## Agenda Page 1 Attachment 1 - PLN17/1016 - 221 Swan Street Richmond - Locality map



SUBJECT LAND: 221 Swan Street, Richmond

## Agenda Page 2 Attachment 2 - PLN17/1016 - 221 Swan Street Richmond - Advertising S57A - Decision Plans





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# 221 SWAN STREET RICHMOND PROPOSED COMMERCIAL BUILDING

## Agenda Page 3 Attachment 2 - PLN17/1016 - 221 Swan Street Richmond - Advertising S57A - Decision Plans





ONE STOREY BRICK OFFICE









#5. 223 SWAN STREET ONE STOREY BRICK RESTAURANT



TWO STOREY RENDERED BRICK OFFICE



#6. 225-227 SWAN STREET TWO STOREY BRICK OFFICE



#7. 229 SWAN STREET TWO STOREY BRICK SHOP



#8. 266-272 SWAN STREET TWO STOREY BRICK RESTAURANT



#8. 274-282 SWAN STREET PETROL STATION



KEY PLAN

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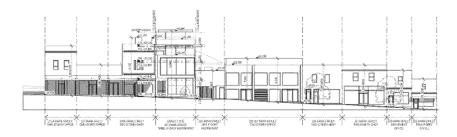
Agenda Page 4 Attachment 2 - PLN17/1016 - 221 Swan Street Richmond - Advertising S57A - Decision Plans



## Agenda Page 5 Attachment 2 - PLN17/1016 - 221 Swan Street Richmond - Advertising S57A - Decision Plans



EXISTING STREET ELEVATION



PROPOSED STREET ELEVATION



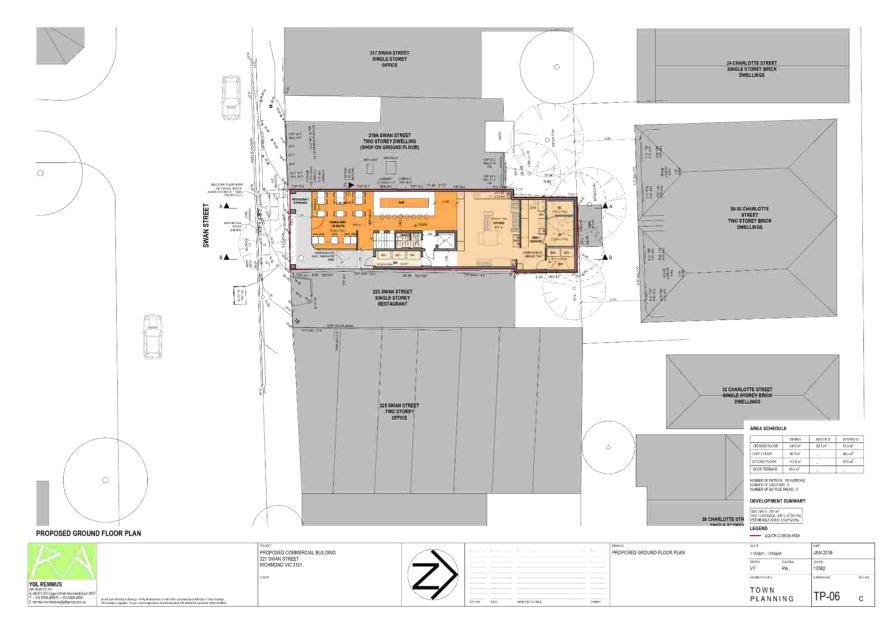
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Agenda Page 10 Attachment 2 - PLN17/1016 - 221 Swan Street Richmond - Advertising S57A - Decision Plans



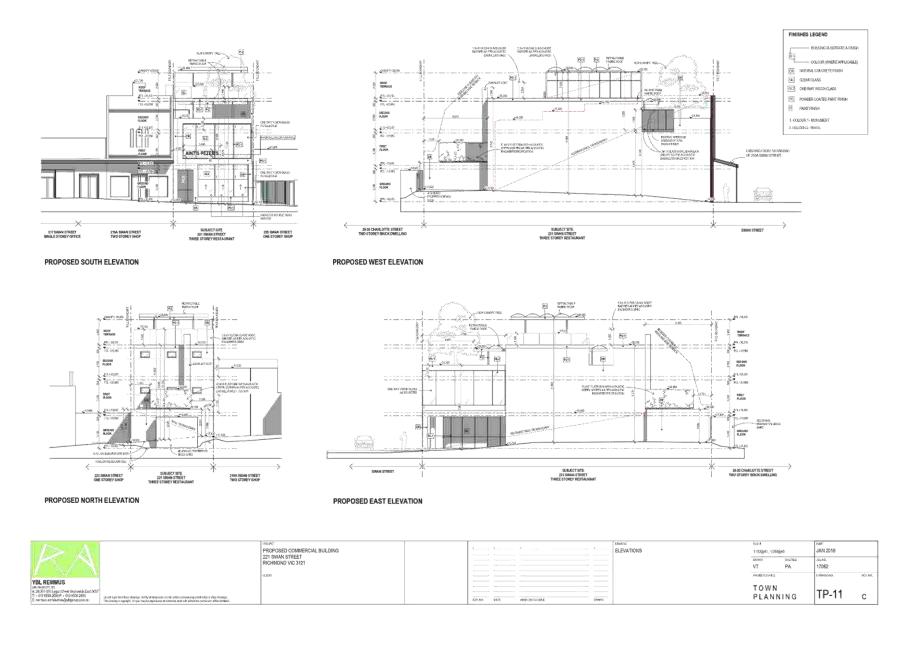
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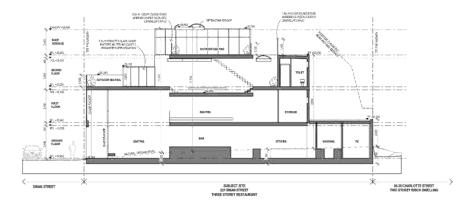
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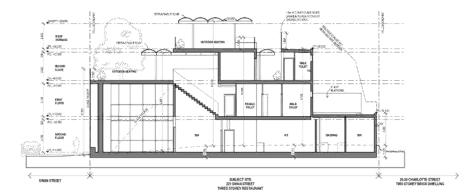
Agenda Page 13 Attachment 2 - PLN17/1016 - 221 Swan Street Richmond - Advertising S57A - Decision Plans



Agenda Page 14 Attachment 2 - PLN17/1016 - 221 Swan Street Richmond - Advertising S57A - Decision Plans



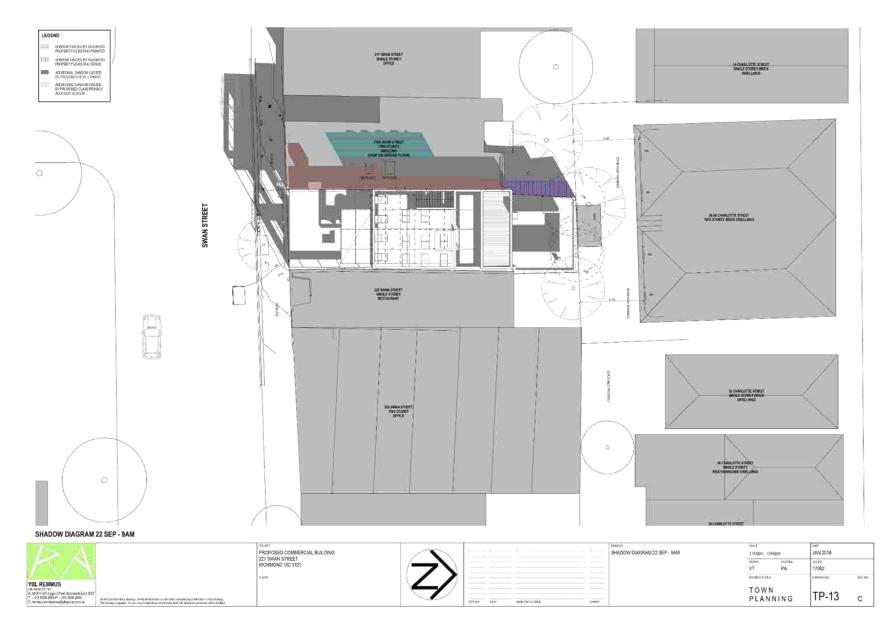
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SECTION B-B

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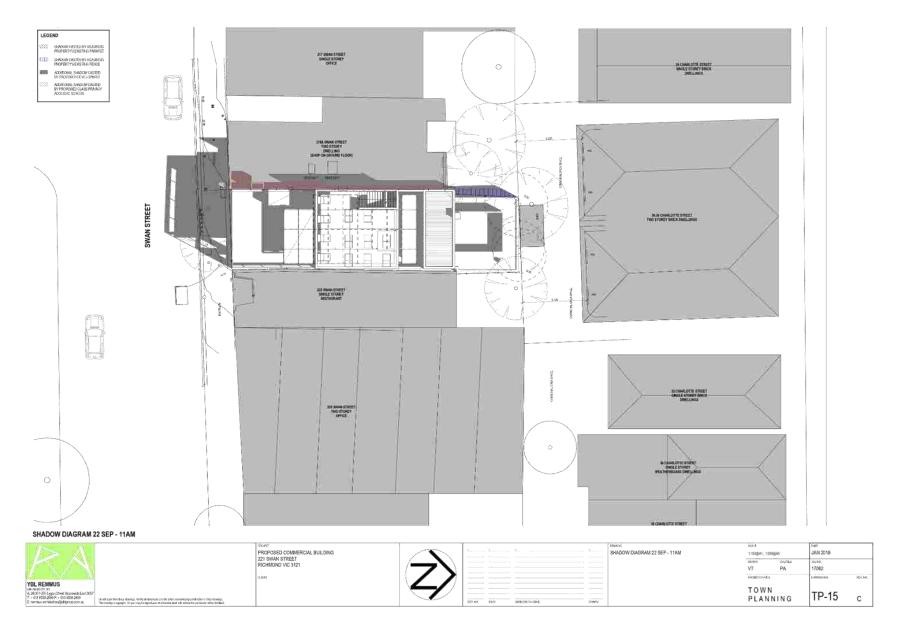
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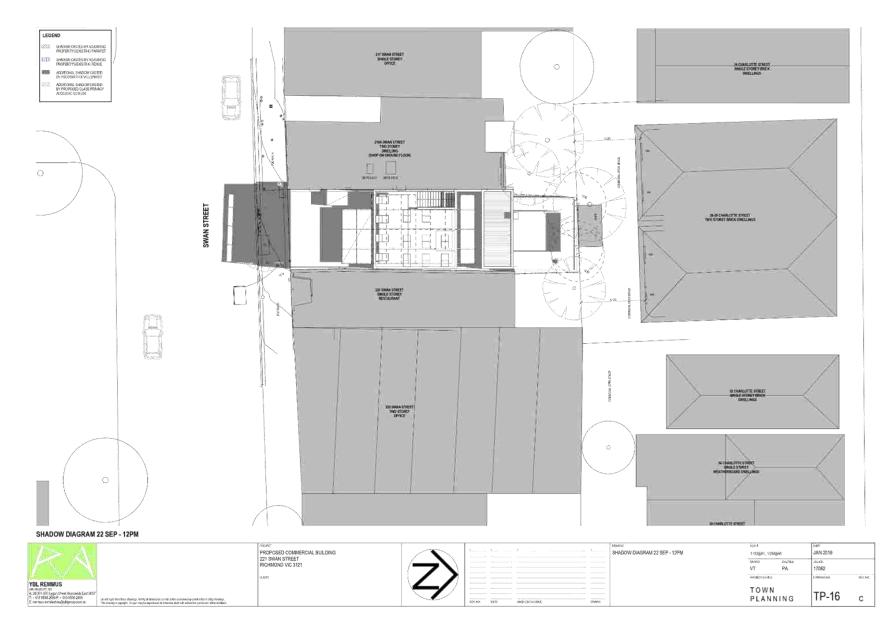
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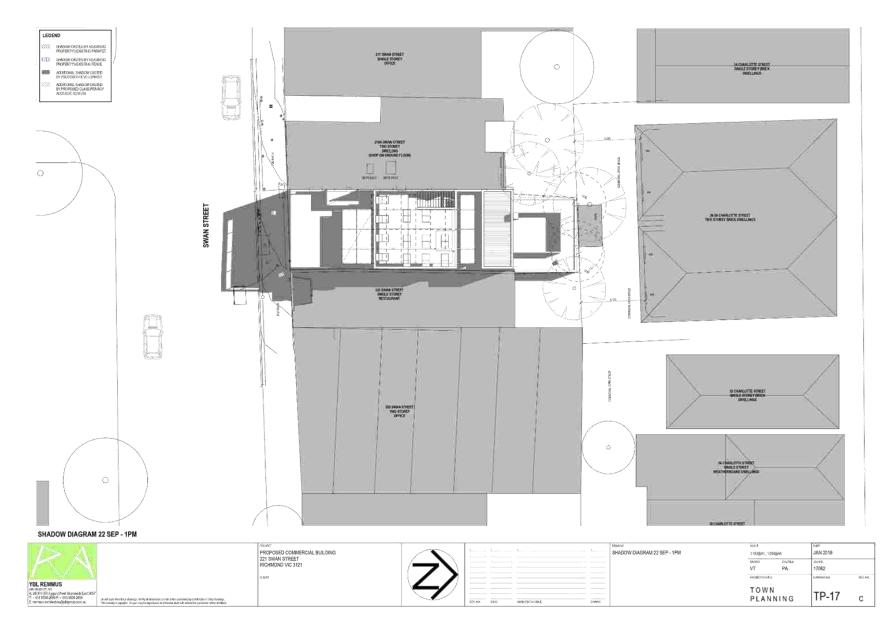
Agenda Page 17 Attachment 2 - PLN17/1016 - 221 Swan Street Richmond - Advertising S57A - Decision Plans



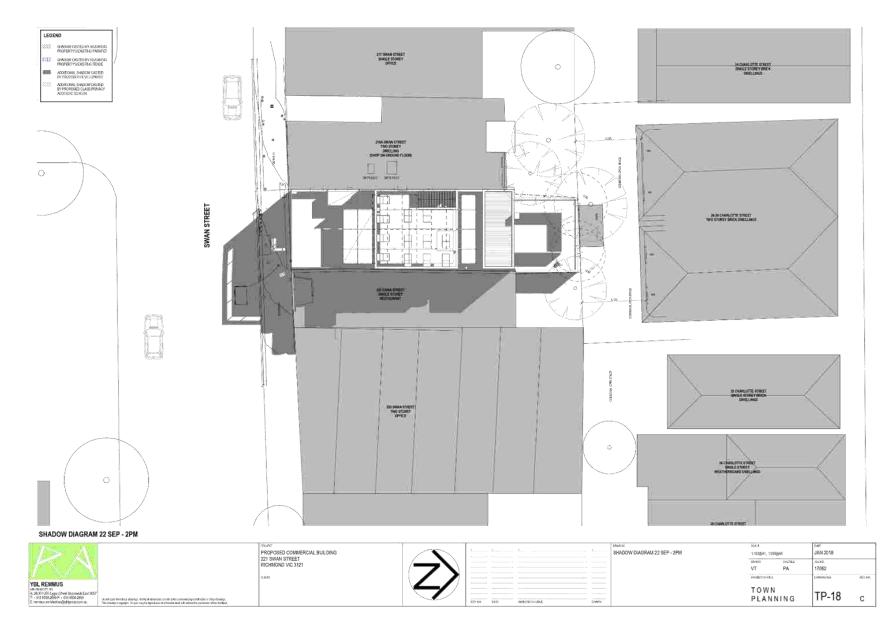
Agenda Page 18 Attachment 2 - PLN17/1016 - 221 Swan Street Richmond - Advertising S57A - Decision Plans



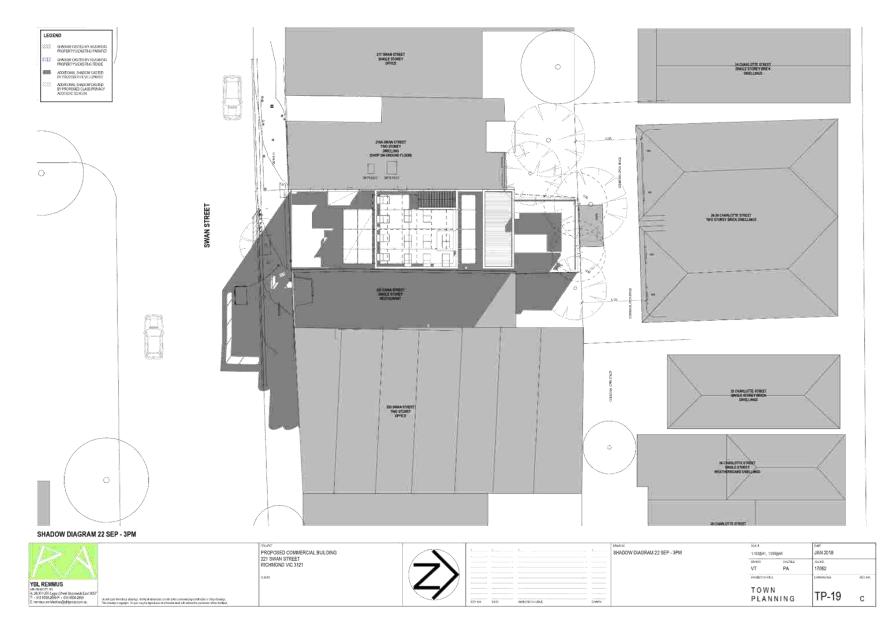
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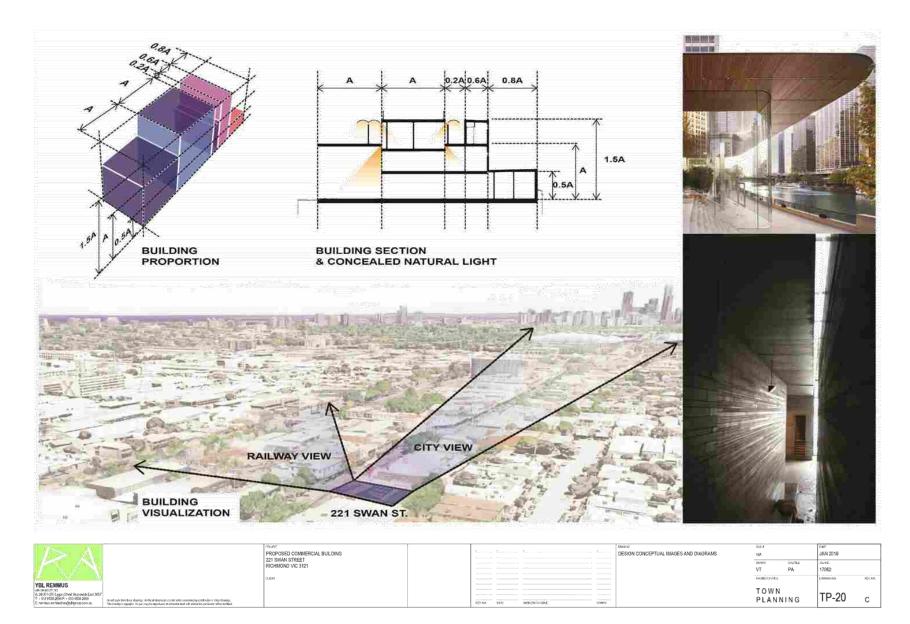
Agenda Page 20 Attachment 2 - PLN17/1016 - 221 Swan Street Richmond - Advertising S57A - Decision Plans



Agenda Page 21 Attachment 2 - PLN17/1016 - 221 Swan Street Richmond - Advertising S57A - Decision Plans



Agenda Page 22 Attachment 2 - PLN17/1016 - 221 Swan Street Richmond - Advertising S57A - Decision Plans



Agenda Page 23 Attachment 2 - PLN17/1016 - 221 Swan Street Richmond - Advertising S57A - Decision Plans



## Agenda Page 24 Attachment 3 - PLN17/1016 - 221 Swan Street Richmond - Sketch plans dated 12 October 2018









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## Agenda Page 25 Attachment 3 - PLN17/1016 - 221 Swan Street Richmond - Sketch plans dated 12 October 2018



TWO STOREY RENDERED BRICK OFFICE



ONE STOREY BRICK OFFICE





#4. SUBJECT SITE - 221 SWAN STREET ONE STOREY BRICK SHOP



#5. 223 SWAN STREET ONE STOREY BRICK RESTAURANT



#6. 225-227 SWAN STREET TWO STOREY BRICK OFFICE



#7. 229 SWAN STREET TWO STOREY BRICK SHOP



#8. 266-272 SWAN STREET TWO STOREY BRICK RESTAURANT





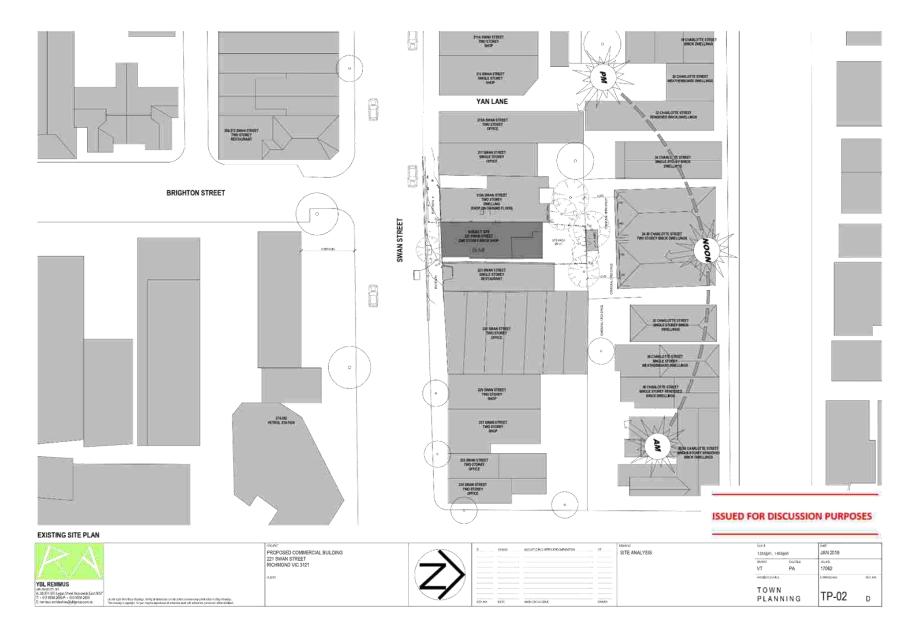
#8. 274-282 SWAN STREET PETROL STATION



KEY PLAN

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## Agenda Page 27 Attachment 3 - PLN17/1016 - 221 Swan Street Richmond - Sketch plans dated 12 October 2018



EXISTING STREET ELEVATION



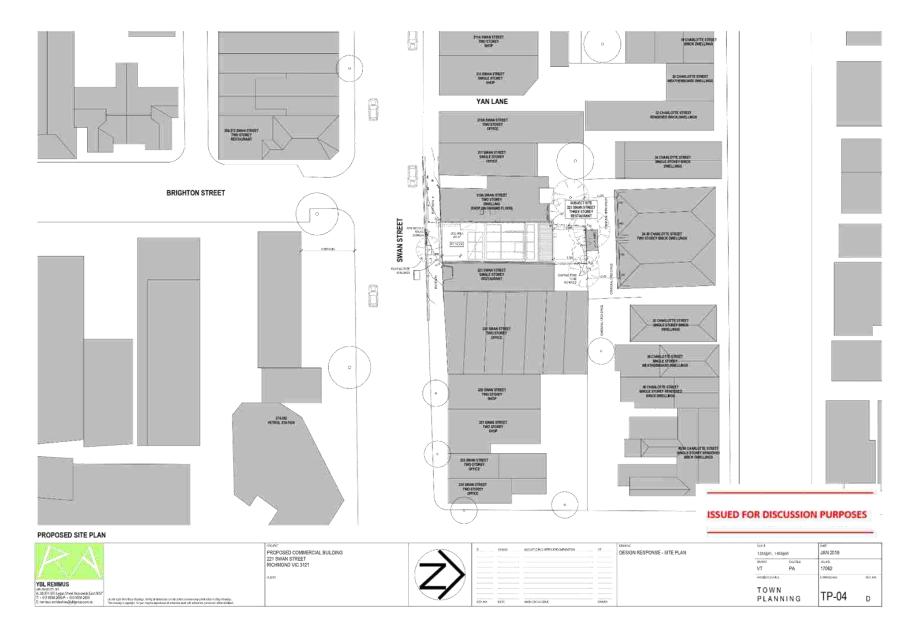
#### PROPOSED STREET ELEVATION

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#### **ISSUED FOR DISCUSSION PURPOSES**

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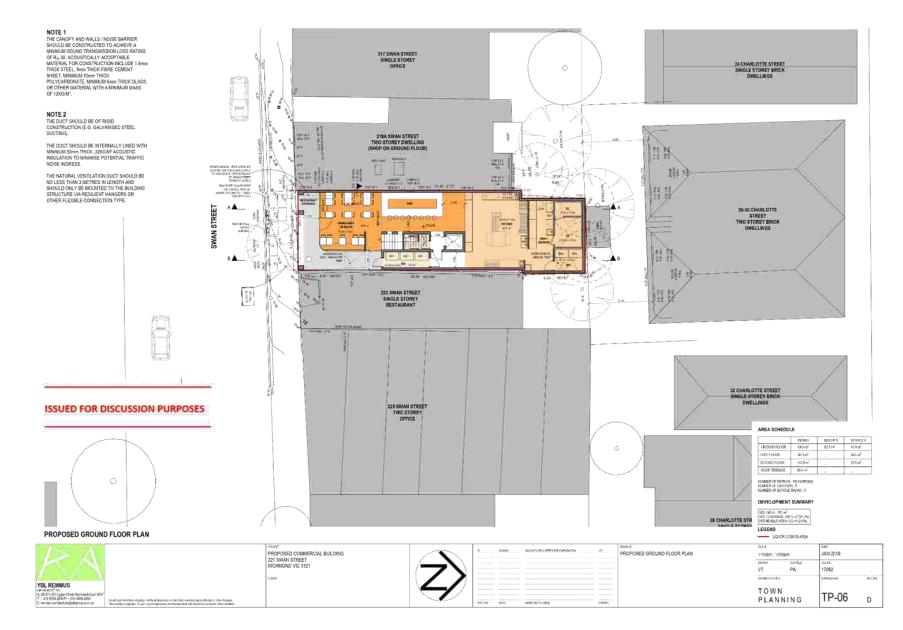
Agenda Page 28 Attachment 3 - PLN17/1016 - 221 Swan Street Richmond - Sketch plans dated 12 October 2018



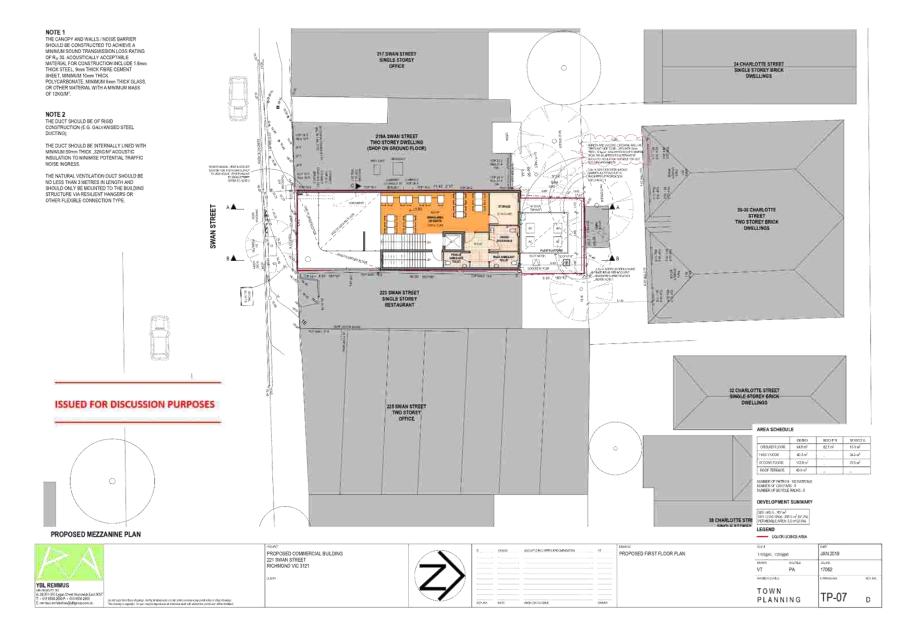
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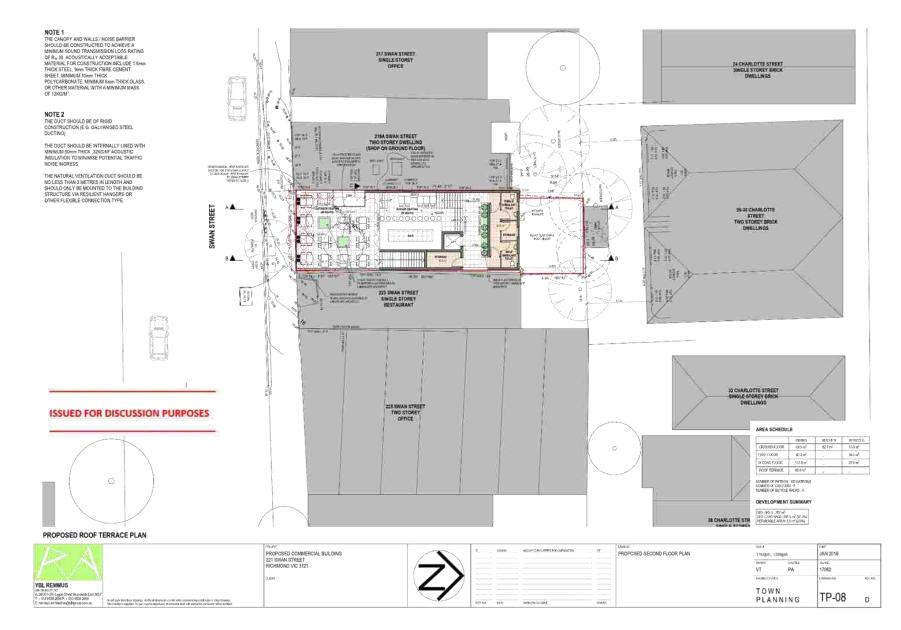
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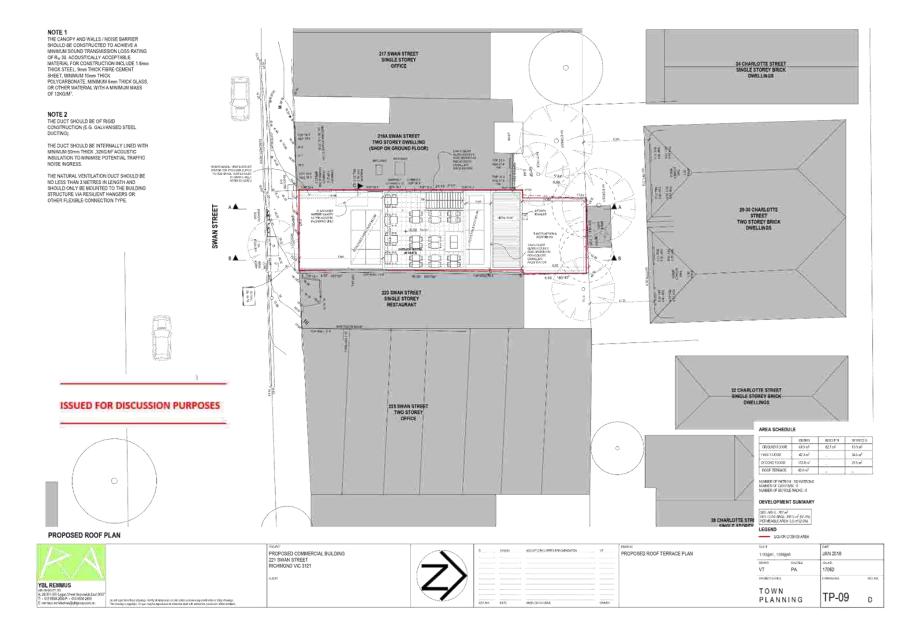
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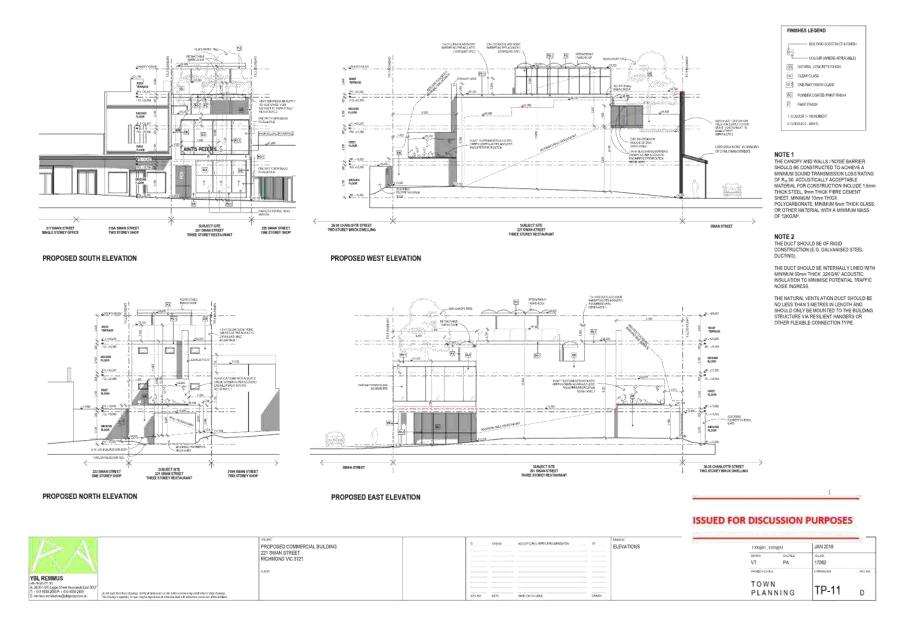
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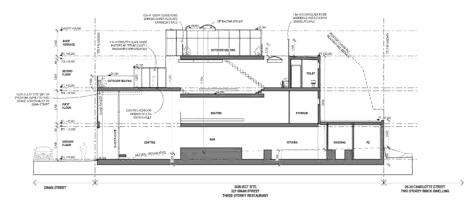
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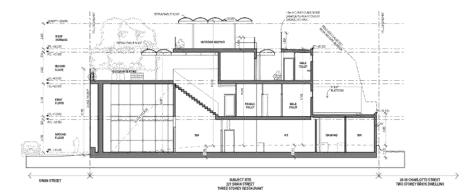
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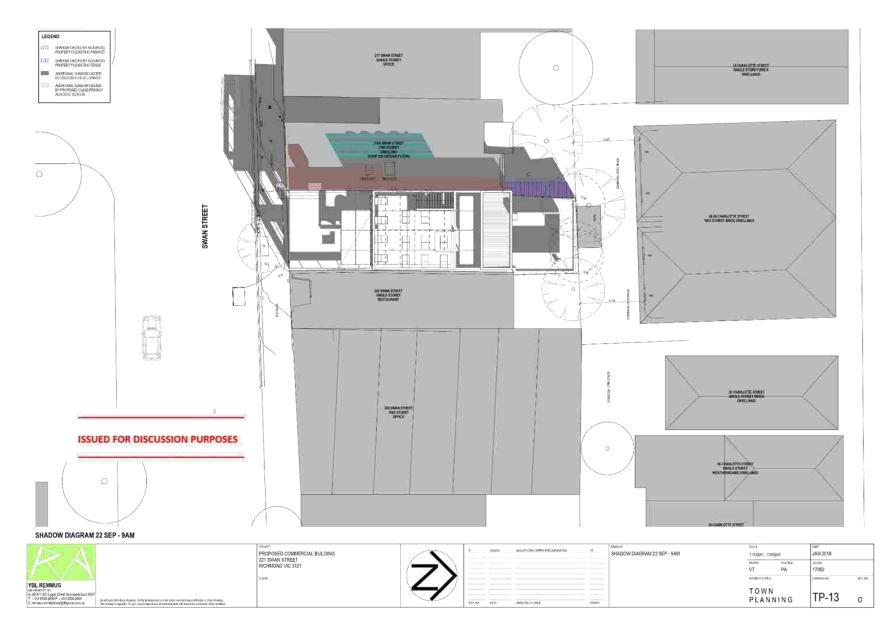
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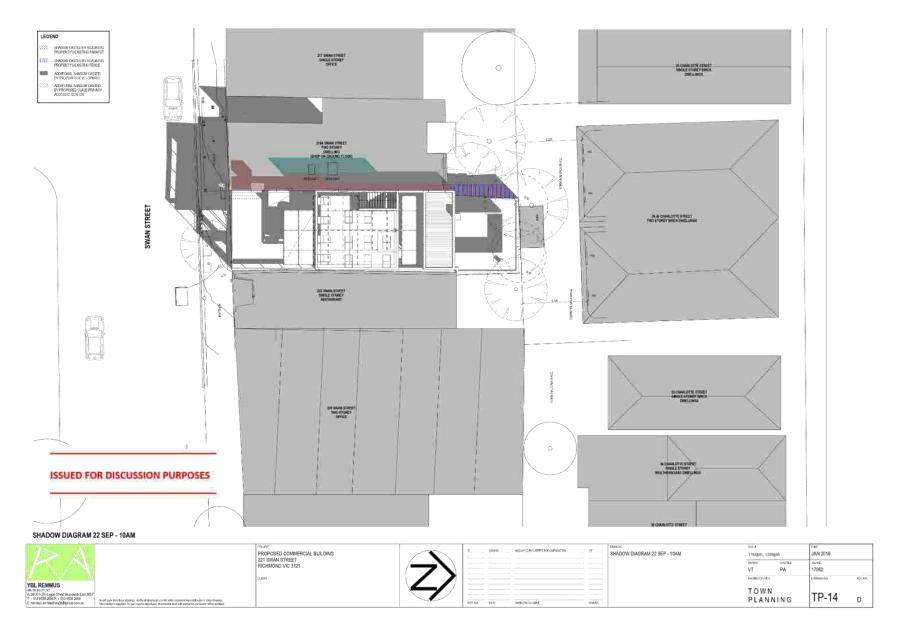
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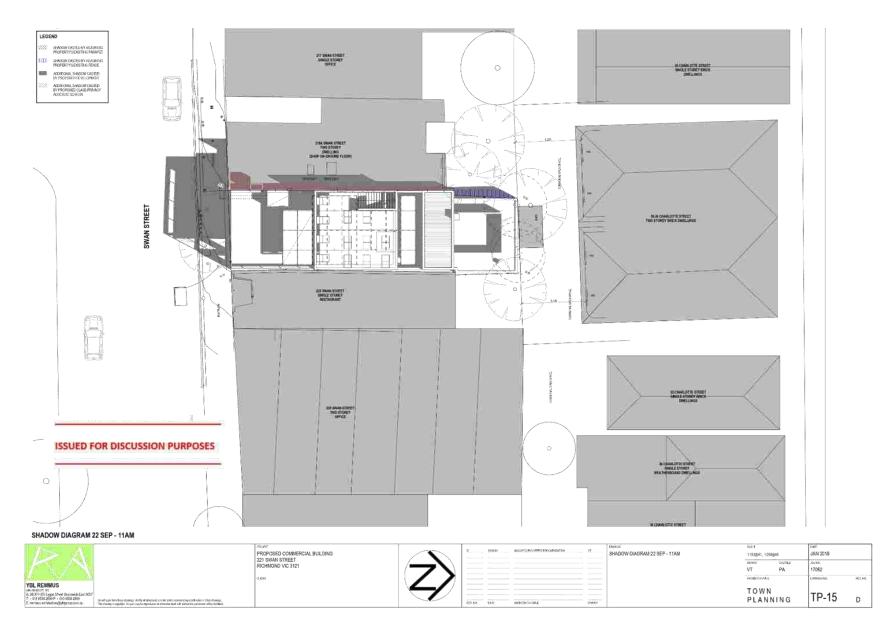
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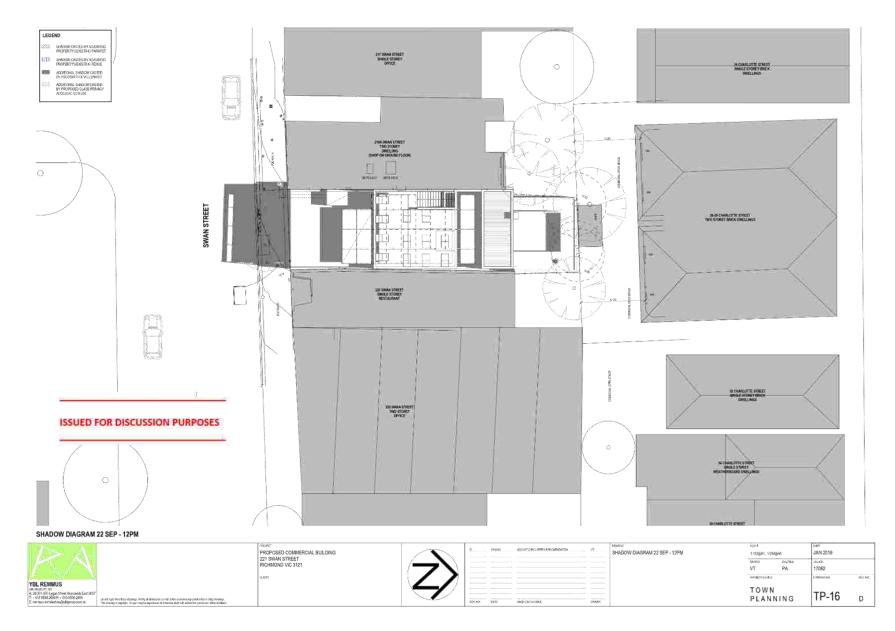
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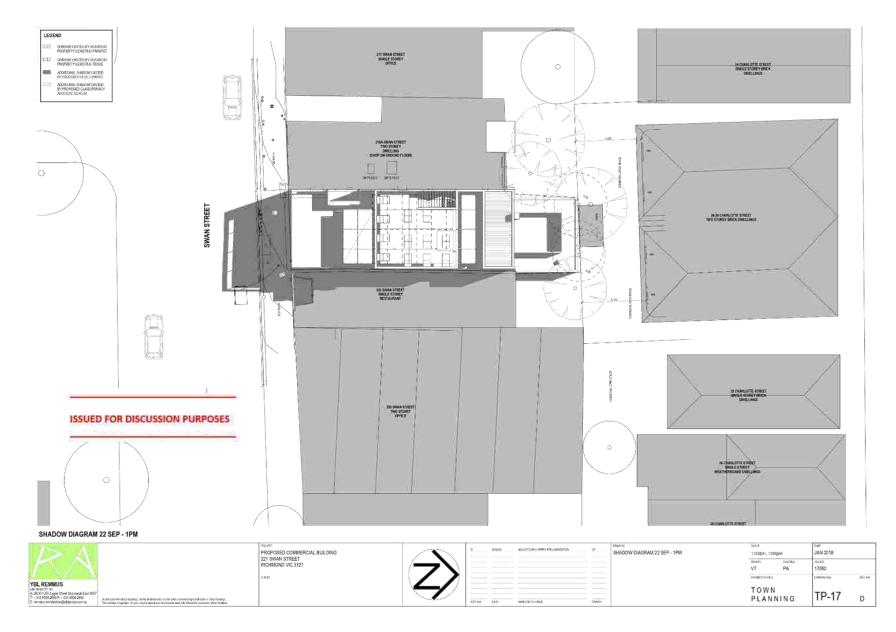
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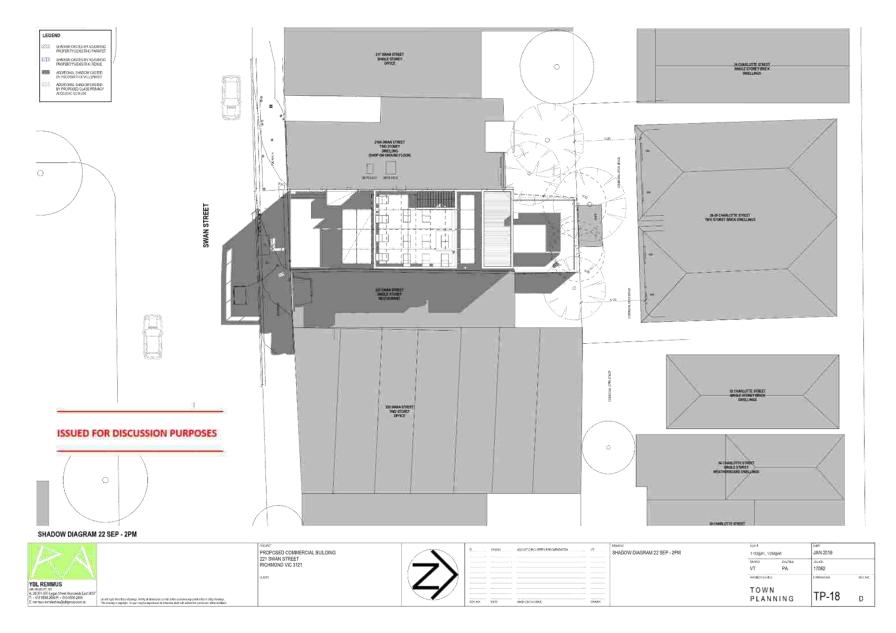
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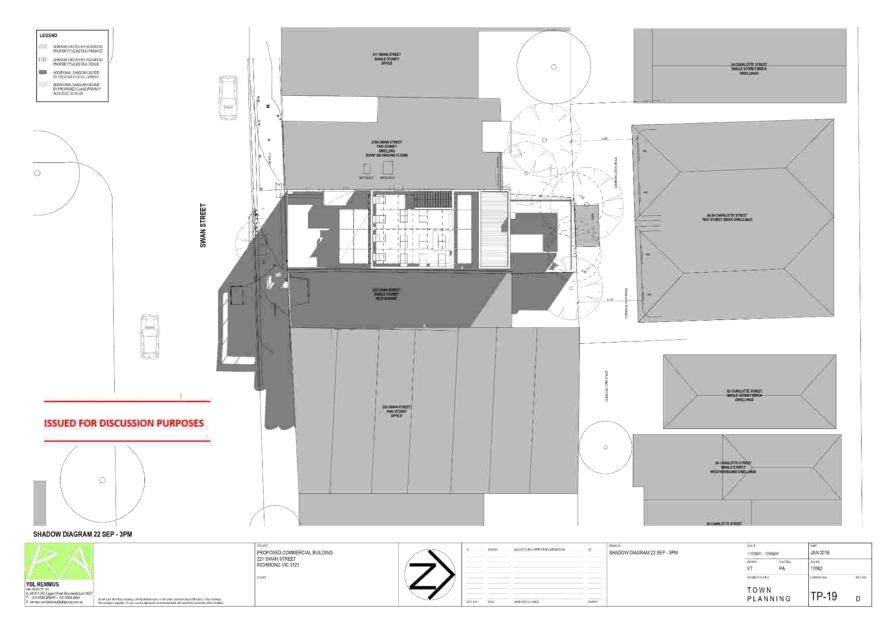
Agenda Page 41 Attachment 3 - PLN17/1016 - 221 Swan Street Richmond - Sketch plans dated 12 October 2018



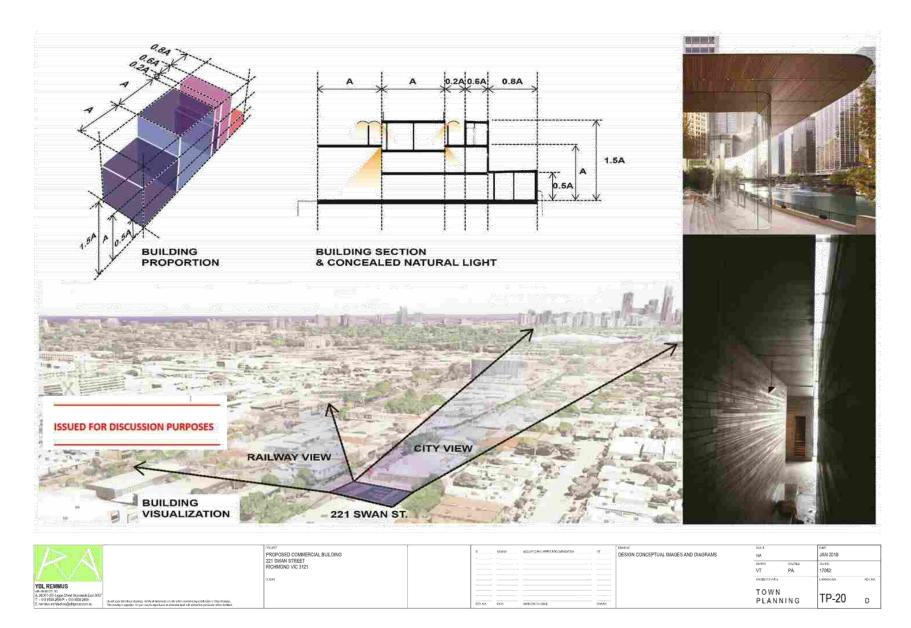
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## Agenda Page 45 Attachment 3 - PLN17/1016 - 221 Swan Street Richmond - Sketch plans dated 12 October 2018



Attachment 4 - PLN17/1016 - 221 Swan Street Richmond - Vicroads comments



24 April 2018

Yarra City Council PO Box 168 RICHMOND VIC 3121 Attention: Catherine Balagtas

Dear Ms Balagtas,

PLANNING APPLICATION NO.:	PLN17/1016
VICROADS REFERENCE NO:	24911/18
PROPERTY ADDRESS:	221 SWAN STREET, RICHMOND

#### Section 52 – No objection

Thank you for forwarding planning permit application PLN17/1016 pursuant to Section 52 of the Planning and Environment Act 1987.

VicRoads has considered the application and has no objection to the proposal.

Should you have any enquiries regarding this matter, please contact our Planning Department on (03) 9313 1187 or MNWPlanning@roads.vic.gov.au

Yours sincerely

Ewa Fiebelkom

EWA FIEBELKORN STATUTORY PLANNING SUPPORT OFFICER

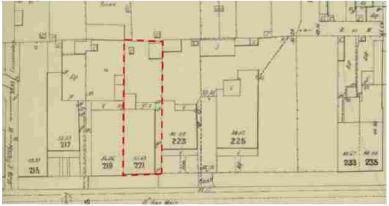
## Attachment 5 - PLN17/1016 - 221 Swan Street Richmond - Heritage Advisor comments

## City of Yarra Heritage Advice

Application No.:	PLN17/1016	
Address of Property:	221 Swan Street, Richmond	
Planner:	Catherine Balagtas	
Yarra Planning Scheme	STATE POLICY:	
References:	Clause 15.03 Heritage	
	LOCAL POLICY:	
	Clause 21.05-1 Built Form (Heritage)	
	Clause 43.01 Heritage Overlay	
	Clause 22.02 Development Guidelines for sites subject to the Heritage Overlay	
Heritage Overlay No. & Precinct:	HO335 Swan Street Precinct, Richmond	
Level of significance:	Not contributory, constructed 1950-1960? (City of Yarra Review of Heritage Areas 2007 Appendix 8 (as updated from time to time))	
General description:	Full demolition and construction of a three-storey commercial building with a roof terrace	
Drawing Nos.:	Set of 18 drawings prepared by Remmus Architecture, received by Council and date stamped 28 Mar 2018	

#### CONTEXT DESCRIPTION:

The subject site is a regular rectangular allotment with a principal frontage to Swan Street. There is no rear lane access.



Above: Extract from Melbourne and Metropolitan Board of Works detail plan, 1065, City of Richmond, dated 1896. Subject site outlined in red.

Historically the site has been developed over a number of stages. The first two stages of development are outlined in the MMBW plan above. Looking at an aerial of the site, it appears that these two stages of the building may still exist (refer to hatched area on aerial photograph below).

### Agenda Page 48 Attachment 5 - PLN17/1016 - 221 Swan Street Richmond - Heritage Advisor comments



Above: Current aerial of the subject site. Earliest parts of the building shown hatched in red.

The front of the building has been unsympathetically altered by the addition of a high metal parapet, c.1960s in style. The parapet extends to the façade of the adjoining building at no. 223 indicating that they may have been utilised jointly at one time.



Above: Subject site at 221 Swan Street



Above: Heritage status of adjacent properties

Yarra Heritage Advice 221 Swan Street, Richmond PLN17/1016

2 of 5

### Attachment 5 - PLN17/1016 - 221 Swan Street Richmond - Heritage Advisor comments



Above: Street view of the subject site

The immediate area is characterised by commercial buildings of mixed appearance. The subject site is located on the boundary of the heritage overlay. To the west, the subject site abuts a tall twostorey Victorian style commercial building that is considered to be of Individual heritage significance. The properties to the east of the subject site are a mix of single and two-storey commercial buildings that are not of heritage value.

#### ASSESSMENT OF PROPOSED WORKS:

#### Comments regarding proposed demolition:

The extent of demolition proposed by this application includes the full demolition of all the built structures on the subject site.

The key consideration for assessing this aspect of the works is whether the proposed demolition will adversely affect the significance of the heritage building or the broader heritage precinct.

Clause 22.02-5.1 of the Yarra Planning Scheme states that it is policy to generally encourage the retention of a building in a heritage place, unless:

The building is identified as being not contributory

As the subject building has been identified as being non-contributory, full demolition of the existing building is considered acceptable.

#### Comments regarding new development:

The extent of new works proposed by this application includes development of a two-storey commercial building including a two-storey roof terrace.

The key consideration for assessing this aspect of the works is whether the proposed new development will

- Be in keeping with the character or appearance of nearby heritage buildings of contributory significance; AND
- Not adversely affect the significance of the broader heritage precinct.

#### Setbacks:

Clause 22.02-5.7.1 of the Yarra Planning Scheme encourages:

setbacks from the principal street frontage to be similar to those of adjoining contributory buildings; where there are differing adjoining setbacks, the greater setback will apply.

Yarra Heritage Advice 221 Swan Street, Richmond PLN17/1016 3 of 5

### Attachment 5 - PLN17/1016 - 221 Swan Street Richmond - Heritage Advisor comments

The proposed front setback for the new development will be zero metres at ground level and first floor level. The proposed roof terraces will be setback zero metres from the street at the lower level and setback about 8 metres for the upper level terrace.

The zero front setback for the main building is appropriate as it is consistent with the character of the street.

The setbacks of the roof terraces will make them generally concealed (apart from plants or other items such as shade structures) from directly opposite in Swan Street. Due to the single-storey scale of the adjoining property to the east, there will be clear visibility of the proposed roof decks. Any increase in height of the adjoining property will most likely obscure a majority of the views of the proposed roof decks from the street.

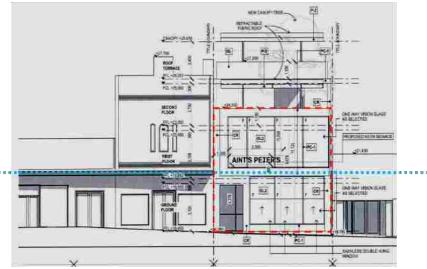
Scale/height:

Clause 22.02-5.7.1 of the Yarra Planning Scheme encourages:

similar façade heights to the adjoining contributory elements in the street. Where there are differing façade heights, the design should adopt the lesser height

The scale of the proposed street façade will be substantially lower than the adjacent Individually significant building to the west. The height of the new façade will provide a good transition to the adjacent single-storey building (until such time as that building is redeveloped).

The articulation of the new building relates well to the existing scale of the ground levels of the heritage buildings to the west (refer to blue line on the diagram below).



Above: Extract from Drawing no.TP-11 showing the scale of the street façade outlined in red.

The height of the two roof terraces above the main building will add considerable height to the overall building, especially as it will be clearly visible from the south-east of the site. This is despite the proposed setbacks. Given that the lower terrace with its shade structures will be consistent with the height of the adjacent heritage building, it is considered that this floor level could be justified. The upper terrace level with its proposed shade structures, will however introduce a building height that is substantially taller than the adjacent Individually significant heritage building and is not characteristic of the heritage precinct further west along Swan Street. It is therefore considered that the upper terrace level should be deleted.

Yarra Heritage Advice 221 Swan Street, Richmond PLN17/1016 4 of 5

### Attachment 5 - PLN17/1016 - 221 Swan Street Richmond - Heritage Advisor comments

#### Appearance:

A contemporary design approach has been adopted for the proposed new building. This approach is not unacceptable provided that adequate respect is given to the heritage character of the surrounding area through details such as external materials, proportions and fenestration.

The adjacent properties to the west mainly consist of Contributory heritage buildings of traditional appearance.

The proposed external materials for the new development will be mainly 'one-way vision glass' with metal framing in 'Monument' colour. The main entrance will emphasised by framing in a natural concrete finish.

The articulation of the proposed Swan Street façade is considered generally acceptable for a commercial streetscape. At ground level, it is considered that the proportions of the proposed front window will respond well to the character of the adjacent shopfronts. It would however be preferable for the entire ground floor façade to be finished in the natural concrete finish to positively reflect the character of the external materials of adjacent heritage buildings to the west, in contrast with the proposed dark colouring which will create a strong contrast.

Insufficient details have been provided to comment on the appropriateness of the proposed 'one-way vision glass'. A typical application of one-way vision glass is an interview room where people can be observed without being aware of it. This is usually achieved by applying a film or decorative graphic to ordinary glass. There is no suggestion in the submitted documents of what may be applied and therefore it is impossible to assess its visual impact. Irrespective of how the one-way vision glass appears, it is however unlikely to be considered an appropriate response to a heritage streetscape where glass is typically clear and the visibility of internal activity, particularly at ground level, is a character of the commercial strip.

Further details regarding the proposed glass must be submitted however it should be noted that the ground floor level should be predominantly clear to allow the typical visual interaction between the building's interior and pedestrians passing by.

#### **RECOMMENDATIONS:**

On heritage grounds the works proposed in this application may be approved subject to the following conditions:

- 1. That the proposed upper terrace level (third floor level) must be deleted;
- That the façade of the proposed Swan Street façade must be finished in the natural concrete finish – or similar;
- That further details regarding the proposed one-way glass must be submitted. At ground floor level the glass must however be predominantly clear to allow the typical visual interaction between the building's interior and pedestrians passing by.

SIGNED:

D. Mach

Diahnn McIntosh

DATED: 28 May 2018

Yarra Heritage Advice 221 Swan Street, Richmond PLN17/1016 5 of 5

### Attachment 6 - PLN17/1016 - 221 Swan Street Richmond - ESD Advisor comments

Sustainable Design Assessment (SDA)



Development of a restaurant over three storeys plus roof terrace.

### Assessment Summary:

Responsible Planner:	:	Catherine Balagta	as
ESD Advisor:		Euan Williamson	
Date: 16.04.2018		Planning Applicat	tion No: PLN17/1016
Subject Site:		221 Swan Street I	Richmond VIC 3121
Site Area:	Approx. 209m <sup>2</sup>	Site Coverage:	100 %

Project Description:

Unknown

Pre-application meeting(s): This application largely meets Council's Environmentally Sustainable Design (ESD) standards. As a permit has been issued, the following (1) are conditioned to be addressed in an updated SDA report and are clearly shown on Condition 1 drawings.

Furthermore, it is recommended that all ESD commitments (1), deficiencies (2) and the outstanding information (3) are conditioned to be addressed in an updated SDA report and are clearly shown on Condition 1 drawings.

#### (1) Application ESD Commitments:

- Energy efficient building and services, exceeding NCC requirements by at least 10% calculated via JV3 energy modelling.
- A STORM report with a score of 101% (best practice) has been submitted that relies on at least 125m<sup>2</sup> of roof area draining to a 3,000L rainwater storage connected to all toilets for flushing.
- 1.5 kW solar PV array to contribute to electricity consumption.
- 6 new bicycle parking spaces on the street frontage.
- Energy efficient heating/cooling, hot water and lighting.
- Water efficient taps and fittings.

### (2) Application ESD Deficiencies:

There are no outstanding deficiencies identified at this time.

#### (3) Outstanding Information and

- Please submit the completed JV3 energy modelling report prior to occupation.
- Please clearly mark the solar PV array on the roof plan.

#### (4) ESD Improvement Opportunities:

Consider a larger solar PV array to make a larger contribution on onsite electricity consumption.

#### Further Recommendations:

The applicant is encouraged to consider the inclusion of ESD recommendations, detailed in this referral report. Further guidance on how to meet individual planning conditions has been provided in reference to the individual categories. The applicant is also encouraged to seek further advice or clarification from Council on the individual project recommendations.

Sustainable Management Plan - Referral Assessment Yarra City Council, City Development

Page 1 of 1

## Attachment 7 - PLN17/1016 - 221 Swan Street Richmond - Streetscapes and Natural Values (Arborist) Comments



### Memo

To: Catherine Balagtas	diverse
Cc: Carrie Lindsay, Paul Whitten and Glen Williames	vibrant
From: Craig Lupton	UTVARI
Date: 7 June 2018	exciting
Subject: PLN17/1016 - 221 Swan Street, Richmond - Streetscapes and Natural Values Team	inclusive

#### Hi Catherine

Thank you for the opportunity to review Planning Application PLN17/1016 - 221 Swan Street, Richmond in relation to tree removal on site, construction of the building within close proximity to trees on the northern adjoining properties and landscaping and tree planting on the roof terraces. The following comments are provided by the Streetscapes and Natural Values Team.

#### Arborist Report

- The TPZ encroachment has been mixed up between trees 6 and 7 in Appendix 3 and Part 4: Discussion. The author needs to confirm which tree is which.
- The author needs to show additional protection measures for the tree with 17.5% incursion, i.e. exploratory excavation or an arborist to be on site at time of excavation to ensure due care of any roots found.

#### Street Tree Bond

The street tree on Swan Street, Crepe Myrtle (*Lagerstroemia indica*), will be retained and must be
protected during construction works. An Asset Protection Permit Bond of \$2,139 (ex GST) (see table
below) should be applied to the tree to offset the cost of repairing any damage incurred during
construction and/or for non-compliance with the tree protection management plan.

Melbourne valuation (amenity value)	\$ 654.00
Removal 4-7	\$ 313.45
Stump	\$ 23.00
Reinstatement of asphalt	\$ 250.00
New cut out / m2	\$ 95.66
Supply tree 100L	\$ 330.00
Planting cost	\$ 118.05
Maintenance 2 years	\$ 160.80
Sub Total	\$ 1,944.96
GST	\$ 194.49
Total	\$ 2139.45

## Attachment 7 - PLN17/1016 - 221 Swan Street Richmond - Streetscapes and Natural Values (Arborist) Comments

#### Roof Top Garden

• A rooftop landscape plan/report should aim to replace the tree canopy lost through the development by planting suitable tree species as a part of the rooftop garden. The plan should specify tree species, size, irrigation system and tree planting space requirements.

If you have any further questions, please do not hesitate to contact me on 0419 099 547.

Kind Regards

Craig Lupton Coordinator Streetscapes and Natural Values

## Attachment 8 - PLN17/1016 - 221 Swan Street Richmond - Open Space (Landscape Architect) comments



то:	Catherine Balagtas
cc:	
FROM:	Kevin Ayrey
DATE:	26/11/18
APPLICATION:	PLN17/1016
SUBJECT:	Landscape Plan Referral

Dear Catherine,

The submitted landscape plan (TT Design – 01/10/2018) covers off the standard requirements we would have –

- Planting plan showing botanical and common names of plants, plant size at installation and maturity, plant numbers and locations.
- Details for the planter boxes.
- The plant species look okay, although I notice that there is some reference to the trees being 'canopy' trees. The lemon and olive trees will not be 'canopy' trees, though will be fine in the proposed planters, if they have drainage and are maintained. Also, it would be difficult to have 'canopy' trees when using planter boxes of this size – the trees wouldn't grow that big, or be very stable.
- The lemon and olive trees are as much as you might hope for given the scenario, and given the trees being removed aren't desirable to retain.

Regards,

Kevin Ayrey Landscape Architect – Open Space Planning & Design

## Attachment 9 - PLN17/1016 - 221 Swan Street Richmond - City Works (Waste Management) comments



TO:	Catherine Balagtas
cc:	
FROM:	Joe Agostino
DATE:	12/04/18
APPLICATION:	PLN17/1016
SUBJECT:	Waste Management Referral

Dear Catherine,

The Waste Management Plan for 221 Swan Street Richmond prepared by LEIGH DESIGN and dated 10 January 2018 is satisfactory from the City Works Branch's perspective, however given that the bins need to be collected from the bin room in a very busy section of Swan Street it is conditional to the inclusion of the following:

- The WMP must specify the collection times for the bins rather than saying outside of peak hours
- 2. The WMP must specify how the private collection contractor will avoid double parking in Swan Street while collecting the bin
- 3. The WMP must specify how the private collection contractor will avoid causing delays to Trams in Swan Street while collecting the bin
- 4. An updated WMP must be submitted to include these requirements

Regards,

Joe Agostino Project Officer – City Works

## Attachment 10 - PLN17 1016 - 221 Swan Street Richmond - Compliance (Community Amenity) comments



TO:	Catherine Balagtas
cc:	
FROM:	Brad Speechley
DATE:	08/06/18
APPLICATION:	PLN17/1016
SUBJECT:	Amenity Enforcement Referral

Dear Catherine,

Thank you for your referral dated 27 March 2018, in relation to 221 Swan Street Richmond.

I note this application includes the sale and consumption of liquor from 11:00am – 11:00pm, 7 days a week with a maximum of 200 patrons. The Compliance branch does not have any concern with the proposal to change the use to a restaurant for the sale/ and or consumption of liquor.

Considering the hours are no later than 11pm and the branch has not received any recent complaints in relation to amenity, Compliance does not have any concern.

I've also had an opportunity to review the NAAP and given background music is only proposed, this will have a minimal adverse impact on community amenity.

Should you wish to discuss the application further, please feel free to contact me on 9205-5166.

Regards,

Brad Speechley Acting Coordinator – Civic Compliance

## Attachment 11 - PLN17/1016 - 221 Swan Street Richmond - Engineering Services Unit comments





То:	Catherine Balagt	as
From:	Artemis Bacani	
Date:	26 April 2018	
Subject:	Application No: Description: Site Address:	PLN17/1016 Restaurant 221 Swan Street, Richmond

I refer to the above Planning Application received on 27 March 2018 and the accompanying Parking Assessment prepared by BVY Pty Ltd in relation to the proposed development at 221 Swan Street, Richmond. Council's Engineering Services unit provides the following information:

### CAR PARKING PROVISION

#### Proposed Development

Under the provisions of Clause 52.06-5 of the Yarra Planning Scheme, the development's parking requirements are as follows:

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Restaurant	200 patrons	0.4 spaces to each patron	80	0

A full waiver in the car parking requirement is sought. To reduce the number of car parking spaces required under Clause 52.06-5 (including to reduce to zero spaces), the application for the car parking reduction must be accompanied by a Car Parking Demand Assessment.

#### Parking Demand for Restaurant Use.

BVY Pty Ltd has adopted a peak restaurant parking rate of 0.15 spaces per seat during lunchtime periods and 0.30 spaces per seat during the evening periods. Application of this rate would result in 30 spaces during lunchtime and 60 spaces during the evening periods (on the assumption that the venue was operating at full capacity). Much of the patronage to the restaurant would be drawn from nearby businesses and by persons who are already in the Swan Street activity centre.

As with many other restaurants in Yarra, patrons would park on-street. In recent times, restaurants in Yarra have been approved with little or no on-site parking along activity centres, as illustrated in the table below:

Development Site Approved Restaurant Parking	
Richmond	
95 Swan Street PLN17/0064 issued 14 June 2017	No on-site parking (60 patrons permitted)

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The shortfall with the site's car parking (80 spaces) would be accommodated off-site. The area's coverage of parking restrictions provides regular turnover of parking to improve the opportunities for patrons to park near the site. The high parking demand in the Richmond area would also be a disincentive for staff and patrons to drive to the site.

- Availability of Public Transport in the Locality of the Land. The site is within walking distance of tram services operating along Swan Street and Church Street. The East Richmond and Richmond railway stations and bus services operating along Punt Road are also within walking distance of the site.
- Multi-Purpose Trips within the Area.
   Patrons to the site who choose to drive might combine their visit by engaging in other business or activities whilst in the area.
- Convenience of Pedestrian and Cyclist Access.
   The site is within walking distance of shops, businesses, essential facilities and public transport services. The site also has very good connectivity to the Principal Bicycle Network.

#### Appropriateness of Providing Fewer Spaces than the Likely Parking Demand

Clause 52.06 lists a number of considerations for deciding whether the required number of spaces should be reduced. For the subject site, the following considerations are as follows:

- Availability of Car Parking.

BVY Pty Ltd had conducted on-street parking occupancy surveys in the surrounding area on Wednesday 1 November 2017 and Saturday 4 November 2017 between 10:00am and 8:00pm. The survey area encompassed sections of Swan Street, Church Street, Charles Street, Mary Street, Harvey Street, and Brighton Street. The times and extent of the survey is considered appropriate for this development. A parking inventory ranging between 137 and 199 spaces was identified. The survey results indicate that the peak occupancy was observed at 5.00pm on Wednesday with 104 spaces occupied or 33 spaces vacant. The data suggests that the parking demand in the surrounding area is moderate to high. Patrons would be fully aware of the lack of parking near the site and choose consider catching public transport which are conveniently located near the site.

- Access to or Provision of Alternative Transport Modes. The site has very good access to public transport and the on-road bicycle network. Car share pods are located within walking distance of the site and provide an alternative option of transport for staff and patrons. A Flexicar car share pod is located in Church Street, approximately 160 metres west of the site.
- Relevant Local Policy or Incorporated Document.
   The proposed development is considered to be in line with the objectives contained in Council's Strategic Transport Statement. The site is ideally located with regard to sustainable transport alternatives and the reduced provision of on-site car parking would potentially discourage private motor vehicle ownership and use.
- The Future Growth and Development of an Activity Centre.
   Practice Note 22 Using the Car Parking Provisions indicates that car parking should be considered on a centre-basis rather than on a site/individual basis. This is applicable to activity centres, such as Swan Street, where spare on-street car parking capacity would be shared amongst sites within the activity centre.

#### Adequacy of Car Parking

From a traffic engineering perspective, the waiver of parking is considered appropriate in the context of the development and the surrounding area. The area's high parking demand and lack of long-stay parking would be disincentives for staff and patrons to commute to the site by car.

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## Attachment 11 - PLN17/1016 - 221 Swan Street Richmond - Engineering Services Unit comments

Engineering Services has no objection to the reduction in the car parking requirement for this site.

#### **Capital Works Programme**

A check of the Capital Works Programme for 2017/18 indicates that no infrastructure works have been approved or proposed within the area of the site at this time.

Regards

Artemis Bacani Road Development Engineer Civil Engineering Unit

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# **Planning Referral**

To:	Catherine Balagtas
From:	Julian Wearne
Date:	27/04/2018
Subject:	Strategic Transport Comments
Application No:	PLN17/1016
Description:	A reduction of car parking requirements (80 spaces) associated with a 200-patron restaurant and installation of bike racks (6 spaces) on the footpath at Swan Street
Site Address	221 Swan Street, Richmond

I refer to the above Planning Application referred on 27/03/2018, and the accompanying Traffic report prepared by BVY Pty. Ltd. in relation to the proposed development at 221 Swan Street, Richmond. Council's Strategic Transport unit provides the following information:

#### Access and Safety

No safety or access issues have been identified.

#### Bicycle Parking Provision Statutory Requirement

Under the provisions of Clause 52.34-3 of the Yarra Planning Scheme, the development's bicycle parking requirements are as follows:

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Restaurant	267 sqm	1 employee space to each 100 sqm of floor area available to the public	3 employee spaces	6 spaces
		2 plus 1 visitor space to each 200 sqm of floor area available to the public if the floor area exceeds 400 sqm	2 visitor space	
Showers / Ch	ange rooms	1 to the first 5 employee spaces and 1 to each additional 10 employee spaces	0 showers / change rooms	0 showers / change rooms

The development proposes a total of 1 additional bicycle space for both employees and visitors.

#### Adequacy of spaces

All spaces are proposed as combined visitor/employee spaces and are proposed to be on the footpath outside of the subject site. The following considerations are relevant:

- Whilst it is usually preferred that employee bicycle spaces are contained within secure facilities onsite, it is acknowledged the proposed use and existing built form would likely prohibit onsite employee bicycle parking from being functional. It would be unsuitable for staff to wheel bikes through a restaurant while it was trading and there is no rear access to the site.
- Whilst 6 spaces meets and exceeds the total statutory requirement, providing this many spaces within the footpath directly outside the subject site is unsuitable in this instance.
   An existing street tree limits opportunity for spaces;

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- What is assumed to be the bicycle spaces are shown on the plan as short 'dashes' at the curb's edge. These dashes do not accurately reflect the dimensions of bicycle spaces.
- At most, two bicycle hoops could be installed directly outside the subject site, which would allow for 4 bicycle spaces (Figure 1). This however results in significant footpath clutter, and creates a 'pedestrian barrier' for people looking to cross the street. This is exacerbated by the existing street tree, parking pole and nearby footpath trading to the east.
- Too many hoops in this location would leave little space for bin storage prior to collection, which would further contribute to clutter and a "pedestrian barrier".
- Many visitors to the site are likely to be in the area for multi-purpose trips, and expected
  cycling demand associated with the use are likely to be satisfactorily accommodated at
  existing hoops and informal bicycle parking locations.
- The location is well serviced by public transport and walking, so alternative sustainable travel
  modes to the subject site are easy and convenient.
- It is recommended only one bicycle hoop be installed in the location shown on Figure 1.
   This space should be aligned with the nearby awnings posts.

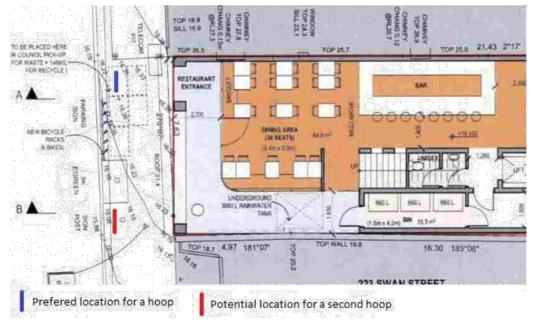


Figure 1 – Two potential locations for bicycle hoops are shown. It is recommended only one hoop is installed in the preferred location.

#### Recommendations

The following should be shown on the plans before endorsement:

1. 1 bicycle hoop to be installed on the footpath, aligned with the nearby awning post, between the awning post and the existing parking sign pole.

#### Regards

#### Julian Wearne

#### Sustainable Transport Officer

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Strategic Transport Unit

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## Attachment 13 - PLN17/1016 - 221 Swan Street Richmond - SLR Acoustic Consultant Comments



6 August 2018 640.10090.05300 221 Swan St Richmond 20180511.docx

City of Yarra PO Box 168 RICHMOND VIC 3121

Attention: Catherine Balagtas

Dear Catherine,

### 221 Swan Street Richmond Development Application Acoustical Review PLN17/1016

SLR Consulting Pty Ltd (SLR) has been retained by the City of Yarra to provide a review of the acoustic assessment report for the proposed restaurant and bar at 221 Swan Street Richmond.

Details of the report are as follows:

- Title: 221 Swan Street, Richmond, Acoustic Engineering Report
- Reference: 17317
- Date: 2 July 2018
- Prepared for: Peter Koutroulis
- Prepared by: Cogent Acoustics

A previous report (from 23 February 2018) was reviewed by SLR but a newly identified residential receiver has now been incorporated in the assessment.

The report was prepared to address the following City of Yarra condition / RFI (8 December 2017):

An acoustic report prepared by a suitably qualified acoustic engineer assessing the noise impacts of the proposed use (including music noise, patron noise and plant equipment) against the relevant State Environment Protection Policies.

#### 1 Background Information

(Section 2 and 5 of the report)

The application is for 3 level restaurant and bar with rooftop seating and a capacity of 192 patrons.

The proposed operating times are 11 am to 11 pm 7 days a week.

Extracts from the architectural drawings are provided in the acoustic report showing:

ground level bar, dining and kitchen,

## Attachment 13 - PLN17/1016 - 221 Swan Street Richmond - SLR Acoustic Consultant Comments

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- mezzanine floor dining areas, with a large plant platform also located to the rear,
- roof terrace outdoor area (48 seats) and bar (20 seats),
- rooftop plan with outdoor area (48 seats).

The nearest noise sensitive areas are identified as:

- dwellings to the north of the site, along Charlotte Street. A two storey brick apartment building is identified at 26-30 Charlotte Street as being the likely most impacted out of these dwellings.
- Dwelling directly to the west on the 1<sup>st</sup> floor (above ground commercial use) at 219A Swan Street Richmond

The report provides assessment of music noise, patron noise and mechanical plant noise.

**SLR Comments:** The site and use have in general been described and nearest noise sensitive receivers have been identified, including the new identified shop-top residence at 219A Swan Street. The critical noise issues are also identified (music, patron and mechanical plant noise).

#### 2 Background Noise

#### (Section 6 of the acoustic report)

Noise logging was undertaken from 17 to 22 January 2018 near the rear of the site (ground level, NW corner). Logger results are included in the appendix B of the report.

Cogent explain that the noise logging results exhibit very steady L90 background levels for the entire day, which may be influenced by mechanical noise, although there was no obvious source at the time of their equipment deployment. Cogent advise that they believe the data is sufficiently representative for the purposes of setting noise limits.

Octave band background levels are presented in Table 6 of the report and shown as the minimum 15 minute background level from 10 pm to 11 pm over the logging period. These form the basis of SEPP N-2 based noise limits.

A-weighted overall background levels are also provided in Table 5 of the report for the relevant SEPP N-1. based periods.

**SLR Comments:** The measurement period and location are suitable for obtaining background noise data for the site. The details of the measurement and description of the ambient environment are clearly provided, as is the noise logging data.

On the issue of the background levels being potentially affected by extraneous noise, the data does appear to have very steady levels for the most part, which would imply a continuous mechanical type source. However, there are also some short periods of lulls (eg around 1300h to 1400h on most days and around 2100h on some days). It may have been more appropriate to consider these lulls for the basis of setting noise limits for the site. This is especially relevant in the context of mechanical plant potentially associated with cooling being seasonal (the noise logging was undertaken during hot to warm weather conditions).



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The octave band background levels in Table 5 appear reasonable for the area, and are appropriately determined assuming the venue will operate untill 11 pm.

### 3 Assessment Criteria

#### 3.1 Patron and Mechanical Plant Noise

(Section 7.1 of the acoustic report)

Patron noise is proposed to be assessed to SEPP N-1. The night noise limits are determined as 44 dBA and the evening limits are 51 dBA for the nearest dwellings to the north of the subject site.

**SLR Comments**: We agree that assessment of patron noise to SEPP N-1 will provide a reasonable amenity outcome. Our calculations of zoning levels are within 1dB of Cogents. We note that the day and night limits are based on neutral background levels, whereas the evening limits are based on high backgrounds. Given the potential issue of extraneous mechanical noise affecting the background levels, it would be preferred that the evening limit is also based on neutral backgrounds which would make the evening target 49 dBA instead of 51 dBA. This is a minimal change but considered appropriate.

#### 3.2 Music Noise

(Section 7.2 of the report)

Music is proposed to be assessed to SEPP N-2. Noise limits have been determined from the measured A-weighted and octave band background noise levels, and are presented in Table 7 of the report.

The limit for the day / evening is 53 dBA.

The limit for the night is the previously presented octave band background levels + 8 dB.

**SLR Comments:** We generally agree with the night period limits, but have some concerns with the presented day/evening limit. The limit appears to be based on the long term averaged background levels (i.e. 48 dBA for day and evening) + 5 dBA. This is not the appropriate approach for setting SEPP N-2 limits. The lowest background level interval (15 min) should be used, which appears to be more like 45 dBA based on our indicative review of the noise logging data. As such, the day / evening limit should be approximately 50 dBA. Again, this is a small difference from Cogents limit, with minimal implications to the final assessment outcome given the night period assessment is the most critical. The correct limit should however be determined and provided in the report.

#### 4 Noise Predictions and Assessment

(Sections 9, 10 and 12 of the acoustic report)

#### 4.1 Mechanical Plant Noise (Section 9)

Cogent provide an indicative assessment using representative air conditioning, ventilation and refrigeration equipment that can be expected to be used at the site within the plant area zone. Actual equipment selections, and the final design have not yet been developed for the site.

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The preliminary assessment provided by Cogent indicates that the equipment will exceed the night period noise limits by a significant 11 dB, at the nearest resident.

Noise control options and advice, including perimeter screening, acoustic attenuators and the like, are provided in Section 13.1.1 of the report to address the excess. This section also provides information on triggers for further acoustic review (e.g. if plant equipment is noisier than assumed, more items of plant proposed, different layout etc.).

**SLR Comments:** The approach, findings and recommendations provided for the mechanical equipment appear reasonable and appropriate. Given the close proximity of residents, and the predicted potential excess from the SEPP N-1 noise limits, our preference would be that the applicant be required to have the final mechanical plant design fully reviewed by an acoustical consultant. Ultimately, the operator will have to ensure compliance with SEPP N-1 if complaints are ever received.

#### 4.2 Patron Noise (Section 10)

Cogent provide the results of a predictive assessment of patron noise in Section 10 of their report. The basis of their noise emissions is the Watson Moss Growcott document (2009), and Cogent present the determined sound pressure level in each of the outdoor areas, as used in their calculations.

Cogent predict the highest noise levels of 61-64 dBA to the east facing window and skylight of 219A Swan Street. Noise levels up to 55 dBA are predicted to the residential dwelling to the north. These predictions significantly exceed the night period noise limit of 44 dBA (and evening limit). Cogent proceed with providing noise control recommendations in Section 13.2 to address the excess. The recommendations include:

- Provision of a range of barriers and screens along the western and northern edge of the outdoor areas,
- Restrictions on the number of patrons in the outdoor areas. The night period restricts patrons to the main outdoor areas to 20-22 patrons.

**SLR Comments:** The assessment approach and the patron reference sound levels are considered appropriate. Due to the complexity of the building arrangement and number of outdoor areas, we cannot undertake our own independent calculations but the general approach and advice appears reasonable and includes extensive shielding structures.

#### 4.3 Music Noise (Section 12)

Cogent advise that music will be played on all levels of the bar at 'background levels'.

An assessment is provided based on representative music levels measured at a similar venue that is multi-level and has background style music in a rooftop terrace area.

Cogent determine that background music can be played (at the levels presented in their Table 13) and comply with day / evening and night period SEPP N-2 noise limits.

**SLR Comments:** The assessment approach is considered reasonable. However, we make the following comments:

The music levels used must have minimal bass content to comply during the night.

**SLR** 

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- As previously noted, day / evening period SEPP N -2 noise limits may need to be in the order of 3 dBA lower than currently provided in the report. As such, the allowable music levels will likely need to be reduced by 3 dB for the day / evening assessment.
- The venue has outdoor areas that are within 15 m of the nearest residents. This is a minimal buffer distance, and the risk of non compliance is high if the venue operator is not diligent in managing their music levels. The measures recommended in the acoustic report to manage the music levels include; setting of the sound system by an acoustical consultant, setting maximum volume on the system controls or electronic noise limiter installation, management only allowed to access sound system, and no live music in outdoor areas. We would recommend that the noise limiter be installed rather than relying on 'marking' of the volume on the sound system.
- We assume that live music is not proposed to be played.

#### 5 SLR Summary

SLR have reviewed the acoustic report for the proposed restaurant and bar at 221 Swan Street, Richmond.

Cogent have demonstrated that noise from the venue has the potential to exceed noise limits and amenity targets, and have provided a number of recommendations for building treatments and venue management to achieve an acceptable outcome.

We generally agree that with appropriate implementation of Cogent's advice, an acceptable outcome can be achieved for a venue that operates up to 11 pm. However, we recommend the following aspects be implemented / amended in the report, or reflected in permit conditions:

- We recommend that the evening period SEPP N-1 noise limits (used for the mechanical services noise assessment and patron noise assessment) revert to the zoning levels (based on neutral background levels). This will make evening targets 2 dBA lower than currently shown in the report.
- We recommend that the lowest 15 minute background level collected for the day / evening period be used for setting the day / evening period SEPP N-2 noise limits. This may result in a reduced noise limit by in the order of 3 dBA.

It is not anticipated that the above will make a significant change in the assessment outcomes, as the night period criteria are the most stringent.

- We recommend that the operator / applicant undertake a full acoustical review of the mechanical plant (by an acoustical consultant) to ensure that the final selected equipment and acoustic treatments will be sufficient to ensure SEPP N-1 compliance. We recommend this due to the close proximity of the plant to existing residents (less than 15 m).
- Similarly, given the close proximity of the entertainment and outdoor areas to residents, we would
  recommend implementation of electronic noise limiters/compressors on the amplifiers in the venue,
  and advice / setup by an acoustical consultant prior to operations commencing.

Yours sincerely

JIM ANTONOPOULOS BAppSc MAAS Principal – Acoustics

Checked by: DW



Attachment 13 - PLN17/1016 - 221 Swan Street Richmond - SLR Acoustic Consultant Comments