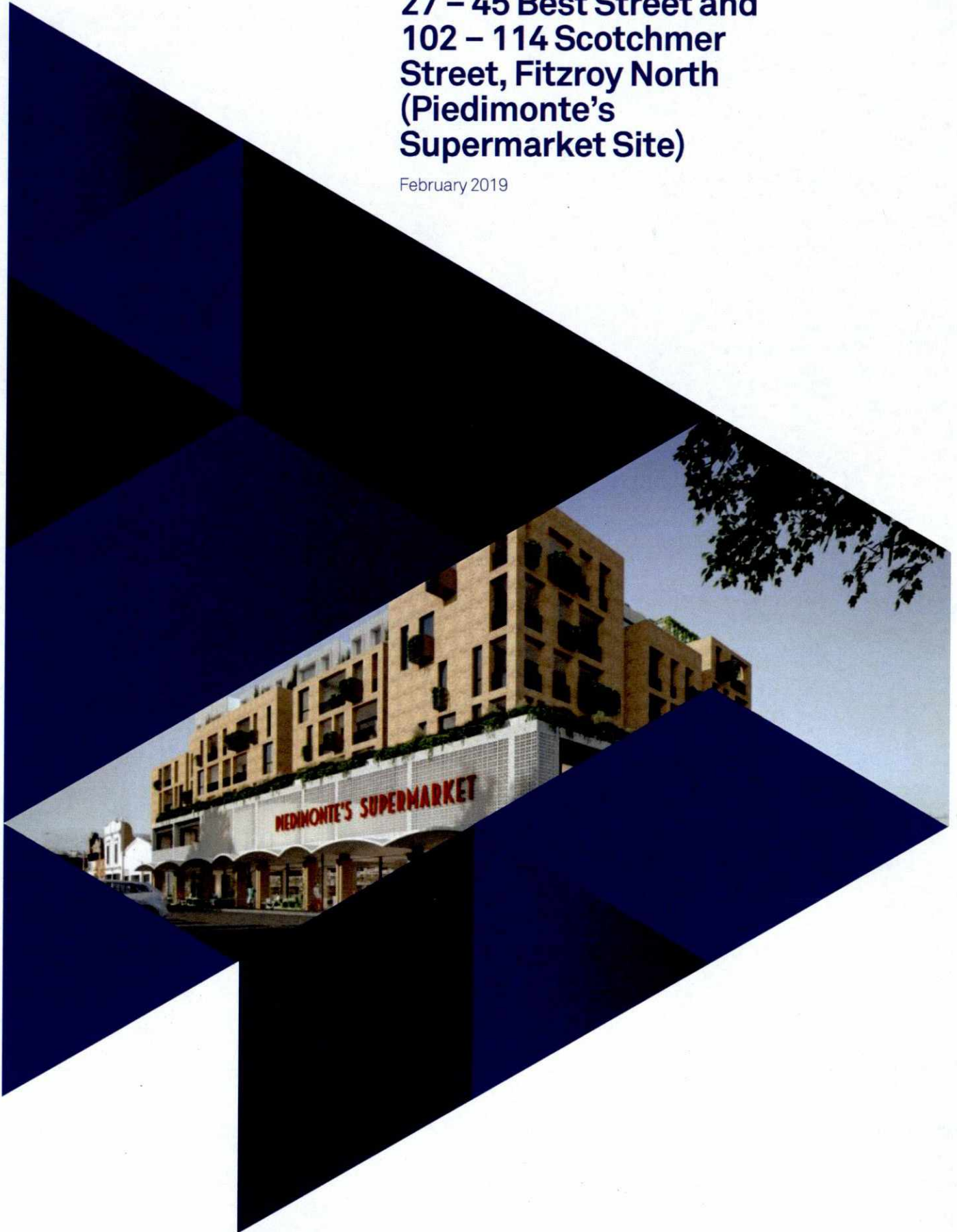


Contour*
Town Planners

Town Planning and Urban Context Report

**27 – 45 Best Street and
102 – 114 Scotchmer
Street, Fitzroy North
(Piedimonte's
Supermarket Site)**

February 2019



Town Planning and Urban Context Report

27 – 45 Best Street and 102 – 114 Scotchmer Street, Fitzroy North (Piedimonte's Supermarket Site)

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1 Introduction

This report has been prepared to accompany an amended planning permit application to the City of Yarra for the redevelopment proposal of the land at 27 – 45 Best Street and 102 – 114 Scotchmer Street in Fitzroy North, being the Piedimonte's Supermarket site, associated landholdings and a Right of Way that extends through the site.

This application amends the application submitted to Council in July 2017.

The proposal includes partial and full demolition of some of the existing buildings on the site and the redevelopment of the land for a part five (5) and part seven (7) storey building to be used for the purposes of an expanded Supermarket, Retail Premises including an expansion to the existing red line area associated with the Supermarket Bottle Shop, café (Food and Drink Premises), Dwellings and a reduction in the statutory car parking requirements.

This report provides:

- A description of the site and its surrounds;
- An outline of the applicable statutory planning framework;
- An urban context report and design response analysis;
- A description of the amended development proposal; and
- An assessment of the proposal taking into account the relevant town planning considerations.

This report is prepared in accordance with the relevant provisions of the Yarra Planning Scheme, including the applicable sections of the Municipal Strategic Statement and all relevant Local Policies.



2 Subject Site and Surrounds

2.1 Subject Site

The Subject Site is comprised of the below properties / land:

- **37 – 45 Best Street** which is located on the south-west corner of Best Street and Scotchmer Street in Fitzroy North. It has a frontage to Best Street of approximately 68 metres, a frontage to Scotchmer Street of approximately 40 metres.

This part of the site is currently occupied by a two storey brick building currently occupied by the Piedimonte's Supermarket.

- **27, 31 – 33 and 35 Best Street** which are located to the south of the Supermarket.

These properties are currently occupied by single and double storey retail buildings.

- The properties located at **102 – 114 Scotchmer Street** are situated between Egremont Street and the Right of Way that extends along the western side of the Supermarket. They all contain double storey buildings and are used for combinations of retail, commercial and residential purposes. This part of the site comprises a frontage to Scotchmer Street of approximately 31 metres and a frontage to Egremont Street of approximately 30 metres.

- The abovementioned **Right of Way** extends in a north south direction from Tranmere Street in the south through to Scotchmer Street. The section of laneway forming part of the Subject Site is that part of the laneway between the existing supermarket site and No. 114 Scotchmer Street (refer to application plans for further detail).

The overall site area is approximately 3,715m².

Having regard to the immediate surrounds, the following is noted:

- Directly north of the site on the opposite side of Scotchmer Street are a row of single and double storey buildings used for retail / commercial purposes.
- To the east is a small landscaped triangle situated at the intersection of Scotchmer Street, Best Street and St Georges Road. Land on the opposite side of St Georges Road comprises various single and two storey buildings occupied by a mix of retail, commercial and residential uses.
- To the south, the subject site abuts a single storey commercial building fronting Best Street and a single storey dwelling (located in the Neighbourhood Residential Zone) fronting Egremont Street.
- To the west of the site, the land is residential in nature and comprises generally single and double storey dwellings flanking both sides of Egremont Street.



Figure 2.1
CADASTRAL PLAN



Figure 2.2
AERIAL PHOTOGRAPH

SUBJECT SITE – VIEW OF SITE



2 Subject Site and Surrounds

2.2 Surrounds

The Subject Site is strategically located within the North Fitzroy Village Neighbourhood Activity Centre (as defined by Clause 21.08 of the Yarra Planning Scheme), a linear commercial precinct that extends along St Georges Road.

The immediate context within the activity centre is characterised by hard-edged commercial streetscapes along St Georges Road, Best Street and the commercially zoned land on Scotchmer Street of primarily one and two storey buildings. Buildings are generally built to street frontages and side boundaries, and contain a mix of land uses including shops, food and drink premises and offices. Surrounding the Activity Centre are residential areas generally comprising low-rise attached dwellings.

In addition to a wide range of shops, food and drink premises and other community services, the site is also close to a number of public open space reserves. These include Inner Circle Railway Linear Park (Capital City Trail), Edinburgh Gardens and Merri Creek.

The subject site is approximately 3 km north of the Central Business District and is proximate to various means of public transport including Tram services along St Georges Road (Route 11) and Nicholson Street (Route 96), bus services along Michael and Reid Street (Route 504) and Routes 250 / 251, and the Rushall Railway Station which is situated 740 metres to the east of the site and is located on the South Morang line.

Figure 2.3
AERIAL PHOTOGRAPH

BROAD CONTEXT



Figure 2.4
LOCALITY PLAN

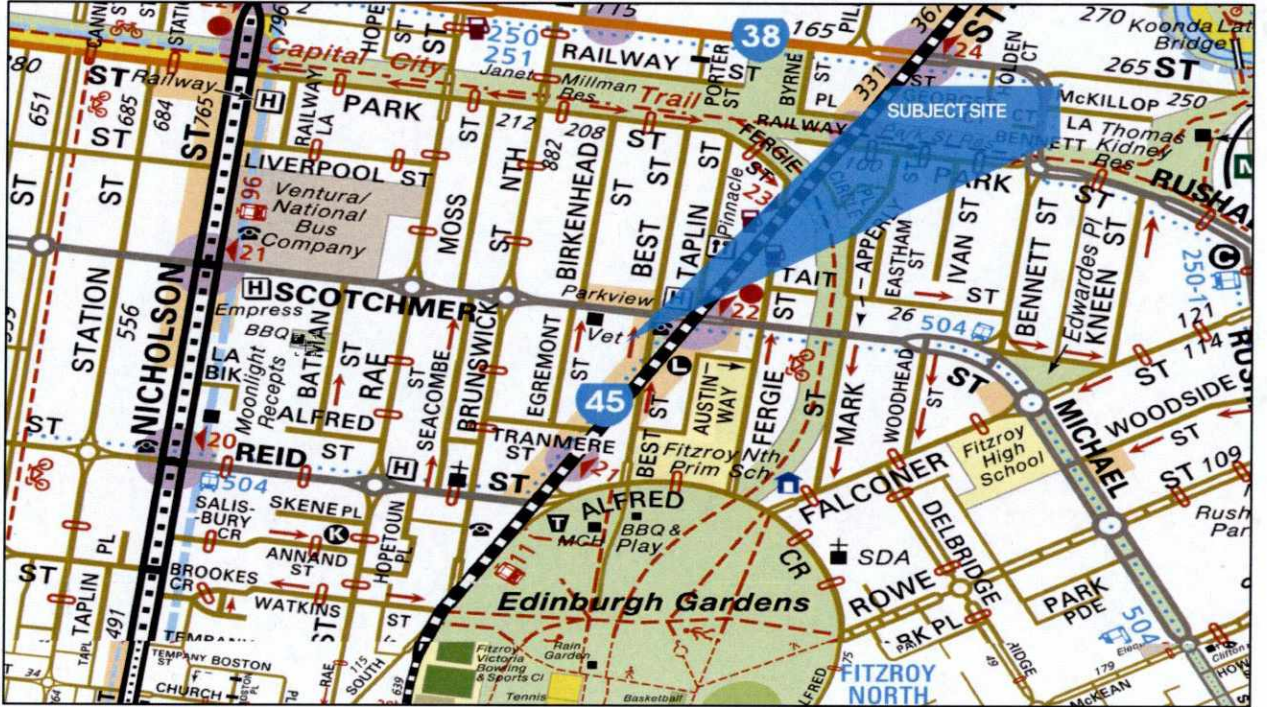


Figure 2.5
VIEW OF SUBJECT SITE – BEST STREET FRONTAGE



Figure 2.6
VIEW OF SUBJECT SITE - BEST STREET FRONTAGE



Figure 2.7
VIEW OF SUBJECT SITE – SCOTCHMER STREET FRONTAGE



2 Subject Site and Surrounds

Figure 2.8
VIEW OF SUBJECT SITE –EGREMONT STREET FRONTAGE

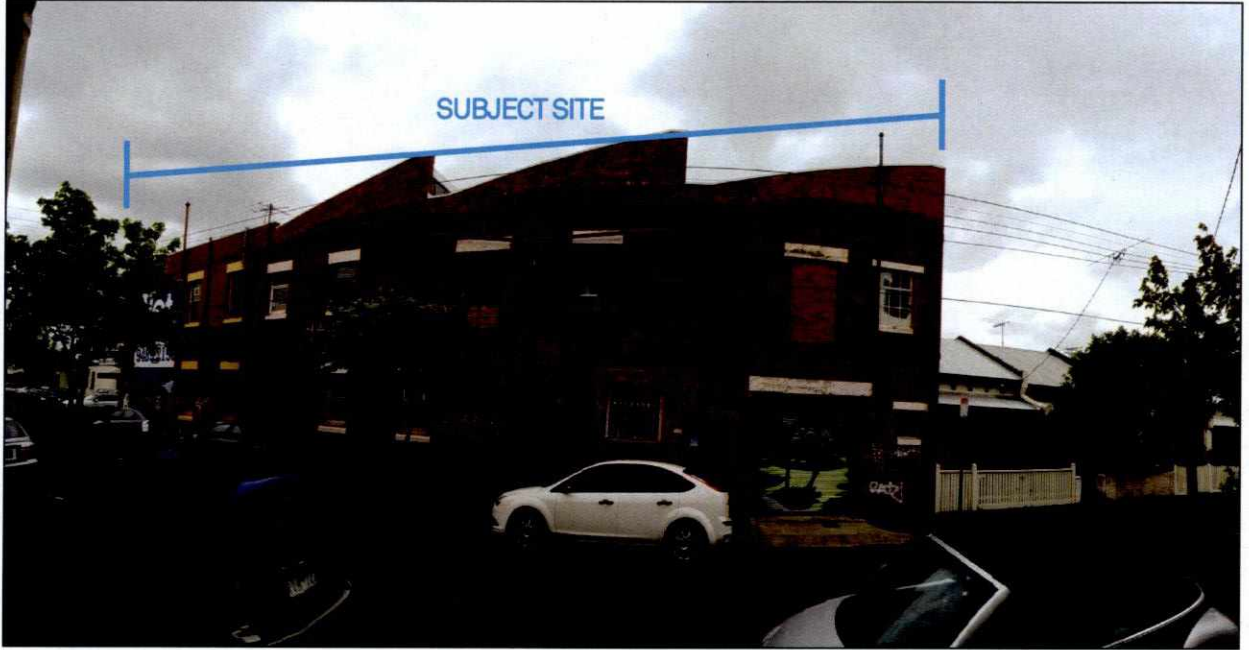


Figure 2.9
VIEW OF SUBJECT SITE –EGREMONT STREET FRONTAGE

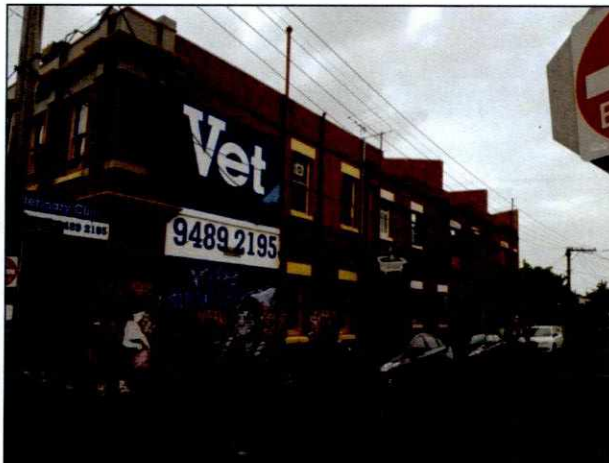


Figure 2.10
VIEW SOUTH TOWARDS EXISTING LOADING BAY AND ROW



2 Subject Site and Surrounds

Figure 2.11
VIEW NORTH TOWARDS SCOTCHMER STREET ALONG THE ROW

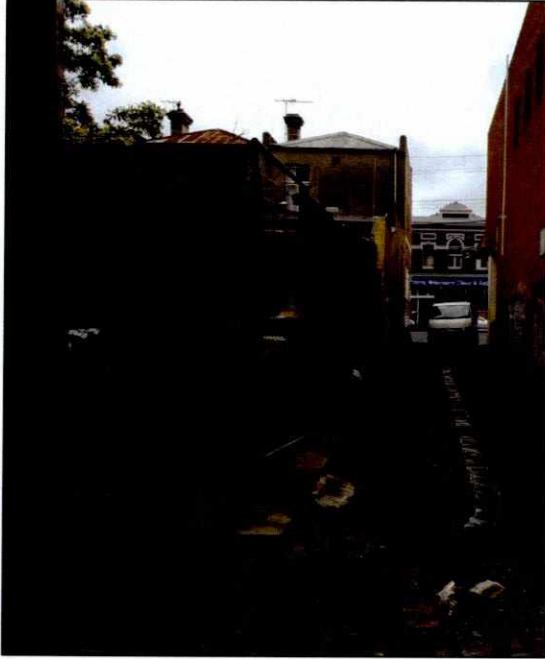


Figure 2.12
VIEW OF ADJOINING DWELLINGS AT 36 EGREMONT STREET



Figure 2.13
LAND ON NORTH SIDE OF SCOTCHMER STREET (OPPOSITE SUBJECT SITE)



2 Subject Site and Surrounds

Figure 2.14
VIEW TOWARDS EAST SIDE OF ST GEORGES ROAD (OPPOSITE SUBJECT SITE)



3 Statutory Planning Framework

3.1 Planning Policy Framework

The Planning Policy Framework (PPF) includes the following policies which are relevant to the proposal:

- Clause 11 Settlement
- Clause 11.01 Victoria
- Clause 11.01-1S Settlement
- Clause 11.01-1R Settlement – Metropolitan Melbourne
- Clause 11.03 Planning for Places
- Clause 11.03-1S Activity Centres
- Clause 11.03-1R Activity Centres – Metropolitan Melbourne
- Clause 13.05-1S Noise Abatement
- Clause 13.07-1S Land Use Capability
- Clause 15 Built Environment and Heritage
- Clause 15.01 Built Environment
- Clause 15.01-1S Urban Design
- Clause 15.01-1R Urban Design – Metropolitan Melbourne
- Clause 15.01-2S Building Design
- Clause 15.01-4S Healthy Neighbourhoods
- Clause 15.01-4R Healthy Neighbourhoods – Metropolitan Melbourne
- Clause 15.01-5S Neighbourhood Character
- Clause 15.02 Sustainable Development
- Clause 15.02-1S Energy and Resource Efficiency
- Clause 15.03 Heritage
- Clause 15.03-1S Heritage Conservation
- Clause 16 Housing
- Clause 16.01 Residential Development
- Clause 16.01-1S Integrated Housing
- Clause 16.01-1R Integrated Housing – Metropolitan Melbourne
- Clause 16.01-2S Location of Residential Development
- Clause 16.01-2R Housing Opportunity Areas – Metropolitan Melbourne
- Clause 16.01-3S Housing Diversity
- Clause 16.01-3R Housing Diversity – Metropolitan Melbourne
- Clause 16.01-4S Housing Affordability
- Clause 17 Economic Development
- Clause 17.01 Employment
- Clause 17.01-1S Diversified Economy
- Clause 17.01-1R Diversified Economy – Metropolitan Melbourne
- Clause 17.02 Commercial
- Clause 17.02-1S Business
- Clause 18 Transport
- Clause 18.01 Integrated Transport
- Clause 18.01-1S Land Use and Transport Planning
- Clause 18.02 Movement Networks
- Clause 18.02-1S Sustainable Personal Transport
- Clause 18.02-1R Sustainable Personal Transport – Metropolitan Melbourne
- Clause 18.02-2S Public Transport
- Clause 18.02-2R Principal Public Transport Network
- Clause 18.02-3S Road System
- Clause 18.02-4S Car Parking
- Clause 19.03-5S Waste and Resource Recovery



3 Statutory Planning Framework

Amongst other things, the Planning Policy Framework encourages urban consolidation, where retail, commercial and community facilities are concentrated and a variety of public transport options exist. There is an expectation that the growth of housing will occur in suitable locations that have readily available access to general services and facilities.

This orderly planning is dictated by the categorisation of activity centres throughout Victoria and as a result, State policy encourages higher density infill development in activity centres and areas close to activity centres. These areas have good access to services, facilities, transport, parks, schools and commercial shopping areas.

3.2 Plan Melbourne

Plan Melbourne, Melbourne's metropolitan planning strategy states that Melbourne has grown rapidly over the past decade and by 2051 it is estimated that the city's population could be 7.7 million. This growth will require around 1.6 million dwellings.

A basic tenet of the strategy is that the provision of medium and high density development is to be directed closer to housing and jobs.

Plan Melbourne seeks to make 'better use of existing assets', which includes redeveloping underutilised and well-located urban areas to house more people and create opportunities for new investment in businesses and services. The strategy also promotes '20-minute neighbourhoods' where there is access to local shops, schools, parks, jobs and a range of community services within a 20 minute trip from your front door.

Housing choice and affordability are other key planks of the policy, with directions to increase the supply of housing near services and public transport.

3.3 Local Planning Policy Framework

The Municipal Strategic Statement (MSS) provides the strategic planning framework for the City of Yarra. Several of the identified issues raised within the MSS are relevant to the proposal.

These include:

- Clause 21.03 Vision
- Clause 21.04 Land Use
- Clause 21.05 Built Form
- Clause 21.06 Transport
- Clause 21.07 Environmental Sustainability
- Clause 21.08 Neighbourhoods (North Fitzroy)

Clause 21.03 Vision

Clause 21.03 sets out the Vision for Yarra in 2020 in respect of Land Use, Built Form, Transport and Environmental Sustainability, and the following key vision statements are noted:

3 Statutory Planning Framework

-
- *The City will accommodate a diverse range of people, including families, the aged, the disabled, and those who are socially or economically disadvantaged*
 - *Yarra will have increased opportunities for employment*
 - *Yarra will have a distinctive identity as a low-rise urban form, with areas of higher development and highly valued landmarks*
 - *All new development will demonstrate design excellence.*
 - *Buildings throughout the City will adopt state-of-the-art environmental design*

Clause 21.04 Land Use

Clause 21.04 highlights the consistent residential growth in which the City of Yarra is experiencing. Clause 21.04-1 suggests that this growth be accommodated on sites that are *'generally located in, abutting, or close to activity centres, or in locations that offer good access to services and transport as required under Melbourne 2030'*.

Relevant objectives include:

- *To accommodate forecast increases in population.*
- *To retain a diverse population and household structure.*
- *To reduce potential amenity conflicts between residential and other uses.*
- *To maintain the long term viability of activity centres.*

Clause 21.05 Built Form

Clause 21.05 recognises the contribution of built form makes to the City of Yarra. The policy acknowledges Yarra's high percentage of properties affected by a Heritage Overlay, and their importance to Yarra's neighbourhoods. Notwithstanding the above, the policy also acknowledges that there is also a need for adaptive reuse and change of buildings. Clause 21.05, describes the municipality as being characterised by a *'low rise urban form punctuated by pockets of higher development'*.

Key objectives within this Clause include:

- *To protect and enhance Yarra's heritage places.*
- *To retain Yarra's identity as a low-rise urban form with pockets of higher development.*
- *To retain, enhance and extend Yarra's fine grain street pattern.*
- *To ensure that new development contributes positively to Yarra's urban fabric.*
- *To enhance the built form character of Yarra's activity centres.*
- *To encourage the provision of universal access in new developments.*

New development is to aspire to high quality architectural design and positively contribute to Yarra's urban fabric.

In addition to the above, Strategy 17.2 is relevant to the proposal and states that:

3 Statutory Planning Framework

'Development on strategic redevelopment sites or within activity centres should generally be no more than 5-6 storeys unless it can be demonstrated that the proposal can achieve specific benefits such as:

- *Significant upper level setbacks*
- *Architectural design excellence*
- *Best practice environmental sustainability objectives in design and construction*
- *High quality restoration and adaptive re-use of heritage buildings*
- *Positive contribution to the enhancement of the public domain*
- *Provision of affordable housing.'*

Clause 21.06 Transport

Clause 21.06 acknowledges that *'Yarra needs to reduce car dependence by promoting walking, cycling and public transport use as viable and preferable alternatives.'*

Specifically, Clause 21.06 includes the following strategies aimed at reducing car dependency:

- *Minimise vehicle crossovers on street frontages.*
- *Use rear laneway access to reduce vehicle crossovers.*
- *Require new development that generates high numbers of trips to be easily accessible by public transport.*
- *Ensure access arrangements maintain the safety and efficiency of the arterial and local road networks.*

Clause 21.07 Environmental Sustainability

Clause 21.07 seeks to address environmental sustainability through promoting sustainable building design and construction within the municipality.

Clause 21.08 Neighbourhoods

Clause 21.08-8 implements objectives and strategies contained between Clauses 21.04 to 21.07, specific to the North Fitzroy Neighbourhood. Figure 19 illustrates the subject site as being located within the North Fitzroy Village neighbourhood activity centre

The Clause describes the North Fitzroy Area as:

North Fitzroy is known for the beautiful Edinburgh Gardens which combine open space, sportsgrounds, barbecue area, gardens with long-established European elm trees, skate bowl, tennis and basketball courts, bandstand, bowling greens and bocce links, remnants of the old Melbourne rail loop, and a heritage listed grandstand.

The neighbourhood is largely residential. The northern part of North Fitzroy has a low density residential character consisting of late Victorian and early Edwardian double fronted dwellings.

3 Statutory Planning Framework

Further south dwellings are more likely to be single fronted and one or two storeys.

Linear Park which is a significant park in this neighbourhood would benefit from casual surveillance from new development.

The North Fitzroy Village neighbourhood activity centre is a mixed use centre with strong convenience retailing located on St Georges Road. Further north along St Georges Road is the North Fitzroy neighbourhood activity centre. This centre provides a number of specialist business services. Linkages between the two parts of the centre should be improved.

In addition to the MSS, the following Local Planning Policies are relevant to the proposal:

- Clause 22.02 Development Guidelines for Sites Subject to the Heritage Overlay
- Clause 22.05 Interface Uses Policy
- Clause 22.07 Development Abutting Laneways
- Clause 22.09 Licensed Premises
- Clause 22.16 Stormwater Management (Water Sensitive Urban Design)
- Clause 22.17 Environmentally Sustainable Design

Clause 22.02 Development Guidelines for Sites Subject to the Heritage Overlay

The policy applies to all land within a Heritage Overlay and provides guidance for the protection and enhancement of the City's places of heritage significance. The Heritage Overlay applies to the entire site.

At Clause 22.02, the policy applies levels of significance to heritage buildings according to the City of Yarra Review of Heritage Overlay Areas 2007 which is an incorporated document.

Having regard to the City of Yarra Review of Heritage Overlay Areas 2007 (Appendix 8), the following properties are graded individually significant or contributory:

- 31 Best Street (J Fisher & Co. motor engineers workshop)
individually significant
- 102 Scotchmer Street (Shop & residences) **Contributory**
- 108 Scotchmer Street (Bond's Buildings shop & residence)
Contributory
- 110 Scotchmer Street (Shop & residences) **Contributory**
- 112 Scotchmer Street (Shop & residences former) **Contributory**
- 114 Scotchmer Street (Shop & residences former) **Contributory**

The existing Piedimonte's Supermarket building itself (35-45 Best Street) is not contributory.

3 Statutory Planning Framework

The buildings at 27-29 Best Street are not identified in the *City of Yarra Review of Heritage Overlay Areas, Appendix 8* however, the Heritage Impact Assessment prepared by Lovell Chen considers the pair of two-storey Victorian shops, to be of heritage value.

Clause 22.05 Interface Uses Policy

The policy seeks to manage conflicts that arise where neighbourhoods include a diverse land use and built form mix with an emphasis on protecting the viability of commercial areas while maintaining a reasonable level of amenity for residents.

Clause 22.07 Development Abutting Laneways

This policy applies to applications for development that is accessed from a laneway or has a laneway abuttal.

The policy is formed on the basis that the Municipal Strategic Statement (MSS) identifies the need to retain existing laneways and enhance their amenity. It also states that, where appropriate, laneway access for vehicles is to be used in preference to street frontages to reduce vehicle crossovers.

Clause 22.09 Licensed Premises

The relevant objectives of this policy are:

- *To effectively manage the location, operation and hours of trade of licensed premises, in order to protect the amenity of nearby properties and areas.*
- *To protect residential and other commercial uses from excess noise, traffic and car parking issues.*

The policy addresses matters including location and access, hours of operation, patron numbers, noise, car parking, and the need to prepare a noise and amenity action plan.

Clause 22.16 Stormwater Management (Water Sensitive Urban Design)

Pursuant to Clause 22.16-4, an application must be accompanied by a Water Sensitive Urban Design Response.

Clause 22.17 Environmentally Sustainable Design Policy

The overarching objective of this Policy is that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation.

3 Statutory Planning Framework

3.4 Zoning

The Subject Site is located entirely within the Commercial 1 Zone pursuant to the provisions of the Yarra Planning Scheme.

The purpose of the Commercial 1 Zone is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.*
- *To provide for residential uses at densities complementary to the role and scale of the commercial centre.*

Pursuant to the Commercial 1 Zone, the following is noted:

- A "Dwelling" is a Section 1 permit not required use, subject to the condition that any frontage at the ground floor level must not exceed two metres. In this application, some residential frontages exceed 2 metres, and therefore a permit is required.
- "Retail Premises" and "Shop" (including Supermarket and Bottle Shop) are Section 1 - Permit not required' uses.
- A permit is required to construct a building or construct or carry out works.

3.5 Overlay

The subject site is affected by a Heritage Overlay (Schedule 327). The purpose of the Heritage Overlay is to:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To conserve and enhance heritage places of natural or cultural significance.*
- *To conserve and enhance those elements which contribute to the significance of heritage places.*
- *To ensure that development does not adversely affect the significance of heritage places.*
- *To conserve specifically identified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place*

Pursuant to the requirements set out at Clause 43.01-1 the following applies:

- A permit is required to demolish or remove a building.
- A permit is required to construct a building or construct or carry out works.

Schedule 327 to the Heritage Overlay is a precinct wide control that applies to the 'North Fitzroy Precinct.' Under H0327, external paint controls do not apply to the subject site.

Further detail in relation to the applicable heritage considerations is provided in the accompanying assessment prepared by Lovell Chen.

3 Statutory Planning Framework

Figure 3.1
ZONING PLAN

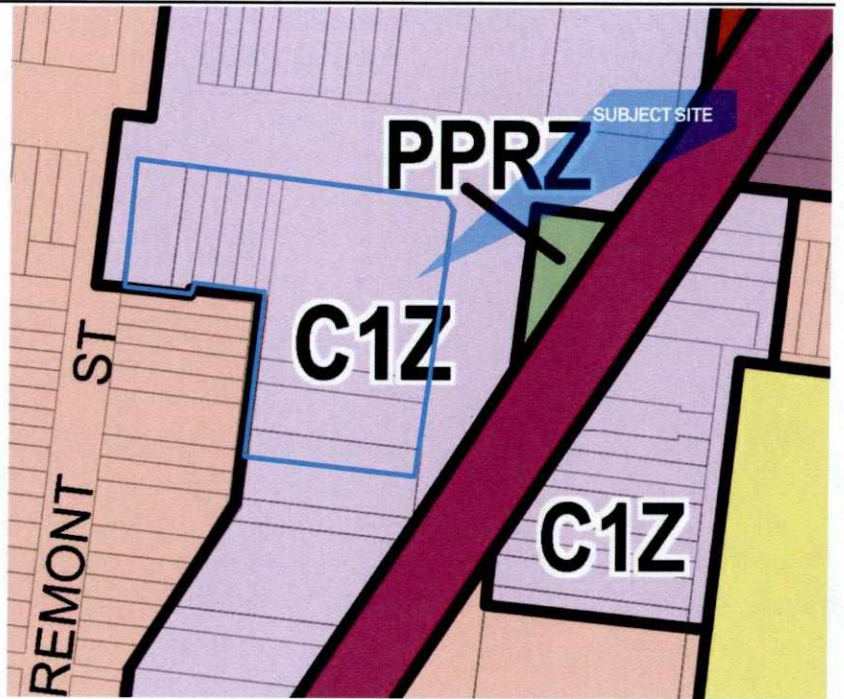
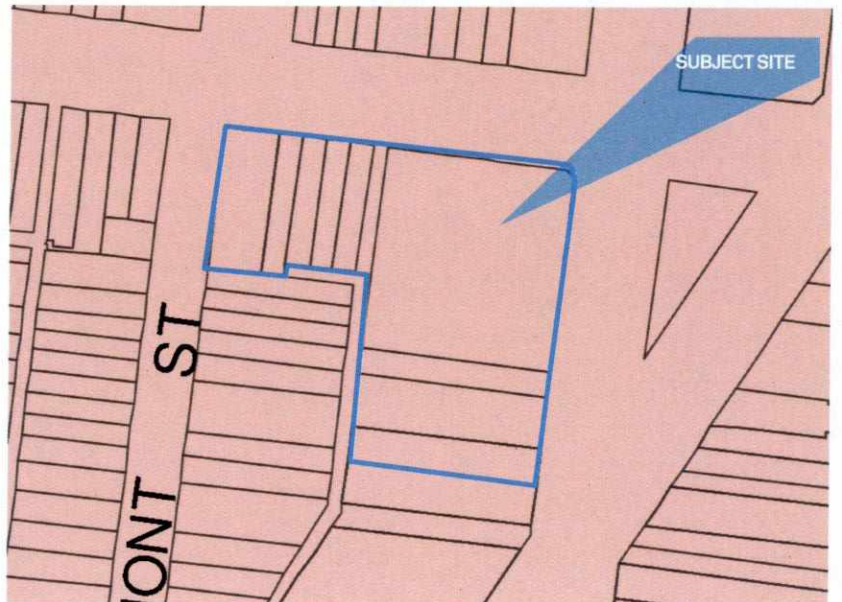


Figure 3.2
HERITAGE OVERLAY



3 Statutory Planning Framework

3.6 Particular and General Provisions

The following clauses within the Particular and General Provisions sections of the Planning Scheme are relevant to the application:

- Clause 52.06 Car Parking
- Clause 52.27 Licensed Premises
- Clause 52.34 Bicycle Facilities
- Clause 52.36 Integrated Public Transport Planning
- Clause 53.18 Stormwater Management in Urban Development
- Clause 58 Apartment Developments
- Clause 65 Decision Guidelines

Clause 52.06 Car Parking

Clause 52.06-5 sets out the number of car parks required for various land uses. The subject site is located within a Principal Public Transport Network area, thus comprises a varied car parking rate for the various uses, as specified in Column B at Clause 52.05-6. The following is noted:

Use of land for a 'Dwelling' requires:

Residential development:

- 1 car space to each one or two bedroom dwelling, plus
- 2 car spaces to each three or more bedroom dwelling (with studies or studios that are separate counted as bedrooms), plus

Use of the land for a 'Supermarket' requires 5 car spaces to every 100m² of leasable floor space, whilst Food and Drink Premises and Shop (including Bottle Shop) require 3.5 car spaces to every 100m² of floor area.

A planning permit may be issued to waive or reduce the requirements subject to Clause 52.06-6.

An assessment of the car parking requirements is provided in the Traffic Impact Assessment prepared by MGA Traffic Engineers.

Clause 52.27 Licensed Premises

Under Clause 52.27 of the Scheme, a Planning Permit is required to increase the area that liquor is allowed to be supplied.

The purpose of the Clause is to '*ensure that licensed premises are situated in appropriate locations*' and '*to ensure that the impact of the licensed premises on the amenity of the surrounding area is considered.*'

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

3 Statutory Planning Framework

-
- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
 - *The impact of the sale or consumption of liquor permitted by the liquor licence on the amenity of the surrounding area.*
 - *The impact of the hours of operation on the amenity of the surrounding area.*
 - *The impact of the number of patrons on the amenity of the surrounding area.*
 - *The cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.*

Clause 52.34 Bicycle Facilities

The purpose of Clause 52.34 is:

- *To encourage cycling as a mode of transport.*
- *To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.*

A new use must not commence until the required bicycle facilities and associated signage has been provided on the land. Table 1 to Clause 52.34-3 sets out the number of bicycle spaces required.

An assessment of the bicycle facilities is provided in the Traffic Impact Assessment prepared by MGA Traffic Engineers.

Clause 58 Apartment Developments

The purpose of the Clause is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To encourage apartment development that provides reasonable standards of amenity for existing and new residents.*
- *To encourage apartment development that is responsive to the site and the surrounding area.*

The provisions of Clause 58 apply to an apartment development within the Commercial 1 Zone.

The Clause specifies that a development must meet all of the objectives of the clause and should meet all of the standards.

An assessment of the proposal having regard to the Clause 58 Provisions is provided at Attachment 1.

Clause 65 – Decision Guidelines

Clause 65 sets out decision guidelines for planning permit applications and include, inter alia:

3 Statutory Planning Framework

-
- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
 - *The purpose of the zone, overlay or other provision.*
 - *Any matter required to be considered in the zone, overlay or other provision.*
 - *The orderly planning of the area.*
 - *The effect on the amenity of the area.*
 - *The proximity of the land to any public land.*
 - *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
 - *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*

3.7 Summary of Planning Permit Triggers

Set out below is a summary of the relevant planning permit triggers for the proposed development:

- Pursuant to Clause 34.01-1, a permit is required for use of the land for a Dwelling as the Section 1 Condition is not met.
- Pursuant to Clause 34.01-4, a permit is required to construct a building or construct or carry out works within the Commercial 1 Zone.
- Pursuant to Clause 43.01-1, permit is required to demolish and remove a building and construct a building or construct or carry out works within the Heritage Overlay.
- Pursuant to Clause 52.06, a permit is required to reduce the number of car parking spaces required under Clause 52.06-5.
- Pursuant to Clause 52.27, a permit is required to increase the area that liquor is allowed to be supplied.

3.8 Other Relevant Considerations

The following documents are also relevant to the proposal:

- *Urban Design Guidelines for Victoria (Department of Environment, Land, Water and Planning, 2017).*
- *Apartment Design Guidelines for Victoria (Department of Environment, Land, Water and Planning, 2017).*

4 Urban Context Analysis and Design Response

4.1 Urban Context Analysis

In analysing the site's physical context, including its location and the character and pattern of surrounding development, coupled with the planning policy aspirations as detailed in the Yarra Planning Scheme, the following opportunities are noted:

- The site's locational attributes having regard to:
 - Its strategic location within an activity centre.
 - Its proximity to the Principal Public Transport Network including the Route 11 and Route 96 trams, various bus routes and the Rushall Train Station.
 - The variety of employment opportunities within proximity to the site.
 - A range of other urban infrastructure as detailed in Section 2 of this report.
- The size and proportions of the site.
- The site is clearly an underutilised land resource and its redevelopment presents an opportunity to satisfy general urban consolidation principles and provide a contemporary architectural outcome that contributes positively to the area.
- The site is located within a Commercial 1 Zone which contemplates a mix of uses, including Supermarket, Shop, Food and Drink Premises and Dwellings.
- The site is located in a prominent location, on a main road and at a significant intersection, and there is an opportunity to pursue a strong built form outcome that responds this context.
- The site has interfaces with two major streets within the Fitzroy North Activity Centre and a public 'piazza' space and there is an ability to improve the built form presentation and activate these interfaces.
- The land in part is physically separated from the lower scale, residentially zoned properties fronting Egremont Street by an existing 3 metre laneway, and there is an opportunity to establish a new laneway to the north of No. 36 Edgemont Street, creating a buffer to the nearby residentially zoned properties.
- The length of the Scotchmer Street frontage means that new basement and loading bay access points can be established in locations well removed from existing intersections.
- There is potential to incorporate some of the existing buildings within the overall development, securing their long term protection.



4 Urban Context Analysis and Design Response

The following site constraints are acknowledged and need to be managed through the design and application response:

- The need to manage the amenity implications of the proposal on the residential properties to the south-west, albeit that the land is separated from the subject site by the existing laneway and / or a potential new laneway.
- The need to provide an appropriate built form transition to adjacent development and appropriate setbacks.
- The length of the Best Street and Scotchmer Street frontages and the need to articulate the built form across these interfaces to reflect the surrounding pattern of development.
- The provision of parking at a commensurate rate to the development yield.
- The need to manage potential conflicts between personal vehicles, pedestrians and delivery vehicles traversing and / or parking within the Right of Way that extends through the site.
- The existing heritage properties and the need to protect and incorporate these buildings into the development.

4 Urban Context Analysis and Design Response

4.2 Design Response

Having regard to the above opportunities and constraints, the following key principles have been adopted in the design response:

- Pursue a development outcome that is of a form and height that is commensurate to the strategic opportunities presented by the site, the aspirations of the Yarra Planning Scheme and the physical characteristics of the site and surrounding area, being a part five (5) and part seven (7) storey building.
- Adopt a street wall that is two storeys in height that generally matches the street wall height of the surrounding Victoria-era heritage buildings and other development within the activity centre.
- Above the street wall, provide appropriate upper level setbacks from all property boundaries.
- Adopt a seven storey building envelope on the eastern portion of the site fronting Best Street, incorporating significant upper level setbacks including a roof garden to further separate the proposed development from the existing dwellings fronting Egremont Street.
- Confine the five storey element to the western portion of the site, to continue a transition to the residential interface to the south and west.
- Ensure adequate solar access is maintained to nearby residential properties.
- Include a boundary wall on the southern boundary of 27 Best Street, to maintain equitable development opportunities for the adjoining property.
- Retain and expand the Supermarket and retail uses (including Bottle Shop and café) on the ground and first floor levels fronting Best Street to maintain an active retail edge and enhance the street level pedestrian environment.
- Provide dwellings at the upper levels with clearly defined pedestrian lobbies.
- Conceal car parking within the basement levels accessible from Scotchmer Street to limit the impact of parking on the public realm and avoid interruptions to the surrounding pedestrian environment.
- Ensure that all loading, unloading and waste collection is undertaken entirely within the site. All such vehicles will load / unload within the basement, with the exception of large delivery trucks that will unload from the at grade loading area along Scotchmer Street.

4 Urban Context Analysis and Design Response

- Reconfigure the existing Right of Way to minimise conflicts between vehicles loading and unloading and improve vehicle movements in and around the site.
- Pursue a contemporary architectural expression that will positively contribute to and improve the built form and landscape character of the surrounding area whilst respecting and enhancing the heritage fabric of the existing individually significant and contributory buildings as well as the wider heritage precinct.
- Provide a communal landscaped residents' facility at roof level which will deliver additional open space for the residents of the proposed development.
- Incorporate a range of ESD initiatives in the development, further detail of which is provided in the accompanying assessment prepared by GIW.
- Ensure that potential noise impacts associated with the development are appropriately managed, further detail of which is provided in the accompanying assessment prepared by AECOM.
- Incorporate various landscaping within the site reflect the prominent landscape characteristics of the area, as detailed in the landscape plan prepared by Eckersley Design.