

Dear Nik

1 June 2018

Mr Nik Muhllechner  
Planning Department  
City of Yarra  
Richmond Town Hall  
333 Bridge Road  
RICHMOND VIC 3121

**622-642 Nicholson Street, Fitzroy North  
Planning Permit Application No. PLN18/0172  
Response to Request for Further Information**

We continue to act on behalf of the permit applicant with regard to the above-mentioned property.

We refer to correspondence from Council dated 11 April 2018 requesting the provision of further information pursuant to Section 54 of the *Planning and Environment Act 1987*. Our response to this request is as follows:

1. Floor plans have been amended to show:
  - a) Title boundary dimensions.
  - b) Width and depth of main pedestrian entry to Nicholson Street.
  - c) All corridor widths.
  - d) Notation regarding WSUD measures.
  - e) Details as to the operability of windows, with minimum 10% of windows to be operable.
2. Elevation plans amended to show:
  - a) Floor to ceiling heights.
  - b) Details as to the operability of windows. Minimum 10% of windows to be operable.
  - c) A corrected north elevation showing the roller door.
3. Floor areas have been updated as a result of the amendments made to the plans and the development schedule and traffic reports have been updated accordingly. Other reports can be updated via condition on permit should one issue.
4. Enclosed are 3 x copies of A3 plans.
5. All documents will be provided electronically.
6. The amendments to the plans are as follows:
  - Additional building entries provided along Nicholson Street.
  - Bottle shop proposed at ground floor.
  - Doorway provided to southern laneway.
  - Addition of condenser to supermarket at rear roof to Level 1. Condenser to be acoustically screened.

- Additional stairwell provided to Level 2 at northern end of floor.
- Increased setbacks provided to Level 3, with 3 metre setbacks provided to the north and south boundaries (previously zero) and the front setback increased from 2 metres to 6 metres. An expanded terrace with planter boxes to its perimeter wraps around the building to the north, west and south boundaries.
- Setbacks to Level 4 now increased to match changes to Level 3.
- Terrace deleted to Level 5.
- Materials changed to northern component of tower, with face brickwork replacing applied finish.

A statement of changes prepared by Artisan Architects is enclosed. Additionally, we provide the following information:

- Three copies of amended plans prepared by Artisan Architects;
  - Three copies of an amended planning report prepared by Ratio Consultants;
  - Three copies of an amended traffic report prepared by Ratio Consultants; and
  - An amended permit application form (to include the packaged liquor licence).
7. Enclosed is a copy of a sample board.
  8. Additional 3D montages have been prepared looking towards the site from the north and south, further along Nicholson Street and on the opposite side of the street.
  9. Sight line diagrams taken from 1.6 metres above ground level from the footpath on the opposite side of Nicholson Street have been prepared. They show the visibility of the proposed upper floors and indicate the envelope of the proposed upper floors compared to the street wall.
  10. Sight line diagrams taken from the rear yards of the two dwellings to the south (618 and 620 Nicholson Street), showing the visibility of the proposed development from these vantage points, compared to the existing conditions.
  11. Sight line diagrams taken from 1.6 metres above ground level from the secluded private open space of the adjoining apartments to the east looking west, through the top of the parapet / wall showing the visibility of the proposed development and indicating the envelope of the proposed upper levels compared to the existing building.
  12. Updated shadow diagrams reflecting the revised building design and clearly distinguishing built form from private open space areas.
  13. A detailed shadow analysis has been prepared by Artisan Architects detailing the extent of overshadowing throughout the day to No 4 Bik Lane and No. 7 Reid Street. No additional overshadowing is cast from 9am-12pm to these properties. The analysis details where there will actually be a reduction of overshadowing as a result of the proposal, where conditions are unchanged and where there will be increases in overshadowing, level by level.

14. Daylight modelling prepared by Simpson Kotzman within the amended SMP for the proposed development having regard to the existing development to the northeast and east and assuming equitable development of the properties to the north and south.
15. A wind impact assessment prepared by Vipac confirms that no additional wind attenuation measures are required.

In relation to Council's preliminary concerns, we comment as follows:

1. The proposed scale of development is considered appropriate given its location within a neighbourhood activity centre and on a main road, which has excellent service via the PPTN.

We note the surrounding context, whereby 6 storeys is located at No. 7 Reid Street, which is a lower order street with a direct abuttal to low scale residential development within a Heritage Overlay and No. 4 Bik Lane which is 4-7 storeys, does not have a street frontage (apart from Bik Lane) and it surrounded by low scale residential development to its east (also within HO327). The subject site is considered to have locational advantages for establishing a higher built form than the two adjoining apartment buildings given their context and, as such, the proposed building height is appropriate. Additionally, the development provides a community benefit in the establishment of a supermarket at ground floor, medical centre at first floor and office spaces above, ensuring significant employment opportunities for the surrounding area.

2. The plans have been amended to provide for a distinct podium / tower response, through additional setbacks to Levels 3 and 4 to match the remainder of the tower. This has resulted in the terrace being relocated from Level 5 to Level 3. We consider that this response provides a more distinct podium / tower typology and that the front setbacks to Nicholson Street are appropriate.
3. The ground floor plan has been revised to provide two additional entrances to the supermarket from Nicholson Street. This is considered an appropriate response in providing an active frontage and ensure appropriate pedestrian permeability / access.
4. A detailed shadow analysis has been prepared which assesses the extent of overshadowing caused by the proposed development. It confirms that no additional overshadowing is caused between 9am and 12pm. After that time, the analysis assesses each floor, hour by hour:





**Table 1**

Analysis of overshadowing

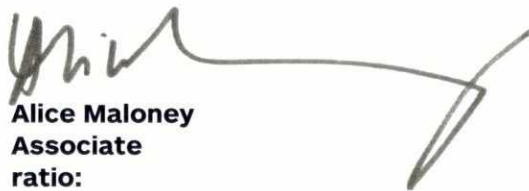
LEVEL	POSITIVE			NEUTRAL			NEGATIVE		
	1pm	2pm	3pm	1pm	2pm	3pm	1pm	2pm	3pm
GROUND	6	4	1	6	6	6		2	5
LEVEL 1	1			10	8			3	5
LEVEL 2	1			9	6	3		4	7
LEVEL 3				9	5	4		4	5
LEVEL 4				7	5	2		2	5
LEVEL 5				3	3	2			1
LEVEL 6				3	3	2			1

5. The sight line diagrams indicate that the proposed development will typically result in a reduction of visual bulk for the apartments to the east, having regard to the existing height of the wall on boundary. Generous setbacks above the boundary wall provide for appropriate separation and outlook for residents to the east.

We look forward to Council's consideration of the application and we await advertising instructions at your earliest convenience.

Should you have any further queries regarding the application, please do not hesitate to contact the undersigned on 9429 3111.

Yours sincerely



**Alice Maloney**  
**Associate**  
**ratio:**