



PLANNING SUBMISSION

Address:

205 - 211 Queens Pde & 6 -12 Dummett Cres, Fitzroy North

Application Description:

Buildings and works associated with a 11 storey mixed use building (commercial and residential) with three basement levels, reduction to the standard car parking requirements, waiver of the loading bay requirements, partial demolition, and use for a Restaurant

Submission on behalf of:

Abraham Pace

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INTRODUCTION

This submission has been prepared on behalf of the permit applicant Abraham Pace in support of an application involving Buildings and works associated with a 11 storey mixed use building (commercial and residential) with three basement levels, reduction to the standard car parking requirements, waiver of the loading bay requirements, partial demolition, and use for a Restaurant at 205 - 211 Queens Pde & 6 - 12 Dummett Cres, Fitzroy North.

This submission has been based on designs prepared by Petridis Architects, dated 3rd February, 2017.

The application has been assessed against the relevant requirements of the Yarra Planning Scheme including the State and Local Planning Policy Framework and the provisions set out in the Mixed Use Zone (MUZ) that affects the site and surrounds, the Heritage Overlay (HO330) and the Environmental Audit Overlay (EAO). Consideration of the Guidelines for Higher Density Residential Development has also been made.

The proposed development is considered to be appropriate for the following reasons:

- The proposal is consistent with the strategic policy direction within the Yarra Planning Scheme;
- The proposal is consistent with the relevant State and Local Policy objectives;
- The proposal is considered an appropriate design outcome for the site itself and the evolving streetscape context;
- The proposed development introduces a built form, which is consistent with the preferred streetscape and will sit comfortably within the existing broader context;
- The proposal responds to the predominant style and materials of the neighbourhood;
- The proposed buildings and works, and use for a restaurant are consistent with the purpose of the Mixed Use Zone which seeks to facilitate redevelopment for higher density housing as well as commercial use;

- The proposed buildings and works respond positively to the Heritage Overlay (HO330) by retaining the existing building façade and front section, and setting back the upper levels from the façade;
- The requirements of the Environmental Audit Overlay are not unduly onerous and can be managed through condition on permit;
- The building siting and dwelling layouts have been well managed to ensure that onsite amenity is maximised and offsite impacts are mimimised. This is achieved through orientation to the three street frontages and the use of a large, circular internal courtyard;
- The proposal responds positively to the Guidelines for Higher Density Residential Development; and
- The proposal will not cause unreasonable material detriment to the adjoining properties.

Planning Permit Triggers

Control	Permit triggered?
Mixed Use Zone (MUZ1)	Yes – Buildings and works and Use for Restaurant with a floor area greater than 150sqm
Heritage Overlay (HO330)	Yes - partial demolition
Environmental Audit Overlay (EAO).	Yes – excavation required and a sensitive use to be introduced.
Clause 52.06 Car parking	Yes
Clause 52.07 Loading and unloading of vehicles	Yes
Clause 52.29 Land adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 road	No
Clause 52.34 Bicycle facilities	No
Clause 52.35 Urban context report and design response for residential development of five or more storeys	Report and design response required
Cluse 52.36 Integrated public transport	S55 Referral required

URBAN CONTEXT

Subject site

The site is located on the east side of Queens Parade, just north of the intersection of Queens Parade and Heidelberg Road in Clifton Hill. The site comprises 205 - 211 Queens Parade as well as 6 - 12 Dummett Crescent, with frontage to both streets as shown in the figures below.



Planning submission – 205-211 Queens Pde and 6-12 Dummett Cres Fitzroy 4 North

The site is approximately 1450 sqm in area, and effectively flat, The site is quite irregular in shape with a 31.69m southern frontage and a 29.51m eastern frontage on Dummett Crescent, plus a 27.43m north-western frontage along the Queens Parade service road. The site comprising multiple lots.

205 -211 Queens Pde is currently occupied by a double storey industrial brick building that was adapted for use a restaurant and bar. Known as the Mosskito Bar for many years, then the Skinny Elephant; the use is not current. The building has a distinctive art-deco façade.

6-12 Dummett Cr is currently vacant. Previously it was improved with single storey warehouse buildings and an at grade concrete car parking area.

There is no vegetation on the site.



Queens Pde frontage



Looking west across site at 6-12 Dummett Cres

SURROUNDS

The subject site is situated within an enclave of underutilised former industrial land. This strip is almost triangular in shape, bounded by Queens Parade to the north-west, Hoddle Street to the north and north-east, and Dummett Crescent and Heidelberg Road to the south and south-east. It consists of a mixture of allotment shapes and sizes, typically of an industrial/commercial design, used as a range of industrial and commercial purposes. Several of the sites are either vacant or unoccupied, with some waiting on construction to begin on multilevel mixed-use buildings.

The character exhibited by the existing buildings is formed by the face brickwork, with predominantly metal roofs in a gable or saw tooth form, often hidden behind parapet walls. Art Deco style buildings also contribute to the character along Queens Parade, including the front façade of 205-211 Queens Parade, and 199 Queens Parade, which is currently occupied by McDonalds.

Within 1 km of the site the following services and transport are found:

TRANSPORT

- Bus routes: 250, 251, 504, 546
- Train: Clifton Hill Train Station (South Morang and Hurstbridge Lines)
- Tram: 86 (Docklands to Bundoora) – direct route to LaTrobe University and RMIT University in Bundoora as well as to the CAD.

SHOPPING

- Queens Parade Shopping Strip
- Piedemontes IGA Supermarket
- Westgarth Shopping Centre and Palace Cinema

SCHOOLS

- Fitzroy High School
- Fitzroy North Primary School
- Spensley Street Primary School
- Clifton Hill Primary School
- St John's Primary School
- St Joseph's Primary School

PROPOSAL DESCRIPTION

The applicant seeks to demolish the rear part of the existing building at 205 - 211 Queens Pde while retaining the façade with its significant parapet feature. Three basement levels (constructed to all boundaries) are to be introduced, with the sole vehicle access point from the north side of 12 Dummett Cres.

At ground level, a Restaurant and foyer for the apartments is proposed for the front building which faces the Queens Pde frontage. The restaurant has an overall area of 455sqm. The Dummett Cres frontage is to be occupied by four dwellings, the entrance and foyer for the upper levels of the rear building, a bicycle storage room and the double width vehicle entrance. A central, paved and landscaped courtyard between the buildings is provided. Dwellings G5 and G6 use a portion of the courtyard for SPOS, while the balance of the courtyard is shared. The buildings are separated by the courtyard, but connected along the south side by balconies.

A nine story building will front to Queens Pde, and an eleven storey building will address Dummett Cres.

116 dwellings in total are proposed, with 120 car spaces within the basement levels. 52 bicycle spaces are provided.

The basement levels comprise:

- 120 car spaces – 38 on Basement level 1 (B1), 41 on Basement level 2 (B2) and 41 on Basement level 3 (B3)
- 21 bicycle spaces on each B2 and B3 (plus an additional 10 spaces at the ground floor level)
- 120 storage units – 34 on B1, 43 on B2 and 43 on B3
- Stairs and lift for each building

Apartment Breakdown				
Level	1-bed	2-bed	3-bed	Total
Ground	1	5	0	6
First	6	9	0	15
Second	6	9	0	15
Third	0	13	0	13
Fourth	0	13	0	13
Fifth	0	13	0	13
Sixth	0	13	0	13
Seventh	0	8	3	11
Eighth	0	8	2	10
Ninth	0	0	4	4
Tenth	0	0	3	3
Total	13	91	12	116

THE PLANNING FRAMEWORK

A review and analysis of the planning policies within the Yarra Planning Scheme applicable to this application has been undertaken. The following section outlines the policies relevant to this application and has been separated into State Planning Policies, Council's Municipal Strategic Statement, Local Planning Policies, and the relevant Zoning and Overlay provisions.

STATE PLANNING POLICY FRAMEWORK

The purpose of State policy in planning schemes is to inform planning authorities and responsible authorities of those aspects of State planning policy which they are to take into account and give effect to in planning and administering their respective areas. The State Planning Policy Framework provides a context for spatial planning and decision making by planning and responsible authorities.

The following clauses are of most relevance to the proposed development:

- Clause 9 Plan Melbourne
- Clause 11 Settlement
 - 11.01 Activity Centre Network
 - 11.04 Metropolitan Melbourne
- Clause 15 Built Environment and Heritage

- 15.01-2 Urban Design Principles
- 15.01-4 Design for Safety
- 15.02 Sustainable Development
- 15.03 Heritage
- Clause 16 Housing
- Clause 17. Economic Development
- Clause 18. Transport
 - 18.02-1 Sustainable Personal Transport
 - 18.02-2 Cycling
 - 18.02-5 Car Parking

In a general sense these policies seek:

- To encourage developments that meet the community's need for retail, entertainment, office and other commercial services and provide net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.
- To provide small scale shopping opportunities that meets the needs of local residents and workers in convenient locations.
- To create healthy and active neighbourhoods and maintain Melbourne's identity as one of the world's most liveable cities.
- To promote a housing market that meets community needs.
- To locate new housing in or close to activity centres and employment corridors and at other strategic redevelopment sites that offer good access to services and transport.
- To provide for a range of housing types to meet increasingly diverse needs.
- To deliver more affordable housing closer to jobs, transport and services
- To achieve high quality urban design and architecture and safe and functional environments.
- To create a safe and sustainable transport system by integrating land-use and transport.
- To promote sustainable personal transport including walking and cycling.
- To ensure the efficient provision of car parking and minimise the impact of road congestion.

- To ensure an adequate supply of car parking that is appropriately designed and located.
- To promote energy efficient and sustainable design.

MUNICIPAL STRATEGIC STATEMENT

CLAUSE 21.03 VISION

Land Use

The City will accommodate a diverse range of people, including families, the aged, the disabled, and those who are socially or economically disadvantaged.

Built Form

Yarra will have a distinctive identity as a low-rise urban form, with areas of higher development and highly valued landmarks. All new development will demonstrate design excellence.

Environmentally Sustainable Design

Buildings throughout the City will adopt state-of-the-art environmental design.

CLAUSE 21.04 LAND USE

Objective 1 - To accommodate forecast increases in population.

CLAUSE 21.05 BUILT FORM

With over half of the municipality having heritage protection, heritage features, including buildings, subdivision patterns, open spaces, and streetscapes, underpin Yarra's valued character. Factors that contribute to the heritage character of particular neighbourhoods include the period of development and pattern of subdivision, predominant land uses, and the original socio-economic structure of the population. This has created unique Neighbourhoods and retail activity centres which are identified in Yarra's Heritage Overlays. These factors must be considered when understanding a site's significance. The cultural significance of heritage places must not be compromised by new development.

In conserving areas of heritage significance there is also a need to provide for adaptive reuse and change of buildings.

Objective 14 - To protect and enhance Yarra's heritage places.

Strategy 14.1 - Conserve, protect and enhance identified sites and areas of heritage significance including pre-settlement ecological heritage.

Strategy 14.6 - Protect buildings, streetscapes and precincts of heritage significance from the visual intrusion of built form both within places and from adjoining areas.

Strategy 14.8 - Apply the Development Guidelines for sites subject to a Heritage Overlay policy at clause 22.02.

Objective 20 - To ensure that new development contributes positively to Yarra's urban fabric.

Strategy 20.1 - Ensure development is designed having particular regard to its urban context and specifically designed following a thorough analysis of the site, the neighbouring properties and its environs.

Strategy 20.3 - Reflect the fine grain of the subdivision pattern in building design where this is part of the original character of the area.

Strategy 20.4 - Apply the Built Form and Design policy at clause 22.10.

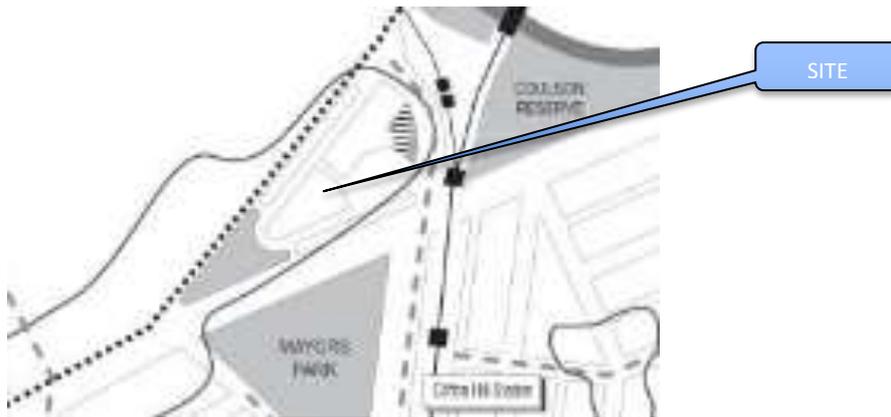
Clause 21.06-1 Urban Design

Objective 4 To ensure that the height and scale of development is appropriate to the identified preferred built form character of an area.

Objective 1 To conserve and enhance places and precincts of identified cultural heritage significance.

CLAUSE 21.08 NEIGHBOURHOODS

This Local Policy sets out the locally specific implementation of the objectives and strategies of clauses 21.04 to 21.07 for Clifton Hill. Figure 11 identifies that the site is within a Neighbourhood Activity Centre –see below:

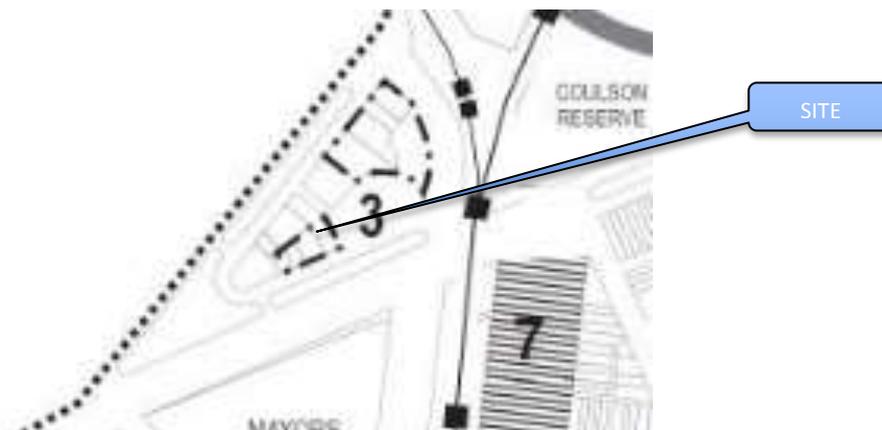


The Built Form Character Map (Figure 12) extracted below identifies the Queens Parade section of the site as falling within the area of a Heritage Overlay. Assessment guidance for built form of proposals in this area is specified as:

- Ensure that development does not adversely affect the significance of the heritage place.

The Dummett Cres section of the site is shown on the same map as falling within a Non-Residential Area. Assessment guidance for built form of proposals in this area is specified as:

- Improve the interface of the development with the street



In effect the policy direction here points to the primacy of the built form guidelines within the Heritage Overlay and Clause 21.05 Built Form.

Other Strategies remain relevant, however Pursuant to the opening statement of the Residential Built Form policy at Clause 22.13, the Residential Built Form policy is not relevant to development of this site.

LOCAL PLANNING POLICY FRAMEWORK

CLAUSE 22.02 DEVELOPMENT GUIDELINES FOR SITES SUBJECT TO THE HERITAGE OVERLAY

This policy provides guidance for the protection and enhancement of the City's identified places of cultural and natural heritage significance.

Clause 22.02-3

Every building of cultural significance has been assessed and graded according to its heritage contribution.

Clause 22.05.1 Demolition

Removal of Part of a Heritage Place or Contributory Elements

Encourage the removal of inappropriate alterations, additions and works that detract from the cultural significance of the place. Generally discourage the demolition of part of an individually significant or contributory building or removal of contributory elements unless, for a contributory building:

- That part is not visible from the street frontage (other than a laneway), abutting park or public open space, and the main building form including roof form is maintained; or: the removal of the part would not adversely affect the contribution of the building to the heritage place

22.02-5.7 New Development, Alterations or Additions

General

Encourage the design of new development and alterations and additions to a heritage place or a contributory element to a heritage place to:

- Respect the pattern, rhythm, orientation to the street, spatial characteristics, fenestration, roof form, materials and heritage character of the surrounding historic streetscape.
- Be articulated and massed to correspond with the prevailing building form of the heritage place or contributory elements to the heritage place.
- Be visually recessive and not dominate the heritage place.
- Be distinguishable from the original historic fabric.
- Not remove, cover, damage or change original historic fabric.
- Not obscure views of principle façades.
- Consider the architectural integrity and context of the heritage place or contributory element.

CLAUSE 22.16 WATER SENSITIVE URBAN DESIGN

Water sensitive urban design (WSUD) is the design of buildings, subdivisions and works to minimise the hydrological impact of urban development on the surrounding environment. WSUD provides the means for treating stormwater run-off in a variety of ways so that the flow is reduced, and the quality of run-off is improved. A plan that demonstrates a Water Sensitive Urban Design Response must accompany an application.

CLAUSE 22.17 ENVIRONMENTALLY SUSTAINABLE DESIGN

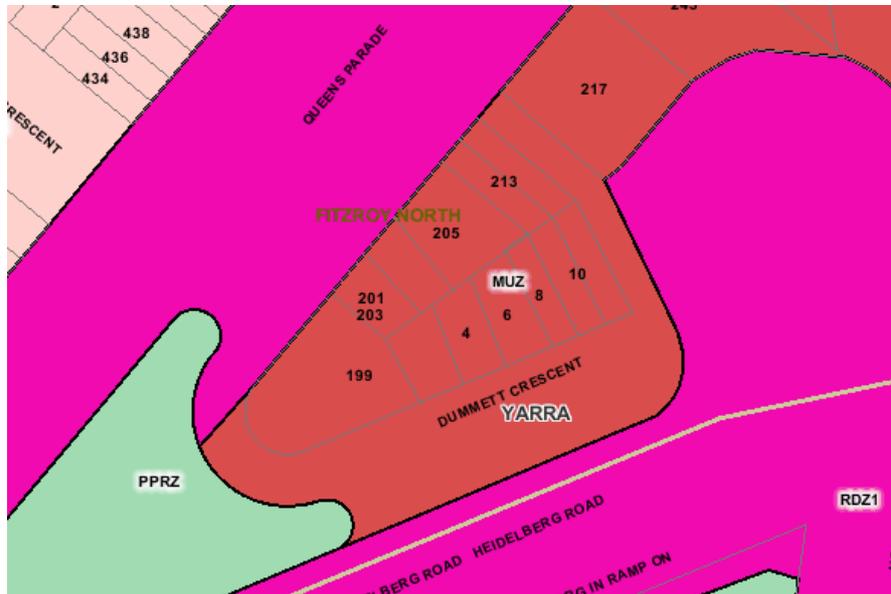
This policy provides a framework for early consideration of environmental sustainability at the building design stage in order to achieve the following efficiencies and benefits:

- Easier compliance with building requirements through passive design;
- Reduction of costs over the life of the building;
- Improved affordability over the longer term through reduced running costs;
- Improved amenity and liveability;
- More environmentally sustainable urban form; and
- Integrated water management

Pursuant to Table 1 of Clause 22.17-4 it is policy that applications for development of the scale proposed are accompanied by a Sustainable Management Plan using BESS, Green Star, MUSIC or STORM tools.

ZONING

Clause 32.04 Mixed Use Zone



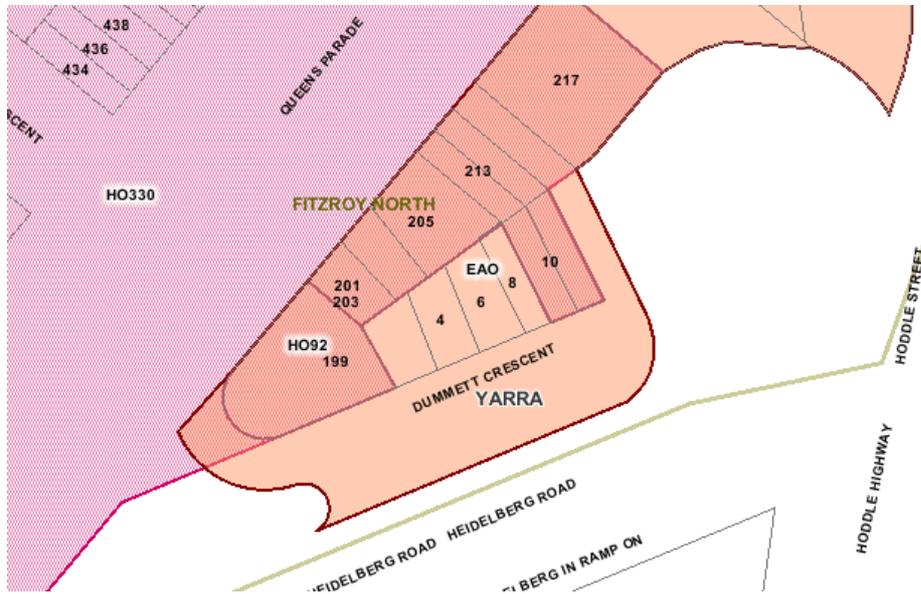
The subject site is located within the Mixed Use Zone, the purposes of which are:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- 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.
- To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.

Under Clause 32.04 a permit is required for the construction of the building and for the use of the land for a restaurant, given that the leasable floor area exceeds 150m². The residential component is a Section 1 use and does not require a permit.

OVERLAYS

Clause 43.01 Heritage Overlay HO330



The subject site is affected by a Heritage Overlay, the purposes of which are:

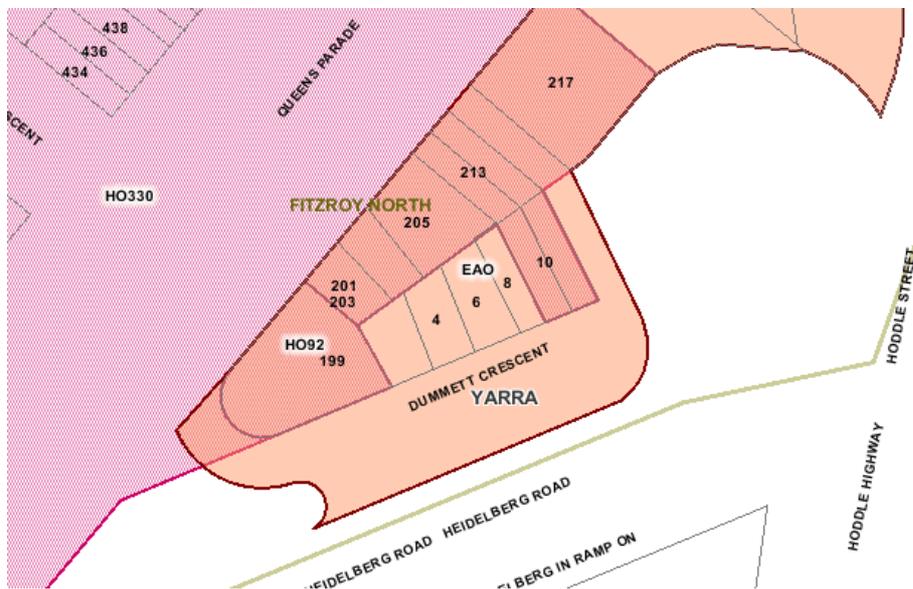
- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To conserve and enhance heritage places of natural or cultural significance.
- To conserve and enhance those elements which contribute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

The 205 - 211 Queens Pde portion of the site is affected by Heritage Overlay (HO330). The site is identified by City Of Yarra as Property No. 1332155 and is listed as Individually Significant

The 10 -12 Dummett Cres portion of the site is also affected by the HO330. The site is identified by City of Yarra as Property No. 1322115 and is listed as Not Contributory. It is noted that the building on this site has been previously demolished.

Pursuant to Clause 43.01-1 a permit is required to demolish or remove a building and to construct a building or construct or carry out works. External paint controls apply. The site is not on the Victorian Heritage Register.

Clause 45.03 Environmental Audit Overlay



The subject site is covered by an Environmental Audit Overlay, the purpose of which is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.

Clause 45.03-1 requires that a certificate or statement of environmental audit must be issued for the land before any sensitive use begins. This can be addressed in the conditions of the permit, should a permit be issued.

PARTICULAR PROVISIONS

Clause 52.06 Car parking

This provision requires car parking to be provided for any new development/use at a rate specified within Table 1 of Clause 52.06-5. A permit may be issued to reduce or waive the requirement having regard to the decision guidelines of the provision.

Clause 52.34 Bicycle facilities

The purpose of this Clause is:

- To encourage cycling as a mode of transport.
- To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.

Table 1 at Clause 52.34-3 specifies the required number of bicycle spaces in developments of four or more storeys as follows:

- For Dwellings Residents 1 space to each 5 dwellings.
 Visitors 1 space to each 10 dwellings.
- For Restaurant Employees 1 to each 100 sq m of floor area available to the public

The various requirements of this clause can be waived or varied with a permit.

Clause 52.35 Urban context report and design response for residential development of five or more storeys

The purpose of this Clause is to ensure that an urban context report is prepared before a residential development of five or more storeys is designed and that the design responds to the existing urban context and preferred future development of the area.

Clause 52.36 Integrated public transport

An application for a residential development of 60 or more dwellings must be referred to the Public Transport Development Authority to ensure that:

- Development supports public transport usage.
- Easily accessible public transport networks, which are appropriate to the scale of the development, and high quality public transport infrastructure are provided as part of new development.

- Development incorporates safe, attractive and convenient pedestrian access to public transport stops.
- Development does not adversely affect the efficient, equitable and accessible operation of public transport

CLAUSE 65

Decision Guidelines

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

Clause 65.01 Approval of an application or plan

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in Section 60 of the Act.
- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.

- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.

PLANNING ASSESSMENT

Introduction

Clause 10.04 of the SPPF promotes the balancing of the numerous and often conflicting policies that will affect land. This is likely to be the case for most sites, but is most pronounced in the urban heartland where Councils have gone to great lengths to protect neighbourhood character, vegetation and heritage. The important point of Clause 10.04 is that the balancing act seeks to enact a result that is net community benefit and sustainable development. In addition to the zone and overlay considerations, there is a suite of Council policy that must be accounted for in making the assessment.

For this site, the neighbourhood character considerations are not the key determinant as the site is within a rapidly evolving section of a Neighbourhood Activity Centre, on a busy road, within a Mixed Use Zone with robust abutments. In addition to the State policy regarding higher density residential development there is a range of Local policies that guide development in this specific precinct.

This assessment takes an approach where matters of policy, zone and overlay are considered in an integrated way by asking the following questions:

1. Is there strategic support for the proposal?
2. Is the design and layout appropriate to its context and heritage status?
3. Does the proposal result in any unreasonable off-site impacts?
4. Is onsite amenity acceptable?
5. Is the proposal satisfactory based on parking, traffic and pedestrian movement?

1. *Is there strategic support for the proposal?*

At a State Policy level, Activity Centres are identified as the preferred sites for further development and intensification. The subject site benefits from its location within the North Fitzroy/Clifton Hill Neighbourhood Activity Centre and its proximity to public transport, education, health services and local as well as open space such as Merri Creek parklands and Mayors Park. Clause 16.01-2 advocates new housing in or close to Activity Centres and employment corridors. The site is strategically located to benefit from its location in the retail corridor of Clifton Hill and the employment opportunities generated by the surrounding commercial operations. Of course the location is also isolated from existing residential uses by multi-lane arterial roads. This provides a natural buffering of distance that enables taller development than might be acceptable if typical suburban residential abutments were at play.

The Mixed Use Zoning of the site gives a clear indication that Council's strategic intention is that the subject site be redeveloped for Mixed-use and with higher density housing to enable a significant increase in the number of dwellings available in this well serviced precinct. The evolution of the precinct is underway, from the former industrial operations to ground level commercial use with residential use above. Development approval for nearby sites within the 'island' precinct confirms this. For example:

- Approval PLN14/0311 for an eleven storey mixed use development at 243-247 Queens Pde.
- Approval PLN15/1101 at 217-241 Queens Pde for a ten storey Aged Care Facility is height comparative

These approvals are height and bulk comparative with the proposal and are indicative of the acceptable built form expectations for the precinct.

The current application PLN16/0494 at 249-265 Queens Pde for a 17-storey mixed use building with 2 levels of basement parking, dwellings and ground floor food and drink premises is also an indication of the potential capacity of the built form for this precinct.

In summary, the proposal is demonstrably consistent with the strategic policy framework for the site.

2. Is the design and layout appropriate to its context and heritage status?

The building identified as Property No. 1322115 at 10-12 Dummett Cres, and protected under the HO330 has been demolished under a previous permit approval (PL05/0996) so does not require consideration. The discussion is therefore limited to consideration of the building at 205-211 Queens Pde.

The facade of the existing building at 205-211 Queens Pde is to be retained. The façade features a distinctive Art Deco parapet that rises to a height of three stories at its centre. The street frontage of the facade has previously been altered through the introduction of large windows, and these are to be retained.

The new upper levels are well set back from the façade in order that the distinctive 'freestanding' parapet feature does not become attached to the façade of the new building, but rather retains its current form. The brickwork will not be painted, and the existing signage infrastructure will re-used for the new restaurant that will occupy the ground level.

The façade of the proposed building has been broken up with vertical and horizontal patterning to reflect the parapet design and its symmetry. This is considered to respect the principal heritage element of the existing building while ensuring adaptive re-use of the site that is consistent with the site location and zoning.

A detailed discussion of the building layout and its context is provided in the following section of this report – Response to the Guidelines for Higher Density Residential Development.

3. *Does the proposal result in any unreasonable off-site impacts?*

The site has arterial road abutments at the front and rear and is isolated from the existing residential neighbourhood of Clifton Hill and North Fitzroy. Uses to the south of the site are commercial and will not be affected by the shadow introduced by the proposed building.

No overlooking will occur to existing dwellings. Overlooking may occur to the approved Residential Aged Care building at 217 Queens Pde from the apartments located at each level on the north-west corner of the Dummett Cres building. This can be managed through the use of partial screening of the balconies.

The shadow diagrams indicate that the street frontages will be shaded at different times of the day, with no frontage dominated by shadow excessively.

4. *Is onsite amenity acceptable?*

The proposed building has been designed to provide excellent internal amenity for future residents. In summary:

- Ample access to daylight and private open space is provided for each apartment.
- A diversity of dwelling sizes is provided, encompassing one, two and three bedroom apartments.
- Dwelling size and layouts are suitable and will enable flexibility of use.
- The dwellings have a sense of street address to Queens Pde and Dummett Cres and circulation areas are appropriately laid out.
- Balconies are functional, useable and well sized, often well exceeding the minimum requirements.
- Internal overlooking is avoided.
- Bicycle and car spaces are convenient, accessible and safe.
- Storage areas are provided and private waste collection is proposed.

5. *Is the proposal satisfactory based on parking, traffic and pedestrian movement?*

The site is located abutting Queens Pde which is in Road Zone –Category 1. However the vehicle access point to the site is provided from Dummett Cres which is in the MUZ, so there is no permit trigger under Clause 52.29.

120 car spaces are provided within the three basement levels.

A total of 120 dwellings are proposed and each dwelling is provided with one allocated car space. 104 of the dwellings have one or two bedrooms, so the required number of spaces are provided for these dwellings in accordance with Clause 52.06-5.

Twelve dwellings have three bedrooms, so a reduction of one car space for each of these dwellings is sought.

One visitor car space is required for each five dwellings, generating a visitor demand of 23 car spaces pursuant to Clause 52.06-5. A full waiver of the visitor car spaces is sought.

The remaining four car spaces are to be provided for the restaurant. The restaurant has a floor area of 455sqm. Proposed patron numbers are a maximum of 150. This generates a parking demand of 60 spaces, pursuant to Clause 52.06-5. With the 4 allocated spaces, a shortfall of 56 spaces is identified. The proposed patron numbers will remain the same as currently approved for the restaurant use of the site.

In light of the decision guidelines at Clause 52.06-6, a reduction is considered acceptable for the following reasons:

- The site has good access to public transport services. In particular, Clifton Hill Railway Station is located approximately 200m walking distance south-east of the site. This provides a connection to/from the Melbourne CBD and a number of activity centres in the northern suburbs of metropolitan Melbourne. The Hurstbridge and South Morang lines run through this station so train frequency is very high.

- Cycling paths (including the Capital City Trail) are found nearby, providing excellent and safe connections to the CBD, other commercial areas, and parkland.
- The Bus routes 246 Elsternwick, 504 Moonee Ponds and 546 Heidelberg run within 200m of the site.
- The proposal provides dedicated bicycle parking within each basement level and at ground level.
- The City of Yarra supports 'car sharing' schemes by allocating on-street spaces throughout the municipality for the purposes of accommodating 'car share' cars operated by Flexicar, Go Get and Green Share Car, the three Council supported schemes. The map below shows the location of six Go Get sites within easy walking distance of the site, demonstrating ease of access for a household needing an additional car:



In summary: the proximity of the site to convenient public transport services, which link the site to nearby shopping centres, the city and other regular destinations, reduces the site's dependence on motor vehicles as a mode of transport when compared to a similar development in a middle or outer suburban area. Bicycle lanes about the site and local car-share arrangements are active providing multiple sustainable transport options.

Pursuant to Clause 52.34, 23 bicycle spaces are required for residents, plus 12 visitor spaces. 3 bike spaces are required for employees of the restaurant, plus 3 spaces for

patrons. This is a total of 41 spaces. A total of 52 bicycle spaces are provided as follows: 21 spaces on each Basement level 2 and 3 plus 10 spaces at ground level.

With regard to Loading and unloading, the commercial use as a restaurant will not generate an unusually intensive requirement for deliveries; in fact the use has been operating for a number of years. Small van delivery from the service road at the front of the restaurant is the typically acceptable arrangement for a site such as this. Accordingly, a waiver of the loading bay requirements is sought.

With regard to vehicle movement, the site will be accessed from Dummett Cres, which connects with the service road on the east side of Queens Pde. The accessway allows for simultaneous ingress and egress to the basement car parking levels, ensuring that vehicle flow is unhindered.

In summary, the proposal is acceptable having regard to parking and traffic related considerations.

RESPONSE TO THE GUIDELINES FOR HIGHER DENSITY RESIDENTIAL DEVELOPMENT (DSE, 2004).

As the proposal is for two or more dwellings in a building that is more than four storeys in scale the requirements of Clause 55 (Rescode) are not applicable. The proposal has instead been assessed against the relevant requirements of DSE's Guidelines for Higher Residential Development. The proposal is considered to satisfy these requirements as follows:

Element 1 – Urban Context.

The building design is informed by an understanding of the character of the surrounding built environment as well as the preferred built form character envisaged by relevant policy which facilitates the proposed built form. The information provided in the plans and the Urban Context Report set out the urban context for the site. The design of the development strikes an appropriate balance



of the sites opportunities and constraints. The Design Response is informed by the relevant Policy directives.

The site is presently occupied by low scale commercial development and also partly vacant. This presents as an obvious development opportunity. The site's key influences are those imposed by the commercial setting and commercial uses that surround it as well as the robust roadside environment. Additionally, the existing planning approvals for similarly sized buildings within the 'island' precinct (for properties located to the north of the site) influence the scale of the building demanded by the site. The height and bulk of the proposed building is very similar to the approved buildings in the immediate vicinity.

It is important to note the relative uniqueness of the site context. Queens Pde is extremely wide, comprising a service road on each side, two vehicle lanes in each direction, plus a central median with tram tracks. The proposed building has frontage to the service road. This means that the building is well set back from the main thoroughfare, not squeezed hard against a typical inner city four-lane road. Given this context and the need to respect the heritage façade of the existing building, a more 'dramatic' urban form has been adopted which is considered to balance the heritage element with the street context.

The various State and Local Policy and Zone provide a policy context that encourages higher density and larger scale development of sites such as this. The well articulated design proposed will make a positive contribution to the built environment and strengthen the preferred scale of development for this precinct.

Element 2 – Building Envelope.

The building will attain site coverage which is consistent with the type of development envisaged within a Mixed Use Zone and specifically within this precinct which is isolated from the existing residential area of Clifton Hill and North Fitzroy and is therefore attractive for intensive development.

The proposed building height responds appropriately to the height of buildings contemplated by the Planning Scheme for the site and on adjacent land. While taller than the 5-6 storeys referred to within Local Policy, the 9 and 11 storey building elements will be complementary to the approved buildings along this section of Queens Pde.

The development gives the visual appearance of two buildings. This serves to create visual interest, reduces apparent bulk and serves to provide a sense of the existing the subdivision pattern of lots addressing Queens Pde and Dummett Cres..

The Queens Pde building uses the existing high art deco façade as a podium to Queens Pde, with significant recession of levels 1-7. Levels 8 and 9 are further recessed to reduce the visual bulk. The use of solid and transparent surfaces across the façade with positive and negative spaces created by numerous incisions references the vertical stripe in the deco feature parapet and results in a highly articulated and visually engaging building. The Queens Pde building responds to the principal address to Queens Pde by locating the pedestrian entrance within the north end of the frontage, within the heritage facade.

The use of a single setback for levels 1-7 for the Queens Pde building acknowledges the need to provide recession to the heritage façade and parapet feature of the existing building. It would be inappropriate in this case to provide a conventional typology of a three storey podium with zero street setback, then recession of the higher levels. It is also important to ensure that the building provides comparative building massing with nearby development. The 3D models provided with the plans

demonstrate that the proposed building responds with a similar approach to massing and street setback as the approved Residential Aged Care building located on the north side of Dummett Cres. Additionally, the recession of levels 8 and 9 serve to 'cap' the building and reduce its overall bulk as viewed from a distance.

The Dummett Cres building is taller by two stories and adopts a zero setback to the frontage, except for levels 10 and 11, which are recessed from the street frontage. This street interface is less visible generally by pedestrian passers-by as it is located at the rear of the 'island' precinct. The building will be most visible to Heidelberg Rd vehicle traffic and traffic using the Hoddle St- Heidelberg Rd on-ramp. For this reason, the zero setback is preferred as a method of ensuring the most effective use of the site while acknowledging that the street interface is of comparatively limited consequence. The Dummett Cres building presents a pedestrian entrance and foyer from the main Dummett Cres frontage. A design element above the entrance references the deco façade of the Queens Pde frontage and provides a signal that the buildings are related. The curved façade around the Dummett Cres bend picks up on the curved heritage building façade found slightly south of the subject site and currently being used by McDonalds.

Cleverly, the vehicle entrance to the basement car park for both buildings is tucked into the shorter Dummett Cres 'sideage' so it is not a feature of either frontage.

The frontages are activated by provision of well dimensioned residential entries and foyers as well as windows to the commercial spaces. This creates an appropriate interaction at pedestrian level whilst upper level apartments will also contribute to the building's interaction with the public realm through the orientation of main living areas and balcony open space to the street.

To the side boundaries the buildings adopt mainly zero lot lines to each abuttal. Light courts are cut out to ensure no unreasonable loss of amenity to abutting properties and allow for equitable development for any future development of these properties.

The proposal contains 116 dwellings, 92 of which have habitable room windows and private open space balconies oriented to the outer edges of the buildings resulting in a high level of internal amenity as well as interaction with the public realm. This also will allow for passive surveillance and increased safety of adjacent public areas. Living areas, balconies and windows have been oriented to minimise the potential for overlooking between apartments. Minor screening of the north-east corner of the Dummett Cres building may be necessary to prevent overlooking into the approved residential building at 217 Queens Pde. The remaining 24 apartments have SPOS balconies facing the large, circular internal courtyard which will provide excellent access to light and ventilation.

The roof form adopted is a typical flat roof, masked with a parapet edge to minimize visual intrusion of rooftop services.

Element 3 – Street Pattern and Street-Edge Quality

The proposed ground level use as a Restaurant for the Queens Pde frontage is consistent with the zone and will maintain the previous use of the site. The large windows are to be retained ensuring an active frontage and that the proposed use will be readily apparent, even by vehicle and tram users.

The pedestrian entry points for each building are identifiable, convenient and safe. Car park entry is provided at the 'side' enabling both main frontages to be unhindered by vehicle accessways.

The provision of dwellings for the ground level frontage to Dummett Cres is considered a responsive approach to what is a difficult context that is not suited to commercial use. The Dummett Cres frontage is tucked away from the principal street frontage and is dominated by the Heidelberg Rd train overpass and the vehicle on-ramp from Hoddle St. A 'defensive' fence at street edge to create SPOS for the ground level dwellings is a reasonable response here. A generous shared entrance and foyer serves all apartments. The entrance uses a visual feature to enhance its street presence.

The orientation of balconies to Queens Pde and the full length of the frontage to Dummett Cres will improve amenity within the public realm through increased passive surveillance and will also allow for interaction with the public realm as well as visual interest through changing light and movement with the building.

Element 4 – Circulation and Services.

The basement car parks, pedestrian entrances and the internal access layouts are clear, safe and efficient. Secure bicycle parking is provided on-site for residents as well as a separate bin enclosure and ample private storage areas. The buildings are each served by a lift and stairwell. A mail delivery and collection point is incorporated within the foyers.

The foyers, lifts and stairwells are generously sized to ensure ease of movement of furniture and larger items, corridors are short

Specialist Waste Management and Sustainable Management Plans can be provided as required.

Element 5 – Building Layout and Design.

The building has been thoughtfully designed to include a high degree of articulation, and use of multiple materials and colours that will create visually interesting apartment building that exhibits a high standard of urban design. It will make a significant positive contribution to the streetscape.

The building contributes to the provision of housing choices through a mix of 13 x one, 91 x two and 12 x three bedroom dwellings of varying size. All levels are accessible by lift and stairs. Pedestrian entry at grade is provided to the building from Queens Pde and Dummett Cres.

The provision of a central courtyard between the buildings modifies the building core to serve as a large light well and increases the usability of the central area of the site.

Dwellings have been oriented in order to maximise natural light and ventilation to main living areas and open space balconies. Habitable rooms have direct light and ventilation – No bedrooms rely on borrowed light and in all instances the source of light is well within accepted design parameters.

Element 6 – Open Space and Landscape Design

Each dwelling has been provided with balcony open space of 8m² or more in area that is accessed directly from main living areas and oriented to the edges of the building to allow for natural light and ventilation. The spaces are suitably dimensioned so as to be practical and useable and are positioned to minimise direct overlooking between apartments as well as to/from neighbouring and nearby properties.

Planting at ground level within the Dummett Cres frontage will provide a modest landscape response to the street, noting that vegetation and landscaping is not an existing feature of the area. The internal courtyard will provide a green outlook for the 24 dwellings facing towards it, using tree species carefully selected for the constrained conditions.

The foyer areas, courtyard, lifts and stairwells will be shared and the spaces are functional in size. Natural light is available to these areas from the lightcourt.

CONCLUSION

The proposal we have prepared is a well-considered outcome for the site and surrounding area. The site location demands a higher density residential response due to the superb amenity of the surrounds and the particular attributes of the location within a redundant industrial/commercial area.

As demonstrated above, the proposal is consistent with the relevant objectives outlined in the Yarra Planning Scheme and the Higher Density Residential Guidelines, and will result in an outcome which is consistent with the heritage streetscape and evolving character of the precinct.

This proposal represents a high density re-development of consolidated land parcels with a combined area of 1450m². The application does not seek to challenge the Council's broad expectations, but to work harmoniously with respect to overall built form, and on and offsite amenity . Design excellence is exhibited in relation to the retention and respect of the existing heritage façade and Art Deco parapet on the Queens Pde frontage.

The proposal will provide a good fit with the emerging Queens Parade and Dummett Crescent streetscape and provide future residents with all the benefits of being located within a bustling neighbourhood activity centre, with access to a plethora of shops and recreational facilities and public transport.

Therefore it is respectfully submitted that the application is worthy of Council support and represents a well-considered, appropriate outcome, which achieves compliance with all relevant policy objectives.