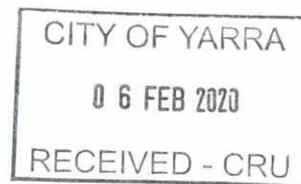


3 February 2020

Our reference: 2019.554

Statutory Planning Department
Yarra City Council
PO Box 168
Richmond VIC 3121



To whom it may concern,

Re: Application for Section 72 Amendment Request of Planning Permit PLN18/0158

Hansen Partnership acts on behalf of the permit applicant and landowner in relation to the development at 89 Rokeby Street, Collingwood.

Planning Permit PLN18/0158 was issued by the City of Yarra on 9 August 2019 and allows : "Construction of a five-storey office building (as-of-right use) and reduction in the associated car parking requirement. Plans were subsequently endorsed on 3 September 2019.

External changes are now proposed to the plans and, subsequently, approval is sought to amend the permit pursuant to Section 72 of the Act. Accordingly, all relevant architectural plans have been updated to reflect the proposed changes to the endorsed scheme. In order to facilitate an assessment, the proposed changes, have been indicated by grey revision clouds on the architectural plans.

A broad comparison of the two designs confirms that:

- 2 floors have been added, with setbacks matching those of the proposed building next door, at 91 Rokeby Street;
- The internal layout of the levels has been revised;
- The number of bike spaces has decreased from 10 to 7;
- 6-car spaces added to ground floor with new garage door;
- Incorporation of a 'street art' wall at entrance to activate the street;
- Internal layout altered to meet requirement for setback of additional levels;
- Removal of the first-floor balcony and addition of a 5th floor balcony;
- Fire stair moved from the West to the East;
- Improvement of ground level activation through Community Arts Hub and Book Exchange Hub; and
- Glass blocks extended to include balustrade on 5th floor.

Section 72 Amendment

We have further outlined and evaluated the proposed changes in the following sections.

1. Proposed Amendments to the planning Permit

In order to reflect the proposed changes, it is proposed to amend the preamble and conditions of the permit as follows:

a. Planning Permit Preamble:

Construction of a ~~five-storey~~ **seven-storey** office building (as-of-right use) and reduction in the associated car parking requirement.

In relation to the space at ground level, we submit that this should not be required to be associated with a planning scheme land use. In any case, it will be an ancillary use which could potentially fit under the "art gallery" category. This area will be a foyer/communal space that will be decorated with, but not sell, art.

b. Planning Permit Condition:

It is proposed to delete Condition 1. (a) i. Due to the changes in design, notably the removal of the first-floor balcony, we believe that this condition is no longer relevant.

It is also proposed to remove Condition 1. (a) iii. The proposed changes to the internal layout to accommodate the car parking spaces and community hub have made this condition redundant.

It is further proposed to modify Condition 3 and Condition 4. As part of this application, an updated Sustainable Management Plan and an updated Waste Management Plan will be submitted, with dates different to those specified in the conditions. It is therefore proposed to delete any reference to dates in these conditions.

2. Proposed Amendments to the endorsed Plans

a. Changes in the number of storeys

The applicant has decided to add two storeys to the currently approved development. The amended scheme has been designed to respond to the proposed development at 91 Rokeby Street, which is currently under assessment at Council.



Schedule 11 of the Design and Development Overlay states that:

“Taller built form (more than 4 storeys) may be appropriate on larger sites able to provide adequate setbacks that respect the narrow streetscape character of the Precinct and avoid overshadowing of neighbouring properties.

Development above 4 storeys should:

- *Demonstrate a high standard of architectural design*

- *Minimise overshadowing of adjoining streets, public spaces or private properties”*

An application must be accompanied by a detailed site analysis and design response explaining how the development achieves the ‘Design objectives’ and ‘Buildings and works’ provisions of this schedule.”

An Urban Design Memo has been produced by Hansen Partnership’s urban design team. The assessment is based on a rigorous analysis of site and context, and the employment of universal urban design principles as a starting premise.

The Urban Design comments document produced by Hansen Partnership is supportive of the height, scale and setbacks proposed. A copy of the document accompanies this application.

Moreover, it is submitted that, in comparison to the approved and endorsed scheme, additional overshadowing created by the additional height is minimal. The submitted shadow diagrams show that:

- At 9am, some extra shadow will be cast onto a commercial property at 30 Robert St;
- At 12pm, minimal extra shadow will be cast onto a commercial property at 87 Rokeby St;
- At 3pm, some extra shadow will be cast onto commercial buildings at 98 & 96 Rokeby St;

It is also relevant to note that overshadowing to the public domain is unchanged compared to the endorsed scheme. Therefore, it is submitted that the proposal will have no impact on the public domain or any residential properties, and is therefore acceptable.

b. Increase in net lettable area

As shown in the following table, an increase in net lettable area is proposed as part of the application.

Level	Endorsed Net lettable Area	Proposed Net lettable Area
Tenancy 01	85m ²	99m ²
Tenancy 02	116m ² + Balcony 5.4m ²	132m ²
Tenancy 03	134m ²	132m ²
Tenancy 04	134m ²	132m ²
Tenancy 05	134m ²	87m ² + Balcony 42m ²
Tenancy 06	n/a	87m ²
Total	608m²	711m²

The applicable car parking rate under Clause 52.06 is 3 per 100m² of leasable floor area.

As this rate, the currently approved development required 18 car parking spaces, and provided XX. The proposed amended development, with the increased floor area noted above, requires 21 spaces.

Whilst the amended proposal therefore increases the overall car parking requirement, the proposed addition of 6 car parking spaces (car stackers) at ground level would, in fact, decrease the reduction originally sought.

It is submitted that the proposed increase in net lettable area therefore does not increase the extent of the reduction in car requirements under Clause 52.06.

c. Ground floor area

The area at ground floor level, indicated as “Activated Foyer- Gallery”, will be a communal area designed to be used by the employees of the tenancies as well as the public. It will activate the street and also allow for passive surveillance to occur. It will include a book exchange hub, communal amenities, and art will be displayed.

d. Internal layout

The internal layout has been modified to accommodate the changes in relation to the two additional storeys, the car stackers and the communal space at ground floor. The changes will have no planning impact.

e. Changes in bike and car spaces

The amended proposal shows a reduction in the number of number of bike spaces provided from 10 to 7. The reduction in the bike parking provision is partially due to the reconfiguration of the ground floor to accommodate provision in car parking spaces.

The bicycle parking requirement for an office use under Clause 52.34 is only triggered in developments which include a net floor area exceeding 1,000m². As the proposed development only includes a total office net floor area of 711m², no requirement to provide bicycle parking applies.

f. Changes in relation to street activation

Schedule 11 of the Design and Development Overlay states that: "Development should be designed to have active and attractive frontages, to provide a pedestrian friendly environment along all street frontages."

The amended design has embraced this objective, notably by incorporating a 'street art' wall on double height wall at entrance, and modifying the ground floor (previously a tenancy) to make it a communal space accessible to the public and visible to everyone.

Key Considerations and Assessment

The proposed changes do not result in a transformation of the proposal. Although the number of storey increases, this additional height does not result in any further impacts on the public domain. Moreover it is submitted that the proposal compensates for any potential impacts on the streetscape associated with the garage door by including a street art above and around it to soften the entrance as well as making the entire ground floor space communal, public and interactive (notably via art).

Overall, it is considered that the extent of proposed changes is minor and will have negligible to no impact on abutting properties. The proposed changes will have a positive impact on the streetscape, and the overall scale of the development remains reasonable. Appropriate consideration has also been given to to the proposed development at 91 Rokeby Street (currently under review). As noted earlier, the proposed amendments do not result in any increase in the car parking reduction required under Clause 52.06.

Conclusion

It is therefore submitted that the proposed amendments are consistent with the relevant planning controls, and it is respectfully requested that Council support these changes through the issue of an amended planning permit with endorsement of the submitted plans.

We look forward to Council's approval of the proposed changes.

Should you any queries in relation to this matter, please contact Sophie Coissieux on 9664 9821 or at scoissieux@hansenpartnership.com.au

Yours faithfully,

Hansen Partnership Pty Ltd



Damian Iles | **Director**

- Updated set of architectural plans prepared by ARCHITECTSEAT, dated 30 January 2020
- Urban Design comments from Hansen Partnership, dated 3 February 2020.