



**YARRA CITY COUNCIL**

**Internal Development Approvals Committee**

**Agenda – Special Meeting**

**to be held on Wednesday 21 March 2018 at 6pm  
in Meeting Room 1**

**Rostered Councillor membership**

Councillor Daniel Nguyen  
Councillor Misha Coleman  
Councillor Danae Bosler

**I. ATTENDANCE**

Amy Hodgen (Coordinator Statutory Planning)  
Cindi Johnston (Governance Officer)

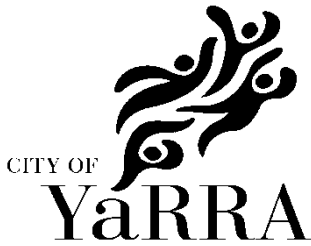
**II. DECLARATIONS OF PECUNIARY INTEREST AND CONFLICT OF INTEREST**

**III. CONFIRMATION OF MINUTES**

**IV. COMMITTEE BUSINESS REPORTS**

**Printed on 100% recycled paper**

***"Welcome to the City of Yarra.  
Yarra City Council acknowledges the  
Wurundjeri as the Traditional Owners  
of this country, pays tribute to all  
Aboriginal and Torres Strait Islander  
people in Yarra and gives respect to  
the Elders past and present."***



## Guidelines for public participation at Internal Development Approval Committee meetings

### POLICY

---

Council provides the opportunity for members of the public to address the Internal Development Approvals Committee.

The following guidelines have been prepared to assist members of the public in presenting submissions at these meetings:

- public submissions are limited to a maximum of five (5) minutes
- where there is a common group of people wishing to make a submission on the same matter, it is recommended that a representative speaker be nominated to present the views of the group
- all public comment must be made prior to commencement of any discussion by the committee
- any person accepting the chairperson's invitation to address the meeting shall confine himself or herself to the subject under consideration
- people making submissions shall address the meeting as a whole and the meeting debate shall be conducted at the conclusion of submissions
- the provisions of these guidelines shall be made known to all intending speakers and members of the public generally prior to the commencement of each committee meeting.

For further information regarding these guidelines or presenting submissions at Committee meetings generally, please contact the Governance Branch on (03) 9205 5110.

**Governance Branch  
2008**

## 1. Committee business reports

Item		Page	Rec. Page
1.1	Notice of Motion No.1 of 14 March 2018 IDAC Agenda - Rescind Resolution re 66 Cecil Street, Fitzroy - PLN17/0398 - Full demolition of the existing building, and development of the land for the construction of three dwellings.	5	
1.2	(If necessary) Re-hearing of 66 Cecil Street, Fitzroy - PLN17/0398 - Full demolition of the existing building, and development of the land for the construction of three dwellings.	9	36

---

**1.1 Notice of Motion No.1 of 14 March 2018 IDAC Agenda - Rescind Resolution re 66 Cecil Street, Fitzroy - PLN17/0398 - Full demolition of the existing building, and development of the land for the construction of three dwellings.**

---

Trim Record Number: D18/49594

Responsible Officer: Group Manager Chief Executive's Office

I, Cr Misha Coleman hereby give notice that I will move the following Motion at a Special Meeting of the Internal Approvals Development Committee (IDAC) on 21 March 2018.

“That the resolution of IDAC on 14 March 2018 and stating:

‘That having considered all objections and relevant planning policies, the Internal Development Approvals Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN17/0398 for full demolition of the existing building and development of the land for the construction of three dwellings at 66 Cecil Street, Fitzroy, subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans by BG Architecture received by Council on 25 January 2018 but modified to show:
  - (a) The dimensions of all setbacks from site boundaries on relevant floor plans and elevations (second-floor and roof terrace);
  - (b) The breeze blocks & security doors to Fitzroy Street to have a minimum transparency of 50%;
  - (c) The material of the west-facing balustrade to Townhouse 1 to be glazing;
  - (d) The following measures to be shown or notated on the relevant plans, as outlined in the ESD Report;
    - (i) The design of the garage doors to allow for ventilation;
    - (ii) External clothes drying lines;
    - (iii) The location of internal bicycle parking spaces for each dwelling;
    - (vi) The location of the electric car charging points within each garage;
    - (v) A notation confirming that the rainwater tanks will be connected to toilets within each dwelling, with an updated STORM report achieving a minimum rating of 100%;
  - (e) An amended design of the bin storage doors, with no outward-opening elements;
  - (f) Amended plans in accordance with the Melbourne Water condition outlined at Condition 10;
  - (g) The provision of planter boxes in front of each entrance to Fitzroy Street (behind the breeze blocks);
  - (h) Compliance with Standard B22 of the Yarra Planning Scheme for the following;
    - (i) First-floor south-facing windows of Townhouse 3;
    - (ii) All west-facing windows;
    - (iii) Southern and western balustrades of roof terraces, with overlooking measures designed to have no increase in the height of these balustrades (i.e. planter boxes/increased setbacks from boundaries);
  - (i) The balustrades between each roof terrace to be minimum heights of 1.7m and maximum transparency of 25%;
  - (j) Any changes to the plans (if any) required by the Acoustic Report at Condition 4.
  - (k) Height to the top of Level 3 reduced from RL 34.15 to a RL 33.35, resulting in a minimum reduction in the overall building height by 0.9m;
  - (l) A minimum setback of 1.66m from Cecil Street, including landscape plantings; and
  - (m) Modifications to ensure that no additional overshadowing is caused to the existing solar panels of No.64 Cecil Street from 10am at the September Equinox.

2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. The provisions, recommendations and requirements of the endorsed Sustainable Design Assessment (prepared by Low Impact Development Consulting and dated 23 February 2017) must be implemented and complied with to the satisfaction of the Responsible Authority.
4. Before the development commences, an Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must assess the following:
  - (a) Potential noise impacts to No. 64 Cecil Street generated by the proposed car stacker systems;
  - (b) Potential internal noise impacts to the bedrooms within the development at first-floor.

The Acoustic Report must make recommendations to limit the noise impacts in accordance with the State Environment Protection Policy (Control of noise from industry, commerce and trade) or any other requirement to the satisfaction of the Responsible Authority.

5. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
6. Before the building occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
7. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
  - (a) in accordance with any requirements or conditions imposed by Council;
  - (b) at the permit holder's cost; and
  - (c) to the satisfaction of the Responsible Authority.
8. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
9. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.

#### **Melbourne Water condition 10**

10. The finished floor level of townhouse 1 must be the same as for the other two townhouses (i.e. FFL+ 24.05).

#### **Engineering conditions 11-14**

11. Within 2 months of the completion of the development, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated (including by the re-sheeting of the entire Fitzroy Street and Cecil Street footpath and the ROW to the south for the width of the property frontage if required by the Responsible Authority and relocation of the grated pit on Fitzroy Street):

- (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
12. The footpath cross-fall must be no steeper than 1 in 40.
13. The pram crossing on the south-west corner of the Cecil Street and Fitzroy Street intersection (in front of the property) must be reconstructed and made DDA compliant;
- (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
14. Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and meters. No private pits, valves or meters on Council property will be accepted.
15. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the car stackers must be installed in accordance with the manufacturer's specifications by a suitably qualified person. The car stackers must be maintained thereafter to the satisfaction of the Responsible Authority.
16. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
- (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
  - (b) works necessary to protect road and other infrastructure;
  - (c) remediation of any damage to road and other infrastructure;
  - (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
  - (e) facilities for vehicle washing, which must be located on the land;
  - (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
  - (g) site security;
  - (h) management of any environmental hazards including, but not limited to,:
    - (i) contaminated soil;
    - (ii) materials and waste;
    - (iii) dust;
    - (iv) stormwater contamination from run-off and wash-waters;
    - (v) sediment from the land on roads;
    - (vi) washing of concrete trucks and other vehicles and machinery; and
    - (vii) spillage from refuelling cranes and other vehicles and machinery;
  - (i) the construction program;
  - (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
  - (k) parking facilities for construction workers;
  - (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
  - (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
  - (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
  - (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;

17. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
  - (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
  - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
  - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
  
18. This permit will expire if:
  - (a) the development is not commenced within two years of the date of this permit; or
  - (b) the development is not completed within four years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or within twelve months afterwards for completion.

**NOTES:**

This site is subject to a Heritage Overlay. A planning permit may be required for any external works.

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5585 for further information.

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5585 to confirm.

The site is located within an Environmental Audit Overlay. Pursuant to Clause 45.03 of the Yarra Planning Scheme, the requirements of the Environmental Audit Overlay must be met prior to the commencement of development permitted under the permit.

All future property owners, residents and visitors within the development approved under this permit will not be permitted to obtain resident, employee or visitor parking permits.

In accordance with the Yarra Planning Scheme, a 4.5 per cent public open space contribution will apply in the event of the subdivision of the land.

A vehicle crossing permit is required for the construction of the vehicle crossings. Please contact Council's Construction Management Branch on 9205 5585 for further information.'

be rescinded."

**CONTACT OFFICER:** Ivan Gilbert  
**TITLE:** Group Manager Chief Executive's Office  
**TEL:** 9205 5110

**Attachments**

There are no attachments for this report.



---

**1.2 66 Cecil Street, Fitzroy - PLN17/0398 - Full demolition of the existing building, and development of the land for the construction of three dwellings.**

---

**Executive Summary**

**Purpose**

1. This report provides Council with an assessment of a planning permit application submitted 66 Cecil Street, Fitzroy. The report recommends approval of the application, subject to a number of conditions.

**Key Planning Considerations**

2. Key planning considerations include:
  - (a) Built form (Clauses 15.01, 21.05, 22.02, 32.04 & 43.01);
  - (b) On & off-site amenity impacts (Clause 22.05 & 55).

**Key Issues**

3. The key issues for Council in considering the proposal relate to:
  - (a) State and Local Planning Policy Framework Summary;
  - (b) Built form and design;
  - (c) Heritage;
  - (d) Off-site Amenity Impacts;
  - (e) Internal Amenity;
  - (f) Objector concerns.

**Objector Concerns**

4. Thirty (30) objections were received to the application, these can be summarised as:
  - (a) Overdevelopment of the site/excessive height;
  - (b) Potential off-site amenity impacts (overshadowing, loss of daylight to windows/skylights, overlooking, noise from car stackers and noise from the roof terraces)
  - (c) Loss of existing use of the building as an arts space;
  - (d) Does not respect the neighbourhood character;
  - (e) Does not respect the heritage precinct;
  - (f) Disruption of the Fitzroy Street footpath due to vehicle crossovers;
  - (g) Pressure on surrounding car parking resources;
  - (h) Reduction of green space in Cecil Street;
  - (i) Increase of traffic impacts.

**Conclusion**

5. Based on the following report, the proposal is considered to comply with the relevant planning policy and should therefore be supported.

**CONTACT OFFICER:** Lara Fiscalini  
**TITLE:** Senior Statutory Planner  
**TEL:** 9205 5372

---

**1.2 66 Cecil Street, Fitzroy - PLN17/0398 - Full demolition of the existing building, and development of the land for the construction of three dwellings.**

---

Trim Record Number: D18/49044

Responsible Officer: Principal Statutory Planner

<b>Proposal:</b>	Full demolition of the existing building and development of the land for the construction of three dwellings.
<b>Existing use:</b>	Performing Arts Hall
<b>Applicant:</b>	Antelope Investments Trust & Peppavers Trust
<b>Zoning / Overlays:</b>	Mixed Use Zone (MUZ) Heritage Overlay (HO334) Environmental Audit Overlay (EAO) Special Building Overlay (SBO)
<b>Date of Application:</b>	25/05/2017
<b>Application Number:</b>	PLN17/0398

### Planning History

1. Planning Permit No. 97/587 was issued on 20 June 1997 for *change of use from office to dance studio with caretaker's residence*.

### Background

2. The application was submitted in May 2017, with additional information submitted in July 2017. Council raised a number of concerns with the original application regarding height, massing, design, integration and visual impacts. No amendments were made to the plans at this time, with the application proceeding to advertising in August 2017. A total of 30 objections were received.
3. The application was referred to a number of Council departments, with the issues outlined above also raised by Council's Urban Design Unit and Heritage Advisor.
4. In response, amended plans were submitted under Section 57A of the *Planning and Environment Act 1987* (the Act) on 25 January 2018. These plans included the following modifications to the design and form the decision plans for this application;
  - (a) The number of townhouses reduced from 4 to 3;
  - (b) The number of levels reduced from 4 to 3 (with the roof terrace maintained);
  - (c) Extent of brickwork, metal cladding and window configurations amended;
  - (d) Amended designs to dwelling entrances and the Cecil Street façade;
  - (e) Subsequent internal layout changes to each dwelling.
5. The amended plans were readvertised on 29 January 2018. Fifteen (15) objections were received to the amended plans, with all of these submissions associated with current objectors. The total number of objections to the proposal remains at 30.

### Existing Conditions

#### Subject Site

6. The subject site is located on the south-west intersection of Cecil Street and Fitzroy Street, Fitzroy. The site has a frontage to Cecil Street of 10.08m, with a secondary frontage to Fitzroy Street of 25m, yielding an overall site area of approximately 253sqm.

7. A post-war style building constructed of cream bricks occupies the site. The building is constructed to the side and rear boundaries at both levels, with the façade set back 1.66m from Cecil Street. A small degree of vegetation is located within this front setback. The main pedestrian entrance is located within the Cecil Street frontage, with a 3.8m wide laneway extending along the site's rear southern boundary. A performing arts centre currently operates on the land.



*Existing building on subject site*

### Surrounding Land

8. The land is located 80m to the west of Brunswick Street and 70m to the south of Alexandra Parade. Land to the north and west is located within the Neighbourhood Residential Zone (NRZ), with land further to the east within the Commercial 1 Zone (C1Z). The site is located within a small pocket of the Mixed Use Zone (MUZ).
9. This section of Cecil Street is mostly residential with a mix of former warehouses, some of which have been converted into apartments.
10. The adjoining properties to the west of the subject site are a pair of townhouses constructed c.2000 from a converted warehouse shell. These dwellings have been constructed behind the original façade, with the façade maintained along the street frontage to form a high rendered and timber front fence. Secluded private open space (SPOS) is on the northern side of the site, with the dwelling façade set back 5.4m from the front boundary. The abutting dwelling is attached to the double-storey wall of the subject building along the shared boundary for its entire length.
11. To the east, on the opposite side of Fitzroy Street, is a large, modern triple-storey residential building, with visible elements projecting higher than the triple-storey built form in some areas. This building is constructed to the Cecil Street and Fitzroy Street boundaries at its lower levels, with minimal setbacks in the levels above. The building extends along the entire length of Fitzroy Street, to Westgarth Street in the south, and was constructed c.2000 from a converted warehouse shell.

12. Directly to the south, on the opposite side of the laneway, is a contemporary triple-storey development, constructed to all boundaries at ground and first-floor, with minor setbacks of the second floor from the laneway. A balcony is located at first-floor, in the north-east corner of the site, addressing Fitzroy Street.
13. Also to the south and south-west of the site are garage doors and rear fences associated with dwellings addressing Westgarth Street, with areas of SPOS further to the south. These dwellings are predominantly single and double-storey in scale.
14. To the north, on the opposite side of Cecil Street, is a collection of single-storey, attached masonry dwellings of the Victorian-era.



*Subject site and surrounds*

## **The Proposal**

15. The application seeks full demolition of the existing building and development of the land for the construction of three dwellings. The dwellings are three storeys, plus roof terraces. In summary, the following works are proposed.

### *Demolition*

16. Full demolition of the existing building, including the front brick and wire fence.

### *Buildings and works*

17. Construction of three townhouses, with pedestrian and vehicle entrances from Fitzroy Street. Each townhouse will be three-storeys, with a roof terrace. The development will be constructed to all four boundaries at ground and first-floor.
18. At ground level, three single vehicle crossovers are proposed along the Fitzroy Street frontage. Recessed pedestrian entrances are located directly adjacent to each vehicle entrance, with separate enclosed bin storage areas also along this frontage.

19. Each dwelling will be provided with a double car-stacker. Multi-purpose rooms will be located at ground level, as will storage spaces (6 cubic metres), bathrooms and lifts.
20. At first-floor, each dwelling will have three bedrooms (one with walk-in-robe and ensuite). A second bathroom will be provided, with Townhouse 2 having access to a small terrace abutting the western boundary.
21. The second-floor will contain open-plan living spaces, with kitchens and dining areas. This level will be set back 1.25m from the western boundary, with walls raked away from the north, south and east. The setback dimensions of these raked walls are not clearly shown on the floor plans and can be required if a planning permit is to issue.
22. Roof terraces will be set back from all four boundaries (the setback dimensions are not clearly shown on the floor plans and can be required if a planning permit is to issue). Lifts and stairs will access these terraces.
23. The maximum height of the townhouses (based on the Fitzroy Street NGL) will be 13.3m, with the lift shaft and staircases projecting 1.62m above this height. The building will be composed of face brickwork and colourbond metal cladding, with breeze block detailing. The garage doors will be powdercoat finish.

#### *ESD Measures*

24. The ESD report indicates that the following ESD features will be incorporated into the development;
  - (a) Each dwelling will be provided with an underground rainwater tank (2,000L capacity), with the ESD report indicating that these tanks will be connected to toilets within the development;
  - (b) The development will achieve an average of 6.6 stars;
  - (c) Energy efficient mechanical equipment will be used throughout, with ceiling fans used in some habitable rooms to negate the need for air-conditioning;
  - (d) Water efficient appliances will be provided;
  - (e) Natural ventilation and daylight will be provided to all habitable rooms;
  - (f) The garage doors will also contain openings to allow for natural ventilation from these spaces;
  - (g) Internal or external clothes drying lines will be installed;
  - (h) Double-glazed windows will be used for all habitable rooms to improve thermal performance, with internal blinds used to prevent solar glare;
  - (i) Ample internal space for bicycle storage will be provided at ground level for each dwelling;
  - (j) Provision for electric car charging will be provided within each garage.

### **Planning Scheme Provisions**

#### Zoning

##### *Mixed Use Zone*

25. Pursuant to clause 32.04-2 of the Yarra Planning Scheme (the Scheme), a planning permit is not required to use the site for dwellings.
26. Pursuant to clause 32.04-6 of the Scheme, a planning permit is required to construct two or more dwellings on a lot.
27. Pursuant to Clause 32.04-10, a building must not be constructed that exceeds the maximum building height specified in a schedule to this zone. There is no maximum building height specified in the schedule to the Mixed Use Zone.

Overlays

*Heritage Overlay*

28. Pursuant to clause 43.01-1 of the Scheme, a planning permit is required to demolish or remove a building and to construct a building or construct or carry out works.

*Environmental Audit Overlay*

29. Pursuant to clause 45.03-1 of the Scheme, *before a sensitive use (residential use, child care centre, pre-school centre or primary school) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, either:*
- (a) *A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970, or*
  - (b) *An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.*
30. A note will be added to any permit issued reminding the permit applicant of these obligations.

*Special Building Overlay*

31. Pursuant to clause 44.05-1 of the Scheme, a planning permit is required to construct a building or to construct or carry out works.
32. Pursuant to clause 44.05-5 of the Scheme, an application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed to in writing between the responsible authority and the floodplain management authority.
33. The initial design was referred accordingly to Melbourne Water, however no comments were received. The amended design was also referred, with comments received and attached to this report.

Particular Provisions

*Clause 52.06 – Car Parking*

34. Clause 52.06-2 requires that before a new use commences, the number of car spaces specified under Clause 52.06-5 must be provided. The Clause 52.06-5 requirements are outlined below.

Use	Bedrooms	Rate	No. required	No. proposed
3 x Dwellings	3 Bedrooms	2 spaces per 3 or more bedroom dwelling	6	6

35. With six on-site car parking spaces proposed, no car parking reduction is required.

*Clause 55 – Rescode*

36. Clause 55 is applicable for a development of two or more dwellings. A development should meet all the standards and must meet all the objectives.

General Provisions

*Clause 65 – Decision Guidelines*

37. The Decision Guidelines outlined at Clause 65 of the Scheme are relevant to all applications. Because a permit can be granted does not imply that a permit should or will be granted. Before deciding on an application, the Responsible Authority must consider, amongst other things, the relevant State Planning Policy Frameworks, Local Planning Policy Frameworks and any Local Policy, as well as the purpose of the Zone, Overlay or any other Provision.

State Planning Policy Framework (SPPF)

38. The following SPPF provisions of the Scheme are relevant:

*Clause 11 – Settlement*

39. *Planning is to recognise the need for, and as far as practicable contribute towards (as relevant);*
- (a) *Diversity of choice.*
  - (b) *Adaptation in response to changing technology.*
  - (c) *Economic viability*
  - (d) *A high standard of urban design and amenity.*
  - (e) *Energy efficiency.*
  - (f) *Accessibility*
  - (g) *Land use and transport integration*

40. *Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns, and investment in transport and communication, water and sewerage and social facilities.*

*Clause 11.02 – Urban growth*

41. The objective of this clause is: *to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.*

*Clause 11.04-2 – Housing Choice and Affordability*

42. The objective of this clause is: *to provide a diversity of housing in defined locations that cater for different households and are close to jobs and services.*

*Clause 11.04-4 – Liveable Communities and Neighbourhoods*

43. The objective of this clause is: *to create healthy and active neighbourhoods and maintain Melbourne’s identity as one of the world’s most liveable cities.*

*Clause 15 – Built Environment and Heritage*

*Clause 15.01-1 – Urban design*

44. The objective of this clause is: *to create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.*

*Clause 15.01-4 – Design for safety*

45. The Objective of this Clause is *‘to improve community safety and encourage neighbourhood design that makes people feel safe’.*

*Clause 15.01-5 – Cultural identity and neighbourhood character*

46. The objective of this clause is *'to recognise and protect cultural identity, neighbourhood character and sense of place'*.

*Clause 15.02-1 – Energy and resource efficiency*

47. The objective of this clause is *'to encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions'*.

*Clause 16 – Housing*

*Clause 16.01-1 – Integrated housing*

48. The objective of this clause is *'to promote a housing market that meets community needs'*.

*Clause 18.02-1 - Sustainable personal transport*

49. The objective of this clause is *'to promote the use of sustainable personal transport'*.

Local Planning Policy Framework (LPPF)

50. The following LPPF provisions of the Scheme are relevant:

*Clause 21 – Municipal Strategic Statement (MSS)*

*Clause 21.04 – Land use*

*Clause 21.04-1 – Accommodation and Housing*

51. The relevant Objectives and Strategies of this clause are:

- (a) *Objective 1 To accommodate forecast increases in population.*
- (b) *Objective 2 To retain a diverse population and household structure.*

*Clause 21.05-2 – Urban design*

52. This clause incorporates the following objectives to achieve this:

- (a) *Objective 16 - To reinforce the existing urban framework of Yarra;*
- (b) *Objective 18 - To retain, enhance and extend Yarra's fine grain street pattern;*
- (c) *Objective 20 - To ensure that new development contributes positively to Yarra's urban fabric.*

*Clause 21.06 – Transport*

*Clause 21.06-1 – Walking and cycling*

53. This clause builds upon the Objectives outlined at Clause 18, promoting cycling, walking and public transport as alternatives to private motor vehicle usage.

*Clause 21.07 Environmental Sustainability*

54. The relevant objective of this clause is:

- (a) *Objective 34 To promote ecologically sustainable development:*

*Clause 21.08 Neighbourhoods*

55. *Clause 21.08-7 – Fitzroy. Fitzroy is a mixed commercial and residential neighbourhood notable for the consistency of its Victorian streetscapes. It comprises a dense combination of residential areas, shopping precincts and commercial/ industrial activities.*

#### Relevant Local Policies



*Clause 22.02 (Development Guidelines for Sites Subject to the Heritage Overlay)*

56. *Clause 22.02 of the Scheme applies to all development where a planning permit is required under the Heritage Overlay. The objectives of the policy include:*
- (a) *to conserve Yarra's natural and cultural heritage;*
  - (b) *to conserve the historic fabric and maintain the integrity of places of cultural heritage significance;*
  - (c) *to retain significant view lines to, and vistas of, heritage places;*
  - (d) *to preserve the scale and pattern of streetscapes in heritage places;*
  - (e) *to encourage the preservation, maintenance, restoration and where appropriate, reconstruction of heritage places;*
  - (f) *to ensure that additions and new works to a heritage place respect the significance of the place;*
  - (g) *to encourage the retention of 'individually significant' and 'contributory' heritage places.*
57. *Clause 22.02-5.7 (New Development, Alterations or Additions)*
- (a) *Encourage the design of new development and alterations and additions to a heritage place or a contributory element to a heritage place to:*
  - (b) *Respect the pattern, rhythm, orientation to the street, spatial characteristics, fenestration, roof form, materials and heritage character of the surrounding historic streetscape.*
  - (c) *Be articulated and massed to correspond with the prevailing building form of the heritage place or contributory elements to the heritage place.*
  - (d) *Be visually recessive and not dominate the heritage place.*
  - (e) *Be distinguishable from the original historic fabric.*
  - (f) *Not remove, cover, damage or change original historic fabric.*
  - (g) *Not obscure views of principle façades.*
  - (h) *Consider the architectural integrity and context of the heritage place or contributory element.*
58. *This policy refers to an incorporated document (City of Yarra Review of Heritage Areas 2007 Appendix 8, revised March 2017), which identifies the level of significance for all buildings/sites within the Heritage Overlay. In this instance, the site is identified as 'not-contributory' to the South Fitzroy Heritage Precinct.*

*Clause 22.05 (Interface Uses Policy)*

59. This policy applies to applications for development within Mixed Use Zones (amongst others).
60. The relevant objectives of this clause is;
- (a) *To enable the development of new residential uses within and close to activity centres, near industrial areas and in mixed use areas while not impeding the growth and operation of these areas as service, economic and employment nodes;*
  - (b) *To ensure that residential uses located within or near commercial centres or near industrial uses enjoy a reasonable level of amenity.*
61. This policy outlines recommendations for dwelling design to incorporate measures to protect future residents from noise, fumes, vibration, light spillage and other likely disturbances. Further it encourages the location of noise-sensitive rooms and openings away from the interface; the provision of acoustic assessment reports where necessary; and appropriate siting, setbacks, articulation and screening to prevent overlooking.

*Clause 22.07 – Development Abutting Laneways*

62. The objectives at Clause 22.07-2 include;
- (a) *To provide an environment which has a feeling of safety for users of the laneway.*

- (b) *To ensure that development along a laneway acknowledges the unique character of the laneway.*
- (c) *To ensure that where development is accessed off a laneway, all services can be provided to the development*
- (d) *To ensure that development along a laneway is provided with safe pedestrian and vehicular access.*

*Clause 22.16 (Stormwater Management (Water Sensitive Urban Design))*

63. This policy applies to new buildings and contains the following (relevant) objectives;
- (a) *To achieve the best practice water quality performance objectives set out in the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999 (or as amended);*
  - (b) *To promote the use of water sensitive urban design, including stormwater re-use.*
  - (c) *To mitigate the detrimental effect of development on downstream waterways, by the application of best practice stormwater management through water sensitive urban design for new development.*

*Clause 22.17 (Environmentally Sustainable Design)*

64. This policy applies to residential development with more than one dwelling. The overarching objective is that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation. The considerations are energy performance, water resources, indoor environment quality, storm water management, transport, waste management and urban ecology.

## **Advertising**

65. The application was advertised under the provisions of Section 52 of the Act with 62 letters sent to surrounding owners and occupiers and two signs displayed on site.
66. Thirty (30) objections were received to the application, these can be summarised as:
- (a) Overdevelopment of the site/excessive height;
  - (b) Potential off-site amenity impacts (overshadowing, loss of daylight to windows/skylights, overlooking, noise from car stackers and noise from the roof terraces)
  - (c) Loss of existing use of the building as an arts space;
  - (d) Does not respect the neighbourhood character;
  - (e) Does not respect the heritage precinct;
  - (f) Disruption of the Fitzroy Street footpath due to vehicle crossovers;
  - (g) Pressure on surrounding car parking resources;
  - (h) Reduction of green space in Cecil Street;
  - (i) Increase of traffic impacts.
67. Amended plans were submitted under Section 57A of the Act on 25 January 2018. These plans included the following modifications to the design;
- (a) The number of townhouses reduced from 4 to 3;
  - (b) The number of levels reduced from 4 to 3 (with the roof terraces maintained);
  - (c) Extent of brickwork, metal cladding and window configurations amended;
  - (d) Amended designs to dwelling entrances and the Cecil Street façade;
  - (e) Subsequent internal layout changes to each dwelling.
68. The amended plans were readvertised on 29 January 2018. Fifteen (15) objections were received to the amended plans, with all of these submissions associated with current objectors. The total number of objections to the proposed remains at 30.

69. A Consultation Meeting was held on 13 February 2018, where the key issues raised in the objections were discussed with the Permit Applicant, Objectors and Planning Officers present. No changes to the plans were made following this meeting.

## **Referrals**

### External Referrals

70. The application was required to be referred to Melbourne Water under Section 55 of the Act. No comments were received on the original design, however the following comment was received on the amended application;
- (a) *The finished floor level of town house 1 must be the same as for the other two town houses*

### Internal Referrals

71. The original application was referred to Council's Engineering Services Unit, Urban Design Unit, Heritage Advisor and ESD Officer, with referral comments attached to this report. The amended application was not re-referred, as the altered plans addressed the recommendations and concerns raised by the initial referred comments.

## **OFFICER ASSESSMENT**

72. This assessment will be framed around the following:
- (a) Clause 55 Assessment  
(b) Heritage;  
(c) Objector concerns.

### Clause 55 – ResCode

#### *B1 – Neighbourhood character objectives*

73. The character surrounding the site is mixed with regards to design, style and scale, with traditional dwellings interspersed with contemporary townhouses (double to triple-storey in scale). The site is located in an area undergoing a degree of change, with the C1Z to the east and the pocket of MUZ in which the subject site is located providing for less restrictive outcomes with regards to height and built form. This is evident in the previous warehouse conversions that have occurred on adjacent sites.
74. The location of the subject site provides an appropriate response for the construction of three dwellings. The design of the northern-most townhouse will retain a degree of integration with Cecil Street, with the use of articulation and different materials providing a degree of verticality along Fitzroy Street that clearly defines the individual dwellings and retains the fine-grain pattern of the adjacent streetscape.
75. The proposal responds appropriately to the height of the residential building to the east and the triple-storey townhouse to the south, with setbacks of the upper levels providing a degree of transition to the west. This design responds effectively to the context of each site.
76. Concerns were raised by Council's Urban Design team with the original design, regarding the integration of the ground level frontage to Fitzroy Street, noting that the *'proposed car parking has an unduly dominating impact at ground floor level, occupying about 78% of the street frontages and more than half of the floor area at ground floor level. This results in a lack of visual interaction between inside and outside, a very disrupted footpath and an unengaging pedestrian experience in the public realm which surrounds the site'*.

77. The reduction in the number of townhouses has subsequently reduced the dominance of these garage entrances, with the inclusion of recessed pedestrian entrances and detailed designs in front of each entrance drawing the focus away from the garage doors. The proposed breeze block design allows views to the dwelling entrances and creates a visually interesting focal point that differentiates each dwelling from its vehicle entrance. The amended design has improved this integration with the street and is supported.
78. The design response will provide an environment which has a feeling of safety for users of the laneway to the south, with the permeable breeze block bricks within the ground level wall and the windows at first-floor providing a degree of interaction with this space. This outcome is consistent with objectives outlined at Clause 22.07 (Development Abutting Laneways) of the Scheme.
79. Based on the above, the proposed development will adequately respect the existing and emerging neighbourhood character and the objective of the Standard will be met.

*B2 – Residential policy objectives*

80. The subject site is located 80m from the Brunswick Street MAC, with the development of the site resulting in efficient use of existing infrastructure and supporting an increase in population in established areas, consistent with Clause 21.04-1 of Council's MSS. The objectives of the Standard are met.

*B3 – Dwelling diversity objective*

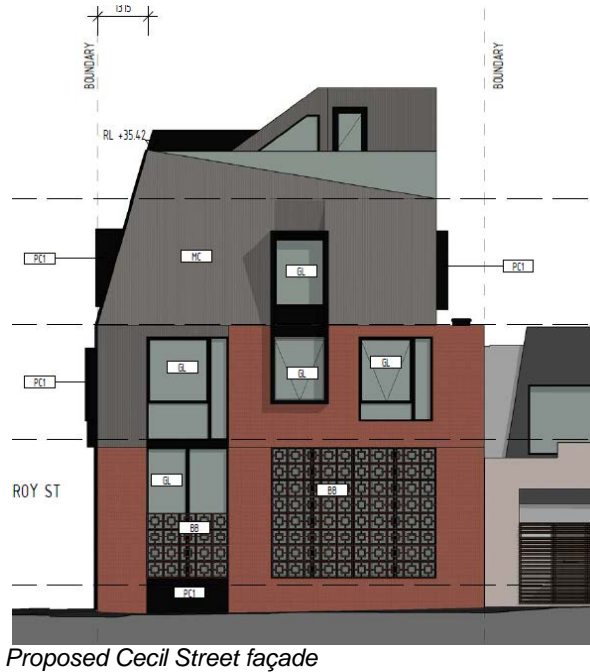
81. This Standard does not apply to developments with less than 10 dwellings.

*B4 – Infrastructure objectives*

82. The proposal is located within an area with existing utility services and infrastructure, with the site already accommodating a building which is connected to all necessary services. The objectives of the Standard are met.

*B5 – Integration with the street objective*

83. Whilst all three dwellings will be accessed via Fitzroy Street, the northern wall of Dwelling 1 has been designed to create the appearance of a façade to Cecil Street. The image on the following page demonstrates how the use of openings, breeze blocks and upper level windows within this wall create a degree of integration with the Cecil Street footpath, thereby maintaining a connection with the adjacent streetscape. The windows at all levels will also allow for a degree of passive surveillance to Cecil Street.
84. Vertical windows have been incorporated into the dwelling entrances addressing Fitzroy Street, with the permeability of the breeze blocks in front of these entrances allowing for a good degree of interaction with the street. Windows at the upper levels will also provide surveillance opportunities between the public and private realm. To ensure that this interaction is suitably achieved, a condition of any permit issued can require the permeability of the breeze blocks and security gates facing Fitzroy Street to be a minimum of 50%. Based on this condition, the objective of the Standard has been met.



*B6 – Street setback objective*

- 85. The existing double-storey building currently extends along the Fitzroy Street footpath, with the Cecil Street façade set back 1.66m from this frontage. The development will be constructed directly to both street frontages at ground and first-floor.
- 86. To achieve this Standard for a corner site, a new building should be set back the same distance as an existing building on the abutting allotment facing the same street frontage, or 9 metres, whichever is the lesser.
- 87. Whilst the double-storey façade of the dwellings to the west are set back over 5m from the Cecil Street boundary, the height and design of the front fence extending along the street frontage (which is a part of the retained warehouse façade) provides the perception of hard-edged built form along Cecil Street, as can be seen in the image below. This fence is approximately 2m-3m in height.



*No. 64 & No. 66 Cecil Street*

88. This outcome, when combined with the direct abuttal to Cecil Street of the multi-level building to the east, provides a pattern of hard-edge built form in the immediate surrounds. This is demonstrated in the images below, with the second image demonstrating the direct abuttal of built form that continues along both sides of Fitzroy Street further to the south.



*No. 498 Fitzroy Street (east)*



*No. 498 Fitzroy Street (south-east) and No. 467 Fitzroy Street (south).*

89. The Standard also states that side walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2m, whichever is the lesser. As outlined above, the walls to the south, along Fitzroy Street, have zero setbacks. Given the prevailing setbacks of these existing buildings, the proposed abuttal of the two street frontages is considered to respect the existing neighbourhood character and make efficient use of the site.
90. The second floor and roof parapet will be set back from both street frontages, with these levels raked to a total of 1.3m from the respective facades (these setbacks are not dimensioned on all drawings).

These details will be required via a permit condition, if a permit is to issue). This setback references the articulation provided within the upper levels of the development to the east, and allows the double-storey facades to maintain their prominence within both streetscapes. The objective of the Standard is met.

*B7 – Building height objective*

91. Pursuant to Clause 32.04-10, a building must not be constructed that exceeds the maximum building height specified in a schedule to this zone. It is noted that there is no maximum building height specified in the schedule to the MUZ.
92. The original design proposed a four-storey development, with roof terraces. Urban Design advice provided for the original design included the following comments;
  - (a) *Viewed from the northwest, the proposal is significantly taller than the adjoining house at 64 Cecil St, which has an open space behind the retained single-storey wall which acts as its front fence. The top of the proposed 2-storey blank side wall will be visible, as will the two metal-clad levels above, which are set back 1.25m from the west boundary. This interface would be improved by deleting a level from Townhouse 1, and the resultant 3-storey height would be more consistent with other residential developments in the vicinity, including those to the immediate east and south*
93. The amended design incorporated this advice into the revised scheme, with a level deleted not only from Townhouse 1, but from the entire development. The 1.25m setback of the second floor and roof terrace from the western boundary was maintained. This alteration has created a more sympathetic transition in height with the dwellings to the west, particularly as the highest element of the roof terrace will be set back 6.5m from the front (Cecil Street) boundary. This will allow for a single-storey transition to the double-storey built form to the west, and creates an acceptable graduation in height from the triple-storey buildings to the east and south.
94. The amended design is considered to be consistent with the provisions outlined above and the Standard is met.

*B8 – Site coverage objective*

95. The development will be constructed to encompass 100% of the site, thereby exceeding the 60% coverage recommended by the standard. The existing building covers approximately 94% of the land. Surrounding development, in particular the converted warehouse buildings within proximity to the site also cover a significant portion of adjacent land, as demonstrated in the image below. Given the existing context, this outcome is acceptable.



*B9 – Permeability objectives*

96. The development will provide no on-site permeability, given the 100% built form coverage proposed. Currently there is extremely limited on-site permeability, with the existing building covering the majority of the site.
97. To alleviate the shortfall in permeable surfaces, each dwelling will be provided with a 2,000L rainwater tank to manage stormwater impacts, with the ESD Report indicating that these tanks will be connected to toilets within each dwelling and a STORM rating of 149% will be achieved. This STORM rating is based on the original scheme, which proposed four dwellings and four tanks, however the Applicant has confirmed that a similar figure can be achieved with the new design. To ensure consistency, a notation confirming that the rainwater tanks will be connected to toilets should be included on the floor plans, and an amended STORM report (with a minimum rating of 100%), should be provided. These requirements can be facilitated via a condition, should a permit be issued.

*B10 – Energy efficiency objectives*

98. The proposal will achieve a good level of energy efficiency, with the ESD report describing the following features to be incorporated into the design;
- (a) Each dwelling will be provided with an underground rainwater tank (2,000L capacity), with the ESD report and a permit condition ensuring that these tanks will be connected to toilets within the development;
  - (b) The development will achieve an average of 6.6 stars;
  - (c) Energy efficient mechanical equipment will be used throughout, with ceiling fans used in some habitable rooms to negate the need for air-conditioning;
  - (d) Water efficient appliances will be provided;
  - (e) Natural ventilation and daylight will be provided to all habitable rooms;
  - (f) The garage doors will contain openings to allow for natural ventilation from these spaces;
  - (g) Internal or external clothes drying lines will be installed;
  - (h) Double-glazed windows will be used for all habitable rooms to improve thermal performance, with internal blinds used to prevent solar glare;
  - (i) Internal space for bicycle storage will be provided at ground level for each dwelling;
  - (j) Provision for electric car charging will be provided within each garage.
99. To ensure these measures are provided, the following features will be required to be notated or demonstrated on the plans via permit conditions, if a permit is to issue.
- (a) The openings within the garage doors;
  - (b) External clothes drying lines (with an external option preferable to internal as it is more effective for drying clothes with less impact on the overall energy consumption of the dwelling. The roof terraces provide space for these features);
  - (c) Bicycle storage for each dwelling; and
  - (d) Provision for electric car charging within each garage.
100. It is not considered that the energy efficiency of adjacent sites will be unreasonably impacted by the proposed development. Overshadowing to areas of SPOS within sites to the south & south-west will be discussed in detail later within this assessment.
101. On this basis, the proposed development satisfies the requirements of Clause 22.16 (Stormwater Management) and Clause 22.17 (Environmentally Sustainable Development) of the Scheme.

*B11 – Open space objective*

102. This standard does not apply as no public or communal open space is proposed.

*B12 – Safety objective*



103. The dwelling entrances are clearly visible along Fitzroy Street, with sliding security gates located in front of each individual entrance and a transitional space provided for each dwelling. The permeable design of the breeze blocks will provide views to these spaces from the footpath. The Standard will be met.

*B13 – Landscaping objectives*

104. There is no landscaping proposed on site, with the limited degree of vegetation within the existing front setback to be removed. There is no landscaping evident within the residential development to the east, however there is some landscaping provided within the front setback to the west, with visible vegetation within areas of SPOS to the south of the site (at the rear).
105. Whilst landscaping is not a predominant characteristic in the immediate mixed-use area, the provision of some vegetation may assist in softening the built form response to the street. Planter boxes located behind the breeze blocks, in front of each dwelling entrance addressing Fitzroy Street could assist in achieving this outcome. A condition, if a permit is issued, can ensure this occurs.
106. Further planting to the roof terraces, if visible from both streetscapes, would also assist in incorporating some vegetation onto the site and providing a softened response. This will be discussed in more detail within Standard B22 – Overlooking, of this assessment.

*B14 – Access objectives*

107. This standard seeks to ensure that the number of vehicle crossovers respects the character of the street, whilst maximising the retention of on-street car parking spaces. The proposed development seeks to provide three new vehicle crossings on Fitzroy Street. As parking is prohibited on the western side of this street, no on-street car parking spaces will be affected by these works.
108. The original proposal, which involved the construction of four vehicle crossovers along this streetscape, was referred internally to Council Engineers, who raised no objection to these works. The reduction to three crossovers will subsequently result in less disruption to the street and continues to be an acceptable outcome.
109. Crossovers are a relatively common characteristic within this section of Fitzroy Street, with a double and single crossing accessing the building to the east and a double crossover providing vehicle access to the townhouse to the south.
110. Advice from Council Engineers confirmed that the submitted swept path diagrams using the B99 design vehicle satisfactorily demonstrate vehicle movements into and out of the garages. In addition, the development allows adequate access for service, emergency and delivery vehicles.
111. The only issues raised relate to the location of an existing grated side entry pit and telecommunications pit in the area of the new vehicle crossing for Townhouse 1. In addition, a parking sign requires relocation. Council Engineers have provided conditions that must be met to accommodate this new vehicle crossing and the relocation of infrastructure. These conditions will be incorporated into a planning permit, should one be issued.

*B15 – Parking location objectives*

112. The on-site car parking spaces for the three dwellings will be provided in car-stacker units, with a transitional vehicle space provided on-site in front of each stacking system. The car stacker device to be used for this development is the Wöhr Parklift 450-195. The device has a pit length of up to 5.4m and a usable platform width of 2.6m, with Council Engineers confirming that the device can comfortably accommodate B85 design vehicles.

The stacker device contains platforms with vehicle clearance heights of 1.8m and satisfies *Design standard 4: Mechanical parking*.

- 113. The swept path diagrams also satisfactorily demonstrate vehicle turning movements into and out of the stacker platforms using the B99 design vehicle.
- 114. The car spaces are conveniently located and secure, with the design of the garage doors providing openings to allow for natural ventilation. A condition of the permit requires these openings to be shown on the plans. The objective of the Standard is met.

*B17 – Side and rear setbacks objective*

*Western setback*

- 115. The setback from the western boundary is outlined below;

Wall location	Wall height	Setback required	Setback provided	Complies?
Second floor/roof terrace	Maximum 13.3m	8.39m	1.25m	No

- 116. The setback of these upper levels does not comply with the Standard; however the majority of the new development directly abuts a double-storey wall extending along the shared boundary. This will limit unreasonable amenity impacts to the western site.
- 117. The SPOS associated with the dwelling to the west is located at the front of this site, with an existing double-storey wall already extending along the interface with this space. The height of the existing wall (approximately 7.4m) will be replicated by the new boundary wall. The section of wall directly opposite this open space will extend in height to 10.35m, with a glazed balustrade above, extending along the western boundary of the roof terrace. If a permit is to issue, amended plans will be required to confirm that this balustrade is composed of glazing.
- 118. The scale of the 7.4m high double-storey wall along the western boundary will inhibit a significant degree of visibility from the adjacent SPOS to the higher section of wall above. The clear balustrade will also alleviate visual impacts to this space.
- 119. The setback of the stairway access and lift core associated with the roof terrace of Dwelling 1 from the front boundary will ensure that none of these higher structures will be directly opposite the SPOS. This will further alleviate unreasonable visual impacts from this space and the objective of the Standard will be met.

*Southern elevation*

- 120. The setbacks from the southern boundary are outlined below.

Wall location	Wall height	Setback required	Setback provided	Complies?
Second floor/roof terrace	12m	7.09m	1.3m	Yes

- 121. The raked design of the second-floor mirrors the design provided to the existing southern townhouse, as can be seen in the image below, although the existing setback of this townhouse appears to be less than that proposed for this application. Whilst this setback does not comply with the Standard, there are no sensitive interfaces directly to the south, with this wall adjacent to the laneway and not addressing any windows within the second floor of the southern dwelling. The setback provided will allow for a double-storey wall to directly abut the laneway, which is considered to be an appropriate outcome given the prevalence of surrounding double-storey walls and the character of the laneway. The raked design will alleviate visual impacts from the south and the objective of the Standard is met.



*B18 – Walls on boundaries objective*

*Western boundary*

122. To comply with this standard, any new wall constructed along the western boundary should not exceed 13.75m in length. The standard also notes that the average wall height should not exceed 3.2m, with no part higher than 3.6m unless abutting a higher existing or simultaneously constructed wall.
123. The development proposes a 7.4m high double-storey wall along the full length of this boundary. This wall will replace an existing double-storey wall of an equivalent height, with another existing wall also extending along the boundary associated with the dwelling to the west. The only area of wall that will not abut the existing wall is at the northern end of the land, with this wall directly adjacent to SPOS to the west. As an existing double-storey wall currently abuts this SPOS, no additional impacts will occur and the objective of the Standard will be met.

*Southern boundary*

124. A double-storey wall (7.4m above NGL) will extend along the full length of the southern boundary. This wall will replace an existing double-storey wall along this boundary (with the existing wall approximately 6.4m high). Given the existing built form along this interface, and the characteristic of double-storey boundary walls immediately to the south and east of the site, this outcome is acceptable. It is not anticipated that the boundary wall will result in any unreasonable impacts to adjacent sites and the objective of the Standard will be met.

*B19 – Daylight to existing windows objective*

125. There are a number of windows addressing the subject site within the residential building to the east; this building is separated by Fitzroy Street for a distance of 10m. The majority of these windows are located at first and second floors. The distance and elevated height of the windows ensures that no unreasonable loss of daylight will occur and the Standard will be met.

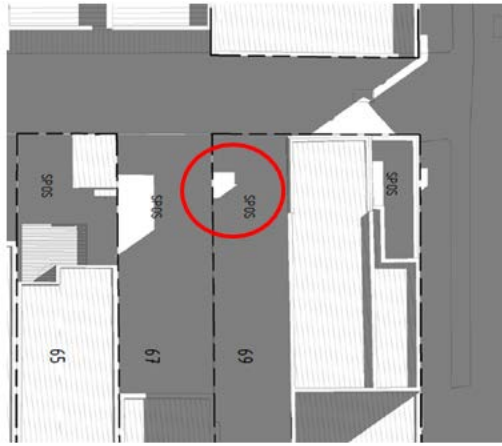
126. There are four windows within the townhouse to the south. These windows are located at ground and first-floor and are separated from the subject site by a 3.8m wide laneway. The separation provided by the laneway will ensure that all of these windows will continue to have access to a minimum area of 3sqm and minimum dimension of 1m clear to the sky, as per the first part of Standard B19.
127. Floor plans for this southern dwelling indicate that these windows are associated with bedrooms/bathrooms at ground floor, and living areas at first-floor. The plans also indicate that the ground floor bedroom also has access to an east-facing window, with the first-floor living space also provided with east and west-facing windows.
128. The maximum height of the wall opposite these windows will be 12.2m, with this wall set back a total of 5.1m from the windows. For the second part of the Standard to be met for the ground floor windows, a setback of 6.1m should be provided. For the first-floor windows, this setback would reduce to approximately 4.5m (based on the first-floor of the adjacent dwelling being 3m above NGL). In this instance, whilst the ground-floor windows do not meet this Standard, the outcome is acceptable based on the following;
  - (a) The two ground floor windows are limited in size, with the western-most window associated with a bathroom (non-habitable room);
  - (b) As can be seen in the image on the previous page, the rooms associated with these windows have access to larger light source within the eastern wall of the dwelling;
  - (c) The windows are currently directly opposite a 6.4m high wall associated with the existing building on the subject site;
  - (d) It is not anticipated that an additional section of wall above this existing height will result in unreasonable impacts to daylight, with the existing context already inhibiting daylight (and direct solar access) to these windows.
129. On this basis, the objective of the Standard is met.

*B20 – North-facing windows objective*

130. The laneway along the southern boundary of the site is 3.8m in width; therefore this Standard does not apply to the four north-facing windows within the townhouse to the south. Loss of daylight to these windows has been discussed in Standard B19.

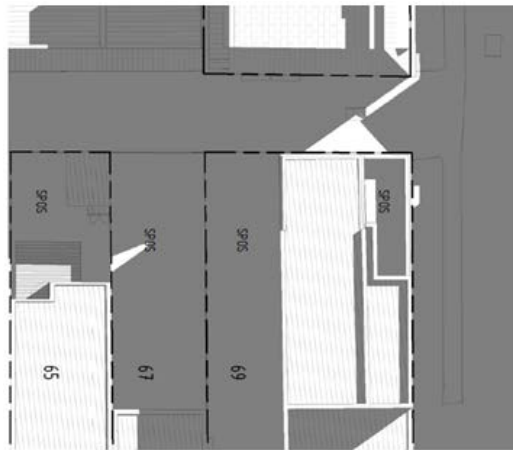
*B21 – Overshadowing open space objective*

131. The shadow diagrams demonstrate that additional overshadowing will affect three sites to the south-west at 9am, with these impacts reducing throughout the day and falling largely within the Fitzroy Street road reserve by 3pm.
132. The most significantly impacted site would be No. 69 Westgarth Street, with an area of SPOS entirely in shadow at 9am of the September equinox. However, the first image below demonstrates the existing shadow conditions in this site, with the majority of this land already shadowed at this time. The red circle indicates the existing area not in shadow.



*Existing shadows at 9am*

133. The image below indicates that the entire site will be in shadow at 9am, with shadows increasing slightly within the two sites further to the south-west.



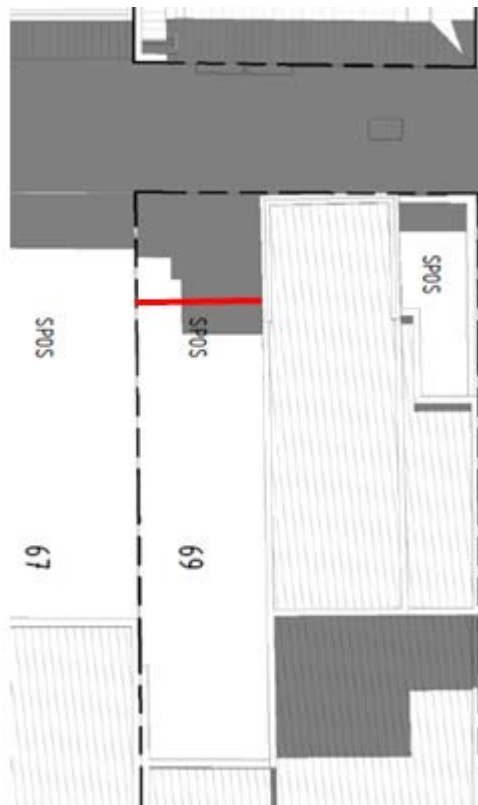
134. However, the shadow diagrams do not depict the correct layout of the land at No. 69 Westgarth Street, with a recessed garage door set back from the adjacent laneway. This is evident within the aerial image below. The garage door is circled in red.



135. When comparing the photograph above to the existing shadow diagram, it is clear that the small area of land not currently in shadow is the area directly adjacent to the garage door.

Being on the northern side of this door, this area is not SPOS. The space immediately to the south of the garage door would already be in shadow at this time.

136. A minor degree of additional overshadowing will affect SPOS further to the south-west at 9am, with these shadows cast within the rear yards of Nos. 65 & 67 Westgarth Street. However shadows will dissipate quickly, with no additional shadows affecting these sites by midday. Given the location of these properties to the west of the subject site, it is likely that any additional shadows will move easterly earlier than that.
137. Additional overshadowing will affect No. 69 Westgarth Street at midday; however as outlined above, the area of space that will be shadowed either sits on the northern side of the garage door, or is located immediately to the south of the garage door and would be largely shadowed at this time. The shadow diagram below indicates the location of shadows at midday within this site, with the red line providing the indicative location of the existing garage door.



138. The area of SPOS of No. 69 Westgarth Street measures approximately 45sqm. At midday, existing shadows fall on the northern side of the existing garage door, with no part of these shadows impacting the area of SPOS. The proposed shadows will increase by approximately 8sqm, with a section of additional shadows cast on the southern side of the garage door. However, as demonstrated in the image above, these shadow diagrams do not include existing shadows cast by the garage door. Given the height of the garage door, it is likely that all new shadows will fall within the existing shadows, and no additional area of SPOS will be impacted at this time.
139. The only remaining area of SPOS to the south that may be impacted is the first-floor balcony also associated with the dwelling at No. 69 Westgarth Street (also referred to as No. 467 Fitzroy Street). As the balcony is elevated and the rear wall of the development is raked away from the balcony at the upper level, the additional shadows in this space will be limited.

140. At 3pm, there will be no additional overshadowing within any adjacent areas of SPOS. The balconies within the residential building on the eastern side of Fitzroy Street are at first or second floor, ensuring that no shadows will extend to these areas.

*B22 – Overlooking objective*

141. The standard states that a habitable room window should be located and designed to avoid direct views into the SPOS of an existing dwelling (or a habitable room window) within a horizontal distance of 9m (measured at ground level). Views should be measured within a 45 degree angle from the plane of the window and from a height of 1.7m above floor level. This Standard does not apply to windows associated with non-habitable rooms (i.e. bathroom, staircase).
142. All views from the north-facing windows associated with Dwelling 1 will fall within the public realm, being oriented towards Cecil Street. There will also be no unreasonable overlooking to the north from the roof terrace of this dwelling.
143. This outcome is similar for easterly views from all dwellings within the development, with the closest habitable room windows and balconies being over 10m away. These are located within the residential building on the eastern side of Fitzroy Street.
144. There are two south-facing windows at first-floor within Dwelling 3, with the 1m height of the roof terrace balustrade also potentially allowing views to the south and south-west. The Applicant has indicated that they are willing to appropriately restrict views to the south, without increasing the height of the roof terrace balustrade, which may increase visual impacts from the adjacent sites. This could be achieved via the installation of a fixed structure (such as a planter box) within the roof terrace of Dwelling 3, to inhibit future occupants from standing directly behind the balustrade and looking downwards. An additional setback of the roof terrace from the southern boundary could also alleviate these concerns. If a planning permit is to issue, a condition could be added to provide these changes.
145. To prevent overlooking into these adjacent windows, the first-floor windows should also be treated with measures to restrict overlooking. If a planning permit is to issue, a condition could be added to provide these changes.
146. All three dwellings have west-facing windows at second-floor, with roof terraces above also allowing a degree of westerly views. The most sensitive areas to the west are the SPOS on the northern side of the adjacent site, and a skylight within the roof of this dwelling. Again, the Applicant has indicated that measures can be incorporated into the roof terrace and windows to inhibit overlooking in accordance with the Standard. As with the southern interface, the measures incorporated into the design of the roof terrace should not increase visual bulk or height. Planter boxes, which would provide a degree of landscaping within the streetscape, or an additional setback of the western balustrade from this boundary, could achieve this objective. If a planning permit is to issue, a condition can be added accordingly.

*B23 – Internal views objective*

147. The location of the lift and stairways will partially restrict views between the roof terraces of each dwelling, with a 1m high balustrade extending along the remainder of each terrace. The objective of this Standard is to limit views into the SPOS of dwellings within a development. To achieve this objective, the balustrades should be a minimum of 1.7m in height, with a maximum transparency of 25%. If a permit is to issue, a condition can ensure this change occurs.

*B24 – Noise impacts objective*

148. Concerns have been raised about potential noise impacts that may be generated by the vehicle stackers at ground level. All three of these stacker units are directly adjacent to the shared boundary wall to the west, with the adjacent dwelling directly abutting this wall. To ensure that no unreasonable noise impacts are generated by this mechanical equipment, an Acoustic Report can be required via a condition if a permit is to issue. This Acoustic Report should highlight the potential noise levels of the vehicle stackers within the abutting dwelling and discuss whether any noise attenuation measures are required. The report should also address the potential for internal noise impacts to the bedrooms within the level above the proposed stackers.
149. Other noise generated by the new dwellings will be residential in nature; it is not considered that the proposed development of the site will generate unreasonable noise impacts on surrounding sites. The Scheme does not include reference to applicable noise control legislation, instead the *Environment Protection (Residential Noise) Regulations 2008* is the relevant legislation regarding residential noise impacts and how they can be controlled.

*B25 – Accessibility objective*

150. Due to the location of the dwellings within the SBO, higher finished floor levels are required to alleviate impacts from potential flooding, therefore steps will be required between the footpath level and the ground level of all dwellings. This is unavoidable based on this requirement. However, lifts are provided within each dwelling, providing access for people with limited mobility to the upper levels. The Standard will be met.

*B26 – Dwelling entry objective*

151. A degree of shelter and transitional space will be provided around the entrances to each dwelling, with these entrances clearly visible within the Fitzroy Street frontage. The Standard will be met.

*B27 – Daylight to new windows*

152. All new habitable room windows will receive adequate daylight in accordance with the Standard, being oriented to face an outdoor space clear to the sky with a minimum area of 3sqm and minimum dimension of 1m. Bedroom 3 of Dwelling 2 will address a small light court (3sqm), ensuring that adequate daylight will access this space.
153. The ground floor multi-purpose rooms will have windows addressing the covered verandah above each dwelling entrance. Whilst daylight to these rooms will be restricted, given they are not a principal living area this outcome is acceptable. The objective of the Standard will be met.

*B28 – Private open space objective*

154. Each dwelling will have access to a roof terrace, ranging in size from 52sqm to 62sqm. These terraces will be directly accessible from the principal habitable living spaces in the level below via stairs and lifts. The size and location of these terraces are considered acceptable, with the objectives of the Standard met.

*B29 – Solar access to open space objective*

155. Direct solar access will be available to the roof terraces of the three townhouses, ensuring that the Standard is met.

*B30 – Storage objective*

156. Each dwelling will be provided with 6 cubic metres of secure storage at ground level, ensuring that the Standard is met.



*B31 – Design detail objective*

157. The proposed development is contemporary in design and incorporates modern materials, whilst the use of face brickwork references more traditional materials used in the area. The materials have been articulated to provide a visually interesting response, with the use of breeze blocks also providing a design detail that integrates well with the predominant brick finish of the façade. The objective of the Standard is met.

*B32 – Front fences objective*

158. There is no front fence proposed.

*B33 – Common property objective*

159. There is no common property proposed as part of the development.

*B34 – Site services objectives*

160. Enclosed bin storage areas and individual mail boxes will be provided for each dwelling within the Fitzroy Street frontages, ensuring that the Standard is met. The ground floor plans indicate that outward opening doors will access the bin storage spaces; this may create obstruction issues on the Fitzroy Street footpath and is not supported. To increase pedestrian safety, alternative designs can be required for these doors via a permit condition, if a permit is to issue.

Heritage

161. The relevant purpose of the Heritage Overlay is to ensure that development does not adversely affect the significance of heritage places. The subject site is included in HO334, which applies to the South Fitzroy Heritage Precinct. The site is identified as 'not-contributory' within this precinct. Clause 22.02 articulates Council's local planning policy in relation to development guidelines for sites subject to the heritage overlay.

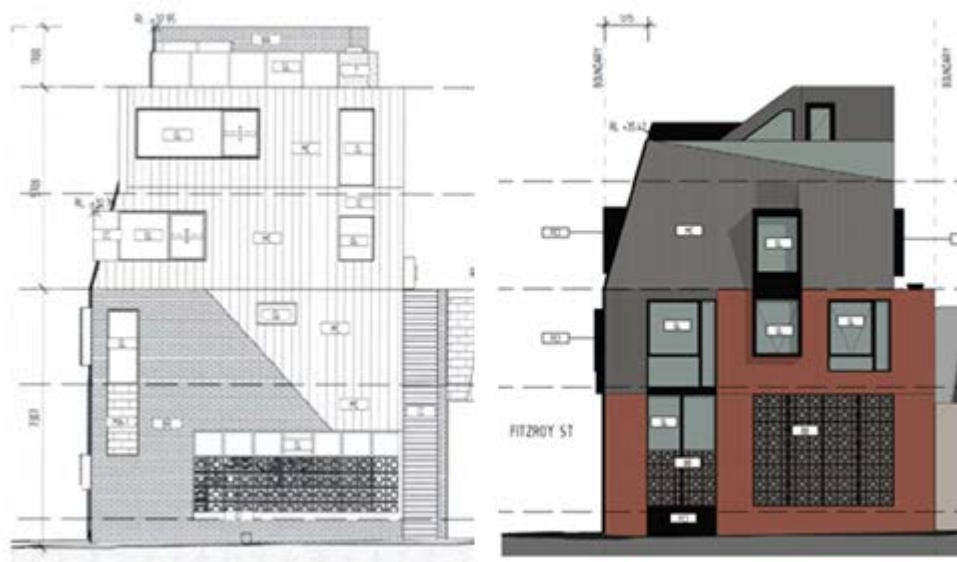
*Demolition*

162. In accordance with Clause 22.02-5.1 of the Yarra Planning Scheme, full demolition of the subject building may be supported as the property has been identified as being 'not-contributory' to the South Fitzroy Heritage Precinct.

*Buildings and works*

163. The key heritage consideration for assessing the proposed works is whether the development will adversely affect the significance, character or appearance of the broader heritage precinct, with objectives at Clause 22.02-4 aiming to preserve the scale and pattern of streetscapes in heritage places and ensuring that additions and new works to a heritage place respect the significance of the place. The proposed setbacks, height and design details associated with the development are the appropriate ways in which to assess whether these objectives have been met.
164. The proposed front setback for the new development at ground level will be zero metres from both street frontages, with the southern wall also abutting the laneway at the rear. Clause 22.02-5.7.1 of the Scheme encourages setbacks from the principal street frontage to be similar to those of adjoining contributory buildings, and where there are differing adjoining setbacks, the greater setback will apply.

165. Front setbacks of the adjacent non-contributory former warehouse properties are also zero metres, with contributory dwellings further to the west having minor front setbacks. Given that the immediate context consists of former industrial buildings (now converted) constructed directly to the street frontages, the proposed zero setbacks are considered appropriate.
166. There are minor setbacks from all boundaries proposed at the upper levels. Council's Heritage Advisor noted that these setbacks are appropriate, given they are similar to the setbacks of the uppermost levels of Nos. 467 and 494 Fitzroy Street (to the south and east of the subject site). This outcome is acceptable.
167. Clause 22.02-5.7.1 encourages new development to respect the pattern, rhythm, orientation to the street, spatial characteristics, fenestration, roof form, materials and heritage character of the surrounding historic streetscape. In this instance, the proposed roof form for the new development will be flat. As this is consistent with the other originally non-residential roof forms of the adjacent properties in the area, this outcome is acceptable.
168. A contemporary design approach has been adopted for the proposed new building. This approach is acceptable provided that adequate respect is given to the heritage character of the surrounding area through details such as external materials, proportions and fenestration. Initial concerns regarding these elements were raised by Council's Heritage Advisor, who was not supportive of the original proposal, recommending the following changes to be made to the design;
- (a) *The height of the proposed new building must be reduced to three-storeys or generally similar to the heights of the adjacent developments (maximum RL 33.5);*
  - (b) *The proposed Cecil Street façade of the new building must be modified to be more interactive with the street, using the fenestration of the existing building as a design reference;*
  - (c) *The extent of decorative grille proposed for the Cecil Street facade must be reduced in prominence;*
  - (d) *The colours of the proposed external materials must be reflective of the predominant colours in the vicinity and must be submitted and approved prior to the commencement of works;*
169. The amended design reduced the height of the development to three storeys, with the modified height generally similar to the existing built form heights to the east and south. Whilst the maximum RL level outlined in the heritage advice has been exceeded, this outcome is acceptable, with the lower height adequately referencing the scale of the adjacent multi-level buildings and providing for a transition in height along both streetscapes.
170. The appearance of the Cecil Street frontage was amended to create a more interactive interface with the street, with additional openings provided and the design modified to appear more as a façade. Whilst breeze blocks continued to be utilised in the design, this outcome is considered acceptable and provides a degree of visual interest to this wall. The images below show the original and amended design respectively and clearly demonstrate the changes incorporated into the Cecil Street façade.



171. The colours of the development were amended, with the revised design incorporating a lighter colour scheme than the original proposal, thereby becoming more reflective of the predominant colours and materials within the neighbourhood, and integrating better with the existing heritage streetscape.
172. Overall, the amended proposal appropriately responds to the particular requirements contained within Clause 22.02 of the Scheme, and is an acceptable response to new built form within the South Fitzroy Heritage Precinct.

Objector concerns

173. Concerns raised in the objections have either been discussed previously throughout this report, or are addressed below.

(a) *Overdevelopment of the site/excessive height;*

These aspects of the development have been discussed in paragraphs 91 to 95 of this assessment.

(b) *Potential off-site amenity impacts (overshadowing, loss of daylight to windows/skylights, overlooking, noise from car stackers and noise from the roof terraces)*

These aspects of the development have been discussed in paragraphs 91 to 95 of this assessment.

(c) *Loss of existing use of the building as an arts space;*

The use of the land for dwellings is an 'as-of-right' use within the Mixed Use Zone, with no planning permit required for this use.

(d) *Does not respect the neighbourhood character;*

These aspects of the development have been discussed in paragraphs 73 to 79 of this assessment.

(e) *Does not respect the heritage precinct;*

These aspects of the development have been discussed in paragraphs 162 to 172 of this assessment.

- (f) *Disruption of the Fitzroy Street footpath due to vehicle crossovers;*

These aspects of the development have been discussed in paragraphs 107 to 111 of this assessment.

- (g) *Pressure on surrounding car parking resources;*

Each dwelling will be provided with 2 on-site car parking spaces, thereby meeting the statutory requirement of the Yarra Planning Scheme (Clause 52.06). On this basis, an assessment against car parking is not required. However the on-site provision of car spaces for each dwelling will limit any increased requirement for off-street car parking.

- (h) *Reduction of green space in Cecil Street;*

These aspects of the development have been discussed in paragraphs 104 to 106 of this assessment.

- (i) *Increase of traffic impacts.*

The increased traffic associated with three townhouses is not expected to result in unreasonable traffic impacts within the surrounding street networks.

## **Conclusion**

174. The proposal, subject to conditions outlined in the recommendation below, is an acceptable planning outcome that demonstrates compliance with the relevant Council policies. Based on the above report, the proposal complies with the relevant Planning Scheme provisions and planning policy and is therefore supported.

## **RECOMMENDATION**

That having considered all objections and relevant planning policies, the Internal Development Approvals Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN17/0398 for full demolition of the existing building and development of the land for the construction of three dwellings at 66 Cecil Street, Fitzroy, subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans by BG Architecture received by Council on 25 January 2018 but modified to show:
  - (a) The dimensions of all setbacks from site boundaries on relevant floor plans and elevations (second-floor and roof terrace);
  - (b) The breeze blocks & security doors to Fitzroy Street to have a minimum transparency of 50%;
  - (c) The material of the west-facing balustrade to Townhouse 1 to be glazing;
  - (d) The following measures to be shown or notated on the relevant plans, as outlined in the ESD Report;
    - (i) The design of the garage doors to allow for ventilation;
    - (ii) External clothes drying lines;
    - (iii) The location of internal bicycle parking spaces for each dwelling;
    - (iv) The location of the electric car charging points within each garage;

- (v) A notation confirming that the rainwater tanks will be connected to toilets within each dwelling, with an updated STORM report achieving a minimum rating of 100%;
  - (e) An amended design of the bin storage doors, with no outward-opening elements;
  - (f) Amended plans in accordance with the Melbourne Water condition outlined at Condition 10;
  - (g) The provision of planter boxes in front of each entrance to Fitzroy Street (behind the breeze blocks);
  - (h) Compliance with Standard B22 of the Yarra Planning Scheme for the following;
    - (i) First-floor south-facing windows of Townhouse 3;
    - (ii) All west-facing windows;
    - (iii) Southern and western balustrades of roof terraces, with overlooking measures designed to have no increase in the height of these balustrades (i.e. planter boxes/increased setbacks from boundaries);
  - (i) The balustrades between each roof terrace to be minimum heights of 1.7m and maximum transparency of 25%;
  - (i) Any changes to the plans (if any) required by the Acoustic Report at Condition 4.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
  3. The provisions, recommendations and requirements of the endorsed Sustainable Design Assessment (prepared by Low Impact Development Consulting and dated 23 February 2017) must be implemented and complied with to the satisfaction of the Responsible Authority.
  4. Before the development commences, an Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must assess the following:
    - (a) Potential noise impacts to No. 64 Cecil Street generated by the proposed car stacker systems;
    - (b) Potential internal noise impacts to the bedrooms within the development at first-floor.

The Acoustic Report must make recommendations to limit the noise impacts in accordance with the State Environment Protection Policy (Control of noise from industry, commerce and trade) or any other requirement to the satisfaction of the Responsible Authority.
  5. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
  6. Before the building occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
    - (a) at the permit holder's cost; and
    - (b) to the satisfaction of the Responsible Authority.
  7. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
    - (a) in accordance with any requirements or conditions imposed by Council;
    - (b) at the permit holder's cost; and
    - (c) to the satisfaction of the Responsible Authority.
  8. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority.

Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.

9. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.

#### **Melbourne Water condition 10**

10. The finished floor level of townhouse 1 must be the same as for the other two townhouses (i.e. FFL+ 24.05).

#### **Engineering conditions 11-14**

11. Within 2 months of the completion of the development, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated (including by the re-sheeting of the entire Fitzroy Street and Cecil Street footpath and the ROW to the south for the width of the property frontage if required by the Responsible Authority and relocation of the grated pit on Fitzroy Street):
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
12. The footpath cross-fall must be no steeper than 1 in 40.
13. The pram crossing on the south-west corner of the Cecil Street and Fitzroy Street intersection (in front of the property) must be reconstructed and made DDA compliant;
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
14. Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and meters. No private pits, valves or meters on Council property will be accepted.
15. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the car stackers must be installed in accordance with the manufacturer's specifications by a suitably qualified person. The car stackers must be maintained thereafter to the satisfaction of the Responsible Authority.
16. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
  - (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
  - (b) works necessary to protect road and other infrastructure;
  - (c) remediation of any damage to road and other infrastructure;
  - (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
  - (e) facilities for vehicle washing, which must be located on the land;
  - (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
  - (g) site security;
  - (h) management of any environmental hazards including, but not limited to,:
    - (i) contaminated soil;
    - (ii) materials and waste;
    - (iii) dust;
    - (iv) stormwater contamination from run-off and wash-waters;
    - (v) sediment from the land on roads;

- (vi) washing of concrete trucks and other vehicles and machinery; and
  - (vii) spillage from refuelling cranes and other vehicles and machinery;
  - (i) the construction program;
  - (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
  - (k) parking facilities for construction workers;
  - (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
  - (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
  - (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
  - (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
17. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
  - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
  - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
18. This permit will expire if:
- (a) the development is not commenced within two years of the date of this permit; or
  - (b) the development is not completed within four years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or within twelve months afterwards for completion.

NOTES:

This site is subject to a Heritage Overlay. A planning permit may be required for any external works.

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5585 for further information.

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5585 to confirm.

The site is located within an Environmental Audit Overlay. Pursuant to Clause 45.03 of the Yarra Planning Scheme, the requirements of the Environmental Audit Overlay must be met prior to the commencement of development permitted under the permit.

All future property owners, residents and visitors within the development approved under this permit will not be permitted to obtain resident, employee or visitor parking permits.

In accordance with the Yarra Planning Scheme, a 4.5 per cent public open space contribution will apply in the event of the subdivision of the land.

A vehicle crossing permit is required for the construction of the vehicle crossings. Please contact Council's Construction Management Branch on 9205 5585 for further information.

**CONTACT OFFICER:** Lara Fiscalini  
**TITLE:** Senior Statutory Planner  
**TEL:** 9205 5372

**Attachments**

- 1 PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans
- 2 PLN17/0398 - 66 Cecil Street Fitzroy - Heritage advice
- 3 PLN17/0398 - 66 Cecil Street Fitzroy - Engineering comments
- 4 PLN17/0398 - 66 Cecil St Fitzroy - Urban Design referral comments final
- 5 PLN17/0398 - 66 Cecil Street, Fitzroy - ESD Referral comments
- 6 PLN17/0398 - 66 Cecil Street, Fitzroy - MW referral comments
- 7 PLN17/0398 - 66 Cecil Street, Fitzroy - WMP referral comments



## Attachment 1 - PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans

### STATEMENT OF CHANGES SECTION 57A SUBMISSION

#### Planning Permit Application No. PLN17/0398 – 66 Cecil Street, Fitzroy

Further to our recent discussions and meetings we have prepared amended drawings that respond to council and neighbour concerns.

The major general changes can be summarised as follows:

- The number of townhouses has been reduced from 4 to 3
- The number of levels have been reduced from 4 to 3

We have detailed the summary of changes for each drawing that was originally advertised as follows:

#### TP002 – DESIGN RESPONSE

1. Reduction in overall height by one level.
2. Reduction in number of townhouses from 4 to 3.
3. Reduction in number of crossovers from 4 to 3.
4. Extent of brickwork, metal cladding and window configuration has been amended to suit the modified design

#### TP004 – EXISTING & PROPOSED STREETScape ELEVATIONS

5. Area schedule has changed to reflect the reduction in the number of townhouses from 4 to 3
6. Reduction in overall height by one level.
7. Extent of brickwork, metal cladding and window configuration has been amended to suit the modified design.

#### TP005 – EXISTING & PROPOSED STREETScape ELEVATIONS

8. Reduction in overall height by one level.
9. Extent of brickwork, metal cladding and window configuration has been amended to suit the modified design.

#### TP100 – GROUND FLOOR PLANS

10. Reduction in the number of townhouses from 4 to 3
11. Reduction in number of crossovers from 4 to 3.
12. Laundry relocated to First Floor and bathroom introduced on Ground Floor.
13. Entrances incorporate a secure porch to manage privacy and improve the sense of address to the frontages on Fitzroy Street.

#### TP101 – LEVEL 1 FLOOR PLAN

14. Reduction in the number of townhouses from 4 to 3
15. An additional bedroom and bathroom to each townhouse on this level.
16. One central courtyard terrace to the central townhouse 2 only.
17. Laundries located on this level.

**Attachment 1 - PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans**

TP102 – LEVEL 2 FLOOR PLAN

18. Reduction in the number of townhouses from 4 to 3.
19. Master Bedroom Level has been removed and main living zone has been introduced to Level 2.
20. Minor adjustments to kitchen layouts and window configuration to suit the modified design.

TP103 – ROOF FLOOR PLAN

21. Reduction in the number of townhouses from 4 to 3.
22. Stair enclosed to Roof Terrace and Lifts proposed to go to this level.

TP200– NORTH ELEVATION

23. Reduction in overall height by one level.
24. Extent of brickwork, metal cladding and window configuration has been amended to suit the modified design.

TP300– SECTION A

25. Reduction in the number of townhouses from 4 to 3
26. Reduction in overall height by one level.
27. Window configuration has been amended to suit the modified design.

TP301– SECTION B & C

28. Reduction in overall height by one level.
29. Window configuration has been amended to suit the modified design.

TP401 – SHADOW DIAGRAMS

30. Reduction in overall shadow cast at 9 AM based on the reduction in height by one level.

TP403 – SHADOW DIAGRAMS

31. Reduction in overall shadow cast at 12 PM based on the reduction in height by one level.

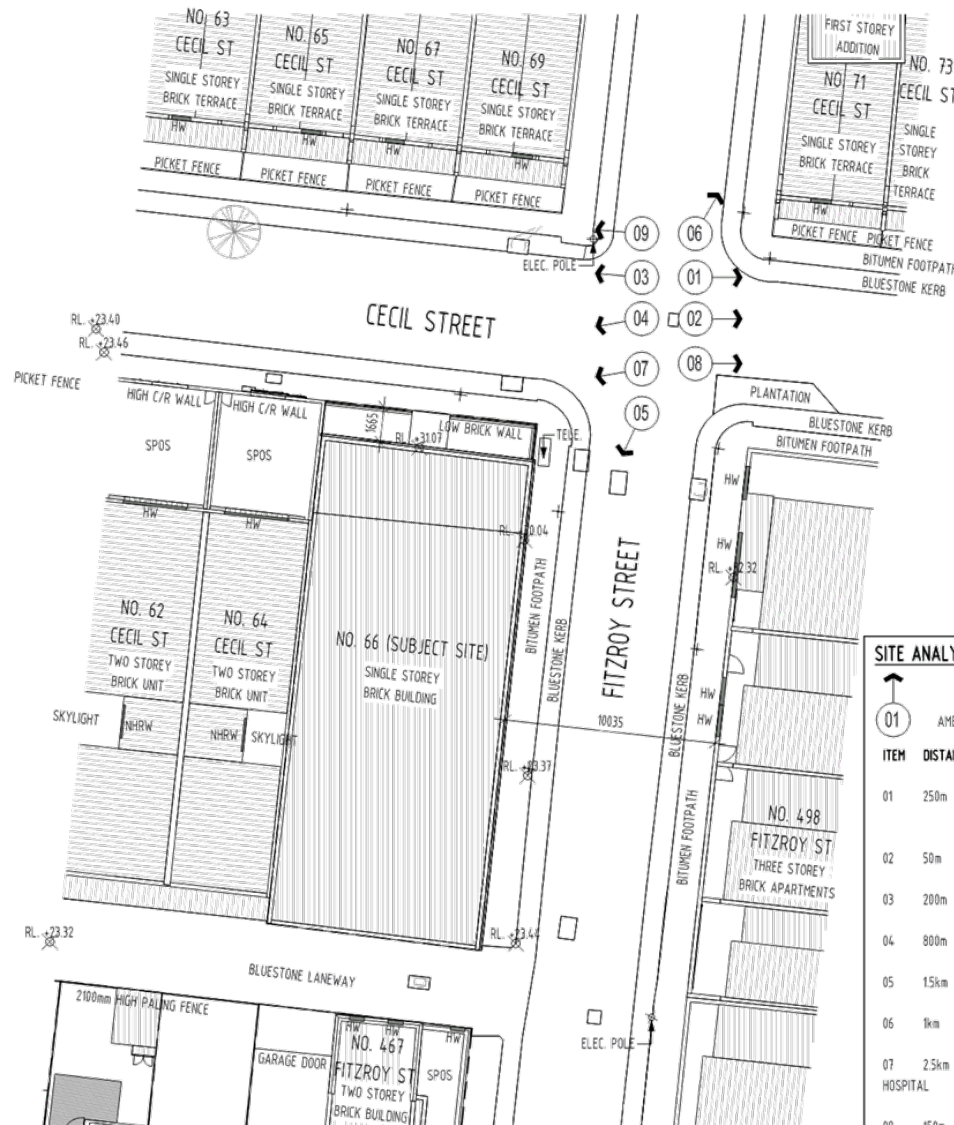
TP405 – SHADOW DIAGRAMS

32. Reduction in overall shadow cast at 3 PM based on the reduction in height by one level.

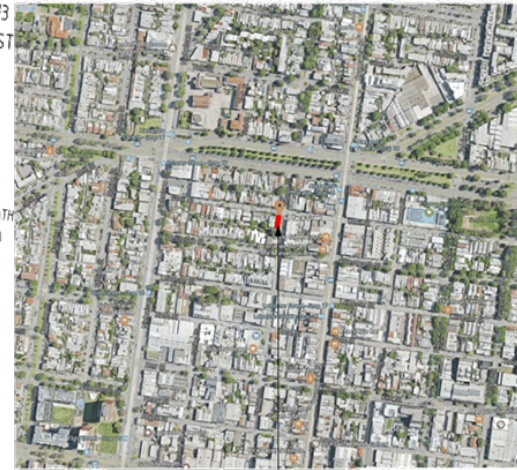
TP500 – MATERIALS SCHEDULE

33. Reduction in the number of townhouses from 4 to 3
34. Reduction in overall height by one level.
35. Extent of brickwork, metal cladding and window configuration has been amended to suit the modified design.

Attachment 1 - PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans



1 EXISTING SITE PLAN  
1 : 200



SUBJECT SITE SHOWN SHADED  
LOCALITY PLAN

FOR APPROVAL

22.01.18		SECTION 57A SUBMISSION - REFER TO STATEMENT OF CHANGES	
DATE	REV	DETAILS	INIT

**SITE ANALYSIS AND EXISTING CONDITIONS NOTES**

ITEM	DISTANCE	AMENITY	NOTES
01		AMENITY NOTATION AND DIRECTION INDICATOR	01
01	250m	FITZROY SWIMMING POOL & SMITH RESERVE	56.00 RL DENOTES RIDGE HEIGHT
02	50m	BRUNSWICK ST. SHOPPING STRIP	56.00 RL DENOTES ROOF HEIGHT GUTTER
03	200m	NICHOLSON ST. SHOPPING STRIP	+56.00 RL DENOTES SPOT SURVEY LEVEL TO AHD
04	800m	CARLTON BATHS	P.O.S. DENOTES PRIVATE OPEN SPACE
05	1.5km	MELBOURNE MUSEUM	2000 DENOTES EXISTING SETBACKS FROM PROPERTY BOUNDARIES
06	1km	EDINBURGH GARDENS	
07	2.5km	THE ROYAL MELBOURNE HOSPITAL	
08	150m	ALEXANDRA PARADE/ BRUNSWICK ST. TRAM No. 11	
09	250m	PRINCESS ST. TRAM No. 96	

13 martin street | kilda  
telephone +613 9525 3390  
email bgarch@bgarch.com.au

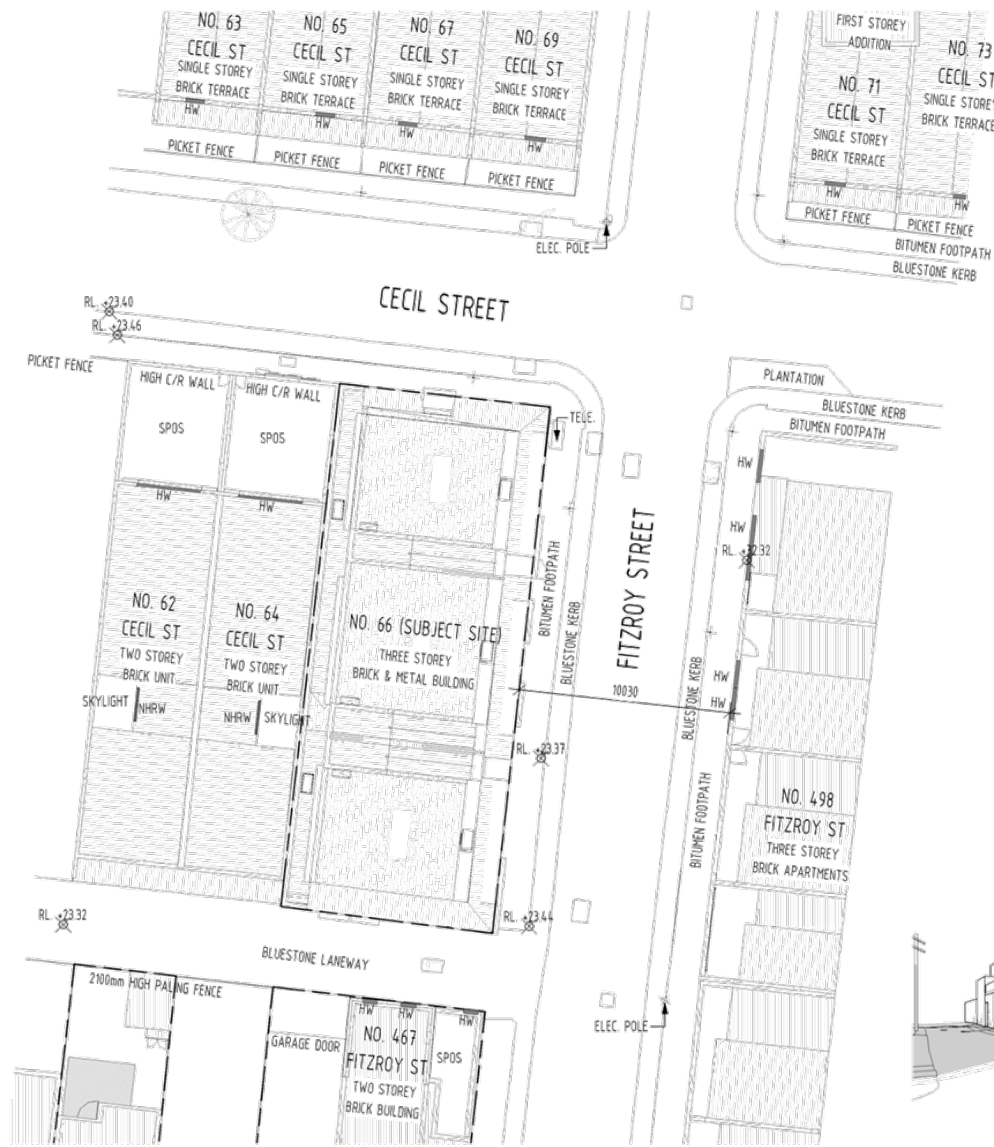
victoria 3182 australia  
facsimile +613 9525 4280  
www.bgarchitecture.com.au

**PROJECT**  
3 TOWNHOUSES  
66 Cecil St, Fitzroy VIC 3065

**DRAWING**  
SITE ANALYSIS

SCALE	As indicated	DATE	Issue Date
DRAWN	(A3) JM	CHECKED	AG
JOB NUMBER	16-26		
DWG NUMBER	TP001		
PLOT DATE	22/01/2018 2:31:40 PM		

Attachment 1 - PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans



1 PROPOSED SITE PLAN  
1: 200

DEVELOPMENT SUMMARY	
SITE AREA	253m <sup>2</sup>
GROSS BUILDING AREA	253m <sup>2</sup>
SITE COVERAGE	100%
PERMEABLE AREA	0%
NO. OF THREE BEDROOM TOWNHOUSES	3
STORAGE (6m <sup>3</sup> )	3

FOR APPROVAL

DATE	REV	DETAILS	INIT
22.01.18	-	SECTION 57A SUBMISSION - REFER TO STATEMENT OF CHANGES	



**bg architecture**

13 martin street at kilda victoria 3182 australia  
 telephone +613 9525 3390 facsimile +613 9525 4280  
 email bgarch@bgarch.com.au www.bgarchitecture.com.au

**PROJECT**  
**3 TOWNHOUSES**  
 66 Cecil St, Fitzroy VIC 3065

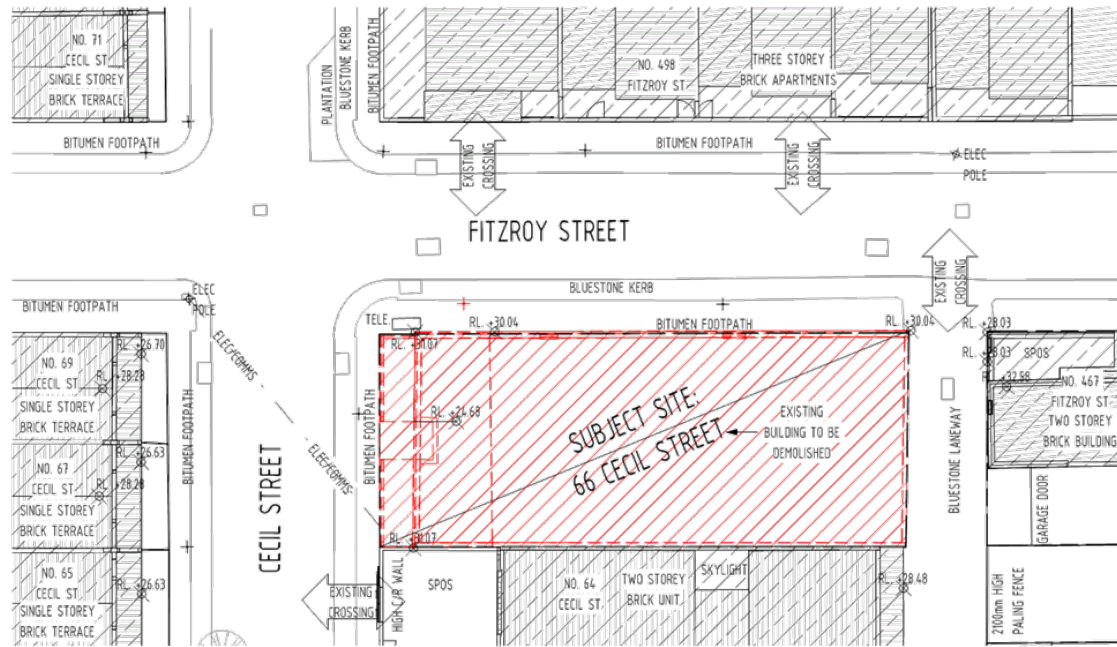


**DRAWING**  
**DESIGN RESPONSE**

SCALE	As indicated	DATE	Issue Date
DRAWN	(A3) JM	CHECKED	AG
JOB NUMBER	16-26		
DWG NUMBER	TP002		
PLOT DATE	22/01/2018 2:32:03 PM ©		



Attachment 1 - PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans



1 DEMOLITION PLAN  
SK002 1 : 200

**DEMOLITION - GENERAL NOTES**

DEMOLISH AND REMOVE ALL STRUCTURES, PAVING AND UNDERGROUND STRUCTURES AND SERVICES FROM SITE TO PRODUCE A CLEAN SITE.

THE CONTRACTOR IS RESPONSIBLE FOR REMOVAL OF ALL DEMOLISHED MATERIALS AND DEBRIS FROM SITE.

THE CONTRACTOR IS RESPONSIBLE FOR THE REMOVAL OF ALL UNDERGROUND STRUCTURES AND SERVICES AND THE LEVELLING OF THE SITE AFTER REMOVAL.

THE CONTRACTOR IS TO ALLOW TO REMOVE TREES AS NOTED & MAKE GOOD ALL SURROUNDING SURFACES.

THE CONTRACTOR IS TO ENSURE THAT DEMOLITION SEQUENCE IS IN ACCORDANCE WITH THE RELEVANT OCCUPATIONAL HEALTH & SAFETY REQUIREMENTS.

THE CONTRACTOR IS TO TERMINATE ALL ELECTRICAL, GAS & HYDRAULIC SERVICES AT MAINS PRIOR TO COMMENCEMENT ON SITE. CAP ALL SERVICE CONNECTIONS AS REQUIRED. CONFIRM LOCATION OF ALL SERVICES PRIOR TO DEMOLITION.

REMOVE ALL REDUNDANT SERVICES, ASSOCIATED PIPEWORK, WIRING & FIXTURES. ENSURE ALL EQUIPMENT IS REMOVED & MADE SAFE.


CONTRACTOR TO DETERMINE LOCATIONS OF ALL UNDERGROUND SERVICES PRIOR TO COMMENCEMENT ON SITE AND NOTIFY ARCHITECT IF ANY DISCREPANCIES OR SERVICE DISRUPTIONS TO ADJACENT PROPERTIES WILL OCCUR.

CONTRACTOR TO NOTIFY ARCHITECT IF THE DEMOLITION WORKS ARE LIKELY TO CAUSE DAMAGE OR DISRUPTION TO ADJACENT PROPERTIES.

THE RESPONSIBLE CONTRACTOR IS TO ENSURE THAT THERE WILL NOT BE ACCESS TO SITE FROM ADJACENT PROPERTIES OR ROADWAYS AT THE CONCLUSION OF DEMOLITION WORKS.

ISSUES				PROJECT	JOB NUMBER	DRAWN	CHECKED
DATE	REV	DETAILS	INIT				
22.01.18	-	SECTION 57A SUBMISSION - REFER TO STATEMENT OF CHANGES		<b>3 TOWNHOUSES</b>	16-26	JM	AG
				66 Cecil St, Fitzroy VIC 3065			
				DRAWING	DWG NUMBER	TP003	ISSUE
				SCALE As indicated	DATE Issue Date		-
					PLOT DATE	22/01/2018 2:32:21 PM	

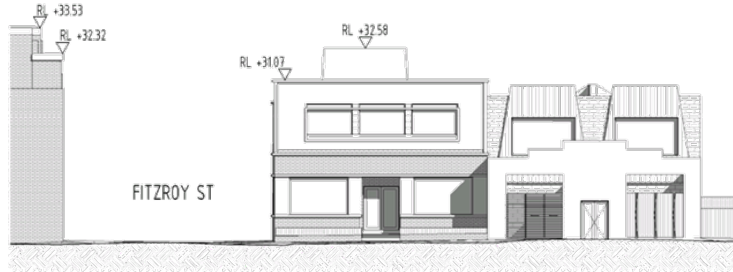
FOR APPROVAL



**bg architecture**

13 martin street st kilda victoria 3182 australia  
 telephone +613 9525 3390 facsimile +613 9525 4280  
 email bgarch@bgarch.com.au www.bgarchitecture.com.au

Attachment 1 - PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans



1 EXISTING CECIL STREET ELEVATION  
A001 1 : 200



2 PROPOSED CECIL STREET ELEVATION  
1 : 200

FOR APPROVAL

22.01.18	-	SECTION 57A SUBMISSION - REFER TO STATEMENT OF CHANGES	
DATE	REV	DETAILS	INIT

AREA SCHEDULE		
TOWNHOUSE NO.	LEVEL	AREA
TOWNHOUSE 1	GROUND	84 m <sup>2</sup>
TOWNHOUSE 1	LEVEL 1	84 m <sup>2</sup>
TOWNHOUSE 1	LEVEL 2	70 m <sup>2</sup>
TOWNHOUSE 1	LEVEL 3	52 m <sup>2</sup>
		290 m <sup>2</sup>
TOWNHOUSE 2	GROUND	84 m <sup>2</sup>
TOWNHOUSE 2	LEVEL 1	3 m <sup>2</sup>
TOWNHOUSE 2	LEVEL 1	82 m <sup>2</sup>
TOWNHOUSE 2	LEVEL 2	74 m <sup>2</sup>
TOWNHOUSE 2	LEVEL 3	62 m <sup>2</sup>
		304 m <sup>2</sup>
TOWNHOUSE 3	GROUND	85 m <sup>2</sup>
TOWNHOUSE 3	LEVEL 1	85 m <sup>2</sup>
TOWNHOUSE 3	LEVEL 2	71 m <sup>2</sup>
TOWNHOUSE 3	LEVEL 3	53 m <sup>2</sup>
		294 m <sup>2</sup>



**bg**architecture

13 martin street st kilda victoria 3182 australia  
 telephone +613 9525 3390 facsimile +613 9525 4280  
 email bgarch@bgarch.com.au www.bgarchitecture.com.au

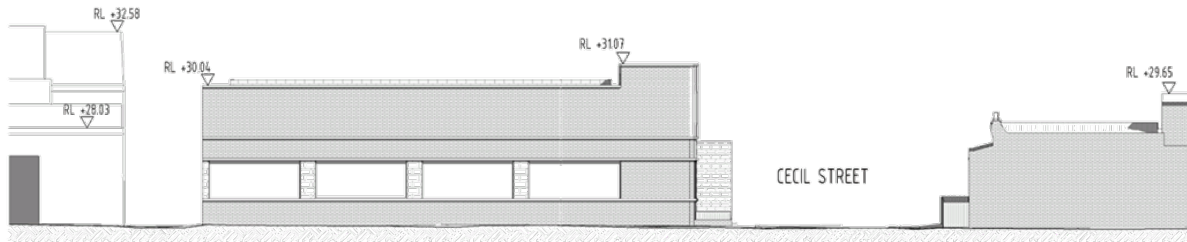
**PROJECT**  
**3 TOWNHOUSES**  
 66 Cecil St, Fitzroy VIC 3065

**DRAWING**  
 EXISTING & PROPOSED  
 STREETSCAPE ELEVATIONS

SCALE 1 : 200 (A3) DATE Issue Date  
 DRAWN GB CHECKED AG  
 JOB NUMBER 16-26

DWG NUMBER TP004 ISSUE -  
 PLOT DATE 22/01/2018 2:32:38 PM ©

Attachment 1 - PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans



1  
A001  
**EXISTING FITZROY STREET ELEVATION**  
1 : 200



2  
**PROPOSED FITZROY STREET ELEVATION**  
1 : 200

**FOR APPROVAL**

22.01.18	-	SECTION 57A SUBMISSION - REFER TO STATEMENT OF CHANGES		
DATE	REV	DETAILS	INIT	



**bg architecture**

13 martin street st kilda victoria 3182 australia  
 telephone +613 9525 3390 facsimile +613 9525 4280  
 email bgarch@bgarch.com.au www.bgarchitecture.com.au

**PROJECT**  
**3 TOWNHOUSES**  
 66 Cecil St, Fitzroy VIC 3065

**DRAWING**  
**EXISTING & PROPOSED**  
**STREETSCAPE ELEVATIONS**

SCALE 1 : 200 (A3) DATE Issue Date

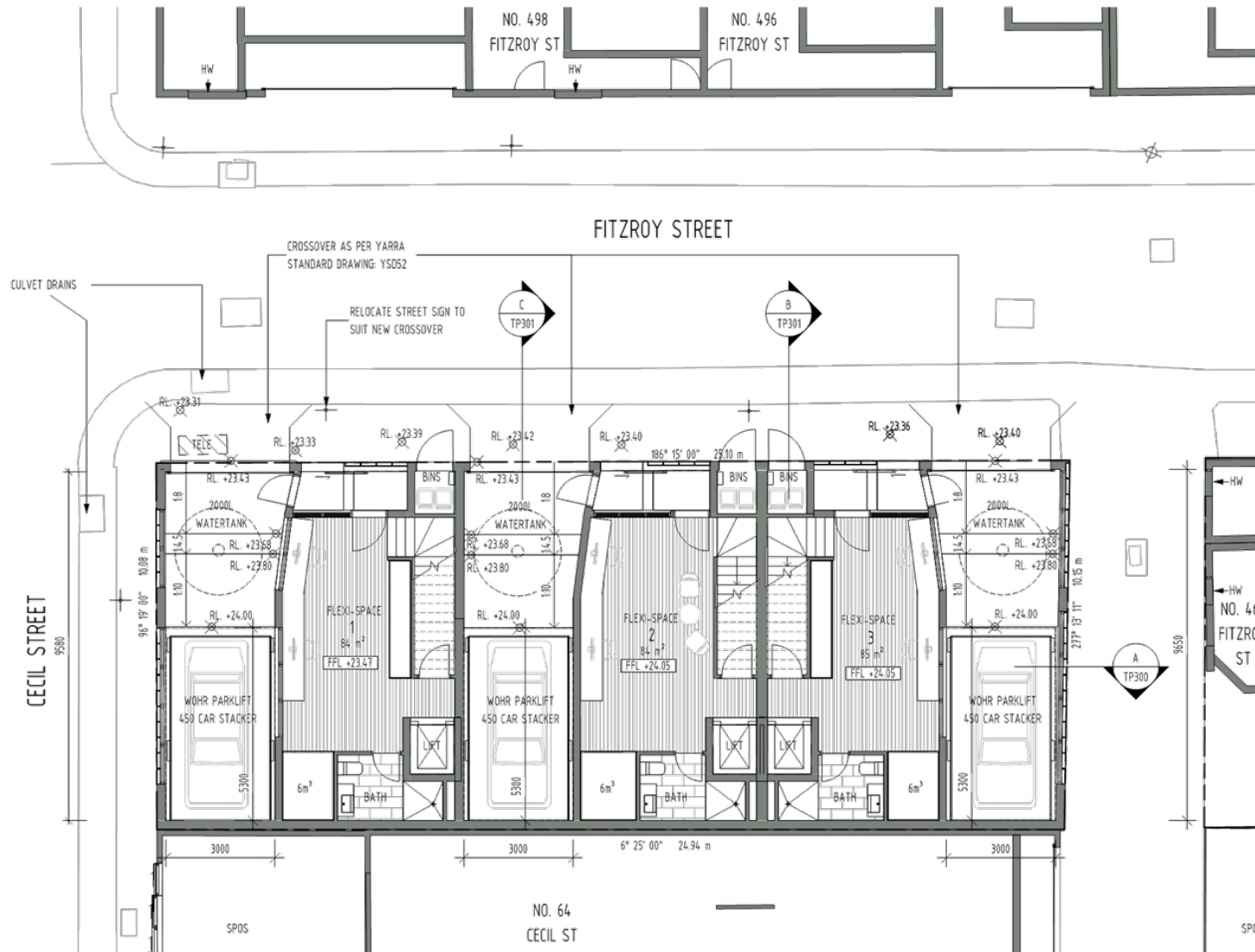
DRAWN GB CHECKED AG

JOB NUMBER 16-26

DWG NUMBER TP005 ISSUE -

PLOT DATE 22/01/2018 2:32:59 PM ©

Attachment 1 - PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans



FOR APPROVAL

22.01.18	SECTION 57A SUBMISSION - REFER TO STATEMENT OF CHANGES		
DATE	REV	DETAILS	INIT



**bg architecture**

13 martin street at kilda victoria 3182 australia  
 telephone +613 9525 3390 facsimile +613 9525 4280  
 email bgarch@bgarch.com.au www.bgarchitecture.com.au

**PROJECT**  
**3 TOWNHOUSES**  
 66 Cecil St, Fitzroy VIC 3065

**DRAWING**  
**GROUND FLOOR PLANS**

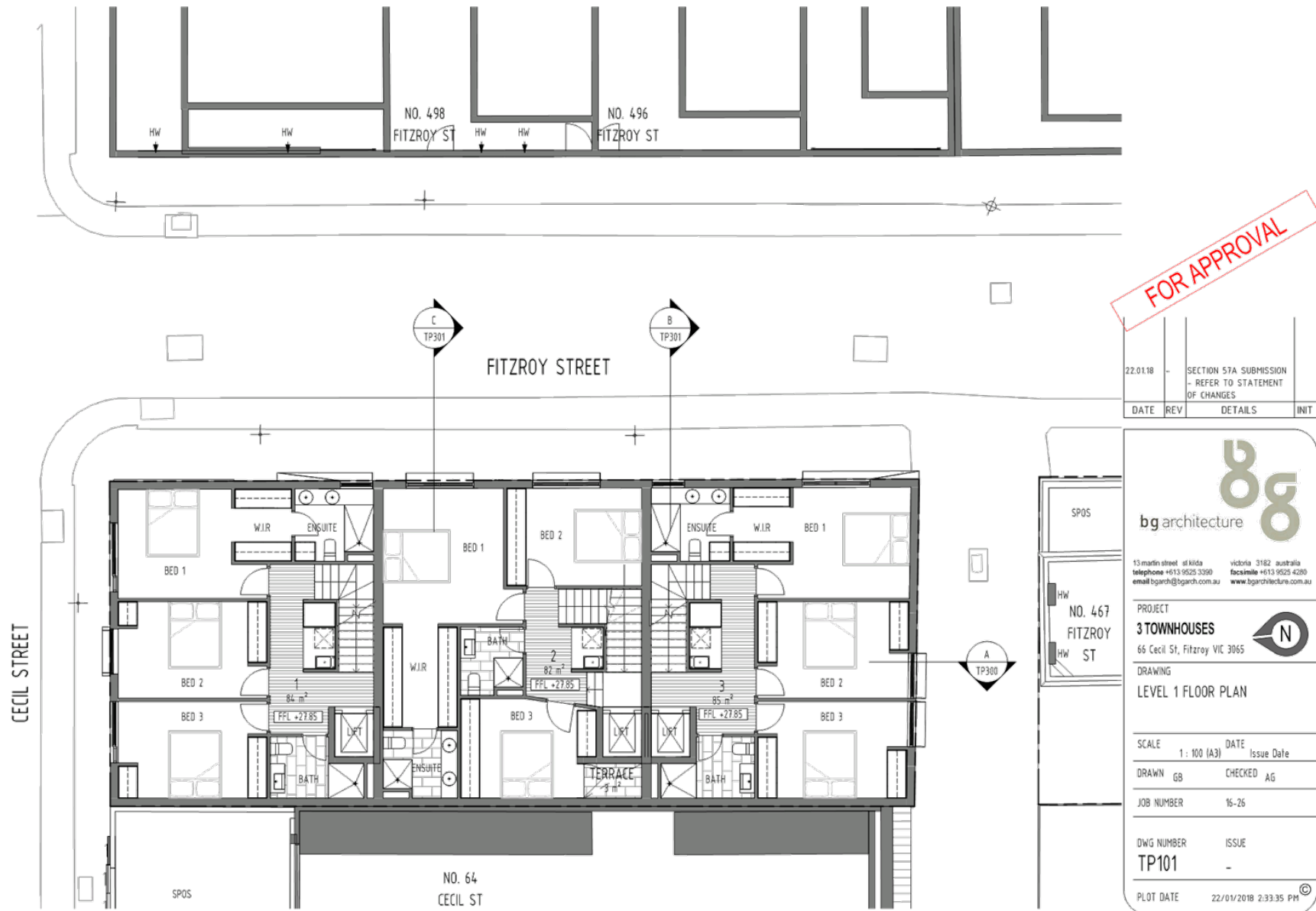
SCALE 1: 100 (A3) DATE Issue Date  
 DRAWN GB CHECKED AG  
 JOB NUMBER 16-26

DWG NUMBER ISSUE  
**TP100** -

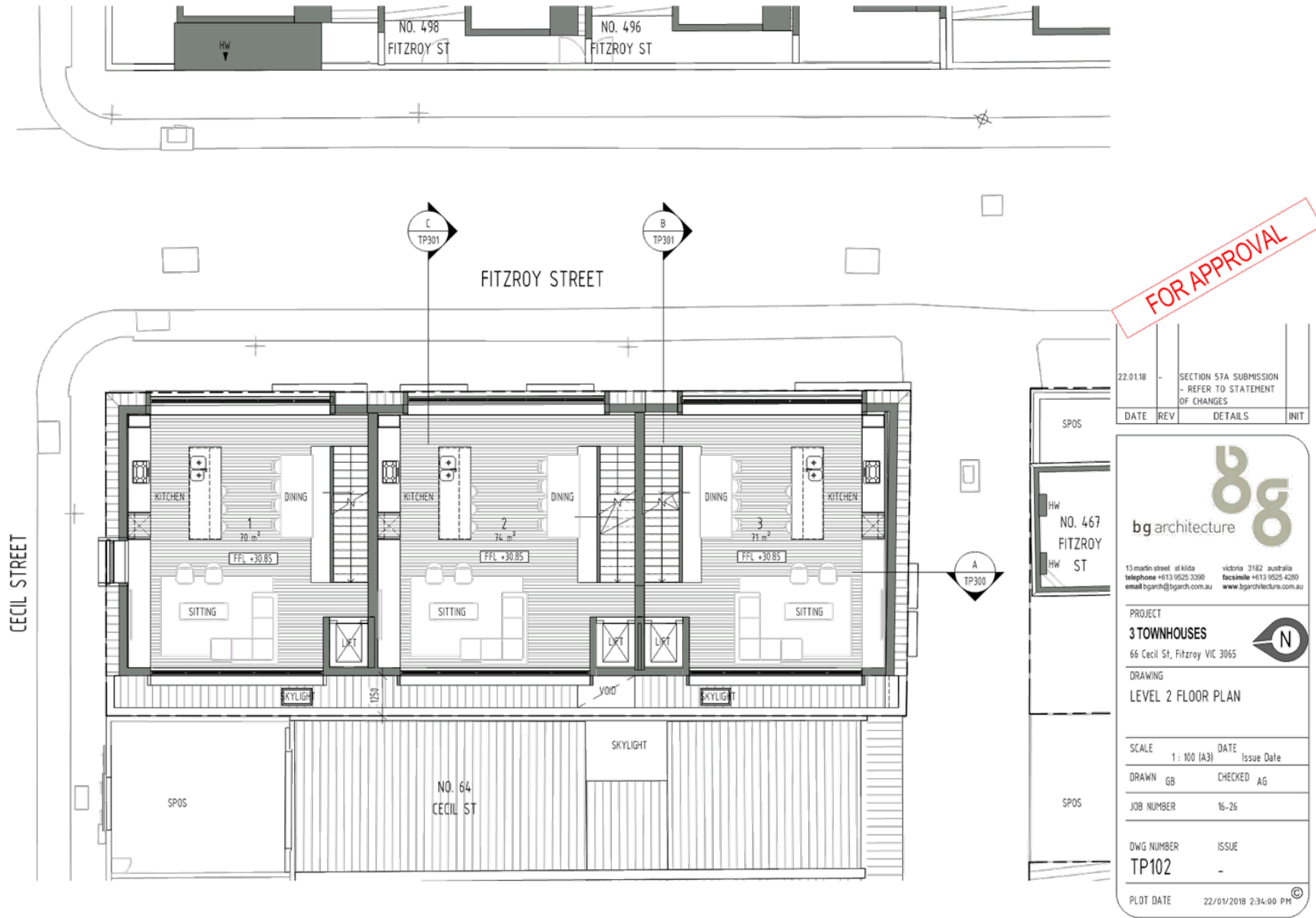
PLOT DATE 22/01/2018 2:33:16 PM ©



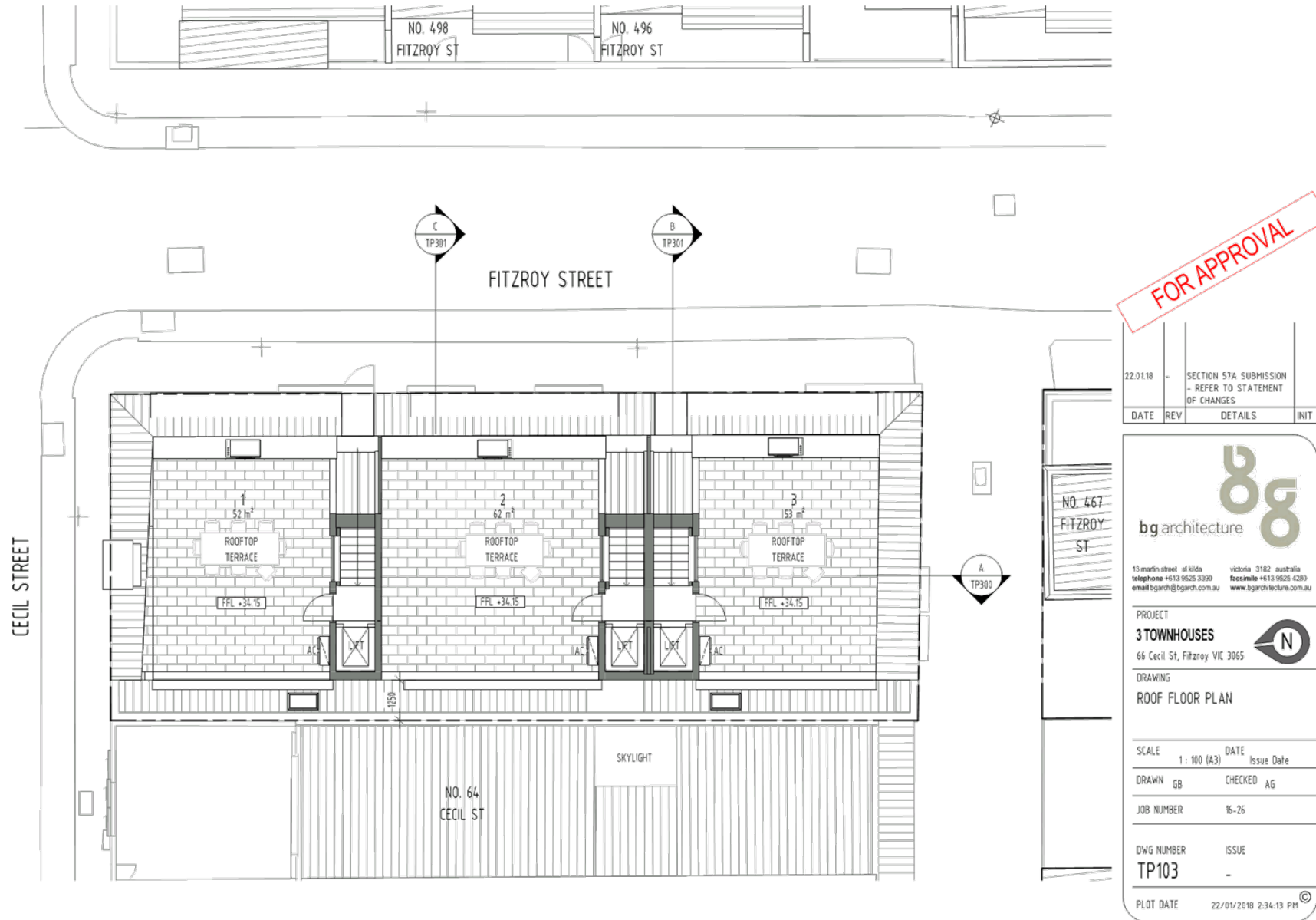
Attachment 1 - PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans



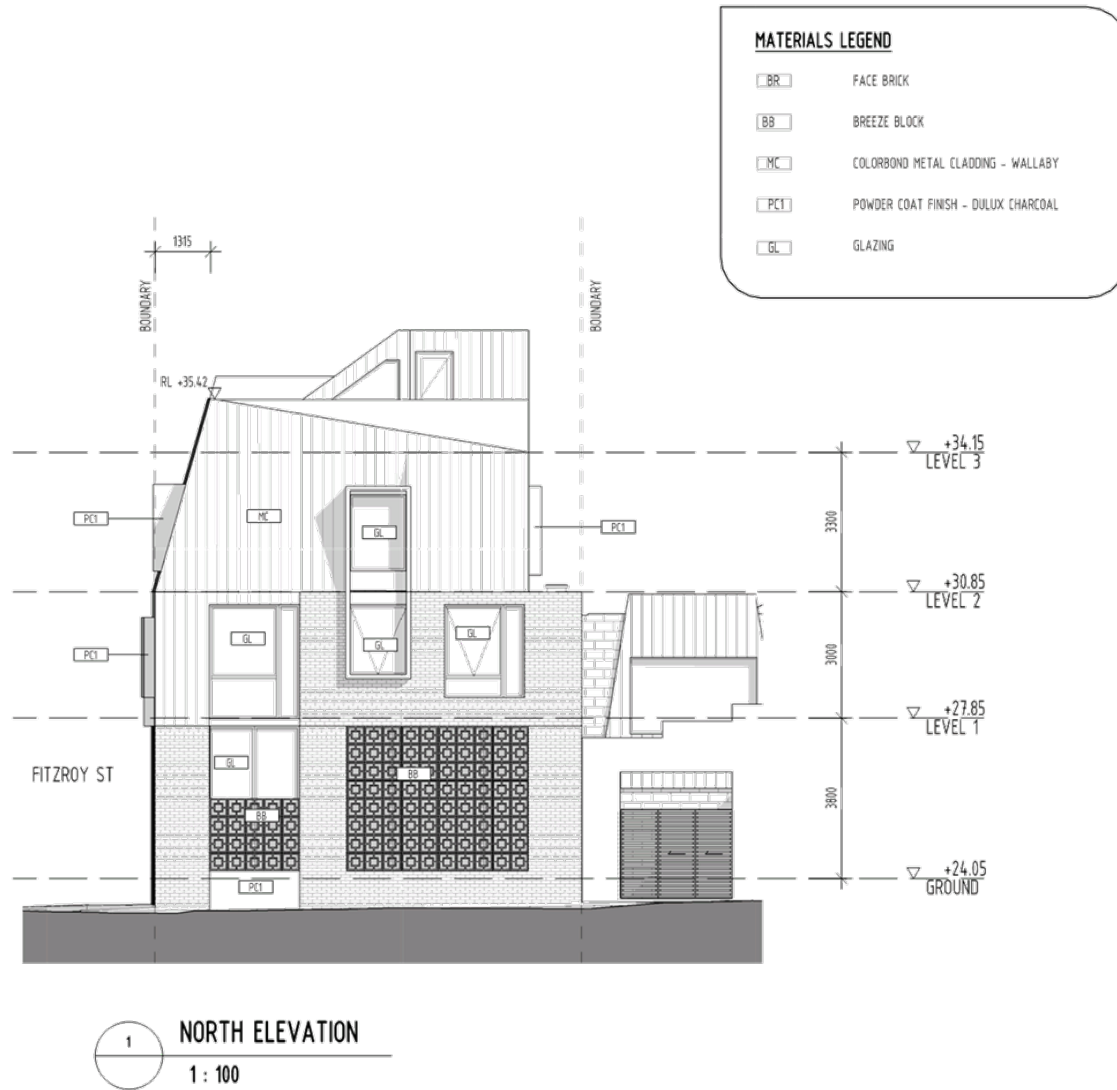
Attachment 1 - PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans



Attachment 1 - PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans




Attachment 1 - PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans



FOR APPROVAL

22.01.18	-	SECTION 57A SUBMISSION - REFER TO STATEMENT OF CHANGES	
DATE	REV	DETAILS	INIT



**bg architecture**

13 martin street | melb | victoria 3182 | australia  
 telephone +613 9525 3390 | facsimile +613 9525 4280  
 email bgarch@bgarch.com.au | www.bgarchitecture.com.au

PROJECT  
**3 TOWNHOUSES**  
 66 Cecil St, Fitzroy VIC 3065

DRAWING  
**NORTH ELEVATION**

SCALE	1 : 100 (A3)	DATE	Issue Date
DRAWN	GB	CHECKED	AG
JOB NUMBER	16-26		
DWG NUMBER	TP200		
PLOT DATE	22/01/2018 2:34:30 PM ©		

Attachment 1 - PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans

**MATERIALS LEGEND**

- BR FACE BRICK
- BB BREEZE BLOCK
- MC COLORBOND METAL CLADDING - WALLABY
- PCT POWDER COAT FINISH - DULUX CHARCOAL
- GL GLAZING

FOR APPROVAL



1
**NORTH ELEVATION COLOURED**  
 1 : 100

22.01.18		SECTION 57A SUBMISSION - REFER TO STATEMENT OF CHANGES	
DATE	REV	DETAILS	INIT

**bg architecture**

13 martin street at kilda victoria 3182 australia  
 telephone +613 9525 3390 facsimile +613 9525 4280  
 email bgarch@bgarch.com.au www.bgarchitecture.com.au

**PROJECT**  
**3 TOWNHOUSES**  
 66 Cecil St, Fitzroy VIC 3065

**DRAWING**  
 NORTH ELEVATION - COLOURED

SCALE	1 : 100 (A3)	DATE	Issue Date
DRAWN	GB	CHECKED	AG
JOB NUMBER	16-26		
DWG NUMBER	TP201		
PLOT DATE	22/01/2018 2:35:04 PM ©		

Attachment 1 - PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans




1 EAST ELEVATION  
1 : 100

**MATERIALS LEGEND**

- BR FACE BRICK
- BB BREEZE BLOCK
- MC COLORBOND METAL CLADDING - WALLABY
- PC1 POWDER COAT FINISH - DULUX CHARCOAL
- GL GLAZING

FOR APPROVAL

22.01.18	-	SECTION 57A SUBMISSION - REFER TO STATEMENT OF CHANGES	
DATE	REV	DETAILS	INIT



**bg architecture**

13 martin street at kilda victoria 3182 australia  
 telephone +613 9525 3390 facsimile +613 9525 4280  
 email bgarch@bgarch.com.au www.bgarchitecture.com.au

PROJECT  
**3 TOWNHOUSES**  
66 Cecil St, Fitzroy VIC 3065

DRAWING  
**EAST ELEVATION**

SCALE	1 : 100 (A3)	DATE	Issue Date
DRAWN	GB	CHECKED	AG
JOB NUMBER	16-26		
DWG NUMBER	TP202		
PLOT DATE	22/01/2018 2:35:32 PM ©		

Attachment 1 - PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans

**MATERIALS LEGEND**


- BR FACE BRICK
- BB BREEZE BLOCK
- MC COLORBOND METAL CLADDING - WALLABY
- PCT POWDER COAT FINISH - DULUX CHARCOAL
- GL GLAZING

FOR APPROVAL



1 EAST ELEVATION - COLOURED  
1 : 100

22.01.18	-	SECTION 57A SUBMISSION - REFER TO STATEMENT OF CHANGES	
DATE	REV	DETAILS	INIT



**bg architecture**

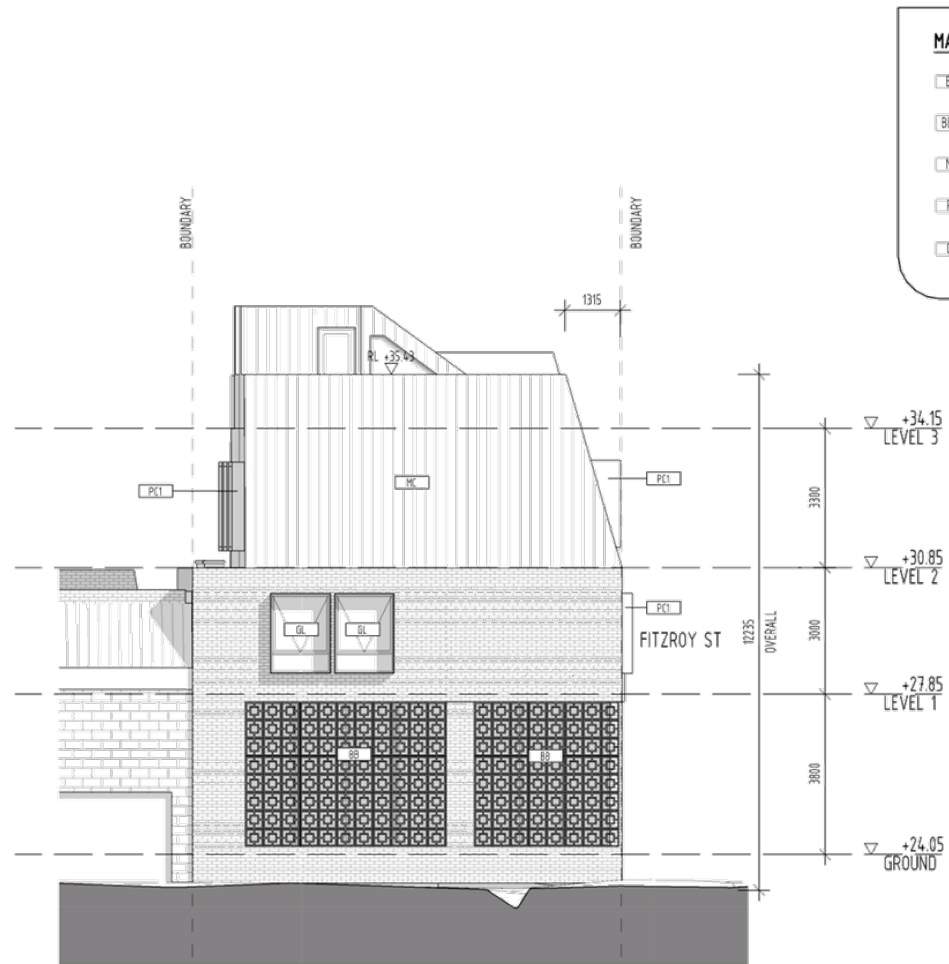
13 martin street | melb | victoria 3182 | australia  
 telephone +613 9525 3390 | facsimile +613 9525 4280  
 email bgarch@bgarch.com.au | www.bgarchitecture.com.au

PROJECT  
**3 TOWNHOUSES**  
 66 Cecil St, Fitzroy VIC 3065

DRAWING  
**EAST ELEVATION - COLOURED**

SCALE	1 : 100 (A3)	DATE	Issue Date
DRAWN	GB	CHECKED	AG
JOB NUMBER	16-26		
DWG NUMBER	TP203		
PLOT DATE	22/01/2018 2:36:05 PM ©		

Attachment 1 - PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans




1 SOUTH ELEVATION  
1 : 100

**MATERIALS LEGEND**

BR	FACE BRICK
BB	BREEZE BLOCK
MC	COLORBOND METAL CLADDING - WALLABY
PCT	POWDER COAT FINISH - DULUX CHARCOAL
GL	GLAZING

FOR APPROVAL

22.01.18	-	SECTION 57A SUBMISSION - REFER TO STATEMENT OF CHANGES	
DATE	REV	DETAILS	INIT



**bg architecture**

13 martin street | melb | victoria 3182 | australia  
 telephone +613 9525 3390 | facsimile +613 9525 4280  
 email bgarch@bgarch.com.au | www.bgarchitecture.com.au

**PROJECT**  
**3 TOWNHOUSES**  
 66 Cecil St, Fitzroy VIC 3065

**DRAWING**  
**SOUTH ELEVATION**

SCALE	1 : 100 (A3)	DATE	Issue Date
DRAWN	GB	CHECKED	AG
JOB NUMBER	16-26		
DWG NUMBER	TP204		
PLOT DATE	22/01/2018 2:36:24 PM ©		

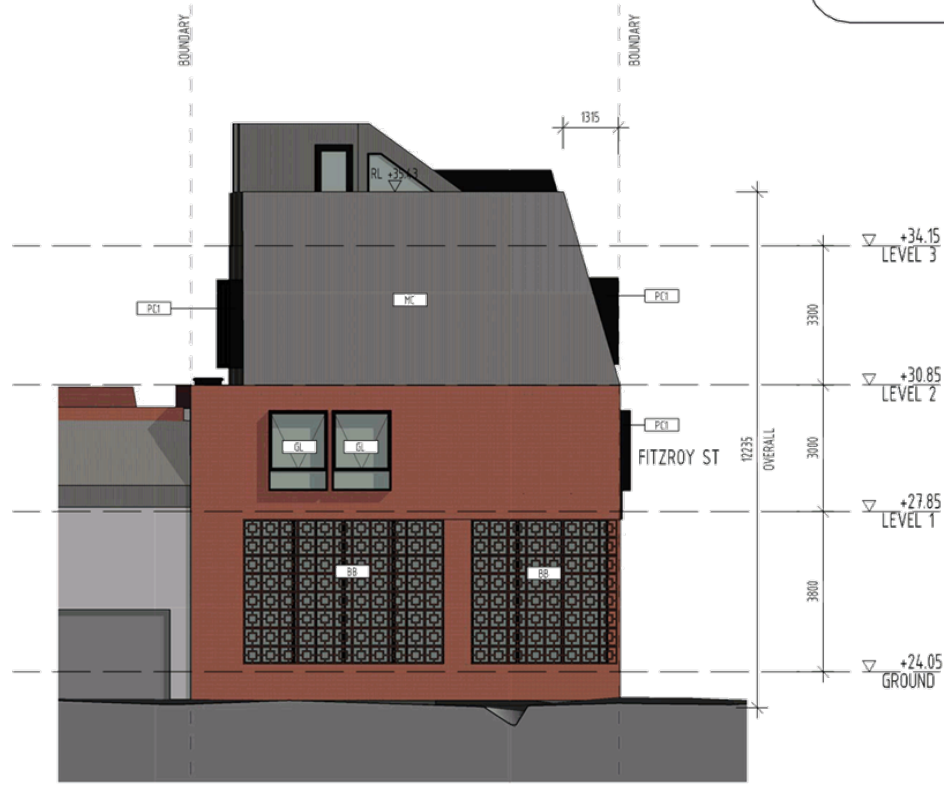


Attachment 1 - PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans

**MATERIALS LEGEND**

- BR FACE BRICK
- BS BREEZE BLOCK
- MC COLORBOND METAL CLADDING - WALLABY
- PCL POWDER COAT FINISH - DULUX CHARCOAL
- GL GLAZING

FOR APPROVAL



1 SOUTH ELEVATION - COLOURED  
1: 100

22.01.18	-	SECTION 57A SUBMISSION - REFER TO STATEMENT OF CHANGES	
DATE	REV	DETAILS	INIT

**bg**  
architecture

13 martin street st kilda victoria 3182 australia  
 telephone +613 9525 3390 facsimile +613 9525 4280  
 email bgarch@bgarch.com.au www.bgarchitecture.com.au

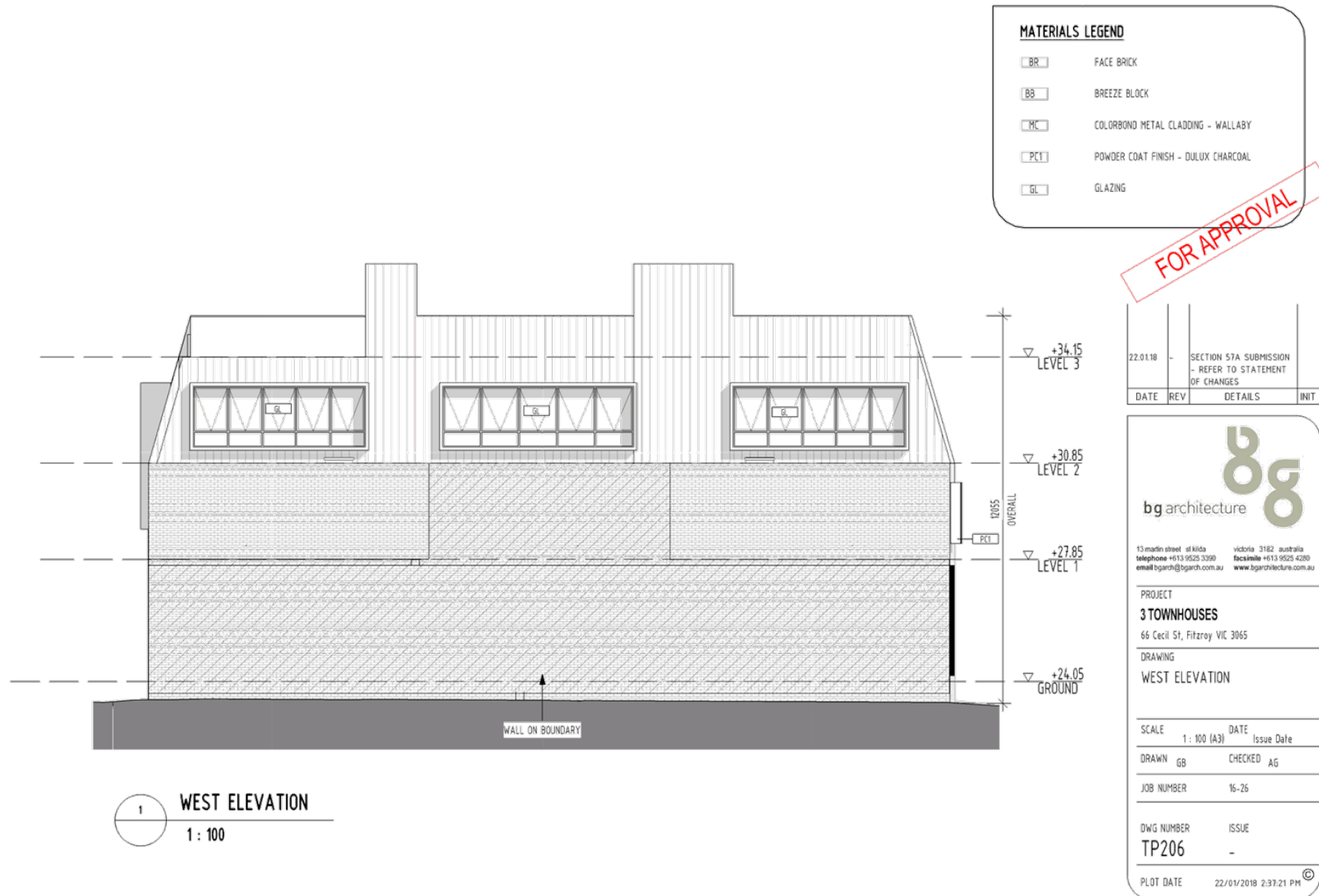
PROJECT  
**3 TOWNHOUSES**  
 66 Cecil St, Fitzroy VIC 3065

DRAWING  
 SOUTH ELEVATION - COLOURED

SCALE 1: 100 (A3) DATE Issue Date  
 DRAWN GB CHECKED AG  
 JOB NUMBER 16-26

DWG NUMBER TP205 ISSUE -  
 PLOT DATE 22/01/2018 2:36:58 PM ©

Attachment 1 - PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans



Attachment 1 - PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans

**MATERIALS LEGEND**


BR	FACE BRICK
BB	BREEZE BLOCK
MC	COLORBOND METAL CLADDING - WALLABY
PCT	POWDER COAT FINISH - DULUX CHARCOAL
GL	GLAZING

FOR APPROVAL



1 WEST ELEVATION - COLOURED  
1 : 100

22.01.18	-	SECTION 57A SUBMISSION - REFER TO STATEMENT OF CHANGES		
DATE	REV	DETAILS	INIT	



**bg architecture**

13 martin street - st kilda victoria 3182 australia  
 telephone +613 9525 3390 facsimile +613 9525 4280  
 email bgarch@bgarch.com.au www.bgarchitecture.com.au

PROJECT  
**3 TOWNHOUSES**  
 66 Cecil St, Fitzroy VIC 3065

DRAWING  
**WEST ELEVATION - COLOURED**

SCALE 1 : 100 (A3) DATE Issue Date  
 DRAWN GB CHECKED AG  
 JOB NUMBER 16-26  
 DWG NUMBER TP207 ISSUE -  
 PLOT DATE 22/01/2018 2:38:02 PM ©

Attachment 1 - PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans

FOR APPROVAL



**SECTION A**  
 1 : 100

22.01.18	-	SECTION 57A SUBMISSION - REFER TO STATEMENT OF CHANGES		
DATE	REV	DETAILS	INIT	



**bg architecture**

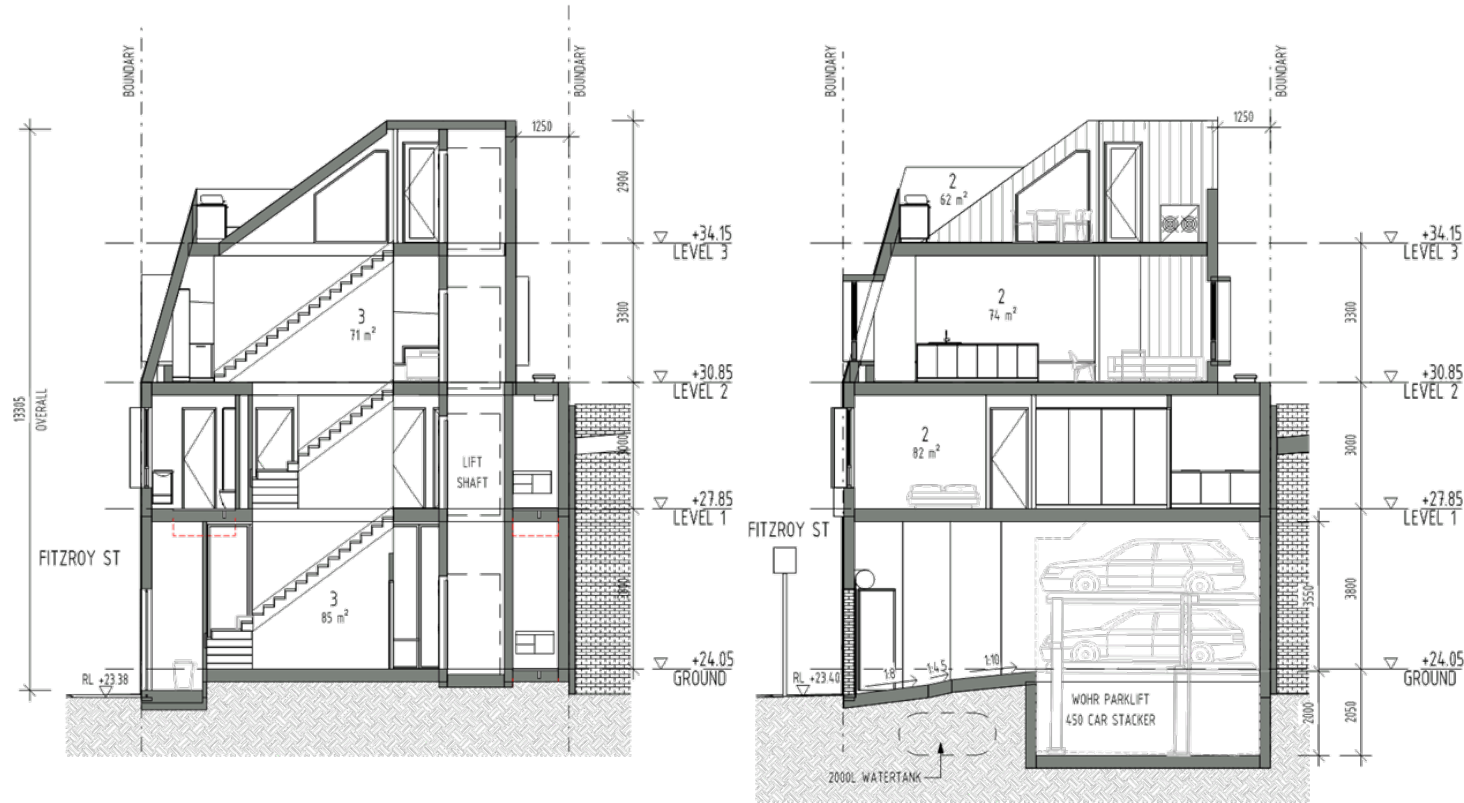
13 martin street at kilda victoria 3182 australia  
 telephone +613 9525 3390 facsimile +613 9525 4280  
 email bgarch@bgarch.com.au www.bgarchitecture.com.au

**PROJECT**  
**3 TOWNHOUSES**  
 66 Cecil St, Fitzroy VIC 3065

**DRAWING**  
**SECTION A**

SCALE	1 : 100 (A3)	DATE	Issue Date
DRAWN	GB	CHECKED	AG
JOB NUMBER	16-26		
DWG NUMBER	TP300		
PLOT DATE	22/01/2018 2:38:22 PM		

Attachment 1 - PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans




**B** SECTION B  
TP100 1:100

**C** SECTION C  
TP100 1:100

FOR APPROVAL

22.01.18		SECTION 57A SUBMISSION - REFER TO STATEMENT OF CHANGES	
DATE	REV	DETAILS	INIT



**bg architecture**

13 martin street | kilda victoria 3182 australia  
 telephone +613 9525 3390 facsimile +613 9525 4280  
 email bgarch@bgarch.com.au www.bgarchitecture.com.au

PROJECT  
**3 TOWNHOUSES**  
 66 Cecil St, Fitzroy VIC 3065

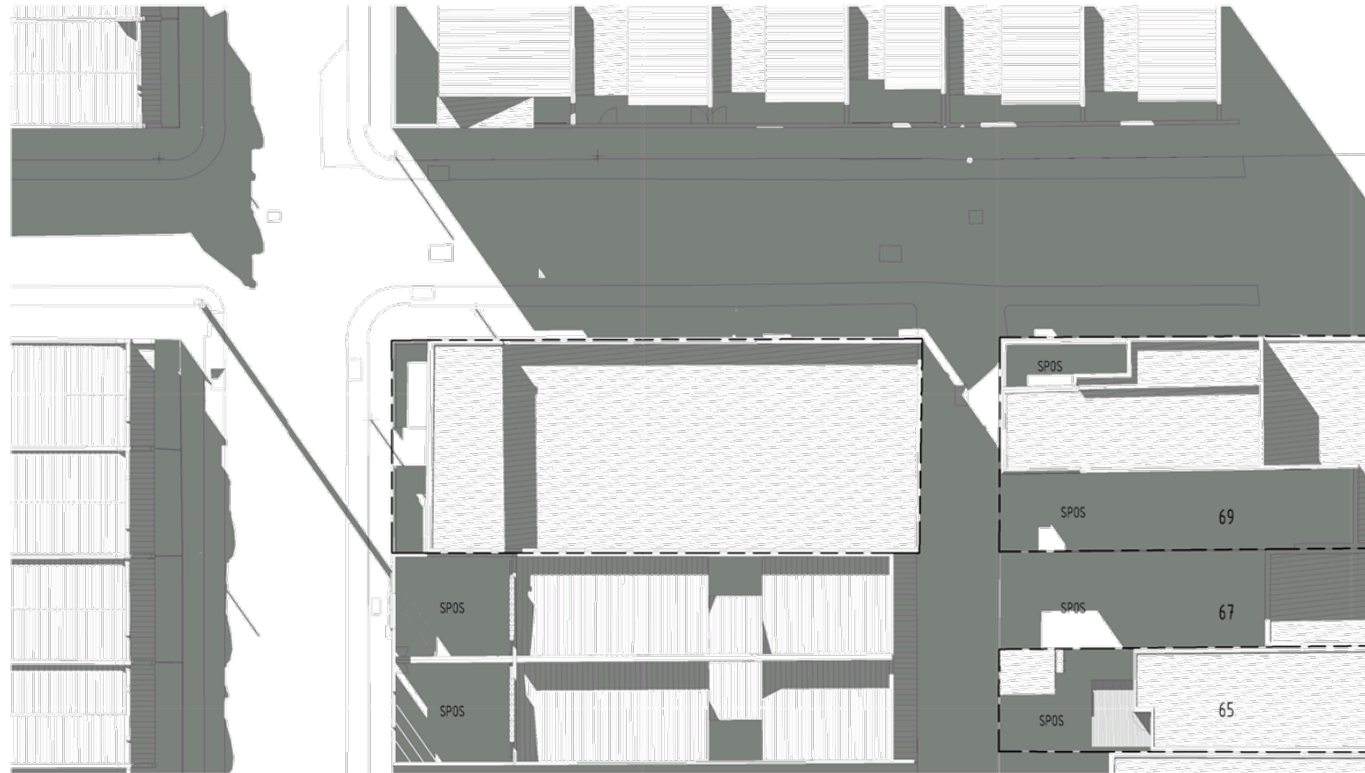
DRAWING  
**SECTION B & C**

SCALE 1:100 (A3) DATE Issue Date  
 DRAWN GB CHECKED AG  
 JOB NUMBER 16-26

DWG NUMBER ISSUE  
**TP301 -**

PLOT DATE 22/01/2018 2:38:42 PM ©


Attachment 1 - PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans



1 EXISTING EQUINOX 9AM  
TP004 1 : 200

FOR APPROVAL

22.01.18	-	SECTION 57A SUBMISSION - REFER TO STATEMENT OF CHANGES	
DATE	REV	DETAILS	INIT



**bg architecture**

13 martin street at kilda victoria 3182 australia  
 telephone +613 9525 3390 facsimile +613 9525 4280  
 email bgarch@bgarch.com.au www.bgarchitecture.com.au

PROJECT  
**3 TOWNHOUSES**

66 Cecil St, Fitzroy VIC 3065

DRAWING  
**SHADOW DIAGRAMS**

SCALE 1 : 200 (A3) DATE Issue Date

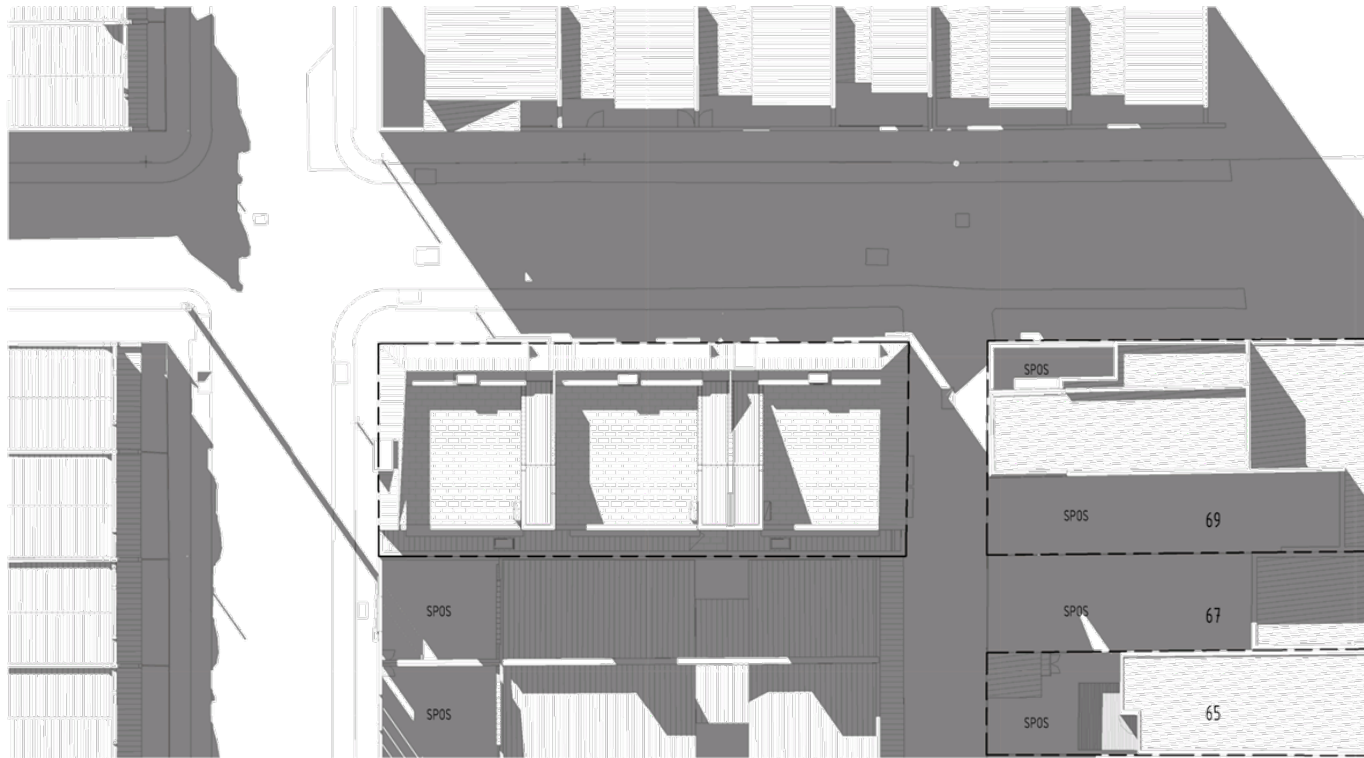
DRAWN GB CHECKED AG

JOB NUMBER 16-26

DWG NUMBER TP400 ISSUE -

PLOT DATE 22/01/2018 2:38:56 PM


Attachment 1 - PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans



1  
TP004  
**PROPOSED EQUINOX 9AM**  
1 : 200


**FOR APPROVAL**

22.01.18	-	SECTION 57A SUBMISSION - REFER TO STATEMENT OF CHANGES	
DATE	REV	DETAILS	INIT



**bg architecture**

13 martin street at kilda victoria 3182 australia  
 telephone +613 9525 3390 facsimile +613 9525 4280  
 email bgarch@bgarch.com.au www.bgarchitecture.com.au

PROJECT  
**3 TOWNHOUSES** 

66 Cecil St, Fitzroy VIC 3065

DRAWING  
**SHADOW DIAGRAMS**

SCALE	DATE
1 : 200 (A3)	Issue Date
DRAWN GB	CHECKED AG
JOB NUMBER	16-26
DWG NUMBER	ISSUE
<b>TP401</b>	-
PLOT DATE	22/01/2018 2:39:14 PM ©


Attachment 1 - PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans



1  
TP004  
EXISTING EQUINOX 12PM  
1 : 200

**FOR APPROVAL**

22.01.18	-	SECTION 57A SUBMISSION - REFER TO STATEMENT OF CHANGES	
DATE	REV	DETAILS	INIT



**bg architecture**

13 martin street at kilda victoria 3182 australia  
 telephone +613 9525 3390 facsimile +613 9525 4280  
 email bgarch@bgarch.com.au www.bgarchitecture.com.au

PROJECT  
**3 TOWNHOUSES**

66 Cecil St, Fitzroy VIC 3065

DRAWING  
**SHADOW DIAGRAMS**

SCALE 1 : 200 (A3) DATE Issue Date

DRAWN GB CHECKED AG

JOB NUMBER 16-26

DWG NUMBER TP402 ISSUE -

PLOT DATE 22/01/2018 2:39:29 PM ©




Attachment 1 - PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans



1  
TP004  
**PROPOSED EQUINOX 12PM**  
1 : 200


**FOR APPROVAL**

22.01.18	-	SECTION 57A SUBMISSION - REFER TO STATEMENT OF CHANGES	
DATE	REV	DETAILS	INIT



**bg architecture**

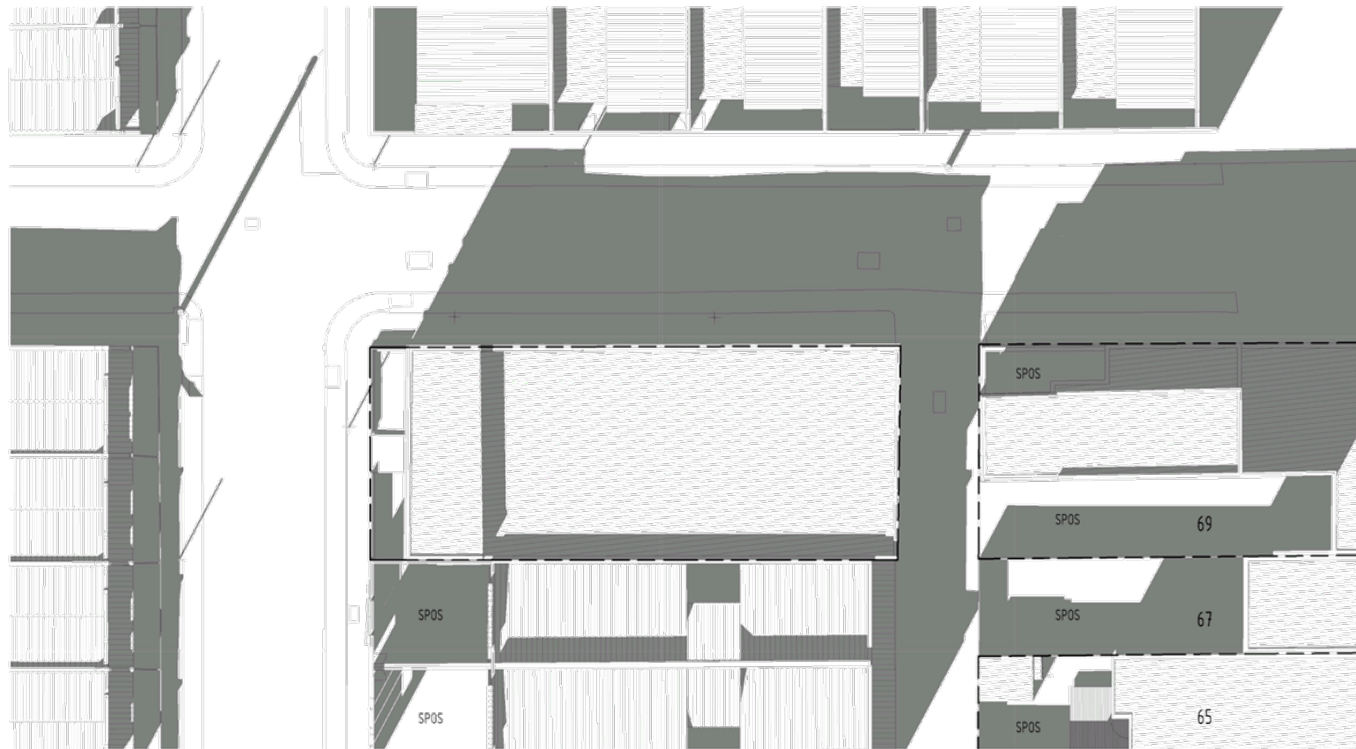
13 martin street at kilda victoria 3182 australia  
 telephone +613 9525 3390 facsimile +613 9525 4280  
 email bgarch@bgarch.com.au www.bgarchitecture.com.au

PROJECT  
**3 TOWNHOUSES**   
 66 Cecil St, Fitzroy VIC 3065

DRAWING  
**SHADOW DIAGRAMS**

SCALE	DATE
1 : 200 (A3)	Issue Date
DRAWN GB	CHECKED AG
JOB NUMBER	16-26
DWG NUMBER	ISSUE
<b>TP403</b>	-
PLOT DATE	22/01/2018 2:39:44 PM ©


Attachment 1 - PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans



2  
TP004  
**EXISTING EQUINOX 3PM**  
1 : 200

FOR APPROVAL

22.01.18	-	SECTION 57A SUBMISSION - REFER TO STATEMENT OF CHANGES	
DATE	REV	DETAILS	INIT



**bg architecture**

13 martin street st kilda victoria 3182 australia  
 telephone +613 9525 3390 facsimile +613 9525 4280  
 email bgarch@bgarch.com.au www.bgarchitecture.com.au

PROJECT  
**3 TOWNHOUSES**

66 Cecil St, Fitzroy VIC 3065

DRAWING  
**SHADOW DIAGRAMS**

SCALE 1 : 200 (A3) DATE Issue Date

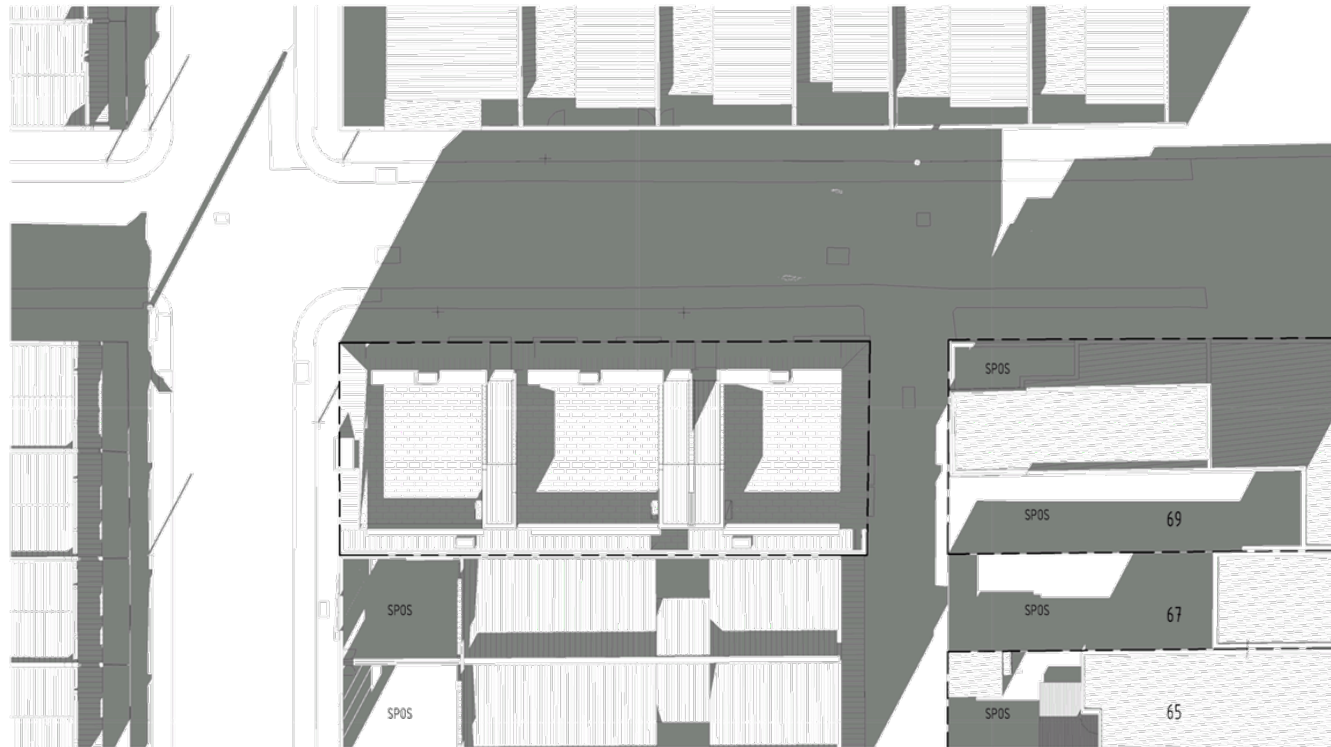
DRAWN GB CHECKED AG

JOB NUMBER 16-26

DWG NUMBER TP404 ISSUE -

PLOT DATE 22/01/2018 2:40:01 PM ©


Attachment 1 - PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans



1 PROPOSED EQUINOX 3PM  
TP004 1 : 200

FOR APPROVAL

22.01.18	-	SECTION 57A SUBMISSION - REFER TO STATEMENT OF CHANGES		
DATE	REV	DETAILS	INIT	



**bg architecture**

13 martin street | melb  
telephone +613 9525 3390  
email bgarch@bgarch.com.au

victoria 3182 | australia  
facsimile +613 9525 4280  
www.bgarchitecture.com.au

PROJECT  
**3 TOWNHOUSES**

66 Cecil St, Fitzroy VIC 3065

DRAWING  
**SHADOW DIAGRAMS**

SCALE 1 : 200 (A3) DATE Issue Date

DRAWN GB CHECKED AG

JOB NUMBER 16-26

DWG NUMBER TP405 ISSUE -

PLOT DATE 22/01/2018 2:40:16 PM

Attachment 1 - PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans



MC COLORBOND METAL CLADDING - WALLABY



BR FACE BRICK



BB BREEZE BLOCK

FOR APPROVAL




GL GLAZING



PC1 POWDER COAT FINISH - DULUX CHARCOAL

22.01.18	-	SECTION 57A SUBMISSION - REFER TO STATEMENT OF CHANGES		
DATE	REV	DETAILS	INIT	



**bg architecture**

13 martin street at kilda victoria 3182 australia  
 telephone +613 9525 3390 facsimile +613 9525 4280  
 email bgarch@bgarch.com.au www.bgarchitecture.com.au

PROJECT  
**3 TOWNHOUSES**  
 66 Cecil St, Fitzroy VIC 3065

DRAWING  
**MATERIALS SCHEDULE**


SCALE	1: 1 (A3)	DATE	Issue Date
DRAWN	GB	CHECKED	AG
JOB NUMBER	16-26		
DWG NUMBER	TP500		
PLOT DATE	22/01/2018 2:40:31 PM ©		

Attachment 1 - PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans

FOR APPROVAL



22.01.18	-	SECTION 57A SUBMISSION - REFER TO STATEMENT OF CHANGES	
DATE	REV	DETAILS	INIT



**bg architecture**

13 martin street st kilda victoria 3182 australia  
 telephone +613 9525 3390 facsimile +613 9525 4280  
 email bgarch@bgarch.com.au www.bgarchitecture.com.au

PROJECT  
**3 TOWNHOUSES**  
 66 Cecil St, Fitzroy VIC 3065

DRAWING  
**3D VIEWS - NORTH WEST CORNER**


SCALE	DATE
1 : 1 (A3)	Issue Date
DRAWN GB	CHECKED AG
JOB NUMBER	16-26
DWG NUMBER	ISSUE
<b>TP600</b>	-
PLOT DATE	22/01/2018 2:40:48 PM ©

Attachment 1 - PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans



FOR APPROVAL

22.01.18	-	SECTION 57A SUBMISSION - REFER TO STATEMENT OF CHANGES	
DATE	REV	DETAILS	INIT



**bg**architecture

13 martin street st kilda victoria 3182 australia  
 telephone +613 9525 3390 facsimile +613 9525 4280  
 email bgarch@bgarch.com.au www.bgarchitecture.com.au

**PROJECT**  
**3 TOWNHOUSES**  
 66 Cecil St, Fitzroy VIC 3065

**DRAWING**  
 3D VIEWS - SOUTH EAST CORNER


SCALE	DATE
1 : 1 (A3)	Issue Date
DRAWN GB	CHECKED AG
JOB NUMBER	16-26
DWG NUMBER	ISSUE
TP601	-
PLOT DATE	22/01/2018 2:41:03 PM ©

Attachment 1 - PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans



FOR APPROVAL

22.01.18	-	SECTION 57A SUBMISSION - REFER TO STATEMENT OF CHANGES	
DATE	REV	DETAILS	INIT



**bg architecture**

13 martin street st kilda victoria 3182 australia  
 telephone +613 9525 3390 facsimile +613 9525 4280  
 email bgarch@bgarch.com.au www.bgarchitecture.com.au

---

PROJECT  
**3 TOWNHOUSES**  
 66 Cecil St, Fitzroy VIC 3065

---

DRAWING  
**3D VIEWS - TYPICAL TOWNHOUSE ENTRY**

---

SCALE	DATE
1: 1 (A3)	Issue Date

---

DRAWN	CHECKED
GB	AG

---

JOB NUMBER 16-26

---

DWG NUMBER	ISSUE
<b>TP602</b>	-

---


PLOT DATE 22/01/2018 2:41:20 PM ©

Attachment 1 - PLN17/0398 - 66 Cecil Street Fitzroy North - Advertising S57B - Plans



FOR APPROVAL

22.01.18	-	SECTION 57A SUBMISSION - REFER TO STATEMENT OF CHANGES	
DATE	REV	DETAILS	INIT



**bg architecture**

13 martin street st kilda victoria 3182 australia  
 telephone +613 9525 3390 facsimile +613 9525 4280  
 email bgarch@bgarch.com.au www.bgarchitecture.com.au

---

PROJECT  
**3 TOWNHOUSES**  
 66 Cecil St, Fitzroy VIC 3065

---

DRAWING  
**3D VIEWS - FITZROY STREET**

---

SCALE	DATE
1 : 1 (A3)	Issue Date

---

DRAWN	CHECKED
GB	AG

---

JOB NUMBER 16-26

---

DWG NUMBER	ISSUE
TP603	-

---

PLOT DATE 22/01/2018 2:41:33 PM ©



**Attachment 2 - PLN17/0398 - 66 Cecil Street Fitzroy - Heritage advice**

**City of Yarra  
Heritage Advice**

---

<b>Application No.:</b>	<i>PLN17/0398</i>
<b>Address of Property:</b>	<b>66 Cecil Street, Fitzroy</b>
<b>Planner:</b>	<i>Lara Fiscalini</i>
<b>Yarra Planning Scheme References:</b>	<p><i>STATE POLICY:</i></p> <ul style="list-style-type: none"> <li>• <i>Clause 15.03 Heritage</i></li> </ul> <p><i>LOCAL POLICY:</i></p> <ul style="list-style-type: none"> <li>• <i>Clause 21.05-1 Built Form (Heritage)</i></li> <li>• <i>Clause 43.01 Heritage Overlay</i></li> <li>• <i>Clause 22.02 Development Guidelines for sites subject to the Heritage Overlay</i></li> </ul>
<b>Heritage Overlay No. &amp; Precinct:</b>	<i>HO334-South Fitzroy Precinct</i>
<b>Level of significance:</b>	<i>Non-contributory, constructed 1940-1950 (Appendix 8, City of Yarra Review of Heritage Overlay Areas 2007)</i>
<b>General description:</b>	<i>Full demolition of existing building for the construction of a four-storey multi-unit development with a roof terrace</i>
<b>Drawing Nos.:</b>	<i>Set of 16 x A3 drawings prepared by BG Architecture, received by Council and date stamped 25 July 2017</i>

---

**DESCRIPTION OF THE HO-334 AREA**

The South Fitzroy Heritage Overlay Area is significant:

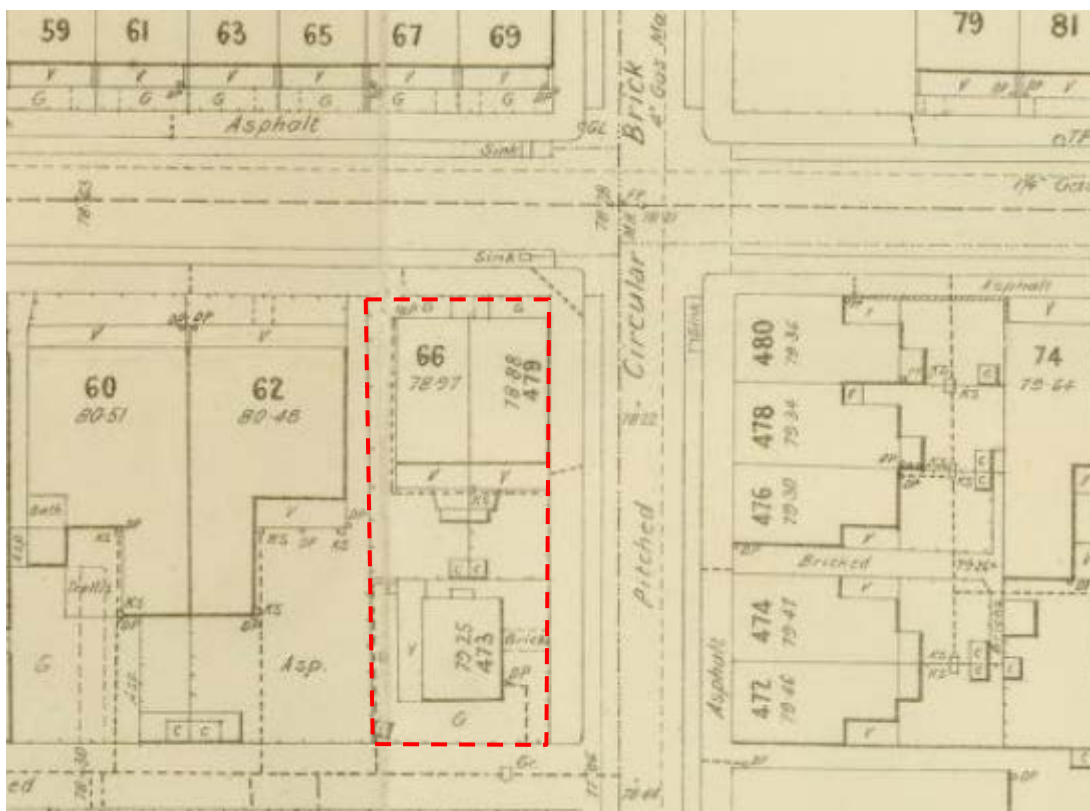
- As the earliest urban area outside the Melbourne City grid to be settled in the Melbourne municipality, with several buildings from the mid nineteenth century surviving as testimony to its early establishment;
- For the unusually high number of early Victorian-era and some Regency period buildings, being generally simply detailed and a clear reflection of the early date of Fitzroy's settlement.
- As evidence of early government planning controls or Acts of Parliament, from the 1850s, that aimed to solve street alignment problems in this privately planned suburb, arising from a hitherto lack of co-ordination between neighbouring allotment owners;
- As a good example of the successful application of the Act for Regulating Buildings and Party Walls, and for Preventing Mischief by Fire in the City of Melbourne (Melbourne Building Act 1849), which forced the use of fireproof construction and gave South Fitzroy a character distinct from other inner suburbs such as Richmond and Collingwood, that have a greater proportion of Victorian-era timber buildings.
- As a substantially intact collection of predominantly mid to late nineteenth and early twentieth century building stock, **interspersed with well preserved inter-war residential, commercial, retail and industrial buildings that contribute to the historical character of the area.**
- For the relatively large number of individually significant buildings, being predominantly solid masonry rather than clad with timber, largely as a result of the Melbourne Building Act, 1849
- For the ornate and exuberant detail of many late nineteenth and early twentieth century buildings in the suburb, reflecting the affluence of many of the inhabitants of this area, particularly in the late 19th century.
- For the early street, lane and allotment layouts, some original bluestone kerbs, paving and guttering, and some mature exotic street trees, providing an appropriate setting for this collection of residential, retail, commercial and industrial buildings.

## Attachment 2 - PLN17/0398 - 66 Cecil Street Fitzroy - Heritage advice

- For the landmark qualities of some large factory and warehouse buildings from the late 19th and earlier 20th century, such as the MacRobertson confectionary complex which are significant features in the skyline of this predominantly low rise suburb; and
- For the major early institutions that developed on its fringes, in particular, St Vincent's Hospital and The Convent of Mercy, as closely linked with the area's history, education and welfare within the metropolitan area.
- The South Fitzroy Precinct (HO334) is within close proximity to the Royal Exhibition Building and is adjacent to the World Heritage Environs Area precinct. The nineteenth century development and character of the South Fitzroy Precinct contributes to the broader setting and context of the Royal Exhibition Building. Views and vistas of the Royal Exhibition Building from within the South Fitzroy Precinct, including views to the dome from Gertrude Street, are also an important feature of the precinct.

### CONTEXT DESCRIPTION:

The subject site is a rectangular allotment with a principal frontage to Cecil Street, side frontage to Fitzroy Street and rear access via a bluestone laneway. It is located on the southern side of the street between Fitzroy Street to the east and Nicholson Street to the west.



Above: Extract from Melbourne and Metropolitan Board of Works detail plan, 1211, City of Fitzroy (dated 1900)

Historically the site consisted of three allotments, each containing a small dwelling. The three sites were sold in 1955 as a single allotment containing "old Bluestone, galvanised iron and timber Buildings thereon"<sup>1</sup>. The sites were amalgamated in 1957, which is possibly when the existing building was constructed.

The subject site is a double storey, Post-war style building constructed of cream bricks. The façade has been painted white and the front awning has been removed, but a good portion of original detailing still exists. Original details include saw tooth roofs concealed by large parapets; metal framed windows; clinker brick sills; a part rendered and part tiled façade; projected brick detailing and Moderne-style arrangement of the eastern façade, including horizontal concrete bands and oversized rainwater heads. There is a small front garden and recessed entry with double doors denoting the main entrance.

<sup>1</sup> 1955 'Advertising', The Argus (Melbourne, Vic. : 1848 - 1957), 17 March, p. 5. , viewed 04 Oct 2017, <http://nla.gov.au/nla.news-article71639337>

**Attachment 2 - PLN17/0398 - 66 Cecil Street Fitzroy - Heritage advice**



*Above: Recent aerial of the subject site*



*Above: Subject site as seen from across the street*

**Attachment 2 - PLN17/0398 - 66 Cecil Street Fitzroy - Heritage advice**



*Above: rear of subject site as seen from Fitzroy Street.*



*Above: Properties to the west of the subject site*

The portion of Cecil Street between Nicholson and Fitzroy Streets is mostly residential with a mix of former warehouses, some of which have been converted into apartments.

The adjoining properties to the west of the subject site are a pair of townhouses constructed c.2000 from a converted warehouse shell. Beyond these are a collection of single-storey houses of contributory significance.

Directly opposite the site is also a collection of single-storey masonry dwellings that are of contributory heritage significance.

**Attachment 2 - PLN17/0398 - 66 Cecil Street Fitzroy - Heritage advice**



*Above: Properties across the street from subject site.*

To the east of the subject site, across Fitzroy Street, is a large two and three-storey development (no. 494 Fitzroy Street) which was constructed c.2000 from a converted warehouse shell.



*Above: Cecil Street looking east toward No. 494 Fitzroy Street. Subject site denoted by red dashed line.*

Directly behind the subject site, separated by a laneway and fronting Fitzroy Street, is a three-storey development constructed c. 2003.

## Attachment 2 - PLN17/0398 - 66 Cecil Street Fitzroy - Heritage advice



Above: Development directly behind the subject site fronting Fitzroy Street (No. 467 Fitzroy Street)

### **ASSESSMENT OF PROPOSED WORKS:**

#### Comments regarding proposed demolition:

The extent of demolition proposed by this application includes the full demolition of the existing building.

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.

In accordance with Clause 22.02-5.1 of the Yarra Planning Scheme, full demolition of the subject building may be supported as the property has been identified as being not contributory.

#### Comments regarding new development, alterations and additions:

The extent of new works proposed by this application includes development of a four-storey multi-unit building with a 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.

The proposed front setback for the new development at ground level will be zero metres from both street frontages as well as from the laneway at the rear. The front setbacks of the adjacent non-contributory former warehouse properties are also zero metres although the contributory residential buildings beyond do have front setbacks. Given that the immediate context consists of former industrial buildings (now converted), rather than residential buildings, the proposed zero setbacks are considered appropriate.

There will be minor setbacks from all site boundaries at level 2 and slightly greater setbacks at level 3. The roof top level will be setback between about 1.7 to 2 metres from all site boundaries. These setbacks will be similar to the setbacks of the uppermost third floor levels of nos. 467 and 494 Fitzroy Street.

#### Scale/height:

Clause 22.02-5.7.1 of the Yarra Planning Scheme encourages:

## Attachment 2 - PLN17/0398 - 66 Cecil Street Fitzroy - Heritage advice

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 proposed street facade height for the new development will be about 6.1 metres (2 stories), rising to a height of 13 metres (4 stories) not including the 1.7 metre high walls/screens associated with the roof terraces.

The street facade height of no. 494 Fitzroy Street (non-contributory) is about 8.5 metres rising to a maximum building height of about 9.8 metres.

The street facade height of nos. 62 and 64 Cecil Street (non-contributory) is about 4.5 metres rising to a maximum building height of about 7 metres.

The street facade height of no. 467 Fitzroy Street (non-contributory) is about 5.3 metres rising to a maximum building height of about 9 metres.

The common street facade height of the adjacent non-contributory buildings in the street is therefore 6.1 metres which is consistent with the first two floor levels of the proposed development.

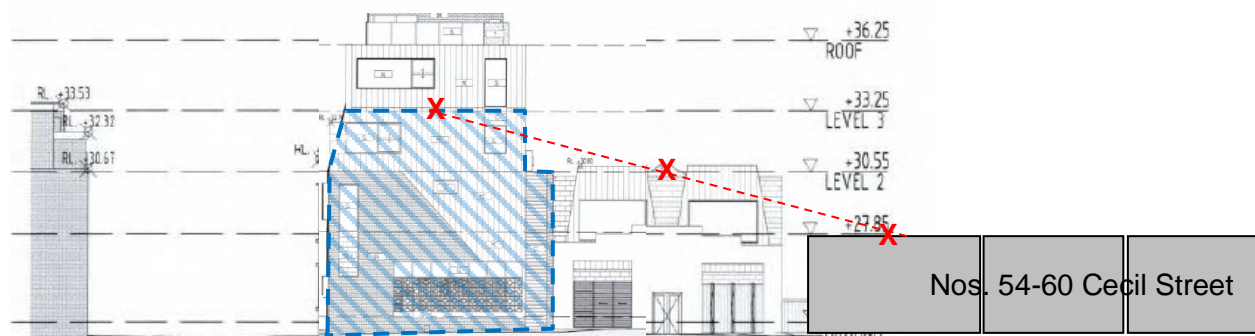


Above: Comparative scale of surrounding area.

Although the proposed Levels 2, 3 and the roof terraces of the new development are slightly set back, the building will still clearly read as an almost sheer perimeter wall of about 13 metres in height. Being a corner site means that these 13 metre walls will be fully exposed to two street frontages as well as being visible from all four approaches towards the intersection. Within the Cecil Street streetscape, the height of the proposed façade will be twice as tall as the immediately adjoining townhouses (nos. 62 and 64) and will be a dramatic contrast in scale to the nearby single-storey dwellings of contributory significance.

Using the finished height of nos. 62 and 64 for a mid-way transitional purposes, it is considered that the maximum height of the proposed development fronting Cecil Street should be no greater than three storeys (or about 10 metres), with the uppermost floor level clearly setback from the street façade. With a reduced finished RL level of about 33.5, the scale of the proposed building will be in keeping with the established height of no. 494 Fitzroy Street.

## Attachment 2 - PLN17/0398 - 66 Cecil Street Fitzroy - Heritage advice



Above: Line of transitional height shown in red. Preferred maximum height of development shaded in blue.

### Roof form:

The proposed roof form for the new development will be flat. This is considered consistent with the other originally non-residential roof forms of the adjacent properties in the area.

### Appearance:

Clause 22.02-5.7.1 of the Yarra Planning Scheme encourages the design of new development to:

- Respect the pattern, rhythm, orientation to the street, spatial characteristics, fenestration, roof form, materials and heritage character of the surrounding historic streetscape.
- Be articulated and massed to correspond with the prevailing building form of the heritage place or contributory elements to the heritage place.
- Be visually recessive and not dominate the heritage place.
- Be distinguishable from the original historic fabric.
- Not remove, cover, damage or change original historic fabric.
- Not obscure views of principle façades.
- Consider the architectural integrity and context of the heritage place or contributory element

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 immediately adjacent properties are generally composed of contemporary developments constructed behind partially remaining facades of earlier warehouse buildings.

Unlike the existing building, the proposed building will not however positively interact with the main street frontage, being Cecil Street. While the existing building has been identified as non-contributory, retaining at least the principal façade would have help integrate the new development into the existing streetscape. Alternatively, the fenestration of the existing building should be used as a design reference for the treatment of the Cecil Street façade.

The external materials for the new development will be predominantly a mix of face brickwork and metal cladding. Both of these materials are potentially appropriate however the actual colours proposed do not appear to have been identified.

The colour and materials of the proposed decorative grille(?) fronting Cecil Street does not appear to have been given in the submitted documentation. While it is considered that some limited use of this material may be acceptable for highlight purposes, it is considered that the dominant use of this material for the front ground floor must be reduced.

### RECOMMENDATIONS:

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

1. That the height of the proposed new building must be reduced to three-storeys or generally similar to the heights of the adjacent developments (maximum RL 33.5);



**Attachment 2 - PLN17/0398 - 66 Cecil Street Fitzroy - Heritage advice**

2. That the proposed Cecil Street façade of the new building must be modified to be more interactive with the street, using the fenestration of the existing building as a design reference;
3. That the extent of decorative grille proposed for the Cecil Street facade must be reduced in prominence;
4. That the colours of the proposed external materials must be reflective of the predominant colours in the vicinity and must be submitted and approved prior to the commencement of works;

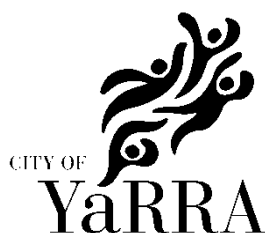
**SIGNED:**



Diahhh McIntosh

**DATED: 10 October 2017**

## Attachment 3 - PLN17/0398 - 66 Cecil Street Fitzroy - Engineering comments



## MEMO

**To:** Lara Fiscalini  
**From:** Artemis Bacani  
**Date:** 31 August 2017  
**Subject:** Application No: PLN17/0398  
 Description: Construction of Four Dwellings  
 Site Address: 66 Cecil Street, Fitzroy

I refer to the above Planning Application received on 2 August 2017 and the accompanying Traffic Impact Assessment Report prepared by Ratio Consultants in relation to the proposed development at 66 Cecil Street, Fitzroy. Council's Engineering Services unit provides the following information:

#### DEVELOPMENT LAYOUT DESIGN

##### Layout Design Assessment

Item	Assessment
<b>Access Arrangements</b>	
Development Entrance	Access to the garages would be via Fitzroy Street. Four new vehicle crossings would be constructed to service each dwelling. A site inspection revealed that there is an existing grated side entry pit and telecommunications pit in the area of the proposed vehicle crossing for Townhouse 1.
Doorway Width	A minimum doorway width of 3.0 metres has been provided for the garages.
Headroom Clearance	A minimum headroom clearance of 2.2 metres has been provided at the doorway.
Vehicle Turning Movements	The submitted swept path diagrams using the B99 design vehicle satisfactorily demonstrate vehicle movements into and out of the garages.
<b>Mechanical Car Parking</b>	
Car Stacker Device	The car stacker device to be used for this development is the Wöhr Parklift 450-195. The device has a pit length of up to 5.4 metres and a usable platform width of 2.6 metres. The device can comfortably accommodate B85 design vehicles.
Vehicle Turning Movements	The swept path diagrams provided satisfactorily demonstrate vehicle turning movements into and out of the stacker platforms using the B99 design vehicle.

### Attachment 3 - PLN17/0398 - 66 Cecil Street Fitzroy - Engineering comments Layout Design Assessment

Item	Assessment
<b>Mechanical Car Parking</b>	
Vehicle Clearance Height	The stacker device contains platforms with vehicle clearance heights of 1.8 metres and satisfies <i>Design standard 4: Mechanical parking</i> .
<b>Gradients</b>	
Ramp Grades and Changes of Grade	The ramp grades and the changes of grade for the ramped accessway and the internal ramps satisfy <i>Design standard 3</i> .

### Design Items to be Addressed

Item	Details
Grated Side Entry Pit – Fitzroy Street	<p>The existing grated side entry pit in the area of the new vehicle crossing for Townhouse 1 will need to be modified to accommodate the new vehicle crossing. The existing grated side entry pit has a larger inlet capacity than a single grated pit; therefore, a separate grated side entry pit must be constructed to maintain inlet capacity. The grated side entry pit is to be converted to a grated junction pit and a separate grated side entry pit in accordance with YSD 206 and using a Fitzroy precast kerb lintel (YSD211) is to be constructed south of the new vehicle crossing for Townhouse 1. A box culvert with galvanised steel lid connecting the grated junction pit and the new gated side entry pit must be installed under the channel to Council's standard and requirements.</p> <p>Prior to the application of a vehicle crossing permit, a detailed design of the pits must be submitted to Council for assessment and approval.</p> <p>All works must be to Council's Standards - Council's Standard Drawings can be accessed on the following link:</p> <p><a href="http://www.yarracity.vic.gov.au/services/Infrastructure/standard-drawings/2012-standard-drawings/">http://www.yarracity.vic.gov.au/services/Infrastructure/standard-drawings/2012-standard-drawings/</a></p>
Telecommunications Pit – Fitzroy Street	The construction of a vehicle crossing for Townhouse 1 would require the applicant to obtain advice and consent from the relevant service authority in relation to the position of the telecommunications pit. A copy of written advice/consent from the service authority must be submitted to Council as part of the planning application.

## **Attachment 3 - PLN17/0398 - 66 Cecil Street Fitzroy - Engineering comments**

### **ENGINEERING CONDITIONS**

#### **Civil Works**

- Upon the completion of all building works and connections for underground utility services, the footpath immediately outside the property's Fitzroy Street and Cecil Street road frontages must be stripped and re-sheeted to Council's satisfaction and at the Permit Holder's expense.
- The kerb and channel and pavement along the Fitzroy Street road frontage must be reconstructed to Council's satisfaction and at the Permit Holder's cost.
- The pavement along the Cecil Street road frontage must be reconstructed to Council's satisfaction and at the Permit Holder's cost.
- The footpath cross-fall must be no steeper than 1 in 40.
- The pram crossing on the south-west corner of the Cecil Street and Fitzroy Street intersection (in front of the property) must be reconstructed and made DDA compliant to Council's satisfaction and at the Permit Holder's cost.
- Any damage sustained in the Right of Way along the southern boundary of the site as a consequence of the development works and traffic shall be repaired/re-sheeted/reconstructed to Council's satisfaction and at the Permit Holder's expense.
- The existing grated side entry pit in the area of the new vehicle crossing for Townhouse 1 will need to be modified to accommodate the new vehicle crossing. The existing grated side entry pit has a larger inlet capacity than a single grated pit; therefore, a separate grated side entry pit must be constructed to maintain inlet capacity. The grated side entry pit is to be converted to a grated junction pit and a separate grated side entry pit in accordance with YSD 206 and using a Fitzroy precast kerb lintel (YSD211) is to be constructed south of the new vehicle crossing for Townhouse 1.

A box culvert with galvanised steel lid connecting the grated junction pit and the new gated side entry pit must be installed under the channel to Council's standard and requirements.

Prior to the application of a vehicle crossing permit, a detailed design of the pits must be submitted to Council for assessment and approval.

All works must be to Council's Standards - Council's Standard Drawings can be accessed on the following link:

<http://www.yarracity.vic.gov.au/services/Infrastructure/standard-drawings/2012-standard-drawings/>

#### **Road Asset Protection**

- Any damaged roads, footpaths and other road related infrastructure adjacent to the development site as a result of the construction works, including trenching and excavation for utility service connections, must be reconstructed to Council's satisfaction and at the developer's expense.

#### **Construction Management Plan**

- A Construction Management Plan must be prepared and submitted to Council. The Plan must be approved by Council prior to the commencement of works. A detailed dilapidation report should detail and document the existing and post construction conditions of surrounding road infrastructure and adjoining private properties.

## **Attachment 3 - PLN17/0398 - 66 Cecil Street Fitzroy - Engineering comments**

### **Impact of Assets on Proposed Development**

- Any services poles, structures or pits that interfere with the proposal must be adjusted, removed or relocated at the owner's expense after seeking approval from the relevant authority.
- Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and meters. No private pits, valves or meters on Council property will be accepted.

### **NON-PLANNING ADVICE FOR THE APPLICANT**

#### **Legal Point of Discharge**

The applicant must apply for a Legal Point of Discharge under Regulation 610 – Stormwater Drainage of the *Building Regulations 2006* from Yarra Building Services unit. Any storm water drainage within the property must be provided and be connected to the nearest Council pit of adequate depth and capacity (legal point of discharge), or to Council's satisfaction under Section 200 of the *Local Government Act 1989* and Regulation 610.

#### **Vehicle Crossings – Cross Sectional Drawing**

The applicant must prepare and submit a 1 in 20 scale cross sectional drawing of the development's vehicular entrance, showing the actual reduced levels to three decimal places (not interpolated levels from the application drawings) of the Fitzroy Street road profile (from the centre line to the property line). The required levels include the building line level, top of kerb level, invert level, lip level and road pavement levels. The existing road profile of Fitzroy Street and the accessway inside the property must be accurately drawn. The applicant must demonstrate by way of a ground clearance check using the B85 design vehicle that vehicles can traverse the new vehicle crossing and ramp without scraping or bottoming out.

The 1 in 20 scale cross sectional drawing must be submitted to Council's Construction Management branch for assessment and approval.

#### **Protection of Car Stacker Pit**

The Permit Holder/developer is responsible for the management and protection of their building from groundwater.

The developer needs to ensure that the car stacker pits and any portions of the development at or below natural surface level have a level of protection to minimise the seepage of subterranean water (groundwater) or any rainfall run-off from penetrating the walls or floors of the site.

In the event that any contaminated groundwater seeps through the walls of the basement, this water must not be discharged into Council's stormwater drainage system under any circumstances. Any contaminated groundwater that is present within the site must be treated and disposed of in accordance with a Trade Waste Agreement and as per EPA guidelines and Melbourne Water/City West Water guidelines.

It is also the Permit Holder's onus and responsibility to ensure that rainfall run-off does not enter the property in the event of a heavy storm. Adequate measures should be in place to prevent backwash from entering the property.

#### **No Entry Sign**

The applicant must liaise with Council's Traffic Engineering unit to relocate the existing No Entry sign on the west side of Fitzroy Street.

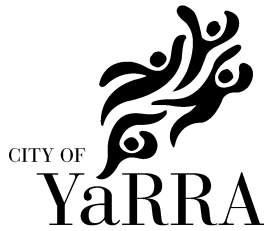
**Attachment 3 - PLN17/0398 - 66 Cecil Street Fitzroy - Engineering comments**

Regards

Artemis Bacani  
Roads Engineer  
Engineering Services Unit

---

**Attachment 4 - PLN17/0398 - 66 Cecil St Fitzroy - Urban Design referral comments final**



# MEMO

**TO:** Lara Fiscalini  
**FROM:** David Pryor  
**DATE:** 19 August 2017  
**SUBJECT:** 66 Cecil St Fitzroy  
**APPLICATION NO:** PLN17/0398  
**DESCRIPTION:** Construction of 4 x four-storey dwellings plus roof terraces, including demolition

Urban design advice has been sought in relation to:

- the proposed design;
- integration of the development with the surrounding context; and
- any proposed capital works in the vicinity.

**COMMENTS SUMMARY**

This proposal would be supported from an urban design perspective, once the following amendments have been satisfactorily implemented:

- reduce the quantity or configuration of car parking, to create positive public realm interfaces at ground floor level;
- reduce the height and bulk of the two corner townhouses to improve built form relationships at the rear lane and the Cecil St interface; and
- review the design in line with the above, giving consideration to strengthening the sense of grain, reusing existing materials and avoiding projections at too low a height.

There are no known capital works proposed for this area.

**Site and Context**

The site is zoned MUZ and sits within HO334. Streets or lanes adjoin the site on three sides.

A moderne style brick industrial building currently occupies the site.

**Built Form and Massing**

The proposal fills most of the site to a height of four storeys plus roof terraces, with modest setbacks (in the order of 1m) from all boundaries at the top two floor levels.

Viewed from the northwest, the proposal is significantly taller than the adjoining house at 64 Cecil St, which has an open space behind the retained single-storey wall which acts as its front fence. The top of the proposed 2-storey blank side wall will be visible, as will the two metal-clad levels above, which are set back 1.25m from the west boundary. This interface would be improved by deleting a level from Townhouse 1, and the resultant 3-storey height would be more consistent with

## **Attachment 4 - PLN17/0398 - 66 Cecil St Fitzroy - Urban Design referral comments final**

other residential developments in the vicinity, including those to the immediate east and south. The proposal would also impact on the amenity of 64 Cecil St, but that does not form part of this assessment.

### **Street Interface**

I support the provision of an individual entry to each unit, reinforcing the grain of subdivision.

The proposed carparking has an unduly dominating impact at ground floor level, occupying about 78% of the street frontages and more than half of the floor area at ground floor level. This results in a lack of visual interaction between inside and outside, a very disrupted footpath and an unengaging pedestrian experience in the public realm which surrounds the site. The substantial above-ground space allocated to car parking also contributes to pushing the height of the building up. It is recommended that car parking be reduced or reconfigured so that service areas do not occupy more than about a quarter of the ground floor area or frontage. The freed-up space would enable the development to contribute a greater diversity of uses and typologies to the neighbourhood in this mixed use zone.

### **Presentation to the Lane**

Design Guidelines under Clause 22.10-3.3 include: *New development which abuts a laneway should be no higher than 2 storeys*. The proposal is effectively 4 storeys, given the minimal setback. It is recommended that this impact be reduced either by increasing the setback to at least 3m or by deleting a level from Townhouse 4. The latter option would have the additional benefit of strengthening differentiation and a sense of grain along the Fitzroy St frontage.

### **Building Design and Finishes**

The metal window shrouds enhance the design, but some of them project over the boundary with a clearance of only about 1.6m above the footpath.

I understand that the existing building has been identified as not contributory. Nevertheless, there is scope to achieve a design which is more interesting and responsive to the context through adaptive reuse of the existing building. This would also have environmental benefit, consistent with Clause 22.10-3.5: "Maximise the retention and re-use of existing materials". As a minimum, it would be beneficial to reuse existing bricks for the brickwork components of the proposal.

The design and materials are otherwise broadly supported, but should be reviewed in conjunction with the changes to massing and car parking recommended above.

The above advice is limited to urban design issues, and does not address ESD, amenity or heritage, for example.



## Attachment 5 - PLN17/0398 - 66 Cecil Street, Fitzroy - ESD Referral comments

## Sustainable Management Plan (SMP)

Referral Response by Yarra City Council

**Assessment Summary:**

Responsible Planner:	Lara Fiscalini
ESD Advisor:	Euan Williamson
Date: 11.08.2017	Planning Application No: PLN17/0398
Subject Site:	66 Cecil Street, Fitzroy
Site Area: Approx. 253m <sup>2</sup>	Site Coverage: 100%
Project Description:	4 x four storey townhouses.
Pre-application meeting(s):	No ESD involvement.

This application **largely meets** Council's Environmental Sustainable Design (ESD) standards. Should a permit be issued, the following ESD commitments (1) and deficiencies (2) should be conditioned as part of a planning permit to ensure Council's ESD standards are fully met.

*Furthermore, it is recommended that all ESD commitments (1), deficiencies (2) and the outstanding information (3) are addressed in an updated SMP report and are clearly shown on Condition 1 drawings. ESD improvement opportunities (4) have been summarised as a recommendation to the applicant.*

**(1) Applicant ESD Commitments:**

- Exceeding minimum NCC standards for thermal energy efficiency with an average NatHERS rating of 6.6 Stars.
- A STORM report demonstrating best practice in urban stormwater management, incorporating a 2,000 litre rainwater tank in each townhouse (8,000 litres in total) connected to toilets for flushing.
- Good daylight access to all habitable rooms.
- Energy efficient heating / cooling and lighting systems.
- Water efficient fixtures throughout.
- Reasonable shading through box window shades to bedroom windows.
- Bicycle parking space in studio/workshops or garages.

**(2) Application ESD Deficiencies:**

*There are no outstanding deficiencies identified at this time.*

**(3) Outstanding Information:**

- It appears on the plans that some habitable rooms do not have an operable window. Ensure that all habitable rooms have an operable window and that the open plan living areas have a minimum of two operable windows on different aspects to facilitate cross ventilation.

**(4) ESD Improvement Opportunities:**

- The living rooms windows have considerable exposure to summer sun angles, although the overall cooling loads are reasonable. Consider operable blinds, shutters or louvers to exposed east, west and north facing windows.
- Consider a pergola mounted solar PV array on the rooftops to provide some shelter and contribute towards onsite electricity consumption.
- Consider providing the flyscreens to all operable windows and sliding doors.

**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 recommendation.

**Attachment 5 - PLN17/0398 - 66 Cecil Street, Fitzroy - ESD Referral comments**

**Attachment 6 - PLN17/0398 - 66 Cecil Street, Fitzroy - MW referral comments**

The plans sent through recently generally meet our requirements. There is one very minor matter that needs to be adjusted on the plans. The finished floor level of town house 1 must be the same as for the other two town houses. There is no need to re refer the plans as long as you ensure this change has been made prior to endorsing the plans.

Regards

**John Karageorge** | Town Planner | Customer Planning and Services | **Melbourne Water** | T: (03) 9679 7153 | 990 La Trobe Street, Docklands, Melbourne | PO Box 4342 Melbourne VIC 3001 | [melbournewater.com.au](http://melbournewater.com.au)

**Attachment 7 - PLN17/0398 - 66 Cecil Street, Fitzroy - WMP referral comments**

Re: Waste Management plan Referral from Amy Hodgen - 66 Cecil Street Fitzroy

The Waste Management Plan prepared by ratio dated 17<sup>th</sup> July 2017 for 66 Cecil Street Fitzroy is satisfactory from the City Works Branch's perspective. If you have any questions please give me a call.

Kind Regards

Joseph Agostino  
Project Officer  
City Works  
Yarra Operations Depot, Clifton Hill

City of Yarra PO Box 168 Richmond 3121  
T(03) 9205 5540 F(03) 8417 6666  
E [Joe.Agostino@yarracity.vic.gov.au](mailto:Joe.Agostino@yarracity.vic.gov.au) W [www.yarracity.vic.gov.au](http://www.yarracity.vic.gov.au)