Racecourse Interface – Type 1

The setback at the eastern interface accords with the requirements of the Racecourse Interface – Type 1 as the built form is setback by a minimum of 5 metres from the future boundary of the north-south road.

The interface provides for a high level of activation through the placement of commercial land uses and bicycle repair station and associated access on Lower Ground Level. Levels above continue this engagement with a variety of balconies and windows which directly overlook the environment below and out.

See Figure 19, Figure 20, Figure 21 and Figure 22 which demonstrate this arrangement.
Clause 5.9-4 states that ‘balconies may project into the setback area, providing design excellence is demonstrated’.

The eastern elevation includes several balconies that project 2.8m into the 5m setback at various locations. The building at this interface experiences several changes in height as it extends deeper into the Site where the mass is concentrated.

The principal areas of balcony projections occur at levels 1, 2, 4, 5, 9, 10, and 11 with recessed elements dominating levels 3, 6, 7, and 8 in between projections. The building reduces in massing through increased setbacks from the northern title boundary at level 3, 5 and 9.

The overall balcony response provides for a sense of depth and articulation by balancing the projecting balconies with recessed balconies and by cantilevering several balconies towards Kenna Street at the south. An additional relief is provided at level 3 and partially at levels 6-8 to assist in breaking up the massing of the projecting balconies.

See Figure 22 which demonstrates the third storey element and Figure 23 which demonstrates the massing of balconies and their siting on the façade.
Vertical elements that project to the edge of the line established by the balconies provide visual links between storeys and serve to divide private balconies. These elements further add to the overall depth.
and verticality of the eastern façade. The projections further help the legibility of the building by distinguishing its residential purpose by clearly identifying balconies.

This response provides visual cues to the broader architectural language of the Thomas Street apartment proposal by providing for a high degree of 'movement' to the façade. See Figure 245 which illustrates the previous architectural language of projections, recesses, and varying horizontal siting of balconies.

Figure 24 - Thomas Street Apartment northern façade

For these reasons the design response is considered to be appropriate.

5.3.4 Clause 5.9-4 – Use

The development predominantly consists of residential use. It provides for small office spaces and a small café to provide employment opportunities early on in the life of the broader development.

This is considered to be consistent with the provisions of the broader ACZ1.

5.3.5 Clause 5.9-4 – Transport/Movement

**Kenna Street Extension**

The proposal provides for the ultimate Kenna Street extension to connect to the north-south connector road at the east of the precinct. This road is not anticipated to be developed until the MVRC grandstand is demolished.

At the time of delivery of the north-south road at the east of the precinct Kenna Street will be upgraded and connected as envisaged in the ITP.

GTA in their assessment report have supported the design of the interim driveway arrangement. They recommend that the design of the ultimate roadway be a requirement of permit condition.

In this regard, this arrangement is proposed appropriate.

5.3.6 Clause 5.9-4 – Open Space

The broader redevelopment will deliver public open space in accordance with the requirements of Clause 5.9-4.

This proposal will assist in the first stage of delivery for the minor public open space between Stage B and future stages through the 'Stone Pine Square' concept included in the landscape package prepared by Tract Consultants and enclosed with this application.

See Figure 256 below.
In this sense the proposal is consistent with the open space requirements at Clause 5.9-4 in that the future public open space will:

- Contribute to the diversity of recreation and leisure options to the future community;
- Receive good sunlight;
- Is accessible to the wider population; and
- Accommodates thoroughfares between the broader area and the Racecourse.

5.3.7 Summary

As discussed above the proposal is consistent with what is envisaged in the ACZ1. In this regard it is consistent with the Precinct 9 objectives in that:

- The proposal provides for attractive high-density residential development that will enhance the role and function of the Moonee Ponds Activity Centre and Racecourse.
- The design response provides for a pedestrian network that provides for permeability across the current stages of development and enables it to be integrated with future stages of development.
- The design of the building and siting of open space, fenestrations, and balconies will provide for a high degree of passive surveillance of the public realm.
- The ‘Stone Pine Square’ will provide a vibrant and flexible open space for the community and will contribute to the delivery of public open space.
- The taller built-form is appropriately located central to the broader precinct at an appropriate distance from more sensitive interfaces (i.e Thomas Street). The development will provide for an appropriate transition of height.
- The proposal provides a large amount of bicycle parking to encourage sustainable modes of transport.
- A diversity of dwelling type will complement the existing activity centre provision.

5.4 Is the proposal consistent with the Moonee Ponds Activity Centre (MPAC) Structure Plan?

As discussed in Section 4.5.3 of this report the Site, along with the broader Racecourse is located within Precinct J and is identified as ‘an area subject to master planning exercise’.

The structure plan was prepared prior to the ACZ1 being implemented for the activity centre. The intention was that the structure plan would underpin and inform the ACZ1 provisions. At the time of this occurring the Moonee Valley Racecourse was not contemplated for redevelopment.

Shortly after the structure plan was prepared the Moonee Valley Racing Club explored redevelopment of the land to allow for a realigned race track with a longer finishing straight and new grandstand. To assist in advancing the redevelopment of the substantial inner-city land holding the Minister for Planning appointed an Advisory Committee to provide advice to the Moonee Valley City Council and himself on the best outcomes for the site from both a development perspective and a heritage perspective.
The Advisory Committee determined that the surplus land in the western part of the site be included in a revised schedule to the Activity Centre Zone, the area with the realigned racetrack and relocated grandstand be retained in a revised Special Use Zone, and the surplus land to the north-east be included within a Mixed Use Zone.

The Advisory Committee also recommended heritage controls be placed over certain features within the racecourse land.

The ACZ1 was applied to the Moonee Ponds Activity Centre in 2015 under Amendment C100. The ACZ1 applied the key elements of the MPACSP, as well as the outcomes of the master planning and Advisory Committee process for the Moonee Valley Racecourse.

Whilst the MPACSP does not contain detailed guidelines and requirements for the Moonee Valley Racecourse, these were resolved through a separate comprehensive process that allowed the ACZ1 to be finalised and gazetted.

This application has been considered against the relevant guidelines and requirements of the ACZ1 (refer to Section 5.3 of this report) and has been found to be entirely consistent with them.

5.5 Does the planning permit application create any unreasonable amenity impacts?

The proposal is located a sufficient distance from existing dwellings to not produce any unreasonable amenity impacts. It is acknowledged that two previous stages of the MVRC redevelopment have been approved. These will be discussed below.

5.5.1 McPherson Street Townhouses

The proposal is located approximately 12.8m east of the closest built-form edge of the McPherson Street Townhouses. This 12.8m setback only relates to a single townhouse, the balance townhouses being located approximately 15.65m or more from the proposal.

The proposal interfaces with the townhouses through a built-form that is characterised through residential balconies or habitable room windows across all levels.

This interface and the setback between built-form results in an appropriate outcome as:

- The 12.8m to 15.65m and beyond setback to dwellings provides appropriate built form separation typical in more intensive major activity centre locations such as that in the Moonee Ponds Activity Centre where many streets are 15m or less (Hall Street, Homer Street, and Shuter Street).
- The setback provides for no unreasonable overlooking opportunities due to being in excess of the 9m prescribed through Clause 55.
- The setback provides for generous access to direct daylight over the course of a typical day. The shared pedestrian pathway separating the developments serves as a generously sized light-court;
- Visual bulk impacts are not considered unreasonable as the setback is typical or greater than separations used in major activity centre development.
- There is limited overshadowing between the proposal and the McPherson Street townhouses which only occurs between 9am and 10am.

In this regard the proposals response to the McPherson Street townhouses is considered to be appropriate and does not produce any unreasonable amenity impacts.

5.5.2 Thomas Street Apartment

The proposal has a northern and western interface with the Thomas Street apartment development.

Northern

The development is setback by 22.8m to the closest edge of the proposed Thomas Street building. This interface is characterised through residential balconies or habitable room windows across all levels except for ground which consists of a series of office spaces and communal amenities.

The proposed Thomas Street apartment is located north of the proposed building which ensures adequate solar access.

The southern interface is considered to be an appropriate amenity outcome as:
- The 22.8m setback between buildings provides appropriate separation commensurate with the width of typical arterial roads within the Moonee Ponds Activity Centre and greater than the 15 metre tower separation established in other developments.
- The setback is sufficient to allow for daylight access to the lowest levels of the building and is greater than typical light courts in activity centre development.
- No unreasonable overlooking opportunities are created between the proposals.
- Visual bulk impacts are not considered unreasonable as the 22.8m setback provides for a generous separation when compared to many major activity centre redevelopments.

Western

The proposal is setback by 6m at ground-floor and 10m on upper levels. This part of the building is formed as a five-storey residential interface.

The western interface is considered to be an appropriate amenity outcome as:

- The 6m separation at ground-floor relates to built-form that is oriented to the north or south. No dwellings proposed in this application or in the Thomas Street application have windows or outlook to the shared driveway between buildings.
- The 10m separation on upper levels is considered to be appropriate as it provides for sufficient setback to prevent overlooking issues and provides for a sufficiently sized light court between buildings.
- Visual bulk impacts are not considered unreasonable as both apartments are oriented to the north or south where built form is setback greater than 10m.

5.5.3 Public Realm Amenity

Amenity impacts on the public realm is measured in terms of solar access and visual bulk.

Public spaces adjacent to the proposal pertains to the north-south oriented pedestrian path to the west of the building that given it's orientation will receive sufficient solar access throughout the course of a day. It will be overshadowed only in early morning hours.

The 'Stone Pine Square' proposed to be delivered further south of the building will be provided with appropriate solar access given the approximately 40m separation between building and public open space.

The communal terrace between the proposal and the Thomas Street apartment proposal will receive appropriate solar access due to the lower height of the Thomas Street apartment.

Visual bulk as measured from these public open spaces is that typical of major activity centre development and open spaces. It is considered that the visual bulk impact on these spaces will not be unreasonable and it is further considered that the benefits of the public open space to be delivered by the redevelopment outweigh the negligible visual bulk impacts. Shadow diagrams indicate the extent of shadowing into the planned Stone Pine Park is not unreasonable.

5.6 Does the application provide an appropriate level of internal amenity?

The proposal provides for a total of 314 generously sized apartments ranging in size from one to four bedrooms.

Each apartment is equipped with a large bedroom, open spaced kitchen, living, and dining areas with a large balcony accessed immediately from within alongside ancillary spaces for bathrooms, laundry, circulation, and storage areas.

As per the Clause 58 assessment enclosed at Appendix A of this report, it is clear that each apartment generally exceeds the Better Apartment Design Standards by a generous margin.

More specifically it is noted that:

- 73.9% of the apartments meet or exceed the accessibility standard at Clause 58.05-1 representing a high degree of accessibility for those of lower mobility;
- All entry corridors provide a sense of transition and a source of natural light and ventilation;
- All dwellings are provided with generous balconies that exceed the minimum requirements of Clause 58.05-3;
All dwellings are provided with internal and external storage in excess of the minimum requirements of Clause 58.05-3;

All dwellings contain oversized bedrooms and living areas with regard to the minimum requirements of Clause 58.07-1;

Only five apartments (Type 2I, 3G, and Duplex D, E and F) require minor variations to the room depth standard at Clause 58.07-2. Both apartments otherwise satisfy the balance of internal amenity tests of Clause 58.07;

All habitable room windows have a window to the external wall of the building with the exception of 22 apartments which are provided with a compliant secondary area providing natural light.

The proposed dwellings are considered to provide for excellent internal amenity for future residents.

5.7 Does the planning permit application provide adequate traffic and access, parking, and waste management arrangements?

5.7.1 Traffic and access

The proposal seeks to utilise access proposed in the Thomas Street apartment development located to the north of this proposal. This access provides for a direct connection to Thomas Street to the north of the Site via a double-width crossover.

On this access arrangement, GTA have concluded that it is appropriate as:

Ultimately, it is proposed for Kenna Street to be extended as a public local access street, from east of the McPherson Street Townhouses boundary to the future north-south connector street. However, under interim conditions (i.e. until the north-south connector street is delivered) it is proposed for this Kenna Street extension to operate as a private road extension from east of McPherson Street Townhouses. This interim private accessway will operate as a two-way accessway, to allow vehicles to drop-off / pick-up at the B1 & B2 front entrance (or any potential emergency vehicle access or deliveries) and exit again back to McPherson Street. The proposed interim private road is intended to function as a low-speed pedestrian and cyclist friendly environment.

A separate indicative ‘red-line’ overlay plan has been prepared to indicate the intended ultimate alignment and cross section of the public 16m local access street. The preliminary design and alignment of this ultimate street section is considered to be acceptable and generally consistent with that outlined in the ITP, noting the constraints associated with avoiding the TPZ. It is expected that the detail of the design can be provided via the preparation of a functional design plan as a condition of permit, once the north-south road is constructed and this ultimate Kenna Street extension can be completed.

GTA have reviewed the basement and access layout and have concluded that:

The proposed parking layout and vehicle access arrangements are consistent with the dimensional requirements as set out in the Moonee Valley Planning Scheme and/or Australian/New Zealand Standards for Off Street Car Parking (AS/NZS2890.1:2004 and AS/NZS2890.6:2009).

In this respect the proposal represents an appropriate traffic and access arrangement.

5.7.2 Car Parking

As noted in Section 4 of this report the proposal generates a statutory parking requirement for 388 spaces.

The proposal provides for a total of 456 spaces which is considered acceptable under Clause 52.06 as no permit is required.

As noted above, car parking has been provided in a manner consistent with the design standards of Clause 52.06-9.

In this regard the provision of car parking is deemed appropriate.

5.7.3 Bicycle Parking

As noted in Section 4 of this report the proposal generates a statutory parking requirement for 99 bicycle parking spaces and one change/shower facility.

The proposal provides for a total of 356 bicycle parking spaces and one change/shower facility which is considered appropriate under Clause 52.34 as no permit is required.
GTA have reviewed the bicycle parking provision and concluded the amount supplied is acceptable and in a manner consistent with Clause 52.34:

'It is proposed to provide bicycle parking well above the statutory requirements, with a total of 356 spaces provided across the site. These are primarily stored securely in the basement for resident/employee use, with 32 visitor spaces spread out along the proposed private road frontage. This provision is considered appropriate to encourage cycling as a mode of transport to/from the development.

It is noted that the total provision of 356 spaces, 106 are provided as a horizontal at-grade parking system which equates to 30% and satisfies the Australian Standard requirement of at least 20%.

In this regard, bicycle parking and facilities are considered appropriate.

5.7.4 Waste

Leigh Design has prepared a Waste Management Plan to accompany the development.

The plan outlines the number of bins to be provided for the use, the estimated waste generation rates, and outlines collection frequency. It notes that:

- Sufficient space has been provided for on-site bin storage;
- Residents and tenants will dispose of waste through dedicated waste chutes available on each level.
- Commercial tenants will dispose of waste into designated collection bins located within the central bin storage.
- Collection will occur three times weekly either via municipal waste services or a private contractor.
- Collection will occur from within the on-site loading bay located in the first basement level.
- Waste collection will be undertaken via best practice methods and will reduce amenity impacts generated by waste storage and collection.

In this regard, the plan demonstrates that waste can be appropriately managed within the development and is therefore considered to be appropriate.

GTA have reviewed the load bay arrangement and conclude:

A loading/waste collection area has been provided in the basement capable of catering for an 8.8m MRV for residential move-in/move-out loading requirements and waste collection.

5.8 Does the application provide for appropriate environmentally sustainable design and stormwater outcomes?

ARK Resources has prepared a sustainability management plan for the development to ensure it achieves best practice environmental and stormwater outcomes.

Key initiatives of the proposal include:

- Integrated landscape areas;
- Rooftop solar photovoltaic system;
- High performance glazing and energy efficient building services, appliances, and fixtures; and
- Environmentally preferable internal finishes.

ARK have concluded that the development:

- Exceeds the standard of building envelope energy efficiency as required by the Building Code of Australia;
- The development meets all the standards of the BESS sustainability assessment tool; and

It is respectfully submitted that the proposal represents an appropriate environmentally sustainable design and stormwater outcome.

It is noted that a site-wide stormwater management strategy has been prepared and is being assessed by Council in relation to the overall racecourse redevelopment.
CONCLUSION

This planning report has been prepared to support a planning application for buildings and works associated with multiple dwellings on a lot, use of land for an office and food and drink premises.

The proposal represents the third stage of the broader MVRC redevelopment and continues the high quality architectural, urban design, and landscape response underpinning the overall precinct. It provides for a diverse range of generously sized dwellings in a well-serviced, activity centre location. It appropriately interfaces with previous and future stages of redevelopment.

Technical considerations have been fully addressed in this proposal. Comprehensive supporting documentation has been enclosed with this application.

The proposed buildings provide the opportunity to introduce higher density residential into the MVRC land and to initiate early delivery of high amenity parkland to service the early residents of this project inclusive of eight affordable housing dwellings.

The proposal will positively contribute to the broader Moonee Ponds Activity Centre and the Moonee Valley municipality as a whole.
APPENDIX 1 – CLAUSE 58 ASSESSMENT

6.1 CLAUSE 58.02 - URBAN CONTEXT

<table>
<thead>
<tr>
<th>CLAUSE 58.02-1 - URBAN CONTEXT OBJECTIVES</th>
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<tbody>
<tr>
<td>Objectives</td>
</tr>
<tr>
<td>To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area.</td>
</tr>
<tr>
<td>To ensure that development responds to the features of the site and the surrounding area.</td>
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<tr>
<td>Achieved</td>
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<tr>
<td>The design response must be appropriate to the urban context and the site.</td>
</tr>
<tr>
<td>The proposed design must respect the existing or preferred urban context and respond to the features of the site.</td>
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<tr>
<td>Complies with the standard</td>
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CLAUSE 58.02-1 - URBAN CONTEXT OBJECTIVES ASSESSMENT

Please refer to Section 5 of the Planning Report for an assessment of the proposal with regard to the prevailing urban context.
### CLAUSE 58.02-2 - RESIDENTIAL POLICY OBJECTIVES

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.</td>
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<tr>
<td>To support higher density residential development where development can take advantage of public and community infrastructure and services.</td>
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<thead>
<tr>
<th>Standard D2</th>
<th>Complies with the standard</th>
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<tbody>
<tr>
<td>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.</td>
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</table>

### CLAUSE 58.02-2 - RESIDENTIAL POLICY ASSESSMENT

Please refer to Section 5 of the Planning Report for an assessment of the proposal with regard to the prevailing residential policy context.

### CLAUSE 58.02-3 - DWELLING DIVERSITY

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Achieved</th>
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<tbody>
<tr>
<td>To encourage a range of dwelling sizes and types in developments of ten or more dwellings</td>
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<tr>
<th>Standard D3</th>
<th>Complies with the standard</th>
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<tbody>
<tr>
<td>Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.</td>
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</table>

### CLAUSE 58.02-3 - DWELLING DIVERSITY ASSESSMENT

The proposal provides for a range of one, two, three, and four bedroom dwellings.
### CLAUSE 58.02-4 - INFRASTRUCTURE

#### Objectives

- To ensure development is provided with appropriate utility services and infrastructure.  
- To ensure development does not unreasonably overload the capacity of utility services and infrastructure.  

#### Standard D4

- Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.  
- Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.  
- In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.  

#### Achieved

Complies with the standard

### CLAUSE 58.02-4 - INFRASTRUCTURE ASSESSMENT

The proposal is located in close proximity to a major activity centre that is appropriate serviced by infrastructure.

### CLAUSE 58.02-5 - INTEGRATION WITH THE STREET

#### Objectives

- To integrate the layout of development with the street.  

#### Standard D5

- Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.  
- Development should be oriented to front existing and proposed streets.  
- High fencing in front of dwellings should be avoided if practicable.  
- Development next to existing public open space should be laid out to complement the open space.  

#### Achieved

Complies with the standard

### CLAUSE 58.02-5 - INTEGRATION WITH THE STREET ASSESSMENT

The proposal is part of the broader redevelopment of the Moonee Valley Racecourse precinct which is underpinned by a Transport Assessment and Management Plan and Integrated Transport Plan. These plans provide for a highly permeable network of vehicle and pedestrian links which the proposal is generally in accordance with.  

Development is oriented to the Kenna Street extension to the south and avoids inactive frontages.  

A publicly accessible private open space is proposed to the south of the proposal. The design of the building has maximised passive surveillance to the south and is considered to complement the space.
### 6.2 CLAUSE 58.03 – SITE LAYOUT

#### CLAUSE 58.03-1 - ENERGY EFFICIENCY

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Achieved</th>
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<tbody>
<tr>
<td>To achieve and protect energy efficient dwellings and buildings.</td>
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<tr>
<td>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.</td>
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<tr>
<td>To ensure dwellings achieve adequate thermal efficiency.</td>
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<table>
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<tr>
<th>Standard D6</th>
<th>Complies with the standard</th>
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<tr>
<td>Buildings should be:</td>
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<tr>
<td>- Oriented to make appropriate use of solar energy.</td>
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<tr>
<td>- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.</td>
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<tr>
<td>Living areas and private open space should be located on the north side of the development, if practicable.</td>
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<tr>
<td>Developments should be designed so that solar access to north-facing windows is optimised.</td>
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<tr>
<td>Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the following table.</td>
<td></td>
</tr>
</tbody>
</table>

#### CLAUSE 58.03-1 - ENERGY EFFICIENCY ASSESSMENT

The proposal is oriented to ensure overshadowing impacts to neighbouring development is reduced where practicable. The orientation of the building provides for a mix of orientations where northern exposure is maximised and southern facing apartments are avoided where practicable.

#### CLAUSE 58.03-2 - COMMUNAL OPEN SPACE

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Standard D7</th>
<th>Complies with the standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, which ever is lesser.</td>
<td></td>
</tr>
<tr>
<td>Communal open space should:</td>
<td></td>
</tr>
<tr>
<td>- Be located to:</td>
<td></td>
</tr>
<tr>
<td>- Provide passive surveillance opportunities, where appropriate.</td>
<td></td>
</tr>
<tr>
<td>- Provide outlook for as many dwellings as practicable.</td>
<td></td>
</tr>
<tr>
<td>- Avoid overlooking into habitable rooms and private open space of new dwellings.</td>
<td></td>
</tr>
<tr>
<td>- Minimise noise impacts to new and existing dwellings.</td>
<td></td>
</tr>
<tr>
<td>- Be designed to protect any natural features on the site.</td>
<td></td>
</tr>
<tr>
<td>- Maximise landscaping opportunities.</td>
<td></td>
</tr>
<tr>
<td>- Be accessible, useable and capable of efficient management</td>
<td></td>
</tr>
</tbody>
</table>

Complies with the standard
The proposal shares a highly landscaped 1,828.8sqm communal open space with the previous Thomas Street apartment development which is located to the north of the proposed building. Each building has immediate access to the space and provides the open space with passive surveillance and outlook whilst managing overlooking and minimising noise impacts between dwellings.

### CLAUSE 58.03-3 – SOLAR ACCESS TO COMMUNAL OUTDOOR OPEN SPACE

<table>
<thead>
<tr>
<th>Objectives</th>
<th>To allow solar access into communal outdoor open space</th>
</tr>
</thead>
<tbody>
<tr>
<td>Achieved</td>
<td></td>
</tr>
</tbody>
</table>

**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.

Complies with the standard

### CLAUSE 58.03-3 – SOLAR ACCESS TO COMMUNAL OUTDOOR OPEN SPACE ASSESSMENT

The proposal does not impact solar access to the communal outdoor open space between the building and that proposed under the previous application which notes:

‘The communal outdoor open space is located to the south of the building to ensure appropriate separation of the proposed building with future stages of MVRC redevelopment to the east and south.

As demonstrated in shadow analysis provided by RotheLowman, more than 125sqm of the communal terrace is afforded direct sunlight between 9am and 3pm on 21 June.’

This remains valid.

### CLAUSE 58.03-4 – SAFETY

<table>
<thead>
<tr>
<th>Objectives</th>
<th>To ensure the layout of development provides for the safety and security of residents and property.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Achieved</td>
<td></td>
</tr>
</tbody>
</table>

**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.

Complies with the standard
**CLAUSE 58.03-4 - SAFETY ASSESSMENT**

The proposal provides for highly visible lobby entrances between Kenna Street and the communal outdoor terrace. No unsafe spaces are provided for between the street and internal areas and landscaping does not jeopardise this outcome. There is a clear distinction between public and private space.

**CLAUSE 58.03-5 - LANDSCAPING**

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>To encourage development that respects the landscape character of the area.</td>
<td></td>
</tr>
<tr>
<td>To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.</td>
<td></td>
</tr>
<tr>
<td>To provide appropriate landscaping.</td>
<td></td>
</tr>
<tr>
<td>To encourage the retention of mature vegetation on the site.</td>
<td></td>
</tr>
<tr>
<td>To promote climate responsive landscape design and water management in developments that support thermal comfort and reduces the urban heat island effect.</td>
<td></td>
</tr>
</tbody>
</table>
The landscape layout and design should:

- Be responsive to the site context.
- Protect any predominant landscape features of the area.
- Take into account the soil type and drainage patterns of the site and integrate planting and water management.
- Allow for intended vegetation growth and structural protection of buildings.
- In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.
- Provide a safe, attractive and functional environment for residents.
- Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site stormwater infiltration.
- Maximise deep soil areas for planting of canopy trees.

Development should provide for the retention or planting of trees, where these are part of the urban context.

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

The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.

Development should provide the deep soil areas and canopy trees specified in Table D2.

If the development cannot provide the deep soil areas and canopy trees specified in Table D2, an equivalent canopy cover should be achieved by providing either:

- Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements.
- Vegetated planters, green roofs or green facades.

### Table D2 Deep soil areas and canopy trees

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

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

Complies with the standard
**CLAUSE 58.03-5 – LANDSCAPING ASSESSMENT**

The proposal provides for a landscaping response that:

- Is responsive to site context and integrates with previous stages of the MVRC redevelopment.
- Does not impact any predominant landscape feature of the area.
- Integrates planting and water management.
- Is responsive to structural protection of the building.
- Does not impact local habitat.
- Provides for a safe, attractive, and functional environment for residents.
- Maximises landscaping opportunities across the Site inclusive of roof terraces.
- Retains the two Stone Pine trees located under the ESO1 and provides for generous additional planting.
- Outlines the landscape theme, vegetation, and paving for the Site.

The proposal provides for a large amount of deep soil area across the Site as evidenced in the landscape package that is in excess of the requirements of Table D2.

---

**CLAUSE 58.03-6 – ACCESS**

**Objectives**

To ensure the number and design of vehicle crossovers respects the urban context.

**Achieved**

<table>
<thead>
<tr>
<th>Standard D11</th>
</tr>
</thead>
<tbody>
<tr>
<td>The width of accessways or car spaces should not exceed:</td>
</tr>
<tr>
<td>- 33 per cent of the street frontage, or</td>
</tr>
<tr>
<td>- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.</td>
</tr>
<tr>
<td>No more than one single-width crossover should be provided for each dwelling fronting a street.</td>
</tr>
<tr>
<td>The location of crossovers should maximise the retention of on-street car parking spaces.</td>
</tr>
<tr>
<td>The number of access points to a road in a Road Zone should be minimised.</td>
</tr>
<tr>
<td>Developments must provide for access for service, emergency and delivery vehicles.</td>
</tr>
</tbody>
</table>

**Complies with the standard**

---

**CLAUSE 58.03-6 – ACCESS ASSESSMENT**

The proposal does provide for one additional crossover to the north-south connector street at the east of the precinct. This will be delivered once the north-south connector street is delivered and does not exceed 33 per cent of the street frontage.

The balance of the proposal will utilise access approved under the Thomas Street apartment development.
CLAUSE 58.03-7 - PARKING LOCATION

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>To provide convenient parking for resident and visitor vehicles.</td>
<td></td>
</tr>
<tr>
<td>To protect residents from vehicular noise within developments.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Standard D12</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Car parking facilities should:</td>
<td></td>
</tr>
<tr>
<td>▪ Be reasonably close and convenient to dwellings.</td>
<td></td>
</tr>
<tr>
<td>▪ Be secure.</td>
<td></td>
</tr>
<tr>
<td>▪ Be well ventilated if enclosed.</td>
<td></td>
</tr>
</tbody>
</table>

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.

Complies with the standard

CLAUSE 58.03-7 - PARKING ASSESSMENT

The proposal provides for parking across three levels of secure, mechanically ventilated basement parking. Two central lift cores service each basement level providing convenient access between car park and dwellings.

Western facing ground-level apartments are located immediately adjacent to the shared access ramp servicing the basement level of both the proposal and the previous apartment stage. This interface includes a habitable room window which does not meet the 1m setback required by the Standard. Whilst this does not meet the Standard it is considered appropriate as the vertical distance between the accessway and the window is sufficient to reduce the visibility between the ramp and internal dwelling area. This allows for adequate separation between vehicles passing by the window and reduces the impact of noise.

CLAUSE 58.03-8 - INTEGRATED WATER AND STORMWATER MANAGEMENT

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.</td>
<td></td>
</tr>
<tr>
<td>To facilitate stormwater collection, utilisation and infiltration within the development.</td>
<td></td>
</tr>
<tr>
<td>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.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Standard D13</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.</td>
<td></td>
</tr>
<tr>
<td>Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.</td>
<td></td>
</tr>
<tr>
<td>The stormwater management system should be:</td>
<td></td>
</tr>
<tr>
<td>▪ Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.</td>
<td></td>
</tr>
</tbody>
</table>
Complies with the standard

### CLAUSE 58.03-8 - INTEGRATED WATER AND STORMWATER MANAGEMENT ASSESSMENT

A site-wide stormwater management plan is currently under assessment by Moonee Valley City Council in relation to the Moonee Valley Racecourse redevelopment.

---

#### 6.3 CLAUSE 58.04 – AMENITY IMPACTS

**CLAUSE 58.04-1 - BUILDING SETBACKS**

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
<td></td>
</tr>
<tr>
<td>To allow adequate daylight into new dwellings.</td>
<td></td>
</tr>
<tr>
<td>To limit views into habitable room windows and private open space of new and existing dwellings.</td>
<td></td>
</tr>
<tr>
<td>To provide a reasonable outlook from new dwellings.</td>
<td></td>
</tr>
<tr>
<td>To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Standard D14</th>
<th>Complies with the standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>The built form of the development must respect the existing or preferred urban context and respond to the features of the site.</td>
<td></td>
</tr>
<tr>
<td>Buildings should be set back from side and rear boundaries, and other buildings within the site to:</td>
<td></td>
</tr>
<tr>
<td>- Ensure adequate daylight into new habitable room windows.</td>
<td></td>
</tr>
<tr>
<td>- 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.</td>
<td></td>
</tr>
<tr>
<td>- Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.</td>
<td></td>
</tr>
<tr>
<td>- Ensure the dwellings are designed to meet the objectives of Clause 58.</td>
<td></td>
</tr>
</tbody>
</table>

**CLAUSE 58.04-1 - BUILDING SETBACKS ASSESSMENT**
The proposal satisfies the setbacks outlined in the ACZ1 as discussed in Section 5.3 of this report.

---

**CLAUSE 58.04-2 - INTERNAL VIEWS**

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>To limit views into the private open space and habitable room windows of dwellings within a development.</td>
<td></td>
</tr>
</tbody>
</table>

| 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. |
### CLAUSE 58.04-1 - BUILDING SETBACKS ASSESSMENT

The proposal does not allow unreasonable internal views between balconies on the same level or between levels.

---

### CLAUSE 58.04-3 - NOISE IMPACTS

#### Objectives

- To contain noise sources in developments that may affect existing dwellings.
- To protect residents from external and internal noise sources.

#### Achieved

Standard D16

- Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.
- The layout of new dwellings and buildings should minimise noise transmission within the site.
- Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.
- New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.
- Buildings within a noise influence area specified in Table D3 should be designed and constructed to achieve the following noise levels:
  - Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
  - Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.
- Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.
- Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

Complies with the standard

---

### CLAUSE 58.04-3- NOISE IMPACTS ASSESSMENT

The proposal locates all services around the two lift cores located at the east and west wings of the building. All balance services are either located within the basement level or on the rooftop away from sensitive dwelling interfaces.

The Site is not located within a noise inference area as outlined in table 3 above.
6.4 CLAUSE 58.05 – ON-SITE AMENITY AND FACILITIES

<table>
<thead>
<tr>
<th>CLAUSE 58.05-1 – ACCESSIBILITY</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Objectives</strong></td>
</tr>
<tr>
<td>To ensure the design of dwellings meets the needs of people with limited mobility.</td>
</tr>
<tr>
<td><strong>Achieved</strong></td>
</tr>
<tr>
<td>At least 50 per cent of dwellings should have:</td>
</tr>
<tr>
<td>- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.</td>
</tr>
<tr>
<td>- 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.</td>
</tr>
<tr>
<td>- A main bedroom with access to an adaptable bathroom.</td>
</tr>
<tr>
<td>- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D4.</td>
</tr>
</tbody>
</table>

Table D4 Bathroom design

<table>
<thead>
<tr>
<th>Design option A</th>
<th>Design option B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Door opening</td>
<td>A clear 850mm wide door opening.</td>
</tr>
<tr>
<td>Door design</td>
<td>Either:</td>
</tr>
<tr>
<td></td>
<td>- A slide door, or</td>
</tr>
<tr>
<td></td>
<td>- A door that opens outwards, or</td>
</tr>
<tr>
<td></td>
<td>- A door that opens inwards that is clear of the circulation area and has readily removable hinges.</td>
</tr>
<tr>
<td>Circulation area</td>
<td>A clear circulation area that is:</td>
</tr>
<tr>
<td></td>
<td>- A minimum area of 1.2 metres by 1.2 metres.</td>
</tr>
<tr>
<td></td>
<td>- Located in front of the shower and the toilet.</td>
</tr>
<tr>
<td></td>
<td>- Clear of the toilet, basin and the door swing.</td>
</tr>
<tr>
<td></td>
<td>The circulation area for the toilet and shower can overlap.</td>
</tr>
<tr>
<td>Path to circulation area</td>
<td>A clear path with a minimum width of 900mm from the door opening to the circulation area.</td>
</tr>
<tr>
<td>Shower</td>
<td>A hobsless (step-free) shower.</td>
</tr>
<tr>
<td>Toilet</td>
<td>A toilet located in the corner of the room.</td>
</tr>
</tbody>
</table>

Complies with the standard

222 of the 314 total apartments satisfy the accessibility requirements of Standard D17 equating to 70% of all apartments. This exceeds the 50% requirement of Standard D17.

### CLAUSE 58.05-2 - BUILDING ENTRY AND CIRCULATION

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>To provide each dwelling and building with its own sense of identity.</td>
<td></td>
</tr>
<tr>
<td>To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.</td>
<td></td>
</tr>
<tr>
<td>To ensure internal communal areas provide adequate access to daylight and natural ventilation.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Standard D18</th>
</tr>
</thead>
<tbody>
<tr>
<td>Entries to dwellings and buildings should:</td>
</tr>
<tr>
<td>- Be visible and easily identifiable.</td>
</tr>
<tr>
<td>- Provide shelter, a sense of personal address and a transitional space around the entry.</td>
</tr>
<tr>
<td>The layout and design of buildings should:</td>
</tr>
<tr>
<td>- Clearly distinguish entrances to residential and non-residential areas.</td>
</tr>
<tr>
<td>- Provide windows to building entrances and lift areas.</td>
</tr>
<tr>
<td>- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.</td>
</tr>
<tr>
<td>- Provide common areas and corridors that:</td>
</tr>
<tr>
<td>- Include at least one source of natural light and natural ventilation.</td>
</tr>
<tr>
<td>- Avoid obstruction from building services.</td>
</tr>
<tr>
<td>- Maintain clear sight lines.</td>
</tr>
</tbody>
</table>

Complies with the standard

### CLAUSE 58.05-2– BUILDING ENTRY AND CIRCULATION ASSESSMENT

All building entrances provide a distinct space of transition between public and private space. Entry corridors and hallways are all included with one source of natural light and ventilation, are not obstructed by building services, and maintain clear sight lines.
## CLAUSE 58.05-3 - PRIVATE OPEN SPACE

<table>
<thead>
<tr>
<th>Objectives</th>
<th>To provide adequate private open space for the reasonable recreation and service needs of residents.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Achieved</td>
<td></td>
</tr>
</tbody>
</table>

A dwelling should have private open space consisting of:
- An area of 25 square metres, with a minimum dimension of 3 metres at natural ground floor level and convenient access from a living room, or
- An area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room, or
- A balcony with an area and dimensions specified in Table D5 and convenient access from a living room, or
- A roof-top area of 10 square metres with a minimum dimension of 2 metres and convenient access from a living room.

If a cooling or heating unit is located on a balcony, the balcony should provide an additional area of 1.5 square metres.

### Table D5 Balcony size

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Minimum area</th>
<th>Minimum dimension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio or 1 bedroom dwelling</td>
<td>8 square metres</td>
<td>1.8 metres</td>
</tr>
<tr>
<td>2 bedroom dwelling</td>
<td>8 square metres</td>
<td>2 metres</td>
</tr>
<tr>
<td>3 or more bedroom dwelling</td>
<td>12 square metres</td>
<td>2.4 metres</td>
</tr>
</tbody>
</table>

Complies with the standard

---

## CLAUSE 58.05-3- PRIVATE OPEN SPACE ASSESSMENT

All dwellings provide for generously sized balconies that exceed the minimum requirements of Standard D19. All balconies are conveniently accessible from internal living rooms.
CLAUSE 58.05-4 - STORAGE

**Objectives**
To provide adequate storage facilities for each dwelling.

**Achieved**

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

**Table D6 Storage**

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Total minimum storage volume</th>
<th>Minimum storage volume within the dwelling</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio</td>
<td>8 cubic metres</td>
<td>5 cubic metres</td>
</tr>
<tr>
<td>1 bedroom dwelling</td>
<td>10 cubic metres</td>
<td>6 cubic metres</td>
</tr>
<tr>
<td>2 bedroom dwelling</td>
<td>14 cubic metres</td>
<td>9 cubic metres</td>
</tr>
<tr>
<td>3 or more bedroom dwelling</td>
<td>18 cubic metres</td>
<td>12 cubic metres</td>
</tr>
</tbody>
</table>

Complies with the standard

CLAUSE 58.05-3 - PRIVATE OPEN SPACE ASSESSMENT

All dwellings comply with the minimum storage standards through a combination of internal storage area and dedicated storage cages located within the basement level.

6.5 CLAUSE 58.06 - DETAILED DESIGN

CLAUSE 58.06-1 - COMMON PROPERTY

**Objectives**
To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.
To avoid future management difficulties in areas of common ownership

**Achieved**

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

**Standard D21**

Complies with the standard

CLAUSE 58.06-1 - COMMON PROPERTY ASSESSMENT

The development provides clear delineation between public and private areas through secure lobby or gated entrances to all internal areas.
Common property is functional spaces that will be managed by an internal body corporate or owners corporation.
## CLAUSE 58.06-2 - SITE SERVICES

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>To ensure that site services can be installed and easily maintained.</td>
<td></td>
</tr>
<tr>
<td>To ensure that site facilities are accessible, adequate and attractive.</td>
<td></td>
</tr>
</tbody>
</table>

### Standard D22

- The design and layout of dwellings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.
- Mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.
- Mailboxes should be provided and located for convenient access as required by Australia Post.

Complies with the standard

### CLAUSE 58.06-2 - SITE SERVICES ASSESSMENT

- The development includes provision for all site services to be fully integrated into the development and be capable of convenient management.
- All mail facilities will be located centrally to the development and be easily accessible by Australia Post.
CLAUSE 58.06-3 - WASTE AND RECYCLING

Objectives
To ensure dwellings are designed to encourage waste recycling.
To ensure that waste and recycling facilities are accessible, adequate and attractive.
To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm

Achieved

Developments should include dedicated areas for:
- Waste and recycling enclosures which are:
  - Adequate in size, durable, waterproof and blend in with the development.
  - Adequately ventilated.
  - Located and designed for convenient access by residents and made easily accessible to people with limited mobility.
  - Adequate facilities for bin washing. These areas should be adequately ventilated.
- Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.
- Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.
- Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.
- Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.

Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:
- Be designed to meet the best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria.
- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

Complies with the standard

CLAUSE 58.06-3 - SITE SERVICES ASSESSMENT

All waste will be collected in accordance with the ultimate endorsed waste management plan.
All waste collection will be undertaken in the basement level. Residents will dispose of waste through dedicated waste chutes located on each level. Building management will be responsible for the management of waste storage prior to collection.
**6.6 CLAUSE 58.07 – INTERNAL AMENITY**

<table>
<thead>
<tr>
<th>CLAUSE 58.07-1 – FUNCTIONAL LAYOUT</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Objectives</strong></td>
</tr>
<tr>
<td><strong>Achieved</strong></td>
</tr>
</tbody>
</table>

Bedrooms should:
- Meet the minimum internal room dimensions specified in Table D7.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

<table>
<thead>
<tr>
<th>Table D7 Bedroom dimensions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bedroom type</td>
</tr>
<tr>
<td>Main bedroom</td>
</tr>
<tr>
<td>All other bedrooms</td>
</tr>
</tbody>
</table>

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D8.

<table>
<thead>
<tr>
<th>Table D8 Living area dimensions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling type</td>
</tr>
<tr>
<td>Studio and 1 bedroom dwelling</td>
</tr>
<tr>
<td>2 or more bedroom dwelling</td>
</tr>
</tbody>
</table>

Complies with the standard

**CLAUSE 58.07-1– FUNCTIONAL LAYOUT ASSESSMENT**

All dwellings meet or exceed the requirements of Standard D24.

---

<table>
<thead>
<tr>
<th>CLAUSE 58.07-2 – ROOM DEPTH</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Objectives</strong></td>
</tr>
<tr>
<td><strong>Achieved</strong></td>
</tr>
</tbody>
</table>

Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.

The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:
- The room combines the living area, dining area and kitchen.
- The kitchen is located furthest from the window.
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.
**CLAUSE 58.07-2 - ROOM DEPTH ASSESSMENT**

All apartments are proposed as open plan habitable living, dining, and kitchen areas with the kitchen being located furthest from the window.

All apartments comply with Standard D25. Minor variations are sought for a total of five apartment types which exceed the room depth standard by a marginal amount.

<table>
<thead>
<tr>
<th>CLAUSE 58.07-3 - WINDOWS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Objectives</strong></td>
</tr>
<tr>
<td><strong>Achieved</strong></td>
</tr>
</tbody>
</table>

**Standard D26**

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

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

The secondary area should be:
- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.

Complies with the standard

**CLAUSE 58.07-3- WINDOWS ASSESSMENT**

All habitable rooms have a window in an external wall of the building or a secondary area in accordance with Standard D26.
### CLAUSE 58.07-4 – NATURAL VENTILATION

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>To encourage natural ventilation of dwellings.</td>
<td></td>
</tr>
<tr>
<td>To allow occupants to effectively manage natural ventilation of dwellings</td>
<td></td>
</tr>
<tr>
<td>Standard D27</td>
<td></td>
</tr>
<tr>
<td>The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.</td>
<td></td>
</tr>
<tr>
<td>At least 40 per cent of dwellings should provide effective cross ventilation that has:</td>
<td></td>
</tr>
<tr>
<td>▪ A maximum breeze path through the dwelling of 18 metres.</td>
<td></td>
</tr>
<tr>
<td>▪ A minimum breeze path through the dwelling of 5 metres.</td>
<td></td>
</tr>
<tr>
<td>▪ Ventilation openings with approximately the same area.</td>
<td></td>
</tr>
<tr>
<td>The breeze path is measured between the ventilation openings on different orientations of the dwelling.</td>
<td></td>
</tr>
<tr>
<td>Complies with the standard</td>
<td></td>
</tr>
</tbody>
</table>

### CLAUSE 58.07-4– NATURAL VENTILATION ASSESSMENT

228 dwellings have a breeze path satisfying the standard out of a total 314 dwellings. This represents 72% of the dwellings meeting Standard D27 which exceeds the required 40%.