



Ms Vicky Grillakis  
Statutory Planning Branch  
City of Yarra  
PO Box 168  
**RICHMOND VIC 3121**

Date: 3 October 2018

**Re: Response to Request for Further Information  
Planning Permit Application No. PLN18/0497  
42-44 Oxford Street, 61-63 Cambridge Street & 16 Langridge Street, Collingwood**

Dear Vicky,

We continue to act on behalf of Langridge & Cambridge Development Company Pty Ltd, the prospective developer of the land at 42-44 Oxford Street, 61-63 Cambridge Street & 16 Langridge Street, Collingwood.

We refer to your correspondence dated 6 August 2018 requesting further information in respect of our client's planning permit application. In accordance with Section 54 of the *Planning and Environment Act 1987*, we are pleased to provide the Council with our response.

We therefore enclose the following for Council's further consideration:

- Updated architectural plans prepared by CHT Architects;
- A statement list of changes prepared by CHT Architects;
- A BADS compliance schedule prepared by CHT Architects;
- 3D render images prepared by CHT Architects;
- Updated Town Planning Report prepared by SJB Planning;
- An updated traffic impact assessment and addendum statement prepared by Ratio Consultants;
- A Conservation Heritage Management Plan prepared by Trethowan;
- SDA, Daylight Assessment and Preliminary House Energy Rating Report prepared by ADP Consulting;
- An Acoustic Report prepared by Acoustic Logic; and
- Hotel operation details and Hotel Management Plan prepared by LYF.

The updated documents respond to Council's request for further information as follows:

Required Information	Response
<b>Plans</b>	
1. The traffic report submitted on 23 July 2018 does not include a revision number.	Please refer to the updated enclosed report by Ratio Consultants.
2. The printing on the proposed elevations are not sufficiently clear.	Please refer to the enclosed.
3. An existing/demolition elevation of both Cambridge and Oxford Streets showing items to be removed as well as existing floor levels and areas to be demolished to lower building entrances.	Please refer to TP0.102 – TP0.103 B and TP0.104 – TP0.105 B.
4. Dimensions of all crossovers to be shown on the ground floor plans.	Please refer to the enclosed TP1.103
5. Floor plans to have all setbacks and lengths of on-boundary walls dimensioned.	Please refer to the enclosed plans prepared by CHT Architects.
6. Elevations to include dimensions of wall/building heights.	Please refer to the enclosed revised elevation plans prepared by CHT Architects.
7. Elevations to include balcony balustrade/fence heights and to show window operability.	Awning windows are shown on the elevations; balcony heights are notated.
8.. Apartment type plans need to show the minimum dimensions for the bedrooms, living areas and the balconies annotated on plans. The plans are to also confirm the floor to ceiling height.	Please refer to TP1.120 – TP1.128
9. Apartment type plans need to show accessibility dimensions and breezeway paths.	Please refer to TP1.120 – TP1.128
10. Apartment type plans need to confirm where the storage areas are within the dwelling, and if the two minimum volumes required within the standard are met.	Total storage is noted for each apartment type.
11. Apartment type plans should have a BADS assessment table confirming its compliance with standards and include dimensions.	Please refer to the enclosed revised BADS table prepared by CHT, to be read on conjunction with the updated Town Planning Report prepared by SJB Planning.
12. It is not clear which hotel rooms are which type referenced in the Apartment Type plans.	Hotel types are now clearly notated.

13. Some dwelling layouts are missing from the floor plans.	Please refer to TP1.120 – TP1.128.
14. Many of the proposed materials are shown as '?' or are not marked at all on the elevations. It is also unclear what the blue material is.	All elevations have been updated to correlate the intended materials with the updated materials palette.
15. Annotate column depths and setbacks within the car parking areas.	Please refer to TP1.101 & TP1.102.
16. Annotate headroom clearance and dimensions for loading bay.	Headroom clearance of 3.0 metres and 2.1 metres are notated.
17. The provision of a Conservation Management Plan prepared by a suitably qualified heritage practitioner/ architect with fully dimensioned and accurately measured plans at a scale of no less than 1 :50. It should reference the cordial production period as well as document how the retained walls are to be braced and protected while the basement is constructed below them.	Please refer to the enclosed Conservation Heritage Management Plan.
18. With regards to the previous planning application PLN16/1050, a written analysis against the following elements, and how this application has addressed those:  a) referral comments; b) Council's grounds of refusal; and c) Tribunal comments made within the VCAT decision.	Please refer to the updated Town Planning Report, Sections 3.1, 3.2 & 3.3, prepared by SJB Planning.
19. 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.	Please refer to the attached Acoustic Report prepared by Acoustic Logic.
20. Please confirm which apartment the balcony located on the north-western corner of Level 3 is allocated to.	The balcony is a communal hotel balcony and has been duly notated.

## Response to Initial Concerns

*1. The extent of retained heritage fabric does not align with the guidance provided in the previous VCAT decision Langridge and Cambridge Funding Development Pty Ltd v Yarra CC [2018] VCAT 703*

Please refer to the enclosed Heritage Conservation Management Plan prepared by Trethowan Architecture Interiors Heritage. In brief, we defer to Paragraph 55 of *Langridge and Cambridge Funding Development Pty Ltd v Yarra CC [2018] VCAT 703* which refers to the extent of elevations to both respective street frontages where the original fabric is sought to be retained. In this case the decision expresses that.... *"we are satisfied that the depths to 10.9 and 15.8 metres achieves this as these sideages will be visible from the streets"*. The enclosed architectural plans note lengths of at least 15.8 metres to Oxford Street and 10.9 metres to Cambridge Street retained per the Tribunal advice.

*2. The proposal includes built form to the south of the retained Oxford Street building which results in it being obscured from the street frontage. In addition to this, the previous plans circulated at VCAT dated 21 February 2018 did not include this protrusion. This results in an unacceptable heritage outcome.*

In response to this concern, this section of the Oxford Street façade referred to has been deleted, with the alignment of the new façade and entry setback a minimum 5.0 metres from the road alignment, thus ensuring uninterrupted views of the Oxford Street flank wall retention.

*3. As many of the materials have not been included on the plans, it is unclear if the proposed materials behind the retained heritage buildings are appropriate. The current elevations show a solid black material, this is unacceptable. The lack of information regarding the proposed materials also makes it difficult to understand what screening is proposed.*

Please refer to the updated architectural set. The materials palette has been refined around the heritage elements with more subtle finishes and tones have been employed.

*4. Excessive height of the lift overrun at 4m. It is noted that the proposal has followed the bare minimum in terms of the height reduction suggested in the VCAT decision. Please also note that within the previous application's referral advice, Council's external Urban Design Consultant had suggested greater setbacks above the podium from Oxford and Cambridge Streets. This has been provided to you previously.*

The height of the lift overrun has been revised to a maximum height of 3.7 metres. The key influencing factor is in relation to DDA compliance requirements for clearances of the devices, which invariably dictates the overrun height. The revised levels of the lift overrun sit on threshold requirements in this case.

*5. The internal amenity of the hotel rooms was a significant factor in determining the refusal of the previous application both from Council's assessment and the Tribunal's. The plans continue to show unacceptable room widths (2.2m) and insufficient seats for the number of guests. Many hotel rooms are deep and are single aspect with the operability of windows being unknown. These were fundamental issues within the VCAT decision which lead to the proposal's refusal. These have not been addressed.*

Please refer to the enclosed materials from LYF. Materials finishes have been detailed and demonstrate a high quality new product offering that is currently expansive through Europe and Asia and is currently being implemented in Australia. Per commentary in the Tribunal Orders, seats have been provided to correspond with the intended occupancy of the rooms. We consider that this consolidated package of materials appropriately demonstrates the high quality product that is being offered through these submissions.

*6. Confidential material has been provided as part of this application. Please note that the planning application is a public document during the planning application process. It should also be noted that the previous VCAT decision stated that the following should be provided:*

- a) details of the finishes to the rooms.*
- b) layouts and details of the communal areas, including opportunities for socialising, connecting with family and friends and relaxing in a comfortable and interesting spaces.*
- c) details of a likely operator and a draft management plan that provides details of the levels of service and safety that can be expected or if an operator is not involved, appropriate expert evidence.*

Please refer to the enclosed materials from LYF as well as the enclosed operator and draft management plan.

*7. Within paragraph 61 of the previous VCAT decision, the Tribunal Members state that a Conservation Management Plan should be provided. The following comments were made:*

*We agree with the two experts that a conservation management plan should be completed and it should reference the cordial production period. Looking forward, it should also document how the retained walls are to be braced and protected while the basement is constructed below them. We agree there is a real risk of structural damage and this risk should be minimised by pre-construction planning.*

Please refer to the enclosed Conservation Heritage Management Plan prepared by Trethowan.

*8. The excessive use of dark materials. Council had previously outlined to the applicant that the excessive use of dark materials is overbearing and dominating.*

The updated architectural package, renders and materials schedule now clarifies the intended materials palette and corresponds these details with the updated elevation plans. The elevations themselves have been further refined in order to better correspond the materials finishes. The consolidated package demonstrates the use of more natural tones and finishes that are suitably refined and of a high quality. The darker glazed elements are a seamless finish with subtle reflective qualities (such that they are not a muted black) that are aimed at juxtaposing the materiality and composition of the façade behind the retained heritage fabric, so as to highlight and accentuate the retained heritage facades in accordance with the underlying intentions of former Tribunal decision.

*9. Advice had previously been provided that a convex mirror is recommended for the south-edge of the entrance to face northwards.*

Plans have been updated to include a convex mirror on the southern side of the vehicle entrance to Cambridge Street facing north.

*10. Overshadowing to the balconies located on the northern boundary at Level 3. The VCAT decision has previously recommended deleting the balconies along the northern boundary at the fourth floor, and whilst this has been complied with, the proposal includes balconies along the northern boundary at the third floor. This is unacceptable.*

The key point expressed in relation to the northern interface was, at paragraph 72, the requirement to manage both the height profile of the building by deleting levels 8, 9 and 10 and increasing the setbacks of the levels at and above level 3 to create a more explicit podium/tower typology.

The method to achieve the desired podium and tower outcome, subsequently expressed at paragraph 102, was to set back level 3 (and subsequently the level 4 balcony) a minimum of 4.5 metres from the northern boundary. In referencing to the old plans, this was to be achieved by deleting one hotel room to the west of Oxford Street and two bedrooms and bathroom from Dwelling 3.02 and the balcony of Dwelling 4.06.

The updated design achieves this objective and a minimum 4.5 metre setback has been provided between the podium and the tower form as instructed. We consider that the requirement to provide this separation is more a question of the tower façade alignment rather than functional layout in the area between the tower and the podium parapet. In other words, the level 3 parapet is a necessary design feature to manage the structural built form and drainage at the base of the tower podium. Whether the area behind the parapet is a trafficable area or a roof is irrelevant in the context of the podium and tower forms and we consider that there is nothing expressly conveyed in the determination that would otherwise prohibit the use of this area as a trafficable balcony. The purpose for deleting the level 4 balcony was due to the level directly below the balcony being deleted by the same recommendation rather than a consequence of being a balcony per se.

In relation to overshadowing, we don't consider that there would be any shadow impact over these areas from existing structures located on neighbouring sites. Similarly, we don't consider that future redevelopment of the neighbouring sites is in any way prejudiced or disadvantaged by this configuration in an equitable development context and that the arrangement is a consistent and conventional approach for higher density podium / tower style configuration development at the podium level juncture.

*11. Some screening fins are insufficient to protect against internal views - eg between apartments 5.01 and 5.09. Please further outline how internal views have been protected between the dwellings which face the internal 4.5m wide setback. Provide further details of any other overlooking screens which have been provided.*

Please refer to the revised central configuration prepared by CHT. The hotel rooms now employ opaque glazing in order to manage internal perspectives; the residential apartments use a window off-set as prescribed under B22 guidance, which states that a... "habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- **Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.**
- Have sill heights of at least 1.7 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

*12. Poor internal layouts, including the number of bathroom doors which are immediately behind the door swing of the dwelling or bedroom entry.*

These anomalies have been corrected in order to improve internal layout.

*13. As previously outlined, all corridor widths should be at least 1.6m in width and 2.2m where they are adjacent to a lobby area.*

The 2.2 metre dimension has been adopted.

We trust that the enclosed information in response to Council's further information request is sufficient. Should you have any further queries or require any clarification in relation to the above please do not hesitate to contact me via email or on 8648 3500.

Yours sincerely



Adam Haines  
Associate  
[ahaines@sjbplanning.com.au](mailto:ahaines@sjbplanning.com.au)