

City Works (Open Space)

Tree Management Plan

The Tree Management Report and Protection Plan (TMPP) was prepared by a suitably qualified Arborist. The tree data in the supplied arborist report appear correct.

A Tree Management Plan (i.e. the TMPP for this application) is usually prepared after the design has been approved and the impacts to the retained trees are confirmed to be none or minor. Instead, an Arboricultural Impact Assessment is the required document during application assessment under AS 4970–2009. However, in this case, preparing a Tree Management Plan at this stage is acceptable because the building and hard surfaces occupy the entire site. The proposal would not create any new encroachment into the TPZs of the retained trees.

Site Trees

None affected.

Neighbouring Trees

None affected.

Road Reserve Trees

The TMPP shows the retention of 5 road reserve trees, impacts to which would be negligible under the current design. These trees would remain viable, provided that the recommendations in the TMPP are implemented and overseen by a suitably qualified Project Arborist.

Recommendation to Statutory Planning

- Clearly show the trees (locations, identification numbers, TPZs and SRZs) on the architectural drawings and identify them as retained trees.
- A permit could be granted with a condition to request a Tree Management Plan.
- If applicable, a referral may be required at the endorsement stage to review the TMPP in response to the final proposal and/or additional information that may impact the trees, such as drainage plans and footpath upgrades.

ESD

Comments

The standard of the submitted ESD does not meet Council's Environmentally Sustainable Design (ESD) standards.

Furthermore, it is recommended that all ESD commitments (1), deficiencies (2) and the outstanding information (3) are addressed in an updated SMP report and are clearly shown on Condition 1 drawings. ESD improvement opportunities (4) have been summarised as a recommendation to the applicant.

Should a permit be issued, the following ESD commitments (1) and deficiencies (2) should be conditioned as part of a planning permit to ensure Council's ESD standards are fully met:

1. Applicant ESD Commitments

- The project achieves a total BESS score of 70% with no mandatory category (IEQ, Energy, Water, Stormwater) below 50%.
- 78% (14 out of 18) of the development's apartments are naturally cross-ventilated.

- Daylight modelling has been conducted for a representative sample of apartments. The summary result is as follows:
 - 80% of living floor area achieves >90% above DF1.0
 - 83% of bedroom floor area achieves >90% above DF0.5
- The non-residential areas are targeting a 2% DF to 70% of the nominated area.
- 50% (9 out of 18) of apartments achieve at least 3 hours of sunlight.
- The development is provided with a comprehensive shading strategy.
- The development is to achieve a 7.5 Star average NatHERS Energy Rating result.
- The non-residential areas aim to meet or reduce the heating and cooling energy consumption against the reference case (BCA Section J 2019).
- The development will be provided with a centralised hot water heat pump.
- A 15kW Solar PV system is to be located on the roof of the proposed development.
- Individual cold water, and electricity meters will be provided to the commercial tenancy, apartments, and communal areas.
- Water efficient fittings and fixtures are applied throughout.
- A 10,000-litre rainwater tank will harvest rainwater from the roof (including main roof, ballast roof and carpark roof areas). This tank will be connected to toilets on ground, first and second floors.
- A Melbourne STORM rating of 112% is achieved.
- Landscaping is to be native vegetation with low water demand.
- In total a minimum of 10 bicycle spaces are to be provided for residents.
- In total a minimum of 4 bicycle spaces are to be provided for residential visitors.
- In total a minimum of 2 bicycle spaces are to be provided for employees & 6 bicycle spaces are to be provided for non-residential visitors.
- 33m² of communal space will be provided at the apartment entry.
- Real-time energy and water usage data is to be available to each apartment and common areas (for building management use only).

2. Application ESD Deficiencies

None.

3. Outstanding Information

- Provide a Green Travel Plan with targets and actions around transitioning towards sustainable transport modes.
- Confirm that building services will undertake fine tuning each quarter for the first 12 months of occupation.
- Confirm that Head Contractor will be ISO 14001 accredited.
- Confirm that an environmental management plan to be implemented to council guidelines.

4. ESD Improvement Opportunities

- Consider materials and assembly methods to assist with disassembly and adaptive reuse at end of life.
- Consider incorporating a car share space within the basement, and at a minimum provide details of surrounding car share locations within the Building Users Guide and/or Green Travel Plan.
- Consider documenting the project using the green factor tool. <greenfactor.com.au>

Recommendations

The applicant is required to address the items listed as ESD Deficiencies (2) or Outstanding Information (3) and it is recommended that ESD Improvement Opportunities (4) are considered for inclusion to improve the environmental performance of the development.

Strategic Transport

Bicycle Parking Provision

Statutory Requirement

Under the provisions of Clause 52.34-3 of the Yarra Planning Scheme, the development's bicycle parking requirements are as follows:

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Dwellings	18 dwellings	In developments of four or more storeys, 1 resident space to each 5 dwellings	4 resident spaces	25 resident spaces
		In developments of four or more storeys, 1 visitor space to each 10 dwellings	2 visitor spaces	10 visitor spaces
Restricted Retail premises (other than specified in this table)	201.3 sqm	1 employee space to each 300 sqm of leasable floor area	1 employee spaces	4 employee spaces
		1 visitor space to each 500 sqm of leasable floor area	0 visitor spaces.	0 visitor spaces
Bicycle Parking Spaces Total			5 resident / employee spaces	29 resident / employee spaces
			2 visitor spaces	10 visitor spaces
Showers / Change rooms		If 5 or more employee bicycle parking spaces are required 1 to the first 5 employee spaces and 1 to each additional 10 employee spaces	0 showers / change rooms	0 showers / change rooms

The development provides a total of 24 additional resident/employee spaces and 8 additional visitor spaces above the requirements of the Scheme.

Adequacy of visitor spaces

Number of visitor spaces

A total of 5 bicycle hoops (ability to accommodate 10 visitor bicycle spaces) already exist along the site's frontage (six on Langridge Street and four on Derby Street). The provision of visitor spaces is **adequate** for the following reasons:

- Supply exceeds the statutory requirement of 2 spaces.
- Supply exceeds CASBE requirements, which require the provision of 0.25 visitor spaces per dwelling and 1 visitor space per 500 sqm area for non-residential developments, equating to a **total of 5 visitor bicycle spaces**.

- Pursuant to Clause 52.34-5, all visitor spaces are to be provided at a bicycle rail. Parking facilities are provided as horizontal facilities aligning with this requirement.

Adequacy of resident/employee spaces

Number of employee spaces

Architectural plans identify a total of 29 bicycle parking spaces within the site with 2 allocated for employee use and 27 for resident parking. It is noted that the Traffic Engineering Assessment prepared by Traffix Group recommends that 4 spaces be allocated for employee purposes and the remaining 25 be identified as residential bicycle spaces.

The provision of residential/employee bicycle spaces are provided by way of:

- A secure bike store located on the ground floor containing:
 - 8 x 'Ned Kelly' wall mounted spaces for residential and residential visitors
 - 4 x 'Ned Kelly' wall mounted spaces for employees
- 8 above bonnet spaces on Basement Level 1 for residents
- 9 above bonnet spaces on Basement Level 2 for residents

The provision of residential/employee spaces is adequate for the following reasons:

Employee (adequate)

- Supply exceeds the statutory requirement of 1 employee space.
- The supply meets the CASBE requirements, which require the provision of employee bicycle parking for 10% of building occupants. Using an estimation of 1 employee per 50-100 sqm of gross floor area results in a requirement of 1 employee space.
- The subject site is located in an inner-urban area with already high cycling-to-work demand and present trends indicate a steady increase in demands.
- Both local and state planning policies/strategies relating to cycling include objectives to promote sustainable alternate modes of transport such as cycling.

Resident (adequate)

- Supply meets the statutory requirement of 4 residential bicycle spaces.
- The CASBE requirements identify a provision of 1 residential space per dwelling which results in the requirement of 18 residential bicycle spaces.

Design and location of employee spaces and facilities

Employee and resident spaces are **inadequately** located and designed for the following reasons:

- Cyclists can access the basement levels via the lift. The lift is proposed to be of suitable size to accommodate a bicycle. (adequate)
- The design of the Ned Kelly wall mounted bike racks aligns with AS2890.3. (adequate)
- The employee spaces are provided within their own secured compound, which aligns with Clause 52.34-3 & Australian Standard AS2890.3 bicycle spaces for employees must be provided in a bicycle locker, or a lockable compound (adequate).
- Pursuant to AS2890.3, aisle width for multi-tiered parking must be a minimum of 2000mm. The dimension of the aisle width is identified to be at least 2000mm wide on the architectural plans (adequate).
- AS2890.3 requires at a minimum 20% of bicycle parking facilities to be designed as floor mounted horizontal racks. Current plans identify all resident / employee bicycle parking spaces to be elevated either as vertical or above bonnet storage. This not an acceptable provision of bicycle parking. It is recommended that at a minimum 20 percent of resident parking be provided as floor mounted horizontal bicycle racks. (inadequate)

No showers/changerooms and lockers are required to be provided for this development.

Electric vehicles / share cars / other relevant topics?

Council's BESS guidelines encourage the use of fuel efficient and electric vehicles (EV).

Plans identify a single charging station within Basement 2. Whilst it is acceptable no EV charging points are installed during construction, to allow for easy future expanded provision for electric vehicle charging, all car parking levels / spaces should be electrically wired to be 'EV ready'. A minimum 40A single phase electrical sub circuit should be installed to these areas for this purpose.

Green Travel Plan (GTP)

This development includes non-residential spaces that total less than 1,000 sqm and hence does not require a GTP.

Recommendations

The following should be shown on the plans before endorsement:

1. A minimum of 20% of resident and employee parking to be provided as floor mounted horizontal racks.
2. Amend architectural plans to allocate 4 bicycle racks for the commercial employees (currently only 2 allocated).
3. All car parking levels / spaces should be electrically wired to be 'EV ready'. A minimum 40A single phase electrical sub circuit should be installed to these areas for this purpose.

Internal Urban Design

The proposal is not supported in its current form. The application should be referred back to Urban Design before a decision is made.

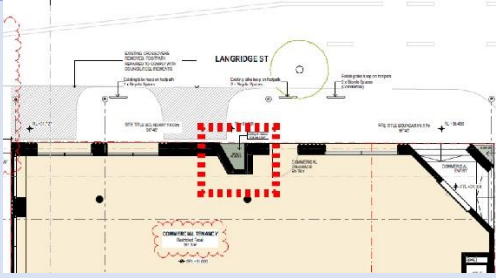
Key concerns are listed here and refer to further details below:

- The lack of detail in the ground plan regarding the levels and the interface configuration indicates unresolved design issues.
- Recommend that the building ground floor layout is reconsidered including but not limited to the following:
 - Redesign and resolve interface with adjacent streetscape. I.e. window heights and ledge on NW corner of building site.
 - Design review for improved entry, column and undercroft at the NE corner of building site.
 - Request that a detailed public realm and streetscape improvement plan is provided to responsible authority satisfaction for review and approval.
- A detailed Public Realm and Streetscape Improvement Plan must be provided.
- Inclusion of developer contributed tree planting must be included in Public Realm and Streetscape Improvement Plan along Langridge St.

Public Realm Interface

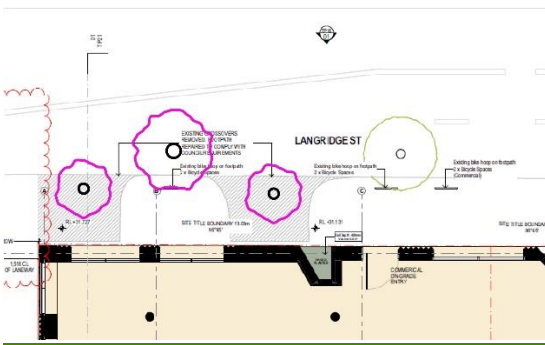
Item	Reference image (not to scale)	Comment
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1



Ensure planter boxes are large enough to sustain plant growth to achieve the design vision. Example will climber sustain cover over 4 levels and close to 15m in height. Consider increased planting options around site boundary to mitigate the large swathes of blank walls that require further articulation.

2



Please note reference images are preliminary sketches and indicative only. Further design is required to understand specific site constraints.

As the crossovers are being removed, and there will be no net loss of carparking, it would be a good opportunity to get another road tree in Langridge St to the north of the existing tree, see below.



There would need to be at least 6m space between trees (6.3m is preferable). The species would be *Platanus orientalis* 'Digitata'.

There is also the opportunity to explore the inclusion of two footpath trees (*Lagerstroemia* 'Tuscarora') in addition to the new road tree. This is indicated in purple on the sketch plan.

When proposing locations in the Public Realm and Streetscape Improvement Plan please refer to the following tree location checklist. Street trees are not recommended in the following locations:

- o within 1m of a vehicle crossover;
- o within 1m of a stormwater drain;
- o within 1m of a residential water/gas service or ferule connection to water mains;
- o within 2m of a fire hydrant or drainage pit;
- o within 1m of an inspection pit;
- o within 3m of an electricity pole (includes Yarra Tram Poles, light poles etc.);
- o within 1.5m directly beneath overhead service wires to properties;
- o directly in front of pedestrian access to properties;

		<p>ii) Any required steps, tactiles, handrail or ramps etc must not protrude beyond the site boundary especially the steps in the NE corner. Potential to relocate entry to NW corner could be explored.</p>
5	Public Realm and Streetscape Improvement Plan:	<p>Requested that a detailed public realm and streetscape improvement plan is provided to responsible authority satisfaction for review and approval by the responsible authority showing (including but not limited to);</p> <ul style="list-style-type: none"> i.Extent of proposed and existing pavements and any other proposed infrastructure improvements and changes; i.All materials to be standard Council materials. i.Any proposed external visitor bike parking and streetscape fixtures and furniture; /.Clearly dimensioned elements including pedestrian paths and parking bays; /.All existing and proposed levels, surface grades and drainage infrastructure; and i.Any existing and proposed tree and low cover planting. i.Upgraded adjacent laneways and footpaths to Council satisfaction. i.No reverse fall into site. The floor level must not be below existing footpath levels. «.Shows additional levels for all threshold and entrance points for each step. «.Any level transition is demonstrated to be accommodated within the subject site.

Streetscape and Capital Works

Footpath:

- i. Ensure footpaths are to be reinstated along the full length of the site boundary as asphalt footpath with charcoal concrete kerb and channel as per Yarra Road Materials Policy and Public Domain Manual.
- ii. The interface between the subject site and the footpath is to be step-free and flush in accordance with DDA requirements. Note that any required step ramps, landings, associated handrails, tactile ground surface indicators etc, are to be accommodated entirely within the boundary of the subject site.
- iii. Any proposed changes to existing footpath levels are to be detailed on the plans for review by Council.
- iv. Subject site should not rely on existing on street bike parking to achieve its statutory visitor bike parking requirements. Additional visitor bike parking must be accommodated for within the subject site.
- v. The applicant is requested to contribute the following amounts for this planting:
 - \$3,797 including GST, for one (1) 100L feature tree in a road location and two (2) 100L feature tree in a footpath location (to cover tree sourcing, planting, and 2 years establishment maintenance).

- The tree and plant species will be determined by Council.
- Council's tree planting contractor will source trees and low planting, construct the garden bed, carry out planting works and provide establishment maintenance.
- Please keep Council updated as the project progresses regarding planning approval and construction time frames to ensure trees are sourced and available for planting when construction is completed.
- Proposed street tree locations are to be indicated on plans.

City works – Waste

The waste management plan for 4-6 Derby Street, Collingwood authored by Leigh Design and dated 21/9/23 is not satisfactory from a City Works Branch's perspective.

Issues to be rectified include, but may not be limited to the following:

1. Please detail who will collect hard waste and where it will be collected from.
2. Please provide the size of the bin storage area in M² so we can assess if enough space is allocated to form an effective waste system.

City Strategy – Open Space

Generally the landscape plans are conceptual and need further development. The conditions for a planning permit are listed below.

Other comments –

- The landscape drawings are inconsistent with the architectural drawings in relation to the Level 3 (south) planted area. This needs to be resolved.

Typical Planning permit conditions

Landscape plans to the satisfaction of the planning authority must be submitted and include the following information:

- a) An existing conditions plan showing existing trees on the site to be retained or removed, as well as those trees external to the site but close to the boundary, to be removed, retained or protected during construction.

Street tree protection information will be required.

- b) Plant schedule and planting plans that show the botanical and common plant names, size at planting, typical mature size, plant numbers, planting density (where relevant) and plant locations.

A plant schedule and planting plan will be needed. The planting concept is acceptable.

- c) A plan legend containing key landscape features and surface materials;

This is included in the concept.

- d) Details for raised planters including –

- i. Planter materials and dimensions
- ii. Mulch layer and depth
- iii. Growing media type and depths
- iv. Filter material and waterproofing
- v. Irrigation and drainage notes

Details for a generic raised planter have been included. Dimensions and soil depths will be needed. Soil depth for trees will be important for their success.

- e) Notes on the maintenance schedule, tasks and duration;

General notes on maintenance have been included.

Strategic Planning (dated 14 November 2023)

Summary of Strategic Planning comments and recommendations on the Overshadowing requirements:

As requested, Strategic Planning has only provided comments on the wording of the Overshadowing requirements in interim DDO23 and Draft DDO23.

The current interim requirements for overshadowing in DDO23 are:

“Development must not overshadow any part of the southern side footpath of the following streets, between 10am and 2pm on September 22:

- *Peel Street to a distance of 2.0 metres from the kerb;*
- *Langridge Street to a distance of 2.0 metres from the kerb;*
- *Derby Street to a distance of 2.0 metres from the kerb.”*

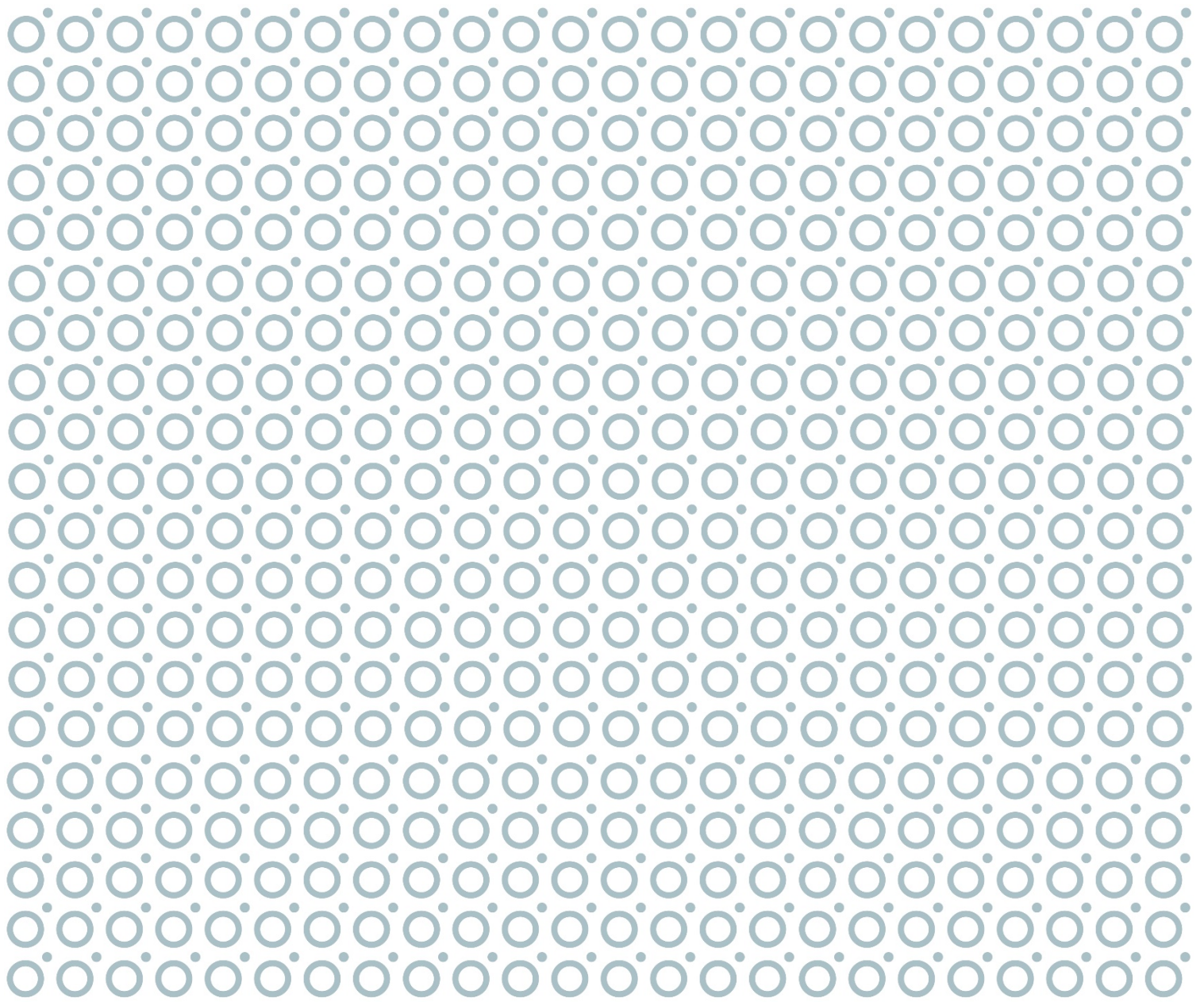
We can confirm that the intention of this overshadowing requirement in DDO23 is to prevent the overshadowing of the footpath not the road.

Draft Amendment C293yara seeks to introduce permanent built form and design requirements to the Collingwood South Precinct. This Amendment has been through the Standing Advisory Committee Hearing process and was submitted to the Minister for Planning for Approval in June 2022.

The overshadowing requirements were investigated through the Panel process and the Adopted version of documents has updated wording to clarify the intent of the requirement. The updated wording reads as follows:

“Development must not overshadow any part of the southern side footpath from property boundary to kerb of Peel, Langridge and Derby Streets between 10am and 2pm on 22 September.”

In the instance of assessing an application within the Collingwood South Mixed-Use Precinct (DDO23), the test for overshadowing should be regarding the footpath.



Global South

Urban Design Review

Proposed mixed-use development, 4-6 Derby Street, Collingwood
(PLN23/0685) [CREF23/00249]

Prepared by Simon McPherson, for City of Yarra

19 January 2024

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1.0 Introduction

1.1 Process and involvement

On 13 December 2023 I was asked by Yarra City Council officers to prepare a report comprising urban design review and advice, regarding the proposed mixed-use development at 4-6 Derby Street, Collingwood.

In preparing this review, I have:

- Received and reviewed the following Permit Application documents:
 - Town Planning Design Report, Bright Studio, November 2023;
 - Architectural Plans, Bright Studio, Rev. A/B, September/November 2023;
 - Town Planning and Urban Context Report, Contour, Version 2 update, 14 November 2023.
- Reviewed the applicable provisions of the Yarra Planning Scheme relating to urban design as listed below;
- Visited the subject site and surrounding area on 12 January 2024. The photographs in this report are my own, except where specified. I note that I have visited the area around the subject site on several occasions, and am familiar with other developments and proposals nearby.

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1.2 Qualifications and experience to prepare this Review

Qualifications and registrations

My academic qualifications are as follows:

- **Executive Masters (MSc) in Cities (Distinction)**, inaugural programme (September 2016 - completed February 2018), London School of Economics and Political Sciences (LSE Cities), UK;
- **Master of Science (MSc): Built Environment - Urban Design (Distinction)**, The Bartlett School, University College London, 2005-06, UK;
- **Bachelor of Architecture (BArch) (First Class Honours)**, The University of Melbourne, 1996-97;
- **Bachelor of Planning and Design (BPD) (Architecture)**, The University of Melbourne, 1992-94.

My professional registrations and memberships are as follows:

- **Registered Architect**, Architects Registration Board of Victoria: individual registration number 15838;
- **Member, VPELA** (Victorian Planning and Environmental Law Association);
- **Member, Urban Design Forum Australia.**

I am or have been engaged on the following professional organisations:

- Member, **Victorian Design Review Panel** (OVGA, since 2016);
- Member, **Casey Design Excellence Panel** (City of Casey, since 2022);
- Member, **South Australian Design Review Panel** (ODASA, since 2011);
- Member, **Melbourne Design Review Panel** (City of Melbourne, 2021-2023);
- Member, Research Advisory Group – **PlaceLab, RMIT University** (since 2022);

Professional experience

I hold approximately 25 years of professional experience in architectural and urban design practice, including:

- Graduate Architect, Gray Pucksand (1998-1999);
- Graduate Architect, Geoffrey Reid Associates, Glasgow UK (1999-2000);
- Registered Architect, SJB (2001-2002);
- Urban Designer, Victorian State Government (2002-2007, including study leave);
- Director, SJB Urban (2007-2016);
- Director, Global South (2016-present).

While my current practice focuses on Urban Design consulting, this involves a substantial component of (architectural) design review and advice, provided through Design Review Panel processes and engaged by Responsible Authorities and Permit Applicants.

Project experience

My urban design experience includes the following projects:

- Policy and guidelines:
 - Author/contributor, *Better Placed*, NSW Architecture and Urban Design Policy, Government Architect NSW (2016-17). Benchmark design policy, winner Australia Award for Urban Design 2017;
 - Contributor (State Government employee), Design Guidelines for Higher Density Residential Development, Activity Centre Design Guidelines;

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- Contributor, SA Medium-Density Design Guidelines;
- Lead consultant, Urban Design Guidelines, Bowden, SA (SJB Urban, 2015).
- Urban Design Advice:
 - Eden/Haven/Sanctuary on the River, Abbotsford, for HAMTON (complete), (SJB Urban, 2010). High-density, mid-rise (9-11 storeys) permeable courtyard development, winner UDIA President's Award, High-Density Housing Award (National, Victoria), Masterplanned Development Award (Victoria);
 - Richmond Plaza redevelopment, for Coles (SJB Urban, 2014);
 - Grocon FCAD redevelopment, Footscray Station Precinct (SJB Urban, 2011).
- Independent reviews:
 - Regular independent reviews of permit applications, for Councils including Melbourne, Yarra, Port Phillip, Banyule, Brimbank, Manningham and Casey.
- Strategic plans, structure plans and Urban Design Frameworks:
 - Sunshine NEIC Urban Design Analysis and Framework Plans, for Brimbank City Council, in collaboration with Kinetica;
 - Footscray Public Realm Plan 2021-22, for Maribyrnong City Council;
 - Footscray Built Form Review 2020, for Maribyrnong City Council;
 - Tarneit Major Town Centre: Economic Impact Assessment and Design Review 2018, for Wyndham City Council;
 - Oakleigh Activity Centre Transport Precinct: Design Review 2018, for Monash City Council;
 - 1160 Sayers Road, Tarneit, Structure Plan for Wyndham City Council (landowner) (SJB Urban 2014-15). Innovative, integrated plan for high-density, walkable precinct in greenfield setting;
 - Footscray Station Precinct Planning and Urban Design Framework (SJB Urban, 2008-09). Winner, PIA Transport Planning Award 2008;
 - Brighton Toyota Site UDF, for LEFTA Corporation;
 - Frankston Transit Interchange Precinct UDF and Master Plan, for DPCD (SJB Urban 2009-2012);
 - Wise Foundation 'Wellness Village' UDF, Mulgrave, for landowners (SJB Urban, 2015-16).
- Master Plans and Concept Designs
 - Sunshine Station Master Plan 2021, for Department of Transport, in collaboration with Development Victoria;
 - Revitalising Central Dandenong (Sites 11-15) Master Plan/Development Plan, for Capital Alliance and Development Victoria, 2021;
 - Caulfield Village Master Plan, for Beck Property / Probuild (SJB Urban, 2012);
 - Greensborough Activity Centre Concept Master Plan, for Banyule City Council (2017);
 - 433 Smith Street (Fitzroy Gasworks) Master Plan, for Places Victoria (SJB Urban, 2015);
 - Master Plan, Binks Ford Site and over-rail deck, Footscray, for Places Victoria (SJB Urban, 2012);
 - Caulfield-Dandenong corridor concept/feasibility studies, for VicTrack (SJB Urban, 2015).

Design review and advice:

- Regular external Application Referrals for Councils including Yarra, Banyule, Melbourne, Casey, Frankston, Darebin and Boroondara, including recently:

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- 89 Young Street, Frankston;
 - 70-80 Gwynne Street, Cremorne;
 - 7-11 Cartmell Street, Heidelberg;
 - 329 Johnston Street, Abbotsford;
 - Camp Street, Daylesford;
 - 106 Main Street, Greensborough.
- Regular design review and advice engagements for Permit Applicants, including recently:
 - 217-235 Separation Street, Northcote;
 - 427 Albert Street, Brunswick;
 - 15-17 Stephenson Street, Cremorne;
 - 7 Dover Street, Cremorne;
 - 28 Johnston Street, Fitzroy;
 - 62A Brougham Street, Eltham.

Experience preparing expert evidence

I have presented evidence at VCAT and Planning Panels Victoria on numerous occasions, engaged by Councils and Permit Applicants.

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2.0 Context

2.1 Strategic context

2.1.1 Zoning

The subject site is situated within the **Mixed Use Zone (MUZ)**. The purposes of this Zone include:

- To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.
- To provide for housing at higher densities.
- To encourage development that responds to the existing or preferred neighbourhood character of the area.

The site is located within the Smith Street and Brunswick Street Major Activity Centre, with reference to the boundary shown in The City of Yarra report *Activity Centres Roles and Boundaries* (April 2022) – see below.

In the *Brunswick and Smith Street Built Form Review* (2019), the site is shown within the Smith Street Activity Spine – also shown below.

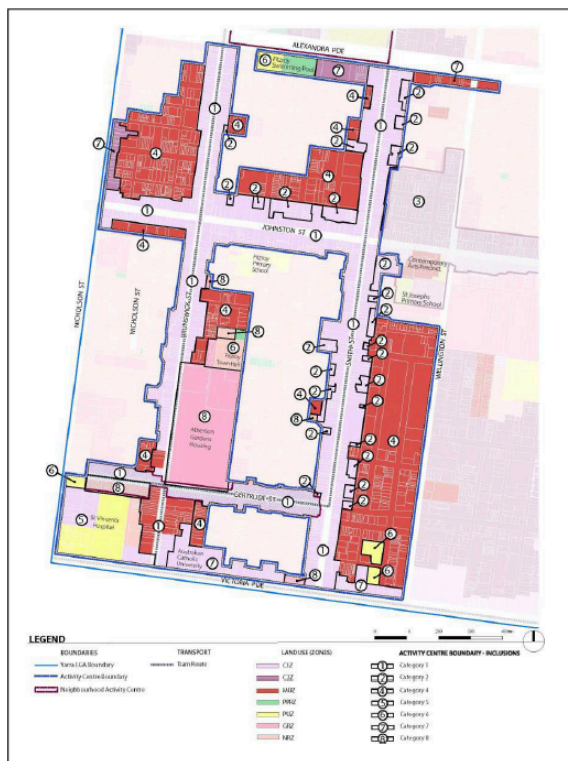


Figure O1: Map 3, Smith Street and Brunswick Street Major Activity Centre, from *Activity Centres Roles and Boundaries* (April 2022)



Figure O2: Precincts Map from the *Brunswick and Smith Street Built Form Review* (2019).

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2.1.2 Heritage Overlays

The site is not within a Heritage Overlay.

However, it adjoins or is adjacent to:

- HO99 - 2 DERBY STREET COLLINGWOOD: House (immediately west of the site, across the laneway);
- HO464 - Smith Street South Precinct, Fitzroy and Collingwood (immediately west of the site, across the laneway);
- HO101 - 8 DERBY STREET COLLINGWOOD: House (adjoining the site to the east)
- HO102 - 18-22 DERBY STREET COLLINGWOOD: Terrace (east of the site, across Little Oxford Street);
- HO98 - 1 DERBY STREET COLLINGWOOD: Derby House (south of the site, across Derby Street);
- HO100 - 3-7 DERBY STREET COLLINGWOOD: Terrace (south of the site, across Derby Street).

2.1.3 Design and Development Overlay (DDO23)

The land falls within **Design and Development Overlay 23 (DDO23): Collingwood South (Mixed-Use) Precinct**.

I note that this DDO is an **interim control**, implemented through Amendment C263, and expires after 2 April 2024. However, my understanding is that it carries the same weight as a permanent control, being in place at the time of this application.

Council's website states that Draft Amendment C293 seeks to implement DDO23 as a permanent control, and has been submitted to the Minister for Planning for Approval: <https://www.yarracity.vic.gov.au/amendmentC293yara>

Design objectives

The design objectives of DDO23 include:

- *To foster an emerging, contemporary, mixed-use character with a prominent street-wall edge, incorporating upper level setbacks and design features that create a distinction between lower and upper levels.*
- *To ensure that the overall scale and form of new buildings is mid-rise (ranging from 3 to 12 storeys) and responds to the topography of the precinct, by providing a suitable transition in height as the land slopes upwards, whilst minimising amenity impacts on existing residential properties, including visual bulk, overlooking and overshadowing.*
- *To maintain the prominence of the corner heritage buildings on Wellington Street, and respect both individual and groups of low-scale heritage buildings through recessive upper-level development and a transition in scale from taller form towards the interface with heritage buildings.*
- *To promote and encourage pedestrian activity through street edge activation and the protection of footpaths and public open spaces from loss of amenity through overshadowing.*
- *To ensure that development provides for equitable development outcomes through building separation and a design response that considers the development opportunities of neighbouring properties.*

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Building height

The DDO23 Building Heights Framework Plan nominates a preferred maximum building height on the subject land of **20m**, and preferred maximum street wall heights of **14m** (to all of the site's frontages).

It states that *a permit cannot be granted to vary a building height specified in Plan 1: Building Heights Framework Plan, unless all of the following requirements are met:*

- *the built form outcome as a result of the proposed variation satisfies the Design Objectives in Clause 1.0, the Heritage Building Design Requirements and the Overshadowing and Solar Access (Public Realm) Requirements;*
- *the proposal will achieve each of the following:*
 - *greater building separation than the minimum requirement in this schedule;*
 - *housing for diverse households types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations;*
 - *universal access, and communal and / or private open space provision that exceeds the minimum standards in Clauses 55.07 and 58; and*
 - *excellence for environmental sustainable design measured as a minimum BESS project score of 70%.*

This provision is a mandatory control.

I am advised by Council officers that Council agrees that the above points relating to housing and universal access do not apply to the subject proposal, which is for a commercial office building.

Street wall height

DDO23 also states that *a permit cannot be granted to vary a street wall height specified in Plan 1: Building Heights Framework Plan unless all of the following are met:*

- *the built form outcome as a result of the proposed variation satisfies the Design Objectives at Clause 1.0 and the Heritage Building Design Requirements in this schedule;*
- *the proposed street wall height provides a transition, scaling down to the interface with heritage building, and is no more than two storeys higher than the street-wall height of the adjacent heritage building; and*
- *the proposed street wall height does not overwhelm the adjacent heritage building.*

Setbacks

On non-heritage sites, development should be built up to the front property boundary.

The subject land is in Area 2. The minimum upper-level setbacks for non-heritage sites in Area 2 is **6m**.

I understand this is a discretionary provision, but DDO23 states that:

For development adjacent to a heritage building, a permit cannot be granted to construct a building or carry out works if it does not meet the preferred minimum upper level setback requirements in Table 1 unless the proposal meets the Design Objectives and the Heritage Building Design Requirements in this schedule.

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Overshadowing

DDO23 states that development must not overshadow any part of the southern footpaths of Derby Street to a distance of 2m from the kerb, between 10am and 2pm at the equinox. I understand this is a discretionary provision.

Frontages

DDO23 guidance calls for prominent street wall edges, engaging and active street frontages, ground floor commercial activity where applicable, and appropriate location of services access.

Upper levels are to be well-designed and articulated to break up the building mass, and to provide passive surveillance opportunities.

Building separation and equitable development

Development is required to consider future development opportunities on adjacent sites, and where development shares a common boundary, upper level development must:

- o *be setback a minimum of 4.5m from the common boundary, where a habitable window or balcony is proposed; or*
- o *be setback a minimum of 3.0m from the common boundary where a commercial or non-habitable window is proposed.*

Where the common boundary is a laneway, the setback is measured from the centre of the laneway.

2.1.4 Planning Policy Framework

The following clauses are applicable to the subject site and proposal. Relevant content from these clauses is raised below in the context of my assessment of the proposal.

Clause 15 Built Environment discusses Urban Design objectives and strategies including as follows.

- o **15.01-1S Urban Design** provides strategies for safe, healthy, functional and enjoyable urban environments. Strategies include:
 - *Require development to respond to its **context in terms of character, cultural identity**, natural features, surrounding landscape and climate.*
 - *Ensure development **contributes to community and cultural life** by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.*
 - *Ensure development **supports public realm amenity and safe access** to walking and cycling environments and public transport.*
 - *Ensure that the design and location of **publicly accessible private spaces**, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.*
 - *Ensure that development provides **landscaping** that supports the amenity, attractiveness and safety of the public realm.*
- o **15.01-1R Urban design - Metropolitan Melbourne** seeks to create a distinctive and liveable city with quality design and amenity. Strategies include: *Support the creation of well-designed places that are memorable, distinctive and liveable.*
- o **15.01-1L Urban Design** includes Strategies for new public realm spaces, weather protection to the public realm, and responsive interfaces to laneways. For development adjoining land in a Heritage Overlay, it recommends:

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- *Ensure development provides a transition from any adjoining building with an individually significant or contributory heritage grading, having regard to height, street wall height, setbacks, building form and siting.*
 - *Ensure development is sympathetic and respectful design response that does not dominate an adjoining heritage place.*
 - *Ensure appropriate materials and finishes complement the area which do not detract from the fabric of the heritage place.*
 - *Ensure development adopts a street wall height to the street frontage that is no higher than an adjoining heritage building with an individually significant or contributory grading.*
- **15.01-2S Building design** seeks to achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.
 - **15.01-2L Building design** provides general Strategies for built form, heights, setbacks and materials. It also addresses access, frontages, car parking and servicing equipment.
 - **15.01-4S Healthy neighbourhoods** seeks to achieve neighbourhoods that foster healthy and active living and community wellbeing.
 - **15.01-4R Healthy neighbourhoods - Metropolitan Melbourne** seeks to create a city of 20-minute neighbourhoods;
 - **15.01-5S Neighbourhood character** seeks to ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place.

Clause 16 Housing addresses objectives and strategies including as follows.

- **16.01-1S Housing supply** seeks to facilitate well-located, integrated and diverse housing that meets community needs.
- **16.01-1R Housing supply - Metropolitan Melbourne** seeks to manage the supply of new housing to meet population growth and create a sustainable city by developing housing and mixed use development opportunities in locations... (including) Major Activity Centres.
- **16.01-1L Location of residential development** seeks to encourage new housing development to locations in a major or neighbourhood activity centre or major regeneration areas. The Strategic housing framework plan – Fitzroy and Collingwood identifies the subject site as being in an area for Incremental Change.



Figure O3: Excerpt from Clause 16.01-1L Location of residential development, Strategic housing framework plan – Fitzroy and Collingwood, with the subject site indicated in red outline.

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2.2 Built form context

2.2.1 Site location and local context

The site is an L-shaped parcel comprising two properties, with frontages to Derby Street to the south, Langridge Street to the north, and an access laneway to the west. The northern part of the site interface with Little Oxford Street, which runs between Derby and Langridge streets.

The site is approximately 35m from Smith Street corridor to the west.

The site's Derby Street frontage is 17.96 in length, the total Langridge Street frontage is 24.2m, the Little Oxford street frontage is 12.55m, and the frontage to the access lane is 24.84m in length, reflecting the full depth of the site.

The total site area is approximately 525.7 sq.m.

2.2.2 On-site built form

The subject site is occupied by a 2-storey masonry commercial building with parapet roof, as shown below. The north-eastern portion of the L-shaped site is currently used for at-grade parking.



Figure 04: Subject site, Derby Street frontage, with adjoining heritage house at 8 Derby Street, and Little Oxford Street at right.



Figure 05: Subject site, Langridge Street frontage, with Little Oxford Street at left.

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Figure 06: North-eastern portion of the subject site (car parking area), looking west along Langridge Street.

The site's immediate interfaces comprise:

- **North:** Langridge Street, an approximately 20m-wide street containing a mix of generally 1-2 storey buildings.
- **East:** Little Oxford Street (approximately 10m wide), and 8 Derby Street, a heritage house built to its site boundaries, with a small courtyard on the Little Oxford Street frontage.
- **South:** Derby Street, also approximately 20m wide, with generally 2-storey heritage buildings along the southern side.
- **West:** Access lane, approximately 3.0m wide, interfacing to the side of a small heritage house (2 Derby Street) and the rear of three properties fronting Smith Street.



Figure 07: The subject site (red brick building) with adjacent built form on Oxford Street, looking south.



Figure 08: Contemporary development on Little Oxford street, looking north from Langridge Street.

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Figure 09: 8 Derby Street, frontage to Little Oxford Street, with subject site at right and behind.



Figure 10: Frontage of 8 Derby Street adjoining the subject site.



Figure 11: Heritage house at 2 Derby Street, across the laneway from the subject site (at right).



Figure 12: Laneway along the western edge of the subject site, viewed looking north from Derby Street.



Figure 13: Southern side of Derby Street opposite the subject site, looking west.



Figure 14: View looking east along Derby Street, from Smith Street.

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Figure 15: Terrace buildings on the north side of Derby Street, east of Little Oxford Street.

2.2.3 Surrounding built form

The area around the subject site comprises a diverse and varied built context, as shown above and below. Established built fabric in this area generally comprises low-scale (1-3 levels), fine grain, traditional built form, while an emerging context of higher-scale redevelopment is evident in the locality.

Nearby recent developments, shown below, range from 6-8 levels, with some higher built form along the Wellington Street corridor, about 230m east of the subject site. These typically reflect the approach of establishing 2-4-storey street walls, with higher form set back. This supports retention of the prevailing and relatively consistent low-height street wall condition, while accommodating higher-scale built form above.



Figure 16: Development at 61-71 Wellington Street, viewed looking east across Cambridge Street towards Wellington Street, with Derby Street at right.



Figure 17: Development along Wellington Street, looking east along Derby Street.

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Figure 18: View looking west along Derby Street, with development at 19-21 Derby Street (corner Oxford Street).



Figure 19: Development at 19-21 Derby Street (corner Oxford Street).



Figure 20: 'Victoria' and Vine development, 11 Wellington Street (south of Derby Street).



Figure 21: Built form along Wellington Street, looking north.



Figure 22: Development on Wellington Street, east side.



Figure 23: Recent 'T3' development, corner Wellington and Northumberland Streets.

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2.3 The proposal

2.3.1 Configuration

The proposal is for an 8-storey building configured as follows:

- Basement (2 levels): car parking with car lift access, storage, services;
- Ground Floor: Commercial tenancy (restricted retail) fronting Langridge Street; residential lobby, apartments, car park entry;
- Levels 1-7: Apartments;
- Roof: Services/Solar PVs.

2.3.2 Heights

The overall building height is dimensioned as 25.2m to rooftop/parapet level (excluding lift overrun).

Floor-to-floor heights are 3.48m at Ground Floor, 3.15m at Levels 1-2 and 5-6, and 3.225m at Levels 3-4, and 3.570m at Level 7.

The street wall heights are dimensioned from NGL as follows:

- North Elevation: 14.3m – 16.5m
- East Elevation: up to 14.3m
- South Elevation: 11.4m – 13.5m.

2.3.3 Profile

The Ground Floor occupies the full extent of the site, with a recessed north-east corner for the commercial entrance.

Level 1 provides an approximately 2.8m setback to the north of 8 Derby Street.

This increases to 5.0m at Level 2, and 7.4m at Level 3, with no built form north of 8 derby street from Level 4.

The footprint from Level 4 and above ‘steps away’ from 8 Derby Street towards the north-west, presumably to allow solar access to that adjoining property.

From Level 4, the street setbacks are as follows:

Level	Wall setback from Derby St (south)	Wall setback from laneway (west)	Wall setback from Langridge St (north)
4	3.8m	0m / partial 3m to centreline of lane	0m (applies western portion only).
5	3.8m	3m to centreline of lane (excl. stairwell)	3.0m
6	3.8m	3m to centreline of lane (excl. stairwell)	3.0m
7	3.8m	3m to centreline of lane (excl. stairwell)	3.0m

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3.0 Review of the proposed development

3.1 Is the built form siting appropriate?

3.1.1 Guidance

DDO23 encourages *prominent street wall edges*, stating that *on non-heritage sites, development should be built up to the front property boundary.*

Clause 15.01-1L Urban Design recommends for development adjoining land in a Heritage Overlay, to *ensure development is (a) sympathetic and respectful design response that does not dominate an adjoining heritage place.*

Clause 15.01-2S Building design seeks to *achieve building design and siting outcomes that contribute positively to the local context, (and) enhance the public realm.*

3.1.2 Assessment

The proposed development appropriately occupies the full extent of the site, providing zero (0m) street walls to all street and lane frontages.

This is consistent with existing heritage buildings fronting Derby Street to the immediate east and west of the site, and most other buildings nearby.

Direct street frontages in this context support definition, continuity and clarity of the public realm, and contribute to the streetscape through activation and passive surveillance outcomes (discussed below).

I am therefore supportive of the proposed siting of the development.

3.2 Is the proposed land use appropriate?

3.2.1 Guidance

The **Mixed Use Zone (MUZ)** provides for a *range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.*

DDO23 seeks to *foster an emerging, contemporary, mixed-use character*, which builds on existing conditions in this locality.

3.2.2 Assessment

The proposed commercial/restricted retail tenancy would presumably accommodate a showroom or similar, which is appropriate at the Langridge Street interface (where residential is less appropriate at Ground Floor), and will provide daytime activation to the site's busiest streetscape interface.

The provision of higher-density housing is appropriate in this Major Activity Centre location.

The proposal comprises 18 apartments, with a varied mix as follows:

- Two (2) 1-bedroom apartments at Ground Floor (11%);
- Ten (10) 2-bedroom apartments (56%);
- Six (6) 3-bedroom apartments (33%).

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The plans show 14 different apartment layouts (types), reflecting a high degree of diversity. I therefore consider the proposed land uses to be responsive to the zoning and context.

3.3 Is the building height appropriate?

3.3.1 Building height guidance

DDO23 nominates a *preferred* maximum height of 20m for this site, but this height control is mandatory, unless all the applicable criteria are met, as set out above.

3.3.2 Building height assessment

The emerging built form context in this locality is indicated by multiple developments nearby in the range of 6-8 levels, as indicated above, while higher forms exist further to the east on Wellington Street (8-14 levels approximately) and to the north on Smith Street (6-10 levels approximately).

Therefore the proposed height of 8 levels is considered to be within the general range of other developments nearby in Collingwood.

However, the proposed height of approximately 25.2m exceeds the preferred maximum height from DDO23. Therefore, the following assessment of the proposal against the DDO23 criteria is warranted.

Satisfying the design objectives:

To foster an emerging, contemporary, mixed-use character with a prominent street-wall edge, incorporating upper level setbacks and design features that create a distinction between lower and upper levels.

- The proposed development is contemporary and design and mixed-use in character.
- It incorporates a prominent street wall with visible setbacks to upper levels.
- The distinction between lower and upper levels is relatively subtle, as a result of the design intent to 'ensure a soft and quiet balance rather than high contrast' (from the Design Report). The upper levels utilise concrete in a similar tone to the podium brickwork, and the facades to the east and west are more solid/closed, in response to sensitive interfaces.
- In considering the renders of the proposal (below), the consistency material/colour, the extension of brickwork for the full height of the lift/stair core element, and the varied open/solid façade expressions, creates limited visual distinction between upper and lower levels.
- However, in these renders, the massing and upper-level setbacks ensures that the visual differentiation between lower and upper components is recognisable and responsive to streetscape conditions.

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Figure 24: Render/montage of the proposed development, looking west along Langridge Street.



Figure 25: Render/montage of the proposed development, Derby Street frontage.



Figure 26: Render/montage of the proposed development, looking east along Derby Street.



Figure 27: Render/montage of the proposed development, looking east along Langridge Street.

To ensure that the overall scale and form of new buildings is mid-rise (ranging from 3 to 12 storeys) and responds to the topography of the precinct, by providing a suitable transition in height as the land slopes upwards, whilst minimising amenity impacts on existing residential properties, including visual bulk, overlooking and overshadowing.

- The overall 8-storey scale is considered mid-rise.
- The site's ground level rises approximately 1,72m from west to east (upwards towards Smith Street), as shown in the North Elevation. The north and south street walls are stepped to reflect and reinforce this topographic variation, with distinct façade modules of varied height.
- The ground level frontages and fenestration also respond to the streetscape gradients.
- Neighbouring properties (including residential) are within the Mixed Use or Commercial 1 Zones, rather than residential zones. However, the proposed massing seeks to minimise impacts on neighbouring houses, through a stepped profile away from 8 Derby Street, a recessive profile to Little Oxford Street, and upper-level setbacks to other streets. ***Off-site impacts are addressed further below.***

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To maintain the prominence of the corner heritage buildings on Wellington Street, and respect both individual and groups of low-scale heritage buildings through recessive upper-level development and a transition in scale from taller form towards the interface with heritage buildings.

- The proposal respects and responds to neighbouring heritage buildings through:
 - Street wall which steps down (in two steps) towards the house at 8 Derby Street;
 - Street walls expressed in narrower modules reflecting the ‘grain’ of 8 Derby Street and nearby heritage terraces;
 - Expressed street wall/podium form in more solid, grounded expression; which relates to the prevailing streetscape conditions and lower-scale heritage buildings; and
 - Use of cream brickwork which references the local context.

To promote and encourage pedestrian activity through street edge activation and the protection of footpaths and public open spaces from loss of amenity through overshadowing.

- Street edge activation is achieved through:
 - The commercial/retail tenancy with windows to Langridge Street and the laneway, and a splayed entrance at the corner of Langridge and Little Oxford Streets;
 - Two (2) dwellings fronting Derby Street at Ground Floor level with private open spaces at the street edge;
 - The residential entrance/lobby off Derby Street, with windows facing onto the laneway.
- The proposed massing protects footpaths from unreasonable overshadowing. ***Off-site impacts are addressed further below.***

To ensure that development provides for equitable development outcomes through building separation and a design response that considers the development opportunities of neighbouring properties.

- The site directly adjoins one property only, being a small site containing a heritage house at 8 Derby Street.
- This interface is addressed through:
 - a boundary wall on the review site’s eastern boundary, to full height (8 storeys) but stepping back from the south from Level 3;
 - Stepping back from the northern edge of 8 Derby Street, at each of Levels 1-4.
- The laneway interface is addressed by:
 - Obscure glass to residential windows on boundary at Levels 1-3;
 - Setting back of apartment walls and lobby window at each level, by 3.0m from the centreline of the laneway.

Based on the above assessment, I consider that the proposal meets the Design Objectives of DDO23.

Heritage design requirements

These do not apply to the subject site.

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Overshadowing and solar access requirements

The shadow diagrams illustrate that, between 10am and 2pm at the equinox, the shadow of the proposed development extends to between 0m and 1m from the southern kerb on Derby Street (but does not appear to encroach over the kerb).

Therefore it does not strictly comply with the requirement to avoid shadows up to 2m from the kerb.

Other requirements

The proposal provides greater building separation to the northern interface of 8 Derby Street (heritage house) and does not directly interface with any other properties.

As shown above, the proposed dwellings are highly varied in size, type and layout.

The Development Summary Table in the plans appears to indicate that all private open spaces exceed the minimum area requirement of 8 sq.m.

The proposal achieves a BESS score of 70% as stated in the Town Planning Report.

I therefore consider that the proposal achieves the requirements for exceeding the preferred maximum building height.

3.4 Is the building massing appropriate?

3.4.1 Guidance

DDO23 nominates a preferred maximum street wall height of 14m, for the subject site, to all frontages.

DDO23 encourages development incorporating upper-level setbacks, and distinction between lower and upper levels, and nominates minimum upper-level setbacks of 6m.

3.4.2 Assessment: Street wall heights

As noted above, the street wall heights are varied in height, ranging from approximately 5m adjacent to 8 Derby Street, to 16.5m at Langridge Street. Therefore, the street wall heights exceed the preferred maximum of 14m by a limited margin in some locations, noting that the street wall is stepped in all street frontages, and so assessment against the other DDO23 criteria is required.

Satisfying the Design Objectives

I have addressed the response to the Design Objectives above. I do not consider that the limited encroachment of the street wall heights above 14m affects the achievement of the Design Objectives in the proposed development.

The most significant exceedance of the 14m preferred street wall height occurs at the 5-storey component, at the north-western corner (so fronting Langridge Street and the laneway, close to Smith Street).

While this component could potentially be reduced to 4-storeys, I consider it acceptable as proposed, noting that:

- It is limited in length/breadth;

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- It faces the major street interface;
- It provides a stepped profile to reflect and reinforce the topography; and
- It is located in the northern part of the site so does not create significant shadow impacts.

Further, this component is integral with the proposed ‘carving’ out of building mass from the north-eastern part of the site, which limits amenity and scale impacts in relation to the heritage buildings and streetscapes to the south and east.

Transition to heritage buildings

The street wall profiles make a clear transition down to the adjoining house at 8 Derby Street, in both south and east frontages. They also provide transitions down in height, away from Smith Street and towards the (generally) lower-height fabric to the east.

The street walls adjacent to 8 Derby Street (South and East Elevations) are 4-stoires, so not more than 2-stoires higher than the 2-storey heritage house.

Consequently, the proposed street wall height does not overwhelm the adjacent heritage building, again noting that the highest street wall is more removed from heritage buildings to the east and south, including the adjoining house at 8 Derby Street.

3.4.3 Assessment: Upper-level setbacks

Street setbacks

The proposed upper-level setbacks of 3.8m to the south, and 3.0m to the north, are lower than the required 6m for Area 2.

However, I consider that the proposal does meet the DDO23 Design Objectives, as set out above, which allows a Permit to be granted with lesser setbacks.

I consider that setbacks of approximately 3m-4m are acceptable for moderate mid-rise buildings, such as this proposal. As noted above, the setbacks support adequate visual differentiation between the street wall and upper levels, and while the public realm solar access requirements are not strictly met, the proposed massing (including upper-level setbacks) ensures that shadows do not encroach over the southern kerb to Derby Street at the equinox.

I recognise that increased upper-level setbacks would reduce the length of shadows. However, the upper levels would still be visible in the streetscape.

I note that the Heritage Design Requirements in DDO23, including visibility/sight line provisions for upper levels, are not applicable to the subject site.

Indicatively, setbacks of 3m above street walls of 14m achieve streetscape with-to-height ratios as follows (for 20m wide streets such as Derby and Langridge Streets)

- Street wall: 1:0.7 (so a relatively open profile, where the width is greater than the height);
- Upper levels: 1:1 (20m + 3m + 3m setbacks = 26m; relative to 25m height) (so a balanced relationship of enclosure vs openness to sky).

I consider these indicative proportions to be appropriate.

Laneway setbacks

No dwellings have their primary outlook to the laneway in the proposed development. Lower-level windows facing the laneway are obscured (reeded glazing – labelled GL-02), to prevent

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overlooking, noting that adjacent properties to the west are in the Commercial 1 Zone. Upper levels walls and lobby windows (excluding the lift/stair core) are set back 3m from the centreline of the laneway.

I therefore consider the upper-levels setback to be acceptable.

3.5 Are the public realm interfaces / frontages appropriate?

3.5.1 Guidance

DDO23 encourages *pedestrian activity through street edge activation, and engaging and active street frontages.*

Clause 15.01-1S Urban Design seeks to *ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.*

Clause 15.01-2S Building design seeks to *achieve building design and siting outcomes that contribute positively to the local context, (and) enhance the public realm.*

3.5.2 Assessment

Interface to Derby Street

The Ground Floor frontage to Derby Street comprises large glass double doors to the main residential entrance, and openings to the front terraces of two dwellings, with glazed frontages beyond.

Services cupboards are integrated below the terrace openings. While the sill of these openings is relatively high (approximately 1.3m to 1.8m above NGL), this is affected by the topography, but also supports a level of visual privacy and security to Ground Floor dwellings. Further, the proposed outcome is preferable to full-height services cupboards, because it allows this street frontage to be almost fully active/visually permeable.

At the upper levels in the street wall, large openings to terraces and internal spaces (both full height, and above balustrade level) provide further activation and passive surveillance opportunities.

I note that the glazing throughout (GL-01) is 'light grey' in colour. I am not aware if this addresses solar or thermal considerations, but I consider that clear glazing is preferable for visual interaction and passive surveillance opportunities. The Derby Street frontage faces south so will not experience any significant solar impacts, and many windows are set behind recessed balconies so will benefit from solar shading.

Recommendation 1:

Provide clear glazing to Ground Floor and upper-level windows and doors where possible, rather than tinted or coloured glass. This recommendation applies to all facades.

Interface to Langridge Street

The Ground Floor frontage to Langridge Street comprises large, full-height shopfront windows, again providing full activation (but with limited extent of solid wall between windows).

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Again, at the upper street wall levels, large openings provide further activation and passive surveillance opportunities.

Interface to Little Oxford Street

This frontage contains the vehicle entrance, so is largely inactive, but the splayed, glazed retail entrance provides for passive surveillance opportunity at the corner, and visibility through to Langridge Street. Upper-level windows are proposed above.

Laneway interface

The laneway is also activated by large Ground Floor windows to the retail tenancy, and tall, narrow windows in the lobby space which are angled towards the laneway, providing an appropriate level of passive surveillance potential, in combination with extensive upper-level glazing (noting that much of this is obscured).

These frontages interfaces are appropriate and effective in contributing positively to the public realm. **I therefore support the public realm interfaces as proposed.**

3.6 Is the architectural expression appropriate?

3.6.1 Guidance

Clause 15.01-1S Urban Design requires development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.

Clause 15.01-1R Urban design - Metropolitan Melbourne supports the creation of well-designed places that are memorable, distinctive and liveable.

Clause 15.01-1L Urban Design includes Strategies as follows:

- *Ensure development is sympathetic and respectful design response that does not dominate an adjoining heritage place.*
- *Ensure appropriate materials and finishes complement the area which do not detract from the fabric of the heritage place.*

Clause 15.01-2S Building design seeks to achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.

Clause 15.01-5S Neighbourhood character seeks to ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place.

3.6.2 Assessment

The proposed development reflects a highly considered, distinctive architectural design, which emphasises a sense of 'craft' and detailed resolution.

The street wall components are broken-up vertically into 'fine grain' modules that respond to established streetscape rhythms of nearby development fabric.

The street wall articulation reflects a sense of solidity, mass and 'groundedness', which is appropriate to the context and responsive to nearby heritage buildings.

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The cream brick expression is consistent, and makes reference to the context as the Design Report shows. The design utilises considered details and articulation, with brick distinct corbeled brickwork panels and brick inserts, rather than a diversity of materials and finishes.

The 'quiet, calm' expression is supported in this context, as is the façade design in response to each interface and solar orientation.

As noted above, the complex street wall and upper-level massing responds to the site's heritage interface and protects the solar amenity of the house at 8 Derby Street.

The upper-level expression is also considered and responsive, in the more simple material of coloured concrete.

The detailing of this concrete should ensure that it ages well and does not become discoloured or stained from weather and water streaks, as is relatively common.

The eastern and western facades are relatively 'closed' with limited windows. The eastern side is broken up by the brickwork stair/lift core form, but the prominent east-facing wall incorporates a quite large expanse of coloured concrete panels, which may appear 'bland' or 'utilitarian' in views from the east.

Given its prominent and scale, I consider that limited further articulation of this upper-level façade would be beneficial to its external expression, visual interest, and management of its scale.

Recommendation 2

Integrate limited further articulation to the upper-level, east-facing façade.

I otherwise consider the external expression to be appropriate and supportable.

3.7 Are equitable development opportunities provided?

As noted above, the site only interfaces with one property, containing a heritage house.

Redevelopment of that site is limited by its small size and heritage status.

However, the proposal provides for equitable development opportunity through its full-height boundary wall to the east (the existing heritage house is built to this boundary), and a stepped profile to facilitate solar access, and potential spacing to future development at 8 Derby Street.

I therefore consider that the proposal appropriately provides for equitable development potential.

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4.0 Conclusion

I consider the proposed development at 4-6 Derby Street, Collingwood to be an appropriate response to Collingwood's evolving urban context, and to the parameters of the subject site and its interfaces.

While the proposed height exceeds the preferred maximum height established by the interim controls in DDO23, the design generally meets the applicable criteria for additional height, to a satisfactory extent.

The design is highly considered, in its massing, internal layouts, and responses to all interfaces, including heritage considerations. The Architectural Plans and Design Report reflect this high level of design rigour and resolution in the proposal.

The external expression reflects a refined, considered design, and a visually interesting formal approach, which will contribute positively to the experience of this location.

I therefore consider that this proposal warrants support from an urban design perspective.

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16 January 2024

SLR Ref No.: 640.10090.00044-L01-v1 4-6 Derby St - acoustic review.docx

Attention: Jessica Sutherland
City of Yarra
PO Box 168
Richmond, VIC 3121

SLR Project No.: 640.10090.00044

**RE: Development Application – Review of Acoustic Report
4-6 Derby Street, Collingwood**

SLR Consulting Pty Ltd (SLR) has been retained by the City of Yarra to provide a review of the acoustic assessment report for the planning application at 4-6 Derby Street, Collingwood.

Details of the report are as follows:

- Title: 4-6 Derby Street Collingwood – Acoustic Assessment
- Date: 14/09/2023 (Revision 3)
- Prepared for: Milieu Property
- Prepared by: Acoustic Logic

The report has been prepared as part of the planning application for a new multi-storey mixed-use building.

1.0 Proposal and site context

Summary of the Application

Section 2 of the acoustic report states that the development consists of an eight-storey building. The building includes the following:

- Two levels of basement car parks, with a car lift near the eastern facade
- Retail tenancies on the ground floor
- Apartments on the ground floor to level 7
- Mechanical plant at roof level.

The site and surrounding environment are shown below:



SLR Comments

The nearest sensitive receivers should be identified, e.g. for the assessment of mechanical plant noise emissions.

2.0 Background noise levels

Summary of the Acoustic Report (Section 4.1)

Unattended background noise monitoring was conducted from 14th to 25th July 2023. The monitoring location (labelled as “location 1” in the report) was midway along the western façade of the subject site, with the microphone at a height of 1.5 metres above ground level. A photo of the monitoring location is provided in Appendix 2 and graphs of the monitoring results are provided in Appendix 3. To account for façade reflections, a -2.5 dB adjustment has been applied to the measurement results.

The background noise levels used for the assessment are:

- 46 dBA L₉₀ during the day period
- 43 dBA L₉₀ during the evening period
- 37 dBA L₉₀ during the night period

SLR Comments

The wording “Refer Table 3 for spectrum levels” should be removed from Table 2, to avoid confusion.

We have checked the graphs in Appendix 3, and the results seem consistent with the overall background noise levels used to determine the noise limits.



3.0 EPA Publication 1826 Part I noise limits

Summary of the Acoustic Report (Section 5.2)

EPA Protocol Part I noise limits for the nearest noise sensitive receiver have been calculated based on the measured background noise levels and the planning zones. The presented noise limits are:

- 57 dBA Leq during the day period
- 52 dBA Leq during the evening period
- 45 dBA Leq during the night period

SLR Comments

The presented noise limits are similar to our indicative calculations, based on the presented background levels.

4.0 Traffic noise ingress

4.1 Criteria and source levels

Summary of the Acoustic Report

Section 5.1.2 of the acoustic report states that the criteria for bedrooms are 35 dBA Leq,8h and 40 dBA Leq,1h at night, and 45 dBA Leq during the day. The criteria for living areas are 40 dBA Leq,16h and 45 dBA Leq,1h during the day.

Attended traffic noise measurements were conducted in the mornings of Friday 14th July, Thursday 22nd June and Friday 11th October 2023, and the afternoons of Thursday 10th June 2023. The measured noise levels at the Langridge Street facade were 60-63 dBA Leq,15min in the mornings and 63 dBA Leq,15min in the afternoons. The measured noise levels at the Derby Street facade were 53-57 dBA Leq,15min in the mornings and 53-55 dBA Leq,15min in the afternoons. The measured noise levels on Smith Street (approx. 30 metres west of the subject site) were 65-67 dBA Leq,15min in the mornings and 65-66 dBA Leq,15min in the afternoons.

SLR Comments

The proposed criteria are consistent with the City of Yarra Guidelines.

To allow use to review the building envelope, the adopted source spectra (daytime Leq,16h and Leq,1h, plus night-time Leq,8h and Leq,1h) are requested, along with descriptions of how these have been determined from the measurement results.

Table 3 should be amended to refer to Figure 2 instead of Figure 1.



4.2 Assessment

Summary of the Acoustic Report (Section 6)

The recommended glazing consists of:

- Rw 35 (10.38mm lam or 6/12/10.38 double-glazing) for the northern (Langridge Street) façade and the northern portions of the eastern and western facades
- Rw 29 (6 mm glass or 6/12/6 double-glazing) for the remaining facades

Concrete or masonry external walls are stated to not require any acoustic upgrades. If lightweight external walls are proposed, they should be reviewed by a suitably qualified acoustic consultant.

A concrete roof is proposed, which is stated to not require any acoustic upgrades.

SLR Comments

To allow use to review the building envelope design, the predicted traffic noise levels (daytime $L_{eq,1h}$, daytime $L_{eq,16h}$, night-time $L_{eq,1h}$ and $L_{eq,8h}$) inside the worst-case apartment are requested.

5.0 Mechanical plant

Summary of the Acoustic Report (Section 7)

The mechanical plant design has not been finalised at this stage. It is recommended that the plant and equipment design be reviewed by a suitably qualified acoustic consultant.

SLR Comments

We agree with the proposed approach for mechanical plant on the subject site.

Noise from existing mechanical equipment associated with commercial uses to the west and north has the potential to impact the proposed apartments in the development. These impacts should be evaluated and assessed to the new development.

6.0 Carpark gate and car lift

Summary of the Acoustic Report (Section 8)

The carpark gate is required to meet a sound pressure level of 65 dBA L_{max} at 1 metre. Several other noise and vibration mitigation measures are recommended for the carpark gate and floor.

The acoustic report states that the car lift and carpark gate shall comply with the EPA Publication 1826 Part I noise limits.

SLR Comments

The report recommendations relate to the carpark gate and there is minimal advice on vibration isolation or noise control from the actual car lift. The car lift poses a similar risk of noise and vibration impacts to that of the carpark door.

Considering the nearby existing and proposed dwellings, a more formal Noise Protocol and sleep disturbance assessment should be provided. The maximum source level (as a sound pressure level at a distance) for the car lift, and other requirements (vibration isolation etc.) should also be specified in the report such that the noise targets are met.



7.0 Retail tenancy

Summary of the Acoustic Report (Section 9)

A 'restricted retail' tenancy is proposed for the northern façade at ground level *[the usage and operating hours of this tenancy presumably aren't known at this stage]*.

The report states that music in the tenancy shall be limited to background levels, shall be only played in indoor areas, and shall be inaudible at nearby dwellings. Glass disposal/transfer shall not occur outdoors from the hours of 10 pm to 7 am. Waste and recycling collections shall occur during the same hours as collections for the proposed apartments.

SLR Comments

If the operating hours include the period of 10 pm to 7 am, then an acoustic assessment should be conducted prior to the tenancy commencing operations.

Deliveries and waste collections for the retail tenancy should occur during the times recommended in EPA Publication 1254.

8.0 Nearby licenced venues

Summary of the Acoustic Report (Section 2.1)

The New Guernica bar/nightclub is located approx. 20 metres northeast of the subject site. During a site visit between 11:30 pm on Friday 18th August 2023 and 1:30 am the following morning, music noise from New Guernica was inaudible at the subject site.

SLR Comments

We consider this to be a low-risk issue, given the observations from the site visit and the presence of other dwellings located closer to the venue than the subject site.

9.0 Recommendations

A review of the acoustic report prepared for the proposed mixed-use building at 4-6 Derby Street, Collingwood has been completed. In summary, our recommendations are that the report be updated to include / address:

- 1. The nearest sensitive receivers to the subject site should be identified.*
- 2. The adopted traffic source spectra (daytime $L_{eq,16h}$ and $L_{eq,1h}$, plus night-time $L_{eq,8h}$ and $L_{eq,1h}$) are requested, along with descriptions of how these have been determined from the measurement results.*
- 3. The predicted traffic noise levels (daytime $L_{eq,1h}$, daytime $L_{eq,16h}$, night-time $L_{eq,1h}$ and $L_{eq,8h}$) inside the worst-case apartment are requested.*
- 4. Noise from existing mechanical equipment should be assessed to the proposed apartments.*
- 5. Considering the nearby existing and proposed dwellings, a more formal Noise Protocol and sleep disturbance assessment should preferably be provided for the car lift and carpark entry door. The maximum source level (as a sound pressure level at a distance) for the car lift, and other requirements (vibration isolation etc.) should also be specified.*



6. *If the operating hours of the retail tenancy include the period of 10 pm to 7 am, then an acoustic assessment should be conducted prior to the tenancy commencing operations.*
7. *Deliveries and waste collections for the retail tenancy should occur during the times recommended in EPA Publication 1254.*

Regards,

SLR Consulting Australia

SDL

Simon de Lisle
Associate- Acoustics

Checked/ Authorised by: JA





City of Yarra
PO BOX 168 Richmond, VIC 3121

15 January 2024
Ref: 30N-23-0535-GCO-72485-0

Dear Jessica Sutherland,

PLN23-0685 4-6 Derby St, Collingwood, Victoria

This peer review of MEL Consultants "Environmental Wind Assessment" (Report: 23086A-DE-EWA01) is based on Vipac's experience as a wind engineering consultancy. No wind tunnel studies have been undertaken to support this review.

Vipac has reviewed the assessment report and the associated drawings (see the file list in the attachment), and have the following comments:

- i. The MEL Consultants Environmental Wind Assessment has been prepared based on drawings dated 20 Sept 2023 and consultancy experience. We have no issues with this method for a desktop study as this is a common approach to provide architects, developers and responsible authorities advice on wind impact of the proposed design.
 - a. It should be noted that the drawings supplied to Vipac by Council for this review were dated 09 Nov 2023. A comparison between the two sets of drawings determined that the findings and conclusions are generally valid for the updated drawings.
- ii. We have no issues with the analysis approach or the description of the wind environment. MEL Consultants have clearly described the process for a desktop assessment, and this is consistent with the approach that Vipac would take.
- iii. The report has used the assessment criteria from Clause 58.04-4 (Standard D32) or BADS; Vipac has no issues with this assessment criteria.
- iv. Natural vegetation and trees were not included in the analysis. Vipac has no issue with this.
- v. The report analysed the wind effects on the development street by street and its findings can be summarised as follows:
 - a. The wind conditions on the streetscapes along Langridge Street, Little Oxford Street, Derby Street, and Laneway on the west side of the proposed development are generally expected to meet the recommended walking comfort criterion.
 - b. With the raised planter along the west side of the development, the main residential entrance would be expected to satisfy the standing comfort criterion. The commercial entrance is expected to exceed the recommended standing comfort criterion. The report recommended that the addition of a wall or full height screen adjacent to the commercial entrance or relocating the entrance 3m away from the building corner would be expected to achieve the standing comfort criterion.
 - c. The wind conditions outside all secondary entrances into the building would be expected to satisfy the standing comfort criterion.
 - d. The wind conditions on the private terraces at the southwest corner of Level 4 and the northwest corner of Level 5 would be expected to satisfy the walking and safety criterion. The proposed raised planters at the corners of these terraces would be an important landscape feature to prevent pedestrian access and assist with the mitigating the wind conditions on these terraces.

- e. Terraces located on Level 4 to 7 would be exposed to direct winds from some quadrants. Based on the surrounding development and 1.150m high balustrade, the wind conditions on these private terraces would be expected to satisfy the walking comfort and safety criteria with terrace areas located away from building corners expected to have better wind conditions and potentially the sitting comfort criterion.
 - f. Wind conditions would be expected to satisfy the wind safety criterion.
 - g. It is recommended in the report that users of terraces will need to be educated on the wind effects and loose objects should not left on an unattended terrace.
- vi. Vipac generally agrees with the conclusions made in the MEL Consultants wind report.

In conclusion, the MEL Consultants Environmental Wind Assessment report uses the proper analysis and methodology to analyse the wind effects on the pedestrian level surrounding the proposed development. The report found that the proposed design would be expected to generate winds within the recommended wind comfort criteria with the recommendations. Vipac agrees with the assessment conclusions and recommendations made in the desktop wind report.

Vipac makes no further no comments or recommendations.

Vipac has reviewed the updated design (09 Nov 2023) and found that the assessment in the report are still valid.

Yours sincerely,

Vipac Engineers & Scientists Ltd



Mohamed Zaid
Wind Consultant



Rumman Islam
Wind Consultant

Attachments

1. J. Tan and Y. Padayatchy, Mel Consultants, Environmental Wind Assessment of the 4 Derby Street, Collingwood (Report 23086-DE-EWA01), Sept 2023.
2. Studio Bright (Nov 2023), 4 Derby Street, Collingwood, (20231109 – Architectural Plans. PDF).

MEMORANDUM OF ADVICE:

HERITAGE ADVICE

PROPOSED DEVELOPMENT AT 4-6 DERBY STREET, COLLINGWOOD (HO101 [PART]) [PLN23/0685]

PREPARED FOR: Jessica Sutherland, Statutory Planning Branch, Yarra City Council
DATE: 19 January 2024
FILE: 2023-072

1 BACKGROUND

GJM Heritage has been engaged by the City of Yarra (Council) to provide heritage advice that will inform the preparation of a Planning Officer's report for planning permit application PLN23/0685 (the application) at 4-6 Derby Street, Collingwood (the subject site).

The subject site comprises a 'L'-shaped parcel of land between Langridge and Derby streets, the substantial majority of which is occupied by a two-storey building housing Jesuit Social Services and Artful Dodgers Studios art gallery. A smaller parcel of land at the easternmost extent of the subject site is occupied by a concrete at-grade carpark. The subject site is not included in the Schedule to Clause 43.01 – Heritage Overlay of the Yarra Planning Scheme, except for parcel of land occupied by car parking, which is graded 'Not contributory'¹. The carpark – along with the land immediately south – is subject to HO101 – 8 Derby Street, Collingwood (House).

The proposal for which the application has been made seeks demolition of the existing two-storey building and construction of an eight-storey mixed-use development comprising retail showroom (with frontage to Langridge Street) and 18 apartments (accessed from Derby Street). Car parking spaces (25) are provided across two basement levels, with access via Little Oxford Street.

¹ In the Incorporated Document *City of Yarra Database of Heritage Significant Areas* September 2023.

Council seeks heritage advice regarding the proposal for which the planning application has been made and:

In particular, Council would like your opinion on the following:

- *The interface to the Individually Significant dwelling at No. 8 Derby Street.*
- *The relationship with the heritage overlays surrounding the land (and partially affecting the north-east corner of the subject site).*
- *Of note, we are seeking your advice at this early stage as the Design and Development Overlay (DDO23) affecting the site includes the following requirements to be met where a preferred street wall height is to be exceeded:*
 - *the built form outcome as a result of the proposed variation satisfies the Design Objectives at Clause 1.0 and the Heritage Building Design Requirements in this schedule;*
 - *the proposed street wall height provides a transition, scaling down to the interface with heritage building, and is no more than two storeys higher than the street-wall height of the adjacent heritage building; and*
 - *the proposed street wall height does not overwhelm the adjacent heritage building.*

This memorandum of advice provides a heritage analysis of the subject site and the planning application's response to the relevant heritage provisions of the Yarra Planning Scheme including through the application of DDO23, noted above.

A site inspection was undertaken by GJM on 14 December 2023 in partially overcast conditions. The subject site and its broader streetscape context were visually inspected from the public realm. All photos in this memorandum were taken during this site inspection, unless otherwise stated.

We note that the subject site forms part of the traditional lands of the Wurundjeri People, who are represented by the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation. This memorandum is limited in its scope to consideration of post-contact cultural heritage and does not provide advice on any Aboriginal cultural heritage significance. Nonetheless, we acknowledge the Wurundjeri People as the Traditional Owners of the land at this place and pay our respects to their Elders past and present, from whose stewardship and wisdom we continue to benefit.



Figure 1. Location of the subject site (indicated with drop pin).

(Source: Melway Online)

1.1 Relevant Documents

The following documents have been relied upon in the preparation of this memorandum:

- The following materials for planning permit application PLN23/0685:
 - *Town Planning Design Report: 4-6 Derby Street, Collingwood* ('Design Report'), prepared by Studio Bright, dated September 2023 including design report and 'Town Planning Application' architectural drawing set (Revision A – 25/9/23);
 - *Town Planning and Urban Context Report: 4-6 Derby Street, Collingwood* ('Planning Report'), prepared by Contour Town Planners, dated 28 September 2023;
 - *Heritage Impact Statement 4-6 Derby Street, Collingwood, September 2023*, prepared by Bryce Raworth Conservation & Heritage Pty Ltd.
- Yarra Planning Scheme including:
 - Clause 15.01-1L Urban Design
 - Clause 15.03-1S Heritage conservation
 - Clause 15.03-1L Heritage
 - Clause 43.01 Heritage Overlay
 - Schedule 23 to Clause 43.02 Design and Development Overlay (DDO23)
 - *City of Yarra Database of Heritage Significant Areas September 2023* included at Schedule to Clause 72.04 Documents Incorporated in this Planning Scheme.
- The following in relation to Planning Scheme Amendment C293yara:

- Council preferred version of proposed DDO23, Attachment 3 to the Yarra City Council Meeting Agenda, 21 December 2021
- *Collingwood South Mixed Use Precinct Draft Yarra Planning Scheme Amendment C293yara*, Yarra Activity Centres Standing Advisory Committee Report 2, Planning Panels Victoria, 19 May 2022.
- Previous heritage advice provided by GJM Heritage to Council included in Amendment C293yara Reference Documents:
 - *Collingwood Mixed Use Pocket Heritage Analysis & Recommendations* (6 June 2018)
 - *Supplementary Heritage Report: Collingwood South (Mixed Use) Precinct* (5 May 2021).

2 THE SUBJECT SITE

The subject site is 'L' shaped and is located on the northern side of Derby Street, extending north to Langridge Street. An unnamed laneway forms the subject site's western perimeter, and Little Oxford Street – with the exception of the southeastern corner occupied by the house at 8 Derby Street – forms the subject site's eastern perimeter.



Figure 2. Aerial photograph of the subject site.

(Source: Nearmap, aerial dated 10 November 2023)

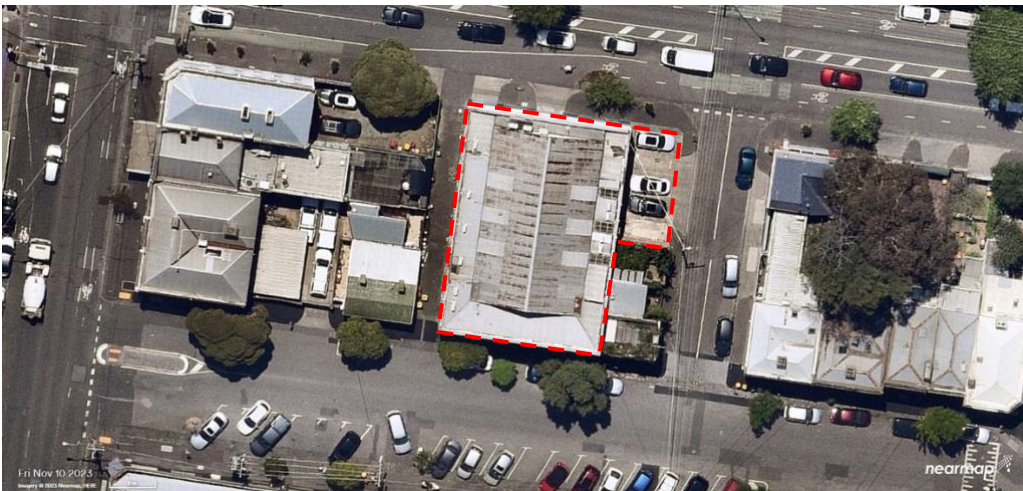


Figure 3. Detailed aerial photograph of the subject site (indicated by red dashed line).

(Source: Nearmap, aerial dated 10 November 2023)

2.1 Historical Overview

The *Heritage Impact Statement 4-6 Derby Street, Collingwood*, prepared by Bryce Raworth Conservation & Heritage Pty Ltd (September 2023) (Bryce Raworth HIS) provides a summary history of the subject site.

In summary, the historical research provided details the following timeline regarding the subject site:

- A double-height chapel was constructed by the late nineteenth-century at what is now 4-6 Derby Street, the *Sands & MacDougall* directory of 1880 describes this as 'Chapels of the Disciples of Christ' on Derby Street and 'Christian Chapel' along Langridge Street (Figure 4).

- The church had vacated the building by 1889, auctioneer George Benabo was occupying the main volume of the building to Langridge Street. The outline of the former chapel is indicated in the 1899 MMBW plan (Figure 5).
- The site was for sale in 1905, described in *The Argus* as “brick houses, containing 6 and 5 rooms respectively, and respectively known as Nos 4 and 4A Derby-street, Collingwood and also a brick store fronting Langridge Street”.
- Sewing machine sellers Harrison and Smith occupied the site during the 1920s, photography appears to indicate the building retained its Victorian character at this time (Figure 6).
- In the immediate Postwar years, the site was occupied by Electro-Motors Pty Ltd and then the Birko Electric Company. It appears that the building was remodelled to its current form in the late 1950s, including additions to the Langridge Street façade and recessed side elevations, leaving little evidence of its Victorian character.

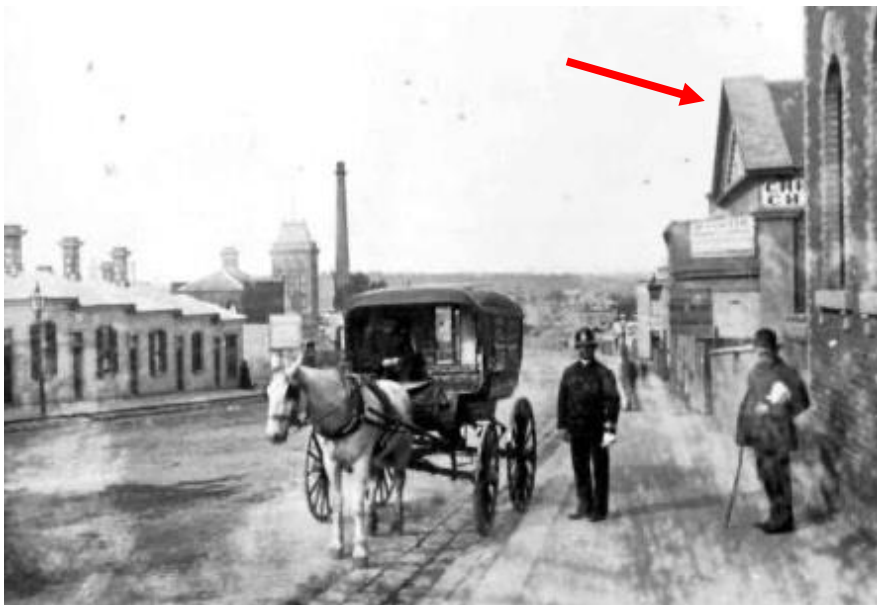


Figure 4. c.1887 view east along Langridge Street, showing the pedimented roof form on the Christian Chapel (indicated by red arrow). (Source: From the Bryce Raworth HIS, Picture Victoria)

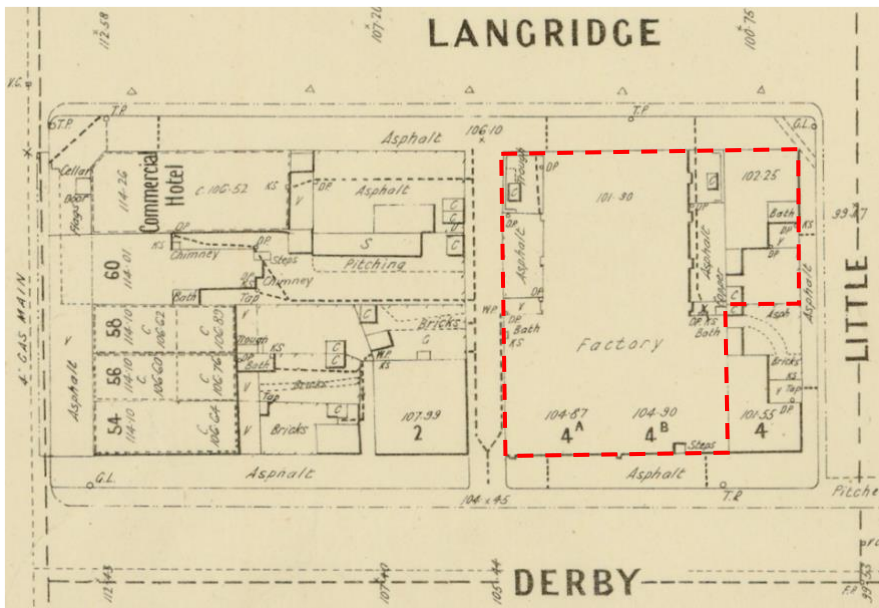


Figure 5. 1899 MMBW plan extract, showing the subject site (indicated by red dashed line). The subject site contains a single large building identified as a 'factory', with the southern frontage addresses of 4A and 4B Derby Street. The adjacent dwellings at 2 and 4 Derby Street are shown.

(Source: From the Bryce Raworth HIS, State Library Victoria)

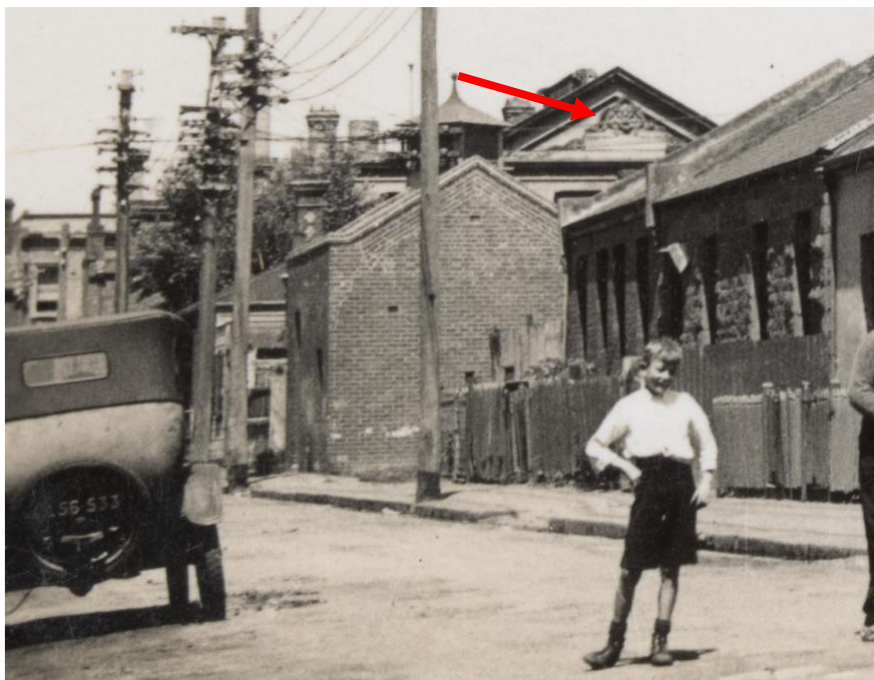


Figure 6. c.1935 view south along Little Smith Street, with the pedimented gable to the former factory (indicated by the red arrow).

(Source: From the Bryce Raworth HIS, State Library Victoria)

2.2 Description

The Bryce Raworth HIS describes the subject site as follows:

The subject site comprises several parcels of land and has frontages to Derby Street, Langridge Street and, to a lesser extent, Little Oxford Street. It also has a side boundary to an unnamed laneway running from Derby Street to Langridge Street. The topography slopes downhill in an easterly direction. The site is largely occupied by a two storey building run by Jesuit Social Services, with an open car park area at the north-east corner of Langridge and Little Oxford Streets.

The existing building is a composite structure, which appears to retain some internal or roof fabric from the double-storey Victorian building shown on the

MMBW plan, but has otherwise been extensively modified with additions and alterations. It now reads as a late inter-war or early commercial building. Both the street elevations are of rendered masonry, with bluestone plinths from the Victorian building still visible. The Derby Street frontage has a simple composition of large metal framed, multi-pane windows at each level, and a single pedestrian entry. The Langridge Street elevation contains several vehicle entries (one modified into a shopfront, and another pedestrian entry. Above the plain, flat parapet line the upper portion of the gabled roof form of the nineteenth century building is partially visible at a setback, with no other external evidence of its Victorian character along these frontages.



Figure 7. 4-6 Derby Street – Derby Street (south) façade. House at 8 Derby Street partially visible at right of image (HO101).



Figure 8. Oblique view looking northwest towards subject site from opposite side of Derby Street. 8 Derby Street centre of image (HO101).



Figure 9. (left) 4-6 Derby Street (left) and 8 Derby Street (right).

Little Oxford Street at right of image.

Figure 10. (right) Little Oxford Street interface - at-grade car park centre (part subject site), 8 Derby Street at left (HO101). 4-6 Derby Street at rear.



Figure 11. (left) Looking north along unnamed laneway from Derby Street along western boundary of subject site.

4-6 Derby Street at right, house at 2 Derby Street partially visible at left (HO99), Langridge Street at end of laneway.

Figure 12. (right) Looking east from Smith Street towards subject site.

4-6 Derby Street west (unnamed laneway) façade partially visible at rear of house at 2 Derby Street (centre of image; HO99).



Figure 13. 4-6 Derby Street – Langridge Street (north) façade.

Little Oxford Street at left of image.



Figure 14. (left) Oblique view looking southwest towards subject site from opposite side of Langridge Street. Little Oxford Street at left of image.

Figure 15. (right) Looking southeast towards subject site (centre, partially obscured by vegetation) from Smith Street.

62 Smith Street at right, on southeast corner of Langridge/Smith streets intersection (HO464).

2.3 Context

The subject site is located in the suburb of Collingwood, bordered by Langridge Street to the north, Little Oxford Street to the east, Derby Street to the south and an unnamed laneway to the west. The northern side of Derby Street - on which the subject site is located - is characterised by a low-scale streetscape comprising a mix of one-and two-storey residential and commercial buildings.

The southern side of Derby Street shares a similar built form character, except for a eight-storey XO Apartments at 27 Oxford Street, on the southwestern corner of the intersection with Derby Street. Interspersed with the fine grain heritage buildings on Derby Street are a number of larger infill sites including 4-6 Derby Street (the subject site), 25 Oxford Street, 30-34 Oxford Street, 33-37 Derby Street, 53-57 Cambridge Street. A 'pocket park' created by adapting the land previously occupied by the Oxford Street carriageway between Langridge and Derby streets is approximately 60m east of the subject site. Derby Street terminates at Wellington Street to the east, where a number of taller developments have recently been completed. One of which, the 13-storey Holme Apartments at 68 Cambridge Street, occupies the block bordered by Langridge (north), Wellington (east), Derby (south) and Cambridge (west) streets. Derby Street terminates at Smith Street approximately 50m west of the subject site.

There is a significant downward slope along the length of Derby Street, from west to east. Similarly, the existing and emerging built form character and building scale differs from west to east with predominately taller built form located along Wellington Street at the bottom of the slope to the east with Smith Street retaining predominantly two-storey shop/residences on the higher ground.



Figure 16. (left) Looking east along Derby Street from Smith Street



Figure 17. (right) 3-7 Derby Street (HO100) and 1 Derby Street (HO98) opposite the subject site



Figure 18. (left) North side of Derby Street looking towards the subject site (indicated) from the intersection with Oxford Street (nos. 10-22 Derby Street subject to HO102)



Figure 19. (right) XO Apartments, 27 Oxford Street (not subject to the Heritage Overlay).



Figure 20. (left) North side of Derby Street looking towards the subject site (indicated) from the intersection with Cambridge Street.



Figure 21. (right) Looking west along Derby Street from Wellington Street – Holme Apartments, 68 Cambridge Street on right of image. Note the slope of the land up towards Smith Street.



Figure 22. (left) Looking west along Langridge Street from Wellington Street – Holme Apartments, 68 Cambridge Street on left of image.



Figure 23. (right) Southern side of Langridge Street looking towards the subject site from the intersection with Oxford Street.



Figure 24. (left) At grade car park forming part of the subject site (HO101), 7 Langridge Street and the rear of 14-22 Derby Street (HO102) from opposite the subject site.

Figure 25. (right) Looking east down Langridge Street from the intersection of Gertrude and Smith streets



Figure 26. (left) Looking north along Little Oxford Street from Langridge Street. Note: eight storey apartments at 9 Little Oxford Street not subject to the Heritage Overlay

Figure 27. (right) Oblique view of the north side of Langridge Street looking towards Smith Street (HO333) from the intersection of Little Oxford Street.

3 HERITAGE CONTROLS

The subject site is located within the Capital City Zone (Schedule 1) and is subject to the following overlays:

- Design and Development Overlay Schedule 23 – Collingwood South (Mixed Use) Precinct (DDO23)
- Environmental Audit Overlay (EAO)
- Development Contributions Plan Overlay, Schedule 1 (DCP01)

The DDO23 applies to the mixed-use precinct between Smith and Wellington streets in Collingwood and expires on 2 April 2024. The schedule includes heritage-related design objectives and related built form requirements. Permanent built form controls are proposed through DDO23, to be introduced into the Yarra Planning Scheme by Amendment C293yara and currently under consideration by the Minister for Planning. Given where the permanent built form controls are in the planning scheme amendment process – following exhibition, consideration by the Yarra Activity Centres Standing Advisory Committee, adoption by Council and submission to the Minister – DDO23 can be considered to be ‘seriously entertained planning policy.’

The current (interim) and proposed permanent DDO23 heritage-related provisions are discussed in relation to the proposal in Section 5.4 below.

Of importance to this advice, part of the subject site is included in the Heritage Overlay of the Yarra Planning Scheme as HO101 – 8 Derby Street, Collingwood, House.

The Incorporated Document *City of Yarra Database of Heritage Significant Areas September 2023* of the Yarra Planning Scheme includes reference to the land subject to HO101 within the extent of the subject site as ‘Car park (rear of 8 Derby Street)’ and is grades this parcel ‘Not contributory’. This document includes properties subject to the Heritage Overlay and identifies a grading for each – either ‘Unknown,’ ‘Not contributory,’ ‘Contributory’ or ‘Individually significant.’ The Johnston House at 8 Derby Street is graded ‘Individually significant’ and located towards southern part of the land subject to HO101, on the northwestern corner of the Derby and Little Oxford streets intersection. External paint and solar energy system controls apply to HO101.

The following description of ‘Not contributory’ (4-6 Derby Street) and ‘Individually significant’ (8 Derby Street) is included in the Incorporated Document:

Not contributory: Not contributory to the identified cultural values of the heritage overlay area as stated in the Statement of Significance.

Individually significant: A heritage place in its own right. Where an individually significant place is part of a broader heritage precinct, the individually significant place may also be contributory to the broader precinct.

The entry for HO101 in the Schedule to the Heritage Overlay of the Yarra Planning Scheme is shown in Figure 28.

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO101	8 DERBY STREET COLLINGWOOD House Incorporated plan: Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014	Yes	No	No	Yes	No	No	No	No

Figure 28. Extract from the Schedule to Clause 43.01 Heritage Overlay of the Yarra Planning Scheme.

The Victorian Heritage Database entry for ‘Johnston house’, 8 Derby Street, Collingwood notes that the property was constructed in 1871 and is of local architectural significance.

There is no land directly abutting the subject site, however there are a number of locally significant heritage places within the surrounding built form context included in the Schedule to Clause 43.01 Heritage Overlay of the Yarra Planning Scheme.

Nearby individual heritage places include²:

- HO98 – Derby House, 1 Derby Street (Individually significant; 1876)
- HO99 – House, 2 Derby Street (Individually significant; 1875)
- HO100 – Terrace, 3-7 Derby Street (Individually significant; 1876)
- HO102 – Terrace, 10-22 Derby Street (Individually significant; 1868-69 & 1872)
- HO121 – House, 37 Oxford Street (Individually significant; 1869)
- HO122 – Crisp house, 39-41 Oxford Street (Individually significant; 1869)

Heritage precincts include:

- HO333 – Smith Street Precinct, Fitzroy and Collingwood
- HO336 – Victoria Parade Precinct, Collingwood
- HO464 – Smith Street South Precinct, Fitzroy and Collingwood

There are no heritage places within the immediate vicinity of the subject site included in the Victorian Heritage Register.

² Gradings for heritage places and estimated primary creation dates of typically publicly visible fabric as included in the Incorporated Document *City of Yarra Database of Heritage Significant Areas September 2023* of the Yarra Planning Scheme.

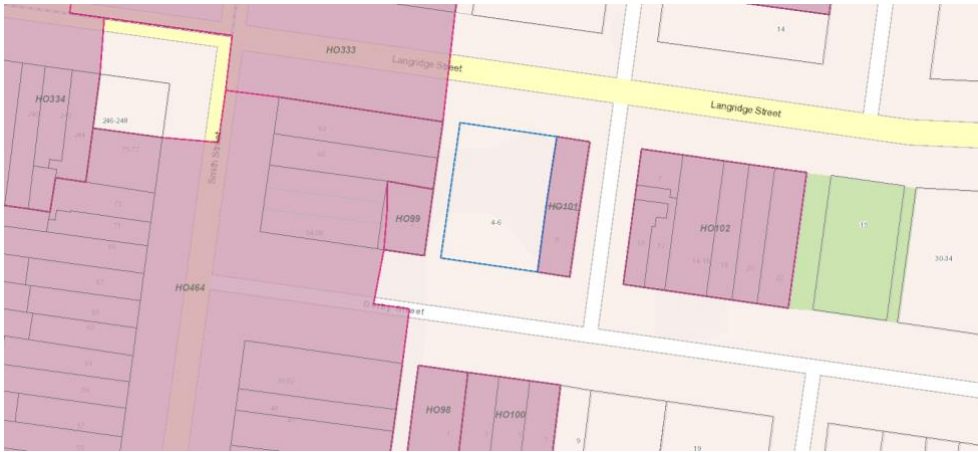


Figure 29. Heritage Overlay map - subject site outlined in blue.

(Source: VicPlan, accessed 21 December 2023)

4 DEVELOPMENT PROPOSAL

The proposal involves the demolition of the two-storey building at 4-6 Derby Street, Collingwood and construction of an eight-storey mixed-use development with two basement levels and street frontages to Derby Street (south) and Langridge Street (north).

4.1 Demolition

The demolition removes all fabric associated with the two-storey building at 4-6 Derby Street (no subject to the Heritage Overlay) and 'Not contributory'-graded concrete hardstand area towards the northeastern corner of the site (HO101 [part]).

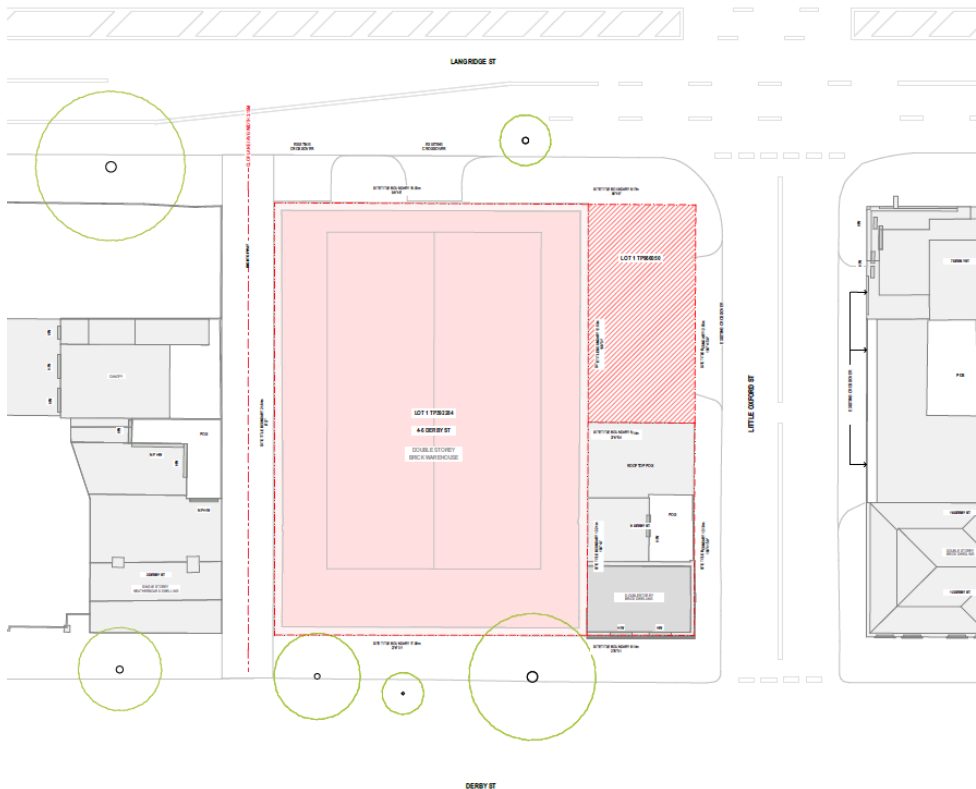


Figure 30. Proposed extent of demolition.

(Source: Studio Bright)

4.2 New development

The proposed new building is an eight-storey mixed-use building which utilises contemporary architectural language with stepped podium and upper-levels setback from the property boundary at Derby and Langridge streets.

4.2.1 Podium

The stepped one- to five-storey podium is constructed to the north (Langridge Street), east (Little Oxford Street and 8 Derby Street), south (Derby Street) and west (laneway) boundaries.

The following description of the podium is provided in the Design Report as follows (p 5):

Rather than the typical podium/tower response - the form is broken down into a finer grain – a series of smaller brick buildings that step down the street in a more nuanced design response.

Brick solidity and punched windows respond to the Collingwood character. Smaller brick and tile details speak to the shopfronts of Smith Street and the nearby brick warehouses.

The podium steps down from the western end of the site to the eastern end, reflecting the fall in elevation from west to east.

4.2.2 Tower

The tower element is irregularly-shaped, with a stepped vertical form from the north (Langridge Street) elevation to the east (Little Oxford Street) elevation. It is built part of the east and west boundaries and is set back approximately 3m from the north boundary and approximately 3.8m from the south boundary. The eight storey building rises to a height of 26.1m (AHD 57.2) from the centre of the Lonsdale Street elevation (RL24.07) with the lift overrun and plant enclosure extending above this to a height of 28.08m (AHD 59.18).

4.2.3 Materiality

The lower podium levels are clad in a buff ('apricot') coloured face brick with similarly coloured precast panels. A lighter toned precast concrete is used on the tower element. Balustrading and metal framing is powder coated in buff or ochre ('watermelon'). Window glass is tinted light grey or reeded



Figure 31. North elevation.
(Source: Studio Bright)

Figure 32. East elevation
(Source: Studio Bright)

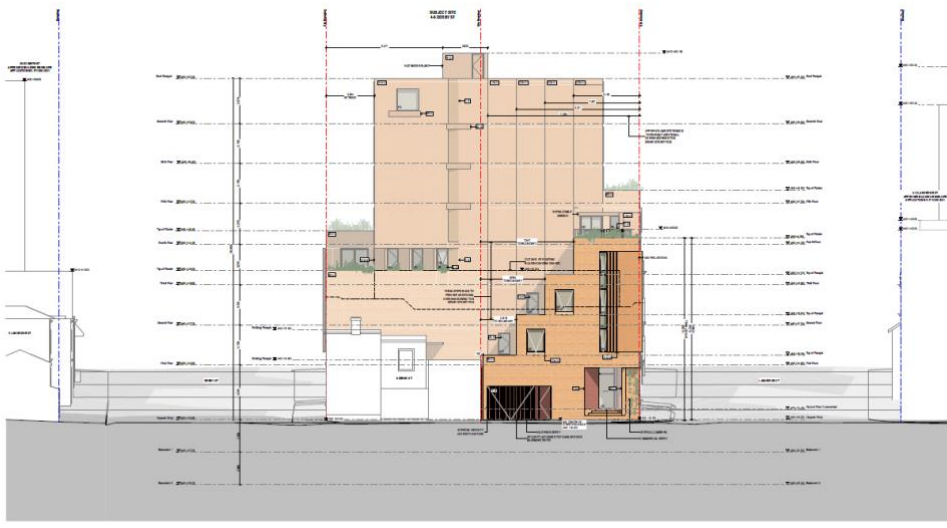
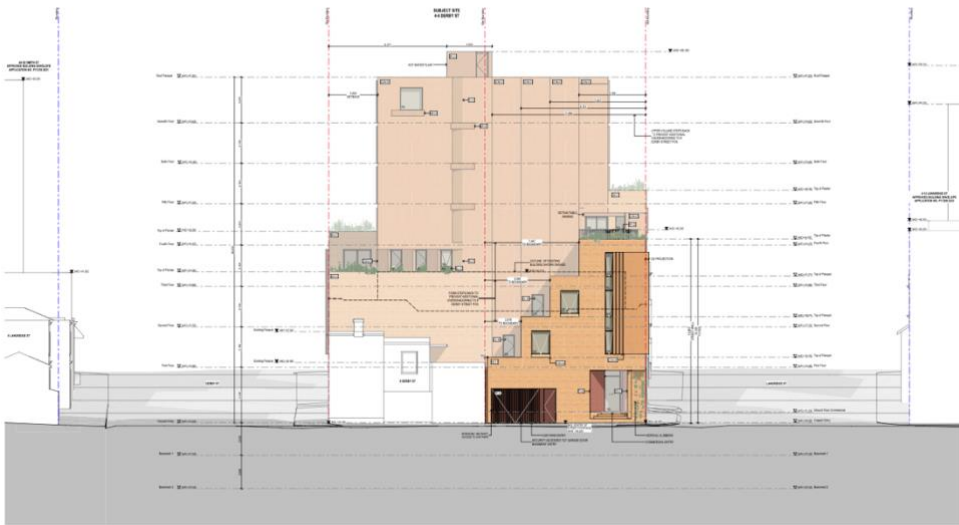


Figure 33. South elevation
(Source: Studio Bright)



Figure 34. West elevation
(Source: Studio Bright)





*Figure 35. Render visualisation showing oblique view of proposed building when viewed from opposite side of Derby Street.
(Source: Studio Bright)*



*Figure 36. Render visualisation showing view of proposed building when viewed from Langridge/Gertrude and Smith streets intersection.
(Source: Studio Bright)*

4.2.4 Landscaping

The proposed development introduces planter boxes at the podium terraces - refer Figure 37.



Figure 37. Render visualisation showing Derby Street podium façade and indicative vegetation at podium terrace level. 8 Derby Street at front (centre of image).

(Source: Studio Bright)

5 HERITAGE ANALYSIS AND ADVICE

The following advice has been formed by assessing the proposed development against the heritage provisions of the Yarra Planning Scheme. We note that the Planning Report and Bryce Raworth HIS have assessed the proposal against the previous Local Planning Policy Framework and local heritage policy at Clause 22.02 of the Yarra Planning Scheme, prior to gazettal of Amendment C269yara on 21 December 2023.

The following assesses the proposal against:

- local policies introduced through Amendment C269yara, including the local policies at Clause 15.01-1L – Urban Design and Clause 15.03-1L- Heritage;
- interim Schedule 23 to Clause 43.02 Design and Development Overlay of the Yarra Planning Scheme – Collingwood South (Mixed- Use) Precinct, and
- consideration given to the proposed DDO23 introduced by Amendment C293yara and awaiting approval by the Minister for Planning.

5.1 Previous GJM heritage advice - Collingwood Mixed Use Precinct

GJM previously provided heritage advice to Council which has informed the permanent built form controls proposed in DDO23.

The *Collingwood Mixed Use Pocket Heritage Analysis & Recommendations* (6 June 2018) includes the following recommendations related to the subject site and nearby built form context:

- The terrace houses at 18 to 22 Derby Street (the row east of 10-14 Derby Street subject to HO102) may warrant inclusion in the Heritage Overlay.
- 33 to 45 Derby Street be considered by inclusion of the Heritage Overlay as an extension of HO336 – Victoria Parade Precinct.
- In relation to the ‘Southern Sub-Precinct – Peel Street and South’ the following future character considerations were made [emphasis in bold as it specifically relates to the proposed development at 4-6 Derby Street):

On sites subject to the Heritage Overlay or which abut heritage places, new development should respect the scale and subdivision patterns of the fine-grained nineteenth and early twentieth century heritage buildings, which includes single storey cottages, two-storey terraced houses, shop / residences ... Rear additions should be set back and scaled to avoid dominating the heritage buildings, and infill development should respect the scale, materiality and parapet heights of the adjacent heritage buildings. Outside the Heritage Overlay it is recognised that there will be a juxtaposition between the emerging built form and the traditional nineteenth and early twentieth century heritage forms. However, development on sites abutting land subject to the Heritage Overlay should transition between the scale and setbacks of the heritage buildings and the development sites adjacent. While

development immediately adjacent to the Heritage Overlay should be encouraged to match the scale of the heritage building as sought by Clause 22.10, the area already accommodates a juxtaposition of height of up to two-storeys between heritage buildings and later twentieth century development, and this relationship should serve as a precedent for future development.

- The following future character considerations were made for the study area, with relevance to the subject site:

Across the Collingwood Mixed Use Pocket infill development within the Heritage Overlay should reflect the existing street wall or parapet heights with new built form constructed to the street boundary with a street wall height no higher than the taller of the adjoining properties. Single-storey development should be discouraged.

However, recognising the existing juxtaposition between lower (single and two storey) and higher (three and four storey) built form some variation on a site by site basis is likely to be acceptable in heritage terms. Infill facades should respect the materiality and relationship between solid and void established by the 'contributory' and 'individually significant' buildings. Where residential buildings within the heritage overlay are set back from the street boundary, new adjacent development should reflect these setbacks.

New upper-level development within the Heritage Overlay or immediately adjacent to heritage places should be set back from the street wall to retain the legibility of the three-dimensional form of the heritage buildings and to retain the prominence of the heritage fabric in the streetscape. New upper-level development should be designed so as not to dominate the heritage buildings when viewed from the opposite side of the street or in oblique views.

- '8 Derby Street (rear) – HO101 – Vacant site facing Langridge Street' is included in the recommended built form parameters for 'Infill Sites Within the Heritage Overlay' and built form parameters for 'Development Abutting Land Subject to the Heritage Overlay' are provided.

The *Supplementary Heritage Report: Collingwood South (Mixed Use) Precinct* (5 May 2021) provides updated heritage recommendations following introduction of built form controls applied to the Collingwood South (Mixed Use) Precinct through interim DDO23. This advice considers the heritage-related provisions of the interim DDO23 and proposed local policies as they relate to heritage, introduced into the Yarra Planning Scheme through Amendment C269yara.

The infill sites listed in the report - which include those within the study area that have not been substantially redevelopment in recent years – does not specifically include the subject site. In relation to infill sites, the following is noted:

Development on these sites will need to address the heritage provisions of the Yarra Planning Scheme including Clauses 43.01, 15.03-1S and 22.02, and following the introduction of C269yara, Clause 15.03-1L.

These potential development sites and others abutting land subject to the Heritage Overlay will need to consider the heritage-related policy at Clause 22.01-3.3 (Setbacks & Building Height), and following the introduction of C269yara, the provisions of [Clause 15.01-1L (Urban Design)] that consider development adjacent to land in the Heritage Overlay.

Specific to the subject site and development proposal, the following is noted in the report in relation to built form requirements:

- Street wall height:

Where development abuts land subject to the Heritage Overlay the relevant policy at Clause 22.10-3.32 and the similarly worded (proposed) policy at Clause 15.01-1L3 will encourage new street wall or façade heights to match that of the adjacent heritage fabric. Where this occurs, the height should be matched for the width of the adjoining property or a distance of 6m, whichever is the lesser

- Maximum building height [emphasis added]:

*... there are three sites south of Peel Street that we recommended have their maximum preferred heights reduced from 20m (six storeys) to 14m (four storeys) to provide an appropriate transition to low-scale (one and two storey) heritage fabric. These sites are: **4-6 Derby Street**, 43-49 Oxford Street, 64-66 Oxford Street and the vacant land on Cambridge Street at the rear of 1-35 Wellington Street.*

5.2 Demolition

5.2.1 Assessment against the heritage provisions of the Yarra Planning Scheme

Clause No.	Relevant Planning Scheme Provision	GJM Heritage Assessment
15.03-1S Strategies	Retain those elements that contribute to the importance of the heritage place.	<p>The proposal does not propose demolition of heritage fabric and is confined to the 'Not contributory'-graded 'Car park (rear of 8 Derby Street)' included in the Incorporated Document <i>City of Yarra Database of Heritage Significant Areas September 2023</i> of the Yarra Planning Scheme. The building at 4-6 Derby Street is not included in this document and not subject to the Heritage Overlay.</p> <p>The proposal achieves this on the basis that no heritage fabric is proposed to be demolished or impacted by this infill development.</p>

5.3 New Development

5.3.1 Assessment against the heritage provisions of the Yarra Planning Scheme (Clauses 15.03 and 43.01)

Clause No.	Relevant Planning Scheme Provision	GJM Heritage Assessment
15.03-1S Objective	<p>The objective of the State-level heritage policy at Clause 15.03-1S of the Yarra Planning Scheme is “to ensure the conservation of places of heritage significance”.</p> <p>This includes the strategies, <i>inter alia</i>, to “encourage appropriate development that respects places with identified heritage values” and “ensure an appropriate setting and context for heritage places is maintained or enhanced.”</p>	<p>The proposal achieves this to a large extent on the basis that no heritage fabric is proposed to be demolished or impacted by this infill development on a not-contributory site.</p> <p>The Design Report states the following in relation to how the design responds to the immediate heritage context (p 6):</p> <p><i>The existing heritage property at 8 Derby Street becomes part of the whole by adopting a stepped series of individually articulated forms ... Punched openings and thoughtful brickwork details respond to local buildings’ prevailing proportions and playful details. The tower form knits into the base design, reflecting the same stepped massing with a slight shift in materiality and tone.</i></p>
15.03-1L Objectives	To conserve and enhance Yarra’s natural and cultural heritage.	See response to Clause 15.03-1S above.
	To preserve the scale and pattern of streetscapes in heritage places.	
15.03-1L Strategies	<p><i>New development, alterations or additions</i></p> <p>Promote development that is high quality and respectful in its design response by:</p> <ul style="list-style-type: none"> ▪ Maintaining the heritage character of the existing building or streetscape. 	The proposed design partially achieves this strategy through the materiality and relationship of solid (walls) and void (window openings) but fails to maintain the predominantly low-rise scale of the neighbouring heritage places.
	<ul style="list-style-type: none"> ▪ Respecting the scale and massing of the existing heritage building or streetscape. 	The proposed development at eight storeys is substantially taller than the immediately adjacent single and two storey heritage buildings and failed to appropriately address this strategy.
	<ul style="list-style-type: none"> ▪ Retaining the pattern and grain of streetscapes in heritage places. 	The proposed development, while being massed to reflect the fine-grained character of the area is substantially taller than they low-rise context of the western part of Derby Street.
	<ul style="list-style-type: none"> ▪ Not visually dominating the existing heritage building or streetscape. 	The architectural renders provided with the application (Figure 35 - Figure 37) demonstrate that this development would be a substantial and visually dominant element within the streetscape.
	<ul style="list-style-type: none"> ▪ Not detracting from or competing with the significant elements of the existing heritage building or streetscape. 	The scale detracts from the context and setting of low-rise heritage places.
	<ul style="list-style-type: none"> ▪ Maintaining the prominence of significant and contributory elements of the heritage place. 	Likewise, the scale of the new development reduces the visual prominence of modestly scaled heritage buildings in the immediate vicinity.

	<ul style="list-style-type: none"> ▪ Respecting the following elements of the heritage place: <ul style="list-style-type: none"> - Pattern, proportion and spacing of elements on an elevation. - Orientation to the street. - Setbacks. - Street wall. - Relationship between solid and void. - Roof form. - Chimneys. - Verandahs and canopies. - Materials. 	<p>The proposed materiality, colour palette and relationship of solid and void satisfactorily responds the fabric and detailing of adjacent and nearby heritage buildings.</p> <p>Building to the site boundaries is appropriate and consistent with the historic siting of buildings in the Collingwood South (Mixed Use) Precinct.</p>
	<ul style="list-style-type: none"> ▪ Being visually recessive against the heritage fabric through: <ul style="list-style-type: none"> - Siting. - Mass. - Scale. - Materials. 	<p>As discussed above the proposed development at eight storeys is substantially and bulkier than neighbouring and nearby heritage buildings and fails to appropriately address this strategy.</p>
	<ul style="list-style-type: none"> ▪ Protecting and conserving the view of heritage places from the public realm (except from laneways, unless fabric visible from laneways is identified as being significant in the Statement of Significance for the place). 	<p>Views of heritage places are not adversely affected by the proposed development.</p>
	<ul style="list-style-type: none"> ▪ Maintain views to the front of an individually significant or contributory building or views to a secondary façade...by not: <ul style="list-style-type: none"> - Building over the front of it. - Extending into the air space above the front of it. ▪ Obscuring views of its principal façade/s. 	<p>The proposal is consistent with this strategy as it maintains views to the principal facades of the adjacent contributory-graded heritage buildings, in particular 8 Derby Street (HO101).</p>
	<p>Services and equipment</p> <p>Ensure that the location and installation of services and equipment does not detract from the significance of the heritage place or damage the heritage fabric.</p>	<p>The location of roof-top services is appropriate noting that none of these are located within land subject to the Heritage Overlay.</p>
	<p>Conceal solar panels, water tanks, hot water systems, air conditioners and other mechanical equipment from street view or where this is not possible, sensitively locate and install these services.</p>	
43.01-8	<p>Before deciding on an application, in addition to the decision guidelines in Clause</p>	<p>The proposed development height, bulk and form of the proposed development will adversely affect the</p>

Decision Guidelines	<p>65, the responsible authority must consider, as appropriate:</p> <ul style="list-style-type: none"> ▪ The Municipal Planning Strategy and Planning Policy Framework. ▪ The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place. ▪ Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy. ▪ Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place. ▪ Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place. ▪ Whether the demolition, removal, or external alteration will adversely affect the significance of the heritage place. ▪ Whether the proposed works will adversely affect the significance, character or appearance of the heritage place. 	<p>presentation and setting of HO101 – Johnston house, 8 Derby Street.</p> <p>Further, the height, bulk and form is not in keeping with the low-rise scale of adjacent buildings including 2 Derby Street (HO99) and the heritage place (HO101).</p>
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5.3.2 Assessment against the heritage-related urban design provisions of the Yarra Planning Scheme (Clause 15.01)

Clause 15.01-1L includes specific provisions relating to development adjoining land subject to the Heritage Overlay.

Clause No.	Relevant Planning Scheme Provision	GJM Heritage Assessment
15.01-1L Strategies	<p>Development adjoining land in a Heritage Overlay</p> <p>Ensure development provides a transition from any adjoining building with an individually significant or contributory heritage grading, having regard to height, street wall height, setbacks, building form and siting.</p> <p>Ensure development is sympathetic and respectful design response that does not dominate an adjoining heritage place.</p>	<p>The eight storey height of the proposed development visually dominates the single- to two-storey scale of the adjacent and nearby heritage buildings on Derby Street including 2 Derby Street (HO99), 8 Derby Street (HO101) and 10-22 Derby Street (HO102) as demonstrated in the south elevation (Figure 33) and architectural renders (Figure 35).</p> <p>As discussed in relation to Clause 15.03 above the proposed materiality and colour palette satisfactorily responds the fabric and detailing of adjacent and nearby heritage buildings.</p>

	<p>Ensure appropriate materials and finishes complement the area which do not detract from the fabric of the heritage place.</p> <p>Ensure development adopts a street wall height to the street frontage that is no higher than an adjoining heritage building with an individually significant or contributory grading.</p>	<p>The street wall height at up to five storeys exceeds that of this part of Derby Street and is substantially taller than the single and two storey form of the adjacent heritage places.</p>
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5.3.3 Heritage-related DDO23 Objectives – Collingwood South (Mixed Use) Precinct

The following provides an assessment of the development proposal at 4-6 Derby Street against the heritage-related provisions of the interim DDO23, which applies to the subject site and will expire on 2 April 2024. Relevant heritage-related provisions included in the proposed DDO23 - considered to be ‘seriously entertained’ planning policy - are noted in relation to the proposed development where there is a substantive change from the existing DDO23 and the built form controls applied to the subject site.

Clause No.	Relevant design outcome or requirement	GJM Heritage Assessment
1.0 Design Objectives	<p>To foster an emerging, contemporary, mixed-use character with a prominent street-wall edge, incorporating upper level setbacks and design features that create a distinction between lower and upper levels.</p>	<p>As noted above, the existing built form of the surrounding area contains a diverse mix of low, medium and higher rise mixed use buildings within the Collingwood South (Mixed Use) Precinct, with taller built form – both existing and emerging – towards the Wellington Street (eastern) end of the precinct.</p>
	<p>To ensure that the overall scale and form of new buildings is mid-rise (ranging from 3 to 12 storeys) and responds to the topography of the precinct, by providing a suitable transition in height as the land slopes upwards, whilst minimising amenity impacts on existing residential properties, including visual bulk, overlooking and overshadowing.</p> <p><u>Council preferred version DDO23</u></p> <p>The objective has been amended to reference to ‘low- to mid-rise’ new buildings and removing the reference to storeys.</p>	<p>The proposed built form is comprised of a lower-rise podium element of a stepped one- to five-storey podium and a mid-rise tower of eight storeys.</p> <p>Within the lower rise context, the western end of Derby Street a low-rise scale should be adopted consistent with the Council preferred version of DDO23.</p>
	<p>To protect the industrial, residential and institutional built heritage of the precinct through ... respecting both individual and groups of low-scale heritage buildings through recessive upper level development and a transition in scale from taller form towards the interface with heritage buildings.</p>	<p>While the tower form is set back and has a lighter tone precast concrete finish than the podium the scale will visually domine the low-scale heritage buildings in the immediate vicinity.</p>
2.2 Built form requirements	<p>Building height requirements</p>	<p>The <i>Supplementary Heritage Report: Collingwood South (Mixed Use) Precinct</i> recommended reducing the maximum building height applied in DDO23 to the subject site from 20m (5 storeys) to 14m (4 storeys).</p>

	<p>The building height requirements are set out in Map 1: Building Heights Framework Plan of this schedule.</p> <p>Preferred maximum building height: 20m <u>Council preferred version DDO23</u> Preferred maximum building height: 14m</p>	<p>SAC report was supportive of a reduction in maximum building height applied to the subject site, the SAC report stating (pp 58-59):</p> <p><i>The [Collingwood] Built Form Framework articulates a clear strategy of directing taller buildings to larger lots at locations without heritage buildings or heritage interfaces and on relatively lower topography. This has resulted in taller buildings generally directed towards the east of the Precinct and generally stepping down in height to the east. Lower heights are also proposed on sites of heritage significance and adjacent to sites of heritage significance. The Committee considers this is a sound approach.</i></p> <p>The reduction in maximum building height to 14m (4 storeys) is reflected in the Council preferred version of DDO23.</p> <p>The proposed development at over 26m tall substantially exceeds both the Interim and Council preferred versions of DDO23 and would result in an unacceptable outcome.</p>
	<p>Street wall height requirements</p> <p>The street wall height requirements are set out in Map 1: Building Heights Framework Plan of this schedule.</p> <p>Preferred maximum street wall height: 14m</p> <p>A permit cannot be granted to vary a street wall height specified in Map 1: Building Heights Framework Plan unless all of the following are met:</p> <ul style="list-style-type: none"> ▪ the built form outcome as a result of the proposed variation satisfies the Design Objectives at Clause 1.0 and the Heritage Building Design Requirements in this schedule; ▪ the proposed street wall height provides a transition, scaling down to the interface with heritage building, and is no more than two storeys higher than the street-wall height of the adjacent heritage building; and ▪ the proposed street wall height does not overwhelm the adjacent heritage building. <p><u>Council preferred version DDO23</u></p> <p>The last two dot points in the above is amended to read [additional text in bold]:</p> <ul style="list-style-type: none"> ▪ the proposed street wall height provides an appropriate transition, scaling down to the interface with a heritage building; and ▪ the proposed street wall height does not visually overwhelm the adjoining 	<p>The Council preferred version of DDO23 includes a reduction in preferred maximum street wall heights for some infill development sites adjoining heritage properties, which was supported by the SAC. This applies to the subject site and is reflected in Map 1 of the proposed DDO23 where the maximum street wall height has been reduced from 14m to 11m, except at Langridge Street.</p> <p>The street wall heights step up from as low as 5m (abutting the rear boundary of 8 Derby Street) but are predominately in the order of approximately 14.3m rising to 17.3m. This exceeds the preferred maximum heights in the Interim and Council preferred versions of DDO23.</p> <p>The single storey step in the street wall height on Derby Street at the boundary with 8 Derby Street(HO101) is acceptable in heritage terms but the height to the laneway and adjacent to the single storey heritage building at 2 Derby Street (HO99) should be reduced by one full storey. This reduction in street wall height will also protect the visual prominence of the Smith Street shop residences in the context of Derby Street (refer Figure 36).</p>

	<p>heritage building and provides an adequate transition towards it.</p> <p>The following requirement has been added:</p> <p><i>The street wall of infill development adjoining a heritage building should not be higher than the parapet height of the adjoining heritage building to the width of the property boundary or 6m, whichever is the lesser.</i></p> <p>Preferred maximum street wall height:</p> <ul style="list-style-type: none"> ▪ 11m – Derby Street, Little Oxford Street and unnamed laneway (western boundary) ▪ 14m – Langridge Street 	
	<p>Setback requirements for non-heritage buildings</p> <p>Development must be built to the front property boundary ...</p> <p>Development must be setback in accordance with the minimum upper level setbacks specified in Table 1.</p> <p>Table 1, Area 2: 6m</p> <p>For development adjacent to a heritage building, a permit cannot be granted to construct a building or carry out works if it does not meet the preferred minimum upper level setback requirements in Table 1 unless the proposal meets the Design Objectives and the Heritage Building Design Requirements in this schedule.</p> <p><u>Council preferred version DDO23</u></p> <p>2.4 Upper level setback requirements</p> <p>Heritage and Other buildings:</p> <ul style="list-style-type: none"> ▪ should be visually recessive when viewed from the public realm to ensure development does not overwhelm the streetscape and minimises upper level bulk; ▪ should contain upper level setbacks above the street wall within a maximum of two steps (including the setback above the street wall below as one step) to avoid repetitive steps in the built form 	<p>The siting of the podium element on property boundaries is appropriate.</p> <p>The upper-level setbacks do not adequately mitigate the adverse impact of the taller built form.</p>
	<p>Heritage building design guidelines</p> <p>Development on sites within a Heritage Overlay, graded as Not-Contributory, or on sites adjacent to a heritage building should be designed to:</p>	<p>An appropriate transition is provided to the rear of 8 Derby Street as it addresses Little Oxford Street.</p>

	<ul style="list-style-type: none"> provide a transition in height at the interface (side or rear boundary) with the heritage building; 	
	<ul style="list-style-type: none"> ensure that façade treatments are simple and do not compete with the detailing of the adjacent heritage building(s); 	The brick-clad façades appropriately reference the buff and darker red bricks of the nearby heritage buildings.
	<ul style="list-style-type: none"> incorporate simple architectural detailing that does not detract from significant elements of the heritage building; 	This design guideline is achieved through the material and detailing proposed.
	<ul style="list-style-type: none"> be visually recessive; 	The scale and height of the building fails to create a visually recessive outcome.
	<ul style="list-style-type: none"> be articulated to reflect the fine grained character of the streetscape, where this is a prominent feature. 	The stepped and varied forms and human-scale rhythm of the openings responds appropriately to the fine-grained character of the streetscape.
	<p><u>Council preferred version DDO23</u></p> <p>2.8 Other design requirements</p> <p>Development should achieve good urban design outcomes and architectural excellence by including, but not being limited to:</p> <ul style="list-style-type: none"> creating a suitable an appropriate ratio of solid and void elements that resemble the industrial past of the area; not competing with the more elaborate detailing of the heritage building(s) on the subject site or an adjoining site adjoining land. 	The proposed design achieves this design requirement through the fenestration patterns and detailing of the podium facades.
6.0 Decision guidelines	<p>The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:</p> <ul style="list-style-type: none"> Whether the Built Form Requirements in Clause 2.0 are met. Whether the Heritage Building Design Requirements in Clause 2.0 are met (where the land is affected by a Heritage Overlay or immediately adjacent to a Heritage Overlay). 	As discussed above, the scale and height of the podium and tower elements fail to create a visually recessive outcome and does not adequately address the design requirements in relation to building height, street wall height or heritage.
	<ul style="list-style-type: none"> Whether the proposal responds to the presence of heritage buildings either on, or in close proximity to the site though a suitable transition in scale of street-wall, upper level setbacks and building height. 	As discussed above, the scale of the of street-wall and overall building height does not adequately respond to the single- and two-storey heritage buildings in the immediate vicinity of the subject site.

	<ul style="list-style-type: none"> How the proposal responds in terms of scale and transition to the sloping topography of the area. 	The elevated nature of this site at the western end of Derby Street exacerbates the impact of the proposed eight-storey built form. While development of this scale may be appropriate at the eastern end of Derby Street in the mid-higher-rise context of Wellington Street it does not achieve an acceptable outcome on the subject site.
	<ul style="list-style-type: none"> The design response at the interface with existing low-scale residential properties, including the overshadowing of secluded private open space. 	The juxtaposition of the five-storey street wall and eight-storey overall height of the development does not appropriately respond to the single- and two-storey heritage building in adjacent to the subject site.
	<p><u>Council preferred version DDO23</u></p> <p>The following heritage-related decision guideline is proposed:</p> <ul style="list-style-type: none"> whether development retains the prominence of the heritage street wall in the vistas along the main street frontage within the precinct. 	The proposed development due to its scale and height fails to adequately address this decision guideline.

5.4 Heritage Advice

The proposed demolition is consistent with the relevant heritage provisions of the Yarra Planning Scheme but the overall scale and height of the proposed development is unacceptable.

The material and colour choice is appropriate and incorporates high quality finishes that address the existing character and material palette of the Collingwood South (Mixed Use) Precinct and adjacent and nearby heritage buildings.

The stepped form of the podium's east elevation appropriately transitions to the two storey heritage dwelling at 8 Derby Street while also addressing overshadowing issues.

The following changes are required to achieve an acceptable heritage outcome in the context of the heritage provisions of the Yarra Planning Scheme:

- Reduction in height of the proposed development by the removal of the tower element i.e. the fourth, fifth, sixth and seventh floors.
- Reduction of the street wall height to no more than four storeys to Derby Street, Langridge Street and the unnamed laneway to the west of the subject site.

6 CONCLUSION

The subject site is located at a transition in built form context within the Collingwood South (Mixed Use) Precinct between the lower rise context of Smith Street to the west and the taller emerging built form towards Wellington Street. While the materiality, detailing and façade treatment of the proposed scheme are well considered and the finishes are of high-quality, the proposed building height and scale is too tall and would result in a development that would visually dominate the western end of Derby and Langridge streets and the adjacent and nearby heritage buildings. Further, the rising topography in this part of Collingwood exacerbates the impact of the proposed eight-storey scale on the surrounding area.

The proposal fails to adequately respond to its heritage context and only partially addresses heritage policy at Clauses 15.03, urban design policy at Clause 15.01-1L and the heritage decision guidelines at Clause 43.01-8 of the Yarra Planning Scheme. Further, the proposal does not satisfactorily address the key Design Objectives of the interim and Council preferred versions of DDO23 in relation to heritage.

It is our view that the propose development, while have some laudable features – particularly the materials, finishes, façade treatments and detailing – represents an unacceptable heritage outcome. A substantial reduction in height as set out in Section 5.3,4 would be required to achieve an acceptable heritage outcome that satisfactorily addresses the heritage-related provisions of the Yarra Planning Scheme.

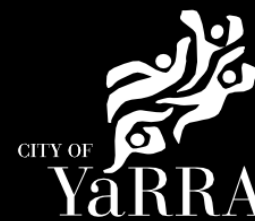
Jim Gard'ner | Director

Paul Webb | Heritage Consultant

GJM Heritage

Strategic Planning

Formal Referral Response



Application Information:

Referral Officer: Greta Stevens

Officer: Jessica Sutherland

Council Reference: PLN23/0685

Address: 4-6 Derby St, Collingwood VIC 3066

Proposal: Partial demolition and buildings and works to construct a multi-storey, mixed-use building for Restricted retail premises (showroom) and dwellings (the latter of which is as-of-right) and an associated reduction to the statutory car parking requirements of the Scheme.

Comments Sought: Click here to view referral memo:
[D23/494615 - IREF23/02170 - Referral Request](#)

Disclaimer: Council's Strategic Planning Unit provides the following information which is based on the information provided in the Statutory Planning referral request memo referenced above.

The Strategic Planning comments in this assessment focus on compliance with the following clauses in the Yarra Planning Scheme:

Interim **Schedule 23** to the Design and Development Overlay (**interim DDO23**),
and **Proposed Schedule 23** to the Design and Development Overlay (**proposed DDO23**).

They do not provide commentary on other sections of the Planning Scheme or fully assess the internal amenity of the application.

Prev. Responses: N/A

Development Details:

Relevant amendment and status:

Existing and proposed controls: Interim DDO23
Proposed DDO23

Subject Site Plan: [D23/483600 - PLN23/0685 - 4 - 6 Derby Street Collingwood - S52 Advertising - Plans](#)

Strategic Planning Comments and Recommendations:

Summary of Strategic Planning comments and recommendations:

General Comments

The Strategic Planning Unit has assessed planning application PLN23/1234 and has identified it **does not meet the requirements** of the interim DDO23 and proposed DDO23. The application does not achieve the intended outcome of the following design objective:

To foster an emerging, contemporary, mixed-use character with a prominent street-wall edge, incorporating Upper-level setbacks and design features that create a distinction between lower and upper levels.

It is recommended that, in its current form, this application **should not be approved**.

For the application to comply with the interim and proposed DDOs it would need to address the following built-form requirements:

- Overall building height
- Street wall height on all four street walls.
- Increase upper-level setbacks on Langridge Street, Derby Street and the laneway.
- Commercial floor height to be increased on the first floor.
- Blank walls visible from Smith Street and Derby Street amended to show articulation.

Building Height Requirements Summary

The proposed height of 26.9m (excluding services) does not comply with the overall building height requirements of the interim DDO or the proposed DDO as it exceeds the height by 6.9m and 12.9m respectively.

The proposed variation does not achieve greater building separation than the minimum requirement and is therefore not accepted.

The proposed building height fails to respond to the context of the adjacent and surrounding heritage buildings.

Conclusion/Recommendations

Strategic planning does not support the application in its current form.

For the application to comply with the interim and proposed DDOs, it would need to see a reduction in overall building height.

For further discussion see the [Building Height Requirements](#) section for more information.

Street Wall Height Requirements Summary

There has been a change in the DDO regarding street wall height. The proposed DDO sees a reduction in street wall height along Derby Street, Little Oxford Street and the laneway from 14m (interim DDO) to 11m (proposed DDO). Whilst showing some level of compliance with the interim DDO the application far exceeds the requirements of the proposed DDO.

The proposed street walls fail to respond to the context of the adjacent and surrounding heritage buildings.

Langridge Street

Part of the Langridge Street street wall does not comply with the interim and proposed DDO23 (14m preferred) as it exceeds the preferred height by 3.28m towards the laneway and 2.48m towards Little Oxford Street.

Little Oxford Street

The Little Oxford Street street wall does not comply with the proposed DDO23 (11m preferred) as it exceeds the preferred height by 3.37m towards Langridge Street.

Derby Street

The Derby Street street wall does not comply with the proposed DDO23 as it exceeds the preferred height (11m preferred) by 2.96m towards the laneway and exceeds the parapet height of the existing heritage building (8 Derby Street).

Laneway

The laneway street wall does not comply with the preferred street wall height of the interim (14m preferred) and the proposed (11m preferred) DDO. The street wall varies in height. It exceeds the preferred height of the interim DDO by 2.73m and the proposed DDO by 5.73m towards Langridge Street. It exceeds the preferred height of the proposed DDO by 2.53m towards Derby Street and the lift overrun greatly exceeds the provisions of both DDOs.

Conclusion/Recommendations

Strategic planning does not support the proposal in its current form.

For the application to comply with the interim and proposed DDOs it would need to see a reduction in the following street walls:

- Langridge Street towards the laneway.
- Little Oxford Street by towards Langridge Street.
- Derby Street towards the laneway and reduce the street wall to meet the parapet height of 8 Derby Street and continue this height for at least 6m.

- The laneway.

For further discussion see the [Street Wall Height Requirements](#) section for more information.

Upper-Level Setback Requirements Summary

The application does not comply with the interim or proposed DDO upper-level setback requirements for Langridge Street, Derby Street and the laneway.

Langridge Street

Langridge Street's upper levels (towards the laneway) are setback 3.05m between Levels 5- 7.

Langridge Street's upper levels (towards Little Oxford Street) are set back 5.195m on Level 4

This does not meet the 6m upper-level setback requirement of either DDO.

Derby Street

Derby Street's upper levels are set back 3.8m between Levels 4-7.

This does not meet the 6m upper-level setback requirement of either DDO.

Laneway

No upper-level setbacks are provided for the lift and staircase, the remainder of the laneway interface is set back 1.5m between Levels 5-7.

This does not meet the 6m upper-level setback requirement of either DDO.

Conclusion/Recommendations

Strategic planning does not support the proposal in its current form.

For the application to comply with the interim and proposed DDOs, all upper-level setbacks on Langridge, Derby Street and the laneway would need to be increased.

For further discussion see the [Upper-level Setbacks](#) section for more information.

Heritage building design requirements summary

The application does not comply with the heritage building design requirements of the interim DDO23.

The overall height and scale of the proposal detract from the heritage significance of the property at 8 Derby Street.

Conclusion/Recommendations

It is recommended that the application meets the key built form requirements such as building height, street wall and upper-level setbacks to ensure that it does not visually overwhelm heritage properties and meet the requirements of the interim and proposed DDO (note this requirement has now been included in the upper-level setbacks section of the proposed DDO).

For further discussion see the [Upper-level Setbacks](#) section for more information.

[Building Separation, Amenity and Equitable Development Requirements](#)

The application does not comply with the interim or proposed building separation, amenity and equitable requirements of the interim DDO and proposed DDO.

The application fails to provide a design response that considers the development opportunities of the adjacent heritage buildings at 2 Derby Street, 54-58, 60 and 62 Smith Street. The built-form controls applied to these heritage buildings will result in the retention of the heritage street wall and low overall building heights. The proposal in its current form will be clearly visible from the public realm, as shown in the renders within the façade strategy, due to the excessive height and lack of upper-level setbacks. As such it is considered that the applicant has not adequately managed visual bulk.

Conclusion/Recommendations

Strategic planning does not support the proposal in its current form.

It is recommended that the key built-form requirements such as building height, upper-level setbacks and street walls are amended to be sympathetic to the neighbouring heritage buildings in order to meet this requirement.

For further discussion see the [Building Separation, Amenity and Equitable Development Requirements](#) section for more information.

[Other design requirements](#)

The commercial area on the ground floor has 3.3m floor height and therefore does not comply with the proposed DDO which requires a 4 metre floor-to-floor height (discretionary).

The application includes a number of blank walls visible from Derby Street and Smith Street which does not comply with the proposed DDO.

Conclusion/Recommendations

It is recommended that:

- the ground floor height is increased to meet the 4m requirement of the proposed DDO
- further articulation is provided on blank walls visible from the public realm to meet the requirement of the proposed DDO.

[Strategic Planning full comments:](#)

[Building Height Requirements](#)

The application does not comply with the building height requirements set out in the interim DDO23 and proposed DDO23.

The current application doesn't meet the building height requirements of either DDO. It also does not meet the criteria to exceed the preferred height. Therefore, strategic planning does not support this application in its current form. For it to comply with both DDOs it would require the building height be reduced to 14m. Further information as to why it does not meet the requirements is provided below.

It is considered that the proposed height of 26.9m (excluding services) does not comply with the overall building height requirements of the interim DDO23 (20m) and proposed DDO23 (14m) as it exceeds the height by 6.9m and 12.9m respectively. The proposed height of 26.9m (excluding services) was measured from the natural ground level to the roof parapet on Langridge Street (TP16 9/11/2023 on Plans) given the considerable slope of the land.

The interim DDO23 and proposed DDO23 allow for a variation in building height if all the variation requirements are met. The application does not meet the following:

- *greater building separation than the minimum requirement in this schedule;*
 - It does not exceed the building separation requirement. See Section [Building Separation, Amenity and Equitable Development Requirements](#) for further details.

Given that this criteria is not met the variation in the preferred building height is not recommended.

The proposed height of 26.9m does not align with the design objectives and fails to meet the following decision guidelines:

'Whether the proposal responds to the presence of heritage buildings either on, or in close proximity to the site though a suitable transition in scale of street-wall, upper level setbacks and building height.'

The site is located adjacent to a group of properties (2 Derby Street, 54-58, 60 and 62 Smith Street) located within the DDO30 – Smith Street Shops. As per the interim controls, the preferred maximum building height for these properties is 11.2m. The properties are also located within the Heritage Overlay (HO464 & HO99). The proposed height of 26.9m would overwhelm the adjacent heritage buildings and therefore not comply with the above decision guideline providing further justification as to why the height is not accepted.

It is recommended that the application is amended to meet the maximum building height of the proposed DDO23 (14m), they reflect the intention for this area to have lower overall heights than the interim controls. The SAC report for Amendment C293yara (Collingwood South Permanent DDO) expressed support for the Council's approach to building heights and the proposed heights of 14m for the subject site.

A similar site (64-66 Oxford Street) was discussed in the SAC report which supported a preferred maximum building height of 14 metres within the context of the surrounding heritage buildings south of Peel Street.

Based on the above, it is considered that the application does not meet the building height requirements of either DDO and it is recommended that the application is amended to meet these.

Street Wall Height Requirements

The application partially complies with interim DDO23 and does not comply with the proposed DDO23.

There has been a change in the DDO regarding street wall height. The proposed DDO23 sees a reduction in street wall height along Derby Street, Little Oxford Street and the laneway from 14m to 11m.

Whilst showing some level of compliance with the interim DDO the application far exceeds the requirements of the proposed DDO. As such, strategic planning does not support the application in its current form. As previously mentioned, the site is adjacent to heritage buildings in the west (across the laneway) located within the DDO30. The DDO30 ensures that the heritage street walls of these properties remain which must be taken into consideration when assessing this application.

Given the multi-street interface, the application has been assessed per street below.

Note that all street walls have been measured from the top of the planters to the centre of the street wall.

Langridge Street

Langridge St Street Wall partly complies with the interim and does not comply with the proposed DDO23.

The heights vary along Langridge Street as shown in Figure 1 below.

The proposal partly complies with the street wall height requirements of the interim DDO23 and mostly does not comply with the proposed DDO23. It is recommended that the street wall on the western side of Langridge Street (shown on the right in Figure 1) be reduced to meet the 14m requirement of the interim and proposed DDOs. The proposed DDO23 has a preferred height of 14m for most of the Langridge St street wall except for the corner of Little Oxford Street where it is lowered to 11m. It is recommended that the eastern side towards Little Oxford Street (shown on left in Figure 1) is also lowered to meet the 11m requirement of the proposed DDO23.

As previously mentioned, this street wall is located adjacent to a group of heritage buildings (2 Derby Street, 54-58, 60 and 62 Smith Street), which would be overwhelmed by the street wall as it is currently proposed. As such it is considered that the variation requirements are not met and this variation should not be accepted.



Figure 1 Langridge St Street Wall

Little Oxford Street

Little Oxford St Street Wall **complies** with the interim DDO23 and **does not comply** with the proposed DDO23.

The street wall height varies on Little Oxford Street as shown in Figure 2. The tallest part of the street wall is 14.37m complying with the interim DDO however exceeding the proposed DDO by 3.37m.

It is considered that this variation should not be accepted given it does not meet the mandatory variation requirements. It is recommended that the street wall be lowered to meet the proposed requirement.

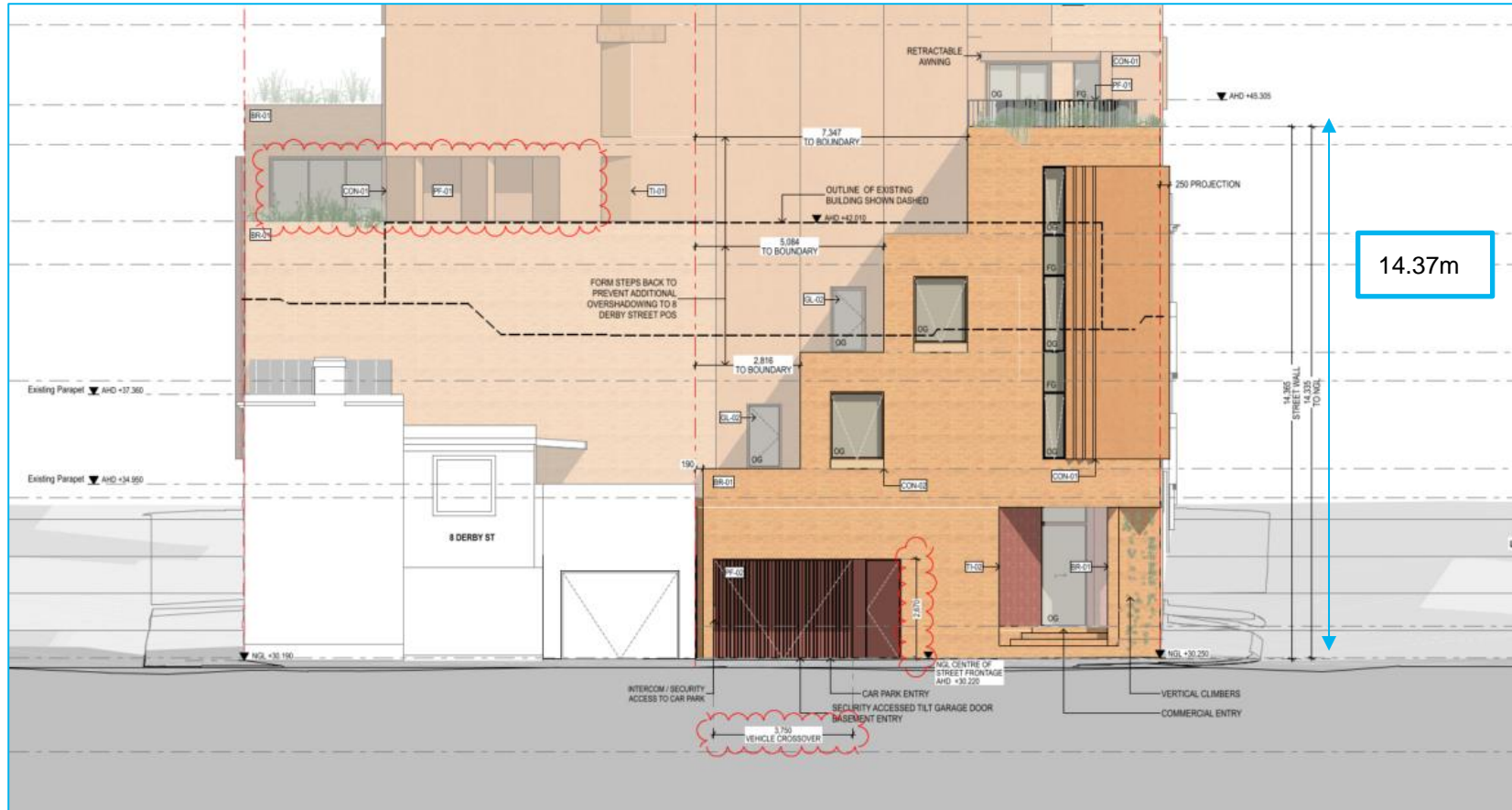


Figure 2 Little Oxford St Street Wall

Derby Street

Derby St Street Wall **complies** with the interim DDO23 and **does not comply** with the proposed DDO23

The street wall height varies on Derby Street as shown in Figure 3. Both parts of the street wall do not exceed 14m and therefore meet the street wall height requirements of the interim DDO23.

However, the proposal does not meet the street wall height requirements of the proposed DDO23 as it exceeds the preferred height by 2.96m on the laneway side and exceeds the parapet height of the existing heritage building (8 Derby Street) (as shown in Figure 3) failing to meet the following requirement:

The street wall of infill development adjoining a heritage building should not be higher than the parapet height of the adjoining heritage building to the width of the property boundary or 6m, whichever is the lesser.

It is recommended that the street wall be lowered to meet the above street wall height requirements of the proposed DDO. This variation would not be accepted given it does not meet the mandatory variation requirements.



Figure 3 Derby Street St Wall

Laneway

Street Wall **mostly does not comply** with the interim DDO23 and **does not comply** with the proposed DDO23

The street wall heights vary along the laneway as shown in Figure 4. The street wall towards Derby Street complies with the interim DDO however the remaining street wall does not comply given it exceeds the 14m height.

The proposal does not meet the street wall height requirements of the proposed DDO23 exceeding it by 2.35m towards Derby Street and 5.73m towards Langridge Street. The lift overrun is also placed on the laneway greatly exceeding the 11m requirement. This referral understands why the lift is placed on the laneway due to the multi-street interface however, the adjacent heritage buildings must also be taken into consideration.

It is recommended that the street wall be lowered to meet the street wall height requirements of the proposed DDO. This variation would not be accepted given it does not meet the mandatory variation requirements.



Figure 4 Laneway Street Wall

Upper-level Setbacks

The application mostly **does not comply with the interim DDO23 and proposed DDO23 upper-level setback requirements.**

Upper levels must be set back a minimum of 6m to comply with both the interim DDO23 and proposed DDO23.

Upper-level setbacks are a key built-form requirement, and given other key provisions such as building height and street wall height have not been met, it is essential that this requirement is addressed to ensure that adjoining heritage buildings are not overwhelmed.

The proposal does not meet the Design Objectives and the Heritage Building Design Requirements in the interim DDO and therefore the proposed variations would not be accepted.

The measurements and level of compliance for each street are detailed below:

Langridge Street

Upper-level setbacks on Langridge Street vary given the difference in street wall. The application does not meet the 6m upper-level setback requirement and therefore **does not meet the requirement of either DDO**.

Design constraints are acknowledged given the development has been stepped down towards the existing heritage building (8 Derby Street).

Derby Street

The application does not meet the 6m upper-level setback requirement and therefore **does not meet the requirement of either DDO**.

It is recommended that this upper-level setback be increased to meet the requirement.

Laneway

No Upper-level setback is provided for the lift and staircase and the remainder of the laneway interface does not meet the 6m upper-level setback requirement and therefore **does not meet the requirement of either DDO**.

It is recommended that an upper-level setback of 6m is provided in order to meet the requirement.

Little Oxford Street

Street wall height varies to accommodate for existing heritage building at 8 Derby Street. Upper-level setbacks on Little Oxford Street **comply** with the 6m requirement. No changes are required.

The proposed DDO also states that heritage buildings should be visually recessive and provide appropriate stepping. It is considered that the proposal **complies** with the above requirements.

Heritage building design requirements

The application **does not meet the requirements of the interim DDO23**

The interim DDO sets out heritage design requirements for sites within a Heritage Overlay, graded as Not-Contributory, or on sites adjacent to a heritage building. The northeast corner of the site (Lot 1 TP966050) is located within the HO101 and is identified as a 'not contributory building' in the Database of Heritage Significant Areas and the site adjoins 8 Derby Street, a heritage building. Although the proposal provides a transition in height to 8 Derby Street, which is supported, the overall size and scale detract from the heritage building. This provides further justification as to why the application should meet the key built form requirements such as building height, street wall and upper level setbacks.

Note that this policy has been combined with Section 2.4 upper-level setback requirements in the proposed DDO. Therefore for the above reasons it also does not meet the requirements of the proposed DDO.

Overshadowing Requirements

The application does not meet the requirements of the interim DDO23 however does meet the requirements of the proposed DDO23.

The application meets the interim overshadowing requirements for Langridge Street however does not meet the requirements for Little Oxford Street. It is recommended that these requirements are met given they are a strong discretionary standard. This may be met as a result of meeting other key built-form requirements such as building height, street wall and upper level setbacks.

There has been a change in the overshadowing requirements in the proposed DDO which amends policy regarding Little Oxford Street. This referral considers the overshadowing impact acceptable and no changes are required to address this.

A full assessment of each DDO is provided below.

Interim DDO23 mostly does not comply

The Schedule states that development must not overshadow any part of the southern side of Langridge Street to a distance of 2m from the Kerb between 10 am and 2 pm on September 2022. Shadow diagrams provided by the applicant **are compliant** with this requirement.

The Schedule also states that streets that extend in a north-south direction (Little Oxford Street) development must not overshadow

- *the eastern footpath to a distance of 2.0 metres from the kerb between 10 am and 2 pm on September 22;*
- *the western footpath to a distance of 2.0 metres from the kerb from 10 am to 2 pm on September 22.*

Shadow diagrams provided by the applicant show additional shadowing on:

- Little Oxford Street at 1 pm with 2.3m of additional shadowing measured from the kerb. This **does not comply**.
- Little Oxford Street at 2 pm with 7.8m of additional shadowing measured from the kerb. This **does not comply**.

Proposed DDO23 complies

Similarly, the proposed DDO23 states that development must not overshadow any part of the southern side footpath from the property boundary to the kerb of Langridge Street between 10am and 2 pm on 22 September. Shadow diagrams provided by the applicant **are compliant** with this requirement.

The overshadowing policy in the proposed DDO23 has been updated to provide specific requirements for overshadowing on Little Oxford Street.

'Development along Little Oxford Street should not overshadow parts of buildings that are above the ground floor between 10 am and 2 pm on 22 September.'

The application complies with this requirement.

The overshadowing requirements of the proposed DDO23 have been updated and the overshadow requirements on Little Oxford Street have since been reconsidered.

Building Separation, Amenity and Equitable Development Requirements

Interim and proposed DDO23 **partially complies.**

As previously discussed, the application has not considered the adjacent heritage properties including 2 Derby Street, 54-58, 60 and 62 Smith Street. The built-form controls applied to these buildings are reflective of their heritage status and take the form of low building heights and street walls. Given this, the proposal in its current form will be clearly visible from the public realm as shown in the renders within the façade strategy (Figure 5 and Figure 6) due to the excessive height and lack of upper-level setbacks. As such it is considered that the proposal has not considered the future development opportunities of the adjacent heritage properties or adequately managed visual bulk and **therefore does not comply** with the interim or proposed DDO.



Figure 5 View from corner of Smith Street and Derby Street



Figure 6 View from corner of Smith Street and Langridge Street

The development shares a common boundary with 8 Derby Street, requiring upper-level development to be setback a minimum of 4.5m from the common boundary, where a habitable window or balcony is proposed.

A balcony is proposed on the third floor that is set back 4.5m from the common boundary **complying** with the interim and proposed DDO.

The proposal also shares a common boundary with a laneway. The schedule states that '*where the common boundary is a laneway, the setback is measured from the centre of the laneway*'. Habitable windows facing the laneway are only proposed on levels 1-4. There are no habitable windows proposed above the street wall **complying** with this policy.

Other design requirements

The application **mostly complies with interim and permanent DDO23.**

The proposal mostly complies with the other design requirements of the interim and proposed DDO23. An assessment of the proposal against the non-complying requirements is provided below

Lower levels of development should be designed to accommodate commercial activity on the ground floor, incorporating a commercial floor height of approximately 4 metres floor to floor height. The commercial area on the ground floor has 3.3m floor heights and therefore **does not comply** with the proposed DDO. It is recommended that the floor height on the ground floor be increased to meet this requirement.

The application includes a number of blank walls visible from Derby Street and Smith Street which **does not comply** with the proposed DDO. It is recommended further articulation is provided on these walls.

Access, parking and loading bay requirements

The application complies with both interim and permanent DDO23.

The proposal complies with the access, parking and loading bay requirements of the interim and proposed DDO23. Vehicle access has been provided in the laneway, car parking in the basement, and commercial and residential entries have been separated and are clearly visible. No changes are recommended.

Strategic Planner: Greta Stevens

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