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## Independent Urban Design Advice

MAY 2020



Ref: Google Maps

Prepared by

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## BACKGROUND

1. In July 2015, I was asked by the City of Yarra to comment on the proposed rezoning and mixed use development of the site at 462-482 Swan Street Richmond and have evidence in the subsequent Panel for the proposed C185 Amendment.
2. Earlier this year I was asked to meet with council officers and the applicant for a revision ion the proposed site vision to accommodate a largely commercial development vision rather than the earlier mixed use and largely residential outcome.
3. Subsequently at the end of April I was asked to provide a review of the project with the scope agree in early May. In particular I have been asked to address the following:-
  - Whether the height and setbacks/massing are acceptable with the policy and physical context, including DDO14.
  - Whether the materials and finishes are acceptable with the policy and physical context.
  - Appropriateness of the design at street level.
  - Whether the design achieves a high architectural and urban design outcome.
  - Any other matters relevant in my view.

## SITE CONTEXT

4. The site sits to the immediate north of the Burnley Railway Station and at the eastern end of the Burnley Activity Centre in Swan Street.
5. A steeply graded realignment of Burnley Street over the adjacent railway line to the south has resulted in access to the railway station and indeed between both sides of the street, being via an underpass at the southern end of the Burnley Street alignment and its abutment to the rail reserve.
6. A pedestrian path also passes along the southern edge of the property linking through to Stawell Street to the east.
7. The site extends eastwards up to and inclusive of nearly half of the Cutter Street alignment opposite.
8. Swan Street is well serviced by trams running parallel to this rail alignment making this a very well serviced transit corridor.
9. As I asserted at the Planning Panel there is no doubt in my mind that there is a strong case for redevelopment of the site away from its industrial origins to a higher occupancy future. Such an outcome would better align uses on the site with the needs of commuters and the activities of the core retail centre and station environment and also invest the station environs with heightened safety and security arising from informal engagement with the surrounding areas from residential occupancies.
10. Additionally, the principle of transit oriented development is now well understood and its benefits evident in reduced congestion through the provision of choice and convenience to householders of public transport access in lieu of private car use.
11. Having said this as I noted in my earlier reports there are a range of issues that required very careful resolution within this site context.
12. Notably the following:
  - a. Maintaining and enhancing the quality of pedestrian transit access between Swan Street and the railway entrances and underpass, ensuring that this interface is made safer, more direct and higher quality and that conflict between pedestrians and vehicles is minimised.
  - b. Enhancing the quality of the railway walk and interface along the southern edge of the site linking adjoining areas to the station precinct and providing activation at upper levels in the interface with the station and reverse amenity principles in the design of built form to both the station and Burnley Street interfaces in recognition of the high noise attributes of these interfaces.
  - c. Ensuring that the extent of activation of the Swan Street frontage is maximised; and
    - i) That vehicle access is primarily located in the north-eastern corner of the site frontage.

- ii) To this end consideration should be given to an extension of the Cutter Street alignment to allow for potential future signalling of this interface in a logical manner.
- iii) Ensuring that the built form height and organisation should both fit within a broader narrative of Swan Street's future built form and land uses but also developed in a way that delivers a high quality amenity for users of the precinct.

## THE NEW ZONING OF THE SITE

13. In conjunction with the rezoning of the site to a Commercial 1 Zone (C1Z) two overlays were also added.:-
14. A Design and Development Overlay DDO 14 and given its former use an Environmental Overlay (EA0) over the land.
  - a. Schedule 14 to 43.02 Design and Development Overlay outlines the following :

### Design objectives

- a) To provide for high density, taller development that delivers significant public realm outcomes.
  - b) To reinforce the corner of Swan Street and Burnley Street as a vibrant commercial, retail and residential location.
  - c) To strengthen connectivity to Burnley Station and establish a highly walkable and cycle friendly public realm.
  - d) To ensure new development provides well-located accessible and safe car parking areas that do not visually dominate the streetscape.
  - e) To ensure that new development does not result in unreasonable overshadowing of the public realm including the adjoining streets, the Burnley Railway Station or neighbouring residential areas.
15. The DDO sets out defined preferred built form outcomes for the development as follows:-

### Buildings and Works

16. Buildings and works should be constructed in accordance with the following requirements:

### Building heights

17. The building height should not exceed a maximum of 42 metres.
18. The maximum height does not include building services which should be hidden from view from any adjoining public space or designed as architectural roof top features. Building services include but are not limited to plant rooms, air conditioning, lift overruns and roof mounted equipment.
19. Buildings and works should be constructed in accordance with the following requirements:

### Building setbacks

- a. Reinforce the street wall height along Swan Street and Burnley Street to create a consistent 3 storey built form.
- b. Upper levels should be setback from the podium at all site boundaries, except for façade articulation of up to 0.5m, as follows:
- c. A minimum of 6m from Swan Street to provide upper level setbacks from the primary street frontage.
- d. A 5m setback from the eastern boundary to provide upper level building separation between the subject site and any future redevelopment of the abutting property.
- e. A minimum of 3m setbacks from the south (rail corridor) and west (Burnley Street).
- f. Provide building separation between built form elements at upper levels.
- g. Ensure that built form elements above the street wall are visually recessive and do not contribute to visual bulk.

### Building design

- h. Provide active frontages at ground level and overlooking of the public realm, including station environs from upper levels.
- i. Ensure development is of a high architectural standard in terms of its form, scale, massing, articulation and materials and that these design elements respond to the site context.
- j. Ensure development is designed to ameliorate adverse wind conditions at street level, communal open spaces, balconies and adjoining properties.
- k. Ensure building services are screened from the public realm and communal open spaces.

### Traffic and access

- l. Ensure convenient and adequate bicycle parking is provided at street level to cater for the general public.
- m. Integrate carparking into the building design and conceal from the public realm.
- n. Ensure vehicular access and egress and loading bay arrangements are designed to maximise pedestrian safety.

### Public realm

- o. Provide improved connectivity between Swan Street, Burnley Street and Burnley Station.
- p. Improve the interface between the development and the east-west pedestrian link abutting the southern site boundary.
- q. Enhance the amenity and appearance of the public realm along the Swan Street and Burnley
- r. Street frontage and east-west pedestrian link, including elements such as improved footpath treatments, lighting, street trees and street furniture.
- s. Ensure new or improved pedestrian links promote a sense of safety for day and night-time conditions.
- t. Minimise overshadowing of adjoining streets, the public realm and existing residential areas.
- u. Ensure no unreasonable overshadowing impact to Burnley Station.

### Amenity

- v. Provide acoustic treatments to address the impact of existing and potential noise from the rail corridor, the Burnley Street overpass and Swan Street.
- w. Provide awnings over footpaths to Swan Street and Burnley Street to provide weather protection.
- x. Ensure built form and internal building layout is designed to maximise solar access, access to daylight, ventilation and outlook.

20. As noted above the provisions allow some flexibility to consider alternative outcomes that vary from the specified height and /or setbacks specified above where the applicant can demonstrate all of the following would be satisfied:

- a. that the built form outcome as a result of the proposed variations satisfies the Design Objectives of this Schedule;
- b. That the proposal will achieve:
  - i) An exemplary built form outcome;
  - ii) An exemplary public realm outcome;
  - iii) Innovative environmentally sustainable development;
  - iv) Minimal additional overshadowing (beyond that which would be generated by a proposal that complies with the specified setback requirements) of the public realm;
  - v) Minimal adverse amenity impacts to adjoining properties (beyond that which would be generated by a proposal that complies with the specified setback requirements).

### Decision guidelines

21. Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:
  - a. Any minor variations from the required setbacks resulting from façade articulation.
  - b. How the proposal improves the pedestrian environment and other areas of the public realm.
  - c. The effectiveness of new development in protecting the amenity of occupants from the off-site impacts of existing uses and activities.
  - d. The views of relevant referral authorities.
  - e. How a proposal to vary the specified heights and setbacks specified in this Schedule responds to the permit requirements outlined in Clause 2.0.

## THE PROPOSAL

22. The proposed seeks to consider the application for permit for use and development of the land for a mixed use development upper level mid-rise commercial office tower form over a mixed use podium and inclusive of ancillary parking and loading areas.
23. The proposal is described in the planning report as inclusive of the following:
  - a. Commercial office space totalling 32,052 sq.m.
  - b. Retail space totalling 1626 sq.m.,
  - c. Basement Parking for 445 spaces in two levels.
  - d. Bicycle spaces for 339 bikes
  - e. Streetscape and podium level placemaking and landscape improvements.

## STATE PLANNING POLICY FRAMEWORK

### Plan Melbourne

24. Plan Melbourne notes, "There are many areas in Melbourne's established middle and inner rings which have the capacity to substantially increase their population, which would further support business growth. These suburbs have excellent amenities such as transport infrastructure and access to health services, as well as commercial and recreational services. Melbourne has a unique competitive advantage over many other cities because it has access to large amounts of renewal area within close proximity to the central city. "
25. Key aspirations of Plan Melbourne are:
  - > encouraging active forms of transport, such as walking and cycling
  - > making neighbourhoods pedestrian-friendly
  - > supporting local governments to plan and manage their neighbourhoods
  - > creating more compact cities
  - > making better use of transport infrastructure.
26. Strategies for urban renewal areas include:
  - > To take advantage of underutilised land close to jobs, services and public transport infrastructure, to provide new housing, jobs and services
  - > National employment clusters, metropolitan activity centres, expanded central city and transit-oriented development urban-renewal precincts are of state-significance because of their city-shaping outcomes
  - > supporting the creation of new activity centres, with priority given to developments based on transit-oriented development principles
  - > implementing new commercial zones to provide greater flexibility and employment growth opportunities in strategic locations that leverage off existing or planned infrastructure across Melbourne.

27. Direction 1.2 of Plan Melbourne seeks to improve access to jobs across Melbourne and closer to where people live.
28. Direction 1.6 seeks to:
  - a. Enable an investment pipeline of transit-oriented development and urban-renewal
29. This direction advocates transit-oriented development as a key way to achieve employment and population growth, as well as achieve a broad range of economic, social and environmental benefits from co-locating employment, population and public transport.
30. It notes that whilst some of these opportunities will come from major transport infrastructure, level crossing removals and associated land development, equally, opportunities can be harnessed from underutilised industrial land in proximity to existing infrastructure.
31. Initiative 1.6.1 seeks to:
  - a. Identify new urban-renewal precincts and sites around the existing rail network, based on transit-oriented development principles
  - b. It notes that, "Land around railway stations and train corridors can provide valuable development opportunities, due to the access to public transport. Existing stations and corridors will also be assessed for their development potential.
32. Clearly the proposal fulfils these descriptive criteria.
33. There are also a substantial number of State Planning Provisions also supportive.
34. In my area of expertise Clause 15 Built Environment and Heritage is particularly relevant.
35. **15.01-1S Urban design** notes as its objective the goal:
  - a. To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.
  - b. Key strategies to implement this goal include:
    - i) *Promote good urban design to make the environment more liveable and attractive.*
    - ii) *Ensure new development or redevelopment contributes to community and cultural life by improving safety, diversity and choice, the quality of living and working environments, accessibility and inclusiveness and environmental sustainability*
    - iii) *Ensure transport corridors integrate land use planning, urban design and transport planning and are developed and managed with particular attention to urban design aspects.*
  - c. Relevant other guidelines referenced for consideration include: 1. Urban Design Guidelines Victoria (DEWLP, 2017)
36. **15.01-2S Building Design** seeks to :-
  - a. To achieve building design outcomes that contribute positively to the local context and enhance the public realm.
  - b. Key Strategies include:
    - i) Ensure a comprehensive site analysis forms the starting point of the design process and provides the basis for the consideration of height, scale and massing of new development.
    - ii) Ensure development responds and contributes to the strategic and cultural context of its location.
    - iii) Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.

- iv) Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.
  - v) Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.
  - vi) Ensure development provides safe access and egress for pedestrians, cyclists and vehicles.
  - vii) Ensure development provides landscaping that responds to its site context, enhances the built form and creates safe and attractive spaces.
37. 15.01-4 Design for safety seeks to improve community safety and encourage neighbourhood design that makes people feel safe. d) Key relevant strategies to achieve this are:
- *Ensure the design of buildings; public spaces and the mix of activities contribute to safety and perceptions of safety*
  - *Support initiatives that provide safer walking and cycling routes and improved safety for people using public transport.*
38. Clause 15.02 Sustainable development seeks to: encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.
39. Strategies of relevance include:
- *Promote consolidation of urban development and integration of land use and transport*
  - *Support low energy forms of transport such as walking and cycling.*
40. Clause 16.01-3 Strategic redevelopment sites acknowledges appropriate sites for strategic redevelopment as including:
- > In or within easy walking distance of Principal or Major Activity Centres
  - > In or beside Neighbourhood Activity Centres that are served by public transport
  - > On or abutting tram, train, light rail and bus routes that are part of the Principal Public Transport Network and close to employment corridors, Central Activities Districts, Principal or Major Activity Centres
  - > In or near major modal public transport interchanges that are not in Principal or Major Activity Centres
  - > Able to provide 10 or more dwelling units, close to activity centres and well served by public transport.
41. Clause 17 Economic Development notes a number of economic goals sought including the development of convenience retail activities and services close and accessible to neighbourhoods.
42. Clause 18 Transport and in particular Clause 18.01 Integrated Transport seeks to:
- a. Create a safe and sustainable transport system by integrating land-use and transport.
  - b. Strategies of relevance include:
    - i) *Coordinating improvements to public transport, walking and cycling networks with the ongoing development and redevelopment of the urban area*
    - ii) *Concentrating key trip generators such as higher density residential development in and around Central Activities Districts, Principal, Major and Specialised Activity Centres on the Principal Public Transport Network.*
43. Plan Melbourne also outlines a vision for Melbourne: Melbourne will be a global city of opportunity and choice achieved by 5 key directions - relevant to this application:
- a. Developing in defined areas near services and infrastructure;
  - b. Population estimates indicate Melbourne could grow to a city of around 7.7 million people and require an additional 1.6 million more dwellings
  - c. Direction 2.2 seeks to reduce the cost of living by increasing housing supply near services and public transport.

### Other State Planning Policy Provisions

44. Clause 11 of the SPPF encourages more intensive development in Activity Centres. Clause 11.01-2 'Activity Centre Planning' encourages the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres which provide a variety of land uses and are highly accessible to the community.
45. Strategies to achieve this include:
  - > Undertake strategic planning for the use and development of land in and around the activity centres.
  - > Encourage a diversity of housing types at higher densities in and around activity centres.
  - > Reduce the number of private motorised trips by concentrating activities that generate high numbers of (non-freight) trips in highly accessible activity centres.
  - > Improve access by walking, cycling and public transport to services and facilities for local and regional populations.
  - > Broaden the mix of uses in activity centres to include a range of services over longer hours appropriate to the type of centre and needs of the population served.
  - > Provide a focus for business, shopping, working, leisure and community facilities.
  - > Encourage economic activity and business synergies.
  - > Improve the social, economic and environmental performance and amenity of the centre.

### LOCAL PLANNING POLICY FRAMEWORK

Relevant local policies are set out below.

46. Clause 21.02 'Municipal Profile'
47. Clause 21.03 'Vision'
48. Clause 21.04 'Land Use'
  - a. This clause seeks to protect the character and historic integrity of the area by accommodating the majority of new development on strategic redevelopment sites located in proximity to activity centres and/or good access to transport and services.
  - b. The objective of this policy is to conserve areas of heritage significance whilst providing for an adaptive reuse and change of buildings.
49. Clause 21.05 'Built Form' The clause covers Heritage, Urban Design, Built form character, and Public environment.
  - a. It seeks to 'retain Yarra's identity through maintaining built and urban form as typically low-rise with pockets of higher development' and to enhance the built form character by considering the surrounding context and respecting (not dominating) existing built form.
  - b. It also seeks 'to provide a public environment that encourages community interaction and activity', promoting universal access and ensuring that 'buildings have a human scale at street level'.
50. Clause 21.06 'Transport'
51. Clause 21.07 'Environmental Sustainability'
52. Clause 21.08 'Neighbourhoods', central Richmond area
53. Clause 22.02 'Development Guidelines for Sites Subject to the Heritage Overlay'
54. Clause 22-5-.7.1 New Development, Alterations and Additions General
55. Clause 22.07 Development abutting Laneways, seeks to ensure laneways and their interfaces are considered as an important part of the public realm and the lanes an important shared movement network that should enjoy informal surveillance and activation from development.
56. Clause 22.10 'Built Form and Design Policy'
  - a. The objectives of this clause are to ensure that any new development positively responds to and contributes to the surrounding context, including streetscape and built form character, whilst having minimal impact on the amenity of the surrounding land. Its design objectives and guidelines include (but are not limited to) the following:
    - To ensure ground level façade and boundary treatments interface positively with the street



- To provide pedestrian/human scaled design at street level
- Use appropriate materials, finishes and colours, which add visual interest and, assist in breaking up the mass and bulk of new development
- Matching ground floor level with street level
- New development provides an appropriate level of natural daylight into internal communal spaces and habitable rooms
- To minimise the use of energy and natural resources in the construction and operation of buildings
- To ensure that new residential development provides private and/ or communal open space that is well designed, functional, safe, solar oriented, well ventilated and meets the needs of residents.

## THE PLANNING PERMIT APPLICATION

57. In its current form the development which is the subject of the Planning Permit Application incorporates the following:
- a. Basement 2 parking for 114 carspaces and storage and services with a stormwater harvesting 20kl detention tank.
  - b. Basement 1 parking for 108 carspaces including 3 disability spaces and storage and services.
  - c. Ground floor- 6 retail spaces with two larger spaces to the primary intersection and Burnley Street frontages and a cluster of smaller arcade based tenancies with one of these and a separate Swan Street fronted retail space to the eastern end of the site.
  - d. Like the earlier development carparking is provided into the development at the NE end as sought in the DDO
  - e. Substantial end of travel bicycle facility accessed from the southern upgraded path and railway walk accesses end of travel facilities.
  - f. A new central generously scaled 3 level galleria is open during work hours accessing the central lift core.
  - g. A central bridge at levels 1 and 2 above link the lift core and offices east of the galleria with upper level commercial space to the west
58. Setbacks to the west south and northern street and laneway interfaces provide opportunities for outside seating and an enhanced scale public realm.
59. Pathway enhancements are made to the Burnley Street, Swan Street and southern Railway walk interfaces.
60. At Level 1 development for commercial is positioned to either side of the Galleria and linked via a generously scaled bridge. Terraces opening to Swan Street are available to each of these wings.
61. A connecting stair links this upper level office to ground level retail space.
62. To the eastern block a mid-block light court and terrace of double height marks its eastern edge.
63. At level 3 the floor plate spans the entire site footprint with an expansive NW terrace and setback SW scale with the eastern interface continued to be marked by the multi-level void.
64. At level 4, in the eastern half of the site, the floor plate stepped back nearly 8m from the Swan Street interface, 6,23m from the eastern commercial tower interface and 4.5m from the southern railway walk interface with non-trafficable roofs to these frontages.
65. A lesser 3m interface is established for the NW gateway form with the SW form setback 8m from the western edge and 3m from the south interface.
66. At level 5, the eastern half of the site overhangs by 1m the floor below and 1.73m the lower eastern floor with a net 4.5m setback.
67. To the south the overhang is uniformly expressed with a 3m setback. An increased setback to the NW form is provided to the western interface.

68. The form is repeated on levels 6 to 8 and level 10 with minor planter differentiations save for the expansion to the NW.
69. At Level 9 the NW west façade and NE north façade invest the interfaces with modest setbacks for planters
70. Level 11 provides increased setbacks to 8.29m to the south glazed façade with projecting blade forms to the east end of the south boundary.
71. To the western half setbacks to the façade is setback 11.14m and a lesser with approximately 7m to the outer edge of the pergola structure.
72. The plantroom over is setback 11.3m from the southern edge and 26.34m from the western interface and from the Swan Street interface, with the north and eastern both east part of the site forming an extension of the facades below.
73. The elevations depict a building wherein the western wing rises to an overall height of RL 60.9 a height of 48.9 above the footpath. Whilst the more prominent eastern form rises to RL 65.65 or 53.65m.
74. Podium forms of 2, 3 and 4 levels mark the interfaces to each of the primary Swan Street and Burnley Street and railway walk frontages. A 4 level blind wall is unadorned.
75. The eastern façade is uniformly expressed articulated only by variances in upper level roof form and plant edges.
76. The upper level form of the west façade sees two elements of stepped larger grid forms either side of a rebated vertical central zone.
77. Planters and their visual impacts shown in plan are not expressed in elevations.
78. Section AA describes the light court to the east overhang by form above and the treatments to the southwestern station gateway interface.
79. Section BB, illustrates the proposed relationship of the building with the Swan Street and Burnley Station interface.
80. Section DD describes the proposed galleria through the development and the interconnecting bridges and the recently developed apartment building on the northern side of Swan Street.
81. Detail elevations describe the street level materiality.
82. The subsequent shadow studies describe the proposed approved shadow diagrams protecting as they do the island platform and more than 50 % of the north platform.
83. The revised shadow impacts suggest substantial additional overshadow impacts particularly towards morning and afternoon peaks at the equinox with the cumulative additional impact being the effective floor area of the entire island platform. In the middle of the day the island after 12 is now impacted until nearly.
84. Pages 147 onwards of the plans report depict the visualisations of the proposal.
85. P151 disappointingly does not show the full extent of the proposal.
86. P153 depicts the development when seen from the overpass.

## COMMENTARY AND RECOMMENDATIONS

### Podiums and Street wall interfaces.

88. In the pre-application meeting with the applicant attention was brought to the emphasis council south in the response to key elements of Local Urban Design Policy and the site specific Design and Development overlay outlined in Schedule 14.
89. In particular I was keen to see responses to the following criteria through greater diversity of expression and scale.

### Commentary and recommendations

90. The massing of street-wall lower tier elements is in my view appropriately stepped along the Swan Street corner to Burnley Street and down to the Station to the corner of Burnley Street and Swan Street and downwards to the east and South.
91. In my view the proposed scale of these elements is appropriate, and provide the framework for an appropriate response.
92. Of concern currently however, is the uniformity of the proposed treatment of these responses with the eastern end of the Swan Street frontage, a location in an infill setting, given the same design language and finish as the primary corner façade on Burnley Street at the principle interface of the two roads.
93. This continuity amplifies the notion of a single institution expression and conceptual solution rather than addressing the fine grain character, diversity and richness of detail and materiality characteristic of this part of Richmond.
94. The response is inconsistent with the richness of response to context sort in the Local Policy and DDO provisions in my view and as underlined in the report.



95. An opportunity for example may exist to draw on the earlier industrial history of the site as a Timber Yards and Mills in the hinterland Station interface expression noting the use in a more polished and corporate manner in the soffit treatments of the projecting canopy corner.

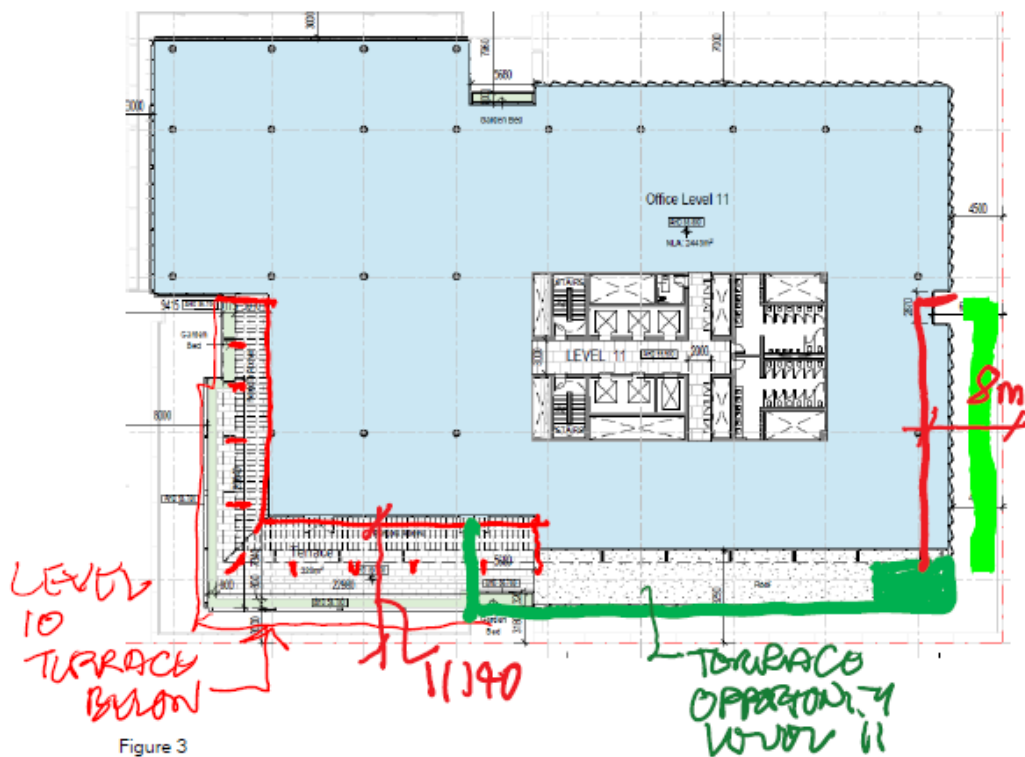
### Recommendation 1

I would invite the applicant to review the design expression east of the primary north south entrance in Swan Street for each of the podium levels and the Burnley Street zone south of the projecting corner form to explore opportunities to invest the narrative of the site with a deeper and more diversified response to the precinct, its subdivision character and its history consistent with the Objectives and Guidelines goals outlined in CI 22.10-3.2 *Urban form and character*.

### Side and rear setbacks

#### East Façade

96. Similarly it is my view that the reduced setback proposed to the eastern façade combined with the absence of increased upper level setbacks have in combination failed to meet the necessary benchmarks by the provisions within local policy and the DDO without amendment for delivery of design excellence in outcome, visual break between forms and design interest and articulation in response to the site context.
97. The eastern façade is dependent on the adjoining proposed building being developed. Without this its uniform expression lets down what is otherwise generally a cleverly composed development.



98. The east elevation also needs to consider the aspect of the built form when seen from more distant locations residential neighbourhoods to the SE and the eastern Swan Street corridor.

### Recommendation 2

- a. At Level 11 Setback the eastern façade 8m from the eastern boundary for the section from approximately 1m south of Gridline 3 to the to the south façade as shown in Figure 2 above.
- b. Consider revising the south roof zone as a landscaped terrace.

### South-west Interface

- 99. The proposed development as presented has fallen short of the standards outlined in DDO14 and the key policy provisions in Clause 22.10 that reward outcomes that enable increased density and scale only where the outcomes are able to mitigate offsite impacts.
- 100. Disappointingly the application demonstrates substantive additional overshadowing of the public realm most notably the station platform areas which were the basis of substantial scrutiny at the Panel. The argument that the application is only modestly increasing the loss of amenity is not in my view substantiated by the material provided which demonstrate considerable impact on the area of platform available to access sunlight.
- 101. In my view there needs to be significant erosion of the upper SW corner of the built form at levels 10 and 11 to mitigate these impacts.



77. Figure 1

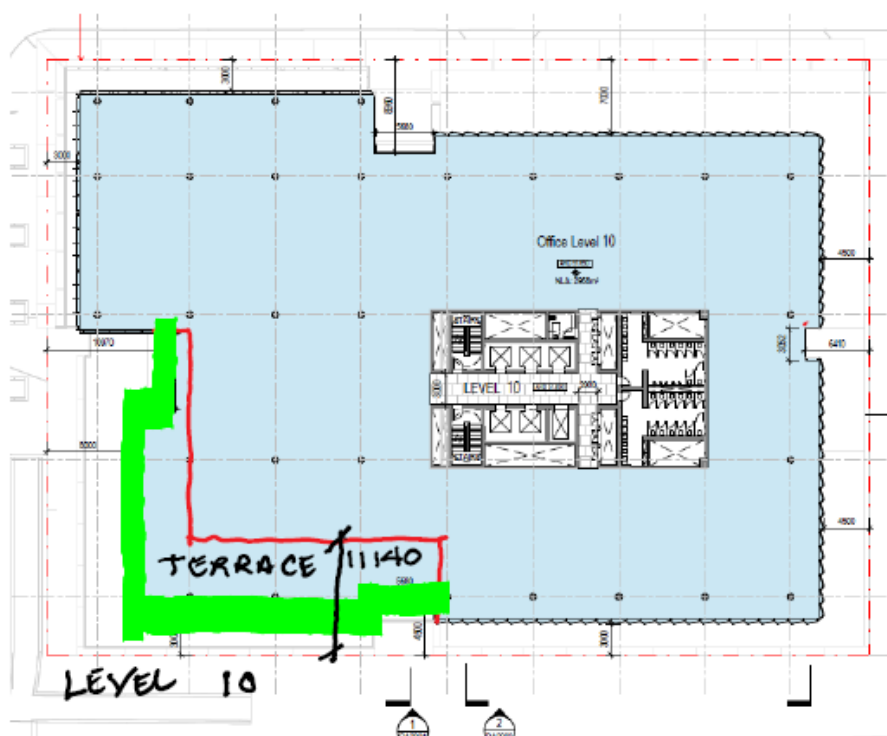


Figure 2

### **Recommendation 3**

**Reduce the scale of the SW corner by setting back the west and south façade of the SW tower on Level 10 as follows:-**

- a. **At Level 10, setback the west façade south of Gridline 13.5 m from the west façade from 1, south of gridline 3 to the south boundary.**
- b. **At Level 10, setback the south façade 12 m west of Gridline E.**
- c. **Relocate the south-western terrace at level 11 to level 10 as generally described in Figures 1 and 2.**
- d. **Continue the revised setbacks established for level 10 at level 11 as described in Figures 1 and 3.**
- e. **Reconfigure the roof plant room and south façade at level 11 scale and setback to reduce the impact of overshadowing on the central platform between 10am and 2pm at the September equinox to ensure there is no nett increase in platform overshadowing.**

### **Wind Report and public realm amenity**

102. The quality and amenity of open spaces around the site as proposed reach a reduced level of amenity to that earlier sought and logically required to support the underlying potential land uses at street and upper levels.
103. Potential hospitality zones to the Hospitality uses are both supported and suggested to the south west and northern retail tenancy interfaces frontages.

### **Recommendation 3**

- a. **That the standard established for the south, west and north retail frontages achieve a generally acceptable amenity not exceeding 10 ms<sup>-1</sup> for a 0.1% exceedance (annually) for stationary, long exposure activities (outdoor restaurants, theatres) if the peak gust speed during the hourly mean.**
- b. **The standard set of standing at main entries to the Galleria is supported. However this should be expanded to the Bike arrival entries not exceed 13 ms<sup>-1</sup> for a 0.1% exceedance (annually). i.e.. Generally acceptable for stationary short exposure activities (window shopping, standing or sitting in plazas) if the peak gust speed during the hourly mean.**
- c. **The proposed standards established for the external terraces are less than that regularly agreed for new similar developments in the municipality and considered as good practice. \Logically the Level 1,2 and 3 terraces are critical elements in investing the precinct with vitality and amenity and will no doubt in a**

### **CONCLUSION**

87. The development of the site for a high density employment focussed node is an appropriate outcome in strategic planning terms for the site.
  1. The proposed public realm improvements are generally acceptable in resolution.
  2. The podium treatments internal walk and retail configuration are well configured in a volumetric sense but the materiality and expression of the NE and SW elements require review to diversify the response to better reference the valued attributes of streetscape material diversity and history sought in policy..
  3. The ground floor and railway walk interface of the bike arrival and EOT facilities are supported being both convenient and likely to support increased interface activity and safety.
  4. The location of external shared spaces at upper levels contributes to both workplace enhancement and design response to context.
  5. The provision of a taller built form and projecting expression for upper level form to the Burnley Street/Swan Street intersection is supported provided the response is also informed by an outcome to mitigate the impacts of offsite overshadowing in particular and delivery of high quality on site external space amenity.
  6. The erosion of the built form at SE NE and proposed eastern sides of the building as a means to invest the building with visual interest, transition to surrounding areas and break down scale and bulk is supported as an approach.

7. The language of an interconnecting campus of upper level forms characterised by differing design detailing works successfully in my view for the south west and northern responses subject to the outcome also delivering enhanced offsite amenity to that currently proposed.
8. The concerns I have when measured against the outcomes sought of the site relate primarily to the scale of the SW corner tower and its consequent impacts and the southern and southeast corners at plant level and level 11 and their impacts and the uniformity of design language applied to the podium levels.
9. These substantial impacts used as measures against which any exceedance over the DDO must demonstrate alignment have clearly not been met in this instance at this stage but could in my view be resolved by negotiation.