

**Date**

Monday 6 November 2017

**To**

Vicky Grillakis  
Statutory Planning Department

**Address**

City of Yarra  
PO Box 168  
RICHMOND VIC 3121

**Sent**

Via Hand Delivery

Dear Vicky,

**Response to Request for Further Information  
Planning Permit Application No. PLN17/0618  
27-29 Best Street & 102-114 Scotchmer Street, Fitzroy North**

We continue to act for Piedimonte Developments Pty Ltd in relation to this matter and reference is made to Council's letter dated 11 August 2017 which requests further information pursuant to Section 54 of the *Planning and Environment Act 1987*.

In response, please find enclosed:

- Three A3 copies of architectural plans prepared by Peddle Thorp Architects;
- Three copies of an amended traffic report prepared by MGA Traffic Pty Ltd;
- Three copies of a landscape plan prepared by Tract Consulting;
- Three copies of an acoustic report prepared by Marshall Day Acoustics;
- Letter of advice prepared by ADP Consulting in relation to the substation;
- Letter of advice from Hope Earle Property Lawyers in relation to the substation; and
- Three copies of a Noise and Amenity Action plan (NAAP) prepared by our office.

Set out below is our response to Council's Information request.

1. *A3 plans provided are not to scale.*

We enclose three copies of A3 scaled architectural plans prepared by Peddle Thorp Architects.

2. *As your town planning report notes, the Right of Way re-alignment is a separate process to this planning application. Provide a plan which confirms the proposed title boundaries following the proposed Right of Way re-alignment (if Council were to approve it). Planning officers have concerns that some of the built form would fall outside of the proposed realigned title boundaries. For example, Apartment 321 on the level three plan may fall outside of this area.*

The floor plans within the updated package prepared by Peddle Thorp Architects depict the existing title boundary as well as the proposed title boundary following the re-alignment of the Right of Way.



3. *Amend the traffic report to include confirmation of the origin of the residential visitor, liquor and supermarket empirical data.*

Enclosed is an amended traffic report prepared by MGA Traffic Pty Ltd.

4. *Amend the Better Apartment Design Schedule to include a column which confirms compliance for each of the included standards. For example, accessibility includes a column about compliance however private open space does not. The schedule should also include an overall compliance percentage for each of these.*

An amended Better Apartment Design Schedule is provided on Drawing No. TP-801.

5. *In addition to the above, include cross ventilation compliance, breeze pathway length, natural cross ventilation, and window size. The schedule should also include an overall compliance percentage for each of these.*

The amended Better Apartment Design Schedule, provided at Drawing No. TP-801, includes a column in response to the natural cross ventilation objective.

6. *Confirmation regarding the meaning of the 'astrix' in the Better Apartment Design Schedule.*

The 'astrix' has been deleted and replaced with colour delineation to nominate those dwellings which are located within the retained heritage building and are therefore constricted by the existing conditions / building layout.

7. *The apartment types listed in the town planning report and Better Apartment Design Schedule need to match.*

The amended report and schedule have been updated to match.

8. *Apartment type plans need to clearly show minimum living room/ bedroom sizes and breeze paths. These should be shown in colour.*

The Apartment Type Plans have been updated to clearly depict the minimum living room/ bedroom sizes and breeze paths and are also illustrated in colour.

9. *The Better Apartment Design Schedule should delineate which apartments are single aspect.*

A column has been included in the Schedule which nominates whether an apartment is single or dual aspect.

10. *It is unclear on the development plans which apartments are which apartment type.*

The development plans have been updated to include the apartment type numbering.

11. *The proposed demolition plan states the heritage façade will be retained up to 2m however the proposed plans show 3m. Please confirm.*

The demolition plan has been updated to illustrate that 3 metres of the heritage facade will be retained.



12. *Confirm the uses of the sites to the south along Best Street and also show street numbers on plans.*

The floor plans have been updated to include the uses of the site to the south along Best Street as well as street numbers.

13. *Elevations to include wall heights/lengths and setback dimensions.*

All elevations have been updated to include wall heights, lengths and relevant setback dimensions.

14. *Terrace balustrade heights to be provided on elevations.*

All terrace balustrades have been dimensioned.

15. *Section CC amended to show the setbacks of all floors to the northern boundary of No.36 Egremont Street.*

Section CC (Drawing No. TP-302) has been amended to show the setbacks of all floors to the northern boundary of No.36 Egremont Street.

16. *Floor plans amended to show the location of habitable room windows of adjacent properties.*

The floor plans have been updated to illustrate the location of habitable room windows of adjacent properties to the south.

17. *How will the basement gate operate? What is the expected delay?*

The car park entrance is unsecured for supermarket customer parking. Security gates are proposed on basement level 2 towards the resident / staff parking areas with access through the security gate via remote control. Further information including detail of how this will be managed and delays is provided in the amended traffic report.

18. *Provide additional ground floor perspectives along Best, Scotchmer and Egremont Streets.*

Additional ground floor perspective are enclosed.

19. *Please clarify whether a substation exists on the land and any relevance CAVEAT M506214L on TP451143W may have to this application.*

An existing substation is located on the site and the accompanying advice from ADP confirms that they have been in discussions with Citipower regarding a new substation that would service the new development, allowing the existing substation to be demolished. This correspondence as well as advice from Hope Earle Property Lawyers is enclosed.

20. *Dimensions of all crossovers to be shown on the ground floor plan.*

All crossovers have been dimensioned on the ground floor plan (Drawing No. TP-100).

21. *Please confirm if the area notated in the front POS of the ground floor townhouses G02-G04 includes the bin area and the swing area of the pedestrian gate.*

A note has been included on the ground floor plan which states that the area of private open space associated with townhouses G02 and G03 do not include the bin area and the swing area of the pedestrian gate.

22. *A landscape plan providing details of plantings.*

A landscape concept plan has been prepared by Tract Consulting and is enclosed for Council's consideration.

23. *An acoustic report, prepared by a suitably qualified Acoustic Consultant, addressing the noise impacts of the proposal on surrounding residential properties as well as from the proposed commercial uses to the proposed dwellings within the development.*

An acoustic report has been prepared by Marshall Day and is enclosed. It concludes:

*"...It has been demonstrated that compliance with the relevant legislation can be achieved provided the recommended noise controls are successfully implemented.*

*It is recommended that:*

- *The loading bay area incorporate appropriate sound insulation and acoustic absorption treatments.*
- *Mechanical services associated with the development be reviewed during the detailed design process to confirm that compliance with the relevant noise criteria can be achieved.*
- *Waste collections associated with the supermarket and the future dwellings should comply with the schedules and practices nominated in EPA Publication 1254 be adopted.*

*The preliminary assessment indicates that there are no major noise impacts associated with the redevelopment proposal*

24. *Provide a Noise and Amenity Action plan (NAAP) for the proposed sale and consumption of packaged liquor.*

*The NAAP must detail the following information:*

- a. *The location, type and details of existing licensed premises in the locality.*
- b. *The identification of all noise sources associated with the premises (including, but not limited to, music noise, entries and exits to the premises and courtyards) likely to impact on nearby residential property.*
- c. *Measures to be undertaken to address all noise sources identified, including on and off-site noise attenuation measures.*
- d. *Procedures to be undertaken by staff in the event of complaints by a member of the public, the Victoria Police, an 'authorised officer' of Council or an officer of Liquor Licensing Victoria.*
- e. *Details of staffing arrangements including numbers and working hours of all security staff, bar staff, waiters, on-premises manager, and other staff.*
- f. *Details of training provided for bar staff in the responsible serving of alcohol.*
- g. *Hours of operation for all parts of the premises.*
- h. *Lighting within the boundaries of the premises.*
- i. *Security lighting outside the premises.*
- j. *Details of the provision of music including the frequency and hours of entertainment provided by live bands and DJs.*
- k. *Details of waste management plan including storage and hours of collection for general rubbish and bottles associated with the licensed premises.*
- l. *Any other measures to be undertaken to ensure minimal amenity impacts from the licensed use.*



A draft Noise and Amenity Action plan has been prepared by our office and is enclosed.

25. A site context plan, must examine a radius of at least 100 metres around the site, detailing:

- a. *the nature and location of uses surrounding the proposed licensed premises and their hours of operation; and*
- b. *the proximity of the licensed premises to residential properties, including details of doors, windows and open space areas on all residential properties in close proximity*

The site context plan (TP-003) prepared by Peddle Thorp Architects details the nature and location of uses surrounding the proposed licensed premises.

The proximity of the licensed premises in relation to the residential properties is considered no different to the existing conditions, given that the application proposes the expansion of an existing Packaged Liquor licensed premises.

All current application documents are provided in an electronic format on the enclosed USB device.

In addition, we note that there have been minor changes to the plans since the application was submitted under cover letter dated 31 July 2017. These are detailed in the accompanying statement of changes prepared by Peddle Thorp Architects.

We trust that this information is to Council's satisfaction. Should the information be deemed by Council to be unsatisfactory, we request to be notified immediately and in that circumstance, we request an extension to the lapse date by 30 days pursuant to Section 54A of the *Planning and Environment Act 1987*.

Should you have any further questions in relation to this matter, please do not hesitate to contact our office.

Yours sincerely,

**John Haysey**  
Director  
Encl.