YARRA CITY COUNCIL

Internal Development Approvals Committee

Agenda

to be held on Wednesday 28 June 2017 at 6.30pm in Meeting Room 3 at the Richmond Town Hall

Rostered Councillor membership

Councillor Stephen Jolly
Councillor Mike McEvoy
Councillor James Searle is an apology

I. ATTENDANCE
Sarah Thomas (Principal Planner and Advocate)
Mary Osman (Manager Statutory Planning)
Cindi Johnston (Governance Officer)

II. DECLARATIONS OF PECUNIARY INTEREST AND CONFLICT OF INTEREST

III. CONFIRMATION OF MINUTES

IV. COMMITTEE BUSINESS REPORTS

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"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	PLN15/0191 - 314-320 Swan Street and 236 Coppin Street Richmond - Development of the land for the construction of a 10 storey building (plus 4 basement levels), use of the land as a residential hotel and a place of assembly (conference centre), with alteration of access to a road in a road zone, category 1	5	60
1.2	43 Canterbury Street, Richmond - PLN16/0969 - Development of the land for the construction of two triple-storey dwellings.	97	123
1.3	1 Delbridge Street and common property of No. 270 Queens Parade (as shown on Plan of Subdivision PS622744F), Fitzroy North - PLN16/0934	155	169
1.4	PLN16/0925 - 59 - 77 Victoria Parade and 5 - 7 Brunswick Street (plus Council ROW) and 20 - 32 Fitzroy Street Fitzroy - Development of the land for construction of a multi storey building as an extension to the existing hospital, including demolition and alterations to the existing buildings on the site and streetscape works, reduction in the car parking requirement and provision of car parking on another site.	186	236
1.5	PLN16/0926 - 93 - 99 Victoria Parade Fitzroy - Use and development of the land for part demolition, alterations and a three storey addition to the existing car park.	368	392
1.6	PLN15/1176 - 2 Gough Street Cremorne - Development of the land for buildings and works, including the construction of three buildings, up to 15 storeys in height (plus 4 basement levels), use of the land as accommodation, function centre, shop and restaurant, food and drinks premises (café), reduction in the car parking requirements, utilisation of 40 car parking spaces as shown in stage 1 of 2 Gough Street, Cremorne, and construction and display of signs (relocation of Nylex and Victoria Bitter signs on top of silos B9 and B8)	449	535

1.1 PLN15/0191 - 314-320 Swan Street and 236 Coppin Street Richmond - Development of the land for the construction of a 10 storey building (plus 4 basement levels), use of the land as a residential hotel and a place of assembly (conference centre), with alteration of access to a road in a road zone, category 1

Executive Summary

Purpose

1. This report provides an assessment of planning permit application PLN15/0191.

Key Planning Considerations

2. Key planning considerations include:
   (a) Clause 11.01-1 – Activity centre network;
   (b) Clause 11.01-2 – Activity centre planning;
   (c) Clause 13.04-1 – Noise abatement;
   (d) Clause 15.01-1 – Urban Design;
   (e) Clause 15.01-2 – Urban design principles;
   (f) Clause 15.01-4 – Design for safety;
   (g) Clause 15.01-5 – Cultural identity and neighbourhood character;
   (h) Clause 15.02-1 – Energy and resource efficiency;
   (i) Clause 16.01-3 – Strategic redevelopment sites;
   (j) Clause 18.02-1 – Sustainable personal transport;
   (k) Clause 18.02-5 – Car parking;
   (l) Clause 21.04-2 – Activity Centres;
   (m) Clause 21.05-2 – Urban design;
   (n) Clause 21.05-3 – Built form character;
   (o) Clause 21.06 – Transport;
   (p) Clause 22.05 – Interface uses policy;
   (q) Clause 22.07 – Development abutting laneways;
   (r) Clause 22.10 – Built form and design policy;
   (s) Clause 22.16 – Stormwater management (water sensitive urban design);
   (t) Clause 22.17 – Environmentally sustainable development;
   (u) Clause 34.02 – Commercial 2 Zone;
   (v) Clause 52.06 – Car parking;
   (w) Clause 52.29 – Land adjacent to a road zone, category 1, or a public acquisition overlay road a category 1 road; and
   (x) Clause 52.34 – Bicycle facilities .

Key Issues

3. The key issues for Council in considering the proposal relate to:
   (a) strategic policy;
   (b) residential hotel and place of assembly (conference centre) uses;
   (c) urban design;
   (d) on-site amenity;
   (e) off-site amenity;
   (f) environmental sustainability;
   (g) traffic and car parking (including alteration to access to a road in a Road Zone);
   (h) bicycle parking;
   (i) waste management; and
   (j) Objector concerns.

Objector Concerns

4. A total of 51 objections were received to the application, these can be summarised as:
   (a) Height (above the SSSP and this site has not been specifically identified as a strategic redevelopment site);

   (b) Overdevelopment (could impact services and amenities) and density;

   (c) Neighbourhood character;

   (d) Upper level setbacks are insufficient (contrary to the SSSP);

   (e) This could create a precedent

   (f) Increased traffic (would worsen existing conditions, could become a pedestrian hazard)

   (g) Vehicular access via Coppin St should be avoided;

   (h) Inadequate car parking (including car parking survey was inadequate, inadequate for the needs of residents, shop staff, conference centre visitors and general visitors, does not consider cumulative impacts, does not consider events in the nearby Sporting precinct, ABS data is too old, the conference centre would create parking demand 'surges', survey undertaken in school holidays)

   (i) The use of car stackers is not satisfactory;

   (j) Impact on Barkly Gardens (overshadowing and visual impacts);

   (k) The proposed use is unclear. This is a commercial, not a residential zone;

   (l) There is no proof that there is demand for a residential hotel in this location;

   (m) Off-site amenity (including pollution, visual bulk, overlooking, overshadowing, noise,

   (n) Impact on the heritage property at 234 Coppin St and to the north-east of the Swan/Coppin intersection;

   (o) Appearance and poor architectural response

   (p) An on-site loading bay and waste collection point should be provided;

   (q) No drop off/pick up point for hotel residents;

   (r) Inadequate permeable surfaces;

   (s) Construction period impacts (including increased demand for parking);

   (t) Impact on a carriageway to the east;

   (u) Equitable development impacts to the north-east;

   (v) Impact on commercial operation of nearby businesses;

   (w) the proposal may impact the development right of the property to the east with regard to the carriageway easement;

   (x) Reduced nearby property values; and

   (y) Supporting documentation is inconsistent (car parking reduction sought).

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: **Sarah Thomas**
TITLE: **Principal Planner**
TEL: **92055046**

1.1 PLN15/0191 - 314-320 Swan Street and 236 Coppin Street Richmond - Development of the land for the construction of a 10 storey building (plus 4 basement levels), use of the land as a residential hotel and a place of assembly (conference centre), with alteration of access to a road in a road zone, category 1

Trim Record Number: D17/76230
Responsible Officer: Manager Statutory Planning

Proposal:	Development of the land for the construction of a 10 storey building (plus 4 basement levels), use of the land as a residential hotel and a place of assembly (conference centre), with alteration of access to a road in a road zone, category 1
Existing use:	Part mechanics/part panel beater (currently vacant)
Applicant:	Bowden Planning
Zoning / Overlays:	Part Commercial 1 Zone and Part Commercial 2 Zone; Design and Development Overlay, Schedule 5; and part Environmental Audit Overlay
Date of Application:	3 March 2015
Application Number:	PLN15/0191

Planning History

236 Coppin Street

1. On 11 November 2005, Planning permit application PL05/0488 was refused by Council for the use of the premises as a sexually explicit adult entertainment venue (lap dancing).

316 Swan Street

2. On 24 July 1973, Planning permit application TP71385 was issued for an internally illuminated advertising sign.

314-320 Swan Street

3. On 21 March 1988, Planning permit 4234 was issued for the use of the site for a panel beating workshop.

314-320 Swan Street and 236 Coppin Street

4. Planning permit application PLN15/1015 for a mixed use development on the site lapsed on 21 June 2016.

5. Planning Permit SP16/0004 for a 2 lot subdivision was approved by Council on 21 June 2016.

6. Council issued a Notice of Decision to Grant a Permit on 18 November 2016 for the development of the land for the construction of 2, 8 storey buildings, plus 4 basement levels with the 'Swan Street' building being used as dwellings and a shop and the 'Coppin Street' building being used as offices (no permit required for office and shop uses), reduction in the car parking requirements associated with dwellings, a shop and offices, waiver of the loading bay requirement and alteration to access to a road in a Road Zone Category 1.

The Applicant has subsequently lodged a review of conditions and an objector party has lodged a review of this decision. The hearing was conducted on 15 and 16 June 2017, and VCAT is yet to make a decision.

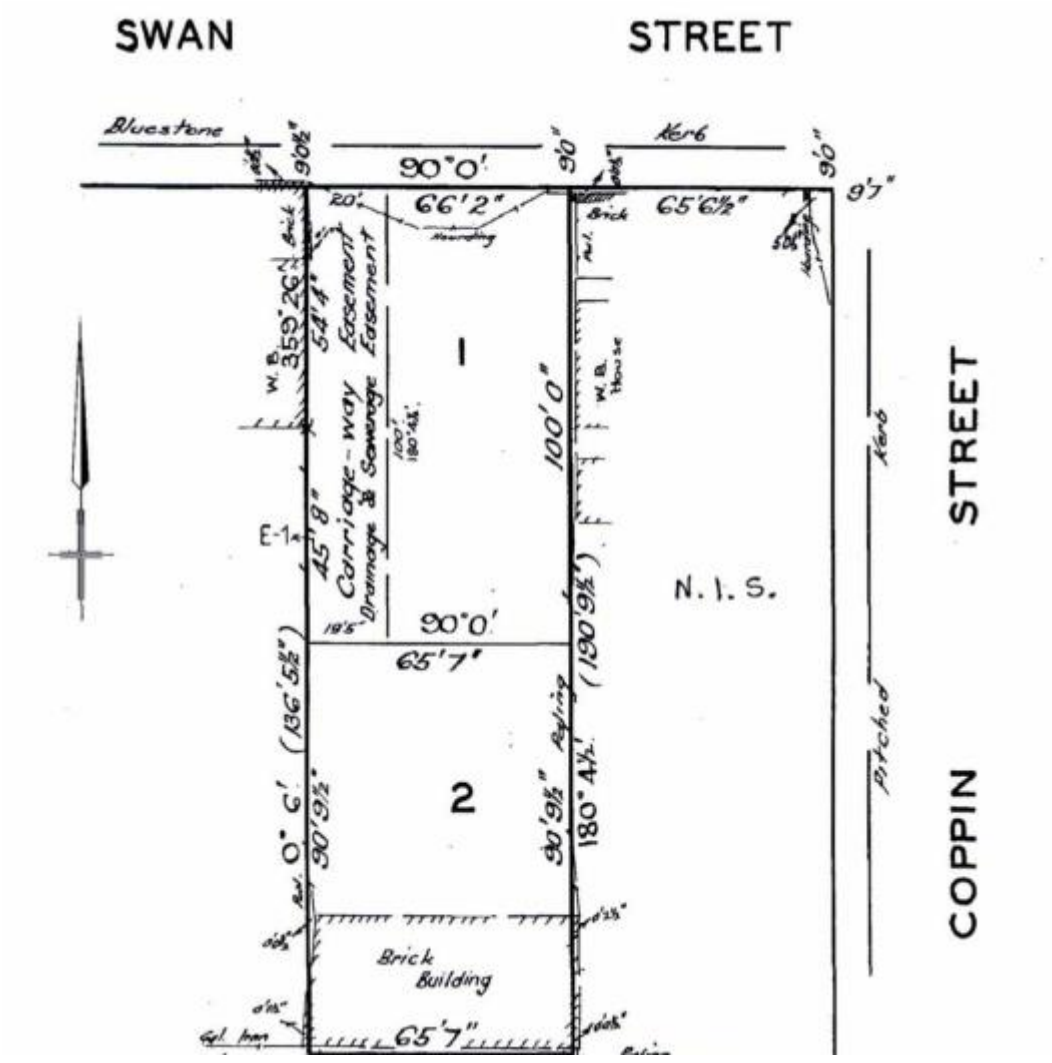
Existing Conditions

Subject Site

7. The subject site description is as per the IDAC report of 16 November 2016 for PLN16/0034:

(a) *The subject site is an 'L' shaped parcel of land, with a frontage of 20.1m to Swan Street and a frontage of 15.2m to Coppin Street, yielding an area of approximately 2,017m².*

(b) *To Swan Street, the land is developed with a single storey building with a single vehicular crossover. To Coppin Street, the building also presents as a single storey to the street with a single vehicular crossover. Centrally to the site, are 3 additional building segments (all single storey) used as part of the mechanics and panel beater.*



(c) *As this extract of one of the Certificate of Titles shows, a carriageway, drainage and sewerage easement is provided on the adjoining site in favour of both the Coppin and Swan Street segments of the subject site.*

Restrictive Covenants

(d) *There are no restrictive covenants shown on the certificates of title provided with the application.*

Surrounding Land

8. The subject site description is as per the IDAC report of 16 November 2016 for PLN16/0034:

(a) *The subject site is located in the Swan Street Activity Centre [**AC**]. Clause 21.08-2 of the Yarra Planning Scheme [**the Scheme**] provides the following description of this area:*

Swan Street east
This precinct begins at Mary Street in the west and extends to Loyola Grove. It includes Burnley Station. It comprises larger showrooms and offices, with a focus on furniture and renovation stores and building supply businesses.

(b) *To the immediate west of the subject site, fronting Swan Street, is a site developed with 1-2 storey commercial buildings (306-312 Swan Street). This building was granted planning permission on 21 June 2015 for the development of the land for a 7 storey building (plus 2 basement levels), use of the land as dwellings, reduction in the car parking requirements (associated with dwelling and shop uses), a waiver of the loading bay requirement and removal of easements (PLN13/0933).*

(c) *Further west of this site is a two storey commercial building constructed to all title boundaries. The building is used as a restricted retail premises (gas fireplace sales) and includes pedestrian access from the north-west corner, with vehicular access via Mary Street further west.*

(d) *To the west of the subject site, across the ROW and fronting Mary Street, is:*
   (a) *255 Mary St – a 3 storey mixed-use building, used as a café at the ground floor and offices at the first and second floors. This site presents under croft parking for 21 spaces to the ROW and large north facing windows. Two banks of air conditioner units are located in the south-east corner of the roof;*
   (b) *257 and 259 Mary St – two single storey dwellings. These dwellings present private open space to the ROW separating them with the subject site;*
   (c) *261 Mary St – a mechanic within a single storey workshop; and*
   (d) *263 Mary St – a double storey building used as an office.*

(e) *To the south of the subject site is a property that runs from Mary to Coppin Streets (236 Mary [as above] and 238 Coppin Street. The Coppin Street property presents a similar façade as the Mary Street segment and is also used as an office.*

(f) *To the north-east of the subject site (the portion within the 'L' at the south-west corner of the intersection of Swan and Coppin) is a two storey fast food premises with generous setbacks to accommodate car parking and a drive-through. This is the property that provides carriageway, drainage and sewerage easements in favour of the subject site.*

(g) *Another property is located within this 'L', to the immediate north of the Coppin Street section of the subject site. The site is developed with a 2 storey Victorian era building used as a brothel. This building is affected by its own Heritage Overlay (HO245) and is graded 'individually significant'. Further north of this site, also along Coppin Street is a vacant site, generally of the same proportions as the site with the Victorian era building and approval for a four storey office building (planning permit No. PLN15/0270).*

(h) *To the east of the subject site, across Coppin Street, is:*
   a. 225 Coppin Street – 2 storey office building;
   b. 223 Coppin Street – mechanic/panel beaters;
   c. 338-342 Swan Street – tyre shop; and
   d. Further east, along Swan Street, is a large former timber yard. This site is subject to a current Section 96A application and joint planning permit application. The planning application is for the use and development of the land for a mixed use development comprising two buildings (part 3-10 storey and part 3-12 storey), dwellings, a supermarket and retail, offices, gymnasium (with swimming pool), (permit required for dwellings and restricted recreation facility only) a reduction in car parking requirement and buildings and works including alteration to a Road Zone (Category 1). The following dates have been set for this matter:
      i. Directions hearing – week commencing 17 November 2016;
      ii. Panel hearings – week commencing 21 November 2016; and
      iii. Report – 30 business days from the last day of hearings.

(i) *The north-east intersection of Swan and Coppin contains a 3 storey hotel building.*

(j) *To the north of the subject site, across Swan Street and west of Coppin Street, are a number of 1 and 2 storey commercial tenancies. Uses include a tool storage premises, a takeaway food shop and furniture sales premises.*

(k) *Swan Street contains one tram route and the site is approximately 386m to the east of the East Richmond Train Station and approximately 184m to the west of Burnley Train Station.*

9. The development at 306-312 Swan Street is now nearing completion.

10. The timber yard application has progressed since the IDAC report was completed in November 2016. A panel report for the Section 96A application was received by Council on 10 January 2017. The report states:

The main conclusions drawn by the Panel can be summarised as follows:
(a) *Amendment C185 is strategically justified*
(b) *height and setback controls in Design and Development Overlay Schedule 14 should be expressed as discretionary and not mandatory*
(c) *there should be no reference to the Swan Street Structure Plan in Design and Development Overlay Schedule 14*
(d) *there will be some delay to tram services in Swan Street as a result of the development but these are broadly acceptable*
(e) *the proponent should not be required to meet the costs associated with works to mitigate the impacts of the development other than those included as permit conditions*
(f) *five percent of the total dwellings should be provided as affordable housing through arrangements with an accredited housing association*
(g) *a planning permit subject to the conditions set out in Appendix C should issue for the proposed development.*

11. The matter is now with the Minister for Planning.

The Proposal

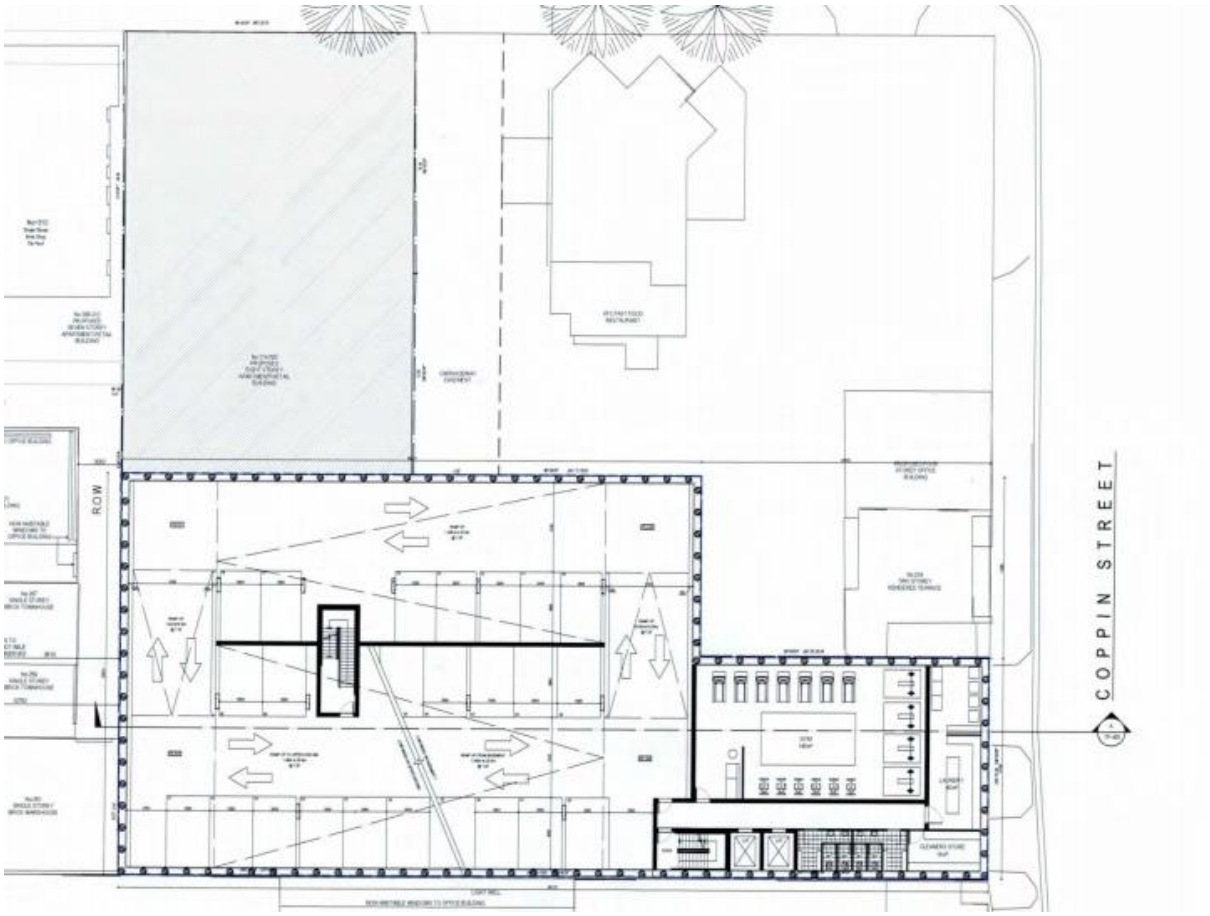
12. The application seeks approval for the development of the land for the construction of a 10 storey building (plus 4 basement levels), use of the land as a residential hotel and a place of assembly (conference centre), with a reduction in the car parking requirements, waiver of the loading bay requirements an alteration of access to a road in a road zone, category 1. More specifically:

Demolition (no planning permit required)

(a) Demolition of all buildings on the site.

Built form and massing

(b) This application includes part of the rear of the 'Swan Street' site, however the works are generally limited to the 'Coppin Street' frontage (see below);



(Extract of lower ground floor plan)

(c) basement 3 is limited to the south-western corner of the site;
(d) basement 2 is larger than basement 3, remaining in the south-west corner of the site, for a maximum length of 47.3m and width of 27.7m;
(e) basement 1 is generally the same footprint as basement 2;
(f) the lower ground is another basement level, as it does not present a frontage to the street (even through it is labelled 'lower ground). This level extends to the eastern (Coppin Street) boundary and is 60.2m long and a maximum width of 27.7m;
(g) the ground floor is generally the same footprint as the lower ground, being 60.2m long and 27.7m wide;
(h) level 1 is setback further from all boundaries due to the introduction of terraces/balconies. Level 1 includes a 28.6m wall along the southern boundary, with a 3m southern setback afforded to the remainder of the 27.1m of this segment. A 3m to 6m setback is offered from the western boundary and 9m to 5m deep balconies are afforded from the northern boundary (western end). The building is partially constructed to the eastern (northern segment) and northern (eastern segment) boundaries. To Coppin Street, the building would be built to the boundary, with an inset, approximately 2m deep balcony;
(i) level 2 is generally as per level 1, with the introduction of projecting balconies and the introduction of a 7.3m deep and 6.5m wide lightwell along the northern boundary (eastern end). This level includes a 23.2m long south boundary wall;

(j) level 3 is generally as per level 2, except for the introduction of a 1.5m eastern (Coppin Street) setback (measured from the architectural detailing of the front balcony). This level includes a 21.7m long south boundary wall;
(k) at level 4, the eastern balcony would again extend to the eastern (Coppin Street) boundary. The remainder of this floor would be as per the levels below, with minor detail changes to the north-east corner balconies. This level includes a 19.8m long south boundary wall;
(l) at level 5, the eastern balcony would be setback 1.3m from the boundary, again, as measured from the architectural detailing. The remainder of the floor would generally be as per the levels below, with minor detail changes to the north-east corner balconies. This level includes a 21.5m long south boundary wall;
(m) level 6 would be generally as per level 5, with the eastern balcony being setback 1.3m to 1.8m. This level includes a 21.9m long south boundary wall;
(n) at level 7, the eastern balcony would be setback 2.1m from the eastern boundary, with the built form behind being setback a further 10.6m. The northern light well (eastern end of the site) would be reduced in depth to 2.3m. This level includes a 12.6m long south boundary wall;
(o) at level 8, the eastern balcony would be setback 8.5m from the eastern boundary, with the built form being setback 10.6m from the eastern boundary This level includes a 12.6m long south boundary wall;
(p) at level 9, the eastern balcony would be setback 8.1m from the eastern boundary, with the built form being setback 10.6m from the eastern boundary This level includes a 12.6m long south boundary wall;
(q) the roof level includes 2 solar panel array areas and a platform for gas hot water system plant and equipment;
(r) east – the eastern (front) boundary wall to Coppin Street would be 10.1m high, with a maximum building height of 31m (measured from the southern boundary);
(s) north – the north (eastern end) boundary wall would be a maximum height of 11.2m, with the wall along the western end of the north elevation being 5.2m;
(t) west – the western boundary wall would be a maximum height of 5.2m, with the levels above being a maximum overall height of 32.3m as measured from the western boundary;
(u) south – the southern elevation includes a 5.2m west boundary wall, with the levels above being a maximum overall height of 32.3m as measured from the southern boundary;

Layout and uses

(v) basements 1-3 contain parking, stair and lift cores;
(w) the lower ground level contains more parking, along with the residential hotel gym, amenities, laundry bin store and cleaners store;
(x) the ground level contains car parking, along with the residential hotel lobby and reception area off Coppin Street. A waste store, 12 bicycle parking spaces and amenities are also provided at this level. Vehicular access is provided via Swan Street (the carriageway easement on the 'KFC site' in favour of the subject site) and the vehicular exit is provided via a new crossover on Coppin Street;
(y) level 1 would contain the conference centre/seminar room for a maximum of 65 patrons and would operate between 7.00 am and 9.00 pm, every day;
(z) levels 1 to 8 would contain the residential hotel rooms (67 in total), ranging in size from 54m² to 98m²;

Colours and materials

(aa) the boundary walls or 'podium' would generally be constructed of light coloured textured rendered panels;
(bb) the upper levels would be framed or appear as modular rectangles, articulated in light and dark textured rendered panels, with timber cladding and folding perforated metal screens;

ESD features

(cc) an average 6.4 Star NatHERS rating;
(dd) a STORM rating of 103%, with 688m² of roof connected to a 15,000 litre tank connected to all residential hotel room toilets and 430m² of terrace and private open space connected to 2m² of raingarden for filtering;
(ee) a 30 kWp solar PV array for contributing to common area electricity demand;
(ff) most residential hotel rooms would have shading provided by box window shades, balcony overhangs and wing-walls;
(gg) energy efficient heating/cooling, hot water and lighting systems;
(hh) water efficient appliances and fittings; and
(ii) a minimum 75% recycling target for demolition and construction waste .

Planning Scheme Provisions

Zoning

Part Commercial 1 Zone

13. The C1Z portion extends 30.4m into the Swan Street segment of the site and does not affect the proposed building and residential hotel or place of assembly (conference centre) uses.

Part Commercial 2 Zone

14. The C2Z portion extends for the remainder of the site (southern section extending to Coppin Street) and includes the building and the residential hotel and place of assembly (conference centre) uses.

15. The purpose of the C2Z is:
(a) *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
(b) *To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.*
(c) *To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.*

16. Under clause 34.02-1 of the Scheme, a permit is required to use the site as a residential hotel and as a place of assembly (conference centre). The gym is ancillary to the residential hotel use as it is only for residential hotel guests.

17. Clause 34.02-2 of the Scheme relates to the use of the and land and states that:

(a) *A use must not detrimentally affect the amenity of the neighbourhood, including through the:*
(i) *Transport of materials, goods or commodities to or from the land.*
(ii) *Appearance of any building, works or materials.*
(iii) *Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.*

18. Clause 34.02-7 of the Scheme outlines the following decision guidelines when considering land use (as relevant):
(a) *The effect that existing uses may have on the proposed use.*
(b) *The drainage of the land.*
(c) *The availability of and connection to services.*
(d) *The effect of traffic to be generated on roads.*
(e) *The interim use of those parts of the land not required for the proposed use.*

19. Under clause 34.02-4 of the Scheme, a permit is required to construct a building or construct or carry out works.

20. Clause 34.02-7 of the Scheme outlines the following decision guidelines when considering buildings and works (as relevant):
    (a) *The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.*
    (b) *The provision of car parking.*
    (c) *The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and landscaping of land adjoining a road.*
    (d) *Defining the responsibility for the maintenance of buildings, landscaping and paved areas.*
    (e) *The availability of and connection to services.*
    (f) *Any natural or cultural values on or nearby the land.*
    (g) *Outdoor storage, lighting, and storm water discharge.*
    (h) *The design of buildings to provide for solar access.*

    Road Zone, Category 1

21. No works are proposed within the Road Zone, however this zoning of Swan Street becomes relevant when considering the new access via this street (see clause 52.29 section later in this report).

    Overlays

    Design and Development Overlay (Schedule 5 – CityLink Exhaust Stack Environs)

22. The design objectives of this overlay are:
    (a) *To ensure that the development of land around the City Link exhaust stack is not adversely affected by the operation of the stack.*
    (b) *To ensure that development of land around the City Link exhaust stack does not adversely affect the operation of the stack.*
    (c) *To ensure that the relevant authorities are informed of development within close proximity of the City Link exhaust stack and to facilitate comment by those authorities on any specific requirements relating to the design and built form of new development in the area which might be desirable having regard to the proximity of the stack.*

23. Schedule 5 to the Overlay states that a permit is not required to construct a building or construct or carry out works. However, where a permit is required to use land or for the construction of a building or the construction or carrying out of works under another provision in this scheme, notice must be given under section 52(1)(c) of the *Planning and Environment Act* 1987 [**the Act**] to the person or body specified as a person or body to be notified in Clause 66.06 or a schedule to that clause (EPA, VicRoads and CityLink).

    Part Environmental Audit Overlay

24. The EAO portion extends 30.4m into the Swan Street segment of the site and does not extend into the area affected by the proposed works.

Particular provisions

Clause 52.06 – Car parking

25. The purpose of this provision (amongst others) is to ensure the provision of an appropriate number of car spaces are provided having regard to the activities on the land and the nature of the locality. This provision recommends car parking rates at clause 52.06-5. Under clause 52.06-3, a permit may be granted to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 (noting there is no relevant Parking Overlay).

Use	Clause 52.06 rate	Requirement	Provision	Variation sought
Place of assembly (conference centre)	0.3 spaces per patron	19	19	None
Residential hotel	No rate provided, must be to the satisfaction of the Responsible Authority	N/A	81	N/A
TOTAL			**100**	**N/A**

26. The application has a statutory requirement of 19 car parking spaces for the place of assembly (conference centre). A planning permit is therefore not required to reduce the requirement for this use.

27. There is no specified rate for the residential hotel, therefore clause 52.06-5A states that car parking spaces must be provided to the satisfaction of the responsible authority.

28. Clause 52.06-6 of the Scheme outlines a range of decision guidelines and clause 52.06-8 outlines a range of design standards. The relevant of these will be addressed in the assessment.

Clause 52.07 – Loading and unloading of vehicles

29. The purpose of this provision is '*To set aside land for loading and unloading commercial vehicles to prevent loss of amenity and adverse effect on traffic flow and road safety*'.

30. No building or works may be constructed for the manufacture, servicing, storage or sale of goods or materials unless:
    (a) *Space is provided on the land for loading and unloading vehicles as specified in the table below.*
    (b) *The driveway to the loading bay is at least 3.6 metres wide. If a driveway changes direction or intersects another driveway, the internal radius at the change of direction or intersection must be at least 6 metres.*
    (c) *The road that provides access to the loading bay is at least 3.6 metres wide.*

31. Whilst the Applicant has applied to waive this requirement, the application does not include buildings or works for the manufacture, servicing, storage or sale of goods or materials and therefore does not apply.

Clause 52.29 – Land adjacent to a road zone, category 1, or a public acquisition overlay road a category 1 road

32. The relevant purpose of this provision is '*To ensure appropriate access to identified roads*'.

33. A permit is required to create or alter access to a road in a Road Zone, Category 1 (in this instance, Swan Street). An application must be referred to VicRoads under Section 55 of the Act.

34. Decision guidelines include:

(a) *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
(b) *The views of the relevant road authority.*
(c) *The effect of the proposal on the operation of the road and on public safety.*
(d) *Any policy made by the relevant road authority pursuant to Schedule 2, Clause 3 of the Road Management Act 2004 regarding access between a controlled access road and adjacent land.*

Clause 52.34 – Bicycle facilities

35. The purpose of this Clause is to encourage cycling as a mode of transport and to provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities. Clause 52.34-2 states that a permit may be granted to vary, reduce or waive any requirement of Clause 52.34-3 and Clause 52.34-4.

Use	**Clause 52.34 rate**	**Requirement**	**Provision**	**Variation sought**
Place of assembly (conference centre)	Employee – 1 to each 1500 sq m of net floor area Visitor - 2 plus 1 to each 1500 sq m of net floor area	2 visitor	26	6
Residential hotel (whilst there would be 67 hotel suites, there would be 146 lodging rooms)	Employee/Resident - In developments of four or more storeys, 1 to each 10 lodging rooms Visitor - In developments of four or more storeys, 1 to each 10 lodging rooms	15 employee/resident and 15 visitor		
TOTAL		**32**	**26**	**6**

Clause 52.36 – Integrated Public Transport Planning

36. The purpose of this provision includes:
(a) *To ensure development supports public transport usage.*
(b) *To ensure that easily accessible public transport networks, which are appropriate to the scale of the development, and high quality public transport infrastructure are provided as part of new development.*
(c) *To ensure that development incorporates safe, attractive and convenient pedestrian access to public transport stops.*
(d) *To ensure that development does not adversely affect the efficient, equitable and accessible operation of public transport.*

37. Public Transport Victoria [**PTV**] are a Referral Authority under Section 55 of the Scheme as the residential building comprises more than 60 lodging rooms.

General Provisions

Clause 65 – Decision Guidelines

38. 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 a number of matters. Amongst other things, the Responsible Authority must consider 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)

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

Clause 11.01-1 – Activity centre network

40. Being located within the Swan Street AC, the objective of this Clause is relevant: *To build up activity centres as a focus for high-quality development, activity and living for the whole community by developing a network of activity centres*, with the following strategies relevant to this proposal:
    (a) *Develop a network of activity centres that:*
        (i) Comprises a range of centres that differ in size and function
        (ii) Is a focus for business, shopping, working, leisure and community facilities
        (iii) Provides different types of housing, including forms of higher density housing.
        (iv) Is connected by public transport and cycling networks.
        (v) Maximises choices in services, employment and social interaction.

Clause 11.01-2 – Activity centre planning

41. The objective of this clause is '*To encourage 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*'. Relevant strategies include:
    (a) *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.*
    (b) *Provide a focus for business, shopping, working, leisure and community facilities.*
    (c) *Improve the social, economic and environmental performance and amenity of the centre.*

Clause 11.04-5 – Environment and water

42. The objective of this clause is '*To protect natural assets and better plan our water, energy and waste management systems to create a sustainable city*'.

Clause 13.04-1 – Noise abatement

43. The objective of this clause is '*To assist the control of noise effects on sensitive land uses*'.

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 15.01-2 – Urban design principles

45. The objective of this clause is '*To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties*'. The strategy of this clause is to apply 11 design strategies. Planning must also consider (as relevant) the *Design Guidelines for Higher Density Residential Development* (Department of Sustainability and Environment, 2004) in assessing the design and built form of residential development of five or more storeys.

Clause 15.01-4 – Design for safety

46. The objective of this clause is '*To improve community safety and encourage neighbourhood design that makes people feel safe*'. The relevant strategy is to '*Ensure the design of buildings, public spaces and the mix of activities contribute to safety and perceptions of safety*'.

Clause 15.01-5 – Cultural identity and neighbourhood character

47. 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

48. 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 16.01-3 – Strategic redevelopment sites

49. The objective of this clause is '*To identify strategic redevelopment sites for large residential development in Metropolitan Melbourne*'. The relevant strategies are to:
    (a) *Identify strategic redevelopment sites that are:*
        (i) *In and around Central Activities Districts.*
        (ii) *In or within easy walking distance of Principal or Major Activity Centres.*
        (iii) *In or beside Neighbourhood Activity Centres that are served by public transport.*
        (iv) *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,*
        (v) *Principal or Major Activity Centres.*
        (vi) *In or near major modal public transport interchanges that are not in Principal or Major Activity Centres.*
        (vii) *Able to provide 10 or more dwelling units, close to activity centres and well served by public transport.*

50. The site is considered to be a SRS given its site (albeit dwellings are not provided) and as it is within an AC and is well serviced by public transport.

Clause 17.01-1 – Business

51. The objective of this clause is '*To encourage development which meet the communities' needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities*'.

Clause 18.01-1 – Land use and transport planning

52. The objective of this clause is '*To create a safe and sustainable transport system by integrating land-use and transport*'. The relevant strategy is:
    (a) *Plan urban development to make jobs and community services more accessible by:*
        (i) 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.

Clause 18.02-1 – Sustainable personal transport

53. The objective of this clause is '*To promote the use of sustainable personal transport*'.

Clause 18.02-5 – Car parking

54. It is an objective '*To ensure an adequate supply of car parking that is appropriately designed and located*'. This clause includes the following relevant strategies to achieve this objective:

    (a) *Allocate or require land to be set aside for car parking subject to the existing and potential modes of access including public transport, the demand for off-street car parking, road capacity and the potential for demand management of car parking.*
    (b) *Prepare plans for the design and location of local car parking to:*
        (i) Protect the role and function of nearby roads, enable easy and efficient use and the movement and delivery of goods.
        (ii) Achieve a high standard of urban design and protect the amenity of the locality, including the amenity of pedestrians and other road users.
        (iii) Create a safe environment, particularly at night.
        (iv) Facilitate the use of public transport.
    (c) *Protect the amenity of residential precincts from the effects of road congestion created by on-street parking.*

    Local Planning Policy Framework (LPPF)

    Municipal Strategic Statement (MSS)

    Clause 21.03 – Vision

55. In the City of Yarra in 2020 (as relevant):
    (a) *Land Use*
        (i) *Yarra will have increased opportunities for employment*
        (ii) *Yarra's exciting retail strip shopping centres will provide for the needs of local residents, and attract people from across Melbourne*
    (b) *Built Form*
        (i) Yarra's historic fabric which demonstrates the development of metropolitan Melbourne will be internationally recognised
        (ii) Yarra will have a distinctive identity as a low-rise urban form, with areas of higher development and highly valued landmarks
        (iii) People will safely get together and socialise in public spaces across the City
        (iv) All new development will demonstrate design excellence
    (c) *Transport*
        (i) *Local streets will be dominated by walkers and cyclists*
        (ii) *Most people will walk, cycle and use public transport for the journey to work*

    Clause 21.04-1 – Accommodation and housing

56. The relevant objectives and standards of this clause are:
    (a) *Objective 1 To accommodate forecast increases in population.*
        (i) *Strategy 1.1 Ensure that new residential development has proper regard for the strategies applicable to the neighbourhood in question identified in clause 21.08.*
        (ii) *Strategy 1.2 Direct higher density residential development to Strategic Redevelopment Sites identified at clause 21.08 and other sites identified through any structure plans or urban design frameworks.*
        (iii) *Strategy 1.3 Support residual population increases in established neighbourhoods.*
    (b) *Objective 2 To retain a diverse population and household structure.*
    (c) *Objective 3 To reduce potential amenity conflicts between residential and other uses.*
        (i) *Strategy 3.1 Ensure new residential development in the Mixed Use, Business 1, Business 2, and Business 5 Zones and near Industrial and Business Zones is designed to minimise the potential negative amenity impacts of existing non-residential uses in the vicinity.*
        (ii) *Strategy 3.2 Apply the Interface Uses policy at clause 22.05.*

    Clause 21.04-2 – Activity Centres

57. The relevant objectives and strategies of this clause are:
    (a) *Objective 4 To maintain a balance between local convenience and regional retail roles in Yarra's activity centres.*
        (i) *Strategy 4.1 Increase the range of retail, personal and business services, community facilities, and recreation activities, within individual centres.*
        (ii) *Strategy 4.2 Support the regional role of the Major Activity Centres as an important component of Yarra's economy and as a metropolitan destination.*
        (iii) *Strategy 4.3 Support the role of all activity centres, including Neighbourhood Activity Centres, in providing local day-to-day needs of residents of all abilities.*
    (b) *Objective 5 To maintain the long term viability of activity centres.*
        (i) *Strategy 5.2 Support land use change and development that contributes to the adaptation, redevelopment and economic growth of existing activity centres.*
        (ii) *Strategy 5.3 Discourage uses at street level in activity centres which create dead frontages during the day.*

Clause 21.04-3 – Industry, office and commercial

58. The relevant objective of this clause is: *Objective 8 To increase the number and diversity of local employment opportunities.*

Clause 21.05-2 – Urban design

59. The relevant objectives and strategies of this clause are:
    (a) *Objective 16 To reinforce the existing urban framework of Yarra.*
        (i) *Strategy 16.2 Maintain and strengthen the preferred character of each Built Form Character Type within Yarra.*
    (b) *Objective 17 To retain Yarra's identity as a low-rise urban form with pockets of higher development.*
        (i) *Strategy 17.2 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.*
    (c) *Objective 18 To retain, enhance and extend Yarra's fine grain street pattern.*
        (i) *Strategy 18.2 Enhance the amenity of laneways by applying the Development Abutting Laneway policy at Clause 22.07.*
    (d) *Objective 20 To ensure that new development contributes positively to Yarra's urban fabric.*
        (i) *Strategy 20.1 Ensure development is designed having particular regard to its urban context and specifically designed following a thorough analysis of the site, the neighbouring properties and its environs.*
        (ii) *Strategy 20.2 Require development of Strategic Redevelopment Sites to take into account the opportunities for development on adjoining land.*
        (iii) *Strategy 20.4 Apply the Built Form and Design policy at clause 22.10.*
    (e) *Objective 21 To enhance the built form character of Yarra's activity centres.*
        (i) *Strategy 21.1 Require development within Yarra's activity centres to respect and not dominate existing built form*
        (ii) *Strategy 21.2 Require new development within an activity centre to consider the context of the whole centre recognising that activity centres may consist of subprecincts, each of which may have a different land use and built form character.*

(iii) *Strategy 21.3 Support new development that contributes to the consolidation and viability of existing activity centres.*

(f) *Objective 22 To encourage the provision of universal access in new development.*

(i) *Strategy 22.1 Encourage applicants to take into account the access needs of all people in the design of new buildings.*

Clause 21.05-3 – Built form character

60. New development must respond to Yarra's built and cultural character, its distinct residential 'neighbourhoods' and individualised shopping strips, which combine to create a strong local identity. Four Structural elements and thirteen built form character types have been identified for areas that are not covered by the Heritage Overlay. The subject site is within a 'Main Road' area. The relevant objectives of this clause are:

General Objective

(a) *Objective 23 To maintain and strengthen the identified character of each type of identified built form within Yarra.*

Transport corridors

(b) *Transport corridors offer a window into the City of Yarra seen by thousands of people every day. In Yarra many main roads double as centres of community and commercial activity, and are part of local community identity. In categorising main roads from a built form perspective it is logical to differentiate them by built form character, rather than traffic function.*

(c) *Objective 26 To improve the built form character of transport corridors.*

(i) Strategy 26.1 Reinforce the scale and formality of the landscape along boulevards.

(ii) Strategy 26.2 Maintain the dominance of the avenue trees over built form along boulevards.

Clause 21.05-4 – Public environment

61. The relevant objective and strategies of this clause are:

(a) *Objective 28 To a provide a public environment that encourages community interaction and activity.*

(i) Strategy 28.1 Encourage universal access to all new public spaces and buildings.

(ii) Strategy 28.2 Ensure that buildings have a human scale at street level.

(iii) Strategy 28.3 Require buildings and public spaces to provide a safe and attractive public environment.

(iv) Strategy 28.5 Require new development to make a clear distinction between public and private spaces.

(v) Strategy 28.8 Encourage public art in new development.

Clause 21.06 – Transport

62. 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 – Environmentally Sustainable Development

63. The relevant objective of this clause is: '*Objective 34 To promote environmentally sustainable development*'.

Clause 21.08-2 – Burnley, Cremorne, South Richmond

64. The following relevant commentary is offered in this clause:

(a) *The Swan Street major activity centre lies along the northern boundary of this neighbourhood. Within this major activity centre there are three recognisable precincts.*

Swan Street east

(b) *This precinct begins at Mary Street in the west and extends to Loyola Grove. It includes Burnley Station. It comprises larger showrooms and offices, with a focus on furniture and renovation stores and building supply businesses.*

Relevant Local Policies

Clause 22.05 – Interface uses policy

65. This policy applies to applications for use or development within Business Zones (albeit now 'commercial zones' amongst others). The relevant objectives of this clause are:
    (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.*

66. At clause 22.05-3 it is policy that:
    (a) *New residential use and development in or near commercial centres and activity centres and near industrial uses includes design features and measures to minimise the impact of the normal operation of business and industrial activities on the reasonable expectation of amenity within the dwellings.*
    (b) *New non-residential use and development within Business and Mixed Use and Industrial Zones are designed to minimise noise and visual amenity impacts upon nearby, existing residential properties.*

Clause 22.07 – Development abutting laneways

67. This policy applies to applications for development that is accessed from a laneway or has laneway abuttal. A ROW is located along the western boundary of the site.

68. The objectives of this clause are:
    (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 22.10 – Built form and design policy

69. The policy applies to all new development not included in a heritage overlay. Clause 22.10-3.1 does not apply to residential development. The objectives of this clause are:
    (a) *Ensure that new development positively responds to the context of the development and respects the scale and form of surrounding development where this is a valued feature of the neighbourhood character.*
    (b) *Ensure that new development makes a positive contribution to the streetscape through high standards in architecture and urban design.*
    (c) *Limit the impact of new development on the amenity of surrounding land, particularly residential land.*
    (d) *Design buildings to increase the safety, convenience, attractiveness, inclusiveness, accessibility and 'walkability' of the City's streets and public spaces.*
    (e) *Create a positive interface between the private domain and public spaces.*
    (f) *Encourage environmentally sustainable development.*

Clause 22.12 – Public open space contribution

70. This policy applies to all residential proposals, mixed use proposals incorporating residential uses and proposals incorporating residential subdivision. The relevant objectives of this clause are:
    (a) *To implement the Yarra Open Space Strategy.*
    (b) *To identify when and where land contributions for public open space are preferred over cash contributions.*
    (c) *To ensure that where appropriate, land suitable for public open space is set aside as part of the design of a development so that it can be transferred to or vested in Council, in satisfaction of the public open space contribution requirement.*

71. The site is located in an area where land in lieu of cash is the preferred method of contribution. However, as the site is only approximately 2,042m², the site does not meet the selection criteria in that the land to be contributed should be approximately 300m². Should the site be subdivided, a cash contribution would be required.

Clause 22.16 – Stormwater management (water sensitive urban design)

72. This policy applies to new buildings (amongst others) and aims to achieve the best practice water quality performance objectives set out in the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999; promote the use of water sensitive urban design, including stormwater re-use; mitigate the detrimental effect of development on downstream waterways; minimise peak stormwater flows; reintegrate urban water into the landscape to facilitate a range of benefits including microclimate cooling, local habitat and provision of attractive spaces for community use and wellbeing.

Clause 22.17 – Environmentally sustainable development

73. The most relevant objective of this clause is '*…that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation*'.

74. This policy includes 7 categories in which to assess ESD outcomes. An application of this scale requires the Applicant to submit a Sustainable Management Plan, prepared by a suitably qualified expert. This Applicant has done this.

Other relevant documents

Swan Street Structure Plan [**SSSP**]

75. This document was adopted by Council on 17 December 2013. The site is located within the Swan Street East precinct, which provides the following relevant guidance:
    (a) *The south side of Swan Street provides more contemporary style buildings that are of low scale but primarily have a larger building footprint because of the larger lot size. For example, the car dealerships and servicing centres. There are examples where reinvestment and redevelopment has occurred in the precinct however, this is primarily contained to the car dealerships.*
    (b) *Redevelopment opportunities are evident on the south side of Swan Street. Sites considered appropriate for redevelopment are primarily located between Burnley Street and extend to Coppin Street. These sites provide opportunities for redevelopment because of their size and the separation between this part of the precinct and residential areas to the south. Given this separation, the prospect of adverse amenity impacts for existing residential areas is considerably reduced. The age of some buildings and their lack of heritage value, coupled with limitations in converting existing uses, enhances opportunities for redevelopment.*

76. Building heights of 5-6 storeys (19m) are supported on the south side of the street in the section between Mary and Coppin Streets.

77. Section 3.2 (Urban design principles) also offers the following (relevant summary):
    (a) a consistent street wall is supported;
    (b) a street wall height of 10m or 3 storeys is typical;
    (c) upper level setback is supported, upper levels along Swan Street encouraged to have a 6m setback, resulting in the street wall being 1/3 of the visibility of the upper levels (see below).

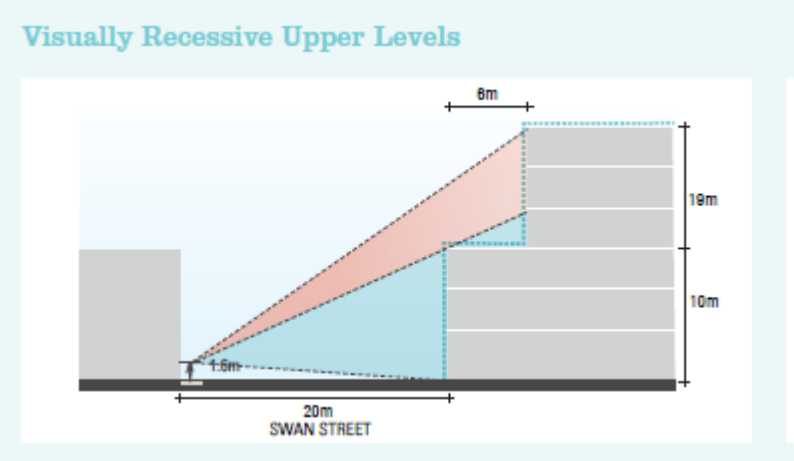


Figure 1. Swan Street Structure Plan, page 19.

78. It is important to note that the SSSP has limited weight in the consideration of this application.

Advertising

79. The application was advertised under the provisions of Section 52 of the Act by letters sent to surrounding owners and occupiers and signs being placed on the Swan Street and laneway frontages of the site. The Section 57A Amended plans were also re-advertised by way of letters and a sign on the site.

80. It is noted that clause 34.02-6 of the Scheme states that the buildings and works component of this application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act as the land is not within 30m of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

81. The Section 57B advertising also incorrectly stated that there was a reduction in car parking and waiver of the loading bay requirements sought. The correct permit triggers however, are assessed in this report.

82. Following both the original (Section 52) and amended plan (Section 57B) advertising periods, a total of 51 objections were received on the following grounds:

    (z) Height (above the SSSP and this site has not been specifically identified as a strategic redevelopment site);

    (aa) Overdevelopment (could impact services and amenities) and density;

    (bb) Neighbourhood character;

    (cc) Upper level setbacks are insufficient (contrary to the SSSP);

(dd) This could create a precedent

(ee) Increased traffic (would worsen existing conditions, could become a pedestrian hazard)

(ff) Vehicular access via Coppin St should be avoided;

(gg) Inadequate car parking (including car parking survey was inadequate, inadequate for the needs of residents, shop staff, conference centre visitors and general visitors, does not consider cumulative impacts, does not consider events in the nearby Sporting precinct, ABS data is too old, the conference centre would create parking demand 'surges', survey undertaken in school holidays)

(hh) The use of car stackers is not satisfactory;

(ii) Impact on Barkly Gardens (overshadowing and visual impacts);

(jj) The proposed use is unclear. This is a commercial, not a residential zone;

(kk) There is no proof that there is demand for a residential hotel in this location;

(ll) Off-site amenity (including pollution, visual bulk, overlooking, overshadowing, noise,

(mm) Impact on the heritage property at 234 Coppin St and to the north-east of the Swan/Coppin intersection;

(nn) Appearance and poor architectural response

(oo) An on-site loading bay and waste collection point should be provided;

(pp) No drop off/pick up point for hotel residents;

(qq) Inadequate permeable surfaces;

(rr) Construction period impacts (including increased demand for parking);

(ss) Impact on a carriageway to the east;

(tt) Equitable development impacts to the north-east;

(uu) Impact on commercial operation of nearby businesses;

(vv) the proposal may impact the development right of the property to the east with regard to the carriageway easement;

(ww) Reduced nearby property values; and

(xx) Supporting documentation is inconsistent (car parking reduction sought).

83. A consultation meeting was held on 31 January 2017 with Council officers, the Applicant and Objectors present. No resolutions were reached at this meeting.

Referrals

External Referrals

PTV

84. PTV are a Section 55 Referral Authority under clause 52.36 of the Scheme. The condition must therefore be imposed on any permit issued:

Public Transport Victoria, pursuant to Section 56(1) of the *Planning and Environment Act 1987* **does not object** to the grant of a planning permit subject to the following conditions:

Conditions:

1. The permit holder must take all reasonable steps to ensure that disruption to tram operation along Swan Street is kept to a minimum during the construction of the development. Foreseen disruptions to tram operations during construction and mitigation measures must be communicated to YarraTrams and Public Transport Victoria fourteen days (14) prior. Any damage to public transport infrastructure must be rectified to the satisfaction of Public Transport Victoria at the full cost of the permit holder.

EPA (DDO5)

85. The EPA did not object to the application and did not request any permit conditions.

CityLink (DDO5)

86. CityLink did not respond within the prescribed time.

VicRoads (DDO5 and clause 52.29)

87. VicRoads initially objected to the proposal on the following ground:

    *1. The proposed building **may** interfere with the operation of the Burnley Exhaust Stack.*

88. However, following discussions with the Applicant, the following advice was received from VicRoads:

    (a) *Further to our previous response (copy attached), VicRoads in consultation with CityLink does not object to the development in its current form.*

89. The initial referral requested the following condition and notes, which should be imposed on any permit issued:

    1. All disused or redundant vehicle crossings must be removed and the area reinstated to kerb, channel and footpath to the satisfaction of and at no cost to VicRoads (the Roads Corproation) prior to the occupation of the building hereby approved.

Notes:

Separate consent will be required from VicRoads (the Roads Corporation) under the Road Management Act 2004 for buildings and works undertaken outside the title boundary within a Road Zone Category 1 (i.e. Swan Street). Please contact VicRoads prior to commencing any works.

The proposed development requires reinstatement of disused crossovers to kerb and channel. Separate approval under the Road Management Act 2004 for this activity may be required from VicRoads (the Roads Corporation). Please contact VicRoads prior to commencing any works.

Internal Referrals

90. The application was referred to an Acoustic consultant, ESD Consultant, Heritage Advisor, Council's Urban Design Unit, Engineering Services Unit and Services Contracts Unit.

Acoustic (SLR)

91. The Application was referred to SLR for a peer review of the Applicant's acoustic report. The following advice was received to the original application:

SLR SUMMARY (Review dated 24 August 2015 of report dated 15 May 2015)

Road Traffic and Tram Noise

(a) Road traffic noise levels were measured during the night period only. From our conversation with MDA on this issue we understand that data held in their files for Swan Street has been used to determine traffic noise levels at other times. This is reasonable from our perspective, however the noise levels used in the design of the façade should be clearly nominated.

Recommendations:

(b) The report should include the façade noise levels used in the design of façade upgrade treatments for bedrooms and living rooms.
   a. MDA have clarified that noise from tram passby events drove the design of the Swan Street façade. However there is no assessment in the report of road traffic noise from Coppin Street to the eastern façade.

(c) That the wording 'indicative glazing requirement' in the headings of Table 16 be exchanged for 'preliminary minimum glazing requirement' or equivalent.
   a. addressed

(d) The report should include either clear specifications for controlling noise via flanking paths (eg. walls, ducts, sliding door seals), or the requirement that these elements are approved by the acoustical consultant during the detailed design.
   a. addressed

(e) Road traffic noise from Coppin Street should be considered, and façade upgrade advice provided if measured noise levels warrant this.

Rail Noise

(f) In our opinion a more thorough assessment of rail impacts is warranted for this site. Measurements should be undertaken at a location that allows appropriate corrections to the subject site to be determined. The assessment should include a minimum of 20 train passbys, including maximum noise levels and an Leq,1 hour level (as a minimum). Peak hour measurements should ideally be undertaken to ensure that worst case train noise levels are captured.
   a. Not provided.

KFC and Roof Mounted Plant at 255 Mary Street

(g) MDA propose that Section 173 agreements be prepared for the site such that noise from KFC and 255 Mary Street is assessed once the building is partially constructed, and that any noise control measures required be undertaken at the source of the noise.

(h) We agree that noise from both these sources may best be controlled at the source but have no opinion as to whether Section 173 agreements are appropriate means for ensuring this outcome. If agreements with the adjacent commercial premises be achieved, an alternative means for assessing the noise and controlling any impacts should be explored.
   a. From subsequent discussions with the City of Yarra it is understood that this issue is to be resolved prior to construction, rather than via a Section 173 Agreement or similar. The acoustic report should address these issues.

Internal Plant and Equipment

Advice is provided in the report for controlling noise from significant sources of noise associated with the development. To assist in ensuring that the outcomes are achieved, we recommend that:

(i) The report includes the requirement that the mechanical design is to be reviewed by the acoustical consultant during the detailed design phase of the project.
   a. Not provided, however additional advice for managing noise from commercial sources has been included.

(j) A recommended maximum sound pressure level @ 1 m or maximum sound power level be nominated for balcony mounted condenser units, such that the identified noise criteria will be achieved. The recommended level can be subject to review by the acoustical consultant during detail design, in the instance that higher noise units meet the design targets for a particular installation.
   a. provided

(k) Recommended maximum noise levels at a distance (eg 1 m) or recommended maximum sound power levels be provided for both the car stacker and carpark entrance gate in order to ensure that the developer selects equipment that can comply with SEPP N-1.
   a. Not provided, however this information is not critical for the currently proposed layout, which does not include car stackers and has a buffer distance between entrance gates and apartments.

92. The following advice was received from SLR regarding the amended application:

(a) *The new layout / application is for the southern end of the site only (i.e. excludes apartments that were potentially most affected by noise from Swan Street).*
(b) *The layout of the apartments is similar to that proposed in 2015, but without the Swan Street part of the site. We reviewed the MDA report for that proposal (report dated 15 May 2015). The MDA report for this application (dated 23 February 2016) is virtually unchanged from the 15 May 2015 report, with the exception that the references to the Swan Street façade have been removed. As such, our review of the original report (review dated 24 August 2015) is relevant.*
(c) *Our more recent review of the report prepared for the whole site (MDA report dated 1 February 2016 and our review dated 23 May 2016) is only relevant to this application in so far as it considers the issue of noise from KFC and 255 Mary Street, which potentially impact apartments within the development. Many of the comments are not relevant to this application because the layout addressed in that report included non-residential use only for the southern part of the site.*
(d) *I've provided comments on the extent to which the issues we raised in our original review have been addressed in red below. In addition to issues raised previously, the current layout should include specific consideration of road traffic noise ingress from Coppin Street.*

ESD

93. The following advice was provided on the amended plans:

Application ESD Commitments:

(a) *The applicant has committed to exceeding the minimum BCA NatHERS standard in thermal energy efficiency. An average 6.4 Star NatHERS rating has been stated in the SMP.*
(b) *A stormwater management proposal with STORM rating of 103% has been received. This relies on 688m2 of roof connected to a 15,000 litre tank connected to all residential hotel room toilets and 430m2 of terrace and POS connected to 2m2 of raingarden for filtering.*
(c) *A 30 kWp solar PV array for contributing to common area electricity demand.*
(d) *Most residential hotel rooms have shading provided by box window shades, the balcony overhangs and wing-walls.*
(e) *Energy efficient heating/cooling, hot water and lighting systems.*
(f) *Water efficient appliances and fittings.*
(g) *A minimum 75% recycling target for demolition and construction waste.*

Application ESD Deficiencies:

(h) *There are major issues with the proposal in relation to access to daylight. There are several west and south facing residential hotel rooms with inadequate setbacks from the side boundaries. These residential hotel rooms at lower levels will have poor access to daylight currently, and will be extremely vulnerable to future development on neighbouring lots (in an activity centre) which will further compound poor access to daylight and undermine internal amenity. Adequate access to daylight has not been demonstrated and needs to future development of neighbouring buildings through daylight modelling. Recommend increasing side boundary setbacks to east and south boundaries.*

(i) *Floor plans of residential hotel rooms restrict access to natural ventilation. Only 26 of the 75 residential hotel rooms (35%) have access to cross ventilation. Room depths of living areas in the single sided residential hotel rooms are reasonable in providing adequate natural ventilation. Recommend increasing cross ventilation to residential hotel rooms.*

(j) *24 secure residents bicycle parking spaces in the lower ground floor car park for 75 residential hotel rooms and a conference centre, is far below the best practice standards of one per residential hotel room for residential bike parking; recommend that 75 bikes spaces be provided for hotel guests & residents, plus additional spaces visitors and staff.*

Outstanding Information

(k) *No rainwater tank or raingarden can be identified on plans. Please clearly show all stormwater management features on the plans, once they have been resolved.*

(l) *Glazing to bedrooms and common area corridor (east facing glazing) throughout the project appears not to be operable. Please clearly mark all operability to windows to bedrooms and common area corridors.*

(m) *Council recommends providing change lockers and showers to support staff riding to work. It appears that there might be space to accommodate this in the WC facilities in the back of house area, ground floor or near the gym, first floor.*

ESD Improvement Opportunities:

(n) *Consider provided retractable clothes lines or racks, or other low energy clothes drying facilities.*

Heritage

94. The following is an extract of the relevant elements of the heritage advice, based on the amended plans:

Context and Proposed Works

(a) *The site is located in a part of Richmond not covered by a Heritage Overlay however the site wraps around an Individually significant building included in a Heritage Overlay as HO 245.*

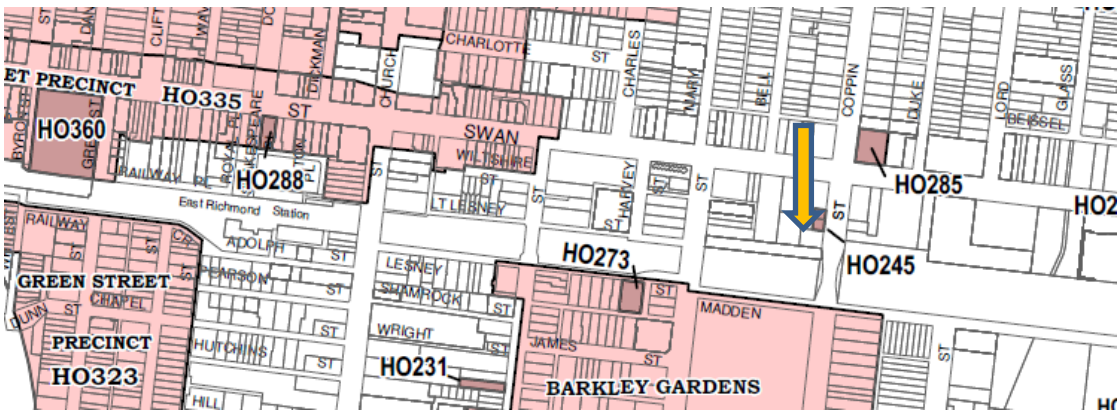


Figure 1 The Heritage Overlay map with the site arrowed.

(b) *Permit PLN15/0270 has been issued for the construction of a 4-storey building on the northern portion of the site and abutting the heritage building.*

(c) *The site is also an area which is relatively open and with low rise buildings and two heritage "landmarks": No 234 Coppin Street (HO 245) which abuts the site and No. 291 Swan Street, the Former Central Club Hotel, constructed 1888 (HO 285). (Refer to the detailed discussion regarding the reasons for significance contained in the heritage advice of 28 July, 2016).*

(d) *The Barkly Gardens (HO308) are in close proximity to the south of the development site and the surrounding setting, i.e. the heritage precinct, is significant:*
- (i) *For Richmond's only example of a 19th century residential garden square, a 19th century planning device deriving from London models, and seen also in Curtain Square and the Darling Gardens but otherwise relatively rare in Melbourne, and as reinforced here by Victorian-era houses facing the square along Mary and Coppin Streets;*
- (ii) *For the comparatively cohesive image presented by the area of Richmond at the peak of its 19th century development;*
- (iii) *For individually significant elements such as the early bluestone and timber Victorian-era houses in the streets to the west of the Barkly Gardens;*
- (iv) *For well preserved buildings from the inter-war period that visually complement the core Victorian and Edwardian-era buildings; and*
- (v) *For the high concentration of modest Victorian and Edwardian-era workers' cottages in the low-lying land in the southern part of the Heritage Overlay Area.*

(e) *In relation to height, there is potential for an adverse impact on the setting of the Barkly Gardens Heritage Overlay area.*

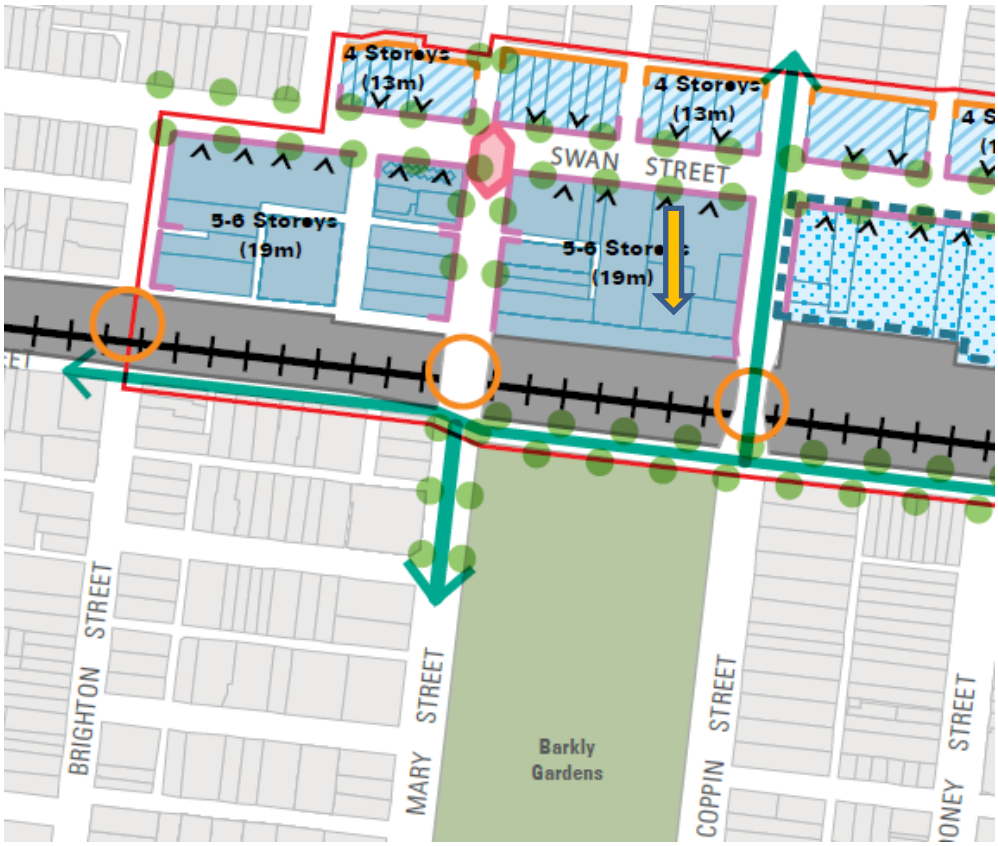


Figure 2 The anticipated height on the development site as shown in the Swan Street Structure Plan. p.34.

(f) *The site is not within the pocket of taller buildings in proximity to Dimmeys. (Swan Street Structure Plan. p. 28) However, the site is located in part of Swan Street where a height of 19 metres or 5 – 6 storeys is envisaged. (Swan Street Structure Plan. p. 34)*

(g) *As previously advised two of the Built Form Strategies are:*
   (i) *Rebuild/reinforce the street wall height along Swan Street to create a continuous and consistent 3 storey built form scale.*
   (ii) *Development above the street wall level should be set back and visually recessive. [Emphasis added.]*

(h) *As previously advised, this latter point is explained as:*
   (i) *Ensuring the right street wall height and design is a key urban design principle. The height and detailed design of a street wall should respond to any valued built form character, including heritage fabric. In Swan Street, the character is often defined by 1 -3 storey, narrow-fronted, Victorian, Edwardian or Inter-war buildings. They generally reach a height of between 9m and 10m. A typical contemporary 3-storey (10 metres) street wall fits comfortably within this traditional streetscape due to its more modest floor-to-floor and parapet heights. (p. 18) [Emphasis added.]*
   (ii) *New built form has the potential to be multi-storey and considerably higher and more prominent than the existing heritage fabric. An urban design principle is that heritage and streetscape qualities of heritage precincts and buildings are preserved whilst allowing sympathetic and responsive opportunities for development. The urban design principle of setting back taller development is being utilised due to the desire to accommodate urban consolidation in areas, such as traditional activity centres like Swan Street. (p. 19) [Emphasis added.]*
   (iii) *The urban design principle is often referred as 'visually recessive' upper levels. The idea is that if additional levels are sufficiently set back from the front building line they will not unacceptably detract from the valued streetscape character generated by lower forms.*
   (iv) *As a principle, additional height should be sufficiently setback so that it is visually 'subservient' to the lower form. (p. 19) [Emphasis added.]*
   (v) *Upper forms can be made more 'recessive' through materials creating a lightweight appearance, particularly when this is contrasted with a more 'solid' lower form. Colour can also influence recessiveness. Both light and dark colours tend to draw the eye, whereas, mid-toned colours, such as grey, are less striking against the sky. (p. 19)*

(i) *The L-shaped development site is located immediately beside and behind the heritage building at No. 234 Coppin Street. As advised previously, there is no consideration of the heritage building: the proposal does not have regard to either the heritage constraints of the site and the relevant heritage policy nor the intent of the Swan Street Structure Plan e.g. 10 storeys at a height of 30 – 32 metres compared with 5 – 6 storeys at a height of 19 metres; upper level setbacks which make them "less apparent" and visually recessive and subservient; design execellence.*

(j) *Development along the eastern frontage (Coppin Street) above the street wall is not sufficiently set back to be visually recessive. The only reasonable setbacks do not commence until the 7th floor i.e. the 8th level. It is self-evident from the elevations and montages that the upper levels are too dominant and intrusive. This is exacerbated by the north and east elevations at the north-east corner which are solid expanses of "textured rendered [pre-cast concrete] panel". The appearance is one of a simple pre-fabricated concrete industrial/warehouse building which is unacceptable and ugly in this prominent location at a principal intersection and as a backdrop to an Individually significant building. The poor design is also evidenced by the oddly juxtaposed "extruded" concrete boxes which are the principal elements of the façade.*

(k) *While some unsatisfactory elements have been deleted from previous iterations that response has been simply ticking some "easy" boxes with the result that the proposal still retains its fundamental failings which have still not been addressed in response to previous advice which has been consistent. In my opinion, the proposal is stagnant in terms of building envelope and the consequent failure to adequately respond to policy and the Structure Plan and is also regressive in terms of design which is poor. As proposed it will be an intrusive and attention-grabbing building which will not make any positive contribution to the immediate area and which will have an adverse impact on two heritage places. The proposal will still create a tall and bulky backdrop to No 234 Coppin Street which is Individually significant and will be an unacceptable intrusion on the skyline of the Barkly Gardens Heritage Overlay area as well. The elevations behind No 234 Coppin Street will be approximately 3 times its height instead of 1/3 as regarded as generally being the acceptable norm and will be a concrete wall.*

Recommendation / Comments:

(l) *Not approved.*
(m) *The proposal has failed to appropriately consider the heritage policy and the Swan Street Structure Plan and at face value has ignored previous advice in relation to identified shortcomings. Until some considerably more appropriate response to these is submitted no permit should issue. Another iteration which simply tinkers at the edges is not acceptable.*
(n) *As advised previously, the failings of the previous proposal(s) remain and have not been addressed adequately. They are:*
(o) *The principal issue with the previous proposal remains with this proposal in that the adverse impact of bulk and scale in the immediate area, in particular on the setting of No. 234 Coppin Street which will be diminished and adversely affected. Likewise the Barkly Gardens.*

(i) *The proposed building will be the highest building in the vicinity and will completely overwhelm the heritage building which historically has been the distinctive and isolated element in this part of the Coppin Street streetscape.*

(ii) *The bulk and scale of the building, will still dominate the area and this will be exacerbated by the expanses of pre-cast concrete slab at the focal point of a major intersection.*

(iii) *The height and minimal setbacks above the "podium" level will result in an overbearing form in a generally low-rise area and immediately behind an Individually significant building. This will be exacerbated by the visibility of multiple (6) elevations in street views and in a single view e.g. from the intersection of Swan and Coppin Streets four elevations are visible at once.*

(iv) *The blank walls behind the KFC car park add nothing positive to the streetscape and are not respectful of No. 234 Coppin Street. They will be an intrusive eyesore at a principal intersection.*

(v) *The design needs to be reviewed so as to minimize its impact in relation to No. 234 Coppin Street. This might be best tested using a standard sightline diagram and also factoring in the approved (Permit PLN15/0270) 4-storey building abutting the heritage building.*

(vi) *The site has high visibility from all four sides, and large featureless sections of the south elevation of the Coppin Street wing and the east elevation of the Swan Street wing will not make a positive visual contribution to the vicinity. In this context what is proposed is out-of-keeping and will have an adverse effect on the setting of No 234 Coppin Street, the Barkly Gardens precinct and will be an ugly, dominating and intrusive element in the streetscape and immediate environs, particularly in views from the east along Swan Street and in views from the north and south along Coppin Street.*

Urban Design (internal)

95. The following advice was received on the amended plans:

(a) *The proposal is not supported in its current form and the following changes are required:*
   (i) *The building above the street wall (podium) needs to be set back further so that the upper stories appear recessive.*
   (ii) *The façade design requires better architectural articulations to improve the aesthetic appeal of the building.*
   (iii) *The plans and the design details of the adjoining development proposal (facing Swan Street) are required to understand the relationship of the two proposals.*
   (iv) *There are major issues regarding daylight access due to the setbacks and the balcony sizes. A larger setback is required from the southern boundary and the balcony depth (particularly of the northern balconies) needs to be looked into to address this issue.*
   (v) *The vehicular access to the proposed development is proposed through the existing, narrow, Right of Way (on the western side of the site). It is felt that, in consideration to the future development scenario of the other properties along the Right of Way (RoW), a building setback of about a meter should be provided at the western boundary.*

DETAILED CONSIDERATIONS

(b) *The subject site, 236 Coppin Street, is located to the south side of Swan Street, near the corner of Coppin Street. Earlier, a composite proposal was submitted on sites 314-320 Swan Street and 236 Coppin Street.*
It is my understanding that although this proposal has been submitted for the site facing Coppin Street, there is still the intent to develop the site section facing Swan Street; and for which a separate proposal is being submitted. It would be important to get the design details of the other section of the site to assess this proposal fully.

(c) *The subject site forms part of the Swan Street Activity Centre. Council has adopted a Swan Street Structure Plan in 2014. It is located within Precinct 3 of the Swan Street Structure Plan where 5-6 storey developments are preferred.*

(d) *To the north of the subject site is a two storey heritage building.*

Aerial view of showing the heritage building, north of the subject site.

(e) *To the East of the subject site is Coppin Street, further east of which is precinct 4 of the Swan Street Structure Plan area designated as Burnley Street Precinct with large commercial and ex-industrial buildings. The structure plan recommends 7-10 storey buildings in this precinct.*

(f) *To the south of the subject site is a linier property built to the edge of railway reserve that has windows on the first floor facing the site.*

(g) *To the west of the site are single and double storey retail and commercial buildings on medium to large lots with varying architectural styles and expressions. There is also a narrow (2.8) laneway along part of the site, abutting the western boundary.*

(h) *The subject site is currently occupied by light industrial, single storey buildings.*

THE DEVELOPMENT PROPOSAL

(i) *The development proposal is for demolition of the existing buildings and construction of a mixed use development including a 10 storey building incorporating commercial and residential uses and four levels of basement car parking.*

RESPONSE TO THE PROPOSAL

Built-form and Massing

(j) *The overall building height, of a 10 storey building, far exceeds the recommendations of the Swan Street Structure Plan and does not relate to the scale of existing buildings in that precinct.*

(k) *The proposal incorporates a 3 storey street wall. Third floor is setback about 1.5 meters from the eastern boundary. The 4th, 5th and 6th floors are projected forward a little. Such an arrangement brings the building mass of 4th, 5th and 6th floors closer to the street, increasing the building bulk along the street. As such the upper stories do not look recessive. There is a two storey individually significant heritage building to the north of the site. The proposed massing would appear overwhelming to the adjoining two storey heritage building. The proposed three storey street wall would also not relate well to the two storey heritage building. It is recommended that a lager building setback (more than 3 meters) should be provided above the street wall so that the building mass appears recessive and the street wall is adjusted so that it relates to the heritage building.*

(l) *The development proposal includes approximately 3 meters setback towards the southern boundary. A number of habitable rooms and balconies are proposed on that side of the site. Access to light and ventilation is envisaged through this 3 meters setback. In this regard it is felt that the development proposal does not take into consideration any amenity and day light access issues that may arise if the site south of the proposed development gets developed to a higher scale in future.*

Image showing long and narrow building abutting the southern boundary of the site and the windows on the first floor

(m) *The image above shows that there are windows on the first floor of the property south of the site. Screening of proposed bedroom windows and balconies (on the southern side) would be required to protect the privacy. On the other hand, the screening of windows and balconies would impact on the access to day light*

In view of this; it is recommended that applicant should be asked to revise the proposal, setting back the bedroom windows or balconies on the southern side sufficiently to avoid any future daylight and amenity issues.

(n) *The main vehicular entry to the development is suggested through the existing 3 meters wide RoW on the western side and an exit is proposed towards the Coppin Street side. The proposed vehicular entry through a 3 meters wide RoW seems very tight. There is a possibility that, similar to this site, the other sites along the RoW can also propose vehicular entry thought this RoW. Keeping vehicular volume of this development and the other potential future developments along the RoW, it is felt that there is a need to widen the RoW. It is therefore recommended that the proposed development be setback at least by 1 meter on the western side (along the RoW). A similar setback should also be maintained when the sites west of the RoW are developed.*

Façade Design, Materials and Colour

(o) *The development proposal includes large blank façade sections on the north and south sides (Refer images below).*

Oblique view of the site along Swan Street.

View of the site from the southern side

(p) *These blank sections of the façade are visible from Swan Street and Coppin Street. The building appears non appealing and bulky.*

(q) *The boxed treatment of the upper floor balconies results in a very busy elevation and a dominating form which would draw viewers' attention to the upper stories making the height of the building very prominent. Better architectural articulations are required to improve the aesthetic quality of the facades and to reduce its dominance in the existing streetscape.*

Engineering Services Unit

96. The following advice was received on the amended plans:

CAR PARKING PROVISION
Proposed Development

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

Proposed Use	Quantity/Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
One-bedroom suite	9	Not specified in Clause	To the	9

Two-bedroom suite	61	52.06-5	satisfaction of the Responsible Authority	61
Three-bedroom suite	5			10
Place of Assembly – Conference Centre	65 seats	0.3 spaces to each patron permitted	19	19
		Total	**19 Spaces**	**100 Spaces**

(b) *To reduce the number of car parking spaces required under Clause 52.06-5 (including to reduce to zero spaces), the application for the car parking reduction must be accompanied by a Car Parking Demand Assessment.*

Car Parking Demand Assessment

(c) *In reducing the number of parking spaces required for the proposed development, the Car Parking Demand Assessment would assess the following:*

(i) *Parking Demand for Residential Hotel Guests. Residential hotel suites would be typically be used by interstate and international visitors, similar to serviced apartment type accommodation. Customers would research the location, the premises, on-site parking and public transport network/services before booking a room. Short term residential hotel type accommodation would provide information or be advertised via websites, booking agents, brochures etc. Each one- and two-bedroom suite would be allocated one space whereas the three-bedroom suites would be allocated two spaces each. These rates are equivalent to standard residential flat type dwellings.*

(ii) *Parking Demand associated with the Conference Centre (Place of Assembly). The parking provision for the conference centre satisfies the parking requirements for a place of assembly.*

(iii) *Availability of Public Transport in the Locality of the Land. The site has very good access to public transport services. Tram services operate along Swan Street and rail services can be accessed from Burnley railway station.*

Appropriateness of Providing Fewer Spaces than the Likely Parking Demand

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

(i) Availability of Car Parking. Traffix Group had conducted on-street car parking occupancy surveys on Friday 27 November 2015 (at the times of 12:30pm, 1:30pm, 7:00pm and 8:00pm) and on Saturday 28 November 2015 (at the times of 12:00pm, 1:00pm, 7:00pm and 8:00pm). The survey area encompassed Swan Street (between Charles St and Lord St), Coppin Street (between McNamara St and Rose St) and sections of Madden Grove, Lesney Street, Harvey Street, Mary Street, Bell Street, Duke Street and Little Lesney Street. An inventory ranging from 220 to 238 public on-street spaces was identified. The times and extent of the survey are considered appropriate. The results of the Friday survey indicated that no fewer than 45 vacant spaces were observed at 1:00pm whereas on Saturday no fewer than 32 spaces were recorded (also at 1:00pm). The surveys indicate that the surrounding area has capacity to accommodate any short-stay parking overspill.

(ii) Access to or provision of Alternative Transport Modes. The site has very good accessibility to public transport and connectivity to the on-road bicycle network. The site is also in proximity to on-street car share pods.

Adequacy of Car Parking

(e) *From a traffic engineering perspective, the proposed car parking provision for the residential hotel rooms and the conference centre are considered appropriate in the context of the development and the surrounding area.*

The development has very good access to a range of public transport. As indicated in the car parking demand assessment, the surrounding street network has capacity to accommodate any parking overflows form the site.

(f) *Engineering Services has no objection to the waiver of car parking for this development.*

TRAFFIC GENERATION

Residential Hotel Rooms

(g) *In determining the traffic generation for the hotel rooms, Traffix Group has indicated that the traffic generation for the rooms is expected to be 50 per cent of standard residential dwellings. A standard residential dwelling would have a traffic generation of 3.0 trips per day with 0.3 trips per dwelling per peak hour.*

(h) *In this case, the 75 hotel rooms would have a daily traffic generation of 113 vehicle trips with 11 trips per peak hour.*

Conference Centre

(i) *For the conference centre, it has been assumed that each space would generate one arrival trip in the morning peak hour and 1 departure trip in the evening peak hour. Therefore, 19 trips would be generated in each peak hour.*

Development Traffic

(j) *In summary, the development would generate 30 vehicle trips in each peak hour. Theses volumes are not high and should not compromise the operation of the surrounding road network.*

DEVELOPMENT LAYOUT DESIGN

Layout Design Assessment

Item	*Assessment*
Access Arrangements	
Doorway Width (off north-south aligned Carriageway Easement)	*The 4.0 metre wide doorway service the entry into the car park via the north-south aligned carriageway easement satisfies Design standard 1 – Accessways of Clause 52.06-8 of the Yarra Planning Scheme.*
Development Exit Point – Coppin Street Frontage	*The exit point has a width of 3.74 metres*
Visibility – Coppin Street	*A visibility triangle measuring 2.5 metres by 2.0 metres as required in Design standard 1 has been provided at the south edge of the exit point. Since there is no visibility splay on the north side of the exit (due to the adjoining property), a convex mirror could be installed.*
Headroom Clearance	*The accessways and car parking modules within the development have been provided with minimum headroom clearances of 2.2 metres, which satisfy AS/NZS 2890.1:2004.*
Vehicle Crossing – West Side of Coppin Street	*To be reconstructed to Council's current standards.*
Car Parking Modules	
Car Parking Spaces and Aisles	*The dimensions of the regular car parking spaces and aisles satisfy Design standard 2: Car parking spaces.*

Accessible car Parking Spaces	*With the exception of the 4.9 metre lengths (Clause 52.06-8 standard), the two accessible car parking spaces and the associated shared area satisfy the Australian/New Zealand Standard AS/NZS 2890.6:2009.*
Clearances to Parking Spaces	*Spaces abutting walls have adequate clearances (not dimensioned on the drawings)*
Column Setbacks and Depths	*Not dimensioned on the drawings.*
Blind Aisle Extensions	*1.0 metre aisle extensions satisfy AS/NZS 2890.1:2004.*
Internal Ramp Grades	*Internal grades of 1 in 20 satisfy AS/NZS 2890.1:2004.*
Longitudinal Grades in Aisles	*Longitudinal grades along the aisles satisfy AS/NZS 2890.1:2004.*
Ramped Accessways	*Have been provided with widths of 5.5 metres plus 300 mm kerbs on either side as per AS/NZS 2890.1:2004.*

Design Items to be Addressed

Item	*Details*
Visibility – Coppin Street	*A convex mirror should be installed on the south side of the Coppin Street exit to enable exiting motorists to view pedestrians to the north of the exit point.*
Access along Ninety-degree Turn in Accessway	*On the Ground Floor, the swept path for the ninety-degree turn in the accessway leading to Coppin Street must be provided using the B99 design vehicle. This turn is from north to east.*
Column Depths and Setbacks	*Column depths and setbacks from the aisles must be dimensioned on the drawings and comply with Diagram 1 Clearance to car parking spaces of Clause 52.06-8.*

IMPACT ON COUNCIL ROAD ASSETS

(k) *The construction of the new buildings, the provision of underground utilities and construction traffic servicing and transporting materials to the site will impact on Council assets. Trenching and areas of excavation for underground services invariably deteriorates the condition and integrity of footpaths, kerb and channel, laneways and road pavements of the adjacent roads to the site.*

(l) *It is essential that the developer rehabilitates/restores laneways, footpaths, kerbing and other road related items, as recommended by Council, to ensure that the Council infrastructure surrounding the site has a high level of serviceability for residents, employees, visitors and other users of the site.*

ENGINEERING CONDITIONS

(m) *The following items must be included in the Planning Permit for this site:*

Pedestrian Access

(i) All pedestrian access points of the development from the road reserve must be DDA compliant.

Civil Works

(ii) Upon the completion of all building works and connections for underground utility services, the footpath immediately outside the property's Coppin Street road frontage must be reconstructed to Council's satisfaction and at the Permit Holder's expense.

Vehicle Crossing – Coppin Street Frontage

(iii) The vehicle crossing on the Coppin Street frontage of the site must be demolished and reconstructed to Council's Standard Drawings and engineering requirements.

(iv) The applicant must prepare and submit a 1 in 20 scale cross sectional drawing of the reconstructed vehicle crossing, showing the actual reduced levels (not interpolated levels from the application drawings) of the Coppin Street road profile (from centre line of road pavement to property line). The required levels (to three decimal places) include the building line level, the proposed finished level of the accessway 2.0 metres inside the property, the top of kerb level, the invert level, lip level and road pavement levels. The existing road profile of Coppin Street must be accurately drawn. The applicant must demonstrate by way of a ground clearance check that a B99 design vehicle can traverse the new vehicle crossing and accessway 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.

Public Lighting

(v) The developer must ensure that lighting from any existing or new lights does not spill into the windows of new hotel suites or any existing nearby residences. The control of light spillage into the windows of existing and proposed residences must comply with the requirements of the Australian Standard AS 4282 – 1997 Control of the obtrusive effects of outdoor lighting. Any light shielding or baffling that may be required shall be funded by the Permit Holder.

Redundant Vehicle Crossings

(vi) All redundant vehicle crossings along the property's road frontages must be demolished and reinstated with paving, kerb and channel to Council's satisfaction and the Permit Holder's cost.

Preparation of Detailed Road Infrastructure Design Drawings

(vii) The developer must prepare and submit detailed design drawings of all road infrastructure works and drainage works associated with this development for assessment and approval.

Construction Management Plan

(viii) 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.

(ix) The Construction Management Plan for the site must also take the following into account:

- *If any existing public lighting assets require temporary disconnection, alternative lighting must be provided to maintain adequate lighting levels. A temporary lighting scheme can only be approved by Council and relevant power authority.*
- *Existing public lighting could only be disconnected once temporary alternative lighting scheme becomes operational.*
- *A temporary lighting scheme must remain operational until a permanent lighting scheme is reinstated.*

Road Asset Protection

(x) Any roads, footpaths and other road related infrastructure adjacent to the development site that are damaged 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 Permit Holder's expense.

Impact of Assets on Proposed Development

(xi) 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.

Drainage

(xii) 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.

(xiii) 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.

Services Contract Unit

97. Council's Services Contracts Unit provided the following advice on the original plans:

(a) *The WMP is basically a submission from a waste service provider. The WMP is not of sufficient standard from waste management perspective that I am not sure how I can give meaningful advice as such. It is full of incorrect statement/assumptions and more details are required.*

(b) *A WMP will need to be provided to the satisfaction of the Engineering Operations Branch. The WMP will need to be in accordance with the Guide to Best Practice for Waste Management in Multi-unit Developments from Sustainability Victoria 2010, waste industry standard and Council's waste collection requirements. It is strongly suggested that the WMP be prepared by a waste industry practitioner. There are a number who have undertaken WMPs in Yarra, such as, Leigh Design, Wastemin, Waste Wise, Wastetech, Lid Consulting, etc.*

(c) *The WMP must be a standalone document and definitive in nature regardless if a private or Council collection is proposed. A very important requirement will be an internal collection by a private contractor. I am happy to work through the issues with you and the developer/consultants.*

OFFICER ASSESSMENT

98. The primary considerations for this application are as follows:
(a) strategic policy;
(b) residential hotel and place of assembly (conference centre) uses;
(c) urban design;
(d) on-site amenity;
(e) off-site amenity;
(f) environmental sustainability;
(g) traffic and car parking (including alteration to access to a road in a Road Zone);
(h) bicycle parking;
(i) waste management; and
(j) Objector concerns.

Strategic policy

99. The site is located within the Swan Street Activity Centre [**AC**], an area well serviced by public transport, services and infrastructure. The concentration of commercial developments (amongst others, including housing and entertainment) is encouraged in ACs. Policy at clause 11.01-2 also includes a strategy to '*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*'.

100. The development would be contained to the southernmost, Coppin Street section of the site which is located within the C2Z. This zone encourages commercial areas for office, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.

101. The interface between commercial and residential land uses is dealt with by Council's Local Policy at clause 22.05; aiming to encourage reasonable residential amenity levels, without unreasonably impeding business activities.

102. When assessing the built form, clauses 15.01-1, 15.01-2, 21.05-2 and 22.10 provide the most relevant guidance, along with the *Design Guidelines for Higher Density Residential Development* (Department of Sustainability and Environment, 2004). State and local policy encourage high quality urban design outcomes, especially in ACs and along transport corridors. In particular, strategy 17.2 of clause 21.05-2 is that: *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:*
    (a) *Significant upper level setbacks*
    (b) *Architectural design excellence*
    (c) *Best practice environmental sustainability objectives in design and construction*
    (d) *High quality restoration and adaptive re-use of heritage buildings*
    (e) *Positive contribution to the enhancement of the public domain*
    (f) *Provision of affordable housing.*

103. The Swan Street Structure Plan [**SSSP**] also provides relevant built form guidance, supporting 5-6 storey heights in this area (19m), a street wall height of 10m or 3 storeys and upper level setbacks that result in the street wall being 1/3 of the visibility of the upper levels.

104. Environmentally sustainable design [**ESD**] and water sensitive urban design [**WSUD**] guidance is offered at clauses 11.04-5, 15.02-1, 22.16 and 22.17 of the Scheme, encouraging development that reduces energy consumption and minimises storm water runoff.

105. Car parking policy is offered at clauses 18 and 21.06 of the Scheme, with state and local policy encouraging sustainable transport modes such as walking, public transport and cycling.

106. The general scale and density of development proposed is supported (subject to the conditions contained in this report) by state and local policy, on a site considered as a SRS and well located within an AC. The proposal meets broad state and local urban consolidation policies contained within the Scheme.

<u>Residential hotel and place of assembly (conference centre) uses</u>

107. The proposed uses are both section 2 or permit required uses.

Residential hotel

108. The C2Z purpose includes:
    (a) *To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.*

(b) *To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.*

109. The residential hotel use would support the vibrant, commercial centre of Swan Street and would offer accommodation for leisure or business facilities in the area. The site is also a quick tram ride to the Sporting Precinct that extends west of Swan Street (West of Hoddle St).

110. Considering clause 22.05, the use would also complement the adjacent office buildings and would not unreasonably impact the take-away food premises operation to the north as the occupants would be temporary (i.e. different amenity expectations than permanent residents). The acoustic review undertaken by SLR did identify that roof mounted plant associated with the KFC and the office building at 255 Mary Street may be problematic. Whilst SLR suggested a Section 173 Agreement to ensure that the source of the noise is treated, officers are of the view that this could be dealt with via a permit condition requiring an amended acoustic report.

    Should the permit holder and these adjacent businesses come to an agreement regarding treating the source of the noise, then this could be undertaken and then reflected in an amended acoustic report (which shows reduced existing condition noise levels). This is considered to be more appropriate and requires the permit holder to deal with the issue, as opposed to requiring it to be dealt with off-site.

111. Whilst there are dwellings to the west of the ROW that abuts the western boundary of the site, these dwellings are within the C2Z and it is assumed that they are operating with existing use rights. Nevertheless, a residential hotel is a reasonably benign use within a C2Z and would complement the adjacent dwellings.

112. The residential hotel includes a large lobby along Coppin Street, ensuring that visitors could easily check in/out. A condition however, should require a management plan to ensure that the residential hotel is managed appropriately, with out of hours check in/out procedures and a management system for dealing with complaints. This should be imposed by way of a permit condition, should a permit issue.

    Place of assembly (conference centre)

113. The conference centre would both complement the residential hotel use, and the businesses in the area.

114. With a maximum of 65 patrons, the conference centre would not unreasonably impact the amenity of the area. This is further confirmed with the function centre operating between the hours of 7am to 9pm.

115. A condition should also be imposed to ensure that this use complies with SEPP N-2 guidelines.

116. Subject to the conditions contained in this report, the proposed residential hotel and place of assembly (conference centre) uses would not unreasonably impact the amenity of the area.

    Urban design

    Site Analysis Plan and context

117. The Applicant provided a site analysis plan and urban context report with the application.

    Urban form and character

118. Both the physical and policy context must be considered in this assessment. The office report for PLN16/0034 offered a succinct summary of the policy and physical context of the site:

    (a) *Physically, the area is dominated by 1-3 storey (or 2 storey commercial / 3 storey residential equivalent) street walls. Being in an Activity Centre [**AC**], it is acknowledged that the scale of development in the street will increase.*

    (b) *The urban form for this section of Swan Street is generally commercial in nature with concrete paneling and large expanses of glazing. Hard edged forms are commonplace. (Save the takeaway food premises to the north-east of the site, with generous front and side setbacks, which is considered to be an anomaly in the streetscape.)*

    ….

    (c) *Local policy generally states that developments on Strategic Redevelopment Sites [**SRSs**] and in ACs should not exceed 5-6 storeys unless a number of benefits can be achieved (the list at clause 21.05 is not exhaustive, as has been acknowledged by Council and in a number of VCAT decision).*

    (d) *The SSSP states that buildings in this section of Swan Street should have a 3 storey street wall, with a maximum 19m (5-6 storey) building height and a 6m upper level street setback…..*

    (e) *It is noted that the SSSP does not give street wall or upper level setback guidance for Coppin Street properties, however the 5-6 storey (19m) overall height guidance does extend to this portion of the site….*

    (f) *The building typology along Coppin Street is generally more robust than Swan Street, with an infill office development to the south, a Metro train office building on the east side of Coppin Street, and a 2 storey Victorian era terrace to the immediate north of the subject site along Coppin Street.…*

119. Height, setbacks and materiality will be considered in detail later, however the size of the site and the orientation to the more robust Coppin Street is considered to be an acceptable site responsive design which respects the character of the area.

    Height and setbacks

120. Reviewing the DSE Guidelines again, an objective is '*To ensure new development is appropriate to the scale of nearby streets, other public spaces, and buildings*'. Design suggestions include:
    (a) *relate building height to street width and intended character*;
    (b) *setback upper levels of tall buildings or use a podium and tower form to help create a pedestrian scale at street level*; and
    (c) *reduce heights, increase setbacks or step the mass of the building to create sensitive interfaces with adjoining buildings*

121. Overall height – At 10 storeys or 32m, the proposal would be 13m above the SSSP nominated height for this site. However, without a frontage to Swan Street (as per the previous application), the building would be read as a backdrop to the Swan Street built form. Further, the building presents to Coppin Street, which is a more robust built form, as indicated by the Commercial 2 Zoning of this section of the site.

122. Coppin Street podium – The podium presents as 3.5 storeys (3 plus a balustrade) or 11.2m to Coppin Street. Level 3 is then setback as a 'negative space' with levels 4-6 then having minimal (approximately 1.3m minimum) setbacks from Coppin Street. Levels 7-9 are then recessed even further and would appear as a 'tower' behind the lower forms.

123. Whilst it does not apply to Coppin Street, the SSSP suggests that street wall heights in Swan Street should be 10m or 3 storeys. The proposed street wall is 3 storeys (plus a balustrade), at 11.2m. In this context, the street wall height would maintain the pedestrian scale of the street and is supported.

124. The building then extends into a 'middle' segment, being a minimum 1.3m setback across levels 4-6. Whilst the SSSP suggests that upper levels should be setback 6m from the street, again, this does not apply to Coppin Street. Coppin Street is more robust than Swan Street, again, with the C2Z introducing more office and industrial type built forms in this segment south of Swan and north of the train line.

Applicant's perspective from the south-east looking to the north-west along Coppin Street.

125. A 6m setback above the podium would not render these levels 'invisible' from Coppin Street or further east along Swan Street. Rather, the design has adopted a stepped form and a 'box like' articulation to differentiate between the podium and mid-level forms. As a result, the design is considered to provide a sufficient distinction between the podium and mid-level form to ensure they read as different building segments and do not dominate the street.

126. The minimum 8m setback of levels 7-9 then create an additional layer, further articulating the built form. Whilst the overall height is the same as the officer recommended approval for PLN16/0034, this application is only for the 'Coppin Street segment'. As a result, the proposal would be highly visible or exposed from Swan Street. Whilst this is supported from the southern views given the separation afforded by the train line, the northern views are problematic.

Applicant's perspective from the north-east along Swan Street looking south-west.

Applicant's perspective further north-east along Swan Street.

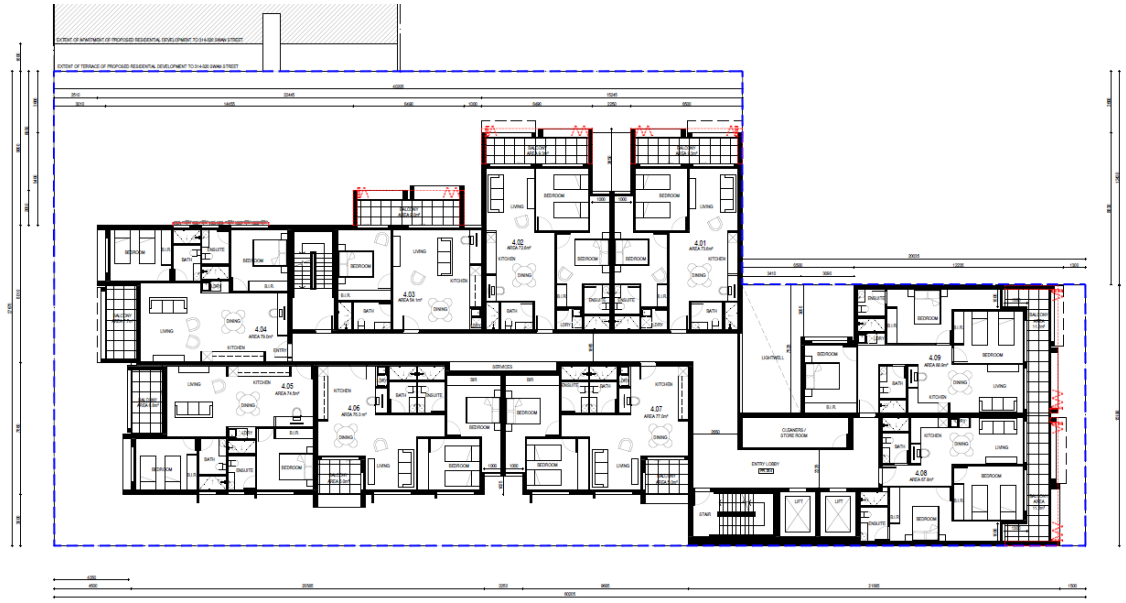
127. As can be seen from the perspective above, the form would be highly dominant from Swan Street in the absence of an associated building along Swan Street. The side wall exposure and height is not supported when the massing does not include built form in the northern 'Swan Street' segment of the site as per PLN16/0034.

128. The removal of built form to Swan Street, increases the perceived scale of the proposal and appears as a jarring addition to the streetscape. The 'gap' created removes the transition in scale from Swan Street through to Coppin Street evident in the earlier application and as such, the scale of the current proposal cannot be supported without conditions reducing the height and bulk of the building.

Perspective from PLN16/0034, noting that Council conditioned the deletion of 2 levels from the Coppin Street building (amongst others).

129. As a result, should a permit issue, a condition should require the deletion of 3 levels (to 7 storeys). Whilst this would be 1 storey or approximately 3.5m taller than the SSSP and 1 storey higher than Council's MSS 5-6 storey guidance, it would retain the proportionality of the design.
If 4 levels were deleted, it would throw off the balance of the mid-level tower element. The deletion of 3 levels would remove the upper level segment of the tower and not unreasonably compromise the architectural integrity of the building.

130. The northern presentation of the building is also considered too 'busy' and was raised as an issue by Council's Urban Design Unit. The applicant has provided a sketch plan (received by Council on 20 March and 7 June 2017), simplifying this elevation. Should a permit issue, a condition should require the north elevation to be generally as per the sketch plan.



131. Subject to the conditions contained in this report, the proposal would appropriately respond to its site context.

Clause 22.07 – Development Abutting laneways policy

132. The western segment of the site fronts a ROW. Council's Development Abutting Laneways Policy (clause 22.07) must therefore be considered. Whilst traffic, vehicular access and overlooking will be considered later in this assessment, the application is considered to meet the policy objectives of clause 22.07 for the following reasons:
    (a) pedestrian and vehicular entries have been separated, with neither being provided via this ROW;

(b) the plans do not detail lighting that would cause unreasonable light spill to adjacent sites;
(c) the proposal would not obstruct the laneway (e.g. roller doors or bin storage);
(d) whilst the policy aims for development that respects the scale of the surrounding built form, this policy element is contrary to Plan Melbourne, which accepts that developments in ACs does not need to respect the character of the area. This would not be conducive to the level of change supported in these centres; and
(e) whilst the height and upper level setback is generally acceptable adjacent to the lane from a policy perspective, the issue of equitable development will be dealt with later in this report.

Heritage

133. To the immediate north of the subject site, along Coppin Street, is 234 Coppin Street, an individually significant, double storey residential building constructed in 1889.

134. Clause 21.05-1 of the Scheme aims '*To protect and enhance Yarra's heritage places*'. Strategy 14.6 is the most relevant, being to '*Protect buildings, streetscapes and precincts of heritage significance from the visual intrusion of built form both within places and from adjoining areas*'. Clause 22.10-3.3 also states that:

The height of new development abutting land in a Heritage Overlay should:
(a) *Adopt a façade height to the street frontage which is no higher than the adjacent building within the Heritage Overlay;*
(b) *Design and site taller structures so that they do not visually dominate surrounding heritage places; and*
(c) *Match the floor levels of the adjacent heritage building.*

135. The Applicant provided a heritage report with the original application (dated 8 May 2015), prepared by D V Bick. The report acknowledged that whilst a Heritage Overlay does not apply to the subject site, that it applies to the Victorian terrace to the immediate north along Coppin Street (234 Coppin Street – HO245 – graded individually significant in Appendix 8 of the *City of Yarra Review of Heritage Overlay Areas 2007* [Incorporated document]) and the Central Club Hotel (285 Swan Street – HO285 – individually significant in Appendix 8) on the north-east corner of the Swan Street/Coppin Street intersection.

136. The Applicant's heritage report offered the following:

(a) *The current surroundings of number 234 Coppin Street, with the exception of the large H0286 former hotel on the corner of Swan and Coppin Streets, provide no setting of any value to the H0245 place;*
(b) *The key consideration is whether the much larger and taller new building will dominate the H0245 two storey terrace to an unacceptable degree. If the current surroundings of number 234 Coppin Street provided a sympathetic setting for the two storey terrace, then the proposed, multi-storey building could be regarded as detracting due to the considerable difference in its building size and height.*
(c) *However in this instance, it could well be the case that the contrast between the large new building and the modest two storey terrace house will actually cause the latter to be more evident.*
(d) *In many parts of the City of Yarra there are contrasts between high and large buildings and modest ones that are subject to the Heritage Overlay.*

137. Council's Heritage Advisor does not support the application and raised issue with the height and setbacks of the building and the impact on the heritage setting of 234 Coppin Street to the north. Concerns were also raised with the blank north boundary wall (eastern end). This issue will be dealt with later in this report.

138. Whilst the proposal would be taller than the heritage building to the north, the proposal would not impact views to the heritage building from the north. Further, even a 2 storey building on the subject site, with a site responsive zero front setback, would impact view to the heritage building from the south. The massing of the proposal is therefore supported.

139. Further, as the site is within an AC and is within the C2Z, it is reasonable to expect a high degree of change on this site. In addition to the above massing assessment, the proposed building height is also supported from a heritage perspective when considering the policy context of the site.

140. The sheer wall to the north (eastern end) is also considered appropriate from a heritage perspective as it would not draw attention from the heritage fabric by being too 'busy'.

141. As a result of the above, the proposal would not unreasonably impact the heritage significance of the building to the north of the site.

Light and shade

142. An objective of the DSE Guidelines is '*To protect sunlight access to public spaces*'.

143. Given the proposal is south of Swan Street and is located on the west side of Coppin Street, the proposal would not unreasonably overshadow surrounding footpath/public realm areas.

Street, public space and safety

144. The proposal includes large windows to Coppin Street and a clearly identifiable pedestrian entrance, ensuring a positive, safe pedestrian environment would be created.

Wind

145. The DSE Guidelines aim '*To ensure new tall buildings do not create adverse wind effects*'.

146. Given the proposal is broken into podium and tower components, the proposal does not bring rise to off-site amenity concerns associated with wind.

Landmarks, views and vistas

147. The proposal would not unreasonably impact views or vistas and the site is not within close proximity of any identified landmarks in the Scheme (the closest being the Dimmey's Ball Tower – over 577m to the west of the subject site, ensuring the proposal would not unreasonably impact views to this landmark).

Site coverage/Permeability

148. Council's local built form policy at Clause 22.10-3.6 suggests a maximum site coverage of 80 per cent unless the site coverage in the area is higher or there is a need to cap the site to deal with contaminants. A proposed site coverage of 100% is proposed.

149. The site coverages of surrounding sites are generally higher than 80%. There are also different expectations for sites in the C2Z, with higher densities existing and envisaged. As the site is not adjoining any sensitive interfaces (dwellings within residential zones, etc.), there is also no need to reduce site coverage to deal with visual bulk. As a result, the proposed 100 per cent site coverage is site responsive and is in keeping with the character of the area.

150. Clause 22.16 of the Scheme also requires Applicant's to consider storm water runoff. This issue is addressed in the Environmental Sustainability section of this assessment.

Architectural quality, colours and materials

151. Objective 5.6 of the DSE Guidelines is '*To promote buildings of high architectural quality and visual interest*'.

152. Council's Urban Design Unit raised issue with the expanses of blank walls along the northern and southern elevations and with the box like forms along the northern elevation.

153. However, the 3 storey height reduction already recommended throughout this report will reduce the extent of the blank wall along the southern boundary. The sheer wall at the eastern end of the northern elevation is also supported as it would provide a backdrop to the heritage building to the north. Finally, the northern box like elements have already been addressed, with the Applicant providing a sketch plan to reduce the 'busyness' of these elements.

154. Subject to the conditions contained in this report, the proposal would be of a high architectural quality and provide visual interest.

Landscaping

155. The plans do not detail any landscaping, however this is supported in this context with high levels of site coverage and little to no on-site landscaping being commonplace.

Service infrastructure

156. The plans do not detail pits and metres. This should be required by way of a permit condition, should a permit issue, to ensure these services are appropriately incorporated into the design.

<u>On-site amenity</u>

157. This section of the report will be guided by the DSE Guidelines.

Access, layout and circulation

158. Pedestrian access to the residential hotel would be clearly provided via Coppin Street. The layout is also simple and would promote ease of movement.

Overlooking

159. Objective 2.9 of the DSE Guidelines aims '*To maximise residential amenity through the provision of views and protection of privacy within the subject site and on neighbouring properties*'.

160. Details of screening between terraces has not been provide and could be required by way of a permit condition, should a permit issue.

Noise

161. Clause 22.05-4.1 of the Scheme outlines design recommendations to protect new dwellings from unreasonable noise, fumes, vibration, light spillage and other likely disturbances. The main sources to consider in this regard are the take-away food premises to the north-east, the office building to the west (Mary Street) and the railway line to the south.

162. Council commissioned a peer review of the Applicant's acoustic report, undertaken by SLR.

Subject to the following matters being clarified, the proposal would achieve a reasonable level of amenity for occupants:

(a) include façade noise levels used in the design of façade upgrade treatments to bedrooms and living rooms;
(b) an assessment of road traffic noise from Coppin Street to the eastern façade;
(c) road traffic noise from Coppin Street must be considered (including any necessary façade upgrade advice);
(d) measurements of rail traffic noise at a location that allows appropriate corrections to the subject site to be determined. The assessment must include a minimum of 20 train passbys, including maximum noise levels and an Leq,1 hour level (as a minimum). Peak hour measurements must be undertaken to ensure that worst case train noise levels are captured;
(e) acoustic attenuation to deal with any noise from the take away food premises to the north and the offices at 225 Mary Street; and
(f) details of plant and equipment and the impact on the proposed residential hotel occupants and nearby dwellings.

Private *and communal open space*

163. Objective 6.1 of the DSE Guidelines is '*To ensure access to adequate open space for all residents*'. The guidelines continue to state that '*If a balcony is intended to serve as private open space it should be of sufficient size to accommodate outdoor seating, with good connections between these spaces and the building's interior*'. Further, objective 6.3 is '*To allow solar access to the private and shared open spaces of new high density residential units*'.

164. While this is a residential hotel, balcony areas are encouraged for the amenity of occupants. It also ensures that windows/doors are openable for natural ventilation.

165. Each residential hotel is provided with a balcony of at least 8m² which is considered suitable for the needs of occupants.

Solar amenity and daylight to windows

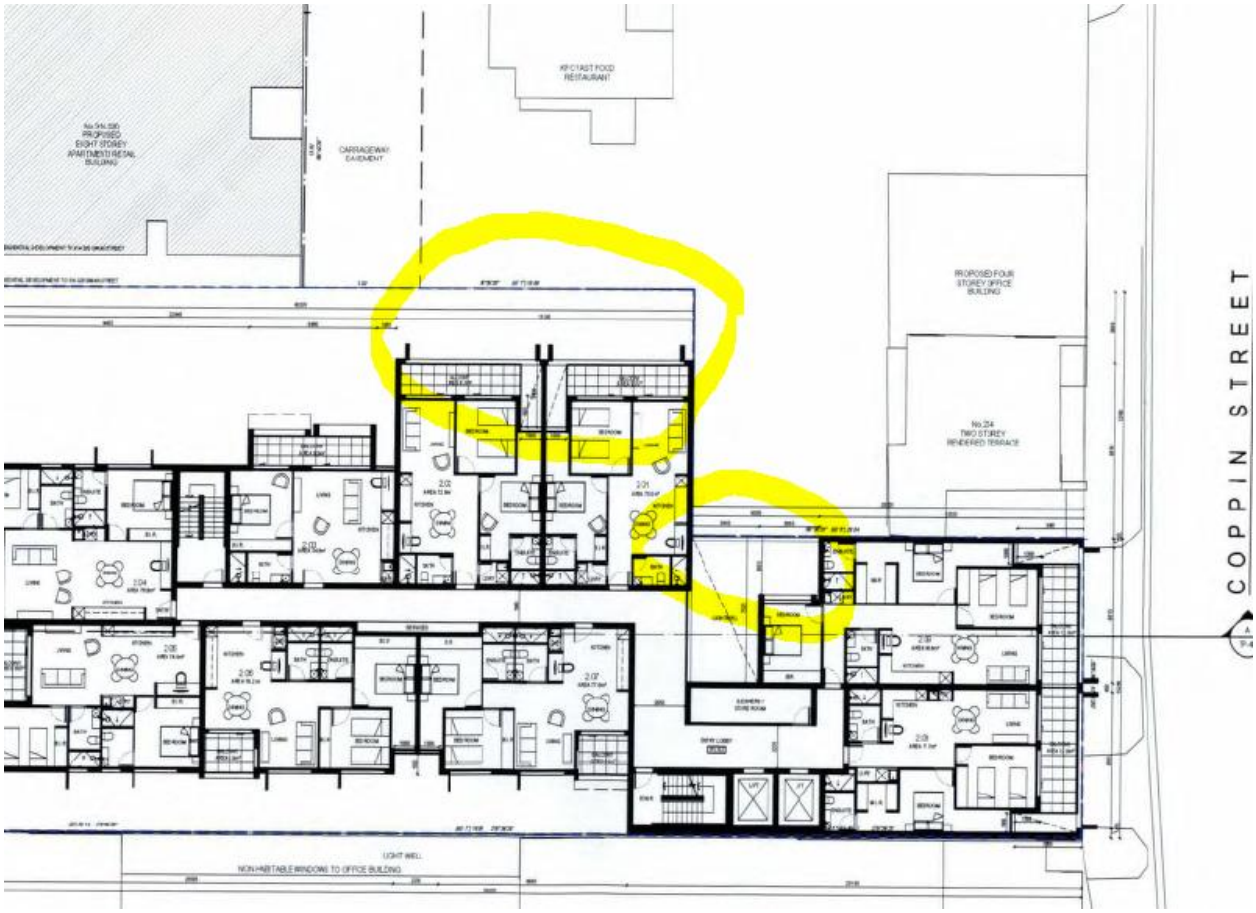
166. Objective 5.4 of the DSE Guidelines is '*To ensure that a good standard of natural lighting and ventilation is provided to internal building spaces*'. With regard to the west boundary light well, design suggestion 5.4.2 is relevant in that Applicant's should '*design light-wells that are adequately sized for their intended purpose*'.

167. The DSE Guidelines state at objective 5.4 that it is policy '*To ensure that a good standard of natural lighting and ventilation is provided to internal building spaces*'.

168. While Council approved the office development on the site with similar west and south boundary setbacks, the use currently proposed (residential in nature as opposed to an office with different lighting needs) and the layout (the office was open planned) result in a different solar amenity assessment.

169. The 2.7m west and 3m south boundary setbacks are insufficient to future-proof this development should the sites to the west and south re-develop. This could also have equitable development implications for these properties (especially those to the west and south which are not separated from the site by a laneway). Should a permit issue, a minimum 4.5m west and south boundary setback should be offered for the development (excluding the southern potion on the boundary).

170. The equitable development and futureproofing of the proposal must also be considered with regard to the site to the north-east. The proposal includes windows and balconies within 3-3.1m from the northern boundary.



Extract of application plans, with windows/balconies setback 3.1m and 3m from the northern boundary highlighted.

171. To ensure that these windows enjoy reasonable daylight access and the site to the north can reasonably develop in the future (noting the sites are within an AC) a condition should be imposed on any permit issued requiring the second floor and above to be setback a minimum 4.5m from the northern boundary, except in the case of boundary walls.

Storage

172. Objective 5.5 of the DSE Guidelines is '*To provide adequate storage space for household items*'.

173. This is not relevant for the needs of residential hotel guests.

Internal circulation/way finding

174. The layout of the development is simple and does not necessitate signage or design modifications to improve navigation.

Potentially contaminated land

175. The segment of the site affected by the proposed works is not within an Environmental Audit Overlay. However, considering clause 13.03-1 of the Scheme and applying the DSE Practice Note for Potentially contaminated land, the previous use (automotive repair/engine works) is a listed 'high potential' for contamination use. With the proposed use being a residential building, the Practice Note indicates than an environmental audit should be required. This should therefore be required by way of a permit condition.

Off-site amenity

176. Objectives 2.5 and 2.6 of the DSE Guidelines are '*To ensure building separation supports private amenity and reinforces neighbourhood character*'.

177. There are 2 dwellings to the west along Mary Street (separated by a ROW and within the C2Z) and a residential building to the west along Swan Street, currently under construction.

178. West – Mary Street – These dwellings are within the C2Z and assumedly have existing use rights. In terms of overlooking, the proposal may overlook the POS areas of these dwellings. As a result, a condition should require any potential overlooking within a 9m radius and 45 degree arc to be treated with either fixed screens, minimum 1.7m high sill heights or opaque glazing.

179. The height and setback of the proposal adjacent to these dwellings must also be considered. The proposal would present a 10 storey form, setback 2.7 metres from the rear title boundary and further separated from these dwellings by a 2.8m wide laneway (total 5.5m separation). Setbacks of 4.5m (measured from the centre of the lane) are typically recommended in residential settings. However, this site also adjoins a single storey warehouse to the west which is not separated by a laneway. As a result, a minimum 4.5m west boundary setback should be provided to both protect the amenity of these dwellings to the west and afford reasonable equitable development rights to these sites.

180. South – Coppin Street – The proposal abuts an office building to the south, which also presents non-habitable room windows towards the subject site. Where there are no windows on the adjacent property, the proposal has been 'pushed' to the south title boundary. However, opposite the non-habitable room windows, the proposal introduces a 2.5m south boundary setback. While the proposal would still overshadow these windows throughout the day, this is inevitable given they are north facing windows presenting towards a large SRS. Considering the C2Z of the land, the proposal is considered to have responded accordingly.

Environmental sustainability

181. Clauses 22.16 and 22.17 are the most relevant when considering environmental sustainability.

182. The Applicant provided a Sustainable Management Plan, prepared by the Moreland Energy Foundation. Specifically, the following commitments have been made:

    (a) an average 6.4 Star NatHERS rating;
    (b) a STORM rating of 103% with a 15,000 litre rainwater tank connected to all residential hotel room toilets and 430m² of terrace and POS connected to 2m² of raingarden for filtering;
    (c) a 30 kWp solar PV array for contributing to common area electricity demand;
    (d) shading provided by box window shades, the balcony overhangs and wing-walls;
    (e) energy efficient heating/cooling, hot water and lighting systems;
    (f) water efficient appliances and fittings; and
    (g) a minimum 75% recycling target for demolition and construction waste.

183. Council's ESD advisor raised the following issues:

    (a) *There are major issues with the proposal in relation to access to daylight. There are several west and south facing residential hotel rooms with inadequate setbacks from the side boundaries. These residential hotel rooms at lower levels will have poor access to daylight currently, and will be extremely vulnerable to future development on neighbouring lots (in an activity centre) which will further compound poor access to daylight and undermine internal amenity.*

Adequate access to daylight has not been demonstrated and needs to future development of neighbouring buildings through daylight modelling. Recommend increasing side boundary setbacks to east and south boundaries.

(b) *Floor plans of residential hotel rooms restrict access to natural ventilation. Only 26 of the 75 residential hotel rooms (35%) have access to cross ventilation. Room depths of living areas in the single sided residential hotel rooms are reasonable in providing adequate natural ventilation. Recommend increasing cross ventilation to residential hotel rooms.*

(c) *24 secure residents bicycle parking spaces in the lower ground floor car park for 75 residential hotel rooms and a conference centre, is far below the best practice standards of one per residential hotel room for residential bike parking; recommend that 75 bikes spaces be provided for hotel guests & residents, plus additional spaces visitors and staff.*

184. Whilst the west and south boundary setbacks are generally as per the approved office development (NOD for PLN16/0034), that floor plate was an open planned office. In this instance, single outlook hotel rooms would be within 2.8m and 3m of the west and south boundaries. This is an unacceptable equitable development and on-site amenity outcome for occupants of the hotel. Whilst they would only be staying at the residential hotel for a limited period, ESD and indoor environmental quality is still important as a well-designed building will reduce fossil fuel and water usage. A condition should therefore be imposed on any permit issued, requiring the south and west setbacks of levels 1 and above (where not on the boundary) to be a minimum 4.5m.

185. Bicycle parking will be addressed later in this assessment.

186. Council's ESD Advisor also made the following observations/suggestions:

(a) *No rainwater tank or raingarden can be identified on plans. Please clearly show all stormwater management features on the plans, once they have been resolved.*

(b) *Glazing to bedrooms and common area corridor (east facing glazing) throughout the project appears not to be operable. Please clearly mark all operability to windows to bedrooms and common area corridors.*

(c) *Council recommends providing change lockers and showers to support staff riding to work. It appears that there might be space to accommodate this in the WC facilities in the back of house area, ground floor or near the gym, first floor.*

(d) *Consider provided retractable clothes lines or racks, or other low energy clothes drying facilities.*

187. Whilst it is considered onerous to require details of clothes lines for a residential hotel, the provision of change facilities for cyclists, operable glazing and details of all items committed to in the ESD report to be shown on the plans (where relevant) should be required by way of permit conditions.

188. Subject to the conditions contained in this report, the proposal would result in a reasonable level of energy efficiency, with limited impact on the storm water system.

Traffic and car parking

189. The decision guidelines at Clause 52.06 will be used to guide this assessment.

190. The application includes 100 car parking spaces, with 19 required for the conference centre and no specified rate for the residential hotel.

191. The Applicant included a traffic report, prepared by Traffix Group, which was peer reviewed by Council's Engineering Services Unit. Considering the car parking justification offered by Traffix Group and the decision guidelines at clause 52.06, the car parking provision is supported for the following reasons:

(b) hotel guests are unlikely to have a high demand for on-site parking;

(c) the car parking allocation for the residential hotel is 1 space to each 1 and 2 bedroom room and 2 to each 3 bedroom room. This is similar to dwelling parking rates and would more than cater for the needs of occupants of a residential hotel;
(d) the site is well serviced by public transport, infrastructure and services, further supporting the parking provision for the residential hotel;
(e) Traffix undertook an on-street parking occupancy survey, which found that there were at least 45 parking spaces available within the survey area at peak times; and
(f) the conference centre would be provided with the car parking requirement as per clause 52.06 of the Scheme.

192. Council's Engineering Services Unit concluded that they have '…*no objection to the waiver of car parking for this development*'.

193. Considering the traffic generation of the proposal, Traffix indicated that the rate would be half of the rate applied to dwellings. This would result in a daily traffic generation of 113 vehicle trips with 11 trips per peak hour. For the conference centre, Traffix suggested that each space would generate 1 arrival and 1 departure trip per day. This equates to 19 trips each peak hour. In total, the traffic generation would be 30 vehicle trips per peak hour. Council's Engineering Services Unit agree that this would not unreasonably impact the surrounding road network.

194. Reviewing the car park layout and access, Council's Engineering Services Unit identify the following:
(a) a convex mirror should be installed at the northern side of the Coppin Street vehicular exit;
(b) the Coppin Street vehicle crossing must be reconstructed to Council's current standards;
(c) dimensions for the clearances of spaces abutting walls;
(d) the swept path for the ninety-degree turn in the ground floor accessway leading to Coppin Street must be provided using the B99 design vehicle. This may require the deletion of 2 car parking spaces; and
(e) column depths and setbacks from the aisles must be dimensioned on the drawings and comply with Diagram 1 Clearance to car parking spaces of Clause 52.06-8 of the Yarra Planning Scheme.
(f) the construction of the new buildings, the provision of underground utilities and construction traffic servicing and transporting materials to the site will impact on Council assets. Trenching and areas of excavation for underground services invariably deteriorates the condition and integrity of footpaths, kerb and channel, laneways and road pavements of the adjacent roads to the site; and
(g) the developer must rehabilitate/restore laneways, footpaths, kerbing and other road related items, as recommended by Council, to ensure that the Council infrastructure surrounding the site has a high level of serviceability for residents, employees, visitors and other users of the site;
(h) all pedestrian access points of the development from the road reserve must be DDA compliant;
(i) the Applicant must prepare and submit a 1 in 20 scale cross sectional drawing of the reconstructed vehicle crossing, showing the actual reduced levels (not interpolated levels from the application drawings) of the Coppin Street road profile (from centre line of road pavement to property line).
The required levels (to three decimal places) include the building line level, the proposed finished level of the accessway 2.0 metres inside the property, the top of kerb level, the invert level, lip level and road pavement levels. The existing road profile of Coppin Street must be accurately drawn. The applicant must demonstrate by way of a ground clearance check that a B99 design vehicle can traverse the new vehicle crossing and accessway without scraping or bottoming out;

(j) the developer must ensure that lighting from any existing or new lights does not spill into the windows of new hotel suites or any existing nearby residences. The control of light spillage into the windows of existing and proposed residences must comply with the requirements of the Australian Standard AS 4282 – 1997 Control of the obtrusive effects of outdoor lighting. Any light shielding or baffling that may be required shall be funded by the Permit Holder. It is noted that a standard lighting condition is considered reasonable to deal with any potential light spill having regard to the nature of the proposal and the site context;

(k) all redundant vehicle crossings along the property's road frontages must be demolished and reinstated with paving, kerb and channel to Council's satisfaction and the Permit Holder's cost;

(l) the developer must prepare and submit detailed design drawings of all road infrastructure works and drainage works associated with this development for assessment and approval;

(m) a construction management plan must be prepared and submitted to Council;

(n) any roads, footpaths and other road related infrastructure adjacent to the development site that are damaged 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 Permit Holder's expense.

(o) 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; and

(p) drainage and pits and metre requirements outlined by Council's engineers can be dealt with in the form of notations.

195. While it is considered appropriate to require the Coppin Street footpath to be reconstructed, the reconstruction of any roads or laneways is not considered necessary having regard to the amount of traffic movements per day and the layout of the entry/access points. A standard Council condition will ensure that any damage to Council infrastructure must be reinstated at the expense of the permit holder and to the satisfaction of Council.

196. Finally, a permit is required to create or alter access to a road in a road zone. The application utilises a carriageway easement via Swan Street across the site to the north-east of the subject site. As Swan Street is a Road Zone, category 1, the application was referred to VicRoads. VicRoads had no objection to the application (subject to conditions), therefore the proposed access via Swan Street is not considered to unreasonably impact the operation or traffic flow of Swan Street.

197. Subject to the conditions contained in this report, the proposal would not unreasonably impact parking or traffic conditions in the area.

Bicycle parking

198. The application falls short of the bicycle parking provision of clause 52.34 by 6 spaces. Given the site's accessibility to the principal bicycle network and Yarra's policy of promoting sustainable transport needs, it is considered that the clause 52.34 requirements should at least be met (if not exceeded). This should be addressed by way of a permit condition, should a permit issue.

199. The application also does not meet the signage design, shower or change room requirements of clause 52.34. The location of the 28 bicycle parking spaces is also not shown on the plans. However, all of these items can be addressed by way of permit conditions, should a permit issue.

200. Subject to the conditions contained in this report, the proposed bicycle parking provision supports the sustainable transport objectives of the Scheme.

Waste management

201. Council's Services Contracts Unit raised issue with the originally submitted WMP. Further, the amended plans were not accompanied by an amended WMP.

202. However, should a permit issue, a condition should require an amended WMP to the satisfaction of the Responsible Authority. These issues could be resolved before plans are endorsed to ensure that the layout of the development is compatible with the final waste management arrangement.

Objector concerns

203. The majority of objector concerns have been addressed throughout this report:

Height (above the SSSP and this site has not been specifically identified as a strategic redevelopment site);

204. Addressed at paragraphs 119-130.

Overdevelopment (could impact services and amenities) and density;

205. Addressed at paragraphs 98-105, in that strategic policy directs high density developments in and around Activity Centres, well serviced by existing infrastructure and services.

Neighbourhood character;

206. Addressed at paragraphs 119-130.

Upper level setbacks are insufficient (contrary to the SSSP);

207. Addressed at paragraphs 119-130.

This could create a precedent

208. Each application must be considered on its own planning merit; legal precedent does not apply to planning assessments.

Increased traffic (would worsen existing conditions, could become a pedestrian hazard)

209. Assessed at paragraphs 186-194.

Vehicular access via Coppin St should be avoided;

210. Assessed at paragraphs 186-194.

Inadequate car parking (including car parking survey was inadequate, inadequate for the needs of residents, shop staff, conference centre visitors and general visitors, does not consider cumulative impacts, does not consider events in the nearby Sporting precinct, ABS data is too old, the conference centre would create parking demand 'surges', survey undertaken in school holidays)

211. Assessed at paragraphs 186-194.

The use of car stackers is not satisfactory;

212. The application does not include car stackers.

Impact on Barkly Gardens (overshadowing and visual impacts);

213. The application would not cast shadow over Barkly Gardens at the September Equinox. The site is also over 53m from the Barkly Gardens. The site is reasonably separated from the Gardens to ensure the proposal is not unreasonably dominating.

The proposed use is unclear. This is a commercial, not a residential zone;

214. A residential hotel is a section 2, permit required use within the C2Z and is distinct from a dwelling use.

There is no proof that there is demand for a residential hotel in this location;

215. Planning does not interfere with the market, rather assessments are made in terms of impact (not need).

Off-site amenity (including pollution, visual bulk, overlooking, overshadowing, noise)

216. Visual bulk, overlooking, overshadowing and noise have been addressed at paragraphs 160-161 and 173-177. There is no reason to believe that the proposal would unreasonably contribute to pollution levels in the area, either bay way of the use itself or traffic generation.

Impact on the heritage property at 234 Coppin St and to the north-east of the Swan/Coppin intersection;

217. Addressed at paragraphs 132-140.

Appearance and poor architectural response

218. Addressed at paragraphs 150-153.

An on-site loading bay and waste collection point should be provided;

219. There is no requirement under clause 52.07 of the Scheme as the application does not include the manufacture, servicing, storage or sale of goods or materials.

No drop off/pick up point for hotel residents;

220. There is adequate car parking on site for the needs of the proposed uses (paragraphs 189-197). In addition, should a permit issue, a car park management plan should be required by way of a permit condition to ensure the efficient management and use of car parking spaces.

Inadequate permeable surfaces;

221. Site coverage/permeability has been addressed at paragraphs 147-149.

Construction period impacts (including increased demand for parking);

222. Should a permit issue, the requirement for a construction management plan should be imposed by way of a permit condition.

Impact on a carriageway to the east;

223. Traffic impacts of the development have been addressed at paragraphs 194-198.

Equitable development impacts to the north-east;

224. Addressed at paragraphs 173-175.

Impact on commercial operation of nearby businesses;

225. It is understood that this is a construction period concern. Again, construction impacts should be mitigated (acknowledging that some impact should be reasonably expected) by way of a condition requiring a construction management plan.

the proposal may impact the development right of the property to the east with regard to the carriageway easement;

226. The carriageway easement already exists on the title. The proposal does not change the easement in this regard.

Reduced nearby property values; and

227. This is not a valid planning consideration.

Supporting documentation is inconsistent (car parking reduction sought).

228. It is agreed that there is confusion as to whether a permit is required for a ca parking reduction. Instead of a permit requirement, the car parking provision for the residential hotel use must be provided to the satisfaction of the Responsible Authority.

Conclusion

229. Based on the above report, the proposal complies with the relevant Planning Scheme provisions and planning policy and is therefore supported subject to conditions.

RECOMMENDATION

1. That the Committee resolves to issue a Notice of Decision to Grant a Permit (PLN15/0191) for 314-320 Swan Street and 236 Coppin Street, Richmond VIC 3121 for the development of the land for the construction of a building (plus basement levels), use of the land as a residential hotel and a place of assembly (conference centre), with alteration of access to a road in a road zone, category 1 in accordance with the advertised plans and 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 advertised plans (TP-100B to TP-114B, TP-400B-TP-403B and TP450A received by Council 2 March 2017, prepared by Elwert Leaf) but modified to show:
        (a) deletion of the top 3 levels;

(b) the second floor and above setback a minimum 4.5m from the north title boundary, except for walls on boundaries;
(c) the north elevation generally as per the sketch plans received by Council on 20 March and 7 June 2017;
(d) from level 1 and above, the west and south boundary setbacks (excluding portion on the south boundary) setback a minimum 4.5m;
(e) details of screening between terraces. Screens must be a minimum 1.7m high fixed and a minimum 25 % transparent or constructed of opaque glazing;
(f) where bedrooms, living areas, kitchens or balconies/terraces could provide views into private open space areas or habitable room windows of the dwellings to the west (within a 9m radius and 45 degree arc), the windows/balconies/terraces must be treated in one of the following ways:
    (i) minimum 1.7m sill heights;
    (ii) minimum 1.7m high opaque glazing; or
    (iii) minimum 1.7m high, fixed screens with a maximum transparency of 25%.
(g) a convex mirror at the Coppin Street vehicular exit;
(h) column depths and setbacks from aisles as per diagram 1 of clause 52.06-8 of the Yarra Planning Scheme;
(i) a notation confirming all access points from the development to the road reserve will be DDA compliant;
(j) 1 in 20 scale cross sectional drawings of the developments vehicular entrances, showing the actual reduced levels (not interpolated levels from the application drawings) of the road profile, the lip of the channel, the invert of the channel, the top of kerb and the existing building line. The existing road profiles of Swan and Coppin Streets (from the kerb line to the centre line of the road) and the accessways inside the property must be accurately drawn. The cross section must demonstrate that vehicles can traverse the new vehicle crossing and ramp without scraping or bottoming out, using a B99 design vehicle;
(k) the location of pits and metres;
(l) a schedule of colours and materials, including samples (where relevant);
(m) change room(s) and shower(s) as per clause 52.34-3 of the Yarra Planning Scheme;
(n) a swept path diagram, for a B99 vehicle, for the 90 degree turn on the Ground Floor, or if this swept path cannot be met then a redesign (which may include deletion or modification of parking spaces and related access aisles) of the relevant section of the parking area on the Ground floor to ensure that all vehicles can only exit in a forward direction onto Coppin Street;
(o) line marking within the car park to ensure that all vehicles can only exit on to Coppin Street;
(p) bicycle parking provision and signage as per clause 52.34 of the Yarra Planning Scheme;
(q) details of operable glazing;
(r) rainwater tank location shown on plans;
(s) all changes as relevant to show as per the Sustainable Management Plan, Acoustic Report and Waste Management Plan.

2. The development and uses 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 place of assembly (conference centre) may only operate between 7.00 am and 9.00 pm on any day.

4. No more than 65 place of assembly (conference centre) patrons are permitted on the land at any one time.

5. The amenity of the area must not be detrimentally affected by the use or development, including through:
   (a) the transport of materials, goods or commodities to or from land;
   (b) the appearance of any buildings, works or materials;
   (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
   (d) the presence of vermin.
   to the satisfaction of the Responsible Authority.

6. The use and development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).

7. The use must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).

8. Before either the construction of the development authorised by this permit or the use authorised by this permit commence, an assessment of the land to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The assessment must be prepared by an environmental professional with suitable qualifications to the satisfaction of the Responsible Authority and must include:
   (a) a description of previous land uses and activities on the land;
   (b) an assessment of the level, nature and distribution of any contamination within, or in close proximity to, the land;
   (c) details of any provisions, recommendations and requirements (including but not limited to, clean up, construction, ongoing maintenance or monitoring) required to effectively address and manage any contamination within the land; and
   (d) recommendations as to whether the land is suitable for the use for which the land is proposed to be developed and whether an Environmental Auditor should be appointed under section 53S of the *Environment Protection Act* 1970 (**EP Act**) to undertake an Environmental Audit in accordance with the provisions of the EP Act.

9. If the assessment required by condition 8 does not result in a recommendation that an Environmental Auditor be appointed under section 53S of the EP Act to undertake an Environmental Audit in accordance with the provisions of the EP Act, all provisions, recommendations and requirements of the assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

10. If the assessment required by condition 8 results in a recommendation that an Environmental Auditor be appointed under section 53S of the EP Act to undertake an Environmental Audit in accordance with the provisions of the EP Act, before the construction of the development authorised by this permit or the use authorised by this permit commence, the Environmental Auditor appointed under section 53S of the *Environment Protection Act* 1970 (EP Act) must undertake an Environmental Audit in accordance with the provisions of the EP Act and issue:
    (a) a Certificate of Environmental Audit for the land in accordance with section 53Y of the EP Act (**Certificate**); or
    (b) a Statement of Environmental Audit for the land in accordance with section 53Z of the EP Act (Statement),
    and the Certificate or Statement must be provided to the Responsible Authority.

11. If, pursuant to condition 10, a Statement is issued:
    (a) the:
        (i) use; and
        (ii) development,
        authorised by this permit must not be undertaken unless the Statement clearly states that the land is suitable for the sensitive use for which the land is being developed;

(b) the development authorised by this permit must not be undertaken until compliance is achieved with the terms and conditions that the Statement states must be complied with before the development commences (**development pre-commencement conditions**);
(c) the use authorised by this permit must not be undertaken until compliance is achieved with all terms and conditions that the Statement states must be complied with before the use commences (**use pre-commencement conditions**);
(d) before the construction of the development authorised by this permit commences, a letter prepared by the Environmental Auditor appointed under section 53S of the EP Act which states that the development pre-commencement conditions have been complied with must be submitted to the responsible authority.
(e) before the use authorised by this permit commences, a letter prepared by the Environmental Auditor appointed under section 53S of the EP Act which states that the use pre-commencement conditions have been complied with must be submitted to the responsible authority;
(f) if any term or condition of the Statement requires any ongoing maintenance or monitoring, the owner of the land (or another person in anticipation of becoming the owner) must enter into an agreement with the Responsible Authority pursuant to section 173 of the *Planning and Environment Act* 1987 (**Agreement**). The Agreement must:
    (i) provide for the undertaking of the ongoing maintenance and monitoring as required by the Statement; and
    (ii) be executed before the sensitive use for which the land is being developed commences; and
(g) the owner of the land, or other person in anticipation of becoming the owner, must pay all costs and expenses (including legal expenses) of, and incidental to, the Agreement (including those incurred by the Responsible Authority).

12. Prior to the commencement of the use, a residential hotel management plan must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must detail the following:
    (a) procedures, and standards for guests to minimise amenity and parking problems in the neighbourhood.
    (b) measures to be taken by permit holder to ensure that residential hotel guests and visitors do not cause nuisance or annoyance to persons beyond the land;
    (c) establishment of a line of communication with adjoining owners and occupiers aimed at identifying and addressing amenity concerns;
    (d) an outline of all house rules intended to be used to manage residents and guests including:
        (i) guest behaviour;
        (ii) noise;
        (iii) alcohol consumption; and
        (iv) methods of eviction if house rules are broken;
    (e) details of eviction process in the event house rules are broken;
    (f) standards for property maintenance, health and cleanliness; and
    (g) security against thefts and break-ins, including security of guests' belongings,

13. The residential hotel use must be managed in accordance with the endorsed Resident Management Plan.

14. 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.

15. Before the development 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.

16. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.

17. Before the development is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.

18. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

19. Before the plans are endorsed, an amended Acoustic Report prepared to the satisfaction of the Responsible Authority by a suitably qualified acoustic engineer must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Marshall Day Acoustics (dated 1 February 2016), but modified to include (or show, or address):
    (a) façade noise levels used in the design of façade upgrade treatments to bedrooms and living rooms;
    (b) an assessment of road traffic noise from Coppin Street to the eastern façade;
    (c) road traffic noise from Coppin Street must be considered (including any necessary façade upgrade advice);
    (d) measurements of rail traffic noise at a location that allows appropriate corrections to the subject site to be determined. The assessment must include a minimum of 20 train passbys, including maximum noise levels and an Leq,1 hour level (as a minimum). Peak hour measurements must be undertaken to ensure that worst case train noise levels are captured;
    (e) acoustic attenuation to deal with any noise from the take away food premises to the north and the offices at 225 Mary Street; and
    (f) details of plant and equipment and the impact on the proposed residential hotel occupants and nearby dwellings.

20. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority and any ongoing recommendations or requirements must be complied with at all times.

21. Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plan must be generally as per the advertised Sustainable Management Plan, but modified to reflect the decision plans. Once approved, the Waste Management Plan will be endorsed and will form part of this permit.

22. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority and any ongoing recommendations or requirements must be complied with at all times.

23. Before the development commences, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the Waste Management Plan will be endorsed and will form part of this permit.

24. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and all ongoing obligations must be complied with to the satisfaction of the Responsible Authority.

25. Before the development is occupied, a Car Park Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Park Management Plan will be endorsed and will form part of this permit. The Car Park Management Plan must address, but not be limited to, the following:
    (a) how residential hotel visitors/guest drop-offs /pick/-ups will be managed;
    (b) details of way-finding, cleaning and security of end of trip bicycle facilities;
    (c) a schedule of all proposed signage including directional arrows and signage, informative signs indicating location of disabled bays and bicycle parking, exits, restrictions, pay parking system etc.; and
    (d) the collection of waste and garbage including the separate collection of organic waste and recyclables, which must be in accordance with the Waste Management Plan.

26. The provisions, recommendations and requirements of the endorsed Car Park Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

27. 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;
    (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;
    (j) materials and waste;
    (k) dust;
    (l) stormwater contamination from run-off and wash-waters;
    (m) sediment from the land on roads;
    (n) washing of concrete trucks and other vehicles and machinery; and
    (o) spillage from refuelling cranes and other vehicles and machinery;
    (p) the construction program;
    (q) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
    (r) parking facilities for construction workers;
    (s) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
    (t) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
    (u) 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;

(v) 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.
(w) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:
(x) using lower noise work practice and equipment;
(y) the suitability of the land for the use of an electric crane;
(z) silencing all mechanical plant by the best practical means using current technology;
(aa) fitting pneumatic tools with an effective silencer;
(bb) other relevant considerations; and
(cc) if any existing public lighting assets require temporary disconnection, alternative lighting must be provided to maintain adequate lighting levels. A temporary lighting scheme can only be approved by Council and relevant power authority;
(dd) confirmation that existing public lighting would only be disconnected once temporary alternative lighting scheme becomes operational;
(ee) confirmation that the temporary lighting scheme will remain operational until a permanent lighting scheme is reinstated.

28. During the construction of the approved development:
(a) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
(b) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
(c) vehicle borne material must not accumulate on the roads abutting the land;
(d) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
(e) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

29. 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.

30. Council and other Authority assets must not be altered in any way except with the prior written consent of the Responsible Authority.

31. Any services poles, structures, or pits that interfere with the proposal must be adjusted, removed or relocated at the owners expense after seeking approval from the relevant authority.

32. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, the following works must be carried out, at the permit holder's expense and to the satisfaction of the Responsible Authority:
(a) the re-sheeting of the Coppin Street footpath.

33. Before the development is 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.

34. Before the development 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.

35. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath, nature strip, and kerb and channel:
    (a) at the permit holder's cost; and
    (b) to the satisfaction of the Responsible Authority.

36. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
    (a) constructed and available for use in accordance with the endorsed plans;
    (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
    (c) treated with an all-weather seal or some other durable surface; and
    (d) line-marked or provided with some adequate means of showing the car parking spaces,

    all to the satisfaction of the Responsible Authority.

37. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the basement car park, and dwelling entrances must be provided. Lighting must be:
    (a) located;
    (b) directed;
    (c) shielded; and
    (d) of limited intensity,

    all to the satisfaction of the Responsible Authority.

PTV Condition (condition 37)

38. The permit holder must take all reasonable steps to ensure that disruption to tram operation along Swan Street is kept to a minimum during the construction of the development. Foreseen disruptions to tram operations during construction and mitigation measures must be communicated to YarraTrams and Public Transport Victoria fourteen days (14) prior. Any damage to public transport infrastructure must be rectified to the satisfaction of Public Transport Victoria at the full cost of the permit holder.

VicRoads Condition (condition 38)

39. All disused or redundant vehicle crossings must be removed and the area reinstated to kerb, channel and footpath to the satisfaction of and at no cost to VicRoads (the Roads Corporation) prior to the occupation of the building hereby approved.

Expiry

40. This permit will expire if:
    (a) the development is not commenced within two years of the date of this permit;

(b) the development is not completed within four years of the date of this permit; or
(c) the use is not commenced within five 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:

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.

These premises will be required to comply with the Food Act 1984. The use must not commence until registration, or other approval, has been granted by Council's Health Protection Unit.

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

A local law permit (e.g. Asset Protection Permit, Road Occupation Permit) may be required before development is commenced. Please contact Council's Construction Management Branch on Ph. 9205 5585 to confirm.

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

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

VicRoads Notes:

Separate consent will be required from VicRoads (the Roads Corporation) under the Road Management Act 2004 for buildings and works undertaken outside the title boundary within a Road Zone Category 1 (i.e. Swan Street). Please contact VicRoads prior to commencing any works.

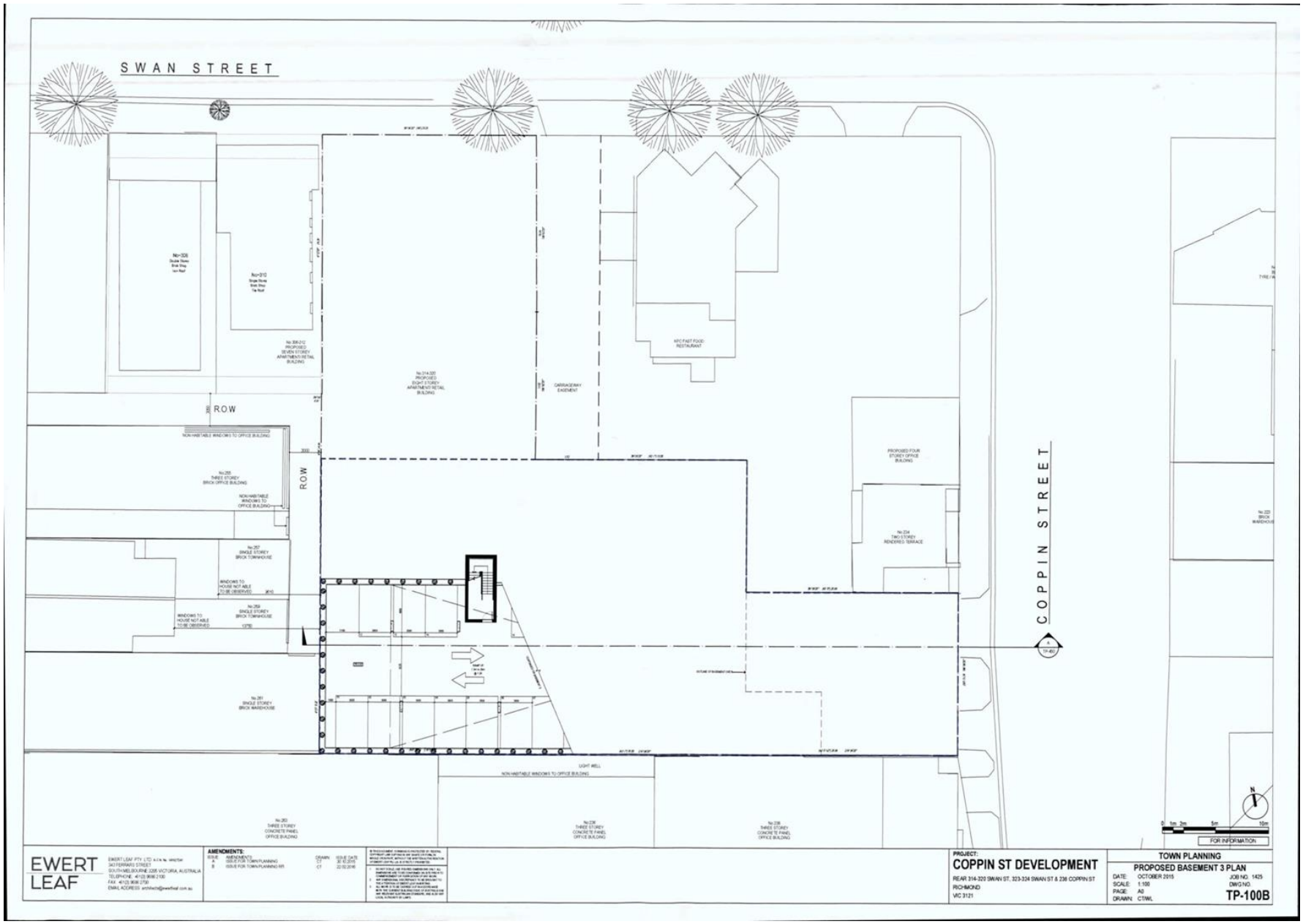
The proposed development requires reinstatement of disused crossovers to kerb and channel. Separate approval under the Road Management Act 2004 for this activity may be required from VicRoads (the Roads Corporation). Please contact VicRoads prior to commencing any works.

CONTACT OFFICER: **Sarah Thomas**
TITLE: **Principal Planner**
TEL: **92055046**

Attachments

1 PLN15/0191 - 314 - 324 Swan Street and 236 Coppin Street Richmond - Advertising S57B - Plans_Part1
2 PLN15/0191 - 314 - 324 Swan Street and 236 Coppin Street Richmond - Advertising S57B - Plans_Part2
3 PLN15/0191 - 314 - 324 Swan Street and 236 Coppin Street Richmond - Advertising S57B - Shadows
4 PLN15/0191 - 314 - 324 Swan Street and 236 Coppin Street Richmond - Advertising S57B - Schedule of Finishes
5 PLN15/0191 - 314 - 324 Swan Street and 236 Coppin Street Richmond - Sketch plan perspective
6 PLN15/0191 - 314 - 324 Swan Street and 236 Coppin Street Richmond - Sketch plan floor plan
7 PLN15/0191 - 314 - 324 Swan Street and 236 Coppin Street Richmond - Sketch plan floor plan

Attachment 1 - PLN15/0191 - 314 - 324 Swan Street and 236 Coppin Street Richmond - Advertising S57B - Plans_Part1



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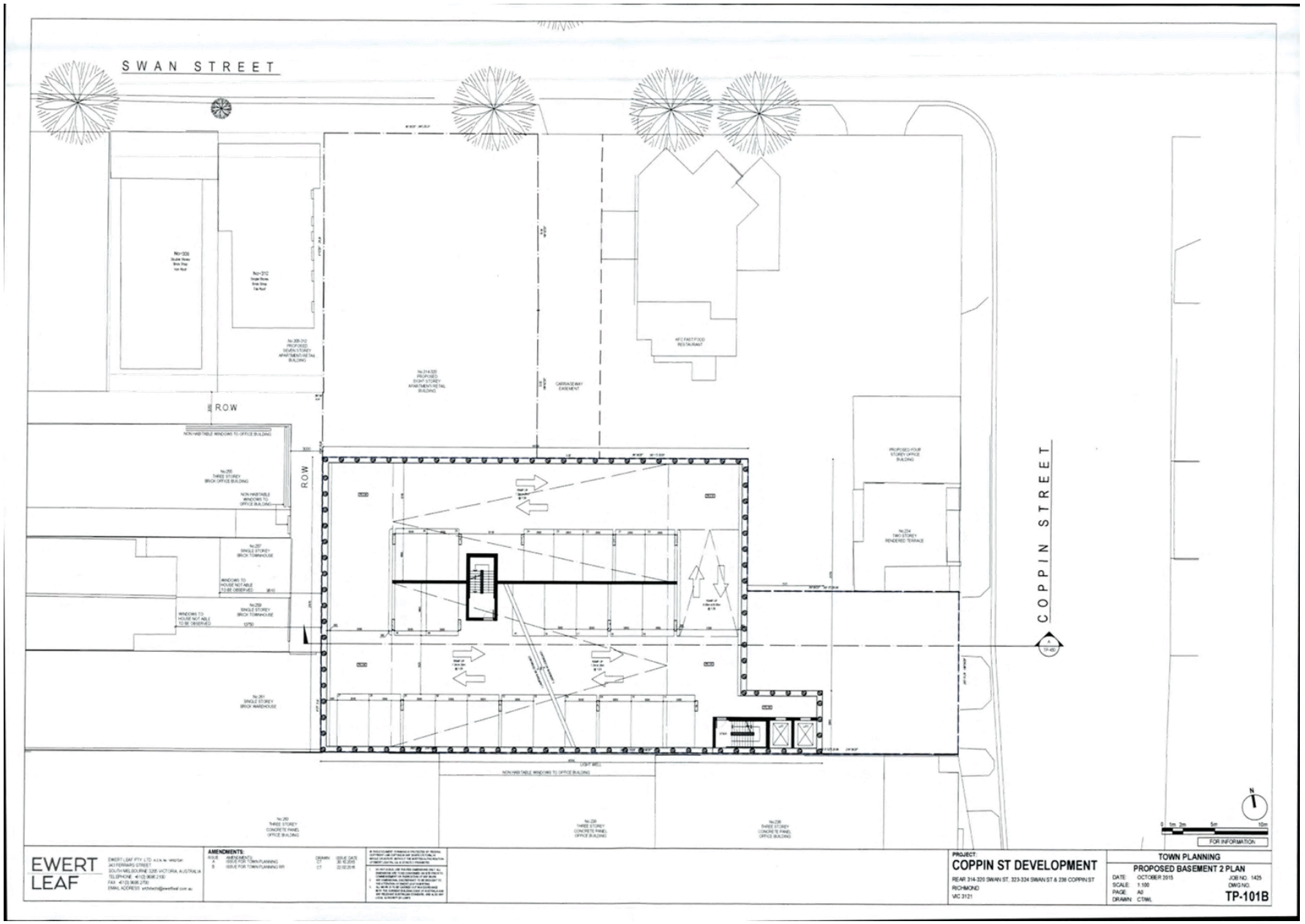

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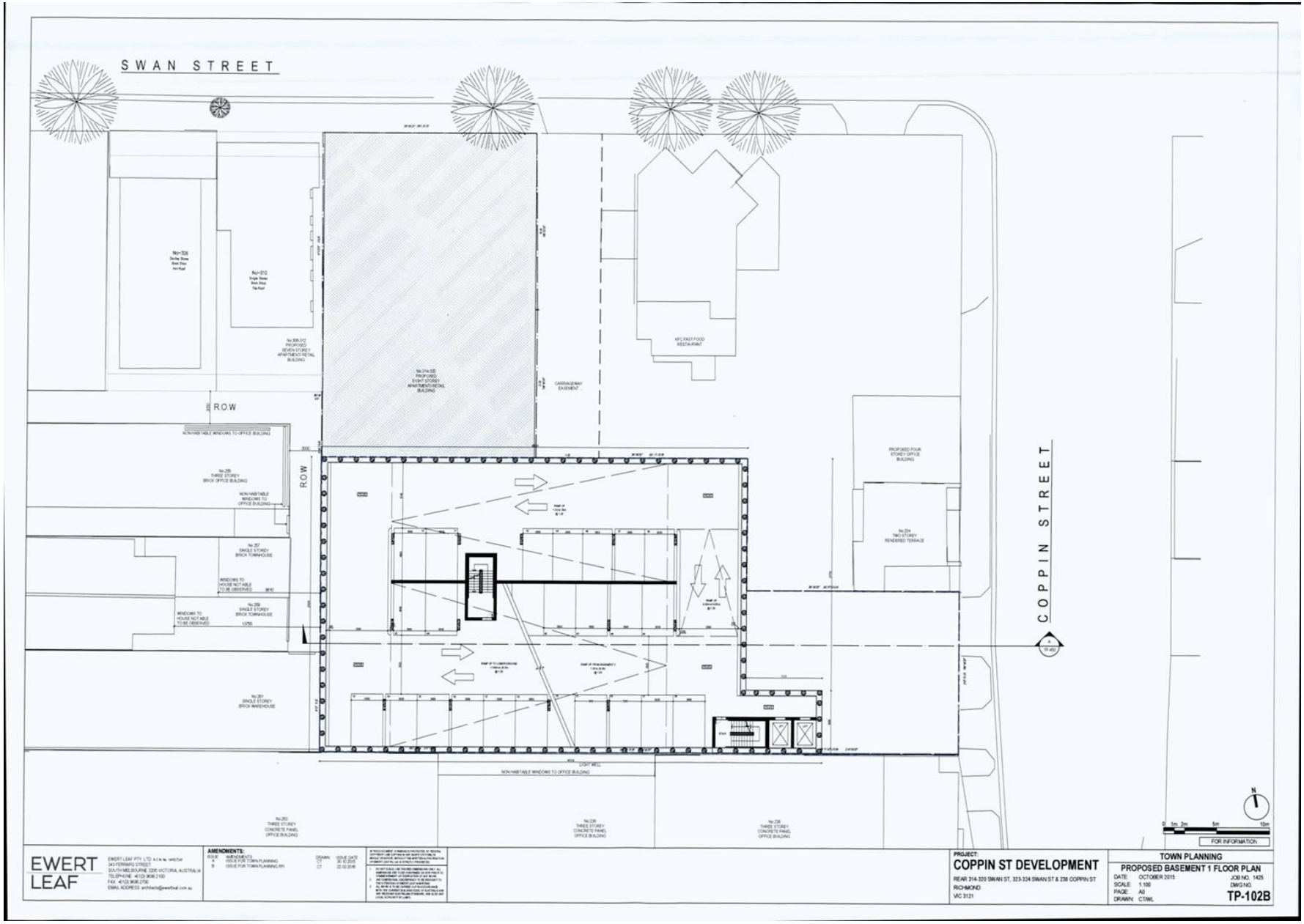

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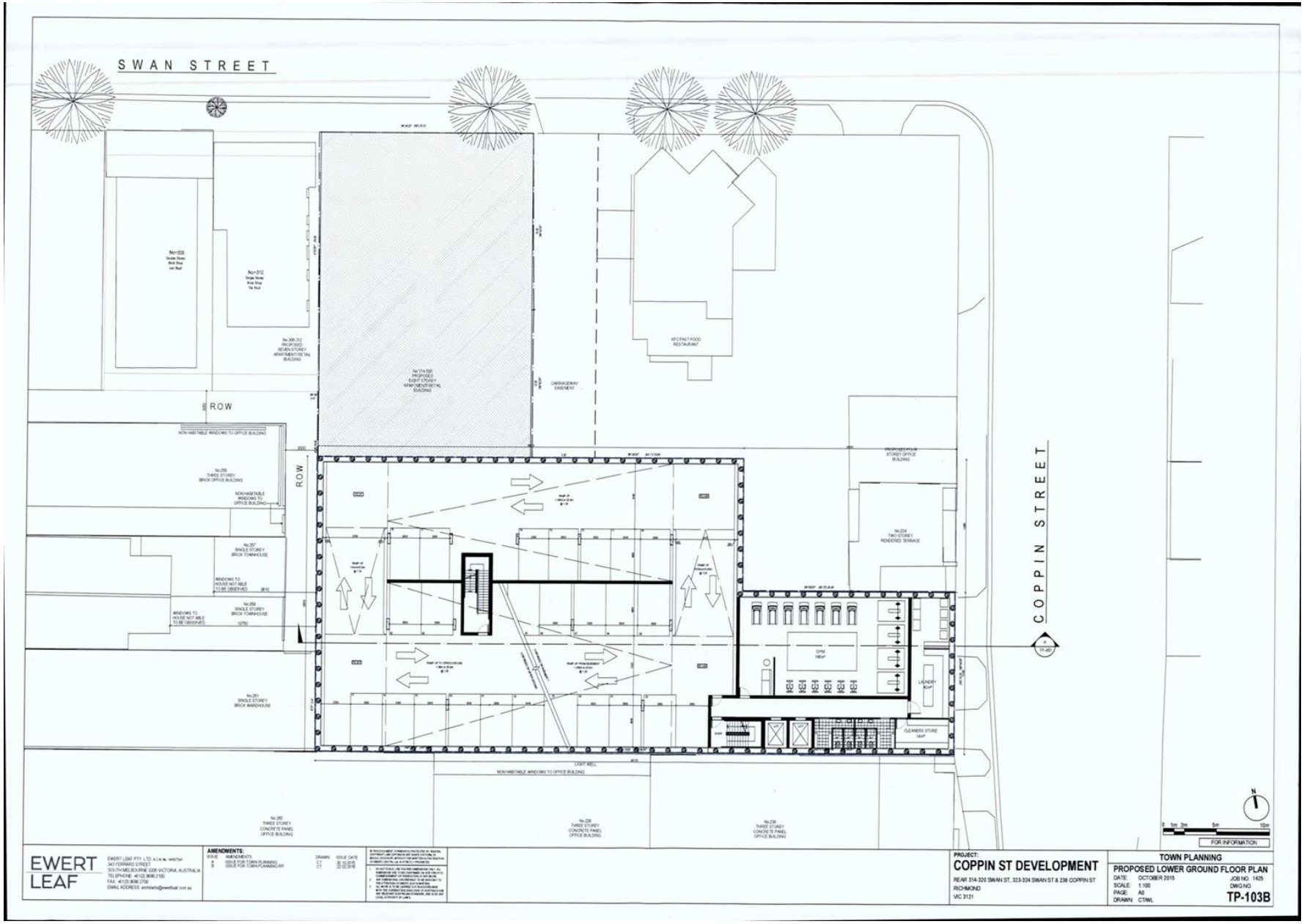

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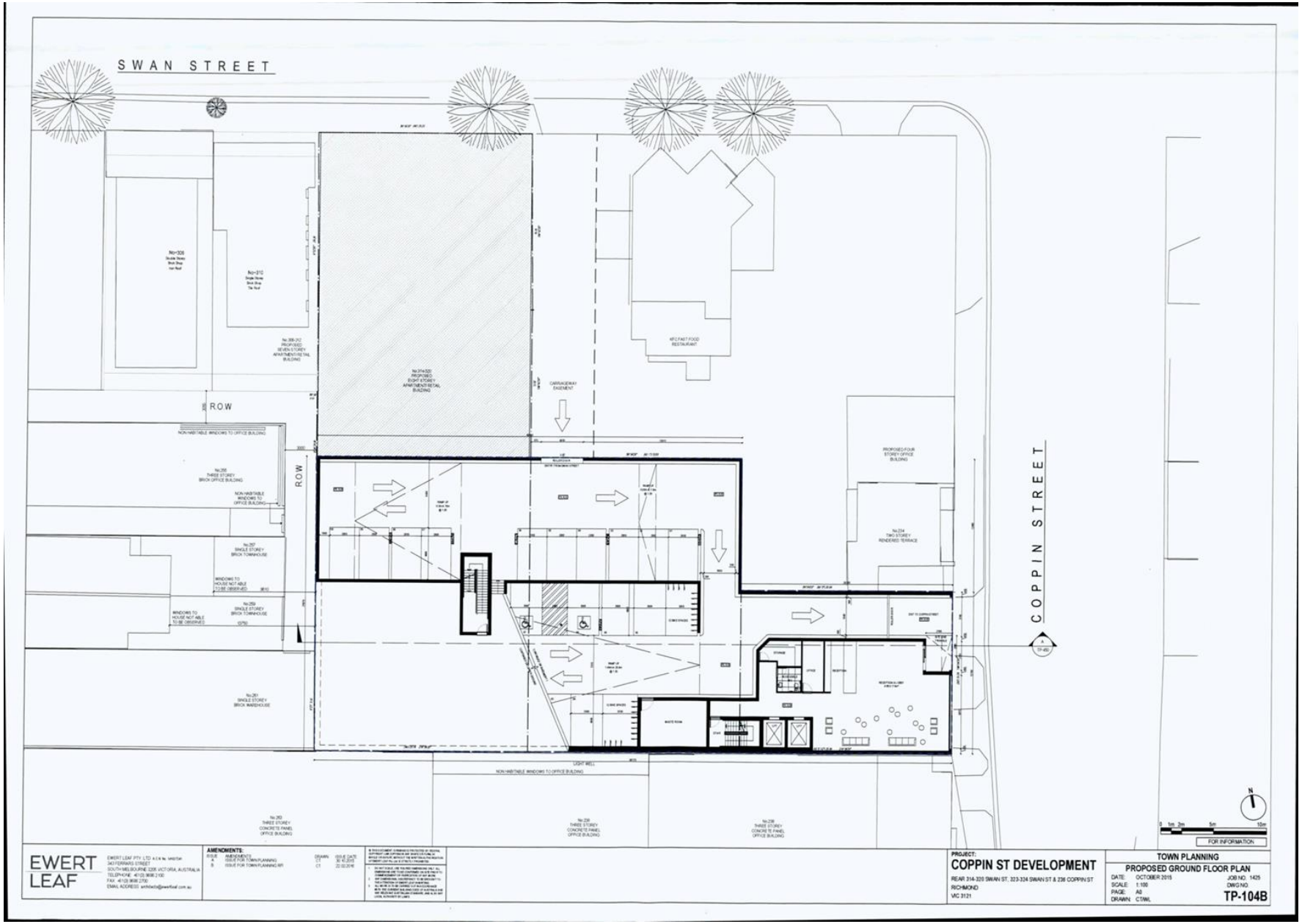

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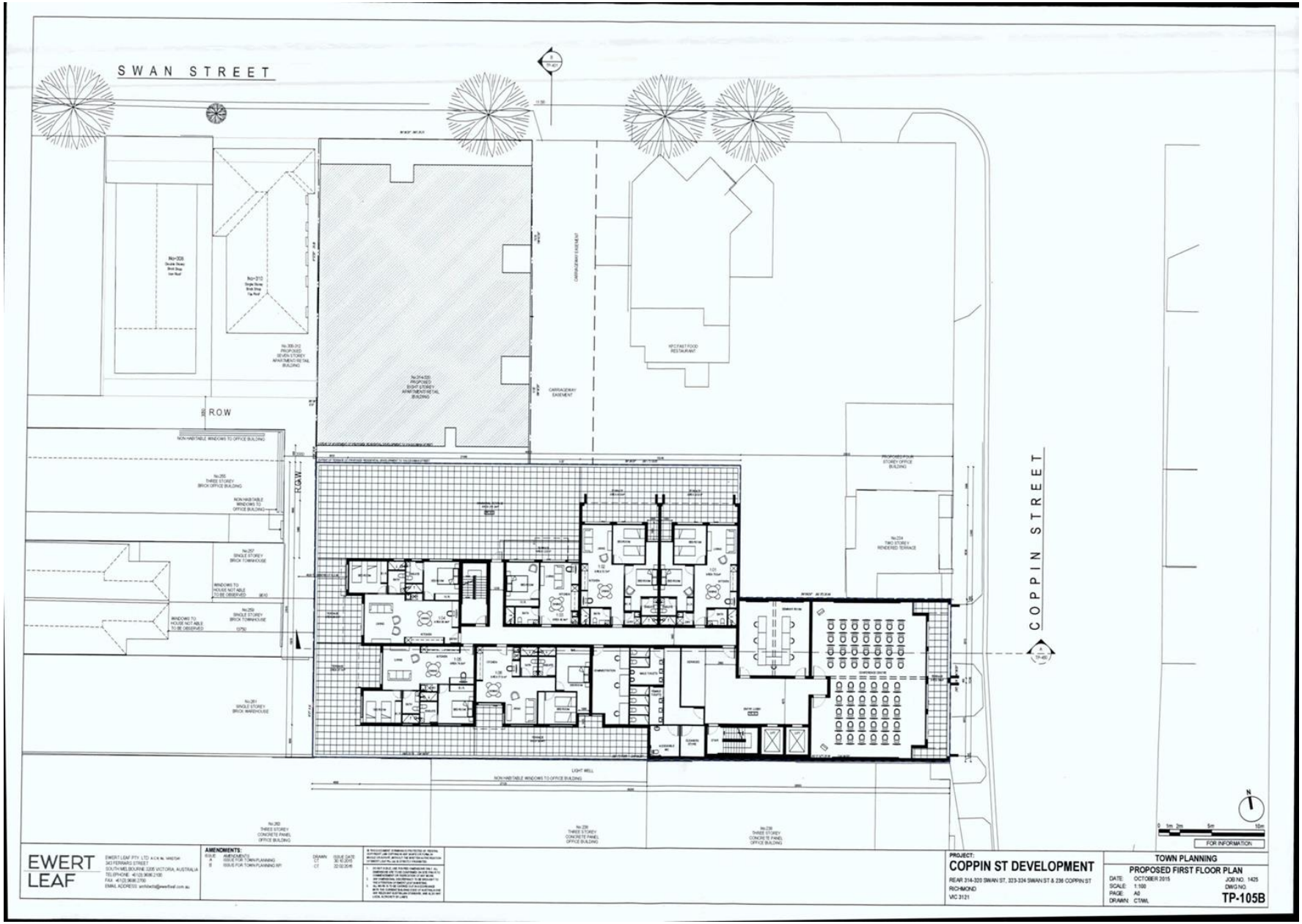

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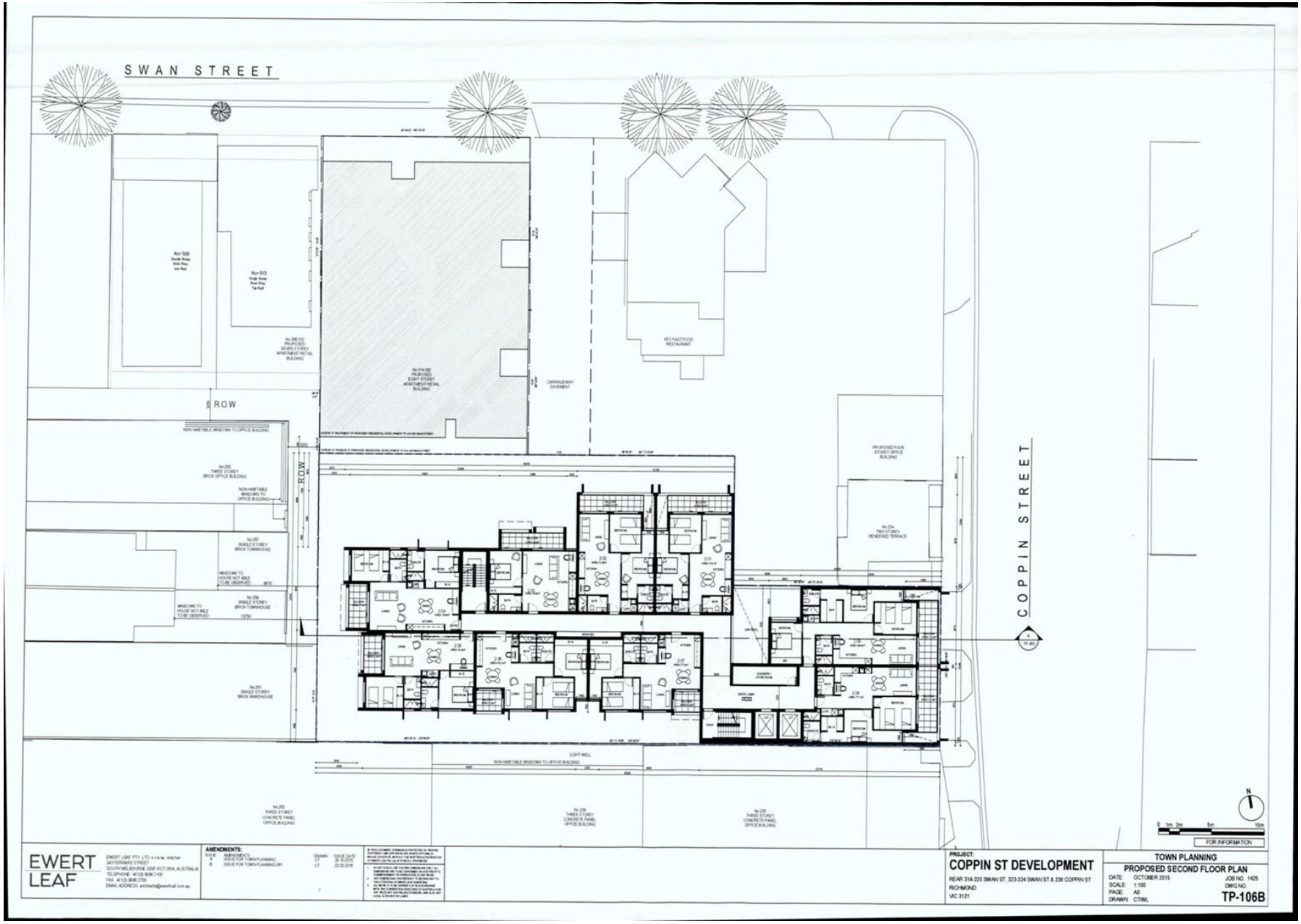

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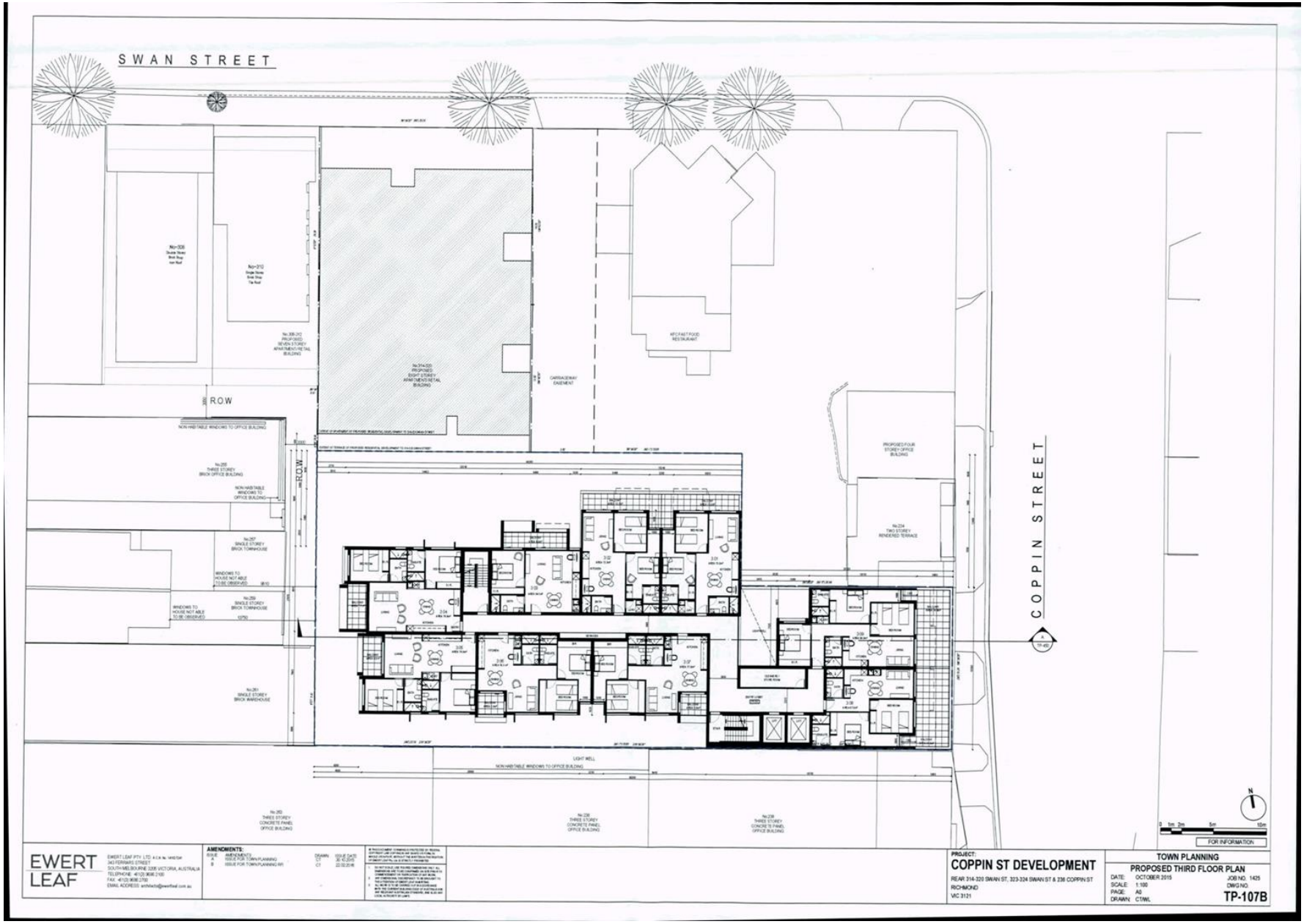

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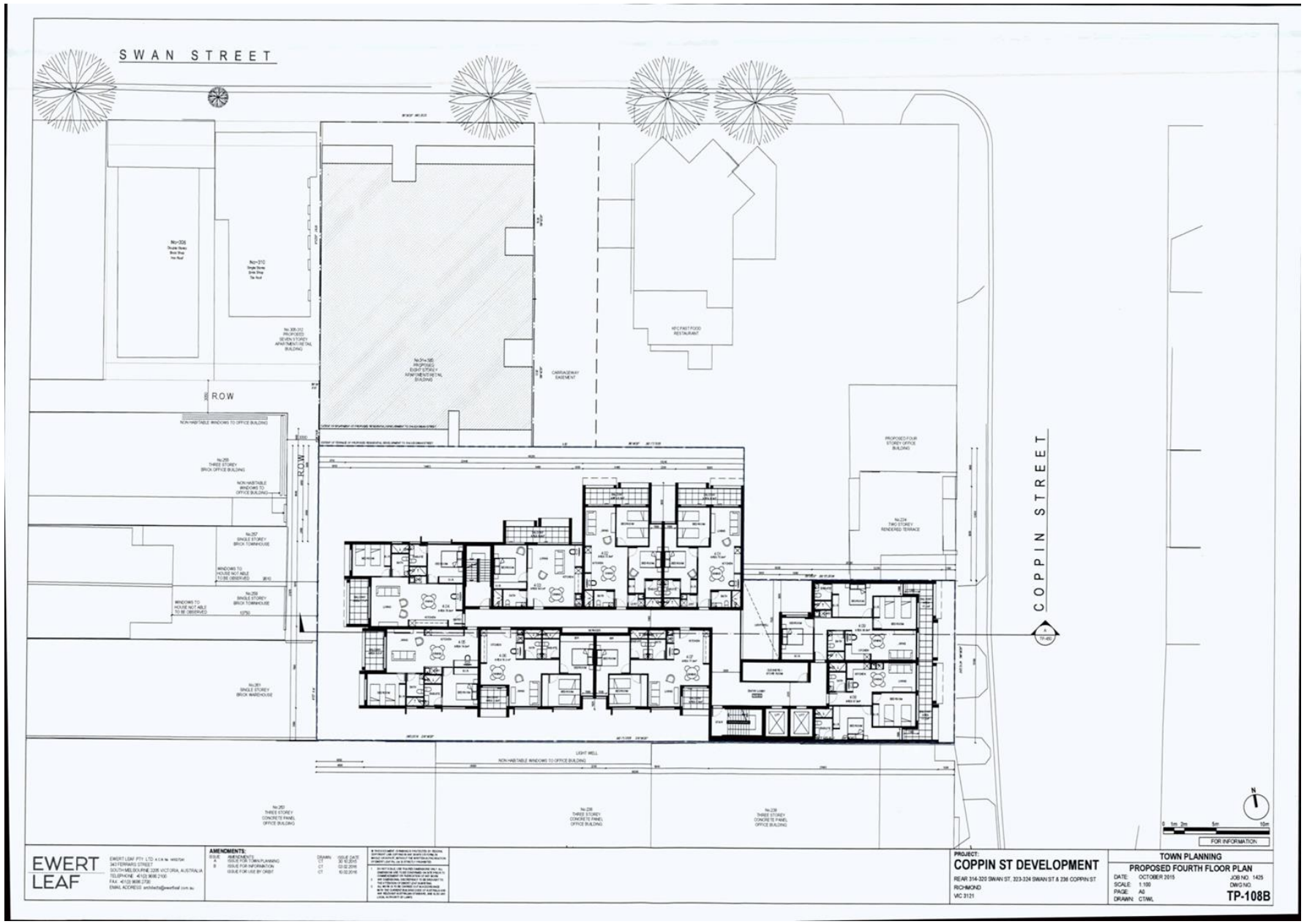

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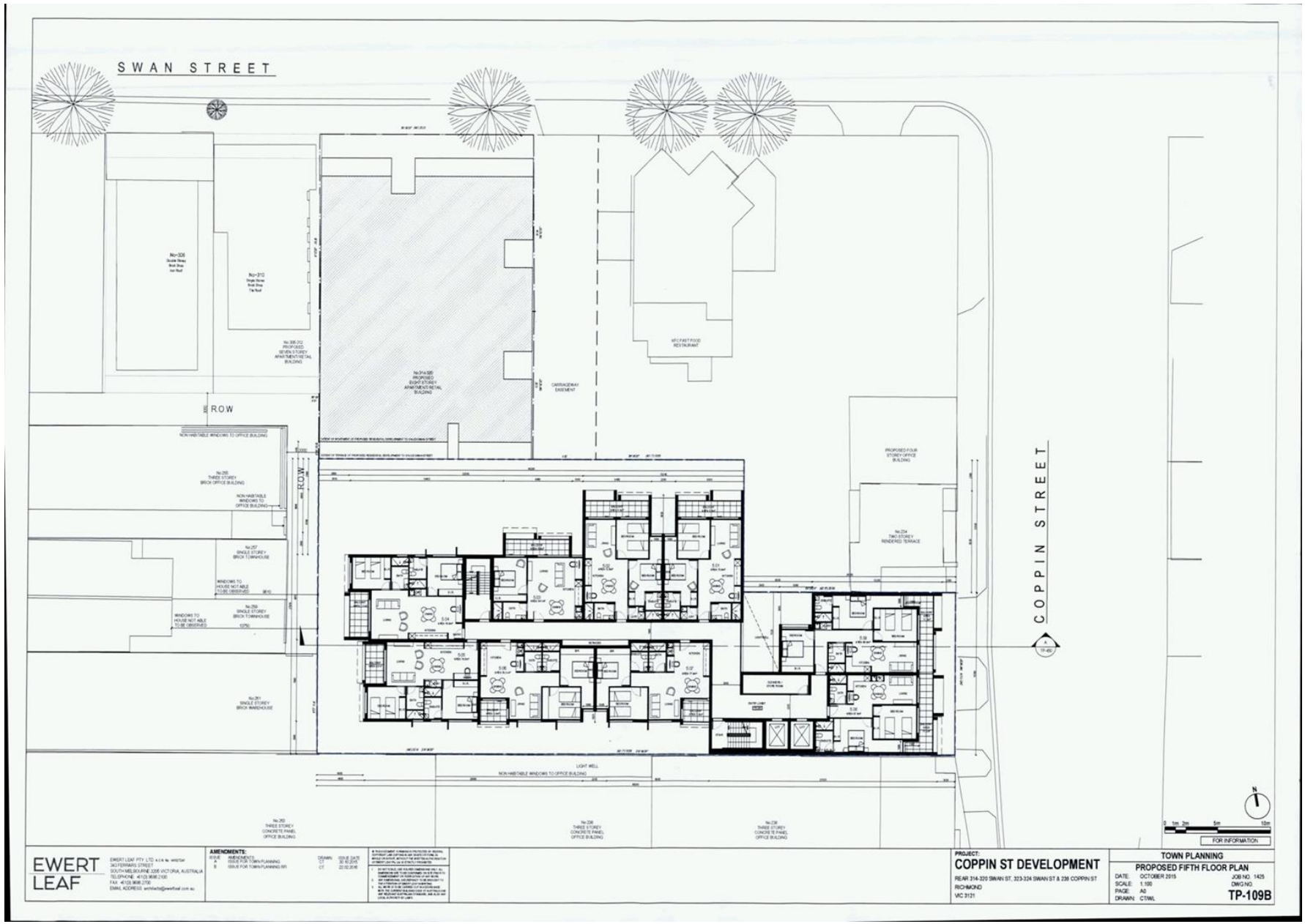

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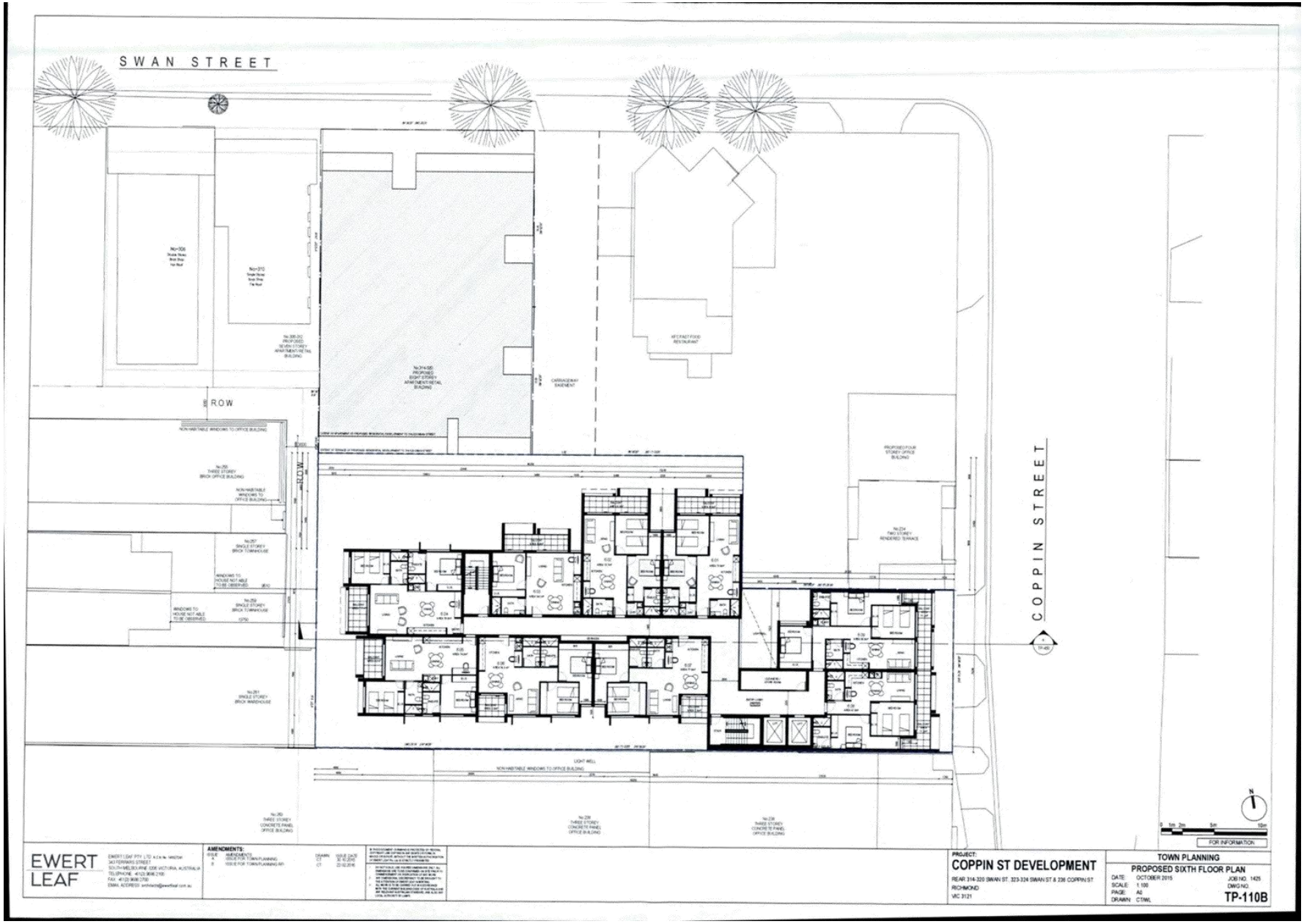

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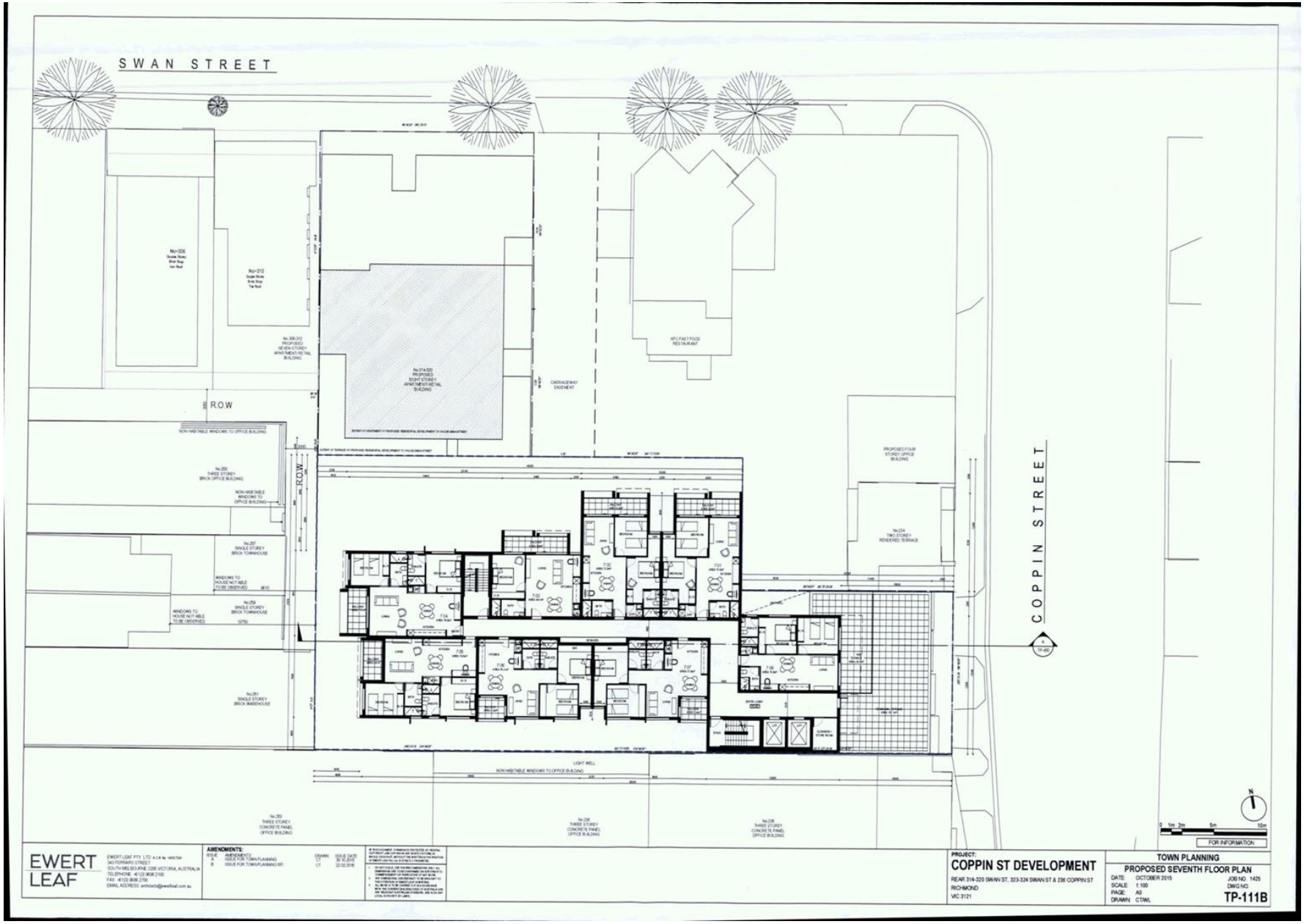

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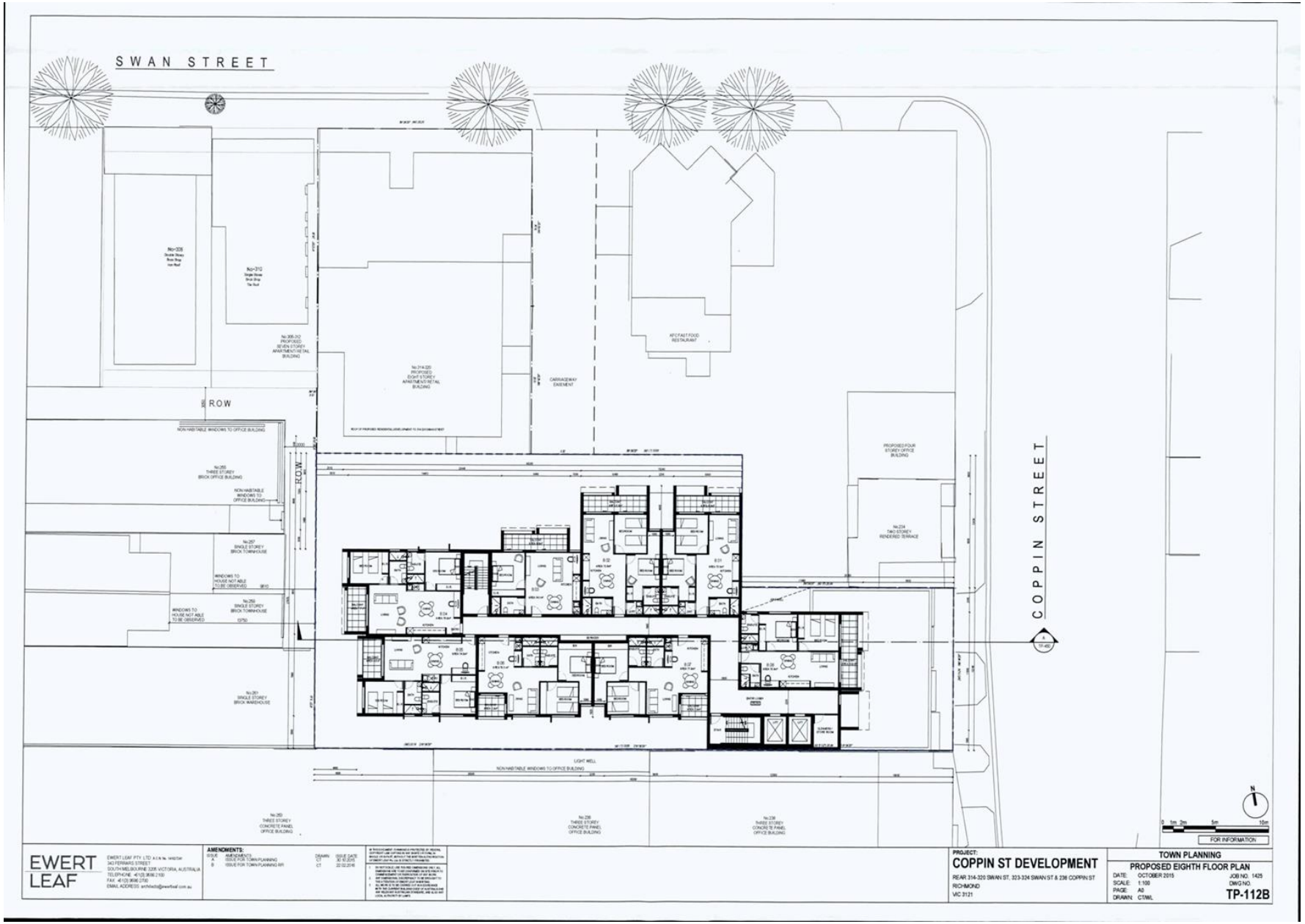

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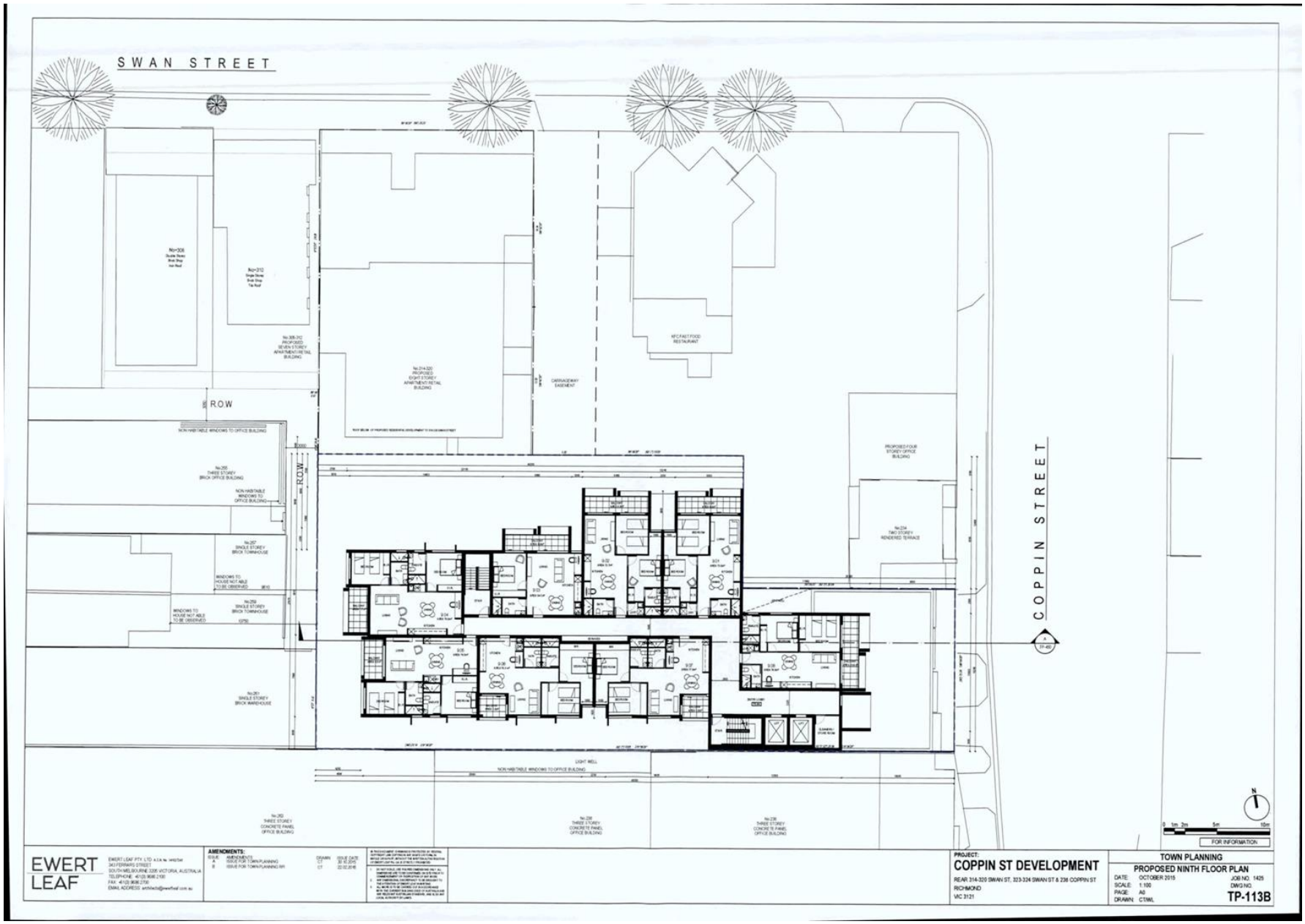

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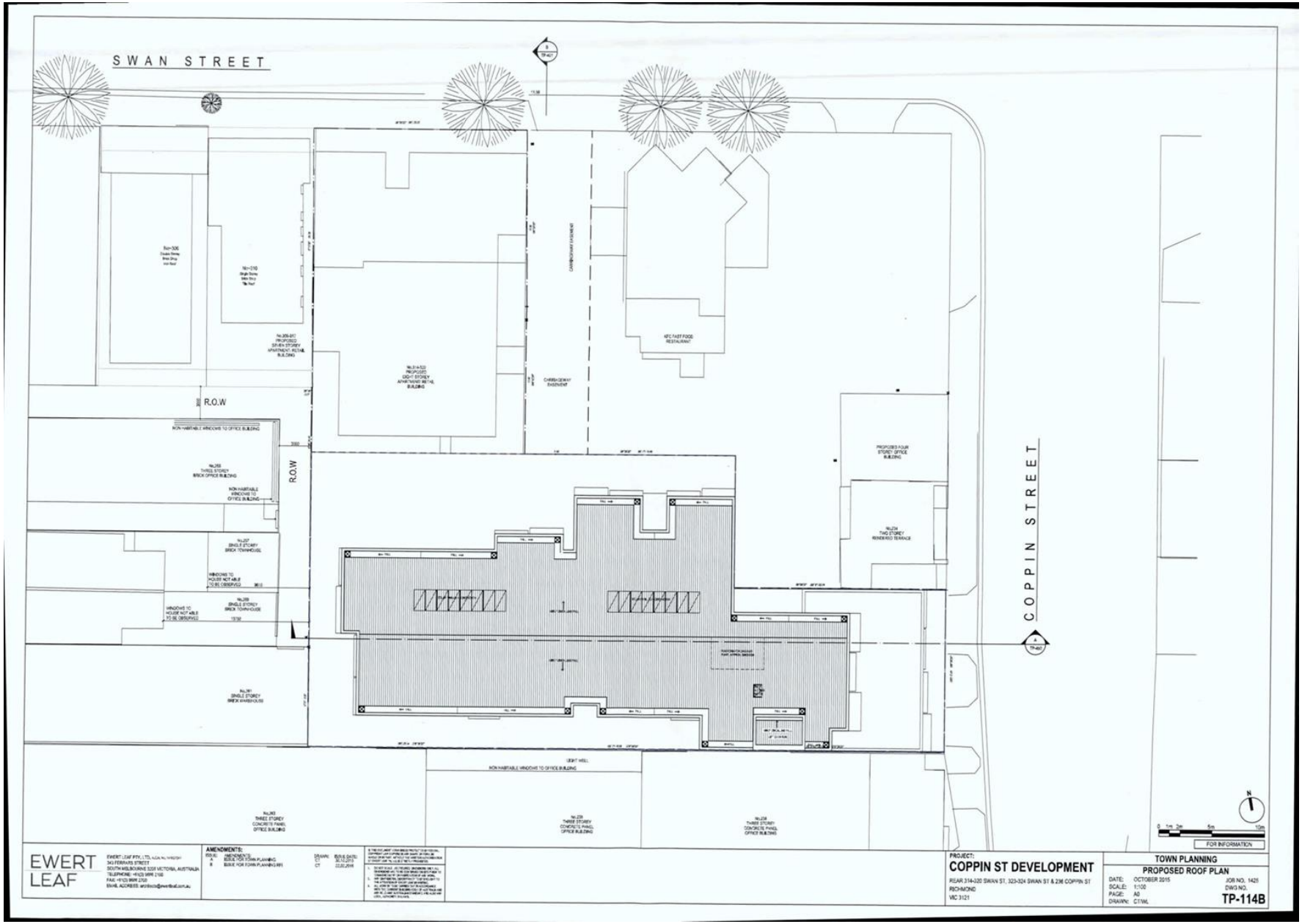

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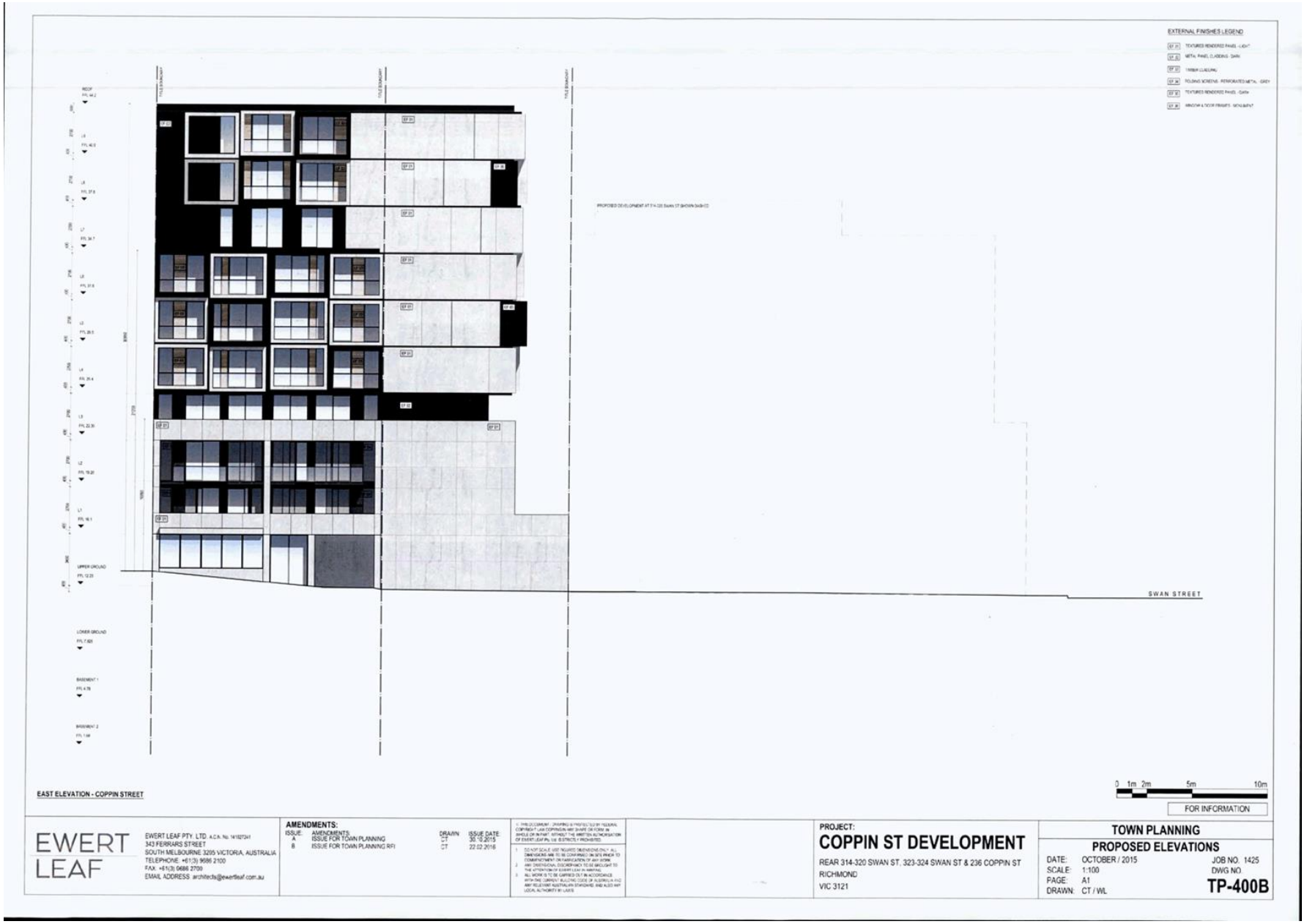

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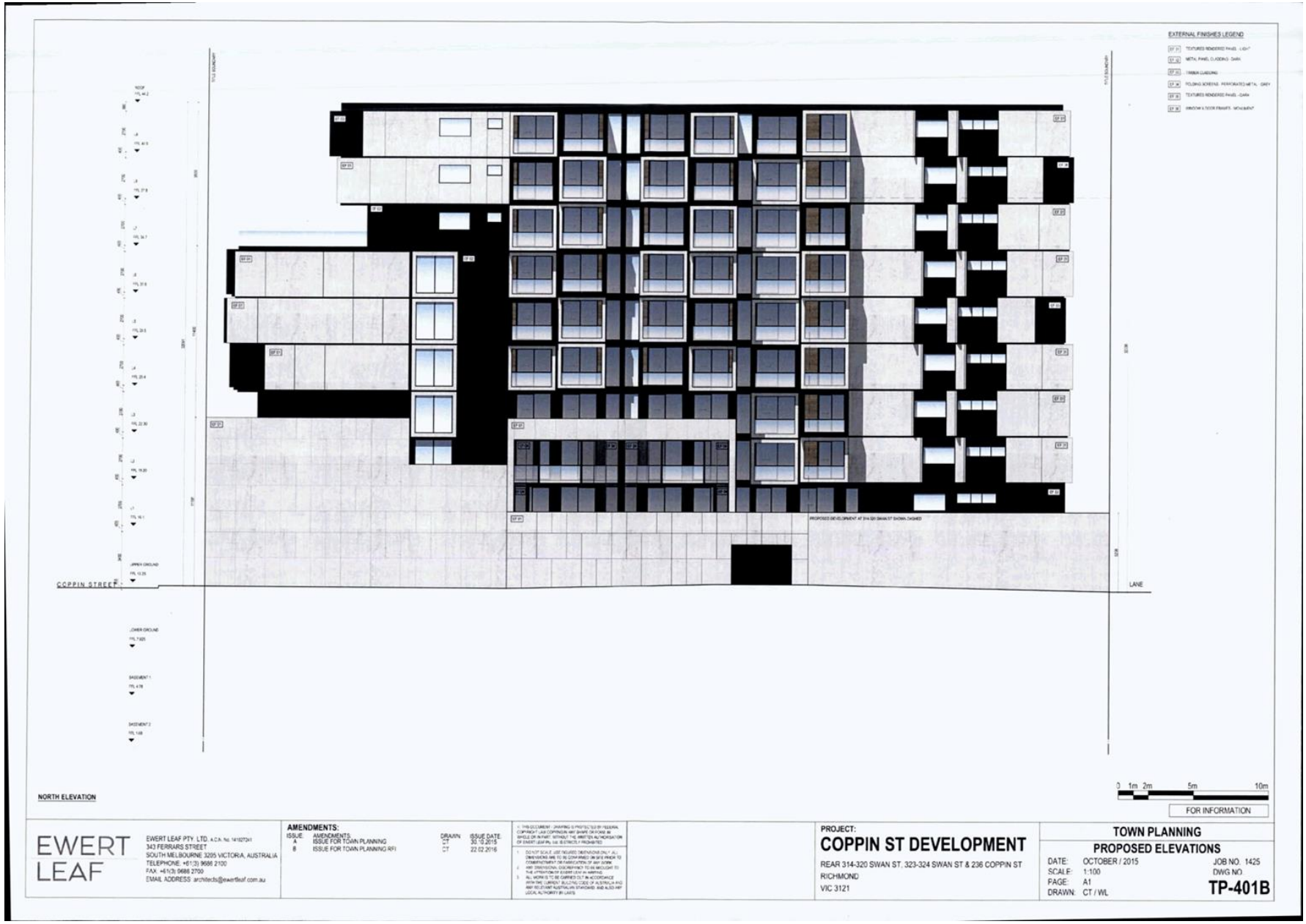

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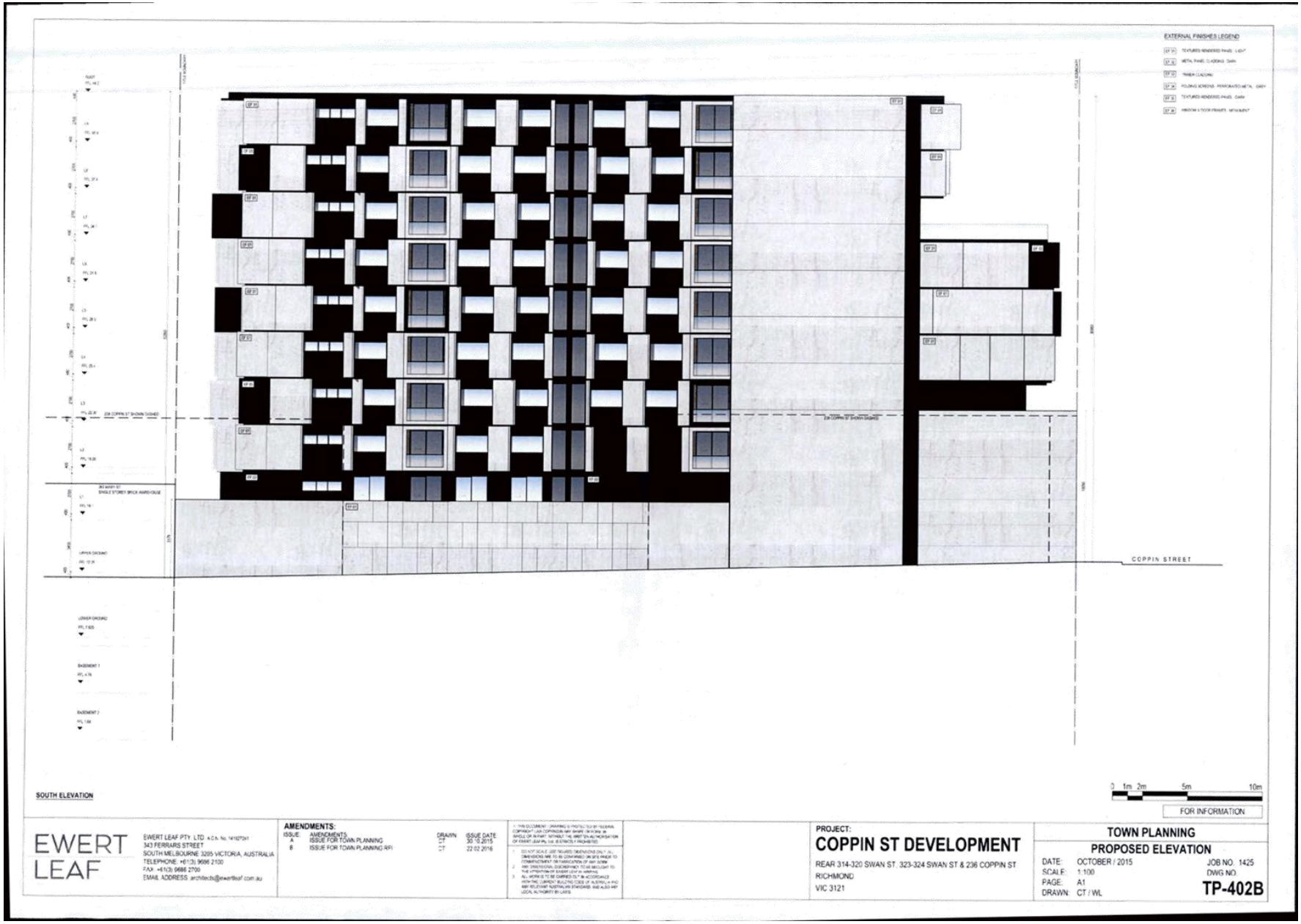

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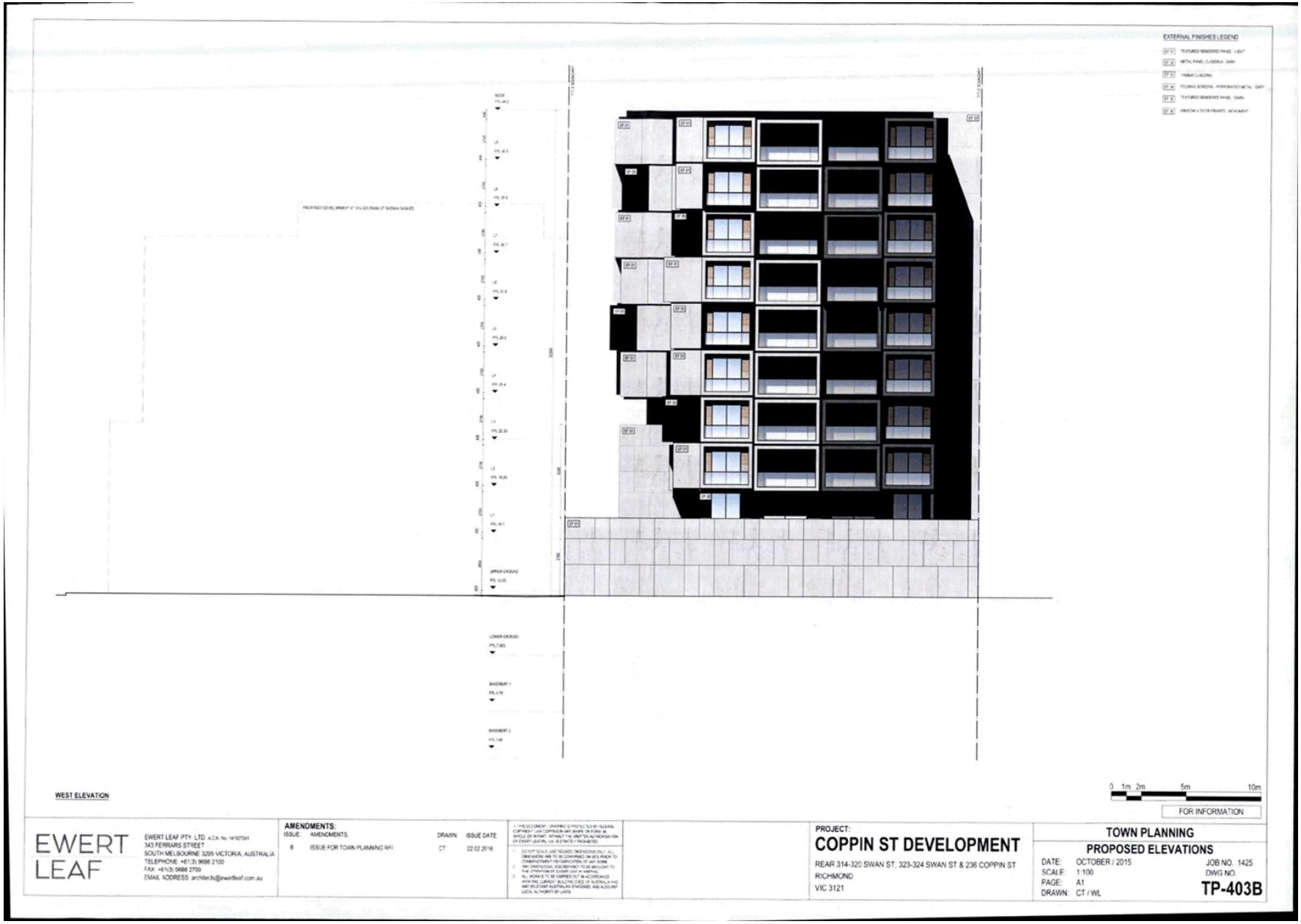

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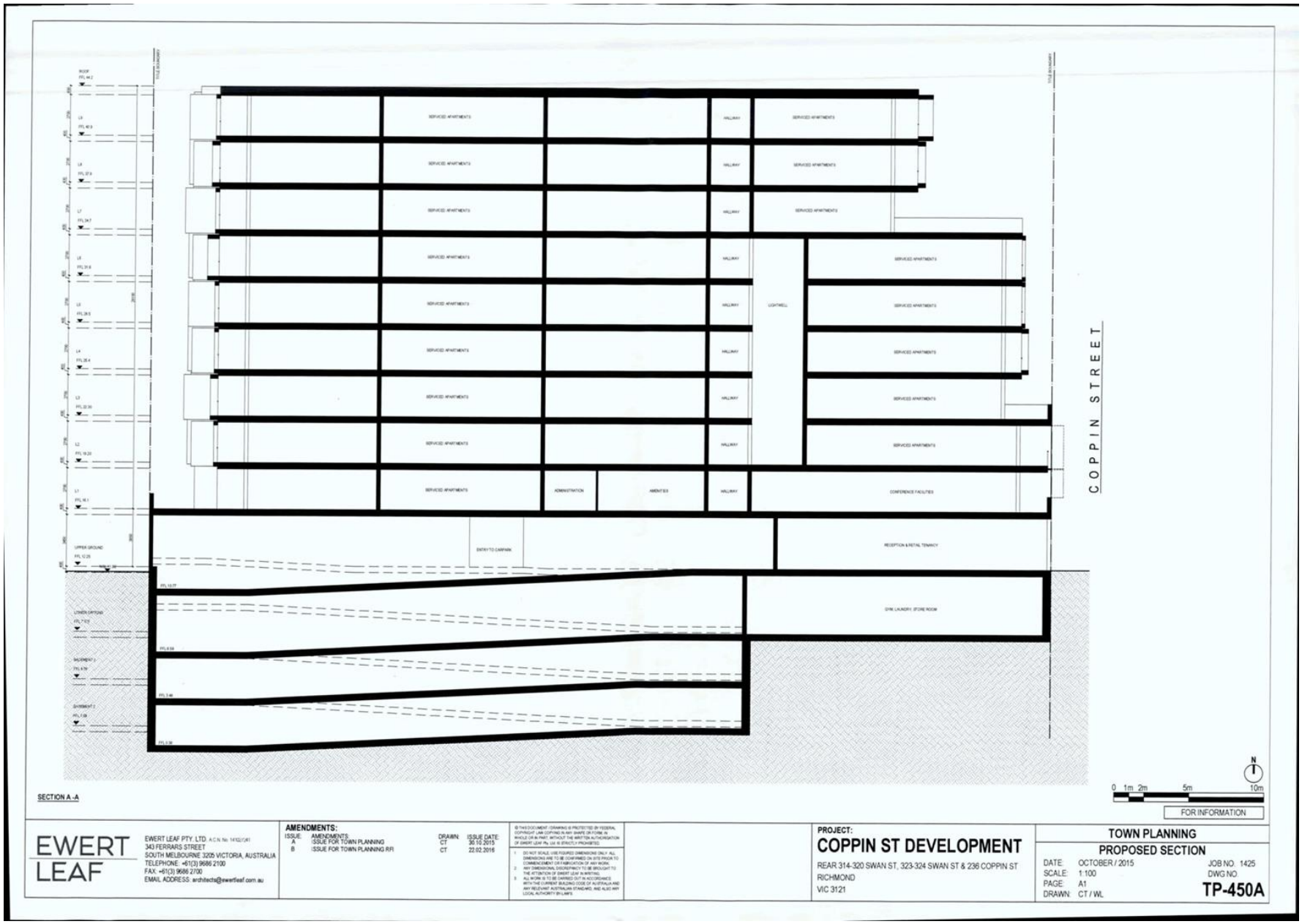
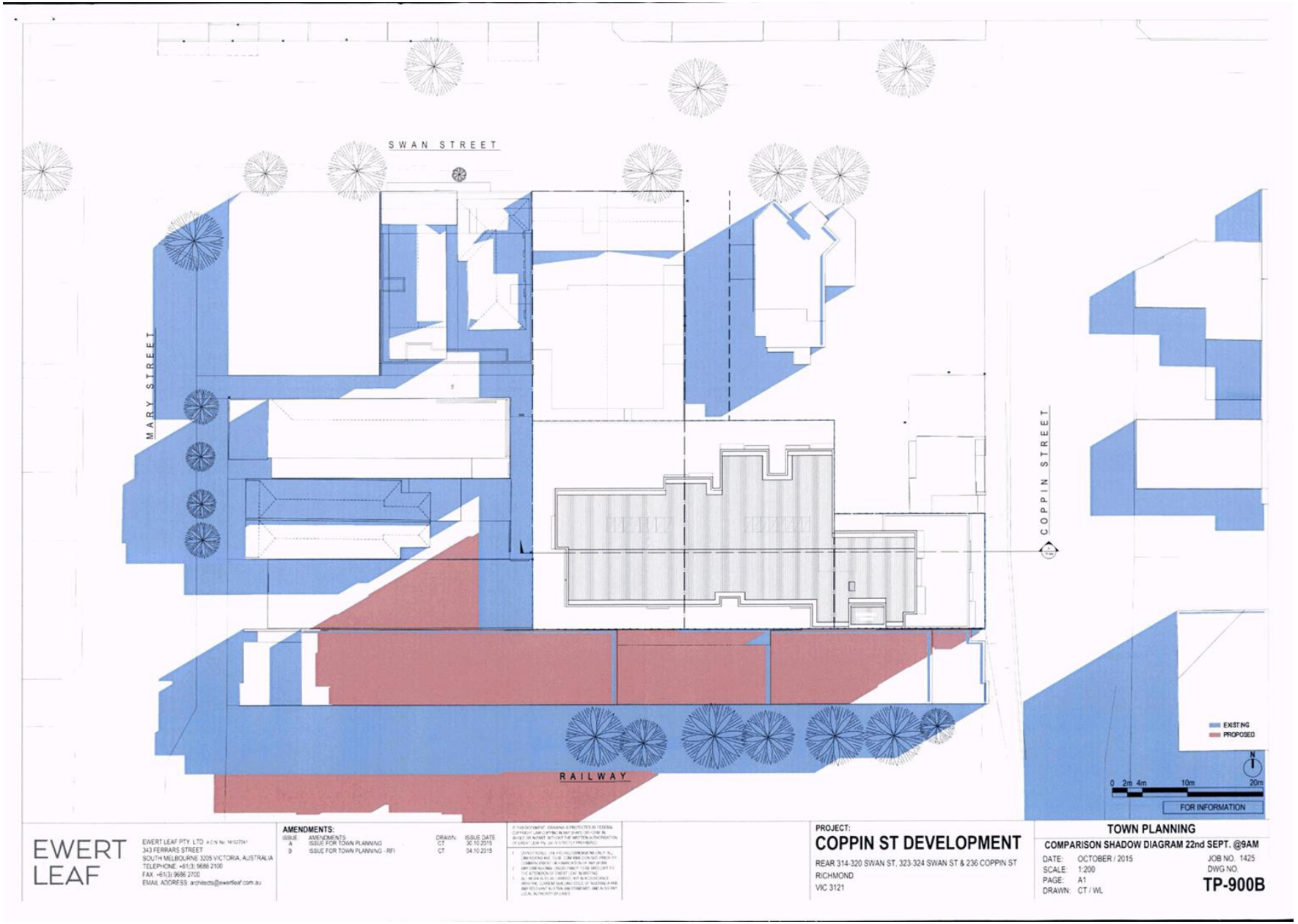


Attachment 3 - PLN15/0191 - 314 - 324 Swan Street and 236 Coppin Street Richmond - Advertising S57B - Shadows



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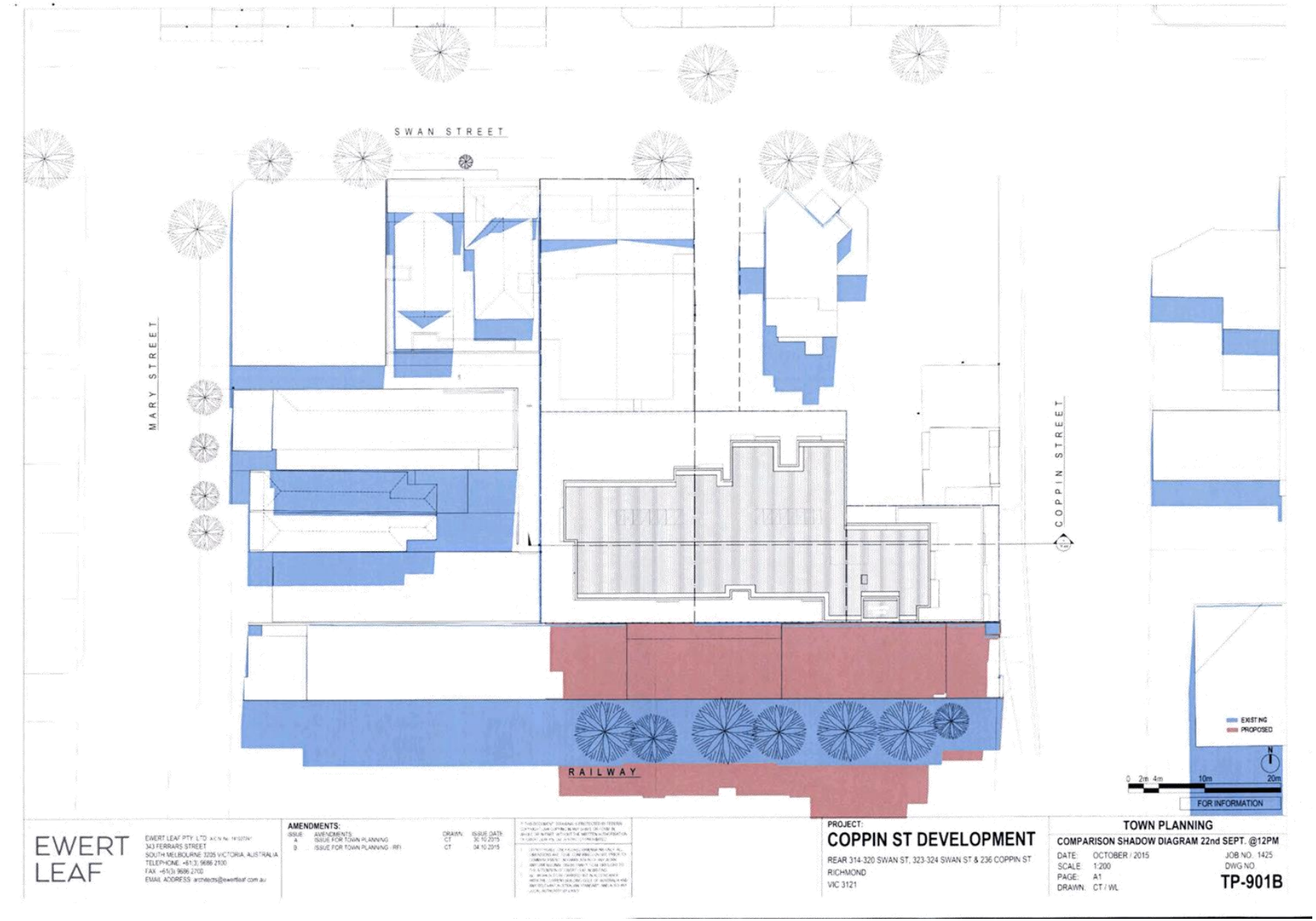

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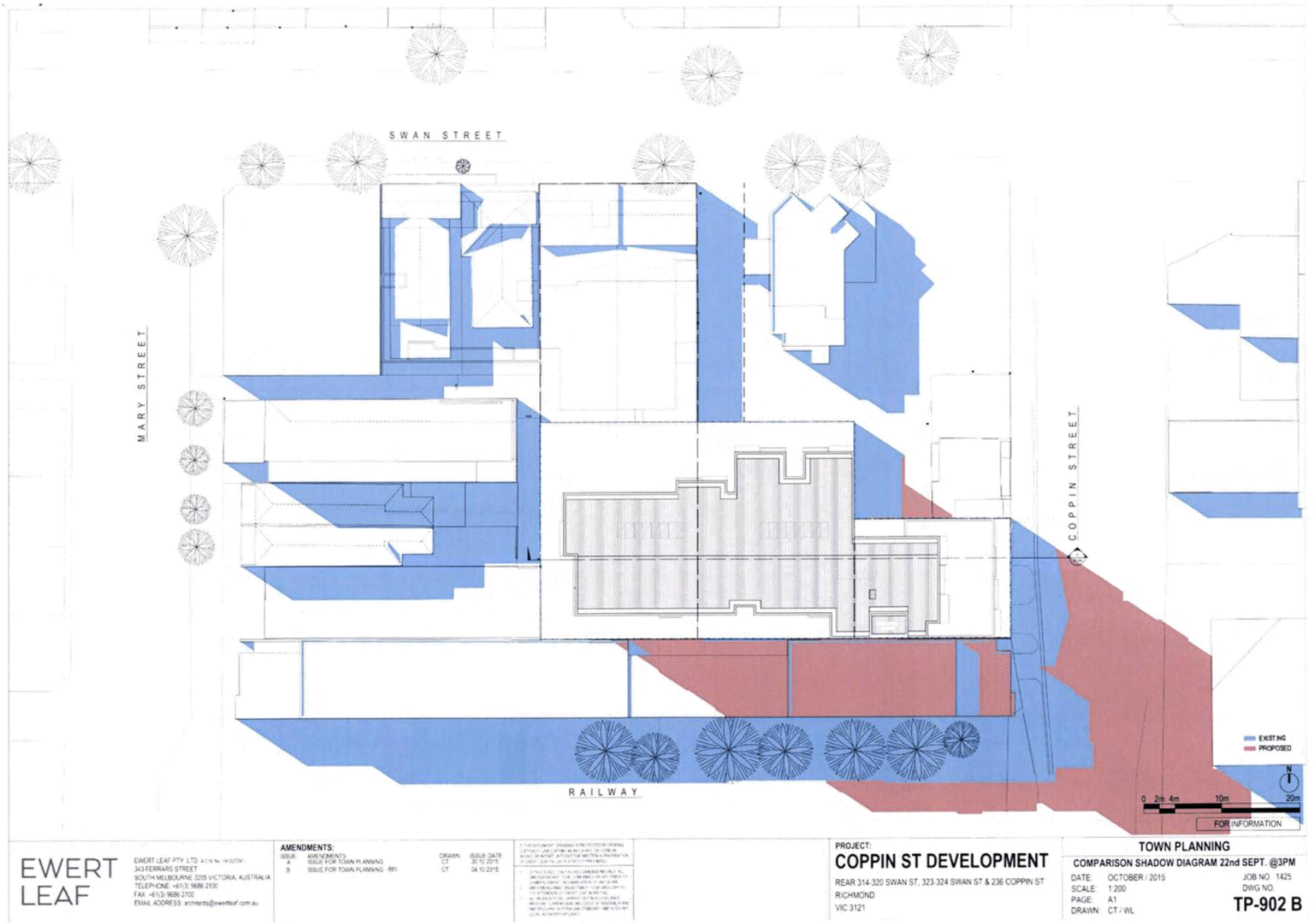
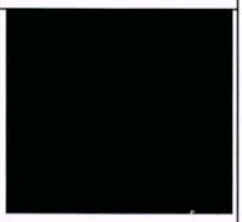


Attachment 4 - PLN15/0191 - 314 - 324 Swan Street and 236 Coppin Street Richmond - Advertising S57B - Schedule of Finishes

PROJECT:
236 Coppin Street, Richmond, VIC 3121

EXTERNAL FINISHES SCHEDULE
TOWN PLANNING

February 2016

Description	Location / Level	Specification	Colour/Finish	Image
EXTERIOR FINISHES				
EF 01	External Walls	Textured Rendered Panel	Light Grey	
EF 02	External Walls	Metal Panel Cladding	Dark Grey	
EF 03	Balcony Linings and soffits	Timber Shiplap cladding	Natural Finish	
EF 04	Folding Screens	Perforated Metal	Grey	

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South Melbourne, 3205 Victoria, Australia
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Attachment 4 - PLN15/0191 - 314 - 324 Swan Street and 236 Coppin Street Richmond - Advertising S57B - Schedule of Finishes

PROJECT:
236 Coppin Street, Richmond, VIC 3121

EF 05	External Walls	Textured Rendered Panel	Dark Grey	
EF 06	Door and Window Frames	Aluminium	Powder coated in DULUX Colorbond Monument C29	

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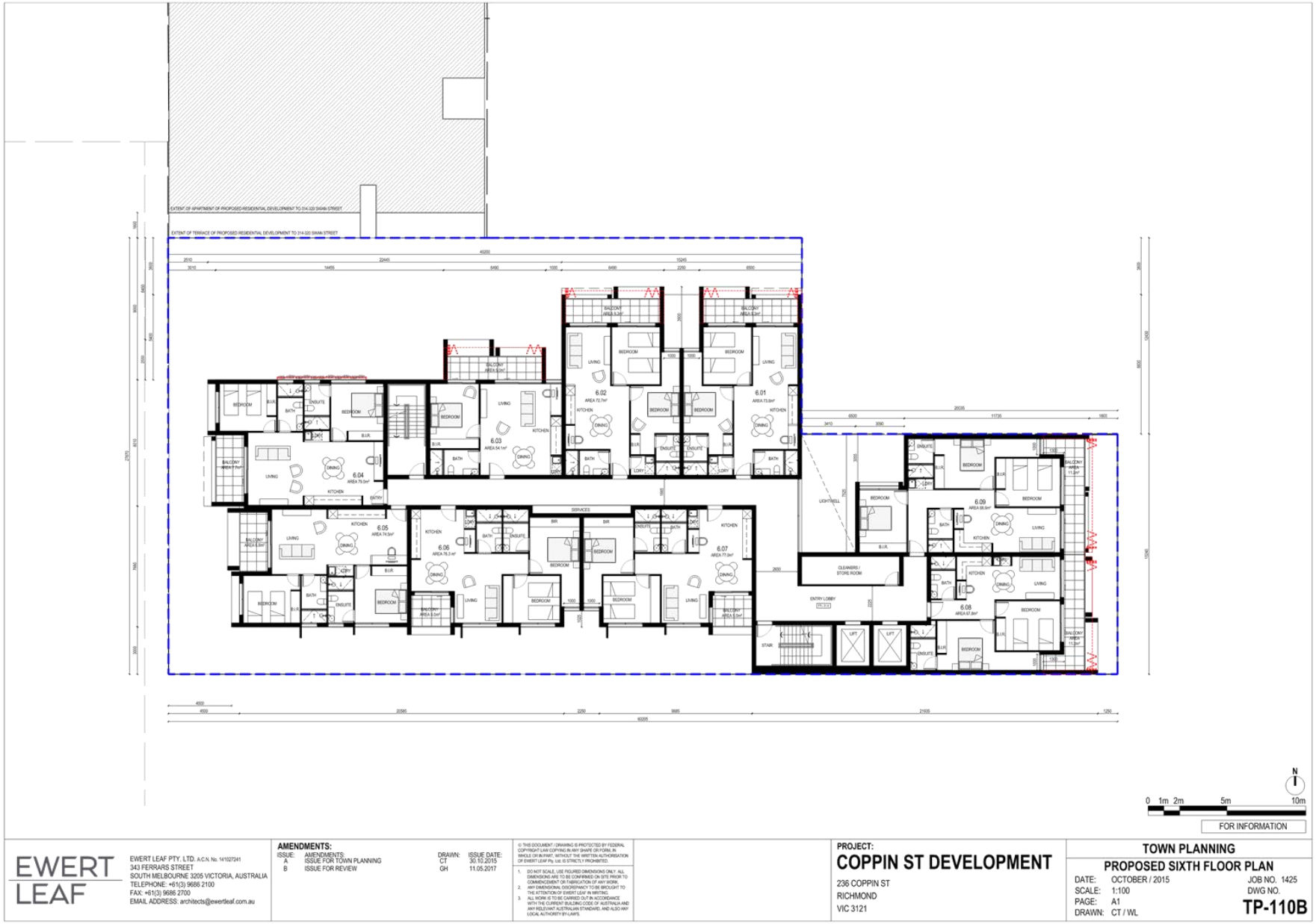
Attachment 5 - PLN15/0191 - 314 - 324 Swan Street and 236 Coppin Street Richmond - Sketch plan perspective

Attachment 6 - PLN15/0191 - 314 - 324 Swan Street and 236 Coppin Street Richmond - Sketch plan floor plan



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SOUTH MELBOURNE 3205 VICTORIA, AUSTRALIA
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FAX: +61(3) 9686 2700
EMAIL ADDRESS: architects@ewertleaf.com.au

AMENDMENTS:

ISSUE:	AMENDMENTS:	DRAWN:	ISSUE DATE:
A	ISSUE FOR TOWN PLANNING	CT	30.10.2015
B	ISSUE FOR REVIEW	GH	11.05.2017

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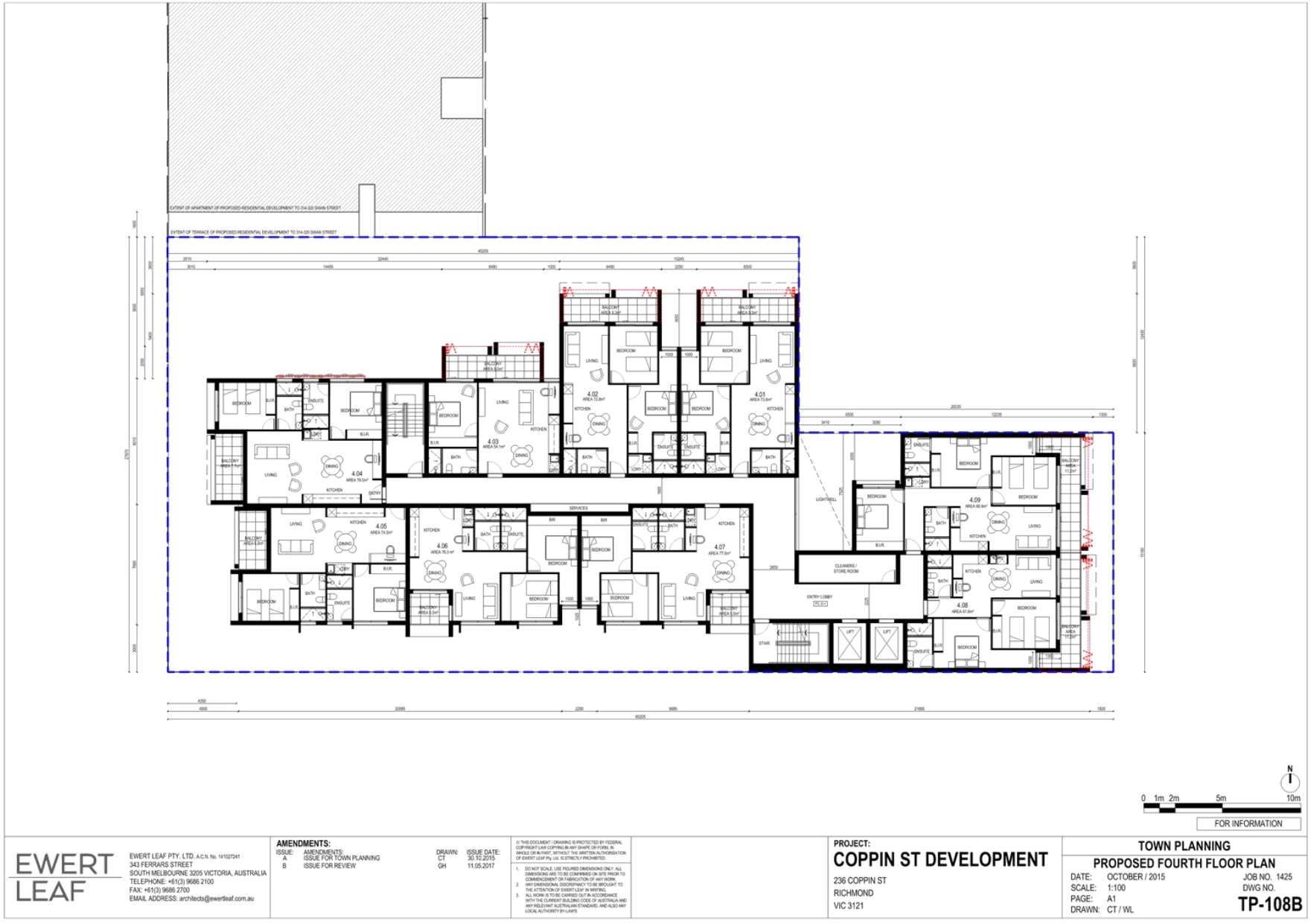
PROJECT:
COPPIN ST DEVELOPMENT
236 COPPIN ST
RICHMOND
VIC 3121

TOWN PLANNING
PROPOSED SIXTH FLOOR PLAN

DATE:	OCTOBER / 2015	JOB NO.	1425
SCALE:	1:100	DWG NO.	
PAGE:	A1		**TP-110B**
DRAWN:	CT / WL		

Attachment 7 - PLN15/0191 - 314 - 324 Swan Street and 236 Coppin Street Richmond - Sketch plan floor plan



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AMENDMENTS:

ISSUE:	AMENDMENTS:	DRAWN:	ISSUE DATE:
A	ISSUE FOR TOWN PLANNING	CT	30.10.2015
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PROJECT:
COPPIN ST DEVELOPMENT
236 COPPIN ST
RICHMOND
VIC 3121

TOWN PLANNING
PROPOSED FOURTH FLOOR PLAN

DATE:	OCTOBER / 2015	JOB NO.	1425
SCALE:	1:100	DWG NO.	
PAGE:	A1		**TP-108B**
DRAWN:	CT / WL		

1.2 43 Canterbury Street, Richmond - PLN16/0969 - Development of the land for the construction of two triple-storey dwellings.

Executive Summary

Purpose

1. This report provides Council with an assessment of Planning Application PLN16/0969 at 43 Canterbury Street, Richmond and recommends approval, subject to conditions.

Background

2. The application was received by Council on 24 October 2016, with additional information received on 14 December 2016 and 20 January 2017. The application was advertised, with seven (7) objections received. These objections are outlined in paragraph 9.

3. Amended plans were submitted under Section 57A of the *Planning and Environment Act* 1987 (the Act) on 29 March 2017. The following changes were made to the plans;
   (a) The existing site plan was amended to show the correct details, including the driveway along the southern boundary and the rear bungalow; these changes subsequently altered the existing shadow diagrams;
   (b) The two garages relocated from the centre of the façade to abut the respective side boundaries, with the two pedestrian entrances relocated to the centre of the façade;
   (c) Location of the vehicle crossings altered accordingly, with the amended design able to retain the existing southern-most crossover for Unit 2;
   (d) The ground level floor plans of both dwellings altered to remove a seating area and provide a second bedroom;
   (e) The following alterations to ground and first-floor setbacks;
      (i) Unit 1;
         I. Ground level eastern wall setback reduced from 2.37m to 2.27m;
         II. First-floor northern wall relocated from the boundary to be setback 1.1m and 1.5m from this interface;
         III. First-floor west-facing balcony setback increased from 2.38m to 2.6m;
         IV. First-floor façade setback increased from 3.7m to 4.7m;
         V. First-floor eastern wall setback reduced from 4.37m to 3.95m;
      (ii) Unit 2;
         I. Ground level eastern wall setback reduced from 2.03m to 1.93m;
         II. First-floor west-facing balcony setback increased from 2.5m to 2.6m;
         III. First-floor façade setback increased from 3.7m to 4.7m;
         IV. First-floor southern wall setback increased from 1.47m to 1.53m;
         V. First-floor eastern wall setback reduced from 4.03m to 3.6m.
   (f) The second floor footprint reduced in scale, with a bedroom from each dwelling deleted. Setbacks from all boundaries were increased as a result, with the east-facing balconies for both dwellings removed;
   (g) Subsequent alterations to location of windows and materials, with the garage doors changed from brickwork/metal to timber cladding and the colour of the rendered finish altered to a lighter shade of grey.

4. The amended plans were advertised, with additional comments from four existing objectors received. No new objections were lodged.

5. A planning consultation meeting was held on 9 May 2017, with this meeting attended by the Applicant, Objectors and Council Officers. No further changes to the plans were made following this meeting.

Key Planning Considerations

6. Key planning considerations include:
   (a) Clause 15.01-1 – Urban Design;
   (b) Clause 21.05 – Built Form;
   (c) Clause 22.10 – Built Form and Design Policy;
   (d) Clause 22.13 – Residential Built Form;
   (e) Clause 32.08 – General Residential Zone (Schedule 2);
   (f) Clause 55 – Two or more dwellings on a lot (ResCode).

Key Issues

7. The key issues for Council in considering the proposal relate to:
   (a) Neighbourhood character and built form;
   (b) On and off-site amenity impacts;
   (c) Objector's concerns.

Objector Concerns

8. Council received a total of seven (7) objections to the application. The grounds of objection are summarised as follows:
   (a) Lack of integration with the character of the neighbourhood;
   (b) Visual impacts/excessive height;
   (c) Overdevelopment of the site;
   (d) Off-site amenity impacts (overlooking, overshadowing, noise, safety);
   (e) Car parking concerns;
   (f) Incorrect details of existing conditions on the plans.

Conclusion

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

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

1.2 43 Canterbury Street, Richmond - PLN16/0969 - Development of the land for the construction of two triple-storey dwellings.

Trim Record Number: D17/71089
Responsible Officer: Principal Statutory Planner

Proposal:	Development of the land for the construction of two triple-storey dwellings.
Existing use:	Single dwelling
Applicant:	Ian Azzopardi – Complete Building Solutions Group
Zoning / Overlays:	General Residential Zone (Schedule 2) Design and Development Overlay (Schedule 5)
Date of Application:	24/10/2016
Application Number:	PLN16/0969

Planning History

1. There is no planning permit history for this site.

Background

2. The application was received by Council on 24 October 2016, with additional information received on 14 December 2016 and 20 January 2017. The application was advertised, with seven (7) objections received.

3. The following issues were raised in these objections;
   (a) Lack of integration with the character of the neighbourhood;
   (b) Visual impacts/excessive height;
   (c) Overdevelopment of the site;
   (d) Off-site amenity impacts (overlooking, overshadowing, noise, safety);
   (e) Car parking concerns;
   (f) Incorrect details of existing conditions on the plans.

4. Amended plans were submitted under Section 57A of the *Planning and Environment Act* 1987 on 29 March 2017. The following changes were made to the plans;
   (a) The existing site plan was amended to show the correct details, including the driveway along the southern boundary and the rear bungalow; these changes subsequently altered the existing shadow diagrams;
   (b) The two garages relocated from the centre of the façade to abut the respective side boundaries, with the two pedestrian entrances relocated to the centre of the façade;
   (c) Location of the vehicle crossings altered accordingly, with the amended design able to retain the existing southern-most crossover for Unit 2;
   (d) The ground level floor plans of both dwellings altered to remove a seating area and provide a second bedroom;
   (e) The following alterations to ground and first-floor setbacks;
      (i) Unit 1;
         I. Ground level eastern wall setback reduced from 2.37m to 2.27m;
         II. First-floor northern wall relocated from the boundary to be setback 1.1m and 1.5m from this interface;
         III. First-floor west-facing balcony setback increased from 2.38m to 2.6m;
         IV. First-floor façade setback increased from 3.7m to 4.7m;
         V. First-floor eastern wall setback reduced from 4.37m to 3.95m;
      (ii) Unit 2;
         I. Ground level eastern wall setback reduced from 2.03m to 1.93m;
         II. First-floor west-facing balcony setback increased from 2.5m to 2.6m;

III. First-floor façade setback increased from 3.7m to 4.7m;
IV. First-floor southern wall setback increased from 1.47m to 1.53m;
V. First-floor eastern wall setback reduced from 4.03m to 3.6m.

(f) The second floor footprint reduced in scale, with a bedroom from each dwelling deleted. Setbacks from all boundaries were increased as a result, with the east-facing balconies for both dwellings removed;
(g) Subsequent alterations to location of windows and materials, with the garage doors changed from brickwork/metal to timber cladding and the colour of the rendered finish altered to a lighter shade of grey.

5. The amended plans were advertised, with additional comments from four existing objectors received. No new objections were lodged.

6. A planning consultation meeting was held on 9 May 2017, with this meeting attended by the Applicant, Objectors and Council Officers. No further changes to the plans were made following this meeting.

Existing Conditions

Subject Site

7. The subject site is located on the eastern side of Canterbury Street, Richmond. The land has a frontage to Canterbury Street of 10.88m and a site depth of 20m, yielding an overall site area of approximately 224sqm. The site has no appreciable fall.

8. A single-storey, double-fronted weatherboard cottage occupies the land. The dwelling is set back 2.2m from the front boundary, with a 0.9m high brick fence extending along this interface and a skillion verandah encroaching 1m into this setback. A minimal degree of vegetation is located within this space.

9. The dwelling abuts the northern boundary for its entire length (12m) and is set back 2.7m from the southern boundary. A single vehicle crossover provides access to a driveway extending along the southern setback.

10. A single-storey bungalow is attached to the rear of the dwelling and extends along the northern boundary for approximately 5.5m to abut the rear boundary. Secluded private open space (SPOS) is located in the south-east corner of the site. There is no significant vegetation on the land.

11. There are no restrictive covenants or easements on the certificate of title submitted with the application.

Surrounding Land

12. The immediate area is largely characterised by single and double-storey built form and is residential in nature.

East

13. To the east are two sites addressing Burnley Street. A timber paling fence, 1.8m in height, separates the subject site from these properties, with areas of SPOS directly adjacent to the rear boundary of the subject site. Both of these dwellings are single-storey and separated from the subject site by more than 9m.

West

14. To the west of the site is Canterbury Street; across which is a predominantly single-storey streetscape, with some visible double-storey elements. Directly opposite the site is the side boundary of a property addressing Newry Street; a 1.8m high timber paling fence abuts this boundary, with SPOS in the north-east corner of the site. A number of habitable room windows are located within the eastern wall of this dwelling.

North

15. To the north is a significantly sized allotment that extends from Canterbury Street through to Burnley Street in the east. A single-storey dwelling occupies the eastern part of the land, with the entire western half of the site vacant.

Planning Permit PLN12/1056 was issued on 13 November 2013 to allow development of the land for part demolition of the existing dwelling and construction of three new dwellings on the lot. The approved dwellings on the western side of the site are triple-storey in scale, with garages at ground level and the floors above set back from the southern boundary. SPOS associated with these dwellings is predominantly oriented to the north. A request to extend the commencement date of this permit is currently being considered by Council.

South

16. Three sites abut the subject site's southern boundary. All of these properties address Newry Street. The western-most dwelling, on the corner of Canterbury Street and Newry Street, is single-storey in scale, with vehicle access and SPOS on the northern side of the site. One uncovered car space and a shed are located directly adjacent to the shared boundary.

17. The central dwelling is a contemporary, double-storey design. The ground and first-floor levels directly abut the northern boundary, with a terrace located at first-floor. A larger roof terrace is located on the southern side of this dwelling.

18. The eastern-most dwelling is single-storey in scale, with the rear wall setback 1.5m from the shared boundary. SPOS is located in the north-east corner of the land, with none of this open space directly adjacent to the boundary of the subject site.

General

19. The site is located within proximity to the Bridge Road and Swan Street Major Activity Centres (MACs) and is well serviced by retail facilities, public transport options and public open space, including;
    (a) Access to the shopping and entertainment facilities of the Bridge Road and Swan Street MAC (600m from Bridge Road and 200m from Swan Street);
    (b) 320m to Burnley Railway Station;
    (c) Access to Swan Street and Bridge Road tram services;
    (d) Public open space nearby, including Yarra Park, 500m to the east;
    (e) Convenient access to Melbourne CBD.

The Proposal

20. The proposal seeks development of the land for the construction of two triple-storey dwellings. In summary, the application involves the following;

Demolition (no permit required for these works)

(a) The entire dwelling, bungalow and side and front fences will be demolished (the rear boundary fence will be retained), with the limited extent of vegetation on the site removed.

Buildings and works

General

(b) The maximum height of the development will be 9.05m;
(c) Site coverage of 71% will be achieved, with permeability of 28.7%;
(d) Each dwelling will contain three bedrooms;
(e) Two car parking spaces will be provided for each dwelling, in the form of car stackers;
(f) Bicycle storage will be provided within the rear courtyards of each dwelling; with a separate rainwater tank also provided for each dwelling. The capacity of the water tanks have not been noted on the plans, however the STORM assessment submitted with the application indicates that each tank will be 2,000L.

Ground level

(g) The façade will be set back 2.4m-2.5m from the front boundary, with two separate driveways providing access to the individual garages;
(h) Each garage will abut the respective side boundaries, with Unit 1 to the north and Unit 2 to the south;
(i) The main entrances will be centrally located within the façade, with two bedrooms and a bathroom located at this level for each dwelling;
(j) Unit 1 will extend along the northern boundary for a length of 12.3m, with bed 2 set back 1.4m from this boundary;
(k) Unit 2 will extend along the southern boundary for a length of 12.3m, with bed 2 set back 1.67m from the southern boundary;
(l) The two dwellings will abut each other for their entire lengths;
(m) Courtyards will be located at the rear of each dwelling, with clothes lines, bicycle storage sheds and rainwater tanks located within these areas;

First Floor

(n) Each first-floor level will contain the primary living areas, including kitchens, meals and living rooms;
(o) The façade will be set back 4.73m and 4.85m from the front boundary; west-facing balconies will be located within this setback;
(p) Both dwellings will be set back from the respective side boundaries, with rear setbacks ranging from 3.6m to 3.95m;

Second Floor

(q) This level will be centrally located; with staggered front setbacks between 7m to 8.6m from Canterbury Street; each dwelling will contain one bedroom and a bathroom at this level;
(r) Unit 1 will be set back 1.4m and 2m from the northern boundary and 5.55m from the eastern boundary;
(s) Unit 2 will be set back 1.7m and 2.24m from the southern boundary and 5m from the eastern boundary.

Materials and finishes

(t) Walls – brickwork, blockwork, render and colourbond;
(u) Roofing – Colourbond;
(v) Garage doors – timber cladding.

Planning Scheme Provisions

Zoning

General Residential Zone (Schedule 2)

21. Pursuant to clause 32.08-2 of the Yarra Planning Scheme (the Scheme), a planning permit is not required to use the site for dwellings.

22. Pursuant to clause 32.08-6 of the Scheme, a planning permit is required to construct two or more dwellings on a lot.

23. Pursuant to Clause 32.08-9 and Schedule 2 of the Zone, a building must not be constructed for use as dwellings that exceed 9m in height.

24. Pursuant to Clause 32.08-14, the maximum building height requirements of Clause 32.08-9 introduced by Amendment VC110 does not apply to a planning permit application for the construction of dwellings lodged before the approval date of Amendment VC110. As the amended plans were formally lodged on 29 March 2017 (after the approval date of 27 March 2017) the application is not exempt from the requirements at clause 32.08-9 and the mandatory height controls apply.

Overlays

Design and Development Overlay (Schedule 5)

25. Pursuant to clause 43.02-2 of the Scheme, a planning permit is required to construct a building or construct or carry out works. This does not apply if a schedule to this overlay specifically states that a permit is not required.

26. Schedule 5 to the overlay specifies that a permit is not required to construct a building.

Particular Provisions

Clause 52.06 – Car Parking

27. Clause 52.06-5 outlines the following car parking requirements.

Land Use	Units/Area proposed	Rate	No. required	No. proposed	Reduction sought
Dwellings	2 x 3 bedroom dwellings	2 to each 3 or more bedroom dwelling	4	4	0
Total					0

28. Based on this, the development fulfills its statutory car parking requirements under Clause 52.06 of the Scheme.

Clause 52.34 – Bicycle facilities

29. Clause 52.34 of the Scheme only applies to dwellings in developments of four or more storeys. The overall proposal is three storeys and therefore these provisions do not apply.

Clause 55 – Rescode

30. The development must meet the requirements of Clause 55.

General Provisions

Clause 65 – Decision Guidelines

31. 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)

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

Clause 11 – Settlement

33. *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*

34. *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

35. 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

36. 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

37. 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

38. 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 15.01-2 – Urban Design Principles

39. The objective of this clause is: *to achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties*.

Clause 15.01-4 – Design for safety

40. 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

41. 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

42. 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

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

Clause 18.02-1 - Sustainable personal transport

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

Local Planning Policy Framework (LPPF)

45. 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

46. 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

47. Built form in the municipality is characterised by low-rise urban form with pockets of higher development, which distinguishes Yarra from adjoining municipalities. In managing the City's built form, development that builds upon Yarra's existing sense of place is to be encouraged alongside new development that aspires to high quality architectural design, environmental sustainability and public domain enhancements. 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

48. 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
49. The relevant objective of this clause is:

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

Clause 21.08 Neighbourhoods

50. Clause 21.08-10 – Central Richmond (area between Bridge Road and Swan Street) – *The land use character of this neighbourhood is predominantly residential, with the area closest to Punt Road comprising early to mid Victorian cottages and terraces, and an increasing amount of Edwardian dwellings towards the east of the neighbourhood.*

51. Figure 24 of this clause identifies this site as *'Inner Suburban Residential '.*

Relevant Local Policies

Clause 22.10 – Built Form and Design Policy

52. Relevant objectives within this clause include;

(a) *Ensure that new development positively responds to the context of the development and respects the scale and form of surrounding development where this is a valued feature of the neighbourhood character.*
(b) *Ensure that new development makes a positive contribution to the streetscape through high standards in architecture and urban design;*
(c) *Limit the impact of new development on the amenity of surrounding land, particularly residential land; and*
(d) *Encourage environmentally sustainable development.*

Clause 22.13 – Residential Built Form Policy

53. The relevant built form character type relating to the subject site is "Inner Suburban Residential", where minimal areas of private open space, minimal side/rear setbacks and high site coverage are common. Clause 22.13-3.2 notes the applicable design responses for development within "Inner Suburban Residential' areas;
    (a) *Maintain the existing pattern of front setbacks.*
    (b) *Landscape the front setback in a style that reinforces the garden character (if any) of the streetscape.*
    (c) *Where the general pattern of development includes gaps between buildings, include a setback on at least one side of the building.*
    (d) *Orient buildings at right angles to the street frontage.*
    (e) *Provide front fencing that is open (unless the building is zero front setback).*
    (f) *On single house sites in areas with generally consistent building heights, limit variations in height to a maximum of one storey compared to the adjacent properties.*

Clause 22.16 – Stormwater Management (Water Sensitive Urban Design)

54. This policy applies to applications for new buildings and recognises that increased development can result in greater hard surface area and changes to the volume, velocity and quality of stormwater drainage into natural waterways.

Clause 22.17 Environmentally Sustainable Development

55. The overarching objective outlined at Clause 22.17-2 is;
    (a) *That development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation.*

Advertising

56. The application was advertised under the provisions of Section 52 of the Act with 17 letters sent to surrounding owners and occupiers and one sign displayed on site.

57. Council received a total of 7 objections to the application. The grounds of objection are summarised as follows;
    (a) Lack of integration with the character of the neighbourhood;
    (b) Visual impacts/excessive height;
    (c) Overdevelopment of the site;
    (d) Off-site amenity impacts (overlooking, overshadowing, noise, safety);
    (e) Car parking concerns;
    (f) Incorrect details of existing conditions on the plans.

58. Amended plans were submitted under Section 57A of the Act on 29 March 2017. The changes included in these plans are outlined in paragraph 3 of this report.

59. The amended plans were advertised, with additional comments from four existing objectors received. No new objections were lodged.

60. A planning consultation meeting was held on 9 May 2017, with this meeting attended by the Applicant, Objectors and Council Officers. No further changes to the plans were made following this meeting.

61. Pursuant to the requirements of DDO5, notice of the application was given to Transurban, VicRoads and the EPA. No objections to the development were received.

Referrals

External Referrals

62. No external referrals were required.

Internal Referrals

63. The application was referred to the following internal departments, with comments attached to this report.
    (a) Engineering Services Unit;
    (b) Urban Design Unit.

OFFICER ASSESSMENT

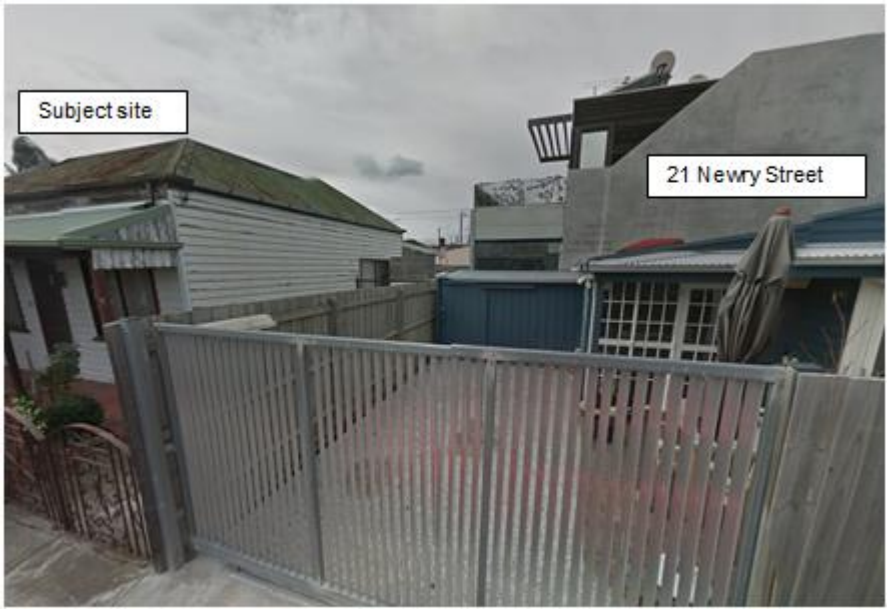
64. This assessment will be framed around the following:
    (a) Clause 55 Assessment (incorporating an assessment against relevant local policies); and,
    (b) Objector concerns.

    Clause 55 – ResCode

    B1 – Neighbourhood character objectives

65. The subject site is located in an area undergoing substantial change, with the presence of two Activity Centres within close proximity influencing the desirability of the area and increasing the pressure for more housing to be provided.

66. The size and location of the subject site provides an appropriate response for the construction of two dwellings. Whilst the immediate streetscape is predominantly single-storey in scale, higher elements of built form are visible, with a mix of building types including Edwardian-era cottages, double-storey infill mock heritage buildings and double to triple-storey contemporary townhouses. The double-storey development at No. 21 Newry Street, to the south-east of the site, is clearly visible from Canterbury Street, as shown in the photograph below.

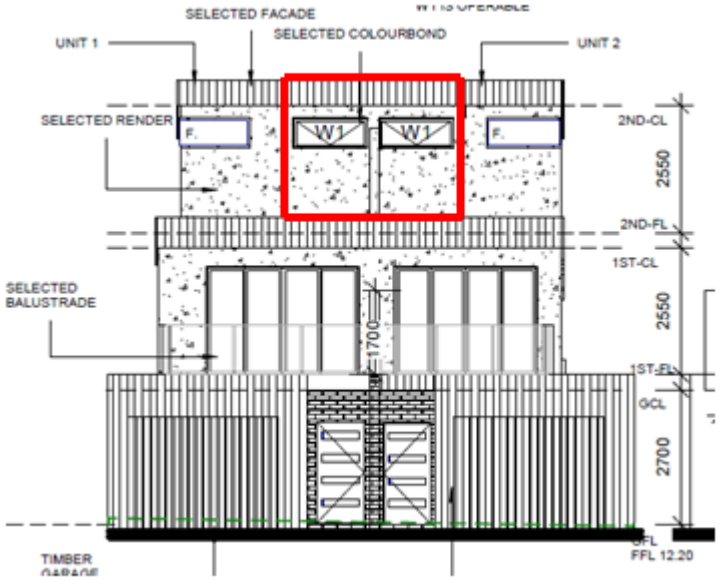


67. In addition, the approved development immediately to the north at No. 336 Burnley Street (PLN12/1056) introduces a triple-storey form, with the endorsed elevation outlined below.

Approved development at No. 336 Burnley Street

68. The proposal responds to the approved height of the development to the north, and incorporates a range of setbacks into the facade of both dwellings, thereby providing a degree of articulation that assists in reducing the bulk of the building when viewed from Canterbury Street. The prominence of the ground and first-floors decrease the perceived height of the dwellings, with the glazed balustrades for the first-floor balconies reducing the focus on built form above the garages. The first and second-floor setbacks further assist in maintaining a lower presence within the streetscape.

69. The drawing below indicates the massing of the development; however the 2D depiction does not clearly demonstrate how the top-most level will be a more recessive element. The outlined section of the second-floor will be closer to the street, with the north and south sections set back from the front boundary. These setbacks will reduce the visual prominence of the second floor to an appropriate degree.



70. The ground floor will extend to abut both side boundaries. This setback pattern is evident in more recent development within the street; however the traditional housing stock tends to incorporate a setback from at least one side boundary. It is considered that the design responds to the layout of the adjacent sites, which both provide gaps between built form, with an uncovered car space within the site to the south and an open driveway to the north (in the approved development). This allows for a degree of distance between the dwellings and maintains the prevailing pattern of the street accordingly.

71. The original design was referred to Council's Urban Design Unit, with the following changes recommended;
    (a) *Set back the upper level to reduce the visual dominance of the proposal in a predominantly single storey street character.*
    (b) *Explore design options to reduce the dominance of garage doors as the current design is creating a very negative public realm environment.*
    (c) *Provide a more legible pedestrian entrance.*
    (d) *Provide permeable paving for driveways and explore more soft landscaping opportunities.*
    (e) *Recommend using more brick in the front façade and use timber garage doors to ensure the development integrates with the existing and prevailing streetscape character.*

72. The amended plans incorporated a number of these recommendations into the modified design. The two garages were separated, with the relocated entrance doors providing a break in the façade and subsequently reducing the prominence of the garages. The abutting design of the entrance doors also assists in providing a more prominent entrance for each dwelling. A degree of soft landscaping is provided and the driveways are finished with permeable surfaces. The setbacks of the upper levels from Canterbury Street were substantially increased and the façade of the design was altered to include a degree of brickwork and timber.

73. It is considered that the amended design provides a better outcome. Whilst concerns with the prominence of the garage doors, degree of landscaping and use of materials were raised in subsequent Urban Design comments, overall it is acknowledged that the revised scheme is an improved response to the character of the neighbourhood. Visible garage doors within ground level facades are an emerging feature within modern dwellings along the street, with a number of the older 'infill' developments also providing this design. The proposed materials are typical of finishes used for modern dwellings and reference prevailing materials within the area.

The flat roof form is acceptable for a contemporary development, and is replicated in the double-storey modern townhouse to the south-east (No. 21 Newry Street) and the approved development to the north.

74. Design Guidelines at clause 22.10-3.4 encourage visual interest in buildings through the use of materials and finishes as well as incorporating vertical and horizontal elements to reflect the rhythm of the street. This has been achieved through the breaking of the façade into three separate elements, thereby emphasising both the vertical elements of the dwellings as well as horizontal elements at each individual level.

75. Based on the above, the proposed development will adequately respect the existing and emerging neighbourhood character and is in accordance with the objectives at Clause 55.02-1 and the requirements Clause 22.13-3.2 - Inner Suburban Residential of the Scheme.

B2 – Residential policy objectives

76. The proposed development is consistent with relevant objectives of the State and Local planning policy frameworks, which encourage inner-city areas with good access to public transport, infrastructure and services to accommodate a substantial portion of the new housing that will be required across Melbourne.

77. As the subject site is located within close proximity to the Bridge Road and Swan Street MACs, the proposal will result in efficient use of existing infrastructure and will support 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

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

B4 – Infrastructure objectives

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

B5 – Integration with the street objective

80. The development will be oriented to Canterbury Street and the dwellings will integrate well with the streetscape at first-floor, with the west-facing balconies providing a degree of passive surveillance to the public realm. There is no front fencing proposed. Front fences are relatively prevalent within the streetscape, even in developments with vehicle crossovers and car parking spaces within their front setbacks. At a minimum, fencing is provided in front of the pedestrian entrances for these dwellings. The lack of front fencing will be discussed in detail later within this report.

81. Council's Urban Design Unit recommended that the original design should be altered to reduce the dominance of the garage doors and provide a more legible pedestrian entrance. To assist with this, it was recommended to use more brick in the front façade and incorporate timber into the garage doors to ensure the development integrates with the existing and prevailing streetscape character.

82. The amended design provides a timber clad finish for both garage doors, with brickwork proposed around the two entrance doors. The garages have also been separated to reduce the large blank façade at this level and utilise the central entrance doors to create a level of articulation. Based on these changes, the objective of the Standard and the provisions of Clause 22.13-3.2 Inner Suburban Residential are met.

B6 – Street setback objective

83. This Standard notes that if there is no building on the abutting allotment facing the front street, then a dwelling should be set back 4m from the front boundary.

84. The setback pattern along the eastern side of Canterbury Street is varied. The approved setback of the development directly to the north is 3m; this matches the setbacks of the two existing dwellings further to the north. After these dwellings, a pattern of smaller setbacks emerges, with the majority ranging between 1m to 2m from the respective street frontages.

85. The site to the south alters this pattern further, with this adjacent dwelling oriented to Newry Street. The location of the SPOS provides a separation from the almost hard-edge built form of the dwelling's side wall along Canterbury Street. Front setbacks along the western side of Canterbury Street are relatively minimal, ranging from 1m to 2m in depth.

86. The ground level garages will be set back 2.4m and 2.5m from the front boundary, with the glazed balustrades of the first-floor balconies matching the setbacks below. These setbacks reference the existing dwelling setback on the site of 2.3m.

87. Given the context of the site, and the additional setbacks provided for the first and second-floor facades, the proposed setbacks provided for the ground floor are considered acceptable and ensure that the proposal is consistent with the Inner Suburban built form provisions of clauses 22.13-3.2, the objectives at clause 22.10-3.3 (Setbacks and Building Height) and the objective of the Standard, which is to respect the existing neighbourhood character and make efficient use of the site. The setback of the upper-most level will be discussed in detail within Standard B7 below.

B7 – Building height objective

88. Pursuant to Clause 32.08-9 and Schedule 2 of the Scheme, a building must not be constructed for use as dwellings that exceed 9m in height. The maximum height of the development is 9.05m; thereby exceeding the mandatory height outlined in the Schedule. Whilst a notation on the north elevation indicates that the building height from natural ground level (NGL) is 8.78m, this is incorrect; with the measurement taken from the finished floor level of the ground floor.

89. If a planning permit is to issue, a condition can ensure a reduction in the height occurs, with no part of the two dwellings to exceed 9m in height. Clear dimensions on all elevations will also be required as part of this permit condition.

90. The height of the development based on this condition is consistent with the 9m height approved for the townhouses immediately to the north. The second-floor of the approved dwelling to the north would be set back between 7.3m to 7.9m from Canterbury Street, with the proposed setback of the second-floor of this application ranging from 7m to 8.6m. The most visible section of the second-floor façade would have a width of 3.5m, as seen in the 3D render below.

91. Urban Design advice based on the original design recommended that the second floor be set back so it does not visually dominate the street. The initial setback of this level was approximately 3.7m from Canterbury Street, with a balcony projecting 1.2m into this setback.

92. The amended plans have addressed the concerns regarding visual dominance of the upper level and provide a more acceptable transition with the adjoining heights along the streetscape. This level will be a relatively recessive element within the streetscape and would not be an overwhelming or dominating presence, with the additional setback provided for the southern and northern sections further reducing visibility of the higher built form.

93. Clause 22.10-3.3 (Setbacks & Building Height) recommends to use massing or articulation or changes of surface treatment, or a combination of these, to relate taller buildings to the scale of their surrounds, and to diminish visual bulk. In this instance, the first-floor balcony balustrades will be composed of clear glazing. This reduces the visual prominence of this level and retains the focus of the single-storey scale along the streetscape. The lighter shade of the upper levels also assists in ensuring that the provisions of this clause are met.

94. Based on the recommended condition, the height of the development meets the objectives of the Standard.

B8 – Site coverage objective

95. The site coverage of the development will be 71%, thereby exceeding the 60% coverage recommended by the standard. Based on the context of the site within a highly developed urban neighbourhood, the proposed site coverage is acceptable. Similar or higher site coverage is evident in surrounding sites, in particular at No. 21 Newry Street to the south, with built form covering almost 100% of this site, and properties to the north, who exhibit small rear courtyards and high degrees of built form.

96. Clause 22.10-3.6 (Site Coverage) notes that new development should not exceed 80% of the site area. The proposal meets the objectives of this Standard and clause 22.10-3.6 of the Scheme.

B9 – Permeability objectives

97. The development will provide 25.6% permeability, thereby meeting the 20% standard outlined in the Scheme. In addition, two 2,000L rainwater tanks will be provided, with the STORM assessment indicating that a rating of 116% will be achieved. These tanks will further assist with stormwater drainage within the site. If a permit is to issue, a condition can be added that requires the capacity of these tanks to be referenced on the plans, along with a notation indicating that each tank will be connected to toilets within the respective dwellings. The Standard is met.

B10 – Energy efficiency objectives

98. The proposal will achieve a reasonable level of energy efficiency, with the following commitments outlined in the Sustainable Design Assessment (SDA);
    (a) A BESS report with a score of 54% achieved, (with 50%+ considered best practice);
    (b) Two x 2,000 litre rainwater tanks, with a condition requiring these tanks to be connected to bathrooms within the development;
    (c) Cross-ventilation opportunities, with the majority of windows at all levels to be operable;
    (d) Energy efficient heating/cooling and water efficient fixtures and taps;
    (e) Double glazing for all windows, further improving the thermal efficiency of the dwellings;
    (f) Bicycle storage for each dwelling;
    (g) Outside clothes drying lines.

99. The dwellings will receive reasonable daylight at all levels, with large west-facing windows at first-floor. To ensure that afternoon heat gain is managed appropriately, shading devices for these windows should be incorporated into the design. A permit condition can facilitate this, if a planning permit is to issue.

100. There are no north-facing windows provided for Unit 1 at first-floor. The inclusion of north-facing windows would increase direct solar access to the main habitable rooms of this dwelling. If a planning permit is to issue, a condition can require the addition of windows within this interface, with this condition highlighting that the design of the windows must comply with Standard B22 – Overlooking. This inclusion of windows is consistent with Clause 22.10-3.7 On-Site Amenity, which encourages new development to provide an appropriate level of natural daylight into internal habitable rooms.

101. There are no solar panels located upon the roofs of any dwellings to the south. It is not considered that the energy efficiency of the adjacent sites will be unreasonably impacted by the proposed development throughout the day. Overshadowing to areas of SPOS within these southern sites will be discussed in detail later within this assessment.

102. Individual bicycle storage sheds have been provided within each rear area of SPOS, with the SDA relying on these bicycles to achieve points with the BESS. It is not considered likely however that residents will use these sheds, with access to the SPOS only available from the ground floor bedrooms. Bicycle storage for a minimum of one bicycle per dwelling should be in an easily accessible location, preferably within the garages, provided sufficient provision is available within this space in addition to the car stackers. If a permit is to issue, a condition can ensure this occurs.

103. The proposed development satisfies the requirements of Clause 22.17 – Environmentally Sustainable Development and accords with the design objectives and guidelines of Clause 22.10-3.5 Environmental Sustainability of the Scheme. If a planning permit is to issue, the SDA submitted as part of the application will be endorsed.

B11 – Open space objective

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

B12 – Safety objective

105. The entrances to both dwellings will be clearly visible from Canterbury Street, with defined pedestrian pathways to each individual dwelling provided.

B13 – Landscaping objectives

106. Landscaping opportunities are provided within the front setback, with a strip of landscaping proposed in the centre of the site and soft landscaping along each boundary. Council's Urban Design comments recommended that further landscaping opportunities should be explored.

107. Canterbury Street provides relatively modest front setbacks, however most of the setbacks do accommodate some degree of landscaping. It is acknowledged that increased vegetation could be accommodated alongside both pedestrian pathways and along the southern boundary. Additional landscaping would further assist in reducing the prominence of the garage doors and will accord with the objectives at clause 22.10-3.9 (Landscaping and Fencing) and clause 22.13-3.2 (Inner Suburban Residential) of the Scheme. If a planning permit is to issue, a condition can ensure this occurs.

B14 – Access objectives

108. 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 will continue to utilise one existing crossing, with a second vehicle crossover proposed 3m to the north.

109. The standard notes that car parking spaces should not exceed 40% of the street frontage (where the width of the street frontage is less than 20m), with no more than a single-width crossover provided for each dwelling. The combined width of the crossovers is 6m, or 60% of the street frontage of the site along Canterbury Street. This exceeds the standard. However, only one crossover will be provided for each dwelling and a 3m wide separation between each crossing will also be evident. Crossovers are an increasingly common characteristic along the eastern side of Canterbury Street, and on this basis it is considered that the additional crossover is respectful of the neighbourhood character within the immediate area.

110. The application was internally referred to Council's Engineering Services Unit, who raised no issue with the construction of an additional crossover. It was highlighted that the setback area (inside the property) should be constructed in a different material to the roadway to distinguish between the public and private realm. This outcome has been achieved on the amended plans, with a permeable surface proposed.

111. With car parking restricted to the western side of Canterbury Street, the addition of the vehicle crossover will not result in the loss of any on-street car parking spaces. The objective of the Standard is met.

B15 – Parking location objectives

112. The on-site car parking spaces are located in the form of car stackers at ground level, within two internal garages. These garages will be directly adjacent to the main entrances of each dwelling and will be buffered from any noise sensitive internal rooms by a central staircase and bathroom. There are also no bedrooms directly above the garages. The location of these garages will provide convenient access to dwelling occupants, whilst protecting them from vehicular noise associated with the mechanical car stackers.

113. The internal dimensions of the proposed garages achieve the envelope of 3.5m by 6m and thereby comply with the Australian/New Zealand Standard AS/NZS 2890.1:2004, with the 3m doorway widths of both garages also complying with the necessary requirements.

114. The application was referred to Council Engineers, who noted that specifications of the proposed car stacker and vehicle turning movements into and out of the stacker platforms have not been provided. To ensure that all aspects of the parking arrangements are acceptable, the applicant must provide details of the stacker to be used and provide the clear platform width, length and vehicle clearance height, with the position of the car stacker inside the garages to be shown on the drawings.

115. In addition, swept path diagrams for a B85 design vehicle must be provided to demonstrate satisfactory access into and out of the stacker platforms, with these diagrams to include all existing on-street car spaces along the western side of Canterbury Street (opposite the site).

116. These requirements will be facilitated via conditions on the permit, if one is to issue.

B17 – Side and rear setbacks objective

Southern elevation

117. The various setbacks of Unit 2 from the southern boundary are outlined below.

Wall location	Wall height	Setback required	Setback provided	Complies?
Ground floor	3.2m	1m	1.675m	Yes
First floor	6m	1.72m	1.53m	No
Second floor	9m (based on an earlier condition)	4.09m	1.74m, 2.24m, 3.6m	No

118. Based on the details outlined above, the setbacks provided at first and second-floor do not meet the Standard. To assess whether a variation to this standard is acceptable, it is essential to look at the context of the sites directly to the south.

119. No. 19 Newry Street has an area of open space and a small shed directly adjacent to the shared boundary with the subject site. The endorsed plans for this site indicate that this area is designated for car parking, and existing conditions on the site confirm that this area is used in such a way. As can be seen in the aerial photograph below, a purple umbrella identifies the usable area of SPOS within this site. Based on this, an appropriate degree of separation is provided between this space and the boundary, and a variation to the setback requirements is acceptable. It is also noted that given the setback of the upper-most level from Canterbury Street, none of the proposed second floor will be directly opposite this car parking space or area of SPOS.

120. No. 21 Newry Street is largely constructed directly to the shared boundary at ground and first-floor to a height of 4.72m (with these details based on the same endorsed plans associated with No. 19 Newry Street). A terrace is located at first-floor, with the finished floor level of this SPOS approximately 3m.

121. Given the elevated height of the terrace, the actual height of the proposed walls opposite this space would reduce to 3m and 6m, with respective set back requirements reducing to 1m for the first-floor wall and 1.72m for the second-floor. Based on this context, the setback requirements would effectively be met and a variation to the Standard is considered acceptable.

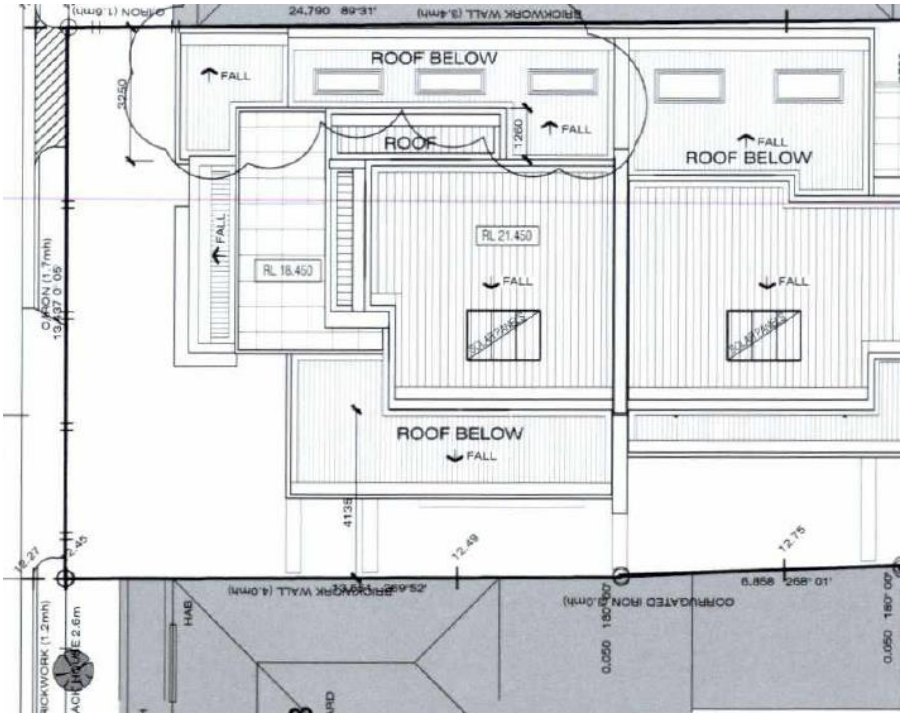
Northern elevation

122. The various setbacks of Unit 1 from the northern boundary are outlined below.

Wall location	Wall height	Setback required	Setback provided	Complies?
Ground floor	3.4m	1m	1.5m	Yes
First floor	6m	1.72m	1.11m, 1.57m	No
Second floor	9m	4.09m	1.5m, 2.06m	No

123. The first and second floor setbacks do not comply with the Standard. Based on existing conditions, the vacant site to the north would not be affected by this lack of compliance and a variation to the standard would be acceptable.

124. The layout of the approved development at No. 336 Burnley Street is demonstrated in the roof plan below.



125. As can be seen, the three levels of the dwelling immediately to the north of the subject site have been set back from the shared boundary. At ground level, a garage will address the boundary, with a setback of 6m provided, accommodating a shared driveway. At first-floor, one highlight window will face south; this window will be set back 2m from the boundary, resulting in an overall setback of 3m from the proposed first-floor. The second-floor of the approved development will be set back over 4m from the boundary, with no habitable room windows addressing this interface. Given the context of future built form on this site, variations to the Standard are considered acceptable, with limited visual impacts likely to occur.

Eastern elevation

126. The various setbacks from the eastern boundary are outlined below;

Wall location	Wall height	Setback required	Setback provided	Complies?
Ground Floor	3.4m	1m	1.93m – 2.27m	Yes
First-floor	6m	1.72m	3.6m – 3.95m	Yes
Second floor	9m	4.09m	5.55m	Yes

127. All of the setbacks meet the Standard.

B18 – Walls on boundaries objective

128. To comply with this standard, any new wall on the boundary should not exceed 12.5m in length or an average of 3.2m in height, with no part higher than 3.6m unless abutting a higher existing or simultaneously constructed wall.

129. The new southern and northern walls will extend along the respective side boundaries for a length of 12.3m and maximum heights of 3m, thereby meeting the requirements of the Standard.

B19 – Daylight to existing windows objective

130. There are three habitable room windows within dwellings to the south of the site. The window associated with No. 19 Newry Street is located at ground level and set back 6.3m within the adjacent site. This setback will maintain a lightcourt with a minimum area of 3sqm and minimum dimension of 1m clear to the sky and the Standard will be met.

131. A ground and first-floor window is associated with No. 21 Newry Street. Based on the endorsed plans for this development, the ground floor window is attached to a staircase and the first-floor window is set back 3m from the shared boundary and associated with the main habitable room of the dwelling.

132. The Standard notes that walls more than 3m in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall. Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

133. The living room window to the south is located 3m above ground level, thereby effectively reducing the height of the proposed first-floor wall to 3m and the second-floor wall to 6m. The setback requirements for walls of this height are 1.5m and 3m respectively. A setback of 4.1m is provided at first-floor, with the second floor setback 4.6m and 5.2m from this window. The Standard is met.

134. A third habitable room window is located within the rear wall of No. 23 Newry Street. This window is set back 1.5m from the shared boundary, ensuring that a lightcourt with a minimum area of 3sqm and minimum dimension of 1m clear to the sky is provided. The ground-floor southern wall of Unit 2 will be set back 1.675m from the boundary and a total of 3.17m from the window. At a maximum height of 3.4m, this wall should be set back a total of 1m from the window to comply with the remainder of the Standard. The Standard is met.

135. A small part of the southern first-floor wall will be located within a 55 degree arc from the centre of this window. This wall will be 6m in height, thereby requiring a 3m setback to comply with the Standard. With a total setback of 3.03m provided, the Standard is met.

B20 – North-facing windows objective

136. This Standard applies to north-facing windows within 3m of the subject site's southern boundary. As outlined above, there is one north-facing habitable room window within No. 21 Newry Street; this window is located at first-floor and set back 3m from the shared boundary.

137. To meet this Standard, the proposed first-floor wall (at a height of 6m) should be set back 2.44m from the boundary and the 9m high second-floor wall should be set back 5.08m from this interface. With respective setbacks of 1.53m at first-floor and 1.74m & 2.24m at second-floor, this Standard is not met.

138. Given the elevated height of the affected window at first-floor (3m above ground level), the heights of the proposed walls opposite the window would be reduced to 3m and 6m. The required setbacks would therefore be reduced to 1m and 2.44m. Whilst the southern wall of the first-floor would comply with these requirements, the second-floor wall would still fall short. The degree of non-compliance for the majority of this wall would be relatively minimal, at only 0.193m. However the non-compliance of the staircase would increase to 0.7m. This extent of non-compliance is not considered reasonable, and an alternative design is required.

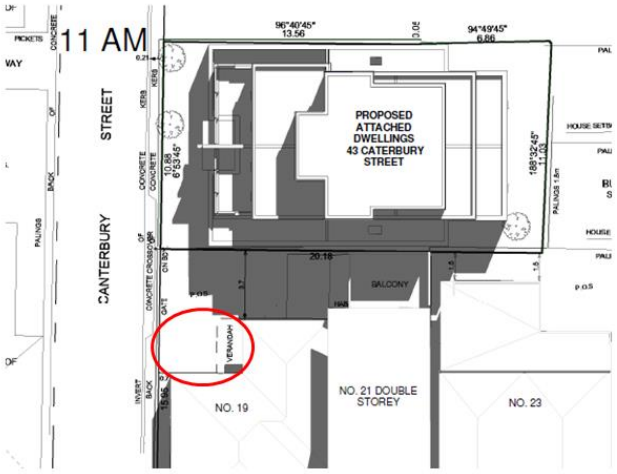
139. A tapered wall on the southern side of the staircase would assist in increasing solar access to this window, whilst allowing the staircase to be maintained in this location. If a permit is to issue, a condition can ensure that the southern wall of the staircase at second-floor is tapered to be set back a minimum of 2.44m from the southern boundary at its highest point.

140. A second north-facing window is set back 1.5m from the shared boundary, within the rear wall of No. 23 Newry Street. The wall opposite this window is 3.4m in height, and requires a setback of 1m from the boundary to meet the Standard. The proposed setback of 1.67m complies and the Standard is met.

B21 – Overshadowing open space objective

141. The main areas of SPOS to potentially be affected by the development are the three sites to the south, Nos. 19, 21 and 23 Newry Street, and 340 Burnley Street, directly to the east. A small amount of overshadowing will fall within the south-west corner of SPOS associated with No. 338 Burnley Street; however it appears that all of these shadows will be cast within an area already overshadowed by an existing boundary fence.

142. The majority of shadows affecting No. 19 Newry Street will fall within the car space, however at 9am, the small area of SPOS directly adjacent to the rear wall of this dwelling will be almost entirely in shadow. Officer calculations indicate that these shadows will affect approximately 75% of this area at 10am, however by 10.30am they will be contained within existing shadows and will cause no further detriment to this space. Amended shadow diagrams provided by the Applicant confirm this, with the lack of overshadowing within this space shown at 11am below.

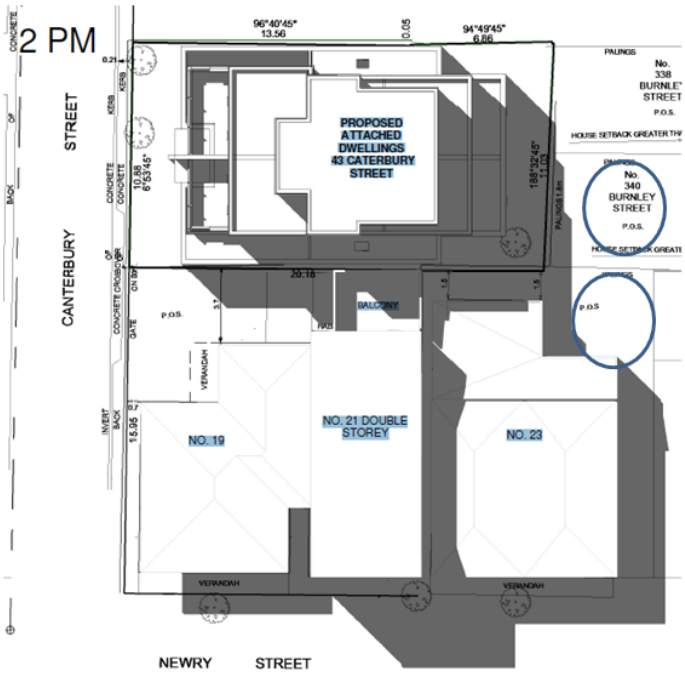


143. This outcome is considered acceptable, with no disruption to solar access within the primary area of SPOS throughout the remainder of the day. A variation to the standard is considered acceptable within the context of the inner-urban, densely built-up neighbourhood.

144. An area of SPOS for No. 21 Newry Street is located within a north-facing first-floor terrace. The elevated height of this terrace will assist in alleviating potential overshadowing of this space from new built form to the north. The shadow diagrams indicate that there will be no additional overshadowing experienced within this terrace at 9am and 3pm, with new shadows falling within the existing shadows cast by the terrace balustrade. At midday, additional overshadowing will affect this space, with only a minimal degree of terrace receiving direct solar access.

145. This outcome would not be considered reasonable if the first-floor terrace was the only area of SPOS for the dwelling. However endorsed plans for this site indicate that a larger roof terrace is available, with no part of the roof terrace to be overshadowed by the proposed development. Given the availability of solar access within the first-floor terrace during morning and afternoon hours, and the provision of an unaffected area of SPOS in the form of the roof terrace at all other times, this outcome is considered reasonable and the objective of the Standard will be met.

146. Afternoon shadows will affect the two remaining sites to the south-east and east; No. 23 Newry Street and No. 340 Burnley Street, with the degree of overshadowing at 3pm relatively substantial in both areas of SPOS. However, based on Officer calculations and confirmed by amended shadow diagrams, shadows cast by the development will be limited in both areas at 2pm, as seen in the diagram below.



147. This outcome is considered acceptable, with limited disruption to solar access within these areas of SPOS until 3pm. A variation to the standard is considered acceptable within the context of the inner-urban, densely built-up neighbourhood.

B22 – Overlooking objective

148. The height and design of fences along the side boundaries are not shown on the plans. To ensure that overlooking from the rear courtyards into adjacent dwellings is appropriately managed, these fences must be no lower than 1.8m in height. If a planning permit is to issue, a condition can ensure the details of fences along the southern and northern boundaries are provided. Overlooking impacts from the rear courtyards into adjacent SPOS to the east will be adequately limited by the existing 1.8m high fence along the eastern boundary.

149. All of the first and second-floor east, north and south-facing windows are highlight windows, located 1.7m above the finished floor level of each floor. The height of these windows will ensure that overlooking to adjacent sites is limited in accordance with the objectives of the Standard.

150. Given the possibility of overlooking to adjacent sites to the north and south, the first-floor balconies within the dwellings' façades will require screening to a height of 1.7m along the north and south perimeters, with the transparency of these screens to be no greater than 25%. If a planning permit is to issue, this can be facilitated via a condition, with the screens to be clearly shown on the relevant plans and elevations.

151. Potential overlooking into SPOS and windows to the west of Canterbury Street (within the side wall at No. 17 Newry Street) have been raised. Given the width of Canterbury Street, the proposed first-floor balconies will be set back a total of 8.8m from this SPOS and over 10m from the windows. The timber fence and associated lattice above extends to approximately 1.8m in height along the street boundary of this site. The setback of the balconies from the SPOS combined with the height of the fence will limit views within 9m of the site and the Standard will be met.

152. Based on the conditions outlined above, overlooking to adjacent sites will be reasonably managed and the objectives of the Standard and Clause 22.10-3.8 (Off-Site Amenity) will be met.

B23 – Internal views objective

153. The elevations indicate that a fence will be located between the two ground level courtyards, with a 1.7m high screen separating the first-floor balconies. The height of the fence is not specified, nor is the material and transparency of the balcony screen. The plans must be amended to clearly demonstrate that views between these dwellings are limited to no more than 50%. If a permit is to issue, a condition can ensure this occurs.

B24 – Noise impacts objective

154. Any noise generated by the two 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 car stackers are contained within the proposed garages and abutted by a proposed driveway to the north and a car space to the south; this will limit noise impacts within these sites.

155. 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

156. The dwelling entries of the ground floor of both dwellings will be accessible to people with limited mobility.

B26 – Dwelling entry objective

157. The entrances to the two dwellings will be clearly visible and easily identifiable and will provide a sense of personal address for each residence. A degree of shelter and transitional space will be provided around each entrance. The objective of the standard is met.

B27 – Daylight to new windows

158. All of the 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.

B28 – Private open space objective

159. The dwellings will have the following access to SPOS;
    (a) Unit 1 – 16.5sqm ground level courtyard & 6.8sqm first-floor balcony;
    (b) Unit 2 – 14sqm ground level courtyard & 6sqm first-floor balcony.

160. The balconies for both dwellings fall slightly short of the 8sqm referenced in the Scheme; however the depth of each balcony will be 1.8m. This will assist in providing a useable open space, directly adjacent to the living room for each dwelling at first floor. With a second area of open space provided for both dwellings at ground level, this outcome is acceptable and the objective of the Standard is met. It is noted that the area of SPOS outlined in the schedule on the ground floor plan is incorrect. If a planning permit is to issue, these details can be updated via a permit condition.

B29 – Solar access to open space objective

161. Given the east-west orientation of the site, all areas of open space will receive a degree of solar access from the north. The objective of the Standard will be met.

B30 – Storage objective

162. There are designated internal storage spaces for each dwelling, with the ground floor plan stating that a total storage area of 6.85 cubic metres is provided for Unit 1 and 7.4 cubic metres for Unit 2. This storage is located beneath the stairs at ground level and within a cupboard at first-floor. It is not clear how the storage under the stairs is to be accessed; if a permit is to issue this detail will be required via a permit condition.

163. Whilst external storage should be provided, in this instance the internal storage spaces are acceptable, with the small areas of SPOS for each dwelling ensuring that no large gardening equipment is required by future occupants.

B31 – Design detail objective

164. The proposed development is contemporary in design and incorporates modern materials, with the flat roof form referencing existing contemporary dwellings in the area and considered appropriate for a modern design.

165. The building's façade is articulated through the use of differing setbacks, heights and materials. This response breaks up the overall massing of the design and provides vertical separation within the façade, ensuring that the fine-grain pattern of facades along the streetscape is maintained. The objective of the Standard is met.

B32 – Front fences objective

166. There is no front fencing proposed. Whilst opportunities to provide fencing is limited due to the proposed vehicle crossings, it is acknowledged that similarly designed developments within the street have provided some form of fencing in front of pedestrian entrances. This outcome breaks up the open street frontages and relates to the prevalent character of the streetscape.

    To maintain this pattern, it is considered possible for a front fence and pedestrian gates to be incorporated into the design, with the fence to be no higher than 1.5m, so as to maintain appropriate interaction with the street. If a planning permit is to issue, a condition can facilitate this change.

B33 – Common property objective

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

B34 – Site services objectives

168. Separate mail-boxes and bin storage areas have been provided, although the bin storage appears to be located within the area designated for landscaping and visible from the street. The visibility of the bins may impact the appearance of the development from Canterbury Street. If a permit is to issue, a separate bin storage area concealed from the street can be required via a condition.

Objector concerns

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

Lack of integration with the character of the neighbourhood;

170. This issue was discussed in paragraphs 65 to 75 of this assessment.

Visual impacts/excessive height;

171. This issue was discussed in paragraphs 88 to 94 of this assessment.

Overdevelopment of the site;

172. This issue was discussed in paragraphs 95 to 96 of this assessment.

Off-site amenity impacts (overlooking, overshadowing, noise, safety);

173. These issues were discussed in paragraphs 140 to 144 (overshadowing), paragraphs 145 to 149 (overlooking), paragraphs 151 to 152 (noise) and paragraph 104 of this report.

Car parking concerns;

174. The development meets the statutory car parking requirement outlined at Clause 52.06 of the Yarra Planning Scheme.

Incorrect details of existing conditions on the plans.

175. Amended plans were submitted under Section 57A of the Act; these plans demonstrated the correct layout of existing conditions within the subject site.

Conclusion

176. 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 Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN16/0969 for development of the land for the construction of two triple-storey dwellings at 43 Canterbury Street, Richmond, 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 amended plans prepared by CBS Grounp and dated 29 March 2017, but modified to show:
   (a) The maximum height of the development to be no higher than 9m above natural ground level, with dimensions from natural ground level clearly shown on all elevations;
   (b) The capacity of the rainwater tanks and their connection to toilets within the development to be notated on the plans;
   (c) Shading devices for the first-floor west-facing windows of both dwellings;
   (d) The addition of north-facing highlight windows (with sill heights of 1.7m above the finished floor level) within the first-floor northern wall of Unit 1;
   (e) Additional soft landscaping opportunities within the front setback, including along both pedestrian pathways and the southern boundary;
   (f) Details of the proposed car stacker, including the platform width, length and vehicle clearance height, with the position of the car stacker inside the garages to be included on the plans;
   (g) Swept path diagrams for a B85 design vehicle to demonstrate satisfactory access into and out of the stacker platforms, with these diagrams to include all existing on-street car spaces along the western side of Canterbury Street (opposite the site);
   (h) The southern wall of the staircase at second-floor associated with Unit 2 to be tapered and set back a minimum of 2.44m from the southern boundary at its highest point;
   (i) The height and design of fences along the side boundaries, with these fences to be no lower than 1.8m and identified as either existing or proposed;
   (j) The privacy screens along the north and south perimetres of the first-floor balconies to be 1.7m in height and have transparency of no greater than 25%;
   (k) The dividing fence between each ground floor courtyard and the design of the privacy screen between the first-floor balconies to clearly demonstrate that views between these areas are limited to no greater than 50%;
   (l) The schedule on the ground floor plan updated to reflect the correct area of SPOS provided for each dwelling;
   (m) Notations on the plans to demonstrate access to the areas of internal storage;
   (n) Relocation of bicycle storage to be provided within a more accessible and convenient location;
   (o) Designated bin storage for each dwelling to be clearly shown and concealed from Canterbury Street (separate from the landscaped areas);
   (p) A section of front fence and pedestrian gates to be incorporated into the front boundary of the site, with the fence/gates to be no higher than 1.5m.

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 must be implemented and complied with to the satisfaction of the Responsible Authority.

4. Before the buildings are 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.

5. Before the buildings are 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.

6. 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.

7. Before the buildings are 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.

8. 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.

9. 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.

10. 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:

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

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.

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

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 PLN16/0969 - 43 Canterbury Street, Richmond - Section 57A plans
2 PLN16/0969 - 43 Canterbury St Richmond - Urban Design Comments
3 PLN16/0969 - 43 Canterbury Street Richmond - Engineering comments
4 PLN16/0969 - 43 Canterbury St Richmond - UD referral on amended plans
5 PLN16/0969 - 43 Canterbury Street, Richmond - 1pm, 2pm, 3pm shadow diagrams
6 PLN16/0969 - 43 Canterbury Street, Richmond - 10am, 11am shadows

Attachment 1 - PLN16/0969 - 43 Canterbury Street, Richmond - Section 57A plans

PROPOSED DEVELOPMENT

43 CANTERBURY STREET RICHMOND VIC 3121

Sheet No.	Sheet Name
A01	COVER SHEET
A02	NEIGHBOURHOOD & SITE DESCRIPTION
A03	SITE SURVEY
A04	NEIGHBOURHOOD & SITE DESCRIPTION2
A05	PROPOSED SITE PLAN
A06	GROUND FLOOR PLAN
A07	1ST FLOOR PLAN
A08	2ND FLOOR PLAN
A09	ELEVATIONS
A10	COLOURED ELEVATION
A11	MATERIAL
A12	SHADOW DIAGRAMS
A13	EXISTING SHADOW DIAGRAM
A14	SHADOM DIAGRAM COMPARISON
A15	SHADOW (NEIGHBOUR) 9AM
A16	SHADOW (NEIGHBOUR) 12PM
A17	SHADOW (NEIGHBOUR) 3PM
A18	CAR STACKER DETAILS

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Complete Building Solutions Group

COVER SHEET

NO. 43 CANTERBURY STREET

Project Number	CAN 01	A01	
Date	Issue Date		
Drawn by	RT		
Checked by	IJA	Scale	NTS

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Attachment 1 - PLN16/0969 - 43 Canterbury Street, Richmond - Section 57A plans

STREET VIEW TO THE NORTH

VACANT ADJACENT SITE

STREET VIEW TO THE SOUTH

EXISITING HOUSE FRONTAGE

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Complete Building Solutions Group

NEIGHBOURHOOD & SITE DESCRIPTION
NO. 43 CANTERBURY STREET

Project Number	CAN 01	A02	
Date	Issue Date		
Drawn by	RT		
Checked by	IJA	Scale	NTS

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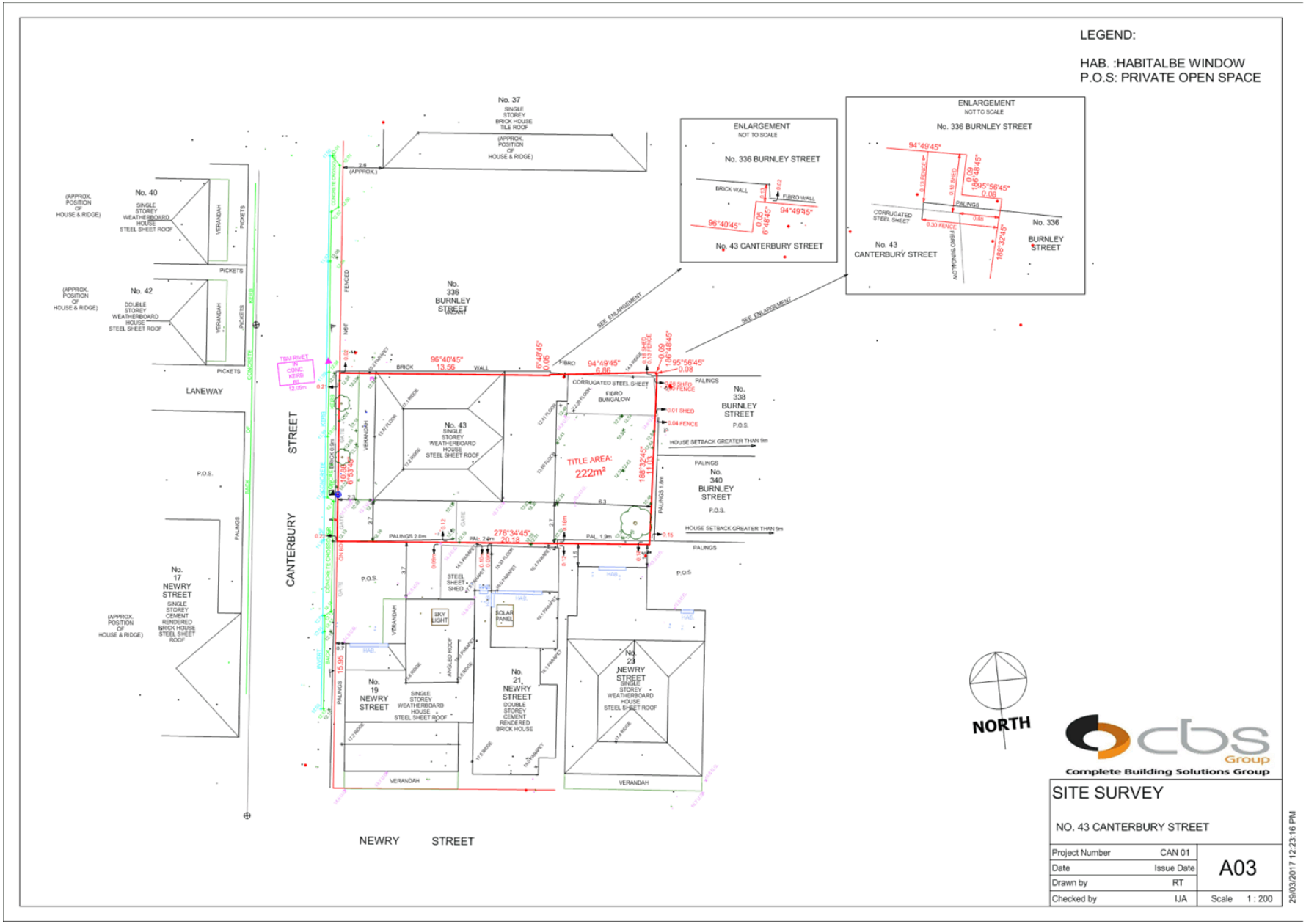
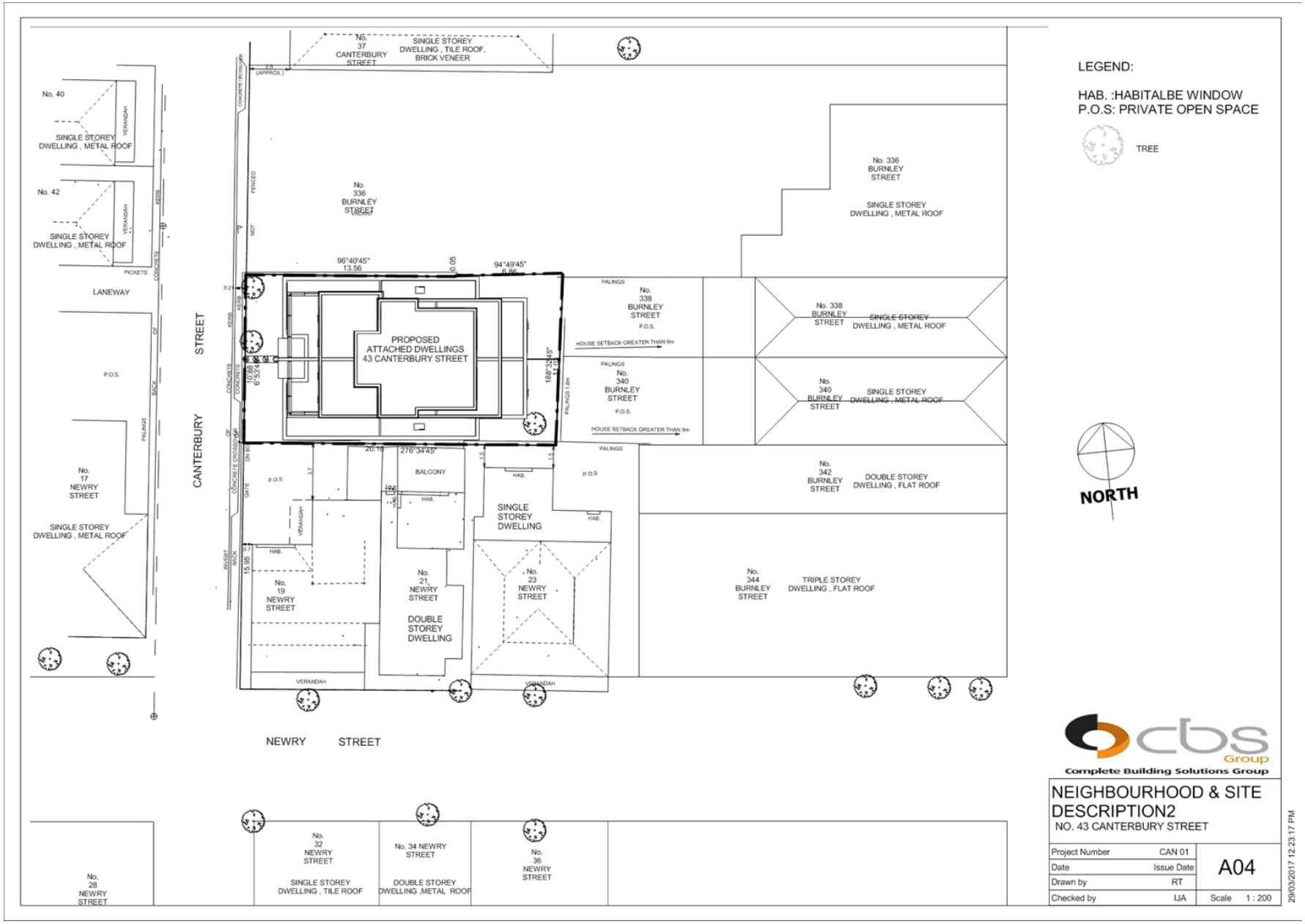
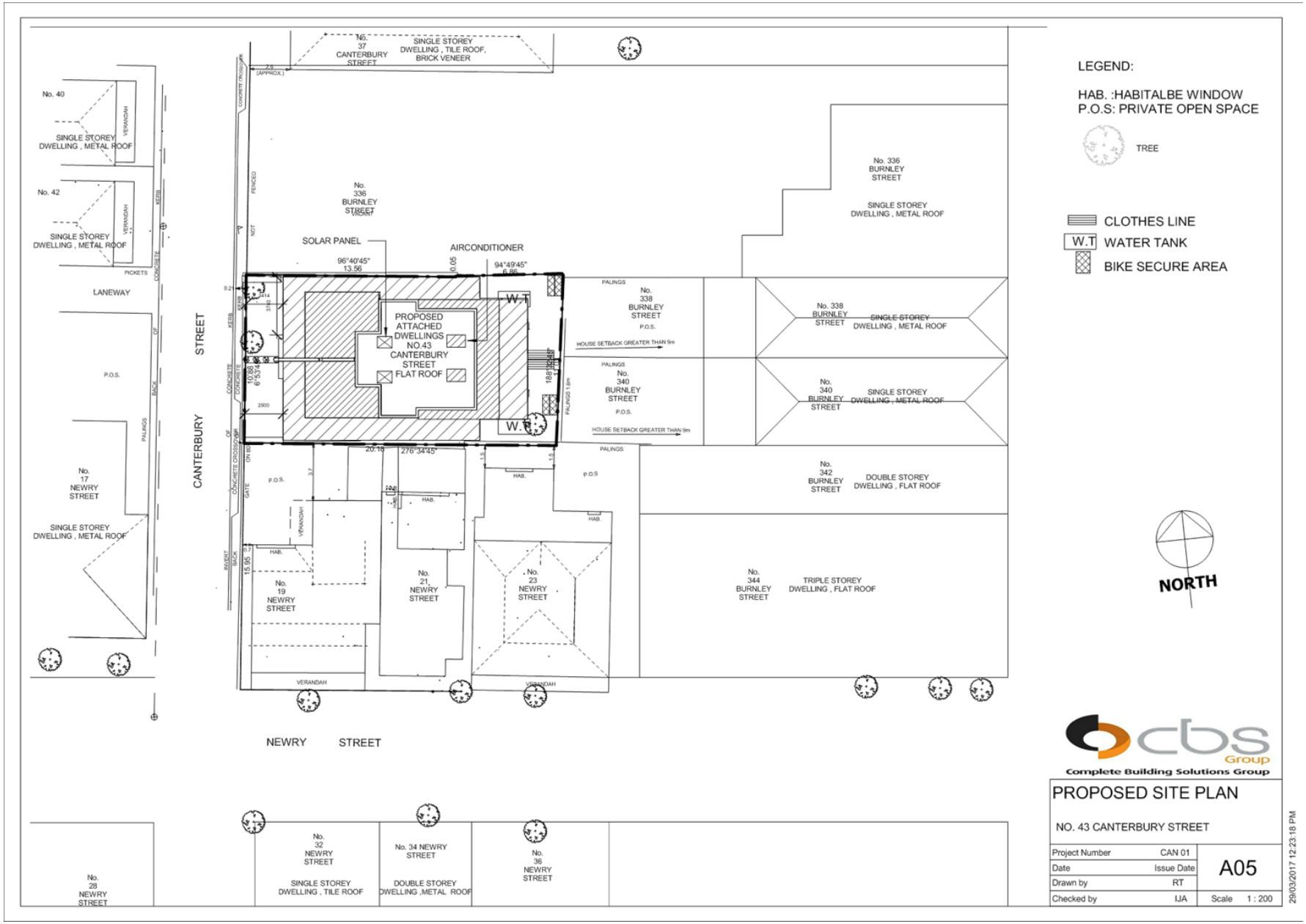
Attachment 1 - PLN16/0969 - 43 Canterbury Street, Richmond - Section 57A plans



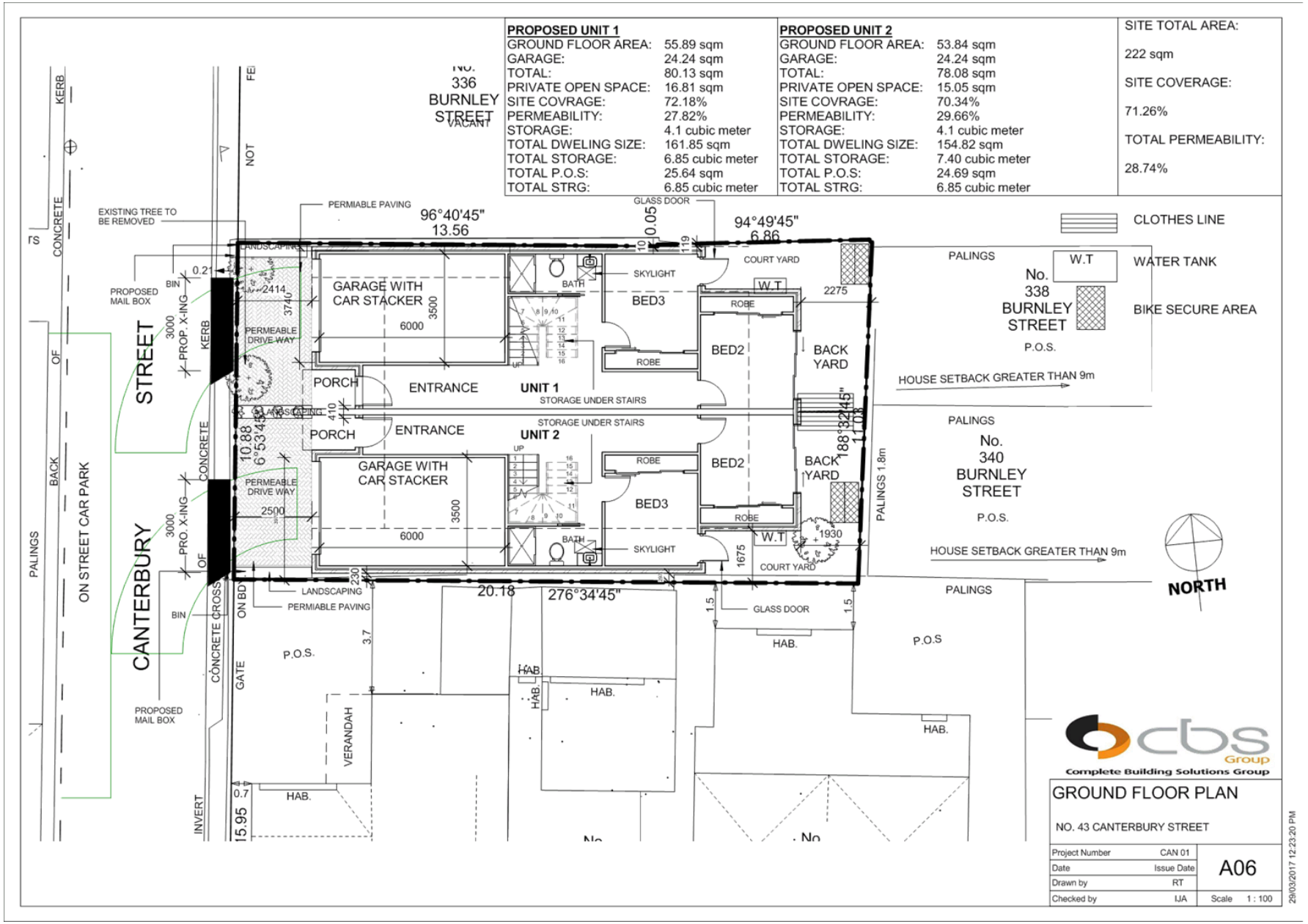
Attachment 1 - PLN16/0969 - 43 Canterbury Street, Richmond - Section 57A plans



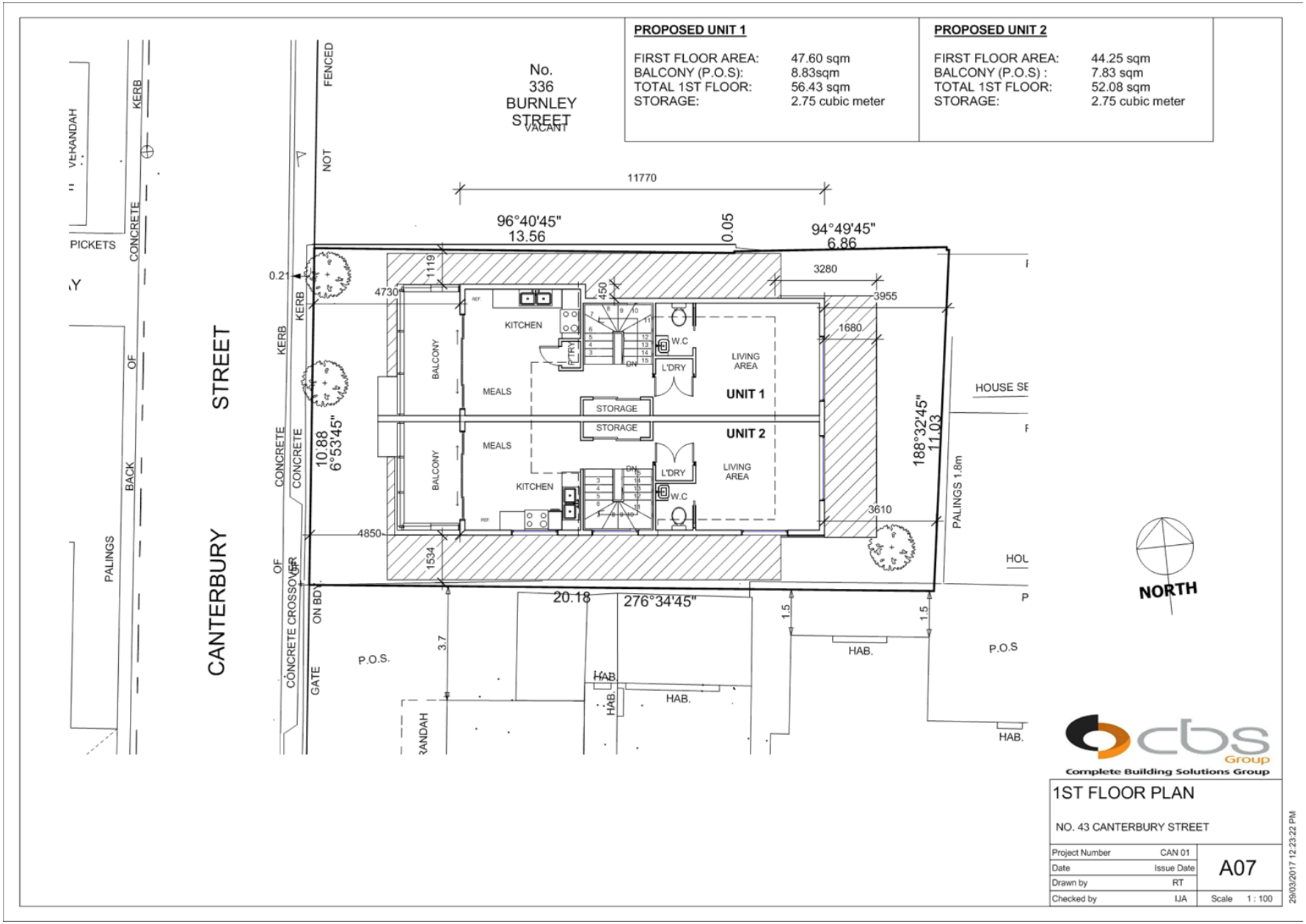
Attachment 1 - PLN16/0969 - 43 Canterbury Street, Richmond - Section 57A plans



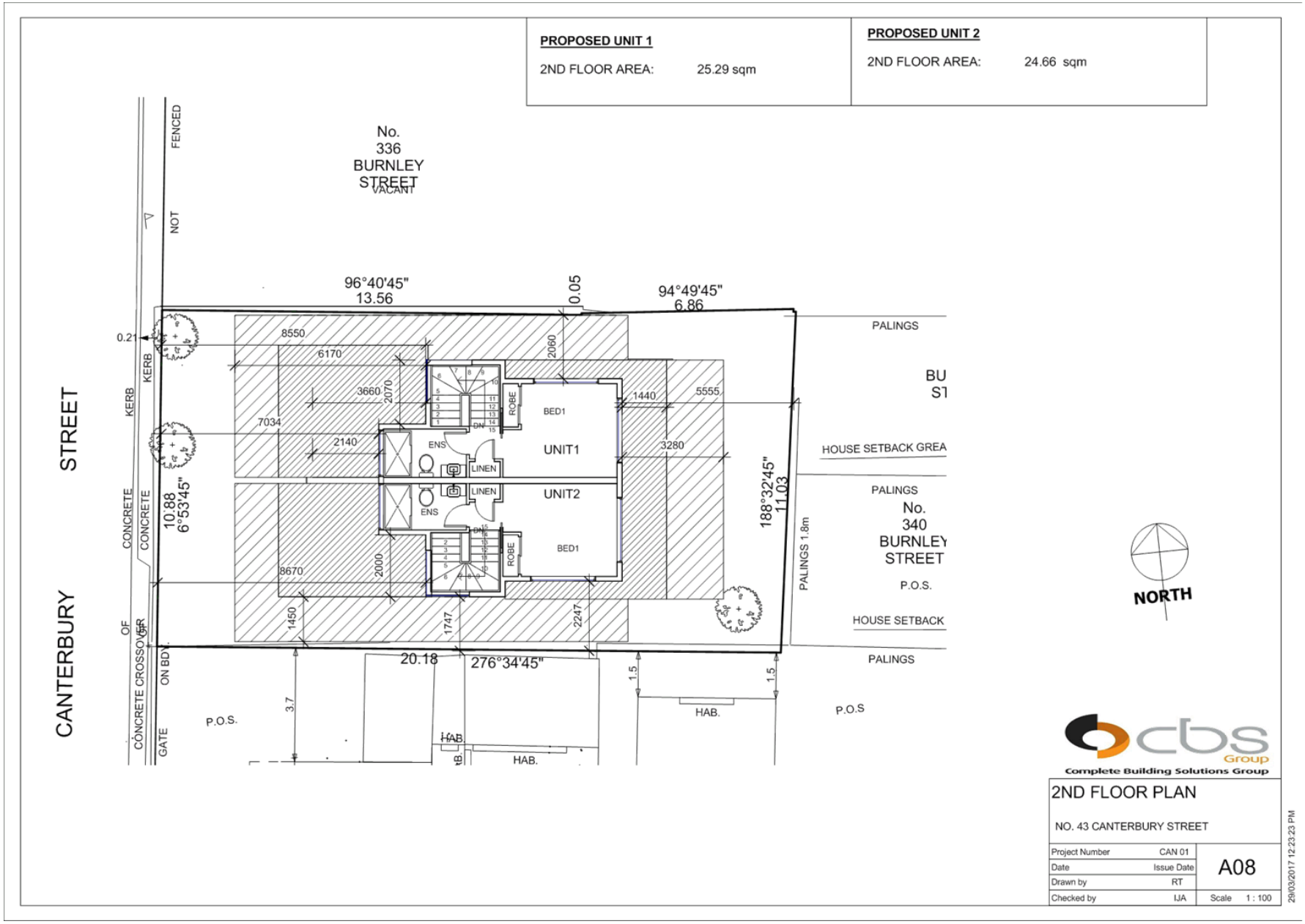
Attachment 1 - PLN16/0969 - 43 Canterbury Street, Richmond - Section 57A plans



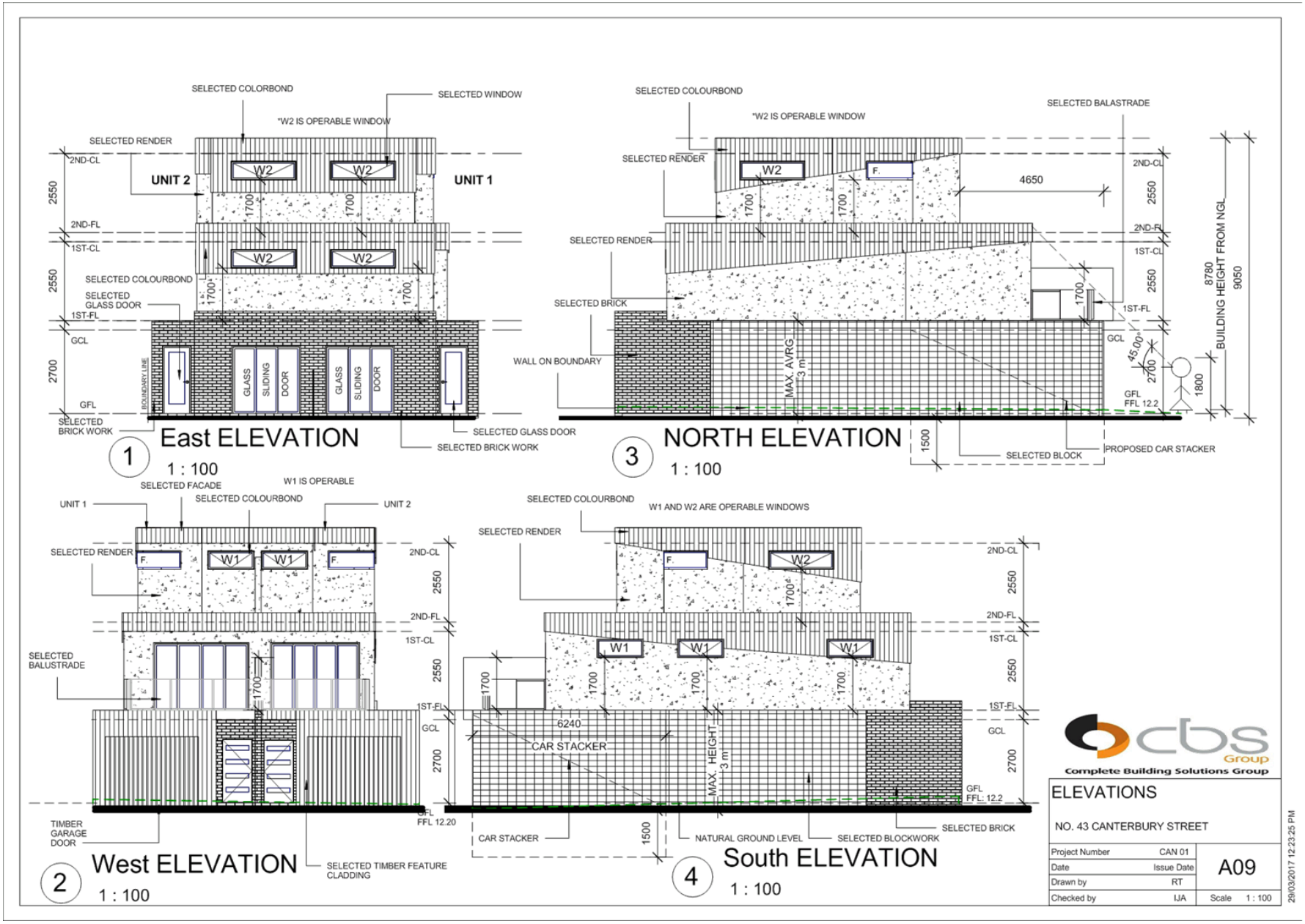
Attachment 1 - PLN16/0969 - 43 Canterbury Street, Richmond - Section 57A plans



Attachment 1 - PLN16/0969 - 43 Canterbury Street, Richmond - Section 57A plans



Attachment 1 - PLN16/0969 - 43 Canterbury Street, Richmond - Section 57A plans



Attachment 1 - PLN16/0969 - 43 Canterbury Street, Richmond - Section 57A plans

Attachment 1 - PLN16/0969 - 43 Canterbury Street, Richmond - Section 57A plans

SELECTED BRICK

SELECTED COLOURBOND:

WOODLAND GREY

SELECTED RENDER:
WHITE RENDER

SELECTED ENTRANCE DOOR:

GARAGE DOOR:

DARK TIMBER

SELECTED BLOCKWORK

WINDOWS:

WOODLAND GREY

FEATURE VERTICAL CLADDING:

DARK TIMBER

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MATERIAL

NO. 43 CANTERBURY STREET

Project Number	CAN 01	A11	
Date	Issue Date		
Drawn by	RT		
Checked by	IJA	Scale	NTS

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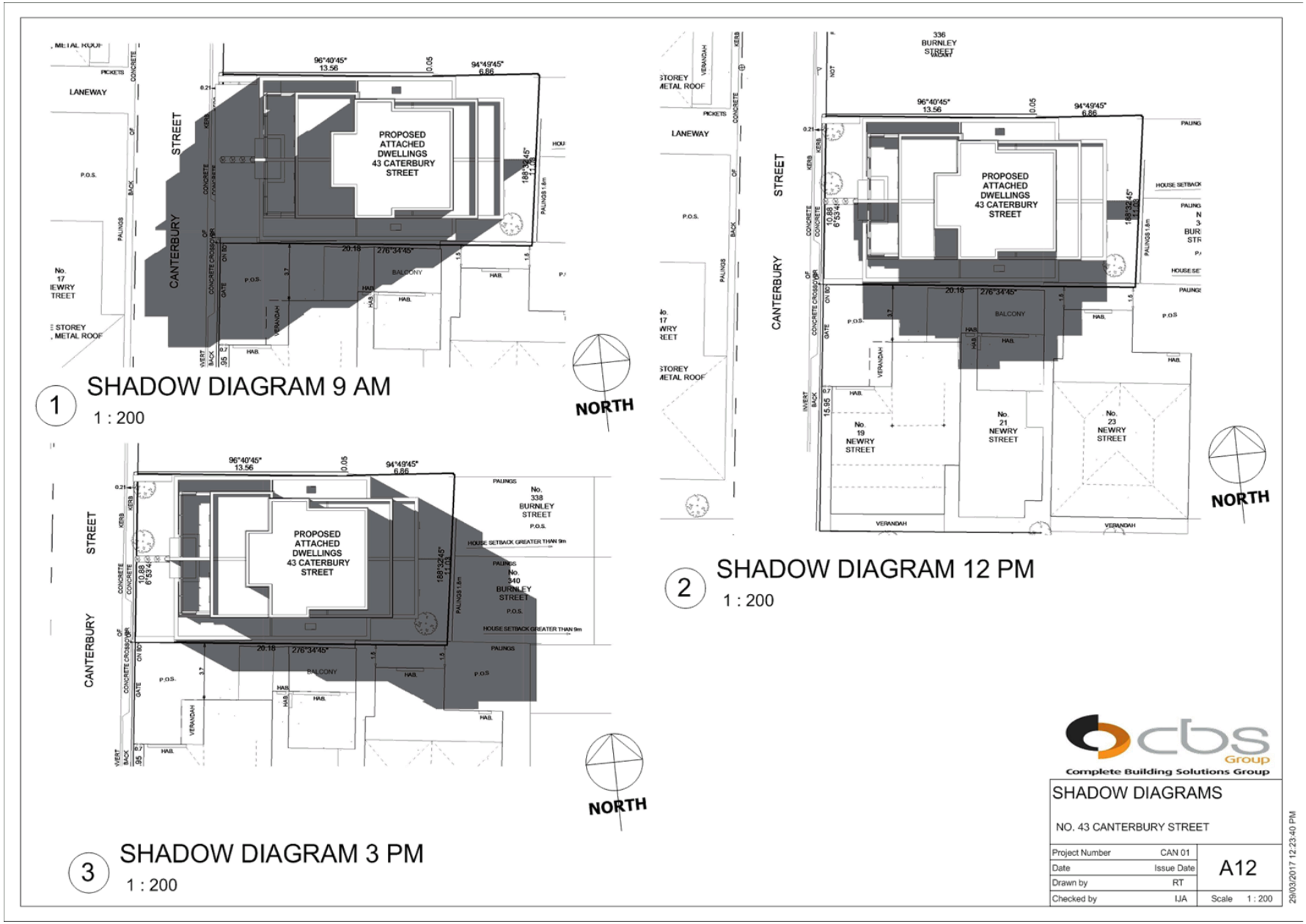
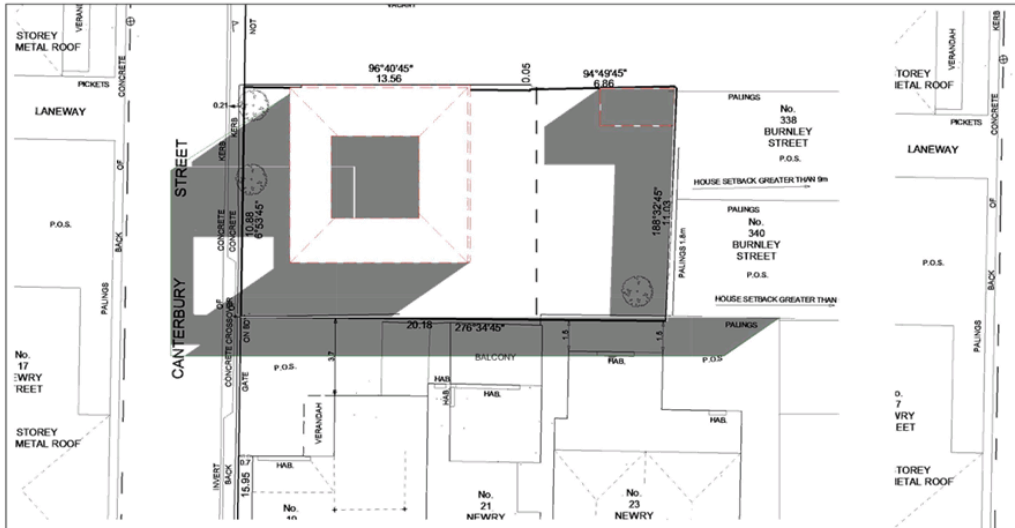
Attachment 1 - PLN16/0969 - 43 Canterbury Street, Richmond - Section 57A plans

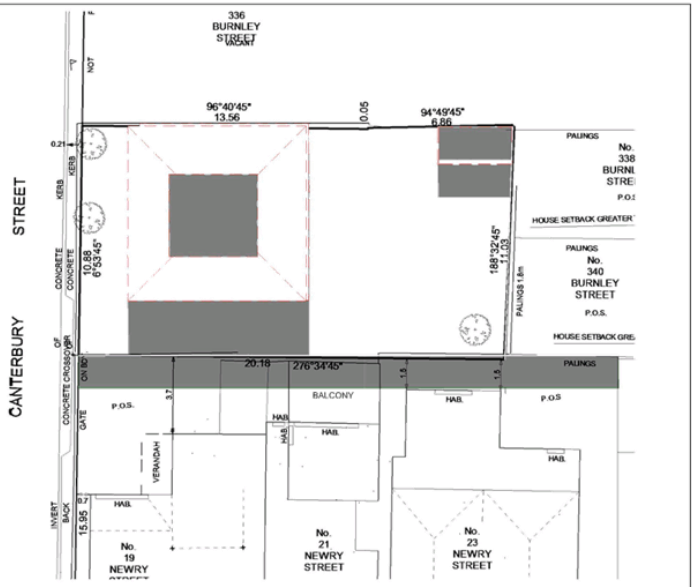


Attachment 1 - PLN16/0969 - 43 Canterbury Street, Richmond - Section 57A plans



1 EXISTING SHADOW 9 AM

1 : 200



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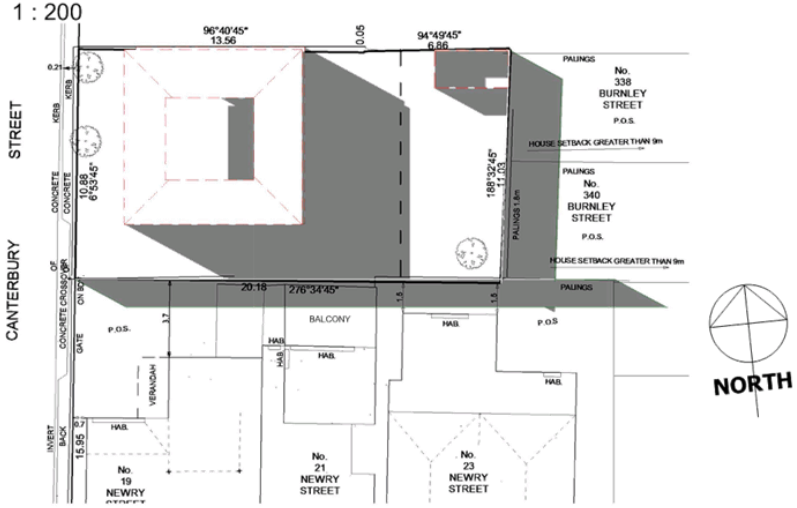

3 EXISTING SHADOW 3 PM

1 : 200

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EXISTING SHADOW DIAGRAM
NO. 43 CANTERBURY STREET

Project Number	CAN 01	A13	
Date	Issue Date		
Drawn by	RT		
Checked by	IJA	Scale	1 : 200

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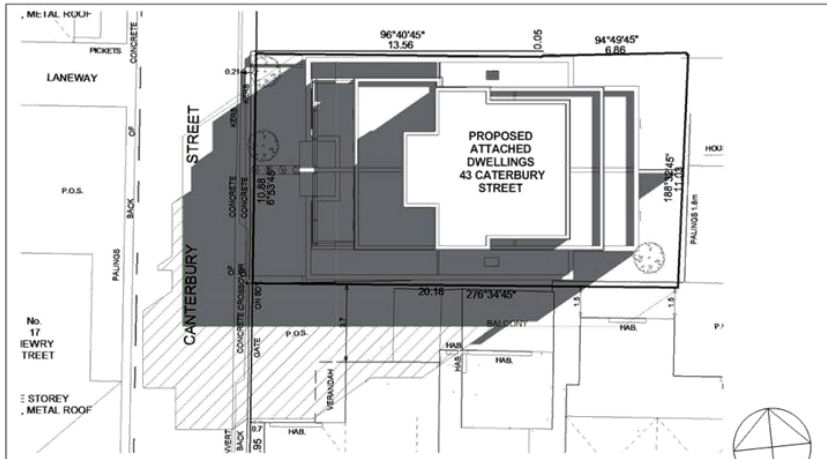
Attachment 1 - PLN16/0969 - 43 Canterbury Street, Richmond - Section 57A plans



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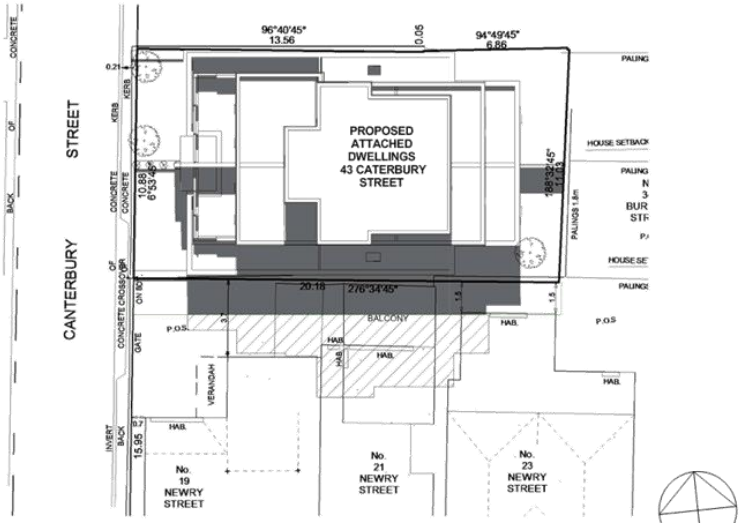
1 : 200



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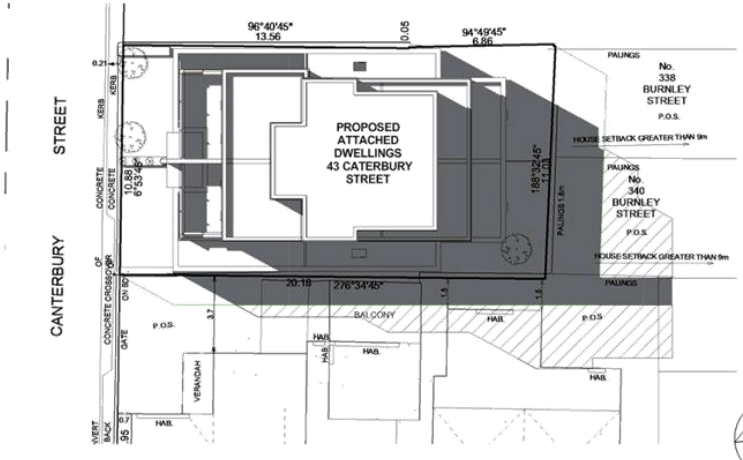

2 SHADOW DIAGRAM 3 PM COMPARISON
1 : 200

HATCHED AREA REPRESENTS ADDED SHADOW TO THE EXISTING CONDITION

ADDED SHADOW TO P.O.S:

9:00 AM
TOTAL: 82.27 sqm
ADDED TO EACH DWELLING: No.19: 19.69 sqm

12:00 PM
TOTAL: 45.40 sqm
ADDED TO EACH HOUSE: No.19: 5.43 sqm No.21: N/A No.23: N/A

3:00 PM
TOTAL: 75.05 sqm
ADDED TO EACH HOUSE: No.388: 3.04 sqm No.340: 24.85 sqm No.21:N/A No.23: 15 sqm

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SHADOM DIAGRAM COMPARISON
NO. 43 CANTERBURY STREET

Project Number	CAN 01	A14
Date	Issue Date	
Drawn by	RT	
Checked by	IJA	Scale 1 : 200

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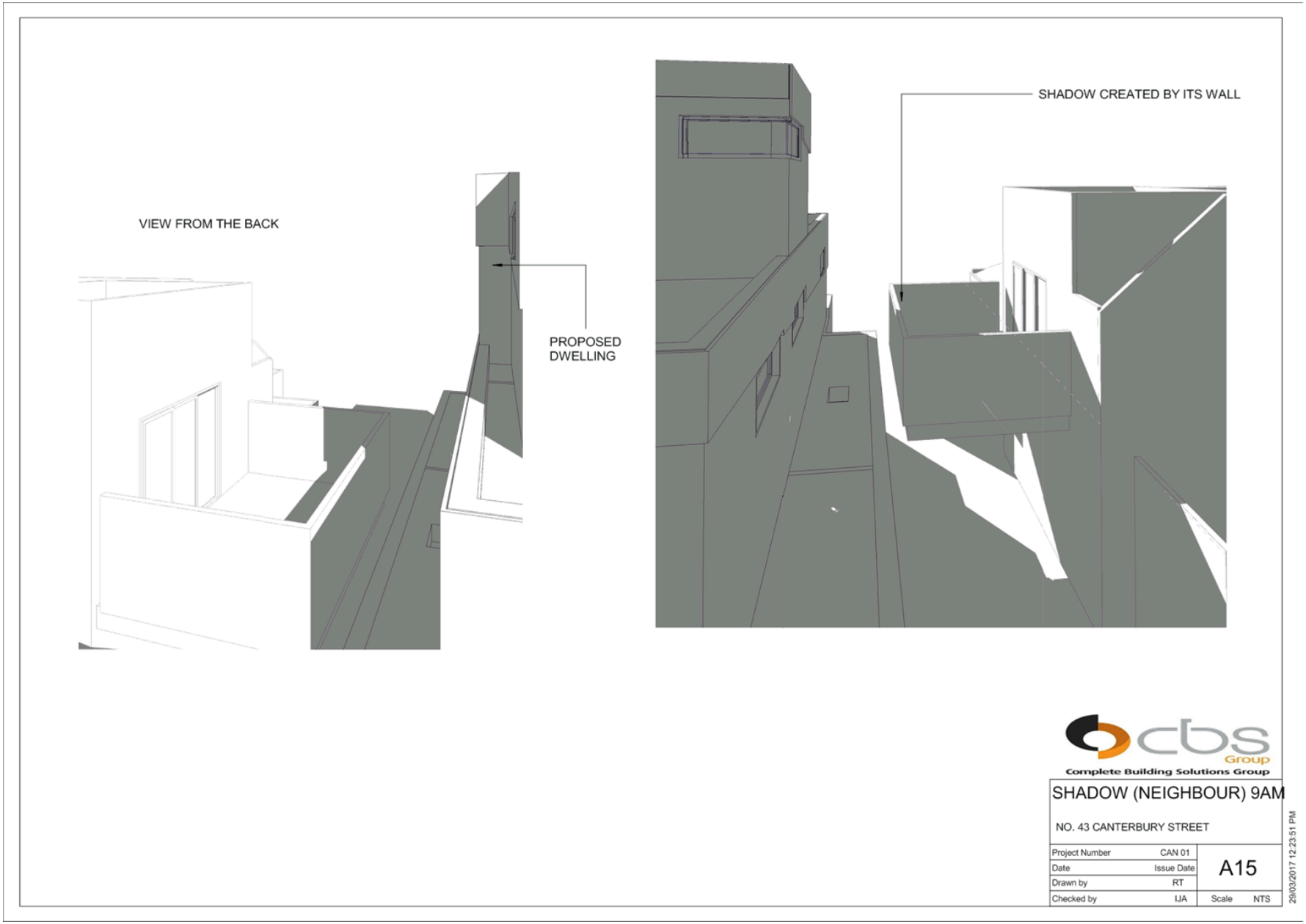
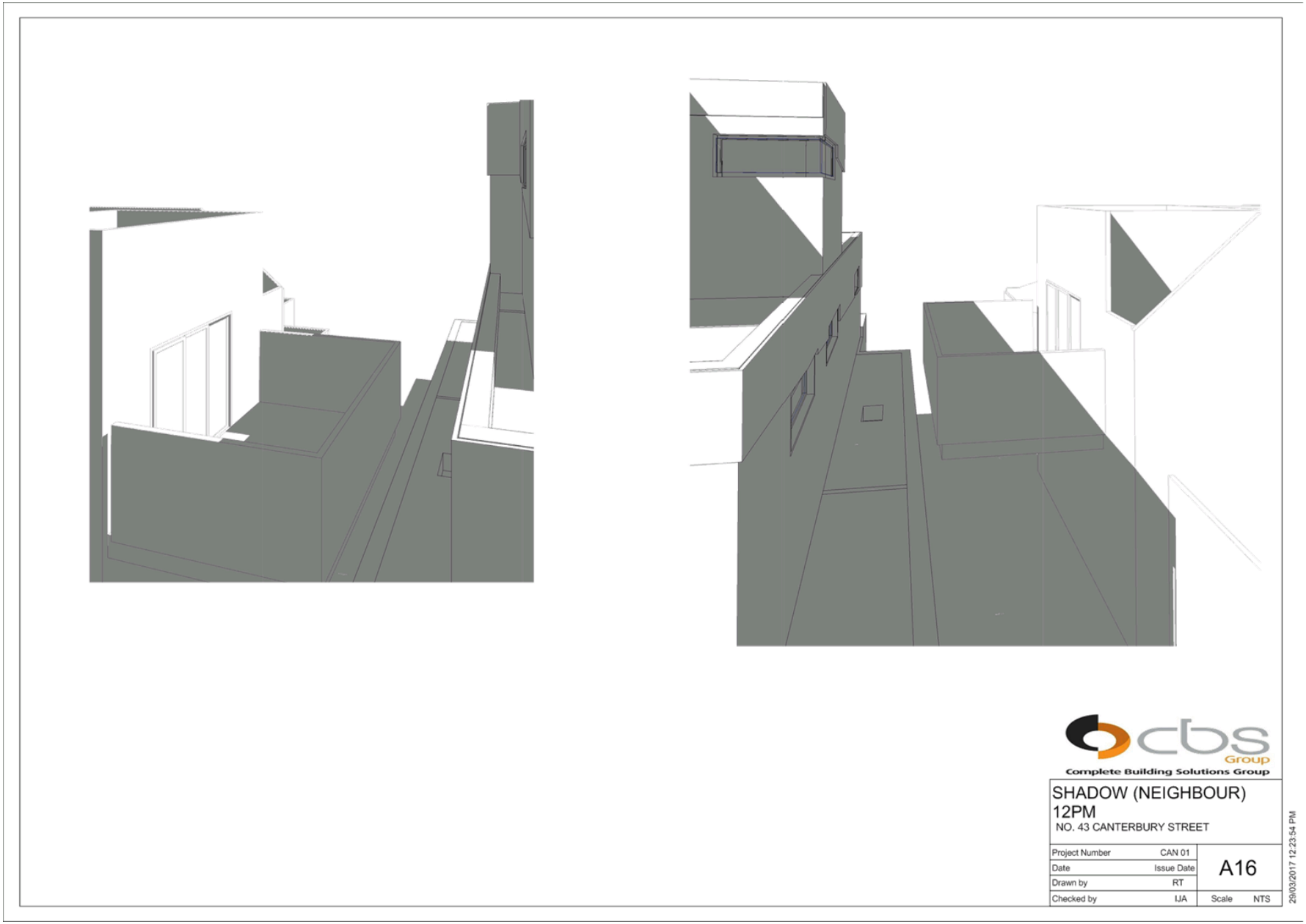
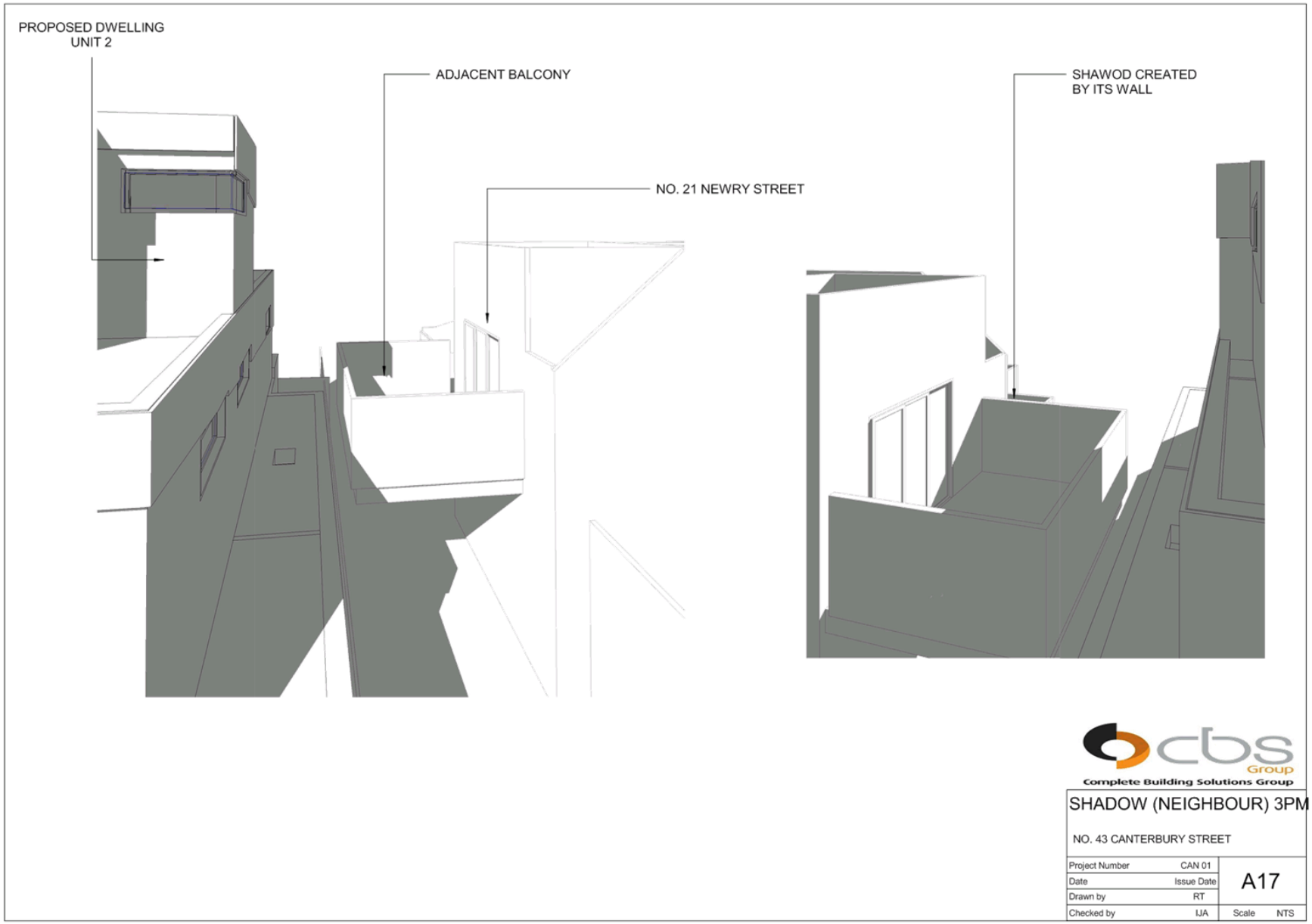
Attachment 1 - PLN16/0969 - 43 Canterbury Street, Richmond - Section 57A plans



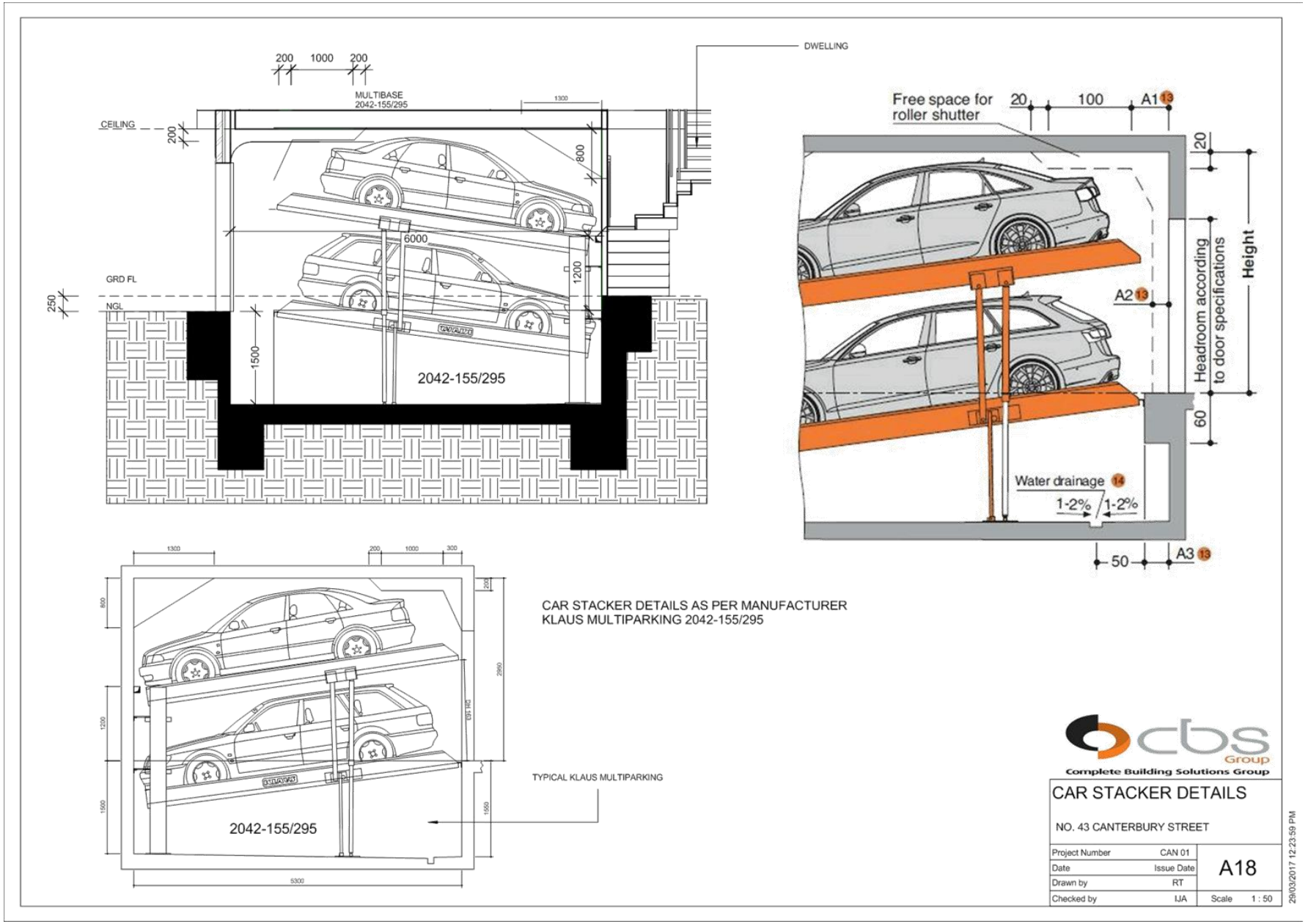
Attachment 1 - PLN16/0969 - 43 Canterbury Street, Richmond - Section 57A plans



Attachment 1 - PLN16/0969 - 43 Canterbury Street, Richmond - Section 57A plans



Attachment 1 - PLN16/0969 - 43 Canterbury Street, Richmond - Section 57A plans



Attachment 2 - PLN16/0969 - 43 Canterbury St Richmond - Urban Design Comments

CITY OF YaRRA

MeMO

TO:	Lara Fiscalini
FROM:	Amruta Pandhe
DATE:	22 February 2017
SUBJECT:	43 Canterbury Street, Richmond
APPLICATION NO:	PLN16/0969
DESCRIPTION:	Development of the land for construction of two triple-storey dwellings.

COMMENTS SUMMARY

These set of comments are provided on the plans received on 20 January 2017.

Urban Design comments have been sought on:

- Proposed design of dwellings and integration with the streetscape.

Identify if there are any capital works approved or proposed within the area of the subject site.

There are no capital works proposed for this area.

The proposal is supported in principle, provided the below changes are made:

- Set back the upper level to reduce the visual dominance of the proposal in a predominantly single storey street character.
- Explore design options to reduce the dominance of garage doors as the current design is creating a very negative public realm environment.
- Provide a more legible pedestrian entrance.
- Provide permeable paving for driveways and explore more soft landscaping opportunities.
- Recommend using more brick in the front façade and use timber garage doors to ensure the development integrates with the existing and prevailing streetscape character.

Development Proposal

The buildings along Canterbury Street are predominantly single storey in height with Victorian architecture and small front gardens.
The proposal is to construct 3 storey apartment dwellings with single garage (with car stacker). Pedestrian and vehicle access to the site is gained via Canterbury Street.

Building Design and Streetscape Fit

Clause 21.05 seeks new development to maintain and strengthen the identified character of each type of built form within Yarra. With respect to the existing surrounding character the site comes under the *Inner Suburban Residential* type which are the residential built form dominated areas

with small gardens (if any) and minimal front and side setbacks. Clause 22.10 seeks new development to make positive contribution to the streetscape and public realm. It also seeks development to include soft landscaping within the front setback area.

The proposal presents a three storey development which is two storey above the surrounding predominant heights. The overall height is acceptable. However, the proposal presents a three storey streetwall along Canterbury Street which will visually dominate the streetscape character of the area. It is recommended for the proposal to set back the second floor so it does not visually dominate the street.

The dominance of garage and driveways will create a very negative public realm environment and lack of permeable spaces in the front setback area is not acceptable. Further the architectural expression of the entry should be clearly legible and the proposed design currently creates a recessed and dark entry space. It is recommended to explore design options to reduce the dominance of garage doors and to provide a legible pedestrian entrance. We recommend using permeable paving for driveways and exploring other opportunities for adding some soft landscaping. It is to be noted that if all new developments are developed in a similar format the street will become a street full of garage frontages and driveway and will result in reducing the contribution of buildings to the social and visual experience of the public realm. This does not comply with Clause 21.05 and Clause 22.10 requirements. The design will benefit if it considers looking at 15 Canterbury Street development which provides car park entry as well as some soft landscaping space.

Proposed front façade provides no room for landscaping and appears bulky

The proposed materials for the front facade are concrete and brick, concrete is not the predominant material in the surrounding developments. It is unclear what is the material used for the garage door. Clause 22.10 seeks development to use sympathetic materials and finishes. Hence, overall the front facade does not respond appropriately to the materials used along the street. The design will benefit by using more brick in the front façade and using timber garage doors as it will be contribute for the development to integrate with the existing and prevailing streetscape character.

Attachment 3 - PLN16/0969 - 43 Canterbury Street Richmond - Engineering comments

CITY OF YaRRA

MEMO

To:	**Lara Fiscalini**	
From:	**Artemis Bacani**	
Date:	**14 February 2017**	
Subject:	**Application No:**	**PLN16/0969**
	Description:	**Construction of Two Triple-Storey Dwellings**
	Site Address:	**43 Canterbury Street, Richmond**

I refer to the above Planning Application received on 24 January 2017 in relation to the proposed development at 43 Canterbury Street, Richmond. Council's Engineering Services unit provides the following information:

DEVELOPMENT LAYOUT DESIGN

Layout Design Assessment

Item	Assessment
Access Arrangements	
Width of Canterbury Street	A site inspection of Canterbury Street revealed that it has an effective carriageway width of approximately 5.38 metres.
Setback Area	The garages are setback 2.5 metres from the edge of the western property line.
Doorway Widths	The proposed garage doorways have widths of approximately 3.0 metres.
Car Parking Module and Mechanical Parking	
Car Stacker Platforms	Details and specifications of the proposed car stacker have not been provided.
Vehicle Turning Movements	The applicant must demonstrate that a B85 design vehicle can access into and out of the stacker platforms.
Right of Way Alignment	
The alignment of the east-west aligned Right of Way off Canterbury Street is incorrectly shown on the drawings. The alignment of the Right of Way should be consistent with the surveyor's drawings.	

Attachment 3 - PLN16/0969 - 43 Canterbury Street Richmond - Engineering comments

Summary of Design Items to be Addressed

Item	Details
Setback Area for Garages	The setback area (inside the property) should be constructed in a different material to the Right of Way.
Car Stacker Platforms	The applicant must provide details of the stacker to be used and provide the clear platform width, length and vehicle clearance height. The position of the car stacker inside the garages must be shown on drawings.
Vehicle Turning Movements	Swept path diagrams for a B85 design vehicle must be provided to demonstrate satisfactory access into and out of the stacker platforms. The swept paths are to include vehicle movement into and out of the properties off Canterbury Street, and must show all existing on-street car spaces.

Capital Works Programme

A check of the Capital Works Programme for 2016/17 indicates that no infrastructure works have been approved or proposed within the area of the site at this time.

IMPACT ON COUNCIL ROAD ASSETS

The construction of the new building, the provision of underground utilities and construction traffic servicing and transporting materials to the site will impact on Council assets. Trenching and areas of excavation for underground services invariably deteriorates the condition and integrity of footpaths, kerb and channel, laneways and road pavements of the adjacent roads to the site.

It is essential that the developer rehabilitates/restores laneways, footpaths, kerbing and other road related items, as recommended by Council, to ensure that the Council infrastructure surrounding the site has a high level of serviceability for residents and visitors of the site.

ENGINEERING CONDITIONS

The following items must be included in the Planning Permit for this site:

Civil Works – Canterbury Street

- Upon the completion of all building works and connections for underground utility services, the footpath immediately outside the property's Canterbury Street road frontage must be reconstructed to Council's satisfaction and at the Permit Holder's expense.

Vehicle Crossings

- The two new vehicle crossings 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.

Redundant Vehicle Crossings

- The redundant vehicle crossing along the property's road frontages must be demolished and reinstated with paving, kerb and channel to Council's satisfaction and the Permit Holder's cost.

Attachment 3 - PLN16/0969 - 43 Canterbury Street Richmond - Engineering comments

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.

- The Construction Management Plan for the site must also take the following into account:
    - If any existing public lighting assets require temporary disconnection, alternative lighting must be provided to maintain adequate lighting levels. A temporary lighting scheme can only be approved by Council and relevant power authority.
    - Existing public lighting could only be disconnected once temporary alternative lighting scheme becomes operational.
    - A temporary lighting scheme must remain operational until a permanent lighting scheme is reinstated.

Public Lighting

- The developer must ensure that light projected from the existing light mounted on Pole No. 1226 (west side of Canterbury Street) does not spill into the habitable windows of the development. Any light shielding that may be required shall be funded by the Permit Holder.

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.

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 TO THE APPLICANT

Preparation of Detailed Road Infrastructure Design Drawings

- The developer must prepare and submit detailed design drawings of all road infrastructure works and drainage works associated with this development for assessment and approval.

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.

Attachment 3 - PLN16/0969 - 43 Canterbury Street Richmond - Engineering comments

Regards

Artemis Bacani
Roads Engineer
Engineering Services Unit

Attachment 4 - PLN16/0969 - 43 Canterbury St Richmond - UD referral on amended plans

CITY OF YaRRA

MeMO

TO:	Lara Fiscalini
FROM:	Amruta Pandhe
DATE:	12 April 2017
SUBJECT:	43 Canterbury Street, Richmond
APPLICATION NO:	PLN16/0969
DESCRIPTION:	Development of the land for construction of two triple-storey dwellings.

COMMENTS SUMMARY

These set of comments are provided on date referred as 31 March 2017

Urban Design comments have been sought on whether the amended plans have addresses the concerns raised in 22 February 2017 urban design referral.

Identify if there are any capital works approved or proposed within the area of the subject site.

There are no capital works proposed for this area.

The amended plans have addressed the concerns regarding visual dominance of upper level, providing more legible pedestrian entrance and using timber for garage doors. However, the below concerns are still not addressed:

- Explore more soft landscaping opportunities.
- Explore design options to reduce the dominance of garage doors as the current design is creating a very negative public realm environment.
- Using material to integrate with existing and prevailing streetscape character.

Amended Proposal

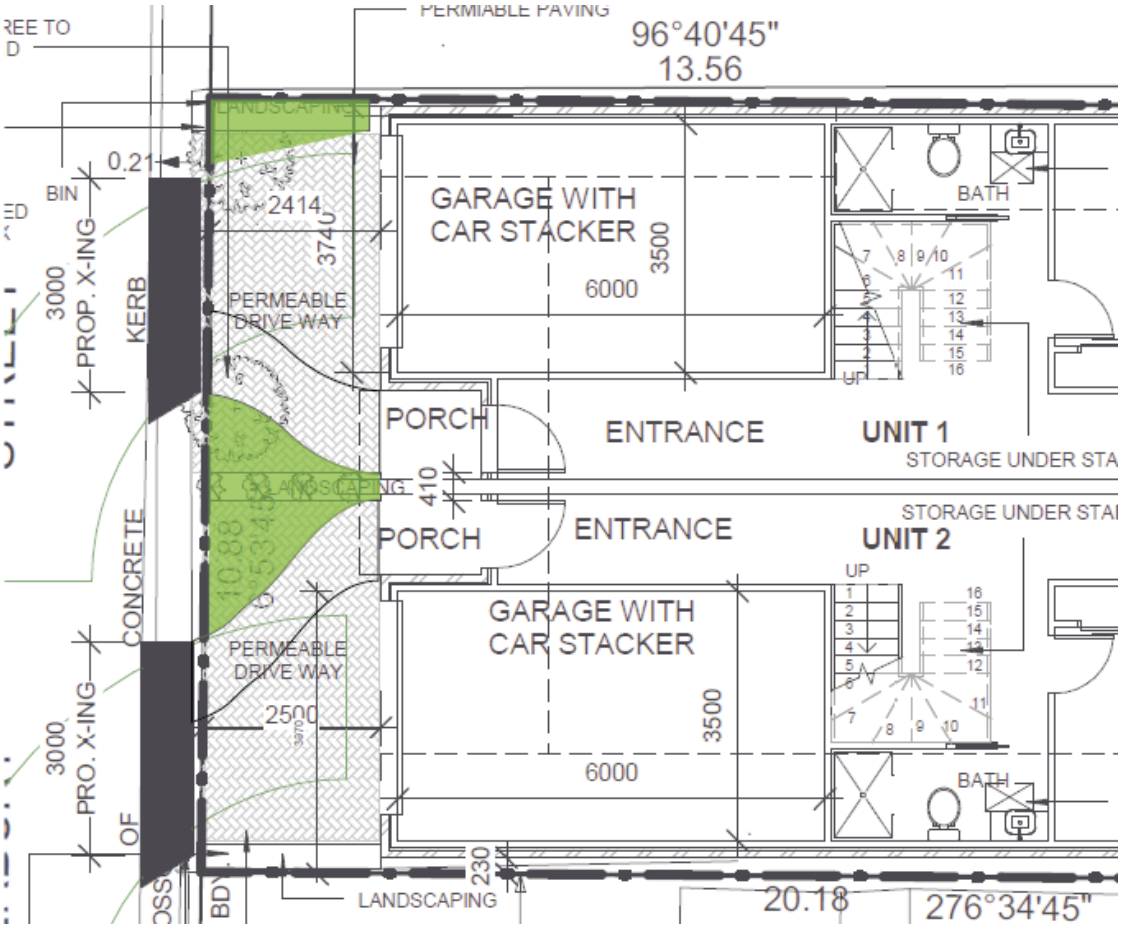
The proposal for the subject site is to construct two new triple-storey dwellings. The new design has set back the upper levels from north boundary and Canterbury Street. These amendments have made a positive contribution to the streetscape by reducing the visual dominance of the proposal and hence are highly supported.

Provision of soft landscaping and reducing garage dominance

The new proposal still presents dominance of garage doors and does not provide enough soft landscaping. We acknowledge the 0.4m landscape strip proposed between the two dwellings. However, this can only accommodate some ground cover. The below plan identifies some potential locations to provide more landscaping.

Attachment 4 - PLN16/0969 - 43 Canterbury St Richmond - UD referral on amended plans

The recommended soft landscaping space can accommodate some shrubs and trees which will eventually contribute in reducing the dominance of garage. Provision of trees and soft landscaped area will strengthen the small gardens character of the street. Hence this will make the proposal comply with Clause 21.05 and 22.10 requirements. As recommended previously the design will benefit if it considers looking at 15 Canterbury Street development which provides car park entry as well as some soft landscaping space.

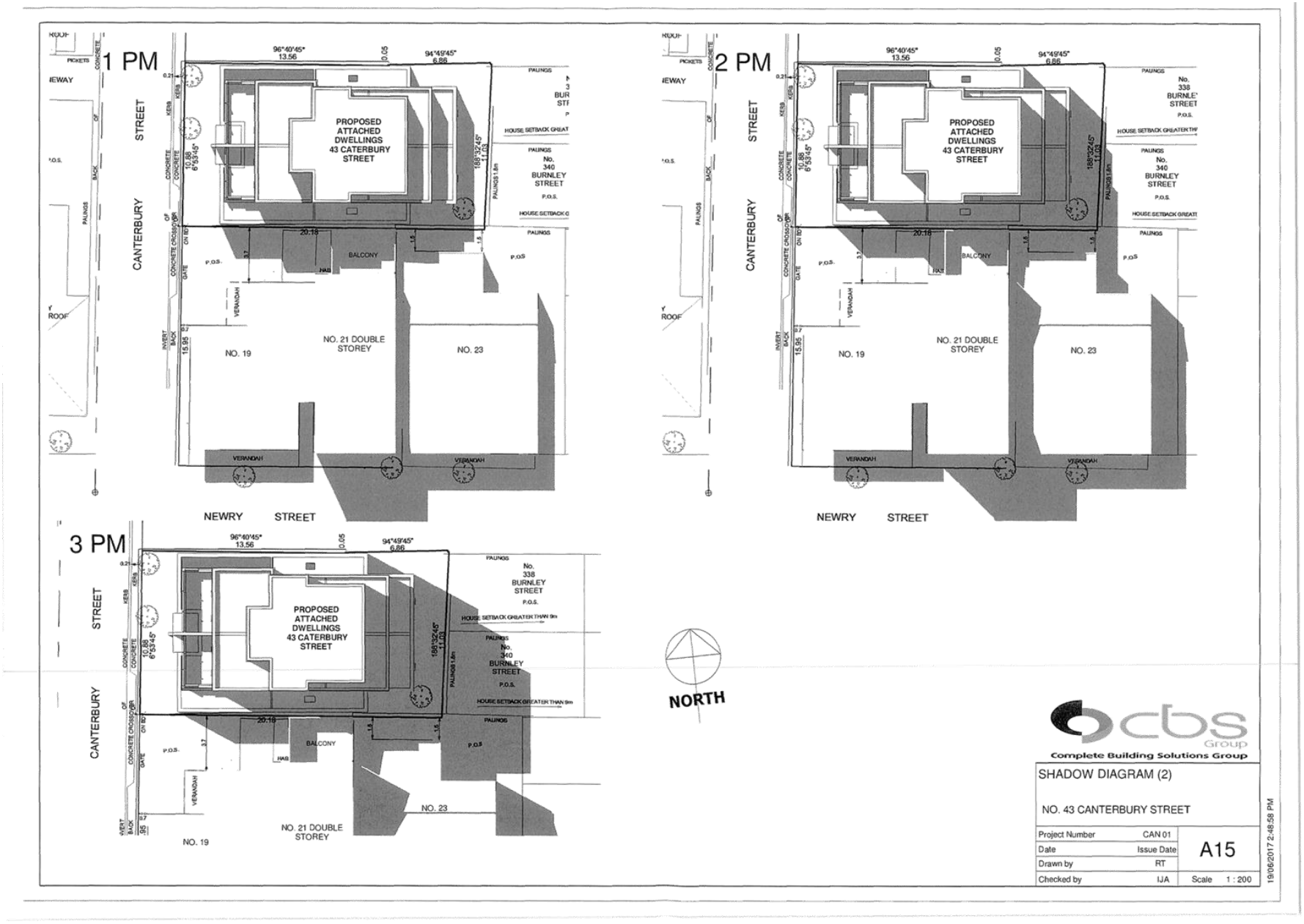


Proposed front façade provides no room for landscaping and appears bulky

Materials and Finishes

The amended proposal recommends using five materials in the front façade – brick, render, timber, colourbond and glass. The overall design of the front façade is supported, however, the current material palette detracts from the coherence of the new overall architectural composition making it appear busy. The design will benefit by reconsidering the dark colourbond band on the first floor that is creating a horizontal rhythm to the design. The ground floor appears to overuse timber and the use of dark colour (both brick and timber) makes it very contrasting to the upper levels. This does not contribute in integrating the front façade with the streetscape character.

Attachment 5 - PLN16/0969 - 43 Canterbury Street, Richmond - 1pm, 2pm, 3pm shadow diagrams



Attachment 6 - PLN16/0969 - 43 Canterbury Street, Richmond - 10am, 11am shadows

cbs Group
Complete Building Solutions Group

SHADOW DIAGRAMS (1)

NO. 43 CANTERBURY STREET

Project Number	CAN 01	A14	
Date	Issue Date		
Drawn by	RT		
Checked by	IJA	Scale	1 : 200

19/06/2017 2:48:57 PM

1.3 1 Delbridge Street and common property of No. 270 Queens Parade (as shown on Plan of Subdivision PS622744F), Fitzroy North - PLN16/0934

Executive Summary

Purpose

1. This report provides Council with an assessment of Planning Application PLN16/0934 at 1 Delbridge Street and common property of No. 270 Queens Parade (as shown on Plan of Subdivision PS622744F), Fitzroy North and recommends approval, subject to conditions.

Key Planning Considerations

2. Key planning considerations include:

   (a) Clause 22.02 – Development Guidelines for Sites Subject to the Heritage Overlay;
   (b) Clause 22.07 – Development Abutting Laneways;
   (c) Clause 43.01 – Heritage Overlay; and
   (d) Clause 55 – ResCode.

Key Issues

3. The key issues for Council in considering the proposal relate to:

   (a) Clause 55,
   (b) Heritage; and
   (c) Objector concerns.

Objector Concerns

4. Six objections were received to the application, these can be summarised as:

   (a) Inappropriate in the heritage streetscape;
   (b) Not in keeping with the design of the existing building;
   (c) Future management difficulties and will exacerbate waterproofing and drainage issues;
   (d) Amenity Impacts (overlooking, visual bulk, noise and loss of daylight);
   (e) Does not comply with conditions of original permit;
   (f) Safety issues due to potential for broken glass to fall below;
   (g) Applicant does not own the land associated with the proposed balcony extension; and
   (h) Owners Corporation has not given approval.

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: **Vicky Grillakis**
TITLE: **Principal Planner**
TEL: **92055124**

1.3 1 Delbridge Street and common property of No. 270 Queens Parade (as shown on Plan of Subdivision PS622744F), Fitzroy North - PLN16/0934

Trim Record Number: D17/73758
Responsible Officer: Principal Statutory Planner

Proposal:	Development of the land for the construction of an extension to the second floor balcony into common property, including partial demolition.
Existing use:	Dwelling
Applicant:	Gerrit Prent
Zoning / Overlays:	Neighbourhood Residential Zone (Schedule 1)/ Heritage Overlay (Schedule 330– Queens Parade Precinct)
Date of Application:	12 October 2016
Application Number:	PLN16/0934

Planning History

1. Planning permit PL04/1233 was issued on 2 December 2005 for partial demolition and alterations and additions to construct five dwellings and associated basement car park at the rear of the existing building for No. 270 Queens Parade.

2. This permit granted the construction of the building associated with the subject site.

Background

3. The current planning application was received by Council on 12 October 2016. Following the submission of further information, the application was advertised on in March 2017. Six objections were received.

4. A planning consultation meeting was held on 9 May 2017, attended by planning officers, the permit applicant and objectors.

5. As a result of the matters raised at the consultation meeting, the applicant submitted sketch plans on 30 May 2017 which showed the following changes:

   (a) An increase in the northern boundary setback of the balcony balustrade to 1.67m.
   (b) Deletion of the 1.7m high (obscure glazed) northern balcony balustrade and its replacement with a 1m high clear glass balustrade.

6. The sketch plans do not form part of the decision plans but will form the basis of condition 1 requirements.

7. It should be noted that there are plan inconsistencies on both the sketch plans and decision plans. These have had no bearing on the assessment with clarification obtained from the original endorsed plans associated with PL04/1233 (and attached to this report) and aerial images. Conditions on any permit to be issued can ensure that the plans are drawn to scale and dimensions on plans corrected.

Amendment VC110

8. On 27 March 2017, an amended Neighbourhood Residential Zone was gazetted into the Yarra Planning Scheme ("the Scheme") that amongst other changes, introduced minimum garden area requirements at Clause 32.09-4 and maximum building height requirements at Clause 32.09-9.

Amendment VC134

9. This amendment was gazetted into the Scheme on 31 March 2017 and introduced the new Metropolitan Planning Strategy by making corresponding updates to the State Planning Policy Framework (SPPF). It also restructured Clause 11 (Settlement) and included policy-neutral updates and administrative changes and new and updated incorporated and reference documents.

Existing Conditions

Subject Site

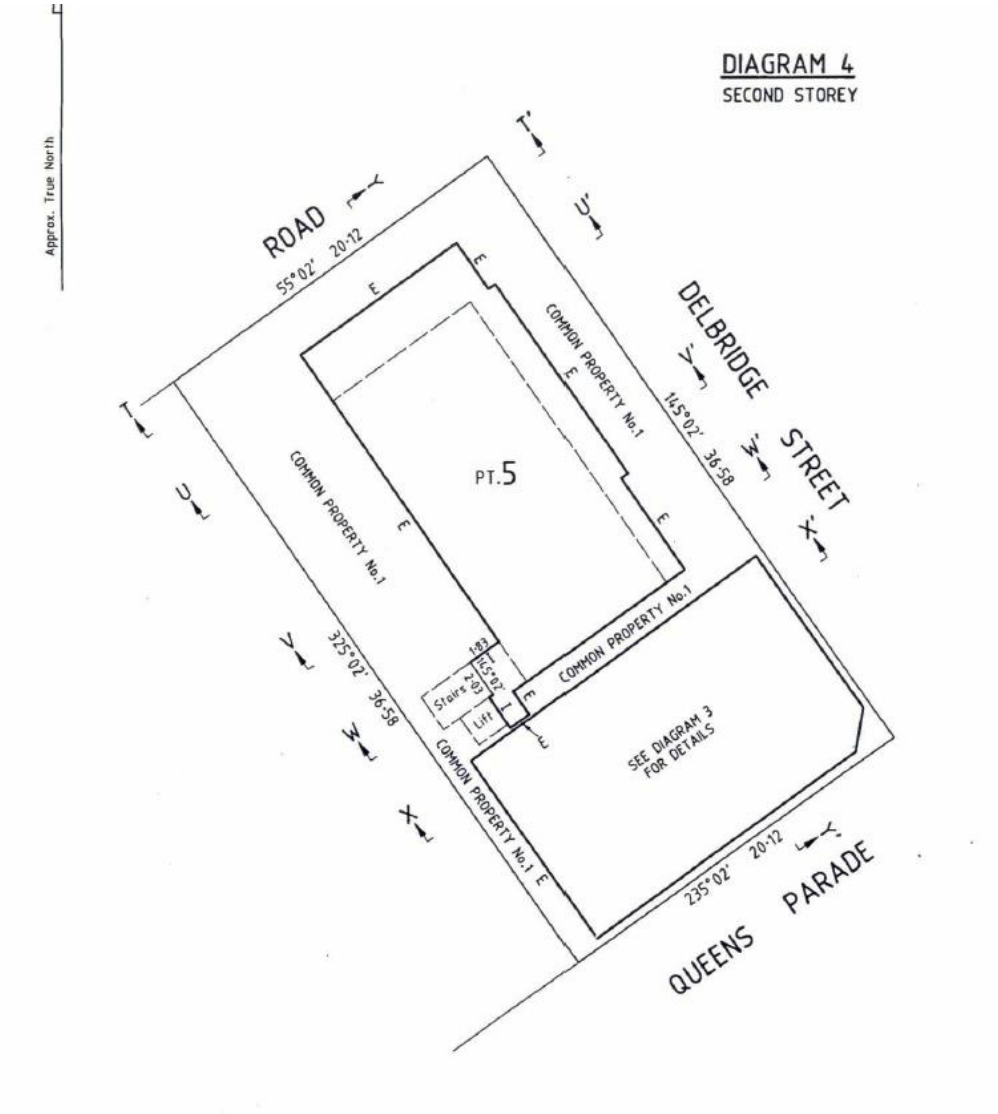
10. The subject site is located on the western side of Delbridge Street, Fitzroy North, to the north of Queens Parade.

11. The subject site is located on the third level of a three-storey building (constructed post-2005), with apartments (including private open spaces) located below it. The site is formally known as Lot 5 on Plan of Subdivision 622744F. A balcony is currently setback 2.92m from the northern boundary and is 10m in width. There is a 1m high existing glass balustrade surrounding the balcony. The lower dwellings within the overall building are known as Nos. 3, 3A, 3B, and 3C Delbridge Street.

12. All works will take place within common property directly to the north of the existing balcony area. This common property is associated with the original permit and Plan of Subdivision Plan of Subdivision 622744F. It is therefore technically the common property associated with No. 270 Queens Parade (the address of the original permit). This area is common property for all lots associated with the original permit, these include Lots 1-5, 6A, 7 and 8A of Plan of Subdivision 622744F.

13. The image below shows the subject site as well as No. 268-270 Queens Parade outlined to its south. Private open spaces and service yards of lower level apartments within the overall building can be seen along the eastern and western boundaries.

14. The image below shows the Plan of Subdivision 622744F for the second floor which shows the subject site (Pt5), the outline of the existing balcony (shown as 'E') and all the area outside of it which is shown as Common Property No. 1.



15. From Delbridge Street, there are steps up to the raised ground floor apartments (due to a partially above-ground basement) which have low height and visually permeable balcony balustrades facing the street. Above these are similar balcony balustrades of the first floor balconies which also face onto Delbridge Street. The image above shows the driveway along the western boundary as well as two ground floor private open spaces with the stairwell directly to their south. There are also two west-facing private open spaces which are partially obscured in the image above. These are directly to the east of the driveway.

Surrounding Land

16. The surrounding neighbourhood contains a mixture of commercial and residential uses, with the subject site towards the southern end of the Queens Parade Neighbourhood Centre (QPNC). The site is located adjacent to a tram route, with Clifton Hill and Rushall Train Stations within proximity.

17. Queens Parade is historically significant due to its prevalence of late 19th and early 20th century shops, hotels, banks and public buildings, with intact street verandahs, lining both sides of the wide boulevard. The predominant scale of built form along Queens Parade is two storeys.

18. To the south of the site is No. 268-270 Queens Parade which was part of the original subdivision (and permit), as already mentioned. No. 268-270 Queens Parade is the former National Bank of Australasia, constructed in 1886.

    It is a distinctive double-storey Victorian-era building, expressing a combination of triangular and segmental pediments over deep openings, with an elaborate balustrade parapet featuring decorative urns. The building is substantially intact and is constructed to the southern, western and eastern boundaries. The building contains a dwelling at first-floor and a café operating at ground level, addressing Delbridge Street.

19. To the north of the site is a laneway and on its northern side is a single storey, double fronted dwelling at No. 5 Delbridge Street with several habitable room windows facing the laneway. Further to the north are generally single storey dwellings with some double storey dwellings also. This is replicated to the east of the subject site, across Delbridge Street.

20. To the west of the site is No. 266 Queens Parade which is a double storey brick building constructed along its western boundary and setback from the eastern boundary (with this increasing towards the rear). This site had previously been used as a medical centre. It has been confirmed the site is currently used for an orthodontist and that the building is not being used for residential purposes.

The Proposal

21. The application is for the extension of the existing second floor balcony of No. 1 Delbridge Street onto the roof space to its north. This area is common property associated with No. 270 Queens Parade.

22. The advertised plans show a balcony with a timber deck extended to the northern boundary with a 1.7m high obscure glass balustrade along a portion of its northern side and 1m clear glass in the north-eastern, eastern and western sides of the proposed extension. The balcony extension is 2.58m in width and 10m in length.

23. The sketch plans submitted on 30 May 2017 show the following changes:

    (a) An increase in the northern boundary setback of the balcony balustrade to 1.67m, resulting in the proposed balcony extension width being reduced to 1.29m. The length remains at 10m.
    (b) Deletion of the 1.7m high (obscure glazed) northern balcony balustrade and its replacement with a 1m high clear glass balustrade.

24. A condition on the permit can require the proposed setback and balustrades of the balcony extension to be as per the sketch plans submitted on 30 May 2017. This has been included.

Planning Scheme Provisions

Zoning

Neighbourhood Residential Zone (NRZ) – Schedule 1

25. Pursuant to Clause 32.09-6 (NRZ) of the Scheme a planning permit is required to extend a dwelling if it on the common property. Pursuant Clause 32.09-9 of the Scheme, *if no maximum building height or maximum number of storeys is specified in a schedule to this zone:*

    (a) *the building height must not exceed 9 metres; and*
    (b) *the building must contain no more than 2 storeys at any point.*

26. Pursuant to Clause 32.09-14 (Transitional Provisions) *the minimum garden area requirement of Clause 32.09-4 and the maximum building height and number of storeys requirements of Clause 32.09-9 introduced by Amendment VC110 do not apply to:*

(a) *A planning permit application for the construction or extension of a dwelling or residential building lodged before the approval date of Amendment VC110.*

27. This application was lodged prior to Amendment VC110 being gazetted.

28. A development should meet all the standards and must meet all the objectives of Clause 55 – Two or more dwelling on a lot and residential buildings.

Overlays

Heritage Overlay

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

Particular Provisions

Clause 55 – Two or more dwelling on a lot and residential buildings

30. This clause applies as the development is for extension of a dwelling on common property. A development should meet all the standards and must meet all the objectives.

General Provisions

Clause 65 – Decision Guidelines

31. 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 a number of matters. Amongst other things, the Responsible Authority must consider the relevant State and Local Planning Policy Frameworks, as well as the purpose of the zone, overlay or any other provision. An assessment of the application against the relevant sections of the Scheme is offered later in this report.

State Planning Policy Framework (SPPF)

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

Clause 15.01-2 – Urban Design Principles

33. The objective of this clause is: *to achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties*.

Clause 15.01-4 – Design for safety

34. The Objective of this clause is *'to improve community safety and encourage neighbourhood design that makes people feel safe'.*

Clause 15.02-1 – Energy and resource efficiency

35. 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 15.03 – Heritage

36. The objective of this clause is: *to ensure the conservation of places of heritage significance*

Clause 16 – Housing

Clause 16.01-1 – Integrated housing

37. The objective of this clause is '*to promote a housing market that meets community needs*'. *Clause 16.01-4 – Housing diversity*

38. The objective of this clause is *'to provide for a range of housing types to meet increasingly diverse needs*'.

Local Planning Policy Framework (LPPF)

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

Clause 21.05-1 Heritage

40. The objective of this clause is: *to protect and enhance Yarra's heritage places;*

Clause 21.05-2 – Urban design

41. Built form in the municipality is characterised by low-rise urban form with pockets of higher development, which distinguishes Yarra from adjoining municipalities. In managing the City's built form, development that builds upon Yarra's existing sense of place is to be encouraged alongside new development that aspires to high quality architectural design, environmental sustainability and public domain enhancements. This clause incorporates the following objectives to achieve this:

    (a) *Objective 16 - To reinforce the existing urban framework of Yarra;*
    (b) *Objective 17 - To retain Yarra's identity as a low-rise urban form with pockets of higher development:*
    (c) *Objective 18 - To retain, enhance and extend Yarra's fine grain street pattern;*
    (d) *Objective 20 - To ensure that new development contributes positively to Yarra's urban fabric.*

Clause 21.07-1 – Ecologically sustainable development

42. The relevant objective of this clause is:

    (a) Objective 34 To promote ecologically sustainable development:

Clause 21.08-8 – Fitzroy North

43. While the subject site is technically located in the Fitzroy North Neighbourhood (Clause 21-08-8), its location abutting the Queens Parade Neighbourhood Centre (QPNC) (as shown in Figure 19) warrants reference to the area located within Clifton Hill (Clause 21.08-4). Clause 21.08-4 – (Clifton Hill) describes the neighbourhood as follows:

    (a) This largely residential neighbourhood has good public open space including the parklands associated with the Yarra River and Merri Creek to its east and Darling Gardens and Mayors Park located within the neighbourhood.

    (b) The Queens Parade centre is a mixed use centre with strong convenience retailing. There is an opportunity to create stronger linkages between the community facilities to the east and the centre.

44. Clause 21.08-8 North Fitzroy describes the neighbourhood in which the site is located as a largely residential area, with the northern part of North Fitzroy comprising Late-Victorian cottages and terraces, and an increasing amount of Early-Edwardian dwellings.

45. The subject site is identified as being within the Heritage Overlay within Figure 20 of Clause 21.08-8 (Neighbourhoods – Fitzroy North). Relevant built form strategies include:

    (a) Ensure that development does not adversely affect the significant of the heritage place.

    Relevant Local Policies

    Clause 22.02 - Development Guidelines for Sites Subject to the Heritage Overlay

46. Clause 22.02 of the Scheme applies to all development where a planning permit is required under the Heritage Overlay. The relevant objectives of the policy include:

    (a) to conserve the historic fabric and maintain the integrity of places of cultural heritage significance;
    (b) to retain significant view lines to, and vistas of, heritage places;
    (c) to preserve the scale and pattern of streetscapes in heritage places;
    (d) to ensure that additions and new woks to a heritage place respect the significance of the place;

    Clause 22.02-5.1 Demolition - Removal of Part of a Heritage Place or Contributory Elements

47. Policy at Clause 22.02-5.1 generally discourages the demolition of part of an individually significant or contributory building or removal of contributory elements unless:

    (a) For individually significant building or works, it can be demonstrated that the removal of part of the building or works does not negatively affect the significance of the place.

    Clause 22.02-5.7 - New Development, Alterations or Additions

    Clause 22.02-5.7.1 - General

48. Encourage the design of new development and alterations and additions to a heritage place or a contributory element to a heritage place to:

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

49. The "*City of Yarra Review of Heritage Overlay Areas 2007 (Graeme Butler and Associates*)" identifies the site as being 'individually significant' although this relates to the former bank building. As previously stated, the apartment building was constructed post-2005 and therefore has no heritage value.

    Clause 22.07 – Development Abutting Laneways

50. 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 22.17 Environmentally Sustainable Development

51. The overarching objective outlined at Clause 22.17-2 is:

    (a) That development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation.

Advertising

52. The application was advertised in accordance with Section 52 of the *Planning and Environment Act* 1987 [the Act] by way of 18 letters sent to surrounding property owners and occupiers, and one sign displayed on site, facing Delbridge Street and another facing the northern laneway.

53. A total of six objections were received. The grounds of objection are summarised as follows:

    (a) Inappropriate in the heritage streetscape;
    (b) Not in keeping with the design of the existing building;
    (c) Future management difficulties and will exacerbate waterproofing and drainage issues;
    (d) Amenity Impacts (overlooking, visual bulk, noise and loss of daylight);
    (e) Does not comply with conditions of original permit;
    (f) Safety issues due to potential for broken glass to fall below;
    (g) Applicant does not own the land associated with the proposed balcony extension; and
    (h) Body corporate has not given approval.

54. A planning consultation meeting was held on 9 May 2017, attended by planning officers, the permit applicant and objectors.

Referrals

    External Referrals

55. The application was not required to be referred externally under the provisions of the Scheme.

    Internal Referrals

56. The application was not required to be referred internally under the provisions of the Scheme.

OFFICER ASSESSMENT

57. The key planning considerations for Council in considering the proposal relate to:

    (a) Clause 55 – ResCode;
    (b) Heritage; and
    (c) Objector concerns.

Clause 55 of the Yarra Planning Scheme (Rescode)

58. Clause 55 states that a development must meet all of the objectives, and should meet the standards. This particular provision comprises 33 design objectives and standards to guide the assessment of new residential development. Reference in relation to Clause 22.07 (Development Abutting Laneways) of the Scheme will also be included where relevant.

59. Given the site's location within a built up inner city residential area and the limited scope of the proposed works, strict application of the standard is not always appropriate, whether the proposal meets the objective is the relevant test. The following standards are either not applicable to the consideration of this application or are met through existing conditions:

(a) Standard B3 - Dwelling diversity - (this application is for less than ten dwellings);
(b) Standard B5 - Integration with the street (no change)
(c) Standard B6 - Street setback - (no change)
(d) Standard B7- Building height – (the proposed height of the balcony balustrade is lower than the overall building height)
(e) Standard B8 - Site coverage – (no change as the extension is over existing built form)
(f) Standard B9 – Permeability – (no change as the extension is over existing built form)
(g) Standard B11- Open space - (this application does not include any public or communal open space).
(h) Standard B13 – Landscaping - (no change)
(i) Standard B14 – Access - (no change)
(j) Standard B15 - Parking location - (no change)
(k) Standard B20 - North-facing windows (there are no north facing windows facing the proposal within 3m of the development)
(l) Standard B23 - Internal views (not applicable as there is only one dwelling associated with this application – overlooking to other private open spaces within the building are assessed under Standard B22)
(m) Standard B25 - Accessibility – (no change to accessibility of the dwelling)
(n) Standard B26 - Dwelling entry - (no change)
(o) Standard B27- Daylight to new windows - (no change)
(p) Standard B29- Solar access to open space (does not apply to the extension of a dwelling)
(q) Standard B30- Storage - (no change)
(r) Standard B32 - Front fence - (no change)
(s) Standard B34 - Site services - (no change)

Standard B1 - Neighbourhood character

60. Complies with the objective. The proposed balcony extension will be similar to existing conditions, albeit 1.29m wider (subject to conditions). The proposal will have a negligible impact on the existing neighbourhood character as the proposed balustrades will be constructed of clear glass and only 1m in height (subject to condition). Once constructed, it will be difficult to discern the difference between the existing and new portion of balcony. Additionally, the laneway to the north and the street width to the east provide a visual buffer and separation of the building from the remainder of the streetscape.

Standard B2 - Residential policy

61. Complies with the objective. The proposal demonstrates consistency with State policies by utilising existing infrastructure without adversely affecting the existing character of the surrounding neighbourhood. The site is well placed to make such a contribution, being located within an inner city context, with all the services that result from such a location (public transport, shops and community services).

Standard B4 – Infrastructure

62. Complies with the objective. The development is located within an area that is already established. It is not expected that the proposal would overload the utility services and infrastructure, particularly considering the scale of the proposal. The site is capable of supporting the proposed balcony extension within an established inner-urban area which has access to utilities, services and transport.

Standard B10 - Energy efficiency protection

63. Complies with the objective. Considering the limited scope of works and location on what is currently roof space, the increase in the width of the balcony by 1.29m (subject to conditions) will not impact on the energy efficiency of adjoining properties. Particularly as the proposed balustrades will be constructed of clear glazing, is only 1m in height and are proposed to be setback 1.67m from the northern boundary (subject to condition). The proposal will have a negligible impact on abutting lots in terms of energy efficiency.

64. The proposal will not impact the current energy efficiency of the existing dwelling.

Standard B12- Safety

65. Complies with the objective. The proposal will increase the trafficable area of the second floor which will improve passive surveillance and perceived safety of the surrounding area.

Standard B17 - Side and rear setbacks

66. Complies with the objective. With regards to this application, only the northern and western boundaries are applicable as they form the side and rear setbacks.

67. Subject to conditions associated with sketch plans, the proposed balcony balustrade will be setback 1.67m from the northern boundary with a balcony balustrade of 1m and an overall height of approximately 8.2m above natural ground level. This standard requires setbacks of 3.29m for this overall height.

68. Whilst this setback does not comply, the width of the laneway to the north (3.7m) provides a reasonable buffer from adverse amenity impacts. If the width of the laneway were to be included within the setback calculation as directed within Standard B17, it would comply.

69. In terms of the western boundary, the proposal is setback 6.32m which is more than adequate to limit visual bulk impacts.

70. With regards to any views from below, the low height and the use of clear glass balustrades would limit any visual bulk impacts, particularly in comparison to the overall existing three storey built form.

71. This setback (as per the sketch plan) also ensures the proposal does not impact the laneway to the north and complies with Clause 22.07.

Standard B18 - Walls on boundaries

72. Complies with the objective. The proposal will result in an additional 1.7m high balcony balustrade along the northern boundary of the common property (adjacent to the land). This would result in a total approximate height of 9.1m above natural ground level (with the existing wall on the boundary being 7.5m in height). It should be noted that there is a 0.3m drop in floor level from the subject site to the laneway. Whilst this is well above the maximum of 3.6m allowed within the standard, this is acceptable considering the laneway to the north provides a substantial buffer and the proposed material is opaque glazing which will limit any adverse visual bulk impacts. However, subject to conditions as previously discussed, the proposal will not include any on-boundary walls as the balcony balustrade is to be setback 1.67m from the northern boundary.

Standard B19 - Daylight to existing windows

73. Complies with the objective. The proposal would result in an additional 1.7m high balcony balustrade along the northern boundary of the common property opposite south-facing windows associated with No. 5 Delbridge Street. This would result in an approximate height of 9.1m. This standard requires a setback of 4.55m from these windows with the proposal having a 3.7m setback. This does not comply, however, considering the existing two storey high wall opposite these windows, the additional 1.7m would not impact their daylight access, particularly as the proposed material is opaque glazing which allows some sunlight to penetrate through it.

74. However, subject to conditions discussed earlier in the report, the proposed balustrade is to be setback 5.37m from the affected window, which would more than comply with the standard.

Standard B21- Overshadowing open space

75. Complies with the objective. Due to the location of the works and orientation of the land, any shadows in the morning would fall to the west, at 12noon to the south and at 3pm to the east.

76. The proposal has potential to impact dwellings in the morning, with shadows (if any) falling within the site at 12noon and over Delbridge Street in the afternoon.

77. Considering the scope of works and their the location on what is currently roof space at second floor (with the proposal being lower in height than existing built form of the second floor), the increase in the width of the balcony by 1.29m (subject to conditions) will not result in any additional overshadowing of secluded private open spaces. Particularly as (subject to conditions) the balustrades will be constructed of clear glazing (which allows sunlight to penetrate) and is proposed to be only 1m in height.

Standard B22- Overlooking

78. Complies with the standard. The lower level private open spaces of the apartments within the same building all have low and visually permeable east-facing balcony balustrades which currently allow for views to these areas from the street.

79. In terms of views to the west-facing ground floor courtyards, the existing balcony has a 1m high clear glass west-facing balustrade with the proposal continuing this. The proposal will not impact the current situation and will continue as per existing conditions.

80. With regards to No. 266 Queens Parade, it has been confirmed (through a phone call to the business) that the site is currently used for an orthodontist (Clifton Hill Orthodontics) and that the building is not being used for residential purposes. Nevertheless, the balcony extension is setback 6.32m from the western boundary with the balcony continuing the existing 1m high balustrade. Again, as per the balconies below, the proposal will result in similar conditions to existing and therefore meets the decision guidelines and objective of this standard.

81. The advertised plans show a portion of the northern boundary balustrade to include a 1.7m high opaque glazed balustrade. This would prevent any views towards the habitable room windows and private open space of No. 5 Delbridge Street. However, the sketch plans submitted delete the 1.7m high balustrade and include a setback of 1.67m. This setback would ensure that any downward views within 9m would be obstructed by the existing roof. This will be required by way of condition on any permit to be issued.

82. Any dwellings further to the north of this are well outside of the 9m distance stipulated within this standard.

Standard B24 - Noise impacts

83. Complies with the standard. It is not expected that the proposed balcony extension would create noise that is beyond what is typical of a residential development.

Standard B28- Private open space

84. Complies with the standard. The proposal increases the existing area of private open space (49.05sqm) by 12.9sqm (subject to conditions). This is an improvement on existing conditions.

Standard B31 - Design detail

85. Complies with the objective. The proposed materials used would be similar to existing conditions and would generally continue the existing balustrade heights and materials (subject to conditions).

Standard B33 - Common property

86. Complies with the objective. The proposed baloney balustrade will clearly delineate communal and private areas which will limit any future management issues of this area.

Heritage Assessment

87. The primary considerations for this application relate to whether compliance is achieved with *clause 43.01-4 (Heritage Overlay: Decision guidelines)* and *clause 22.02-5.7 – New Development, Alterations or Additions* of the Scheme.

88. The existing building was constructed post-2005 and therefore has no heritage value. The proposed demolition would also not impact the heritage building which fronts onto Queens Parade. The proposed demolition of the balcony balustrades and any roofing is acceptable and supported by policy within Clause 22.02-5.1.

89. The proposed enlarged balcony is acceptable as it is separated by other built form from the heritage fabric associated with the former bank building.

90. To the north of the site, across the laneway are Nos. 5-11 Delbridge Street. These are classified as being 'not contributory' to the heritage precinct. Therefore the balcony will not impact their heritage significance. Subject to conditions associated with the sketch plans, the proposal will present to the street similarly to existing conditions, albeit 1.29m longer along Delbridge Street. The proposal will not impact the heritage streetscape to the east as the width of the street (28.3m) provides a substantial buffer.

Objector Concerns

91. The majority of the issues which have been raised by the objectors have been addressed within this report:

    (a) Inappropriate in the heritage streetscape; *(paragraph x)*
    (b) Not in keeping with the design of the existing building; *(paragraph x)*
    (a) Amenity Impacts (overlooking, visual bulk, noise and loss of daylight);

92. Outstanding concerns will be discussed below, and relate to:

    (a) Future management difficulties and will exacerbate waterproofing and drainage issues;

    This is not a relevant planning matter and the safety considerations of proposed materials will be considered at the Building Permit stage.

    (b) Does not comply with conditions of original permit;

The condition the objector is referring to is Condition 1g of planning permit PL04/1233 which granted approval for the construction of the building associated with the subject site. This condition reads as follows:

All walls are to be constructed within the title boundaries and all buildings are to be setback a minimum of 3.75 metres from the southern boundary of No. 5 Delbridge Street with a maximum wall height on the boundary of 7.4 metres.

The requirements of the original permit have been satisfied through the endorsement of plans for PL04/1233. As the permit has now been acted upon, and the parcels of land it was associated with have been subdivided, the permit is considered to be spent and can no longer be considered.

Nevertheless, subject to conditions associated with the sketch plans, the proposal would continue to comply with this condition.

(c) Safety issues due to potential for broken glass to fall below;

This is not a relevant planning matter and the safety considerations of proposed materials will be considered at the Building Permit stage. Additionally, the setback as per the sketch plan, also ensures the proposal does not impact the laneway to the north. Nevertheless, if it were to remain along the northern boundary, this would be similar to many other residential developments where a balcony balustrade is located along a boundary with a laneway.

(d) Applicant does not own the land associated with the proposed balcony extension;

It is not a prerequisite for an applicant to be the owner of the subject site to apply for a planning permit. The owners of the common property associated with the application have been notified, as per the requirements of the *Planning and Environment Act* 1987.

(e) Owners corporation has not given approval.

Previous VCAT (Victorian Civil Administrative Tribunal) decisions have granted permits for applications within common property not withstanding objection from the Owners Corporation.

In *HS Rekaris & Associates Pty Ltd v Stonnington CC* [2009] VCAT 2585, Member Naylor stated the following:

> [16] Having regard to all of the relevant factors and acknowledging the lack of sufficient owners corporation approval at this time, I am of the opinion that, on balance, the planning application is worthy of approval. The proposal has no unreasonable impacts upon the amenity of the neighbouring properties and does not adversely affect the significance of the heritage place. Therefore, I will direct that a permit be issued subject to appropriate conditions, and it is up to the permit applicant to obtain the owners corporation approval in order for this approved extension to the deck to proceed.

Therefore, not having approval from the Owners Corporation does not preclude the issuing of a planning permit based upon the relevant planning merits.

Conclusion

93. The proposed development is considered to demonstrate a high level of compliance with policy objectives contained within the State and Local Planning Policy Framework. The proposal, subject to conditions recommended, is an acceptable planning outcome that demonstrates clear compliance with the relevant Council policies.

RECOMMENDATION

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN16/0934 for development of the land for the construction of an extension to the second floor balcony into common property, including partial demolition at 1 Delbridge Street and common property of No. 270 Queens Parade (as shown on Plan of Subdivision PS622744F), Fitzroy North, 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 prepared by David Francis Architects and dated 2 February 2017, but modified to show:

   (a) Plans drawn to scale with correct dimensions annotated;
   (b) An increase in the northern boundary setback of the balcony balustrade to 1.67m as per sketch plans provided on 30 May 2017.
   (c) Deletion of the 1.7m high (obscure glazed) northern balcony balustrade and its replacement with a 1m high clear glass balustrade as per sketch plans provided on 30 May 2017.

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. Within two months of the works being completed, 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.

4. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
   (a) Monday to Friday (excluding public holidays) before 7:00am or after 6:00pm.
   (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9:00am or after 3:00pm.
   (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

5. 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; or

   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:

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

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

A local law permit (e.g. Asset Protection Permit, Road Occupation Permit) may be required before development is commenced. Please contact Council's Construction Management Branch on Ph. 9205 5585 to confirm.

CONTACT OFFICER: **Vicky Grillakis**
TITLE: **Principal Planner**
TEL: **92055124**

Attachments

1 PLN16/0934 - 1 Delbridge Street Fitzroy North - subject land
2 PLN16/0934 - 1 Delbridge Street Fitzroy North - decision plans
3 PLN16/0934 - 1 Delbridge Street Fitzroy North - sketch plan existing elevation
4 PLN16/0934 - 1 Delbridge Street Fitzroy North - sketch plan proposed plan
5 PLN16/0934 - 1 Delbridge Street Fitzroy North - sketch plan proposed elevation
6 PL04/1233 - 270 Queens Parade North Fitzroy - Endorsed Plans

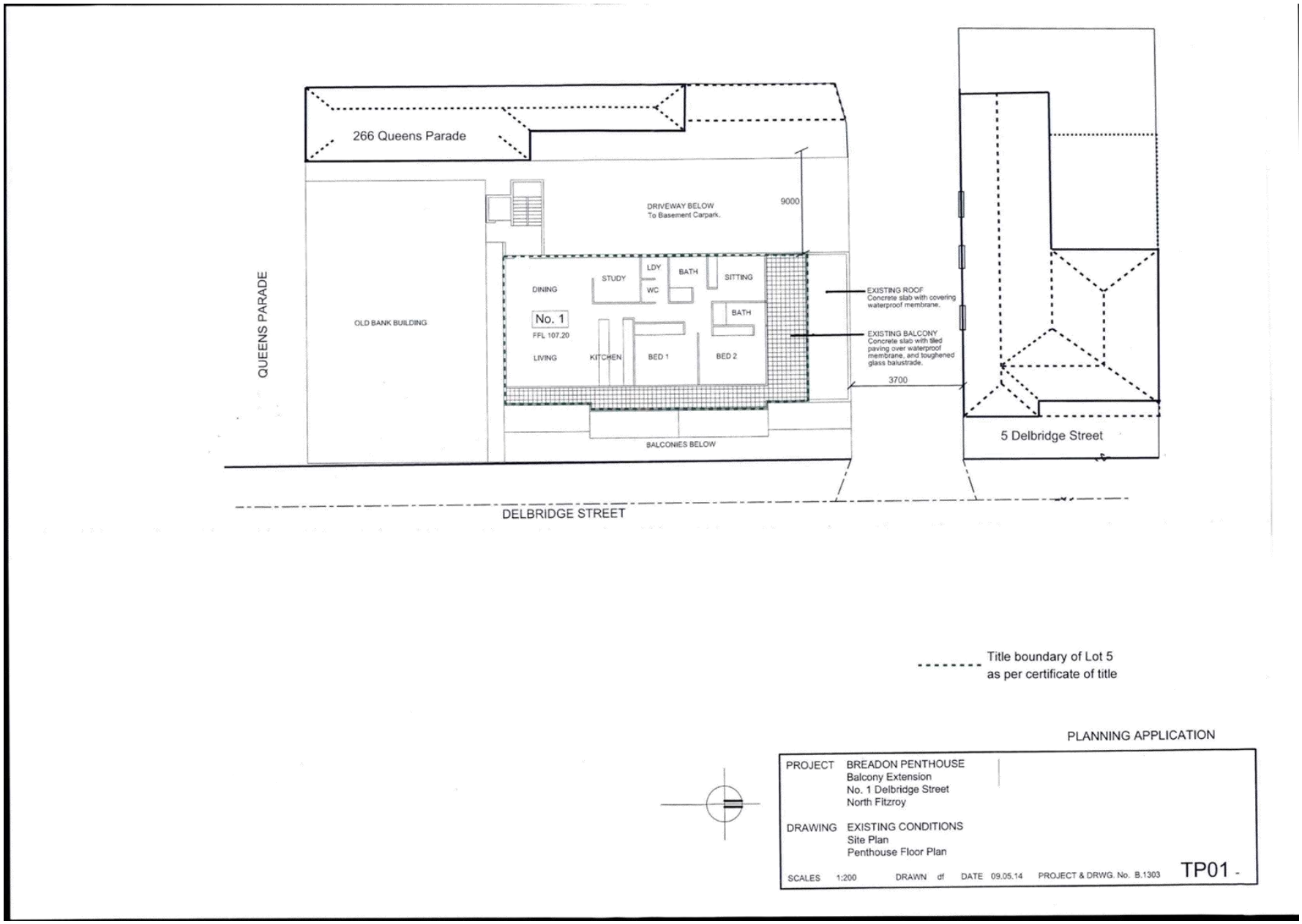
Attachment 1 - PLN16/0934 - 1 Delbridge Street Fitzroy North - subject land

SUBJECT LAND:

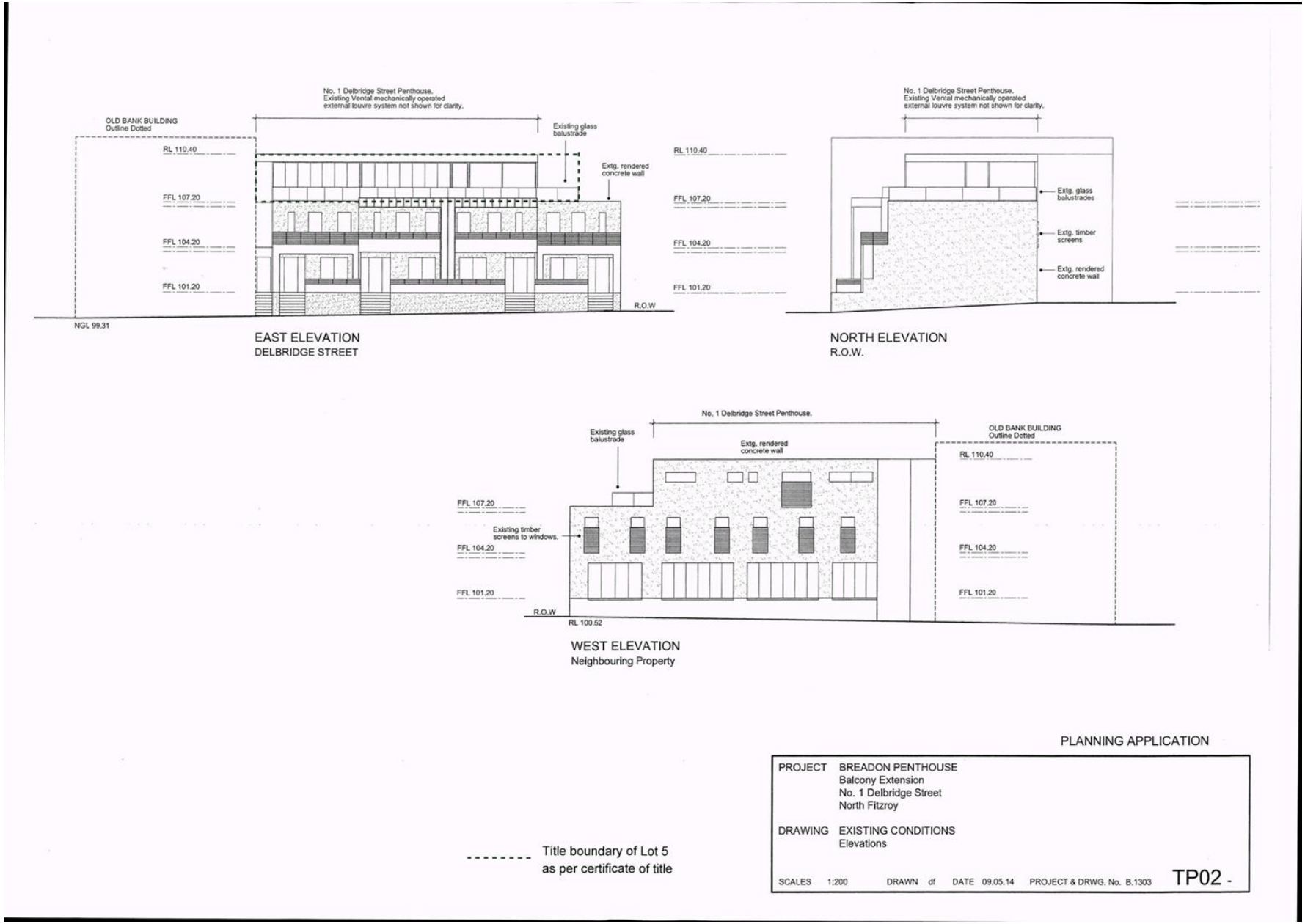
⇧ **North**

Subject Site

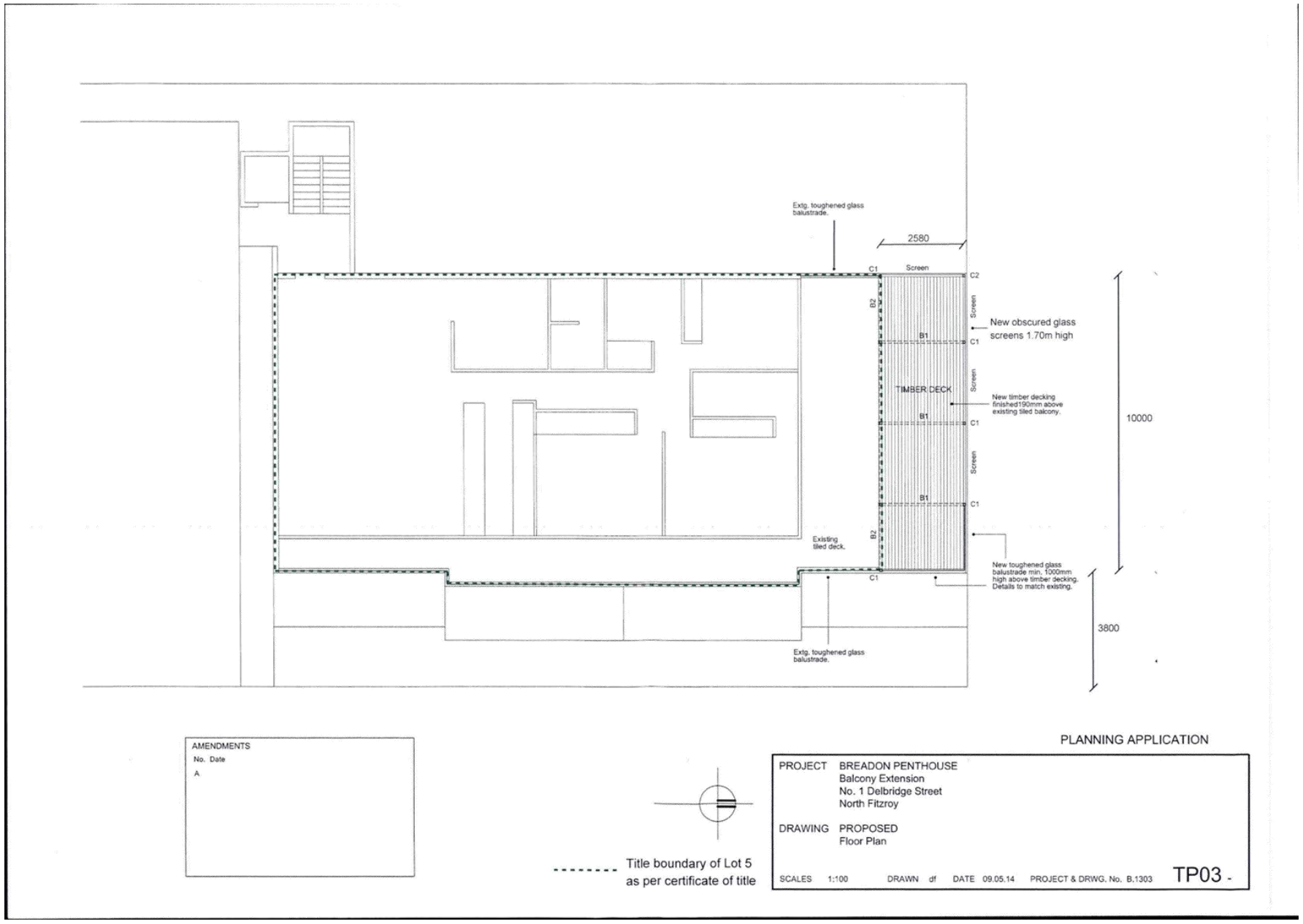
Attachment 2 - PLN16/0934 - 1 Delbridge Street Fitzroy North - decision plans



Attachment 2 - PLN16/0934 - 1 Delbridge Street Fitzroy North - decision plans



Attachment 2 - PLN16/0934 - 1 Delbridge Street Fitzroy North - decision plans



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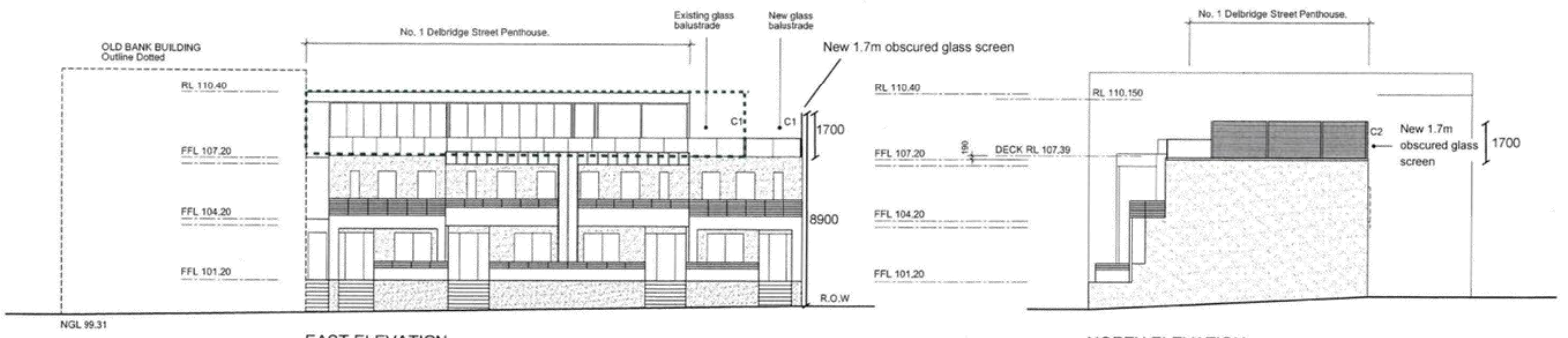
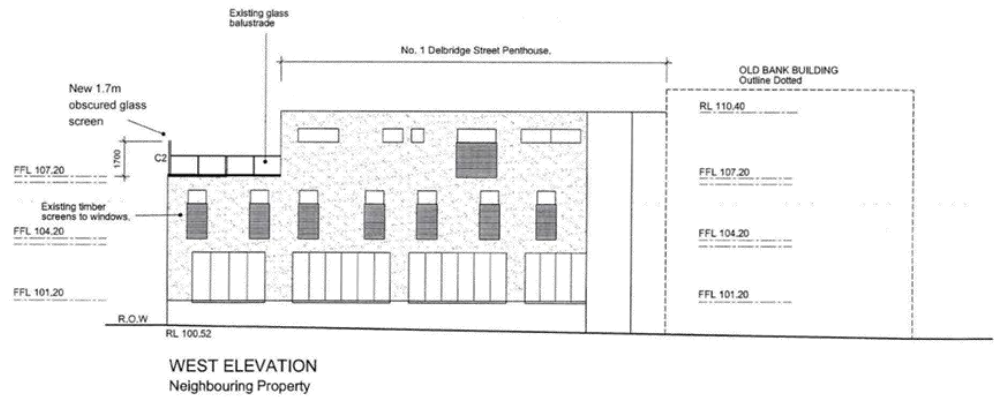


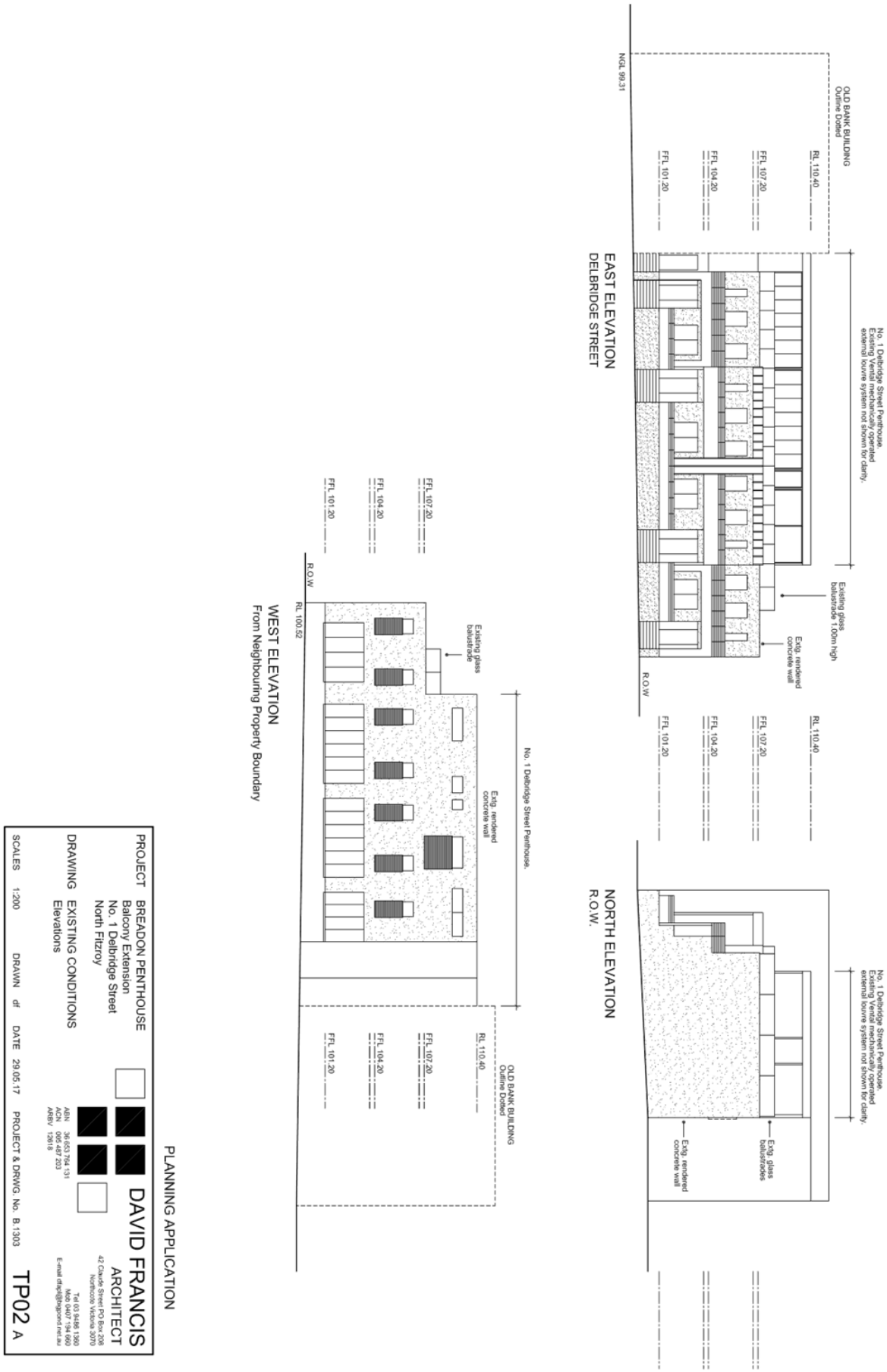


PLANNING APPLICATION

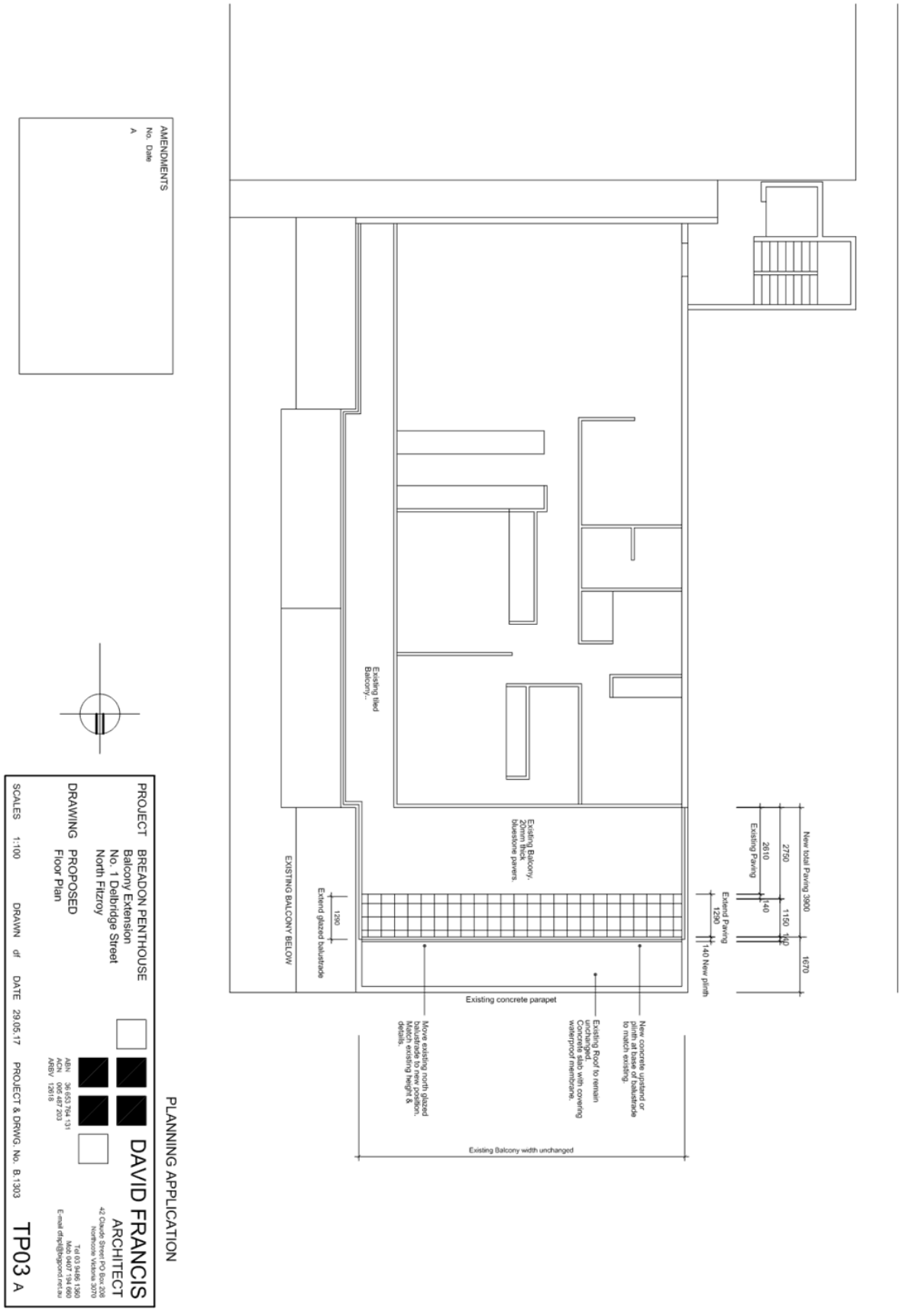
PROJECT	BREADON PENTHOUSE Balcony Extension No. 1 Delbridge Street North Fitzroy
DRAWING	PROPOSED Elevations
SCALES	1:200 DRAWN df DATE 09.05.14 PROJECT & DRWG. No. B.1303 TP04 -

Title boundary of Lot 5 as per certificate of title

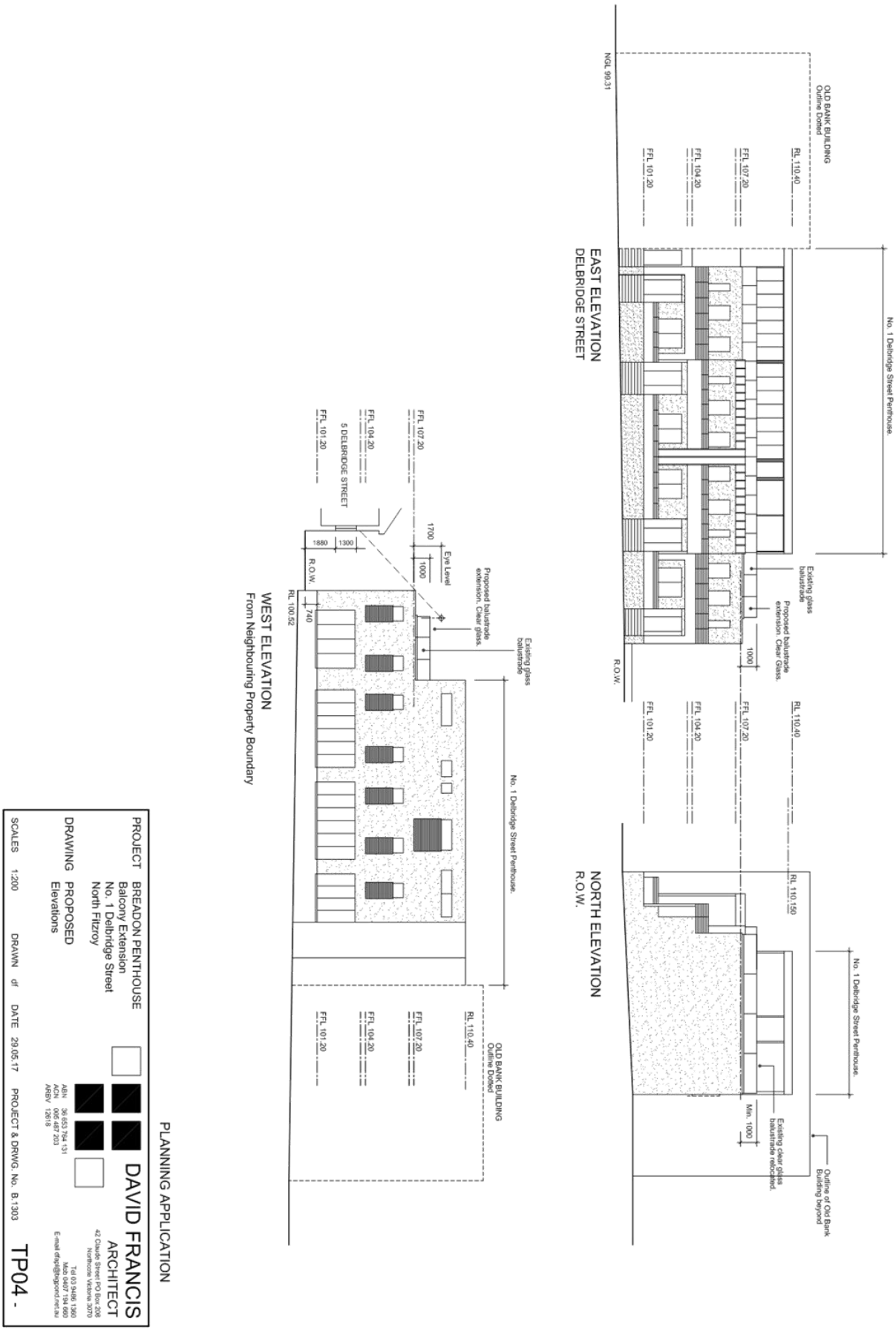
Attachment 3 - PLN16/0934 - 1 Delbridge Street Fitzroy North - sketch plan existing elevation



Attachment 4 - PLN16/0934 - 1 Delbridge Street Fitzroy North - sketch plan proposed plan



Attachment 5 - PLN16/0934 - 1 Delbridge Street Fitzroy North - sketch plan proposed elevation



PLANNING APPLICATION

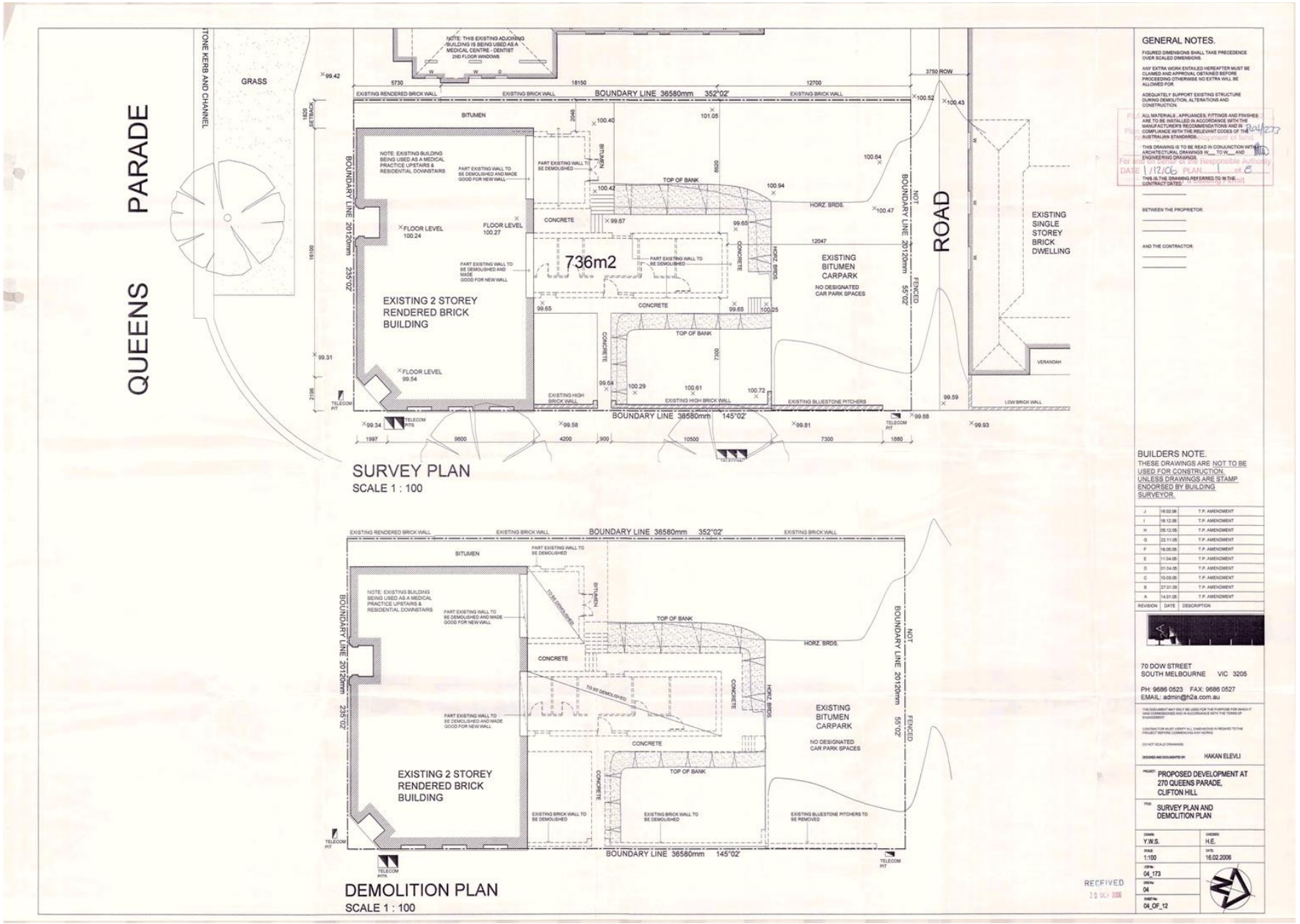
PROJECT BREADON PENTHOUSE
Balcony Extension
No. 1 Delbridge Street
North Fitzroy

DRAWING PROPOSED
Elevations

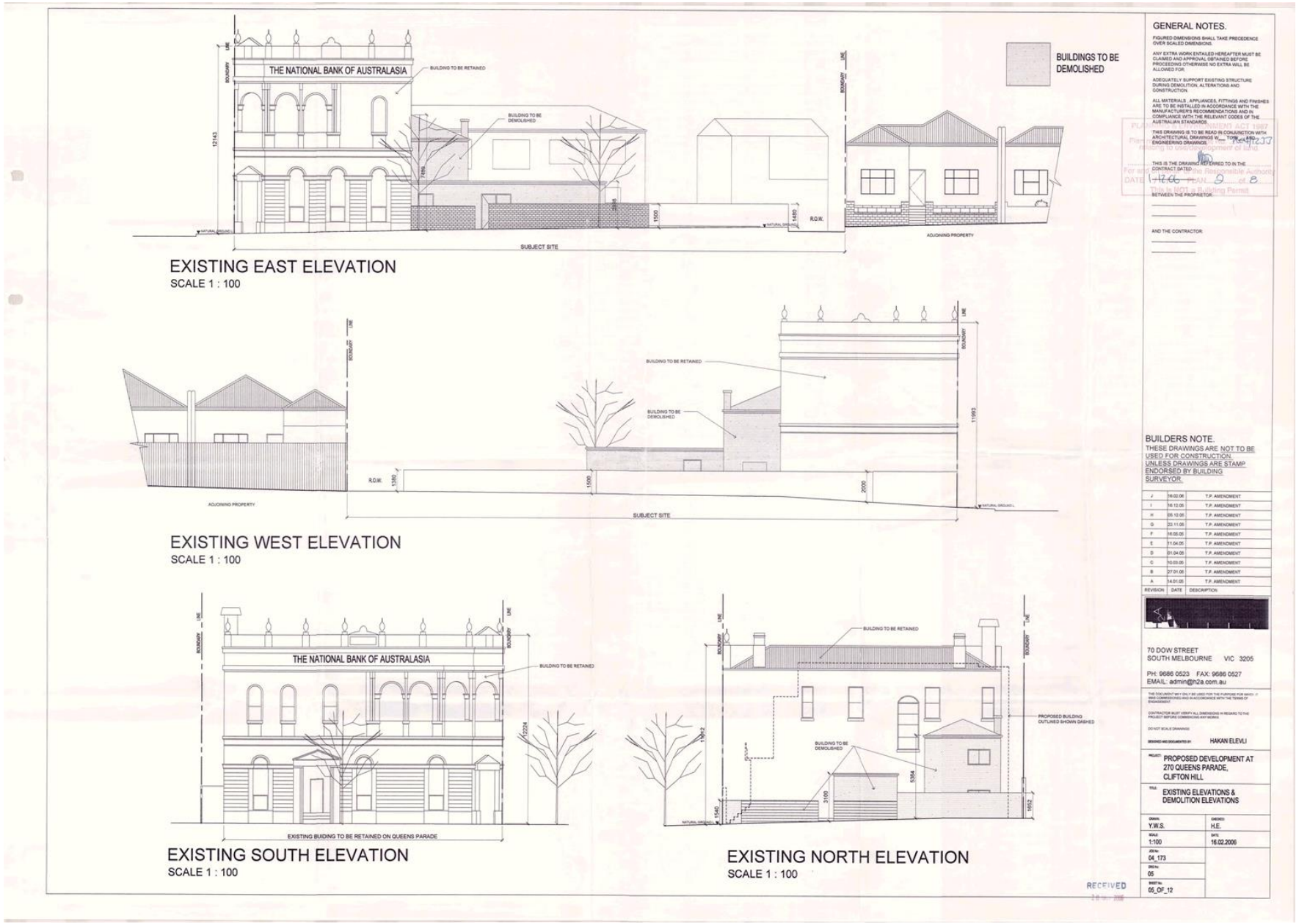
DAVID FRANCIS
ARCHITECT
42 Chaucer Street PO Box 208
Northcote Victoria 3070
Tel 03 9486 1360
Mob 0407 194 660
E-mail dfrge@bigpond.net.au
ABN 36 653 764 131
ACN 005 697 203
ARBV 12618

SCALES 1:200 DRAWN df DATE 29.05.17 PROJECT & DRWG. No. B 1303 TP04 -

Attachment 6 - PL04/1233 - 270 Queens Parade North Fitzroy - Endorsed Plans



Attachment 6 - PL04/1233 - 270 Queens Parade North Fitzroy - Endorsed Plans



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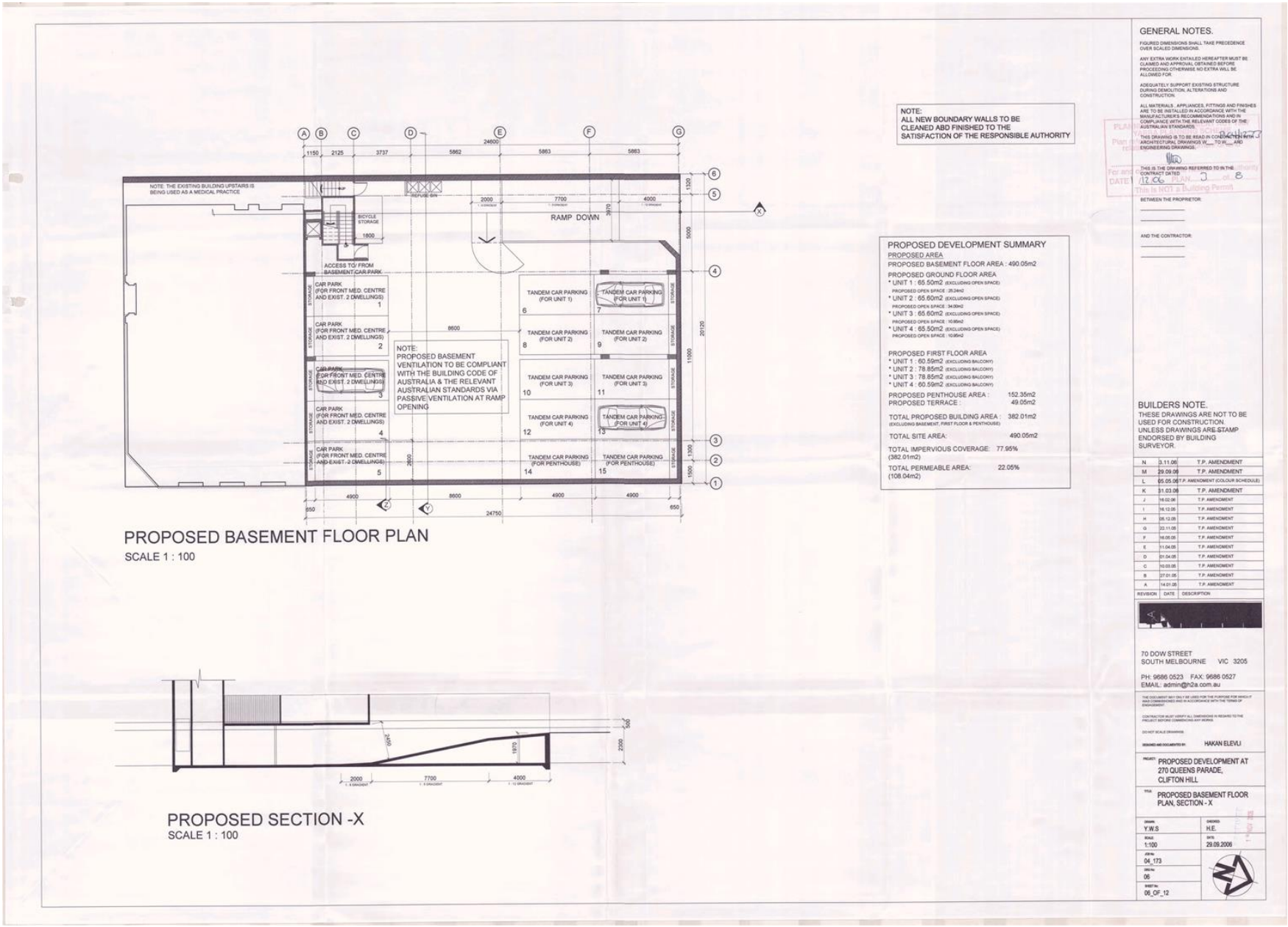

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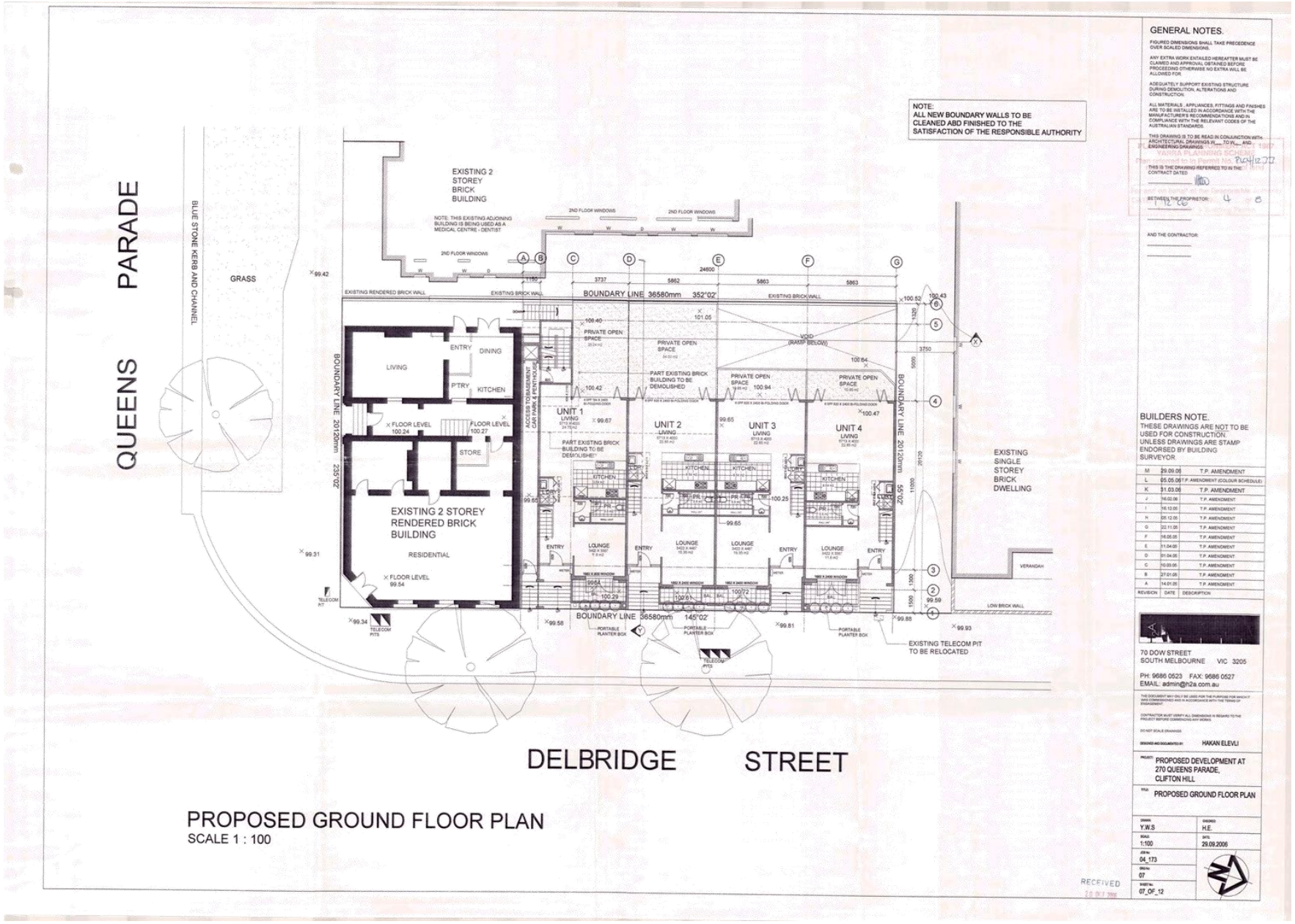
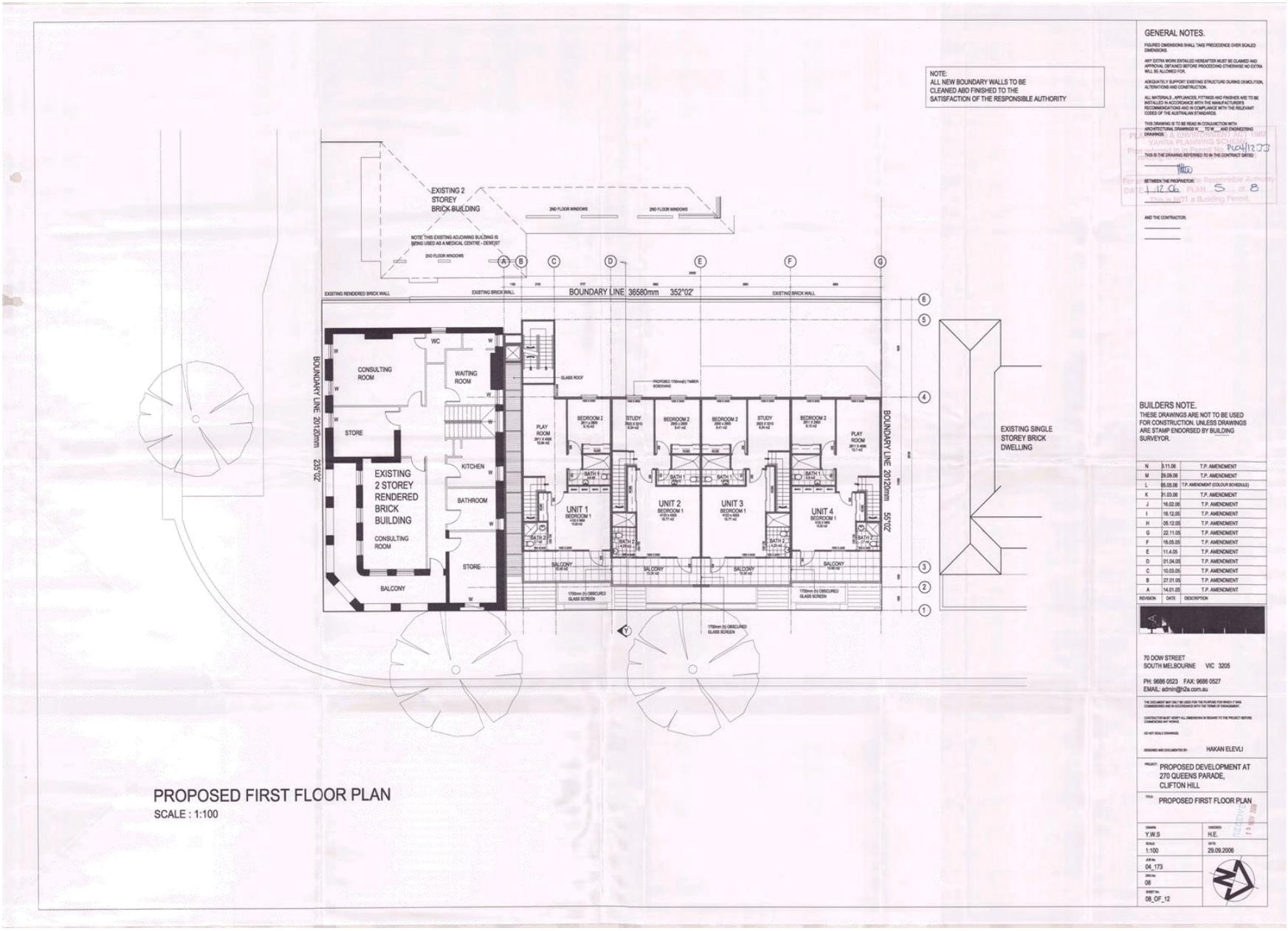
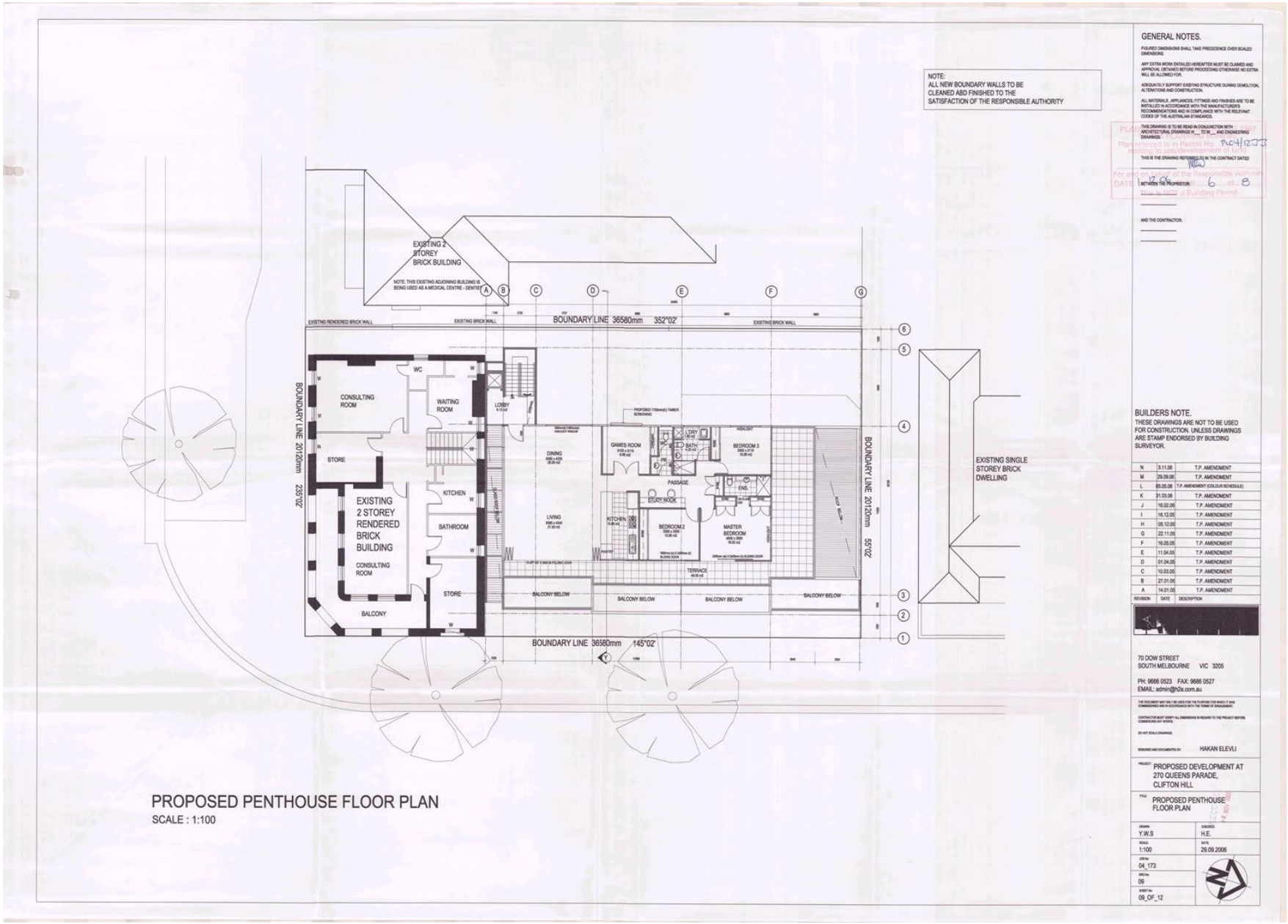


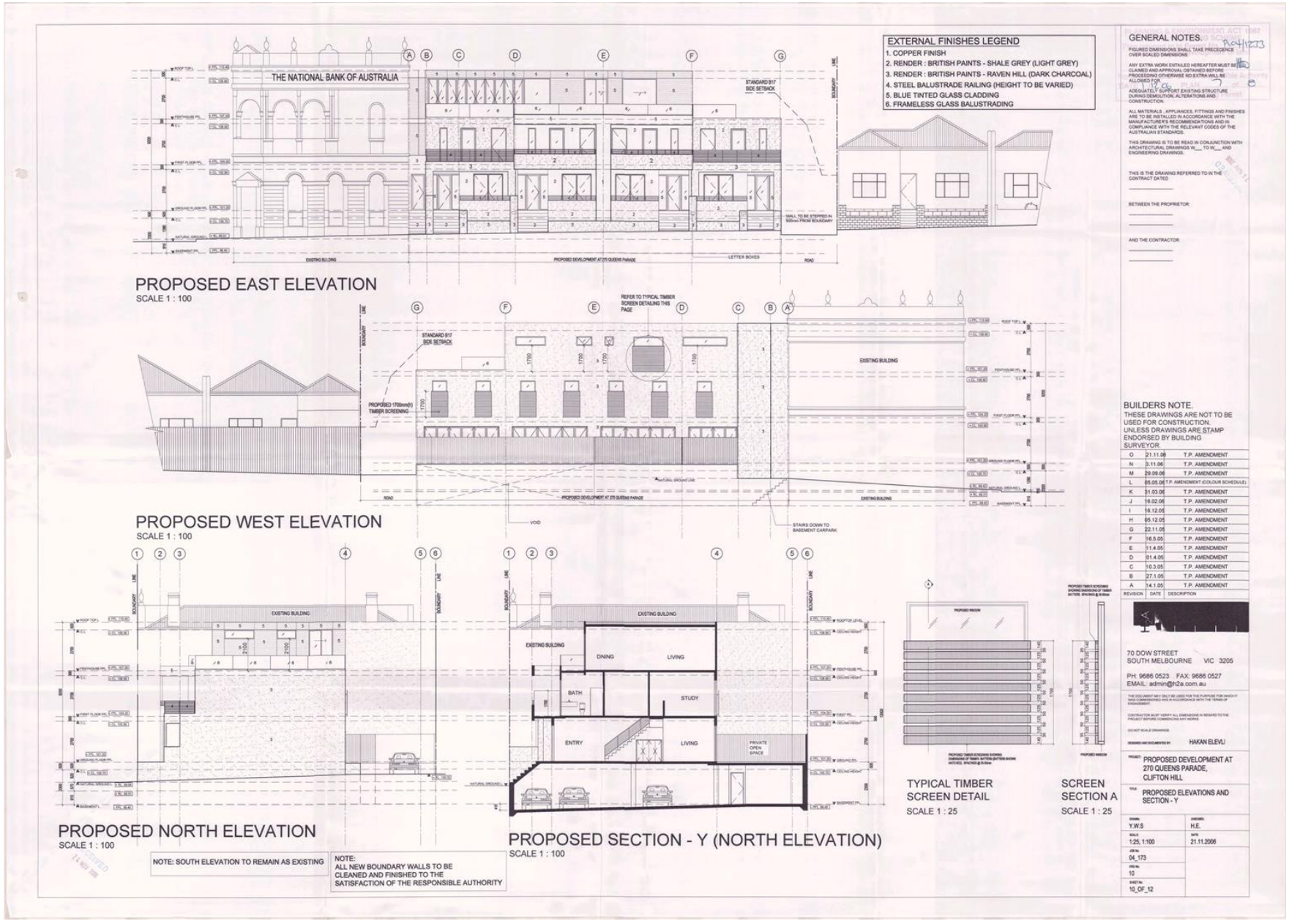
Attachment 6 - PL04/1233 - 270 Queens Parade North Fitzroy - Endorsed Plans



Attachment 6 - PL04/1233 - 270 Queens Parade North Fitzroy - Endorsed Plans



Attachment 6 - PL04/1233 - 270 Queens Parade North Fitzroy - Endorsed Plans



1.4 PLN16/0925 - 59 - 77 Victoria Parade and 5 - 7 Brunswick Street (plus Council ROW) and 20 - 32 Fitzroy Street Fitzroy - Development of the land for construction of a multi storey building as an extension to the existing hospital, including demolition and alterations to the existing buildings on the site and streetscape works, reduction in the car parking requirement and provision of car parking on another site.

Executive Summary

Purpose

1. This report provides Council with an assessment of Planning Permit application No. PLN16/0925 for development of the land for construction of a multi storey building as an extension to the existing hospital, including demolition and alterations to the existing buildings on the site and streetscape works, reduction in the car parking requirement and provision of car parking on another site.

Key Planning Considerations

2. Key planning considerations include:
   (a) Clause 9.01 – Plan Melbourne
   (b) Clause 11.06 – Metropolitan Melbourne
   (c) clause 15 – Built Environment and Heritage
   (d) Clause 22.02 – Development Guidelines for Sites Subject to the Heritage Overlay;
   (e) Clause 32.04 – Mixed Use Zone;
   (f) clause 32.09 – Neighbourhood Residential Zone, Schedule 1
   (g) clause 34.01 – Commercial 1 Zone;
   (h) clause 43.02 – Design and Development Overlay, Schedule 2;
   (i) clause 52.06 – Car Parking;
   (j) clause 52.34 – Bicycle facilities;
   (k) Clause 63 – Existing uses; and
   (l) Clause 65 – Decision Guidelines.

Key Issues

3. The key issues for Council in considering the proposal relate to:
   (a) Strategic policy support;
   (b) Heritage impacts;
   (c) Built form and design;
   (d) Amenity impacts;
   (e) Traffic, car parking, bicycle facilities, waste management and loading; and
   (f) Infrastructure.

Objector Concerns

4. A total of 19 objections were received to the application, these can be summarised as:
   (a) Lack of comprehensive development/master plan for the hospital;
   (b) Impact on the heritage significance and character of the site and surrounding area (including the proposed demolition, heights, setbacks and design);
   (c) Impact on the general character and amenity of the area; and
   (d) Impacts on traffic and car parking.

Conclusion

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

CONTACT OFFICER: **James Sutherland**
TITLE: **Principal Statutory Planner**
TEL: **9205 5046**

1.4 PLN16/0925 - 59 - 77 Victoria Parade and 5 - 7 Brunswick Street (plus Council ROW) and 20 - 32 Fitzroy Street Fitzroy - Development of the land for construction of a multi storey building as an extension to the existing hospital, including demolition and alterations to the existing buildings on the site and streetscape works, reduction in the car parking requirement and provision of car parking on another site.

Trim Record Number: D17/71431
Responsible Officer: Coordinator Statutory Planning

Proposal:	Development of the land for construction of a multi storey building as an extension to the existing hospital, including part demolition and alterations to the existing buildings on the site and streetscape works, reduction in the car parking requirement and provision of car parking on another site.
Existing use:	Hospital
Applicant:	St Vincent's Healthcare Limited
Zoning / Overlays:	Commercial 1 Zone, Mixed Use Zone and Neighbourhood Residential Zone (Schedule 1) Heritage Overlay Schedules 150, 190 and 334 Design and Development Overlay Schedule 2.
Date of Application:	11 October 2016
Application Number:	PLN16/0925

Planning History

1. Since 1991 there have been approximately 12 planning permits issued for the site, most for minor demolition and alterations to the hospital and signage.

2. One of these permits, PL04/0679 resulted in more significant re-arrangements including internal alterations at the ground floor, levels 1, 2 and 9 with the addition of three beds.

Background

3. The St Vincent's Hospital has operated in the precinct bordered by Victoria Parade, Brunswick Street, Nicholson Street and Gertrude Street since 1893. The site of the private hospital which is the subject of this application was opened in 1972 including the existing tower at the corner of Fitzroy Street and Victoria Parade. Subsequent alterations and additions were undertaken during the 1990s including the main entry on Victoria Parade and upper-level additions on the east side of the 1970s tower building. The long established use of the land for a hospital as accrued 'existing use rights' pursuant to clause 63.11 of the Yarra Planning Scheme.

4. During the early 2000s until present, a number of minor modifications have been made to signage and to the entry on Victoria Parade, as well as a more significant internal rearrangement as noted above. The hospital currently providing 227 multi-day patient beds, 33 same day beds, eight operating rooms and consulting suites among other facilities.

5. The hospital has now identified that to accommodate regulatory and capacity requirements, an expansion and re-configuration is needed and has applied for a planning permit for the development.

Sketch plans

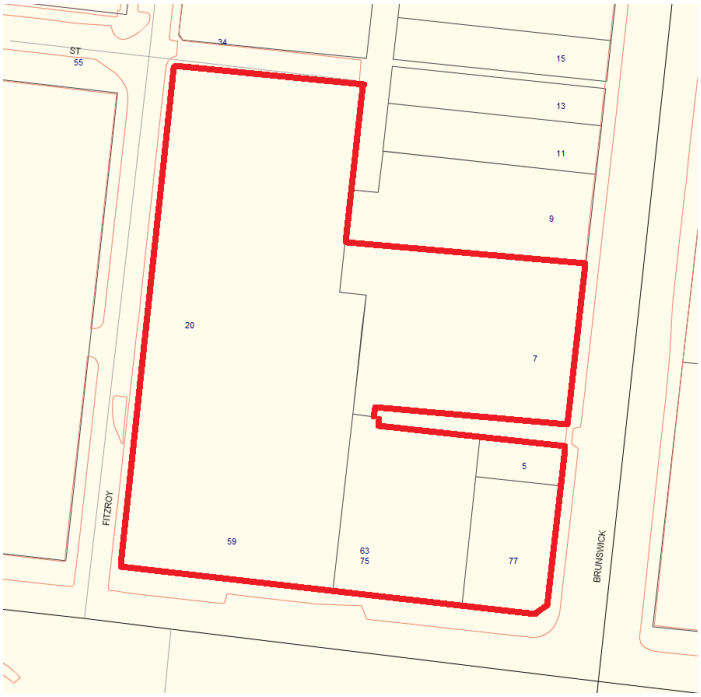
6. Following comments received from Council's Urban Design and Open Space Units as well as external urban design consultant, the applicant provided 'sketch plans' which seek to respond to matters that were raised. The 'sketch plans' are provided as an attachment to this report and include floor plans, elevations and landscape plans and include the following changes in summary:
   (a) Setback of the ground floor to Brunswick Street and cut-out at levels 1 and 2 at the interface of the East Hill Hotel;
   (b) A 1m x 1m rebate in the podium levels on Victoria Parade at the interface of the west wall of the East Hill Hotel with Level 3 setback 1m from the wall;
   (c) Victoria Parade entry showing the proposed canopy as being 5m above the footpath and extending further west and south over car parking spaces on Victoria Parade.
   (d) The Brunswick Street curb extended further south with additional seating;
   (e) The indented parking on Victoria Parade maintained at its current length with the new drop curb reduced in width and additional seating added;
   (f) The existing drop curb at the corner of Victoria Parade and Brunswick Street at its existing location;
   (g) Removal of bollards from the Brunswick Street entry and the drop curb;
   (h) Addition of 12 public bike hoops on Brunswick Street and 20 on Victoria Parade; and
   (i) Re-arrangement of the basement car parking area to increase secure staff bike parking and detail shower and change room facilities.

7. The changes shown in the 'sketch plans' will be discussed where relevant.

Existing Conditions

Subject Site

8. The subject site is made up of seven lots incorporating 59-61 Victoria Parade, 71-75 Victoria Parade, 77 Victoria Parade, 5 and 7 Brunswick Street and 20-32 Fitzroy Street in Fitzroy (as well as a Council laneway between 5 and 7 Brunswick Street). Collectively the lots are bounded by Victoria Parade (south), Brunswick Street (east), Fitzroy Street (west) and a laneway/ROW at the north-western corner as shown in the cadastral map below:



9. Buildings on the site range in height from 2-3 storeys along Brunswick Street and the eastern half of Victoria Parade; up to 10 storeys to the existing tower at the corner of Fitzroy Street and Victoria Parade; and seven storeys to the car park at the northern end on Fitzroy Street. These are shown in the aerial photograph below.

10. The land is generally flat and contains little vegetation except some landscaping including trees and shrubs within the front setback of No. 5 Brunswick Street. Two of the buildings on the site are on the Victorian Heritage Register:
    (a) The former Eastern Hill Hotel at 77 Victoria Parade is a three storey building constructed in 1854 with a rendered façade and rows of symmetrical windows facing the street; and
    (b) Edensor/Dodgshun House – 7 Brunswick Street is a two storey building constructed in 1865 with a rendered Italianate façade.

11. No. 71/73 Victoria Parade is a three storey building with a Spanish Mission style façade dating from c1930 and is graded 'Individually significant' within the South Fitzroy Heritage Overlay Precinct.

12. As discussed earlier, the site has a long history of use as a hospital resulting it accruing 'existing use rights' pursuant to clause 63.11 of the Yarra Planning Scheme. The hospital accommodates 227 multi-day patient beds, 33 same day beds, eight operating rooms and consulting suites among other facilities providing care and services in the areas of ear, nose & throat, gastrointestinal, gynecology, cardiac Services, maternity, neuroscience - brain and spinal, oncology & haematology, oral & maxillofacial, orthopaedic, rehabilitation cardiac rehab, urology and sleep study.

13. The buildings also contain a number of ancillary uses including a pharmacy and café at the ground floor of the 59-61 Victoria Parade building. The site also contains a loading bay from Fitzroy Street as well as multi-level car park for 398 car spaces.

    Surrounding Land

14. To the north of the site on Brunswick Street is a two storey building known as Depaul House operating as a drug and alcohol rehabilitation service operated by St Vincent's Hospital. Beyond that is a row of 2-3 storey Victorian era buildings constructed to the front and side boundaries.

15. To the northern end of the site along Fitzroy Street is a laneway/Council ROW beyond which is a two storey building built to the front and side boundaries with rear at-grade car parking. Further north are a row of 2-4 storey buildings built hard to the street on the east side and a two storey streetwall on the west side with a 10-11 storey tower behind. The northern end of Fitzroy Street contains 1-2 storey buildings including several dwellings.

16. To south is Victoria Parade a major east-west boulevard containing 8-9 lanes of traffic plus large central grassed median with large canopy trees. Directly opposite the site is a tram 'super-stop' with multiple pedestrian shelters, walking and waiting areas and landscaping. On the southern side of Victoria Parade is the 10 storey Eye and Ear Hospital. Beyond this building is St Patrick's Cathedral at the corner of Albert and Gisborne Streets.

17. South-east on Victoria Parade are a mix of two and three storey attached Victorian era buildings built to the street. Further east on the southern side of Victoria Parade beyond Lansdowne Street are 7-9 storey buildings with no upper level setbacks and which appear to be offices.

18. To the east across Brunswick Street is the Australian Catholic University (ACU). The ACU campus contains numerous buildings and open areas including:

    (a) Two storey building at the corner of Brunswick Street and Victoria Parade;
    (b) Public open square north-east of the subject site fronting Brunswick Street;
    (c) 9-10 storey building east of the open square;
    (d) 6 storey building at 115 Victoria Parade.

19. The ACU is currently in the process of seeking planning approval to amend the approved Development Plan (DP) for the campus which affects land on Victoria Parade, Young Street, Napier Street and Brunswick Street. Proposed changes include:
    (a) a new 12 storey building plus plant (13 storey) building on the corner of Victoria Parade and Napier Street including 7 basement levels accommodating 270 cars accessed from Napier Street;
    (b) increase student numbers from 2,125 full time students to 12,900 students (inclusive of surrounding sites not included within the DP);
    (c) increase staff numbers from 180 to 1,200 staff (inclusive of surrounding sites not included within the DP);
    (d) a new 3 level (equivalent of 4 levels) triangular shaped building surrounded by landscaping on Young Street.

20. The ACU has appealed to VCAT for a determination of the amendments to the DP. A hearing is scheduled for 27 June 2017 for four days.

21. At is meeting on 21 March 2017 Council resolved that if it had been in a position to it would have approved the amendments to the DP with changes including:
    (a) Reduction in the height of the building on the corner of Victoria Parade and Napier streets from 59.45m to approximately 42.95m (3-4 storeys);
    (b) Increased setbacks at levels 1-3 from Napier Street by approximately 3.5m;
    (c) Increased setback from Napier Street of additions to the Mary Gowery Building from 31.9m to at least 42m.

22. Also to the east along Victoria Parade is a three storey building containing a childcare centre with an 8 storey car parking building behind, all operated by St Vincent's Hospital. Immediately east of the childcare centre is a two storey building being the former Melbourne & Metropolitan Tramway Board Offices which is graded 'individually significant' within the South Fitzroy Precinct.

23. To the north-east along Brunswick Street are 1-3 storey buildings, most built to the front and side boundaries and having a Victorian era character.

24. To the west is a 7 storey building at the western corner of Victoria Parade and Fitzroy Street. This is part of the St Vincent's public hospital that contains buildings of 2-11 storeys to the corner of Nicholson Street as well as to the north behind Victoria Parade. There is a large open car parking/drop-off area off Fitzroy Street servicing the hospital with pedestrian access also through to Nicholson Street.

25. The wider area contains and is characterised by the following:

    (a) The Brunswick Street Major Activity (and Gertrude Street) centre to the north which contains a large range of retail, food and drink, dining, pubs and bars and services. The built form character is generally Victorian shop fronts 1-3 storeys with some taller examples as well as public housing towers up to 21 storeys;
    (b) The Melbourne CBD which commences on the southern side of Victoria Parade;
    (c) The broader health and education precinct including the St Vincent's Private Hospital, St Vincent's Public Hospital, St Vincent's Research Unit, the ACU, Eye and Ear Hospital, Epworth/Freemasons as well as numerous consulting and specialist medical services located in buildings along Victoria Parade as well as Albert Street to the south. The proximity of these services is highlighted in the image below (provided in the permit applicant's town planning report); and
    (d) Public transport services include trams along Victoria Parade, Brunswick Street, Nicholson Street (250m west), Gertrude Street (220m north), Parliament Train Station 300m south-west and buses on Victoria Parade.

The Proposal

26. The applicant proposes part demolition of buildings on the site and construction of a multi-storey extension including streetscape works. More specifically:

    Demolition

    (a) All of the building at 63-73/71 Victoria Parade known as Easthill House;
    (b) All of the buildings at 75 Victoria Parade and 5 Brunswick Street
    (c) Part of Level 4 and glazing at the parapet of the existing tower as well as part of the eastern façade of the tower up to level 9;
    (d) Removal of the main pedestrian entry at the ground floor of the No. 59-61 Victoria Parade building;

(e) The north-western corner of No. 77 Victoria Parade known as the Former Eastern Hill Hotel (this does not require a planning permit. Approval from Heritage Victoria is required since the land is on the Victorian Heritage Register);
(f) An outbuilding within the rear of 7 Brunswick Street known as Edensor House as well as the brick fence along the southern boundary (this also does not require a planning permit as the land is also on the Victorian Heritage Register);
(g) Removal of the bluestone laneway between 5 and 7 Brunswick Street and the corresponding crossover;
(h) Part of the ground floor façade of the car parking building on Fitzroy Street;
(i) Internal demolition of the car park and No.59-61 Victoria Parade building (no permit required)

Construction

27. The proposed alterations and additions can be summarised as follows:
    (a) Construction of a multi-storey addition and alterations to the existing hospital building generally comprising:
        (i) Additional facilities and services including:
            - 91 multi-days hospital beds;
            - 12 same day hospital beds;
            - 8 operating theatres;
            - 37 recovery and pre-operating beds;
            - 10 consulting suites.
        (ii) Ground floor ancillary services including
            - café(s) totally 301.5sqm;
            - Relocated pharmacy; and
            - Retail space;
        (iii) A four storey (16.9m) street wall/podium on Victoria Parade between Nos. 59-61 and 77 and a three storey (11.7m) street wall at No. 5 Brunswick Street;
        (iv) An 11 storey (plus plant room) tower above the podium levels up to 47.3m in height. The tower would be setback at least 10.1 from Brunswick Street from Level 3 and above, 9.1m from Victoria Parade from Level 4 and above (the staircase in the south-east corner would be setback 7.2m), 6.5-6.8m from the southern wall of the Dodgshun House and 22.25m from the subject site's northern boundary (eastern half). Up to Level 5, the new and existing towers would be abut one another forming a continuous wall, setback 9.1m from Victoria Parade. From level 6 and above the towers would be separated by 12m at the southern end and 8m at a setback of 16.5m from Victoria Parade. A new link would be constructed between the two towers up to level 9 setback 29m from Victoria Parade;
        (v) The southern face of the tower to Victoria Parade would be 30.5m wide, the eastern face to Brunswick Street 33.9m and 30m on its northern side.
        (vi) An open courtyard on the northern side of the ground floor including new paving and seating within No. 7 Brunswick Street where the proposed building would cantilever over with a staggered setback from the southern wall of Dodgshun House between 1m at the western end 15m at the eastern end up to level 2. At level 3 and above the tower would be setback 6.5m-6.8m encroaching into the land within the VHR registration by approximately 5.5m;
        (vii) The pedestrian entrance on Victoria Parade within No. 59-61 would be replaced with glazing with a new entry within the new Victoria Parade façade at 63-75 Victoria Parade including an indented sliding door and canopy over;
        (viii) A new car park entrance to the Fitzroy Street car park approximately 10m south of the existing entry/exit;
    (b) Internally, the ground floor of the retained buildings would be rearranged to provide:
        (i) Re-location of the existing pharmacy, café, front of house and consulting suites, new retail space, administration areas and meeting room within the 59-61 Victoria Parade Building;

(ii) Café at the corner of Victoria Parade and Brunswick Street in the Former Eastern Hill Hotel building as well as café space adjacent to the new pedestrian entry on Brunswick Street partially within the new building and partially with the Former Eastern Hill Hotel building;

(c) The new building would provide medical imaging and circulation areas within the new ground floor as well as open seating areas on the north side.

(d) Above the ground floor the new building would contain operating rooms, recovery suites, pre-operation suites (levels 1-2), maternity ward (level 3), inpatient wards (Level 4-8), intensive care unit (level 9), consulting suites and oncology unit (level 10) and plant room at the level 11.

(e) The existing tower will continue to accommodate consulting suites, cardiac services, maternity ward and inpatient suites as well as being rearranged to accommodate new consulting suites and special care nursery at Level 3, internal courtyard at Level 4 between the existing and new towers and link between the two buildings at all levels (except level 10);

(f) Expansion and alterations to the basement level including:
   (i) New sterile and supply rooms, plant and equipment and back of house areas generally under the new building and north-western corner of the Former Eastern Hill Hotel;
   (ii) New basement level 2 beneath the new tower containing plant and equipment;
   (iii) Re-arranged back of house areas and loading dock (expanded) underneath the existing tower building.

(g) Modifications to the carpark building on Fitzroy Street including:
   (i) New plant and equipment areas, bike store and car parking bay location and drop off area at the basement level;
   (ii) Separation of entry and exit areas by creating a new entry to the south of the existing, addition of bike parking and shower change areas and new hospital entry in the south-east corner.

Design and materials

(h) The proposed building is modern in appearance comprising several different features including:
   (i) On the south side, the Victoria Parade streetwall is to be constructed of vertically orientated light beige coloured panels with a semi-rough stone finish. The panels would be punctuated by horizontal sections of windows and louvred sections at the western end. The ground floor would contain a 6m wide indented entry surrounded by feature purple glass panels above which would be a metal canopy;
   (ii) Above the streetwall the tower would be made up of horizontal bands of glazing and light grey panels which would be organised to form the general appearance of a ‘cross’ albeit on a 45 degree tilt. The uppermost two levels would have a darker panel and be angled away from the street as well as the existing tower. At the eastern end of the facade would be a projecting stair element appearing as a series of blocks with a large tinted glazing panel at each level. The stair would be capped with a polycarbonate feature extending a storey above the parapet to the level of the plant room;
   (iii) The eastern façade facing Brunswick Street would comprise a new three storey section of copper coloured aluminium cladding to the southern end with clear and bronze tinted glazing and projecting bronze colour canopies.
   (iv) Above the streetwall, the tower would be a series of horizontally articulated segments stacked on top of each other. Each segment would be clad in textured fibre cement panel, square windows with projecting bronze aluminium hoods. Sections of copper coloured cladding panels would be located either side of the windows along the façade. The top two levels would have long glazed panels that rake back at the northern end. The southern end of the façade would contain the extended stair section in grey fibre cement panels and translucent danpolon panels.

(v) On the north side, the lower podium levels would generally be clear glazing with sections of copper coloured aluminium cladding at the eastern and western end. At the tower level, each floor would have a series of square windows with projecting horizontal and partly angled bronze coloured aluminium shading. The walls would primarily be clad in grey and charcoal coloured panels. There would be a vertical strip of copper coloured aluminium panels at the eastern which would cover the top two levels which contain larger horizontal bands of glazing with the plant room raking back into the site. The western end would have a vertical staircase with boxed windows at each level.

(vi) The western elevation would generally be obscured by the existing tower but would be clad in a light colour aluminium panel with several sets of windows at each level.

Environmentally Sustainable Design

28. The proposed development will incorporate the following ESD features:
    (a) Energy efficient mechanical ventilation;
    (b) Daylight factor of 2% to 30% of office floor area. Min VLT 0.4;
    (c) Exceed minimum BCA/NCC thermal energy efficiency standards by 10%;
    (d) STORM report with a 101% STORM score has been submitted that relies on 1,390m2 of roof area connected to 18,000 litres of rainwater storage, connected to toilet flushing for 80 occupants or more;
    (e) High efficiency (90%) gas hot water systems;
    (f) High efficiency HAVC system;
    (g) Energy efficient lighting with occupancy/daylight sensor controls throughout;
    (h) 46 bicycle parking spaces have been provided for staff and visitors. End of trip facilities (7 showers and lockers) provided for staff; and
    (i) Electric vehicle charging facilities.

Car parking provision and layout, bike parking, loading and waste

29. The following car parking provision is proposed:
    (a) A total of 185 new car parking spaces across the subject site and at No. 93-99 Victoria Parade in association with the expansion of that car park under planning permit PLN16/0926;
    (b) Re-location of staff car parks from the Fitzroy Street car park to create an additional 112 visitor spaces on the site;
    (c) Creation of an onsite drop-off/pick-up area at the basement level of the Fitzroy Street car park;
    (d) Provision of 12 visitor bike spaces and 34 staff spaces within the Fitzroy Street car park with shower and change room facilities;
    (e) Modification of the basement loading bay to create an additional space;
    (f) Expansion and re-location of the on-site waste storage and collection area within the basement.

Landscaping and streetscape works

30. The following is proposed:
    (a) Removal of power poles along Victoria Parade;
    (b) Replacement of street trees on Victoria Parade and Brunswick Street;
    (c) Extension of the curb/footpath at the corner of Victoria Parade and Brunswick Street north along Brunswick Street and extension of the footpath to the east outside the new Brunswick Street entry;
    (d) Expansion of indented car parking along Victoria Parade; and
    (e) New paving to footpaths with bollards, seating and planter boxes.
    (f) Landscaping on the northern side of the ground floor.

Planning Scheme Provisions

Zoning

31. The site is contained within the Commercial 1 Zone, Mixed Use Zone and Neighbourhood Residential Zone (Schedule 1).

Commercial 1 Zone

32. Pursuant to clause 34.01-1 use of the land as a hospital requires a permit as an unlisted use and a medical centre/consulting suites are a section 1, no permit required use. However, both uses have established existing use rights under clause 63.11 of the Scheme, thus use of the land for the hospital does not require a permit.

33. The cafes/food and drinks premises uses are section 1, uses and do not require a permit.

34. The pharmacy and retail/shop uses are considered 'ancillary' to the hospital use given their internal location, direct and depended relationship with the hospital use and do not require planning permission.

35. Pursuant to clause 34.01-4, a planning permit is required to construct a building or construct or carry out works.

Mixed Use Zone

36. Pursuant to clause 32.04-1 use of the land for a hospital and medical centre require a planning permit. However, as stated earlier, both these uses have existing use rights, thus no permit is required for them.

37. Pursuant to clause 32.04-8 a permit is required to construct a building or construct or carry out works for a use in section 2 of clause 32.04-1.

Neighbourhood Residential Zone, Schedule 1

38. Pursuant to clause 32.09-1 use of the land for a hospital and medical centre (given permit exemptions are not met) require a planning permit. However, as stated, both these uses have existing use rights, thus no permit is required for them.

39. Pursuant to clause 32.09-9 a permit is required to construct a building or construct or carry out works for a permit required use.

Road Zone Category 1

40. Pursuant to clause 34.04-2 a permit is required to construct a building or construct or carry out works for a use in section 2 (clause 34.04-1). The hospital is a section 2 use and proposes to construct a canopy into Victoria Parade (over the footpath), thus a permit is required.

Overlays

Heritage Overlay, Schedules 150 (Dodgshun House), 190 (Former Eastern Hill Hotel) and 334, South Fitzroy Precinct.

41. Pursuant to clause 43.01-1, a permit is required to demolish or remove a building and to construct a building or construct or carry out works.

42. Pursuant to clause 43.01-2 a permit is not required to develop (including demolishing) a place/building which is included on the Victorian Heritage Register (VHR). Both the

Dodgshun House and Former Eastern Hill Hotel sites are included on the VHR, thus a permit is not required for demolition and new building under the HO on those sites. Heritage matters for those sites are dealt with by a permit application to Heritage Victoria.

Design and Development Overlay, Schedule 2 (Main Roads and Boulevards)

43. Pursuant to clause 43.02-2 a permit is required to construct a building or construct and carry out works.

Particular Provisions

Clause 52.06 – Car parking

44. Car parking rates are specified at clause 52.06-5. Under clause 52.06-3, a permit may be granted to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 (noting there is no relevant Parking Overlay).

45. The car parking requirements for the proposed uses are summarised below:

Land Use	Units/Area proposed	Rate	No. required	No. proposed	Reduction sought
Hospital	Additional 103 same and multi-day beds, 8 operating rooms and 37 recovery and pre-operation beds.	Not specified. Car parking provided to the satisfaction of the Responsible Authority/Council.	N/A	180 (net additional spaces to be located in an extension of the existing staff car park at 93-99 Victoria Parade)	N/A
Consulting suites/medical centre	10 practitioners	5 to the first person providing health services plus 3 to every other person providing health services	32		0
Café/food and drinks premises	301.5sqm	4 to each 100 sqm of leasable floor area	12	0	12
Total			**44**	**180**	

46. Car parking for all staff is proposed to be located within an existing car park owned and operated by St Vincent's Hospital at 93-99 Victoria Parade (50m east of the hospital). The car park is proposed to be extended via planning permit application PLN16/0926 for an additional 185 car parking spaces (there would be a net increase of only 180 spaces given five are proposed to be removed from the Fitzroy Street car park to facilitate the new drop-off/pick up area at basement level). This car park accommodates only staff for the hospital.

47. As part of the proposed development a reallocation of parking spaces from the Fitzroy Street car park will occur resulting in the following outlined at page 31of the applicant's Transport Impact Assessment prepared by One Mile Grid:

Table 5 Car Parking Allocations

Location	Allocation	Existing Supply	Change	Ultimate Supply
Fitzroy Street	Staff	134	-112	22
	Visitors	264	+107	371
	Sub-Total	398	-5	393
Victoria Parade	Staff	529	+185	714
	Visitors	0	0	0
	Sub-Total	529	+185	714
Total		**927**	**+180**	**1,107**

48. For the purposes of clause 52.06, the table shows that all new staff parking including the consulting suites will be provided within the Victoria Parade car park (714 spaces overall). Accordingly, a permit is required under clause 52.06-3 to provide all the medical centre/consulting suite staff spaces on another site. Visitor spaces (371 overall) are proposed to be accommodated within the Fitzroy Street car park on the site through the reallocation of 112 staff spaces to visitor spaces.

Clause 52.34 – Bicycle facilities

49. Pursuant to Clause 52.34-1 a new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities are provided on the land.

50. A permit may be granted to vary, reduce or waive the requirements. The table at Clause 52.34-3 specifies the required bicycle parking spaces as summarised below follows:

Use	No/Area	Requirement	Total
Hospital	103 beds	1 space per 15 beds for employees 1 space per 30 beds for visitors	7 3
Medical Centre	10 practitioners	1 space per 8 practitioners for employees 1 space per 4 practitioners for visitors	1 3
Retail Premises (Café)	301.5 sq m	1 space per 300 sq m of leasable floor area for employees 1 space per 500 sq m of leasable floor area for visitors	1 1
Total		Employees Visitors	9 7

51. In addition, Table 2 of Clause 52.34-3 requires that where 5 or more employee bicycles are provided, shower and change room facilities should be accommodated. The requirement is summarised below:

	No Employee Bicycle Spaces	Requirement	Total
Shower	9	If 5 or more employee bicycle spaces are required, 1 shower for the first 5 employee bicycle spaces, plus 1 to each 10 employee bicycle spaces thereafter.	1

52. A total of 46 additional bicycle spaces are provided in the development, 12 publically accessible spaces on the ground floor of the Fitzroy Street car park, and another 34 secure staff spaces at the basement and ground levels. The proposal provides in excess of the requirements and thus no permit is required.

53. There are also 4 new shower/change rooms located within the ground level of the Fitzroy Street carpark.

Clause 63 – Existing Uses

54. As previously stated, the use of the land for a hospital as a long and established history which has accrued 'existing use rights' under to clause 63.11.Pursuant to clause 63.05, where an existing use right has been established and the use is in section 2 of the relevant zone, a planning permit is required to construct buildings and works.

General Provisions

Clause 65 – Decision Guidelines

55. Clause 65 is relevant to all applications and requires, amongst other things, consideration be given to:

(a) *The matters set out in Section 60 of the Act.*
(b) *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
(c) *The purpose of the zone, overlay or other provision.*
(d) *Any matter required to be considered in the zone, overlay or other provision.*
(e) *The orderly planning of the area.*
(f) *The effect on the amenity of the area.*
(g) *The proximity of the land to any public land.*

State Planning Policy Framework (SPPF)

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

Clause 9.01 – Plan Melbourne Implementation

57. This clause states that among other things, *Where relevant, planning and responsible authorities must consider and apply the strategy Plan Melbourne 2017-2050: Metropolitan Planning Strategy (Department of Environment, Land Water and Planning, 2017).*

Clause 10.02 – Objectives

58. The State Planning Policy Framework seeks to ensure that the objectives of planning in Victoria (as set out in Section 4 of the *Planning and Environment Act 1987*) are fostered through appropriate land use and development planning policies and practices which integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development. The objectives of planning in Victoria are:

(a) *To provide for the fair, orderly, economic and sustainable use, and development of land;*
(b) *To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;*
(c) *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;*
(d) *To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;*
(e) *To protect public utilities and other facilities for the benefit of the community;*

(f) *To facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e); and*
(g) *To balance the present and future interests of all Victorians.*

Clause 10.04 – Integrated decision making

59. *Among other things, this clause states:*

(a) *Society has various needs and expectations such as land for settlement, protection of the environment, economic well-being, various social needs, proper management of resources and infrastructure. Planning aims to meet these by addressing aspects of economic, environmental and social well-being affected by land use and development.*
(b) *Planning authorities and responsible authorities should endeavour to integrate the range of policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.*

Clause 11 – Settlement

60. This clause contains the following relevant statements:

(a) *Planning is to recognize the need for, and as far as practicable contribute towards:*
(i) Health and safety.
(ii) Diversity of choice.
(iii) Adaptation in response to changing technology.
(iv) Economic viability.
(v) A high standard of urban design and amenity.
(vi) Energy efficiency.
(vii) Prevention of pollution to land, water and air.
(viii) Protection of environmentally sensitive areas and natural resources.
(ix) Accessibility.
(x) Land use and transport integration

(b) *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 11.01-1 Settlement networks

61. The objective of this clause is:
(a) To promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

62. Relevant strategies are to:
(a) *Focus investment and growth in places of state significance, including the following locations:*
(i) Health and Education Precincts (among other locations)

Clause 11.02 – Urban growth

63. The objective of this clause is:

(a) *To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.*

64. Relevant strategies include:

(a) *Planning for urban growth should consider:*
   (i) Opportunities for the consolidation, redevelopment and intensification of existing urban areas.
   (ii) Neighbourhood character and landscape considerations.

Clause 11.03-2 Activity centre planning

65. The objective of this clause is to:
   (a) *To encourage 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.*

66. Relevant strategies include:
   (a) *Locate significant new education, justice, community, administrative and health facilities that attract users from large geographic areas in or on the edge of Metropolitan Activity Centres or Major Activity Centres with good public transport.*

Clause 11.04-4 – Liveable Communities and Neighbourhoods

67. The objective of this clause is:

   (a) *To create healthy and active neighbourhoods and maintain Melbourne's identity as one of the world's most liveable cities.*

68. Relevant strategies include:

   (a) *Protect Melbourne and its suburbs from inappropriate development.*
   (b) *Achieve and promote design excellence.*

Clause 11.06-1 – Jobs and investment

69. The objective of this clause is:
   (a) *To create a city structure that drives productivity, attracts investment, supports innovation and creates jobs.*

70. Relevant strategies include:

   (a) *Support the significant employment and servicing role of Health and Education Precincts by:*
      (i) focussing on improving access, particularly public transport access.
      (ii) encouraging co-location of facilities to better utilise existing infrastructure.
      (iii) supporting and facilitating growth of associated businesses and industries.
      (iv) reinforcing their specialised economic functions while also providing opportunities for ancillary retail, commercial, accommodation and supporting services.

Clause 13 – Environmental Risks

Clause 13.04-1 – Noise abatement

71. The objective of this clause is:

   (a) *To assist the control of noise effects on sensitive land uses.*

Clause 15 – Built Environment and Heritage

Clause 15.01-1 – Urban design

72. The objective of this clause is:

(a) *To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.*

Clause 15.01-2 – Urban Design Principles

73. The objective of this clause is:

(a) *To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.*

74. This clause outlines principles relating to context; the public realm; safety; landmarks; views and vistas; pedestrian spaces; heritage; consolidation of sites and empty sites; light and shade; energy and resource efficiency; architectural quality, and landscape architecture. These principles will be addressed in the following urban design assessment.

75. This Clause also states that planning must consider as relevant:

(a) *Design Guidelines for Higher Density Residential Development (Department of Sustainability and Environment, 2004) in assessing the design and built form of residential development of five or more storeys; and*
(b) *Safer Design Guidelines for Victoria (Crime Prevention Victoria and Department of Sustainability and Environment, 2005) in assessing the design and built form of new development.*

Clause 15.01-4 – Design for safety

76. The objective of this clause is:

(a) *To improve community safety and encourage neighbourhood design that makes people feel safe.*

Clause 15.01-5 – Cultural identity and neighbourhood character

77. The objective of this clause is:

(a) *To recognise and protect cultural identity, neighbourhood character and sense of place.*

Clause 15.02 – Sustainable Development

Clause 15.02-1 – Energy and resource efficiency

78. The objective of this clause is:

(a) *To encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.*

Clause 15.03-1 – Heritage conservation

79. The objective of the clause is:
(a) *To ensure the conservation of places of heritage significance.*

80. Relevant strategies include:
(a) *provide for the conservation and enhancement of those places which are of, aesthetic, archaeological, architectural, cultural, scientific, or social significance, or otherwise of special cultural value;*
(b) *encourage appropriate development that respects places with identified heritage values and creates a worthy legacy for future generations;*

(c) *retain those elements that contribute to the importance of the heritage place;*
(d) *encourage the conservation and restoration of contributory elements;*
(e) *ensure an appropriate setting and context for heritage places is maintained or enhanced; and*
(f) *support adaptive reuse of heritage buildings whose use has become redundant.*

Clause 17 – Economic development

Clause 17.01-1 – Business

81. The objective of this clause is:

(a) *To encourage development which meet the communities' needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.*

Clause 17.02-4 - Innovation and research

82. The objective of this clause is:
(a) *To create opportunities for innovation and the knowledge economy within existing and emerging industries, research and education.*

83. Relevant strategies are:
(a) *Support the development of business clusters.*
(b) *Encourage the provision of infrastructure that helps people to be innovative and creative, learn new skills and start new businesses in activity centres and near public transport.*

Clause 18 – Transport

Clause 18.01-1 – Land use and transport planning

84. The objective of this clause is:

(a) *To create a safe and sustainable transport system by integrating land-use and transport.*

85. A relevant strategy is:

(a) *Plan urban development to make jobs and community services more accessible by:*
(i) Ensuring access is provided to developments in accordance with forecast demand, taking advantage of all available modes of transport and to minimise adverse impacts on existing transport networks and the amenity of surrounding areas.
(ii) Coordinating improvements to public transport, walking and cycling networks with the ongoing development and redevelopment of the urban area.
(iii) 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.

Clause 18.02-1 – Sustainable personal transport

86. The objective of this clause is:

(a) *To promote the use of sustainable personal transport.*

Clause 18.02-2 – Cycling

87. It is an objective:

    (a) *To integrate planning for cycling with land use and development planning and encourage as alternative modes of travel.*

    Clause 18.02-5 – Car parking

88. The objective is:

    (a) *To ensure an adequate supply of car parking that is appropriately designed and located.*

89. Relevant strategies include:

    (a) *Allocate or require land to be set aside for car parking subject to the existing and potential modes of access including public transport, the demand for off-street car parking, road capacity and the potential for demand management of car parking.*
    (b) *Prepare plans for the design and location of local car parking to:*
        (i) Protect the role and function of nearby roads, enable easy and efficient use and the movement and delivery of goods.
        (ii) Achieve a high standard of urban design and protect the amenity of the locality, including the amenity of pedestrians and other road users.
        (iii) Create a safe environment, particularly at night.
        (iv) Facilitate the use of public transport.
    (c) *Protect the amenity of residential precincts from the effects of road congestion created by on-street parking.*

    Local Planning Policy Framework (LPPF)

    *Municipal Strategic Statement [**MSS**]*

    Clause 21.03 – Vision

90. *The overarching vision for Yarra to the year 2020 includes as relevant:*

    (a) Increased opportunities for employment and a range of activities to meet the needs of the community including people from across Melbourne;
    (b) New development that demonstrates design excellence, historic fabric that demonstrates the development of Melbourne and is internationally recognised and a low rise form with areas of higher development;
    (c) Walking, cycling and public transport is prioritised; and
    (d) New development has high quality ESD outcomes.

91. Within the Strategic Framework Plan Map at Figure 1, the site is located in the Brunswick Street Major Activity Centre and adjacent to an area highlighted as a Specialist Medical Precinct.

    Clause 21.04-2 – Activity Centres

92. This clause notes the important roles Yarra's activity centres play in providing a diverse range of service, retail and entertainment uses. Relevant objectives and strategies include:
    (a) *Objective 4 To maintain a balance between local convenience and regional retail roles in Yarra's activity centres.*
        (i) Strategy 4.1 Increase the range of retail, personal and business services, community facilities, and recreation activities, within individual centres. Strategy
        (ii) 4.2 Support the regional role of the Major Activity Centres as an important component of Yarra's economy and as a metropolitan destination.

(b) *Objective 5 To maintain the long term viability of activity centres.*
    (i) Strategy 5.2 Support land use change and development that contributes to the adaptation, redevelopment and economic growth of existing activity centres.

Clause 21.04-3 – Industry, office and commercial

93. This clause highlights the volume of commercial and associated uses is so significant that they form clusters of interrelated activity.

94. The relevant objective of this clause is: *Objective 8 To increase the number and diversity of local employment opportunities.*

Clause 21.04-4 - Community facilities, hospitals and medical services

95. This clause states *Council wishes to retain community services which cater to a range of needs (in particular for disadvantaged groups). Community facilities may be private or not for profit organizations. While large regional facilities such as the Epworth and St Vincent's hospitals are important to the community, their operation and expansion must respond to the local context.*

96. Relevant objectives and strategies include:

(a) *Objective 10 To provide accessible community services.*
    (i) Strategy 10.1 Encourage community facilities and services to co-locate and to locate within or adjacent to activity centres and locations that support multipurpose trips and shared parking arrangements for people of all abilities.
    (ii) Strategy 10.2 Encourage community facilities to locate where they are easily accessible by public transport.
(b) *Objective 11 To limit the impact of regional community facilities. Strategy 11.1 Require the preparation of master plans for regional community facilities including hospitals and schools.*

Clause 21.05-1 - Heritage

97. Relevant objectives include:
(a) *Objective 14 To protect and enhance Yarra's heritage places.*
    (i) Strategy 14.1 Conserve, protect and enhance identified sites and areas of heritage significance including pre-settlement ecological heritage;
    (ii) Strategy 14.2 Support the restoration of heritage places;
    (iii) Strategy 14.3 Protect the heritage skyline of heritage precincts;
    (iv) Strategy 14.4 Protect the subdivision pattern within heritage places;
    (v) Strategy 14.5 Protect the significant landscape and heritage within streets, parks, gardens, waterways or other open spaces;
    (vi) Strategy 14.6 Protect buildings, streetscapes and precincts of heritage significance from the visual intrusion of built form both within places and from adjoining areas; and
    (vii) Strategy 14.8 Apply the Development Guidelines for sites subject to a Heritage Overlay policy at clause 22.02.

Clause 21.05-2 – Urban design

98. The relevant objectives and strategies of this clause are:
(a) *Objective 16 To reinforce the existing urban framework of Yarra.*
(b) *Objective 17 To retain Yarra's identity as a low-rise urban form with pockets of higher development.*
    (i) Strategy 17.2 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.*

(c) *Objective 18 To retain, enhance and extend Yarra's fine grain street pattern.*
(d) *Objective 20 To ensure that new development contributes positively to Yarra's urban fabric.*
(e) *Objective 21 To enhance the built form character of Yarra's activity centres.*
(f) *Objective 22 To encourage the provision of universal access in new development.*

Clause 21.05-4 – Public environment

99. The relevant objective and strategies of this clause are:
    (a) *Objective 28 To a provide a public environment that encourages community interaction and activity:*
        (i) Strategy 28.1 Encourage universal access to all new public spaces and buildings.
        (ii) Strategy 28.2 Ensure that buildings have a human scale at street level.
        (iii) Strategy 28.3 Require buildings and public spaces to provide a safe and attractive public environment.
        (iv) Strategy 28.5 Require new development to make a clear distinction between public and private spaces.
        (v) Strategy 28.9 Apply the Public Open Space Contribution policy at clause 22.12.

Clause 21.06-1 – Walking and cycling

100. The relevant objective and strategies of this clause are:
    (a) *Objective 30 To provide safe and convenient pedestrian and bicycle environments.*
        (i) Strategy 30.1 Improve pedestrian and cycling links in association with new development where possible.
        (ii) Strategy 30.2 Minimise vehicle crossovers on street frontages.
        (iii) Strategy 30.3 Use rear laneway access to reduce vehicle crossovers.

Clause 21.06-2 – Public transport

101. The relevant objective and strategies of this clause are:
    (a) *Objective 31 To facilitate public transport usage.*
        (i) *Strategy 31.1 Require new development that generates high numbers of trips to be easily accessible by public transport.*

Clause 21.06-3 – The road system and parking

102. The relevant objective and strategies of this clause are:
    (a) *Objective 32 To reduce the reliance on the private motor car.*
        (i) *Strategy 32.1 Provide efficient shared parking facilities in activity centres.*
        (ii) *Strategy 32.2 Require all new large developments to prepare and implement integrated transport plans to reduce the use of private cars and to encourage walking, cycling and public transport.*
    (b) *Objective 33 To reduce the impact of traffic.*
        (i) *Strategy 33.1 Ensure access arrangements maintain the safety and efficiency of the arterial and local road networks.*

Clause 21.07-1 – Ecologically sustainable development

103. The relevant objective of this clause is:
    (a) *Objective 34 To promote ecologically sustainable development.*

Clause 21.08-7 – Fitzroy

104. The following relevant commentary is offered at this clause:
    (a) *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.*
    (b) *Victoria Parade, an important boulevard with substantial office development and the St Vincent's Hospital precinct, is on the south side of this neighbourhood. The Brunswick Street and Smith Street major activity centres run north south through the middle, while the Johnston and Gertrude Streets neighbourhood activity centres run east west through the neighbourhood. The Smith Street centre borders on Collingwood and is discussed in clause 21.08-5.*
    (c) *The role of the Brunswick Street centre can be characterised as hospitality, entertainment, clothing and footwear, art galleries and studios, and non-government community services, all with a metropolitan focus.*

105. The Neighbourhood Map at Figure 17 shows the site partly within the Brunswick Street Major Activity Centre. The map includes a note stating 'Require the preparation of a master plan for the St Vincent's Hospital'. The note points to the public hospital but does not specify whether if refers to the public or private hospital or both.

106. The Built form character Map at Figure 18 identifies the site as within the Heritage Overlay area where it states 'Ensure development does not adversely affect the significance of the heritage place'.

107. Implementation of land use strategies relevantly includes:
    (a) *Requiring the preparation of a master plan for St Vincent's Hospital.*

108. Implementation of built form strategies relevant includes:
    (a) *Supporting development that maintains and strengthens the preferred character of the relevant Built Form Character type.*
    (b) *Supporting the existing scale and character of the Brunswick Street and Gertrude Street activity centres.*

Relevant Local Policies

Clause 22.02 – Development Guidelines for Sites Subject to the Heritage Overlay

109. The relevant objectives of this clause are:
    (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; and*
    (e) *to ensure that additions and new works to a heritage place respect the significance of the place.*

110. Clause 22.02-5.1 Demolition (Full demolition or Removal of a Building) outlines that it is policy to (relevantly):
    (a) generally encourage the retention of a building in a heritage place, unless:
        (i) the building is identified as a contributory building, and
        (ii) new evidence has become available to demonstrate that the building does not possess the level of heritage significance attributed to it in the incorporated document, City of Yarra Review of Heritage Areas 2007 Appendix 8, revised September 2015 and
    (b) *the building does not form part of a group of similar buildings;*

(c) *Note: The poor condition of a heritage place should not, in itself, be a reason for permitting demolition; and*
(d) *an application for demolition is to be accompanied by an application for new development.*

111. For removal of part of a heritage place or contributory elements it is policy that:
(a) *Generally discourage the demolition of part of an individually significant or contributory building or removal of contributory elements unless:*
(i) That part of the heritage place has been changed beyond recognition of its original or subsequent contributory character(s).
(ii) For individually significant building or works, it can be demonstrated that the removal of part of the building or works does not negatively affect the significance of the place.

112. Clause 22.02-5.7 (New Development, Alterations or Additions) outlines that it is policy to (relevantly):
(a) *encourage the design of new development and alterations and additions to a heritage place or a contributory element to a heritage place;*
(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;*
(i) *encourage 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; and*
(j) *encourage similar façade heights to the adjoining contributory elements in the street. Where there are differing façade heights, the design should adopt the lesser height.*

113. Clause 22.02-5.7.2 Specific Requirements (where there is a conflict or inconsistency between the general and specific requirements, the specific requirements prevail) (as relevant):
(a) *corner sites and sites with dual frontages:*
(i) encourage new building and additions on a site with frontages to two streets, being either a corner site or a site with dual street frontages, to respect the built form and character of the heritage place and adjoining or adjacent contributory elements to the heritage place; and
(ii) encourage new buildings on corner sites to reflect the setbacks of buildings that occupy other corners of the intersection; and
(b) *ancillaries and services:*
(i) encourage ancillaries or services such as satellite dishes, shade canopies and sails, access ladders, air conditioning plants, wall and roof top mounted lighting, roof top gardens and their associated planting, water meters, and as far as practical aerials, to contributory or significant buildings, to be concealed when viewed from street frontage;
(ii) where there is no reasonable alternative location, ancillaries and services which will reduce greenhouse gas emissions or reduce water consumption, such as solar panels or water storage tanks, or provide universal access (such as wheel chair ramps), may be visible but should be sensitively designed;
(iii) encourage ancillaries or services in new development to be concealed or incorporated into the design of the building; and

Clause 22.03 – Landmarks and Tall Structures

114. This policy applies to all development and is policy at clause 22.03-3 that
    (a) *Maintain the prominence of Yarra's valued landmark signs;*
    (b) *Protect views to the silhouette and profile of Yarra's valued landmarks to ensure they remain as the principal built form reference; and*
    (c) *Ensure the profile and silhouette of new tall structures adds to the interest of Yarra's urban form and skyline.*

115. Relevant built form responses at clause 22.03-4 include:
    (a) *Development should protect the silhouette/profile of the church spire on the corner of Watkins Street and St Georges Road, North Fitzroy, seen from the intersection of Brunswick Street with Victoria Parade; and*
    (b) *Development should protect the silhouette/profile of St Patrick's Cathedral seen from the intersection of Brunswick Street with St Georges Road.*

Clause 22.05 – Interface Uses Policy

116. This policy applies to the Commercial 1 and Mixed Use Zones, amongst others.

117. The objectives of this policy are:
    (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.*

118. Clause 22.05-3 also states that it is policy that (as relevant):
    (a) *New non-residential use and development within Business and Mixed Use and Industrial Zones are designed to minimise noise and visual amenity impacts upon nearby, existing residential properties.*

Clause 22.16 – Stormwater Management (Water sensitive urban design)

119. This policy applies to applications for more than 50m² extensions to existing buildings (amongst others) and requires consideration of water sensitive urban design matters to *provide for the achievement of the best practice performance objectives for suspended solids, total phosphorus and total nitrogen, as set out in the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999 (or as amended)* (among other things).

Clause 22.17 – Environmentally Sustainable Development

120. This policy outlines objectives relating to energy performance, water resources, indoor environment quality, stormwater management, transport, waste management and urban ecology. Clause 22.17-4 requires the submission of a Sustainability Management Plan (SMP) with the application. This was provided by the applicant.

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

Other documents

Plan Melbourne

122. Plan Melbourne is the overarching strategic planning document that seeks to guide land use and development with the vision that *Melbourne will continue to be a global city of opportunity and choice.*

123. Key elements of Plan Melbourne have been incorporated into the Scheme via clause 11 in particular however, additional relevant information, outcomes and directions include:

(a) Metropolitan Melbourne is expected to accommodate an additional 3.4 million people reaching 7.9 million by 2051, with Victoria estimated to have a up to 10.1 million in total;

(b) *Outcome 1 – Melbourne is a productive city that attracts investment, supports innovation and creates jobs:*

(i) *Direction 1.1 - Create a city structure that strengthens Melbourne's competitiveness for jobs and investment*

(ii) Identifies *places of state significance that will be the focus for investment and growth* including health and education precincts with the purpose*:*

- *To support health and education services that are well served by public transport in a range of locations across Melbourne. Their specialised economic functions will be reinforced, and they should provide opportunity for ancillary health and education services, retail, commercial and accommodation uses.*

(iii) The St Vincent's Hospital and Australian Catholic University Precinct (East Melbourne/Fitzroy) is identified as such a precinct.

(iv) The inner area where the subject site is located is estimated to accommodate an additional 233,000 jobs by 2031 with key industries including *Professional scientific and technical services, finance and insurance services, healthcare and social assistance, public administration and safety.*

(v) The subject site is located adjacent to the Central City area which policy seeks to support to become *Australia's largest commercial and residential centre* by finding new space for industries such as health and medical research which are identified as a strength.

(vi) Policy 1.1.4 deals specifically with health and education precincts noting in particular:

- *Major health and education precincts across metropolitan Melbourne have been identified for further services and jobs growth. These precincts stimulate innovation, create employment and are of fundamental importance to the emerging knowledge economy and surrounding communities; and*
- *Planning for the growth of these precincts will need to focus on improving access—particularly via public transport—and diversifying job choices. Co-location of facilities (for example, a university with a hospital) will make better use of existing infrastructure and support the growth of associated businesses and industries. Specialised economic functions should be reinforced, but there should also be opportunities to provide ancillary retail, commercial, accommodation and supporting services.*

(c) *Outcome 2 - Melbourne is a distinctive and liveable city with quality design and amenity.*

(i) Policy 4.1.3 is to *Strengthen Melbourne's network of boulevards* with the following relevant description:

- *Melbourne's grand boulevards—such as St Kilda Road, Victoria Parade and Royal Parade—are wide, generous, tree-lined spaces that serve multiple uses and can accommodate relatively tall buildings. Melbourne should aim to create contemporary boulevards that enhance the city's distinctiveness, extending these into parts of the metropolis that lack boulevards.*

(ii) Policy 4.3.1 is to *Promote urban design excellence in every aspect of the built environment.*

(d) Direction 4.4 is to *Respect Melbourne's heritage as we build for the future where it is noted:*

(i) Heritage will continue to be one of Melbourne's competitive strengths, contributing to its distinctiveness and liveability and attracting visitors, new residents and investors. Heritage is an important component of Victoria's tourism industry and benefits the economy.

(ii) Policy 4.4.1 is to *Recognise the value of heritage when managing growth and change, noting that:*

- *Realising the community benefit of heritage will require careful management of the ongoing processes of change to the urban environment. Decisions must be based on an appreciation of Melbourne's past as well as an understanding of its future needs.*

Incorporated document

124. Appendix 8 to the City of Yarra Review of Heritage Areas, 2007 – The site is identified as:
    (a) 59-61 Victoria Parade (including the car park buildings at 20 – 32 Fitzroy Street) – Individually significant;
    (b) 71 Victoria Parade (Easthill House) – Individually Significant;
    (c) 75 Victoria Parade – Not contributory;
    (d) 77 Victoria Parade – Victorian Heritage Register
    (e) 5 Brunswick Street – Not contributory; and
    (f) 7-9 Brunswick Street (Dodgshun House) – Victorian Heritage Register

Advertising

125. The application was advertised under the provisions of Section 52 of the *Planning and Environment Act*, 1987 for 28 days by 947 letters sent to surrounding owners and occupiers and by three signs displayed on site. This included notices to the City of Melbourne as well as owners and occupiers within the municipality, VicRoads, Public Transport Victoria, VicTrack and Heritage Victoria. A public information session was held during the advertising period.

126. Council received 19 objections which can be summarised as follows:
    (a) Lack of comprehensive development/master plan for the hospital;
    (b) Impact on the heritage significance and character of the site and surrounding area (including the proposed demolition, heights, setbacks and design);
    (c) Impact on the general character and amenity of the area; and
    (d) Impacts on traffic and car parking.

127. A consultation meeting was held on 9 May 2017 with objectors, the permit applicant and representatives and Council planning officers in attendance. No agreement on changes to the proposed development were reached.

External Referrals

128. The application was not required to be referred externally, however, the following authorities who were notified provided a responses (see attachments to this report: were notified:
    (a) VicRoads ;
    (b) Public Transport Victoria; and
    (c) VicTrack

Internal Referrals

129. The application was referred internally to:
    (a) Heritage Advisor;
    (b) ESD Advisor
    (c) Open Space Unit;
    (d) Urban Design Unit;
    (e) Engineering Services Unit;

(f) Contract Services Unit;
(g) Strategic Transport Unit;
(h) Urban Design Consultant – Rob McGauran, MGS Architects and Urban Designers.

130. All referral advice is contained within attachments to this report except as noted below received via email:

Strategic Transport

131. *From my reading of the supplied material - street bike parking should be provided in a convenient spot close to the main building entrance. I note that visitor spaces are proposed in the ground level and basement of the car park however these are unlikely to be attractive for visitors and will probably not be easy to find.*

132. *I suggest 10 bike hoops should be provided. I am unable to specify exactly where at this time although I can send an engineer to advise in due course.*

Open space Unit (sketch plan of proposed tree locations included as an attachment)

Victoria Parade

133. *I would support 6 trees as proposed (2 groups of 3 trees). In positioning the trees the developer should take into consideration the recommended tree species (Acer negundo 'Sensation') has a maximum spread of 6m spread. The developer's drawing should also show standard 6m carpark spacings. Rather than porous paving, it would be preferable to provide mulched tree squares during the tree establishment period (2 years) and then install either granitic gravel or a rubberised material such as FlowStone (as used in Bridge Road footpath tree surrounds).*

Brunswick Street

134. *I would support 4 trees. I have prepared a draft layout attached showing trees positioned in the roadside in line with the extended footpath. This would then free up footpath space (according to the GIS the existing footpath is 2.6m) and it would not be necessary to have porous paving in this location. I have shown 2 x 6m carparks for short term parking.*

Estimated cost of tree removals, planting and establishment maintenance:

135. *I have revised the total estimated cost to the developer to $8537 to cover the additional 4 trees.*

Location of above and underground services

136. *The developer will need to check the location and depths of underground services to ensure there is sufficient clearance for tree planting at the proposed locations. The developer should show the location of fire hydrants on the relevant drawings.*

OFFICER ASSESSMENT

137. The key areas for assessment are:

(a) Strategic policy support;
(b) Heritage impacts;
(c) Built form and design;
(d) Amenity impacts;
(e) Traffic, car parking, bicycle facilities, waste management and loading;
(f) Other matters.

Strategic policy support

State and local policy

138. Relevant State policy has been outlined above and provides strong support for development of an expansion to the existing hospital. Key messages that support this proposition from the policy highlighted are:
    (a) Plan Melbourne identifies Melbourne and Victoria's population is expanding and seeks to harness this growth to promote places of State significance such as the St Vincent's Hospital/ACU health and education precinct as a focus for investment. These areas are identified as being close to public transport, stimulating innovation and employment, making best use of existing infrastructure by co-locating facilities.
    (b) These areas are also intended to assist in re-enforcing the central city of Melbourne in becoming Australia's largest commercial centre including though the delivery of an additional 233,000 jobs by 2031 with scientific, health and medical industries identified as key to this;
    (c) The expectation and policy direction of Plan Melbourne for site is included in the scheme specifically at clauses 11.01-1 and 11.06-1, highlighting all those matters discussed above. Clause 9.01 also requires the Responsible Authority/Council to consider and apply Plan Melbourne where relevant.
    (d) Clause 11.01 states that planning is to facilitate sustainable development that takes full advantage of existing settlement patterns and social facilities;
    (e) In addition to policy supporting the growth of the site and area as an identified health and education precinct, clauses 11.03-2 encourages the growth of the Brunswick Street MAC and area on the edge of the Melbourne CBD more broadly by providing a concentration of major developments in these areas including significant new administrative and health facilities that attract users from a large geographic area in a location with good public transport;
    (f) Clause 17.01-1 further articulates the importance of encouraging development that provides a net community benefit in *accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.*

139. At a local level, again relevant policy is extensively outlined earlier with the key messages that again provide strong support for the proposed development including:
    (a) The overarching vision for the City includes to provide for increased opportunities for employment with the site being located in/adjacent to the Brunswick Street Major Activity Centre and adjacent to an area highlighted as a Specialist Medical Precinct;
    (b) Clause 21.04-4 recognises the importance of activity centres and seeks to increase the range of services they accommodate to support their significant role in Yarra's economy and as metropolitan destinations. Development is supported that contributes to the economic growth and long term viability of activity centres;
    (c) Clause 21.04-3 and 21.04-4 collectively highlight the clusters of interrelated commercial activity in Yarra, the desire to increase the number and range of local employment opportunities. Strategies include the co-location of community facilities especially in activity centres where they are easily accessible by public transport with shared parking arrangements for people of all abilities.
    (d) Clause 21.06-2 again encourages large trip generators to be located close to public transport.

140. Notwithstanding the above, the proposed development still has an obligation to acceptably respond to its local physical context in respect of its appearance, height and setbacks as well as impact on heritage fabric. This will be discussed later in this report.

Need for re-development and expansion and community benefits

141. In addition to consideration of strategic policy regarding location, it is relevant to consider the need for the expansion of the hospital, and community benefits that are likely to flow from it.

142. In this regard, the hospital's last major expansion was the construction of the 10 storey building at the corner of Fitzroy Street and Victoria Parade in 1972, with a smaller addition over the existing footprint completed in 1996. Since that time, demand has grown and regulatory changes have (in the case of the central sterilisation unit), meant the existing facility in no longer compliant and must be upgraded to meet new requirements. Information provided by the applicant also notes the following for the year 2015:

    (a) Average weekly occupancy of overnight patients of 82% (184 out of 224 beds);
    (b) Average Monday-Friday occupancy of 92% of beds;
    (c) Utilisation of operating theatres of 82.9% with 99% of 320 operating sessions permanently allocated. New practitioners seeking operating space are increasingly required to undertake work in non-traditional sessions being evenings and weekends;
    (d) The hospital is experiencing 'bed block' where-by patients are re-directed to other hospitals as beds are not available and all consulting suites are occupied.

143. Based on the age of existing facilities and existing utilisation it is evident that the hospital is in need of upgrade and re-development. This need was highlighted by the Victorian Civil and Administrative Tribunal in the decision of *Epworth Healthcare v Yarra CC (includes summary) (Red Dot) [2012] VCAT 1801* where in respect of a major expansion of the Epworth Hospital in Richmond it was noted at paragraph 7 that:

    [7] *While hospitals have always played an important role in our community, Australia's aging population and Victoria's strong population growth over the last 10 years or so has increased the demand for health services in Melbourne - indeed some might say our health services are under stress. Combined with the demands arising from more rigorous regulatory requirements for health care, common sense alone indicates that the hospital will need continuous change in order to properly respond to the challenge of providing high quality health care.*

144. In respect of community benefits, these are clearly connected with the provision of enhanced and expanded healthcare opportunities for both the local, metropolitan and state-wide community given the variety of services the hospital provides. These benefits are significant and are also combined with others supported by State and local policy including:
    (a) more employment opportunities including prior to, during and after construction, supporting the on-going viability of the Brunswick Street MAC and those surrounding it including Gertrude and Smith Streets;
    (b) contribution to an agglomeration of related activities that will support ongoing innovation and investment in the area;
    (c) enhanced public spaces through streetscape works funded by the hospital (discussed later in this report); and
    (d) enhancement of services within an area with equity of access given the proximity of trains, trams and busses as well as enhanced car parking access and location to major thoroughfares and freeways.

Need for a master plan

145. A key focus of objections received by Council was on the lack of overarching master plan for the hospital to manage and guide its long-term development and impact on the surrounding area. Objectors viewed a master plan as providing an opportunity for the hospital, community and Council to participate in a mutually beneficial process of consultation and to provide a greater level of certainty about the hospital's plans for future expansion.

146. In respect of relevant policy, clause 21.04-4 notes that important regional facilities such as St Vincent's hospital must respond to their local context with objective 11 aiming to limit the impact of regional facilities including by requiring master plans for hospitals. Clause 21.08-7 includes as one of its land use strategies to require the preparation of a master plan for St Vincent's Hospital. Related to this is the Neighbourhood Map at clause 21.08-7 which includes the same notation directed to land occupied by the St Vincent's public hospital. The

Strategic Framework Plan at clause 21.03 highlights a Specialist Medical Precinct on land occupied by the St Vincent's Public Hospital.

147. Having regard to the above, it is not clear whether policy at clause 21.08-7 requiring a master plan specifically relates to the St Vincent's Private hospital/subject site. However, given the location of the note in the Neighbourhood Map and Specialist Medical Precinct shown in the Strategic Framework plan generally align with the location of the public hospital, that site is considered the focus of the requirement.

148. Strategy 11 at clause 21.04-4 does not specify which hospitals a master plan should be required for.

149. Whether or not clause 21.08-7 specifically applies to the subject site, it is not uncommon for Councils to require master plans/development plans for large institutional and other development or uses and there are several in the City of Yarra including for the ACU to the east of the site, the former Amcor paper mill site and Channel 9 studios in Richmond.

150. However, the requirement for a master plan is not mandatory (Council has no local policy stating this is mandatory, nor has it placed a planning control such as the Development Plan Overlay on the site which can require preparation of a plan before a permit is granted). Whether a master plan is needed to ensure an acceptable planning outcome is a matter to be determined in each case. This approach was confirmed by VCAT in *Healthscope v Moreland CC & Ors (includes Summary) (Red Dot) [2013] VCAT 99*, paragraph 71.

151. In that case, the Tribunal considered that a re-development of a hospital in Coburg did not require a master plan because *issues relevant to determining whether or not a permit ought to be issued are capable of being addressed through the planning permit process* (paragraph 71).

152. This reasoning was also used by the Tribunal in *The King David School Holdings P/L v Stonnington City Council [2004] VCAT 239*, when considering an application for a new school campus. In that case, the Tribunal identified that the requirement for a master plan before a permit, may be necessary to address amenity impacts including from numerous *ad hoc* and unplanned expansions.

153. In terms of the proposed development there are several facts which result in a master plan not being necessary. These are:

    (a) Issues relevant to the determination of the permit are capable of being addressed through the planning permit process and are discussed in this report;
    (b) The proposed development is not in a residential precinct and does not have unacceptable impacts on nearby dwellings (discussed further in this report);

    (c) The development is to occur on land already occupied by the hospital and does not seek to expand into residential areas or residentially zoned land (it is noted that the car park on Fitzroy Street is zoned NRZ but that this is an historical anomaly and does not reflect the use of the land nor the prevailing use of Fitzroy Street). Accordingly, amenity impacts are limited;
    (d) The proposal itself is comprehensive and should not be characterised as *ad hoc*.

    Summary

154. The proposed development is strongly supported by State and Local policy directing the expansion of health facilities on the site to maximise existing infrastructure, support economic development, jobs, investment, innovation and the provision of health services with equity of access. The hospital has a demonstrated need to expand and will provide a range of tangible community benefits for the local area as well as people across Melbourne and Victoria.

As discussed later in this report, the hospital will not unreasonably impact residential amenity given its location and does not give rise to the need for a master plan prior to determination of this planning permit.

Heritage Impacts

Relevance of part of the site being on the Victorian Heritage Register

155. As described earlier, parts of the site are on the Victorian Heritage Register and a planning permit is not required for their partial demolition or construction of buildings and works within their boundaries. Rather a permit is required from Heritage Victoria.

156. The applicant has advised that no permit application has been made to Heritage Victoria. However, this is not relevant to the consideration of this permit application. There is no statutory requirement for a permit from Heritage Victoria to be issued prior to a planning permit being issued. Heritage Victoria may decide to grant a permit in any form it considers appropriate or refuse it. In each case, the applicant would need to seek further approval from Council to make corresponding modifications to the approved building which is provided for via permit conditions and the *Planning and Environment Act* 1987.

Demolition

157. State and local policy as well as the Heritage Overlay generally seek to conserve places of heritage significance (clauses 15.03-1, 21.05-1 and 43.01). Clause 43.01-4 requires consideration of the effect on the significance of the place and any Statement of Significance for the place.

158. Local policy at Clause 22.02-5.1 generally encourages the retention of, and generally discourages the demolition of, part of an individually significant place unless the place has changed beyond recognition of its original contributory character or the demolition does not negatively affect the significance of the place.

159. In terms of significance, Nos. 75 Victoria Parade and 5 Brunswick Street are graded not contributory and thus their demolition is not opposed by policy and is acceptable. The car park building at No. 20-32 Fitzroy Street is not specifically graded in the relevant Incorporated Document but is considered to fall within the 59-61 Victoria Parade site (given the citation specifically acknowledges the existence of the car park noting it was added after the 1970s tower). However, given car park is in essence a separated building from the tower and does not form an important part of the heritage significance of the site, the partial demolition of its façade is considered acceptable.

160. The remainder of the buildings are graded ‘individually significant’ within the South Fitzroy Precinct. The relevant Statement of Significance for this area highlights:

(a) Fitzroy as among the first subdivisions outside the original Melbourne settlement;
(b) The area being among the first to include minimum construction and street width requirements;
(c) The development of major commercial strips with the assistance of early powered public transport;
(d) The early development of major industries and institutions including St Vincent’s Hospital;
(e) A relatively high level of buildings graded ‘individually significant’ (22%);
(f) The main development era being Victorian with a substantial contribution from the Edwardian and a contribution from some inter-war buildings;
(g) 1-2 storey wall heights with some 3-5 storey landmark buildings;
(h) Building materials including face brickwork, bluestone and stucco, slate, corrugated iron and terracotta tiles;

(i) Victorian and Edwardian era infrastructure including bluestone road paving and some distinctive rear and side service lanes.

161. The St Vincent's Private Hospital building at No. 59-61 Victoria Parade also has a Statement of Significance which includes:
   (a) Its historical and social significance being associated with the early established hospital;
   (b) Architecturally significant cuboid form, curved corners, punched fenestration, luxurious hotel-like interior and departure from contemporary hospital design.

162. The Easthill House also has a Statement of Significance that was developed during the permit application process (i.e. not part of the Scheme) and involved four formal revisions, the last one dated 16 May 2017 identifies:
   (a) The façade as a c1930 addition/re-modelling of two Victorian era shop buildings to create a block of flats with ground floor shops;
   (b) Ownership during the remodelling by noted oculist Dr Edward Ryan (although he never practiced from the premises but did from St Vincent's Hospital);
   (c) The re-modelled façade having a Spanish Mission style appearance used a commercial typology for what at the time was a new style of housing (apartments). The ground level of the façade in particular, has been altered with modified windows installed;
   (d) The appearance of the building as being unique compared to other flats built during the same period that exhibit a Modern style and others in Yarra that were constructed to appear as large suburban houses;
   (e) Historical significance for being a remodelled commercial building and part of the commercial area of Fitzroy as well as its association with medical use as a private hospital 1912, and owner Dr Ryan;
   (f) Aesthetically significant as a fine example of the Spanish Mission style having several notable features including decorative parapet, arched plaster cornices between twisted columns, cantilevered balconies and wrought iron balustrades and decorative corbels.

No.59 – 61 Victoria Parade

163. The existing tower building would have a strip of the eastern façade removed to allowed the proposed connection to the new tower as well as some elements of the podium roof and a balustrade at the uppermost roof level. The pedestrian entry on Victoria Parade would also be removed and replaced with glazing to complement the existing design. This level of demolition is considered acceptable given:
   (a) The primary, most visible and contributory features of the building will be maintained including the curved feature corner element, window patterning, external cladding and overall form and appearance. Accordingly, its significance would not unreasonably be diminished, nor its contribution to the South Fitzroy precinct. Moreover, it would remain part of the St Vincent's hospital, thus maintaining its link to its historical use;

   (b) Council's Heritage Advisor has reviewed the proposed demolition and commented that it is acceptable noting in particular that the architectural composition of the building would be maintained with demolished areas away from the main façade and well setback.

Easthill House

164. All of the building is proposed to be demolished and it is recognised that the contribution this building makes in and of itself as well as to the wider South Fitzroy Precinct will be lost. Policy discourages this outcome but does not prohibit it, thus consideration must be given to the impact of this loss as well as benefits that would flow from it.

165. In respect of the impact of the loss of the building Council's Heritage Advisor commented that:

(a) The significance of the South Fitzroy Precinct would not be unreasonably diminished as the building is not from the main development period for which the area primarily derives its significance. Additionally, the character of this part of Victoria Parade lacks a consistent or intact heritage character and therefore the removal of the building would not leave a 'gap' an disrupt and important visual cohesion.
(b) Upon review of the final version of the building citation (after providing initial comments based on the first version) the additional information and reasoning for significance did not change their view on the demolition, specifically highlighting:
    (i) The building was not an example of inter-war flats since it was not built for that purpose, being a re-modelling and adaptation of shop/commercial/hospital buildings;
    (ii) The association with Dr Ryan is not a strong one given he never practiced from the premises.

166. In respect of the benefits that flow from the demolition, planning must consider the matter in the context of integrated decision making that balances competing objectives in favour of net community benefit and sustainable development (clause 10.04).

167. This principle allows consideration of the benefits as a result of the demolition of the building rather than an assessment solely on whether the demolition is acceptable in respect of heritage conservation matters. The ability was confirmed in a decision of the Victorian Supreme Court in *Boroondara City Council v 1045 Burke Road Pty Ltd & Ors [2015] VSCA 27*.

168. This case follows an earlier decision by VCAT (*University of Melbourne v Minister for Planning [2011] VCAT* 469) which considered the loss of significant heritage fabric for the development of a research facility. The decision outlines that there are often competing policy objectives that must be balanced in favour of net community benefit and sustainable development. The decision states:

> 77. The Supreme Court has recently considered the meaning of "acceptable outcomes" within the terms of clause 65 in Rozen v Macedon Ranges SC. After referring to the provisions of what is now Clause 10.04 and clause 65, Osborn J said:
>
> [171] *The test of acceptable outcomes stated in the clause is informed by the notions of net community benefit and sustainable development. An outcome may be acceptable despite some negative characteristics. An outcome may be acceptable because on balance it results in net community benefit despite achieving some only of potentially relevant planning objectives and impeding or running contrary to the achievement of others.*
>
> *[172] The weight to be given to the various considerations which may be relevant on the one hand, and to particular facts bearing on those considerations on the other hand, is not fixed by the planning scheme but is essentially a matter for the decision maker.*
>
> *[173] Furthermore, the potential complexity of issues raised by a particular application renders the question of what would be the optimal form of development or use in a particular case fundamentally difficult of resolution and one on which different minds might reasonably differ.*
>
> *[174] In Knox City Council v Tulcany Pty LTD, I observed:*

The planning scheme does not require an ideal outcome as a prerequisite to a permit. If it did, very few, if any, permits for development would ever be granted and there would be difficult differences of opinions as to whether the outcomes were in fact ideal. The Tribunal is entitled to grant a permit where it is satisfied that the permit will result in a reasonably acceptable outcome having regard to the matters relevant to its decision under the planning controls.

[175] For these reasons I accept the appellants' submission that the test which the Planning Scheme requires to be applied is one of acceptable and not ideal outcomes.

[176] The question in the present case is whether the Tribunal's reasons read in context demonstrate that it has failed to apply the correct test. The underlying task of the Tribunal is after all to reach the 'correct or preferable' decision on the material before it.

[177] In this sense the preferable outcome is not to be equated with the 'ideal' outcome.'

169. The benefits associated with an updated and expanded hospital have already been discussed and go beyond the improvement in healthcare offering to Victoria. It is also relevant that policy seeks to maximise these benefits and developments such as this. With this in mind, the applicant has advised that ongoing review of the design of the building and impact of retention of the façade of Easthill House would render the development unfeasible. Critical impacts being:

    (a) The floor levels of the building do not match those of the existing building and given requirements to align floor levels for ease of use for patients and staff, internal spaces behind the retained façade would have limited access to daylight, resulting in poor internal amenity outcome. This would likely result in the removal of six recovery bays with the flow-on effect of removal of four operating theatres;
    (b) Retention of the façade would require setting back the proposed basement expansion to ensure adequate footings below, thus impacting on the size and functionality of the proposed sterilization unit which must be updated to meet current standards. It would also require additional structural support reducing internal areas including the ground floor radiology area likely reducing an ultra-sound room and x-ray room, at level 1 an operating theatre and recovery rooms would likely be lost, and at level 2 likely loss of an operating theatre;
    (c) Retention of the façade would require level 3 to be setback from Victoria Parade resulting in the loss of a maternity delivery suite.

170. Having regard to the above, whilst the loss of Easthill house would have some impact on the South Fitzroy precinct, that loss is not considered to be so great that:
    (a) It would unreasonably diminish the overall significance of the Precinct as noted by Council's Heritage Advisor;
    (b) It would warrant limiting the healthcare benefits that would result from it; and
    (c) The significant and wide ranging benefits that would result from maximising the development would off-set this loss.

171. On balance, it is considered that an acceptable outcome is reached in favour of net community benefit and sustainable development. However, in recognition of the significance of the building a condition will require a photographic archival record of it be taken. This will ensure that the appearance of the building is formally documented and retained in accordance with relevant conservation practice.

Bluestone Laneway

172. The bluestone laneway between 5 and 7 Brunswick Street is within the Heritage Overlay but is not specifically graded. Laneways and bluestone paving are generally noted as forming part of the significance of the Precinct. However, for the same reasons articulated above, the removal of the laneway is considered to be adequately off-set by the benefits that would flow from it.

173. Additionally, the laneway:

    (a) Services only the hospital buildings and thus has limited public use and utility;
    (b) Has limited use in providing evidence of other contributory elements such as stables and outhouses given the hospital buildings on the south and west sides are not from the Victorian or Edwardian period;
    (c) Provides limited interaction with Dodgshun House given the high fence along the northern side of the lane.

    New built form

174. The relevant objectives of Clause 22.02-4 are "to preserve the scale and pattern of streetscapes in heritage places" and "to ensure that additions and new works to a heritage place respect the significance of the place". Clause 22.02-5.7 provides specific guidance on new development, alterations and addition, including to:
    (a) *Respect the pattern, rhythm, orientation to the street, spatial characteristics, fenestration, roof form, materials and heritage character of the surrounding historic streetscape;*
    (b) *Be articulated and massed to correspond with the prevailing building form of the heritage place or contributory elements to the heritage place;*
    (c) *Be visually recessive and not dominate the heritage place.*

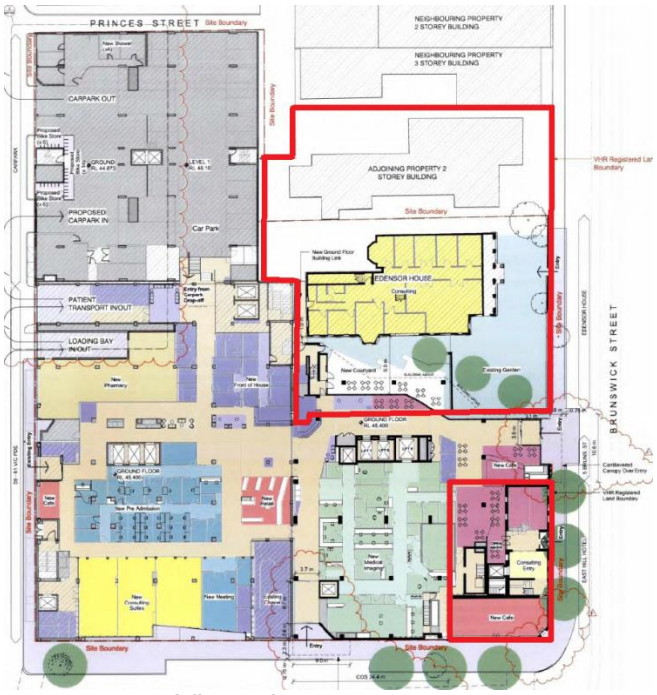
175. Clause 22.02-5.7.2 provides additional guidance on sites with dual frontages requiring a recognition of adjoining form and character.

176. Clause 15.03-1 includes strategies to encourage appropriate development that respects places with identified heritage values, creates a worthy legacy for future generations, and ensures an appropriate setting and context for heritage places is maintained and enhanced. Plan Melbourne also includes similar policies as already discussed.

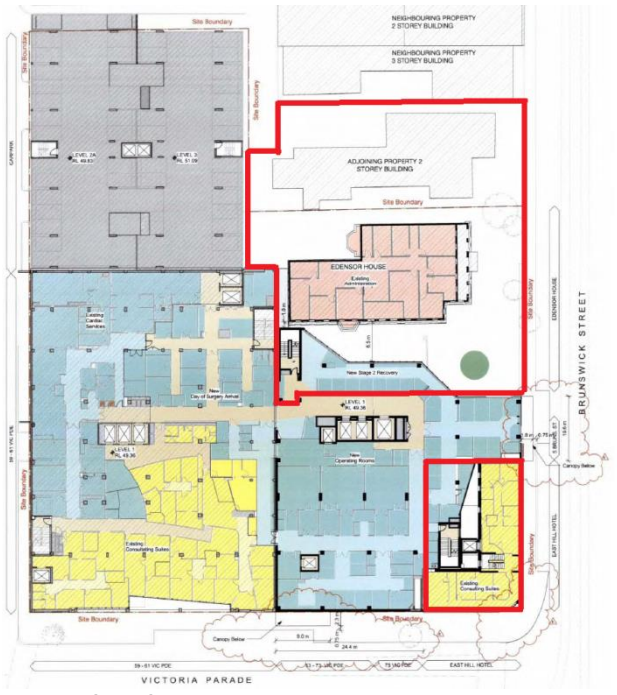
177. Clause 43.01 includes the purpose to ensure that development does not adversely affect the significance of heritage places. Relevant decision guidelines at clause 43.01-4 include:
    (a) *Any applicable statement of significance, heritage study and any applicable conservation policy;*
    (b) *Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place; and*
    (c) *Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.*

178. In terms of the context, assuming demolition of Easthill House:
    (a) The Former Eastern Hill Hotel is a three storey Victorian era building constructed to the street edge;
    (b) Dodgshun House is a two storey mansion style building setback from the street behind a high fence and located within landscaped surrounds;
    (c) The 59-61 Victoria Parade building is a 10 storey tower with a simple modern appearance and distinctive curved south-western corner element and four storey streetwall;
    (d) Brunswick Street to the north contains a number of individually significant two and three storey Victoria era buildings constructed to the street edge;
    (e) To the north on Fitzroy Street beyond the car park building are a row of single storey Victoria terraces.

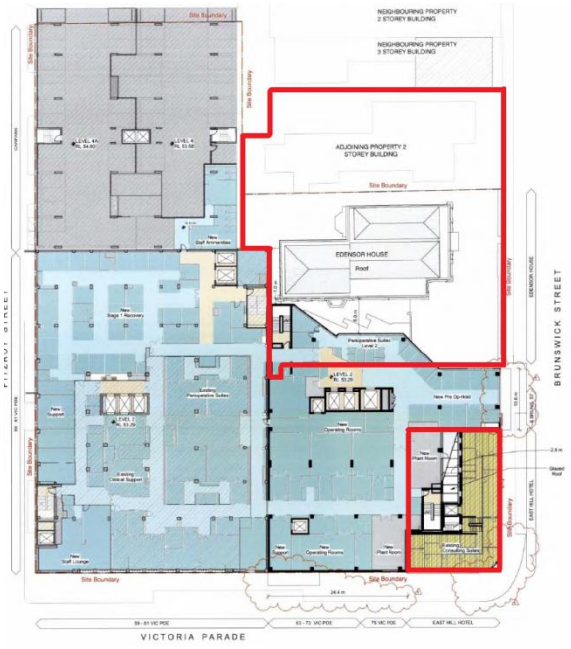
179. Although it is noted that some elements of the new building do not require a planning permit under the Heritage Overlay as they extend into the boundaries of the Former Eastern Hill Hotel and Edensor House, the following assessment will have regard to their impact on these two heritage places. The parts of the proposed building are highlighted with the boarders of red line in the extract of the development plans below.



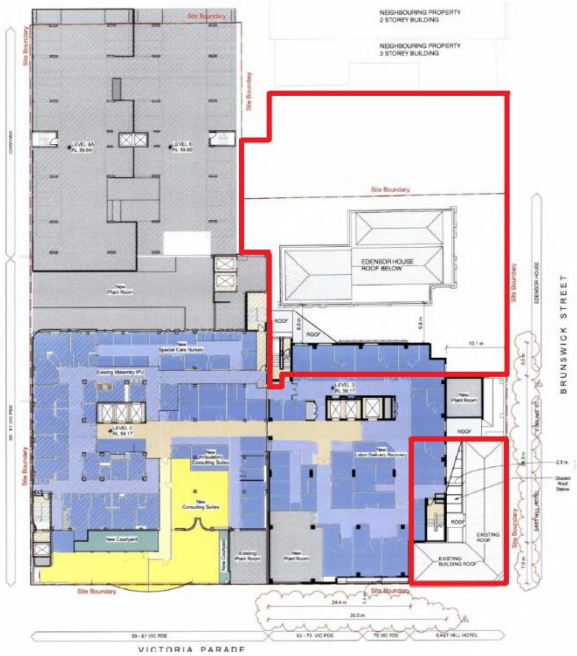
Ground floor plan



Level 1 plan



Level 2 Plan



Level 3 Plan (tower sections shown in blue)

180. This approach uses those elements of the Commercial 1 Zone and Mixed Use Zone which do trigger permits for the built form within the VHR sites and which require consideration of matters such as:

(a) The SPPF and MSS, both of which contain policy relevant to consideration of impacts on heritage fabric;
(b) The objectives of planning in Victoria at section 4(1) of the P&E Act 1987 which includes *to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value*;

181. It also recognises that it is not practically feasible to assess the impact of the building on its heritage context by ignoring the sections that do not require a planning permit under the Heritage Overlay because they are integral parts of the overall design and appearance of the building.

182. Notwithstanding the above, these considerations are not intended to replace considerations Council will have under a referral from Heritage Victoria for a permit for those works under the Heritage Act 1995. Accordingly, the decision made by Council in respect of the planning permit application will not prejudice any decision in response to the eventual Heritage Victoria referral.

183. In respect of the proposed development, Council's Heritage Advisor commented that a number of modifications should be made to the building including:
    (a) Level 10 should be setback to match the setback of 59-61 Victoria Parade and level 11 should be deleted or setback so as to make the southern face of the new tower no higher than the existing tower. This change would ensure that the new built form does not dominate the existing heritage fabric;
    (b) The eastern face of the tower should be setback so it does not extend beyond the western wall of the Former Eastern Hill Hotel building so as to reduce the mass of the tower to a width in keeping with the existing 59-61 tower and to limit visual encroachment into the Former Eastern Hill Hotel. This would equate to an additional setback of approximately 6m for a setback from Brunswick Street of 16.1m.
    (c) Increase in the setback of the three storey podium to Brunswick Street from 0m to 4m to provide increased visibility of the northern side of the Former Eastern Hill Hotel;
    (d) The appearance/design of the Victoria Parade tower façade should be plainer and more neutral in appearance having little obvious window patterning. Angled elements within the façade and the horizontal alignment of windows and panelling are also sought to be removed as they are considered to be incongruous with the design of 59-61 Victoria Parade which has stronger vertical elements.
    (e) The eastern façade of the tower is considered a better response to the 59-61 Victoria Parade building but that angled material transition should be re-designed;
    (f) Incorporation of some brickwork at the lower levels is considered to assist in visually linking the existing and new buildings.

184. In respect of the massing, the proposed heights and setbacks are considered acceptable given:
    (a) The height of the Level 10 parapet on Victoria Parade is only 3.31m taller than the existing tower building to the west and is separated by 7.7m at levels 7 – 9. At level 10, the western wall of the new tower rakes east away from the existing building to a setback of 8.5m. Level 11 then steps back further from Victoria Parade to 17.9m and 8.8m behind the façade of the existing tower with a further rake away to the east for a setback from the existing tower of approximately 9.5m. The relatively small increase in height and increasing separation will ensure the existing tower maintains a reasonable level of visual prominence and is not overwhelmed or dominated by the new tower. This is also achieved by the location of the new tower to the east of the existing tower with the primary and most prominent view of the existing building from the south and south-west on Victoria Parade. In these views, the new tower would appear as a complimentary element, rather than a dominant one. Council's Heritage Advisor acknowledges that views of the eastern façade are limited under existing circumstances and that views of that side of the building are less important that south-western views. Due to the separation of the two towers, the eastern wall of the existing building will remain visible in views from the south-east;
    (b) In terms of the width of the proposed tower, no changes are considered necessary as it would be only 6.4m wider (28.5m compared to 34.9m) at levels 7-9 before the western wall begins to taper eastward. Accordingly, given the robust nature of the existing tower and separation discussed above, it is considered the proposed width would not result in an unreasonably dominating presence compared to the existing tower;

(c) The podium on Victoria Parade would be four storeys/16.9m high and would be approximately 0.4m higher than the podium of the existing tower and separated by an existing higher infill element that acts as a break between the new and old forms. Accordingly, the proposed podium will sit comfortably next to the existing podium;

(d) In terms of the podium transition to the Former Eastern Hill Hotel, on Victoria Parade the western side is a prominent section without windows but employs an angled transition to a lighter weight section of panels with glazing making the level below appear more dominant at approximately the same height as the parapet of the Former Eastern Hill Hotel. This change in materials and articulation successfully transitions the taller new podium to the street wall of the adjoining Former Eastern Hill Hotel, ensuring it is not a dominating presence. Additionally, the 'sketch plans' provided by the applicant show a 1m x 1m recess in the ground to level 2 wall of the new podium at the interface of the Former Eastern Hill Hotel, with Level 3 being setback completely by 1m. This provides an extra level of separation and relief between the new and old forms, assisting in the Former Eastern Hill Hotel maintaining its prominence as a separate building element, and thus its significance. The recess shown in the sketch plans can be required by condition;

(e) On the Brunswick Street side, the tower would be setback 10.1m from the street and 2.8m from the retained western wall of the Former Eastern Hill Hotel and would be built across 7.5m of its Brunswick Street frontage.
The proposed setbacks to both Victoria Parade and Brunswick Street are considered to provide adequate separation to the existing heritage fabric which has a robust three storey height with strong parapet line that would maintain a degree of visual prominence in all views in which the tower will appear as a distinct and separate element, particularly from the south-west, south and north along Brunswick Street where the 10.1m setback ensures that the parapet line of the Former Eastern Hill Hotel is not seen with the tower directly behind it.

(f) From the south-east and east, the new building will be clearly visible above the parapet of the Former Eastern Hill Hotel, but even in those views, the new building would appear as a clearly distinct element with the northern parapet clear of built form directly behind it;

(g) The new Brunswick Street podium element is three storeys high (11.6m), 0.77m lower than the parapet of the Former Eastern Hill Hotel. The height is therefore considered acceptable, ensuring visual prominence of the existing Hotel. There would be a plant room at level 3 setback 3.5m from the northern wall of the Hotel and 4m from Brunswick Street that would be a recessive element with little impact on Hotel. At the interface of the proposed podium and the Hotel, a simple copper coloured panel wall is proposed that appears as a relatively neutral transition to the glazing at the northern end. Council's Heritage Advisor has recommend that the podium be setback 4m from Brunswick Street to provide a greater appreciation of the northern wall of the Hotel building. The applicant has provided 'sketch plans' that show a 1.5m setback from Brunswick Street with a 1.2m x 1.5m chamfer at level 1 and 2. This is considered adequate to reveal the north-eastern corner of the Hotel, which is currently obscured by the existing building at No 5 Brunswick Street (i.e. is currently not highly visible). The changes shown in the 'sketch plans' can be required by condition;

(h) In respect of Edensor House, the proposed buildings are acceptable given:
  (i) The new building link at the rear on the ground floor would be at the back of the existing building and would not have a prominent impact on it appearance;
  (ii) The new staircase in the north-western corner is setback from the existing building by 1m and is approximately 35m from the street, thus having a limited presence in views of the existing building;
  (iii) The north-facing podium zig-zags away from the existing building from the rear to the front providing setbacks of 9m-12m at ground level, 1m-15.5m at level 1-2, at level 3, the new north-western staircase is setback 5.5m with the tower form being 6.5m-6.8m back which would remain consistent up to level 10 where the building rakes back to the south slightly;

(iv) The tower itself would be setback behind the façade of the existing building by 1.75m-4.25m and when combined with the 6.5-6.8m separation, assists in the existing building maintaining an adequate level of visual prominence and also provides a visual transition down to the lower 3-4 storey podium which extends beyond the line of the existing façade and appears at street level as the more comparable visual element;

(v) The podium levels will have a lightweight appearance being largely glazed to assist in creating visual breathing space between the two buildings;

(i) The proposed glazed roof between the Former Eastern Hill Hotel and tower would have no streetscape presence and is supported by Council's Heritage Advisor and would not negatively impact the public appreciation of the former Hotel;

(j) The impact on the wider South Fitzroy Precinct would be acceptable given buildings in the immediate vicinity (other than those discussed above) are well separated and there would be little visual presence in low scale residential areas. Moreover, the precinct is characterised by a juxtaposition of lower scale heritage buildings in and around newer often institutional buildings which have traditionally been part of the character and even form part of significance of the place. The proposed building will be the newest addition to this layering of constantly evolving building forms.

185. In respect of the external appearance of the building, changes recommended by Council's Heritage Advisor are not considered necessary given:
    (a) The new tower adequately references the existing tower building with glazing bands at the same floor levels providing an adequate visual connection;
    (b) The angled panels in the new tower to Victoria Parade are a subtle design feature and does not give rise to a jarring visual juxtaposition between it and simpler tower form;
    (c) The proposed prominent staircase visually balances the similar feature of the existing tower but in a modern way;
    (d) The Brunswick Street face is a heavier form which includes rectangular window forms in a regular pattern that adequately reference the Former Eastern Hill Hotel façade below and solid brick heritage fabric further north. The angled material transitions in this façade are again considered subtle and provide a visual connection to the Victoria Parade side;
    (e) The northern face of the tower employs a similar aesthetic to the Brunswick Street side with squarer window forms and angled material transitions.

186. Council's Heritage Advisor also commented that the removed bluestone laneway should be referenced with interpretive paving in the same location. This is not considered necessary given the construction of other parts of the building would result in there being no evidence that a laneway existed and the paving having little by way of contextual references.

Summary

187. The proposed demolition and new built form will not unreasonably impact the significance of the site and surrounding area and will facilitate and maximise the benefits of the development of enhanced healthcare facilities in a location with strong strategic policy support.

Built form and design (non-heritage considerations)

188. The strategic planning context for the site has been established and is considered to support an expansion of the hospital on the site including for a multi-storey building. However, this must be balanced against achieving acceptable urban design outcomes for the site having regard to relevant built form polices (in addition to heritage considerations).

189. The relevant policy context and guidance includes:

(a) Clause 15.02-1 – development should contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties;
(b) Clause 15.01-5 - recognise and protect cultural identity, neighbourhood character and sense of place;
(c) Clause 21.05-2 - reinforce the existing urban framework of Yarra, retain Yarra's identity as a low-rise urban form with pockets of higher development, development in activity centres should be 5-6 storeys unless specific benefits can be demonstrated, retain, enhance and extend Yarra's fine grain street pattern, ensure that new development contributes positively to Yarra's urban fabric, enhance the built form character of Yarra's activity centres, require development within Yarra's activity centres to respect and not dominate existing built form.
(d) Clause 22.03 - Ensure the profile and silhouette of new tall structures adds to the interest of Yarra's urban form and skyline.
(e) Clause 43.02, Schedule 2 (relevant to the Johnston Street side) – seeks to ensure development recognises the main road character of the area, contributing positively to urban design, safety, limit visual clutter and consider the impacts of height and bulk on the surrounding area.

190. In terms of the physical context, the site is influenced by buildings 2-11 storeys along Victoria Parade associated with other institutional uses including St Vincent's Public Hospital, the existing 10 storey tower on the subject site, the 10 storey Eye and Ear Hospital on the opposite side of Victoria Parade as well as office buildings further east in the order of 8-9 storeys. The ACU includes buildings up 10 storeys east of the site. Buildings on Brunswick Street are 1-3 storeys with public housing towers up to 21 storeys near the corner of Gertrude Street. The St Patricks Cathedral is also located south of the side at the corner of Albert and Gisborne Streets within the City of Melbourne. Victoria Parade itself is a significant boulevard containing a central median with rows of large Plane trees.

191. In terms of advice and response to this policy and physical context, Council's external urban design consultant generally supported the building heights and setbacks commenting that in summary:
(a) Healthcare facilities typically have a different form from their sometimes lower scale surrounds with a more dense and visible scale;
(b) There is strong strategic policy support for expansion of healthcare facilities on the subject site which has a long history of use as a hospital;
(c) The physical context which includes a variety of buildings of comparable height can sustain the proposed built form;
(d) The proposed tower appropriately references the existing building at 59-61 Victoria Parade;
(e) The new built form adequately frames the lower Former Eastern Hill Hotel building and uses appropriate podium levels to transition height from the lower Edensor House form including through the provision of an internal courtyard;

192. Having regard to the above, the building height and setbacks as described earlier are considered an acceptable 'fit' within the physical context of the area considering the prevailing policy context given:
(a) The three and four storey podium forms provide an appropriate scale at street level and relationship to existing buildings on the site as well as those adjoining which have similar streetwall heights;
(b) The proposed tower is comparable to other institutional and office developments in proximity to the subject site. The overall height is appropriately recessed through setbacks of 10.1m to Brunswick Street and 9.1m to Victoria Parade;
(c) The proposed built form will not result in direct impacts on dwellings;
(d) The proposed built form will not unreasonably impact the public realm through overshadowing (discussed in more detail later in this report);

(e) The broad form of the building necessarily reflects its institutional use as a hospital which requires a maximisation of floor space and limited articulation through multiple setbacks. However, this should not be seen as a negative aspect of the proposal as the area, particularly Victoria Parade, is characterised by buildings of similar configuration and use;

Architectural quality and detailed design

193. Clause 15 seeks to make "the environment more liveable and attractive", while Clause 15.01-2 seeks "to achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm". The architectural quality section of Clause 15.01-2 states that "new development should achieve high standards in architecture and urban design" and "any rooftop plant, lift over-runs, service entries, communication devices, and other technical attachment should be treated as part of the overall design". In addition, one of the elements at Strategy 17.2 of Clause 21.05-02 which allows for development above 5-6 storeys is "architectural design excellence".

194. Given the height and massing have been discussed above, the architectural quality relates to materials and finishes, fenestration patterns and the ability to combine the various components of the building into a cohesive design. Building layout and design matters also require consideration.

195. Council's expert Urban Design consultant commented that overall design is well considered including the use of colour and different materials and the façade treatments are generally appropriate. Some specific comments included:
    (a) The proposed development will deliver an enhanced public realm response including access to, and internal movements within the hospital;
    (b) The materiality and appearance of the building is generally acceptable subject to provision of some indicative detailed cross-sections to demonstrate the assumed level of articulation will be achieved and demonstration of the quality of materials through a materials and finishes board;
    (c) The development should provide a better transition to the northern wall of the Former Eastern Hill Hotel building by indenting the ground floor and rebating the upper levels to provide a greater reading of the Hotel's northern wall.
    (d) Clarification should be provided as to the interface of the Victoria Parade façade and that of the Former Eastern Hill Hotel to confirm whether a recess is proposed or not;
    (e) Additional detail of the south-eastern corner at Level 3 should be provided including articulation and relationship to the Former Eastern Hill Hotel;
    (f) Additional seating and waiting space should be provided at the new Victoria Parade entry;

196. In response to concerns raised, the permit applicant provided 'sketch plans' as discussed earlier that include:
    (a) Setback of the ground floor to Brunswick Street and cut-out at levels 1 and 2 at the interface of the Former Eastern Hill Hotel;
    (b) A 1m x 1m rebate in the podium levels on Victoria Parade at the interface of the west wall of the Former Eastern Hill Hotel with Level 3 setback 1m from the wall;
    (c) Victoria Parade entry showing the proposed canopy as being 5m above the footpath and extending further west and south over car parking spaces on Victoria Parade.

197. Council's external Urban Design Consultant reviewed the sketch plans and commented that the rearrangements shown were acceptable. The changes shown in the sketch plans will be required by condition.

198. Having regard to the above, the proposed development is considered to provide an appropriate architectural response to the physical and policy context with the following specifically highlighted:

(a) The building has been designed 'in the round' with each of the southern, eastern and northern faces having a well resolved and outward looking appearance with high levels of fenestration, articulation and consideration of materiality and composition; and
(b) Plant and equipment is integrated into the building design within a recessed enclosed level above the primary parapet and in an integrated enclosure on Brunswick Street;

Street interfaces and the public realm

199. Clauses 15.01-2, 21.05-3 and 4 encourages the design of interfaces between buildings and public spaces to enhance the visual and social experience of the user and to improve the interface with the street.

200. The proposed development generally provides active and transparent frontages at the ground floor levels and is considered to result in acceptable interfaces to the street and impacts on the public realm, given:

(a) The Brunswick Street podium would have a new entry with canopy for weather protection and glazing above to provide greater transparency and passive surveillance;
(b) The Victoria Parade building would also provide a new pedestrian entry and canopy for weather protection with windows at all levels to maintain the levels of transparency and passive surveillance achieved under existing conditions;
(c) The development will provide streetscape upgrades discussed further below, thus enhancing the public realm and amenity;
(d) The building would not unreasonably overshadow the public realm casting no additional shadow on the north or south sides of Victoria Parade and west side of Brunswick Street than there is currently; and additional shadow on the east side of Brunswick Street falls from approximately 1.30pm onwards which is considered reasonably limited in the context of a MAC.

201. Regarding the above, the 'sketch plans' show the Victoria Parade canopy increased in height from 3.2m to 5m above the footpath and extended out over the car parking space on Victoria Parade and with an angled design. Whilst there is no concern with the height and design of the canopy shown in the 'sketch plans', it should be setback at least 750mm from the curb to limit conflicts with cars and trucks. This can be required by condition.

Impacts of views and vistas

202. Clause 22.03-4 requires new built form to maintain the silhouette/profile of the St Patrick's Cathedral when viewed from the intersection of Brunswick Street and St Georges Road in North Fitzroy, a distance of approximately 2.5km. The reverse view from Brunswick Street/Victoria Parade to the church spire at the corner of Watkins Street and St Georges Road is also to be protected.

203. Given the view line is generally straight in each direction, the proposed 10.1m setback of the tower from Brunswick Street will ensure the church spires remain prominent as shown in the image below, since it would be setback further than the 10 storey Eye and Ear Hospital on the south side of Victoria Parade.

3D VIEW - BRUNSWICK ST TOWARDS VICTORIA PARADE

Landscaping and streetscape works

204. As part of the development, the applicant proposes to undertake streetscape works generally summarised as:
   (a) Removal of power poles along Victoria Parade
   (b) Replacement of street trees on Victoria Parade and Brunswick Street;
   (c) Extension of the curb/footpath at the corner of Victoria Parade and Brunswick Street, north along Brunswick Street and extension of the footpath to the east outside the new Brunswick Street entry;
   (d) Expansion of indented car parking along Victoria Parade; and
   (e) New paving to footpaths with bollards, seating and planter boxes.

205. Following comments provided by Council's Open Space and Urban Design Units, the applicant submitted 'sketch plans' which show the following changes:
   (a) The Brunswick Street curb extended further south with additional seating;
   (b) The indented parking on Victoria Parade maintained at its current length with the new drop curb reduced in width and additional seating added;
   (c) The existing drop curb at the corner of Victoria Parade and Brunswick Streets at its existing location;
   (d) Removal of bollards from the Brunswick Street entry and the drop curb;
   (e) Addition of 12 public bike hoops on Brunswick Street and 20 on Victoria Parade;
   (f) Increased Victoria Parade entry canopy height, length and width and altered angled design.

206. Further comment was provided by both Open Space and Urban design noting the following requirements or modifications that can be achieved by conditions:

   (a) Additional tree on the north side of the Brunswick Street entrance to provide extra shade;
   (b) Confirmation of adequate width between the drop curb on Victoria Parade and the new pedestrian entrance;
   (c) Café seating on Victoria Parade should be noted as indicative only, requiring assessment by Council's Compliance Unit for suitability within the modified streetscape;
   (d) The design detail of public seating and footpath planter boxes should be provided including heights, widths, materials, fixings etc.;
   (e) Plant type and height as well as maintenance details and responsibility for the moveable planter boxes on the street should be provided;

(f) Paving be simplified to use bluestone only (or a mix, only where it can be demonstrated another material is required for ease of access to utilities) and porous paving around new trees should be replaced with another material due to concerns about accessibility;
(g) The plans should show dimensions of all footpaths, setbacks of new drop curbs etc;
(h) Trees on Brunswick Street should be re-positioned into the extended curb/road to provide extra footpath width;
(i) The applicant should be required to provide $8537 for planting and maintenance of new street trees;
(j) Street tree species should be *Acer negundo* 'Sensation' (Box Elder Maple Sensation) on Victoria Parade and *Acer buergerianum* (Trident Maple) on Brunswick Street.
(k) All street tree spacing should be dimensioned on the plans.

207. Council's Parking Management Unit reviewed the loss of on street car parking space on Brunswick Street associated with the expanded footpath noting that a reduction to 2-3 spaces may be acceptable in order to provide an enhanced streetscape outcome. The plans show two spaces would be maintained.

208. Council's external Urban Design Unit also commented on the proposed alterations noting they are positive responses whilst supporting the view that new footpath paving should be consistently applied as bluestone.

209. Council's Engineering Services Unit also commented on the streetscape works recommending a number of conditions including detailed plans addressing drainage, location of existing infrastructure including signs and the use of bluestone curbing. This can be required by condition.

210. VicRoads also commented on the streetscape requiring the removal of planter boxes and the movement of bollards on Victoria Parade from the southern side of the new drop-curb to the northern side. These can be required by condition.

211. Landscaping is also proposed in the courtyard on the northern side of the ground floor with paving, seating and tree planting proposed. Council's Open Space Unit commented that a detailed planting schedule be provided including all plant types, location, numbers, planting size, size at maturity. This can be required by condition.

212. Having regard to the above, the proposed development is considered to provide an enhanced and positive streetscape and landscaping outcome for the site.

On site amenity

213. The proposed development will provide an acceptable level of amenity and indoor environmental quality consistent with objectives of clause 22.17 via the following elements as noted by Council's ESD Advisor:

(a) New open space areas at the ground floor and level 4;
(b) Acceptable levels of natural daylight with energy efficient mechanical ventilation to balance the lack of operable windows, good levels of thermal comfort through access to ventilation, balanced passive heat gains and high levels of insulation.

214. Council's External Urban Design Consultant also commented that the re-organised layout with central southern entry and east-west access from Brunswick to Fitzroy Streets will also provide a better patient and visitor experience with enhanced legibility and wayfinding.

Environmentally Sustainable Design (ESD)

215. The ESD initiatives have been described in the 'Proposal' section of this report and were reviewed by Council's ESD Advisor who commented that there are no obvious deficiencies, requesting that the assessment number for the review against the Built Environment Scorecard be provided to verify ESD standards and the location and size of the water tank be shown on the plans noting a discrepancy between the BESS and STORM reports in the size of the tank. These matters can be addressed by condition.

216. Additionally, it was recommended that solar PV panels be considered for the roof to contribute to electricity consumption and a HVAC system with 100% economy and heat recovery be provided. However, neither of these is required to meet Council's Best Practice ESD Standards, and therefore will not be required.

Off-site amenity impacts

217. There are no dwellings that abut the subject site, the closest being approximately 60m to the north on Brunswick Street in the Mixed Use Zone. There are also dwellings 120m and 150m north-east on Young Street and Napier/Little Napier Streets.

218. Given the separation of these dwellings from the subject site and orientation to the north, amenity impacts such as overshadowing of open space and windows, loss of daylight, noise from plant and equipment, and visual impacts from private open space, would be limited.

219. In respect of overshadowing of the public realm, this has been discussed earlier and is considered acceptable.

Car parking, traffic, bicycle facilities, waste management and loading

220. Car parking is to be provided within the existing car park on the site at 20-32 Fitzroy Street and in the staff car park that services both the St Vincent's public and private hospitals at 93 – 99 Victoria Parade.

221. As previously noted, the following car parking requirements apply for the proposed use and development:

(a) Hospital – to Council's satisfaction;
(b) Consulting suites/medical centre – 32 (no specified requirements for staff or visitors); and
(c) Café – 12 (no specified allocation for staff or customers).

222. With the proposed re-arrangements in the Fitzroy Street and Victoria Parade car parks, the following changes and car parking provision would be achieved:

Table 5 Car Parking Allocations

Location	Allocation	Existing Supply	Change	Ultimate Supply
Fitzroy Street	Staff	134	-112	22
	Visitors	264	+107	371
	Sub-Total	398	-5	393
Victoria Parade	Staff	529	+185	714
	Visitors	0	0	0
	Sub-Total	529	+185	714
Total		**927**	**+180**	**1,107**

223. The applicant has indicated that 112 staff car spaces removed from Fitzroy Street will be allocated within the expanded Victoria Parade location, thus 112 of the new spaces proposed there (Victoria Parade) would be taken up immediately by existing staff demand, resulting in an effective new supply of 73 staff spaces. No spaces would be specifically allocated to staff or customers of the café.

Hospital demand, allocation and location

224. The applicant has undertaken an empirical assessment of the likely demand associated with the expansion of the hospital based on the following:
    (a) 158 new staff associated with the hospital;
    (b) 103 new beds
    (c) 10 practitioners associated with the consulting suites;

225. Various car parking rates were assessed including:
    (a) Empirical assessment - 60% of employees within the City of Yarra use a car to get to work (2011 ABS data) + Case studies showing a 0.55 space visitor demand per bed + Consulting suite rates as per clause 52.06 showing a total of demand of 184 spaces
    (b) Department of Health car parking evaluation tool for hospitals outside the Melbourne CBD showing a total of 180 spaces; and
    (c) NSW RTA/RMS 'Guide to Traffic Generating Developments' which uses a formula based on the number of beds + Consulting suite rates as per clause 52.06 + demand generated by Radiography services showing 159 spaces.
    (d) A car parking reduction for the existing hospital use by the relocation of 63 administration staff off the site, reducing existing demand by 38 spaces based on ABS journey to work data.

226. In summary based on the analysis undertaken, the hospital may generate a new demand of:
    (a) Empirical Assessment = 184 spaces – 38 space credit = 146 spaces
    (b) Department of Health tool = 180 spaces – 38 space credit = 142 spaces
    (c) RTA NSW = 159 spaces – 38 space credit = 121 spaces

227. The applicant has accepted the 146 spaces as the likely demand with a 50-50 split between visitors and staff (inclusive of the consulting suites), i.e. 73 for each user.

228. In terms of supply as noted earlier, 112 new visitor spaces will be available on the site within the Fitzroy Street car park, generating a predicted surplus of up to 39 spaces. A total of 185 new staff spaces would be provided in the Victoria Parade car park for staff with 73 of these for new staff associated with the expansion.

229. Council's Engineering Services Unit reviewed the applicant's assessment and raised no concern with the approach taken or ultimate rate adopted or provision of car parking across the two sites, noting specifically:

    (a) The hospital has excellent access to public transport and pedestrian connectivity;
    (b) It is reasonable to increase capacity for visitors on the site and provide staff car parking elsewhere within proximity (110 east from the main hospital entrance).

230. In addition to the above, the following is noted in support of the proposed car parking assessment, supply and allocation:
    (a) The applicant has proposed to increase the supply of visitor and staff bike parking spaces on the site and within the public realm to a total of 84 staff (with approximately 70 being in a secure area) and 44 visitor spaces, via the submitted' sketch plans'. This is achieved by re-arrangement of the basement level to provide an enlarged secure bike store in the north-eastern corner with associated shower and change facilities in the south-west corner. This would come at the expense of four car parking spaces within the new basement drop-off area (reducing the visitor provision to 108). This change is considered a positive one since the visitor car parking supply remains well above the predicted demand and positive benefits associated with an increased secure bike parking supply for staff.
    (b) The provision of car parking off-site for staff of the consulting suites is considered acceptable for the following reasons have regard to clause 52.06-5:
        (i) The car park on Victoria Parade is within reasonably proximity being 110m from the main hospital entrance to the east and easily and directly accessible via Victoria Parade;

(ii) The car park is owned and operated by the hospital and was purpose built by them and also includes an attached childcare centre. The car park is not subject to any lease or licence agreements and is considered to provide genuine long term availability for hospital staff;
(iii) There is no relevant local policy or plan which directs the location of car parking for the site or for car spaces provided for a use on another site;
(iv) There is no Car Parking Overlay applicable to the site.

(c) The loss of 1-2 on street parking spaces associated with the extension of the curb on Brunswick Street will be off-set by the rearrangement of the Fitzroy Street car park to provide a drop-off/pick-up area at the basement level. This area will be accessible without charge and would contain five car parking spaces including four disabled spaces. This area would provide direct access to the hospital in an on-site location providing benefits including weather protection and less impact on traffic flow on Brunswick Street and Victoria Parade.

231. Having regard to the above, the provision and location of car parking for hospital staff and visitors (including for the consulting suites) is considered acceptable subject to conditions including a car parking management plan addressing issues such as car parking allocation, security and signage as well as an agreement under section 173 of the Act requiring staff parking to be permanently provided on the 93-99 Victoria Parade site.

Café parking

232. No on-site car parking is proposed to be allocated for staff or visitors of the cafés and 12 are required under clause 52.06. The applicant's Transport Impact Assessment report suggests that the café would not generate a demand in its own right since it will serve staff and visitors of the hospital or others who would otherwise have already been in the area.

233. Council's Engineering Services Unit reviewed the proposed arrangement and agreed that the cafés are unlikely to generate little if any new customer demand given the location within the existing/expanded hospital.

234. Having regard to the above and relevant considerations at clause 52.06-7, the proposed reduction is considered acceptable for the following reasons:

(a) Car parking demand for customers is considered to be negligible for the reasons discussed above; and
(b) The location of the site has excellent access to public transport by train, tram and bus as well as high accessibility by bike and foot. All these alternative transport modes reduce the need for staff to drive to the site.

Car parking design and layout

235. Council's Engineering Services Unit reviewed the layout out of the modified Fitzroy Street car park including drop-off/pick-up area commenting that they are acceptable. Modified car parking layout plans will be required for assessment in conjunction with the changes outlined in the 'sketch plans'.

Traffic impacts

236. The Fitzroy Street car park is proposed to accommodate nine less car parking spaces subject to the implementation of additional bike parking provided at the basement level as shown in the 'sketch plans'. The applicant's Transport Impact Assessment considered that traffic from staff and visitors is unlikely to alter significantly with 4-5 additional movements generated by the pick-up/drop-off area resulting in one every 12-15 minutes which would not unreasonably impact the road network.

237. Council's Engineering Services Unit reviewed the proposed development and raised no concern with the traffic impacts on Fitzroy Street or surrounding streets from the proposed alterations. Moreover, any increase in traffic to and from the Fitzroy Street car park will use main roads (Victoria and Gertrude) to access and exit the precinct, and Fitzroy Street which does not contain any private dwellings. Accordingly, any impacts will be restricted to these non-residential areas and would be acceptable.

Bike parking

238. Pursuant to clause 52.34, bike parking is required to be provided on site at rates of:
    (a) 11 for the hospital;
    (b) 4 for the consulting suites/medical centre;
    (c) 2 for the cafes; and
    (d) 1 shower/change room.

239. The applicant originally proposed 46 spaces comprising 12 for visitors and 34 for staff across the ground and basement levels of the Fitzroy Street car park with a total of seven shower/change rooms to be provided. The 'sketch plans' provided by the permit applicant show this increased to 84 for staff and 44 visitor spaces. These numbers significantly exceed the requirement of clause 52.34 and are considered acceptable. However, conditions should requiring detailed design drawings off all bike parking spaces to ensure adequate space and configurations are achieved.

240. Additionally, the sketch plans show an area for showers and changes rooms and lockers in the south-west corner of the basement. The details of these areas must be provided by condition with no less than eight shower/change rooms on site generally in accordance with the rates under clause 52.34 of the Scheme.

241. Having regard to the above, the bike parking provision and location is considered acceptable subject to condition.

Green Travel Plan (GTP)

242. The applicant submitted a Green Travel Plan which summarises the initiatives the hospital will take to encourage staff and visitors to utilise sustainable transport options including public transport and cycling. The initiatives include:
    (a) Provision of on-site secure bike facilities and end-of-trip facilities.
    (b) Public transport information provided on the hospital's web-site as well as posters and leaflets in public and staff areas. The information will provide details of relevant services including location, timetables, location and information on ticket purchase, and links to other transport services;
    (c) Real-time public transport information provided at the ground floor of the hospital;
    (d) Access to discounted public transport tickets for staff;
    (e) Information provided to staff on carpooling websites;
    (f) Provision of transport information to new staff during inductions; and
    (g) Free car share membership for staff.

243. These initiatives are considered adequate to encourage sustainable transport use associated with the hospital. However, given the supported modifications shown in the sketch plans to improve on and off-site bike parking, the GTP should be required by condition to be updated to reflect these changes also. Additionally, the GTP and floor plans should be required to show the specific location of real-time public transport information at ground floor to ensure it is adequately accessible and visible for visitors and staff.

Loading and unloading

244. A loading bay is not technically required under clause 52.07 of the Scheme. However, it is a relevant consideration for the expansion of a large institutional use such as that proposed.

245. The permit applicant's Transport Impact Assessment provides a detailed analysis of the existing loading capacity on the site as well as within Fitzroy Street commenting that:

    (a) Loading is currently undertaken from the on-site loading bay accessed from Fitzroy Street for vehicles up to 3m in height with two spaces available;
    (b) Larger vehicles use the public loading spaces on Fitzroy Street and occasionally Fitzroy Street is blocked in part to accommodate the largest vehicles;
    (c) Surveys indicate that the capacity of the on-site and on-street loading is sometimes breached resulting in delivery vehicles parking illegally in Fitzroy Street due largely to the capacity of the on-site loading bay.

246. The proposed development seeks to improve the capacity of the on-site loading bay including:
    (a) Increasing the number of on-site spaces from 2 to 3 accommodating two 6.4m long vehicles and one standard car length, or one 8m long truck and a single standard length car/van;
    (b) Improved loading circulation, levels, forklift area and waste storage area.
    ‘

247. These modifications are considered to improve the efficiency and capacity of the on-site loading bay, thus reducing demand for and freeing capacity of on-street spaces. ‘

248. Council's Engineering Services Unit reviewed the proposed loading configuration and consider it satisfactory. Accordingly, and having regard to the above, loading and unloading facilities are considered acceptable.

249. The applicant's Transport Impact Assessment also discussed recommendations to re-locate some loading to the St Vincent's and Mercy Private loading dock on Gipps Street in East Melbourne which has additional capacity (in particular for larger vehicles that cannot be accommodated on the subject site).

250. However, this would be to limit the blocking of Fitzroy Street which should not be occurring and thus the hospital should already be making alternative arrangements for large delivery vehicles, requiring them to load elsewhere and therefore will not be required by condition as this situation is already dealt with under relevant road rules.

Waste Management

251. The applicant has submitted a waste management plan in conjunction with re-arrangements at basement level for waste storage. All waste is to be stored on-each level as required and transferred internally to the new basement central storage area for collection on-site by private contractor. This is generally in accordance with existing procedures. Council's Contract Services Unit reviewed the plan and commented that additional details should be provided and can be via condition. Subject to these conditions, waste management is adequately addressed.

Other matters

Infrastructure

252. Council's Engineering Services Unit has made a number of recommendations regarding infrastructure and civil works most of which will be addressed via conditions relating to streetscape works.

Development over a Council laneway

253. Council's Engineering Services Unit also commented on the proposed construction over and incorporation of the Council ROW accessed from Brunswick Street on the south side of Edensor House. It was noted that before development within the ROW can begin, it must be discontinued in accordance with the *Local Government Act 1989*. The applicant has commenced this process through Council's Valuations and Rates Unit who are managing the process.

254. The building could not be constructed as proposed if the laneway is not acquired by the applicant. Should the applicant not be able to acquire the land, the development would not be able to proceed as planned and would need to be amended which is allowed for under the relevant permit conditions and the *Planning and Environment Act* 1987. However, the acquisition process not being completed is not a reason to modify or refuse the application. The planning permit is the first in a series of approval a including building permits, road and utility consents that are required, and should not be rejected on the basis that these subsequent approvals may require changes to the building approved under it.

255. However, a condition will be included requiring the discontinuance of the laneway prior to commencement of the development.

VicRoads and PTV recommended conditions

256. Both authorities recommended conditions be placed on any permit issued relating to impacts on public transport and road safety. Given the scale and potential impacts of the proposed development, these conditions are considered acceptable and should be included as modifications to the plans or standalone conditions.

Objector concerns

257. Objector concerns have been addressed throughout this report including:

Need for a master plan for the hospital

258. Paragraphs 145 – 153.

Heritage impacts including demolition

259. Paragraphs 155 - 187

Impacts on the character and amenity of the area through height, setbacks and design

260. Paragraphs 188 – 212.

Traffic and car parking impacts

261. Paragraphs 220 - 237 and 244 – 249.

Conclusion

262. Based on the report, the proposal is considered to substantially comply with the relevant policies of the Yarra Planning Scheme and is recommended for approval subject to conditions.

RECOMMENDATION

That having considered all relevant planning policies and objections, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN16/0925 for development of the land for construction of a multi storey building as an extension to the existing hospital, including demolition and alterations to the existing buildings on the site and streetscape works, reduction in the car parking requirement and provision of car parking on another site at Nos. 59-77 Victoria Parade, 5-7 (and Council ROW) Brunswick Street and 20-32 Fitzroy Street and laneway, Fitzroy subject to the following conditions

Amended plans

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' prepared by Billard Leece Partnership P/L, Council date stamped 23 November 2016, but modified to show:

    (a) Changes shown in the 'sketch plans' prepared by Billard Leece Partnership P/L and Council date stamped 3 April 2017 which include:
        (i) Setback of the ground floor to Brunswick Street podium by 1m and cut-out at levels 1 and 2 at the interface of the Former Eastern Hill Hotel;
        (ii) A 1m x 1m rebate in the podium levels on Victoria Parade at the interface of the west wall of the Former Eastern Hill Hotel with Level 3 setback 1m from the wall;
        (iii) A modified pedestrian entry on Victoria Parade including internal seating areas
        (iv) Additional secure staff bike parking and shower and change room facilities at basement level;
    (b) At least 8 shower/change rooms on the ground floor or within the basement of the Fitzroy Street car park;
    (c) The location and size of bin storage areas at basement level;
    (d) Any modifications as a result of detailed design required by condition 3 (landscape and streetscape plans);
    (e) The specific location of real-time public transport information at ground floor level;
    (f) The canopy over the Victoria Parade pedestrian entry setback at least 750mm from the edge of the curb;
    (g) The location and capacity of the rainwater collections tanks.

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.

Archival record

3. Before demolition commences, a detailed and annotated photographic record of the existing EastHill House building in its context must be submitted to and approved by the Responsible Authority as a record of the building. The photographs must:

    (a) include the interior and each external elevation of the buildings;
    (b) be submitted in black and white format; and
    (c) be taken by a suitably qualified heritage photographer.

On-going involvement of the architect

4. As part of the ongoing consultant team, Billard Leece Partnership P/L Architects or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:

(a) oversee design and construction of the development; and
(b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

Landscape and streetscape plans

5. Before the development commences, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The amended Landscape Plan must be generally in accordance with the landscape Plan prepared by LBA Design dated October 2015, but modified to show:
   (a) Changes shown in the 'sketch plans' prepared by LBA Design and dated September 2016 including:
      (i) The Brunswick Street curb extended further south with additional seating;
      (ii) The indented parking on Victoria Parade maintained at its current length with the new drop curb reduced in width and additional seating added;
      (iii) The existing drop curb at the corner of Victoria Parade and Brunswick Streets at its existing location;
      (iv) Removal of bollards from the Brunswick Street entry and the drop curb;
      (v) Addition of 12 public bike hoops on Brunswick Street and 20 on Victoria Street.
   (b) The planter boxes along Victoria Parade Must be removed (VicRoads condition)
   (c) The three (3) bollards positioned opposite the new entry along Victoria Parade to be repositioned along the north side of the tactile indicators (VicRoads condition);
   (d) Detailed design drawings of all bike hoops on the footpath(s) and along Victoria Parade within setback areas of the site;
   (e) An additional tree on the north side of the Brunswick Street hospital entrance;
   (f) Dimensions showing the width of the footpath between the drop curb on Victoria Parade and the new pedestrian entrance. If adequate width is not available, the drop curb may be required to be deleted;
   (g) Café seating on Victoria Parade noted as indicative only, or deleted;
   (h) Paving simplified to use bluestone only (or a mix, only where it can be demonstrated another material is required for ease of access to utilities)
   (i) Porous paving deleted and replaced with bluestone to match the remainder of new footpath paving
   (j) Tree pits noted as being 1m x 1m and specified as mulched;
   (k) Dimensions of all footpaths, setbacks of new drop curbs from the building line, drop curb widths and design specifications;
   (l) Trees on Brunswick Street should re-positioned into the extended curb/road;
   (m) All street trees on Victoria Parade as being *Acer negundo* 'Sensation' (Box Elder Maple Sensation);
   (n) All street trees on Brunswick Street being *Acer buergerianum* (Trident Maple) All street trees
   (o) The dimensions of all proposed street tree spacing;
   (p) All existing infrastructure assets, signs, pole, pits and other roadside objects;
   (q) The kerb and channel along the Victoria Parade and Brunswick Street road frontages must be reconstructed with a 300 mm wide bluestone kerb with 250mm-300 mm gutter stone;
   (r) Any property drains that run within the footpaths to be reconstructed;
   (s) For the landscaping on the site (new northern courtyard):
      (i) A detailed planting schedule including all plant types, location, numbers, planting size, size at maturity, irrigation, and maintenance regime and responsibility.

   to the satisfaction of the Responsible Authority.

6. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:

   (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
   (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
   (c) replacing any dead, diseased, dying or damaged plants,

   to the satisfaction of the Responsible Authority.

7. Before the development commences, the permit holder must make a one off contribution of $8537 to the Responsible Authority to be used for replacement/new street tree plantings that are required as a result of the development.

   Sustainable Management Plan

8. Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Murchie Consulting, dated 07/10/2016, but modified to include or show:

   (a) Any changes as a result of condition 1;
   (b) The relevant BESS report and project number;
   (c) The rainwater tank noted consistently throughout.

9. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

   Waste Management Plan

10. Before the development commences, an amended Waste Management Plan prepared by a suitably qualified person and to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit.

    The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Meinhardt and dated October 2016, but modified to include or show:
    (a) A plan showing the size and location of the basement waste storage room;
    (b) Details of cleaning including provision of taps hoses and drainage systems;
    (c) Location of hard waste storage;
    (d) The location of bin collection; and
    (e) Swept path diagrams showing adequate circulation space for waste collection vehicles.

11. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

    Green Transport Plan

12. Before the development commences, an amended Green Transport Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Green Travel Plan will be endorsed and will form part of this permit. The amended Green Travel Plan must be generally in accordance with the Green Transport Plan prepared by One Mile Grid and dated 7 October 2016, but modified to include or show/address:
    (a) The number of bike parking spaces provided on and off site in accordance with the plans endorsed under conditions 1 and 5.
    (b) The specific location of real-time public transport information at ground floor level.

13. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Car Parking Management Plan

14. Before the development commences, a Car Park Management Plan (for the car park at 20 - 32 Fitzroy Street) prepared by a suitably qualified person and to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Park Management Plan will be endorsed and will form part of this permit. The Car Park Management Plan must address, but not be limited to, the following:
    (a) the number and location of car parking spaces allocated to each use;
    (b) At least one space with an electric vehicle charging point;
    (c) details of way-finding, cleaning and security of end of trip bicycle facilities;
    (d) any necessary monitoring arrangements and formal agreements; and
    (e) a schedule of all proposed signage including directional arrows and signage, informative signs indicating location of disabled bays and bicycle parking, exits, restrictions, etc.

15. The provisions, recommendations and requirements of the endorsed Car Park Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Council laneway

16. Before the development commences, the Permit Holder must do all things necessary to have the required parcels of land (Council ROW) discontinued to enable them to purchase the land required to construct the building. The owner, or other person in anticipation of becoming the owner, must meet all of the expenses of this process/these processes, including the reasonable costs borne by the Responsible Authority.

Section 173 Agreement

17. Prior to the commencement of the development authorised by this permit, the owner (or another person in anticipation of becoming the owner) must enter into an agreement with the Responsible Authority under section 173 of the Planning and Environment Act 1987 to be registered on the certificates of title for the subject site and No. 93 – 99 Victoria Parade, which provides for the following:
    (a) That at least 185 car parking spaces for staff of the St Vincent's Private Hospital will be provided on the land at 93 – 99 Victoria Parade (in addition to the existing number of spaces already within the car park) and that the car parking spaces will be made available in perpetuity.

18. The owner, or other person in anticipation of becoming the owner, must meet all of the expenses of the preparation and registration of the agreement, including the Responsible Authority's costs and expenses (including legal expenses) incidental to the preparation, review, registration and enforcement of the agreement.

Construction Management Plan

19. 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;
    (p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008.
        The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:
        (i) using lower noise work practice and equipment;
        (ii) the suitability of the land for the use of an electric crane;
        (iii) silencing all mechanical plant by the best practical means using current technology;
        (iv) fitting pneumatic tools with an effective silencer;
        (v) other relevant considerations; and
        (vi) any site-specific requirements.

    During the construction:
    (q) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
    (r) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
    (s) vehicle borne material must not accumulate on the roads abutting the land;

(t) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
(u) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

20. If required, the Construction Management Plan may be approved in stages. The construction of each stage must not commence until a Construction Management Plan has been endorsed for that stage, to the satisfaction of the Responsible Authority.

General

21. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the area(s) set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
(a) constructed and available for use in accordance with the endorsed plans;
(b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
(c) treated with an all-weather seal or some other durable surface; and
(d) line-marked or provided with some adequate means of showing the car parking spaces,

to the satisfaction of the Responsible Authority.

22. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.

23. All pipes (excluding downpipes), fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

Public Transport Victoria Condition (condition 24)

24. The permit holder must take all reasonable steps to ensure that disruption to the public transport services along Victoria Parade and Brunswick Street is kept to a minimum during construction of the development. Foreseen disruptions to bus and tram operations and mitigation measures must be communicated to Public Transport Victoria fourteen days (14) prior. Any alterations including temporary works or damage during construction must be rectified to the satisfaction of Public Transport Victoria and at the cost of the permit holder.

VicRoads conditions (conditions 25 and 26)

25. Prior to the commencement of the development. the owner of the land must enter in to an agreement with the Department of Environment Land Water and Planning pursuant to Section 138A (11) of the Land Act 1958 for elements of the approved development that project more than 300mm beyond the land's Victoria Parade boundary (i.e., the canopies, fixed shading devices, architectural features), to indemnify the Crown in relation to any claim or liability arising from the projections within the Victoria Parade road reserve.

26. Separate consent will be required from VicRoads (the Roads Corporation) under the Road Management Act 2004 for buildings and works undertaken outside the title boundary within the Road Zone Category 1 (i.e. Victoria Parade). Please contact VicRoads prior to commencing any works.

Civil Works

27. Before commencement of the development, detailed engineering drawings prepared by a suitably qualified person and to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the detailed engineering drawings will be endorsed and will form part of this permit.

The detailed engineering drawings must address/show, but not be limited to, the following:

(a) Extension of the existing underground drain along the west side of Brunswick Street to facilitate approved curb extensions/modification.
(b) Relocation of the existing grated side entry pit further to the north; and
(c) A new grated side entry pit constructed adjacent to the new kerb extension;

28. The drainage works shown on the endorsed detailed engineering drawings must not be altered without the prior written consent of the Responsible Authority.

29. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the drainage works shown on the endorsed detailed engineering drawings endorsed under condition 26 must be carried out and completed to the satisfaction of the Responsible Authority.

30. Council assets must not be altered in any way except with the prior written consent of the Responsible Authority.

31. Prior to completing the development, subject to the relevant authority's consent, the relocation of any utility or other services providers poles, structures or pits necessary to facilitate the development must be undertaken:

    (a) in accordance with any requirements or conditions imposed by the relevant authority;
    (b) at the permit holder's cost; and
    (c) to the satisfaction of the Responsible Authority.

32. Within 2 months of completing 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 (if required by the Responsible Authority):
    (a) at the permit holder's cost; and
    (b) to the satisfaction of the Responsible Authority.

33. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath, nature strip, and kerb and channel:
    (a) at the permit holder's cost; and
    (b) to the satisfaction of the Responsible Authority.

34. 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.

Expiry

35. 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; or

    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.

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

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.

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

A local law permit (e.g. Asset Protection Permit, Road Occupation Permit) may be required before development is commenced. Please contact Council's Construction Management Branch on Ph. 9205 5585 to confirm.

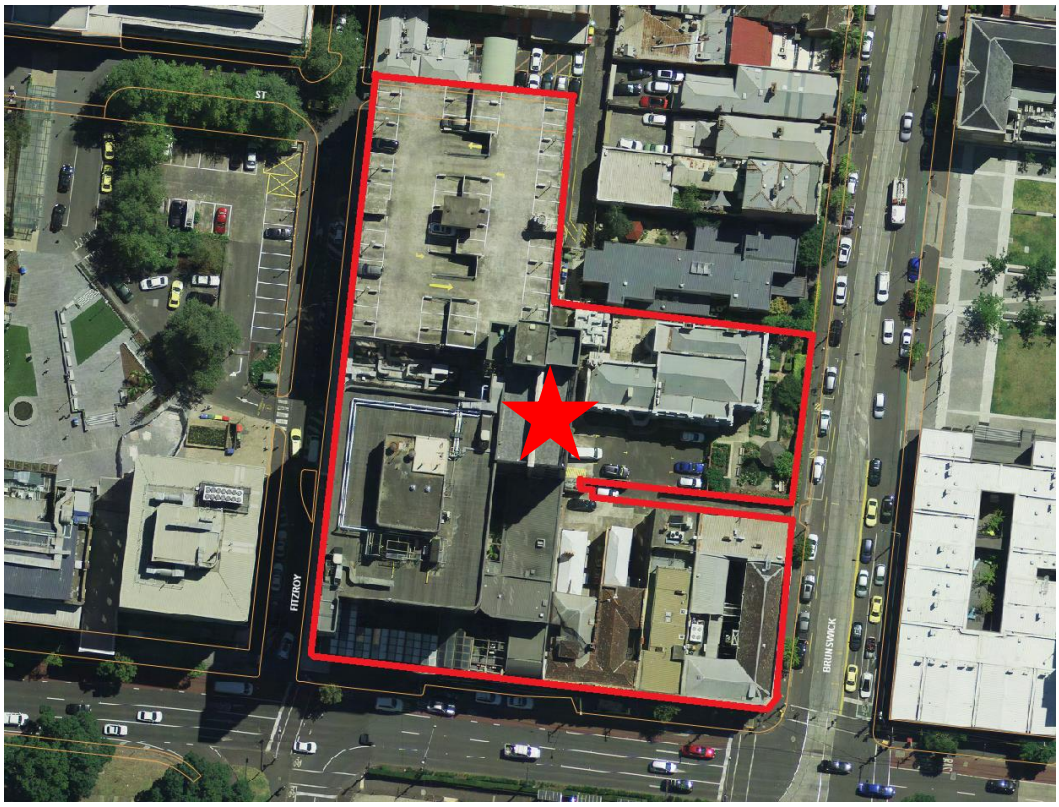
CONTACT OFFICER: **James Sutherland**
TITLE: **Principal Statutory Planner**
TEL: **9205 5046**

Attachments

1 Subject site map
2 Plans Part 1
3 Plans Part 2
4 Plans Part 3
5 Plans Part 4
6 Plans Part 5
7 'Sketch plans' and explanatory information
8 External Urban Design Comments
9 Heritage Advisor comments
10 Heritage Advisor comments - Follow-up advice
11 Engineering Services Unit comments
12 Internal Urban Design comments
13 Open Space Unit comments - suggested tree locations
14 Victrack comments
15 Public Transport Victoria comments
16 VicRoads comments.

Attachment 1 - Subject site map

Subject Site Map: 59 - 77 Victoria Parade and 5 - 7 Brunswick Street (plus Council ROW) and 20 - 32 Fitzroy Street Fitzroy.



North

Subject site

Attachment 2 - Plans Part 1

ST VINCENT'S PRIVATE HOSPITAL
FITZROY REDEVELOPMENT

Cover Page Sheet List	
Sheet Number	Sheet Name
A00	
AA00-0001	COVER SHEET
A03 - SITE CONTEXT	
AA03-0001	SITE CONTEXT PLAN - EXISTING
AA03-0011	SITE CONTEXT PLAN - PROPOSED
AA03-0051	SITE CONTEXT PLAN - SHADOW DIAGRAM - 9AM EQUINOX
AA03-0052	SITE CONTEXT PLAN - SHADOW DIAGRAM - 10AM EQUINOX
AA03-0053	SITE CONTEXT PLAN - SHADOW DIAGRAM - 11AM EQUINOX
AA03-0054	SITE CONTEXT PLAN - SHADOW DIAGRAM - 12PM EQUINOX
AA03-0055	SITE CONTEXT PLAN - SHADOW DIAGRAM - 1PM EQUINOX
AA03-0056	SITE CONTEXT PLAN - SHADOW DIAGRAM - 2PM EQUINOX
AA03-0057	SITE CONTEXT PLAN - SHADOW DIAGRAM - 3PM EQUINOX
A05 - Precinct - Existing	
AA05-0000	PRECINCT PLAN -EXISTING -SITE
AA05-0001	PRECINCT PLAN -EXISTING -GROUND
AA05-0101	PRECINCT PLAN -EXISTING -LEVEL 1
AA05-0201	PRECINCT PLAN -EXISTING -LEVEL 2
AA05-0301	PRECINCT PLAN -EXISTING -LEVEL 3
AA05-0401	PRECINCT PLAN -EXISTING -LEVEL 4
AA05-0501	PRECINCT PLAN -EXISTING -LEVEL 5
AA05-0601	PRECINCT PLAN -EXISTING -LEVEL 6
AA05-0701	PRECINCT PLAN -EXISTING -LEVEL 7
AA05-0801	PRECINCT PLAN -EXISTING -LEVEL 8

Cover Page Sheet List	
Sheet Number	Sheet Name
AA05-0901	PRECINCT PLAN -EXISTING -LEVEL 9
AA05-1001	PRECINCT PLAN -EXISTING -LEVEL 10
AA05-B101	PRECINCT PLAN -EXISTING -BASEMENT
A06 - Precinct - Demo	
AA06-0000	PRECINCT PLAN -PROPOSED DEMOLITION -SITE
A07 - Precinct - Proposed	
AA07-0000	PRECINCT PLAN -PROPOSED -SITE
AA07-0001	PRECINCT PLAN -PROPOSED -GROUND
AA07-0002	PART PLAN - FITZROY CAR PARK ENTRANCE
AA07-0101	PRECINCT PLAN -PROPOSED -LEVEL 1
AA07-0201	PRECINCT PLAN -PROPOSED -LEVEL 2
AA07-0301	PRECINCT PLAN -PROPOSED -LEVEL 3
AA07-0401	PRECINCT PLAN -PROPOSED -LEVEL 4
AA07-0501	PRECINCT PLAN -PROPOSED -LEVEL 5
AA07-0601	PRECINCT PLAN -PROPOSED -LEVEL 6
AA07-0701	PRECINCT PLAN -PROPOSED -LEVEL 7
AA07-0801	PRECINCT PLAN -PROPOSED -LEVEL 8
AA07-0901	PRECINCT PLAN -PROPOSED -LEVEL 9
AA07-1001	PRECINCT PLAN -PROPOSED -LEVEL 10
AA07-1101	PRECINCT PLAN -PROPOSED -LEVEL 11
AA07-B101	PRECINCT PLAN -PROPOSED -BASEMENT
AA07-B201	PRECINCT PLAN -PROPOSED -BASEMENT 2

Cover Page Sheet List	
Sheet Number	Sheet Name
A08	
AA08-0001	PRECINCT ELEVATION -SOUTH
AA08-0002	PRECINCT ELEVATION -EAST
AA08-0003	PRECINCT ELEVATION -WEST
AA08-0004	PRECINCT ELEVATION -NORTH
AA08-2001	PRECINCT SECTION
A96	
AA96-1001	EXTERNAL FINISHES & MATERIALS - EAST ELEVATION
AA96-1002	EXTERNAL FINISHES & MATERIALS - SOUTH ELEVATION
AA96-1003	EXTERNAL FINISHES & MATERIALS - WEST ELEVATION
AA96-1004	EXTERNAL FINISHES & MATERIALS - NORTH ELEVATION
A97	
AA97-0001	PERSPECTIVE
AA97-0002	PERSPECTIVE - ST VINCENT'S PLAZA
AA97-0003	PERSPECTIVE - VICTORIA PARADE
AA97-0004	PERSPECTIVE - NORTHEAST AERIAL
AA97-0005	PERSPECTIVE - OVERALL
AA97-0006	PERSPECTIVE - STREET
AA97-0007	PERSPECTIVE - INTERIOR

ST VINCENTS HEALTH

ST VINCENT'S PRIVATE HOSPITAL REDEVELOPMENT

COVER SHEET

AA00-0001

Attachment 2 - Plans Part 1

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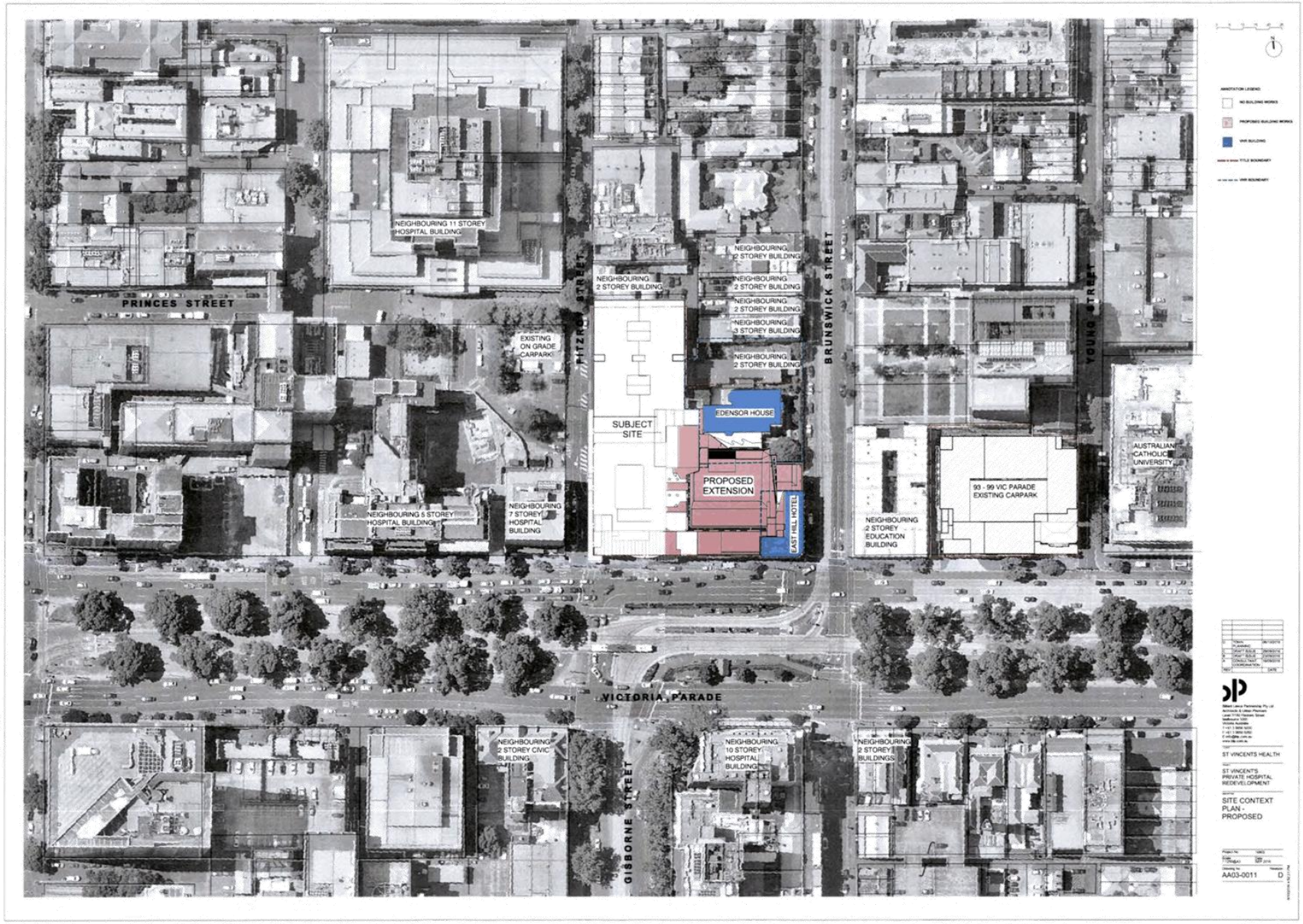

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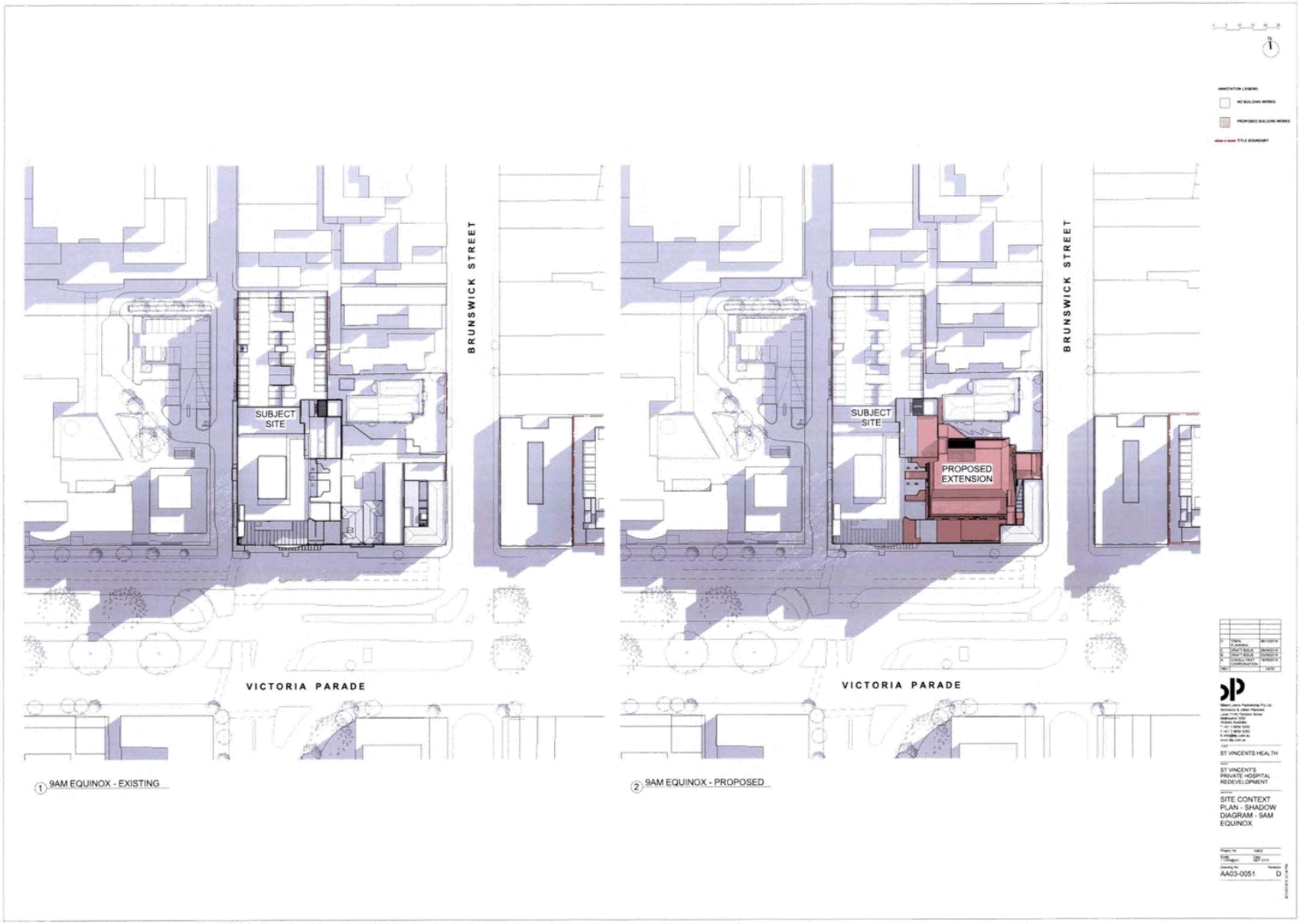

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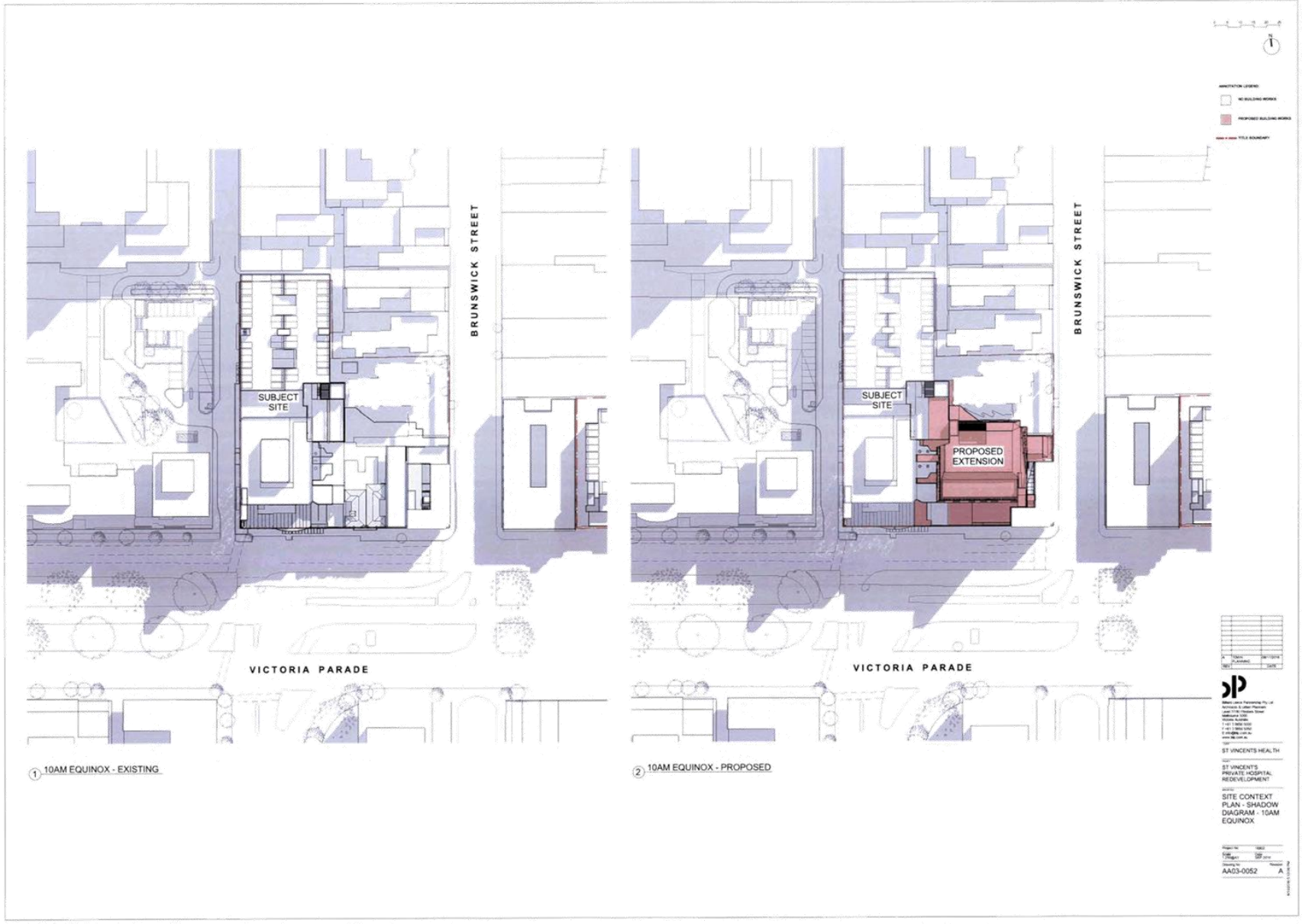

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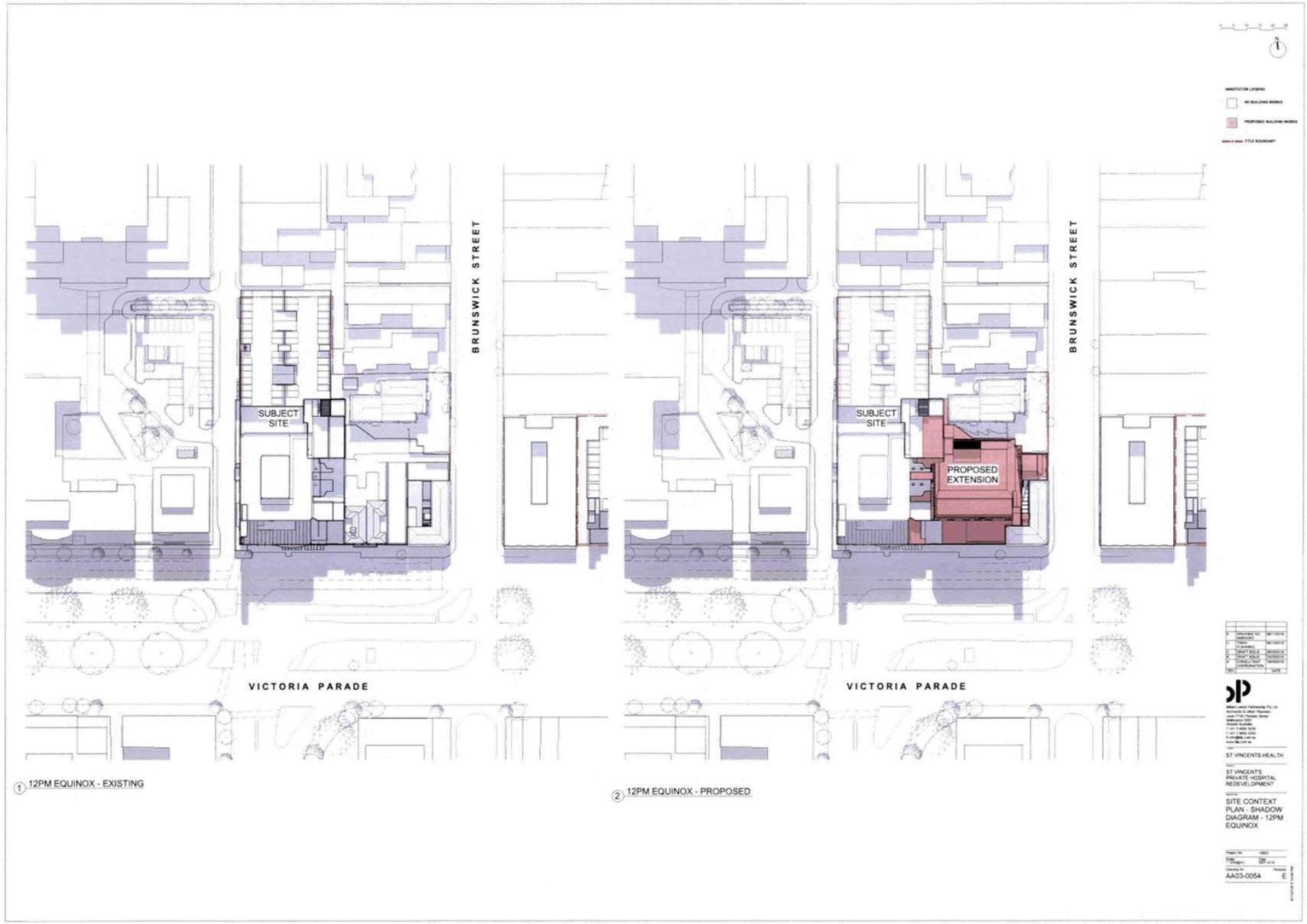

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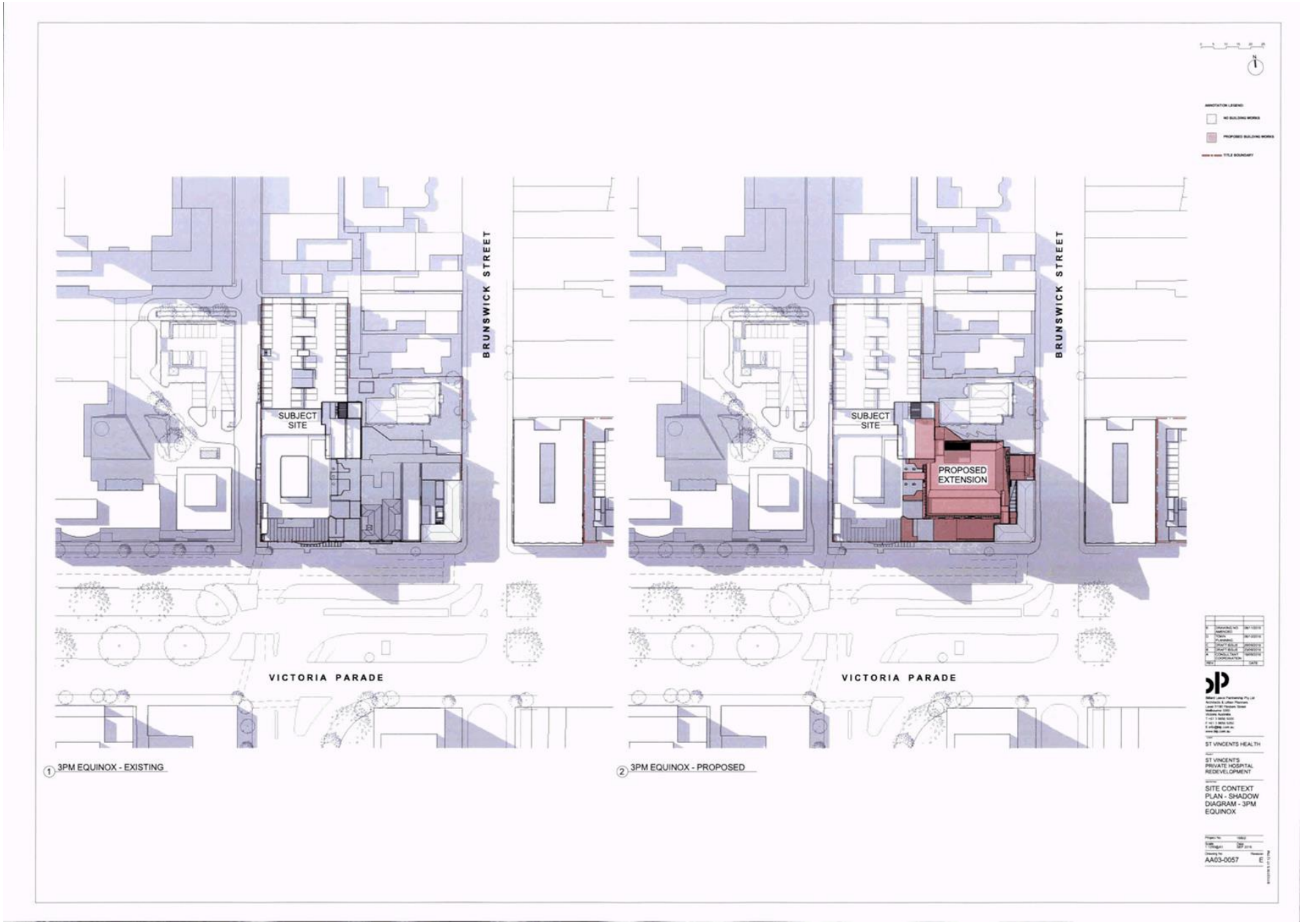

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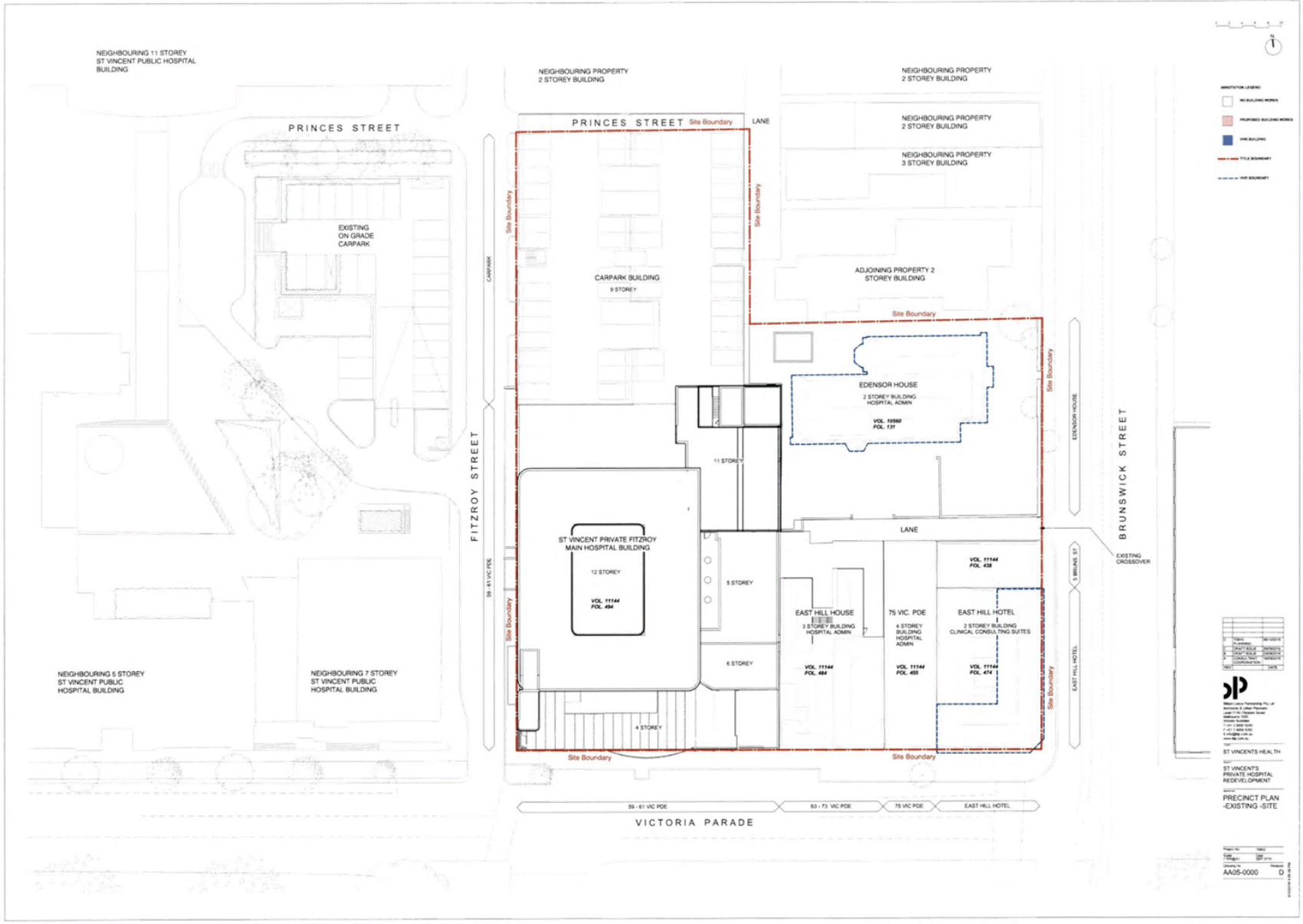

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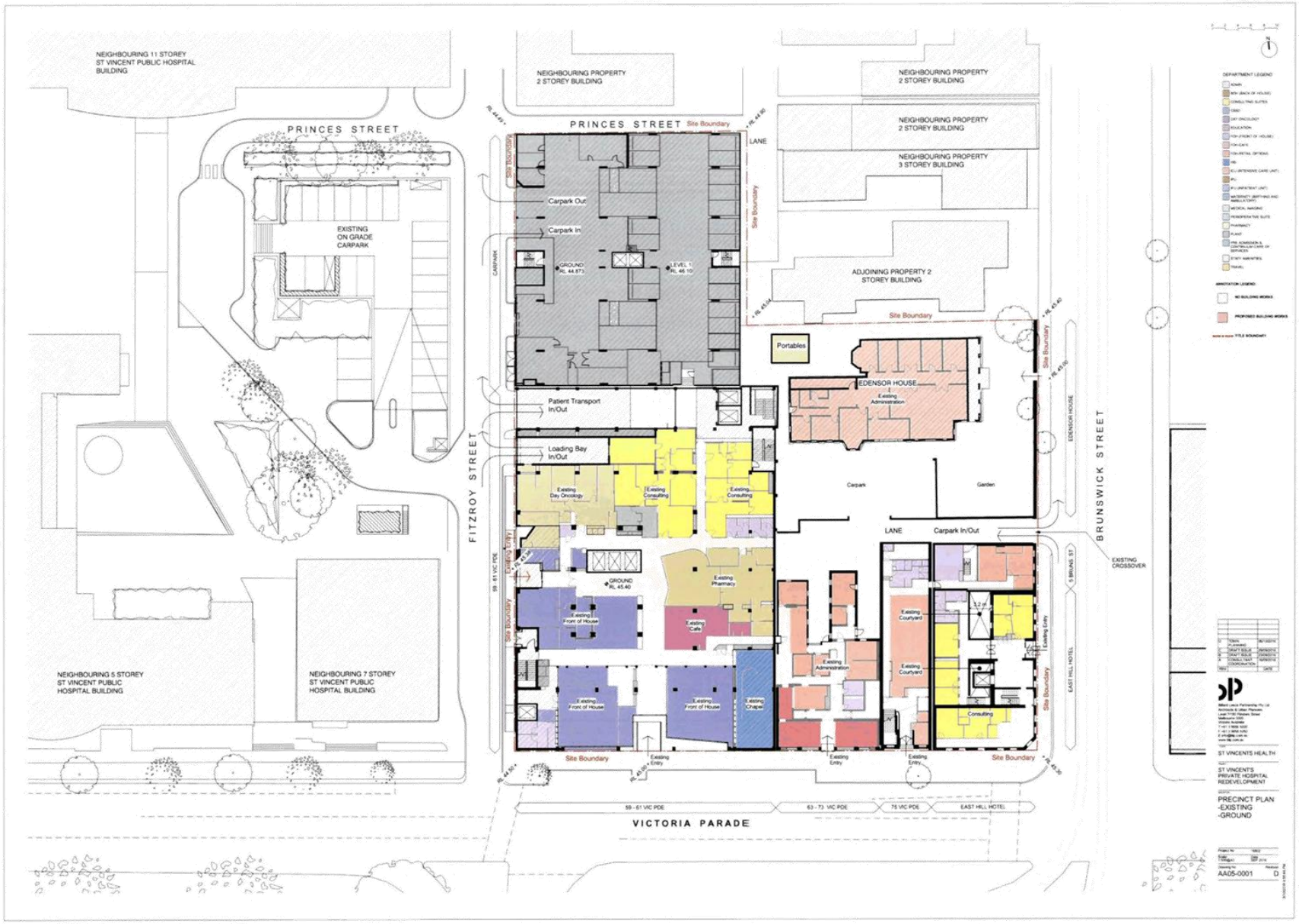

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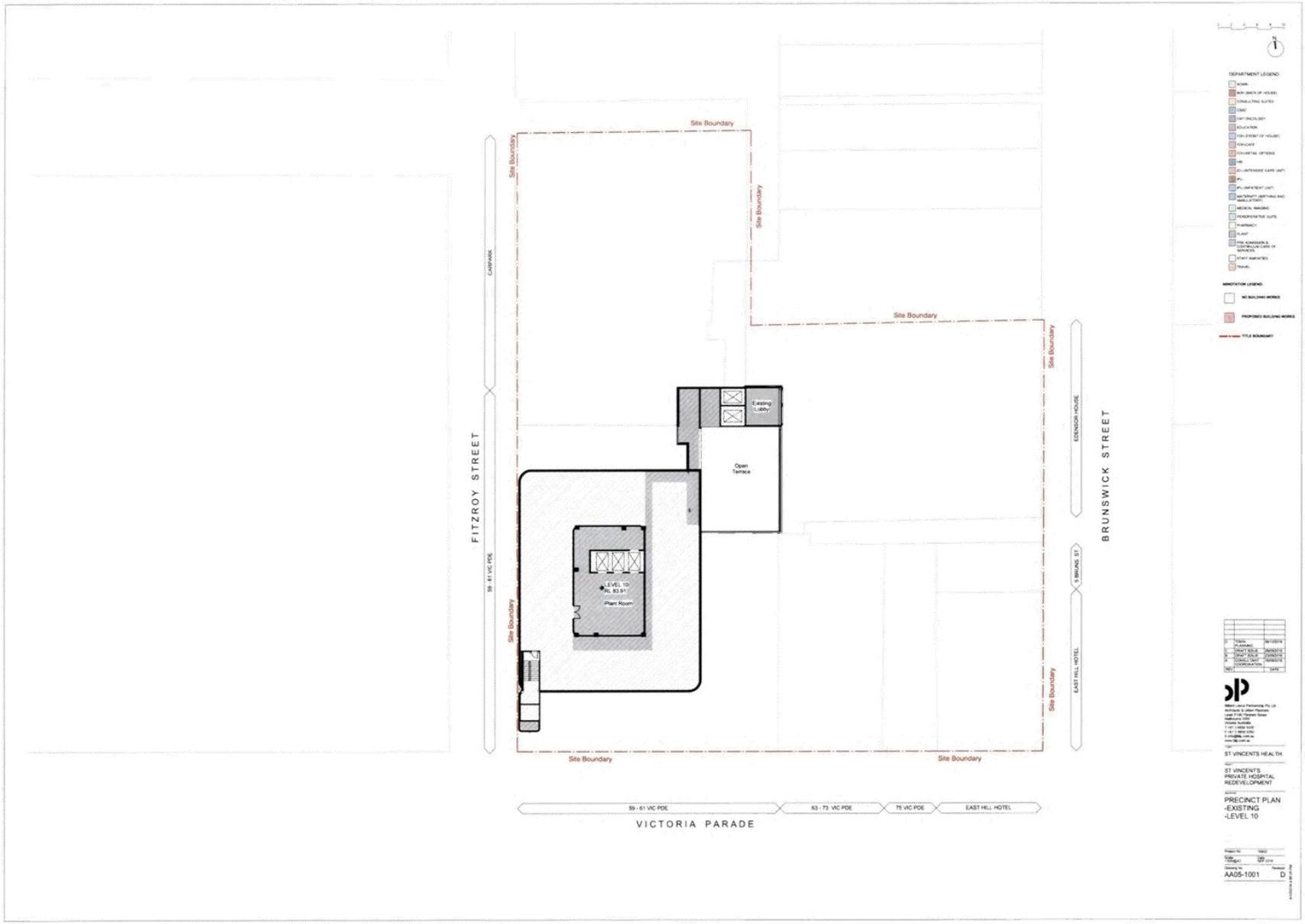

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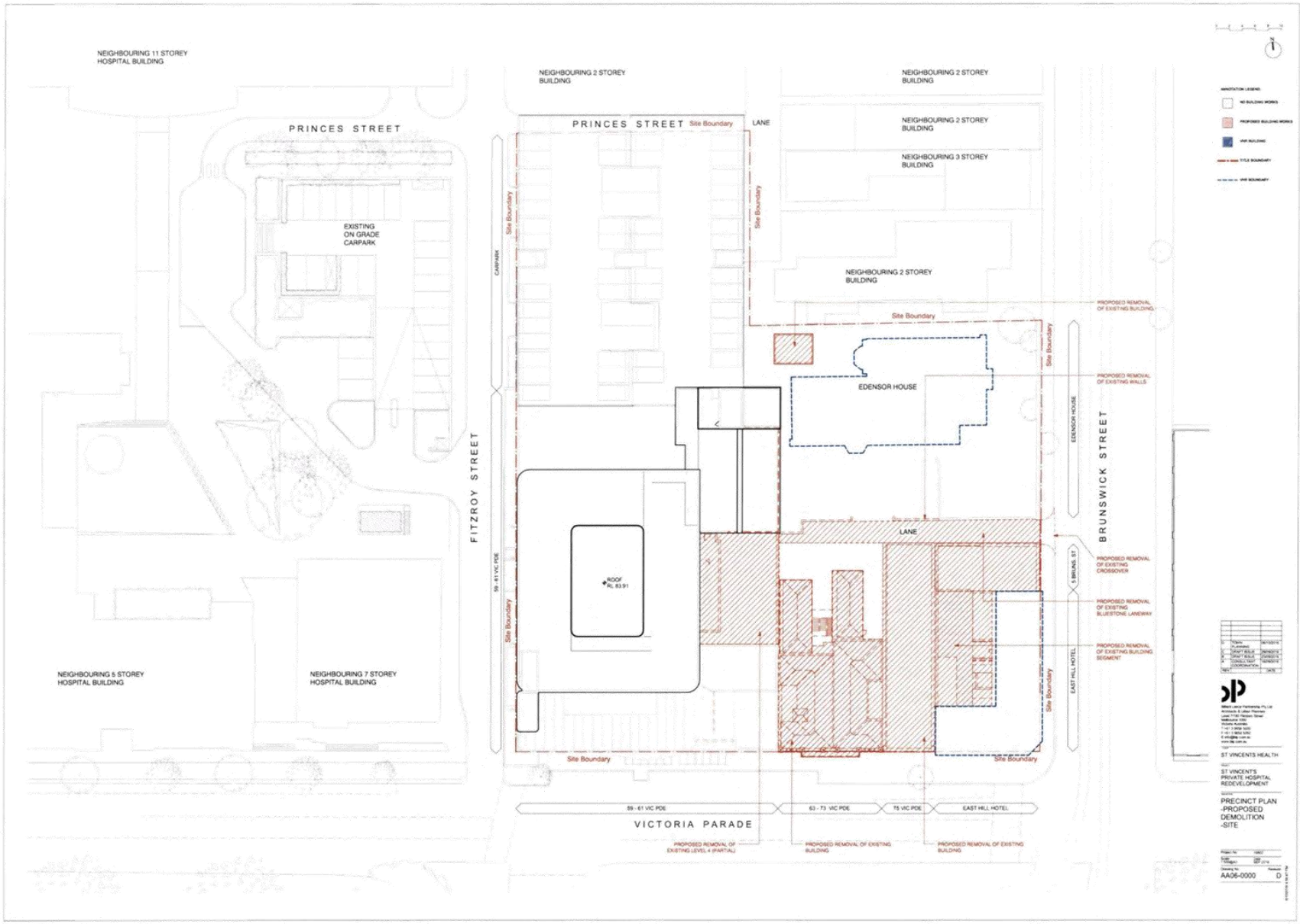

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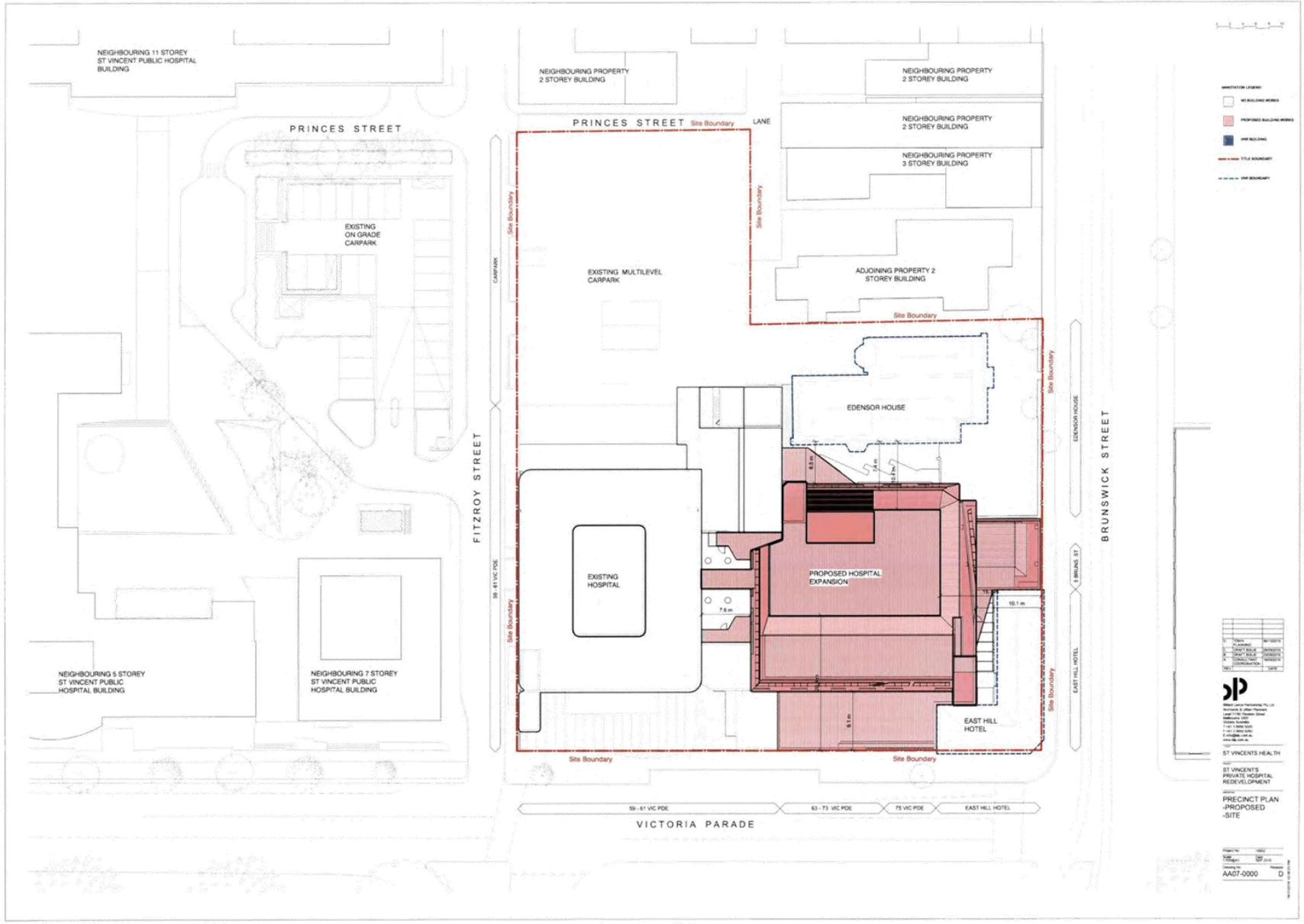

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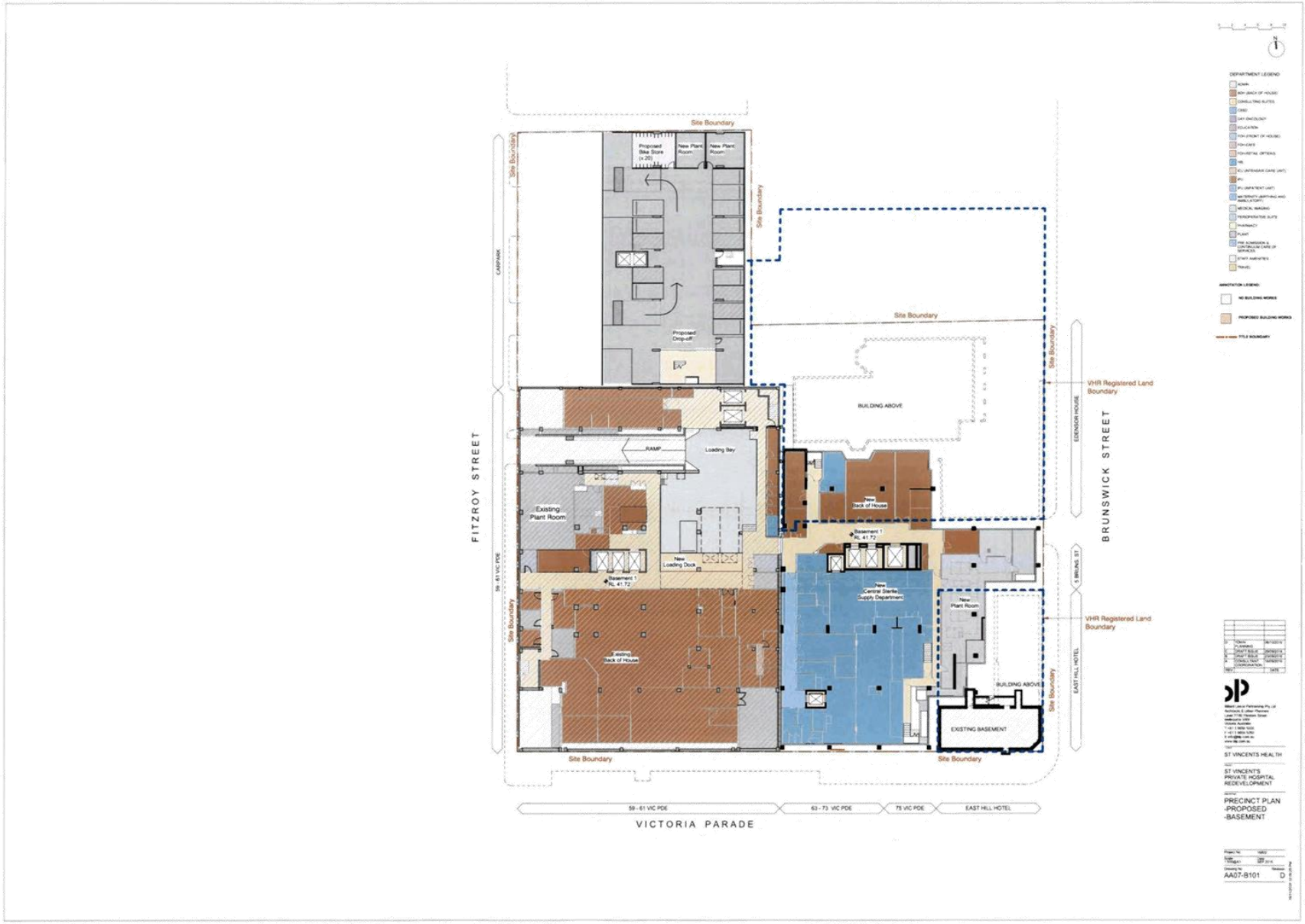

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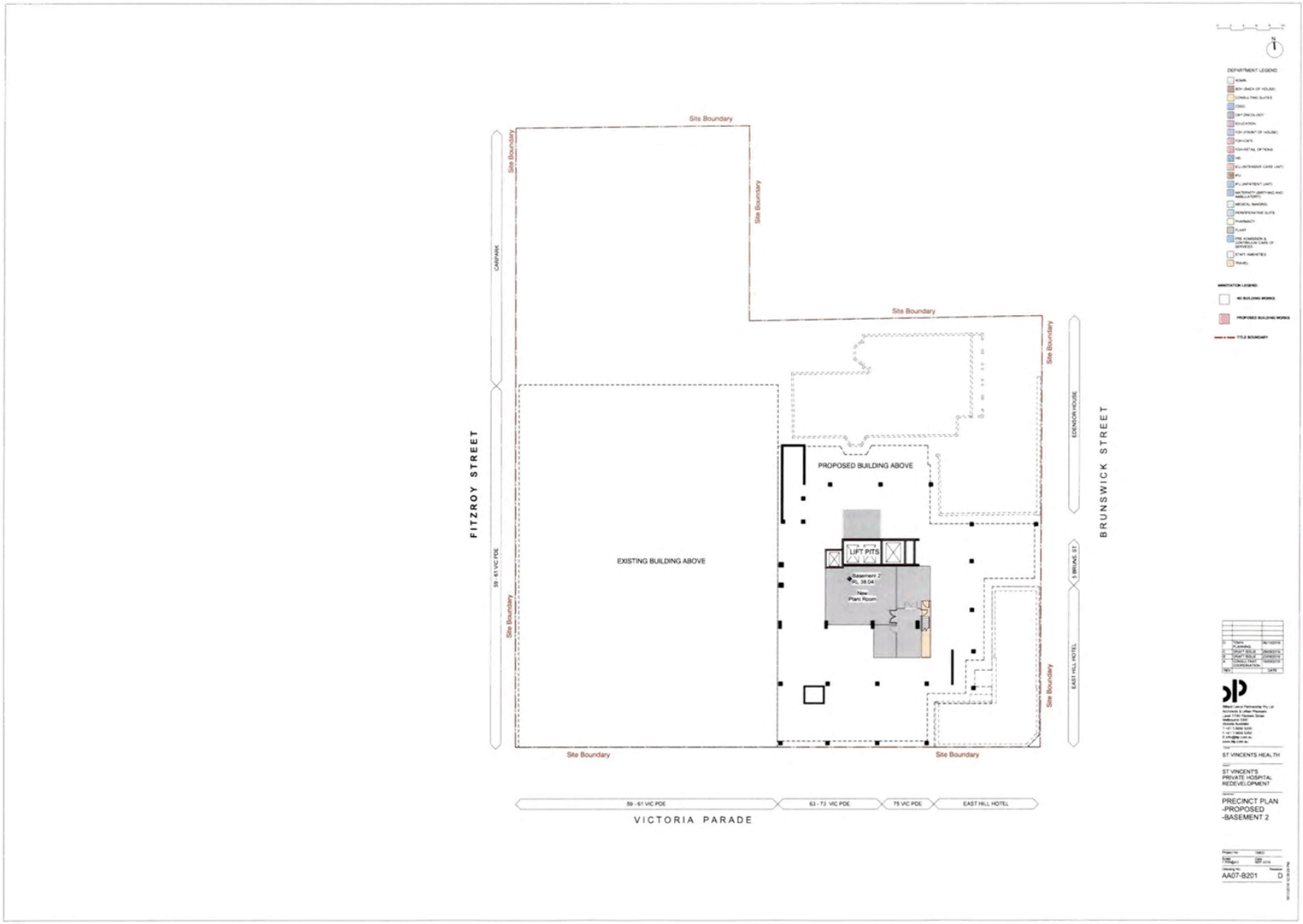

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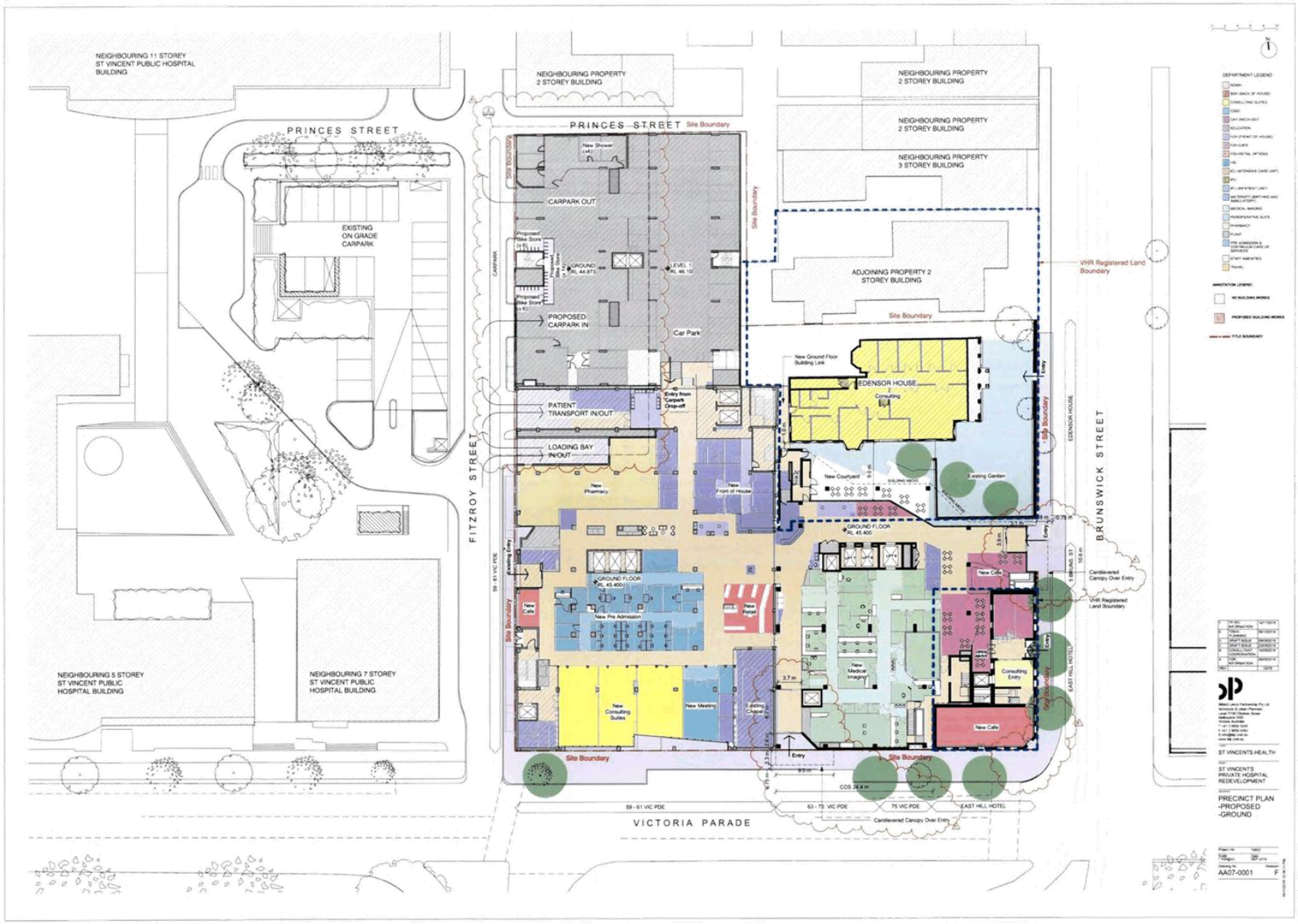

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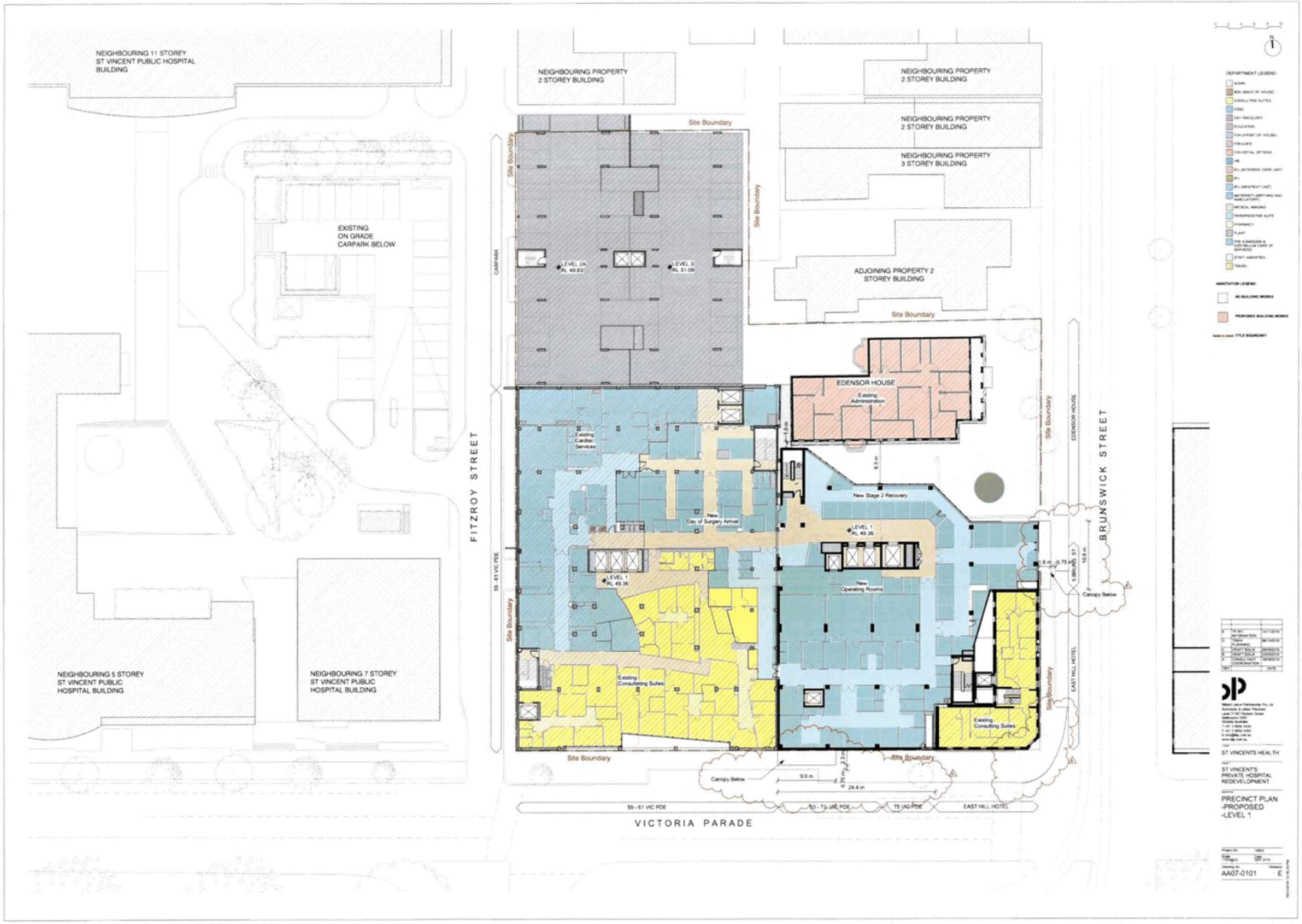

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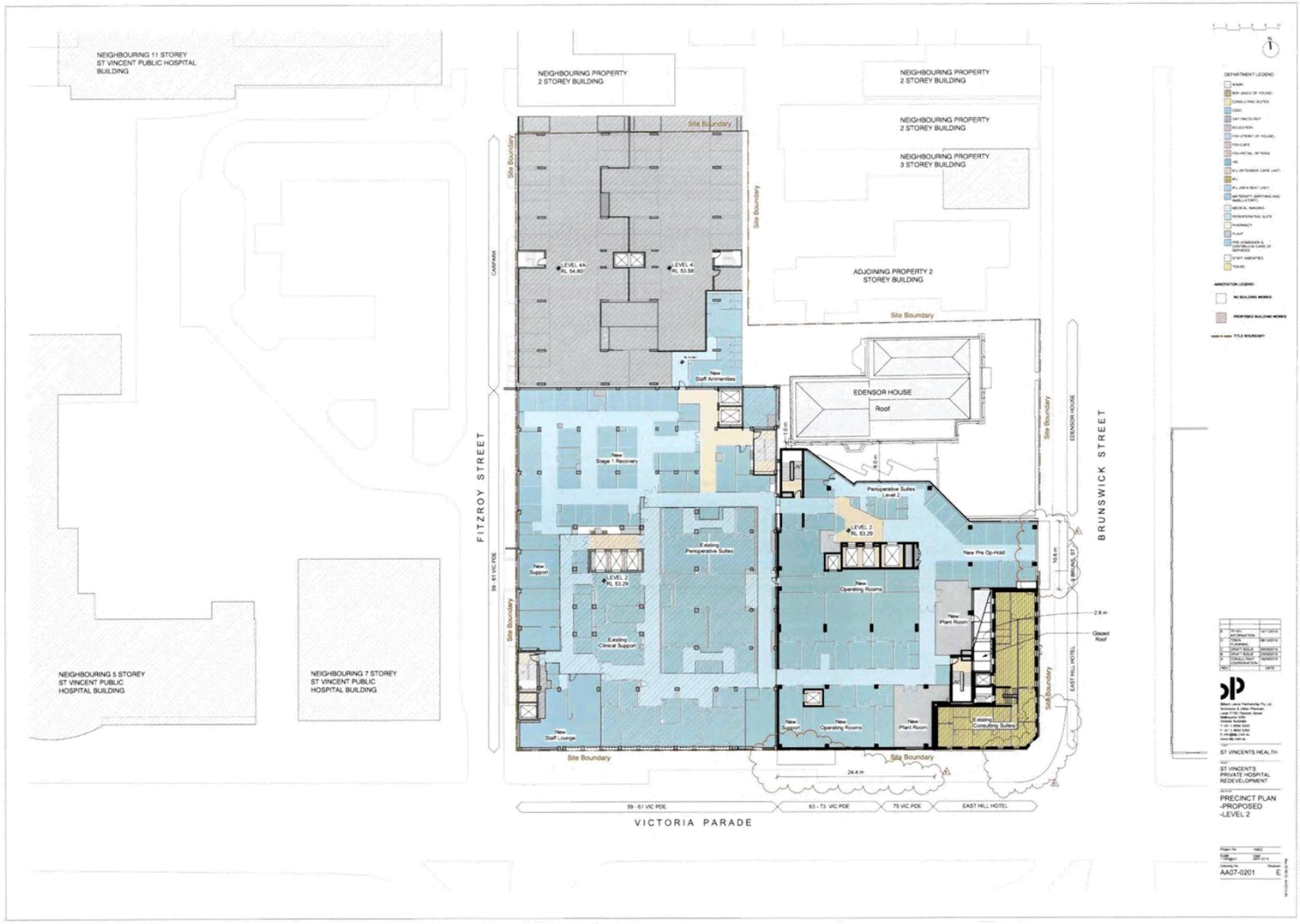

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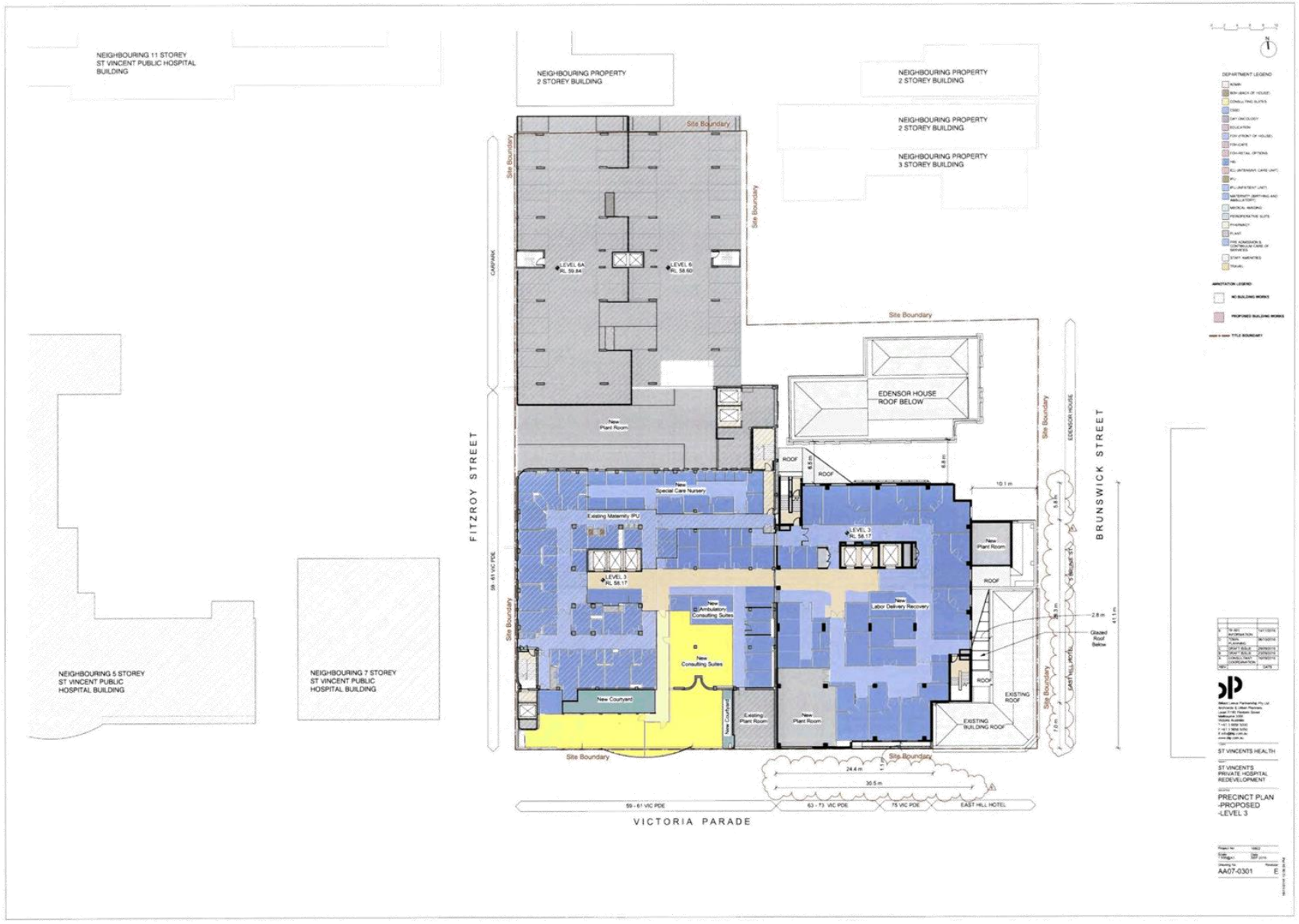

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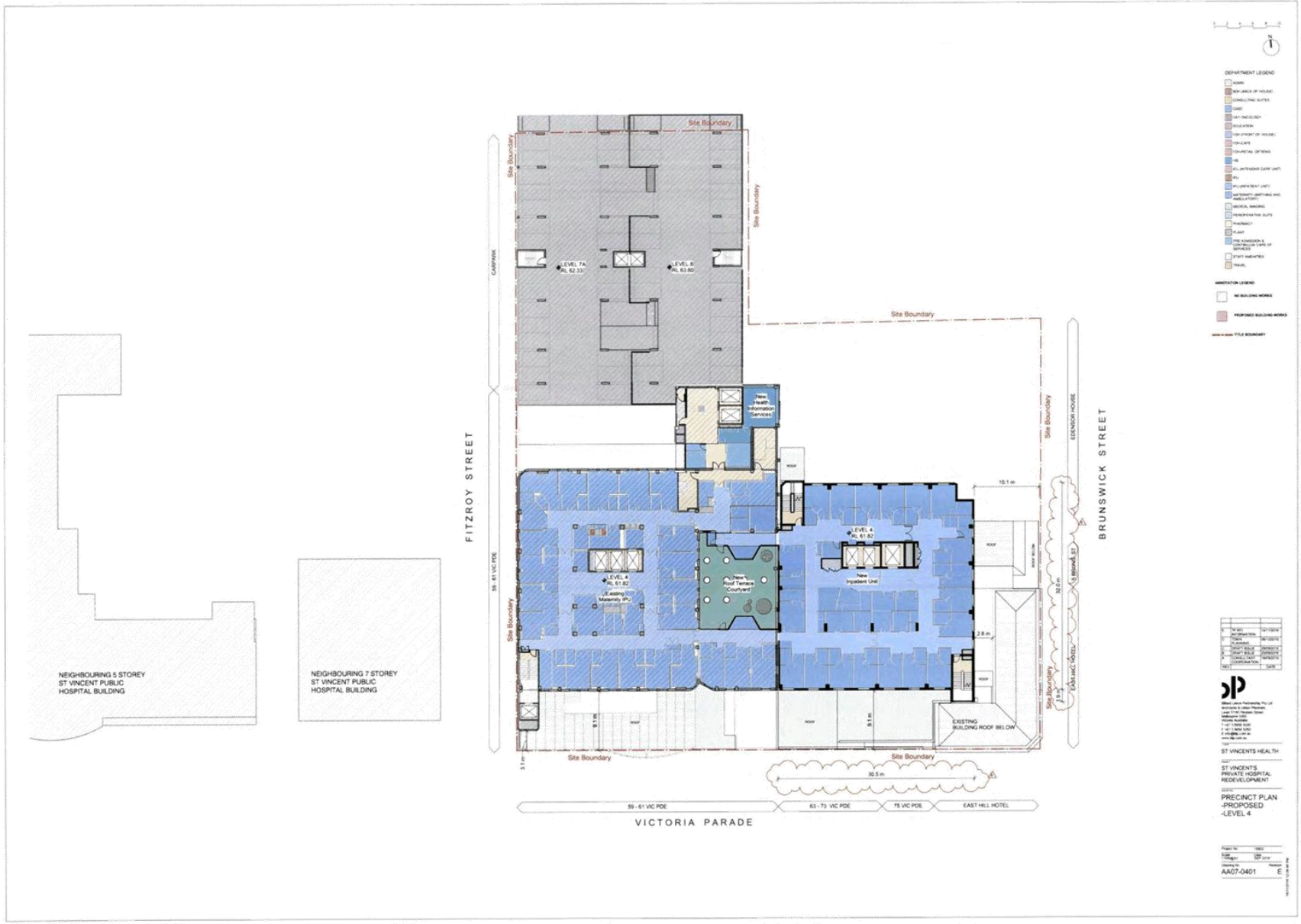

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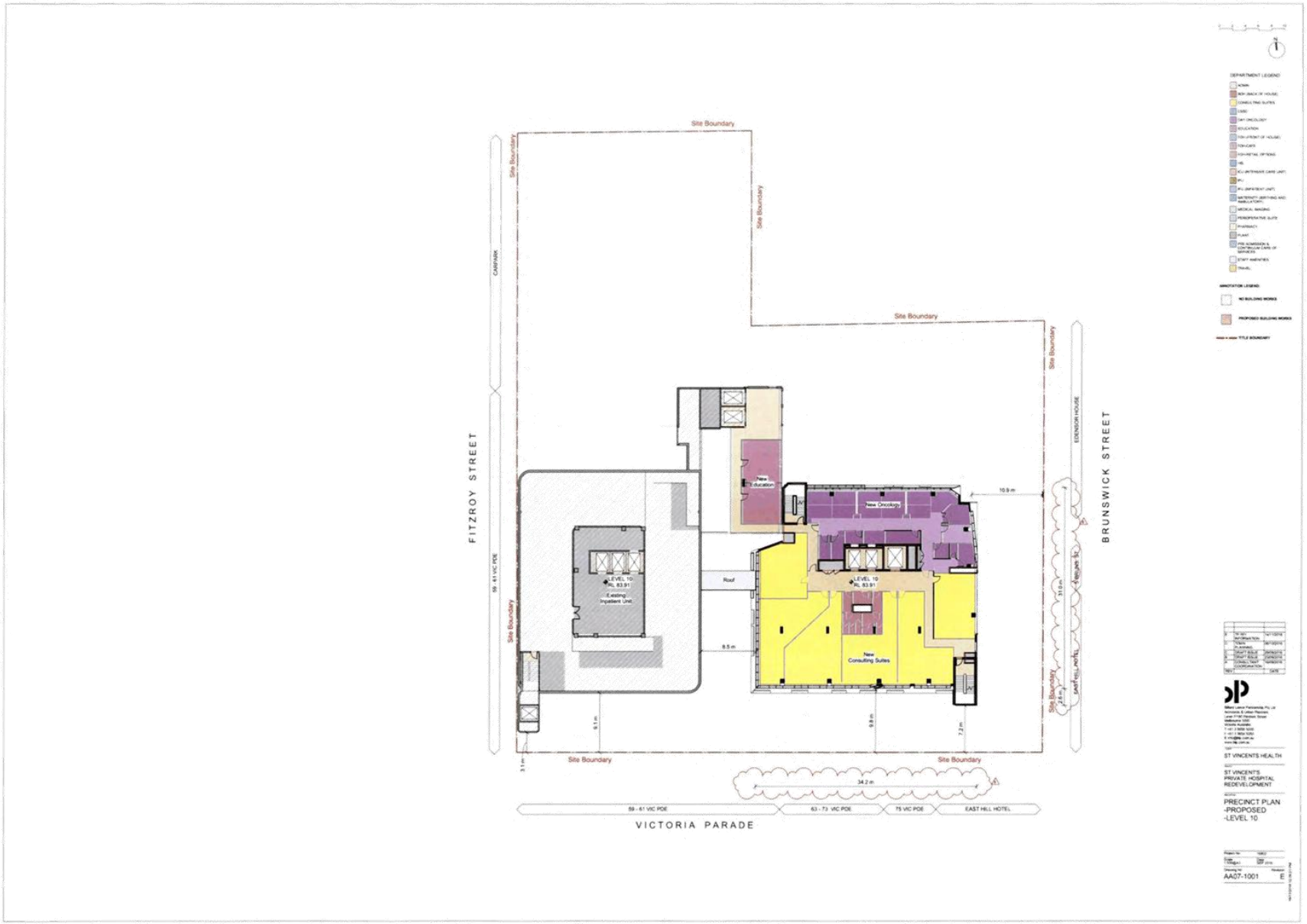

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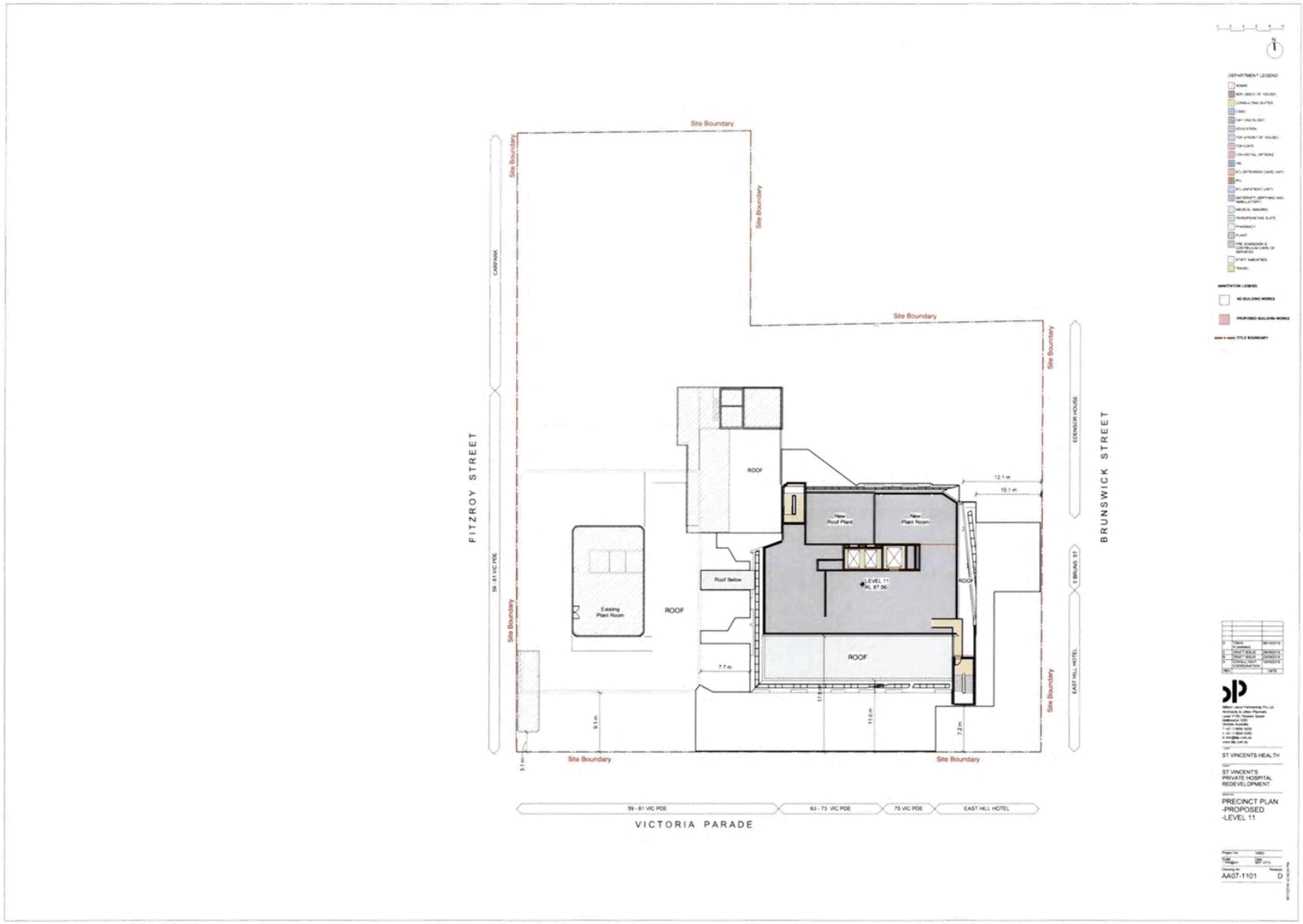

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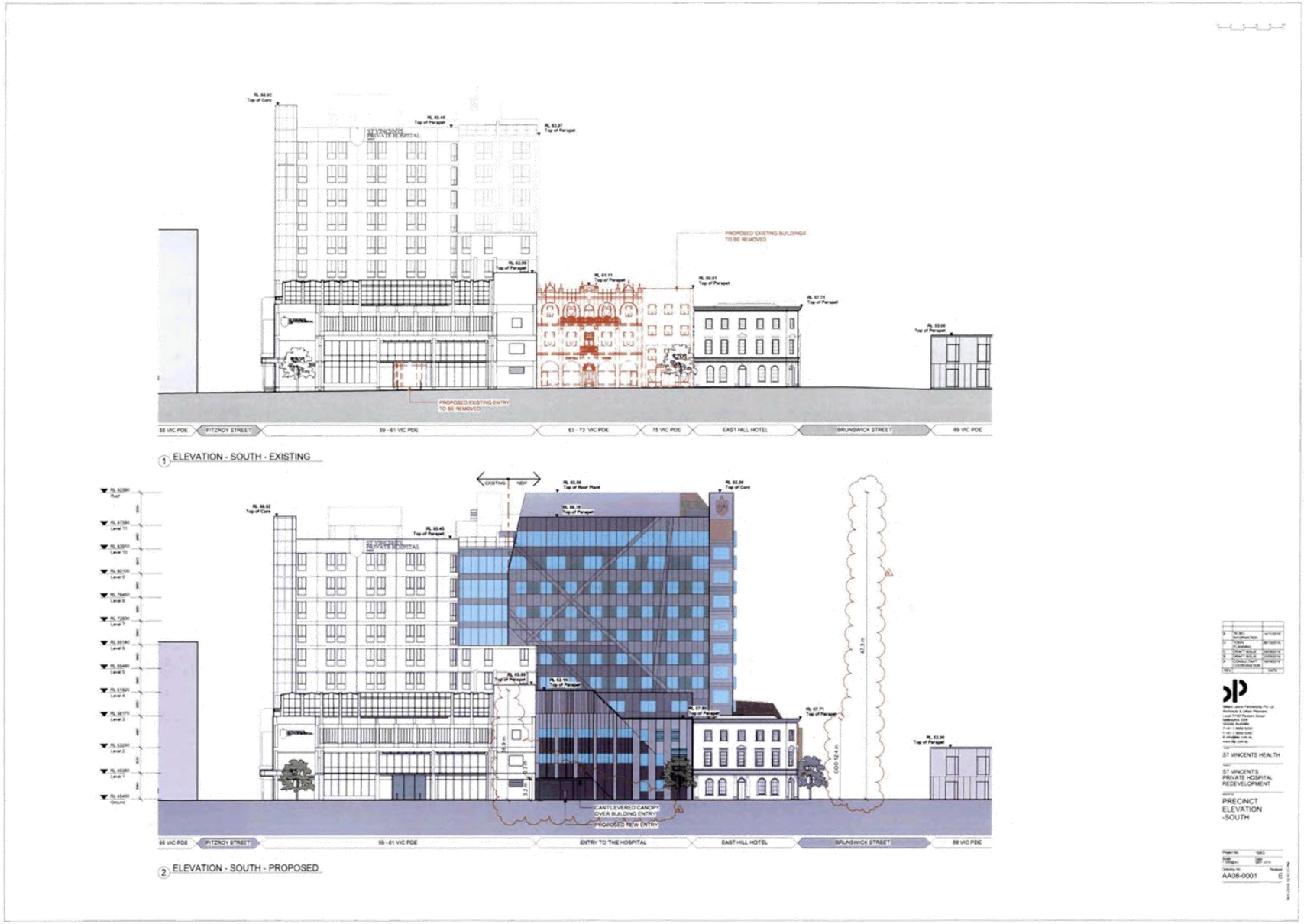

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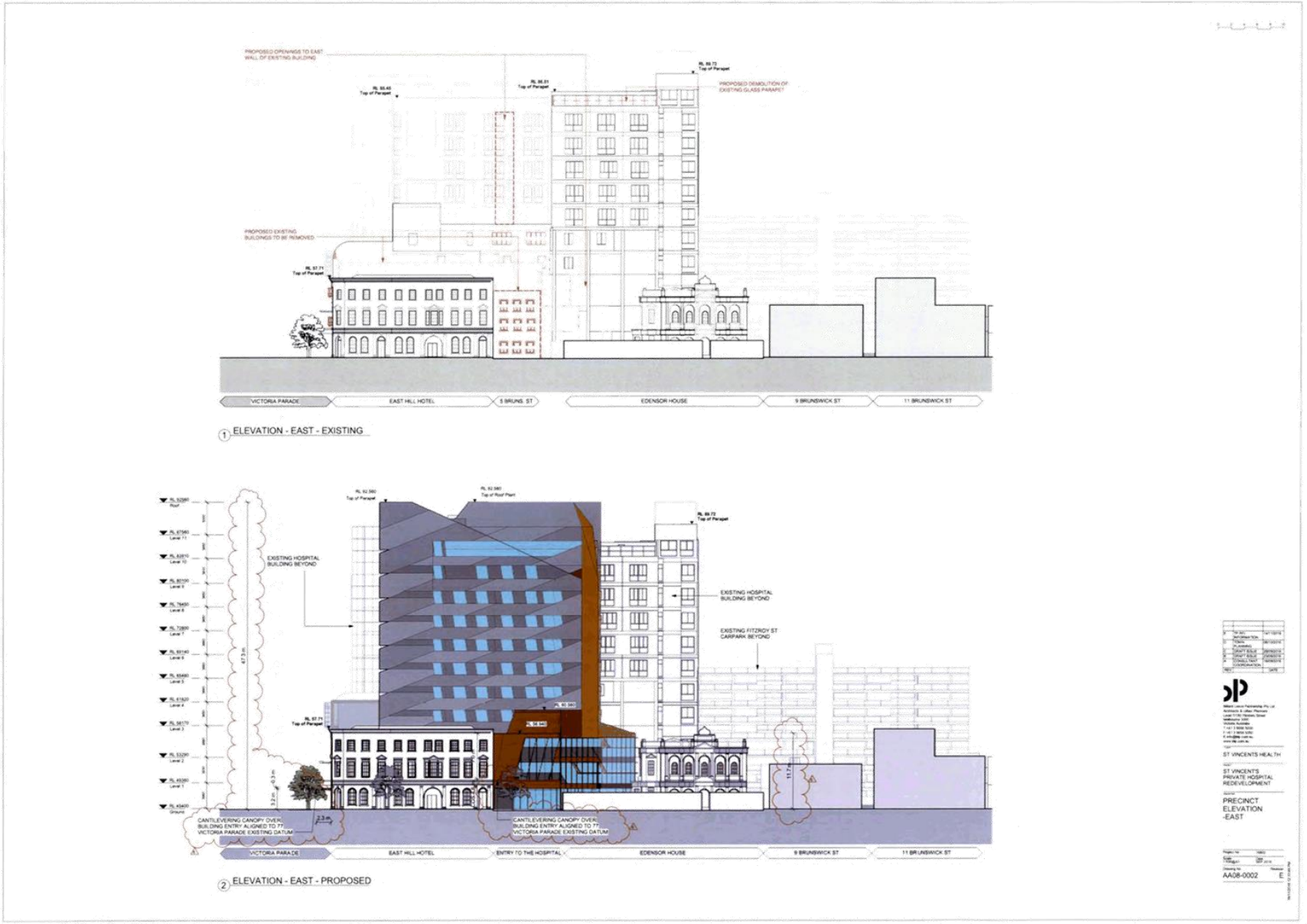

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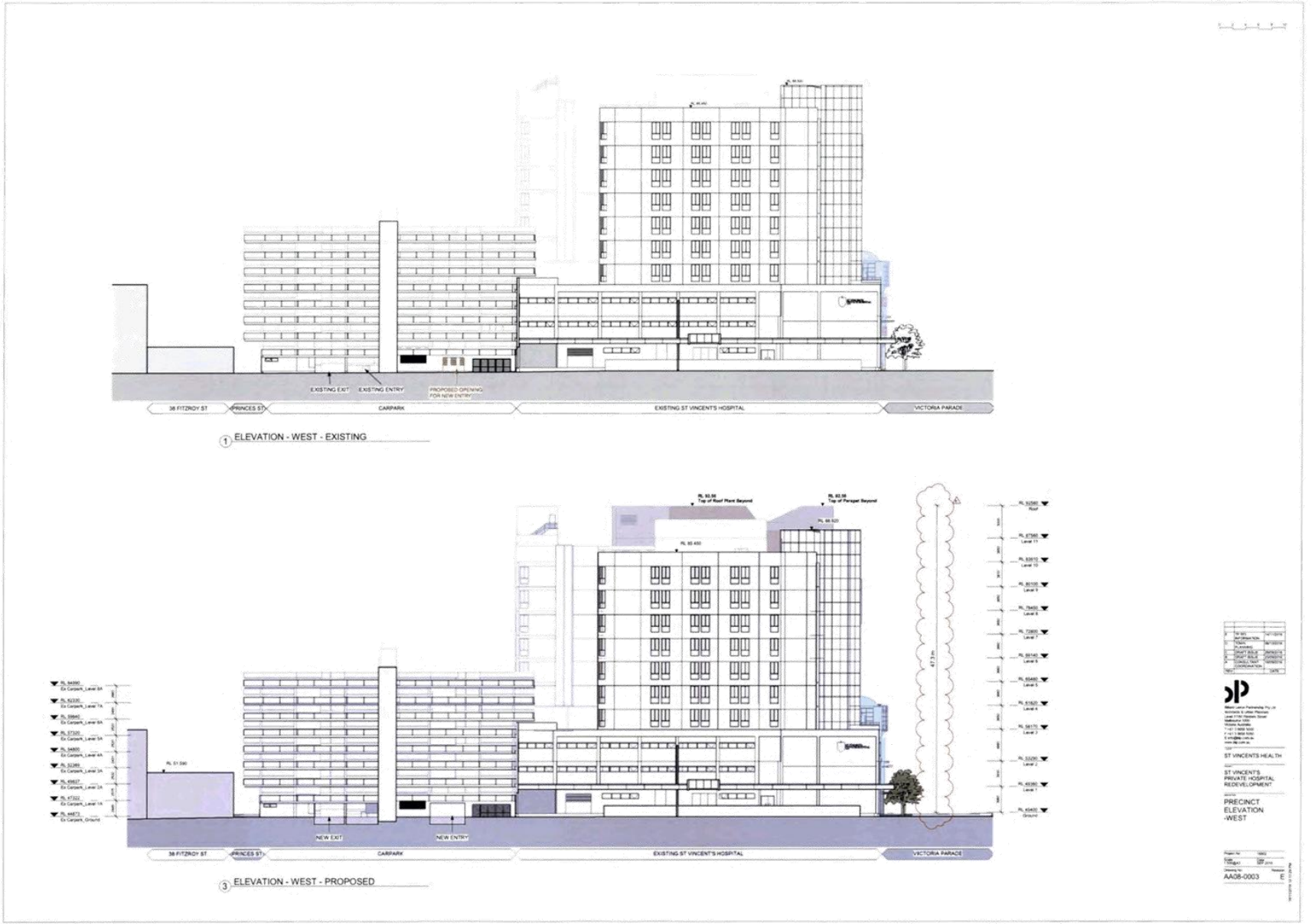

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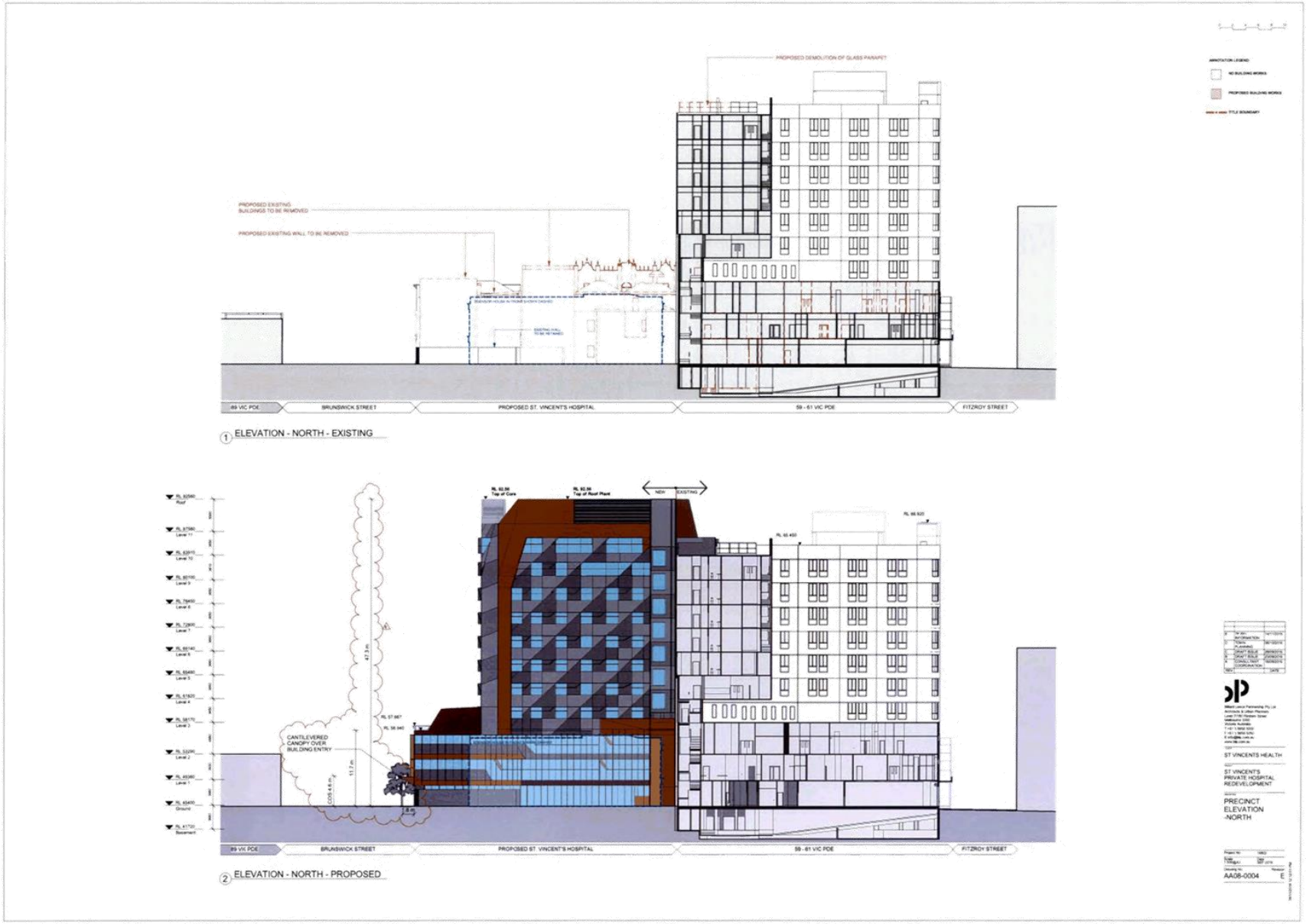
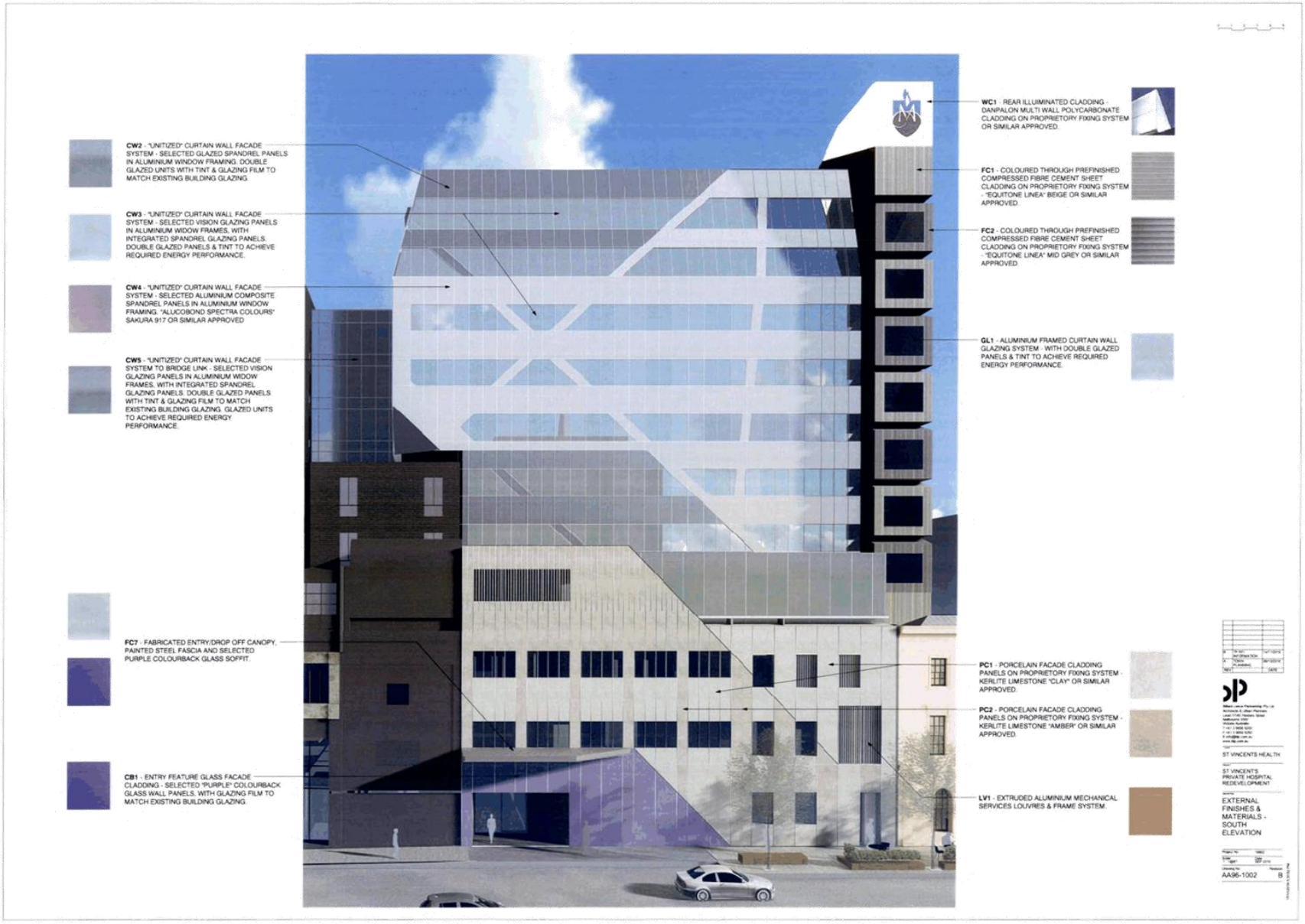


Attachment 4 - Plans Part 3

Attachment 5 - Plans Part 4

Attachment 5 - Plans Part 4



Attachment 5 - Plans Part 4

Attachment 5 - Plans Part 4

Attachment 5 - Plans Part 4

3D VIEW - CORNER BRUNSWICK STREET AND VICTORIA PARADE

ST VINCENTS HEALTH

ST VINCENTS
PRIVATE HOSPITAL
REDEVELOPMENT

PERSPECTIVE

AA97-0001 A

Attachment 5 - Plans Part 4

ST VINCENTS HEALTH

ST VINCENT'S PRIVATE HOSPITAL REDEVELOPMENT

PERSPECTIVE - ST VINCENT'S PLAZA

AA97-0002 A

Attachment 5 - Plans Part 4

ST VINCENTS HEALTH

ST VINCENTS PRIVATE HOSPITAL REDEVELOPMENT

PERSPECTIVE - VICTORIA PARADE

AA97-0003 A

Attachment 5 - Plans Part 4

AERIAL - NORTHEAST

ST VINCENTS HEALTH

ST VINCENTS PRIVATE HOSPITAL REDEVELOPMENT

PERSPECTIVE - NORTHEAST AERIAL

AA97-0004 A

Attachment 5 - Plans Part 4

3D VIEW - EAST VIEW

AERIAL - SOUTHWEST

3D VIEW - BRUNSWICK ST TOWARDS VICTORIA PARADE

AERIAL - SOUTHEAST

ST VINCENTS HEALTH

ST VINCENTS PRIVATE HOSPITAL REDEVELOPMENT

PERSPECTIVE - OVERALL

AA97-0005 A

Attachment 5 - Plans Part 4

3D VIEW - EDENSOR HOUSE

3D VIEW - CORNER VICTORIA PARADE & BRUNSWICK ST

3D VIEW - EAST ENTRANCE

3D VIEW - SOUTH ENTRANCE

ST VINCENTS HEALTH

ST VINCENTS PRIVATE HOSPITAL REDEVELOPMENT

PERSPECTIVE - STREET

AA97-0006 A

Attachment 6 - Plans Part 5

3D INTERIOR - COURTYARD

3D INTERIOR - EAST ENTRANCE

3D INTERIOR - SOUTH ENTRANCE

3D INTERIOR - WAITING

ST VINCENTS HEALTH

ST VINCENTS PRIVATE HOSPITAL REDEVELOPMENT

PERSPECTIVE - INTERIOR

AA97-0007 A

Attachment 7 - 'Sketch plans' and explanatory information

CITY OF YARRA
0 3 APR 2017
RECEIVED - CRU

MEINHARDT

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3 April 2017

City of Yarra
Statutory Planning Department
PO Box 168
RICHMOND, VIC 3121

ATTENTION: James Sutherland

Dear James,

RE: St Vincent's Private Hospital
Planning Permit Application: PLN16/0925 (Hospital)

Thankyou for your e dated 7 March 2017 with queries and suggested minor alterations to the above application. We understand that your comments follow Council's own urban design, heritage, and engineering review.

We have considered these comments in good faith and look forward to working with Council towards approval of the hospital and hospital car park applications. We understand that the information below and attached may assist Council in determining the application and preparing conditions on any permit granted.

Please note that this letter is accompanied by:

- Architectural Plans (Appendix A)
- Landscape Plans (Appendix B)
- Materials Board (Appendix C)

RESPONSE TO COUNCIL COMMMENTS

Victoria Parade & Brunswick Street Entry

Council has sought information as to whether public seating could be provided nearest the Victoria Parade entry.

A seating nook has been provided at the Victoria Parade entry just beyond the airlock. The seating is located within the building and has a sight line to the new undercover public drop-off space.

Please refer to attached architectural sketches:

- SK_TP_02 for location of seating and improved undercover drop off on Victoria Parade.
- Refer also to SK_TP_10 for elevation details of canopy location.

Attachment 7 - 'Sketch plans' and explanatory information

MEINHARDT

Bicycle Parking

We have considered the opportunity to increase the bike parking/end-of-trip offering including public/visitor parking on the street. We confirm that modifications have been made to the basement level of the Fitzroy Street car park to accommodate additional staff bicycle parking and end of trip facilities.

The bicycle storage room has been relocated and expanded to provide secure employee bicycle parking for approximately 70 bicycles, with shower/changeroom and lockers located immediately adjacent to the drop-off entrance lobby. These facilities will be provided in addition to those initially proposed on the ground level of the Fitzroy Street car park, including 12 visitor and 14 staff bicycle spaces.

The above bicycle facilities will be supplemented by additional visitor bicycle parking proposed to be accommodated along the Victoria Parade and Brunswick Street frontages. These locations will respectively accommodate 20 and 12 spaces on double-sided hoops.

In total, the hospital will provide 84 staff and 44 visitor bicycle parking spaces. This provision far exceeds the 16 space requirement of the Planning Scheme and is considered appropriate for the use.

Please refer to architectural sketches and landscape drawings:

- Architectural Drawing SK_TP_01 attached at Appendix A shows new End of Trip facilities next to the main entry from the carpark as well as extra staff bike parking.
- Refer to Landscape drawing TP002 attached at Appendix B for additional on street public bike parking.

Materials and finishes

We have considered the areas of uncertainty associated with CFCC material details as per paragraph 82 of the MGS Independent Urban Design Advice. The CFCC materials have been updated with a choice of either Thin Poreclain cladding or thin extruded concrete panels. The physical materials board has been delivered to you.

Please refer to the architectural scan of the materials board below:

- Architectural Drawing SK_TP_15 attached at Appendix A showing the materials board.

Indicative facade cross-sections have been provided to demonstrate the level of articulation and depth indicated in plans but not shown on sections as per paragraph 83 of the MGS Independent Urban Design Advice.

The north, south and east sections provided clearly show the development of light, shade and depth in articulation across the facades to assist in creating a narrative of support for the project.

Please refer to the following architectural sketch:

- Refer to SK_TP_12 to 14 found at Appendix A for facade details.

Attachment 7 - 'Sketch plans' and explanatory information

MEINHARDT

Height / Urban Design

Paragraph 86 of the MGS Independent Urban Design Advice has been considered and the abutting entry to the historic Eastern Hotel has been fully indented to allow for the reading of the historic building and its return into the site to be read. The top of the canopy of the abutting entrance has also been aligned with the cornice of the Eastern Hotel to provide enhanced legibility of this important corner site. Please refer to the following architectural sketch below:

- SK_TP_06 - 09 & 11 found at Appendix A for plan and elevation details of interface with the Eastern Hill Hotel

We note comments made in paragraph 87 of the MGS Independent Urban Design Advice. Please note that has the 1m x 1m rebate and glazing shown on the level 1 plan is now depicted in the Victoria Parade (south) elevation to reveal the corner of the Eastern Hotel. The finish and materials of the level 3 south-eastern corner above the Eastern Hotel has also been clarified.

Please refer to the following architectural sketches:

- SK_TP_10 found at Appendix A for elevation details of rebate and glazing at the interface with the Eastern Hill Hotel.
- SK_TP_09 found at Appendix A for plan details of level 3 corner above the Eastern Hotel.
- SK_TP_15 attached at Appendix A showing the materials board.

Recommendation 3a of the MGS Independent Urban Design Advice has been considered and details of the south-eastern corner site (Eastern Hotel) at level 2 and 3 has been provided. The façade of the new hospital at the Brunswick Street and Victoria Parade interfaces chamfer back to the ground level indent to allow the corners of the Eastern Hotel to return into the site and to be read in the round. The drawings also align plans and elevations in terms of external expression of fenestration & internal use.

Please refer to the following architectural sketches:

- SK_TP_02 - 11 found at Appendix A includes plan and elevation details of podium level interface with the Eastern Hill Hotel.

Heritage

Lovell Chen, Heritage Architects for the project have reviewed comments provided by Council. Their comments are provided below for your consideration.

The heritage advisor has identified some concerns with the new development, including the impact of the new building on the significant 1970s private hospital building; the impact of the new building component to Brunswick Street, between the Eastern Hill Hotel and Edensor; and the impact of the new building where it encroaches into the space on the west side of the Eastern Hill Hotel (where the existing hotel wing is proposed for demolition).

For the 1970s private hospital building, issues are raised in relation to the setback(s) to the upper level(s) to the south/Victoria Parade elevation, combined with the height and width of the new building. The heritage advisor also identifies concerns with the façade treatment of the new building, and seeks a more neutral appearance, including 'no obvious pattern of windows' (bands or individual windows); and raises issues to do with materiality and the expression of the upper levels of the building.

Attachment 7 - 'Sketch plans' and explanatory information

MEINHARDT

In relation to the new building component to Brunswick Street, between the Eastern Hill Hotel and Edensor, the heritage advisor recommends that the new building be setback further from Brunswick Street on the north side of the Eastern Hill Hotel, to help reveal more of the north elevation of the historic building. Rob McGauran recommends a similar approach.

The relationship between the 1970s hospital building and the new building is addressed in the Lovell Chen HIS report, where it is noted that the difference in scale is not excessive and will not result in the new building dominating or overwhelming the earlier hospital building. The separation between the buildings assists with moderating the difference in scale. The form and massing of the new building, where it 'tilts' or angles away from the heritage building at the upper levels, and the lighter materials to the upper levels, also moderate the scale of the new building when seen in relation to the 1970s building. These aspects of the design help to mediate the potential impacts, and very much lessen them. As a hospital building, with very specific floor layouts and functions, it is also understood that the proposed floor plans and internal layouts meet very specific requirements, and it is not necessarily easy to accommodate further setbacks to Victoria Parade.

Regarding the heritage advisor's concerns with the façade treatment, it is my understanding that BLP modified the expression of the lower levels of the building to Victoria Parade in response to previous heritage advice received from Council. The latter noted that the design of the new building did not respect the character of the 1970s hospital or former hotel, with their solid walls and punched openings. BLP subsequently made changes to the façade design, to give it more of this traditional character and expression. The current approach is supported, and is well integrated with the remainder of the new building facade. Regarding the materiality of the façade, the possibility of incorporating more brick into the lower level, even in a limited capacity, can potentially be addressed. While the treatment of the upper façade is more of an urban design issue, this is a situation where the development is atypical in the South Fitzroy context, and the design of the new building can step away, to a reasonable degree, from the normal heritage policy considerations regarding new building design.

On the recommendation that the new building to Brunswick Street should be setback further from the street on the north side of the Eastern Hill Hotel, to help reveal more of the north elevation of the hotel, further design and detailing of this corner of the new building can help address this issue and improve the relationship with the hotel. The hotel building, at its north end, will read as a more 'finished' building with a reveal/setback in this location. Beyond this, it is also noted that the north wall of the historic hotel is in effect the rear wall of the long east wing to Brunswick Street, and is not a wall which was designed for full visibility. Furthermore, there was historically a building to Brunswick Street built up hard against this wall, which the heritage advisor acknowledges. Historic images included in the Former Eastern Hill Conservation Management Plan (Lovell Chen 2012/2016) shows the adjoining building was historically two storeys, and in existence from at least the 1860s to the 1960s; the current adjoining building is three storeys. The proposed new building will not materially change this situation.

Regarding the encroachment into the space on the west side of the Eastern Hill Hotel, is acknowledged that the new building will extend into the area of the (to be) demolished lower scale wing and the existing courtyard. Heritage Victoria will determine this aspect of the proposal, but it is our view that the visual and physical separation between the retained hotel and the new building is an effective means of helping to address this proximity and perceived encroachment.

Attachment 7 - 'Sketch plans' and explanatory information

MEINHARDT

We trust that the submitted information is to your satisfaction. We understand that the information below and attached may assist Council in determining the application and preparing conditions on any permit granted.

Please contact me on 8676 1320 or tom.harrington@meinhardtgroup.com if you have any queries regarding the application.

Yours sincerely,

Meinhardt Infrastructure & Environment Pty Ltd

Tom Harrington
State Manager- Vic
Director- Planning

Att:

Architectural Plans (Appendix A)
Landscape Plans (Appendix B)
Materials Board (Appendix C)

Attachment 7 - 'Sketch plans' and explanatory information

MEINHARDT

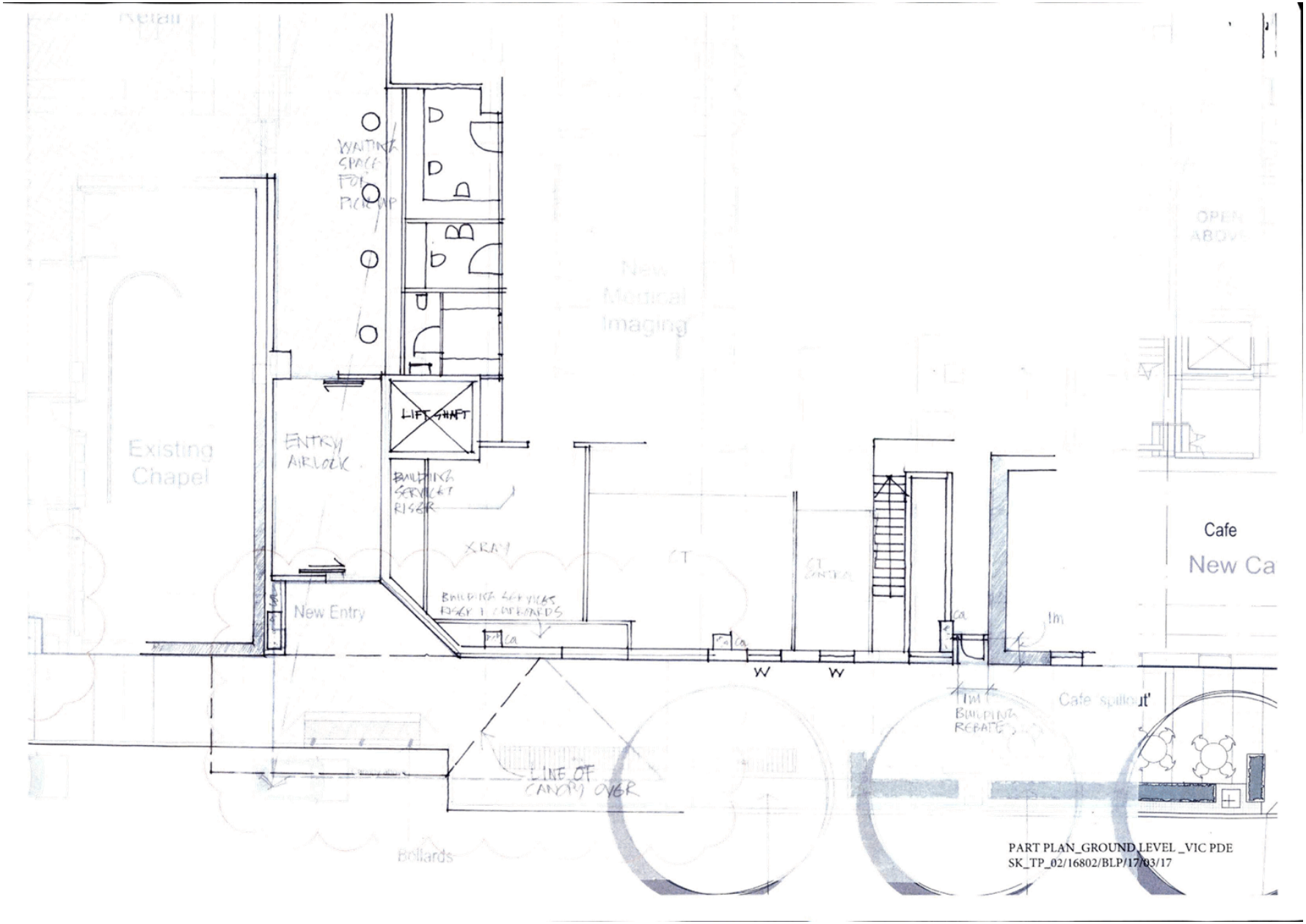
APPENDIX A

Architectural Plans and Elevations

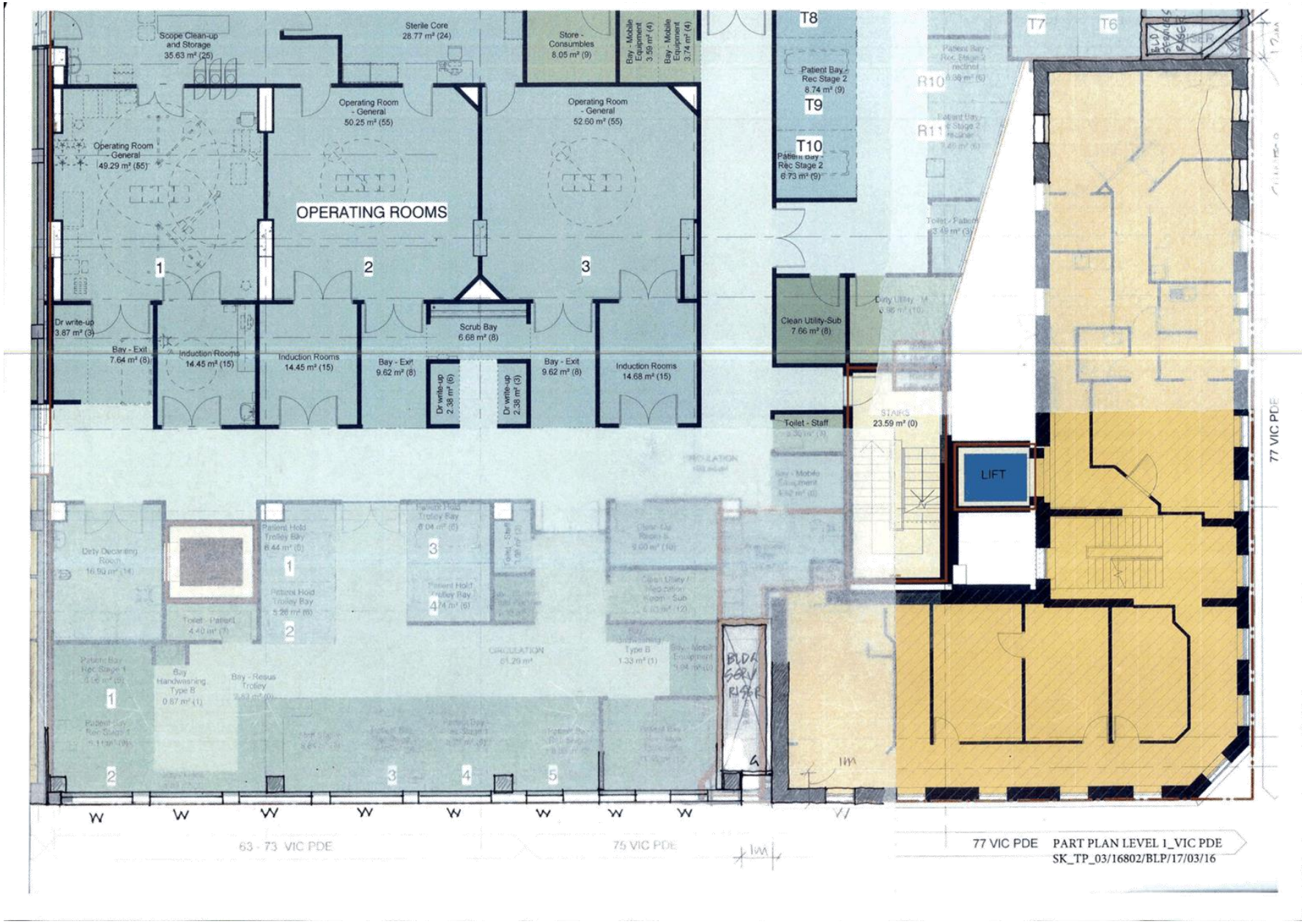
St Vincent's Private Hospital

Attachment 7 - 'Sketch plans' and explanatory information

Attachment 7 - 'Sketch plans' and explanatory information



Attachment 7 - 'Sketch plans' and explanatory information



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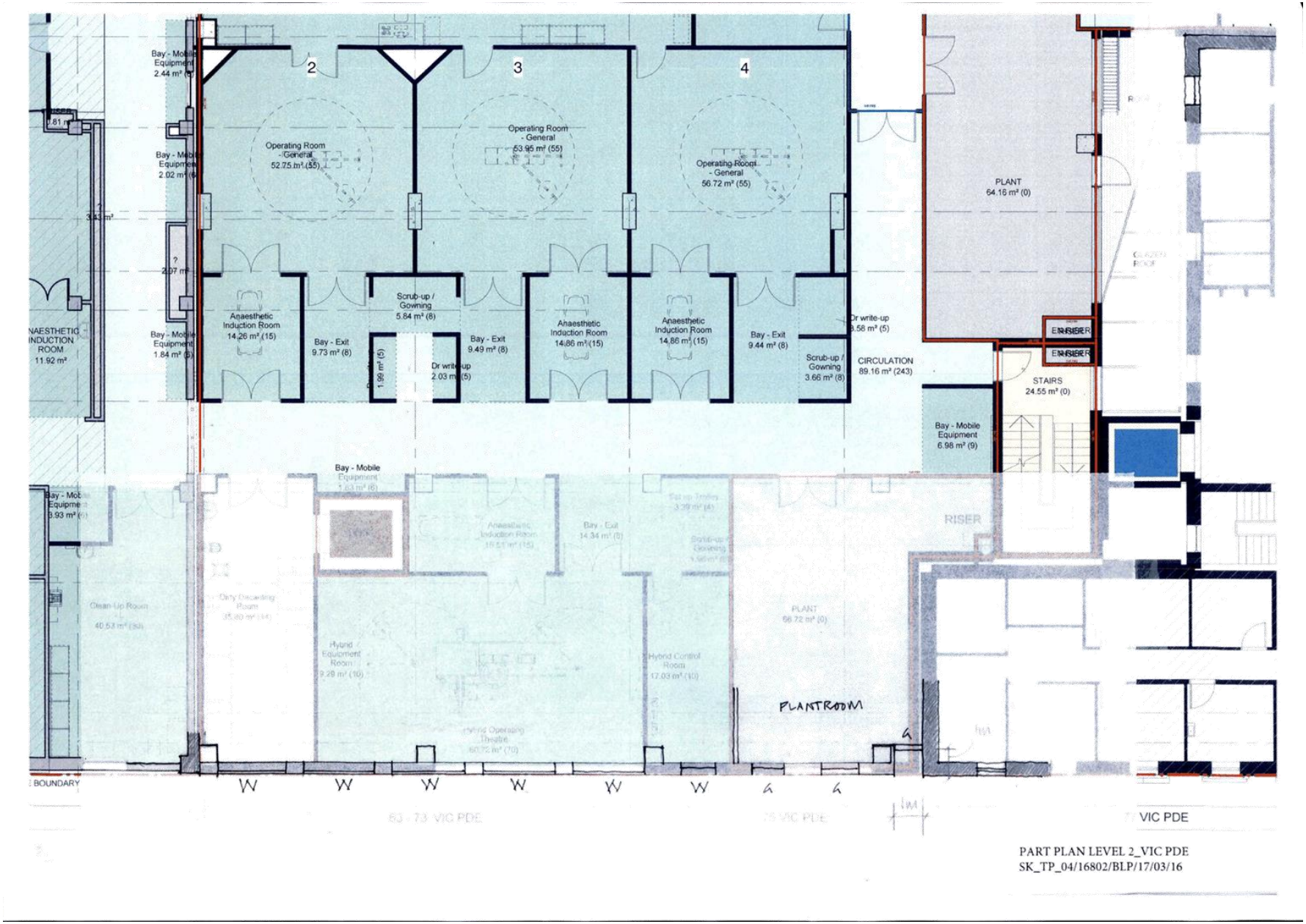

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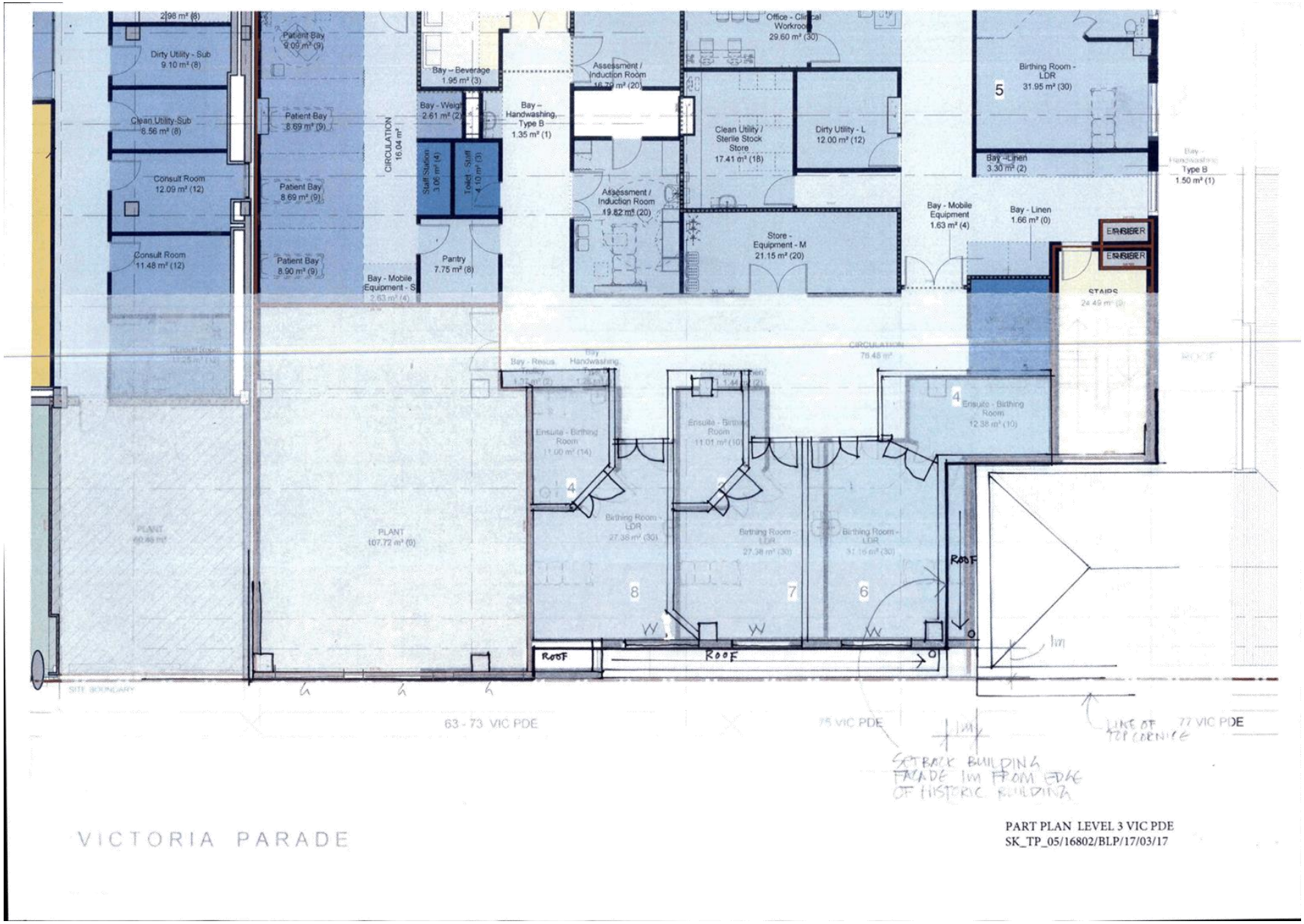

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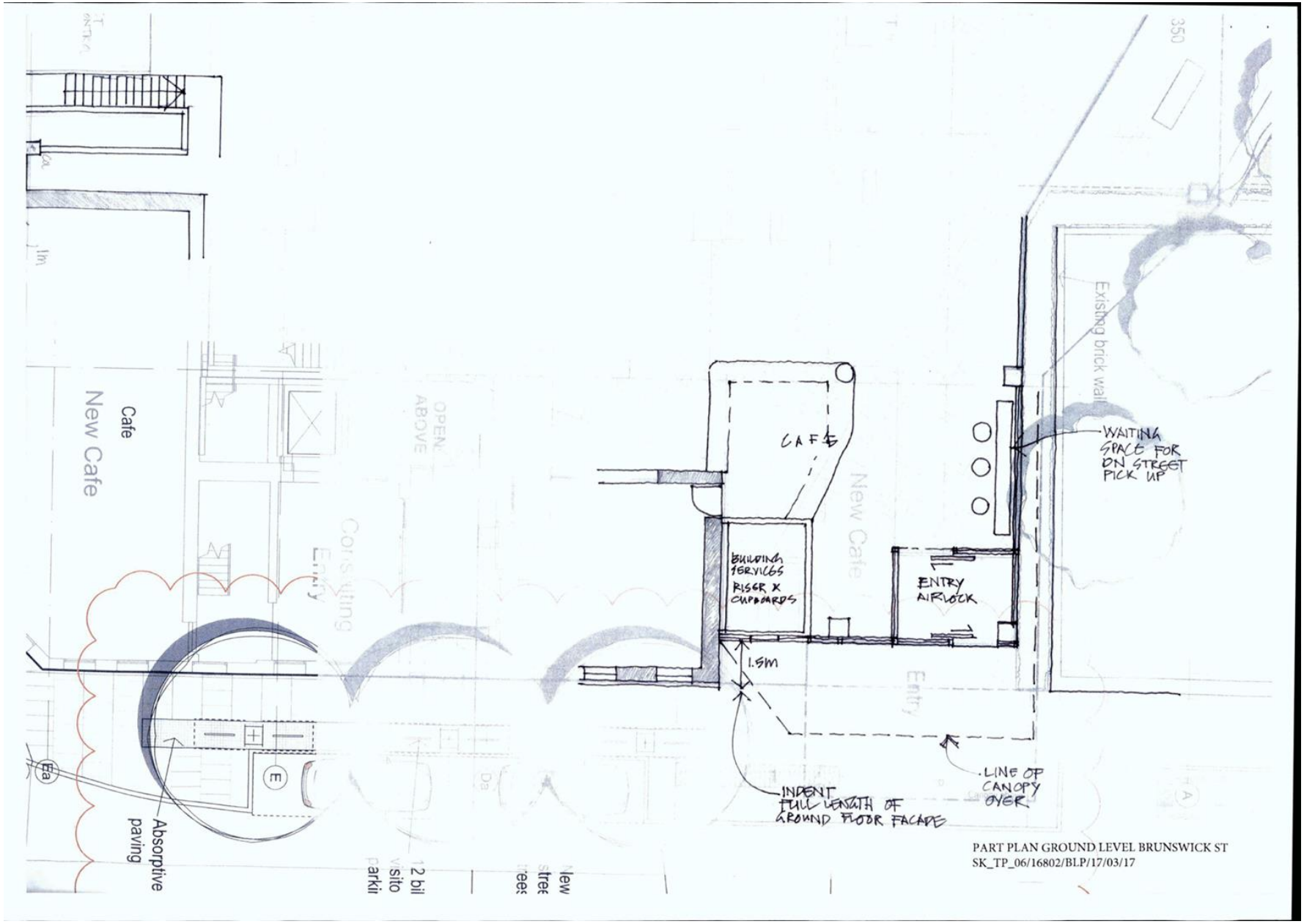

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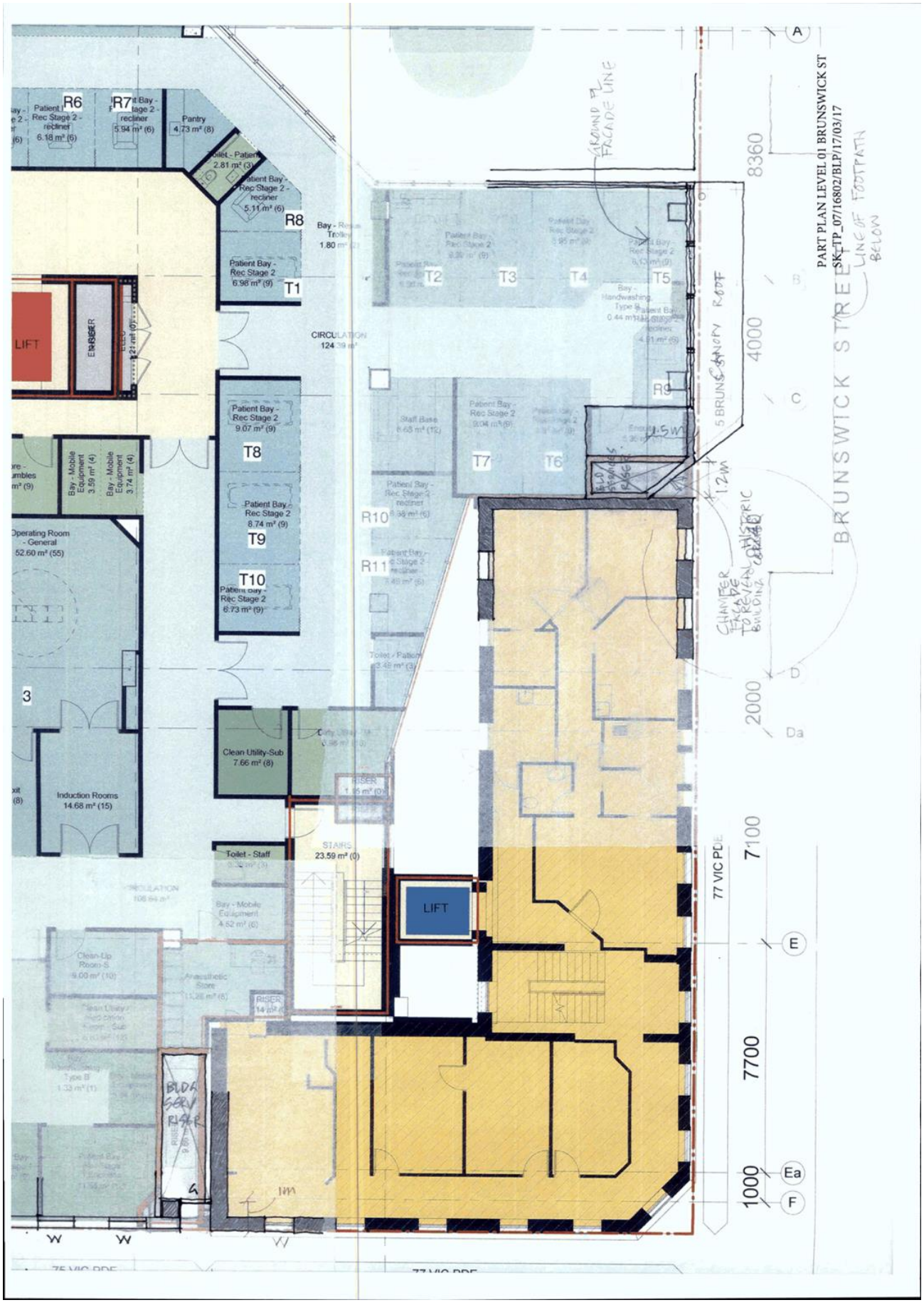

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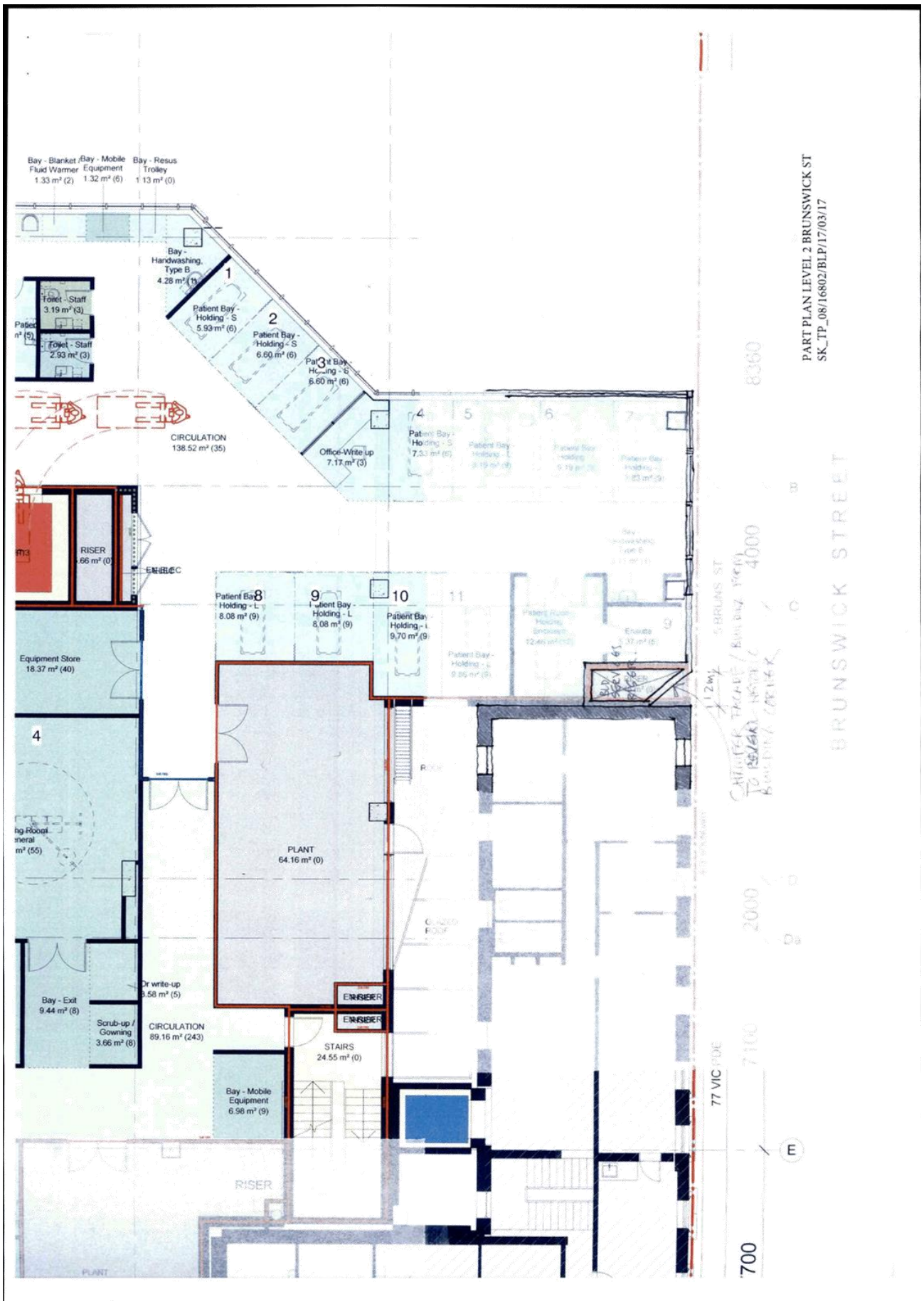

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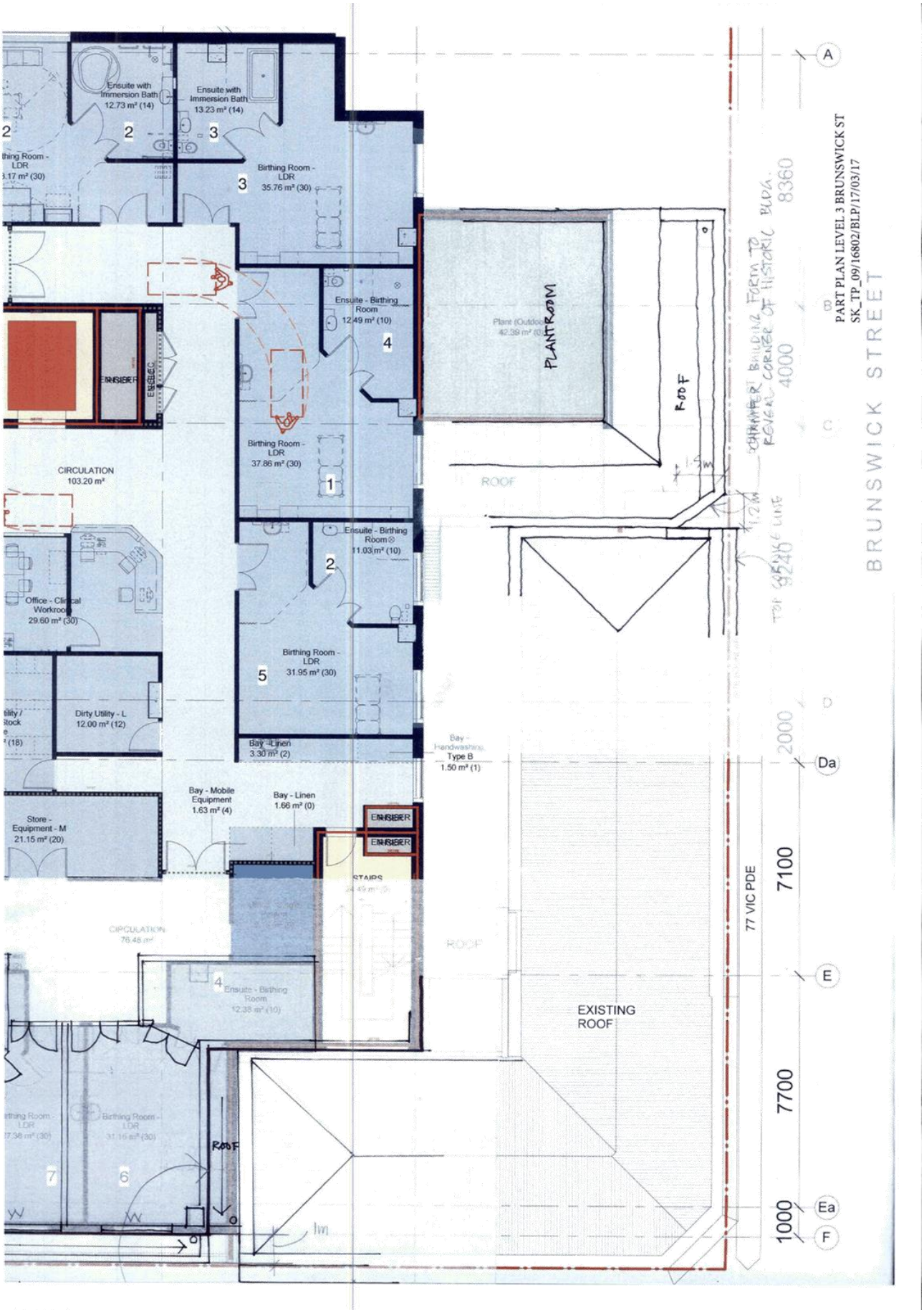

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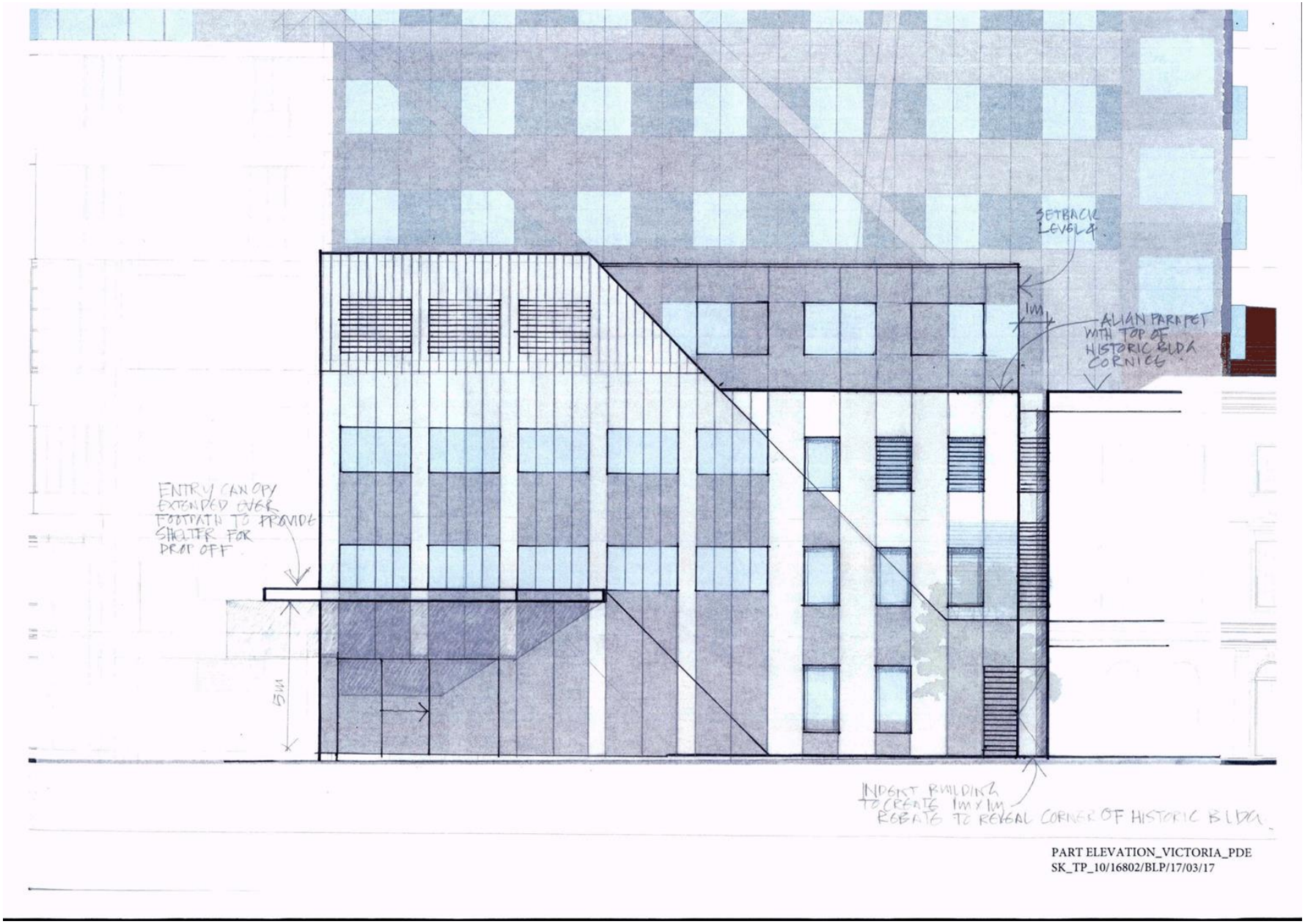

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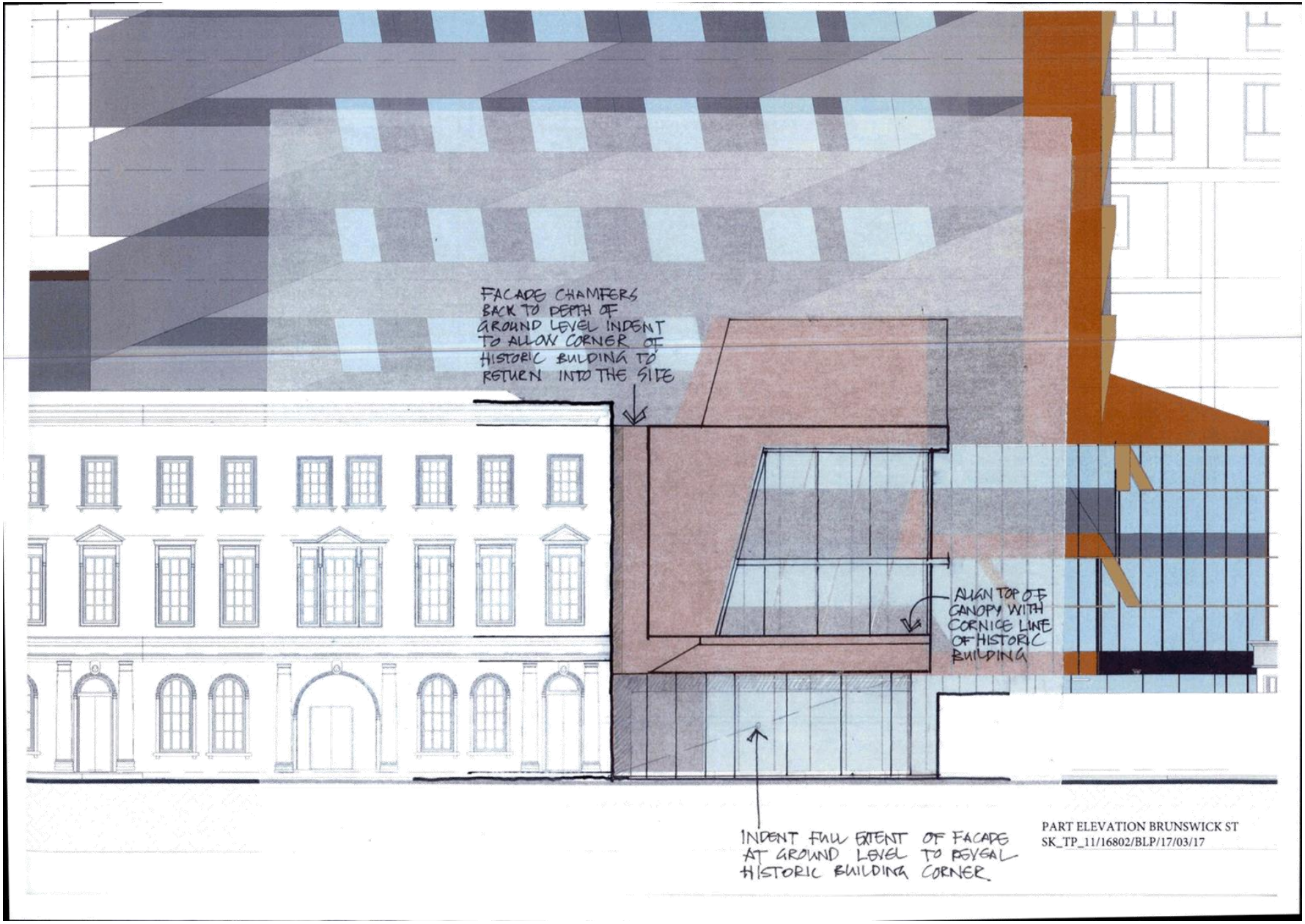

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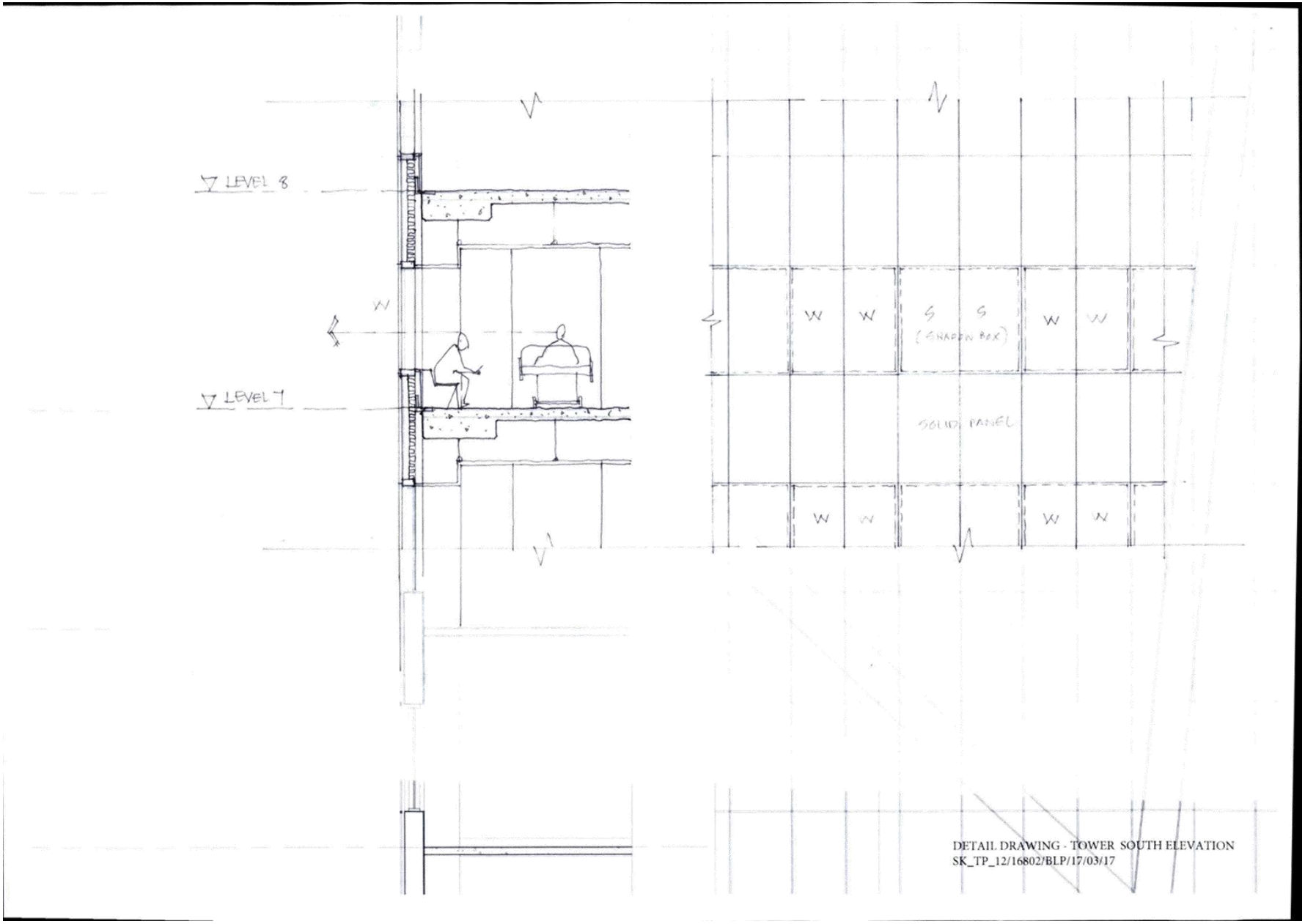

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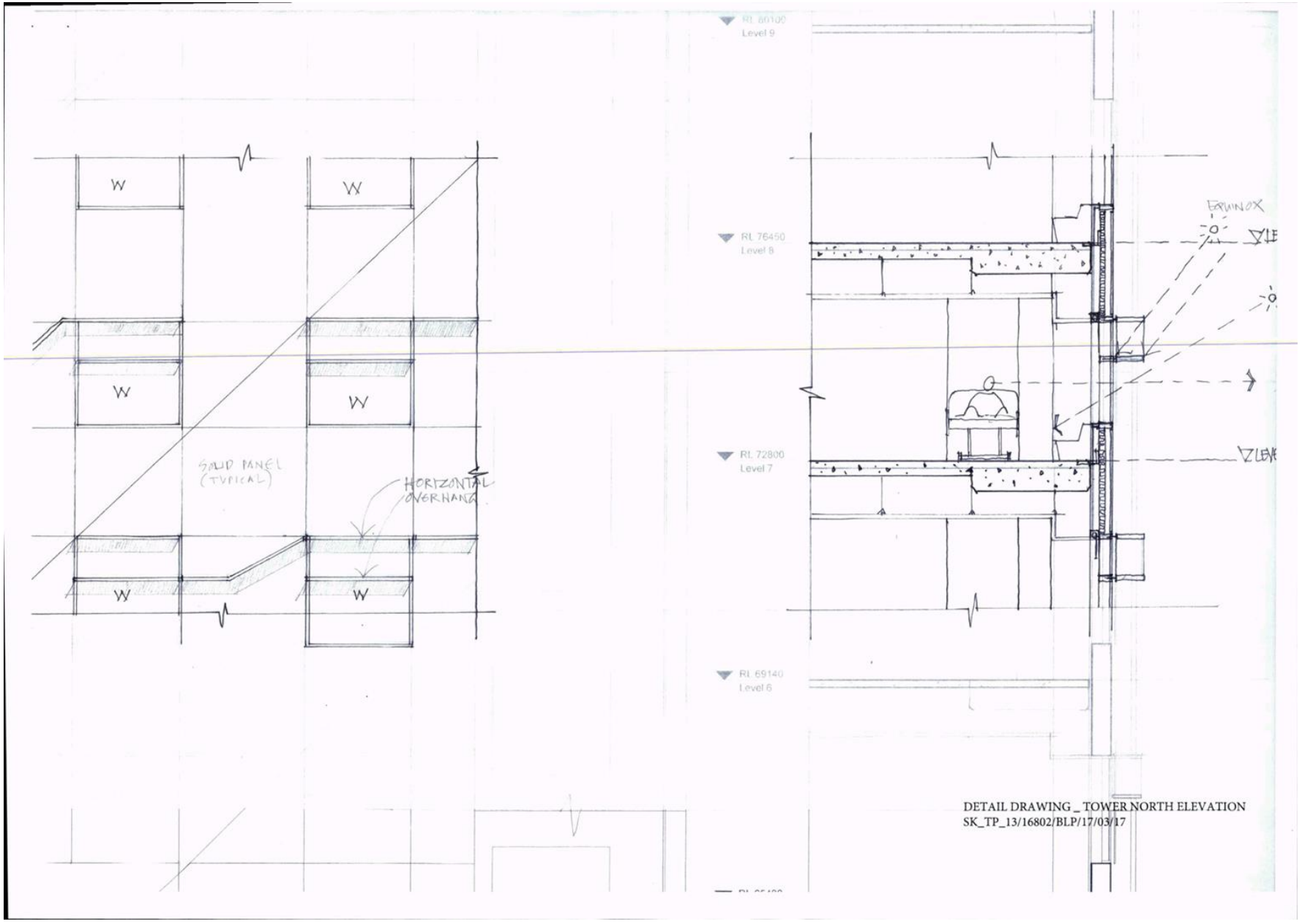

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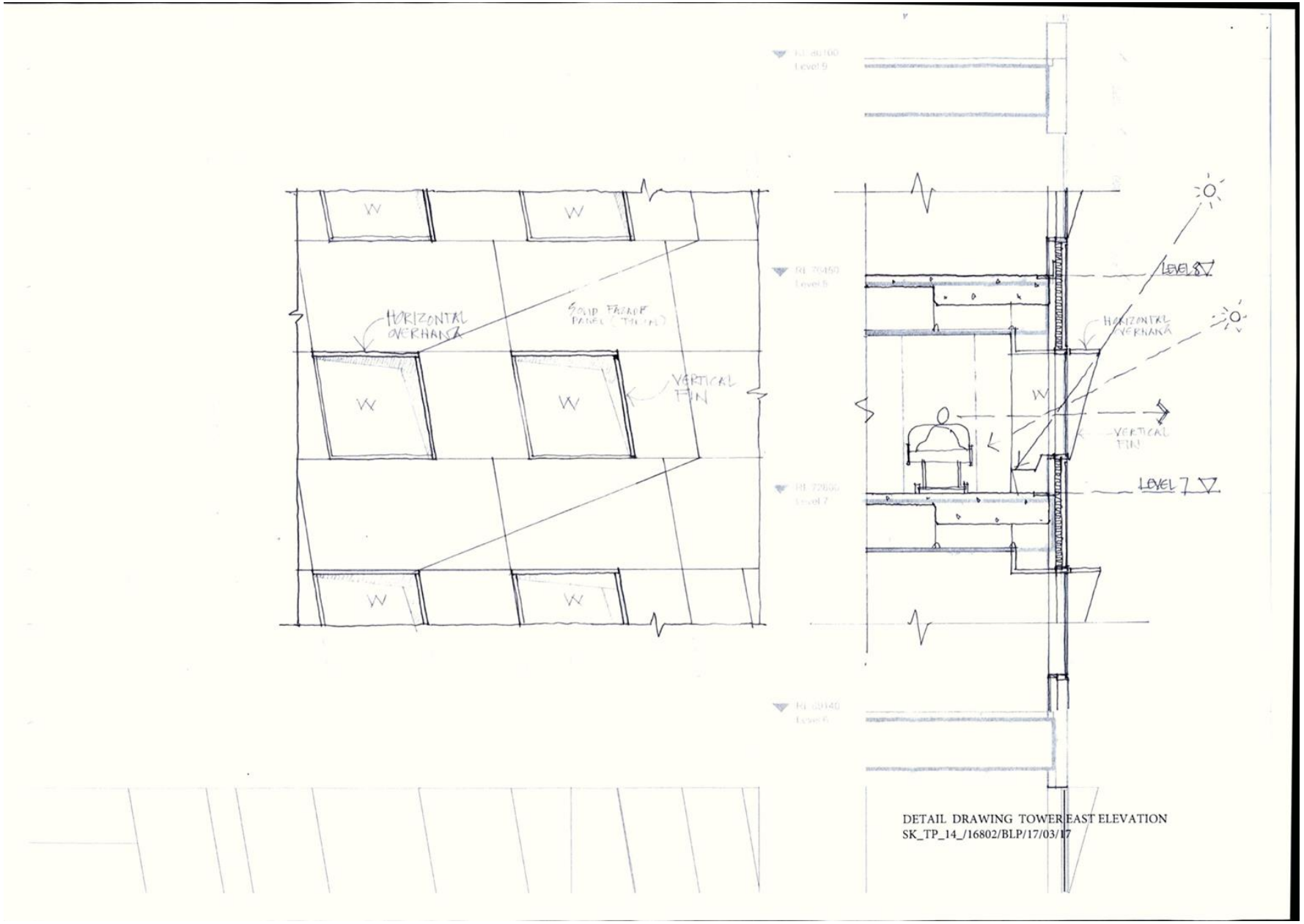

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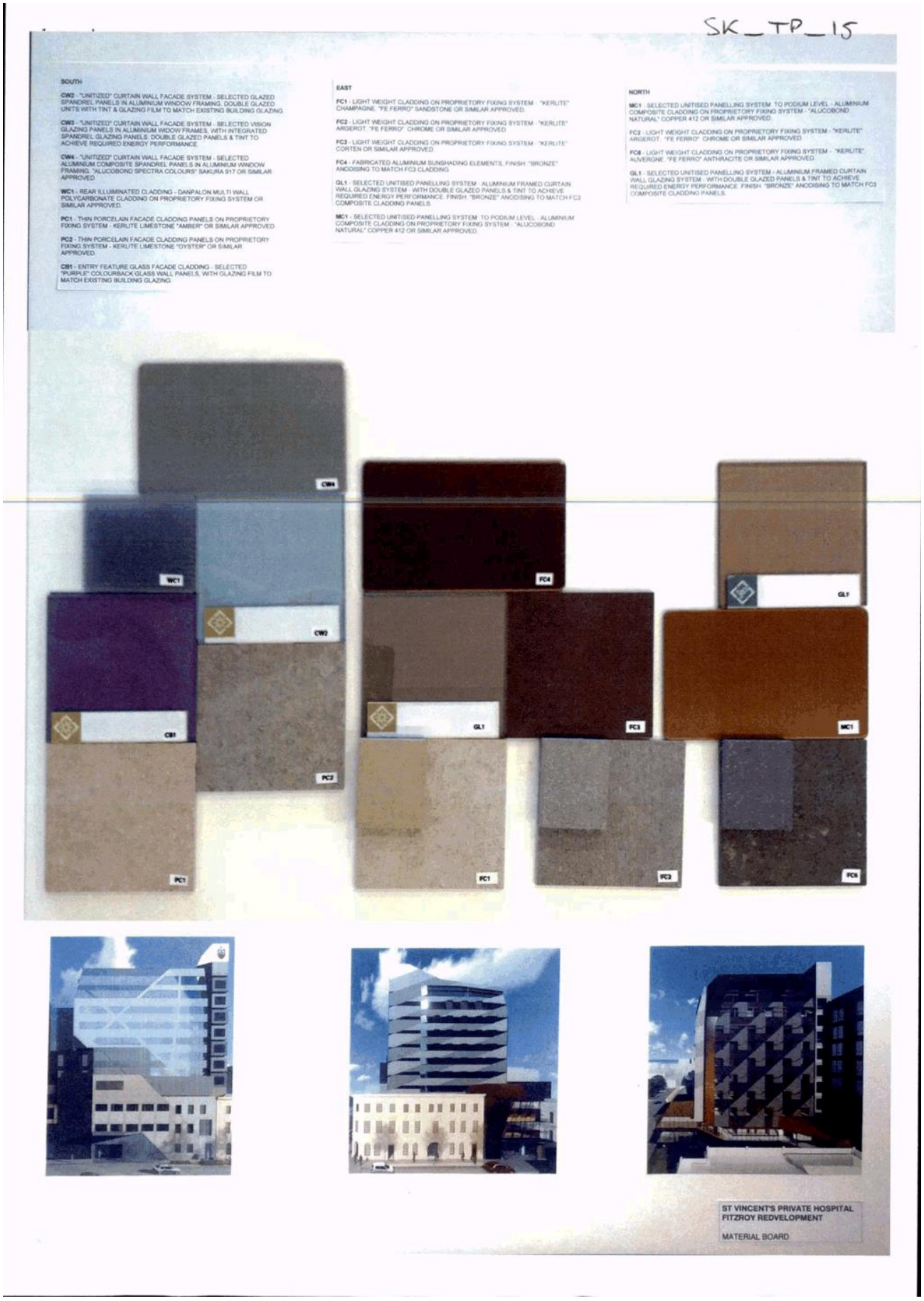


Attachment 7 - 'Sketch plans' and explanatory information

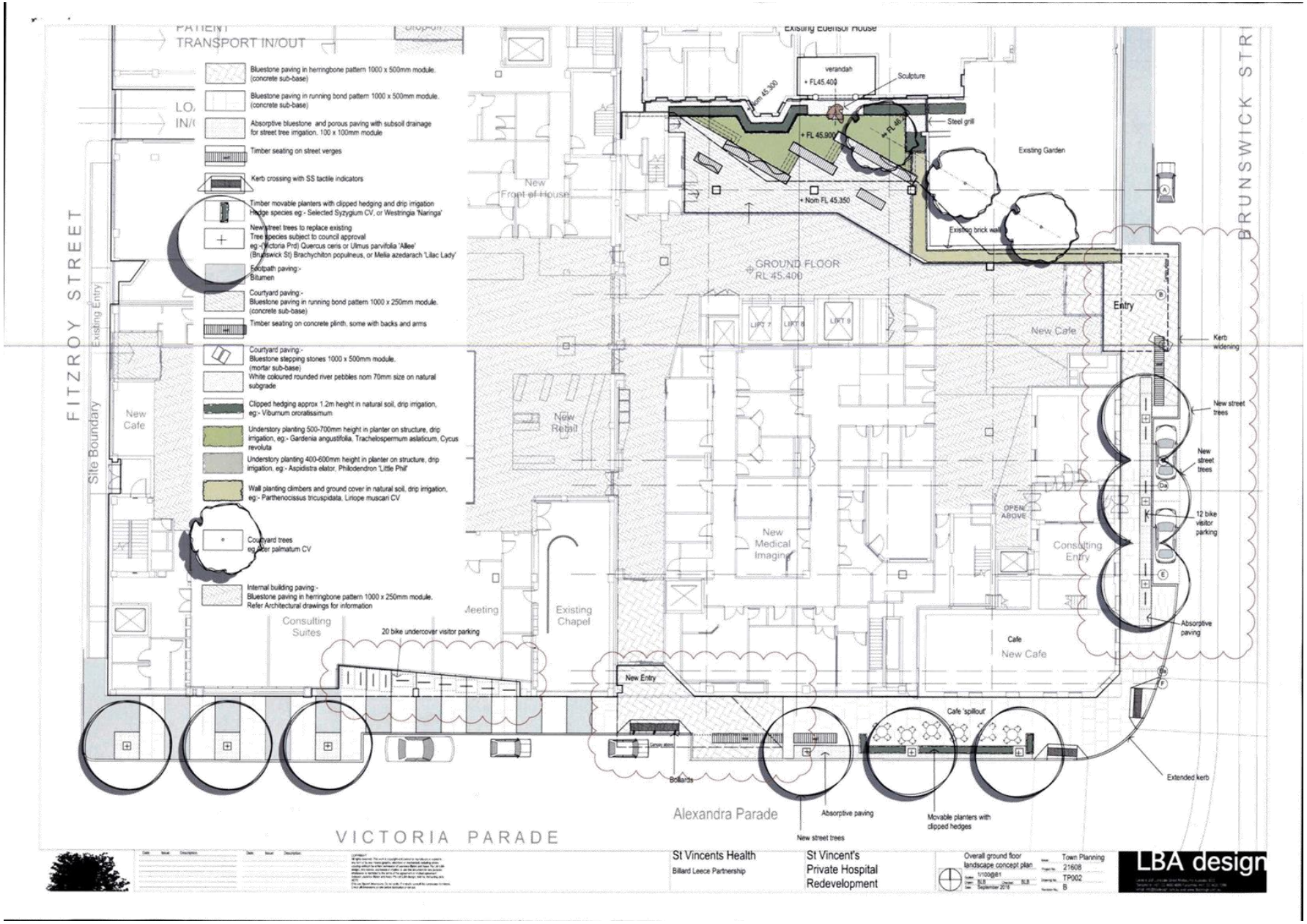
MEINHARDT

APPENDIX B

Landscape Plans

St Vincent's Private Hospital

Attachment 7 - 'Sketch plans' and explanatory information



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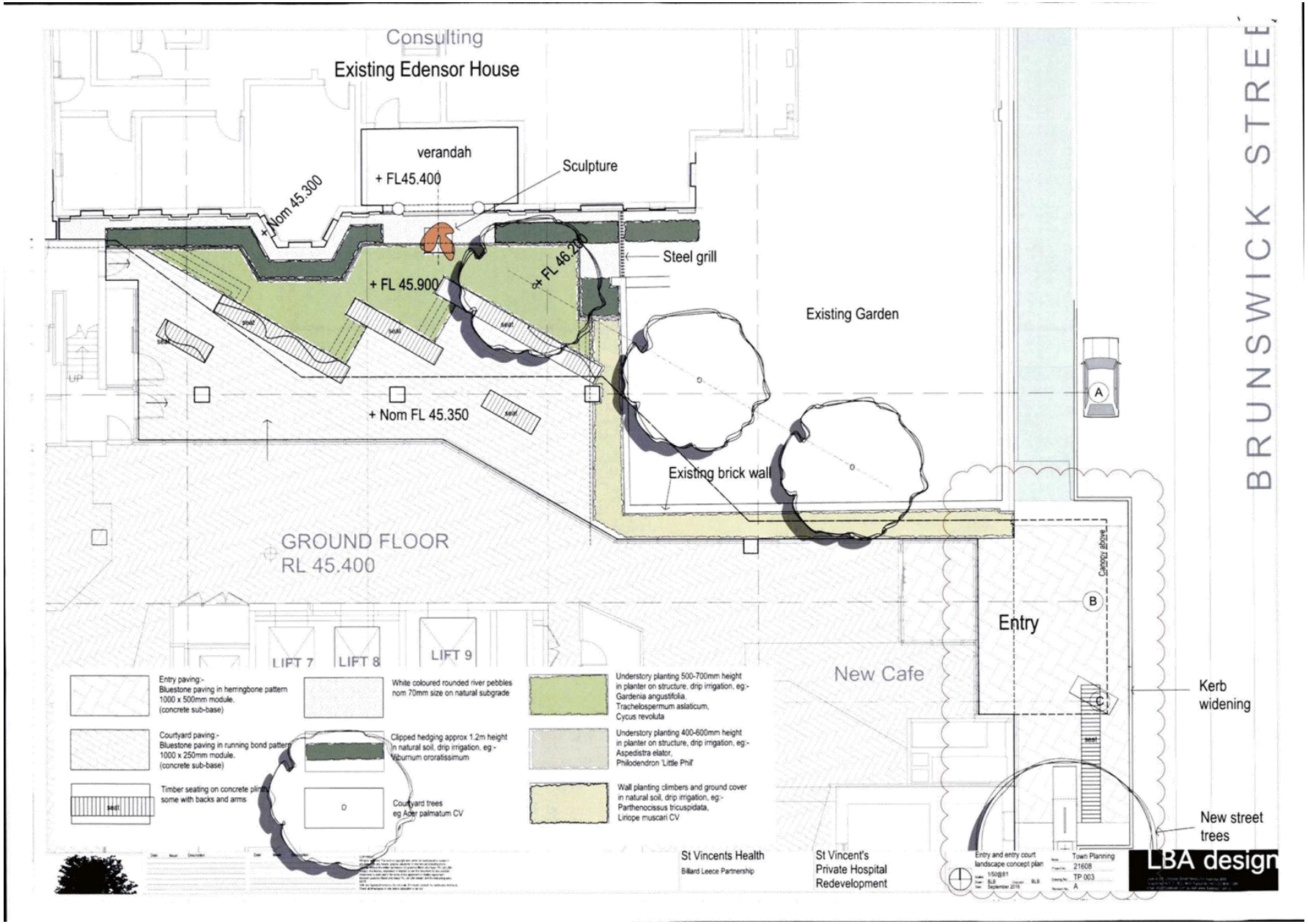

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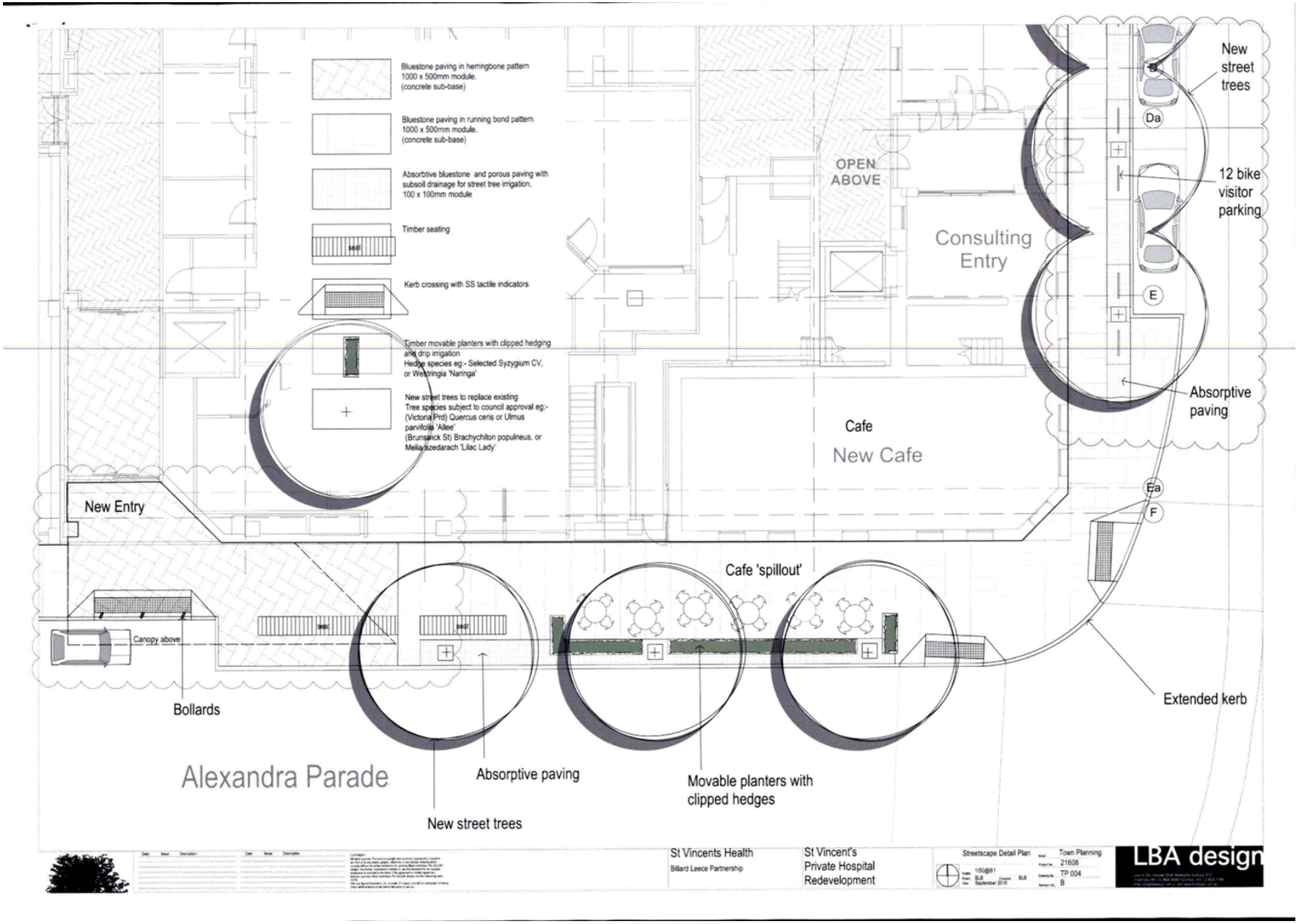

Attachment 8 - External Urban Design Comments

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Independent Urban Design Advice

St Vincent's Private Hospital

59-61 Victoria Parade, 5-7 Brunswick Street & 20-32 Fitzroy Street Fitzroy

PLN16/0925

February 2017

Prepared By
Professor Robert McGauran
B. Arch. (Hons. Melb), B.A. (Fine Arts Melb.), P.D.M. (Melb.), LFRAIA, Architect

Our ref: 16184

Directors
Eli Giannini
Chris Jones
Cameron Lacy
Robert McGauran
Mun Soon
Joshua Wheeler

Attachment 8 - External Urban Design Comments

BACKGROUND

1. In December 2016 I was asked by the City of Yarra to comment on plans for an extension to the St Vincent's Private Hospital.
2. My comments are made with regard to the resolution of the scheme in relation to:

   a) Appropriateness of the design treatment and streetscape impact
   b) Building height, bulk and massing and its implications.
   c) Use of colours and materials
   d) Façade treatments
   e) Whether the proposal achieves high architectural and urban design outcomes
   f) ESD Principles

THE PROPOSAL

3. The St Vincent's Hospital redevelopment provides for modification to the existing multi-deck car park in Fitzroy Street, similar amendments to basement levels of the existing buildings, substantial demolition of existing buildings and construction of a new multi-storey hospital building with connections to the existing Hospital, café and back of house areas.
4. As noted in the planning report, key features of the new project are:

   > An 11 storey building to the eastern portion of the site at 59-61 Victoria Parade
   > A 3-4 storey podium building to Victoria Parade
   > A 3 storey infill podium to Brunswick Street
   > 185 car spaces to be located at 93-99 Victoria Parade through extension of the existing facility there, itself the subject of a separate planning application and peer review report
   > 10 new consulting suites
   > A total of 46 additional bicycle spaces including six accessible spaces on the ground floor
   > The report notes four shower/change rooms located in the ground floor of the Fitzroy Street building and three additional change rooms to be installed on the basement level.

5. The extent of demolition of existing buildings can be summarised as follows:

   > Partial demolition of the existing hospital building at 59-61 Victoria Parade. This building is identified as individually significant at a local level in the city of Yarra Planning Scheme.
   > Full demolition of 63-71 Victoria Parade, the former East Hill House. This building is identified as individually significant in the City of Yarra Planning Scheme.
   > Full demolition of 75 Victoria Parade, a building that is not contributory.
   > Partial demolition of 77 Victoria Parade, the former eastern Hill Hotel. This building is on the Victorian Heritage Register. The extent of demolition involves the full removal of the western wing to the rear of the building, itself not a contributory element.
   > Full demolition of 5 Brunswick Street, a non-contributory building.
   > Partial demolition of 7-9 Victoria Parade (Edensor House). This building is on the Victorian Heritage Register. The extended demolition involves the partial removal of a wall extending along the southern boundary of the site. Partial demolition of the rear west of Edensor House to facilitate a new link and a small building to the west of Edensor House to be reconstructed.

6. A summary of work at each level can be described as follows:

   a) At Basement Level 2, a new basement to comprise primarily plant and equipment
   b) At Basement Level 1 the repurposing of the existing internal pick-up and drop-off spaces, expansion of the loading bay to include a turntable and construction of a basement to the south eastern portion of the site incorporating general storage, waste management and supplies and a new central sterile services department.

Attachment 8 - External Urban Design Comments

c) At Ground Level the removal of the existing hospital entry to Victoria Parade and subsequent alteration to infill glazing, construction of a building to extend from the existing hospital at 59-61 Victoria Parade to the intersection with Brunswick Street, with a setback of 7.68m from Edensor House at 7 Brunswick Street.
d) Substantial modifications are proposed to Ground Level of the existing hospital to interconnect the new extension and existing hospital building and improve those connections within the hospital and to external street interfaces to Brunswick Street and Victoria Parade.
e) To this end, new entrances are proposed on Victoria Parade and to the Brunswick Street interface.
f) Activation to the corner of Victoria Parade and Brunswick Street within the former hotel was to be provided through a café engaging with both of these frontages.
g) Pre-admission and care services are also to be consolidated at this level and Pharmacy, Radiology and Consulting Suites reconfigured as part of the rationalisation of street networks though the building and internal enhanced organisational management.
h) The northern interface of the proposed new building is configured to engage with a northern garden and new landscaped area to the south side of Edensor house providing accessibility for patients, staff and visitors similar to that enjoyed by the central courtyard of the public hospital to the west.
i) Closure of the existing car park entry at 59-61 Victoria Parade results in a two-lane exit and enhanced traffic movement.
j) Public realm improvements are also proposed to Victoria Parade and Brunswick Street interfaces to enhance the quality of the pedestrian environment through replacement and new tree plantings, widened footpaths and kerbs where possible, provision for kerbside dining to Victoria Parade.
k) A new building is also proposed to link to the rear of Edensor House.
l) At Level 1 the building proposes a setback of 4.9m from Edensor House at 7 Brunswick Street with internal modifications to the existing hospital at 59-61 Victoria Parade to connect to the new extension. This level incorporates consolidated Cardiac Services, new theatres and recovery spaces.
m) At Level 2 a setback of 4.4m is provided to Edensor house at 7 Brunswick Street along with modifications to the existing hospital to connect with the new extension. The internal layout for the new extension incorporates additional theatres.
n) At Level 3 there are more substantial setbacks for the street podium, with setbacks to Brunswick Street at 10.1m, to Edensor House at 6.5m and Victoria Parade 0-1.1m. Like at lower levels internal modifications to the existing hospital allow connections to the new wing. The internal layout of the new wing includes the expanded and consolidated Maternity hub, accommodating Birthing Suites, Consulting Suites, Special Care Nursery and beds.
o) At Level 4 the building is extended above the third level to expand the existing Inpatient Unit with the following setbacks: Brunswick Street at 10.1m, similar to that adopted for Level 3 and Victoria Parade at 9.1m, generally in line with the existing hospital. Again, minor modifications are incorporated into the existing hospital to connect with the new extension and a new roof terrace courtyard with associated landscaping connects with the existing hospital building.
p) At Level 5 similar expansion incorporates expansion of existing Inpatient Units and connections to the existing hospital via a short bridge link up to Level 9.
q) At Levels 6 to 8, construction of three levels that expand Inpatient Units providing a setback of 7.7m from the existing hospital and interconnection with the existing hospital via a short bridge.
r) At Level 9 construction of an Intensive Care Unit with connections to the existing hospital via a short bridge.
s) At Level 10, construction of private Consulting Rooms, Executive Administration, staff teaching and training areas with connection to the existing hospital.
t) At Level 11 a central plant is proposed for the development.

Attachment 8 - External Urban Design Comments

STRATEGIC PLANNING CONTEXT

Relevant State Planning Policy Matters include:

7. Within Plan Melbourne there are a number of directions and relevant clauses that need to be considered when reviewing this proposal from an urban design perspective.
8. **Plan Melbourne** outlines a vision for Melbourne: Melbourne will be a global city of opportunity and choice achieved by five key directions.
9. Relevant to this application: Developing in defined areas near services and infrastructure. Population estimates indicate Melbourne could grow to a city of around 7.7 million people and require an additional 1.6 million more dwellings. An estimated 1.7 million new jobs will be created, mostly in the central city and adjacent inner suburbs. Importantly a key element of Plan Melbourne is an expanded central city in which this site resides.
10. Direction 1.4: Plan for the expanded central city to become Australia's largest commercial and residential centre by 2040, identifies that the wider Central Subregion with its highly diverse economic base and strengths in health, education, retail, creative industries, tourism and port-related activities has an important role to allow Melbourne's central city to become the largest business services centre in Australia.
11. The central city will continue to play an important role as a major destination for tourism, retail, entertainment and cultural activities and to enjoy the employment diversity that come from the growth of these sectors. ...to ensure Melbourne's expanded central city becomes Australia's largest business centre, we will also need to connect, manage and grow the existing and emerging high density, mixed use neighbourhoods in the Central Subregion. This Subregion represents Melbourne's most complex growth area with growth potential beyond 2050. By planning for this significant employment and population growth, we will take advantage of the benefits of connecting people, skills, jobs and businesses. The Central Subregion includes the subject site.
12. **Clause 9 including Clause 9.01.**
    a) Plan Melbourne and Clause 11 encourage more intensive development in Activity Centres. Clause 11.01 relates to 'Activity Centres' and seeks to build up activity centres as a focus for high quality development, activity and living for the whole community by developing a network of activity centres that:
    > Comprises a range of centres that differ in size and function
    > Is a focus for business, shopping, working, leisure and community facilities
    > Is connected by public transport and cycling networks
    > Reduces 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.

    b) Clause 11.04-1 Delivering Jobs and Investment includes the strategy to plan for the expanded central city to become Australia's largest commercial and residential centre by 2040.
    c) Clause 11.04-2 Housing Choice and Affordability seeks to reduce the cost of living by increasing housing supply near services and public transport.
13. **Clause 15 Built Environment and Heritage** – notably Clause 15.01 Urban Design – promotes good design and encourages development to achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.
14. **Clause 19 Infrastructure,** in particular Clause 19.02-1 Health Facilities.

Attachment 8 - External Urban Design Comments

Relevant Local Planning Policy Matters include:
Local Planning Policy Framework

There are also a number of relevant local clauses that need to be considered when considering the application. These include:

15. **Clause 21.02 Municipal Profile**.
16. **Clause 21.04 Land Use**

    a) Clause 21.04-2 Activity centres details the municipality's five Major Activity Centres
    b) Clause 21.04-4 Community Facilities Hospitals and Medical Services

17. **Clause 21.05 Built form** contains a number of relevant sub clauses, which include:

    a) Clause 21.05-1 Heritage.
    b) Clause 21.05-2 Urban design.
    c) Clause 21.05-3 Built form character, particularly the reference to 'transport corridors'.
    d) Clause 21.05-4 Public environment.

18. **Clause 21.06 Transport** is an important policy source, particularly regarding the Council's approach to new development and sustainable modes of transport, such as walking, cycling and public transport.

    a) Clause 21.06-1 Public Transport.
    b) Clause 21.06-3 Road System and Parking.

19. **Clause 21.07 Environmental sustainabi**lity seeks to address environmental sustainability through sustainable building design and construction
20. Also of note is Clause 21.08-7 Fitzroy notes: Victoria Parade, an important boulevard with substantial office development and the St Vincent's Hospital Precinct, is on the south side of this neighbourhood. The Brunswick Street and Smith Street major activity centres run north south through the middle…. A masterplan is sought for the St Vincent's Hospital Site in this section of the scheme.
21. **Clause 22.02 Guidelines for Sites Subject to a Heritage Overlay.**
22. **Clause 22.03 Landmarks and tall structures** states that it is Council policy to 'ensure the profile and silhouette of new tall structures adds to the interest of Yarra's urban form and skyline'.
23. **Clause 22.05 Interface Uses Policy**
24. **Clause 22.16 Stormwater Management.**
25. **Clause 22.17 Environmentally Sustainable Development**.

26. **Zoning**

    a) The site sits within a series of zones:
    > The properties from the corner of Brunswick Street through to the corner with Fitzroy Street interfacing with Victoria parade are Commercial 1 (C1Z) zone.
    > The area on which the car park sits to the north of the core hospital is within a Neighbourhood Residential Zone (RDZ1).
    > The property known as Edensor House to the north along Brunswick Street sits within a Mixed Use (MUZ) Zone.

27. **Overlays**

    a) A number of Overlays inform the site.
    > Design and Development Overlay Schedule 2 (DDO2) for main roads and boulevards.
    > Heritage Overlay Schedule 150 (HO150) for Dodgshun House.
    > Heritage Overlay Schedule 190 (HO190) for the former Eastern Hill Hotel.
    > Heritage Overlay Schedule 334 South Fitzroy Precinct (HO334) covers the whole of the precinct.

Attachment 8 - External Urban Design Comments

URBAN CONTEXT

28. The site sits within an area of intersection between the rapidly changing needs of a growing Capital City and the institutions that serve it and the heritage fabric of one of Melbourne's more intact inner urban neighbourhoods and nearby with the Exhibition Buildings and Carlton Gardens, a world heritage listed early zone of settlement within the City.
29. To the east is the rapidly transforming St Patrick's Campus of the Australian Catholic University (ACU). An initial presence of a repurposed commercial building has been subsequently joined by large scale academic buildings, including the 6 storey Mary Glowery Building with its projecting tower form, with further proposals for new academic buildings of considerable height to the intersection with George Street to the east and the corner of Brunswick Street and Victoria Parade where I understand a residential development of up to 14 storeys has been previously approved.
30. To the west, the St Vincent's Private Hospital is 10 storeys in height and sits near older Consulting Suite and Nursing accommodation buildings on the Public Hospital Site of comparable scale.
31. The more contemporary main hospital building within the core of the campus is itself a substantial building.
32. The redevelopment of the site with a new, substantial south eastern anchoring building provides an important opportunity for not only the enhanced interconnection of this suite of buildings with the core private hospital but also the enhanced interconnection of this broader private campus with the adjoining public hospital and its entry and open space areas.
33. To achieve this a new primary east-west pedestrian street is provided at the ground floor, providing a gallery interface with a north facing garden extending from Brunswick Street west to the interface with the existing hospital at the Fitzroy Street frontage. The street has an intersection with the north south street at a new entrance adjoining the chapel on Victoria Parade and extending northwards to meet this east-west street.
34. Reception and retail activities are located at this intersection in conjunction with waiting areas creating a natural hub for the development.
35. To the east and west along this street are located lift cores servicing the existing hospital and new wings. Café and staff lounges mark the entry of this interface with Brunswick Street extending into retail activities to the corner building.
36. Vehicle entries removed from the Brunswick Street interface and rationalised exclusively to the Fitzroy Street frontage recognise the growing importance of this Brunswick Street – Victoria Parade corner as an important modal interchange between east-west and north-south light rail movement in addition to bus services.
37. The corner hotel building is restored and adaptively reused, with the corner occupied by a new café with a second hospitality tenancy partially incorporated into the existing building envelope at its northern end and partially within the new gallery extension.
38. Separating these two areas is the entrance to a shared seating zone and, to one side, consulting suites located at upper levels. Medical imaging is also incorporated at this lower level.
39. Drawing AA07-0002 outlines some modest additional bike storage provisions and four new showers incorporated at Ground Floor of the adjoining car park.

Level 1

40. At level 1 we see the juxtaposition of the mid corner tower form and its relationship to Edensor House and the corner hotel and, similarly, how it is proposed to be interconnected with the adjoining existing hospital to provide for integration and expansion of theatre facilities.

Level 2

41. Additional Operating Suites are added at Level 2 with a similar footprint adopted.
42. A glass roof separates the form of the former Eastern Hill Hotel from the adjoining hospital to the west, enabling this building element to be read from the public areas within.

Level 3

43. At Level 3 the more conventional ward arrangements begin to lay themselves out in the proposed new wing, with its setbacks of 6.5m more consistently from the Edensor House interface.

Attachment 8 - External Urban Design Comments

Level 4

44. Above this podium level the new wing sets back to align with the form of its western neighbour. A new terraced courtyard is proposed at this level as a linking point between these two forms.

Level 5

45. At level 5 the building and how it interconnects with Victoria Parade and Brunswick Street is repeated. A new building link connects the existing hospital to its new eastern wing neighbour with a series of rooms overhanging in part the courtyard below.

Level 6

46. At level 6 this courtyard form opens to the south with the two towers reading as separate built forms with a 12m separation at their interface with Victoria Parade and a lesser separation of approximately 8m for the balance.

Level 7 and 8

47. At Levels 7 and 8 this is repeated as a strategy.

Level 9 & 10

48. At Level 9 a similar envelope is provided for new Intensive Care provision, above which sits the new Oncology and Consulting Suites at Level 10 along with some new education facilities with the plant previously mentioned set further back from the Victoria Parade and Brunswick Street interfaces at Level 11.

Elevations

49. The manner in which new and existing form work together is seen from the Elevations commencing at AA08-0001. A podium form seeks to both interconnect the existing eastern hill Hotel lower form to the marginally taller form of the existing private hospital to the west. A faceted primary built form over is contained at the corner by a taller tower form incorporating an internal staircase and new marker for the healthcare facility.
50. The upper levels begin to taper above Level 10, itself approximating the predominant height of the existing healthcare facility.
51. The return of the building along the Brunswick Street frontage incorporates a changing design response incorporating more depth to the façade to manage sun control into the building. Additionally at lower level a contemporary gateway element is proposed with a street interface of commensurate scale to its historic east and northern neighbours, stepping up further from the street, with its interface to the street primarily glass, wrapping back around the courtyard with a continuation of this largely transparent podium treatment.
52. From the west changes are relatively modest as can be seen from the drawings, with only small elements of the building appearing above the scale of the existing western neighbour.
53. To the north the architectural treatments adopted for the Brunswick Street interface are again found, with a slightly varied language to the Edensor House at upper levels of the tower, framed by the primary fixing system of aluminium in varying colours to the core building.
54. As noted earlier, the lower three levels have a higher level of transparency at their interface with the gardens.

Sections

55. The Sections provided do not show the depth to the façade indicated in the plans and more developed sectional details might be usefully incorporated at a bigger scale to provide Council with a more informed understanding of the depth and richness of materials suggested.
56. A better indication of the design intent is provided in the external finished and materials drawings AA96-1001 to AA96-1004 and in addition within the series of perspective images provided with the application.
57. These plans provide some detail of the mix of materials and finishes incorporated in the proposal. The darker, copper like elements are intended to be a unitised panelling system, incorporating at podium level an aluminium composite cladding system in a natural copper colour or similar approved. Fabricated aluminium sun shading devices in a similar bronze colour are suggested in a horizontal treatment that provide shading to the predominantly glass facades, themselves double glazed panel units.

Attachment 8 - External Urban Design Comments

58. The tower above contrasts in its palette from that below but maintains accents of the richer copper colouring as I will discuss below.
59. The primary treatment is a unitised panel system of compressed, pre-finished fibre-cement sheet cladding on a proprietary fixing system. This is expressed in two alternative tones, creating a banding effect across the façade. Between these elements an aluminium composite cladding system of a copper colour, as noted earlier, is embedded in conjunction with the window systems for the project. These windows are embedded into the form of the building, creating a 'toothing' effect. The taller corner of the stair is capped with a unitised panelling system of rear illuminated Danpalon to provide a true lantern effect at night to this uppermost element.
60. The built form tapers back from this interface with the street at upper levels, diminishing the apparent scale at footpath level and wrapping the Level 11 plant.
61. The south elevation presents a more skin-like treatment of layers of the building, with banding Spandrel panels in a unitised aluminium spectra colour complimented by infill double glazed tinted glass windows, built with minimal setback to this adjacent metal framing device. The upper level tapering to the interface with the adjoining existing hospital is treated more primarily as a curtain wall system. At the lower level interface with the street it is proposed to develop a porcelain façade cladding system of panels in a two-tone limestone colour expressed as a series of bands with the darker limestone marking the vertical structure and Spandrel in the lighter material.
62. The stepped nature of the levels seeks to mediate, as noted earlier, between the adjoining lower podium of the Eastern Hill Hotel to the east and the taller podium of the private hospital to the west.
63. A new entrance features a selected purple colour-backed glass providing a clear visual cue to the entrance, overhung by a new entry canopy of painted steel.
64. The curtain wall approach adopted for the tapering upper levels is returned to the western interface in conjunction with a matching unitised aluminium spectra colour treatment, ensuring the building as a sculpted for is expressed in the round.
65. Drawing AA96-1003 outlines how the proponent has sought to mediate between the existing hospital and hotel via the new building. The north elevation adopts similar materiality to the eastern elevation whilst introducing some new elements that respond directly to the specific attributes of its northern configuration. New fabricated aluminium sun shading elements in the same copper composite used in the podium are configured to provide shade to the north facing ward rooms.
66. At a whole of façade level the composite coloured unitised system of the front entry is continued up as a tapering frame and cap to these ward floors, also screening the perimeter of the roof plant at the uppermost level. Into this frame is the woven façade form of two separate tonal arrangements of compressed fibre cement sheet cladding on proprietary fixing systems.
67. The arrangement of the north façade relative to the east façade is best understood from the perspective north east aerial. With the building presenting as a series of layers. An entry layer from Brunswick Street north of the existing hotel appears to puncture an outer form incorporating the grey tones of the eastern facade treatments, behind which the richer copper forms and frame reference tonally back to the existing private hospital but also to the tradition of richer brickwork and fabric of the Fitzroy precinct to the north.
68. The series of aerial photographs depicted on AA97-0005 provide a sequence of views wrapping from a bottom image from the south east to a top image from the south west and views both elevated and at street level along Victoria Parade and from the adjoining car park within the ACU St Patrick's Campus to the east.
69. More detailed studies are provided on the following drawing, AA97-0006, of the juxtaposition of the new built form with Edensor House and with Brunswick Street and the adjoining Eastern Hill Hotel. They describe a meandering podium interface with the adjoining garden that opens up internal waiting areas to the northern garden aspect and present a scale that references that of its historic northern neighbour.
70. The following drawing AA97-0007 outlines the experience within that courtyard form and via the internal street network.

Attachment 8 - External Urban Design Comments

SUMMARY OF OPINIONS

71. The juxtaposition of health facilities within established areas of inner Melbourne has been the subject of a series of VCAT considerations, some of which I have been involved with over a period of time. There are some similarities of issues with competing concerns about the increasing scale of these institutional facilities in what are sometimes lower scale urban context and similarly often in context interfacing with older urban fabric of some heritage significance and the underlying objectives of those policies concerning adjoining heritage that typically seek development of modest scale referencing these adjoining forms in their outcome.
72. My view, which has been confirmed over a number of these projects, is that the healthcare facilities have typically always had a differing, denser, more visible scale and morphology than their adjoining fine grain neighbours. In this case there is a proposition that some existing heritage fabric will need to be lost to make way for the new buildings. Council will, I understand, seek separate heritage advice on that particular matter. My commentary will however begin at the high level and then examine my views of the application in its broader form.
73. At a high level there is strong strategic support for the expansion of existing healthcare facilities on sites that leverage the substantial pre-existing investment in over many years in healthcare services. The benefits of this colocation are clear in terms of enhanced patient outcomes and enhanced access to the diversity of skills and quality of equipment that can typically only be provided holistically in centralized, large tertiary health facilities.
74. In this instance, the site has long been characterised by healthcare buildings of considerable scale. In more recent times these have been joined on the northern side of the street by other institutional uses primarily linked to the adjoining ACU operations and in some cases new residential accommodation. In addition, south of the Victoria Parade boulevard, major new investment has been occurring with the redevelopment of the Eye and Ear Hospital and this southern side has similarly been the subject of a series of major commercial buildings over the last 30 to 40 years, again of similar scale in some instances to that envisaged here.
75. Hence, in an urban context it is my view that the site can sustain a building of this scale and height. A welcome component of the development has been the preparedness of the applicant to respond to initial issues raised by Council and to take the opportunity to develop a cohesive and well integrated organisational arrangement of both the pre-existing private hospital and the new wing with the adjoining public hospital to create a substantially enhanced arrival, way finding and amenity outcome for visitors to the area and an organisational framework that will remain more resilient to changes in demand over time.
76. The logic of organising lift cores along the same east-west core and the establishment of enhanced east-west and north-south streets that link the two buildings is a response that also connects the neighbourhood in a more cohesive way, with the east-west alignment also better connecting to the adjoining ACU open space to the east and likewise the new southern entrance, providing more equitable access between old and new facilities. This will enhance the patient and visitor experience and wayfinding considerably.
77. Similarly, in an activity sense, the coordination of retail and hospitality activity into the former Eastern Hill Hotel is a welcome re-establishment of the facility as a public meeting place on this important gateway between Fitzroy and the City and as a point of engagement between the core hospital and the community and place in which it sits.
78. The preparedness of the applicant to also work with Council to enhance the quality of interfacing streetscapes in Victoria Parade and Brunswick Street is also welcome, although I would note that at this stage it is unclear what measures are proposed however it would be logical for Council's urban design unit to work with the applicant to finalise these arrangements.

Green Travel

79. The green travel initiatives outlined in the report by One Mile Grid offer some welcome elements, including real time public transport information to be provided in the ground level of the hospital and incentives for carpooling and shared cars. That being said, the proposal relies on a substantial amount

of the visitations and staff access being provided through public transport cycling and walking. To that end contribution to the enhancement of the public realm and interfacing public transport commuter facilities should for a clear and agreed part of the scope.

80. Additionally I think the provision of bicycle and end of trip facilities falls well short of contemporary good practice in this health and wellbeing context. With the recent upgrade of wellington Street as part of the principle cycling network along with the Canning Street and Albert Street networks, the hospital is well placed to attract staff and visitors choosing to ride rather than drive to the campus if the facilities are suitable. The recently completed RCH has over 500 secure bicycle spaces with integrated shower and change facilities.

Recommendation 1

a) Upgrade the Green travel ambitions for the project. The provision for secure end of travel facilities for staff and short term facilities for visitors should be provided benchmarked at the quality that is being proposed in other facilities being delivered in instances such as the RCH and Cabrini Hospital where storage and change facilities are closely linked and storage is secure. If this results in a small number of ground floor carparks then this should not be seen as a negative outcome but rather a reallocation in recognition of good practice.

b) Desirably engagement with PT agencies ad council should investigate measures to improve shelter for bus and tram patrons in the precinct and improved shared short term stay bicycle facilities in the public realm.

c) Real time parking information should be shown for the carpark in Fitzroy Street to the satisfaction of the RA.

d) The extent of canopy protection and height of canopies at the interface to Victoria parade and Brunswick Street should demonstrate both welcome and weather protecting outcomes.

e) Opportunities for enhanced inside seating and waiting at the southern entry interface to Victoria Parade should also be explored given the adjacent drop off point proposed in the street and the extent of existing activation afforded at this interface. Some review of the entry is warranted in conjunction with treatment inside and outside the entry of the threshold waiting opportunities.

Materials and finishes

81. Generally speaking the materials and finishes selections as proposed are composed in a manner that is likely to delivery an appropriate outcome for the site.
82. Areas of uncertainty go to the proposed use of CFCC within upper levels of the building. The applicant should provide clarity as to the durability and ongoing high quality appearance of this material which talks of a prefinished product. I am aware of some products of exceptional quality with ceramic like paint finishes on a CFCC base. It would be appropriate to provide a finishes board for the products given their proposed extent.
83. Similarly some indicative façade sections and details should be provided to demonstrate the level of articulation and depth indicated in plans but not shown on sections. The development of light and shade

and depth in articulation across these facades particularly to the east and north is critical in building the narrative of support for the project and need to be clearly demonstrated in the plans and sections.

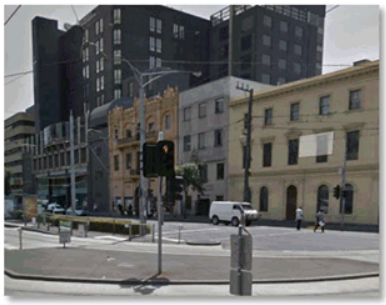
84. Additionally fins and screens to the operating theatres and the quality of these outcomes will be critical in the realisation of the south façade and details should be provided.

Recommendation 2

a) Upgrade sections and provide further details of materials and finishes to demonstrate articulation and depth and suitability of products to the satisfaction of the RA.
b) A landscape plan for the proposed courtyard to Endsor House and treatments to the Victoria Parade, Fitzroy Street and Victoria Parade frontages should be provided to the satisfaction of the RA.
c) Signage and wayfinding within the public ream at ground level to the Brunswick Street Fitzroy Street and Victoria parade frontages should be integrated with the design and shown on elevations and plans.

Height

85. I am generally satisfied with the manner in which the applicant has dealt with the management of a significant new built form and the differing approaches to develop an object in the round adopted to the differing characteristics of each frontage. The interfaces between the proposed East Hill Hotel and new buildings to the north and west along Victoria Parade should in my view be further developed and resolved.
86. The northern interface in Brunswick Street would appear to provide an opportunity to fully indent the abutting entry allowing the reading of the historic building and its return into the site to be read. There would similarly appear to be opportunities to rebate the interface at upper levels of the podium. This would appear to provide an opportunity for enhanced legibility fo this important corner building and an enhanced layering of histories of the site.
87. To the south the intended interface is unclear but would appear to seek to emulate the existing building on the site. The level 1 plan shows a partial rebate and glazing in the façade not depicted on elevations and renderings. Clarity should be sought at this important interface. The level 3 SE corner seen above the East Hill Hotel also needs clarification as to material and finish. This interface will be a highly visible corner and particularly prominent from the intersection and southern side of Victoria Parade. At upper levels the tower corner form sits proud of the adjoining walls but on this level does not and no glazing or articulation is proposed. (AA97-0001) I would invite the applicant to provide more detail of the proposed intent to this interface.
88. The proposed use of a rooflight to separate the historic built form of the corner from the eastern tower wall is an effective means to delineate between old and new and is supported.



Attachment 8 - External Urban Design Comments

Recommendation 3

a) Provide details of the south-eastern corner of the development at level 2 and 3 to describe the proposed treatments and fenestration and juxtaposition of forms.

b) Align Plans and Elevations and design intent for South podium levels to the satisfaction of the RA.

CONCLUSION

a) Appropriateness of the design treatment and streetscape impact

> In my view subject to the resolution at a detail level of interfaces with heritage forms and public realm placemaking I am satisfied the response is an appropriate one in the context of the health precinct and the consolidating institutional scale that exists between Nicholson Street and Napier Street of 6-10 institutional levels.

b) Building height, bulk and massing and its implications.

> The approach taken to reference adjoining built form in height is appropriate. The framing of the East Hill Hotel on the corner and the ongoing preservation of a shared amenity courtyard between Edensor House and the Hospital Building combined with the use of a podium element to engage with this space is again a response that manages this transition between old lower scale and newer institutional form appropriately.

c) Use of colours and materials

> The use of colour has been used intelligently on the project with the copper colours of the eastern courtyard and frame providing a backdrop recessive palette to the lighter coloured heritage neighbours. The articulated nature of the tower and its composition as a series of layers works effectively in responding to the differing characteristics and abutments of each interface.

d) Façade treatments

> Subject to the matters raised earlier I am satisfied that the façade treatments are generally appropriate with some further detail required in some key areas

e) Whether the proposal achieves high architectural and urban design outcomes

> I am satisfied that the response is a carefully considered one. Whilst I acknowledge the loss of the East Hill House Building is regrettable I also understand that facadism that would alternatively underpin the response would be similarly less than ideal and strongly support the relocation of the primary entry to this location as one that is underpinned by considerable logic in the planning of the campus and one that would necessarily have had further consequences for the already altered form of the building. Of the elements of the outcome proposed this is probably the most contentious but one wherein a strong Health care service plan and urban wayfinding outcome has been secured.

> The nature of works including the proposed closure of the existing hospital entry and changes to the forecourt area have yet to be well explained and further detail is necessary of the proposed works in that part of the project.

> Additionally more detail of the proposed changes to the Fitzroy Street frontage should be provided . Overall however very good progress has been made in providing a very strong framework for the campus in urban design terms and one that resolves the accommodation of built form of considerable scale in conjunction with the retention of some key heritage buildings and spaces.

f) ESD Principles

> The project score of 74% for the BESS Scorecard suggests that the response provided for the project of excellent practice meets reasonable criteria for the project. Areas where the hospital might explore additional measures in the future could include:

g) Greater use of PV energy offsets

> Photovoltaic carpark shading and energy generation above the rooftop level parking

> Increased focus on green travel to reduce the operational footprint of the campus and improve wellbeing and health of staff and visitors.

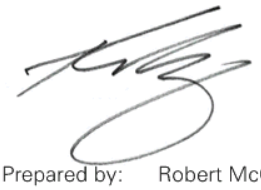
> Overall however the ESD measures are satisfactory.

Attachment 8 - External Urban Design Comments

In summary subject to the satisfactory response to outstanding matters I am satisfied the proposal is worthy of support on Urban Design Grounds.

DOCUMENTS FORMING THE BASIS OF THE REPORT

- Plans – St Vincent's Private Hospital Fitzroy Redevelopment – Billard Leece Partnership
- St Vincent's Private Hospital Fitzroy Redevelopment Urban Context and Design Response – Billard Leece Partnership
- Green Transport Plan – One Mile Grid
- Transport Impact Assessment – One Mile Grid
- Heritage Impact Statement – Lovell Chen
- Landscape Concept – LBA Design
- Planning Report – Meinhardt
- Sustainable Management Plan – Murchie Consulting



Prepared by: Robert McGauran
Dated: February 2017

Attachment 9 - Heritage Advisor comments

City of Yarra
Heritage Advice

Application No.:	*PLN16/0925*
Address of Property:	***59-61 Victoria Parade, 5-7 Brunswick Street and 20-32 Fitzroy Street, Fitzroy***
Planner:	*James Sutherland*
Yarra Planning Scheme References:	*STATE POLICY:* • *Clause 15.03 Heritage* *LOCAL POLICY:* • *Clause 21.05-1 Built Form (Heritage)* • *Clause 43.01 Heritage Overlay* • *Clause 22.02 Development Guidelines for sites subject to the Heritage Overlay*
Heritage Overlay No. & Precinct:	*HO150 & VHR (H1706) Dodgshun House* *HO190 & VHR (H0816) Eastern Hill Hotel* *HO334 South Fitzroy Precinct*
Level of significance:	*No. 59-61 Victoria Parade (St Vincent's Private Hospital), constructed 1972 -* ***Individually significant*** *No. 63-73 Victoria Parade (Easthill House), constructed 1915-1925* ***– Individually significant*** *No. 75 Victoria Parade, (St Vincent's Private Hospital Ancillary Services wing), constructed 1960-1990 - Not contributory* *No. 77 Victoria Parade (Eastern Hill Hotel), constructed 1856 –* ***State and Individually significant*** *No. 5 Brunswick Street, constructed 1980-1990? – Not contributory* *No. 7-9 Brunswick Street (Dodgshun House/Edensor House), constructed 1866-1875 –* ***State and Individually significant***
General description:	*Full demolition of several buildings, part demolition of buildings and the construction of a new eleven-storey building.*
Drawing Nos.:	*Set of 48 x A3 drawings prepared by Billard Leece Partnerships Pty Ltd, received by Council and date stamped 23 Nov 2016* *Heritage Impact Statement by Lovell Chen Architect & Heritage Consultants, October 2016*

WHY IS HERITAGE PRECINCT SIGNIFICANT?

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 Mischiefs by Fire in the City of Melbourne (Melbourne Building Act

Attachment 9 - Heritage Advisor comments

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.
- 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**.

INDIVIDUALLY SIGNIFICANT PROPERTIES WITHIN THE HERITAGE OVERLAY

Above: Extract from Council's GIS mapping showing levels of significance. Subject site outlined in red.

St Vincent's Private Hospital, No. 59-61 Victoria Parade (within HO334 South Fitzroy Precinct)

The St Vincent's Private Hospital is significant as a distinctive design by Bogle and Banfield, inspired by the Post-Modern style work of the noted North American architect Philip Johnson, with its glazed manganese brick clad cuboid form, curved corners, punched fenestration, and luxurious hotel-like interior, all as a marked departure from contemporary hospital design.

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This is a socially important quasi-public building, with many associations for its staff and patients since its construction. – [http://vhd.heritagecouncil.vic.gov.au/places/100826#sthash.uZc85kUE.dpuf]

Easthill House, No. 63-73 Victoria Parade **(within HO334 South Fitzroy Precinct)**

Easthill House, 71 Victoria Parade, Fitzroy, is of minor local historical significance to the City of Yarra. It is significant for the contribution it makes to the sense of history and early 19th century heritage within the South Fitzroy Precinct (HO334), in particular the streetscape along Victoria Parade which has lost much of this character.

Eastern Hill Hotel, 77 Victoria Parade (HO190 and Victorian Heritage Register)

The Former Eastern Hill Hotel is of historical significance as one of only a small number of gold-rush era hotels to survive in Victoria and for its associations with the Victorian Eight Hour Day movement. The Former Eastern Hill Hotel is one of the largest and most intact of the few remaining 1850s gold rush era hotels left in inner Melbourne. As such, it provides important evidence of the impact of the gold rushes on Melbourne's development. In 1856 and subsequent years the building provided the venue for many functions and meetings concerned with, and allied to, the eight hour day movement. The building unionists supporting the eight hour day, who used the hotel as their headquarters, were known as "belviderites". The eight hour movement played a very significant role in the early industrial and political history of the colony, and of Australia, and is still celebrated by the union movement. The Former Eastern Hill Hotel is of architectural significance as one of the most substantial, elegant and externally intact remaining hotels of the early 1850s and for its connections with two prominent early Victorian architects, Joseph Burns and A.F. Kursteiner. Burns seems likely to have been the original architect. The hotel is a valuable representative example of his extensive hotel work from the gold rush period. The renovations from 1866 and 1876 were the work of A.F. Kursteiner, who was also responsible for several other buildings in Fitzroy, most notably the precinct of 33 single and double storey workers houses in Greeves Street Fitzroy, a most unusual example of 19th century speculative development. – [http://vhd.heritagecouncil.vic.gov.au/places/489#sthash.Xcobgh4L.dpuf]

Dodgshun House/Edensor House, No. 7-9 Brunswick Street (HO150 and Victorian Heritage Register)

The site on which Dodgshun House (formerly Edensor) now stands is of great historical and social significance as the birth place of Mary Mackillop…in 1842 … Mary, the first of eight children, was born at Marino Cottage and lived there with her parents until Alexander Mackillop's plunging fortunes necessitated the sale of the cottage and land to Jonathan Binns Were, the founder of J B Were and Son… While Marino Cottage has long since disappeared, possibly incorporated into the fabric of Dodgshun House, 9 Brunswick Street Fitzroy has become historically and socially significant as a site of great religious pilgrimage. Dodgshun House (formerly Edensor) is of historical importance for its association with Samuel Gillott, a prominent lawyer and politician who was elected Mayor in 1900, holding office for two term. Gillott made 9 Brunswick Street his home c.1864, building Edensor to provide "all the convenience of a town residence combined with the quiet of a country house". The house, with its fence and gatehouse, is of significance as one of the few large residences surviving in the area. Dodgshun House (formerly Edensor) is of architectural significance for its side elevation which is a fine example of late Classicism with a distinctively-composed series of bays. The house is a representative example of townhouse composition and is finely decorated. The house's significance is accentuated by the fact that the front fence is original and parts of the garden survive. – [http://vhd.heritagecouncil.vic.gov.au/places/448#sthash.I1zJmjzQ.dpuf]

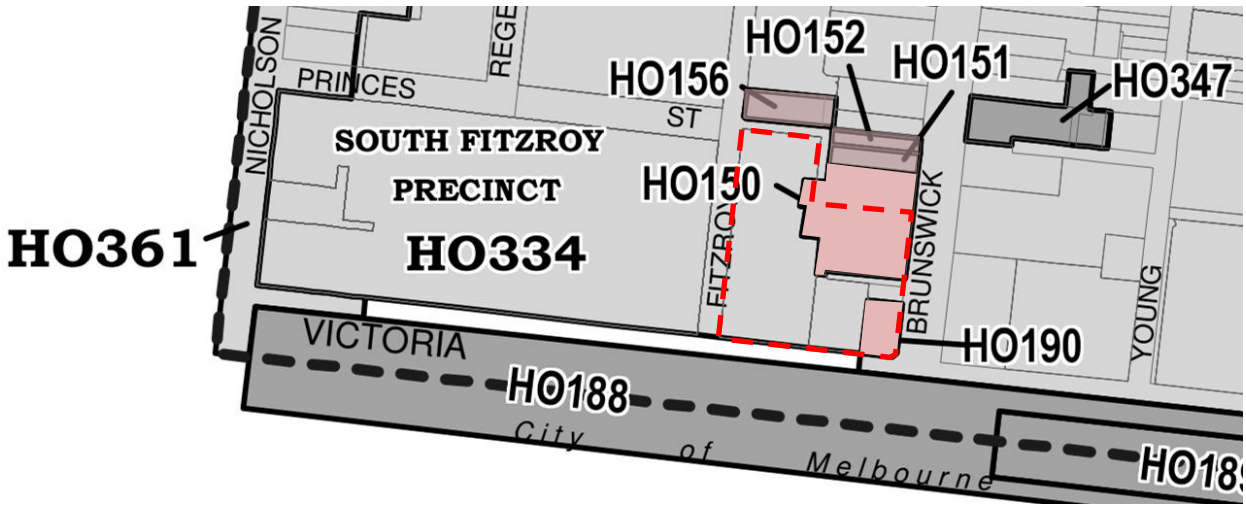
CONTEXT DESCRIPTION:

The subject site is an irregular allotment with multiple frontages including to Victoria Parade, Brunswick Street and Fitzroy Street, Fitzroy.

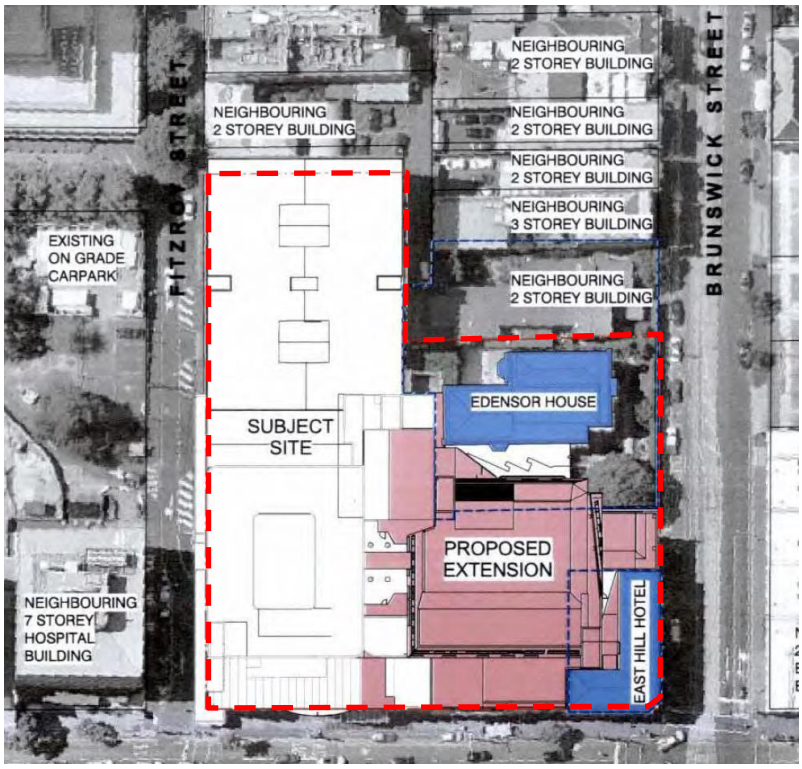
The subject site is almost fully developed with built form, except for the remaining garden surrounding the building formerly known as Dodgshun or Edensor House.

The subject site abuts several other heritage buildings of Individual significance fronting both Brunswick and Fitzroy Streets (refer to diagram below).

Attachment 9 - Heritage Advisor comments



Above: Extract from Yarra Planning Scheme (Map No.5HO) showing immediately affected buildings with individual HO's, and surrounding individually significant buildings and HO334 precinct.



- Red dashed line: Outline of the subject site.
- Blue dashed line: VHR boundary.
- Pink: Proposed building works.
- Blue: Existing VHR buildings.
- White: No works to subject site.

Above: extract from 'Site Context Plan – Proposed' (Drawing NO.AA03-0011 Rev D) showing subject site, area of proposed works and immediately adjoining VHR sites)

Attachment 9 - Heritage Advisor comments

Above: subject site as seen from the south-east.

ASSESSMENT OF PROPOSED WORKS:

COMMENTS REGARDING PROPOSED DEMOLITION:

The extent of demolition proposed by this application includes:

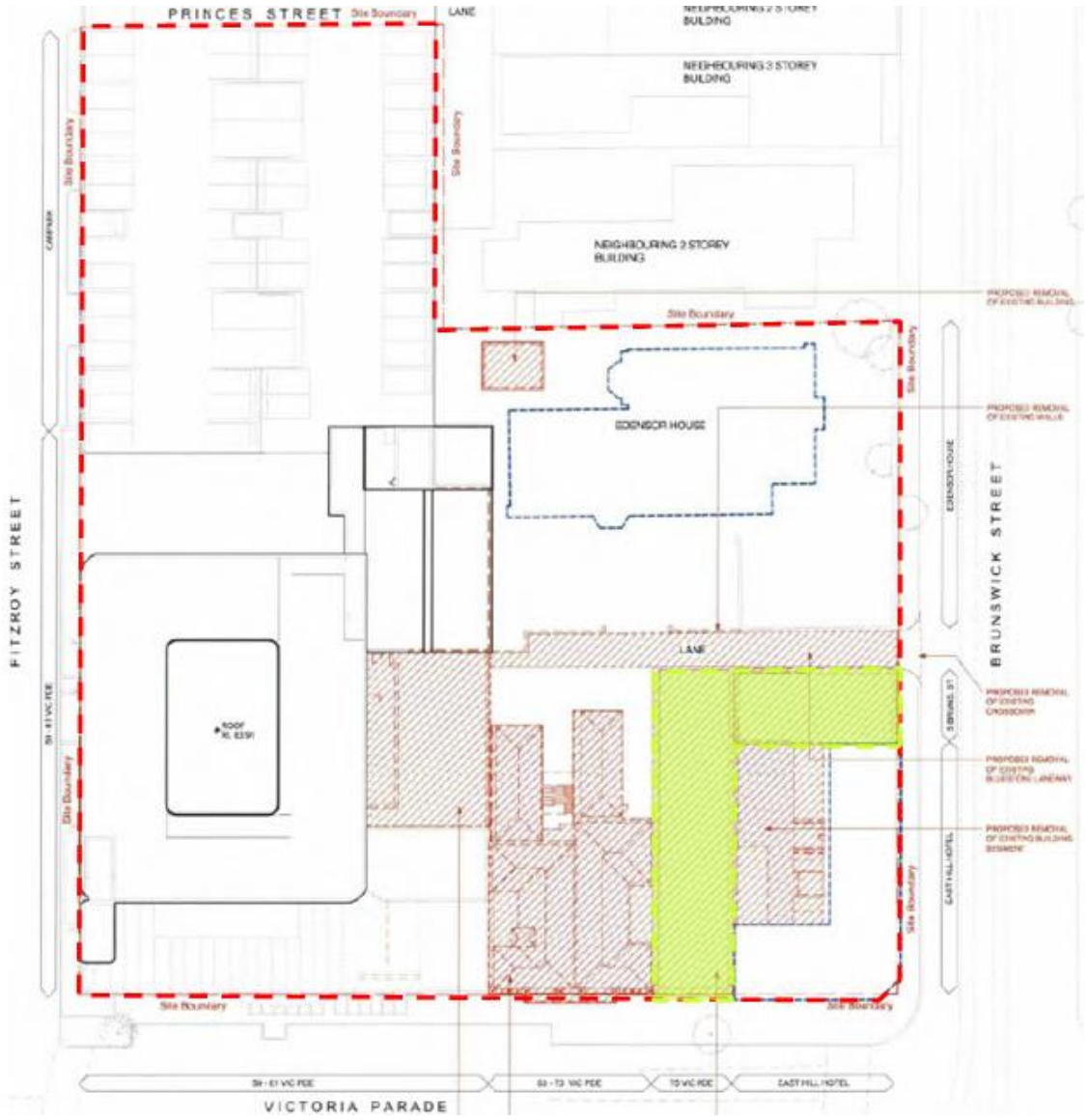
The full demolition/removal of:

- *No. 63-73 Victoria Parade (Easthill House), constructed 1915-1925 –* ***Individually significant***
- *No. 75 Victoria Parade, (St Vincent's Private Hospital Ancillary Services wing), constructed 1960-1990 - Not contributory*
- *No. 5 Brunswick Street, constructed 1980-1990? – Not contributory*

The partial demolition of:

- *No. 59-61 Victoria Parade (St Vincent's Private Hospital), constructed 1972 -* ***Individually significant***
- *No. 77 Victoria Parade (Eastern Hill Hotel), constructed 1856 –* ***State and Individually significant***
- *No. 7-9 Brunswick Street (Dodgshun House/Edensor House), constructed 1866-1875 –* ***State and Individually significant***

Attachment 9 - Heritage Advisor comments



Above: Extent of proposed demolition shown hatched. Extent of non-contributory buildings shown shaded in yellow.

The key consideration for assessing this aspect of the works is whether the extent of proposed demolition will adversely affect the significance of each heritage building individually or as part of the South Fitzroy Heritage Overlay Area.

FULL DEMOLITION WORKS

Full demolition - No. 63-73 Victoria Parade (Easthill House)

Full demolition of no. 63 – 73 Victoria Parade is not supported by Clause 22.02-5.1 as the building has been identified as Individually significant in City of Yarra Review of Heritage Areas 2007 Appendix 8, revised September 2015.

The definition of an Individually Significant building in the City of Yarra Review of Heritage Areas is a place that is:

> Aesthetically, historically, scientifically, and/or socially significant at the Local level and contributory or complementary to the Heritage Overlay Area (City of Yarra Review of Heritage Overlay Areas 2007, p. 516)

All pre-application advice regarding this building has been prepared on the basis that it is Individually significant.

Attachment 9 - Heritage Advisor comments

Since those discussions, the following two documents have been prepared that provide additional information about the history and physical condition of the subject building:

1. Heritage Impact Statement St Vincent's Private Hospital Fitzroy Redevelopment, prepared by Lovell Chen Architect & Heritage Consultants, October 2016
2. Heritage Citation Easthill House 71 Victoria Parade, Fitzroy, prepared by Context, December 2016

Clause 22.02-5.1 generally encourages the retention of a building that is Individually Significant/Contributory building in a heritage precinct, unless:

- new evidence has become available to demonstrate that the building does not possess the level of heritage significance attributed to it in the incorporated document, City of Yarra Review of Heritage Areas 2007 Appendix 8, revised September 2015 and
- the building does not form part of a group of similar buildings.

Neither of the two documents prepared by heritage consultants appears to have been commissioned for the purposes of reassessing the level of heritage significance. The documents do however provide additional information that was not readily available without extensive research. This additional information could suggest that the level of heritage significance attributed to this building may need to be reviewed.

The Heritage Impact Statement (Lovell Chen) identifies that the existing building has been substantially modified on several occasions. The document claims that the existing façade dates from c.1930 but that the building behind the facade is an amalgamation and remodelling of two earlier Victorian residences. The document also identifies that the c.1930s façade has been further altered by the replacement of all the window joinery and the installation of shopfronts at ground level.

The Heritage Impact Statement suggests that it is the facades of the previously existing Victorian style buildings that would have contributed to the character and heritage significance of the South Fitzroy Heritage Precinct. As these facades were lost as part of the 1930s remodelling works, the Statement claims that the loss of the existing façade (including the built form behind it) will have no impact on this part of Victoria Parade where most of the heritage character has already been lost and only the former Eastern Hill Hotel makes a visual contribution to the 19th century character of the heritage precinct.

The Heritage Citation (Context), in contrast with the Lovell Chen document, claims that the existing building was constructed between 1915 and 1925, during the Inter-War period. The Statement of significance proposed by the document claims that:

- Easthill House, 71 Victoria Parade, Fitzroy, is of minor local historical significance to the City of Yarra.(p.10, Heritage Citation, prepared by Context, December 2016),
- Easthill House is significant for the contribution it makes to the sense of history and early 19th century heritage within the South Fitzroy Precinct (HO334), in particular the streetscape along Victoria Parade which has lost much of this character.

Irrespective of whether the existing building was completely built during the Inter-War period or was a remodelling of earlier buildings, the building's façade does not make a contribution to the substantially intact collection of predominantly mid to late nineteenth and early twentieth century building stock that characterise this heritage precinct.

In conclusion, it is considered that the full demolition of no. 71 Victoria Parade will not diminish the recognised character of the heritage precinct which is predominantly mid to late nineteenth and early twentieth century building stock.

It is also noted that due to the previous loss of almost all nineteenth century nineteenth century buildings in this part of Victoria Parade, the loss of the subject building will not result in an obvious 'gap' in an otherwise intact heritage streetscape.

Full demolition - No. 75 Victoria Parade

In accordance with Clause 22.02-5.1 of the Yarra Planning Scheme, the full demolition of no. 75 Victoria Parade may be considered acceptable as this building have been identified as non-contributory.

Full demolition - No. 5 Brunswick Street

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In accordance with Clause 22.02-5.1 of the Yarra Planning Scheme, the full demolition of no. 5 Brunswick Street may be considered acceptable, as this building has been identified as non-contributory.

Full demolition – laneway between nos. 5 and 7 Brunswick Street

The existing bluestone laneway is within the heritage overlay area. It has not been specifically assessed for its heritage value, however clause 22.02-5.1 encourages:

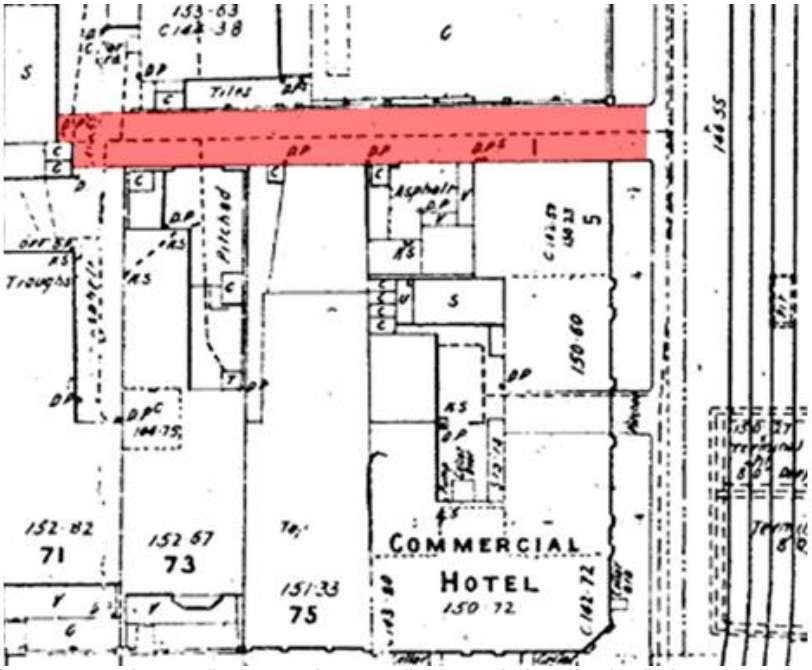
> the retention of original street furniture and bluestone road or laneway materials and details (where relevant).

Clause 22.07 also identifies the need to retain existing laneways and enhance their amenity.

The South Fitzroy Heritage Precinct is significant:

> 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.

The MMBW plan dated 1898 clearly shows a laneway that serviced the rears of nos. 71 to 77 Victoria Parade.



Above: Extract from Melbourne and Metropolitan Board of Works detail plan, 1206, City of Fitzroy (Dated 1898). Subject lane shaded in red.

Although the existing laneway may be redundant, it is considered that the character of the laneway should be maintained as part of the new works. In this case, it may be possible to interpret the existence of an original bluestone laneway even if the existing paving materials must be removed.

Attachment 9 - Heritage Advisor comments

Above: View of bluestone lane from Brunswick Street

Above: An example of a reconstructed laneway

PART DEMOLITION WORKS

Part demolition - No. 59-61 Victoria Parade

The extent of demolition proposed for the existing building is limited to part of the eastern elevation and to the c.1990s additions.

Clause 22.02-5.1 discourages the demolition of parts of an Individually significant building unless:

> That part of the heritage place has been changed beyond recognition of its original or subsequent contributory character(s).

The eastern elevation is visible from the public realm due to its scale. The areas to be demolished have not been changed beyond recognition of their original character. It is however recognised that the building is predominantly oriented towards Victoria Parade to the south. The proposed areas of demolition will be to the side of the principal elevation and well setback. It is considered that the architectural composition of the original building, which is an important aspect of its heritage significance, will still be clearly identifiable. In regard to the eastern elevation, it is noted that the areas to be demolished will be fully concealed by the proposed new development discussed below.

Removal of fabric associated with the later c.1990s additions is of no concern, as these do not contribute to the significance of the property.

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On the basis that the proposed extent of demolition will not negatively affect the significance of the place, it is considered that this aspect of the works is acceptable.

Part demolition - No. 77 Victoria Parade (Eastern Hill Hotel)

The extent of demolition proposed involves the removal of the rear western wing.

This building is included on the Victorian Heritage Register. Heritage Victoria is the responsible authority for approving any demolition works to this building.

Part demolition - No. 7-9 Brunswick Street (Dodgshun House/Edensor House)

The extent of demolition proposed involves the partial removal of the southern boundary brick wall and the removal of a small modern portable building.

This building is included on the Victorian Heritage Register. Heritage Victoria is the responsible authority for approving any demolition works to this building.

COMMENTS REGARDING NEW DEVELOPMENT:

The extent of new works proposed by this application includes development of a new eleven-storey addition to the existing hospital building.

The key consideration for assessing this aspect of the works is whether the proposed new development will adversely affect the significance, character or appearance of the original hospital building, the various adjoining heritage buildings or the broader South Fitzroy heritage precinct generally.

In short, it is obvious that assessing a building of eleven storeys on the subject site against the requirements of either the Heritage Policy at Clause 22.02 or the Heritage Overlay at Clause 43.01 will be of limited relevance as clearly the proposal is completely out of keeping with the character of the relevant heritage precinct.

Therefore, on this occasion, the following assessment focuses mainly on the impact of the proposed development on the existing hospital building as a building of Individual heritage significance. It also considers the impact of the proposed development between the former East Hill Hotel and Edensor House.

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 addition at ground level will be essentially zero metres from Victoria Parade. The front setback at ground level fronting Victoria Parade will be consistent with a majority of the development along this part of Victoria Parade, including the existing hospital building (although this was altered c.1990s).

The proposed addition will have a zero front setback up to level 3 which is consistent with the existing hospital building.

Levels 4 and 5 will be setback from Victoria Parade the same distance as the corresponding floor levels of the existing hospital building. Similarly, levels 6 to 9 of the proposed addition will be setback from Victoria Parade the same distance as the corresponding floor levels of the existing hospital building however there will be a clear gap between the old and the new, bridged only be a pedestrian link.

At levels 10 and 11 the front setback of the proposed addition will differ substantially from the existing building which has a front setback of about 18 metres to the built form. These existing floor levels are essentially concealed from the public realm. In contrast, the proposed front setback of level 10 of the addition will only be 9.8 metres and consequently it will be fully visible from the street. The implications of this are that the proposed addition will appear to be taller than the original hospital building. It is considered that the front setback of level 10 should be setback to match the corresponding setback of the existing heritage building to ensure that the addition does not appear to be taller than the Individually significant building. Level 11 should ideally be deleted or else further setback than level 10.

At ground level the proposed front setback along Brunswick Street will be slightly recessed from the alignment of the former East Hill Hotel and the historic brick front wall of Edensor House. The two floors

Attachment 9 - Heritage Advisor comments

above have zero front setbacks which will be consistent with the immediately adjacent heritage building. While it is acknowledged that there is a precedent for a zero front setback for development adjoining the former hotel building, it is strongly considered that this part of the proposed addition should be setback to allow part of the north wall of the former hotel to have some visibility as a three-dimensional form. Similarly, it will allow that part of the southern brick boundary wall of Edensor House that is currently visible to the street, to remain clearly visible without the appearance of a building looming over it.

Above: Extract from Drawing no. AA07-0001 showing part of the proposed ground floor plan and suggested setback from Brunswick Street in red. Extent of floor area that should be paved to reflect the original laneway shown in red

From Victoria Parade, the most relevant side setback is from the former Eastern Hill Hotel. The proposed development will have no setback from the corner heritage building at ground level. This is consistent with the existing conditions of the building. At levels 1 and 2, the proposed development will be setback 2.8 metres from the rear of the Brunswick Street wing. The existing development at the rear of this wing is setback 3.5 metres, although originally it was about 4.5 metres.

Currently, the rear wall of the Brunswick Street wing is only partially visible due to the construction of a structure linking it to the western wing of the former hotel. The currently proposed works will allow a greater extent of the rear wall of the Brunswick Street wing to be exposed. In this regard, the proposed works will facilitate better appreciation of the corner heritage building than is currently available.

Given that there is an existing three-storey rear wing associated with the corner heritage building which is fully concealed from all vantage points, a new development of this scale would be of limited, if any heritage concern as essentially it would have no impact on the visual setting of the building. It is considered however that the proposal to construct several additional floor levels at the same setback will result in a built form that will be clearly encroaching upon the space associated with the heritage building. Ideally the proposed floor levels above the finished height of the former hotel building should be setback to the alignment of the heritage building's original western boundary. This setback has an impact on the overall scale/bulk of the proposed new development which is discussed further below.

Scale/bulk:

Clause 22.02-5.7.1 of the Yarra Planning Scheme encourages:

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

The proposed development abuts no. 59-61 Victoria Parade, which is about 40 metres tall. The former hotel at no. 77 Victoria Parade has a finished parapet height of only about 12.3 metres. Despite the above clause requiring the lesser height to be adopted, it is considered acceptable for the proposed development to adopt the height of the existing hospital building for its reference.

A quick comparison of the scale and bulk of the proposed development against that of the existing hospital building in shown below and demonstrates the extent to which the two will differ.

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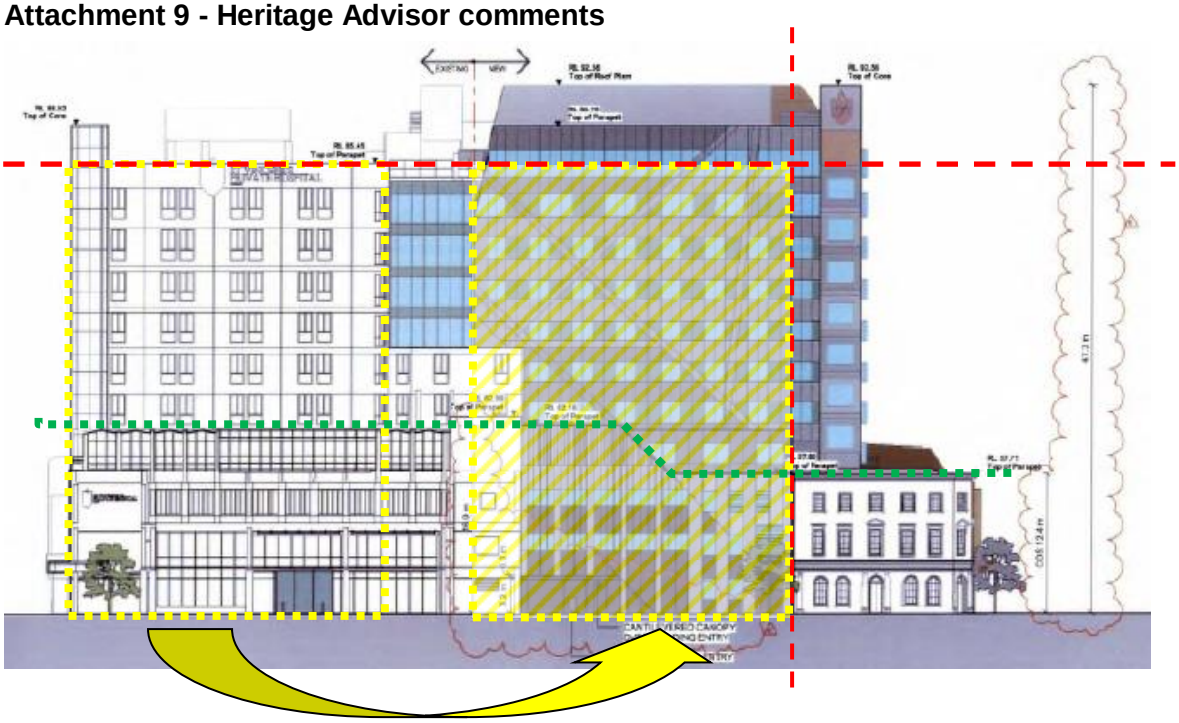


Above: A comparative analysis of the bulk and scale of existing heritage hospital building against those of the proposed new development

The recommended increases in setbacks, as discussed above, will reinforce the objective of the heritage policy, which is to introduce new development that is of similar façade height as adjoining heritage buildings. As currently proposed, it is considered that the proposed new development will be too high and too wide. The overall impression of the currently proposed new development is that its height and width will dominate not only the former hotel building but also the existing hospital building (which already dominates the immediate surrounds). Setting those areas that are too high and too wide further back from Victoria Parade, and redesigning their facades to have a more neutral appearance. A more neutral façade treatment is considered to be one that is plain with no obvious pattern of windows as either bands or individual windows.

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 development. This approach is not necessarily unacceptable provided that adequate respect is given to the heritage character of the adjacent heritage buildings, particularly the original hospital building, through details such as external materials, proportions and fenestration.

The selection of external materials facing Victoria Parade at ground floor level and the three floor levels above that will be a mix of porcelain façade cladding with purple coloured glass. Neither of these materials are reflective of the adjacent heritage buildings, although the proposed colouring of the porcelain could be interpreted as being similar to the colouring of traditional renders. The purple glass is clearly being utilised to highlight the entrance to the new building. Although the extent of glass proposed at ground level is quite dramatic, in comparison with the full scale of the new building, the extent of glass will only form a small proportion of the façade.

Fronting Victoria Parade, the facades of the proposed upper floor levels will be a curtain wall consisting of glazed panels and aluminium composite panels. The upper level facades have been designed with strong horizontal emphasis, broken up visually by abstract diagonal bands. This fenestration is at

Attachment 9 - Heritage Advisor comments

complete odds with the façade of the adjacent hospital building, which is composed of strong vertically oriented elements. The only element that visually relates the facades of the existing hospital building and the new development are the corner stairs. The use of modern cladding materials is acceptable however it is considered that the use of face brickwork (possibly in a black or grey tone), even in a limited capacity for the lower floor levels would help to visually unite the two parts of the expanded hospital, The diagonal details on the façade bare no visual relationship with any aspect of the surrounding built environment.

Fronting Brunswick Street, the proposed façade treatment will be completely different from the Victoria Parade facade, however it will be no more in keeping with the character and appearance of the existing hospital building. It is noted however that from the east, views of the existing adjacent hospital building will be limited so the visual relationship between the two parts of the hospital will be less critical. The main heritage concern is the appearance of the diagonal detailing, which is different from the Victoria Parade façade, but equally out of character with the adjacent heritage buildings.

The neutral appearance of the structure linking the existing hospital building and the proposed new development is considered appropriate, as it does not actively draw visual attention to itself.

RECOMMENDATIONS:

On heritage grounds, the works proposed in this application should be modified prior to further consideration. The following list outlines the changes required to make the proposed development acceptable on heritage grounds. These may alternatively be used as conditions.

1. That the front setback of level 10 of the proposed development should be setback from Victoria Parade to match the corresponding floor level's setback in the existing heritage building to ensure that the addition does not appear to be taller than the Individually significant building;
2. That Level 11 of the proposed development should be either deleted or further setback from Victoria Parade than level 10;
3. That the façade treatment of the proposed floor levels above level 9 must be designed to appear more neutral against the pattern of façade treatment proposed for the lower floor levels;
4. That the setback of the proposed development fronting Brunswick Street should be setback from the street frontage at least 4 metres for all levels to allow both immediately adjoining properties of State and Individual significance to retain a visible three-dimensional return and reinforce their established visual dominance in the streetscape;
5. That the proposed floor levels above the finished height of the former hotel building should be setback to the alignment of the former hotel's western site boundary to reinforce the proportions of the original hospital building and to avoid the visual encroachment of the new development into the heritage building's original setting;
6. That the facades of the Victoria Parade and Brunswick Street proposed upper floors should be remodelled to be more visually responsive of the colour, materials, pattern, orientation and fenestration of the nearby heritage buildings. The diagonal elements, which bare no relationship to the visual character of the surrounding area, should be deleted.
7. That the visual character and the extent of the existing original bluestone laneway between nos. 5 and 7 Brunswick Street must be interpreted in the ground floor finish of the proposed entrance from Brunswick Street.

SIGNED:

Diahnn McIntosh

DATED: 01 March 2017

Attachment 10 - Heritage Advisor comments - Follow-up advice

City of Yarra
Further Heritage Advice

Application No.:	*PLN16/0925*
Address of Property:	***71 Victoria Parade, Fitzroy***
Planner:	*James Sutherland*
Yarra Planning Scheme References:	*STATE POLICY:* • *Clause 15.03 Heritage* *LOCAL POLICY:* • *Clause 21.05-1 Built Form (Heritage)* • *Clause 43.01 Heritage Overlay* • *Clause 22.02 Development Guidelines for sites subject to the Heritage Overlay*
Heritage Overlay No. & Precinct:	*HO334 South Fitzroy Precinct*
Level of significance:	*No. 63-73 Victoria Parade (Easthill House), constructed 1915-1925* ***– Individually significant***
General description:	*Full demolition*
Referred document:	*Heritage Assessment, Easthill House, 71 Victoria Parade, Fitzroy, Issue no. 4, prepared by Context, dated 16 May 2017*

BACKGROUND TO THIS ADVICE

The building that is the subject of this advice is owned by St Vincent's Healthcare and is proposed for full demolition as part of the current redevelopment proposal for St Vincent's Private Hospital.

I provided heritage advice regarding this application on 01 March 2017. At that time, a Heritage Assessment prepared by Context, dated 9 January 2017 claimed that:

> Easthill House, 71 Victoria Parade, Fitzroy, is of minor local historical significance to the City of Yarra. It is significant for the contribution it makes to the sense of history and early 19th century heritage within the South Fitzroy Precinct (HO334), in particular the streetscape along Victoria Parade which has lost much of this character.

On the basis of this finding, together with the Heritage Impact Statement St Vincent's Private Hospital Fitzroy Redevelopment, prepared by Lovell Chen Architect & Heritage Consultants, dated October 2016, it was considered that the full demolition of no. 71 Victoria Parade would not diminish the recognised character of the heritage precinct which is predominantly mid to late nineteenth and early twentieth century building stock.

The original Heritage Assessment prepared by Context was subsequently amended on 23 April 2017 (issue no. 2), on 10 May 2017 (issue no.3) and most recently on 16 May 2017 (issue no. 4).

COMMENTS REGARDING HERITAGE ASSESSMENT (ISSUE NO. 4)

It is understood that the purpose of this referred document is to provide a heritage citation for the building at no. 71 Victoria Parade, Fitzroy.

The history provided in this latest issue of the Heritage Assessment is far more comprehensive that the original issue. A chronology of the property appears to be as follows:

1880 -– 3 storey dwelling built at no. 61 Victoria Parade (now 73)

1882 – 2 storey dwelling built at no. 59 Victoria Parade (now 71)

1888 – Street numbering changed

1897 – No. 71 used as a college

1912 – No. 71 purchased by Dr E. Ryan

1915 – No.71 and 73 both used as a private hospital (not part of St Vincent's)

Attachment 10 - Heritage Advisor comments - Follow-up advice

1920 – No.73 purchased by Dr E. Ryan

1927 – Both properties transferred to company registered to Ryan's Collins Street address. Property remodelled and provided with a new façade. Property described as shops on the ground floor and the flats above.

1949 – Building tenanted

1995 – Property purchased by St Vincent's private Hospital

The current issue of the heritage assessment differs from the original assessment. This assessment states that the subject building is "a relatively early but quite atypical example of flats" when compared with other purpose built flats of the period built within the municipality. It also states that as a building typology "Easthill House is quite different to the typical blocks of flats of the period that are designed to appear as if they are large suburban houses". Furthermore, this assessment states that Easthill House is unusual in its adoption of a different building typology; that of shops below and flats above.

PROPOSED STATEMENT OF SIGNIFICANCE

The current issue of the heritage assessment proposes the following Statement of Significance:

1. Easthill House represents historic themes that have been important to the South Fitzroy area including building and serving community life through health and welfare services, developing local economies through small retailers, and providing homes suited to the changing needs and requirements of inner city dwellers.
2. Easthill House at 71 Victoria Parade is of historic significance having been re-developed from two brick terrace houses built in 1880 by boot and shoe manufacturer Richard White (73 Victoria Parade) and 1882 by Ellen Farrell (71 Victoria Parade). As part of a thriving urban precinct from the late nineteenth century, the terrace houses provided many opportunities for tenants and small business owners alike, including as Victoria College under Principal James McClean from 1897.
3. Easthill House at 71 Victoria Parade is historically significant for its association with medical use, becoming a private hospital by 1912 following its purchase by oculist and ophthalmic surgeon, Dr Edward Ryan. This use was in keeping with its location adjacent to the long established public and private St Vincent's Hospital precinct, of which, many years later in 1995 it became a part.
4. Following purchase of 73 Victoria Parade by Dr Edward Ryan in 1920, and the subsequent transfer of both properties in 1927 to a company registered at Dr Ryan's Collins Street address; the remodelling of both buildings in 1930 is historically significant as part of an early trend to the development of flats in the City of Yarra. (Criterion A)
5. Easthill House is a relatively early but quite atypical example of Interwar flats. It is amongst the earliest examples of flats in the City of Yarra, preceding the development of the free-standing apartment block containing small numbers of flats and modelled on the suburban house typology. It is uncommon in its building typology for the time, with shops on the ground floor and apartments above. (Criterion B)
6. The building is a fine and relatively intact example of the Interwar Spanish Mission style. The addition of the Spanish Mission façade to the original Victorian terrace houses in 1930 contributes to a sense of grandeur and glamour, fitting for a relatively new housing type, the flat or apartment building close to the city centre.
7. Notable features include the highly decorative outline and rendered detailing of the parapet, arched plaster cornices running between twisted columns to the upper level, cantilevered balconies with wrought iron balustrades and decorative corbels; timber French windows with decorative highlights opening onto the balconies; a stepped brick arched opening to a front entry porch; timber entry door with decorative glazing bars; identical grand arched openings to the four outer bays at street level. Although somewhat altered by the replacement of fixed pane windows, the remainder of the façade is intact. (Criterion E)
8. Easthill House is historically significant for its association with renowned oculist and ophthalmic surgeon Dr Edward Ryan who consulted from Collins Street and at St Vincent's Hospital. The remodelling of the building in 1930 under Dr Ryan's ownership, and several years after his retirement from practice, resulted in the unusual building type evident today. (Criterion H)

I am concerned that many of the claims of significance in the proposed statement are not necessarily demonstrated by the existing building in any substantial manner. The strongest claim of significance appears to be associated with its historic associations with various uses (most particularly as flats) and

Attachment 10 - Heritage Advisor comments - Follow-up advice

a renowned surgeon, Dr Edward Ryan. Much of this significance dates from after 1927 when the building was substantially altered by the addition of a new façade. The building is not a purpose built flat development but rather a remodelling on a commercial style, of a pair of previously existing late Victorian dwellings. In this regard, I do not consider that the building is an example of Interwar flats.

As an example of Interwar Spanish Mission style, I do not consider that the façade alone would constitute the property as a fine and relatively intact example of this architectural style. Furthermore, the entire replacement of all original window frames has diminished the integrity and more importantly the appearance of the subject building.

While it is accepted that the building has an association with Dr Edward Ryan as an owner of both properties, it is apparent that he did not actually occupy the building at any time. Therefore, this is not considered a strong association.

CONCLUSION

1. While the retention of the subject building would maintain an older element of the existing streetscape along Victoria Parade, this element is only 'skin deep'. Even the 'skin'/facade has been modified to an extent that it has the appearance of a commercial building – not residential flats.

   To retain only the façade of this building would be Facadism. Little of the built fabric behind the façade is directly associated with the Interwar Spanish Mission style that is not well represented with the overlays of the City of Yarra.

   While there may be some visual merit in maintaining the façade of this building within the streetscape, this action would not be considered a good conservation outcome.

   The retention of this building's façade will not reinforce the character of the buildings that are specifically representative of the HO334 South Fitzroy Precinct.

   It is therefore considered that despite the significance claimed by the Heritage Assessment, Easthill House, 71 Victoria Parade, Fitzroy, Issue no. 4, prepared by Context, dated 16 May 2017, I believe that the existing building physically demonstrates little of this significance.

2. On the basis that it is considered that the subject building continues to be of limited heritage value to the South Fitzroy Heritage Precinct, my previous advice regarding the acceptability of full demolition of this building remains unchanged.

SIGNED:

Diahnn McIntosh

DATED: 6 June 2017

Attachment 11 - Engineering Services Unit comments

CITY OF YaRRA

MEMO

To:	**James Sutherland**	
From:	**Mark Pisani**	
Date:	**16 February 2017**	
Subject:	**Application No:**	**PLN16/0925**
	Description:	**St Vincent's Private Hospital**
	Site Address:	**59-61 Brunswick Street & 20-32 Fitzroy Street, Fitzroy**

I refer to the above Planning Application received on 15 December 2016 and the accompanying report prepared by One Mile Grid traffic engineering consultants in relation to the proposed development at 59-61 Brunswick Street & 20-32 Fitzroy Street, Fitzroy. Council's Engineering Services unit provides the following information:

CAR PARKING PROVISION

Proposed Development

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

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required
Additional Hospital Beds	91 beds	Rate Not Specified	To the satisfaction of the Responsible Authority
Additional Hospital Staff	158 persons	Rate Not Specified	To the satisfaction of the Responsible Authority
Medical Centre	10 practitioners	5 spaces to the first person providing health services plus 3 spaces to every other person providing health services	32
Food and Drink	301.5 m^2	4 spaces per 100 m^2 of leasable floor area	12

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

Car Parking Demand Assessment

In reducing the number of parking spaces required for the proposed development, the Car Parking Demand Assessment would assess the following:

- *Empirical Parking Demand for the Hospital Redevelopment*. For the 158 additional staff at the site, One Mile Grid has sourced the 2011 census data from the Australian Bureau of Statistics, which recorded that 60% of people who worked in the municipality drove to work. This would equate to 95 parking spaces. The visitor parking demand was based on a rate of 0.55 spaces per hospital bed (cases uncited), which would result in 57 spaces. No information was

Attachment 11 - Engineering Services Unit comments

provided on the proposed café parking. The empirical parking demand would total 184 spaces. One Mile Grid also provided other empirical methods to determine the likely parking demand by sourcing the *Guide to Traffic Generating Developments* by the Roads and Maritime Services NSW, and by referring to the Department of Health, resulting in parking demands of 180 spaces and 159 spaces respectively.

- *Parking Demand associated with the Food and Drink Premises*. For the food and drink premises, much of the clientele would be associated with the hospital (employees and visitors). The food and drink premises would not function as a specific destination in its own right. It is not known whether the employees at the food and drink premises would be counted as hospital staff. We would expect the car parking demand of the food and drink premises to be low and have very little, if any, parking generated in the surrounding streets.
- *Car Parking Credit associated with Relocation of Administration Staff*. The submitted report mentions the off-site relocation of 63 administration employees. Applying the journey-to-work parking rate of 0.6 spaces per employee would equate to 38 spaces. Subtracting this parking credit from the empirical parking demand would result in a net parking demand of 146 spaces.
- *Availability of Public Transport in the Locality of the Land*. The site is very well located in terms of public transport services. The hospital is within walking distance of Parliament railway station and tram services operating along Victoria Parade, Brunswick Street and Nicholson Street.

Appropriateness of Providing Fewer Spaces than the Likely Parking Demand
Clause 52.06 lists a number of considerations for deciding whether the required number of spaces should be reduced. For the subject site, the following considerations are as follows:

- *Availability of Car Parking at an Alternate Site*. According to One Mile Grid consultants, the anticipated parking demand (146 spaces) can be comfortably accommodated at the expanded hospital car park at 93-99 Victoria Street, which would contain an additional 185 spaces. Long term commercial car parking is also available at the basement off-street car park underneath Museum Victoria.

Use of 93-99 Victoria Parade Car Park and the Existing Fitzroy Street Car Park
Engineering Services has no objection to the relocation to staff to the off-street car park at 93-99 Victoria Parade. It is reasonable to provide adequate capacity for visitors to park at the Fitzroy Street car park whilst staff could park a short distance away.

The modified Fitzroy Street car park would result in 107 spaces available for visitors. The hospital redevelopment is expected to generate an additional parking demand of 73 visitor spaces.

Ultimately, the majority of staff would be accommodated in the Victoria Street car park (a total of 714 staff spaces) whilst the Fitzroy Street car park would accommodate the bulk of visitors (a capacity of 371 visitor spaces in total).

Adequacy of Car Parking
From a traffic engineering perspective, the provision of parking for the additional staff and growth in visitor numbers (as a result of additional beds) is considered appropriate in the context of the hospital redevelopment and the use of the expanded hospital car park. The hospital has excellent access to public transport services and also has very good pedestrian connectivity. Alternative parking could also be found nearby (Museum Victoria).

Engineering Services has no objection to the reduction in car parking for the 10 new medical practitioners and for the new food and drink premises. There is also no objection to the proposed car parking provision for the additional staff and visitors as a result of the hospital redevelopment.

Attachment 11 - Engineering Services Unit comments

DEVELOPMENT LAYOUT DESIGN – FITZROY STREET CAR PARK AND LOADING AREA

Layout Design Assessment

Item	Assessment
Access Arrangements	
Car Park Access and Exit Points	The existing south doorway (currently closed) would be entry only and the north doorway would be exit only (right turn into Fitzroy Street). The widths of the doorways are in excess of 3.0 metres and satisfy *Design standard 1 – Accessways* of Clause 52.06-8. The swept path diagrams for the B85 design vehicle entering and exiting the car park via Fitzroy Street are considered satisfactory.
Internal Layout	
Pick-Up/Drop-Off Area	The pick-up/drop-off area would be located at basement level of the existing car park. New arrangement ensures that there is efficient circulation.
Boom gates/Access Control Points	Relocated to the upper ground level within the car park. There is no objection to the loss of five spaces to accommodate the boom gates.
Doctor Parking and Accessible Parking spaces	The four doctor parking spaces would be located along the east wall of the car park and the accessible space and shared area are located adjacent to the lift core. These parking arrangements are considered satisfactory.
Ambulance Bays	The two ambulance spaces are each 6.0 metres in length and have been provided with an addition of 2.5 metres to their lengths. The width of each space is 2.9 metres. The swept path diagrams for the ambulances adequate demonstrate vehicle entry and exit movements to and from the bays.
Car Circulation within Car Park	The swept path diagrams for the B85 design vehicle circulating within the car parks are considered satisfactory.
Car Park Line Marking	The proposed line markings as shown on the *Level 1 Car Park Access Swept Path Analysis* plan prepared by One Mile Grid (Drawing No. SPA102 Rev C dated 19 September 2016) are considered satisfactory.
Loading Facility	
Truck Access	The swept path diagrams for the 6.4 metre long Small Rigid Vehicle and an 8.0 metre truck are considered satisfactory. Truck entry and exit movements via Fitzroy Street are also considered satisfactory.

In summary, the proposed changes made to the existing car park and loading arrangements are considered satisfactory.

Attachment 11 - Engineering Services Unit comments

STREETSCAPE WORKS

As part of the redevelopment of the Hospital, the applicant proposes to undertake streetscape works along the Hospital's Victoria Parade and Brunswick Street road frontages. Reference is made to landscape drawings prepared by LBA Design (Drawing Nos. TP002 and TP 003 dated September 2016) and Engineering Services provides the following information:

- The streetscape drawings must show all existing infrastructure assets, signs, pole, pits and other roadside objects.
- The kerb and channel along the Victoria Parade and Brunswick Street road frontages must be reconstructed with a 300 mm wide bluestone kerb with 250-300 mm gutter stone to Council's satisfaction.
- Kerb crossings must be DDA compliant.
- The kerb extension proposed on the west side of Brunswick Street could be extended further south (as suggested by Urban Design in their comments of 10 February 2017). The proposed pram cross at the kerb extension appears to lead to nowhere, as the east side of Brunswick Street provides no treatment to facilitate pedestrians crossing Brunswick Street. Unless the east side of Brunswick Street has a corresponding treatment/kerb extension, the proposed pram crossing is to be deleted.
- To provide a kerb extension on the west side of Brunswick Street, the applicant must extend the existing underground drain along the west side of the street (the existing grated side entry pit located further to the north). A new grated side entry pit is to be constructed adjacent to the new kerb extension. Detailed engineering drawings of the drainage works are to be submitted to Council for assessment and approval. Given that the cover for the drain is restricted, the applicant would need to select a class 6 pipe. With the excavation and laying of the new drain extension, any nearby power poles must be stabilised during works.
- The applicant would need to show any property drains that run within the footpaths to be reconstructed.
- All underground utility services and assets need to be proved, depthed and identified.
- All asbestos telecommunications pits must be replaced.
- The alignment of the pram crossing at the north west corner of the Victoria Parade/Brunswick Street must be aligned with the corresponding pram crossing at the north east corner of the intersection.
- The existing Right of Way is currently a Council controlled road under the provisions of the *Road Management Act* 2004. Before any landscaping works can take place as proposed, the Right of Way must be formally discontinued in accordance with the *Local Government Act* 1989. When an application for a road discontinuance is made, referral comments from Engineering Services would be sought. The applicant must purchase the discontinued road from Council.
- All accessible (disabled) parking spaces and all other parking restrictions must be accurately shown on the drawings.

In summary, Engineering Services is supportive of the proposed streetscape works subject to compliance of the above items.

Attachment 11 - Engineering Services Unit comments

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.

Regards

Mark Pisani
Senior Development Engineer
Engineering Services Unit

Attachment 12 - Internal Urban Design comments

CITY OF YARRA

MeMO

TO:	James Sutherland (Statutory Planning)
FROM:	Hayley McNicol (Urban Design)
DATE:	14 February 2016
SUBJECT:	St Vincent's Hospital
APPLICATION NO:	PLN16/0925
DESCRIPTION:	Proposed Landscape Concept Plan around hospital development

Dear James

We understand that Statutory Planning has consulted Engineering Services on the proposed Landscape Concept Plan (stamped 23 November 2016) for the above proposal, and through this the Urban Design team has been invited to provide feedback on the streetscape improvements along Victoria Parade and Brunswick Street directly around the site.

Please find below our Urban Design feedback on the proposal, most of which was discussed at our meeting a couple of weeks ago. Where relevant we have checked our suggestions with colleagues in the Open Space, Engineering, Parking Management and Construction & Development to ensure that they do not contradict any feedback they are providing.

1. Brunswick Street entrance

Although the applicant proposes to widen the footpath at the Brunswick Street entrance, we feel that this doesn't provide much space around this entrance to the hospital. We therefore recommend that the proposed widened footpath on Brunswick Street is extended to the south to provide a more generous footpath.

We understand from Warrick Middleton in the Parking Management team that some short term parking is beneficial for the area and is well used, however there could be some scope to reduce parking to at least two spaces along this section (refer to attached email). We have marked below our recommendations for the footpath widening based on this advice from Parking Management (refer Figure 1).

The principle of the kerb extension has also been discussed with Mark Pisani in Engineering Services who do not object to this suggestion. We understand that they will be providing more technical feedback on the proposals, including on this suggested improvement.

2. Trees

There is an opportunity to provide an additional tree on Brunswick Street, just north of the entrance to provide shade to this area. Clare Lee from the Streetscapes team has confirmed that this tree could be accommodated, and has provided a drawing and some feedback on the tree planting proposals (see attached email).

Attachment 12 - Internal Urban Design comments

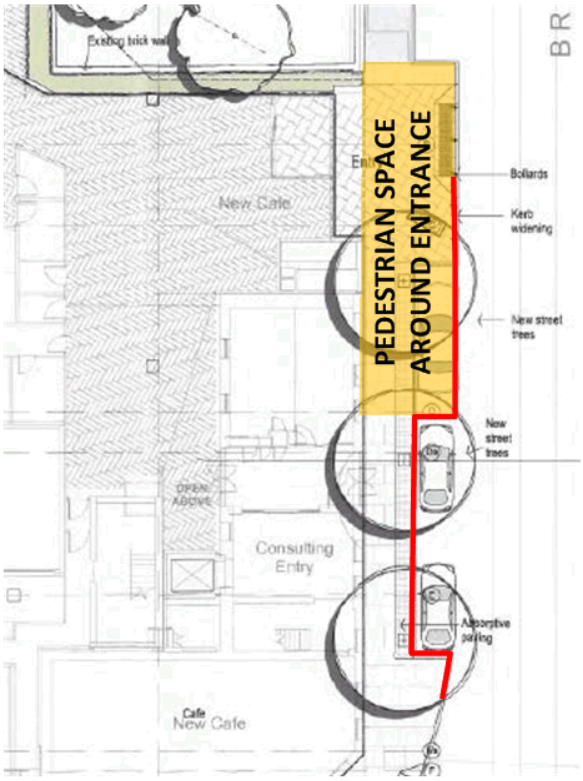


Figure 1: Proposed additional footpath widening

3. Location of the drop kerb at the Brunswick Street entrance

We agree with the points made at the meeting that further consideration is needed on the location of the drop kerb in terms of whether it is possible to mirror it on the east side of Brunswick Street to facilitate a safe informal crossing point, and how it connects with other key sites such as the ACU.

4. Alignment of drop kerb at south-east corner of the site

We agree with the concerns raised at the meeting about the orientation of the drop kerb for the pedestrian crossing across Brunswick Street – this needs to be corrected.

5. Victoria Parade entrance

It doesn't look like there is adequate space between the entrance and the drop kerb leading to the parking – it would be useful to know what the width is between the building line and the inside edge of the drop kerb.

6. Kerbside dining

The plan shows an area for tables and chairs on the footpath on Victoria Parade. This doesn't seem to be a desirable location given the noise and limited solar access, and the limited leftover footpath space that would be provided on Victoria Parade. This also may need further input from the Compliance team to confirm if it is possible at all. We had originally thought that the kerbside dining could be relocated to Brunswick Street instead, but

Attachment 12 - Internal Urban Design comments

this may not be possible now given that we need to retain at least two on-street car parking spaces there.

7. Public seating

The plan should show some public seating along Victoria Parade and Brunswick Street in close proximity to the entrances.

8. Use of bluestone and asphalt

The plan shows bands of asphalt and bluestone paving – we do not support this mix of materials as it will create a more complicated maintenance regime and will have a more messy appearance over time.

We recommend that the material is simplified to just bluestone. Given the site's gateway location, its heritage context, position amongst a cluster of health and education institutions around the site (bringing many people to the area), and the role of Victoria Parade and Brunswick Street as major routes for pedestrians, we consider that this warrants the use of bluestone on the footpaths around the site. We have spoken to Peter Moran in Construction & Development who does not object to this suggestion.

9. Use of porous paving

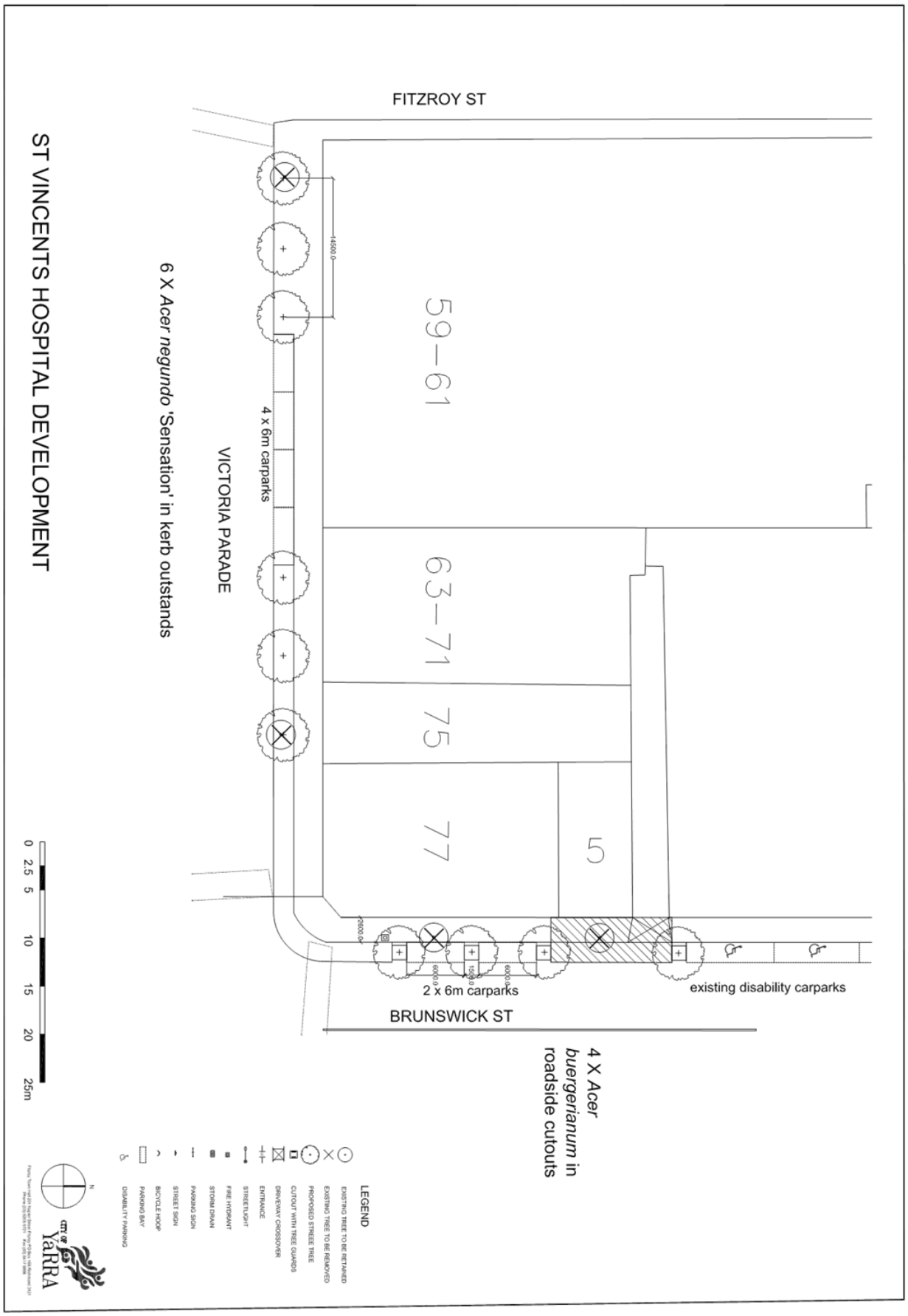
In general we are not convinced that the porous paving they have proposed is appropriate, as the small pavers are can potentially move and cause an issue for people with mobility and visibility impairments (this is a particular issue where a long strip of porous paving is proposed along the footpath on Brunswick Street).

Clare Lee from the Streetscapes team has provided some suggested alternatives for the tree pits, which should be incorporated in the proposals.

10. Dimensions

It is important for the drawing to include dimensions to show the overall footpath width and unobstructed footpath width.

Attachment 13 - Open Space Unit comments - suggested tree locations



Attachment 14 - Victrack comments

Our Ref: CSM 31883

2 February 2017

CITY OF YARRA
- 9 FEB 2017
RECEIVED - CRU

Mr James Sutherland
Principal Statutory Planner
Yarra City Council
PO BOX 168
RICHMOND VIC 3121

Emailed to: James.Sutherland@yarracity.vic.gov.au

Dear James

Planning Permit Application No. PLN16/0925
59-77 Victoria Parade, 5-7 Brunswick Street & 20-32 Fitzroy Street, Fitzroy

We refer to Council's correspondence notifying VicTrack under section 52 of Planning and Environment Act 1987 of a planning application for land at 59-77 Victoria Parade, 5-7 Brunswick Street & 20-32 Fitzroy Street, Fitzroy.

The application seeks approval for development to site including part demolition of buildings, the construction of a 10 storey building, works to the streetscape including planting and paving and alterations to the car park on Fitzroy Street.

VicTrack has reviewed the proposal and has no objection to the granting of a planning permit.

Should you have any queries, please contact me on 03 9619 0222 or emma.demaine@victrack.com.au.

Yours sincerely

EMMA DEMAINE
Planning Manager

VicTrack
Level 8, 1010 La Trobe St Docklands VIC 3008
GPO Box 1681 Melbourne VIC 3001
T 1300 VICTRACK (1300 842 872)
victrack.com.au

VicTrack

Attachment 15 - Public Transport Victoria comments

PUBLIC TRANSPORT VICTORIA

File: FOL/16/52931
Ref: DOPT2016/0503

PO Box 4724
Melbourne Victoria 3001
Australia

Telephone 1800 800 007
ptv.vic.gov.au

James Sutherland
Planning Department
City of Yarra
P O Box 168
RICHMOND VIC 3121

Dear Mr Sutherland

YARRA PLANNING SCHEME
PLANNING APPLICATION NO: PLN16/0925
PROPOSAL: EXTENSION TO HOSPITAL
ADDRESS: 59-77 VICTORIA PARADE & 5-7 BRUNSWICK STREET & 20-32 FITZROY STREET FITZROY

Thank you for your Section 52 Notice pursuant to Section 55 of the *Planning and Environment Act 1987* for the above application.

Public Transport Victoria, has no objection to the grant of a Planning Permit and submits the following condition for Council's consideration:

Conditions:

1. The permit holder must take all reasonable steps to ensure that disruption to public transport services along Victoria Parade & Brunswick Street is kept to a minimum during the construction of the development. Foreseen disruptions to bus & tram operations and mitigation measures must be communicated to Public Transport Victoria fourteen days (14) prior. Any alterations including temporary works or damage during construction must be rectified to the satisfaction of Public Transport Victoria and at the cost of the permit holder.

Should you require any further clarification, please feel free to contact Elana Savini on telephone 03 839 27989.

Yours sincerely

Margaret Burge

MARGARET BURGE
Senior Lawyer
23 / 01 / 17

Attachment 16 - VicRoads comments.

vicroads

Yarra City Council
PO Box 168
RICHMOND VIC 3121
Attention: James Sutherland

Metropolitan North West Region
499 Ballarat Road
Sunshine Victoria 3020
Telephone (03) 9313 1333

Send Correspondence to:
mnw.mail@roads.vic.gov.au
or Fax (03) 9313 1175

Parcels and Drawings to:
Private Bag 4000 Sunshine
Victoria 3020

vicroads.vic.gov.au

Dear Mr. Sutherland,

PLANNING APPLICATION NO.: **PLN16/0925 & PLN16/0926**

PROPERTY ADDRESS: **ST VINCENT'S PRIVATE HOSPITAL**

Referral Response – No objection subject to conditions

Thank you for referring details of the above two applications to the Roads Corporation (VicRoads) pursuant to Section 55 of the Planning and Environment Act 1987.

Planning Application PLN16/0925 is for the construction of a ten (10) storey building and alterations to the main private hospital site along Victoria Parade, Brunswick Street and Fitzroy Street, including streetscape works and widening of a curb and removal of power lines.

Planning Application PLN16/0926 is for the three level addition of 185 car parking spaces at the hospital's staff car park at 93-99 Victoria Parade.

VicRoads does not object to the proposal/s in their current form.

In relation to **Planning Application PLN16/0925** if Council regards the proposed development favourably, VicRoads would require that the following conditions be included in any Notice of Decision to issue a Planning Permit or Planning Permit:

1. *The planter boxes along Victoria Parade must be removed.*
2. *The three(3) bollards positioned opposite the new entry along Victoria Parade to be repositioned along the north side of the tactile indicators.*
3. *Prior to the commencement of the development, the owner of the land must enter into an agreement with the Department of Environment Land Water and Planning pursuant to Section 138A (11) of the Land Act 1958 for the elements of the approved development that project more than 300mm beyond the land's Victoria Parade boundary (i.e., the canopies, fixed shading devices, architectural features), to indemnify the Crown in relation to any claim or liability arising from the projections within the Victoria Parade road reserve.*
4. *Separate consent will be required from VicRoads (the Roads Corporation) under the Road Management Act 2004 for buildings and works undertaken outside the title boundary within a Road Zone Category 1 (i.e. Victoria Parade). Please contact VicRoads prior to commencing any works.*

Notes:

The proposed development requires reinstatement of disused crossovers to kerb and channel. Separate approval under the Road Management Act 2004 for this activity may be required from VicRoads (the Roads Corporation). Please contact VicRoads prior to commencing any works.

VICTORIA State Government

VicRoads ABN 61 760 960 480

PSL 38

Attachment 16 - VicRoads comments.

Council should be mindful that the setback from back of kerb and canopy clearance along Victoria Parade should be consistent with the requirements of the Building Act and be no less than 750mm from the kerb alignment. In addition, the canopy clearance should be no less than 5m in height so as not to hinder emergency vehicle access (i.e. MFB) to the indented parking area.

Condition 1 and 2 have been included to ensure the clear zone requirements are adequately addressed. VicRoads guidelines require any potential road hazards such as planter boxes should be placed outside the clear zone. This is to ensure any runoff vehicles does not collide with the planter boxes and push them into pedestrians on the footpath. In addition, as the bus lane also acts as a cycle lane any cyclist that fall off their bike or get side swiped from a vehicle may collide with the planter boxes. For a 60km/hr road carrying such a high number of vehicles per day the relevant clear zone is 4.1m. If plantings are required we suggest these structures be positioned within the site title boundary such as the existing conditions outside the St Vincent's Hospital main entrance. The repositioning of the bollards north of the tactile surface has been addressed in condition 2 to assist vehicle door opening clearances to be achieved.

Once Council makes its decision, please forward a copy of the decision to VicRoads as required under Section 66 of the Planning and Environment Act 1987.

Should you have any enquiries regarding this matter, please contact me on 03 9313 1148 or Gillian.Menegas@roads.vic.gov.au

Yours sincerely

G Menegas

GILLIAN MENEGAS
PRINCIPAL PLANNER - STATUTORY PLANNING DEPARTMENT

17 June 2017

1.5 PLN16/0926 - 93 - 99 Victoria Parade Fitzroy - Use and development of the land for part demolition, alterations and a three storey addition to the existing car park.

Executive Summary

Purpose

1. This report provides Council with an assessment of planning permit application PLN16/0926 for use and development of the land for part demolition, alterations and a three storey addition to the existing car park for 185 additional car spaces and 40 motor bike spaces at 93 - 99 Victoria Parade Fitzroy.

Key Planning Considerations

2. Key planning considerations include:
   (a) clause 9.01 – Plan Melbourne
   (b) clause 11.06 – Metropolitan Melbourne
   (c) clause 15 – Built Environment and Heritage
   (d) clause 22.02 – Development Guidelines for Sites Subject to the Heritage Overlay;
   (e) clause 22.17 – Environmentally Sustainable Development;
   (f) clause 34.01 – Commercial 1 Zone;
   (g) clause 43.02 – Design and Development Overlay, Schedule 2;
   (h) clause 52.06 – Car Parking; and
   (i) clause 65 – Decision Guidelines.

Key Issues

3. The key issues for Council in considering the proposal relate to:
   (a) Strategic policy support;
   (b) Heritage impacts;
   (c) Built form and design;
   (d) Amenity impacts;
   (e) Traffic and car parking layout;
   (f) Objector concerns; and
   (g) Other matters;

Objector Concerns

4. A total of 14 objections were received to the application, these can be summarised as:
   (a) Lack of a master plan for the hospital;
   (b) Impact of the proposed additions on the heritage significance and character of the area;
   (c) Impact of the proposed additions on the character and amenity of the area; and
   (d) Impacts on traffic and public transport;

Conclusion

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

CONTACT OFFICER: **James Sutherland**
TITLE: **Principal Statutory Planner**
TEL: **9205 5046**

1.5 PLN16/0926 - 93 - 99 Victoria Parade Fitzroy - Use and development of the land for part demolition, alterations and a three storey addition to the existing car park.

Trim Record Number: D17/74230
Responsible Officer: Coordinator Statutory Planning

Proposal:	Use and development of the land for part demolition, alterations and a three storey addition to the existing car park for 185 additional car spaces and 40 motorbike spaces (to be used for staff of the St Vincent's Hospital generated by the extension to the hospital proposed under planning permit application PLN16/0925).
Existing use:	Car park and childcare centre
Applicant:	St Vincent's Healthcare Limited C/- Meinhardt P/L
Zoning / Overlays:	Commercial 1 Zone. Heritage Overlay, Schedule 334 – South Fitzroy Precinct Design and Development Overlay, Schedule 2 – Main Roads and Boulevards Environmental Audit Overlay
Date of Application:	11 October 2016
Application Number:	PLN16/0926

Planning History

1. The existing car park and childcare centre building was approved by Planning Permit PL04/1183 issued by Council on 15 July 2005.

Background

2. There is a concurrent planning permit application (PLN16/0925) for a significant expansion of the St Vincent's Private Hospital to the west of the subject site at 59-77 Victoria Parade, 5-7 Brunswick Street and 20-32 Fitzroy Street, Fitzroy. The extension of this car park is proposed to accommodate re-located staff car parking spaces from the Fitzroy Street car park on the main hospital site, as well as staff demand associated with the proposed hospital expansion.

Existing Conditions

Subject Site

3. The subject site is located on the north side of Victoria Parade at the north-west corner of Young Street and 30m east of Brunswick Street. The land is regular in shape except for a small cut-out in the north-eastern corner.

4. The buildings on the site consist of a two and three storey childcare centre on Victoria Parade with a eight-nine storey (23.4m-26.76m) high car parking building behind containing 529 car parking spaces for staff of the St Vincent's Hospital. The car park is setback from Victoria Parade by between 12.6m and 15.9m, is generally built to the eastern/ Young Street boundary, is setback 4.6m from the northern boundary and 3.8m from the western boundary. The car parking levels are constructed of grey concrete which are partly open, creating strong horizontal banding. The central part of the Victoria Parade façade has a coloured, feature mesh screen. There is also one located on the Young Street façade at the lower levels.

5. On Victoria Parade there is three lanes of car park entry/exit with open terrace above associated with the childcare centre on the western side. Further east, the facade is three storeys high constructed of grey panelling, glazing and feature coloured mesh screening similar to the upper levels.

6. At the north-west corner of Victoria Parade and Young Street is a two storey building known as the Former Melbourne & Metropolitan Tramway Board Offices. The building is setback from Victoria Parade by approximately 4.5m, from the main childcare building by 2.7m (except at the ground and first floors where they have been connected), from the main car park building by 3.2m and is built along Young Street.

7. The land slopes down from west to east (approximately 1.3m) with some landscaping within the front setback of the Young Street/Victoria Parade building including a tall tree.

Surrounding Land

8. To the north of the site on Young Street is a 2-3 storey building with a pitched roof and face brick and render walls known as the Melbourne and Metropolitan Tramway Board Electrical Substation. The building is graded 'individually significant' within the South Fitzroy Heritage Overlay Precinct.

9. Further north is a modern eight storey building associated with the Australian Catholic University (ACU). It is constructed to Young Street and wraps around the substation building on the west side and is setback from the north wall of the car park by 4.6m.

10. To the south is Victoria Parade a nine lane arterial boulevard with central median containing tram tracks, grassed areas and large canopy trees. On the southern side of Victoria Parade are a range of buildings including two storey Victorian era terraces, 6-9 storey office buildings as well as a single storey brick church at the corner of Lansdowne Street. The south side of Victoria Parade is in the City of Melbourne.

11. To the west is a two storey flat roof building constructed of metal panelling and glazing, with coloured work applied to the Victoria Parade frontage. The building is part of the ACU and extends to the corner of Brunswick Street. To the north-west is an open square associated with the ACU. Further west is the St Vincent's private and public hospitals with a range of buildings between 2-11 storeys in height and varying eras and styles from the 1850s, 1860s, 1930s, 1970s as well more modern towers and infill buildings.

12. To the east is the six storey 'Mary Glowrey Building' associated with the ACU. The building has rendered walls and large regular window patterning and a two storey glass infill façade to Victoria Parade. Further east is an open car parking area for the ACU. The ACU is currently in the process of amending its Development Plan as discussed in the officer's report regarding the planning permit application for the main hospital building (PLN16/0925).

13. To the north-east is a three storey car park on Young Street associated with the ACU. There are a number of dwellings on Young Street approximately 85m north of the site.

The Proposal

14. The applicant proposes part demolition of the car park and addition of three. More specifically:
    (a) Demolition of the roofs of the lift and stair cores in the south-east and north-east corners at the uppermost level, as well as a section of the concrete slab at the top level on the north side;
    (b) Addition of three levels of car parking above the existing levels up to a height 33.2m on the west side and 32.2m on the east side and 35.4m to the liftcore.
    (c) The additional levels would be primarily clad in vertical coloured aluminium battens with sections of charcoal coloured fibre cement sheeting and planter boxes;

(d) The extended stair and lift cores would be grey concrete;
(e) Addition of a fire pump room in the north-western corner at the ground floor including associated demolition of external fabric;
(f) Internal rearrangements including:
    (i) Conversion of standard car spaces to four DDA spaces at ground level;
(g) Addition of motorbike parking to vacant space on the southern side of levels 2-8;
(h) Extended lift and stairs to each new level;

15. No changes to the childcare facility or building are proposed, or to the entry/exit of the car park and it is to remain only for staff of the hospital.

Planning Scheme Provisions

Zoning

Commercial 1 Zone

16. Pursuant to clause 34.01-1, use of the land as a car park is a 'section 2', permit required use.

17. Pursuant to clause 34.01-4 a permit is required to construct a building or construct or carry out works.

Overlays

Heritage Overlay

18. Pursuant to clause 43.01-1 a permit is required to demolish a building and to construct a building or construct or carry out works.

Design and Development Overlay, Schedule 2 – Main Roads and Boulevards

19. Pursuant to clause 43.02-2, a permit is required to construct a building or to construct or carry out works.

Environmental Audit Overlay

20. The requirements of this overlay are not relevant as the buildings and works are not associated with a 'sensitive use' (i.e. residential or childcare).

Particular Provisions

Clause 52.06 – Car parking

21. Pursuant to clause 52.06-8, car parking plans must be provided to the satisfaction of the Responsible Authority where the floor area of an existing use is increased. The area of the car park use is being increased, thus plans are required (although for a car park it is self-evident that these plans will inherently be provided as part of the application).

General Provisions

Clause 65 – Decision Guidelines

22. Clause 65 is relevant to all applications and requires, amongst other things, consideration be given to:

(a) *The matters set out in Section 60 of the Act.*
(b) *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*

(c) *The purpose of the zone, overlay or other provision.*
(d) *Any matter required to be considered in the zone, overlay or other provision.*
(e) *The orderly planning of the area.*
(f) *The effect on the amenity of the area.*
(g) *The proximity of the land to any public land.*

State Planning Policy Framework (SPPF)

Clause 11.01-1 Settlement networks

23. *The objective of this clause is:*
    (a) *To promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.*

24. Relevant strategies are to:
    (a) *Focus investment and growth in places of state significance, including the following locations:*
        (i) *Health and Education Precincts (among other locations)*

Clause 11.02 – Urban growth

25. The objective of this clause is:

    (a) *To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.*

26. Relevant strategies include:

    (a) *Planning for urban growth should consider:*
        (i) *Opportunities for the consolidation, redevelopment and intensification of existing urban areas.*
        (ii) *Neighbourhood character and landscape considerations.*

Clause 11.03-2 Activity centre planning

27. The objective of this clause is to:
    (a) *To encourage 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.*

28. Relevant strategies include:
    (a) *Locate significant new education, justice, community, administrative and health facilities that attract users from large geographic areas in or on the edge of Metropolitan Activity Centres or Major Activity Centres with good public transport.*

Clause 11.04-4 – Liveable Communities and Neighbourhoods

29. The objective of this clause is:

    (a) *To create healthy and active neighbourhoods and maintain Melbourne's identity as one of the world's most liveable cities.*

30. Relevant strategies include:

    (a) *Protect Melbourne and its suburbs from inappropriate development.*
    (b) *Achieve and promote design excellence.*

Clause 11.06-1 – Jobs and investment

31. The objective of this clause is:
    (a) *To create a city structure that drives productivity, attracts investment, supports innovation and creates jobs.*

32. Relevant strategies include:

    (a) *Support the significant employment and servicing role of Health and Education Precincts by:*
        (i) *focussing on improving access, particularly public transport access.*
        (ii) *encouraging co-location of facilities to better utilise existing infrastructure.*
        (iii) *supporting and facilitating growth of associated businesses and industries.*
        (iv) *reinforcing their specialised economic functions while also providing opportunities for ancillary retail, commercial, accommodation and supporting services.*

33. These considerations are relevant as the proposed development directly supports the expansion of the St Vincent's private hospital proposed in planning permit application PLN16/0925.

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Clause 13 – Environmental Risks

Clause 13.04-1 – Noise abatement

34. The objective of this clause is:

    (a) *To assist the control of noise effects on sensitive land uses.*

Clause 15 – Built Environment and Heritage

Clause 15.01-1 – Urban design

35. The objective of this clause is:

    (a) *To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.*

Clause 15.01-2 – Urban Design Principles

36. The objective of this clause is:

    (a) *To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.*

37. This clause outlines principles relating to context; the public realm; safety; landmarks; views and vistas; pedestrian spaces; heritage; consolidation of sites and empty sites; light and shade; energy and resource efficiency; architectural quality, and landscape architecture. These principles will be addressed in the following urban design assessment.

Clause 15.01-5 – Cultural identity and neighbourhood character

38. The objective of this clause is:

    (a) *To recognise and protect cultural identity, neighbourhood character and sense of place.*

Clause 15.03-1 – Heritage conservation

39. The objective of the clause is:
    (a) *To ensure the conservation of places of heritage significance.*

40. Relevant strategies include:
    (a) *provide for the conservation and enhancement of those places which are of, aesthetic, archaeological, architectural, cultural, scientific, or social significance, or otherwise of special cultural value;*
    (b) *encourage appropriate development that respects places with identified heritage values and creates a worthy legacy for future generations;*
    (c) *retain those elements that contribute to the importance of the heritage place;*
    (d) *encourage the conservation and restoration of contributory elements;*
    (e) *ensure an appropriate setting and context for heritage places is maintained or enhanced; and*
    (f) *support adaptive reuse of heritage buildings whose use has become redundant.*

Clause 17 – Economic development

Clause 17.01-1 – Business

41. The objective of this clause is:

    (a) *To encourage development which meet the communities' needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.*

Clause 17.02-4 - Innovation and research

42. The objective of this clause is:
    (a) *To create opportunities for innovation and the knowledge economy within existing and emerging industries, research and education.*

43. Relevant strategies are:
    (a) Support the development of business clusters.
    (b) *Encourage the provision of infrastructure that helps people to be innovative and creative, learn new skills and start new businesses in activity centres and near public transport.*

Clause 18 – Transport

Clause 18.01-1 – Land use and transport planning

44. The objective of this clause is:

    (a) *To create a safe and sustainable transport system by integrating land-use and transport.*

45. A relevant strategy is:

    (a) *Plan urban development to make jobs and community services more accessible by:*
        (i) *Ensuring access is provided to developments in accordance with forecast demand, taking advantage of all available modes of transport and to minimise adverse impacts on existing transport networks and the amenity of surrounding areas.*
        (ii) *Coordinating improvements to public transport, walking and cycling networks with the ongoing development and redevelopment of the urban area.*
        (iii) *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.*

Clause 18.02-5 – Car parking

46. The objective is:

    (a) *To ensure an adequate supply of car parking that is appropriately designed and located.*

47. Relevant strategies include:

    (a) *Allocate or require land to be set aside for car parking subject to the existing and potential modes of access including public transport, the demand for off-street car parking, road capacity and the potential for demand management of car parking.*
    (b) *Prepare plans for the design and location of local car parking to:*
        (i) *Protect the role and function of nearby roads, enable easy and efficient use and the movement and delivery of goods.*
        (ii) *Achieve a high standard of urban design and protect the amenity of the locality, including the amenity of pedestrians and other road users.*
        (iii) *Create a safe environment, particularly at night.*
        (iv) *Facilitate the use of public transport.*
    (c) *Protect the amenity of residential precincts from the effects of road congestion created by on-street parking.*

Local Planning Policy Framework (LPPF)

*Municipal Strategic Statement [**MSS**]*

Clause 21.03 – Vision

48. The overarching vision for Yarra to the year 2020 includes as relevant:

    (a) Increased opportunities for employment and a range of activities to meet the needs of the community including people from across Melbourne;
    (b) New development that demonstrates design excellence, historic fabric that demonstrates the development of Melbourne and is internationally recognised and a low rise form with areas of higher development;
    (c) Walking, cycling and public transport is prioritised; and
    (d) New development has high quality ESD outcomes.

Clause 21.04-2 – Activity Centres

49. This clause notes the important roles Yarra's activity centres play in providing a diverse range of service, retail and entertainment uses. Relevant objectives and strategies include:
    (a) *Objective 4 To maintain a balance between local convenience and regional retail roles in Yarra's activity centres.*
        (i) *Strategy 4.1 Increase the range of retail, personal and business services, community facilities, and recreation activities, within individual centres. Strategy*
        (ii) *4.2 Support the regional role of the Major Activity Centres as an important component of Yarra's economy and as a metropolitan destination.*
    (b) *Objective 5 To maintain the long term viability of activity centres.*
        (i) *Strategy 5.2 Support land use change and development that contributes to the adaptation, redevelopment and economic growth of existing activity centres.*

Clause 21.04-3 – Industry, office and commercial

50. This clause highlights the volume of commercial and associated uses is so significant that they form clusters of interrelated activity.

Clause 21.04-4 - Community facilities, hospitals and medical services

51. This clause states *Council wishes to retain community services which cater to a range of needs (in particular for disadvantaged groups). Community facilities may be private or not for profit organizations. While large regional facilities such as the Epworth and St Vincent's hospitals are important to the community, their operation and expansion must respond to the local context.*

52. Relevant objectives and strategies include:

    (a) *Objective 10 To provide accessible community services.*
        (i) *Strategy 10.1 Encourage community facilities and services to co-locate and to locate within or adjacent to activity centres and locations that support multipurpose trips and shared parking arrangements for people of all abilities.*
        (ii) *Strategy 10.2 Encourage community facilities to locate where they are easily accessible by public transport.*
    (b) *Objective 11 To limit the impact of regional community facilities. Strategy 11.1 Require the preparation of master plans for regional community facilities including hospitals and schools.*

    Clause 21.05-1 - Heritage

53. Relevant objectives include:
    (a) *Objective 14 To protect and enhance Yarra's heritage places.*
        (i) *Strategy 14.1 Conserve, protect and enhance identified sites and areas of heritage significance including pre-settlement ecological heritage;*
        (ii) *Strategy 14.2 Support the restoration of heritage places;*
        (iii) *Strategy 14.3 Protect the heritage skyline of heritage precincts;*
        (iv) *Strategy 14.4 Protect the subdivision pattern within heritage places;*
        (v) *Strategy 14.5 Protect the significant landscape and heritage within streets, parks, gardens, waterways or other open spaces;*
        (vi) *Strategy 14.6 Protect buildings, streetscapes and precincts of heritage significance from the visual intrusion of built form both within places and from adjoining areas; and*
        (vii) *Strategy 14.8 Apply the Development Guidelines for sites subject to a Heritage Overlay policy at clause 22.02.*

    Clause 21.05-2 – Urban design

54. The relevant objectives and strategies of this clause are:
    (a) *Objective 16 To reinforce the existing urban framework of Yarra.*
    (b) *Objective 17 To retain Yarra's identity as a low-rise urban form with pockets of higher development.*
        (i) *Strategy 17.2 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.*
    (c) *Objective 18 To retain, enhance and extend Yarra's fine grain street pattern.*
    (d) *Objective 20 To ensure that new development contributes positively to Yarra's urban fabric.*
    (e) *Objective 21 To enhance the built form character of Yarra's activity centres.*
    (f) *Objective 22 To encourage the provision of universal access in new development.*

Clause 21.05-4 – Public environment

55. The relevant objective and strategies of this clause are:
    (a) *Objective 28 To a provide a public environment that encourages community interaction and activity:*
        (i) *Strategy 28.1 Encourage universal access to all new public spaces and buildings.*
        (ii) *Strategy 28.2 Ensure that buildings have a human scale at street level.*
        (iii) *Strategy 28.3 Require buildings and public spaces to provide a safe and attractive public environment.*
        (iv) *Strategy 28.5 Require new development to make a clear distinction between public and private spaces.*
        (v) *Strategy 28.9 Apply the Public Open Space Contribution policy at clause 22.12.*

Clause 21.06-1 – Walking and cycling

56. The relevant objective and strategies of this clause are:
    (a) *Objective 30 To provide safe and convenient pedestrian and bicycle environments.*
        (i) *Strategy 30.1 Improve pedestrian and cycling links in association with new development where possible.*
        (ii) *Strategy 30.2 Minimise vehicle crossovers on street frontages.*

Clause 21.06-3 – The road system and parking

57. The relevant objective and strategies of this clause are:
    (a) *Objective 32 To reduce the reliance on the private motor car.*
        (i) *Strategy 32.1 Provide efficient shared parking facilities in activity centres.*
        (ii) *Strategy 32.2 Require all new large developments to prepare and implement integrated transport plans to reduce the use of private cars and to encourage walking, cycling and public transport.*
    (b) *Objective 33 To reduce the impact of traffic.*
        (i) *Strategy 33.1 Ensure access arrangements maintain the safety and efficiency of the arterial and local road networks.*

Clause 21.07-1 – Ecologically sustainable development

58. The relevant objective of this clause is:
    (a) *Objective 34 To promote ecologically sustainable development.*

Clause 21.08-7 – Fitzroy

59. The following relevant commentary is offered at this clause:
    (a) *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.*
    (b) *Victoria Parade, an important boulevard with substantial office development and the St Vincent's Hospital precinct, is on the south side of this neighbourhood. The Brunswick Street and Smith Street major activity centres run north south through the middle, while the Johnston and Gertrude Streets neighbourhood activity centres run east west through the neighbourhood. The Smith Street centre borders on Collingwood and is discussed in clause 21.08-5.*

    (c) *The role of the Brunswick Street centre can be characterised as hospitality, entertainment, clothing and footwear, art galleries and studios, and non-government community services, all with a metropolitan focus.*

60. The Neighbourhood Map at Figure 17 shows the site adjacent to the Brunswick Street Major Activity Centre.

61. The Built form character Map at Figure 18 identifies the site as within the Heritage Overlay area where it states 'Ensure development does not adversely affect the significance of the heritage place'.

62. Implementation of land use strategies relevantly includes:
    (a) *Requiring the preparation of a master plan for St Vincent's Hospital.*

63. Implementation of built form strategies relevant includes:
    (a) *Supporting development that maintains and strengthens the preferred character of the relevant Built Form Character type.*
    (b) *Supporting the existing scale and character of the Brunswick Street and Gertrude Street activity centres.*

Relevant Local Policies

Clause 22.02 – Development Guidelines for Sites Subject to the Heritage Overlay

64. The relevant objectives of this clause are:
    (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; and*
    (e) *to ensure that additions and new works to a heritage place respect the significance of the place.*

65. Clause 22.02-5.1 Demolition (Full demolition or Removal of a Building) outlines that it is policy to (relevantly):
    (a) generally encourage the retention of a building in a heritage place, unless:
        (i) *the building is identified as a contributory building, and*
        (ii) *new evidence has become available to demonstrate that the building does not possess the level of heritage significance attributed to it in the incorporated document, City of Yarra Review of Heritage Areas 2007 Appendix 8, revised September 2015 and*
    (b) *the building does not form part of a group of similar buildings;*
    (c) *Note: The poor condition of a heritage place should not, in itself, be a reason for permitting demolition; and*
    (d) *an application for demolition is to be accompanied by an application for new development.*
66. For removal of part of a heritage place or contributory elements it is policy that:
    (a) *Generally discourage the demolition of part of an individually significant or contributory building or removal of contributory elements unless:*
        (i) *That part of the heritage place has been changed beyond recognition of its original or subsequent contributory character(s).*
        (ii) *For individually significant building or works, it can be demonstrated that the removal of part of the building or works does not negatively affect the significance of the place.*

67. Clause 22.02-5.7 (New Development, Alterations or Additions) outlines that it is policy to (relevantly):
    (a) *encourage the design of new development and alterations and additions to a heritage place or a contributory element to a heritage place;*
    (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;*
(i) *encourage 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; and*
(j) *encourage similar façade heights to the adjoining contributory elements in the street. Where there are differing façade heights, the design should adopt the lesser height.*

68. Clause 22.02-5.7.2 Specific Requirements (where there is a conflict or inconsistency between the general and specific requirements, the specific requirements prevail) (as relevant):
    (a) *corner sites and sites with dual frontages:*
        (i) *encourage new building and additions on a site with frontages to two streets, being either a corner site or a site with dual street frontages, to respect the built form and character of the heritage place and adjoining or adjacent contributory elements to the heritage place; and*
        (ii) *encourage new buildings on corner sites to reflect the setbacks of buildings that occupy other corners of the intersection; and*
    (b) *ancillaries and services:*
        (i) *encourage ancillaries or services such as satellite dishes, shade canopies and sails, access ladders, air conditioning plants, wall and roof top mounted lighting, roof top gardens and their associated planting, water meters, and as far as practical aerials, to contributory or significant buildings, to be concealed when viewed from street frontage;*
        (ii) *where there is no reasonable alternative location, ancillaries and services which will reduce greenhouse gas emissions or reduce water consumption, such as solar panels or water storage tanks, or provide universal access (such as wheel chair ramps), may be visible but should be sensitively designed;*
        (iii) *encourage ancillaries or services in new development to be concealed or incorporated into the design of the building; and*

Clause 22.03 – Landmarks and Tall Structures

69. This policy applies to all development and is policy at clause 22.03-3 to:
    (a) *Maintain the prominence of Yarra's valued landmark signs;*
    (b) *Protect views to the silhouette and profile of Yarra's valued landmarks to ensure they remain as the principal built form reference; and*
    (c) *Ensure the profile and silhouette of new tall structures adds to the interest of Yarra's urban form and skyline.*

Clause 22.05 – Interface Uses Policy

70. This policy applies to the Commercial 1 and Mixed Use Zones, amongst others. The objectives of this policy are:
    (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.*

71. Clause 22.05-3 also states that it is policy that (as relevant):
    (a) *New non-residential use and development within Business and Mixed Use and Industrial Zones are designed to minimise noise and visual amenity impacts upon nearby, existing residential properties.*

Clause 22.16 – Stormwater Management (Water sensitive urban design)

72. This policy applies to applications for more than 50m² extensions to existing buildings (amongst others) and requires consideration of water sensitive urban design matters to *provide for the achievement of the best practice performance objectives for suspended solids, total phosphorus and total nitrogen, as set out in the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999 (or as amended)* (among other things).

Clause 22.17 – Environmentally Sustainable Development

73. This policy outlines objectives relating to energy performance, water resources, indoor environment quality, stormwater management, transport, waste management and urban ecology. Clause 22.17-4 requires the submission of a Sustainability Management Plan (SMP) with the application.

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

Other documents

Plan Melbourne

75. Plan Melbourne is the overarching strategic planning document that seeks to guide land use and development with the vision that *Melbourne will continue to be a global city of opportunity and choice.*

76. Key elements of Plan Melbourne have been incorporated into the Scheme via clause 11 in particular however, additional relevant information, outcomes and directions include:

    (a) Metropolitan Melbourne is expected to accommodate an additional 3.4 million people reaching 7.9 million by 2051, with Victoria estimated to have a up to 10.1 million in total;
    (b) *Outcome 1 – Melbourne is a productive city that attracts investment, supports innovation and creates jobs:*
        (i) *Direction 1.1 - Create a city structure that strengthens Melbourne's competitiveness for jobs and investment*
        (ii) Identifies *places of state significance that will be the focus for investment and growth* including health and education precincts with the purpose*:*
            - *To support health and education services that are well served by public transport in a range of locations across Melbourne. Their specialised economic functions will be reinforced, and they should provide opportunity for ancillary health and education services, retail, commercial and accommodation uses.*
        (iii) The St Vincent's Hospital and Australian Catholic University Precinct (East Melbourne/Fitzroy) is identified as such a precinct.
        (iv) The inner area where the subject site is located is estimated to accommodate an additional 233,000 jobs by 2031 with key industries including *Professional scientific and technical services, finance and insurance services, healthcare and social assistance, public administration and safety.*
        (v) The subject site is located adjacent to the Central City area which policy seeks to support to become *Australia's largest commercial and residential centre* by finding new space for industries such as health and medical research which are identified as a strength.
        (vi) Policy 1.1.4 deals specifically with health and education precincts noting in particular:

- *Major health and education precincts across metropolitan Melbourne have been identified for further services and jobs growth. These precincts stimulate innovation, create employment and are of fundamental importance to the emerging knowledge economy and surrounding communities; and*
- *Planning for the growth of these precincts will need to focus on improving access—particularly via public transport—and diversifying job choices. Co-location of facilities (for example, a university with a hospital) will make better use of existing infrastructure and support the growth of associated businesses and industries. Specialised economic functions should be reinforced, but there should also be opportunities to provide ancillary retail, commercial, accommodation and supporting services.*

(c) *Outcome 2 - Melbourne is a distinctive and liveable city with quality design and amenity.*
   (i) Policy 4.1.3 is to *Strengthen Melbourne's network of boulevards* with the following relevant description:
      - *Melbourne's grand boulevards—such as St Kilda Road, Victoria Parade and Royal Parade—are wide, generous, tree-lined spaces that serve multiple uses and can accommodate relatively tall buildings. Melbourne should aim to create contemporary boulevards that enhance the city's distinctiveness, extending these into parts of the metropolis that lack boulevards.*
   (ii) Policy 4.3.1 is to *Promote urban design excellence in every aspect of the built environment.*

(d) Direction 4.4 is to *Respect Melbourne's heritage as we build for the future where it is noted:*
   (i) *Heritage will continue to be one of Melbourne's competitive strengths, contributing to its distinctiveness and liveability and attracting visitors, new residents and investors. Heritage is an important component of Victoria's tourism industry and benefits the economy.*
   (ii) Policy 4.4.1 is to *Recognise the value of heritage when managing growth and change, noting that:*
      - *Realising the community benefit of heritage will require careful management of the ongoing processes of change to the urban environment. Decisions must be based on an appreciation of Melbourne's past as well as an understanding of its future needs.*

Incorporated document

77. Appendix 8 to the City of Yarra Review of Heritage Areas, 2007 – The site is identified as:
   (a) 93 – 99 Victoria Parade, Fitzroy – Not contributory
   (b) 103 Victoria Parade – Individually Significant (Melbourne and Metropolitan Tramway Board Offices).

Advertising

78. The application was advertised under the provisions of Section 52 of the *Planning and Environment Act*, 1987 for 28 days by 943 letters sent to surrounding owners and occupiers and by two signs displayed on site. This included notices to the City of Melbourne as well as owners and occupies within the municipality, VicRoads and Public Transport Victoria. A public information session was held during the advertising period.

79. Council received 14 objections which can be summarised as follows:
   (a) Lack of a master plan for the hospital;
   (b) Impact of the proposed additions on the heritage significance and character of the area;
   (c) Impact of the proposed additions on the character and amenity of the area; and
   (d) Impacts on traffic and public transport;

80. A consultation meeting was held on 9 May 2017 with objectors, the permit applicant and representatives and Council planning officers in attendance. No agreement on changes to the proposed development were reached.

External Referrals

81. The application was not required to be referred externally. However, the following authorities were notified and provided a response (as attachments to this report):
    (a) VicRoads ; and
    (b) Public Transport Victoria.

Internal Referrals

82. The application was referred internally to:
    (a) Heritage Advisor;
    (b) Engineering Services Unit;
    (c) Urban Design Consultant – Rob McGauran, MGS Architects and Urban Designers.

83. All referral advice is contained within attachments to this report.

OFFICER ASSESSMENT

84. The key areas for assessment are:

    (a) Strategic policy support;
    (b) Land use;
    (c) Heritage impacts;
    (d) Built form and design;
    (e) Amenity impacts;
    (f) Traffic and car parking layout;
    (g) Objector concerns; and
    (h) Other matters

Strategic Policy Support

State and local policy

85. Since the proposed car park is directly associated with the expanded hospital use proposed under planning permit application PLN16/0925, it is relevant to consider the relevant strategic policy support for intensification of the healthcare use in this location. In this respect, relevant State policy has been outlined above and provides strong support for expansion and enhancement of a healthcare facility including through facilitating increased use of existing infrastructure and co-locating facility. Key messages that support this proposition from the policy highlighted are:
    (a) Plan Melbourne identifies Melbourne and Victoria's population is expanding and seeks to harness this growth to promote places of State significance such as the St Vincent's Hospital/ACU health and education precinct as a focus for investment. These areas are identified as being close to public transport, stimulating innovation and employment, making best use of existing infrastructure by co-locating facilities.
    (b) These areas are also intended to assist in re-enforcing the central city of Melbourne in becoming Australia's largest commercial centre including though the delivery of an additional 233,000 jobs by 2031 with scientific, health and medical industries identified as key to this;
    (c) The expectation and policy direction of Plan Melbourne for site is included in the scheme specifically at clauses 11.01-1 and 11.06-1, highlighting all those matters discussed above. Clause 9.01 also requires the Responsible Authority/Council to consider and apply Plan Melbourne where relevant.

(d) Clause 11.01 states that planning is to facilitate sustainable development that takes full advantage of existing settlement patterns and social facilities;
(e) In addition to policy supporting the growth of the site and area as an identified health and education precinct, clauses 11.03-2 encourages the growth of the Brunswick Street MAC and area on the edge of the Melbourne CBD more broadly by providing a concentration of major developments in these areas including significant new administrative and health facilities that attract users from a large geographic area in a location with good public transport;
(f) Clause 17.01-1 further articulates the importance of encouraging development that provides a net community benefit in *accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.*

86. At a local level, again relevant policy is extensively outlined earlier with the key messages that again provide strong support for the proposed development including:
(a) The overarching vision for the City includes to provide for increased opportunities for employment with the site being located in/adjacent to the Brunswick Street Major Activity Centre and adjacent to an area highlighted as a Specialist Medical Precinct;
(b) Clause 21.04-4 recognises the importance of activity centres and seeks to increase the range of services they accommodate to support their significant role in Yarra's economy and as metropolitan destinations. Development is supported that contributes to the economic growth and long term viability of activity centres;
(c) Clause 21.04-3 and 21.04-4 collectively highlight the clusters of interrelated commercial activity in Yarra, the desire to increase the number and range of local employment opportunities. Strategies include the co-location of community facilities especially in activity centres where they are easily accessible by public transport with shared parking arrangements for people of all abilities.

Need for a master plan

87. The need for St Vincent's Hospital to prepare a master plan is considered in detail in respect of the development proposed under planning permit application PLN16/0925. However, the same reasons why one is not required for the car park expansion are relevant and in summary include:
(a) Issues relevant to the determination of the permit are capable of being addressed through the planning permit process and are discussed in this report;
(b) The proposed development is not in a residential precinct and does not have unacceptable impacts on nearby dwellings (discussed further in this report);
(c) The development is to occur on land already occupied by the hospital and does not seek to expand into residential areas or residentially zoned land. Accordingly, amenity impacts are limited;
(d) The proposal itself is comprehensive and should not be characterised as *ad hoc*.

Land use

88. The use of the land for a car park was previously approved under planning permit PL04/1183 however, it remains a section 2 'permit required' use and considerations of the appropriateness of its expansion on the site are relevant.

89. Having regard to relevant policy, the purposes and decision guidelines under the Commercial 1 Zone and clause 65 of the Scheme, the expansion of the car park use is considered acceptable for the following reasons:

(a) The use will help facilitate the expansion of the St Vincent's Private hospital and this connection provides strong strategic support for it;

(b) The site is already occupied by a car park, thus it would not limit opportunities for other uses such as offices, dwellings which may make a greater contribution to fulfilling the purposes of the zone. The expansion on the existing car park site would also make efficient use of the existing structure and limit the need to use other sites for a car park, thus containing impacts on the surrounding area;
(c) The expanded use would be at the upper levels, thus not resulting in an 'inactive' street frontage;
(d) The site is surrounded by institutional uses with the closest dwellings located 63m north-west on Little Napier/Napier Street and 87m to the north on Young Street. Accordingly, amenity impacts would be limited as discussed further in this report including through traffic impacts;
(e) The surrounding uses would not have an unacceptable impact on the proposed use/expanded car park use since it is not 'sensitive' to noise, overshadowing, loss of daylight etc.

Heritage Impacts

Demolition

90. The car park building is graded 'not–contributory' for the purposes of clause 22.02 of the Scheme, thus demolition of part of it is not opposed by policy and would not offend relevant considerations under clause 15.01-2, 15.03-1, Plan Melbourne or clause 21.05-1, and is acceptable.

91. However, the demolition plans do not show the removal of part of the building in the north-western corner to provide a new pump room. This detail will be required by condition.

New built form

92. The relevant objectives of Clause 22.02-4 are "to preserve the scale and pattern of streetscapes in heritage places" and "to ensure that additions and new works to a heritage place respect the significance of the place". Clause 22.02-5.7 provides specific guidance on new development, alterations and addition, including to
(a) *Respect the pattern, rhythm, orientation to the street, spatial characteristics, fenestration, roof form, materials and heritage character of the surrounding historic streetscape;*
(b) *Be articulated and massed to correspond with the prevailing building form of the heritage place or contributory elements to the heritage place;*
(c) *Be visually recessive and not dominate the heritage place.*

93. Clause 22.02-5.7.2 provides additional guidance on sites with dual frontages requiring a recognition of adjoining form and character.

94. Clause 15.03-1 includes strategies to encourage appropriate development that respects places with identified heritage values, creates a worthy legacy for future generations, and ensures an appropriate setting and context for heritage places is maintained and enhanced. Plan Melbourne also includes similar policies as already discussed.

95. Clause 43.01 includes the purpose to ensure that development does not adversely affect the significance of heritage places. Relevant decision guidelines at clause 43.01-4 include:
(a) *Any applicable statement of significance, heritage study and any applicable conservation policy;*
(b) *Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place; and*
(c) *Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.*

96. In terms of the heritage context, the following is noted:

(a) To the west near/at the corner of Victoria Parade and Brunswick Street associated with the main St Vincent's Private Hospital Building, there are several buildings of heritage significance including:
   (i) 71-73 Victoria Parade is a three storey Spanish Mission façade constructed c1930.
   (ii) The former Eastern Hill Hotel (77 Victoria Parade) is a three storey Victorian era building constructed to the street edge;
   (iii) Dodgshun House (7 Brunswick Street) is a two storey mansion style building setback from the street behind a high fence and located within landscaped surrounds;
   (iv) 59-61 Victoria Parade building is a 10 storey tower with a simple modern appearance and distinctive curved south-western corner element and four storey streetwall;
   (v) Brunswick Street to the north contains a number of individually significant two and three storey Victorian era buildings constructed to the street edge;
(b) At the south-eastern corner of the subject site is an individually significant two storey building;
(c) To the east is the individually significant, six storey Mary Glowery building;
(d) To the north is a two storey individually significant building;
(e) Young Street to the north contains a number of contributory graded building mostly terrace dwellings.
(f) To the south are serval intact Victorian era mansion style two storey buildings on the opposite side of Victoria Parade.

97. Council's Heritage Advisor commented (in summary) that:
(a) The proposed new floor levels are too prominent and should be setback or redesigned so they appear more recessive.

98. However, it is not considered that any change to the height, setback or design of the proposed additions is necessary because:
(a) The immediate area consists of graded buildings that standalone and are not part of a consistent streetscape and have different designs and appearances themselves. They are surrounded and will be surrounded by increasingly taller buildings in line with State and Local policy and the zoning of the land. The proposed additions will form part of this changing character and appear as a backdrop rather than a competing or dominant presence;
(b) From the street level, the individually significant building on the site will maintain its current level of prominence and separation from the car park since the new built form will be no closer than the existing building;
(c) From the north, the additions will be well above the Melbourne and Metropolitan Tramway Board Electrical Substation and the graded building on the subject. This visual separation would ensure that the new built form would have a limited impact on the visual setting and significance of those existing buildings;
(d) The additions will have a limited presence within views of historic fabric on the south side of Victoria Parade because they would not generally be seen in views of the southern side (given the site is on the north side) and Victoria Parade is approximately 65m wide;
(e) When viewed from Brunswick Street, the additions would be seen over the open plaza of the ACU and not significant historic fabric. Thus views from that side would not have an unreasonably visual impact on the significance of the area;

(f) The proposed materials and finishes are not required to be dumbed down or neutralised as they do not sit in a heritage streetscape. Due to their height above existing fabric (providing adequate separation) they do not unduly compete with the simpler heritage forms.

<u>Design and built form (non-heritage considerations)</u>

Height and massing

99. The strategic planning context for the site has been established and is considered to support an expansion of the hospital car park. However, this must be balanced against achieving acceptable urban design outcomes for the site having regard to relevant built form polices (in addition to heritage considerations).

100. The relevant policy context and guidance includes:

    (a) Clause 15.02-1 – development should contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties;
    (b) Clause 15.01-5 - recognise and protect cultural identity, neighbourhood character and sense of place;
    (c) Clause 21.05-2 provides the following in summary:
        (i) reinforce the existing urban framework of Yarra;
        (ii) retain Yarra's identity as a low-rise urban form with pockets of higher development;
        (iii) development in activity centres should be 5-6 storeys unless specific benefits can be demonstrated;
        (iv) retain, enhance and extend Yarra's fine grain street pattern;
        (v) ensure that new development contributes positively to Yarra's urban fabric;
        (vi) enhance the built form character of Yarra's activity centres; and
        (vii) require development within Yarra's activity centres to respect and not dominate existing built form;
    (d) Clause 22.03 - Ensure the profile and silhouette of new tall structures adds to the interest of Yarra's urban form and skyline;
    (e) Decision guidelines at clause 34.01-8 require consideration of:
        (i) Movement of pedestrians, cars, waste and public transport;
        (ii) Impacts on the streetscape;
        (iii) Maintenance of buildings and landscaping;
        (iv) Off-site amenity impacts; and
        (v) The availability of connection to services.
    (f) Clause 43.02, Schedule 2 – seeks to ensure development recognises the main road character of the area, contributing positively to urban design, safety, limit visual clutter and consider the impacts of height and bulk on the surrounding area.

101. In terms of the physical context, the site is influenced by buildings 2-11 storeys along Victoria Parade associated with other institutional uses including St Vincent's Public and Private Hospitals, the 10 storey Eye and Ear Hospital to the south-west on Victoria Parade as well as office buildings to the south in the order of 8-9 storeys. The ACU includes buildings up to 10 storeys to the north of the subject site with lower 1-3 storey dwellings beyond that on Young Street. Buildings on Brunswick Street are 1-3 storeys with public housing towers up to 21 storeys near the corner of Gertrude Street. Victoria Parade itself is a significant boulevard containing a central median with rows of large Plane trees.

102. Council's external Urban Design expert consultant reviewed the proposed additions and commented in summary that:

    (a) *In conclusion the proposed addition in referencing the existing architecture of the development and investing the upper levels with an increased richness of palette provides a supportable urban design response that acknowledges the building's increased scale and underlying program and invests it with an ambition that recognises the growing campus quality of the precinct.*
    (b) *At the proposed height it sits within a magnitude of building forms that is consistent with that of its neighbours to the north and that proposed to the east and for the private hospital expansion to the west.*
    (c) *For these reasons I am supportive of the proposal as presented subject to:*

(i) *Clarification that the quality and detailing of the proposed façade treatments are such as to ensure the design intent is matched with a similar detailing and ambition, recognising the long term presence of the facility within the precinct.*
(ii) *A green travel strategy across the two projects supporting the transit richness of the precinct and the healthy workplace principles being established for competitor campuses.*
(iii) *As noted earlier I support too, the logic of incorporating a single major car park hub in this precinct that optimises its contribution to the broader provision of services whilst also ensuring that the core health campus as well as primary foci of the adjoining education campus is not unreasonably impacted as a result of the increased traffic movements.*
(iv) *Subject to the satisfaction of VicRoads and Council's traffic engineers of the adequacy of existing access and egress arrangements I would recommend support with the earlier conditions of precedent.*

103. Having regard to the physical and policy context, the proposed height is considered acceptable given:
(a) It is of a scale that will sit comfortably within its surrounds, which contains buildings of comparable scale on both sides of Victoria Parade;
(b) The additional levels would be setback 12.6m-15.9m from Victoria Parade providing adequate separation from the street and transition down to the lower forms at the boundary, limiting the visual impact and dominance. Moreover, Victoria Parade is approximately 65m wide, thus the visual impact on the south side will be limited by distance and the location of large trees within the median;
(c) The additional levels would have only a limited impact on shadowing of the street. There would be no impact on the southern side of Victoria Parade. Only a small section of shadow would be cast on the northern side after 12pm. This are is generally in shadow under existing conditions and is not sought to be protected considering the northern side of main thoroughfares cannot reasonably be provided with direct sunlight unless buildings are 1-2 and or setback from the street significantly;
(d) On Young Street, the additional levels will be seen in the context of the 10 storey ACU building and six storey Mary Glowery Building, both providing a context in which the additional built form would not seem out of place or unreasonably dominant;
(e) From Brunswick Street, the additional levels would again appear in the context of the 10 storey ACU buildings, thus not out of character and would be setback by at least 32m, a distance adequate to limit its visual impact;
(f) In terms of decision guidelines under the Commercial 1 Zone;
(i) The development would not unreasonably impact movement networks (discussed further below);
(ii) There would not be any unreasonably off-site amenity impacts (discussed further below;
(iii) The development would not unreasonably impact the streetscape as no works are proposed, adequate setbacks are provided to limit visual impact and overshadowing; and
(iv) The building boundaries are well defined with adequate access for maintenance with two street frontages and setbacks to buildings on adjoining lots; and
(v) The site is well connected to services.

Architectural quality and detailed design

104. Clause 15 seeks to make "the environment more liveable and attractive", while Clause 15.01-2 seeks "to achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm". The architectural quality section of Clause 15.01-2 states that "new development should achieve high standards in architecture and urban design" and "any rooftop plant, lift over-runs, service entries, communication devices, and other technical attachment should be treated as part of the overall design".

In addition, one of the elements at Strategy 17.2 of Clause 21.05-02 which allows for development above 5-6 storeys is “architectural design excellence”. Schedule 2 to clause 43.02 encourages high quality contemporary architecture and for development to limit visual clutter.

105. Council’s independent expert urban design consultant has commented that the appearance of the building is acceptable within the context stating at paragraphs 36-37 of his report:

    (a) *The key to the success of this extension however will be the quality and resolution of the proposed graphic treatments to this upper patterned façade form.*
    (b) *To this degree, whilst the renderings imply particular materials and finishes the detailing of the proposed aluminium square hollow-section battens across the façade will require careful curation and signing off by the responsible authority via the provision by the applicant of more detailed facades stipulating the colour treatments and the proposed detailing techniques.*

106. Subject to conditions requiring detailed elevations and sections of the proposed vertical coloured battens and materials and finishes (ensuring the longevity of the detail), the appearance of the proposed additions is considered acceptable for the following reasons:
    (a) The use of vertical coloured battens will produce a depth to the façade and level of visual interest that will contribute positively to the context of the area;
    (b) The coloured battens reflect the use of the coloured perforated metal screening used on the existing façade of the building and provides a visual connection between the lower and upper levels; and
    (c) The location of dark fibre cement panels contributes to a breaking up the mass of the new levels, enhancing its visual interest and assisting in reducing any impact it might have.

107. Additionally, given the location of the development on a main road and Council’s external urban design comments regarding the need to ensure a high quality finish, a condition should be included, requiring the on-going involvement of the architect (Billard Leece Partnership P/L), or another suitably qualified firm to Council’s satisfaction.

Street interfaces and the public realm

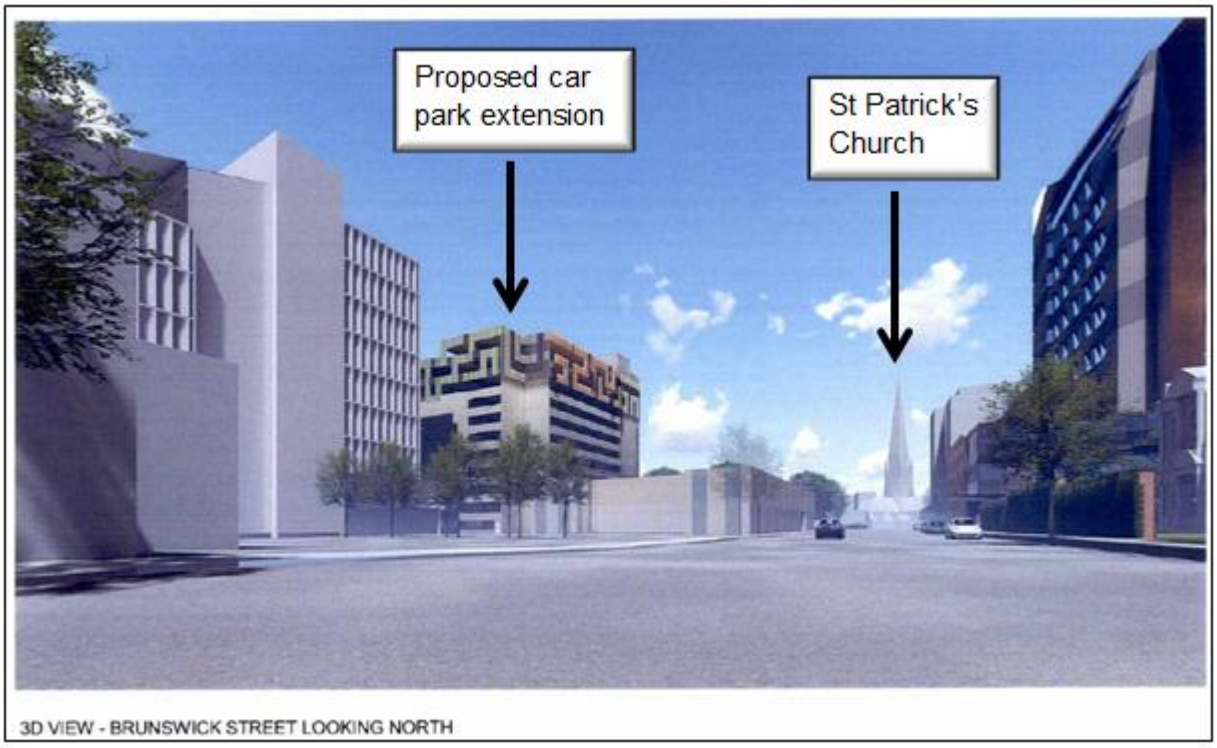
108. Clauses 15.01-2, 21.05-3 and 4 encourages the design of interfaces between buildings and public spaces to enhance the visual and social experience of the user and to improve the interface with the street.

109. The proposed additional floor levels would not alter the appearance of the building at ground level or levels of interaction. It has already been noted that the setbacks will limit the visual impact on the streetscape and overshadowing is reasonably limited.

Impacts of views and vistas

110. Clause 22.03-4 requires new built form to maintain the silhouette/profile of the St Patrick’s Cathedral when viewed from the intersection of Brunswick Street and St Georges Road in North Fitzroy, a distance of approximately 2.5km. The reverse view from Brunswick Street/Victoria Parade to the church spire at the corner of Watkins Street and St Georges Road is also to be protected.

111. Given the view line is generally straight in each direction, the proposed 32m setback of the additional levels from Brunswick Street will ensure the church spires remain prominent as shown in the image below.



Landscaping

112. The proposal includes approximately 11 planter boxes on the facades of the new levels that would add visual interest to the building as well as a small but welcome amount of greenery to the site. However, view details regarding the planter box design including irrigation as well as maintenance and planting types has been provided. This can be required by condition to ensure appropriate plant species are provided, planter box design is acceptable and maintenance responsibilities are clear to ensure the vegetation continues for make a contribution to the streetscape.

Environmentally Sustainable Design

113. The applicant has not submitted an ESD report with the development which is considered to be of limited relevance compared to developments for residential, office or hospital uses. However, the following is noted:
    (a) The partly open sides of the new levels will provide natural ventilation and access to natural daylight;
    (b) The expansion of the existing building contributes to re-use of existing built form assisting to reduce impacts from construction;
    (c) Council's ESD advisor has commented that an SMP report can be required by condition to address matters such as:
        (i) Energy use; and
        (ii) Water Sensitive Urban Design.

Off-site amenity

114. The closest dwelling to the site is 63m north-east on Little Napier/Napier Street and 87m to the north on Young Street. These separation distances along with the scale of intervening built form (up to 10 storeys) and location of the subject site to the south would ensure that:
    (a) There would be no impact on these dwellings from loss of daylight or direct sunlight;
    (b) Visual impacts would be limited; and
    (c) Noise would be reasonably limited.

115. Impacts associated with traffic are considered later in this report.

Built form summary

116. Having regard to the preceding analysis, the proposed development is considered to acceptably sit within its physical context and is acceptable subject to conditions.

Traffic and car parking layout

Traffic

117. The permit applicant submitted an assessment of the traffic impacts associated with the proposed development. Based on studies of other hospitals, the applicant has predicted 0.31 and 0.26 AM and PM peak movements per car parking space summarised in the table below (taken from the page 12 of the applicant's Transport Impact Assessment report).

Table 4 Development Traffic Generation

Peak	Parking Demand	Generation / Space			Vehicle Movements		
		In	Out	Total	In	Out	Total
AM Peak	185 spaces	0.28	0.03	0.31	52	6	58
PM Peak		0.03	0.23	0.26	6	43	49

118. The applicant has reviewed the traffic flows on Victoria Parade and considers that the additional traffic would be less than 0.2% of the existing vehicle movements which would not have a material impact on traffic conditions. Council's Engineering Services Unit and VicRoads have reviewed the proposal and consider that the additional car parking spaces would not unreasonably impact traffic movements on Victoria Parade, thus the proposal is considered acceptable from this perspective.

119. The applicant also reviewed the potential impact of queuing on the site from the additional car movements predicted to result in a total of 197 inbound AM peak. Given the ability for up to 6 cars to queue on site, the applicant predicts that the extra movements will not result in meaningful impacts on Victoria Parade. Council's Engineering Services Unit and VicRoads have both reviewed the proposed queuing analysis and consider that impacts will be limited and acceptable. Council's Engineering Services Unit have requested the location of the entry boom gates to be shown on the plans confirming the available queuing area which can be required by condition.

120. Additionally, since the entry and exit to the car park is maintained in its current location from Victoria Parade, access to and from it would have a limited impact on residential side streets in the surrounding area and Council's Engineering Services Unit has not raised this as a concern.

121. The ACU is proposing to move and consolidate car parking to below a new building fronting Victoria Parade and Napier Streets. Overall, the proposed changes would see a reduction in car parking spaces for the ACU from 300 to 270. Accordingly, since traffic to and from the ACU would be reduced, it is not considered necessary to specifically consider the combined traffic impacts of both proposals including since they will both maintain their primary access to and from Victoria Parade.

Car parking layout

122. Council's Engineering Services Unit has reviewed the layout and design of the proposed car parking spaces and commented that it is acceptable subject to dimensions of the motorbike spaces being shown on the plans and in compliance with Australian/New Zealand Standard AS/NZS 2890.1:2004 being 2.5m x 1.2m. This can be required by condition.

Objector concerns

123. *Objector concerns have been addressed in this report as noted below.*

Lack of a master plan for the hospital

124. Paragraph 87.

Impact of the proposed additions on the heritage significance and character of the area;

125. Paragraphs 90 – 98.

Impact of the proposed additions on the character and amenity of the area

126. Paragraphs 99 – 111 and 114 – 115.

Traffic and car parking

127. Paragraphs 117 – 122.

Other matters

Planning permit PL04/1183

128. The endorsed plans under planning permit PL04/1183 show the current layout of the car park which includes a number of staff parking spaces for the childcare centre. At least one of these spaces will be deleted with the rearrangements at the ground floor with several other changes including the new pump and fire rooms in the north-east corner changing the layout of the approved development.

129. These changes need to be considered in the context of the original approval and will require an amendment to PL04/1183 before they are made. This will be required by condition.

Plan discrepancies

130. There is also a discrepancy in the plans where the ground level appears to have been shown twice and level 1 has been omitted or the labelling is wrong. In any event, this can be rectified by permit condition. Additionally, demolition associated with expanding the ground floor in the north-west corner to accommodate the fire pump room is not shown. This can be required by condition.

Construction management

131. The subject site is located in a constrained environment (on a main road, as well as the additions to an existing building which limits on-site space for construction vehicles and equipment). Accordingly, a condition will require the submission and endorsement of the Construction Management Plan before the development commences to ensure construction activity and impacts are adequately addressed. This is a standard requirement for large development proposals.

Conclusion

132. Based on the report, the proposal is considered to substantially comply with the relevant policies of the Yarra Planning Scheme and is recommended for approval subject to conditions.

RECOMMENDATION

That having considered all relevant planning policies and objections, the Committee resolves to issued a Notice of Decision to Grant Planning Permit PLN16/0926 for use and development of the land for part demolition, alterations and a three storey addition to the existing car park at 93 - 99 Victoria Parade Fitzroy subject to the following conditions:

Amended plans

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' prepared by Billard Leece Partnership P/L, Council date stamped 23 November 2016, but modified to show:
   (a) Detailed cross-section and elevations of the aluminium battens (including colour treatments and material specifications);
   (b) The location of the entry and exit boom gates;
   (c) Dimensions of the motorbike parking spaces being at least 2.5m long x 1.2m wide;
   (d) Demolition associated with construction of the ground level fire pump room;
   (e) A level 1 plan provided and labelled correctly.

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.

Landscape Plan

3. Before the development commences, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must:

   (a) show the type, location, quantity, height at maturity and botanical names of all proposed plants;
   (b) show detailed design specifications for the planter boxes;
   (c) provide details of irrigation, maintenance schedules and maintenance responsibility;

   to the satisfaction of the Responsible Authority.

Sustainable Management Plan

4. Before the use development commences, a Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Sustainable Management Plan will be endorsed and will form part of this permit. The Sustainable Management Plan must:
   (a) Provide details addressing Water Sensitive Urban Design treatments in response to clause 22.16 of the Yarra Planning Scheme; and
   (b) Measures to minimise electricity use.

5. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Construction Management

6. 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;
   (p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:
      (i) using lower noise work practice and equipment;
      (ii) the suitability of the land for the use of an electric crane;
      (iii) silencing all mechanical plant by the best practical means using current technology;
      (iv) fitting pneumatic tools with an effective silencer;
      (v) other relevant considerations; and

   During the construction:

   (q) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;

   (r) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;

(s) vehicle borne material must not accumulate on the roads abutting the land;
(t) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
(u) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

7. If required, the Construction Management Plan may be approved in stages. Construction of each stage must not commence until a Construction Management Plan has been endorsed for that stage, to the satisfaction of the Responsible Authority.

8. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Amendment of Planning Permit PL04/1183

9. Prior to the commencement of the development, planning permit PL04/1183 must be amended to show any internal rearrangements and car parking allocation changes associated with approval given under PLN16/0926.

On-going involvement of the architect

10. As part of the ongoing consultant team, Billard Leece Partnership P/L Architects or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:

(a) oversee design and construction of the development; and
(b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

11. Before the building occupied, or by such later date as approved in writing by the Responsible Authority, the car parking spaces, access lanes, driveways and associated works must be:

(a) constructed and available for use in accordance with the endorsed plans;
(b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
(c) treated with an all-weather seal or some other durable surface; and
(d) line-marked or provided with some adequate means of showing the car parking spaces.

to the satisfaction of the Responsible Authority.

Section 173 Agreement

12. Prior to the commencement of the development authorised by this permit, the owner (or another person in anticipation of becoming the owner) must enter into an agreement with the Responsible Authority under section 173 of the Planning and Environment Act 1987 to be registered on the certificates of title for the subject site which provides for the following:

(a) That at least 185 car parking spaces for staff of the St Vincent's Private Hospital will be provided on the land at 93 – 99 Victoria Parade (in addition to the existing number of spaces already within the car park on the site) and that the car parking spaces will be made available in perpetuity.

13. The owner, or other person in anticipation of becoming the owner, must meet all of the expenses of the preparation and registration of the agreement, including the Responsible Authority's costs and expenses (including legal expenses) incidental to the preparation, review, registration and enforcement of the agreement.

Public Transport Victoria Condition (condition 14)

14. The permit holder must take all reasonable steps to ensure that disruption to bus operations along Victoria Parade is kept to a minimum during construction of the development. Foreseen disruptions to bus operations and mitigation measures must be communicated to Public Transport Victoria fourteen days (14) prior.

15. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.

16. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

17. 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:

    (a) at the permit holder's cost; and
    (b) to the satisfaction of the Responsible Authority.

18. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:

    (a) Monday to 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.

19. This permit will expire if:

    (a) the development is not commenced within two years of the date of this permit;
    (b) the development is not completed within four years of the date of this permit or
    (c) the use is not commenced within five years of the date of this permit.

20. 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.

CONTACT OFFICER: **James Sutherland**
TITLE: **Principal Statutory Planner**
TEL: **9205 5046**

Attachments

1 Subject Site Map
2 Decision Plans Part 1
3 Decision Plans Part 2
4 Decision Plans Part 3
5 Heritage Advisor comments
6 External urban design comments
7 Engineering Services Unit Referral Comments.
8 ESD Advisor comments.
9 PTV comments
10 VicRoads comments

Attachment 1 - Subject Site Map

Subject Site Map: 93 -99 Victoria Parade Fitzroy

North

Subject site

Attachment 2 - Decision Plans Part 1

ST VINCENT'S PRIVATE HOSPITAL
VICTORIA PARADE CARPARK

Cover Sheet List

Sheet Number	Sheet Name
AB00	
AB00-0001	COVER SHEET
AB03	
AB03-0001	SITE CONTEXT PLAN - EXISTING
AB03-0011	SITE CONTEXT PLAN - PROPOSED
AB03-0051	SITE CONTEXT PLAN - SHADOW DIAGRAM - 9AM & 12PM
AB03-0052	SITE CONTEXT PLAN - SHADOW DIAGRAM - 3PM
AB05	
AB05-0000	PLAN - PRECINCT - EXISTING - SITE
AB05-0001	PLAN - PRECINCT - EXISTING - GROUND
AB05-0101	PLAN - PRECINCT - EXISTING - LEVEL 1
AB05-0201	PLAN - PRECINCT - EXISTING - LEVEL 2
AB05-0301	PLAN - PRECINCT - EXISTING - LEVEL 3
AB05-0401	PLAN - PRECINCT - EXISTING - LEVEL 4, 5, 6 and 7 (TYPICAL)
AB05-0801	PLAN - PRECINCT - EXISTING - LEVEL 8
AB06	
AB06-0000	PLAN - PRECINCT - DEMOLITION - SITE

Cover Sheet List

Sheet Number	Sheet Name
AB07	
AB07-0000	PLAN - PRECINCT - PROPOSED - SITE
AB07-0001	PLAN - PRECINCT - PROPOSED - GROUND
AB07-0201	PLAN - PRECINCT - PROPOSED - LEVEL 2
AB07-0301	PLAN - PRECINCT - PROPOSED - LEVEL 3
AB07-0401	PLAN - PRECINCT - PROPOSED - LEVEL 4,5,6 AND 7 (TYPICAL)
AB07-0801	PLAN - PRECINCT - PROPOSED - LEVEL 8
AB07-0901	PLAN - PRECINCT - PROPOSED - LEVEL 9 AND 10
AB07-1101	PLAN - PRECINCT - PROPOSED - LEVEL 11
AB08	
AB08-0001	PRECINCT ELEVATION - SOUTH
AB08-0002	PRECINCT ELEVATION - EAST
AB08-0003	PRECINCT ELEVATION - NORTH
AB08-0004	PRECINCT ELEVATION - WEST
AB08-2001	SECTION - PRECINCT - PROPOSED
AB08-2002	SECTION - PRECINCT - PROPOSED
AB08-2003	SECTION - PRECINCT - PROPOSED

Cover Sheet List

Sheet Number	Sheet Name
AB96	
AB96-0001	EXTERNAL FINISHES & MATERIALS - SOUTH ELEVATION
AB97	
AB97-0001	PERSPECTIVE
AB97-0002	PERSPECTIVE
AB97-0003	PERSECTIVE
AB97-0004	PERSPECTIVE - AERIALS

REV DATE

ST VINCENTS HEALTH

STVPH
REDEVELOPMENT -
93 - 99 VIC PDE
CARPARK

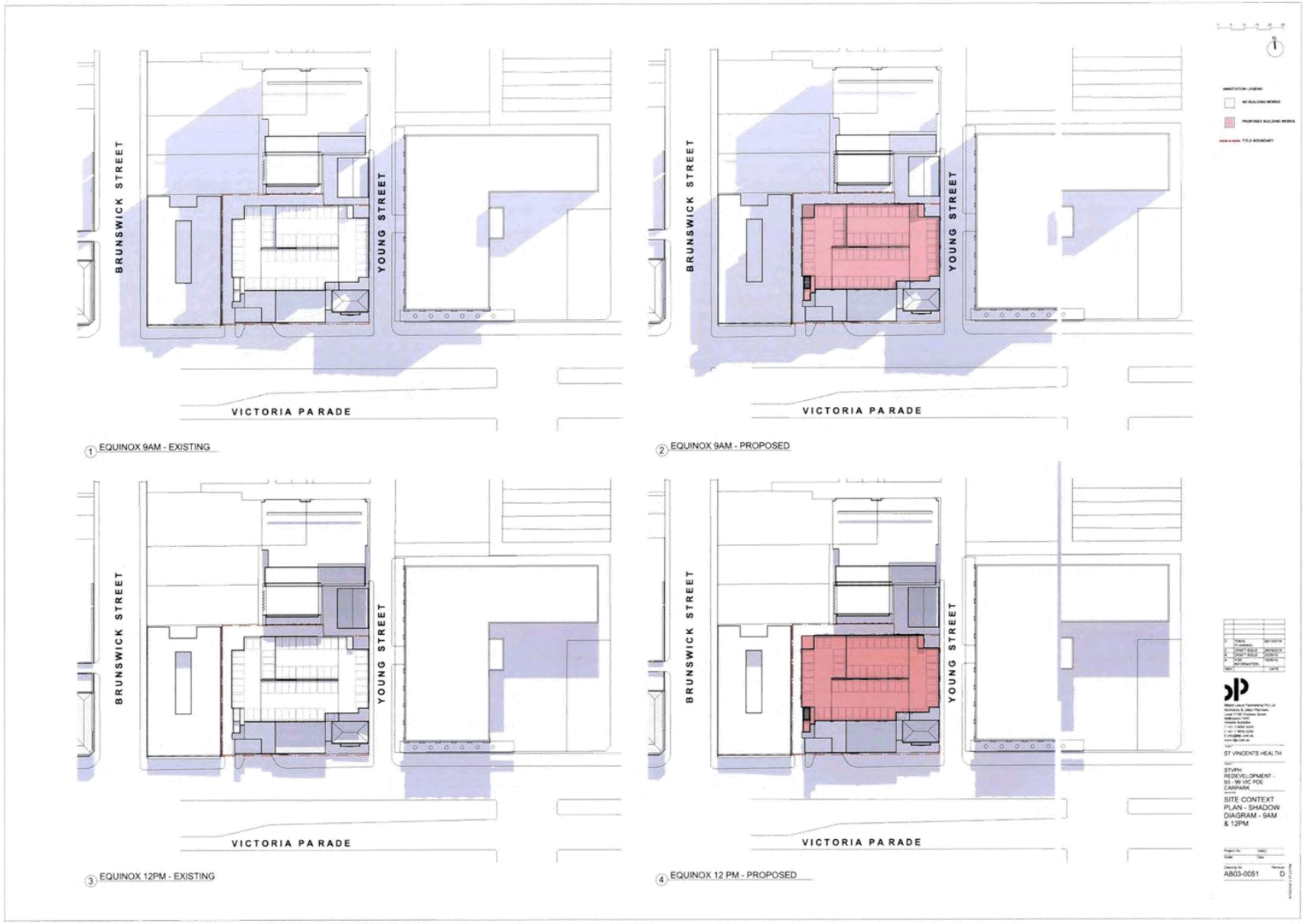
COVER SHEET

AB00-0001

Attachment 2 - Decision Plans Part 1

Attachment 2 - Decision Plans Part 1

Attachment 2 - Decision Plans Part 1



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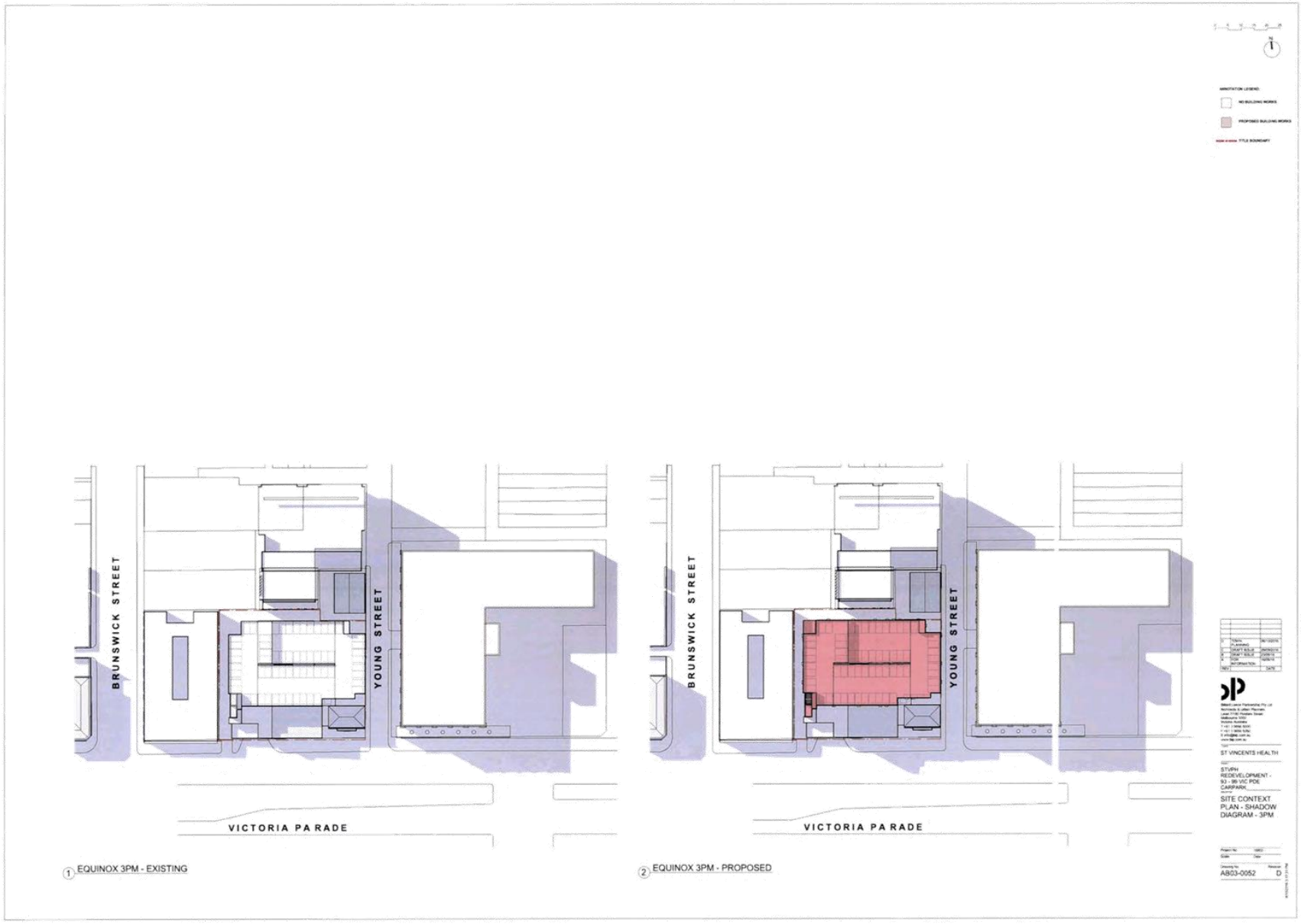

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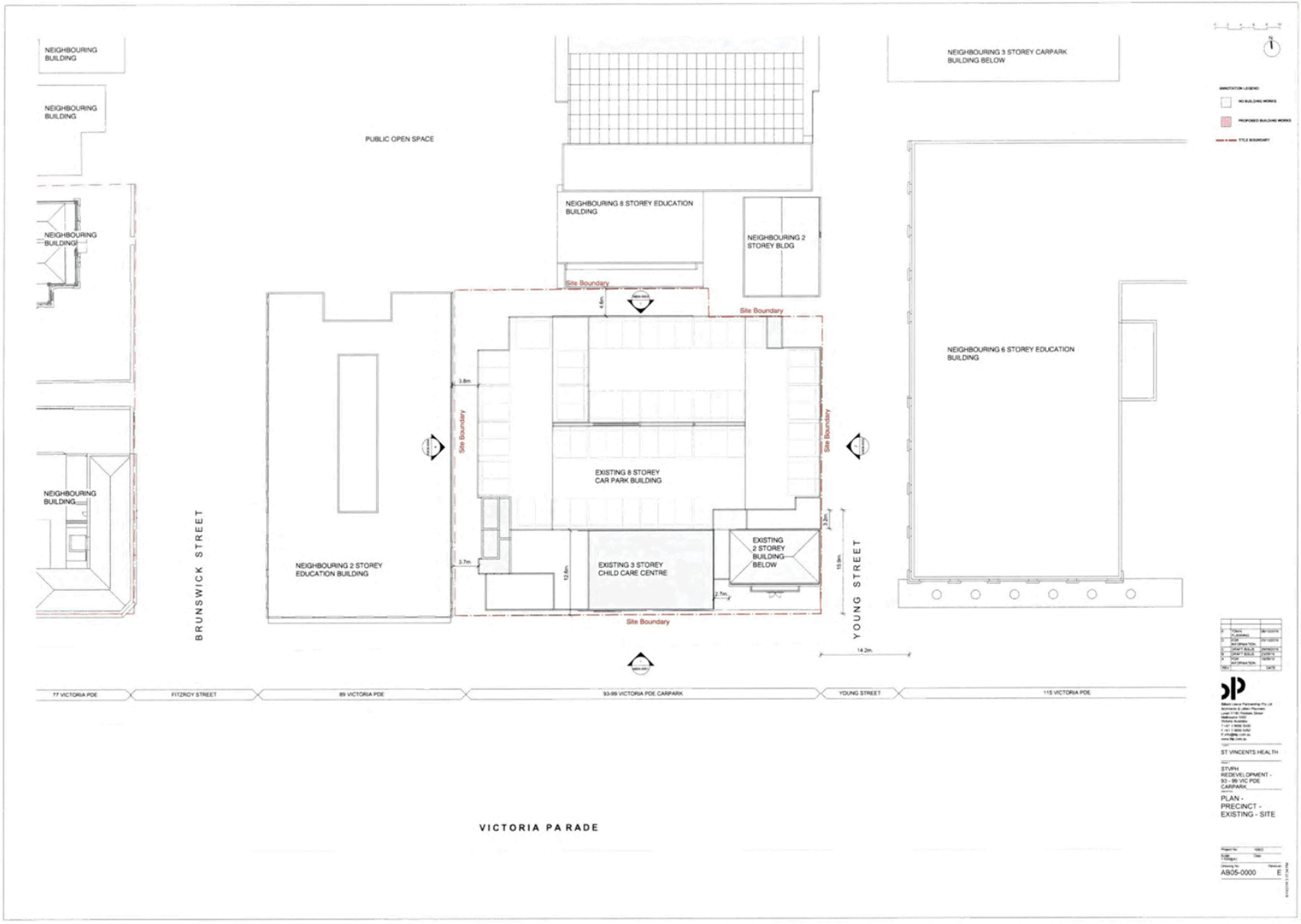

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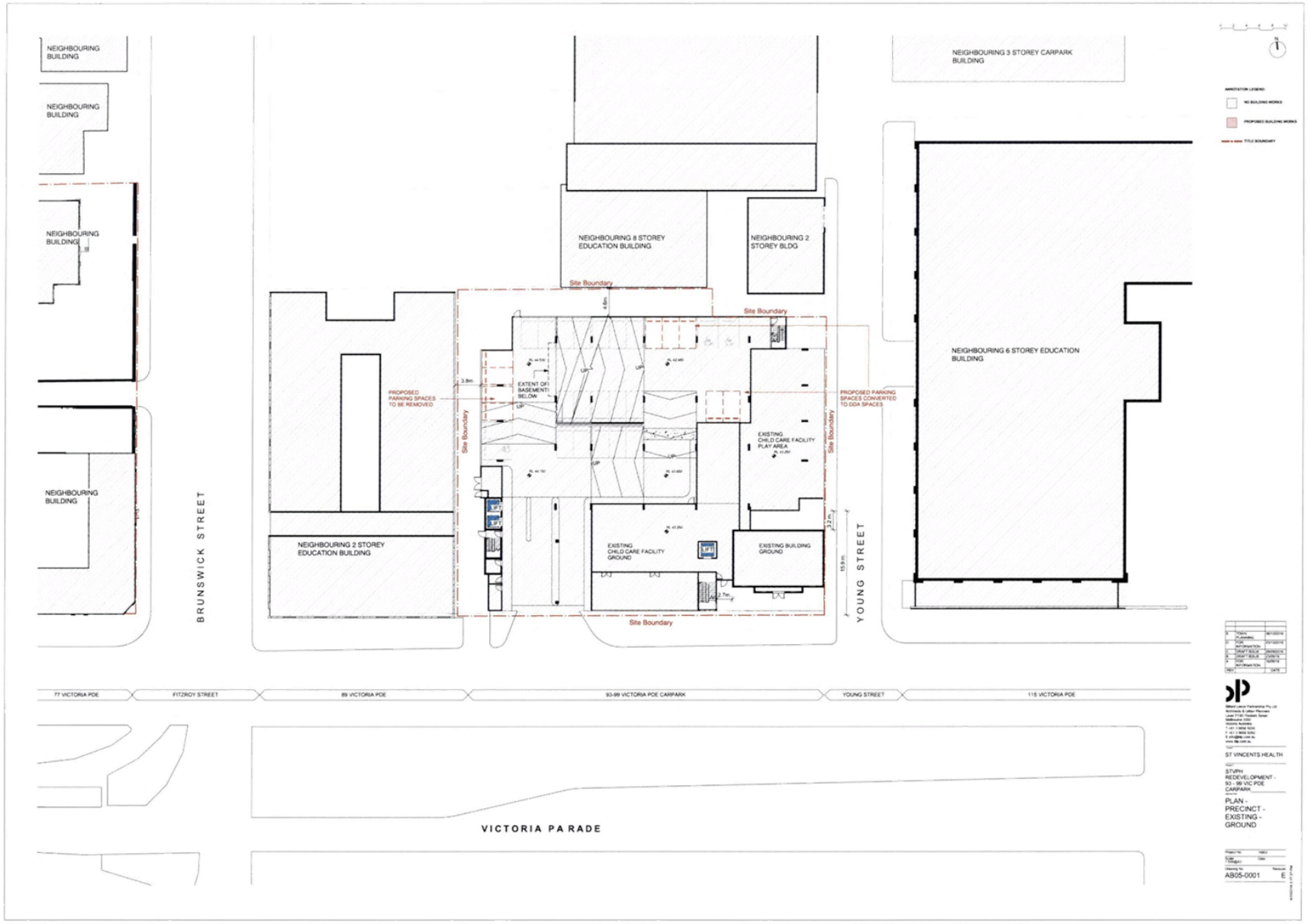

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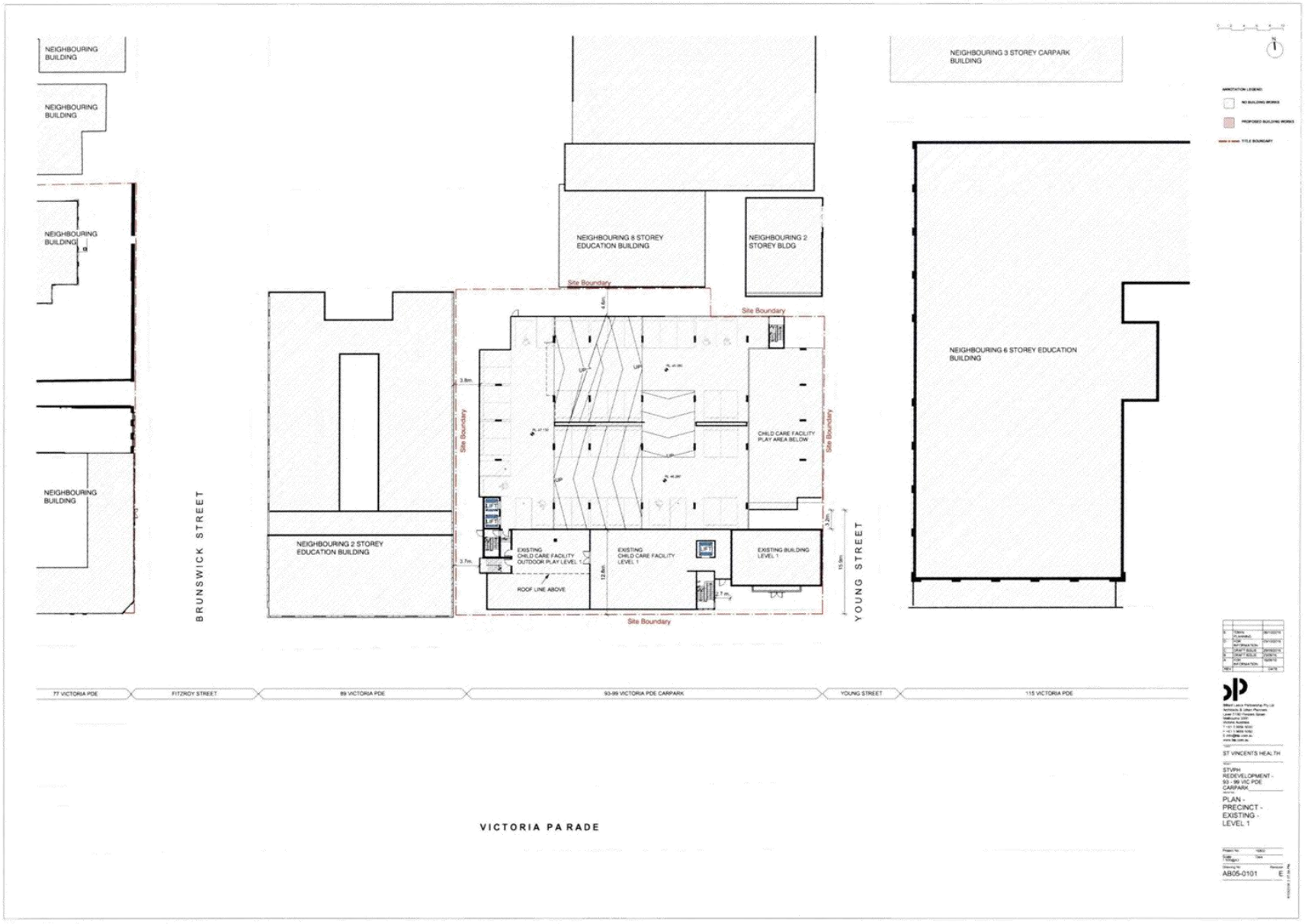

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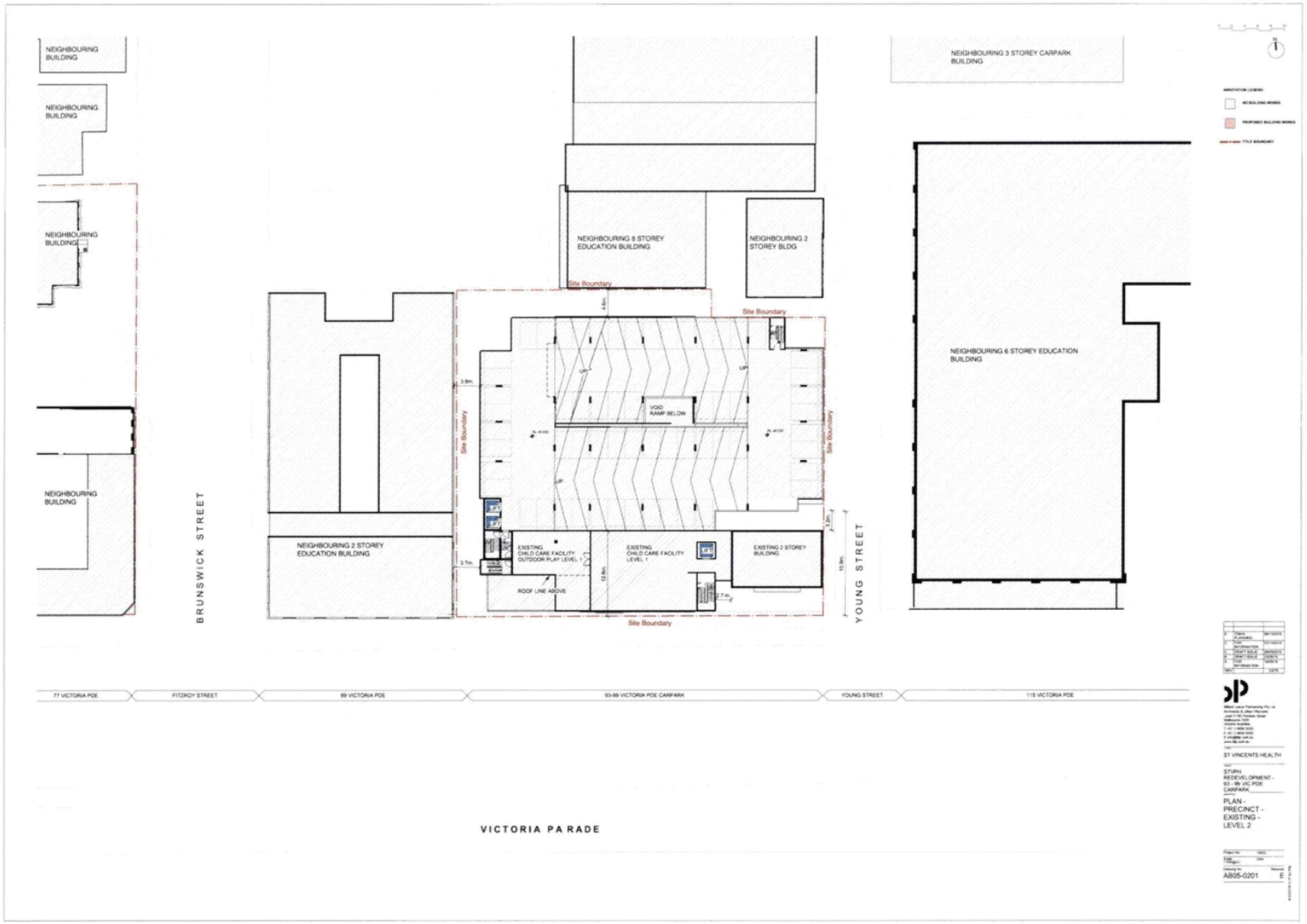

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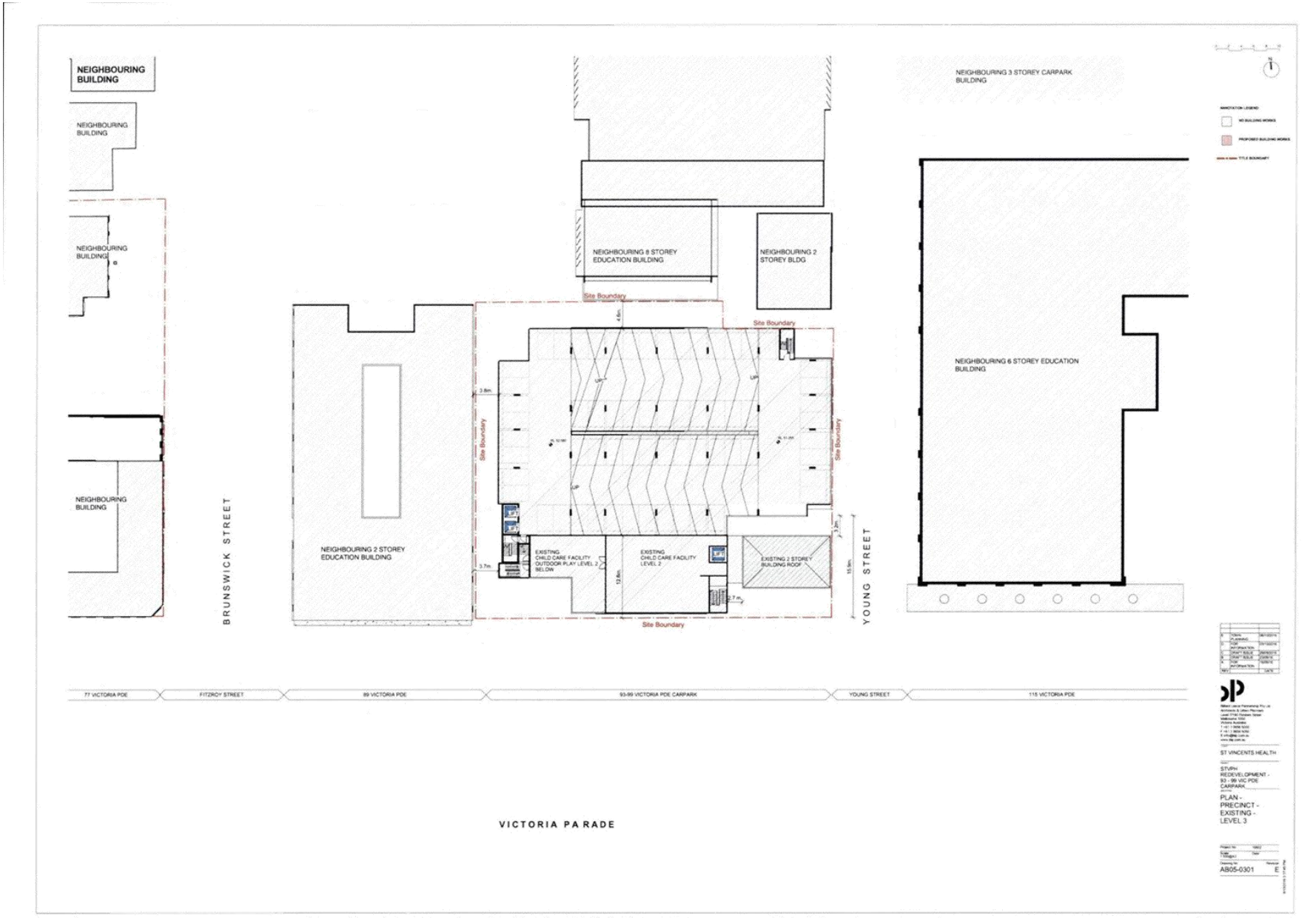

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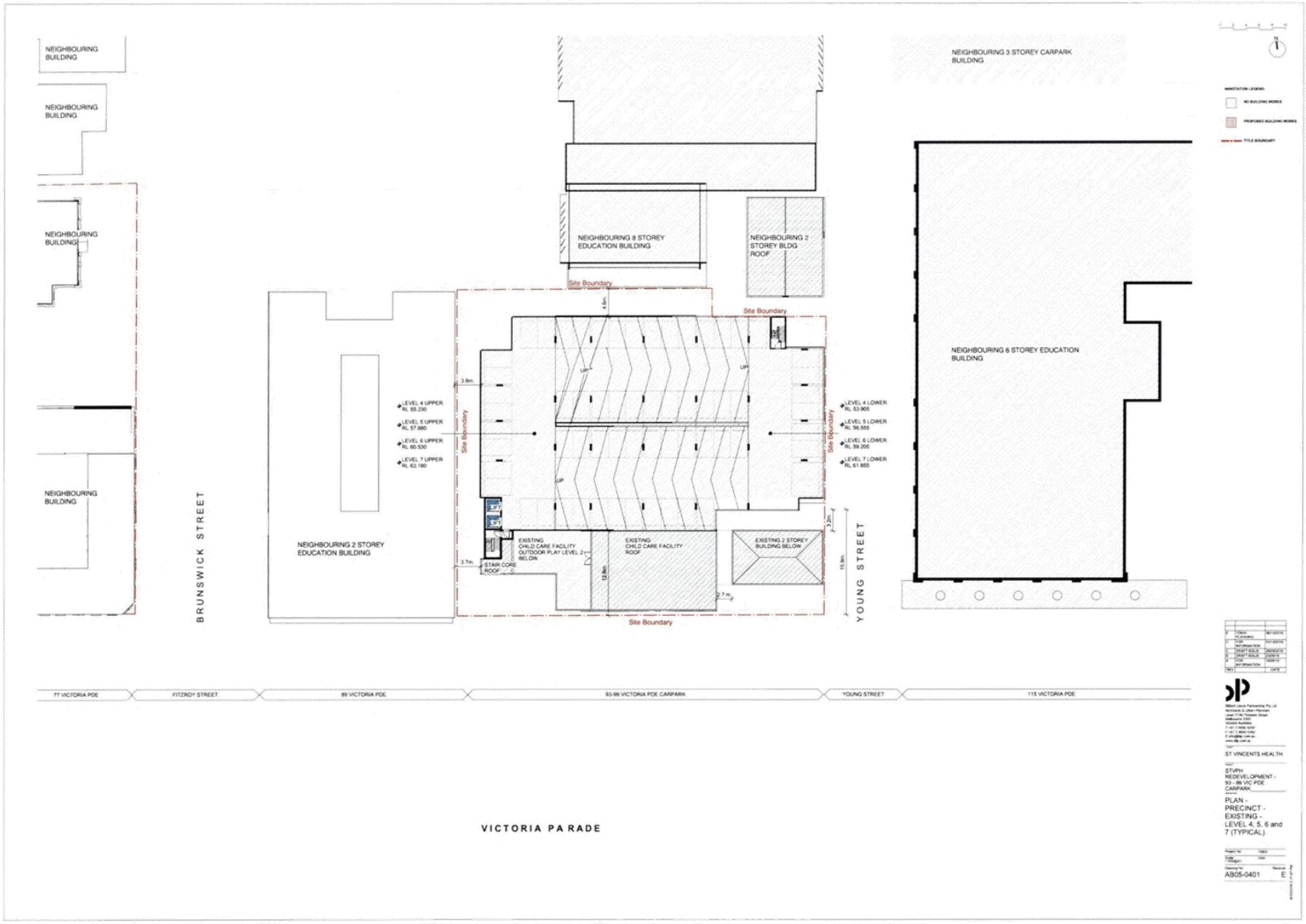

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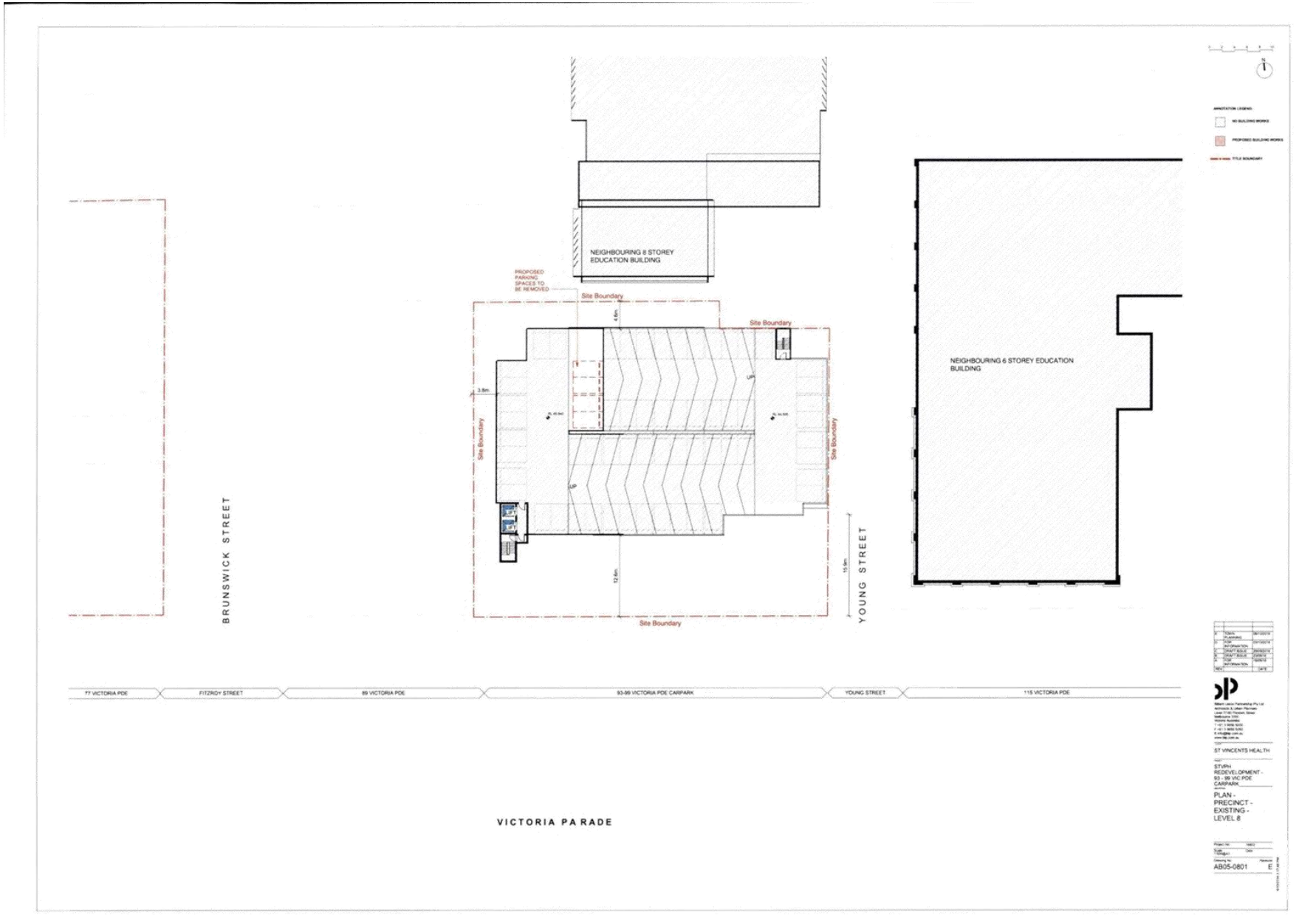

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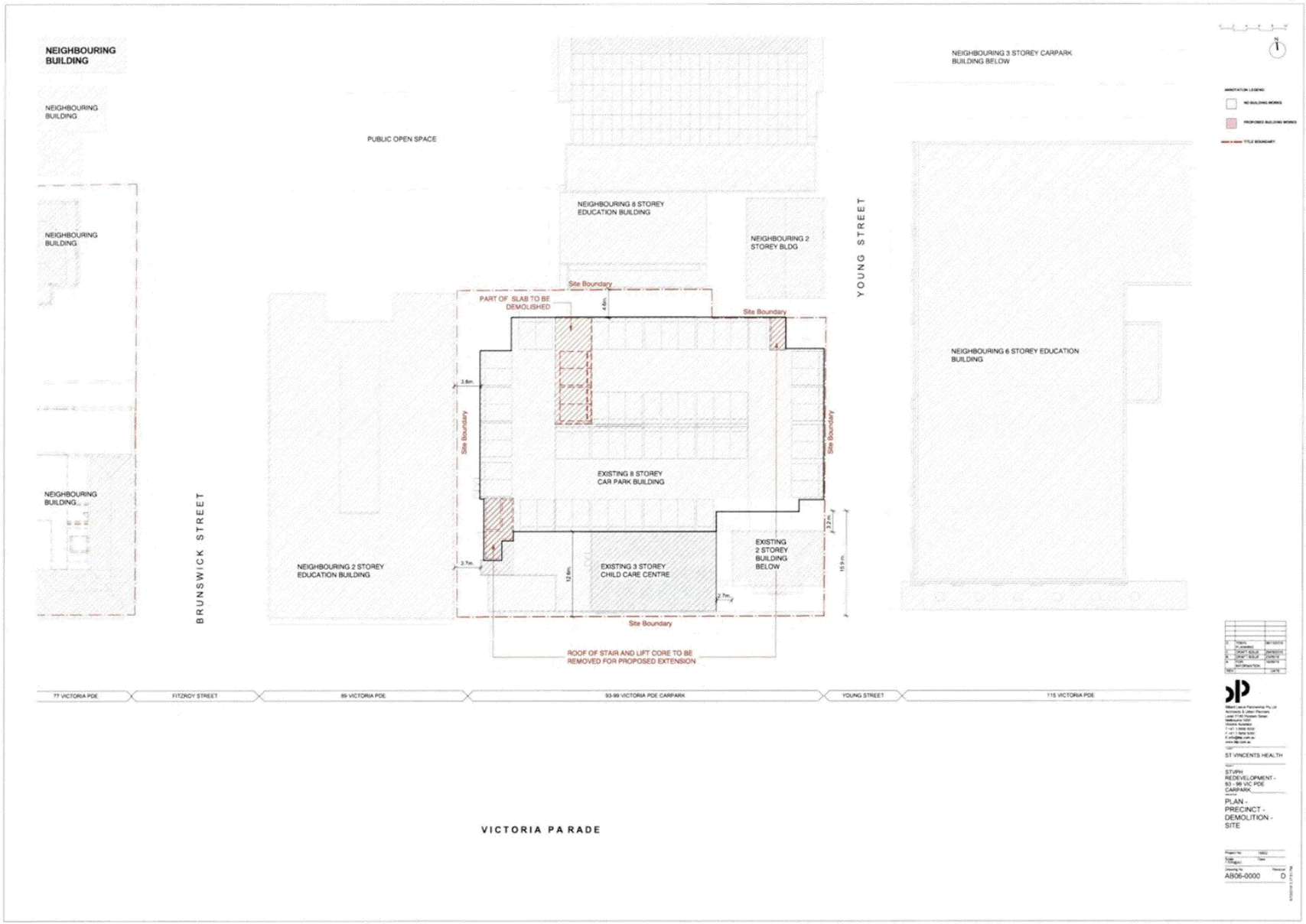

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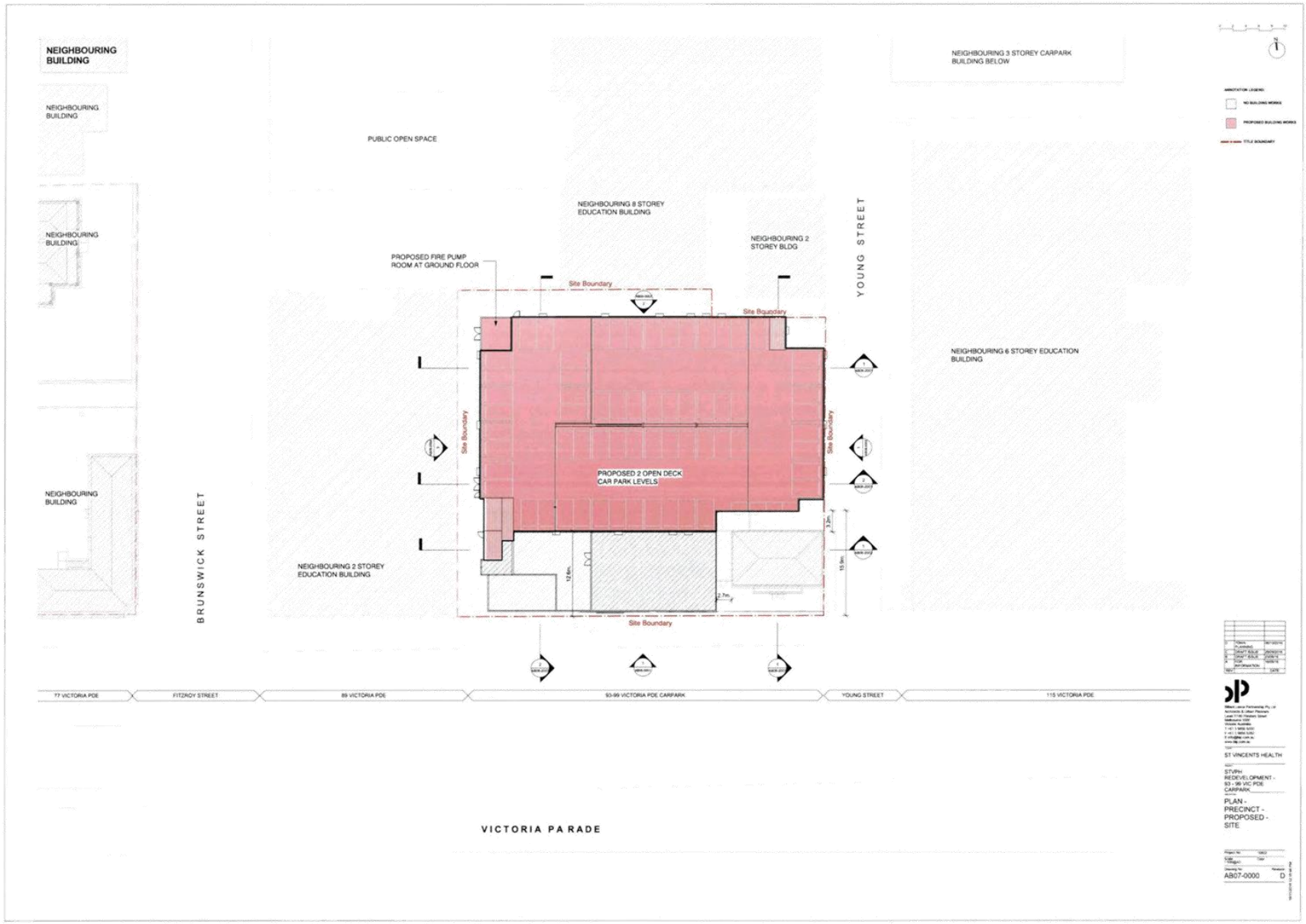

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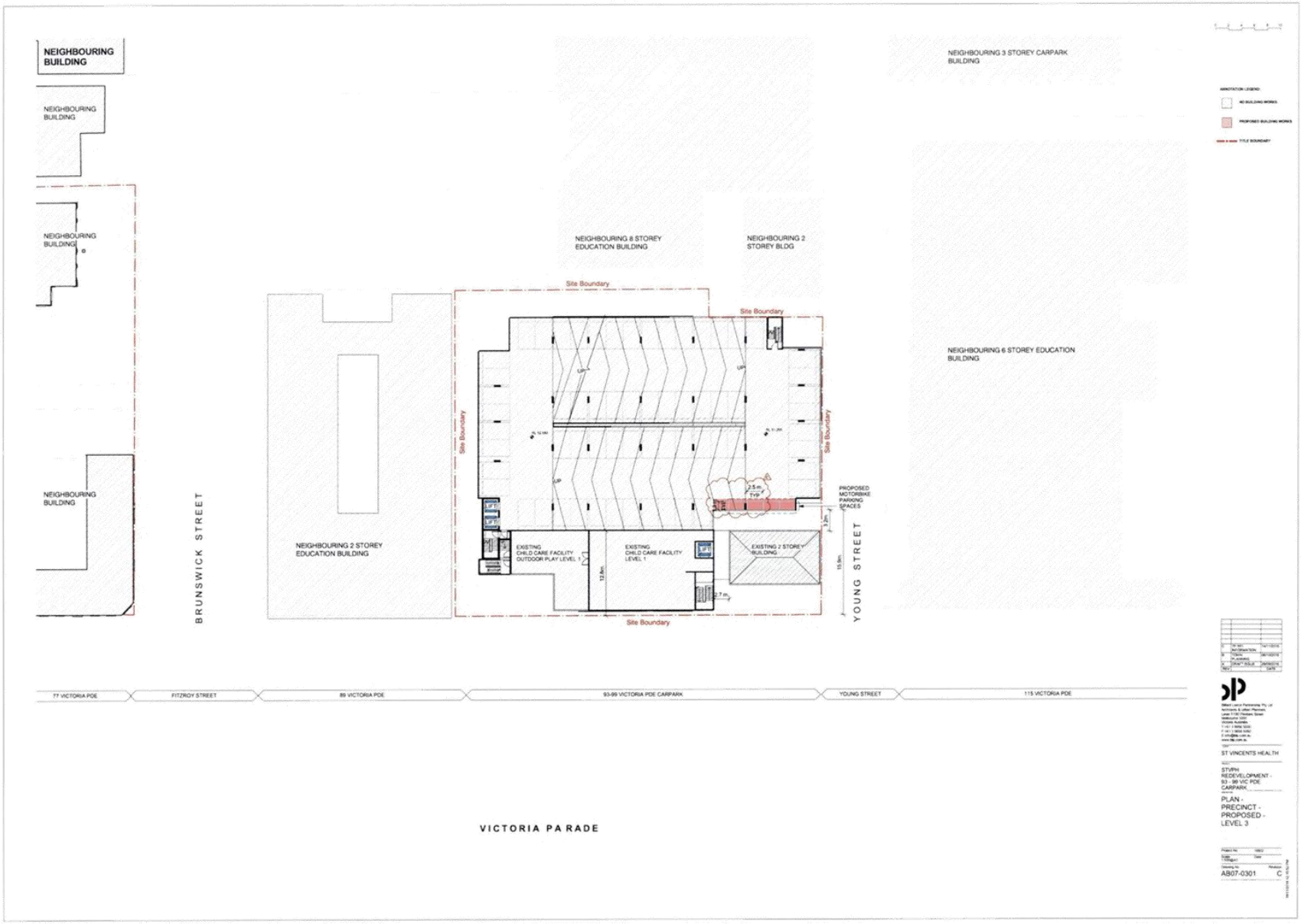

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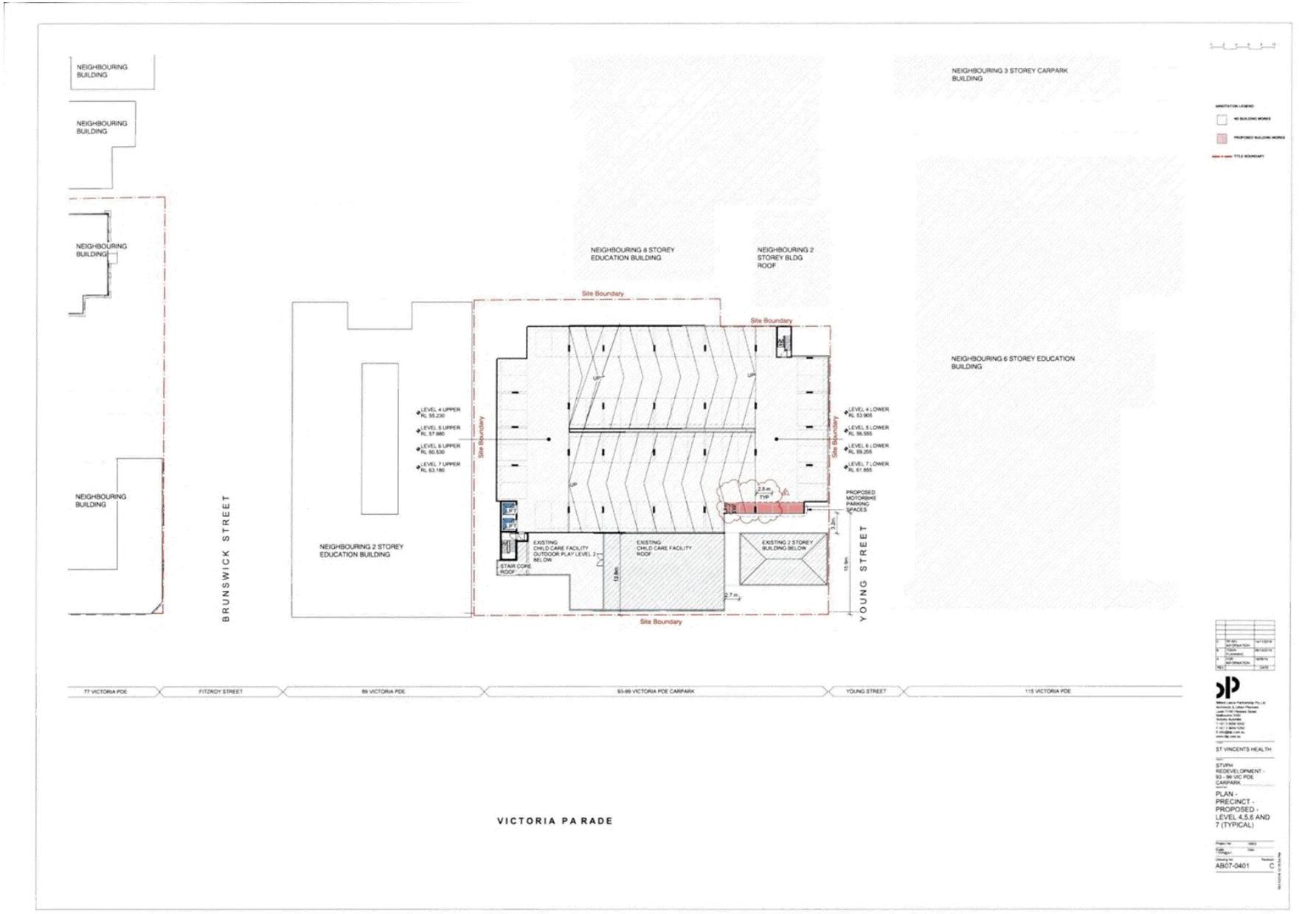

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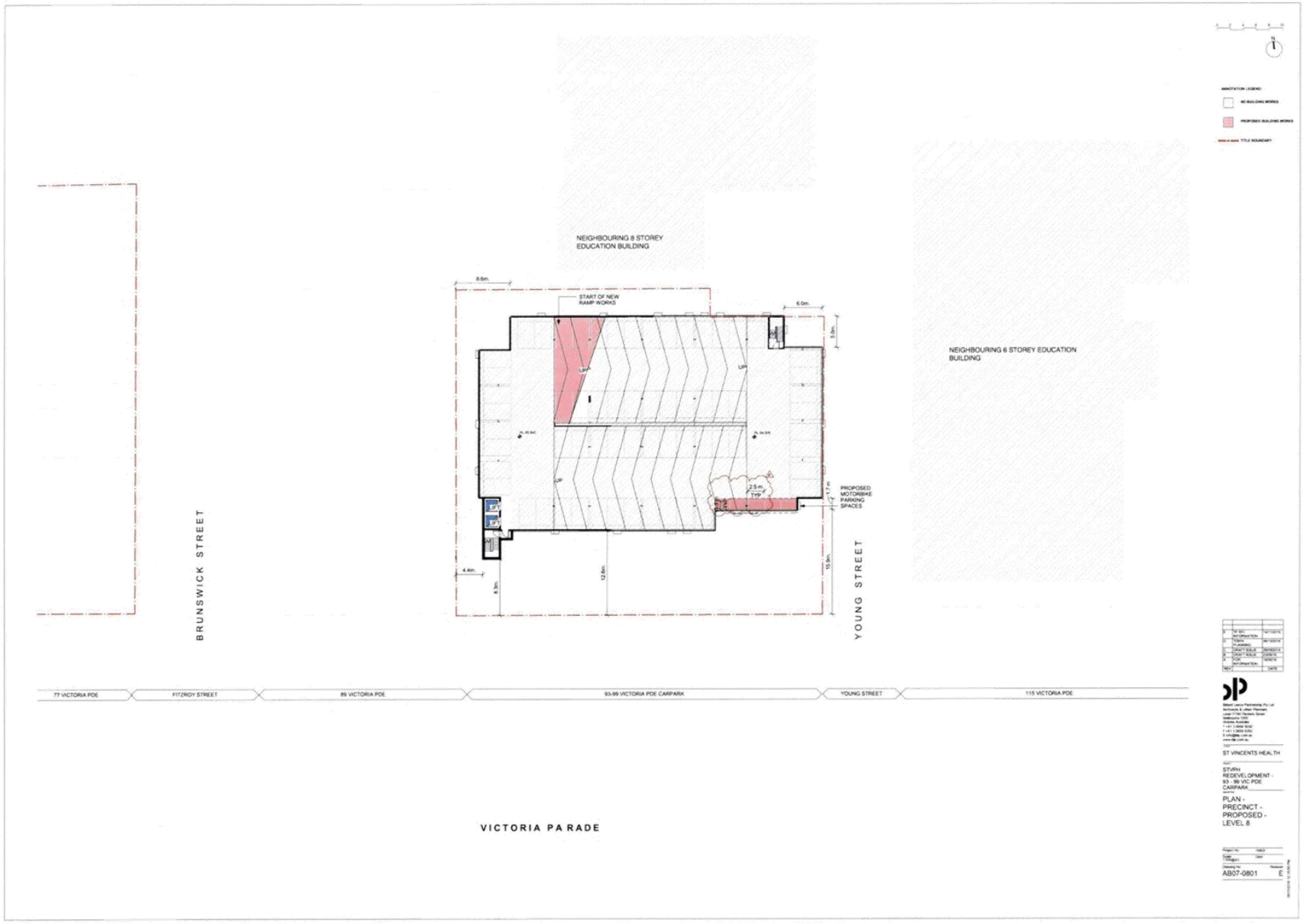

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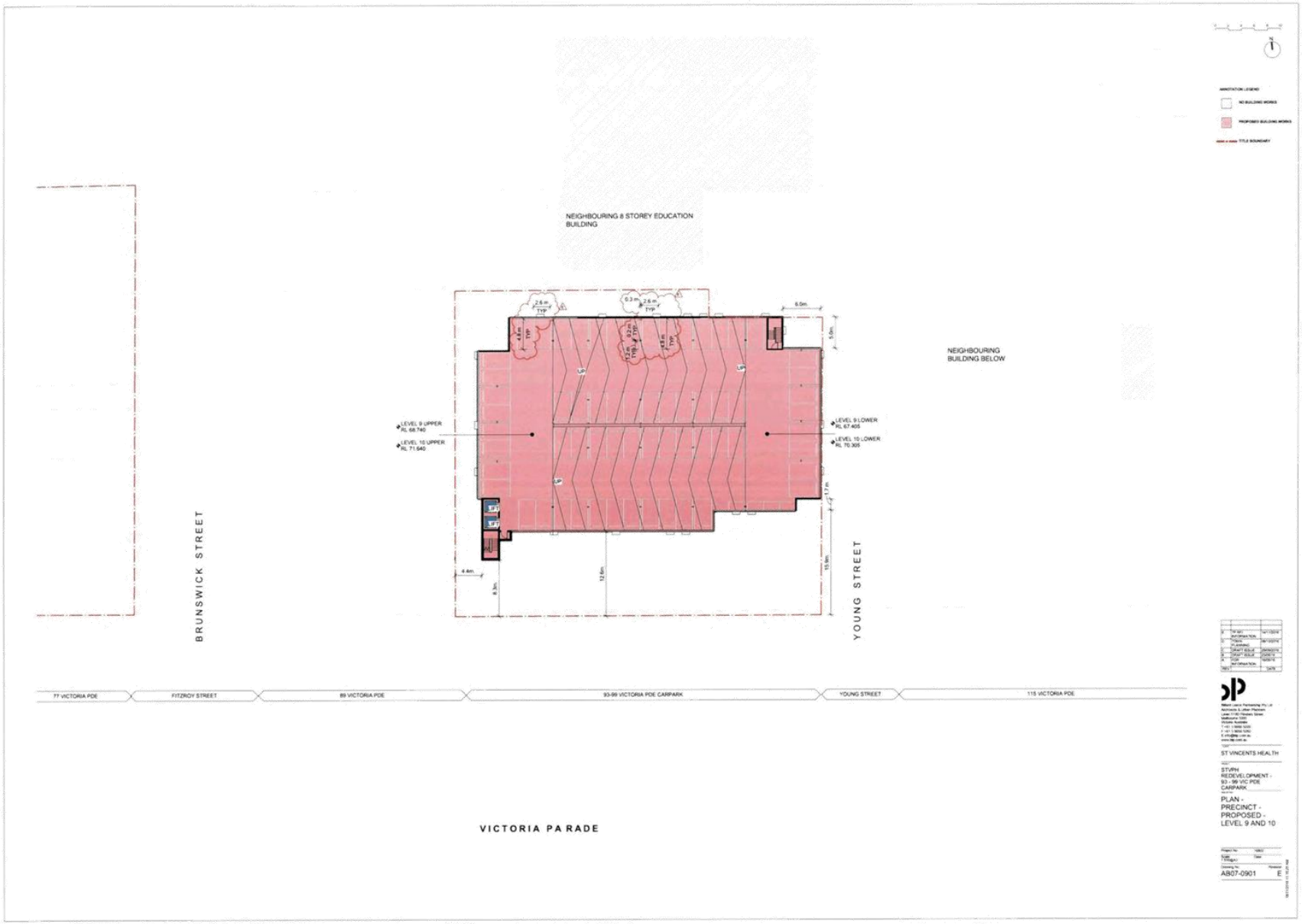

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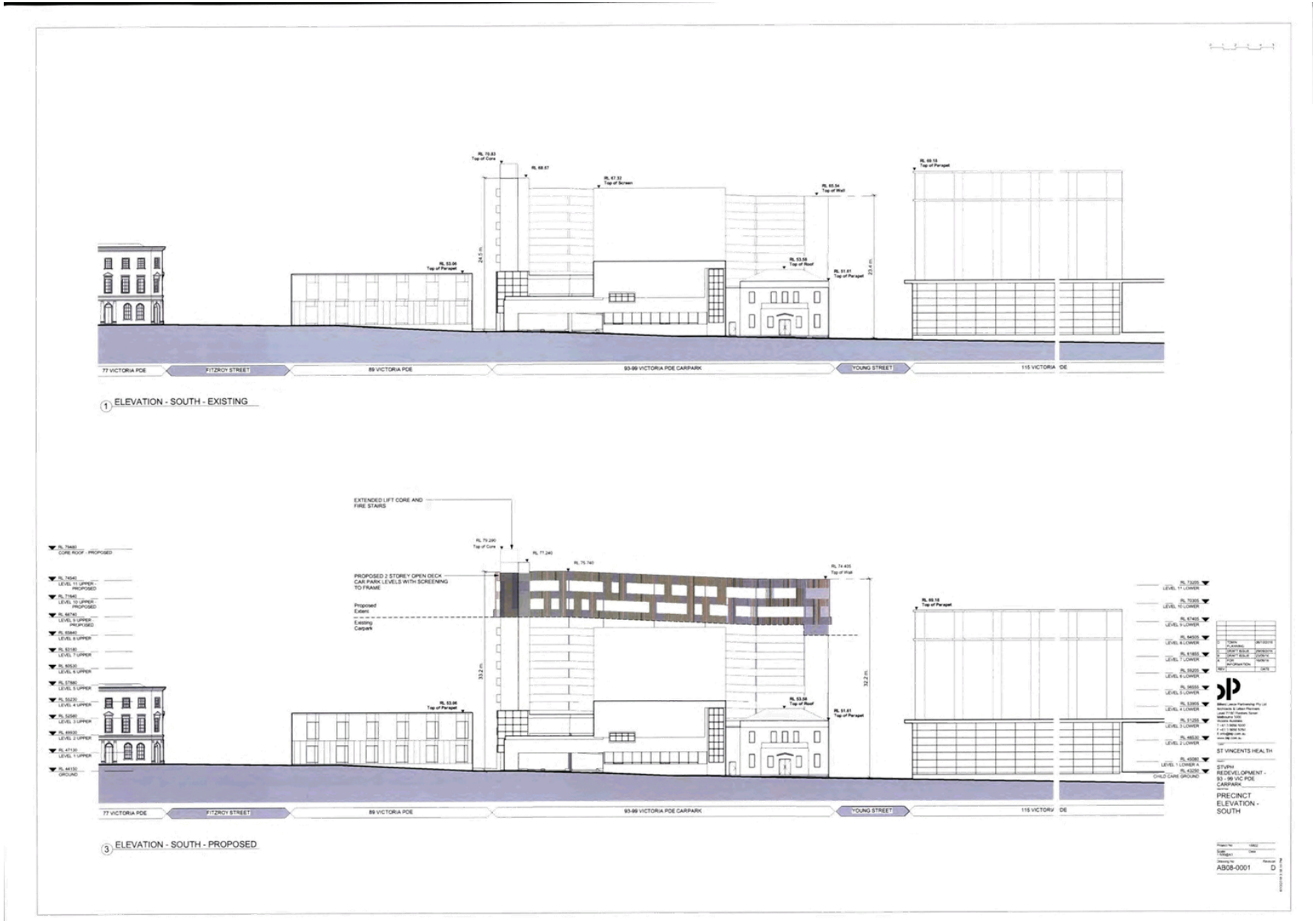

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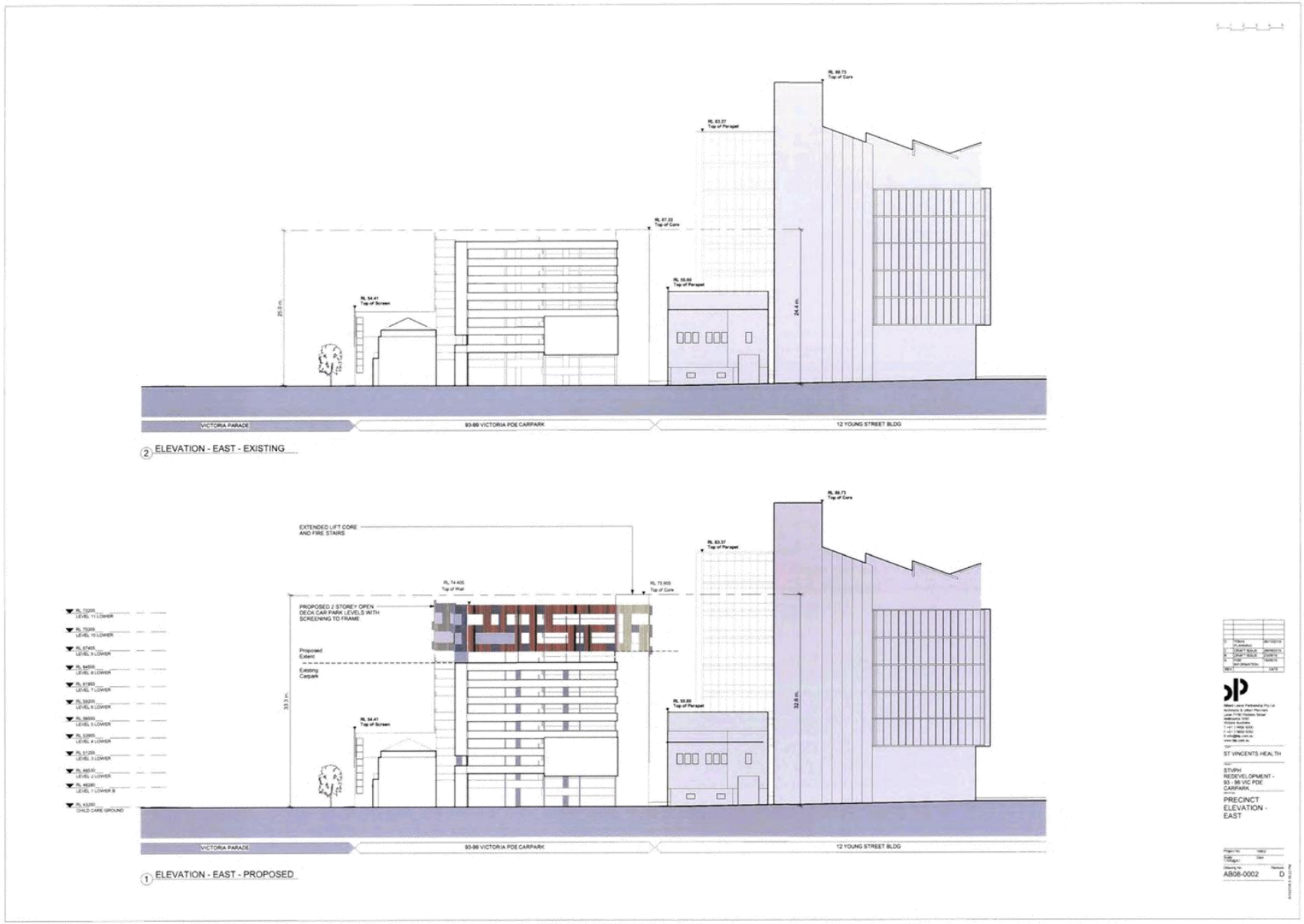

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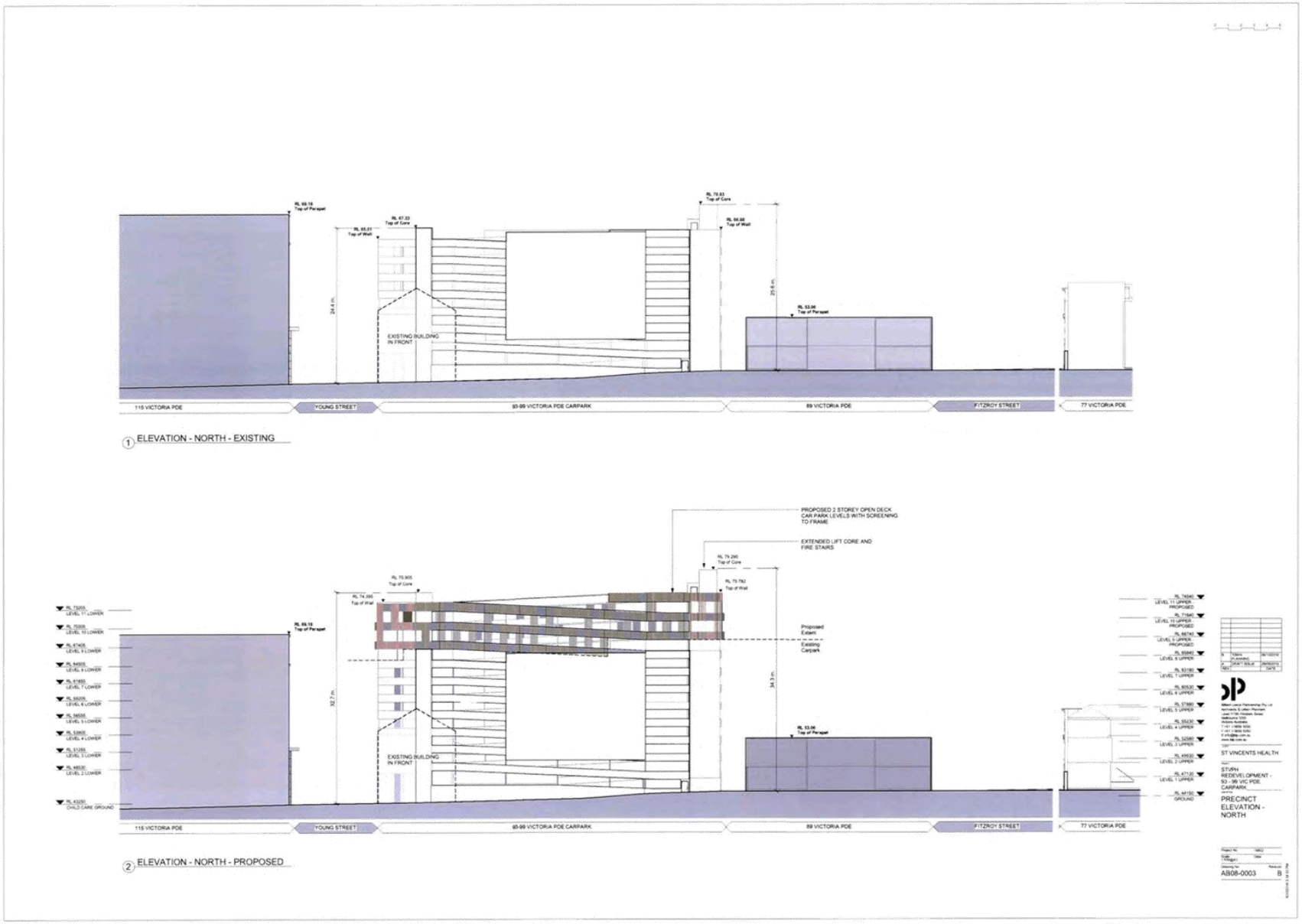

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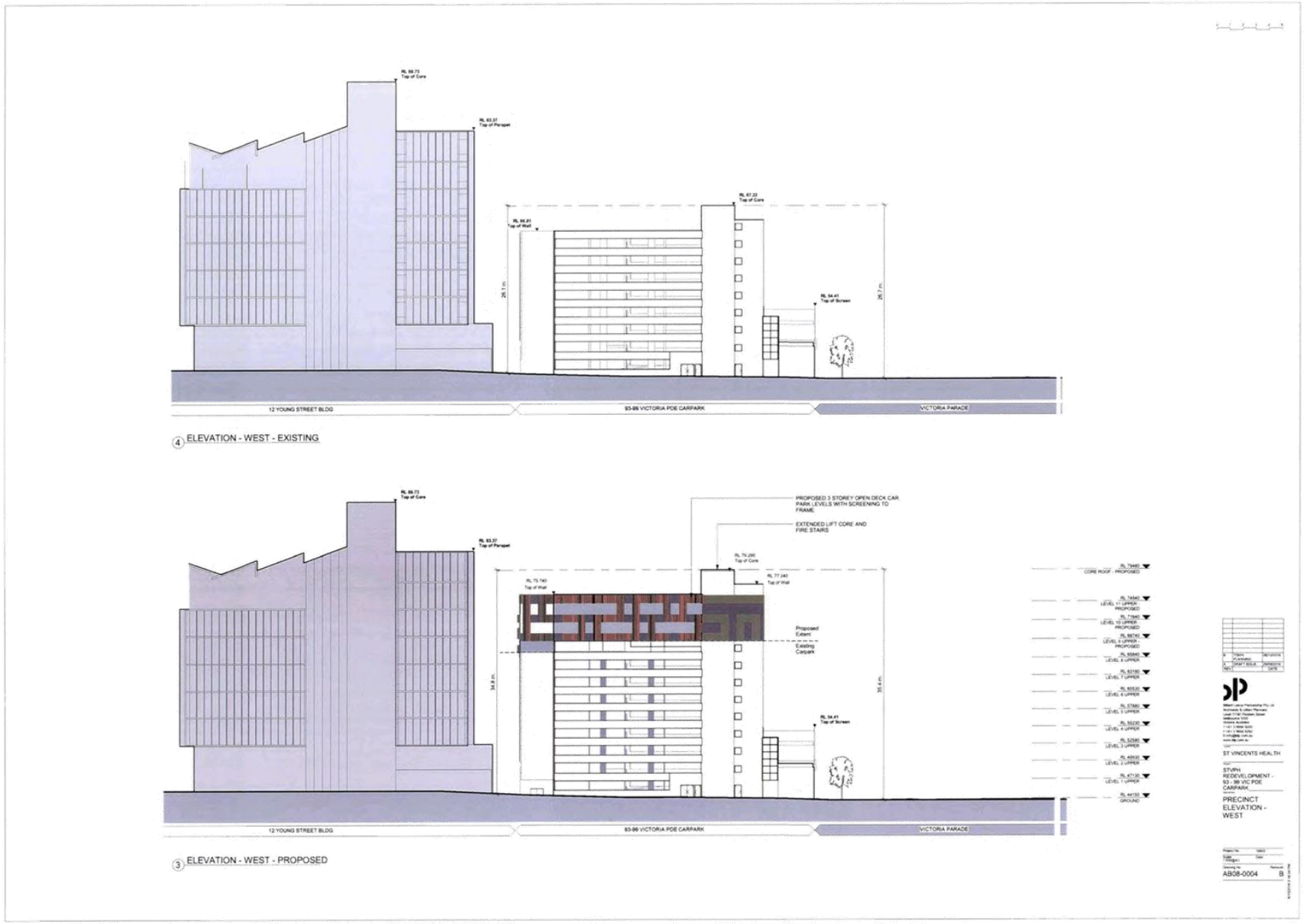

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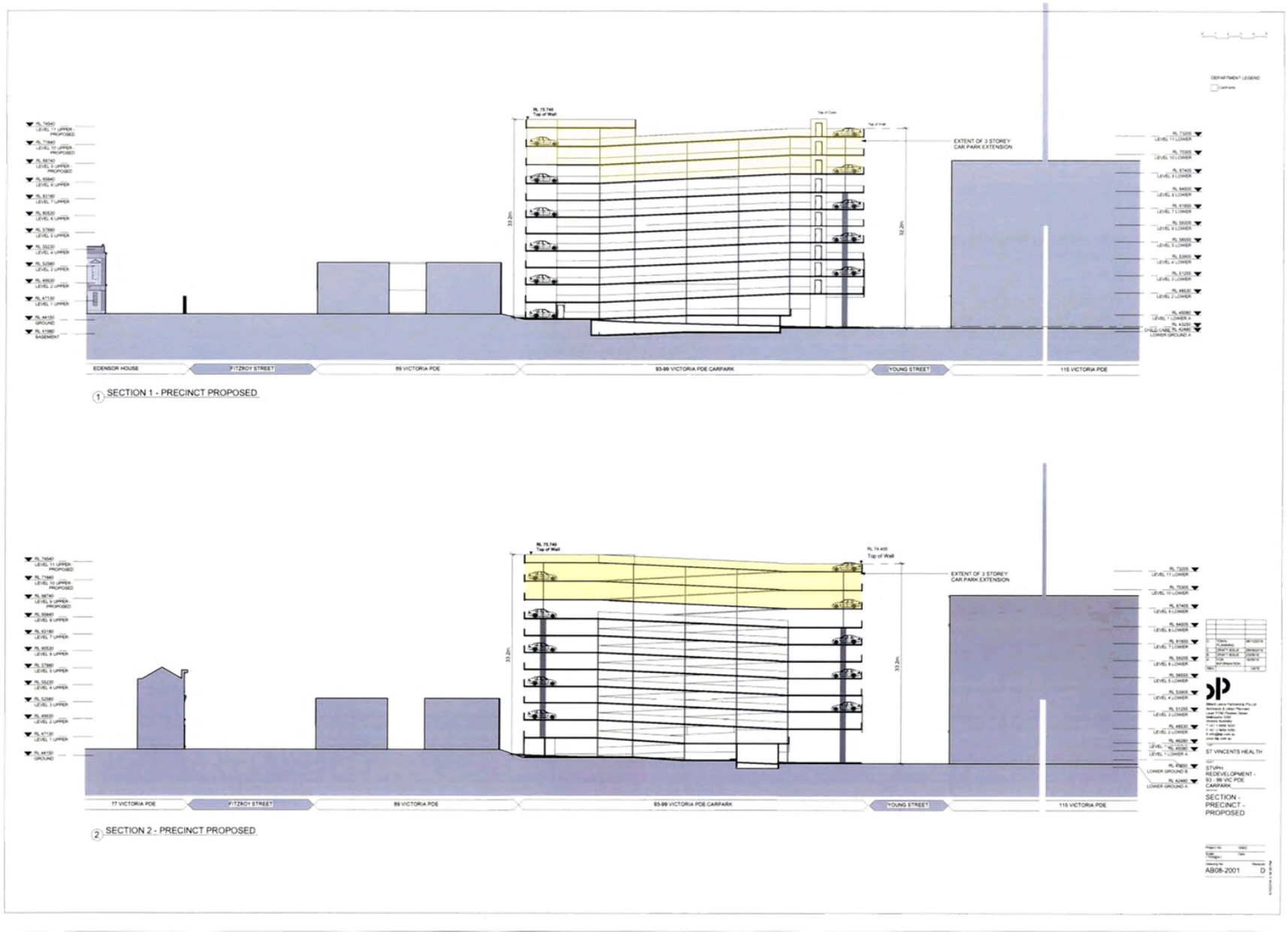

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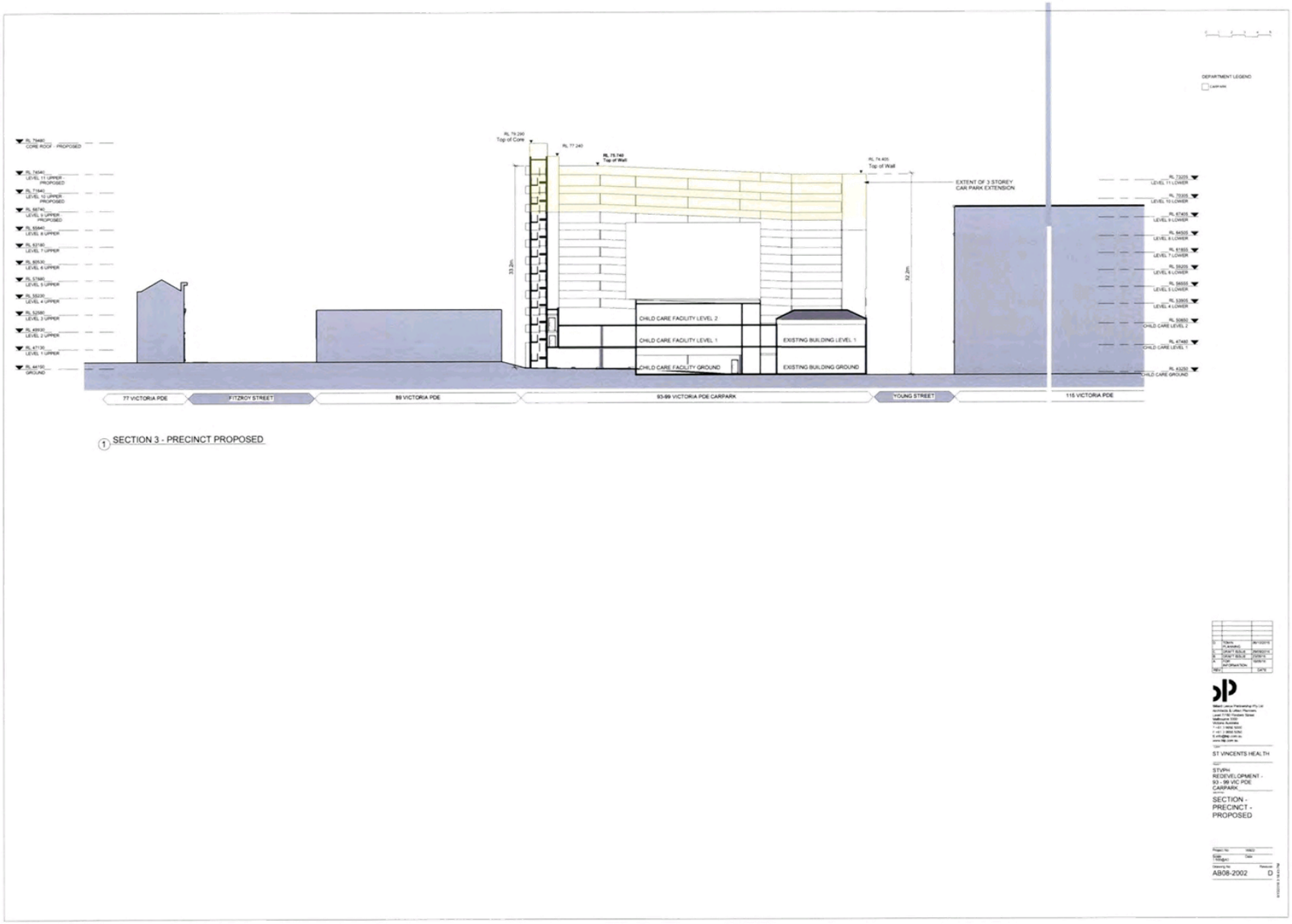
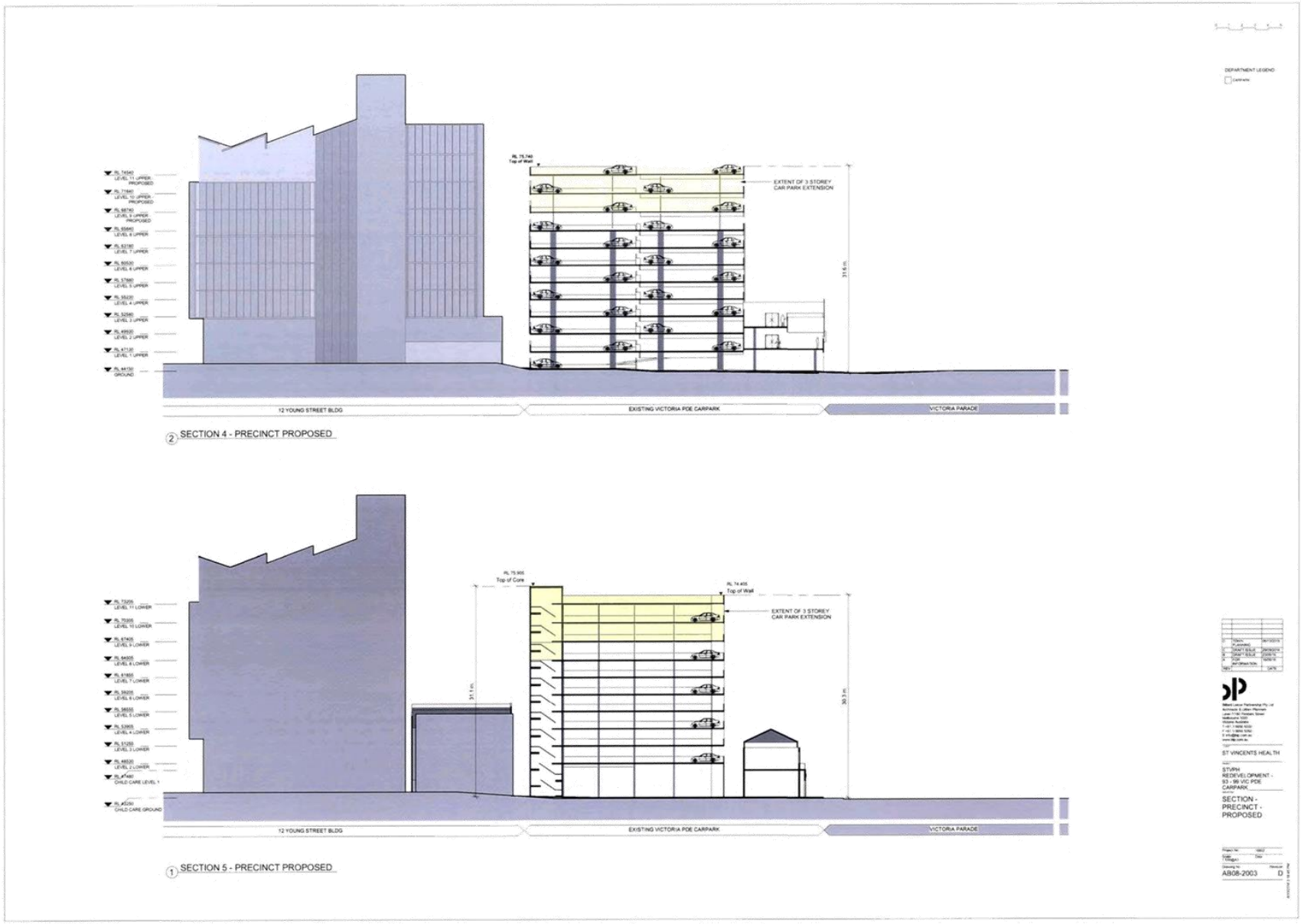


1 SECTION 3 - PRECINCT PROPOSED

Attachment 4 - Decision Plans Part 3



Attachment 4 - Decision Plans Part 3

FC1 - FABRICATED PLANTER BOXES TO NEW LEVEL - COLOURED THROUGH PREFINISHED COMPRESSED FIBRE CEMENT SHEET CLADDING ON SUITABLE FRAMING - "EQUITONE NATURA" N 073 CHARCOAL OR SIMILAR APPROVED.

AB1 - ALUMINIUM S.H.S BATTENS, SUITABLY FIXED TO FACADE. FINISHES TO BE A RANGE OF BLUE, GREEN & ORANGE SHADES POWDERCOATS DERIVED FROM THE EXISTING FACADE ARTWORK

FC1 - SELECTED WALL PANELLING SYSTEM - COLOURED THROUGH PREFINISHED COMPRESSED FIBRE CEMENT SHEET CLADDING ON PROPRIETORY FIXING SYSTEM - "EQUITONE NATURA" N 073 CHARCOAL OR SIMILAR APPROVED.

EXTENT OF EXISTING CAR PARK & CHILD CARER CENTRE BUILDING TO REMAIN UNALTERED EXTERNALLY.

ST VINCENTS HEALTH

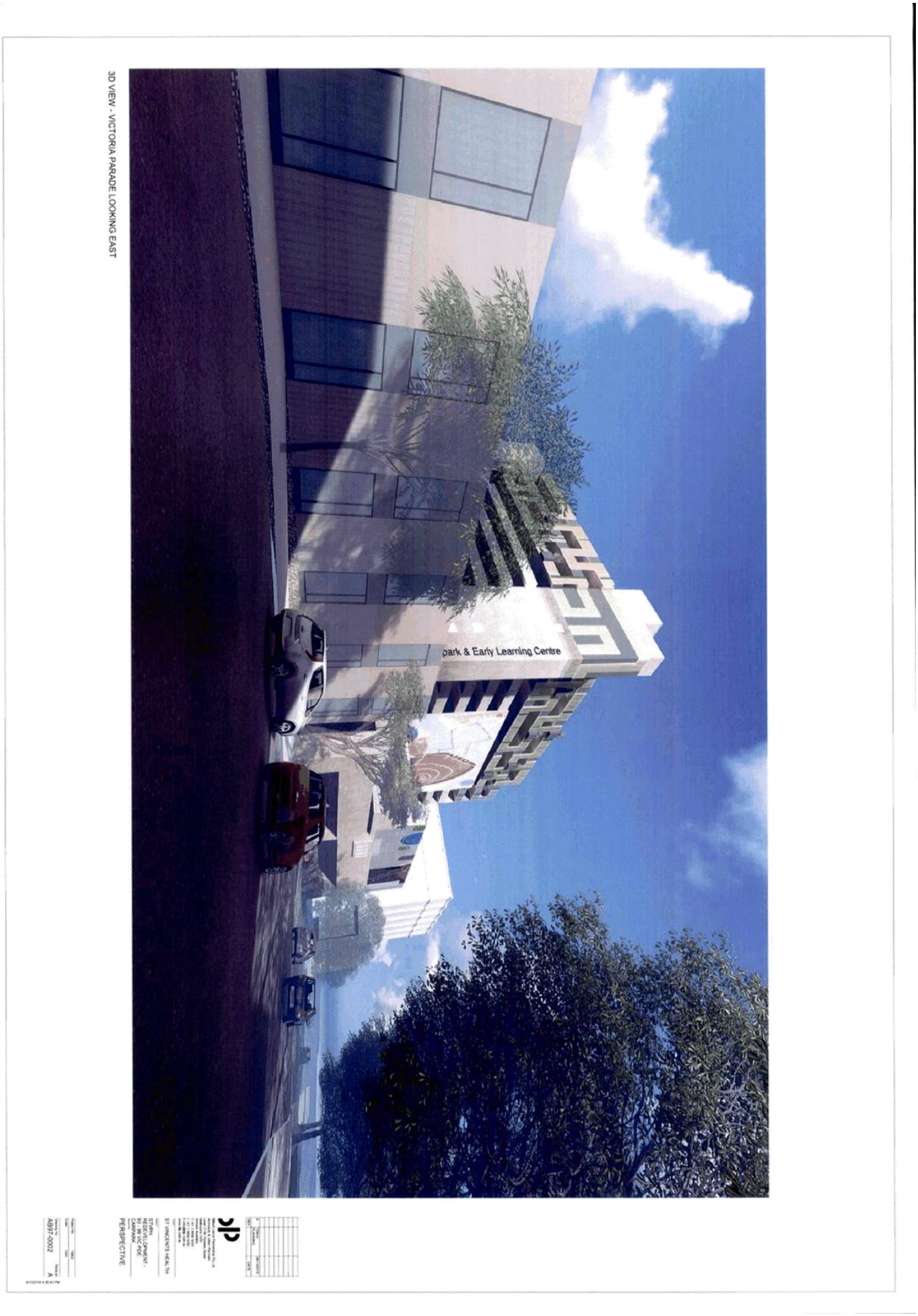
STVPH REDEVELOPMENT - 93 - 99 VIC PDE CARPARK

EXTERNAL FINISHES & MATERIALS - SOUTH ELEVATION

AB96-0001 A

Attachment 4 - Decision Plans Part 3

Attachment 4 - Decision Plans Part 3



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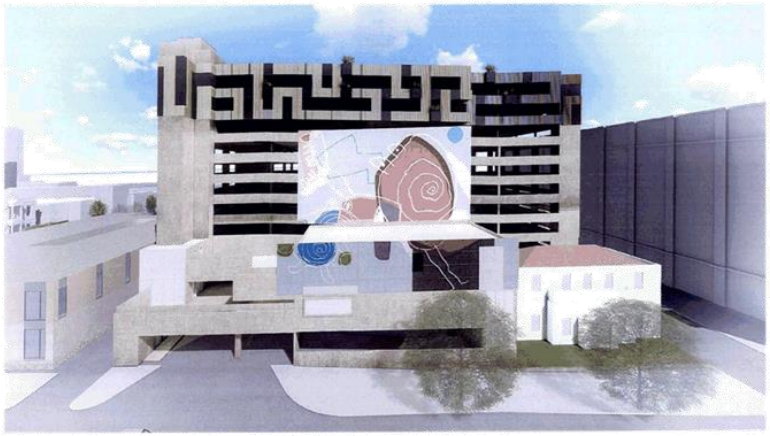


3D VIEW - VICTORIA PARADE SOUTH

3D VIEW - BRUNSWICK STREET LOOKING NORTH

3D VIEW - YOUNG STREET LOOKING NORTH

ST VINCENTS HEALTH

STVPH
REDEVELOPMENT -
93 - 99 VIC PDE
CARPARK

PERSECTIVE

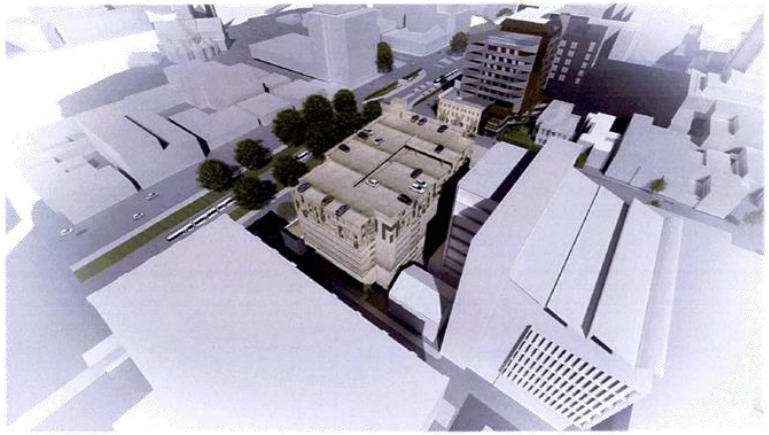
AB97-0003 A

Attachment 4 - Decision Plans Part 3

AERIAL - SOUTH EAST

AERIAL - SOUTH WEST

AERIAL - NORTH WEST



AERIAL - NORTH EAST

ST VINCENTS HEALTH

STVPH REDEVELOPMENT - 93 - 99 VIC PDE CARPARK

PERSPECTIVE - AERIALS

AB97-0004 A

Attachment 5 - Heritage Advisor comments

City of Yarra
Heritage Advice

Application No.:	*PLN16/0926*
Address of Property:	***93-99 Victoria Parade, Fitzroy***
Planner:	*James Sutherland*
Yarra Planning Scheme References:	*STATE POLICY:* • *Clause 15.03 Heritage* *LOCAL POLICY:* • *Clause 21.05-1 Built Form (Heritage)* • *Clause 43.01 Heritage Overlay* • *Clause 22.02 Development Guidelines for sites subject to the Heritage Overlay*
Heritage Overlay No. & Precinct:	*HO-334 South Fitzroy Precinct*
Level of significance:	*Non-Contributory, constructed post 2000 (Appendix 8, City of Yarra Review of Heritage Overlay Areas 2007- updated Sep 2015)*
General description:	*Addition of three levels to the existing car park from approximately 23.4metres to 32.2metres tall (additional three storeys).*
Drawing Nos.:	• *Set of 34 x A3 drawings prepared by Billard Lease Partnership, received by Council and date stamped 25 November 2016* • *Heritage Impact Statement by Lovell Chen (October 2016)* • *Urban context report and design response (7 Oct 2016)*

CONTEXT DESCRIPTION:

The subject site is a rectangular allotment with a principal frontage to Victoria Parade and side frontage to Young Street.

The site contains a nine-storey building that was constructed c. 2008. The building, which for the most part is setback 12.6 metres from Victoria Parade, is predominantly used as a car park however the three-storey podium contains a childcare centre.

A double storey individually significant building (former Tramways Offices) is located in the south-east corner of the subject site, fronting Victoria Parade. It is partly attached to the car park building at the side.

To the rear of the subject site is the former Melbourne and Metropolitan Tramways Board Electrical Substation, which is an individually significant building.

To the east of the subject site is the former Commonwealth Note and Stamp Printing Department, now part of the Australian Catholic University (ACU) Melbourne Campus.

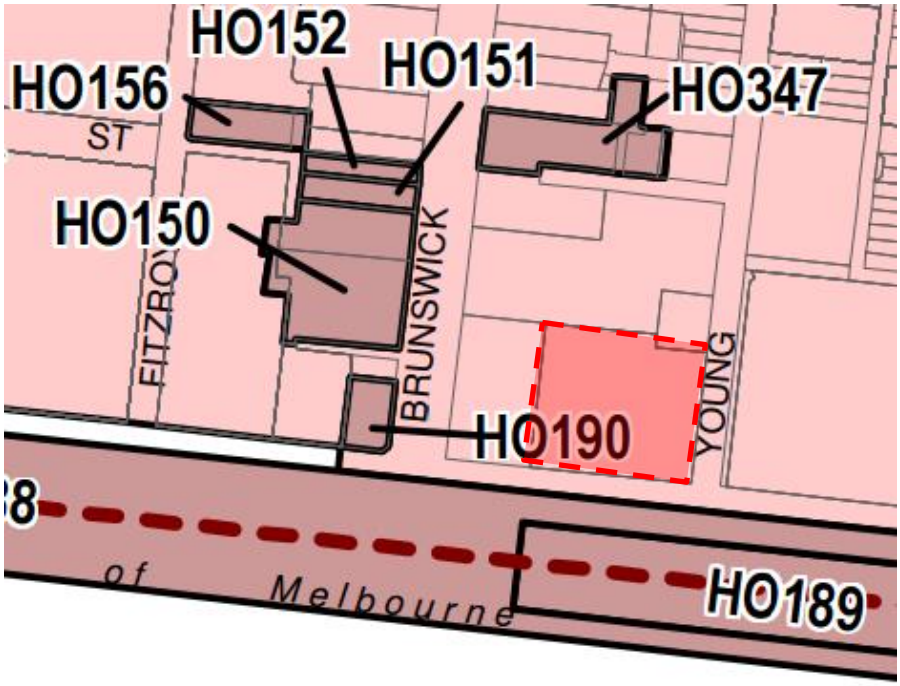
The site is located in the southern section of the South Fitzroy Precinct, and is surrounded by a number of individually significant and contributory properties, including properties with individual heritage overlays (HO's 189, 190, 150, 151, 152 and 347 specifically).

The immediate area is characterised by a combination of moderately intact historic buildings of varying architectural styles (mainly Victorian and Inter-War structures of between two and six stories in height) and a number of large scale, non-contributory commercial buildings associated with St. Vincent's hospital and the Australian Catholic University.

Whilst a significant proportion of the South Fitzroy Precinct is significant for its domestic-scale fabric, institutional and large scale buildings such as those that surround the subject site are also of equal significance.

Attachment 5 - Heritage Advisor comments

Above: Current aerial of the subject site (denoted by red dashed lines).Immediately surrounding individually significant buildings denoted by yellow boxes.



Above: Extract from Heritage Overlay Map No.5 showing subject site (red dashed line) and surrounding individual HO's.

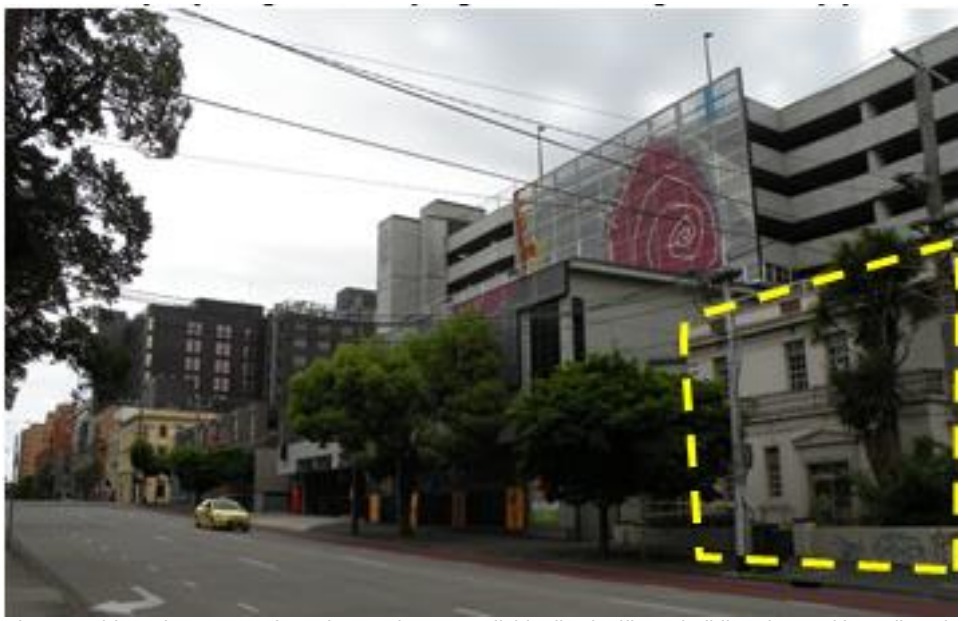
Attachment 5 - Heritage Advisor comments

Above: Extract from Yarra GIS mapping showing extent of surrounding individually significant, contributory and non-contributory buildings.

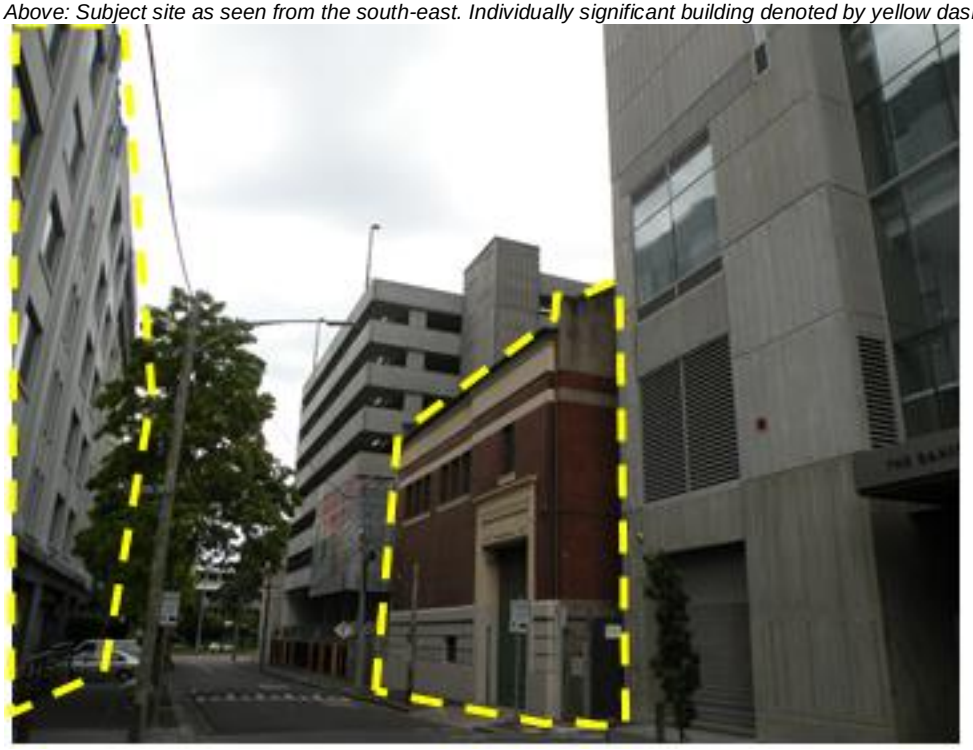
Above: Subject site as seen from the south-west. Immediately adjoining individually significant building denoted by yellow dashed lines.

Above: Subject site as seen from the south-east. Immediately adjoining individually significant buildings denoted by yellow dashed lines.

Attachment 5 - Heritage Advisor comments



Above: Subject site as seen from the south-east. Individually significant building denoted by yellow dashed line.



Above: Subject site as seen from the north-east. Immediately adjoining individually significant buildings denoted by yellow dashed line.

ASSESSMENT OF PROPOSED WORKS:

Comments regarding proposed demolition:

The extent of demolition proposed by this application includes the removal of non-contributory fabric associated with the building constructed in c.2008.

There are no heritage concerns regarding the proposed extent of demolition.

Comments regarding new development, alterations and additions:

The extent of new works proposed by this application includes development of three additional levels to the existing car park building.

The key consideration for assessing this aspect of the works is whether the proposed development will adversely affect the significance, character or appearance of the broader heritage precinct and the immediately surrounding individually listed heritage sites.

Attachment 5 - Heritage Advisor comments

Adding three floor levels to the existing carpark building will result in a finished building that will be noticeably higher than the individually significant building. The proposed new floor levels will replicate the existing front setbacks of the floors immediately below.

Ideally, the proposed additions should be positioned and sized to ensure that the prominence of adjoining heritage buildings is retained. If an additional three floor levels is considered necessary, then the design of the new works should attempt to minimise their appearance so that the apparent scale, proportion and materials of the existing building are not dramatically changed. This proposal is attempting to do quite the opposite.

It is considered that the design of the proposed additional floor levels should attempt to achieve at least some level of concealment so that the height of the existing façade continues to respond respectfully to the height of the adjacent ACU building. A number of design techniques should be considered including the possibility of setting the new floor levels further back from the front of the site and/or redesigning the façade so that it presents as a neutral form with no apparent floor levels or features that draw unnecessary attention to it.

The colour and appearance of the currently proposed façade consisting of multi-coloured SHS battens fixed to the façade with planter boxes interspersed will definitely detract from the conservative appearance of the adjacent ACU building. Attracting attention to the additional floor levels should be avoided.

RECOMMENDATIONS:

On heritage grounds, the works proposed in this application should be modified prior to further consideration. The following suggested changes may alternatively be used as conditions.

1. The façade of the proposed additional floor levels must be redesigned to avoid competing with the prominent appearance of the adjacent ACU building and to minimise the visual impact of the new work on the apparent scale, proportion and materials of the existing building.

SIGNED:

Ruth Redden

DATED: 21 February 2017

Attachment 6 - External urban design comments

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mgs

Independent Urban Design Advice

St Vincent's Hospital Car Park Extension

93-99 Victoria Parade Fitzroy

PLN16/0926

February 2017

Prepared By
Professor Robert McGauran
B. Arch. (Hons. Melb), B.A. (Fine Arts Melb.), P.D.M. (Melb.), LFRAIA, Architect

Our ref: 16184

Directors
Eli Giannini
Chris Jones
Cameron Lacy
Robert McGauran
Mun Soon
Joshua Wheeler

Attachment 6 - External urban design comments

BACKGROUND

1. In December 2016 I was asked by the City of Yarra to comment on plans for an extension to the St Vincent's hospital staff car park.
2. My comments are made with regard to the resolution of the scheme in relation to:
   a) Appropriateness of the design treatment and streetscape impact
   b) Building height, bulk and massing and its implications.
   c) Use of colours and materials
   d) Façade treatments
   e) Whether the proposal achieves high architectural and urban design outcomes
   f) ESD Principles
3. The original car park design was developed by MGS for St Vincent's Hospital, with the Mackie Group as builders of the project, to aggregate the Hospital's car parking requirements as well as providing a childcare centre for key workers within the precinct.
4. MGS also undertook a peer review of the framework plan for the ACU St Patrick's campus so is aware of plans for adjoining campus renewal and the strategic importance of the ACU St Patrick's campus within ACU's broader plans.
5. MGS has no ongoing role in the precinct for St Vincent's Hospital.

STRATEGIC PLANNING CONTEXT

Relevant State Planning Policy Matters include:

6. Within Plan Melbourne there are a number of directions and relevant clauses that need to be considered when reviewing this proposal from an urban design perspective.
7. Plan Melbourne outlines a vision for Melbourne: Melbourne will be a global city of opportunity and choice achieved by five key directions.
8. Relevant to this application: Developing in defined areas near services and infrastructure. Population estimates indicate Melbourne could grow to a city of around 7.7 million people and require an additional 1.6 million more dwellings. An estimated 1.7 million new jobs will be created, mostly in the central city and adjacent inner suburbs. Importantly a key element of Plan Melbourne is an expanded central city in which this site resides.
9. Direction 1.4: Plan for the expanded central city to become Australia's largest commercial and residential centre by 2040, identifies that the wider Central Subregion with its highly diverse economic base and strengths in health, education, retail, creative industries, tourism and port-related activities has an important role to allow Melbourne's central city to become the largest business services centre in Australia.
10. The central city will continue to play an important role as a major destination for tourism, retail, entertainment and cultural activities and to enjoy the employment diversity that come from the growth of these sectors. ...to ensure Melbourne's expanded central city becomes Australia's largest business centre, we will also need to connect, manage and grow the existing and emerging high density, mixed use neighbourhoods in the Central Subregion. This Subregion represents Melbourne's most complex growth area with growth potential beyond 2050. By planning for this significant employment and population growth, we will take advantage of the benefits of connecting people, skills, jobs and businesses.
11. The Central Subregion includes the subject site.
12. Direction 2.2 seeks to reduce the cost of living by increasing housing supply near services and public transport and that key areas to accommodate higher density housing are urban renewal precincts and sites, land within the new residential growth zone, the expanded central city, national employment clusters, metropolitan activity centres (existing and future) and activity centres.

Attachment 6 - External urban design comments

13. Plan Melbourne and Clause 11 encourage more intensive development in Activity Centres. Clause 11.01 relates to 'Activity Centres' and seeks to build up activity centres as a focus for high quality development, activity and living for the whole community by developing a network of activity centres that:
    - > Comprises a range of centres that differ in size and function
    - > Is a focus for business, shopping, working, leisure and community facilities
    - > Provides different types of housing, including forms of higher density housing
    - > Is connected by public transport and cycling networks
    - > Reduces 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.
14. Clause 11.04-1 Delivering Jobs and Investment includes the strategy to plan for the expanded central city to become Australia's largest commercial and residential centre by 2040.
15. Clause 11.04-2 Housing Choice and Affordability seeks to reduce the cost of living by increasing housing supply near services and public transport.
16. Clause 15 Built Environment and Heritage – notably Clause 15.01 Urban Design – promotes good design and encourages development to achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.

Relevant Local Planning Policy Matters include:
Local Planning Policy Framework

17. There are also a number of relevant local clauses that need to be considered when considering the application. These include:
    a) Clause 21.04-2 Activity centres details the municipality's five Major Activity Centres
18. Clause 21.05 Built form contains a number of relevant sub clauses, which include:
    a) Clause 21.05-1 Heritage.
    b) Clause 21.05-2 Urban design.
    c) Clause 21.05-3 Built form character, particularly the reference to 'transport corridors'.
    d) Clause 21.05-4 Public environment.
19. Clause 21.06 Transport is an important policy source, particularly regarding the Council's approach to new development and sustainable modes of transport, such as walking, cycling and public transport.
    a) Clause 21.07 Environmental sustainability seeks to address environmental sustainability through sustainable building design and construction
    b) Also of note is Clause 21.08-7 Fitzroy notes: *Victoria Parade, an important boulevard with substantial office development and the St Vincent's Hospital precinct, is on the south side of this neighbourhood. The Brunswick Street and Smith Street major activity centres run north south through the middle….* A masterplan is sought for the St Vincent's Hospital Site in this section of the scheme.
    c) Clause 22.03 Landmarks and tall structures states that it is Council policy to 'ensure the profile and silhouette of new tall structures adds to the interest of Yarra's urban form and skyline'.
    d) One of the objectives of Clause 22.10 Built form and design policy is to 'ensure that new development makes a positive contribution to the streetscape through high standards in architecture and urban design'.

Attachment 6 - External urban design comments

20. Zoning

a) The site is in a Commercial 1 Zone

21. Overlays

a) The site is subject to DDO 2 *Main roads and Boulevards* in the planning scheme and seeks to encourage amongst other things:
> High quality contemporary architecture
> To retain existing streetscapes and places of cultural heritage significance and encourage retention of historic buildings and features which contribute to their identity
> To reinforce and enhance the distinctive heritage qualities of main roads and boulevards
> To encourage urban design that provides for a high level of community safety and comfort
> To limit visual clutter

b) A heritage Overlay HO 190 & HO 334 relates to parts of the subject site and part of the site is on the heritage register VHR no. 816

THE PROPOSAL

22. The proposal involves relatively modest internal change and extension of the building by three levels to incorporate an additional 185 parking spaces, inclusive of four accessible spaces, changing the overall development from 529 spaces to 714 spaces.
23. In addition it is proposed to install four motorcycle parking spaces in the south eastern corner of the car park across levels two to four for a total of 40 motorcycle spaces in all.
24. These additional car spaces in part seek to replace car parks lost within the core campus as a result of the proposed extension of the existing campus both now and in the future.
25. The transport report notes that, across the two car parks, it is proposed to increase the net number of cars by 180 spaces, incorporating the 185 additional spaces as earlier noted in the Victoria Parade car park under consideration here, with a net loss of five spaces within the Victoria Street car park. It proposes to shift what is currently staff car parking with the Fitzroy Street car park to one that is focused on visitor demands and more equitability with 73 spaces of 146 remaining to be allocated to staff spaces and 73 for visitors.
26. I will rely on Council's traffic management consultant to make an assessment of the adequacy of the existing access and egress arrangements for the intended use as a car park exclusively for staff. I would note that it is less likely to be aligned with the demands and peaks to the same degree as might be anticipated for a visitor focused facility.
27. Having been involved with the earlier project too, I note that there were some areas that were set aside with a greater focus for the needs of childcare and some more broadly for staff. I am unaware as to whether these arrangements are still in place.
28. There is considerable logic in a high density health and education precinct of aggregating car parking into multi-deck facilities and similarly a strong logic in the context of the broader precinct and landholdings to separate the longer term staff car parking from the core pedestrian focused health campus.
29. The existing car park sits within a rapidly changing and intensifying broader knowledge and education precinct.
30. The adjoining, indeed encircling, ACU St Patrick's campus is a growing campus, with development anticipated both to the east, northeast and west of the subject site over time.
31. As noted in earlier discussions and indicated in the separate report of review being prepared by MGS, St Vincent's Private Hospital is also seeking to develop a major expansion of their core health facilities towards the Brunswick Street interface.
32. In this context it is reasonable to assume that the proposed development will be flanked to the east and west by development of commensurate scale in the future. Already to its north more recent

Attachment 6 - External urban design comments

educational facilities have been developed for an eight storey building, with the scale of this captured in Drawing AB08-0002.

33. Notwithstanding, there is a strong case to say that any extension of the existing car park would require, as the previous development did, some civic gestures to enrich the skyline and built environment over and above that required for the core function and that an alternative aesthetic to that adopted for the lower levels may be necessary.
34. The applicant has proposed a framed screening approach to the three level extension that suggests a two level façade extension for what is in fact a three level facility.
35. The scale and setbacks of this facility are in my mind reasonable, relative to the Victoria Parade interface and the approach taken in general terms is supportable in the context of its interfaces, both existing and proposed.
36. The key to the success of this extension however will be the quality and resolution of the proposed graphic treatments to this upper patterned façade form.
37. To this degree, whilst the renderings imply particular materials and finishes the detailing of the proposed aluminium square hollow-section battens across the façade will require careful curation and signing off by the responsible authority via the provision by the applicant of more detailed facades stipulating the colour treatments and the proposed detailing techniques.
38. I am in support in principle of the suggestion of depth, the referencing of the core façade artworks which were at the time also supported by the curatorial leaders and creative arts programs within the neighbouring ACU.
39. I note the proposed use of pre-finished compressed cement sheet to the upper levels of this building. This is an area of some concern. It is not clear to me that these materials and finishes are necessarily appropriate in the context of high wind and elevated location, nor in an area where some impacts might occur.
40. The drawings as proposed in sectional form do not provide sufficient clarity of the proposed detailing extent at this stage to give comfort as to the means of ensuring robustness of materials and finishes in the long term.
41. It is acknowledged that there are probably load limitations that would require a lighter weight material and finish for these areas than at lower levels however the applicant needs to be aware that as such a highly visible building, its long term durability and the quality and resilience of materials will be critical in maintaining strong community support for the project in the long term, in the context of an educational precinct of high strategic importance for the city.
42. Hence, it is recommended that the applicant provide a series of elevational studies, materials and finishes and a colour palette and the sectional and thumbnail 3D sketches outlining the detailing techniques proposed for these upper levels demonstrating quality and finish.
43. Similarly the resolution of the planters suggested for these levels should be provided in further detail. Again, I support their inclusion in principle but this is contingent on high quality resolution of the detailing thereof including irrigation and maintenance provision for these facilities to ensure their long term contribution to the public realm.
44. Across the two projects I have not noted any significant discussion in the traffic reports regarding green travel or initiatives to encourage its utilisation. I would note in the recent redevelopment of the Royal Children's, Cabrini and Epworth hospitals that a substantial ambition for green travel has been provided in the Hospital's responses demonstrating in turn an alignment with ambitions for a healthy workforce and workplace. To this end the existing traffic report should be supplemented with a green travel report across the two projects, demonstrating the initiatives being taken by the Hospital to promote green travel to the campus at an increased level.
45. Given the adjoining public transport on offer the inclusion on public spaces for example of video screens with linkages to current adjoining public transport timetables would be logical. In addition enhanced end of travel facilities for the increased population of the hospital, including high quality secure bike storage facilities and showers should form part of the application and narrative within the traffic report.

Attachment 6 - External urban design comments

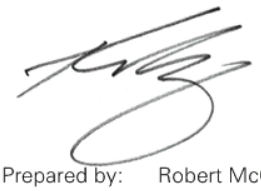
46. Opportunities to enhance the environs of the site and the interface with adjoining streets and education facilities to promote enhanced walkability or ground travel should also form part of the response.
47. I understand the adjoining ACU St Patrick's campus is undergoing a proposal for a substantial new development to the east of the subject site.
48. The traffic report should indicate an awareness of this proposal and demonstration that the two proposals will coexist successfully. I have no reason to believe this will not occur but it would be logical to request this at this stage.

CONCLUSION

49. In conclusion the proposed addition in referencing the existing architecture of the development and investing the upper levels with an increased richness of palette provides a supportable urban design response that acknowledges the building's increased scale and underlying program and invests it with an ambition that recognises the growing campus quality of the precinct.
50. At the proposed height it sits within a magnitude of building forms that is consistent with that of its neighbours to the north and that proposed to the east and for the private hospital expansion to the west.
51. For these reasons I am supportive of the proposal as presented subject to:
    a) Clarification that the quality and detailing of the proposed façade treatments are such as to ensure the design intent is matched with a similar detailing and ambition, recognising the long term presence of the facility within the precinct.
    b) A green travel strategy across the two projects supporting the transit richness of the precinct and the healthy workplace principles being established for competitor campuses.
52. As noted earlier I support too, the logic of incorporating a single major car park hub in this precinct that optimises its contribution to the broader provision of services whilst also ensuring that the core health campus as well as primary foci of the adjoining education campus is not unreasonably impacted as a result of the increased traffic movements.
53. Subject to the satisfaction of VicRoads and Council's traffic engineers of the adequacy of existing access and egress arrangements I would recommend support with the earlier conditions of precedent.

DOCUMENTS FORMING THE BASIS OF THE REPORT

54. Plans – St Vincent's Private Hospital Victoria Parade Carpark – Billard Leece Partnership
55. Urban Context Report & Design Response – St Vincent's Private Hospital Victoria Parade Carpark – Billard Leece Partnership
56. Planning Report - St Vincent's Private Hospital Victoria Parade Carpark Extension – Meinhardt
57. Heritage Impact Statement – Lovell Chen
58. Transport Impact Assessment – One Mile Grid



Prepared by: Robert McGauran
Dated: February 2017

Attachment 7 - Engineering Services Unit Referral Comments.

CITY OF YaRRA

MEMO

To:	**James Sutherland**	
From:	**Mark Pisani**	
Date:	**17 February 2017**	
Subject:	**Application No:**	**PLN16/0926**
	Description:	**St Vincent's Private Hospital Off-Street Car Park**
	Site Address:	**93-99 Victoria Parade, Fitzroy**

I refer to the above Planning Application received on 15 December 2016 and the accompanying report prepared by One Mile Grid traffic engineering consultants in relation to the proposed development at 93-99 Victoria Parade, Fitzroy. Council's Engineering Services unit provides the following information:

CAR PARK AT 93-99 VICTORIA PARADE

As part of the redevelopment of the St Vincent's Private Hospital, the existing multi-deck car park at 93-99 Victoria Parade (owned by St Vincent's Private Hospital) is to be expanded with an additional three decks with capacity for 185 additional spaces.

TRAFFIC GENERATION

For hospital traffic generation, One Mile grid has sourced a number of empirical cases in terms of trip generation per parking space. For the purpose of estimating traffic generation for the adopted parking demand of 180 spaces, the weighted averages for trips per parking space in the AM and PM peak hours has been used. The estimated traffic generation is 56 trips in the AM peak hour and 47 trips in the PM peak hour. It is agreed that this additional traffic should not have an adverse impact on the operation of Victoria Parade.

CAR PARK LAYOUT

The three additional levels of the car park wold essential mirror the layout of the existing car park levels.

There is no objection to the proposal to install four motorbike spaces on each parking level. The dimensions of the spaces (each 2.5 metres by 1.2 metres) must comply with the Australian/New Zealand Standard AS/NZS 2890.1:2004.

One Mile Grid indicated that four accessible parking spaces are to be provided in the multi-deck car park. These spaces should satisfy the requirements of the Australian/New Zealand Standard AS/NZS 2890.6:2009.

QUEUING ANALYSIS

To ascertain the impact of the post-development car park traffic entering off Victoria Parade, One Mile Grid has undertaken a queuing analysis of the car park entrance at Victoria Parade. Since there would be two boom gates in the system, queue lengths of the car park would involve multi-channel queuing analysis, which involves the use complex mathematical formulae. To determine the storage queue of the boom gates, guidance is sought from the Australian/New Zealand Standard AS/NZS 2890.1:2004. The boom gates should allow for sufficient vehicle storage to

Attachment 7 - Engineering Services Unit Referral Comments.

accommodate the 98th percentile queue (the queue that will be exceeded on 2% of occasions). One Mile Grid had calculated the 98th percentile queue length to be 5.06 vehicles.

One Mile Grid has stated that there is on-site storage for six vehicles before the boom gates. On that basis, the queuing of vehicles (for the 98th percentile queue) would take place within the property and not impact on Victoria Parade.

The submitted Ground Floor plan of the multi-deck car park does not show the precise location of the boom gates. The applicant must depict the boom gates on the drawing and dimension the distance between the boom gates and the north alignment of Victoria Parade before the drawings are endorsed.

Regards

Mark Pisani
Senior Development Engineer
Engineering Services Unit

Attachment 8 - ESD Advisor comments.

CITY OF YARRA

MeMO

TO:	**James Sutherland**
cc:	
FROM:	**Euan Williamson, ESD Advisor**
DATE:	**15.06.2017**
FILE:	**PLN16/0926 – 93-99 Victoria Pde, Fitzroy**
SUBJECT:	**ESD response to proposed car park extension**

James,

I have briefly considered the proposed extension to the existing carpark. Given the size of the proposal is over the 1000m^2 of new floor area trigger for the Clauses 22.16 (WSUD) and 22.17 (ESD) of the planning scheme, a response to these provisions is warranted.

Given the limited scope, however, of the proposal to additional car park levels on the existing car park, responding to the relevant objectives would effectively reduce the scope of a required SMP to demonstrating best practice in:

- Stormwater management (WSUD), and
- Energy efficiency (mostly related to additional lighting).

I have briefly considered the floor plan and consider that stormwater management through raingardens or other similar bio-filtration treatments to be a suitable response to the stormwater management and WSUD requirements, although other responses may also be suitable.

If you or the applicant would like to discuss my comments or recommendation further, please contact me.

Euan.

Euan Williamson
Environmental Sustainable Development Advisor
City of Yarra PO Box 168 Richmond 3121
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E Euan.Williamson@yarracity.vic.gov.au
W www.yarracity.vic.gov.au

Attachment 9 - PTV comments

PUBLIC TRANSPORT VICTORIA

File: FOL/16/52931
Ref: DOPT2016/0504

PO Box 4724
Melbourne Victoria 3001
Australia

Telephone 1800 800 007
ptv.vic.gov.au

James Sutherland
Planning Department
City of Yarra
P O Box 168
RICHMOND VIC 3121

Dear James

YARRA PLANNING SCHEME
PLANNING APPLICATION NO: PLN16/0926
PROPOSAL: ALTERATION TO CARPARK
ADDRESS: 93-99 VICTORIA STREET FITZROY

Thank you for your Section 52 Notice pursuant to Section 55 of the *Planning and Environment Act 1987* for the above application.

Public Transport Victoria, has no objection to the grant of a Planning Permit and submits the following condition for Council's consideration:

Conditions:

1. The permit holder must take all reasonable steps to ensure that disruption to bus operation along Victoria Parade is kept to a minimum during the construction of the development. Foreseen disruptions to bus operations and mitigation measures must be communicated to Public Transport Victoria fourteen days (14) prior.

Should you require any further clarification, please feel free to contact Elana Savini on telephone 03 839 27989.

Yours sincerely

Margaret Burge

MARGARET BURGE
Senior Lawyer
23 / 01 / 17.

Attachment 10 - VicRoads comments

vicroads

Yarra City Council
PO Box 168
RICHMOND VIC 3121
Attention: James Sutherland

Metropolitan North West Region
499 Ballarat Road
Sunshine Victoria 3020
Telephone (03) 9313 1333

Send Correspondence to:
mnw.mail@roads.vic.gov.au
or Fax (03) 9313 1175

Parcels and Drawings to:
Private Bag 4000 Sunshine
Victoria 3020

vicroads.vic.gov.au

Dear Mr. Sutherland,

PLANNING APPLICATION NO.: **PLN16/0925 & PLN16/0926**

PROPERTY ADDRESS: **ST VINCENT'S PRIVATE HOSPITAL**

Referral Response – No objection subject to conditions

Thank you for referring details of the above two applications to the Roads Corporation (VicRoads) pursuant to Section 55 of the Planning and Environment Act 1987.

Planning Application PLN16/0925 is for the construction of a ten (10) storey building and alterations to the main private hospital site along Victoria Parade, Brunswick Street and Fitzroy Street, including streetscape works and widening of a curb and removal of power lines.

Planning Application PLN16/0926 is for the three level addition of 185 car parking spaces at the hospital's staff car park at 93-99 Victoria Parade.

VicRoads does not object to the proposal/s in their current form.

In relation to **Planning Application PLN16/0925** if Council regards the proposed development favourably, VicRoads would require that the following conditions be included in any Notice of Decision to issue a Planning Permit or Planning Permit:

1. *The planter boxes along Victoria Parade must be removed.*
2. *The three(3) bollards positioned opposite the new entry along Victoria Parade to be repositioned along the north side of the tactile indicators.*
3. *Prior to the commencement of the development, the owner of the land must enter into an agreement with the Department of Environment Land Water and Planning pursuant to Section 138A (11) of the Land Act 1958 for the elements of the approved development that project more than 300mm beyond the land's Victoria Parade boundary (i.e., the canopies, fixed shading devices, architectural features), to indemnify the Crown in relation to any claim or liability arising from the projections within the Victoria Parade road reserve.*
4. *Separate consent will be required from VicRoads (the Roads Corporation) under the Road Management Act 2004 for buildings and works undertaken outside the title boundary within a Road Zone Category 1 (i.e. Victoria Parade). Please contact VicRoads prior to commencing any works.*

Notes:

The proposed development requires reinstatement of disused crossovers to kerb and channel. Separate approval under the Road Management Act 2004 for this activity may be required from VicRoads (the Roads Corporation). Please contact VicRoads prior to commencing any works.

VICTORIA State Government

VicRoads ABN 61 760 960 480

PSL 38

Attachment 10 - VicRoads comments

Council should be mindful that the setback from back of kerb and canopy clearance along Victoria Parade should be consistent with the requirements of the Building Act and be no less than 750mm from the kerb alignment. In addition, the canopy clearance should be no less than 5m in height so as not to hinder emergency vehicle access (i.e. MFB) to the indented parking area.

Condition 1 and 2 have been included to ensure the clear zone requirements are adequately addressed. VicRoads guidelines require any potential road hazards such as planter boxes should be placed outside the clear zone. This is to ensure any runoff vehicles does not collide with the planter boxes and push them into pedestrians on the footpath. In addition, as the bus lane also acts as a cycle lane any cyclist that fall off their bike or get side swiped from a vehicle may collide with the planter boxes. For a 60km/hr road carrying such a high number of vehicles per day the relevant clear zone is 4.1m. If plantings are required we suggest these structures be positioned within the site title boundary such as the existing conditions outside the St Vincent's Hospital main entrance. The repositioning of the bollards north of the tactile surface has been addressed in condition 2 to assist vehicle door opening clearances to be achieved.

Once Council makes its decision, please forward a copy of the decision to VicRoads as required under Section 66 of the Planning and Environment Act 1987.

Should you have any enquiries regarding this matter, please contact me on 03 9313 1148 or Gillian.Menegas@roads.vic.gov.au

Yours sincerely

G Menegas

GILLIAN MENEGAS
PRINCIPAL PLANNER - STATUTORY PLANNING DEPARTMENT

17 June 2017

1.6 PLN15/1176 - 2 Gough Street Cremorne - Development of the land for buildings and works, including the construction of three buildings, up to 15 storeys in height (plus 4 basement levels), use of the land as accommodation, function centre, shop and restaurant, food and drinks premises (café), reduction in the car parking requirements, utilisation of 40 car parking spaces as shown in stage 1 of 2 Gough Street, Cremorne, and construction and display of signs (relocation of Nylex and Victoria Bitter signs on top of silos B9 and B8)

Executive Summary

Purpose

1. This report provides an assessment of the substituted plans for planning permit application PLN15/1176.

Key Planning Considerations

2. Key planning considerations include:
   (a) Clause 11.06-6 – Sustainability and resilience;
   (b) Clause 12.05-1 – River corridors;
   (c) Clause 12.05-2 – Yarra River protection;
   (d) Clause 13.02-1 – Floodplain management ;
   (e) Clause 13.03-1 – Use of contaminated and potentially contaminated land;
   (f) Clause 13.04-1 – Noise abatement;
   (g) Clause 15.01-1 – Urban design;
   (h) Clause 15.01-2 – Urban design principles;
   (i) Clause 15.01-4 – Design for safety;
   (j) Clause 15.01-5 – Cultural identity and neighbourhood character;
   (k) Clause 15.02-1 – Energy and resource efficiency;
   (l) Clause 15.03-2 – Aboriginal cultural heritage;
   (m) Clause 16.01-1 – Integrated housing;
   (n) Clause 16.01-2 – Location of residential development;
   (o) Clause 16.01-4 – Housing diversity;
   (p) Clause 16.01-5 – Housing affordability;
   (q) Clause 18.02-1 - Sustainable personal transport;
   (r) Clause 18.02-2 – Cycling;
   (s) Clause 18.02-5 - Car parking;
   (t) Clause 21.04-1 – Accommodation and Housing;
   (u) Clause 21.05-2 – Urban design;
   (v) Clause 21.05-4 – Public environment;
   (w) Clause 21.06-1 – Walking and cycling;
   (x) Clause 21.06-3 – The road system and parking;
   (y) Clause 21.07-1 – Ecologically sustainable development;
   (z) Clause 21.08-2 – Burnley, Cremorne, South Richmond;
   (aa) Clause 22.03 – Landmarks Policy;
   (bb) Clause 22.04 – Advertising Signs Policy;
   (cc) Clause 22.05 – Interface Uses Policy;
   (dd) Clause 22.12 – Public Open Space Contribution;
   (ee) Clause 22.16 – Stormwater Management (Water sensitive urban design);
   (ff) Clause 22.17 – Environmentally Sustainable Development;
   (gg) Swan Street Structure Plan [SSSP];
   (hh) Clause 37.02 – Comprehensive Development Zone, Schedule 3;
   (ii) Clause 36.04 – Part Road Zone, Category 1;
   (jj) Clause 52.05 – Advertising signs;
   (kk) Clause 52.06 – Car parking; and
   (ll) Clause 52.07 – Loading and unloading of vehicles.

Key Issues

3. The key issues for Council in considering the proposal relate to:
   (a) strategic policy;
   (b) uses;
   (c) urban design;
   (d) on-site amenity;
   (e) off-site amenity/development potential;
   (f) environmental sustainability;
   (g) Aboriginal cultural heritage;
   (h) Land subject to inundation overlay;
   (i) signage;
   (j) car parking / traffic;
   (k) bicycle facilities;
   (l) waste management; and
   (m) Objector concerns.

Objector Concerns

4. A total of 84 objections were received to the application, these can be summarised as:
   (a) impact on the heritage fabric (including the silos and buildings B4 and B5) and this iconic site;
   (b) stages 1-3 should be considered holistically;
   (c) overdevelopment, height and visual bulk;
   (d) high residential density should not be supported;
   (e) non-compliance with the Design Principles, Yarra Planning Scheme and Swan Street Structure Plan;
   (f) the site is a commercial, not a residential zone;
   (g) this application will create a precedent;
   (h) impact on the character of the area;
   (i) impact on the Nylex sign (visibility and questioning if it will be turned on again. Also requests for additional perspectives);
   (j) design detail – the development looks too modern;
   (k) off-site amenity, including:
      (i) overshadowing of the Yarra River and Era building;
      (ii) visual bulk;
      (iii) light pollution;
      (iv) noise (people and traffic);
      (v) air pollution from additional vehicles;
      (vi) impact on footpaths (should be widened but not at the expense of the carriageway);
      (vii) overlooking;
      (viii) loss of vistas;
      (ix) inadequate setbacks;
      (x) no positive contribution to the public realm;
   (l) poor internal amenity, including:
      (i) low floor to ceiling heights;
      (ii) insufficient tree planting/greening;
      (iii) small apartments and bedroom sizes;
   (m) inadequate dwelling diversity (including insufficient 3 bedroom dwellings);
   (n) the proposal would not achieve housing affordability objectives;
   (o) impact on the Yarra River;
   (p) the open space should be open to the public 24/7;
   (q) traffic congestion (including impact on emergency service vehicles and pedestrian safety. One suggestion was that clearways be implemented);
   (r) impact on infrastructure (including broadband);
   (s) insufficient loading bay provision;
   (t) do not support traffic lights at the intersection of Punt Road and Kelso Street;
   (u) Kelso Street only has parking on one side (referenced as both sides in the Traffic Report);

(v) the proposal may obstruct planes and helicopters;
(w) parking along Gough Street should not be removed;
(x) the reduction in car parking sought would impact the area (the area already has limited on-street parking, which is also exacerbated by the nearby sporting precinct);
(y) vehicular entries should be limited to Cremorne Street;
(z) Transurban objection:
    (i) impact of construction process on the CityLink (including safety and operational disruption);
    (ii) *To the satisfaction of CityLink, the applicant is to display that building maintenance (fronting Harcourt Parade) will not impact the operation of CityLink roadway either by virtue of closing ramp or limiting road width etc.*
    (iii) *Building materials/finishes fronting Harcourt Parade should discourage the act of graffiti.*
    (iv) *Landscaping is not to front Harcourt Parade (without any fencing or similar) in order to reduce maintenance activities from road side and reduce any potential foliage falling on the roadway and/or impacting driver sightlines.*
    (v) *To the satisfaction of CityLink, the applicant is to display that the finish of the building will not result in sunlight reflection that may dazzle drivers increasing the risk of collisions on CityLink.*
    (vi) *It is understood that a proposed strategy is to provide better cycling connections between Harcourt Parade and the Capital City Trail. This would potentially involve installation of bicycle lanterns and kerb build out to Harcourt Parade. To the satisfaction of CityLink, the applicant is to display that this proposal will have no impact to existing and future operation of the Harcourt Parade ramp having consideration for, but not limited to, maintenance activities, traffic volumes, over dimensional vehicle access, the existing emergency lane catering for broken down vehicles to stop etc.*
    (vii) *Pedestrian/Bicycle access not to be permitted adjacent Harcourt Parade which forms access to the CityLink tollway and forms part of CityLink Lease boundary.*
(aa) plan inaccuracies (streets labelled incorrectly, parking location incorrectly referenced);
(bb) questioning if the traffic report has considered all stages; and
(cc) impacts during the construction phase.

Conclusion

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

CONTACT OFFICER: **Sarah Thomas**
TITLE: **Principal Planner**
TEL: **92055046**

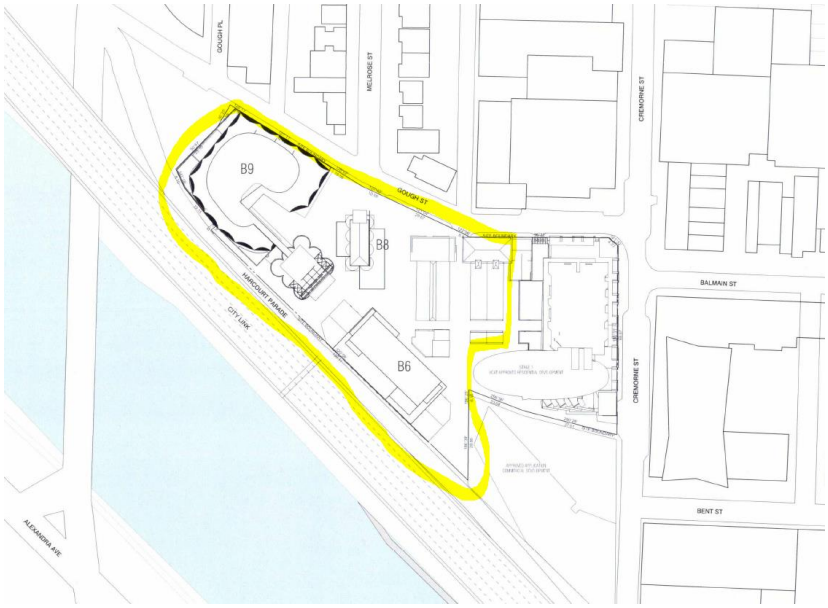
1.6 PLN15/1176 - 2 Gough Street Cremorne - Development of the land for buildings and works, including the construction of three buildings, up to 15 storeys in height (plus 4 basement levels), use of the land as accommodation, function centre, shop and restaurant, food and drinks premises (café), reduction in the car parking requirements, utilisation of 40 car parking spaces as shown in stage 1 of 2 Gough Street, Cremorne, and construction and display of signs (relocation of Nylex and Victoria Bitter signs on top of silos B9 and B8)

Trim Record Number: D17/76444
Responsible Officer: Manager Statutory Planning

Proposal:	Development of the land for buildings and works, including the construction of three buildings, up to 15 storeys in height (plus 4 basement levels), use of the land as accommodation, function centre, shop and restaurant, food and drinks premises (café), reduction in the car parking requirements, utilisation of 40 car parking spaces as shown in stage 1 of 2 Gough Street, Cremorne, and construction and display of signs (relocation of Nylex and Victoria Bitter signs on top of silos B9 and B8)
Existing use:	Vacant
Applicant:	Caydon Cremorne No 2 Development Pty Ltd
Zoning / Overlays:	Comprehensive Development Zone (Schedule 3); part Road Zone (Category 1); Heritage Overlay (Schedule 350); Citylink Project Overlay; Environmental Audit Overlay; and Land Subject to Inundation Overlay
Date of Application:	25 November 2015
Application Number:	PLN15/1176

Background

1. The Applicant proposes to develop the site in 2 stages.
   (a) Stage 1 – the eastern end of the site.
   (b) Stage 2 – the western end, or larger, segment of the site.



Stage 2 is highlighted above (Extract from Applicant's substituted plans).

2. This application is for stage 2, however the background of stage 1 is also relevant.

Stage 1

3. The stage 1 application was initially for the development of the land for the construction of a maximum 19 storey building (plus 3 basement levels); use of the site as dwellings (277), a shop and a supermarket; removal of light and air easement; reduction of the car parking requirements associated with dwellings, shop and supermarket; reduction in the loading bay requirement.

4. The Applicant lodged a Section 79 'failure to determine' appeal with the Victorian Civil and Administrative Tribunal [**VCAT**] on 17 September 2015. On 27 October 2015, Council formed a position of refusal on the application based on the following grounds:

    1. *The application is contrary to clause 37.02 (Comprehensive Development Zone, Schedule 3), and not generally in accordance with the Planning and Design Principles for the Richmond Malting Site, Cremorne – November 2007) of the Yarra Planning Scheme in that -*
        a. *it is not a comprehensive development of the site; and*
        b. *is inconsistent with the Planning and Design Principles and yet does not offer an alternative plan and underpinning and rational for the whole of the site.*

    2. *The height, setbacks, massing and design would unreasonably impact the character and amenity of the area including through:*
        a. *overshadowing of the Yarra River and the Era Apartments; and*
        b. *impact on the landmark quality of the Nylex sign,*

        and therefore the application is contrary to clauses 15.01-1 (Urban design), 15.01-2 (Urban design principles), 21.05-2 (Urban design), 21.08-2 (Burnley, Cremorne, South Richmond), 22.03 (Landmarks policy) and 37.02 (Comprehensive Development Zone, Schedule 3, including the CDZ3 Planning and Design Principles for the Richmond Malting Site, Cremorne – November 2007) of the Yarra Planning Scheme, the Design Guidelines for Higher Density Residential Development (Department of Sustainability and Environment, 2004) and the Swan Street Structure Plan.

    3. *The application has not provided any visual assessment of the impact on the Nylex sign to demonstrate compliance with the Planning and Design Principles for the Richmond Malting Site, Cremorne – November 2007.*

    4. *The siting and layout of the proposed development provides for an inferior outcome to that set out in the Planning and Design Principles for the Richmond Malting Site, Cremorne – November 2007).*

    5. *The proposal would unreasonably hem in the heritage buildings that are to remain on site consequently affecting their appreciation and subsequent reuse.*

    6. *The siting and layout of the proposed development provides for a poor outcome in respect of the public realm and accessibility and is not generally in accordance with the Planning and Design Principles for the Richmond Malting Site, Cremorne – November 2007).*

    7. *The height of the building and south boundary setback would unreasonably impact the equitable development potential of the site to the south, contrary to clauses 15.01-2 (Urban design principles), 37.02 (Comprehensive Development Zone, Schedule 3, including the CDZ3 Planning and Design Principles for the Richmond Malting Site, Cremorne – November 2007) and 65 (Decision guidelines) of the Yarra Planning Scheme and the Design Guidelines for Higher Density Residential Development (Department of Sustainability and Environment, 2004).*

8. *The layout and configuration of apartments would result in unreasonable internal amenity outcomes in regard to outlook, daylight and ventilation, contrary to clauses 15.01-2 (Urban design principles), 15.02-1 (Energy and resource efficiency) and 21.07-1 (Ecologically sustainable development) of the Yarra Planning Scheme, the Design Guidelines for Higher Density Residential Development (Department of Sustainability and Environment, 2004) and Amendment C133 (Council's Environmentally Efficient Design policy) to the Yarra Planning Scheme.*

9. *The layout and shared use of laneways for vehicular access, loading and waste collection (north-south, central east-west and southern east-west links) would lead to compromised levels of pedestrian amenity and safety within the development, contrary to clauses 15.01-2 (Urban design principles), 21.05-4 (Public environment) and 37.02 (Comprehensive Development Zone, Schedule 3, including the CDZ3 Planning and Design Principles for the Richmond Malting Site, Cremorne – November 2007) of the Yarra Planning Scheme.*

10. *The proposal does not provide adequate noise attenuation and would not provide a reasonable level of amenity for future residents, contrary to clauses 13.04-1 (Noise abatement), 15.01-2 (Urban design principles) and 37.02 (Comprehensive Development Zone, Schedule 3, including the CDZ3 Planning and Design Principles for the Richmond Malting Site, Cremorne – November 2007) of the Yarra Planning Scheme and the Design Guidelines for Higher Density Residential Development (Department of Sustainability and Environment, 2004).*

11. *Wind conditions in the north-south and southernmost east-west link would lead to poor levels of amenity, contrary to clauses 15.01-2 (Urban design principles), 37.02 (Comprehensive Development Zone, Schedule 3, including the CDZ3 Planning and Design Principles for the Richmond Malting Site, Cremorne – November 2007), 21.05-4 (Public environment) of the Yarra Planning Scheme and the Design Guidelines for Higher Density Residential Development (Department of Sustainability and Environment, 2004).*

12. *The car parking provision is too high and would unreasonably impact traffic conditions in the area, contrary to clauses 18 (Transport), 21.06 (Transport), 37.02 (Comprehensive Development Zone, Schedule 3, including the CDZ3 Planning and Design Principles for the Richmond Malting Site, Cremorne – November 2007) and 52.06 (Car parking) of the Yarra Planning Scheme, the clause 21.11 reference document Yarra Strategic Transport Statement City of Yarra 2006 and the sustainable transport objectives of the Swan Street Structure Plan*

13. *The absence of an on-site loading bay for the shop would adversely impact the traffic flow and road safety of the area, contrary to clause 52.07 (Loading and unloading of vehicles) of the Yarra Planning Scheme.*

5. The site is also included on the Victorian Heritage Register and the Applicant lodged a concurrent stage 1 application with Heritage Victoria. On the first day if the VCAT hearing, parties were informed that Heritage Victoria refused the heritage permit application.

6. Following a hearing from 11-15, 18-22 January and 4 February 2016, VCAT issued and interim order, dated 18 March 2016.

7. In their interim order, the Tribunal commented that:
   (a) whilst Heritage Victoria refused the application for the stage 1 works, it did not prevent the Tribunal from considering or determining the application before it;
   (b) the application was not considered to be 'piecemeal' and could be considered as its own planning unit, distinct from stage 2;

(c) the CDZ3 offers a permit trigger where works are not 'generally in accordance' with the incorporated plan. However, it does not offer detailed decision guidance when considering applications that don't meet the plan;
(d) the Incorporated Plan offers limited guidance in any event;
(e) the 19 storey elliptical tower element would unreasonably dominate views to the Nylex sign. However, a specific height reduction was not recommended, rather, the Applicant was asked to justify any height reduction sought (e.g. perspectives);
(f) the proposal would not unreasonably overshadow the river – explaining that was not their reasoning for a height reduction;
(g) whilst Council's submissions were that the car parking and traffic impacts of the proposal would unreasonably impact Cremorne, the following comments were made by the Tribunal:
    - *"…we were not presented with any substantial strategic traffic analysis or related policy development for the precinct undertaken by the Council." – Para 73*
    - *"We are troubled at the lack of local policy development on this issue, especially as it relates to the Cremorne precinct, and the review site specifically. There is for example no car parking overlay applicable to this site of the type that applies in parts of, for example, the City of Melbourne where maximum rates are specified and a permit required to exceed the maximum. There is no local policy in the planning scheme applying to Cremorne or the review site specifically of the type referred to us during the hearing18 in which the Council, having analysed the issue, specifically encourages lower parking rates in new development, in the area affected by the policy." – Para 82*

- the rates presented by Council's expert (Ms Dunstan) should be applied to this development (0.5 spaces per one bedroom apartment, 0.7 spaces per two bedroom apartment, 1 space per three bedroom apartment and 0.12 spaces per dwelling for visitors). In particular *'Notwithstanding our reservations about the Council's lack of detailed policy analysis and development on this issue, the existing levels of congestion in Cremorne calls for an approach that at least begins the process of reducing the reliance on car dependency and encouraging increased use of alternative transport methods. The review site is one site where this approach can be usefully employed.'* – Para 86
- the development does not achieve appropriate levels of housing diversity.

8. The interim order concluded with the following:

<u>*Changes accepted by the applicant*</u>

90. Each of the following changes can be readily incorporated into amended plans and we consider that each change is acceptable and addresses to some extent issues raised during the hearing.

a Widening of the footpath along the Gough Street and Cremorne Street frontages by at least 1 metre.
b Removal of the walls currently proposed to be retained at the corner of Gough Cremorne Streets, with the purpose of opening up that corner and increasing site transparency.
c Removal of the retained parts of the wall at the north east corner of the north south lane at the Gough Street entrance.
d Changes to the loading bay including imposing restrictions on its use, its designation as a "zoned area" and the removal of the refuse services area.
e Providing minimum floor to ceiling heights in the apartments of 2.65m and no less than 2.4m where bulk heads are necessary.
f Adopting changes to the car park layout generally in accordance with the evidence of Ms Dunstan.
g Increasing the width of the midpoint of the east west lane to the south of building B4 to 3.25m.
h The removal of six car parking spaces at each level of the podium car park to improve the proposal's interface to the south.

i Clarification that all apartments are designed to meet AS/NZS 2107:2000 Acoustics – Recommended Design Sound Levels and Reverberation Times for Building Interiors.

Further changes required but not conceded by the applicant

91. The following matters relate to issues about which the applicant does not agree are necessary but which are capable of being incorporated into amended plans. We have concluded that each of these changes are necessary, for the reasons previously stated or for the reasons outlined under each point.

a A reduction in the height of the southern tower, and any consequential changes that derive from that change.

b The rearrangement of the north – south lane to relocate at least some of the SOHO offices and apartments to the eastern side of the lane. This change would have the benefit of exposing the eastern elevation of building B4 as contemplated in the development plan and design principles of the Incorporated document, and would also assist in contributing to increased activation of the lane by minimising the presentation of the car park wall to the lane. Removing the built form immediately adjacent to building 4 would allow more flexibility in development opportunities for that building. We record here that the north south lane ought to adopt a configuration that provides clear vision of sight through the site, to the extent possible. This configuration is preferable to the "dog leg" arrangement pursued by the Council, and is consistent with the Safer Design Guidelines22 .

c Residential car parking provided at a rate consistent with the evidence of Ms Dunstan:

- *0.5 spaces per one bedroom apartment*
- *0.7 spaces per two bedroom apartment*
- *1 space per three bedroom apartment*
- *0.12 spaces per dwelling for visitors*

d The provision of a greater diversity of apartment types and sizes to better achieve housing diversity objectives.

9. The Applicant circulated amended plans on 26 April 2016 in response to the matters raised in the interim VCAT order.

10. VCAT subsequently ordered on 15 July 2016 that a permit be granted for stage 1 (permit PLN15/0355). However, VCAT reduced the building height from 50.60 AHD to 41.65 AHD (or 15 storeys). Another notable condition required the widening of the southern east-west link to a minimum of 9m.

Stage 2

11. Following the standard application processing (request for further information, issues raised, advertising and assessment), Council issued a Notice of Refusal to Grant Planning Permit PLN15/1176 on 14 June 2016 on the following grounds:

1. The application is contrary to clause 37.02 (Comprehensive Development Zone, Schedule 3), and not generally in accordance with the Planning and Design Principles for the Richmond Malting Site, Cremorne – November 2007) of the Yarra Planning Scheme in that -

a. it is not a comprehensive development of the site; and

b. is inconsistent with the Planning and Design Principles and yet does not offer an alternative plan and underpinning and rational for the whole of the site.

2. The height, setbacks, massing and design would unreasonably impact the character and amenity of the area including through:

a. overshadowing of the Yarra River and the Era Apartments; and

b. impact on the landmark quality of the Nylex sign,

and therefore the application is contrary to clauses 15.01-1 (Urban design), 15.01-2 (Urban design principles), 21.05-2 (Urban design), 21.08-2 (Burnley, Cremorne, South Richmond), 22.03 (Landmarks policy) and 37.02 (Comprehensive Development Zone, Schedule 3, including the CDZ3 Planning and Design Principles for the Richmond Malting Site, Cremorne – November 2007) of the Yarra Planning Scheme, the Design Guidelines for Higher Density Residential Development (Department of Sustainability and Environment, 2004) and the Swan Street Structure Plan.

3. *The application has not provided any visual assessment of the impact on the Nylex sign to demonstrate compliance with the Planning and Design Principles for the Richmond Malting Site, Cremorne – November 2007.*

4. *The siting and layout of the proposed development provides for an inferior outcome to that set out in the Planning and Design Principles for the Richmond Malting Site, Cremorne – November 2007).*

5. *The proposal would unreasonably hem in the heritage buildings that are to remain on site consequently affecting their appreciation and subsequent reuse.*

6. *The siting and layout of the proposed development provides for a poor outcome in respect of the public realm and accessibility and is not generally in accordance with the Planning and Design Principles for the Richmond Malting Site, Cremorne – November 2007).*

7. *The height of the building and south boundary setback would unreasonably impact the equitable development potential of the site to the south, contrary to clauses 15.01-2 (Urban design principles), 37.02 (Comprehensive Development Zone, Schedule 3, including the CDZ3 Planning and Design Principles for the Richmond Malting Site, Cremorne – November 2007) and 65 (Decision guidelines) of the Yarra Planning Scheme and the Design Guidelines for Higher Density Residential Development (Department of Sustainability and Environment, 2004).*

8. *The layout and configuration of apartments would result in unreasonable internal amenity outcomes in regard to outlook, daylight and ventilation, contrary to clauses 15.01-2 (Urban design principles), 15.02-1 (Energy and resource efficiency) and 21.07-1 (Ecologically sustainable development) of the Yarra Planning Scheme, the Design Guidelines for Higher Density Residential Development (Department of Sustainability and Environment, 2004) and Amendment C133 (Council's Environmentally Efficient Design policy) to the Yarra Planning Scheme.*

9. *The layout and shared use of laneways for vehicular access, loading and waste collection (north-south, central east-west and southern east-west links) would lead to compromised levels of pedestrian amenity and safety within the development, contrary to clauses 15.01-2 (Urban design principles), 21.05-4 (Public environment) and 37.02 (Comprehensive Development Zone, Schedule 3, including the CDZ3 Planning and Design Principles for the Richmond Malting Site, Cremorne – November 2007) of the Yarra Planning Scheme.*

10. *The proposal does not provide adequate noise attenuation and would not provide a reasonable level of amenity for future residents, contrary to clauses 13.04-1 (Noise abatement), 15.01-2 (Urban design principles) and 37.02 (Comprehensive Development Zone, Schedule 3, including the CDZ3 Planning and Design Principles for the Richmond Malting Site, Cremorne – November 2007) of the Yarra Planning Scheme and the Design Guidelines for Higher Density Residential Development (Department of Sustainability and Environment, 2004).*

12. The Applicant appealed this decision and a Compulsory Conferences [**CC**] was held at VCAT on 24 October 2016. Following this CC, the Applicant requested the next listed CC (5 December 2016) be vacated to allow them to seek permission from Heritage Victoria for the stage 2 proposal. A subsequent CC was listed for 19 May 2017.

13. In the interim, a permit was issued by Heritage Victoria for stages 1 and 2 on 5 April 2017. This removes some of the uncertainty (heritage matters) from the discussions. The Heritage Victoria application process is outlined below for context.

14. A subsequent CC was held at VCAT on 19 May 2017. Following this meeting, the Applicant committed to circulating formally substituted plans. This report provides an assessment of these plans.

15. The matter, if not settled, is scheduled for a 15 day hearing commencing on 26 July 2017.

Heritage Victoria Applications

16. On 5 April 2017, Council was informed that Heritage Victoria had issued 2 planning permits for the above site.

17. Council had objected to these applications on 17 January 2017 on the following grounds:

    1. *The extent of demolition would significantly impact upon the cultural heritage significance of the Richmond Maltings site and the Nylex Plastics Sign (being Victorian Heritage Registration References H02050 and H02049 and affected by Heritage Overlay H0350 under the Yarra Planning Scheme).*
    2. *The proposal fails to conserve or enhance those elements which contribute to the significance of the heritage place.*
    3. *The scale, bulk, height and massing of the proposed development would significantly impact upon the cultural heritage significance of the Richmond Maltings site and would unreasonably dominate the heritage place.*
    4. *The proposal fails to conserve or enhance the key heritage features of the site which depict the various stages of the malting process since the late 19thCentury.*
    5. *The scale, bulk, height and massing of the proposed development would unreasonably impact upon views to and the prominence of the Nylex Plastics Sign.*
    6. *The proposal would not provide reasonable opportunities for interpretation or appreciation of the cultural heritage attributes of the site.*
    7. *The proposal would not retain the visual prominence or landmark qualities of the Nylex Plastics Sign and the 1960s silos which support this heritage feature.*
    8. *The proposal would not reinforce the landmark qualities or heritage attributes of the site in the design of the new buildings and works.*

18. Council also informed Heritage Victoria that it was of the opinion that there was insufficient information to form a proper assessment of the application. Council requested:
    (a) a clear demolition plan of all demolition works to occur across the site (on one plan),
    (b) a development summary, listing dwelling numbers, dwelling configurations, car parking spaces, commercial floor areas, all proposed land uses;
    (c) fully dimensioned, coloured elevations;
    (d) dimensions on floor plans/layouts, including setbacks and wall lengths;
    (e) elevations (for stage 2, basic massing diagrams have only been provided); and
    (f) viewlines from key vantage points around the site (including from the east along Balmain Street) to the Nylex sign and Richmond Maltings heritage building stock.

19. Irrespective of these concerns, Heritage Victoria issued 2 permits (due to the site being affected by 2 heritage registrations) for the site P26027 relevant to the Nylex sign and P25508 for the broader Maltings site.

    P26027 – Nylex Sign

20. This permit allows 'As part of the redevelopment of the Richmond Maltings Site, the temporary removal of the Nylex Sign, Clock and its steel truss frame with its later reinstatement on top of the existing extended silos (approved pursuant to heritage permit P25508), including transfer, secure storage and reinstatement of the Sign, Clock and its Frame to operating order'.

21. The permit states that it will expire if the works are not commenced within 3 years and completed within 7 years from the date of the permit (noting that extensions may be granted).

22. The permit also requires the sign to be operational to its original state (ability to be lit).

P25508 – Richmond Maltings

23. The permit allows 'Redevelopment of the site and conservation and interpretation works generally in accordance with the drawings prepared by Fender Katsilidis Architects lodged with Heritage Victoria on 10 February 2017'.

24. This permit allows both stages 1 and 2 of the development.

25. Officers note that both stages 1 and 2 of the Heritage Victoria plans are different to the plans provided for the planning applications.

26. In particular:
    (a) Stage 1 has lost the 'north-south' link west of the building.
    (b) The building west of the Nylex Silos has a smaller footprint.
    (c) The additions to the VB silos appear to have a larger footprint.

27. It is difficult for officers to be more specific given the plans Heritage Victoria made their decision on are massing diagrams with limited dimensions.

28. Conditions of note on the Heritage Victoria permit include (summary):
    (a) The retention and conservation of part of B1 and B2, being the heritage walls in the north-east corner of the site fronting Gough and Cremorne Streets.
    (b) Removal of 1 level of the silo extrusions (additions above the retained Nylex silos).
    (c) Removal of 1 level of the new building west of the Nylex Silos.
    (d) Further details of the additions to the Nylex Silos (noting that only massing diagrams with no architectural details were provided).
    (e) A $2.5M bond for each stage, payable to Heritage Victoria, in the event the conservation and interpretation works are not completed.

29. It is noted that the Permit Applicant lodged an appeal to the original stage 1 Heritage Victoria refusal with the Supreme Court. However, Council has just been informed that the Applicant has withdrawn this application.

Planning History

30. On 26 August 2003, Planning Permit Application PL01/0697 for the construction of two internally illuminated high wall signs was withdrawn at the Applicant's request.

31. By way of VCAT order reference P909/2006, Planning Permit Application PL05/1165 for the installation of a floodlit major promotion sign was withdrawn following the Applicant's request.

32. On 6 February 2007, Planning Permit Application PL06/0024 for the installation of major promotional advertising signs was withdrawn at the Applicant's request.

33. On 27 June 2008, Planning Permit PL06/0550 was issued tor the use and development of the land for the purpose of a restricted retail premises, retail premises, and food and drinks premises (café), including buildings and works. This permit has not been acted on, however the permit was extended by VCAT in 2013 so that the development must commence by 21 June 2015. As this permit has not been acted on, it has since expired.

34. The history of planning permit application PLN15/0355 has been detailed in the 'background' section of this report.

Existing Conditions

Subject Site

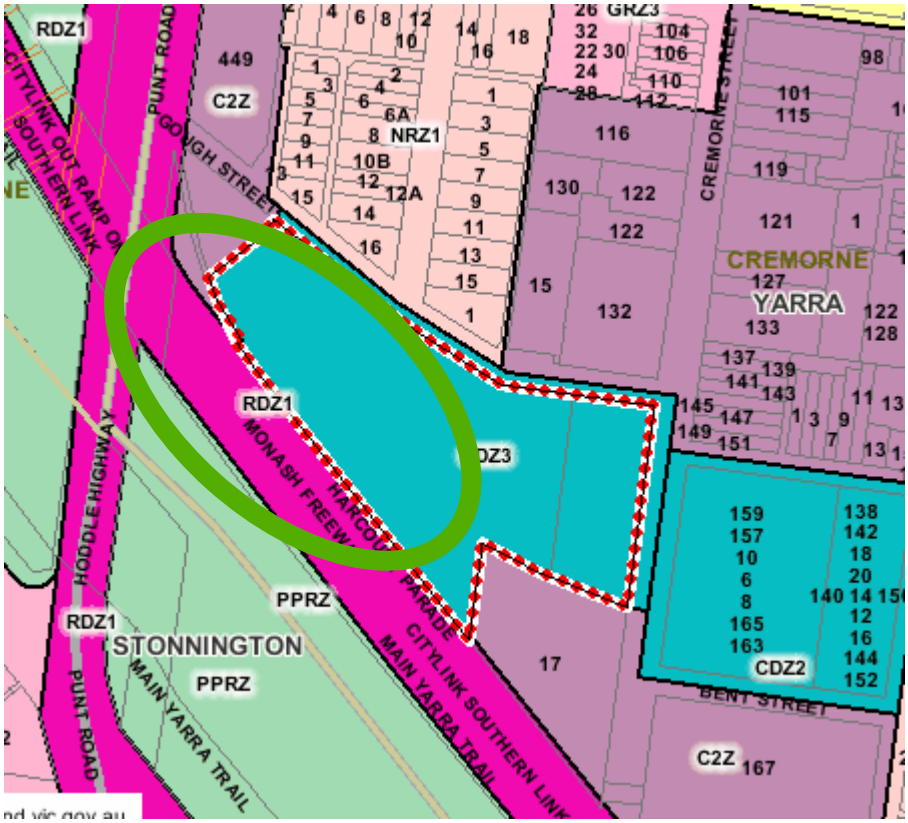
35. The subject site is located on the south-west corner of the intersection of Gough and Cremorne Streets in Cremorne. Broadly speaking, the site is located in the south-west corner of Cremorne, adjacent to the CityLink, Yarra River and Punt Road.

36. The site comprises 2 titles, being legally known as:
    (a) Lot 2 on Plan of Subdivision 115787; and
    (b) Lot 2 on Plan of Subdivision 408289Y.

37. The site is an irregular shaped lot, with a frontage of 68.7m to Cremorne Street and a frontage of 161m to Gough Street. The site also has a 139.1m frontage to Harcourt Parade (adjacent to the CityLink onramp). The site is approximately 11,025m².

38. The location of the proposed works is the western end of a larger property, known commonly as the 'Nylex' site by virtue of the prominent silos and sign adjacent to the Citylink. The significance of the site (and the sign) are highlighted with the property being included on the Heritage Register (two listings – the sign specifically and the site as a whole).

39. The two Heritage Victoria registrations for the site are:
    (a) H2049 – Nylex Sign – The sign is identified as a double sided sky-sign mounted on a cross braced steel frame on top of silos. The sign is of social and historical significance to the state of Victoria. The sign is said to signalise the industrial base of the former City of Richmond. Further, the sign is of social significance for its landmark qualities, forming an unofficial gateway to Melbourne. It is noted that the silos supporting the sign are not referenced in the registration and are not of heritage significance.
    (b) H2050 – Richmond Malting's – The site was the Barrett Burston Richmond Malting's, initially developed in the 1850s – 1860s. The site is historically, scientifically (technologically), aesthetically, socially and archaeologically significant to the State of Victoria.



40. The green oval shown in the above plan depicts the general area of the proposed works. The land known as 2 Gough Street however, is boarded by the red and white dotted line [**Nylex Site**].

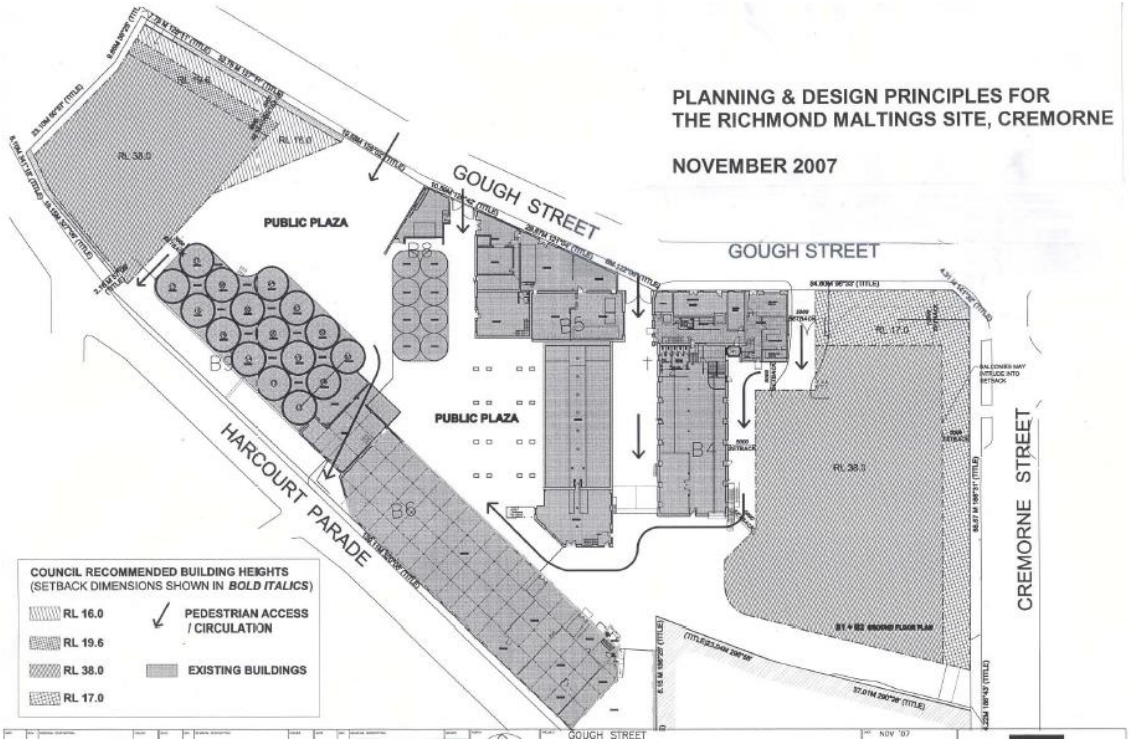
41. Reviewing the built form across the site in its entirety, the site contains a number of buildings, including 3 groups of silos, heritage building stock and non-heritage buildings. The section of the site affected by this application is developed with:
    (a) B11 – a three storey brick building in the western end – 1939 barley store;
    (b) B10 – a multi-storey brick building in the north-west corner of the site fronting Gough Street – 1956 malt house;
    (c) B9 - 'Nylex' silos with the iconic sign on top along the Harcourt Parade frontage;
    (d) B8 – 'VB' silos (displaying the 'Victoria Bitter' sign) to the north-east of the Nylex silos;
    (e) B6 – Double storey brick building along Harcourt Parade, south-east of the Nylex Silos – 1920 malt house and mid-1920s extension;
    (f) B7 – Single storey building north of B6 and generally central to the site – 1950s drum malt house;
    (g) B5 – three storey building along the Gough Street frontage – 1880 and later malt house; and
    (h) B4 – three storey brick building – late 1930s malt house.

42. The site is affected with the Comprehensive Development Zone (Schedule 3). Schedule 3 references the incorporated document *Planning and Design Principles for the Richmond Malting Site, Cremorne – November 2007* [**Design Principles**]. This document includes a map with building envelopes, public space and circulation / access guidelines and with detailed design principles.

43. The Design Principles envisage the retention of buildings B4, B5, B6, B8 (VB silos) and B9 (Nylex silos). However, it is noted that an exemption did apply in the Conservation Management Plan [**CMP**] approved by Heritage Victoria to allow the demolition of the Nylex silos.

44. Heritage Victoria received an application to review this exemption (through a heritage nomination) and subsequently amended the CMP so that a permit is now required to demolish part or all of the Nylex silos. It is noted that the Applicant appealed this decision, which was subsequently upheld by the Heritage Council of Victoria.

45. The Design Principles also envisage 2 new buildings on the site: the one at the eastern end (stage 1) and one at the western end (part of stage 2). The massing shown in the design principles was for a new westernmost building at a height of RL 19.6m along Gough Street with a 3m deep podium at RL 16, another 3m deep form from Gough Street at RL 19.6, increasing to a maximum tower height of RL 38. A 2.16m wide strip at RL19.6 is shown adjacent to Harcourt Parade. The massing also provided a 'funnel' into the site, encouraging view lines to the Nylex silos and sign. The Design Principles also result in 2 large public plaza areas within the site.



46. It is noted that these 'RLs' are taken to correlate to AHDs as opposed to a height in metres. This view was confirmed when officers reviewed the background files to the amendment that allowed the site to be rezoned from Business 3 to Comprehensive Development 3.

Restrictive Covenants

47. There are no restrictive covenants shown on the certificates of title provided with the application.

Easements

48. A 1.83m wide light and air easement runs along the southern end of the site (the section adjacent to 17-21 Harcourt Parade). The stage 1 application sought to remove this easement, however this element of the application was not approved by VCAT due to the currently active permit for an office building at 17-21 Harcourt Parade relying on this easement.

Surrounding Land

49. The officer report for stage 1 remains relevant when describing the surrounding land:

Cremorne is a pocket generally bound by Hoddle Street to the west, the CityLink and Yarra River to the south, Church Street to the east and Swan Street to the north. The area is characterised by a number of constrained streets, narrow footpaths and limited 'through roads' making it difficult to enter and subsequently leave the area by car. Swan Street is the closest Activity Centre, being approximately 516m to the north.

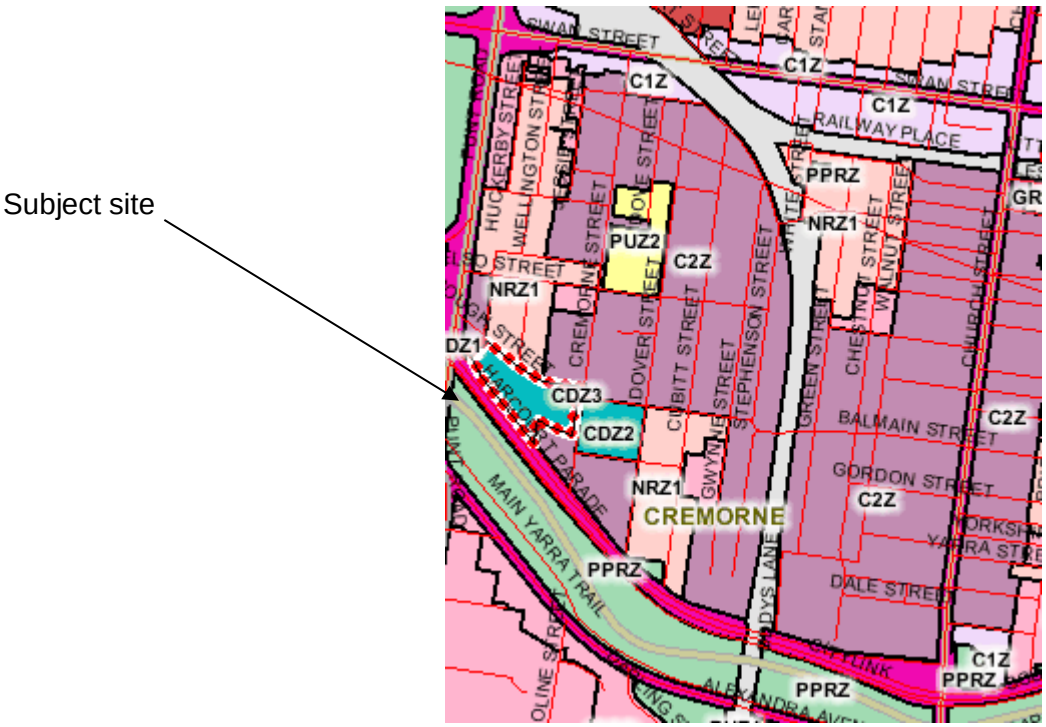
Anecdotal evidence suggests that Balmain and Cremorne Streets are the busiest roads, providing a link from Church Street to Swan Street in a westerly direction into the City. This has been supported in the Applicants traffic report (SIDRA analysis). Motorists wishing to drive to the City from this area are limited to this Swan Street route due to Hoddle Street being 'no right turn' from Cremorne.

The area is provided with public transport options (a PUZ 'cuts' the suburb into 'western' and 'eastern' segments by virtue of the train line) with Richmond Train station being located on the north side of Swan Street. The station is an approximately 525m walk up Cremorne Street. Trams service Church and Swan Streets (600m and 525m respectively from the site). Two bus routes service Hoddle Street, with the closest bus stop being approximately 380m south of the site along Punt Road (South Yarra side).

Zoning in the area is predominantly C2Z, with some residential areas (NRZ and GRZ). A PUZ2 is located centrally within Cremorne, being home to Kangan Institute (TAFE). This campus has a focus on creative industries (including visual merchandising, retail, hair and beauty, fashion and millinery).

Council's vision for the area is to support the businesses and employment function of the precinct. This was highlighted in the abandonment of amendment C97 (driven by the Cremorne UDF) which sought to rezone much of Cremorne to the C1Z. Council abandoned the amendment (and subsequently the UDF) due to concern that these areas would lose their employment contribution to the municipality and become default residential areas.

In spite of this, two main sites in the south-west corner of Cremorne (one being the subject site and the other being the constructed Era apartments with offices and a café at the ground floor) have been zoned for Comprehensive Development. In the case of the subject site, a purpose of Schedule 3 of the CDZ is 'To allow a comprehensively staged, mixed use development on the site which will create activity during the day and evening and generate local employment opportunities' (amongst others).

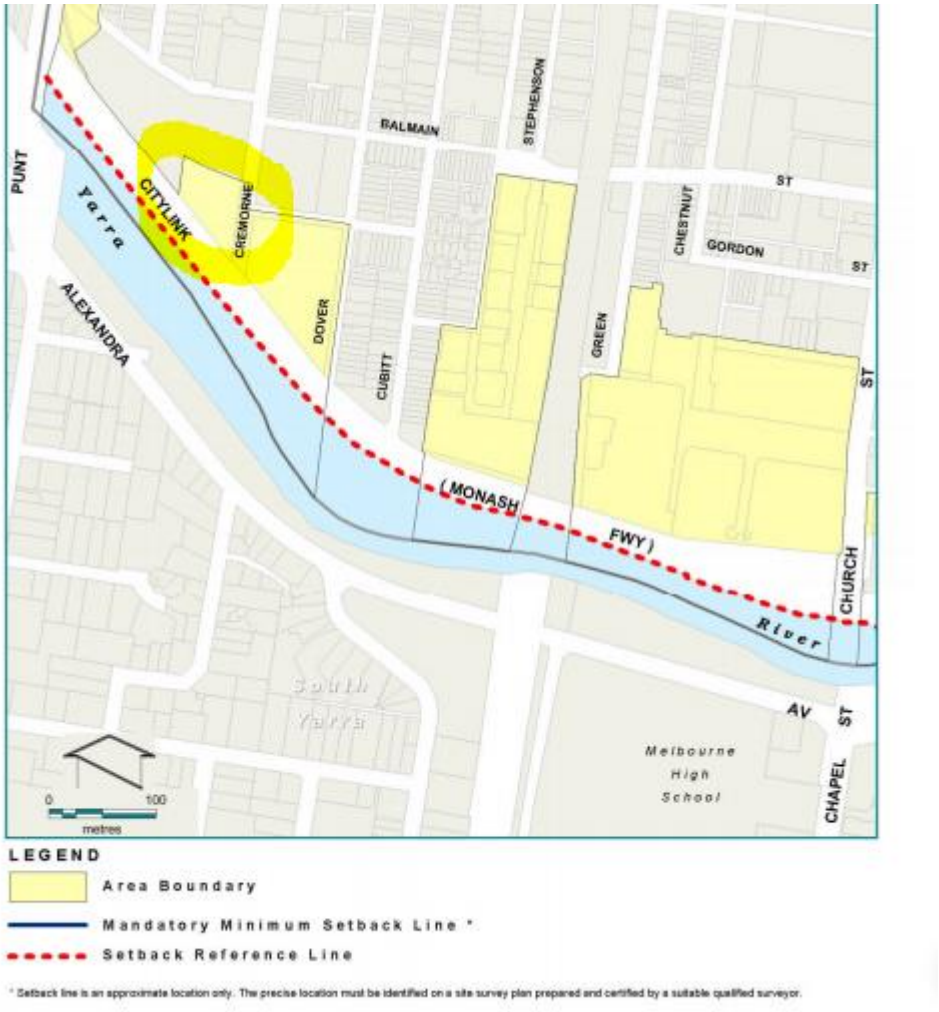


Looking closer at this southern section of Cremorne, one planning permit application (the application subject of this assessment) and 2 Section 96A applications are currently before Council. Discussions have also been held with the future Applicant of stage 2 of the Nylex site (the balance of 2 Gough Street). It is understood that the application is likely to comprise a number of primarily residential buildings (dwellings and serviced apartments – almost 600 in total), including 18 to 21 storey towers. The ground level would also include a number of commercial tenancies.

50. This application now being considered is the 'stage 2' application referenced above.

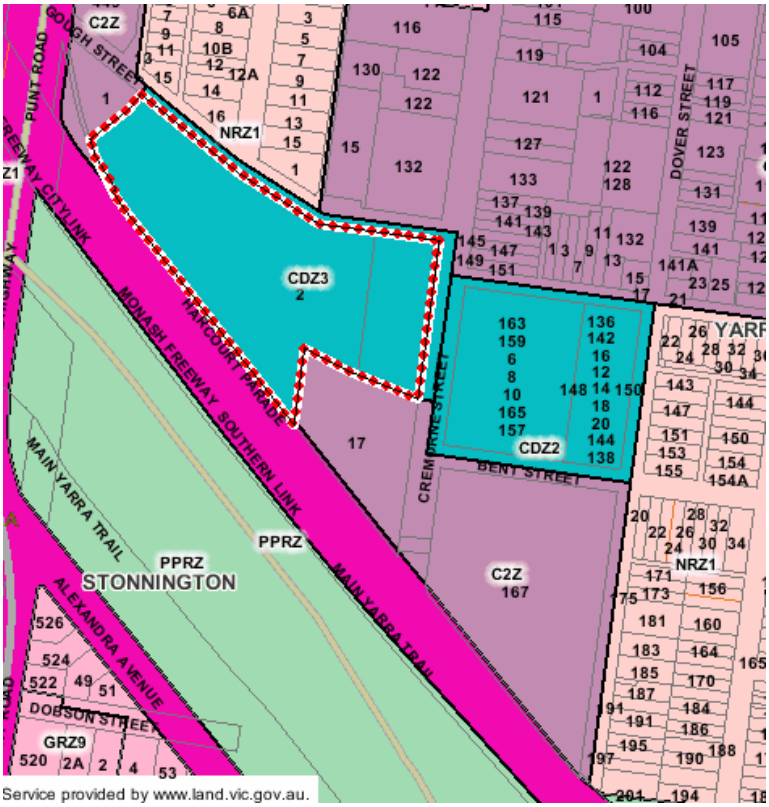
51. It is also noted that the Section 96A Application at 17-21 Harcourt Parade seeking to rezone the site to allow residential land uses has since been withdrawn by the Applicant. This is primarily due to the gazettal of amendments GC48 on 24 February 2017 which amended the Design and Development Overlay (Schedule 1) [**DDO1**] and VC134 on 31 March 2017, which introduced stronger Yarra River controls. In particular, the DDO1 introduced the following mandatory requirement:

Buildings and works must not cast any additional shadow across the Setback Reference Line specified in each Setback Map Reference to this schedule between 11:00am and 2:00pm on 22 June.



52. It is important to note that the subject site has been excluded from the DDO control.

53. There is a current S96A amendment application for the land east of 17-21 Harcourt Parade, across Cremorne Street (see circled site in above plans), known as the Stiches Site. It is understood that amended plans are due to be lodged with Council shortly for consideration.



54. The S96A application for 167 Cremorne Street proposes:
    - a rezone from the Commercial 2 Zone (where dwellings are prohibited) to a Comprehensive Development Zone;
    - a maximum 15 storey building (varying heights across the site between a minimum of three storeys and maximum of 15 storeys). The total height would be 50m (plus lift overrun);
    - 341 dwellings (one bedroom x 75, two bedroom x 231, three bedroom x 20, 4-one & 11-two-bed townhouses)
    - 361 car parking spaces (261 allocated to residential component; 20 visitor spaces; three car share spaces and 77 allocated to the commercial component);
    - vehicular access created from Bent Street, and loading bay area accessed from Cremorne Street;
    - 154 bike spaces; and
    - 3,895m² commercial area (office = 3,250m²; studio/retail/gallery = 342m²; retail = 125m²; and home occ. = 125m²).

55. Council has requested further information with regards to the Scheme amendment documentation and the development proposal. Council is awaiting receipt of this information.

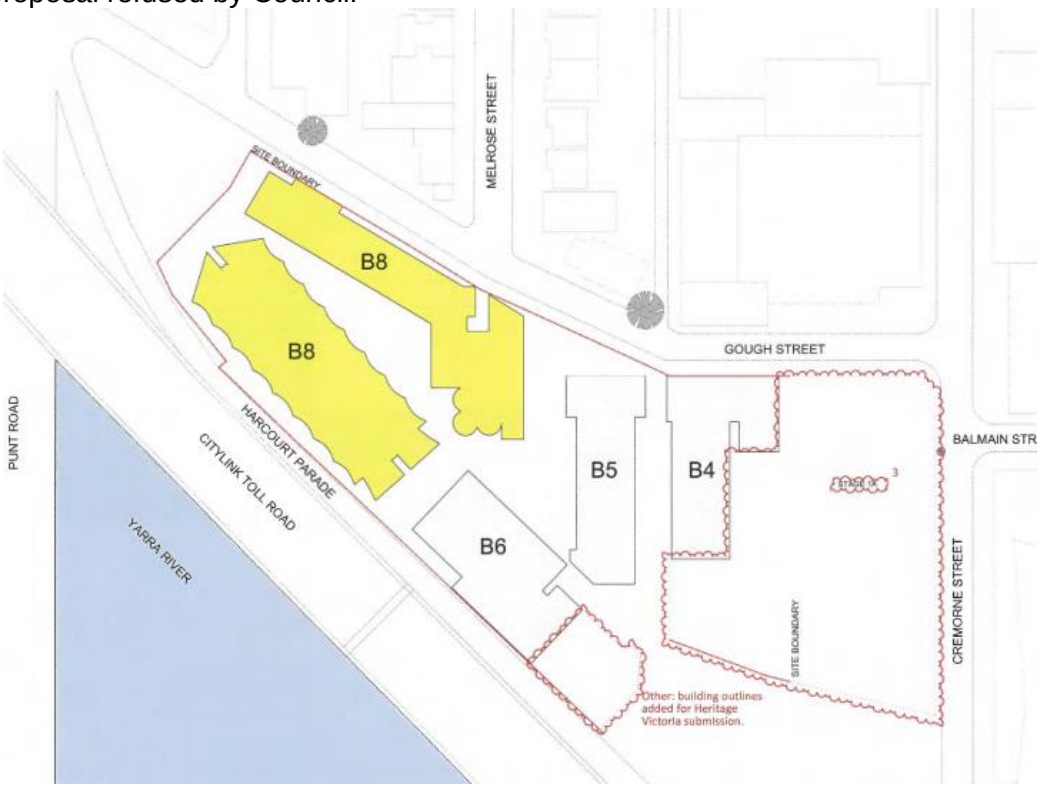
56. By way of background, 17-21 Harcourt Parade already has planning permission (albeit plans are not yet endorsed) for the construction of a nine storey office building with three levels of car parking, part use of the ground floor for a café and a reduction in car parking requirements of the Yarra Planning Scheme.

57. Plans have been lodged addressing the condition 1 requirements of this office permit in March 2016. To-date, they have not yet been endorsed. However, it does indicate that the permit holder has intentions to act on this permit.

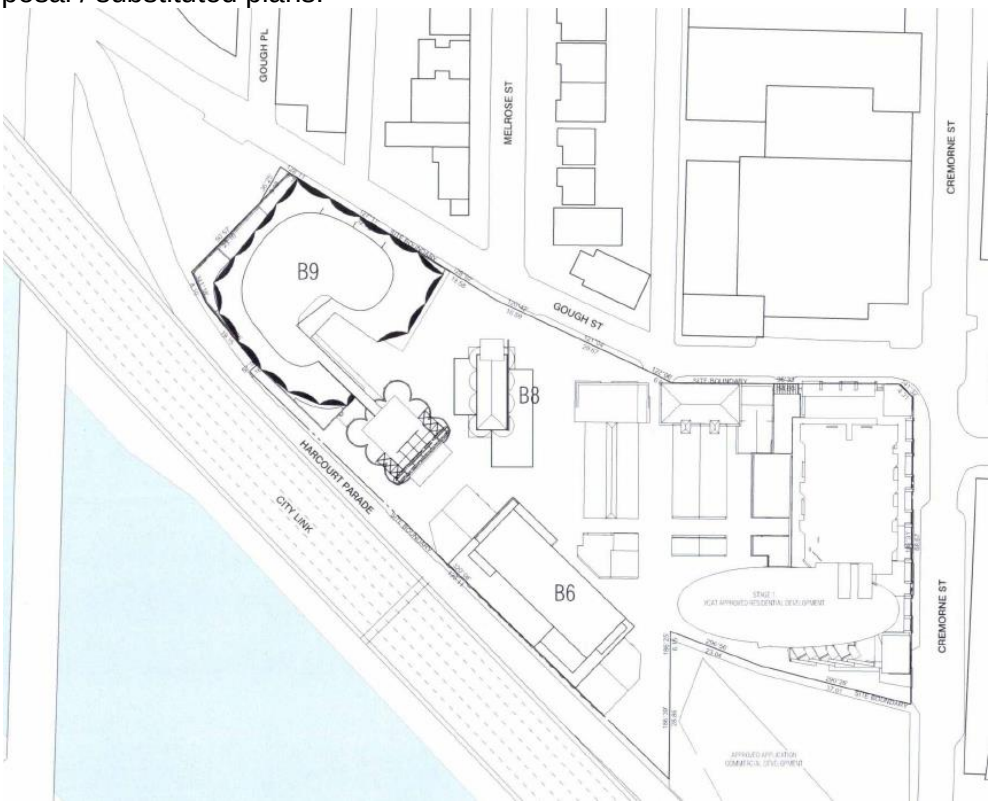
The Proposal

58. The substituted plans are for the development of the land for buildings and works, including the construction of three buildings, up to 15 storeys in height (plus 4 basement levels), use of the land as accommodation, function centre, retail and shop, restaurant, food and drinks premises (café), reduction in the car parking requirements, utilisation of 40 car parking spaces as shown in stage 1 of 2 Gough Street, Cremorne, and construction and display of a sign (relocation of Nylex and Victoria Bitter signs on top of silos B9 and B8).

Original proposal refused by Council:



Current proposal / substituted plans:



59. The development is generally broken into 4 segments, B6 (14 storeys), B8 (9 storeys), B9 (15 storeys plus 4 basement levels) and B4 & B5 heritage works. Each will be discussed in turn.

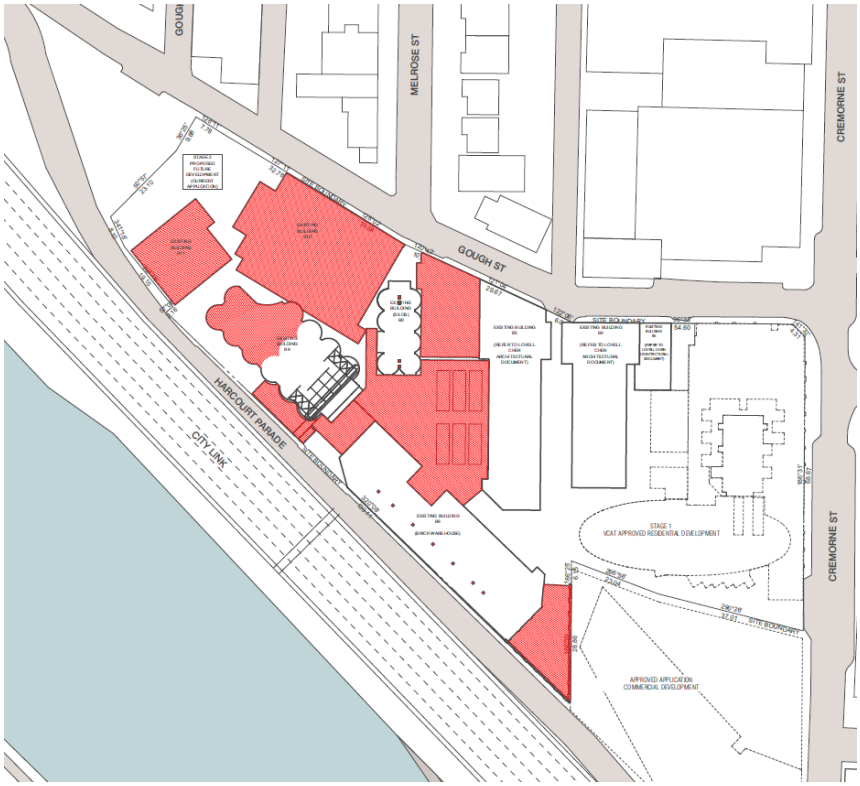
Variations compared to the original/determination plans

60. The main changes between the original and substituted plans can be summarised as:
    (a) 6 storey overall height reduction;
    (b) retention of 9 silos within the Nylex bay of silos (previously fully demolished);
    (c) greater separation between the western building and the retained/extended VB silos (now approximate 15m separation);
    (d) B6 would be narrower and wider; and
    (e) B9 (previously B8) would read more as a single 'U' shaped form (previously 2 towers at the upper levels).

	Original proposal	**Substituted plans**
Car parking	385	279 (including 40 provided in stage 1 [quarantined spaces])
Storage cages	294	285
Bicycle parking spaces	258	200, with 25% being floor mounted
Dwellings		
1BR	208	107
2BR	164	109
3BR	27	39
4BR	0	3
Total dwellings	**399**	**258**
Hotel rooms	78	43
Other uses		
Office	2153m²	2419m²
Retail	555m²	126m²
Restaurant	241m²	305m²
Food and drinks premises (café)	383m²	130m²
Bakery/Retail	84m²	84m²
Venue		459m²
Heritage interpretation visitor centre		669m²
Gallery		634m²
Kitchen		317m²
Wellness centre		951m²
Function centre		181m²
Bar		492m²

Demolition

61. It is noted that demolition works do not require a planning permit as the site is on the Victorian Heritage Register. However, the following extent of demolition would be required to facilitate the development:



62. It is noted that the full extent of demolition to the B8 silos is not correctly shown. However, any planning approval would not include endorsement of the demolition plan (as it is not a permit trigger). A permit condition would therefore not be necessary to correct this error.

<u>B4 and B5 (Lovell Chen booklet)</u>

63. The substituted plans continue to show B4 and B5 as part of stage 2, however an amended set of detailed plans and elevations has not been provided. It is therefore assumed that the original works proposed in this area are as per the original application (confirmed in the perspectives and visualisations provided). A condition should be imposed to this effect. The detail of these works (as per the original decision plans are):

(a) Demolition of part of the building (internal, part roof, part facades/walls), including the removal of a 2.3m-3m wide 'slice' at the southern end of the buildings (east-west) to create a pedestrian link. Removal of roller door fronting Gough Street to facilitate pedestrian access – No permit required as the site is on the Victorian Heritage Register.
(b) Preservation of 2 steels and hoppers within B5 and hoppers and bins within B4 (no permit required);
(c) Reclad the existing roof to both buildings (no permit required);
(d) Façade/wall works include removal of bricks infilling former windows (restoring windows), along with additional openings for the new tenancies (door and window access). The works would not impact the height or footprint of these buildings (no permit required);
(e) B4 – 3 levels of offices with amenities (including bin rooms, toilets, substation and switch rooms). A bakery/retail space would be located at the ground floor. The rear of the building 'within the slice' would include display zones (no permit required for office use);

(f) B5 – Ground level restaurant (including outdoor seating to the west), northern café and a display zone at the southern end (as per B4 'slice'). An office would be located at level 2, within the northern segment.
(g) The works reference existing materials and finishes, including red face brick, horizontal banding (cream and sand colour render finishes) and corrugated FC sheet roofing.

B6 (Fender Katsalidis booklet)

(a) construction of a 14 storey building, being RL 46.8 (originally 20 storeys) along the Harcourt Parade frontage of the site.
(b) the building would utilise the existing 2 levels of the heritage building and add 12 storeys above. The addition would have a maximum footprint of 42.3m by 21.8m. At level 11, an approximately 7m by 5m section of the south east corner would be setback (excluding a projecting balcony). At level 12 the building would be afforded a 4.8m south boundary setback (to balcony edge) and at level 13, the south boundary setback would increase to 6.6m. The building would be a maximum overall height of 42.3m (RL 46.65).
(c) the building would have a minimum 7m separation from B8, a minimum 7.8m setback from B9 and at the upper levels, a minimum separation from B5 of 2.5m, however B5 is only 3 levels;
(d) the ground floor would include a residential lobby, a shared lobby and a heritage interpretation visitor centre. The first floor would include 637m² of office space. Level 2 would be a void area with levels 3-13 constructed floating above the heritage building and contain 95 dwellings;
(e) the dwelling mix would be 68 x 1BR, 18 x 2BR and 9 x 3BR;
(f) apartments facing the freeway and river (south-west facing) incorporate wintergardens to provide some acoustic protection;
(g) The building would be constructed of three shades of blue glass, with vertical concrete or concrete look/painted finished elements. The upper 3 most floors would be constructed of a darker blue glass. The lift core and other architectural features would introduce a mixture of concrete or concrete look elements, contrasting with the existing face brick at the ground and first floors.

B8 (Fender Katsalidis booklet)

64. B8 was previously the westernmost building segment, however it is now the 'VB building' works.
(a) this element would adapt the eight VB silos into a 7 storey hotel;
(b) the extension would commence at level 2, demolishing the 3 eastern end silos (southern end) to enable extensions to the west, east and south of the silo forms;
(c) the extension would be a maximum overall length of 25m and a maximum overall width of 9.6m to the east and 3.6m to the west;
(d) the extension would be a maximum overall height of 22.5m (with the extension itself being 15m constructed on stilts);
(e) the hotel would contain 43 rooms;
(f) the VB sign would be relocated from the western to the eastern end of the silos;
(g) the design of the extension incorporates rectangular framed elements, with blue glass, timber look cladding and grey metal cladding (all 'or similar');
(h) a wellness centre would be located on levels 7 and 8 of the silo segment;

B9 (Fender Katsalidis booklet)

65. In the original application, B9 was previously part of B8.
(a) B9 would now be a maximum of 15 storeys (originally 21 storeys), plus 4 basement parking levels;
(b) this building would contain 163 dwellings, 39 x 1BR, 91 x 2BR, 30 x 3BR and 3 x 4BR;

(c) this building would be a 'U' shape form, extending from Gough Street, along the western boundary and along Harcourt Parade to the south. This 'U' then connects to the retained 9 B9 'Nylex' silos. The retained silos would also be extended with additional 3 storey circular 'extrusions' and a lift extension and level 14 addition containing a restaurant;
(d) the building would be a maximum width of approximately 50m and a maximum depth of approximately 48m;
(e) the building would be a maximum overall height of 50.9m, or 55.8m including the architectural detailing above the silo extrusions;
(f) the architectural detailing includes the creation of a 3 storey face brick podium to the 'U' form, with a simple fluted glazed façade above. The top of the glazing (at level 14) would be scalloped to reflect the silos in an inverted manner. The extrusions and additions to the silos would be constructed with a perforated grey metal, following the curve of the silos at levels 11 to 13 and at level 14, introducing a rectangular element on top;
(g) the ground level of this building includes a retail space (139m²), an office (326m²), a residential lobby, bike store, an unspecified 'venue' (210m²), a substation, services and a vehicular entry (at the western end of the site);
(h) townhouses would also be located at the ground level, fronting Gough Street, with dwellings continuing from levels 1-13;
(i) level 1 of the silos would also be used as a triple height, unspecified 'venue' (317m²);
(j) levels 4 and 5 of the silos would be used as gallery space (both 317m² or 634m² in total);
(k) level 6 of the silos would be used as a kitchen (317m²);
(l) levels 7, 8 and 9 would each be used as a wellness centre (each 317m²);
(m) levels 10 and 11 of the silos would be used as an office (each 181m² or 362m² in total);
(n) levels 12 and 13 of the silos would be used as a double height function space (181m²);
(o) level 14 of the silos would be used as a restaurant (64m²), lobby (114m²) and a bar (486m²);
(p) the works include the relocation of the Nylex Sign on top of the silo extrusions and restaurant extension;

Pedestrian access / Public spaces / Landscaping

66. Pedestrian access to the site would be provided via Gough Street (between B9 and B8, B8 and B5 and between B4 and B5).

67. Public open space areas would be provided:
    a. landscape terrace south of B5 ;
    b. heritage courtyard east of B6;
    c. restaurant garden between B4 and B5;
    d. café courtyard north of B5;
    e. covered outdoor seating west of B5;
    f. lawn area south of B8;
    g. planting and paved area between B8 and B9;
    h. landscape buffer south of B9 silos; and
    i. landscaped pedestrian link between B6 and B9.

68. The landscape plans detail 'pedestrian connection' to Harcourt Parade adjacent to B6 and B8, however this has not been referenced in any other plans – noting that if this was to be pursued that VicRoads and Citylink would need to be consulted.

Car parking

69. 279 car parking spaces (including 40 provided in stage 1 for the use of this stage [stage 2]). It is noted that the plans do not correlate with the development summary, with 3 car parking spaces missing from basement 1. Should a permit issue, this should be corrected by way of a permit condition.

70. The new 239 car parking spaces within stage 2 would be accessed via Gough Street (western end). The spaces would be located within 4 basement levels.

71. The Applicant has elected to not specify which non-residential uses would be allocated car parking.

72. A drop-off bay has been shown on the landscape plans, however it has not been clearly dimensioned. As with stage 1, it is also unclear if the Applicant is proposing to widen the Gough Street footpath and/or modify the vehicular carriageway width. This should be clarified by way of a permit condition, requiring detailed engineering drawings before the development commences.

Bicycle parking

73. 200 bicycle parking spaces would be provided at the ground floor within the B9 extension. Of these spaces, 25% would be floor mounted.

74. End of trip facilities (including showers) would be provided within the bike store area.

Uses

Dwellings		Patronage or area	Hours
1BR	107	N/A	N/A
2BR	109	N/A	N/A
3BR	39	N/A	N/A
4BR	3	N/A	N/A
Total dwellings	**258**	N/A	N/A
Hotel rooms	43	N/A	N/A
Other uses			
Office	2419m²	N/A (section 1 use)	N/A (section 1 use)
Retail	126m²	N/A	Not specified
Restaurant	305m²	B5 – 100 B9 – 48 seats	B5 – 7am to 11pm B9 – not specified
Food and drinks premises (café)	130m²	105	8am to 8pm
Bakery/Retail	84m²	Not specified	7am to 8pm
Venue	459m²	Not specified	Not specified
Heritage interpretation visitor centre	669m²	Not specified	Not specified
Gallery	634m²	25	9am and 6pm
Kitchen	317m²	N/A	Not specified
Wellness centre	951m²	Ancillary to dwellings	Not specified
Function centre	181m²	100	Not specified
Bar	492m²	Patronage not confirmed	Not specified

75. The plans do not clarify what the 459m² venue area would be used as. The Applicant has suggested that it would be used in conjunction with the gallery.

76. The Applicant has suggested that the wellness centre would include a gym and yoga area for residents only. This could be confirmed by way of a permit condition, should a permit issue.

77. The Applicant has also indicated that the heritage interpretation visitor centre would be ancillary to the precinct. This will be discussed further in this report.

Signage

78. Relocation of the existing Nylex sign on top of B8 (Harcourt Parade or 15 storey segment).

79. The sign would generally be in the same position and orientation, albeit 21.05m higher (54.15m to approximately 66m – measured to top of sign).

80. The Victoria Bitter sign would be relocated from the west of the B8 silos to the east.

Waste management

81. An amended waste management plan has not been provided and should be required by way of a permit condition, before plans are endorsed.

ESD commitments

82. An amended SMP has not been provided. It is assumed that the following ESD commitments from the original proposal would be maintained:
    (a) Buildings 4 and 5 – 4 Star Green Star – Best practice. STORM rating of 70% with use of 30kL rainwater tank for toilet flushing and irrigation.
    (b) Building 6 – 4 Star Green Star – Best practice. STORM rating of 118% with use of 20kL rainwater tank for toilet flushing and irrigation.
    (c) B8 and B9 have been significantly altered as a result of the substituted plans. As an SMP has not been provided, a minimum 4 star green star rating and a minimum 100% STORM score should be required by way of a permit condition.

Professional reports

83. The substituted plans were not accompanied by any professional reports (only architectural plans and perspectives).

Planning Scheme Provisions

Zoning

Comprehensive Development Zone – Schedule 3 (Richmond Maltings, 2 Gough Street, Cremorne)

84. The purpose of this zone is:
    (a) *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
    (b) *To provide for a range of uses and the development of land in accordance with a comprehensive development plan incorporated in this scheme.*

85. The purpose of schedule 3 is:
    (a) *To allow a comprehensively staged, mixed use development on the site which will create activity during the day and evening and generate local employment opportunities.*
    (b) *To conserve and enhance key heritage buildings through refurbishment and reuse.*
    (c) *To allow the continuation of limited major advertising in the precinct.*

(d) *To ensure that development on the site will complement and enhance the Yarra River environs.*
(e) *To ensure the combination of uses, their density and the scale and character of development does not prejudice the amenity of the surrounding area.*
(f) *To retain the visual dominance and preservation of views of the landmark Nylex sign and associated silos through the sensitive siting of new building envelopes on the site.*
(g) *To provide a well designed, attractive open plaza space within the development which is accessible to the surrounding community.*
(h) *To ensure a high quality architectural response to the site that acknowledges and is respectful of the scale and form of buildings within the site and its immediate environs.*

86. Under schedule 3, the use of the site for offices does not require a planning permit. However, the use of the site as dwellings and residential hotel (nested within 'accommodation'), retail premises (food and drinks premises [café], bakery/retail and restaurant are all nested within 'retail premises'), function centre (nested within 'place of assembly'), exhibition centre (heritage interpretation visitor centre, nested within 'place of assembly') and art gallery (also nested within 'place of assembly') require planning permit.

87. It is also noted that the Applicant has not sought permission for the sale and consumption of liquor and therefore the bar will be assessed as a restaurant. A condition should also be included to this effect, with all material to refer to this area as a restaurant.

88. It is understood that the function centre, gallery and restaurants would use the kitchen within the silos. A condition should require the uses utilising the kitchen to be annotated on the plans. The kitchen will be divided proportionally between these uses for the sake of the car parking assessment contained in this report.

89. Section 2 of schedule 3 states that:
(a) *Use of land must be in accordance with the Table of uses to this Clause and the comprehensive development plan: "Planning and Design Principles for the Richmond Maltings Site, Cremorne – November 2007".*
[**Design Principles**]
(b) *A use must not detrimentally affect the amenity of the neighbourhood, including through the:*
(i) *Transport of materials, goods or commodities to or from the land.*
(ii) *Appearance of any building, works or materials.*
(iii) *Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.*

90. The relevant land use guidance within the Planning and Design Principles are:
(a) *Establish a mix of uses on the site including restricted retail premises, cafes, bars, offices, display/exhibition spaces and residential apartments which reinforce the diversity and richness of Richmond.*
(b) *Attract a mix of uses which create local employment opportunities and contribute to the economy of the City of Yarra.*

91. Decision guidelines when considering the proposed uses include (as relevant):
(a) *The effect that existing uses may have on the proposed use.*
(b) *The drainage of the land.*
(c) *The effect of traffic to be generated on roads.*
(d) *The interim use of those parts of the land not required for the proposed use.*
(e) *The design principles outlined on the incorporated plan "Planning and Design Principles for the Richmond Malting Site, Cremorne – November 2007".*

92. Under section 4 of schedule 3, a planning permit is required for the proposed buildings and works as the proposal is not generally in accordance with the Planning or Design Principles.

93. Decision guidelines when considering the proposed buildings and works are:

(a) *Consistency with the building envelopes and design principles detailed on the comprehensive development plan: "Planning and Design Principles for the Richmond Maltings Site, Cremorne – November 2007".*
(b) *Streetscape character.*
(c) *Built form.*
(d) *Landscape treatment.*
(e) *Interface with nearby areas.*
(f) *Parking and site access.*
(g) *Lighting.*
(h) *The preservation of the amenity of nearby residents.*
(i) *The orderly management of vehicular and pedestrian traffic.*
(j) *The visual impact of the building or works on the impact of the area.*
(k) *The inclusion of appropriate acoustic measures to attenuate noise levels internally within new or refurbished / converted buildings for residential and other noise sensitive uses, located on the southern part of the site directly adjacent to the Monash Freeway.*

94. The Design Principles offer the following guidance when assessing built form (the full list has been included here, where some items may relate to the balance of the site, any development in this section must ensure it does not undermine the broader objectives of the site):
    (a) *Conserve and enhance the key heritage features of the site which depict the various stages of the malting process since the late 19th Century.*
    (b) *Provide opportunities for interpretation and appreciation of the cultural heritage attributes of the site which are to be retained.*
    (c) *Activate the corner of Gough and Cremorne Streets.*
    (d) *Facilitate safe, convenient and legible public access into and through the site.*
    (e) *Maintain a low rise edge to the Gough Street residential interface to the north.*
    (f) *Provide tall development at the eastern end of the site consistent with the built forms adjacent to the east.*
    (g) *Retain the visual prominence and landmark qualities of the Nylex sign and clock and the 1960's silos which support this heritage feature.*
    (h) *Provide opportunities for pedestrian access through the site to Harcourt Parade to the south and the Punt Road bridge. Options for any future potential pedestrian access across or along Harcourt Parade are to be the subject of full discussion and negotiation between VicRoads, CityLink, Council and the land owner.*
    (i) *Provide open space set back at ground & 1st floors at Cremorne end of Gough Street.*
    (j) *Create a vibrant plaza edged by key heritage buildings which act as an activity node as well as significant place to view and interpret these buildings.*
    (k) *Provide parking in basements and above ground multi level structures.*
    (l) *Restrict vehicle access points to the eastern and western ends of the site thus maximising the opportunities for a pedestrian dominated environment within the site itself.*
    (m) *Major advertising signage must not detract from the visual amenity of the site or surrounding area.*
    (n) *Integrate public artwork and creative lighting displays on the site which add vibrancy, colour and visual interest to the site.*
    (o) *Establish a mix of uses on the site including restricted retail premises, cafes, bars, offices, display/exhibition spaces and residential apartments which reinforce the diversity and richness of Richmond.*
    (p) *Establish well defined and legible entries to the site which contribute to the sense of address.*
    (q) *Reinforce the landmark qualities and heritage attributes of the site in the design of new buildings and works.*
    (r) *Attract a mix of uses which create local employment opportunities and contribute to the economy of the City of Yarra.*
    (s) *Strengthen the built form edge to the Monash Freeway and the Yarra River while allowing for access to sky and long distance views.*

(t) *Widen footpath and provide street planting adjacent to roads. Refer to landscape drawing for details.*
(u) *Provide an appropriate stepped built form along the Gough Street frontage*
(v) *Provide an attractive and appropriately designed façade/elevation to the western boundary of the site.*
(w) *Ensure that new development or refurbished / converted buildings for new residential and other noise sensitive uses, located on the southern part of the site directly adjacent to the Monash Freeway, include appropriate acoustic measures as outlined in AS 3671-1999 "Acoustics – Road Traffic Noise Intrusion – Building Siting and Construction", to attenuate noise levels internally within the building.*

95. Section 5 specifies car parking controls:
(a) office – 2.6 spaces per 100m²;
(b) shop – 4 spaces per 100m²;
(c) restaurant – 0.3 car spaces / seat
(d) residential (1-2 bedroom apartment) – 1 resident space per apartment;
(e) residential (3+ bedroom apartment) – 2 resident car spaces per apartment; and
(f) residential (general) – 0.12 visitor car spaces per apartment.

96. The proposed car parking allocation varies during the week and on weekends:

Richmond Malt Stage 2 – Car Parking Demand Summary and Sharing Assessment (FRIDAY)

Land Use / Yield		User	Time of Day				Demand at Peak Time (8:00pm)
			9:00am	1:00pm	5:30pm	8:00pm	
Dwellings	258 Apartments	Residents**	171 spaces	171 spaces	171 spaces	171 spaces	171 spaces
		Visitors	0 spaces	1 spaces	2 spaces	8 spaces	8 spaces
Hotel	43 Keys	Staff** / Visitors**	4 spaces	4 spaces	4 spaces	4 spaces	4 spaces
Office	2,423 sq.m	Staff [1]	21 spaces	21 spaces	21 spaces	0 spaces	0 spaces
		Visitors	2 spaces	2 spaces	1 spaces	0 spaces	0 spaces
Retail	223 sq.m	Staff**	2 spaces	2 spaces	2 spaces	2 spaces	2 spaces
		Visitors	0 spaces	0 spaces	0 spaces	0 spaces	0 spaces
Gallery [2]	25 patrons	Staff / Visitors	8 spaces	8 spaces	8 spaces	0 spaces	0 spaces
Café / Bar [3]	150 seats	Staff**	2 spaces	2 spaces	2 spaces	2 spaces	2 spaces
		Visitors	0 spaces	8 spaces	2 spaces	15 spaces	15 spaces
Restaurant [4]	48 seats	Staff**	2 spaces	2 spaces	2 spaces	2 spaces	2 spaces
		Visitors	0 spaces	0 spaces	2 spaces	10 spaces	10 spaces
Function [4]	100 seats	Visitors	0 spaces	0 spaces	0 spaces	25 spaces	25 spaces
TOTAL			212 spaces	221 spaces	217 spaces	239 spaces	239 spaces

** 100% car parking allocation.
[1] Allocated car parking for office staff from 7:00am to 7:00pm Monday to Friday (Office closed on Saturday).
[2] Operational from 9:00am to 6:00pm daily.
[3] Operational from 12:00pm daily.
[4] Operational from 5:00pm daily.

Richmond Malt Stage 2 – Car Parking Demand Summary and Sharing Assessment (SATURDAY)

Land Use / Yield		User	Time of Day				Demand at Peak Time (8:00pm)
			9:00am	1:00pm	5:30pm	8:00pm	
Dwellings	258 Apartments	Residents**	171 spaces	171 spaces	171 spaces	171 spaces	171 spaces
		Visitors	6 spaces	4 spaces	5 spaces	10 spaces	10 spaces
Hotel	43 Keys	Staff** / Visitors**	4 spaces	4 spaces	4 spaces	4 spaces	4 spaces
Office	2,423 sq.m	Staff [1]	0 spaces	0 spaces	0 spaces	0 spaces	0 spaces
		Visitors	0 spaces	0 spaces	0 spaces	0 spaces	0 spaces
Retail	223 sq.m	Staff**	2 spaces	2 spaces	2 spaces	2 spaces	2 spaces
		Visitors	0 spaces	0 spaces	0 spaces	0 spaces	0 spaces
Gallery [2]	25 patrons	Staff** / Visitors**	8 spaces	8 spaces	8 spaces	0 spaces	0 spaces
Café / Bar [3]	150 seats	Staff**	2 spaces	2 spaces	2 spaces	2 spaces	2 spaces
		Visitors	0 spaces	8 spaces	2 spaces	15 spaces	15 spaces
Restaurant [4]	48 seats	Staff**	2 spaces	2 spaces	2 spaces	2 spaces	2 spaces
		Visitors	0 spaces	0 spaces	2 spaces	10 spaces	10 spaces
Function [4]	100 seats	Visitors	0 spaces	0 spaces	0 spaces	25 spaces	25 spaces
TOTAL			195 spaces	201 spaces	198 spaces	241 spaces	241 spaces

** 100% car parking allocation.
[1] Allocated car parking for office staff from 7:00am to 7:00pm Monday to Friday (Office closed on Saturday).
[2] Operational from 9:00am to 6:00pm daily.
[3] Operational from 12:00pm daily.
[4] Operational from 5:00pm daily.

Land Use	Units/ Area / Seats proposed	No. required		No. proposed	Reduction sought

Land Use	Units/ Area / Seats proposed	No. required		No. proposed	Reduction sought
Dwelling residents	1 and 2BR = 216 3 and 4BR = 42	300	456	279	177
Dwelling visitors	258 dwellings	31			
Office	2419m²	63			
Retail	126m²	No specified rate			
Restaurant (incorporating area as shown as 'bar' on the plans)	48 seats	14			
Food and drinks premises (café)	150 seats	No specified rate			
Venue	459m²	No specified rate			
Heritage interpretation visitor centre	669m²	No specified rate			
Gallery	634m²	No specified rate			
Kitchen	317m²	Proportion to restaurant/ gallery/ function/ venue spaces – no specified rate or in the case of 'restaurant' is based on seats			
Wellness centre	951m²	Ancillary to dwelling use – no additional bicycle parking requirement			
Function centre	181m²	No specified rate			
Residential	43	43			

Land Use	Units/ Area / Seats proposed	No. required		No. proposed	Reduction sought
Hotel		(applying the 'residential' rate as it does not distinguish between 'dwellings' or otherwise)			
Residential Hotel - Visitor		5			
TOTAL			**456**	**279**	**177**

97. A permit may be granted to reduce the number of car spaces required for a particular use if the Responsible Authority is satisfied that the number of spaces required:
    (a) *Is unnecessary in the circumstances;*
    (b) *Can be provided on nearby land; or*
    (c) *If the proposal is to achieve a heritage outcome.*

98. This application has a statutory requirement for 456 spaces, with a reduction of 177 being sought.

99. Due to the errors in the Applicant's traffic information, their report suggested 673 car parking spaces were required under the Scheme. However, Officer's maintain that the above table is correct.

100. Before deciding on the application, the Responsible Authority must consider:
    (a) *The likely demand for car parking spaces.*
    (b) *The extent to which the various uses of the land are likely to generate different levels of demand for parking at different times.*
    (c) *The possible multi-use of car spaces.*
    (d) *The demand for car spaces generated by the uses established in previous stages of the development.*
    (e) *The accessibility of the site to vehicle traffic;*
    (f) *The proposed layout of parking areas.*

101. Section 6 states that the dimensions of the car spaces, access lanes and driveways and layout of parking areas must meet the requirements of Clause 52.06, unless the responsible authority agrees otherwise.

Part Road Zone – Category 1

102. The southernmost strip of land adjacent to Harcourt Parade is within the RDZ1. This appears to be a planning anomaly, however this zoning must be considered.

103. It is noted that sections of B6 and B8 extend into the RDZ1 affected portion of the site. A permit is required under clause 36.04-1 of the Scheme for the residential and retail uses that extend into these areas (and technically any other use that is allocated to the affected area including car parking spaces as the basement levels also extend into this area). A permit is also required under clause 36.04-2 of the Scheme for buildings and works associated with a section 2 use.

104. The views of the relevant road authority (VicRoads and Transurban) are a decision guideline at clause 36.04-3.

Overlays

CityLink Project Overlay

105. This overlay exempts use and development in association with the City Link Project area if the use or development is part of the Melbourne City Link Project (as relevant). The only permit triggers of this overlay relate to signage. However, the Overlay only affects the western part of the site and does not include the area where the Nylex or Victoria Bitter signs would be relocated.

Environmental Audit Overlay

106. Clause 45.03-1 of the Scheme states that 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.*

107. This requirement should be conveyed to the Applicant in the form of a notation or any permit granted.

Heritage Overlay (HO350 – 2 Gough Street [Nylex Plastics sign] and 2 and 15 Gough Street [Richmond Maltings], both on the Victorian Heritage Register [H2049 and H2050])

108. Clause 43.01-2 of the Scheme states that no permit is required under this overlay to develop a heritage place which is included on the Victorian Heritage Register.

109. It is noted however, that the CDZ3 Design Principles note the following objectives:
    (a) *Conserve and enhance the key heritage features of the site which depict the various stages of the malting process since the late 19th Century.*
    (b) *Provide opportunities for interpretation and appreciation of the cultural heritage attributes of the site which are to be retained.*

Land Subject to Inundation Overlay

110. A planning permit is required under clause 44.04-1 of the scheme to construct a building or to construct or carry out works. This includes roadworks. An application under this overlay is exempt from the notice requirements, however the application must be referred to Melbourne Water under Section 55 of the Act.

Particular Provisions

Clause 52.05 – Advertising signs

111. The purpose of this provision is:
    (a) *To regulate the display of signs and associated structures.*
    (b) *To provide for signs that are compatible with the amenity and visual appearance of an area, including the existing or desired future character.*
    (c) *To ensure signs do not contribute to excessive visual clutter or visual disorder.*
    (d) *To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.*

112. A permit is required under clause 52.05-8 of the Scheme to construct and display a major promotion sign (this zone is a category 2 area).

Clause 52.06 – Car parking

113. The purpose of this provision (amongst others) is to ensure the provision of an appropriate number of car spaces are provided having regard to the activities on the land and the nature of the locality. However, the CDZ3 rates prevail in this instance.

114. Section 6 of the CDZ3 however, states that 'The dimensions of the car spaces, access lanes and driveways and layout of parking areas must meet the requirements of Clause 52.06, unless the responsible authority agrees otherwise'.

Clause 52.07 – Loading and unloading of vehicles

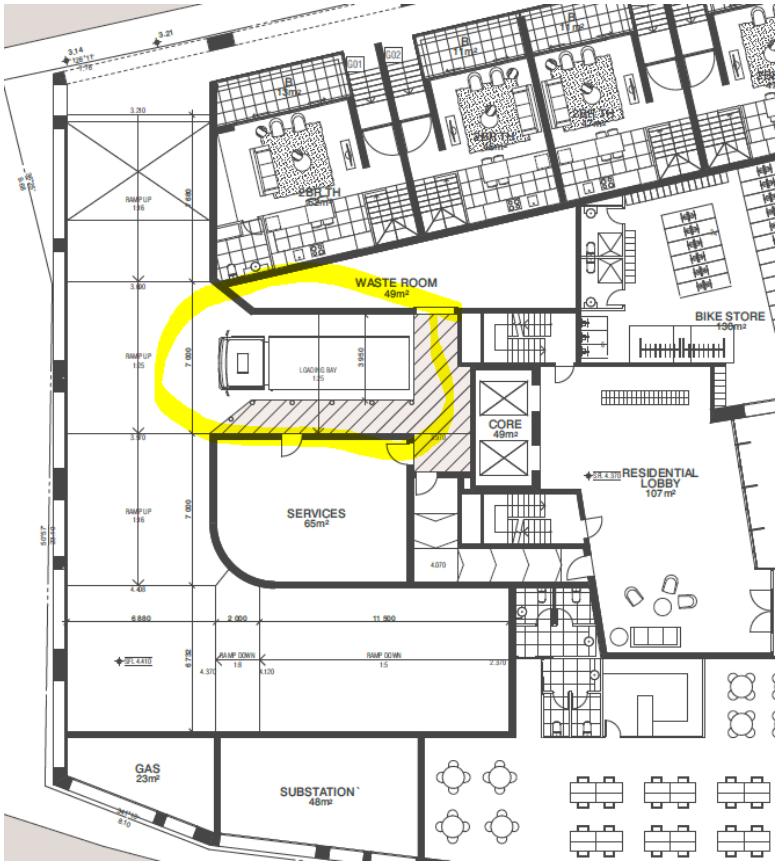
115. The purpose of this clause: To set aside land for loading and unloading commercial vehicles to prevent loss of amenity and adverse effect on traffic flow and road safety.

    Requirements to be met:
    (a) *No building or works may be constructed for the manufacture, servicing, storage or sale of goods or materials unless:*
    (b) *Space is provided on the land for loading and unloading vehicles as specified in the table below.*
    (c) *The driveway to the loading bay is at least 3.6 metres wide. If a driveway changes direction or intersects another driveway, the internal radius at the change of direction or intersection must be at least 6 metres.*
    (d) *The road that provides access to the loading bay is at least 3.6 metres wide.*

    A permit may be granted to reduce or waive these requirements if either:
    (a) The land area is insufficient.
    (b) Adequate provision is made for loading and unloading vehicles to the satisfaction of the responsible authority.

FLOOR AREA OF BUILDING	MINIMUM LOADING BAY DIMENSIONS	
2,600 sq m or less in single occupation	Area	27.4 sq m
	Length	7.6 m
	Width	3.6 m
	Height clearance	4.0 m
For every additional 1,800 sq m or part	Additional 18 sq m	

116. The applicant has provided an 8m² (W) by 18m² (L) by 5m (H), or 144m², loading bay at the base of building B9.



Extract from B9 ground floor plan

117. The uses that trigger a loading bay under clause 52.07 (office, retail, restaurant, function centre and café) total an area of 3730m². This therefore requires a minimum 45.4m² loading bay under this provision.

118. A permit is therefore not required to reduce or waive this requirement.

Clause 52.29 – Land adjacent to a road zone, category 1, or a public acquisition overlay for a category 1 road

119. A permit is required under this provision to create or alter access to a road in a road zone, category 1. The proposal does not include vehicular access to the road zone, category 1.

Clause 52.34 – Bicycle Facilities

120. The purpose of this clause is to encourage cycling as a mode of transport and to provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities. Clause 52.34-2 states that a permit may be granted to vary, reduce or waive any requirement of clause 52.34-3 and clause 52.34-4.

Land Use	Units/ Area / Seats proposed	No. required	TOTAL REQUIRED	No. proposed	Reduction sought
Dwelling residents	1 and 2BR = 216 3 and 4BR = 42	52		200	None (46 spaces above the

Land Use	Units/ Area / Seats proposed	No. required	TOTAL REQUIRED	No. proposed	Reduction sought
Dwelling visitors	258 dwellings	26	154		minimum requirement)
Office	2419m²	63			
Retail	126m²	No specified rate			
Restaurant (incorporating area as shown as 'bar' on the plans)	48 seats				
Food and drinks premises (café)	150 seats				
Venue	459m²	No specified rate			
Heritage interpretation visitor centre	669m²	No specified rate			
Gallery	634m²	No specified rate			
Kitchen	317m²	Proportion to restaurant/ gallery/ function/ venue spaces – no specified rate or in the case of 'restaurant' is based on seats			
Wellness centre	951m²	Ancillary to dwelling use – no additional bicycle parking requirement			
Function centre	181m²	No specified rate			
Residential Hotel	43	9 (applying the 'residential' rate as it does not distinguish between			

Land Use	Units/ Area / Seats proposed	No. required	TOTAL REQUIRED	No. proposed	Reduction sought
		'dwellings' or otherwise)			
Residential Hotel - Visitor		4			

121. Design and signage requirements are at clause 52.34-4 and 52.34-5 of the Scheme and will be referenced throughout the assessment.

Clause 58 – Apartment Developments

122. These provisions apply to an application to construct an apartment development within the CDZ (amongst others). However, clause 37.02-4 of the Scheme introduces transitional provisions in that (as relevant):

    Clause 58 does not apply to:
    - *An application for a planning permit lodged before the approval date of Amendment VC136.*

123. These provisions therefore do not apply to this application.

General Provisions

Clause 65 – Decision Guidelines

124. 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 a number of matters. Amongst other things, the Responsible Authority must consider 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)

The following SPPF provisions of the Scheme are relevant:

Clause 11.01-1 – Settlement networks

125. The objective of this clause is 'To promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements'.

Clause 11.04-1 – Open space planning

126. The objective of this clause is 'To assist creation of a diverse and integrated network of public open space commensurate with the needs of the community'.

Clause 11.06-1 – Jobs and investment

127. The objective of this clause is 'To create a city structure that drives productivity, attracts investment, supports innovation and creates jobs'.

Clause 11.06-2 – Housing choice

128. The objective of this clause is '*To provide housing choice close to jobs and services*'. With a relevant strategy being to:
    (a) *Facilitate diverse housing that offers choice and meets changing household needs through:*
        (i) *provision of a greater mix of housing types.*
        (ii) *adaptable internal dwelling design.*
        (iii) *universal design.*

Clause 11.06-3 – Integrated transport

129. The objective of this clause is 'To provide an integrated transport system connecting people to jobs and services, and goods to market'. With a relevant strategy being to 'Provide for increased density of development, particularly around transport nodes, to support the viability of services'.

Clause 11.06-4 – Place and identity

130. The objective of this clause is 'To create a distinctive and liveable city with quality design and amenity'. With the relevant strategies being:
    (a) *Improve the design quality of public spaces and the interfaces between private development and the public domain.*
    (b) *Support the creation of memorable, well-designed places that are distinctive and liveable. Integrate place making practices into road space management.*
    (c) *Provide spaces and facilities that encourage and support the growth and development of Melbourne's cultural precincts and creative industries.*
    (d) *Create innovative tourism experiences and encourage investment that meets demand and supports growth in the tourism.*
    (e) *Promote urban design excellence in the built environment and create places that:*
        (i) *are accessible, safe and diverse*
        (ii) *are enjoyable, engaging and comfortable to be in and move around*
        (iii) *accommodate people of all abilities, ages and cultures*
        (iv) *celebrate of the city's social, cultural and natural heritage.*
        (v) *Recognise the value of heritage by carefully managing the ongoing processes of growth and change in the urban environment.*
        (vi) *Respect and protect Melbourne's Aboriginal cultural heritage.*
        (vii) *Support the regeneration of heritage assets through adaptive re-use.*

Clause 11.06-5 – Neighbourhoods

131. The objective of this clause is 'To create a city of inclusive, vibrant and healthy neighbourhoods that promote strong communities, healthy lifestyles and good access to local services and jobs'. With the relevant strategies being:
    (a) *Create a city of 20 minute neighbourhoods, that give people the ability to meet most of their everyday needs within a 20 minute walk, cycle or local public transport trip of their home.*
    (b) *Create mixed-use neighbourhoods at varying densities that offer more choice in housing, create opportunities for local businesses and jobs and deliver better access to services and facilities.*

Clause 11.06-6 – Sustainability and resilience

132. The objective of this clause is 'To create a more sustainable and resilient city that manages its land, biodiversity, water, energy and waste resources in a more integrated way'. With the relevant strategies being:
    (a) *Improve energy, water and waste performance of buildings through environmentally sustainable development and energy efficiency upgrades.*

(b) *Facilitate the uptake of renewable energy technologies on a site-by-site and neighbourhood level, including through the consideration of renewable energy opportunities during the master planning of new communities and in green wedge and peri-urban areas.*
(c) *Require climate change risks to be considered in the siting, design and construction of major infrastructure projects so that they withstand natural hazard risks.*
(d) *Reduce pressure on water supplies by ensuring development makes the best use of all water sources, including stormwater, rainwater, recycled water and drinking water. Improve alignment between urban water management and planning by adopting an integrated water management approach.*
(e) *Protect and enhance the health of urban waterways by ensuring new urban development minimises the impact of stormwater.*

Clause 12.05-1 – River corridors

133. The objective of this clause is 'To protect and enhance the significant river corridors of metropolitan Melbourne'. With the relevant strategies being:
(a) *Ensure development responds to and respects the significant environmental, conservation, cultural, aesthetic, open space, recreation and tourism assets of all river corridors.*
(b) *Ensure new development is sensitively designed and sited to maintain and enhance environmental assets, significant views and the landscapes along all river corridors.*

Clause 12.05-2 – Yarra River protection

134. The objective of this clause is to 'Maintain and enhance the natural landscape character of the Yarra River corridor in which the topography, waterway, banks and tree canopy are dominant features providing a highly valued, secluded, natural environment for the enjoyment of the public'. With relevant strategies being:
(a) *Strengthen the river's natural environment, heritage and overall health by:*
(i) *Ensuring development does not increase the rate or quantity of stormwater, sediment or other pollutants entering the river.*
(b) *Retain and enhance people's enjoyment of the river and its environment by:*
(i) *Planning for the river and its environs as a recreation and tourism resource.*
(ii) *Ensuring linkages and public access to the river and its parklands are maintained, enhanced and new links created where appropriate.*
(iii) *Avoiding overshadowing of the river, its banks and adjacent public open space to ensure that the amenity of the public realm is maintained year round.*
(c) *Ensure that development is designed and sited to maintain and enhance the river's secluded and natural environment by:*
(1) *Minimising the visual intrusion of development when viewed from major roads, bridge crossings, public open space, recreation trails and the river itself*

Clause 13.02-1 – Floodplain management

135. The objective of this clause is:
(a) *To assist the protection of:*
(i) *Life, property and community infrastructure from flood hazard.*
(ii) *The natural flood carrying capacity of rivers, streams and floodways.*
(iii) *The flood storage function of floodplains and waterways.*
(iv) *Floodplain areas of environmental significance or of importance to river health.*

Clause 13.03-1 – Use of contaminated and potentially contaminated land

136. The objective of this clause is: To ensure that potentially contaminated land is suitable for its intended future use and development, and that contaminated land is used safely.

Clause 13.04-1 – Noise abatement

137. The objective of this clause is: To assist the control of noise effects on sensitive land uses.

Clause 15.01-1 – Urban design

138. 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 15.01-2 – Urban design principles

139. The objective of this clause is: To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.

140. A list of 11 design principles is listed for development proposals for non-residential development or residential development not covered by Clause 54, Clause 55 or Clause 56.

Clause 15.01-4 – Design for safety

141. 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

142. 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

143. 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 15.03-2 – Aboriginal cultural heritage

144. The objective of this clause is: To ensure the protection and conservation of place of Aboriginal cultural heritage significance.

Clause 16.01-1 – Integrated housing

145. The objective of this clause is: To promote a housing market that meets community needs.

Clause 16.01-2 – Location of residential development

146. The objective of this clause is: To locate new housing in or close to activity centres and employment corridors and at other strategic redevelopment sites that offer good access to services and transport. A relevant strategy being:
    (a) *Encourage higher density housing development on sites that are well located in relation to activity centres, employment corridors and public transport.*

Clause 16.01-4 – Housing diversity

147. The objective of this clause is: To provide for a range of housing types to meet increasingly diverse needs.

Clause 16.01-5 – Housing affordability

148. The objective of this clause is: To deliver more affordable housing closer to jobs, transport and services.

Clause 18.02-1 - Sustainable personal transport

149. The objective of this clause is: To promote the use of sustainable personal transport.

Clause 18.02-2 - Cycling

150. It is an objective: To integrate planning for cycling with land use and development planning and encourage as alternative modes of travel.

Clause 18.02-5 - Car parking

151. It is an objective: *To ensure an adequate supply of car parking that is appropriately designed and located.* The clause includes the following (relevant) strategies to achieve this objective:
    (a) *Encourage the efficient provision of car parking through the consolidation of car parking facilities.*
    (b) *Protect the amenity of residential precincts from the effects of road congestion created by on-street parking.*

Local Planning Policy Framework (LPPF)

*Municipal Strategic Statement [**MSS**]*

Clause 21.04-1 – Accommodation and Housing

152. The relevant objectives and strategies of this clause are:
    (a) Objective 1 To accommodate forecast increases in population.
        (i) Strategy 1.1 Ensure that new residential development has proper regard for the strategies applicable to the neighbourhood in question identified in clause 21.08;
        (ii) Strategy 1.2 Direct higher density residential development to Strategic Redevelopment Sites identified at clause 21.08 and other sites identified through any structure plans or urban design frameworks.
    (b) Objective 2 To retain a diverse population and household structure; and
    (c) Objective 3 To reduce potential amenity conflicts between residential and other uses.

Clause 21.05-2 – Urban design

153. The relevant objectives and strategies of this clause are:
    (a) Objective 16 To reinforce the existing urban framework of Yarra.
    (b) Objective 17 To retain Yarra's identity as a low-rise urban form with pockets of higher development.
        (i) Strategy 17.2 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.
    (c) Objective 18 To retain, enhance and extend Yarra's fine grain street pattern.
    (d) Objective 20 To ensure that new development contributes positively to Yarra's urban fabric.
    (e) Objective 22 To encourage the provision of universal access in new development.

Clause 21.05-4 – Public environment

154. The relevant objective and strategies of this clause are:
    (a) Objective 28 To a provide a public environment that encourages community interaction and activity:
        (i) *Strategy 28.1 Encourage universal access to all new public spaces and buildings.*
        (ii) *Strategy 28.2 Ensure that buildings have a human scale at street level.*
        (iii) *Strategy 28.3 Require buildings and public spaces to provide a safe and attractive public environment.*
        (iv) *Strategy 28.5 Require new development to make a clear distinction between public and private spaces.*
        (v) *Strategy 28.9 Apply the Public Open Space Contribution policy at clause 22.12.*

Clause 21.06-1 – Walking and cycling

155. The relevant objective and strategies of this clause are:
    (a) Objective 30 To provide safe and convenient pedestrian and bicycle environments.
        (a) Strategy 30.1 Improve pedestrian and cycling links in association with new development where possible.
        (b) Strategy 30.2 Minimise vehicle crossovers on street frontages.
        (c) Strategy 30.3 Use rear laneway access to reduce vehicle crossovers.

Clause 21.06-2 – Public transport

156. The relevant objective and strategies of this clause are:
    (a) *Objective 31 To facilitate public transport usage.*
        (a) *Strategy 31.1 Require new development that generates high numbers of trips to be easily accessible by public transport.*

Clause 21.06-3 – The road system and parking

157. The relevant objective and strategies of this clause are:
    (a) *Objective 32 To reduce the reliance on the private motor car.*
        (i) *Strategy 32.1 Provide efficient shared parking facilities in activity centres.*
        (ii) *Strategy 32.2 Require all new large developments to prepare and implement integrated transport plans to reduce the use of private cars and to encourage walking, cycling and public transport.*
    (b) *Objective 33 To reduce the impact of traffic.*
        (i) *Strategy 33.1 Ensure access arrangements maintain the safety and efficiency of the arterial and local road networks.*

Clause 21.07-1 – Ecologically sustainable development

158. The relevant objective of this clause is:
    (a) *Objective 34 To promote ecologically sustainable development.*

Clause 21.08-2 – Burnley, Cremorne, South Richmond

159. The following relevant commentary is offered in this clause:
    (a) *The neighbourhood provides a range of residential opportunities:*
        (i) *the Cremorne area has a truly mixed use character with Victorian cottages, apartments and warehouse conversions intermingled with commercial and industrial uses. This mix of uses is valued by the local community and must be fostered*
        (ii) *the established residential area surrounding Barkly Gardens provides a range of housing opportunities in small cottages and larger period dwellings*
        (iii) *the area east of Burnley Street includes the Golden Square residential area which compri**s**es predominantly cottages of heritage significance.*

(b) *This area includes the visually and historically significant silos which host the also significant Nylex Plastics clock and temperature indicator. Views of and to these Melbourne landmarks need to be protected.*

(c) *This neighbourhood is largely an eclectic mix of commercial, industrial and residential land use. With two railway lines and both north south, and east west tram routes, the neighbourhood has excellent access to public transport. The Cremorne commercial area functions as an important metropolitan business cluster which must be fostered.*

160. The clause identifies that the prominence of the Nylex landmark sign must be maintained, as must view of and to the silo site. The subject site is also identified as a strategic redevelopment site. Generally, the clause supports business clusters (for textiles and design) in the Cremorne area.

Clause 22.11 – Reference Documents

Yarra Strategic Transport Statement City of Yarra 2006

161. This document outlines transport options and objectives within the municipality. Including the following hierarchy of transport modes:

4.1.1 More sustainable transport modes
*1. Pedestrians**
2. Cyclists
3. Tram
4. Bus / Train
5. Taxi users / car sharers
*(*includes using wheelchairs and walking with prams)*

4.1.2 Less sustainable transport modes
6. Freight vehicles
7. Motorcyclists
8. Multiple occupants local traffic
9. Single occupants local traffic
10. Multiple occupants through traffic
11. Single occupant through traffic

162. Whilst not a reference document, a Status Report and Recommended Changes and Actions was adopted by Council in August 2011, extending from 2012 to 2016.

Relevant Local Policies

Clause 22.03 – Landmarks Policy

163. The objective of this clause is to:

(a) *maintain the prominence of Yarra's valued landmark signs;*
(b) *protect views to the silhouette and profile of Yarra's valued landmarks to ensure they remain as the principal built form reference; and*
(c) *ensure the profile and silhouette of new tall structures adds to the interest of Yarra's urban form and skyline.*

164. Reviewing the landmarks identified in this policy, the site is closest to the Dimmey's Ball Tower. In addition, the Nylex sign is an identified landmark sign in this policy.

Clause 22.04 – Advertising Signs Policy

165. This Policy applies to all permit applications for advertising signs or for development which incorporates an advertising sign.

166. The relevant objectives of this clause are:
    (a) *To ensure that signs contribute to and do not detract from the visual amenity of commercial precincts, activity centres and residential areas.*
    (b) *To minimise visual clutter.*
    (c) *To ensure that signs are not the dominant element in the streetscape.*
    (d) *To protect and enhance the character and integrity of places of heritage significance.*
    (e) *To protect major view corridors and vistas.*
    (f) *To maintain vehicular and pedestrian safety.*

Clause 22.05 – Interface Uses Policy

167. Whilst this policy technically does not apply to the Comprehensive Development Zone, it includes relevant considerations when assessing section 2 uses. Clause 22.05-3 states that it is policy that:
    (a) *New residential use and development in or near commercial centres and activity centres and near industrial uses includes design features and measures to minimise the impact of the normal operation of business and industrial activities on the reasonable expectation of amenity within the dwellings.*
    (b) *New non-residential use and development within Business and Mixed Use and Industrial Zones are designed to minimise noise and visual amenity impacts upon nearby, existing residential properties.*

168. Decision guidelines at clause 22.05-6 include:
    (a) *Before deciding on an application for residential development, Council will consider as appropriate:*
        (i) *The extent to which the proposed dwellings may be subject to unreasonable noise, fumes and air emissions, light spillage, waste management and other operational matters from the nearby business or industrial uses.*
        (ii) *Whether the dwellings are designed or incorporate appropriate measures to minimise the impact of noise, fumes and air emissions, light spillage, waste management and other operational matters from the nearby business or industrial uses.*

Clause 22.12 – Public Open Space Contribution

169. The objectives of this clause are:
    (a) *To implement the Yarra Open Space Strategy;*
    (b) *To identify when and where land contributions for public open space are preferred over cash contributions; and*
    (c) *To ensure that where appropriate, land suitable for public open space is set aside as part of the design of a development so that it can be transferred to or vested in Council, in satisfaction of the public open space contribution requirement.*

170. The subject site is in an area where land in lieu of cash is the preferred method of public open space contribution (area 3121G).

Clause 22.16 – Stormwater Management (Water sensitive urban design)

171. This policy applies to applications for more than 50m² extensions to existing buildings (amongst others).

172. Under this clause it is policy to:

(a) *Require that development applications provide for the achievement of the best practice performance objectives for suspended solids, total phosphorus and total nitrogen, as set out in the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999 (or as amended)*
(b) *Require the use of stormwater treatment measures that improve the quality and reduce the flow of water discharged to waterways. This can include but is not limited to:*
    (i) *collection and reuse of rainwater and stormwater on site*
    (ii) *vegetated swales and buffer strips*
    (iii) *rain gardens*
    (iv) *installation of water recycling systems*
    (v) *multiple uses of water within a single manufacturing site*
    (vi) *direction of flow from impervious ground surfaces to landscaped areas.*
(c) *Encourage the use of measures to prevent litter being carried off-site in stormwater flows, including:*
    (i) *appropriately designed waste enclosures and storage bins, and*
    (ii) *the use of litter traps for developments with the potential to generate significant amounts of litter.*
(d) *Encourage the use of green roofs, walls and facades on buildings where practicable (to be irrigated with rainwater/stormwater) to enhance the role of vegetation on buildings in managing the quality and quantity of stormwater.*

Clause 22.17 – Environmentally Sustainable Development

173. This clause applies to this application as the development is for more than 10 dwellings. A Sustainability Management Plan [**SMP**] is therefore required.

174. This clause states that 'The overarching objective is that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation'.

175. The clause outlines objectives relating to energy performance, water resources, indoor environment quality, stormwater management, transport, waste management and urban ecology.

Other documents

Swan Street Structure Plan [**SSSP**]

176. Generally, the SSSP acknowledges that public realm improvements should be made in the existing street network, improving the pedestrian experience. This document has limited weight in the consideration of this application.

177. In relation to movement and transport:

    (a) *It is anticipated that traffic generation will increase as urban intensification occurs in some locations. Subsequent to this is the potential for increasing traffic volumes on local road networks and traffic congestion. A key challenge for the future is to promote a modal shift to more sustainable forms of transport through appropriate public realm improvements that encourage sustainable transport choices.*

178. The subject site is located in the River Edge Precinct (#7) as defined by the SSSP.

    7. River Edge Precinct

    Existing Context

(a) *The River Edge Precinct contains a mixture of industrial and commercial buildings, low rise residential dwellings and a recently developed mixed residential and commercial building on Cremorne Street. The Nylex sign is a prominent landmark feature in the precinct. This is a discrete and contained precinct bounded by CityLink along its southern boundary, Punt Road to the west, Balmain Street to the north and the railway line along its eastern boundary. The precinct includes significant local heritage character and value including the Rosella complex.*
(b) *The precinct contains a mixture of industrial buildings, low rise residential dwellings and a recently developed 9 storey combined residential and commercial development in Cremorne Street known as the ERA development.*
(c) *Land uses in this precinct have changed significantly over time with the contraction of the manufacturing sector. Consequently, some former industrial sites are vacant or underutilised and have been either adapted for reuse or redeveloped as typified by the ERA development.*
(d) *A Comprehensive Development Zone (CDZ) applies to the Maltings site providing direction on future development and built form outcomes for the site. The CDZ has effectively established a benchmark for heights in the precinct.*
(e) *A permit has been issued for a 9 storey office building in Harcourt Parade adjacent to the Maltings site and the freeway to the south. Further application was made to rezone the land to permit a residential use and this matter now rests with the Minister for Planning.*
(f) *A large, underutilised, Strategic Redevelopment Site is located at the southern end of Cremorne Street and presents a significant redevelopment opportunity for a combined residential and commercial development.*
(g) *The Rosella complex is located on Balmain Street and functions as a commercial and light industrial complex. Vehicular and pedestrian access to buildings is provided through an internal roadway and there are buildings within the complex with heritage value. Rosella presents opportunities for redevelopment to strengthen the employment focus and accommodate housing growth.*
(h) *Balmain Street and Cremorne Street provide the main vehicular access to the precinct. The precinct is characterised by a network of small north south streets, many of which terminate at the freeway.*
(i) *Vehicular movements within the precinct are relatively constrained.*
(j) *The precinct provides an inconsistent built form edge along the southern boundary with the freeway.*
(k) *The visual presence of the freeway and associated noise from vehicles results in poor general amenity along the most southern edge of the precinct.*

Built Form

Objectives
(a) *To ensure built form provides passive surveillance to the street.*
(b) *To allow for taller buildings on Strategic Redevelopment Sites that are subservient to maximum building heights established for the Maltings site.*
(c) *To respect and where appropriate, maintain the non-residential heritage buildings in the precinct whilst allowing for a level of change.*
(d) *To strengthen the street edge along Balmain, Gough, Dover and Cremorne Streets.*
(e) *To protect the character and heritage value of the existing residential area in the precinct.*
(f) *Strengthen the built form edge adjacent to City Link.*

Strategies
(a) *Ensure new development on the Maltings site is in accordance with the existing planning provisions in the Schedule to the Comprehensive Development Zone.*
(b) *Provide active frontages to the street.*
(c) *Promote the reuse and adaption of nonresidential heritage buildings.*
(d) *Rebuild/reinforce the street edge along Balmain, Gough, Dover,Bent and Cremorne Streets.*

(e) *Ensure redevelopment of Strategic Redevelopment Sites provide an appropriate transition and interface to low-scale residential areas.*
(f) *Incorporate building separation, setbacks and articulated built form to avoid the appearance of a solid wall of buildings along the southern boundary of the precinct.*
(g) *Ensure that no additional shadow is cast across the north bank of the Yarra River between 11.00am and 2.00pm on 21 June.*
(h) *Prepare Urban Design principles for the Rosella Complex to inform the preparation of a Master Plan.*
(i) *Encourage the redevelopment of Strategic Redevelopment Sites in the precinct to a maximum height of 10 storeys.*

Public Realm

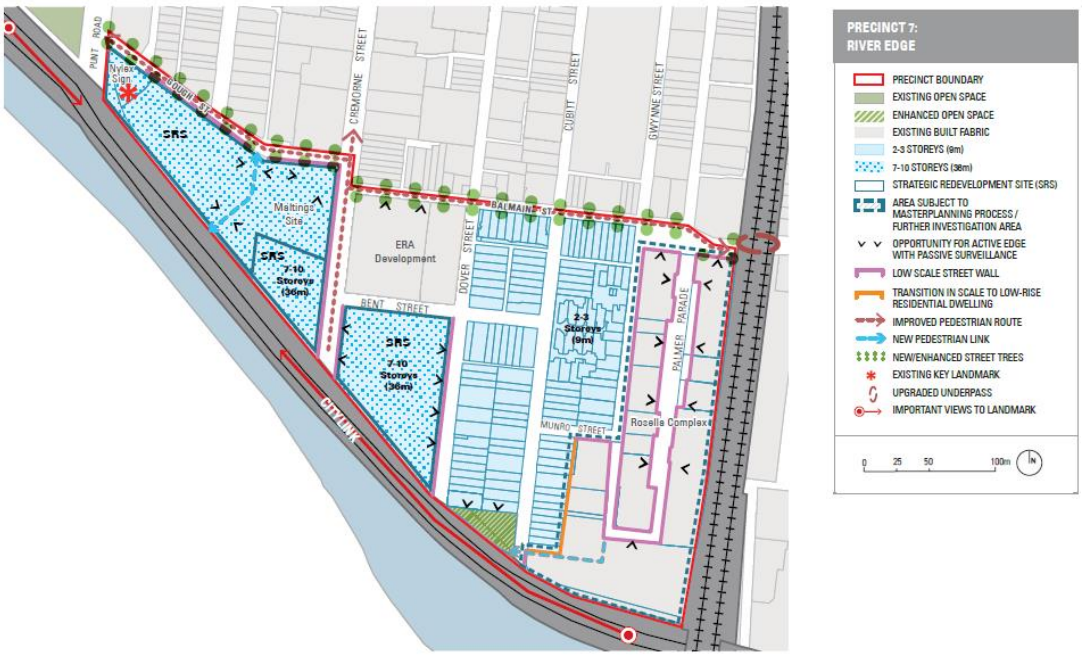
Objectives
(a) *To improve the quality of the public realm.*
(b) *To provide additional public open space.*

Strategies
(a) *Investigate opportunities for streetscape improvements.*
(b) *Incorporate local public open space as part of redevelopment opportunities.*
(c) *Improve links between the park at the end of Cubitt Street and the Rosella Complex.*

Access and Movement

Objectives
(a) *To reinforce Balmain Street and Cremorne Street as the primary road network for vehicle movement in and out of the precinct.*
(b) *To improve connections to the public transport network to the north and east.*
(c) *To create a highly walkable and cycle friendly environment.*

Strategies
(a) *Develop Balmain Street as an improved pedestrian route.*
(b) *Investigate opportunities to improve pedestrian and bicycle access to the Capital City Trail.*
(c) *Investigate ways to manage potential increase in traffic volumes and flows and demand for car parking.*



179. Reviewing the above map, the key views to the landmark Nylex sign are along the CityLink (east and west views).

180. It is noted that page 22 of the SSSP identifies the subject site as being appropriate for 7-10 storey development (30m). However, the CDZ3 allows RL38 in the eastern end of the site. The CDZ3 is considered to prevail and this is seen by officers as an error in the SSSP.

Advertising

181. The application was originally advertised under the provisions of Section 52 of the *Planning and Environment Act* 1987 [**the Act**] by 4,165 letters sent to surrounding owners and occupiers within Yarra and including properties within the City of Stonington and the City of Melbourne and signs being placed on the Gough Street (x2) and Harcourt Parade (x1) frontages of the site. VicRoads, CityLink, Parks Victoria and the City of Melbourne were also notified.

182. A total of 84 objections were received based on the following grounds:
    (a) impact on the heritage fabric (including the silos and buildings B4 and B5) and this iconic site;
    (b) stages 1-3 should be considered holistically;
    (c) overdevelopment, height and visual bulk;
    (d) high residential density should not be supported;
    (e) non-compliance with the Design Principles, Yarra Planning Scheme and Swan Street Structure Plan;
    (f) the site is a commercial, not a residential zone;
    (g) this application will create a precedent;
    (h) impact on the character of the area;
    (i) impact on the Nylex sign (visibility and questioning if it will be turned on again. Also requests for additional perspectives);
    (j) design detail – the development looks too modern;
    (k) off-site amenity, including:
        (i) overshadowing of the Yarra River and Era building;
        (ii) visual bulk;
        (iii) light pollution;
        (iv) noise (people and traffic);
        (v) air pollution from additional vehicles;
        (vi) impact on footpaths (should be widened but not at the expense of the carriageway);
        (vii) overlooking;
        (viii) loss of vistas;
        (ix) inadequate setbacks;
        (x) no positive contribution to the public realm;
        (xi) poor internal amenity, including:
        (xii) low floor to ceiling heights;
        (xiii) insufficient tree planting/greening;
        (xiv) small apartments and bedroom sizes;
    (l) inadequate dwelling diversity (including insufficient 3 bedroom dwellings);
    (m) the proposal would not achieve housing affordability objectives;
    (n) impact on the Yarra River;
    (o) the open space should be open to the public 24/7;
    (p) traffic congestion (including impact on emergency service vehicles and pedestrian safety. One suggestion was that clearways be implemented);
    (q) impact on infrastructure (including broadband);
    (r) insufficient loading bay provision;
    (s) do not support traffic lights at the intersection of Punt Road and Kelso Street;
    (t) Kelso Street only has parking on one side (referenced as both sides in the Traffic Report);
    (u) the proposal may obstruct planes and helicopters;

(v) parking along Gough Street should not be removed;
(w) the reduction in car parking sought would impact the area (the area already has limited on-street parking, which is also exacerbated by the nearby sporting precinct);
(x) vehicular entries should be limited to Cremorne Street;
(y) Transurban objection:
  (i) *impact of construction process on the CityLink (including safety and operational disruption);*
  (ii) *To the satisfaction of CityLink, the applicant is to display that building maintenance (fronting Harcourt Parade) will not impact the operation of CityLink roadway either by virtue of closing ramp or limiting road width etc.*
  (iii) *Building materials/finishes fronting Harcourt Parade should discourage the act of graffiti.*
  (iv) *Landscaping is not to front Harcourt Parade (without any fencing or similar) in order to reduce maintenance activities from road side and reduce any potential foliage falling on the roadway and/or impacting driver sightlines.*
  (v) *To the satisfaction of CityLink, the applicant is to display that the finish of the building will not result in sunlight reflection that may dazzle drivers increasing the risk of collisions on CityLink.*
  (vi) *It is understood that a proposed strategy is to provide better cycling connections between Harcourt Parade and the Capital City Trail. This would potentially involve installation of bicycle lanterns and kerb build out to Harcourt Parade. To the satisfaction of CityLink, the applicant is to display that this proposal will have no impact to existing and future operation of the Harcourt Parade ramp having consideration for, but not limited to, maintenance activities, traffic volumes, over dimensional vehicle access, the existing emergency lane catering for broken down vehicles to stop etc.*
  (vii) *Pedestrian/Bicycle access not to be permitted adjacent Harcourt Parade which forms access to the CityLink tollway and forms part of CityLink Lease boundary.*
(z) plan inaccuracies (streets labelled incorrectly, parking location incorrectly referenced);
(aa) questioning if the traffic report has considered all stages; and
(bb) impacts during the construction phase.

183. One letter of support was also received, supporting the renewal of the area, and additional amenity and connections it would provide. Their view is that the silos and industrial structures are now at odds with the look and use of the land.

184. Three parties joined the VCAT proceedings.

185. These substituted plans were circulated by the Applicant to all parties to the appeal, VicRoads, Melbourne Water and an additional 449 owners/occupiers in the surrounding area of Cremorne.

186. At the time of this report, there were no additional submissions or parties to the Appeal.

Referrals

External Referrals

187. PTV, VicRoads and Melbourne Water are the only Section 55 Referral Authorities under the Scheme. The following comments were received on the original plans:

PTV

Public Transport Victoria, pursuant to Section 56(1) of the *Planning and Environment Act 1987* does not object to the grant of a planning permit **subject to the following conditions** being placed on any permit issued:

1. Before the development starts, or at any other time agreed to in writing with Public Transport Victoria, amended plans to the satisfaction of Public Transport Victoria must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the 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 plans submitted with the application but modified to show:

    a. The design details and the location of the bike share station;

    b. Consideration must be given to the integration between the bike share station and public access, and connection to existing shared paths within the vicinity of the site;

2. The bike share station is to be designed and constructed to the satisfaction of Public Transport Victoria and the Responsible Authority and at no cost to Public Transport Victoria prior to the occupation of the buildings hereby approved.

VicRoads

188. VicRoads noted that their response has been prepared in consultation with Transurban (CityLink). These comments were made in relation to the original proposal:

VicRoads has considered the application and has no objection to the proposal in its current form as reflected in Stage 2.

Council should be mindful that the decision guidelines in Schedule 3 to the Comprehensive Development Zone require the Responsible Authority to consider as appropriate the "Planning and Design Principles for the Richmond Maltings Site, Cremorne – November 2007".

More specifically, the schedule requires:

Options for any future potential pedestrian access across or along Harcourt Parade are to be subject of full discussion and negotiation between VicRoads, City Link, Council and the landowner

Having regard to the above, no formal consultation has occurred to date between VicRoads, City Link, Council and the landowner.

Notwithstanding the above, if the Council regards the proposed development favourably, VicRoads would require that the following conditions be included in any Notice of Decision to Issue a Planning Permit or Planning Permit:

1. *VicRoads prohibits the construction of building/s or the carrying out of works within the Road Zone Category 1 (i.e. Punt Road and Harcourt Parade).*

2. *VicRoads prohibits vehicular, pedestrian or cycling access to the site along Harcourt Parade.*

3. *The luminance of the advertising sign/s must be such that it does not give a veiling luminance to the driver, of greater than 0.25cd/m^2, throughout the driver's approach to the advertising sign/s.*

4. *In the event of an attack by a computer hacker or similar resulting in unauthorised display of visual images or any other display malfunction, the electronic sign is to shut down and cease any form of visual output until the malfunction is repaired.*

5. *Prior to commencement of the development hereby approved, a truck wheel wash must be installed at the property boundary to enable all mud and other tyre borne debris from vehicles to be removed prior to exiting the land.*

6. *The truck wheel wash must be maintained in good order during the construction phase of the development and may be removed at the end of the construction phase of the development with the prior approval of Council.*

The above conditions have been included in recognition of the potential mitigation required to ensure no adverse impact will result on the safety and operational efficiency on the surrounding road network.

It is also anticipated that due to access restrictions imposed along Harcourt Parade, in the event a permit is issued an appropriate Construction Management Plan should be prepared to Council's satisfaction consistent with the above requirements.

189. Updated advice was received from VicRoads in consultation with Transurban CityLink on 19 June which updated the conditions they seek to be included on any permit issued, these are reflected below:

VicRoads recently received notification of the above Application for Review from Yarra City Council which included the Statement of Changes and amended plans dated 5 June 2017.

Please quote the above VicRoads reference number in all correspondence and contact with VicRoads.

The proposed development was initially considered by VicRoads under Section 55 of the Planning and Environment Act. VicRoads in consultation with CityLink was given the opportunity to comments on the proposed development and consequentially forwarded a letter to the Responsible Authority dated 2 June 2016 (copy attached).

VicRoads have since re-assessed the amended plans in consultation with City Link and have determined that our initial advice and conditions remain relevant to the current proposal.

The Victoria Bitter and Nylex signs should always operate within the parameters of proposed condition numbered 3, noting we anticipate that modern lighting technology will be installed/incorporated into the sign/s avoiding the need for roof top maintenance etc.

Consistent with our previous response VicRoads kindly request that the permit conditions be taken into account together with those comments and/or requirements forwarded by CityLink to Council dated 13 & 16 May 2016 (copy attached) in addition to the following CityLink requirements:

- *There should be no interruption to traffic flow on CityLink assets.*
- *CityLink assets should not be exposed to any waste generated from the project.*
- *New buildings should not cause any adverse impacts on the users of CityLink (e.g. reflective glare from the building).*

Consequentially, VicRoads and CityLink does not wish to contest the Application for Review and is not expecting to be represented at the hearing. However, should the Tribunal member recommend the attendance of VicRoads and/ or CityLink, due to any issues that may affect its interests, please advise.

Melbourne Water

190. Melbourne Water, pursuant to Section 56 (1) of The Planning and Environment Act 1987, objected to the original proposal on the following grounds:

    1. *The proposed development is inconsistent with State Planning Policy relating to drainage and floodplain management.*

    2. *The proposed development is inconsistent with the purpose and decision guidelines set out in the Land Subject to Inundation Overlay (LSIO) within the Yarra City Council Planning Scheme.*

    3. *The proposed development is inconsistent with Melbourne Water's 'Guidelines for Development in Flood-prone Areas.*

    4. *The proposed development is inconsistent with Melbourne Water's flood flows//flood storage requirements for development in floodprone land.*

    5. *The proposed development is inconsistent with Melbourne Water's Freeboard / Site safety access Requirements for development in flood-prone land. Advice Please note that as the Responsible Authority under Section 61 (2) of the Planning and Environment Act 1987 you must refuse to grant the permit if Melbourne Water (the relevant referral authority) objects to the permit. Please be advised that should the application be amended or a new application lodged, separate approval from Melbourne Water must be obtained.*

    The applicable maximum 1% flood level for the property grades from 3.77 metres to Australian Height Datum from the south eastern corner to 3.75 metres to Australian Height Datum (AHD) to the western property boundary.

Development Requirements

Melbourne Water will require amended plans to Australian Height Datum to be re submitted to Melbourne Water for approval. The plans must be highlighted to show each condition can be acheived. The following requirements are as follows,

1. *The ground floor areas of the buildings including the foyer and lift area must be constructed with finished floor levels to a minimum of 600mm above the applicable flood level.*

2. *All lifts and stairwells, windows, openings, vents or other entry and exit points that could allow entry of floodwaters to the basement must be a minimum of 600mm above the applicable flood level.*

3. *Apex to the basement entry to the buildings must be set at 600mm above the applicable flood level.*

4. *Flood resistant materials must be used for the construction of flood levels and walls (including any glass/glazing window panels) below the applicable flood level.*

5. *No filling outside the building envelop that will cause significant flood storage loss.*

6. *All new fences and gates need to be open style to allow for flood flows with at least 50% opening up to the applicable flood level.*

7. *All open space within the property must be set at existing natural surface level so as not to obstruct the passage of overland flows.*

8. *Access safety issues to the western side of the property will need to be addressed.*

9. *Prior to the commencement of works, a separate application direct to Melbourne Water must be made for any new or modified storm water connection to Melbourne Water's drains or watercourses. Prior to accepting an application, evidence must be provided demonstrating that Council considers that it is not feasible to connect to the local drainage system.*

10. *Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways.*

11. *Prior to the issue of an Occupancy Permit, a certified survey plan showing finished floor levels (as constructed) reduced to the Australian Height Datum must be submitted to Melbourne Water. The Plan must demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements.*

191. As Melbourne Water is a Section 55 Referral Authority, the application must be refused under Section 61(2) of the Act and their grounds of objection must be included.

192. Council has not received revised comments from Melbourne Water. As the Responsible Authority is now VCAT, Council is not determining the application but advising VCAT of its position at the future hearing and therefore can offer a position which does not reflect Melbourne Water's position.

Internal Referrals

193. The application was originally referred to Council's Heritage Advisor, Council's Urban Design Unit, external urban design advisor, Council's ESD Advisor, Council's Engineering Services Unit, external traffic consultant, Council's Strategic Transport Unit, acoustic consultant, wind consultant, Council's Services Contracts Unit and Council's Open Space Unit.

194. Issues raised in the referral advice included:
    (a) extent of demolition;
    (b) height and massing of the proposal from an urban design and heritage perspective;
    (c) inadequate separation between towers (internal amenity, visual bulk and impact on views to the Nylex sign and silos);
    (d) poor amenity for internal public spaces;
    (e) overshadowing impacts;
    (f) poor natural ventilation;
    (g) ceiling heights are too low (2.5m where they should be a minimum 2.7m);
    (h) large amounts of exposed glazing with insufficient solar protection;
    (i) insufficient stormwater treatment for buildings 4, 5, 6 and 8;
    (j) insufficient bicycle parking (should provide at least 1 per dwelling);
    (k) minor car park layout concerns (able to be conditioned);
    (l) a better connection to the Main Yarra bicycle trail should be provided;
    (m) the main acoustic concern is road traffic noise. The Applicant's adopted acoustic targets would result in unreasonable internal amenity;
    (n) specific details of the wind mitigation strategies have not been described (including landscaping measures);
    (o) insufficient waste management and storage details have been provided (waste must be collected on-site, no hard waste area has been provided and the nominated bin stores appear too small);
    (p) limited canopy tree planning opportunities; and
    (q) additional landscaping details (including maintenance) need to be provided.

195. The substituted plans were re-referred to an external Heritage Advisor, Council's Urban Design Unit, external urban design advisor, Council's ESD Advisor, Council's Engineering Services Unit, external traffic consultant, Council's Strategic Transport Unit, Council's Services Contracts Unit and Council's Open Space Unit. Their advice is contained as attachments to this report.

OFFICER ASSESSMENT

196. The primary considerations for this application are as follows:
    (a) strategic policy;
    (b) uses;
    (c) urban design;
    (d) on-site amenity;
    (e) off-site amenity/development potential;
    (f) environmental sustainability;
    (g) Aboriginal cultural heritage;
    (h) Land subject to inundation overlay;
    (i) signage;
    (j) car parking / traffic;
    (k) bicycle facilities;
    (l) waste management; and
    (m) Objector concerns.

Strategic policy

197. The following strategic summary is offered from the original DAP report:

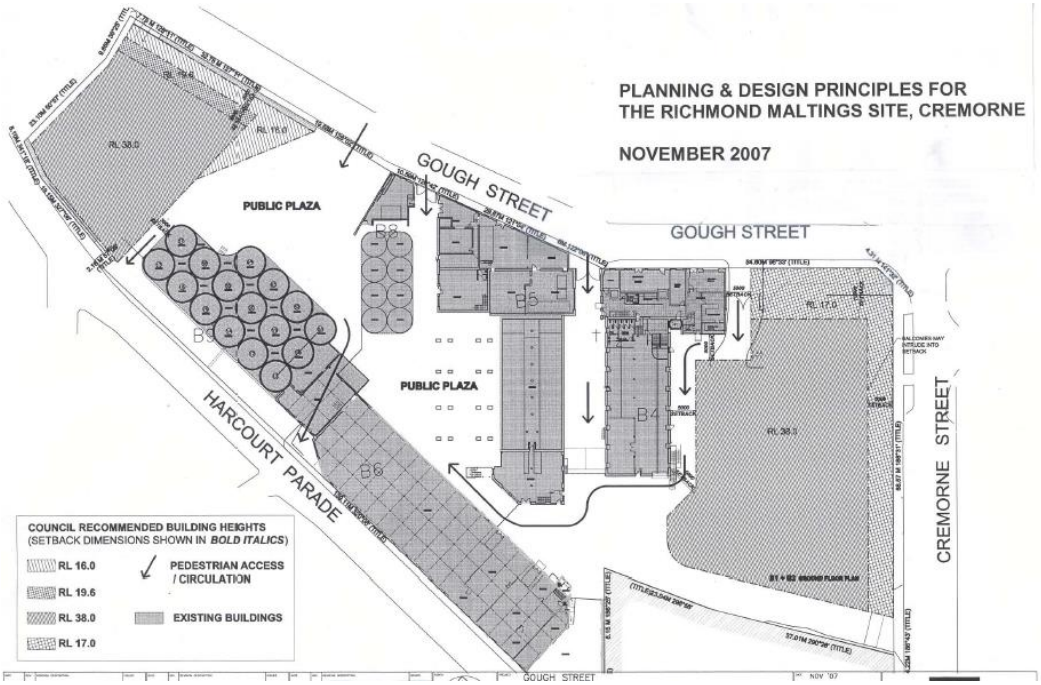
    The most relevant policy guidance for this site is contained within the CDZ3 which is a site specific control. The purposes of the CDZ include:

    - *To allow a comprehensively staged, mixed use development on the site which will create activity during the day and evening and generate local employment opportunities.*

- *To conserve and enhance key heritage buildings through refurbishment and reuse.*
- *To allow the continuation of limited major advertising in the precinct.*
- *To ensure that development on the site will complement and enhance the Yarra River environs.*
- *To ensure the combination of uses, their density and the scale and character of development does not prejudice the amenity of the surrounding area.*
- *To retain the visual dominance and preservation of views of the landmark Nylex sign and associated silos through the sensitive siting of new building envelopes on the site. To provide a well designed, attractive open plaza space within the development which is accessible to the surrounding community.*
- *To ensure a high quality architectural response to the site that acknowledges and is respectful of the scale and form of buildings within the site and its immediate environs.*

198. The Design Principles for the site have already been outlined, however it envisages:

- *the retention of buildings B4, B5, B6, B8 (VB silos) and B9 (Nylex silos);*
- *2 new buildings on the site: the one at the eastern end (stage 1) and one at the western end (part of stage 2);*
  - *the massing for the new westernmost building is for a RL 19.6m skin along Gough Street a 3m deep podium at RL 16, another 3m deep form from Gough Street at RL 19.6, increasing to a maximum tower height of RL 38. A 2.16m wide strip at RL19.6 is shown adjacent to Harcourt Parade. The massing also provides a 'funnel' into the site, encouraging view lines to the Nylex silos and sign.*
- *2 large public plaza areas within the site, with the westernmost opening as a 'funnel' from Gough Street.*



This map aligns with the second page of the Design Principles, with the above massing clearly aiming to achieve the following:

- *Conserve and enhance the key heritage features of the site which depict the various stages of the malting process since the late 19th Century.*
- *Facilitate safe, convenient and legible public access into and through the site.*
- *Maintain a low rise edge to the Gough Street residential interface to the north.*
- *Retain the visual prominence and landmark qualities of the Nylex sign and clock and the 1960's silos which support this heritage feature.*

- *Create a vibrant plaza edged by key heritage buildings which act as an activity node as well as significant place to view and interpret these buildings.*
- *Establish well defined and legible entries to the site which contribute to the sense of address.*

Whilst a permit may be granted under the CDZ3 for a variation which is 'not minor' to the Design Principles, decision guidelines the Responsible Authority must consider when assessing an application to construct a building or construct or carry out works includes 'Consistency with the building envelopes and design principles detailed on the comprehensive development plan: "Planning and Design Principles for the Richmond Maltings Site, Cremorne – November 2007"'. In other words, although a variation may be supported, the building envelopes and design principles must still be considered.

199. The original assessment raised issue with the impact of the proposal on:
    (a) key heritage buildings;
    (b) the Yarra River Environs (including visual bulk and overshadowing);
    (c) the amenity of the surrounding area due to the density, scale and character of the development;
    (d) the visual dominance and views of the landmark Nylex sign and associated silos;
    (e) creating an insufficient open plaza (both insufficient access, size and daylight);
    (f) the character of the area, failing to provide a high quality architectural response to the site that is respectful of the scale and form of buildings within the site and its immediate environs; and
    (g) insufficient storage space for residents.

200. The substituted plans have amended the proposal, reducing the height from a maximum 21 to a maximum 15 storeys, building separations have been increased (at both ground and upper levels), the layout of the central plaza has been considered with shadowing and massing in mind and the architectural quality of the proposal has been significantly improved.

201. This report outlines how the amended proposal, subject to conditions, has addressed each of the above failings of the original proposal and is considered to meet the relevant elements of the Yarra Planning Scheme, including the CDZ3.

<u>Uses</u>

202. While there are a number of purposes of the CDZ3 as relevant to land use, they include:
    (a) *To allow a comprehensively staged, mixed use development on the site which will create activity during the day and evening and generate local employment opportunities.*
    (b) *To ensure the combination of uses, their density and the scale and character of development does not prejudice the amenity of the surrounding area.*

203. The land uses that require a planning permit in the application are the:
    (a) dwellings (including wellness centre);
    (b) residential hotel;
    (c) food and drinks premises (cafés);
    (d) retail (not further specified);
    (e) restaurants;
    (f) function centre;
    (g) exhibition centre (heritage interpretation visitor centre);
    (h) art gallery; and
    (i) venue.

    Each will be considered in turn.

    Dwellings

204. The use of part of B6 and B9 for dwellings supports the Design Principles, which include '*Establish a mix of uses on the site including restricted retail premises, cafes, bars, offices, display/exhibition spaces and residential apartments which reinforce the diversity and richness of Richmond'.*

205. The CDZ3 also aims to maintain active frontages during the day and local employment opportunities. Whilst dwellings have been incorporated into the development, they are generally at the upper levels (save the 4 townhouse style dwellings along Gough Street), with ground level tenancies generally being offices, retail premises, a restaurant, café, a venue space and an exhibition centre (heritage interpretation visitor centre). This is both an appropriate mix and configuration for this site.

206. The wellness centre across 3 levels of the B9 silos is exclusively for dwelling residents. The use is also reasonably quiet (gym, sauna and yoga room) and complements the other uses on the land (including the dwellings). This is considered to be a reasonable use for a segment of the silos being ancillary to the residential use and not triggering a permit in its own right.

Residential Hotel

207. The use and extension of the B8 silos building to accommodate a residential hotel has little differentiation from a dwelling use. As per the dwellings, the residential hotel would complement the other uses on the site and create a dynamic, active mix of uses throughout the day and into the night. The primary difference is an increased demand for drop off/pick up space for vehicles, which will be addressed later in this report.

B4 bakery/retail

208. As the plans reference 'bakery/retail', it is assumed that this would function as a food and drink premises (café use) (retail is too broad to assess in terms of amenity impacts). Should a permit issue, this use should be clarified.

209. The B4 retail space is on the ground floor, fronting Gough Street. This would positively activate the Gough Street frontage and with the entry within the laneway within the site (as opposed to along Gough Street), this configuration would encourage patrons to enter the site.

210. One issue with this use is the incorporation of a servery window along Gough Street. This does not meet Council's Footpath Trading Policy as patrons may obstruct the footpath when waiting for their order. Should a permit issue, the northern servery window should be deleted by way of a permit condition (albeit permitted to remain as a window).

B5 café

211. As with the B4 retail premises, the café in B5 would positively activate the Gough Street frontage.

212. It is noted however, that the floor plans do not correlate with the elevations. In particular, the floor plans reference a 'door' and the elevations incorporate a sill (i.e. show a window). Should a permit issue, this could be addressed by way of a permit condition.

B5 restaurant

213. The restaurant, as with the other commercial uses, would encourage local employment opportunities. The restaurant would also activate the central courtyard.

B9 restaurants

214. Level 14 of B9 would contain a 549m² of restaurant space (bar area to be shown as restaurant as permission for the sale and consumption of liquor has not been sought).

215. Given these uses would be positioned on the roof of B9, it is unlikely that the uses would unreasonably impact the amenity of nearby residents. However, should a permit issue, an amended acoustic report should require a detailed assessment of this use, ensuring that the restaurants do not unreasonably impact the amenity of residents on and off the site. It is likely that acoustic attenuation and/or operational conditions may be resultant from this report.

B9 retail

216. This retail premises would sleeve the residential building lobby to positively activate the central courtyard. However, 'retail' uses include a vast range of uses, including manufacturing sales, trade supplies, timber yard, etc. A condition should therefore require this space to be shown as a 'shop', a further refined form of retail premises which is unlikely to unreasonably impact the amenity of the area.

Function centre

217. This is difficult to assess given the limited information provided. However, as the function centre would be contained within the silos, it is unlikely that the use would unreasonably impact the amenity of existing or proposed residents. Should a permit issue, details of the use (including hours of operation and patron numbers) should be embedded in any approval and an amended acoustic report should be required to address this use.

Exhibition centre (heritage interpretation visitor centre)
Venue.

218. Insufficient information has been provided in terms of these uses. While the Applicant indicates that they would be ancillary to the precinct (and in the case of the exhibition centre, would be not for profit), they are quite large (317m² and 669m²) and are not accepted as being ancillary uses. Should a permit issue, a condition should require the deletion of these uses.

Art gallery

219. The gallery would extend over 3 levels of the converted B9 silos. Being contained within the silos, the use would not unreasonably impact the amenity of the area. Any amended acoustic report should address this use and include any operational restrictions to ensure that the use does not impact existing and proposed dwellings in the area and separate applications can be made the event the site is developed.

Hours

220. The hours of operation for the Section 2 uses were not provided by the Applicant.

221. Given the site contains a mixture of residential and commercial land uses, it is not reasonable to allow the commercial tenancies to trade 24/7. This would undermine the relevant purposes of the CDZ3, which is '*To allow a comprehensively staged, mixed use development on the site which will create activity during the day and evening and generate local employment opportunities*'.

Whilst also aiming '*To ensure the combination of uses, their density and the scale and character of development does not prejudice the amenity of the surrounding area'.*

222. Considering the hours of operation, the amenity of the proposed dwellings on-site and the existing dwellings north of Gough Street must be considered.

223. The CDZ3 offers limited guidance in terms of balancing these uses. However clauses 22.01 and 22.09 provide some guidance in terms of reasonable amenity expectations for residential land uses and commercial trading hours (albeit the site is not within the R1Z nor is a liquor licence currently proposed).

224. However, had the site been within the R1Z, clause 22.01 states that hours of operation should be limited to 8am to 8pm (except for convenience shop). Clause 22.09 also permits licenced premises within 30m of a residential zone to trade until 11pm. Another factor at play is the car parking provision, which is outlined later in this submission. Balancing these factors and due to the limited information provided by the Applicant, the following is recommended:

    (a) B4 food and drinks premises (café) – 8am – 8pm – A retail premises is unlikely to trade beyond these hours in this location, with these hours being generally as per clause 22.01 to protect on and off-site residential amenity.
    (b) B5 café – 7am – 8pm – Earlier than 8am (Clause 22.01 recommendation) is supported in this context to enable early morning (e.g. coffee and breakfast) trade.
    (c) B5 restaurant – 7am – 11pm – Generally in line with Clause 22.27 (albeit not licenced at this stage) to protect off-site and on-site residential amenity, with a 7am open also able to accommodate morning breakfast/coffee trade.
    (d) B9 retail (ground level) – should only be permitted to operate 8am to 8pm due to the residential interface to the north;
    (e) B9 restaurants – should only be permitted to operate 8am to 8pm due to the residential interface to the north and to ensure the restaurants do not impact the amenity of residents on the site and no acoustic information has been submitted;
    (f) Gallery – 9am to 6pm – Hours proposed by the Applicant and considered to reasonably complement the residential land uses also on the site. There would also only be a maximum of 25 patrons at any one time; and
    (g) Function centre – No hours proposed by the Applicant. In the absence of this information, 8am to 8pm trade should be recommended as per clause 22.01 to complement the residential land uses on and around the site and as no acoustic information has been submitted. Further, only 100 patrons would be permitted at any one time.

225. It is noted that the patron numbers provided by the Applicant do not correlate with the plans. In this event (e.g. the patronage for the B4 and B5 cafes) patron numbers will be conditioned at 1 per square metre. The exception is the B9 restaurant, which is 549m². A maximum of 100 patrons will be conditioned for this space. Any additional patrons would need to be dealt with by way of an amendment with supporting information provided by the Applicant to justify the car parking reduction sought.

Use summary

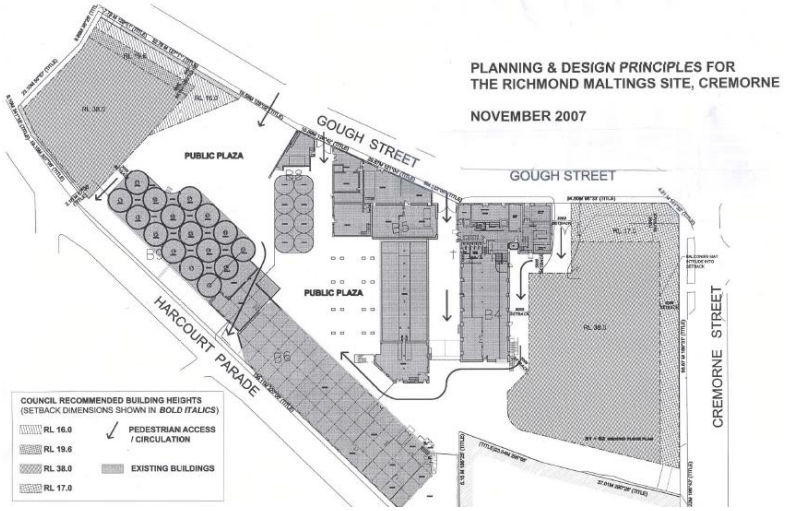
226. The mix of uses does not bring rise to off-site amenity or on-site amenity concerns (addressed further in this report, but can be addressed by way of permit conditions). Further, the mix and layout of uses would both activate the site throughout the day and create local employment opportunities. Subject to the conditions outlined above, the land use mix supports the objectives of the CDZ3.

Urban design

Site Analysis Plan and context

227. The Applicant provided a satisfactory site analysis plan and urban context report with the original application.

228. The original Council assessment formed the view that the proposal significantly deviates from the massing of the Design Principles and therefore undermines the underlying objectives of the CDZ3.



Extract of the drawing from the Planning & Design Principles

229. In particular, Council formed the view that the original design conflicted with the CDZ3 in the following ways:
   (a) the CDZ3 decision guidelines envisaged new 'taller' forms at the western and eastern ends of the site. The orginal application introduced new built form for a significantly wider portion, given the penetration of buildings B6 and B6 into the central segment of the site;
   (b) the 'funnel' from Gough Street had not been provided and would not accentuate views to the Nylex sign, would fail to provide a well defined or legible entry and fails to provide a public plaza with reasonable levels of amenity, contrary to the Design Principles;
   (c) the B9 silos would be demolished;
   (d) the public plaza areas were smaller and built up to the north, restricting natural daylight, outlook and thermal comfort within these spaces; and
   (e) the proposal would result in a 110m long segment or wall of built form adjcent to the River, with an approximatley 9m wide break in between. This is contrary to the Design Princples which support the strengthenign of the built form edge to the river, while also allowing for access to sky and long distance views.

Refused scheme:

230. The amended plans have made significant changes to the height, massing and setbacks of the proposal.

231. In particular, the substituted plans:
   (a) significantly reduced the height of the proposal, from 21 to 15 storeys, generally as per the approved height of stage 1;
   (b) retain nine of the B9 or Nylex silos;
   (c) provide a break between the western building segment and the B8 silos, providing a clear visual and pedestrian link into the site and the Nylex sign and silos;
   (d) reduce the extent of development around the B8 silos has been reduced, improving the legibility of the B8 silos and the amenity of the surrounding pedestrian plazas;
   (e) increase the amount of public plaza space at the ground level;
   (f) reduce the extent of proposed shadowing over the river; and
   (g) reduce the length of new built form along the river (from approximately 105m to 90m).

Current Scheme:

Height and setbacks

232. The Local Policies acknowledge that the municipality is a low-rise scale with 'pockets of higher development'. This typically encourages developments to be no more than 5-6 storeys, unless a number of benefits can be achieved (clause 21.05-2).

233. This site enjoys a site-specific planning control in the CDZ3, with an incorporated document (referred to throughout this report as the 'Design Principles') which envisages taller buildings in the western and eastern ends of the site, offering breathing space for the heritage buildings. This is somewhat linked to the Conservation Management Plan for the site (prepared by Lovell Chen) which states as an objective is to '*Provide opportunities for interpretation and appreciation of the cultural heritage attributes of the site which are to be retained'.*

234. The Design Principles have accepted a building height of RL38, or approximately 12 storeys for the western segment (part of stage 2). In the Design Principles, the massing for the new westernmost building is for a RL19.6 skin along Gough Street a 3m deep podium at RL16, another 3m deep form from Gough Street at RL19.6, increasing to a maximum tower height of RL38. A 2.16m wide strip at RL19.6 is shown adjacent to Harcourt Parade.

235. In addition, a strategy of the SSSP is to '*Ensure new development on the Maltings site is in accordance with the existing planning provisions in the Schedule to the Comprehensive Development Zone*'.

236. The CDZ3 allows for planning permission to be granted where developments are not generally in accordance with the Planning & Design Principles and the following are relevant decision guidelines:
    (a) *Consistency with the building envelopes and design principles detailed on the comprehensive development plan: "Planning and Design Principles for the Richmond Maltings Site, Cremorne – November 2007".*
    (b) *Streetscape character.*
    (c) *Built form.*
    (d) *Interface with nearby areas.*
    (e) *The preservation of the amenity of nearby residents.*
    (f) *The visual impact of the building or works on the impact of the area.*

237. The Design Principles of the CDZ3 also aim to:
    (a) *Maintain a low rise edge to the Gough Street residential interface to the north.*
    (b) *Provide an appropriate stepped built form along the Gough Street frontage.*
    (c) *Retain the visual prominence and landmark qualities of the Nylex sign and clock and the 1960's silos which support this heritage feature.*

238. Working through the general heights, at 15 storeys, the proposal matches the height of the stage 1 approval at the eastern end of the site. The new B9 building would also be 17m lower than the repositioned Nylex sign, ensuring its visual prominence is maintained. The height of the B9 extension is supported by both the external urban design and heritage advice received by Council and supported by Heritage Victoria.

239. It is noted that there was a conflicting response from the external urban design and heritage advice in terms of the upper level B9 setback from Gough Street (urban design supporting and heritage raising issue with a lack of an upper level setback and 'U' form).

240. To Gough Street, the built form of B9 would present as 15 storeys, albeit in a scalloped or curved form. Whilst the design principles aim to maintain a low rise built form to this interface, this section would only be 40m wide. This is considered to be an improvement to the original plans, showing a wider form along Gough Street, albeit with a podium/tower configuration. The visual relief of having a stronger built from for a 40m long segment of Gough Street, opening to a 16m gap between B9 and B8 is considered to be more site responsive and appropriate.

The nearby dwellings are also 10m north of the site (across Gough Street) ensuring this built form would not overshadow these nearby dwellings. Even if a 2-3m upper level setback had been provided to create a 'podium and tower form', the upper level built form would still have been a highly visible presence from the dwellings to the north. Further, the sense of a pedestrian scale 'podium' has been created with the use of a face brick base, reflecting many of the existing buildings on the site, and a lightweight glazed upper level treatment. In light of this design and detailing, this massing is considered acceptable.

241. To the south or the freeway/river interface, the substituted plans have both lowered the height and length of the built form. The SSSP states that developments should '*Incorporate building separation, setbacks and articulated built form to avoid the appearance of a solid wall of buildings along the southern boundary of the precinct*'.

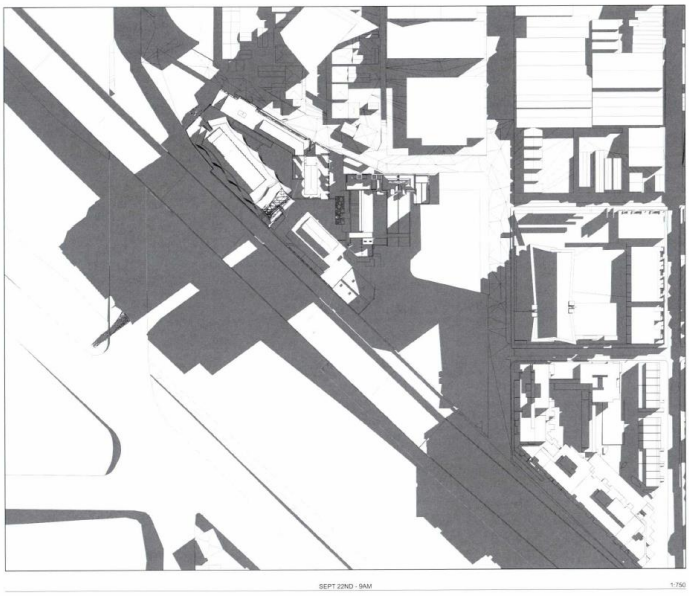
242. Compared to the original plans, the substituted plans have provided visual relief, provided separation between built form, adopted different but a cohesive architectural language in the design composition and reduced the height of buildings all assisting in reducing the dominance of the proposal when viewed from the river.

243. On the issue of overshadowing, the CDZ3 aims '*To ensure that development on the site will complement and enhance the Yarra River environs*'. The SSSP aims to '*Ensure that no additional shadow is cast across the north bank of the Yarra River between 11.00am and 2.00pm on 21 June*'. Clause 12.05-2 aims to avoid '…*overshadowing of the river, its banks and adjacent public open space to ensure that the amenity of the public realm is maintained year round*'. In addition, an objective of the DSE Guidelines is '*To protect sunlight access to public spaces*'.

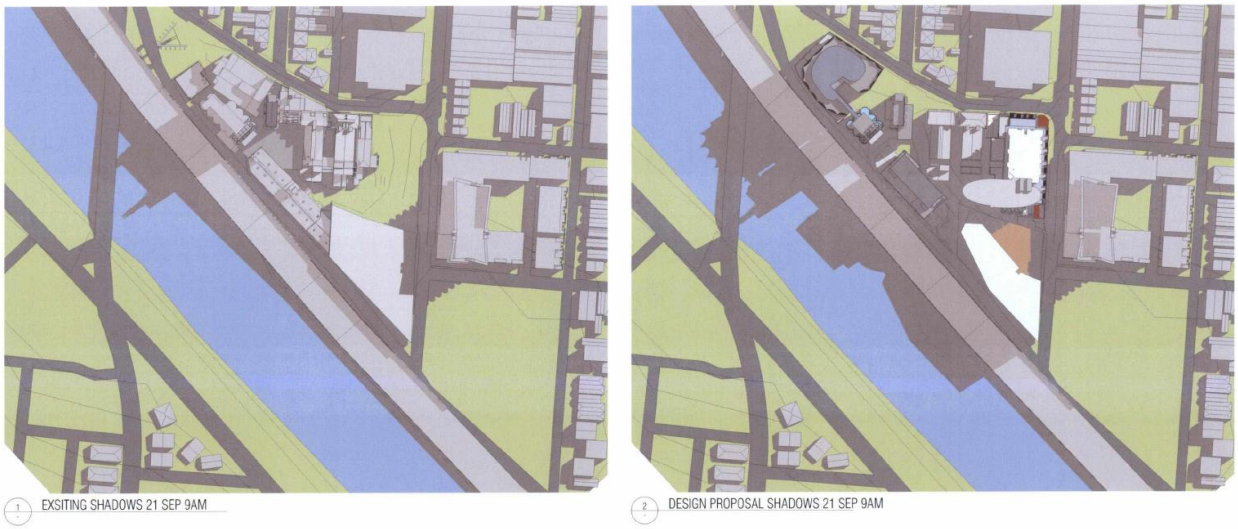
244. It is noted that this site is not affected by the DDO1 which was recently introduced to protect the Yarra River environs.

245. Reviewing the Applicant's shadow diagrams, the proposal would only cast shadow over the river until 11.00am (excluding the relocated Nylex sign, which would cast a slender shadow in any event). While there would be additional shadow until this period, the additional shadows are reasonably contained and even marginal at 10.00am at the equinox.

Original shadows:



Proposed shadows:



246. As can be seen, the length of shadows has been significantly reduced from the original to the current proposal. The current proposal also results in no additional shadows over the river from 11am onwards.

247. The external urban design advice received by Council suggested that the roof above the level 13 wintergardens could be deleted to reduce the shadowing impact and that the southern end of the plant at this level could be reduced in line with the service areas. However, the shadows cast by these segments would fall on level 11 below and any increased setback or deletion of wintergarden roofs would not impact the shadow cast over the river at the equinox.

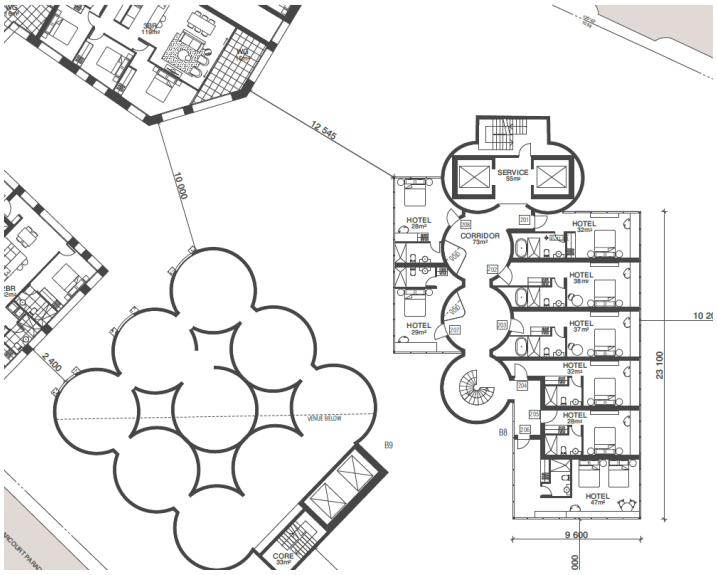
248. Whilst additional shadows are discouraged by state and local policy, it is considered that this outcome would not unreasonably impact the amenity of the river given the confined area and period in which additional shadows would be cast.

249. Turning to internal massing and building separation, again, there was conflict in terms of the urban design and heritage advice received by Council. Again, urban design supported the massing (subject to conditions to be outlined) and heritage raised issue with the massing due to the B9 and B6 extensions '*enclosing the heritage buildings on three sides and overwhelming their heritage setting*'.

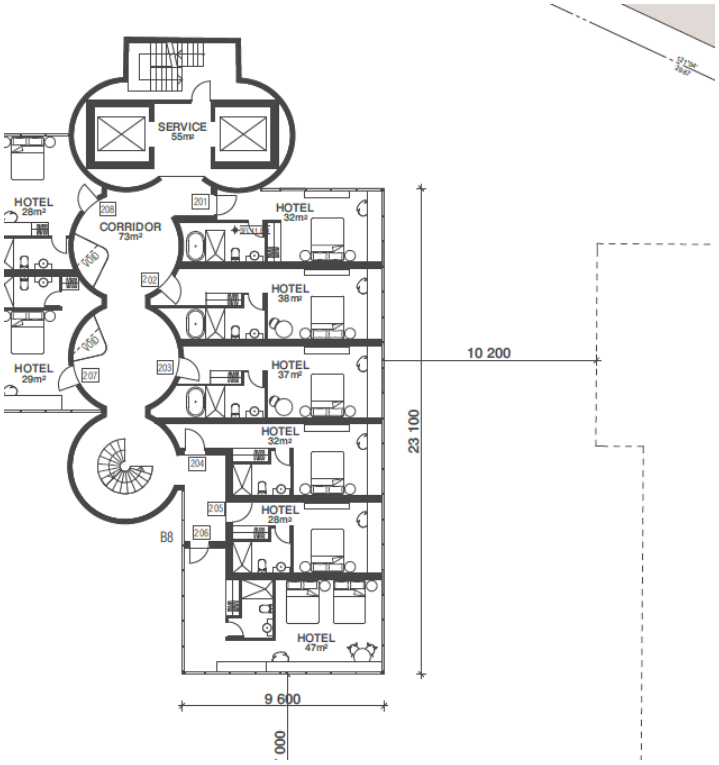
250. Heritage Victoria have approved a similar development of the site (covering both stages 1 and 2 together) and therefore heritage considerations have little to no weight in Council's consideration of the revised plans.

251. Moving to internal separation and massing, the following interfaces will be addressed:

    (a) B8 and B9 – Compared to the original plans, where the built form in the western end of the site intersected with the B8 silos, there is now a 12.5m separation between these elements. This provides views into the pedestrian plaza and also to the retained B8 and B9 silos to offer an appreciation of the retained heritage fabric. This separation is supported by Council's external urban design advisor.

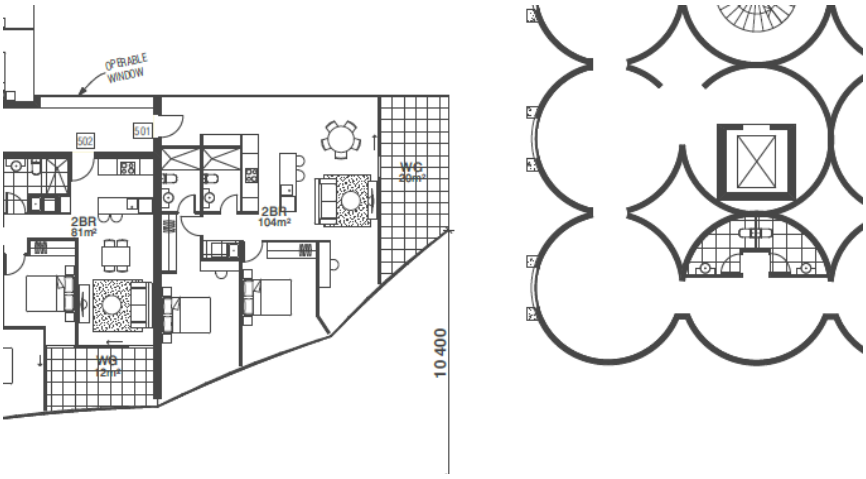


(b) B8 and B5 – Moving further east, the extension to the B8 silos has been reduced, ensuring there is a minimum 10.2m separation between the B8 extension and B5. Again, this would provide adequate view lines and a reasonable level of amenity in this plaza area at ground level.

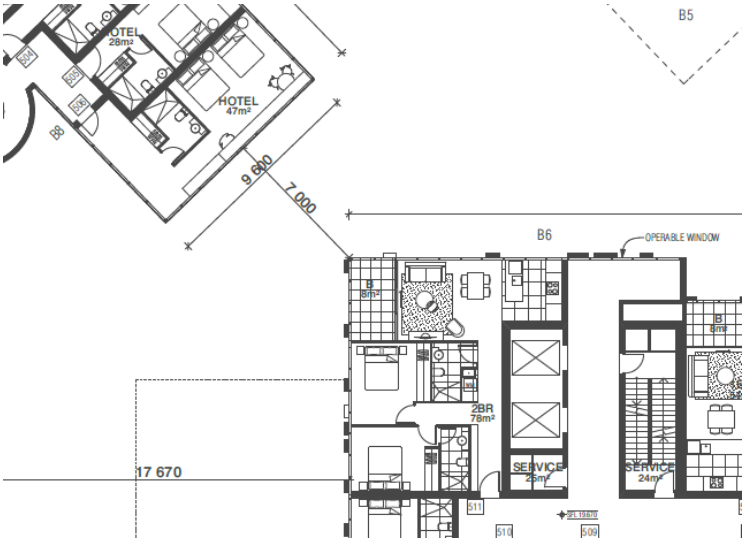


(c) northern B9 and southern B9 – While there is only a 8.2m separation within this 'U' form, this raises more a question of internal amenity than urban design. While internal amenity is addressed later in this report, it is noted that the apartments within this 'U' have been appropriately designed to expand around the U, offering a reasonable level of daylight and amenity in spite of this building separation (more later), subject to come minor conditions.

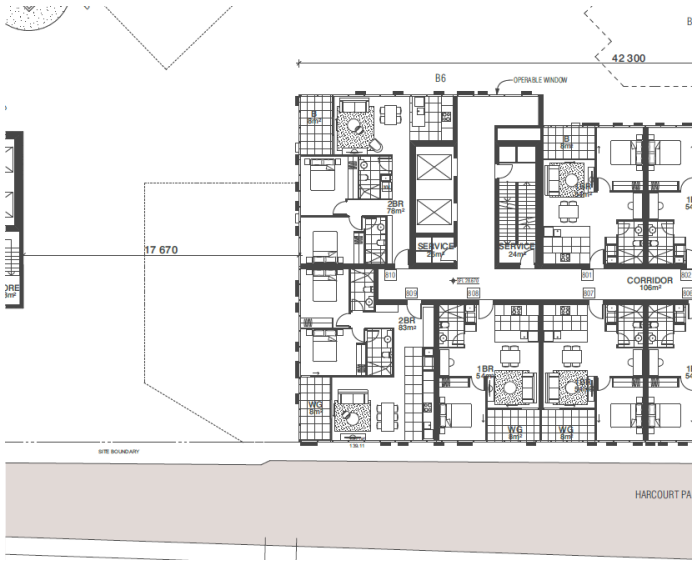
(d) B9 silos and B9 addition – The interface of these built form elements has been managed with a 'curve' introduced in the south-east corner of the B9 extension. Bridges or links between these built form elements are also only introduced at levels 7 and 14, ensuring these elements would be read as distinct forms. Although there would be an impact on views to the B9 silos (as there even would be with an RL38 building in the western end of the site), the curve in the south-east corner of the new B9 segment enhances views to the heritage fabric and is therefore supported.



(e) B6 and B8 – While these buildings are only separated by a distance of 7m, the wintergarden of the apartments is the closest point, with the main living room outlook being north towards the public plaza. The B8 extension is also only 7 storeys high compared to the effective 14 storey height of B6. The extent of impact on these apartments is therefore minimal and therefore supported.



(f) B6 and B9 – The extension to B6 would have a minimum setback of 17.7m from B9, ensuring that the amenity of these apartments is reasonable, along with providing an appropriate visual relief or break between these built form elements when viewed from the south and the river.



252. Subject to the conditions contained in this report, the height and setback of the proposal would result in an acceptable urban design outcome. (It is noted that on and off-site amenity will be considered later in this report.)

Accessibility

253. The Design Principles outline a number of key links to be provided into and through the site. In particular (as relevant):
   (a) *Facilitate safe, convenient and legible public access into and through the site.*
   (b) *Create a vibrant plaza edged by key heritage buildings which act as an activity node as well as significant place to view and interpret these buildings.*
   (c) *Establish well defined and legible entries to the site which contribute to the sense of address.*
   (d) *Provide opportunities for pedestrian access through the site to Harcourt Parade to the south and the Punt Road bridge. Options for any future potential pedestrian access across or along Harcourt Parade are to be the subject of full discussion and negotiation between VicRoads, CityLink, Council and the land owner.*

254. The design has been modified to open up pedestrian entries along Gough Street. The layout creates 2 plazas, one either side of B8, visually linked through the ground floor glazing of the hotel lobby.

255. These plaza spaces link in with the 9m southern setback afforded in stage 1, linking Cremorne Street, through the site and behind the B4 and B5 buildings to these central plaza spaces. The works to B4 and B5 also ensure that the spaces around these buildings are 'opened up' into publicly assessable spaces that encourage the appreciation of the retained heritage building stock.

256. While a link is encouraged across Harcourt Parade from the site, it is appreciated that this involves engagement with third parties (Citylink and VicRoads). It is also acknowledged that the 7.8m separation between B9 and B6 could facilitate this link, should negotiations occur in the future.

Public open space contributions

257. Council's Open Space Unit has confirmed that whilst the site is in an area where land in lieu of cash is the preferred contribution method, Council's Open Space Unit support cash contribution in this instance as:
    (a) the open space areas are above a basement. Council does not typically accept land above basements due to liability and maintenance concerns; and
    (b) the open space areas would not receive adequate solar access or visual access and would be unreasonably overwhelmed by the proposed buildings.

258. Should a permit issue, the Permit Holder would be informed of this requirement in the form of a notation.

Street, public space quality, safety and landscaping

259. The SSSP includes a strategy to 'Investigate opportunities for streetscape improvements'.
    (a) *Provide open space set back at ground & 1st floors at Cremorne end of Gough Street.*
    (b) *Widen footpath and provide street planting adjacent to roads. Refer to landscape drawing for details.*

260. Council's Open Space and Construction Management Unit have made recommendations in relation to landscaping and the public realm interface. This advice is discussed below:
    (a) detailed landscaping plans at 1:100 or 1:200 should be provided by way of a permit condition, including the following details:
        (ii) garden bed dimensions;
        (iii) proposed areas of paving and proposed materials;
        (iv) location of proposed tree planting – distances from buildings and other infrastructure, planting proposed over the basement levels or under the overhanging built form;
        (v) details of irrigation to trees, lawn and garden bed areas
        (vi) clear definition of terraced spaces, retaining walls, seating elements and other structures independent of paving treatments (currently indistinguishable on the submitted plans)
        (vii) water sensitive urban design [**WSUD**] features;
        (viii) a clear delineation of public/private interface;
        (ix) a detailed landscape plan with plant schedule indicating the location, species type, quantities and pot size of proposed planting should be provided.
    (c) the landscape buffer along Harcourt Parade is significantly overshadowed by the adjacent buildings, so shade tolerant species would need to be selected;
    (d) if the landscape buffer is to be a thoroughfare, clear visual links must be provided through this space (low level bushes/shrubs);
    (e) cross sections of open space areas are required, confirming which areas are raised or sunken;

(f) a circulation plan, detailing all fixed elements (including seats) to ensure clear movement is provided through the open space areas;
(g) simplification of the ground level paving and lawn treatments. The space could appear too busy which may impact its legibility as a coherent open space. The circular patterns of lawn area also too small to be useful; and
(h) there were comments provided by Council's Open Space Unit in relation to street tree planting. Council's Engineering Services Unit also made comment on the road reserve and footpath works. This will be addressed later in this report, however should a permit issue, a condition should require detailed road engineering drawings submitted to the satisfaction of the Responsible Authority (in consultation with Melbourne Water due to the LSIO that affects the north of the site). The location of street trees should be considered during this detailed design phase.

261. The external urban design advice received by Council also recommended that the further activation of the eastern plaza interface (from B9) should be considered. In particular, it was recommended that it should be investigated if the east wall of the north wing is treated as a front rather than side. However, reviewing the plans, these apartments are already considered to sufficiently 'front' the eastern plaza with the layout of wintergardens and living areas.

262. Subject to conditions requiring detailed landscape plans and additional public realm design detailing, the proposal would improve the pedestrian experience and landscape character in and around the site.

Architectural quality, colours and materials

263. The substituted plans have presented a highly resolved architectural expression across all building elements:
    (a) B4 and B5 – minor works to allow the re-purposing and appreciation of this face brick heritage building stock;
    (b) B6 – the upper level additions above the base face brick heritage fabric would be a rectangular form, a simple design using blue glazing and geometric perforated metal façade features;
    (c) B8 – addition of a rectangular form wrapping around the silos with another geometric pattern using blue glazing and grey metal sheeting. This offers a simple form to not overwhelm, yet contrast with the silo forms to ensure they remain a dominant feature; and
    (d) B9 – the 3 storey podium of B9 would be a face brick façade to Gough Street. A negative reveal would be introduced at level 4, with the upper levels constructed in an inverted silo or scalloped form with blue glazing. This then would link to the top of the B9 or Nylex Silos, which would be extruded in perforated metal. This approach respects the fine grained, face brick forms current at the lower level of the site, with the inverted silo approach to the glazed segments providing a contemporary response to the silos. The perforated extrusion to the silos is also supported as it further defines these features and ensures they (and the Nylex sign) are a prominent feature on the site and in Cremorne.

264. The external urban design advice received by Council suggested that the '…Heritage interpretation and detailing of the historic and interface outcomes and ground plane both need considerable work'. Should a permit issue, this could be addressed by way of a permit condition requiring more detailed plans showing the interface between the retained fabric and the public realm/ground level.

265. The CDZ3 states that development should '*Integrate public artwork and creative lighting displays on the site which add vibrancy, colour and visual interest to the site'.*

266. Should a permit issue, a condition should require a public artwork plan to be submitted to Council's satisfaction. This could assist in telling the story of the rich industrial history of the site and area and the CDZ3 focus on creating active and interesting public spaces.

267. It's also noted that a schedule of colours and materials (including samples) was not provided with the application. This should be imposed by way of a permit condition, should a permit issue, including detailed elevations which clearly show all openings and materials.

Wind

268. The DSE Guidelines aim '*To ensure new tall buildings do not create adverse wind effects*' (objective 2.10).

269. As an amended wind report was not submitted as art of the substituted plan set (including additional section 2 land uses), an amended wind report should be required by way of a permit condition.

270. In terms of the original wind report (prepared by Vipac) and peer review Council commissioned by MEL, the following recommendations were made:
    (a) details of the type, size and density of foliage of trees used to mitigate wind impacts; and
    (b) additional wind measurements must be taken further west along Gough Street and further north along Gough Place.

271. It is also noted that the Vipac report does not confirm that the northern B5 café outdoor seating area would fulfil the sitting criteria (only assessed as a 'walking' area). Should a permit issue, this could be addressed by way of a permit condition.

Landmarks, views and vistas

272. The Planning & Design Principles of the CDZ3 includes an objective to '*Retain the visual prominence and landmark qualities of the Nylex sign and clock and the 1960's silos which support this heritage feature*'. Policy at clause 22.03 of the Scheme aims to '*protect views to the silhouette and profile of Yarra's valued landmarks to ensure they remain as the principal built form reference*', whilst also aiming to '*ensure the profile and silhouette of new tall structures adds to the interest of Yarra's urban form and skyline*'.

273. Further, the CDZ3 Planning & Design Principles aim to '*Strengthen the built form edge to the Monash Freeway and the Yarra River while allowing for access to sky and long distance views*'.

274. Clause 22.03 does not identify where key viewlines are to be taken from when assessing the impact on these landmarks and signs. However, the SSSP identifies views along the CityLink as being the key views to this sign.

275. With the original proposal, the Applicant provided a viewline analysis (prepared by Fender Katsalidis Architects). The analysis demonstrates that the approximately 20m elevation of the sign (above its existing location) on top of B8 would not impact views 'in the round'. Although this was not provided with the substituted plans, an assessment of the impact of the proposal on views to this sign can still be undertaken.

276. Even if an RL38 height building had been proposed in the western end of the site, views to the Nylex sign would be affected by a strict CDZ3 building envelope 'compliant' development. However, the CDZ3 was drafted almost 10 years ago and development pressures or expectations have changed in Melbourne and in Cremorne over that time. Further, the CDZ3 did not contemplate that the Nylex sign itself could be repositioned higher. Again, Heritage Victoria have already approved the relocation and elevation of the Nylex sign.

277. The sign would continue to be the tallest form on the site and in Cremorne and views would still be provide 'in the round'. The proposal is therefore not considered to unreasonably impact views to the Nylex sign.

Site coverage/Permeability

278. Clause 22.16 addresses stormwater management and is important when considering issues of site coverage and permeability. The policy aims to improve stormwater quality and incorporate stormwater treatment measures into the design of developments.

279. The substituted plans were not accompanied by an amended SMP or STORM report. The commitments from the original report are therefore taken as being continual and the following remains relevant from the original officer report:

    The application included STORM reports for each building segment, committing to 70% (B4 and B5), 118% (B6) and 103% (B8). Council's ESD Advisor supported the stormwater treatments for B6 and B8, however the 70% commitment for B4 and B5 was not supported. Given approximately 80% of the Municipality is affected by a Heritage Overlay, this is insufficient grounds to warrant non-compliance with Council's best practice stormwater treatment standards and clause 22.16. However, this is not considered to be fatal to this application and could be addressed by way of a permit condition, should a permit issue.

Service infrastructure

280. The DSE Guidelines aim '*To treat roof spaces and forms as a considered aspect of the overall building design*'.

281. The substituted plans have incorporated plant areas into the topmost levels which from the elevations appear to be incorporated in the overall appearance of the building. This is a satisfactory outcome for a development of this scale.

Urban design summary

282. The external urban design advice received by Council offered the following summary '*With these changes it would be my view that we would be close to a reasonable outcome for the site that balanced the need for sufficient development footprint to enable the site's restoration in combination with sufficient amenity and separation between buildings to deliver a legible precinct and quality places*'.

283. Subject to the conditions contained in this report, the height, massing, setbacks and design detailing of the proposal meet the relevant objectives of the CDZ3 and respond to the site and its context.

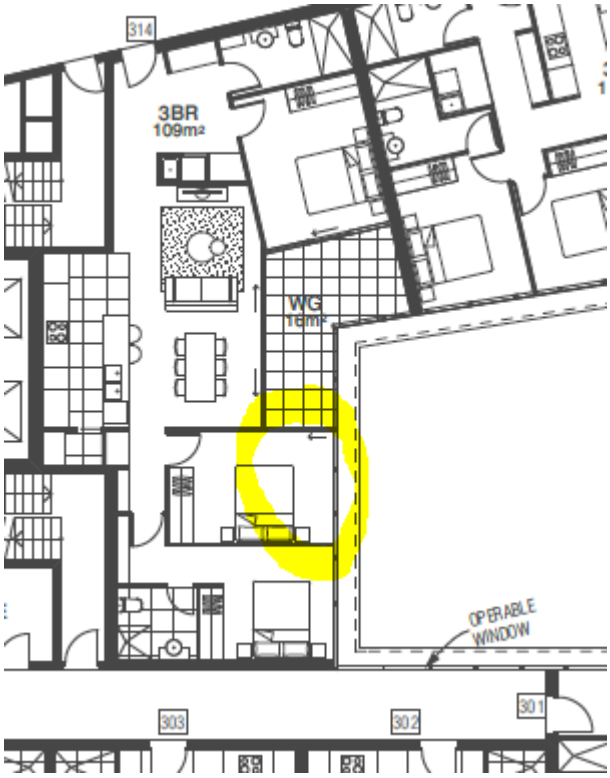
On-site amenity

284. This section of the assessment will be guided by the DSE High Density Residential Guidelines.

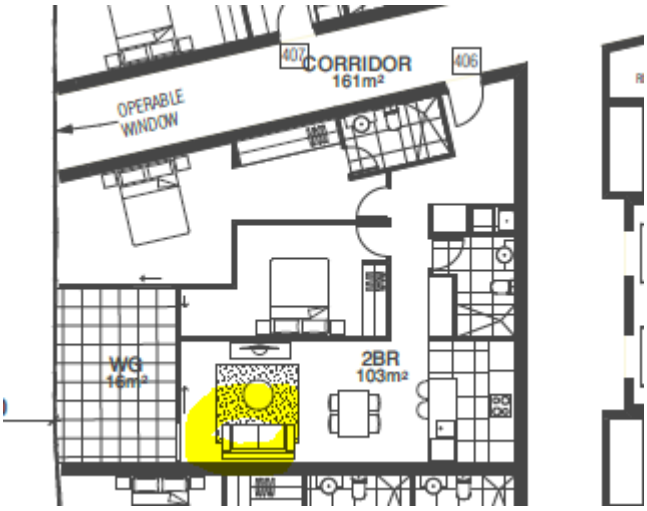
Access, layout and circulation

285. Objective 5.3 of the DSE Guidelines is '*To create functional, flexible, efficient and comfortable residential apartments*'.

286. The external urban design advice raised issue with the size of living areas, in particular for 3 bedroom apartments, given the needs of residents. The main issue is seen with the 3 bedroom units in the centre of the 'U' of B9. Not only are the living areas quite narrow (only a 2 seater couch has been shown), the design and location of the wintergarden would have a fairly restricted outlook at that corner. To remedy this, a condition should be imposed on any permit issued, requiring the deletion of the bedroom south of the wintergarden for these apartments across levels 1 to 11 and extension of the adjacent living/dining/kitchen area. This would provide a similar outcome to the townhouse on level 12.



287. Another issue is the living area size for a number of the 2 bedroom units. A condition should require details of dining and living furnishing for 4 adults (2 seater couches are shown for most of the 2 bedroom units). This may require internal reconfigurations.



288. Design suggestion 4.3.1 of the DSE Guidelines is to *'ensure that the main entry and individual dwelling entries allow for the delivery or removal of large furniture items*'.

289. The corridors are generally 1.8m wide and would enable efficient movement for residents.

290. On that point, should a permit issue, a car park management plan should be required that includes details of a resident moving plan (i.e. when residents move in and out of the development).

Overlooking

291. Objective 2.9 of the DSE Guidelines aims '*To maximise residential amenity through the provision of views and protection of privacy within the subject site and on neighbouring properties*'.

292. The plans have not dealt with internal overlooking sufficiently (there is potential for overlooking between habitable room windows and private open space areas (balconies and wintergardens) on the site. However, this could (and should) be dealt with by way of a permit condition, should a permit issue.

Noise

293. The CDZ3 aims to:
Ensure that new development or refurbished / converted buildings for new residential and other noise sensitive uses, located on the southern part of the site directly adjacent to the Monash Freeway, include appropriate acoustic measures as outlined in AS 3671-1999 "Acoustics – Road Traffic Noise Intrusion – Building Siting and Construction", to attenuate noise levels internally within the building.

294. Clause 22.05 of the Scheme deals with interface uses, aiming to protect the amenity of existing and proposed dwellings and ensure that existing businesses can operate without being unreasonably burdened by the introduction of new dwellings.

295. The subtitled plans were not accompanied by an acoustic report, a condition should be imposed on any permit issued requiring a detailed review of all uses on the land and their interface and necessary treatments.
Issues foreseen are not considered to be fatal to this assessment, rather requiring noise attenuation measures and/or operational controls to mitigate any land use conflict.

Private and communal open space

296. Objective 6.1 of the DSE Guidelines is '*To ensure access to adequate open space for all residents*'.

297. The guidelines for this objective state that '*If a balcony is intended to serve as private open space it should be of sufficient size to accommodate outdoor seating, with good connections between these spaces and the building's interior*'. In addition, objective 6.3 is '*To allow solar access to the private and shared open spaces of new high density residential units*'.

298. The development provides minimum 8m² balconies/wintergardens to reasonable cater for the needs of residents. Although some of these spaces would receive limited direct sunlight due to their orientation, the ground level open space areas and the site's proximity to Gosh's Paddock provide reasonable alternatives for residents who wish to enjoy direct sunlight throughout the day.

299. A condition should also require unused roof areas to be converted to green roof spaces to enhance the overall building appearance and ecological value of the development.

Solar amenity and daylight to windows

300. Objective 5.4 of the DSE Guidelines is: '*To ensure that a good standard of natural lighting and ventilation is provided to internal building spaces*'.

301. Whilst minimum separation distances are not included in the Yarra Planning Scheme, a common-sense approach would suggest that a 15 storey building should be offered greater separation distances than the 'standard' 9m equitable development standard accepted in a number of VCAT decisions (including *Cremorne Corporation Pty Ltd v Yarra CC [2008] VCAT 1202 (2 July 2008)*).

302. The DSE Guidelines include the following relevant objective and design suggestions:
OBJECTIVE 2.6:
    - *To ensure areas can develop with an equitable access to outlook and sunlight.*
        - *DESIGN SUGGESTION 2.6.1: CONSIDER THE POSSIBLE FUTURE DEVELOPMENT OF ADJOINING SITES AND ALLOW, AS BEST AS POSSIBLE, OR AN EQUITABLE SPREAD OF DEVELOPMENT POTENTIAL THROUGHOUT THE AREA.*
        - *DESIGN SUGGESTION 2.6.3: PROVIDE SPACING BETWEEN TALLER BUILDINGS TO PROVIDE OUTLOOK, DAYLIGHT ACCESS AND PRIVACY FOR RESIDENTS.*

303. Building separation has been addressed from an urban design perspective and will be further addressed from an internal amenity perspective in the ESD section of this report.

Storage

304. Objective 5.5 of the DSE Guidelines is '*To provide adequate storage space for household items*'.

305. 'Above bonnet' systems were originally proposed for all storage lockers and was deemed by Council to be unacceptable (hence forming a ground of refusal) .

306. Whilst officers are not advocating the need for 6m³ per dwelling, numerous VCAT decisions (including *U1 Stanley Street Pty Ltd v Yarra CC [2012] VCAT 1455*, paragraph 92) have supported at least 3m³ of storage for dwellings in this type of development (e.g. high density apartment style).

307. The substituted plans provide 288 storage cages for 258 dwellings, well above 1 per dwelling. The cages are spread across the basement levels and include a mixture of above bonnet and independent storage systems. With storage cages being a minimum 6m³.

308. However, should a permit issue, a condition will require details of the underside clearance of the above bonnet storage cages. This is to ensure that vehicles can still access these spaces.

Internal circulation/way finding

309. This is not considered to be an issue, however given the scale of the development, a signage plan could be imposed by way of a permit condition.

On-site amenity summary

310. Subject to the conditions contained in this report, the proposal will achieve a reasonable level of on-site amenity for residents.

Off-site amenity/development potential

311. The DSE Guidelines are the most relevant tool when assessing off-site amenity and development potential. However the following decision guidelines are listed in the CDZ3 (section 4):
    (a) Interface with nearby areas.
    (b) The preservation of the amenity of nearby residents.
    (c) The visual impact of the building or works on the impact of the area

312. Each interface will be considered in turn.

    North

313. The proposal adjoins Gough Street to the north. The land further north is zoned Neighbourhood Residential, Schedule 1 with dwellings located over 10m away to the north.

314. While the proposal is taller than the RL16-19.6 (4-5 storey) height envisaged in the CDZ3 design principles, as this report has already outlined, the massing is supported to Gough Street as:
    (a) the width of B9 adjacent to Gough Street is narrower than the original plans, minimising the extent of visual bulk;
    (b) the site is south of the nearby dwellings across Gough Street, ensuring the proposal would not overshadow these properties;
    (c) the site is over 10m from the nearest dwelling, ensuring unreasonable overlooking opportunities would not be provided; and
    (d) the design detailing has used materiality and a negative reveal at level 3 to provide visual relief and break the northern elevation into a podium and tower form to achieve a human scale.

    West

315. The B9 extension has been appropriately massed with regard to equitable development for the property to the west (an underutilised ‘car park’ also containing a major promotional sign). The podium would be built to the boundary up to level 2, along with the introduction of a courtyard at this level.

316. The problem however, is that windows and openings are presented on the western boundary. They are not the only light sources for the adjacent rooms, so should a permit issue, a condition should require the deletion of all windows and openings from the ground floor to level 2 along the western boundary with an appropriate treatment to this 3 store wall as it presents to Punt Road.

317. At level 3 and above, the 'tower' setback would be 4.2m to 6.8m from the western boundary. While equitable development principles typically suggest a shared 4.5m – 4.5m boundary setback approach, the proposal is only 300mm shy of this principle (albeit not formally part of the planning Scheme). Given the size of the site and the likelihood that this site to the west will be developed in the future, a condition should require a minimum 4.5m setback from levels 3 and above.

South

318. The setbacks from the south do not bring rise to equitable development concerns. General urban design considerations have been outlined in this report.

East

319. The development interfaces with stage 1 to the east.

320. B6, B8 and B9 are sufficiently setback from stage 1 to ensure that the proposal would not unreasonably impact the amenity of any approved development in this segment.

321. B6 is also setback approximately 26.5m from stage 3 (17-21 Harcourt Parade), which it is understood will be developed as per the approved office development (planning permit PL08/0921).

Off-site amenity and development potential summary

322. Subject to the conditions outlined in this report, the proposal would not unreasonably impact the amenity of nearby dwellings or the development potential of adjoining sites.

Environmental sustainability

323. State and Local Policy encourage ecologically sustainable development. Clause 21.07-1 specifies that this includes environmentally sustainable design measures as they relate to energy and water efficiency, greenhouse gas emissions, passive solar design, natural ventilation, stormwater reduction and management, solar access, orientation and layout of development, building materials and waste minimisation.

324. The substituted plans did not include an amended SMP. The original plans were accompanied by an SMP prepared by Simpson Kotzman, which made a number of ESD commitments, including a commitment to achieving Council's best practice standard of a 10% improvement on the minimum NCC required NatHERS rating (average 7.2 Star average NatHERS rating in B8 and 6.5 Star average rating in B6). It is assumed that these commitments are still relevant.

325. Reviewing the application against clause 21.07 of the Scheme each category will be assessed in turn:

    (a) energy and water efficiency – without an amended SMP, the original officer report remains relevant on this point:

The minimum 10% above BCA requirements would ensure that a reasonable level of water and energy efficiency is achieved. However, given the scale of this development and the ease of incorporating these measures as the design stage, conditions should require the following:

(i) details of hot water systems for dwellings;
(ii) nominated showerhead flowrate and WELS efficiency;
(iii) solar photovoltaic system(s) to contribute to common area electricity consumption; and
(iv) foldable clothes drying racks fixed to each balcony or within laundries or bathrooms.

(b) greenhouse gas emissions – without an amended SMP, the original officer report remains relevant on this point:

The main issue or concern in terms of greenhouse gas emissions is the reliance on mechanical cooling due to large amounts of glazing. The sample NatHERS ratings ranged from 18-22MJm2 (moderate) to 90MJm2 (extreme) in some instances. Council's ESD advisor recommended that all exposed north, east and west facing glazing not protected by balcony overhangs and/or in dwellings with cooling loads higher than 30MJ/m2/pa be shaded from summer sun angles with adjustable awnings, blinds, screens, shutters, louvers or similar. This could be addressed by way of a permit condition, should a permit issue.

(c) solar access and passive solar design – With 3m floor to floor heights, it is understood that the original ESD advice requesting minimum 2.7m floor to ceiling heights could be achieved. This should be required by way of a permit condition, should a permit issue.

As the dwellings typically have deep floor plates (8-9m plus a balcony), the use of tinted blue glass may unreasonably reduce daylight permitted to enter these dwellings. A condition should be imposed to modify this glass to a paler blue tint or a clear glass with a VLT 0.6 or higher.

This issue goes hand in hand with passive solar design. Council's ESD advisor does not typically encourage tinted glazing to mitigate unwanted passive solar heat gains in summer, however the design ramifications of installing external operable screens at this point is not considered to be reasonable. Council's ESD Advisor accepts that a 0.6 VLT glazing would be a reasonable compromise in this instance. Another condition should ensure that the material selection achieves this balance, with cooling loads no higher than 30MJ/m2/pa per dwelling.

The external urban design advice received by Council raised issue with the B9, level 13, western 3 bedroom dwelling living area. While it would be indented behind bedrooms, the main living area is on level 12 (the townhouse is split level). As this layout only affects 1 dwelling and an alternative living area is provided, this is not considered to be fatal to this assessment.

The final daylight issue relates to the level 1 and 2 western dwellings that enjoy daylight via the light court. Should a permit issue, a condition should require daylight modelling demonstrating BESS compliance (for living areas at least 80% of the total number of living rooms must achieve a daylight factor greater than 1% to 90% of the floor area of each living area, including kitchens and for bedrooms, at least 80% of the total number of bedrooms must achieve a daylight factor greater than 0.5% to 90% of the floor area in each room).

(d) natural ventilation – New windows to B4 and B5 appear to be 'fixed'. A condition should be imposed to ensure they can be opened to encourage natural ventilation.

Due to a number of apartments in buildings 6 and 9 being over 5m deep and single aspect, a number of recommendations were made by Council's ESD Advisor and should be required by way of permit conditions:

(i) maximised area of operability on wintergarden façades, providing operability to all glazed areas above balustrade height;
(ii) provision of a mechanical supply fresh air system to all single aspect dwellings via an energy efficient Heat Recovery Ventilation (HRV), or equivalent, to supply rates 50% above the minimum requirements in AS1668;
(iii) installation of ceiling fans in all habitable rooms of single aspect dwellings; and
(iv) all kitchens to have extraction fans (not re-circulating ranges).

(e) stormwater reduction and management – In the absence of an amended SMP, the original ESD advisor response stands:

Three STORM ratings were been received for Stage 2. A STORM rating of 70% has been received for Building 4 and 5. This relies on a minimum of 810m2 of roof connected to a 30,000 litre tank and connected to all toilets in the buildings for flushing. Please explain why a heritage building (Building 4 and 5) cannot reach 100% STORM. Over 80% of Yarra is in a Heritage overlay and meets this standard. Consider increasing site permeability in landscaped areas. Consider increasing the area of roof connected to tanks.

A STORM rating of 118% has been received for Building 6. This relies on a minimum of 730m2 of roof connected to 20,000 litres of storage tank and connected to toilets for flushing in dwellings with 20 bedrooms. A STORM rating of 103% has been received for Building 8. This relies on a minimum of 2,340m2 of roof connected to 80,000 litres of storage tank and connected to toilets for flushing in dwellings with 80 bedrooms. No tanks can be identified on plans. Please show 30,000 litre tank on Building 4 and 5 plans, the 20,000 litres of storage in Building 6 and the 80,000 litres of storage in Building 8. Please update plans to clearly show and be consistent with SMP. Please demonstrate that the demand for garden irrigation in Building 6 and 8 is justifiable.

326. To ensure that the proposal meets clause 22.16 of the Scheme and does not unreasonably impact the water table or stormwater system, a condition should be imposed to ensure that each building achieves a minimum 100% compliance with STORM.

(a) orientation and layout of development – A development of this scale is due to result in a range of apartment orientations (not all can be north facing). However, the layouts have been considered to reasonably respond to the site opportunities and constraints and result in a reasonably massed and orientated development. For example, the south facing apartments are reasonably unconstrained and offer outlook to the river. There are some south facing apartments within the northern side of the B9 'U', however they also have an outlook to the east and south-east to provide alternative daylight and outlook opportunities.

(b) building materials – The use of materials is generally supported, with commentary already being made about the extensive use of glazing.

(c) waste minimisation – A condition should be imposed on any permit issued requiring details of recycling and waste management (including green and hard waste).

Other matters

327. The following continues to be outstanding from the original ESD referral and should be addressed by way of permit conditions:
(a) details of the hot water system for dwellings and the residential hotel;
(b) update SMP to include nominated showerhead flowrate and WELS efficiency;

(c) SMP to be consistent with the amended STORM report(s);
(d) Provide a solar photovoltaic system to contribute to common area electricity consumption;
(e) provide foldable clothes drying racks fixed to each balcony; and
(f) recommend FSC accredited timber be specified for all timber.

Summary

328. Subject to the conditions contained in this report, the proposal would achieve a high level of ESD compliance.

Aboriginal cultural heritage

329. The site is within 500m of the Yarra and therefore, the impact of the proposal on the Aboriginal Cultural Heritage significance of the land must be considered.

330. The Applicant submitted a Preliminary Cultural Heritage Study as part of the original application, prepared by Ecology and Heritage Partners.

331. The report confirmed that the site has been subject to significant ground disturbance, so r. 23(2) of the *Aboriginal Heritage Act* 2006 applies and a mandatory Cultural Heritage Management Plan is not required before a permit can be issued. In any event, the report included core samples within the stage 2 area, no Aboriginal artefacts of areas of archaeological likelihood have been identified within the study area.

Land subject to inundation overlay

332. This section of the assessment will be based on the decision guidelines contained at clause 44.04-6 of the Scheme.

333. The substituted plans have been circulated to Melbourne Water, however comments have not yet been received. In any event, VCAT will need to take into account any Melbourne Water.

334. The previous officer report included the following:

It has already been identified that Melbourne Water have objected to the application. Assessing the proposal against the decision guidelines and considering the 1 in a 100 year flood level for the property, it is understood why Melbourne Water has concerns with the introduction of high density residential land uses on this site. Not only are ground level entrances below the flood level, but if vehicular entries are not appropriately treated, the development includes 3 levels of basement which could be flooded.

Officers support the grounds of objection raised by Melbourne Water and as required by the Act, will be imposed on any Notice of Refusal to Grant a Permit issued.

335. It is understood that the applicant has raised car park entry levels to meet Melbourne Water's requirements. However, a Council position is not necessary in this regard as it is a Melbourne Water flooding overlay and Melbourne Water are party to this appeal.

Signage

336. Clauses 22.04 and 52.05 are the most relevant to this assessment, namely the relocation of the Nylex and Victoria Bitter signs.

337. In terms of the Nylex sign, this is a unique assessment, in that the sign iconic to Melbourne, is on the Victorian Heritage Register and is protected under Council's Landmarks Policy (Clause 22.03).

338. The silos on which the Nylex and VB signs sit are proposed to be partially demolished, which has been approved by Heritage Victoria. This application seeks to reposition the Nylex sign on top of the 15 storey building (B9) and reposition the VB sign from the west to the east side of the B8 silos to maintain a reasonable exposure to this sign from the public realm (due to the proximity of the B9 extension further west).

339. Whilst policy at clause 22.04 and 52.05 generally aims to ensure that signs do not unreasonably dominate views of vistas or impact heritage areas, these signs are clearly of heritage significance and specifically, views to the Nylex sign are protected under local policy.

340. Should a permit issue, clause 52.05-6 states that a permit for a major promotion sign must include conditions that specify:

That the sign must not:

- *Dazzle or distract drivers due to its colouring.*
- *Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles.*
- *Be able to be mistaken as an instruction to drivers.*
- *An expiry date which is 15 years from the date the permit is issued unless otherwise specified in this clause. This does not apply to a permit for major promotion sign for a special event or temporary building shrouding.*

341. The provision also states that an alternative expiry condition must be no less than 10 years and no more than 25 years. Given the iconic nature of the signs a 25 year expiry should be supported with the ability to extend to ensure that the iconic signs have an ongoing role in the skyline of Yarra.

342. Should a permit issue however, the following should be required by way of a permit condition (due to limited information being provided on the application plans):
(a) the dimensions of the signs;
(b) the colour, materiality and lettering style of the signs;
(c) the type and level of illumination; and
(d) confirmation that the Nylex clock will be turned on.

Car parking / traffic

Traffic

343. This application includes 279 car parking spaces (40 of which would be provided in stage 1); being 239 new car parking spaces. The original application included 475 car parking spaces. The traffic assessment in the original officer report for stage 2 therefore remains relevant (if not less of an issue) as less parking spaces are now proposed:

The stage 1 officer report description of the traffic conditions of Cremorne remains relevant:

> *'Cremorne is a unique pocket within Yarra. Although this site has been zoned for comprehensive redevelopment, the area is physically 'land locked' when traffic movements are considered. There are few 'in' and 'out' roads leaving limited options. Drivers wishing to leave Cremorne to go into the City are typically directed towards the Cremorne/Swan Street intersection as exits leading directly to Punt Road only allows for southbound travel. Entries from the east area also generally taken via Balmain Street (from Church Street) as the road dips under the train line, allowing east-west movements within the suburb.'*

The policy assessment from the stage 1 report also continues to be relevant:

It is important to lay out the state and local policy context. Clauses 18 and 21.06 of the Scheme encourage alternatives to private motor vehicle usage, including walking, cycling and public transport. The SSSP specifies the following objectives and strategies for the River Edge Precinct:

Access and Movement

Objectives

- *To reinforce Balmain Street and Cremorne Street as the primary road network for vehicle movement in and out of the precinct.*
- *To improve connections to the public transport network to the north and east.*
- *To create a highly walkable and cycle friendly environment.*

Strategies

- *Develop Balmain Street as an improved pedestrian route.*
- *Investigate opportunities to improve pedestrian and bicycle access to the Capital City Trail.*
- *Investigate ways to manage potential increase in traffic volumes and flows and demand for car parking.*

The CDZ3 includes the following decision guidelines (as relevant):

'The accessibility of the site to vehicle traffic.'

Council (and its expert, Traffix Group) acknowledged that the traffic conditions in this area would need to be managed through higher level strategic planning and is not necessarily the responsibility of individual developers.

The interim VCAT order for stage 1 (Caydon Cremorne No.1 Development Pty Ltd v Yarra City Council, Interim order P1969/2015) confirmed this, stating:

> *73. The second observation we make about the Council's submission is that the strategic analysis of the cumulative traffic impacts of developments in the Cremorne precinct is a matter that is, at least partly, in the hands of the Council, and VicRoads. Notwithstanding the fact that the rezoning of the review site occurred in 2008, and that the wider Cremorne precinct has been earmarked for significant redevelopment for some years, we were not presented with any substantial strategic traffic analysis or related policy development for the precinct undertaken by the Council.*

As a result, the proposal is not considered to unreasonably impact traffic conditions in the area, given the existing conditions and the responsibility of Council and VicRoads to act on a known problem.

344. This conclusion is maintained when considering the current proposal.

Car parking

345. The stage 1 officer report description of the car parking conditions of Cremorne remains relevant:

> *'When managing car parking, it is important to note that all parties acknowledge that on-street car parking spaces are in 'high' demand (page 22 of the GTA report). Developments in this pocket, especially of this scale, therefore need to be self-sufficient and cannot rely on on-street parking.'*

346. The CDZ3 includes the following decision guidelines (as relevant):

- *The likely demand for car parking spaces.*
- *The demand for car spaces generated by the uses established in previous stages of the development.*

347. When assessing stage 1, Council also formed the position that a surplus of car parking was being provided given the known traffic conditions/constraints of the area. This was accepted by VCAT in its interim order, which accepted the Traffix expert evidence rates:

74. In this case, the major dispute between the Council and the applicant in relation to traffic management and car parking relates to the quantum of car parking provided for this proposal. The Council submits that excessive parking is proposed and the provision of car parking should be reduced and greater emphasis placed on encouraging sustainable transport options such as the use of bicycles and scooters, walking and public transport.

75. The Council relied on the evidence of Ms Dunstan on these issues. It is Ms Dunstan's evidence that based on her empirical analysis, parking should be provided at a rate of 0.5 spaces per one bedroom apartment, 0.7 spaces per two bedroom apartment, 1 space per three bedroom apartment and 0.12 spaces per dwelling for visitors. The application of these rates to the residential component of the proposal equates to a parking provision of 148 spaces plus 33 for visitors (181 total).

76. The statutory requirement for parking under the CDZ3 generates a parking requirement for the residential component of 311 spaces.

77. The applicant proposes to provide 236 resident spaces (including the SOHO offices and apartments) plus 33 visitor spaces at the rate of 0.81 spaces per one bedroom apartment, 1.15 spaces for two bedroom apartments and 1.43 spaces for three bedroom apartments, plus resident visitor parking at 0.12 spaces per dwelling (269 total). It is the evidence of Mr Kiriakidis that this provision is consistent with his empirical analysis of parking demand generated by this proposal.

78. The areas of difference between the two witnesses relate to issues of public policy and the different approaches to undertaking empirical analysis of parking demand.

79. With respect to public policy, it is Ms Dunstan's evidence that there is support in the planning scheme at a broad policy level, for limiting car parking supply as a component of encouraging sustainable transport options and managing traffic generation impacts generally. Clause 21.06 of the Municipal Strategic Statement (MSS) is relevant in this respect. It states that:

> *Parking availability is important for many people, however in Yarra unrestricted car use and parking is neither practical nor achievable. Car parking will be managed to optimise its use and to encourage sustainable transport options.*

80. Clause 21.06-3 of the MSS states that new large developments are required to prepare and implement integrated transport plans to reduce the use of private cars and to encourage walking, cycling and public transport use.

81. Mr Kiriakidis acknowledges the public policy dimension of this issue but queries the extent to which such an approach is justified on this site, and the benefits associated with limiting parking generally. Mr Kiriakidis considers that the developer of the site is probably in the best position to assess the market demand for car parking.

82. On this aspect of the dispute, we are sympathetic to the Council's position and agree that there is at least high level policy support in the planning scheme for the approach advocated by the Council. We are troubled at the lack of local policy development on this issue, especially as it relates to the Cremorne precinct, and the review site specifically.

There is for example no car parking overlay applicable to this site of the type that applies in parts of, for example, the City of Melbourne where maximum rates are specified and a permit required to exceed the maximum. There is no local policy in the planning scheme applying to Cremorne or the review site specifically of the type referred to us during the hearing in which the Council, having analysed the issue, specifically encourages lower parking rates in new development, in the area affected by the policy.

83. *The Swan Street Structure Plan probably contains the strategic analysis that comes closest to representing a policy position of the type that would lend weight to the Council's submissions on this point. Largely it is a document that sets the scene for more detailed analysis and policy development at a local level. The Structure Plan does however address Cremorne and the various precincts that comprise it, and acknowledges that traffic congestion is likely to increase as development proceeds, and there is therefore a need to promote sustainable transport options. A range of objectives and strategies are recommended around this theme.*

84. *There is broad, although not unanimous, agreement between the parties about the contextual issues that inform decisions around the provision of car parking, and the need to encourage sustainable transport options as a means of addressing in part, traffic generation and congestion. Ms Dunstan described public transport access as "excellent" but Public Transport Victoria (PTV) in its response to the referral of the application commented that the site is not ideally located with regard to public transport and increased provision of public transport to the area is challenging. PTC further commented that the provision of car parking must be informed by the limited connection to public transport.*

85. *We have described previously the review site's proximity to the fixed rail network and we are satisfied that the site has reasonable access to public transport, enjoys access to bicycle infrastructure, is located in an area which exhibits "walkability" features, has access to an activity centre and is close to the Melbourne CAD. Ms Dunstan described the area as being subject to high levels of traffic congestion in a constrained street network. Mr Kiriakidis broadly agreed with that assessment. He stated that key roads providing access to Cremorne and the review site are at or approaching their practical capacities.*

86. *There is a wide range of initiatives needed to address the traffic congestion issues in Cremorne. Most of these initiatives are beyond the control of the applicant in this case, and are the responsibility of the Council and VicRoads. Limitations on the provision of car parking is however one component of a wider strategy necessary to address traffic congestion generally and, in Cremorne specifically, that does fall within the ambit of the applicant's responsibility. Notwithstanding our reservations about the Council's lack of detailed policy analysis and development on this issue, the existing levels of congestion in Cremorne calls for an approach that at least begins the process of reducing the reliance on car dependency and encouraging increased use of alternative transport methods. The review site is one site where this approach can be usefully employed.*

87. *Our conclusions on this matter are primarily influenced by the policy considerations associated with the management of the proposal's contribution to the traffic congestion being encountered in Cremorne. We have also been usefully informed by the empirical analysis carried out by both Mr Kiriakidis and Ms Dunstan on parking demand. As we have discussed above, both witnesses came to different conclusions about the quantum of car parking generated by the proposal. The source of the differences derives from the use of ABS data and the method by which social housing is accounted for in the analysis of that data. It is not necessary for us to resolve the dispute between the witnesses by making findings about the analysis of ABS data.*

While the analysis by Mr Kiriakidis presents a parking rate more akin to the applicant's assessment of the market preference for parking, Ms Dunstan's analysis provides us with some comfort that a reduced provision based on lower rates, can at least contribute to encouraging alternative transport options, without compromising development viability.

348. The proposal applies the residential parking rate suggested in stage 1:
    (a) 0.5 spaces per 1BR dwelling = 54
    (b) 0.7 spaces per 2BR dwelling = 76
    (c) 1 space per 3/4BR dwelling = 42
    (d) 0.12 spaces per dwelling for visitors = 31
    (e) TOTAL of 203 car parking spaces for dwelling residents and visitors

349. While Council's Engineers support this allocation, the external traffic advice also considered the additional non-residential parking provision and the dwelling visitor allocation in further detail.

350. The parking demand for the residual 98 car parking spaces would vary across weekdays and weekends. The applicant suggests:

Table 1: Review of Car Parking Rates (Traffix Group recommended rates shown in green where different to GTA)

Use	Size	Friday		Saturday		Notes
		1pm	8pm	1pm	8pm	
Residential Visitors	258 apartments.	0.004/apt. (0.04/apt)	0.031/apt. (0.12/apt.)	0.016/apt. (0.06/apt.)	0.039/apt. (0.12/apt.)	We don't accept the visitor parking rates applied, which was raised in our initial comments from May, 2016. The peak rate of 0.04 spaces/apt. is far lower than the commonly accepted empirical visitor rate of 0.12 spaces/apt. At 1pm on a Friday, intuitively a demand for only 1 visitor for 258 apartments at 1pm is too low. Finally, a peak residential visitor car parking rate of 0.12 spaces is consistent with the previous VCAT decision and car parking allocation within Stage 1.
Office staff	2,423m²	0.87/100m²	Closed	Closed	Closed	**The overall office rate is approx. 1 space per 100m². This rate is acceptable and has been supported by Council in Cremorne in the past.**
Office visitors		0.08/100m²	Closed	Closed	Closed	
Retail customers	223m²	None	None	None	None	The assumption that demand will be minimal is acceptable and consistent with how Stage 1 was treated.
Gallery staff/patrons	25 patrons	0.3/patron	Closed	0.3/patron	Closed	This rate is acceptable in this location.
Café/bar patrons	150 seats	0.06/patron (0.12/patron)	0.11/patron (0.25/patron)	None (0.12/patron)	0.11/patron (0.25/patron)	This rate is low. In our view, there shouldn't be a differentiation between the café/bar and restaurant/function centre rates. They are very similar uses. Applying a car parking rate half of the peak rate during the day is acceptable, representing lower demand for this use and greater proportion of local trade.
Restaurant patrons	48 seats	Closed	0.25/patron	Closed	0.25/patron	These rates are acceptable in this location.
Function centre visitors/staff	100 seats	Closed	0.25/patron	Closed	0.25/patron	These rates are acceptable in this location.

351. The above table was prepared by Council's external traffic consultant (Traffix Group) and while the empirical car parking demand assessment was typically supported, the requirements for residential visitors and the café/bar patrons (or 'restaurant' as assessed in this report) was considered by Council's external traffic consultant to be too low. Taking this into account, the following allocation is suggested:

Use	Size	Friday		Saturday	
		1pm	8pm	1pm	8pm
Residential Visitors	258 apartments.	10	31	15	31
Office staff	2,423m²	23	Closed	Closed	Closed
Office visitors			Closed	Closed	Closed
Retail customers	223m²	None	None	None	None
Gallery staff/patrons	25 patrons	8	Closed	8	Closed
Café/bar patrons	150 seats	18	38	18	38
Restaurant patrons	48 seats	Closed	12	Closed	12
Function centre visitors/staff	100 seats	Closed	25	Closed	25
Total Demand		59	106	41	106
Supply		98			
Surplus/Shortfall		+39	-8	+57	-8

352. This would only suggest a shortfall of 8 spaces, which would have a negligible impact on the on-street parking conditions in the area, if any. This allocation should be conditioned in any car parking management plan.

353. Council's Engineering Services Unit recommended a range of conditions to address car parking access, layout and other works. These should be imposed by way of permit conditions:
   (a) dimensions of the vehicular crossover;
   (b) while a window or opening on the western boundary was recommended adjacent to the vehicular exit to provide visibility, the site to the west could be developed in time. A convex mirror should therefore be conditioned by way of a permit condition;
   (c) details of security access/visitor intercom to the vehicular entry;
   (d) headroom clearance must be displayed on the plans;
   (e) dimensions of parallel car parking spaces;
   (f) on basements 1-4, the width of the aisle between the west row of parking spaces and the face of the column has not been dimensioned;
   (g) length of the loading bay confirmed on the plans, with confirmation the minimum overhead clearance will be 4.5m;
   (h) dimensions of column depths and dimensions;
   (i) dimension of blind aisle extensions;
   (j) upon the completion of all building works and connections for underground utility services and prior to the occupation of the development, the footpath immediately outside the property's Gough Street must be reconstructed to Council's satisfaction and at the Permit Holder's expense;
   (k) prior to the occupation of the development, the full width road pavement of Gough Street, immediately outside the property, must be profiled and re-sheeted to Council's satisfaction and at the Permit Holder's expense;
   (l) prior to the occupation of the development, the footpath, kerb and channel along the Gough Street road frontage of the property must be reconstructed to Council's satisfaction and at the Permit Holder's expense. The cross-fall of the reconstructed footpath must be no steeper than 1 in 40 as per DDA requirements. A 300mm wide sawn bluestone kerb is to be used along the Gough Street frontage of the site;
   (m) prior to the occupation of the development, all redundant vehicle crossings surrounding the site must be demolished and reinstated to Council's satisfaction and at the Permit Holder's cost;

(n) trees in the road reserves are to be provided with structural soils to protect road pavements from damage by roots;
(o) the intersections of Gough Street/Punt Road and Gough Street/Cremorne Street must be provided with pedestrian improvements/enhancements. Treatments considered must take overland flow/drainage into account in consultation with Melbourne Water. Intersection improvements must be designed and constructed to Council's satisfaction and at the Permit Holder's cost;
(p) 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; and
(q) 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. The Construction Management Plan for the site must also take the following into account:
    (i) If any existing public lighting assets require temporary disconnection, alternative lighting must be provided to maintain adequate lighting levels. A temporary lighting scheme can only be approved by Council and relevant power authority.
    (ii) Existing public lighting could only be disconnected once temporary alternative lighting scheme becomes operational.
(r) The applicant must undertake a drainage catchment analysis of the surrounding area and verify that the outfall drains to the Yarra River have adequate capacity (for post development conditions). As part of the development's legal point of discharge, drainage upgrades must extend to the Yarra River. Drainage surrounding the site must also be upgraded by the Permit Holder once the development is operational. The Permit Holder must fund and undertake these upgrade works.

Car parking / traffic summary

354. Subject to the conditions contained in this report, the proposal would not unreasonably impact parking or traffic conditions in the area.

Bicycle facilities

355. The proposal includes 200 bicycle parking spaces, above the minimum clause 52.34 requirements. However, Council's best practice under clause 22.17 or BESS is at least 1 bicycle parking space per dwelling. Given the acknowledged traffic congestion and lack of on-street parking facilities in the area, the best practice bicycle parking standards should be met (or exceeded). A condition should then require at least 1 bicycle parking space per dwelling, in addition to the clause 52.34 requirements for the other uses (including visitors). Additional bicycle hoops should also be provided within the public open spaces of the site to encourage visitors to cycle to the site.

356. The Applicant has confirmed that at least 25% of bicycle parking spaces will be floor mounted. This should be continued with the additional bicycle parking provision.

357. Permit conditions should ensure that bicycle parking dimensions and signage meet clauses 52.34-4 and 52.34-5 of the Scheme.

358. Council's strategic transport unit and the external urban design advice both supported a crossing from the site across Harcourt Parade to the Capital City Bicycle trail. It has already been outlined that while this is a desirable outcome, a formal link would need to be approved in consultation with VicRoads and CityLink. The current plans would allow a formal link to be constructed, should an arrangement be proposed in the future.

359. Also as already outlined, a permit condition should require details of pedestrian and cyclist access through the site.

360. Council's Strategic Transport Unit also recommended '*…better provision for pedestrians on Gough St at Cremorne and Hoddle Sts*'. This should be addressed in any detailed engineering drawings required for capital works improvements around the site.

361. Subject to the conditions contained in this report, the proposal would provide reasonable bicycle parking for residents, staff and visitors.

Waste management

362. The substituted plans were not accompanied by an amended WMP. However, reviewing the plans, it is clear that the waste store room in the ground level of B9 would not be of a sufficient size of this development. It is also unclear how waste would be collected generally and how it would be managed across the development (including if waste chutes are proposed within the residential buildings).

363. Should a permit issue, an amended WMP should be required before plans are endorsed.

Objector concerns

364. The majority of objector concerns have been addressed throughout this report.
    (a) impact on the heritage fabric (including the silos and buildings B4 and B5) and this iconic site;
    (b) overdevelopment, height and visual bulk;
    (c) high residential density should not be supported;
    (d) non-compliance with the Design Principles, Yarra Planning Scheme and Swan Street Structure Plan;
    (e) impact on the character of the area;
    (f) impact on the Nylex sign (visibility and questioning if it will be turned on again. Also requests for additional perspectives);
    (g) design detail – the development looks too modern;
    (h) off-site amenity, including:
        (i) overshadowing of the Yarra River and Era building;
        (ii) visual bulk;
        (iii) noise (people and traffic);
        (iv) air pollution from additional vehicles;
        (v) impact on footpaths (should be widened but not at the expense of the carriageway);
        (vi) overlooking;
        (vii) loss of vistas;
        (viii) inadequate setbacks;
        (ix) no positive contribution to the public realm;
    (i) poor internal amenity, including:
        (i) low floor to ceiling heights;
        (ii) insufficient tree planting/greening;
        (iii) small apartments and bedroom sizes;
        (iv) inadequate dwelling diversity (including insufficient 3 bedroom dwellings);
    (j) impact on the Yarra River;
    (k) the open space should be open to the public 24/7;
    (l) traffic congestion (including impact on emergency service vehicles and pedestrian safety. One suggestion was that clearways be implemented);
    (m) impact on infrastructure (including broadband);
    (n) insufficient loading bay provision;
    (o) Kelso Street only has parking on one side (referenced as both sides in the Traffic Report);
    (p) the proposal may obstruct planes and helicopters;
    (q) parking along Gough Street should not be removed;

(r) the reduction in car parking sought would impact the area (the area already has limited on-street parking, which is also exacerbated by the nearby sporting precinct);
(s) vehicular entries should be limited to Cremorne Street;

365. The following points have not yet been addressed:

the proposal would not achieve housing affordability objectives

366. The proposal includes a range of housing styles to offer varying price points.

do not support traffic lights at the intersection of Punt Road and Kelso Street;

367. This is not part of this application.

light pollution;

368. The proposal does not include any lights which would impact the amenity of the area. In terms of the signs, conditions have been recommended to ensure that lights and angled and baffled so as to not cause a nuisance.

Kelso Street only has parking on one side (referenced as both sides in the Traffic Report);

369. This error is acknowledged.

the proposal may obstruct planes and helicopters;

370. The proposal has been reduced to a height of 15 storeys. It is unlikely that this would impact aircraft.

parking along Gough Street should not be removed;

371. The amended plans do not remove all of the parking on Gough Street. The planting of street trees may impact the car parking provision, however some would be retained (approximately 12 out of 20).

stages 1-3 should be considered holistically;

372. Whilst this would have been ideal, Council must consider each application it receives.

the site is a commercial, not a residential zone;

373. The site is not a commercial zone, rather a comprehensive development zone that allows a mixture of residential and non-residential uses.

this application will create a precedent;

374. Each application must be considered on its own merit.

Transurban objection:

(i) impact of construction process on the CityLink (including safety and operational disruption);
(ii) To the satisfaction of CityLink, the applicant is to display that building maintenance (fronting Harcourt Parade) will not impact the operation of CityLink roadway either by virtue of closing ramp or limiting road width etc.
(iii) Building materials/finishes fronting Harcourt Parade should discourage the act of graffiti.

(iv) Landscaping is not to front Harcourt Parade (without any fencing or similar) in order to reduce maintenance activities from road side and reduce any potential foliage falling on the roadway and/or impacting driver sightlines.

(v) To the satisfaction of CityLink, the applicant is to display that the finish of the building will not result in sunlight reflection that may dazzle drivers increasing the risk of collisions on CityLink.

375. A condition should be imposed to ensure that graffiti proof materials are used. Further, a construction management plan condition should be imposed to mitigate construction impacts. Harcourt Parade currently allows pedestrian access via Punt Road or Cremorne Street. A fence is therefore not considered necessary from the site to Harcourt Parade. A condition should also ensure that the glazing meets EPA regulations in terms of reflectivity.

It is understood that a proposed strategy is to provide better cycling connections between Harcourt Parade and the Capital City Trail. This would potentially involve installation of bicycle lanterns and kerb build out to Harcourt Parade. To the satisfaction of CityLink, the applicant is to display that this proposal will have no impact to existing and future operation of the Harcourt Parade ramp having consideration for, but not limited to, maintenance activities, traffic volumes, over dimensional vehicle access, the existing emergency lane catering for broken down vehicles to stop etc.
Pedestrian/Bicycle access not to be permitted adjacent Harcourt Parade which forms access to the CityLink tollway and forms part of CityLink Lease boundary.

376. The application does not include works to Harcourt Parade or installation of a pedestrian/cyclist path.

plan inaccuracies (streets labelled incorrectly, parking location incorrectly referenced);

377. This comment was made in relation to the original set of plans.

questioning if the traffic report has considered all stages; and

378. An updated traffic report has not been submitted with these drawings. However, this report has outlined why the proposal would not unreasonably impact traffic conditions in the area.

impacts during the construction phase.

379. As has been identified, a condition should be imposed on any permit issued, requiring the imposition of a construction management plan.

Conclusion

380. Based on the above report, the proposal complies with the relevant Planning Scheme provisions and planning policy and is therefore supported.

RECOMMENDATION

1. That having considered all objections and relevant planning policies, the Committee resolves to inform VCAT that if it had been in a position, it would have issued a Notice of Decision to Grant a Permit PLN15/1176 for 2 Gough Street, Cremorne VIC 3121 for the development of the land for buildings and works, including the construction of three buildings, up to 15 storeys in height (plus 4 basement levels), use of the land as accommodation, function centre, shop and restaurant, food and drinks premises (café), reduction in the car parking requirements, utilisation of 40 car parking spaces as shown in stage 1 of 2 Gough Street, Cremorne, and construction and display of signs (relocation of Nylex and Victoria Bitter signs on top of silos B9 and B8) in accordance with the endorsed plans and 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 substituted plans, TP003-TP04, TP096-TP115, TP130-155, TP166-TP185, TP201-TP204, TP231, TP251, TP271-TP273, TP301-TP303, TP400-TP406, TP500-TP502, TP600-TP605, dated 6 June 2017 and prepared by Fender Katsalidis Architects, TP00 and TP01, TP10 and TP30-TP32, revision 2, TP02-TP08, TP11-TP13, TP40-TP42 and TP60-TP61 and materials schedules (building 4, building 5 and new materials), dated October 2015 and prepared by Lovell Chen and LP01, LP02 and LP03, dated 5 June 2017 and prepared by Oculus but modified to show:

   Land use

   (a) 'hotel' shown as 'residential hotel';
   (b) the 'bar' on top of building B9 (inside and outside areas) shown as a 'restaurant';
   (c) deletion of the exhibition centre (heritage interpretation visitor centre – B6) and venue (B9) uses with these areas shown as vacant;
   (d) the bakery/retail as a 'food and drinks premises (café)';
   (e) confirm which uses would use the kitchen area within the B9 silos;
   (f) the B9 ground level 'retail' area shown as a 'shop';

   Built form

   (g) a complete set of detailed elevation drawings of all buildings clearly showing windows, doors, balconies and the like;
   (h) no works within the Road Zone, Category 1;
   (i) deletion of the servery window facing Gough Street along the northern end of B4 (may be replaced with a window that does not function as a servery);
   (j) floor and elevation plans of B4 and B5 to correlate;
   (k) deletion of all openings in the wall along the western boundary of B9 and treatment of this interface to avoid its presentation as a blank wall;
   (l) external, operable, vertical screening to the level 10-12 western windows of building B6;
   (m) the south setback of level 13, building B6 dimensioned;
   (n) details of the firs booster cupboards and treatments;
   (o) screening to habitable room windows, balcony or terrace to address internal overlooking, where necessary, to the satisfaction of the Responsible Authority;
   (a) at least 25% of the smaller units capable of amalgamation into larger 2 or 3 bedroom apartments; floor, section and elevation plans to correlate;
   (p) floor to ceiling heights to be no less than 2.7m;
   (q) a general signage plan, directing pedestrians to each residential entry;
   (r) a schedule of external colours and materials, including samples, coloured elevations and perspectives. The façade of the elliptical tower must be confirmed as meeting the relevant EPA standards for glare;
   (s) detailed plans showing the interface between the retained/modified heritage fabric and the ground level open space areas;
   (t) treatment of all lower level walls with a graffiti proof finish;
   (u) B9 – level 3 and above setback a minimum 4.5m from the western boundary
   (v) B9 – levels 1 to 11 – deletion of the bedroom south of the wintergarden and extension of the adjacent living/dining/kitchen area;
   (w) 2 bedroom dwellings shown with details of dining and living room furnishing for 4 adults;
   (x) B4 and B5 windows to be shown as openable;
   (y) maximised area of operability for wintergarden facades (above balustrade height);

   Signage

   (z) details of the relocated signs (Victoria Bitter and Nylex), including:
      (i) dimensions;

(ii) the colour, materiality and lettering style;
(iii) the type and level of illumination; and
(iv) confirmation that the Nylex clock will be turned on.

Car parking/bicycle parking

(aa) car parking provision as per the project area summary on page TP004;
(bb) a minimum of 200 bicycle parking spaces, with at least 25% being floor mounted;
(cc) ramp grades and lengths dimensioned;
(dd) kerbs, barriers, wheel stops and structural elements shown in the car parking areas;
(ee) the location and dimensions of supporting columns within all car park areas. The car parking spaces must then be demonstrated to meet diagram 1 of clause 52.06-8 of the Yarra Planning Scheme;
(ff) sectional drawings of the ramps and access ways, demonstrating a minimum headroom clearance of 2.2m, with the exception being a minimum 2.5m height clearance above disable car parking spaces;
(gg) details of car park security (e.g. roller doors, intercoms, swipe card readers, etc.);
(hh) 1 in 20 scale cross sectional drawings of the developments vehicular entrances, showing the actual reduced levels (not interpolated levels from the application drawings) of the road profile, the lip of the channel, the invert of the channel, the top of kerb and the existing building line. The existing road profiles of Gough Street (from the kerb line to the centre line of the road) and the access ways inside the property must be accurately drawn. The cross section must demonstrate that vehicles can traverse the new vehicle crossing and ramp without scraping or bottoming out, using a B99 design vehicle;
(ii) underside clearance of over bonnet storage cages;
(jj) all bicycle parking spaces within 30m of the lift;
(kk) bicycle signage as per clause 52.34-5 of the Yarra Planning Scheme;
(ll) details of bicycle storage/parking systems, demonstrating they can provide space for a bicycle of minimum dimensions of 1.7m in length, 1.2m in height and 0.7m in width at the handlebars;
(mm) at least 25% of the provided bicycle parking must be accessible at ground level (i.e. not hanging systems);
(nn) at least 1 bicycle parking space per dwelling (in addition to spaces for staff and visitors);
(oo) all resident and staff bicycle parking spaces secured behind lockable gates;
(pp) a convex mirror adjacent to the vehicular exit;
(qq) dimensions of parallel car parking spaces;
(rr) on basements 1-4, the width of the aisle between the west row of parking spaces and the face of the column;
(ss) length of the loading bay confirmed on the plans, with confirmation the minimum overhead clearance will be 4.5m;
(tt) dimensions of column depths and dimensions;
(uu) dimension of blind aisle extensions;
(vv) number of car parking spaces, storage cages and bicycle parking spaces to correlate between the project area summary and the plans

General

(ww) a lighting plan addressing entries and public spaces within the development;
(xx) a circulation and public access plan, detailing all fixed elements (including seats) to ensure clear and unfettered public movement is provided through the open space areas;
(yy) changes (as necessary) as per the endorsed Acoustic Report, Wind Report, SMP, Shared zone management plan and Waste management plan.

Landscaping

(zz) a landscape plan which shows the:

i. Street tree species for Gough Street to be – *Hymenosporum flavum*, 100L size or a suitable alternative
ii. type, location, quantity, pot size, height at maturity and botanical names of all proposed plants. Species within the landscape buffer must be shade tolerant and must provide clear visual links with the pedestrian link (low level shrubs/plants);
iii. location of all areas to be covered by lawn, paving or other surface materials;
iv. specification of works to be undertaken prior to planting;
v. watering and maintenance;
vi. garden bed dimensions;
vii. areas of paving and proposed materials;
viii. location of proposed tree planting – distances from buildings and other infrastructure, planting proposed over the basement levels or under the overhanging built form;
ix. clear definition of terraced spaces, retaining walls, seating elements and other structures independent of paving treatments;
x. water sensitive urban design [**WSUD**] features;
xi. a clear delineation of public/private interface;
xii. cross sections of open space areas are required, confirming which areas are raised or sunken;
xiii. simplification of the ground level paving and lawn treatments (not too busy with larger lawn areas);
xiv. green roof treatments to unused roof areas

General

3. The development and uses as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

4. As part of the ongoing consultant team, Fender Katsalidis Architects and Lovell Chen or an architectural firm(s) to the satisfaction of the Responsible Authority must be engaged to:
   (a) oversee design and construction of the development; and
   (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

5. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.

6. 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.

7. All screening and other measures to prevent overlooking as shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority.

8. Before the buildings are 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.

9. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.

10. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

11. Before the buildings are occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.

12. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the basement car park, pedestrian walkway, laneway and dwelling entrances must be provided. Lighting must be:
    (a) located;
    (b) directed;
    (c) shielded; and
    (d) of limited intensity,
    all to the satisfaction of the Responsible Authority.

13. The use and development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).

14. The use and development must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).

General Use Conditions

15. The amenity of the area must not be detrimentally affected by the uses, including through:
    (a) the transport of materials, goods or commodities to or from land;
    (b) the appearance of any buildings, works or materials;
    (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; or
    (d) the presence of vermin;
    to the satisfaction of the Responsible Authority.

Dwellings

16. The wellness centre located in B9 may only be used by dwelling residents (within the site).

B4 food and drinks premises (café)

17. No more than 84 patrons are permitted in the B4 food and drinks premises at any one time.

18. The B4 food and drinks premises (café) may only operate between the hours of 8am to 8pm, any day.

B5 café

19. No more than 105 patrons are permitted in the B5 café at any one time.

20. The B5 café only operate between the hours of 7am to 8pm, any day.

B5 restaurant

21. No more than 195 patrons are permitted in the B5 restaurant at any one time.

22. The B5 restaurant may only operate between the hours of 7am to 11pm.

B9 restaurants

23. No more than 100 patrons are permitted in the B9 restaurants at any one time.

24. The B9 restaurants may only operate between the hours of 8am to 8pm.

B9 shop

25. The B9 shop may only operate between the hours of 8am to 8pm.

Function centre

26. No more than 100 patrons are permitted in the function centre at any one time.

27. No more than 4 function centre staff are permitted on the land at any one time.

28. The function centre may only operate between the hours of 8am to 5pm.

Art gallery

29. No more than 25 patrons are permitted in the art gallery at any one time.

30. The art gallery may only operate between the hours of 8am to 8pm.

Signage

31. The location and details of the signs, including the supporting structure, 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.

32. The signs must not include any flashing or intermittent light.

33. The signs must be constructed, displayed and maintained to the satisfaction of the Responsible Authority.

34. External sign lighting must be designed, baffled and located to the satisfaction of the Responsible Authority.

35. The signage component of this permit will expire if the signs are not erected within 2 years of the date of this permit. The Responsible Authority may extend the period referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or twelve months afterwards for completion.

36. The signs must not:
    (a) Dazzle or distract drivers due to its colouring.
    (b) Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles.
    (c) Be able to be mistaken as an instruction to drivers.

37. The signage component of this permit expires 25 years from the date of the permit. In accordance with Section 69 of the *Planning and Environment Act* 1987, an application may be submitted to the Responsible Authority for an extension of the period referred to in this condition.

Structural report requirement

38. Before the demolition commences, a structural report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the structural report will be endorsed and will form part of this permit. The structural report must be prepared by a suitably qualified structural engineer and demonstrate the means by which the retained portions of the buildings on-site will be supported during demolition and construction works to ensure their retention.

39. The provisions, recommendations and requirements of the endorsed structural report must be implemented and complied with to the satisfaction of the Responsible Authority.

Public Art Management Plan

40. Before the buildings are occupied, a Public Art Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Public Art Management Plan will be endorsed and will then form part of this permit. The Public Art Management Plan must include, but not be limited to:
    (a) details of the commissioned artist(s);
    (b) description of art work, including:
        (i) materials;
        (ii) colours;
        (iii) dimensions;
        (iv) content;
        (v) special features (e.g. lighting);
    (c) details of the installation process; and
    (d) details of art work maintenance schedule.

41. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, the approved public art must be completed. Once completed, the public art must be maintained in accordance with the endorsed Public Art Management Plan to the satisfaction of the Responsible Authority.

Public realm

42. Prior to the commencement of the development the owner of the site must submit detailed engineering documentation to the satisfaction of the Responsible Authority and approved by the Responsible Authority and at full cost of the owner showing:
    (a) prior to the occupation of the development, the full width road pavement of Gough Street, immediately outside the property, must be profiled and re-sheeted to Council's satisfaction and at the Permit Holder's expense;
    (b) prior to the occupation of the development, the footpath, kerb and channel along the Gough Street road frontage of the property must be reconstructed to Council's satisfaction and at the Permit Holder's expense. The cross-fall of the reconstructed footpath must be no steeper than 1 in 40 as per DDA requirements. A 300mm wide sawn bluestone kerb is to be used along the Gough Street frontage of the site;
    (c) prior to the occupation of the development, all redundant vehicle crossings surrounding the site must be demolished and reinstated to Council's satisfaction and at the Permit Holder's cost;
    (d) trees in the road reserves are to be provided with structural soils to protect road pavements from damage by roots; The preferred tree cut out size is 1.5 x 1.5m.
    (e) The layout of street trees in Gough Street should show parking spaces between trees.
    (f) the intersections of Gough Street/Punt Road and Gough Street/Cremorne Street must be provided with pedestrian improvements/enhancements. Treatments considered must take overland flow/drainage into account in consultation with Melbourne Water. Intersection improvements must be designed and constructed to Council's satisfaction and at the Permit Holder's cost;
    (g) 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; and
    (h) All street tree planting works would be carried out by Council's tree planting contractor. Once tree locations are finalised, a cost to the developer will be determined.

43. Before the building is occupied all works required by condition 42 must be fully constructed and completed to the satisfaction of the Responsible Authority.

Section 173 Agreement

44. Before the development starts, the owner (or another person in anticipation of becoming the owner) must enter into an agreement with the Responsible Authority under section 173 of the *Planning and Environment Act* 1987, providing for the following:

(a) that the 40 spaces 'quarantined' for stage 2 will be allocated to this future development on the balance of the site at 2 Gough Street Cremorne;
(b) a legally effective and enforceable mechanism to the satisfaction of the Responsible Authority to ensure that:
    (i) the owners of lots within stage 2 are able to freely access the 40 car spaces for their own private use without restriction; and

The owner, or other person in anticipation of becoming the owner, must meet all of the expenses of the preparation and registration of the agreement, including the Responsible Authority's costs and expenses (including legal expenses) incidental to the preparation, registration and enforcement of the agreement.

Wind Assessment report

45. Before the plans are endorsed, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment Report will be endorsed and will form part of this permit. The amended Wind Assessment Report must be generally in accordance with the Wind Assessment Report prepared by Vipac and dated 18 March 2016, but modified to include (or show):
    (a) reflect the decision plans;
    (b) include wind tunnel modelling to verify the results of the preliminary assessment;
    (c) details of the type, size and density of foliage of trees used to mitigate wind impacts; and
    (d) confirm that the northern B5 café outdoor seating area would fulfil the sitting criteria.

46. The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Acoustic report

47. Before the plans are endorsed, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Renzo Tonin and Associates, dated 12 February 2016 and include an assessment of how the requirements of the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade, No. N-1), the State Environment Protection Policy (Control of Music Noise from Public Premises No. N-2) and relevant Australian Standards will be met and must prescribe the form of acoustic treatment to:
    (a) be amended to reflect the decision plans;
    (b) protect all dwelling occupants and nearby occupants from noise generated from the mechanical plant equipment and ventilation mechanisms installed or constructed as part of the development (including the lift, residential air conditioner units and commercial plant and equipment);
    (c) protect all dwelling occupants within the development from noise associated with City Link;
    (d) an assessment of the remaining land uses on the balance of the site and the impact on the proposed dwellings (unless the land uses on the balance of the site have ceased). 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) No. N-1 (SEPP N-1), State Environment Protection Policy (Control of music noise from public premises) No. N-2 (SEPP N-2) or any other requirement to the satisfaction of the Responsible Authority;

(e) an assessment of the impact on the following on the proposed dwellings; car park entrance door, the car park itself, any non-residential land uses, common residential areas, structure borne noise through the pool and supermarket and shop services. Treatments must be provided to achieve a reasonable level of amenity for residents and must make recommendations to limit the noise impacts in accordance with the State Environment Protection Policy (Control of noise from industry, commerce and trade) No. N-1 (SEPP N-1), State Environment Protection Policy (Control of music noise from public premises) No. N-2 (SEPP N-2) or any other requirement to the satisfaction of the Responsible Authority;
(f) the impact of the restaurants, food and drinks premises (cafes), shops, function centre, exhibition centre, art gallery and venue on residents on and off the site; and
(g) demonstration compliance with CDZ3 requirements to ensure that new development or refurbished / converted buildings for new residential and other noise sensitive uses, located on the southern part of the site directly adjacent to the Monash Freeway, include appropriate acoustic measures as outlined in AS 3671 – 1999 "Acoustics – Road Traffic Noise Intrusion – Building Siting and Construction" to attenuate noise levels internally within the building.

48. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

49. On the completion of any works required by the endorsed acoustic report and before the residential use commences of any stage of the of the development, an updated acoustic report prepared by a suitably qualified acoustic consultant to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority demonstrating that the required level of noise attenuation has been achieved. The report must:
    (a) confirm compliance with relevant conditions of the permit; and
    (b) provide measurement data taken from inside the dwellings of the development demonstrating compliance with State Environment Protection Policy (Control of noise from industry, commerce and trade) No. N-1 (SEPP N-1), State Environment Protection Policy (Control of music noise from public premises) No. N-2 (SEPP N-2) or any other relevant requirement.

50. The recommendations and any works contained in the approved acoustic report must be implemented and completed and where there are recommendations of an ongoing nature must be maintained all to the satisfaction of the Responsible Authority.

<u>Residential Hotel Management Plan</u>

51. Prior to the commencement of the use residential Hotel, a residential hotel management plan must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must detail the following:
    (a) procedures, and standards for guests to minimise amenity and parking problems in the neighbourhood.
    (b) measures to be taken by permit holder to ensure that residential hotel guests and visitors do not cause nuisance or annoyance to persons beyond the land;
    (c) establishment of a line of communication with adjoining owners and occupiers aimed at identifying and addressing amenity concerns;
    (d) an outline of all house rules intended to be used to manage residents and guests including:
        (i) guest behaviour;
        (ii) noise;
        (iii) alcohol consumption; and
        (iv) methods of eviction if house rules are broken;
    (e) details of eviction process in the event house rules are broken;
    (f) standards for property maintenance, health and cleanliness; and
    (g) security against thefts and break-ins, including security of guests' belongings.

Sustainable Management Plan

52. Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Simpson Kotzman dated 12 February 2016, but modified to show/reflect/demonstrate:
    (a) the decision plans;
    (b) the changes required as per condition 1 (where relevant);
    (c) a minimum 100% STORM score for each building;
    (d) a minimum 4 star green star rating for each building;
    (e) glazing as either clear or tinted blue with a VLT of 0.6 or higher;
    (f) demonstration that all exposed north, east and west facing dwellings will achieve cooling loads no higher than 30MJ/m2/pa;
    (g) daylight modelling for the western level 1 and 2 B9 dwellings, demonstrating BESS compliance (for living areas at least 80% of the total number of living rooms must achieve a daylight factor greater than 1% to 90% of the floor area of each living area, including kitchens and for bedrooms, at least 80% of the total number of bedrooms must achieve a daylight factor greater than 0.5% to 90% of the floor area in each room);
    (h) provision of a mechanical supply fresh air system to all single aspect dwellings via an energy efficient Heat Recovery Ventilation (HRV), or equivalent, to supply rates 50% above the minimum requirements in AS1668;
    (i) installation of ceiling fans in all habitable rooms of single aspect dwellings; and
    (j) commitment to install extraction fans in all kitchens (not re-circulating ranges);
    (k) include detail on waste and recycling;
    (l) detail hot water system(s) for dwellings;
    (m) nominate the showerhead flowrate and WELS efficiency;
    (n) include solar photovoltaic system(s) to contribute to common area electricity consumption;
    (o) commit to fixed, foldable clothes drying racks for each balcony or within laundries or bathrooms; and
    (p) consider FSC accredited timber.

53. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

54. Before the development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by RB Waste Consulting Service and dated 20 November 2015, but modified to:
    (a) reflect the decision plans;
    (b) be written as a standalone document;
    (c) be written regardless if a private or Council collection;
    (d) address both rubbish and recycling for all uses (including hard and green waste);
    (e) include bin room details (for all tenants, residential, commercial, retail, supermarket, etc). The bin room(s) must be of an appropriate size for their intended use;
    (f) confirm weekly collection for the residential component. However, more weekly collection may be considered with appropriate justification;
    (g) confirm a minimum number of collections for all users, however, more than weekly collection may be considered with appropriate justification;

(h) details of the waste sorting system for the bin chute. Alternatively, a double chute must be provided;
(i) confirm the path of access for residents, property manager and collection vehicle (including turning templates or swept path diagrams);
(j) include information to tenants, owners corporation, property manager (information pack details); and
(k) include a commitment that the Building Manager/Owners Corporation will organise a preoccupation site meeting with Council's Waste Management Coordinator at least 30 days prior to occupation and demonstrate implementation of the WMP.

55. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscaping

56. Before the building is occupied, or such later date as is approved by the Responsible Authority, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.

57. The landscaping shown on the endorsed plans must be maintained by:
(a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
(b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
(c) replacing any dead, diseased, dying or damaged plants;
all to the satisfaction of the Responsible Authority.

Car parking

58. Before the development commences, a Car Park Management Plan prepared to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Park Management Plan will be endorsed and will then form part of this permit. The Car Park Management Plan must address, but not be limited to, the following:
(a) the use of 40 car parking spaces from stage 1 (planning permit PLN15/0355);
(b) details of the residential car parking allocation as follows:
(i) 0.5 spaces per 1BR dwelling
(ii) 0.7 spaces per 2BR dwelling
(iii) 1 space per 3/4BR dwelling;
(c) the number and location of car parking spaces allocated to each tenancy;
(d) the number and location of any car spaces for shared use, including time of shared use and how this will be managed;
(e) management details for residential loading/unloading when moving;
(f) the management of visitor car parking spaces and security arrangements for occupants of the development, including details on how residential visitors are to access car parking;
(g) details of way-finding, cleaning and security of end of trip bicycle facilities;
(h) any policing arrangements and formal agreements;
(i) a schedule of all proposed signage including directional arrows and signage, informative signs indicating location of disabled bays and bicycle parking, exits, restrictions, pay parking system etc;
(j) the collection of waste and garbage including the separate collection of organic waste and recyclables, which must be in accordance with the Waste Management Plan required by Condition 54;
(k) how the hotel drop off area would be managed;
(l) details regarding the management of loading and unloading of goods and materials.

59. The provisions, recommendations and requirements of the endorsed Car Park Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

60. Before the building is occupied, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
    (a) constructed and available for use in accordance with the endorsed plans;
    (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
    (c) treated with an all-weather seal or some other durable surface; and
    (d) line-marked or provided with some adequate means of showing the car parking spaces.
    to the satisfaction of the Responsible Authority.

Traffic, roads and footpaths

61. All redundant vehicle crossings along the property's road frontages must be demolished and reinstated with paving, kerb and channel to Council's satisfaction and the developer's cost.

62. 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.

63. 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.

Green Travel Plan

64. Before the occupation of the development, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel plan will be endorsed and will form part of this permit. The Green Travel Plan must include, but not be limited to, the following:
    (a) describe the location in the context of alternative modes of transport;
    (b) the provision of real time passenger information displays for nearby stops within each residential lobby;
    (c) employee / resident welcome packs (e.g. provision of Met Cards/Myki);
    (d) a designated 'manager' or 'champion' responsible for co-ordination and implementation;
    (e) details of bicycle parking and bicycle routes;
    (f) details of GTP funding and management responsibilities; and
    (g) include provisions to be updated not less than every 5 years.

65. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Construction

66. 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) a lighting plan which must include:
    (i) details if any existing public lighting assets require temporary disconnection, alternative lighting must be provided to maintain adequate lighting levels. A temporary lighting scheme can only be approved by Council and relevant power authority;
    (ii) confirmation that existing public lighting would only be disconnected once temporary alternative lighting scheme becomes operational;
    (iii) confirmation that the temporary lighting scheme will remain operational until a permanent lighting scheme is reinstated.
(i) 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;
(j) the construction program;
(k) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
(l) parking facilities for construction workers;
(m) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
(n) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
(o) 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;
(p) 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;
(q) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:
    (i) using lower noise work practice and equipment;
    (ii) the suitability of the land for the use of an electric crane;
    (iii) silencing all mechanical plant by the best practical means using current technology;
    (iv) fitting pneumatic tools with an effective silencer; and
    (v) other relevant considerations.

67. During the construction:
    (a) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
    (b) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
    (c) vehicle borne material must not accumulate on the roads abutting the land;
    (d) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
    (e) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

68. Before the buildings are 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.

69. 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 Permit holder's expense.

70. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, the footpaths along the Gough and Cremorne Street frontages of the site must be reconstructed:
    (a) at the permit holder's cost; and
    (b) to the satisfaction of the Responsible Authority.
    The cross-fall of the reconstructed footpaths must be no steeper than 1 in 40.

71. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, the road pavements outside the Gough and Cremorne Street frontages of the site must be profiled and re-sheeted:
    (a) at the permit holder's cost; and
    (b) to the satisfaction of the Responsible Authority.
    The cross-fall of the reconstructed footpaths must be no steeper than 1 in 40. Any isolated areas of pavement failure will require full depth road pavement reconstruction.

72. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:
    (a) at the permit holder's cost; and
    (b) to the satisfaction of the Responsible Authority.

73. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossings 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.

74. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

75. Pit lids and levels are to be readjusted to match the surface of the footpath, to the satisfaction of the Responsible Authority.

76. No parking restriction signs are to be removed, adjusted, changed or relocated without approval or authorisation from the Responsible Authority.

77. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
    (a) before 7 am or after 6 pm, Monday-Friday (excluding public holidays);
    (b) before 9 am or after 3 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
    (c) at any time on Sundays, ANZAC Day, Christmas Day and Good Friday.

Public lighting plan

78. Prior to the commencement of the development, a public lighting plan must be submitted to and approved by the Responsible Authority. When approved, the public lighting plan will be endorsed and will form part of this permit. The public lighting plan must:
    (a) confirm that all primary pedestrian access to a residential/multipurpose development will be lit by public lighting installations at least to lighting level P4 as specified in the Australian Standard AS 1125.3.1:2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements;
    (b) confirm that any new poles and luminaries required for the development will be sourced from CitiPower/Jemena standard energy efficient luminaires list and comply with relevant CitiPower/Jemena technical requirements;
    (c) confirm that light spillage into the windows of any existing and proposed residences will be avoided or minimised and must comply with the requirements of Australian Standard AS 4282 – 1997 Control of the obtrusive effects of outdoor lighting;
    (d) confirm that the locations of any new light poles will not obstruct vehicular access into private property;
    (e) include a commitment that the Permit Holder will ensure (by contacting relevant power authority) that the existing or proposed power supply conforms to “No Go Zone” requirements from the relevant power authority;
    (f) confirm that the supply and installation of any additional or upgraded lighting, electrical hardware and poles will be funded by the Permit Holder.

79. The provisions, recommendations and requirements of the endorsed public lighting plan must be implemented and complied with to the satisfaction of the Responsible Authority.

VicRoads Conditions

80. VicRoads prohibits the construction of building/s or the carrying out of works within the Road Zone Category 1 (i.e. Punt Road and Harcourt Parade).

81. VicRoads prohibits vehicular, pedestrian or cycling access to the site along Harcourt Parade.

82. The luminance of the advertising sign/s (including The Victoria Bitter and Nylex signs) must be such it does not give a veiling of luminance to the driver, of greater than 0.25cdm^2, throughout the driver’s approach to the advertising sign/s.

83. In the event of an attack by a computer hacker or similar resulting in unauthorised display of visual images or any other display malfunction, the electronic sign is to shut down and cease any form of visual output until the malfunction is repaired.

84. Prior to the commencement of the development hereby approved, a truck wheel wash must be installed at the property boundary to enable all mud and other tyre borne debris from vehicles to be removed prior to exiting land.

85. The truck wheel wash must be maintained in good order during the construction phase of the development and may be removed at the end of the construction phase of the development with the prior approval of council.

CityLink Conditions

86. There should be no interruption to traffic flow on CityLink assets.

87. CityLink assets should not be exposed to any waste generated from the project.

88. New buildings should not cause any adverse impacts on the users of CityLink (e.g. reflective glare from the buildings.

PTV Conditions

89. Before the development starts, or at any other time agreed to in writing with Public Transport Victoria, amended plans to the satisfaction of Public Transport Victoria must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the 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 plans submitted with the application but modified to show:
    (a) The design details and the location of the bike share station;
    (b) Consideration must be given to the integration between the bike share station and public access, and connection to exiting shared paths within the vicinity of the site.

90. The bike share station is to be design and constructed to the satisfaction of Public Transport Victoria and the Responsible Authority and at no cost to Public Transport Victoria prior to the occupation of the buildings hereby approved.

Expiry

91. This permit will expire if one of the following circumstances applies:
    (a) the development is not started within five years of the issued date of this permit;
    (b) the development is not completed within four years of the issued date of this permit;
    (c) the uses are not commenced within five years from the date of this permit.
    In accordance with Section 69 of the *Planning and Environment Act* 1987, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

NOTES:

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.

A local law permit (e.g. Asset Protection Permit, Road Occupation Permit) may be required before development is commenced. Please contact Council's Construction Management Branch on Ph. 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, business owners and employees 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 crossing(s). Please contact Council's Construction Management Branch on 9205 5585 for further information.

This application was not assessed against Clause 43.01 of the Yarra Planning Scheme (Heritage Overlay) as heritage matters are considered by Heritage Victoria.

Any changes to on-street parking conditions will need separate approval from Council's Parking Services Unit (9205 5299).

CONTACT OFFICER: **Sarah Thomas**
TITLE: **Principal Planner**
TEL: **92055046**

Attachments

1 2 Gough Street Cremorne - Part 1 of 12
2 2 Gough Street Cremorne - Part 2 of 12
3 2 Gough Street Cremorne - Part 3 of 12
4 2 Gough Street Cremorne - Part 4 of 12
5 2 Gough Street Cremorne - Part 5 of 12
6 2 Gough Street Cremorne - Part 6 of 12
7 2 Gough Street Cremorne - Part 7 of 12
8 2 Gough Street Cremorne - Part 8 of 12
9 2 Gough Street Cremorne - Part 9 of 12
10 2 Gough Street Cremorne - Part 10 of 12
11 2 Gough Street Cremorne - Part 11 of 12
12 2 Gough Street Cremorne - Part 12 of 12
13 PLN15/1176 - 2 Gough Street Cremorne - Officer (DAP) report
14 PLN15/1176 - 2 Gough Street Cremorne - Open space unit comments
15 PLN15/1176 - 2 Gough Street Cremorne - Engineering comments on Stage 2
16 PLN15/1176 - 2 Gough Street Cremorne - Services contract unit advice
17 PLN15/1176 - 2 Gough Street Cremorne - ESD advice
18 PLN15/1176 - 2 Gough Street Cremorne - Strategic transport comments
19 PLN15/1176 - 2 Gough Street Cremorne - Heritage Comments on substituted plans
20 PLN15/1176 - 2 Gough Street Cremorne - VicRoads comments on substituted plans
21 PLN15/1176 - 2 Gough Street Cremorne - Urban Design Unit advice on substituted plans
22 PLN15/1176 - 2 Gough Street Cremorne - MGS urban design advice on substituted plans
23 PLN15/1176 - 2 Gough Street Cremorne - Traffix part 1
24 PLN15/1176 - 2 Gough Street Cremorne - Traffix part 2

Attachment 1 - 2 Gough Street Cremorne - Part 1 of 12

FENDER KATSALIDIS Architects
FENDER KATSALIDIS (AUST) PTY LTD ACN 030 343 027 ABN 54 030 343 027

2 RIVERSIDE QUAY SOUTHBANK
3006 VICTORIA AUSTRALIA
61 3 8696 3888 TELEPHONE
61 3 9682 5925 FACSIMILE

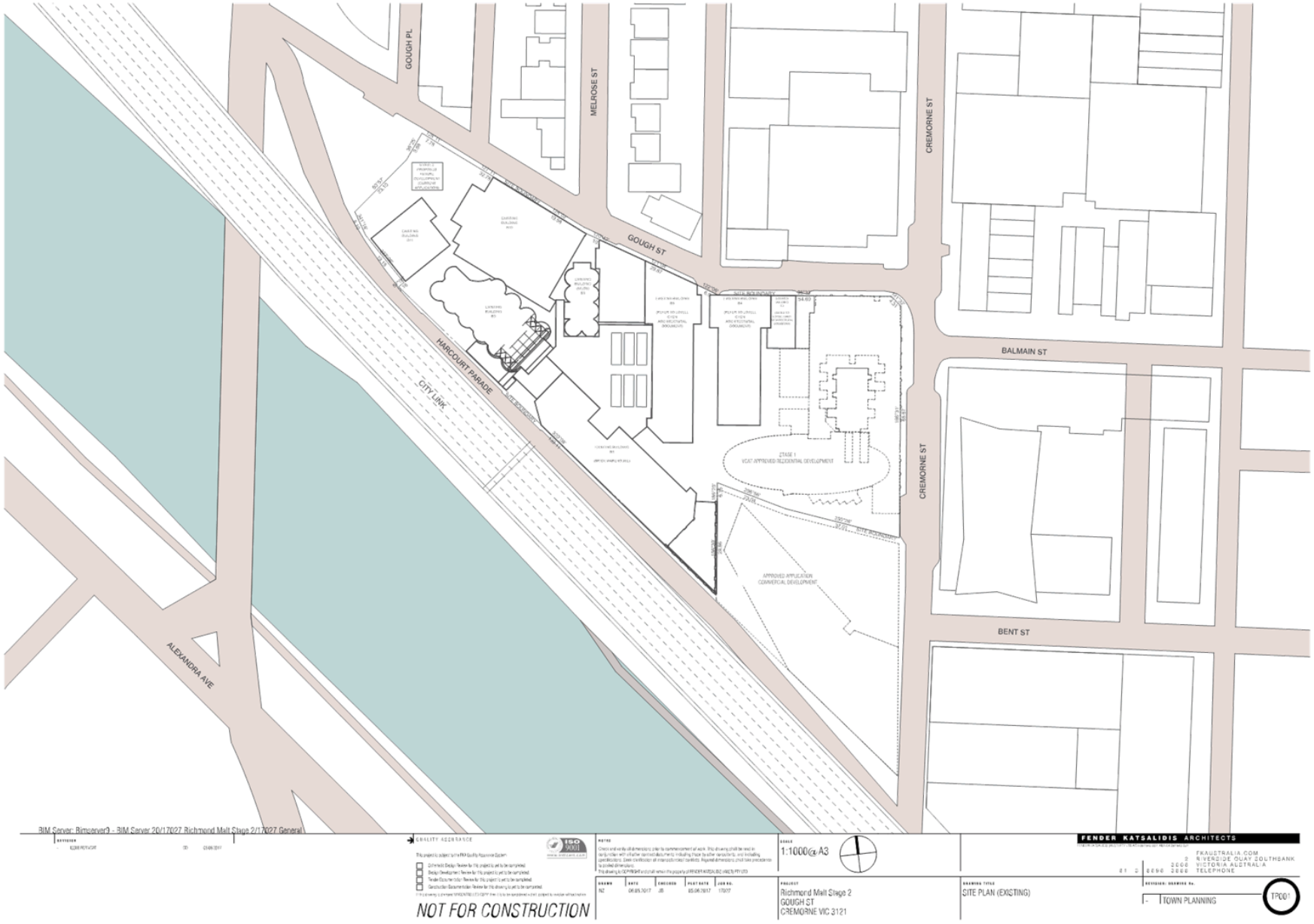
Richmond Malt Stage 2
GOUGH ST
CREMORNE 3121

PROJECT NO: 17027

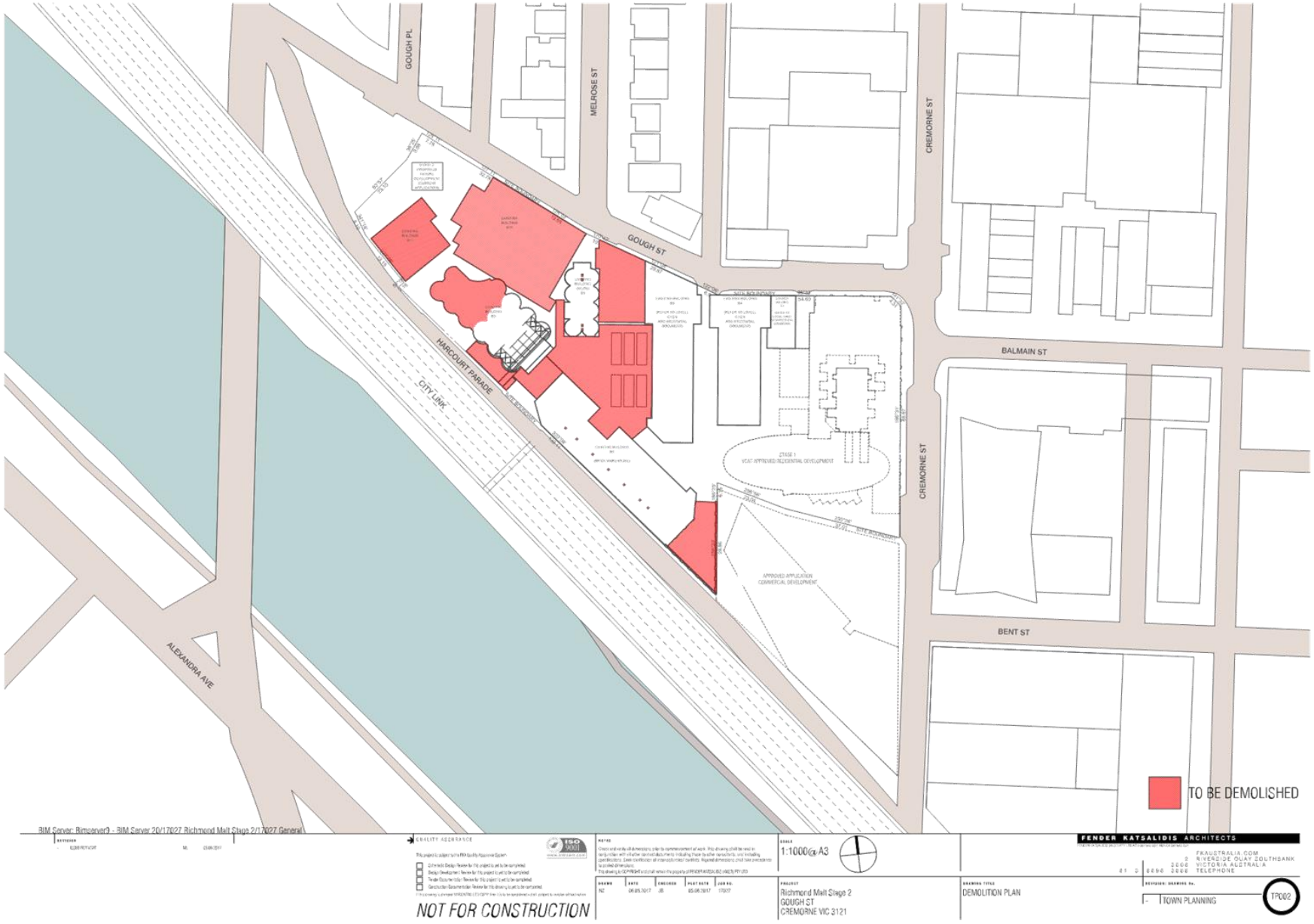
DRAWING INDEX

TP001	-	SITE PLAN (EXISTING)	TOWN PLANNING	TP151	-	B8 LEVEL 1	TOWN PLANNING	TP403	-	SHADOW STUDIES 12PM	TOWN PLANNING
TP002	-	DEMOLITION PLAN	TOWN PLANNING	TP152	-	B8 LEVEL 2-6	TOWN PLANNING	TP404	-	SHADOW STUDIES 1PM	TOWN PLANNING
TP003	-	SITE PLAN (PROPOSED)	TOWN PLANNING	TP153	-	B8 LEVEL 7	TOWN PLANNING	TP405	-	SHADOW STUDIES 2PM	TOWN PLANNING
TP004	-	PROJECT AREA SUMMARY	TOWN PLANNING	TP154	-	B8 LEVEL 8	TOWN PLANNING	TP406	-	SHADOW STUDIES 3PM	TOWN PLANNING
TP096	-	BASEMENT LEVEL 4	TOWN PLANNING	TP155	-	B8 ROOF PLAN	TOWN PLANNING	TP500	-	B6 MATERIALS AND FINISHES	TOWN PLANNING
TP097	-	BASEMENT LEVEL 3	TOWN PLANNING	TP166	-	B9 BASEMENT LEVEL 4	TOWN PLANNING	TP501	-	B8 MATERIALS AND FINISHES	TOWN PLANNING
TP098	-	BASEMENT LEVEL 2	TOWN PLANNING	TP167	-	B9 BASEMENT LEVEL 3	TOWN PLANNING	TP502	-	B9 MATERIALS AND FINISHES	TOWN PLANNING
TP099	-	BASEMENT LEVEL 1	TOWN PLANNING	TP168	-	B9 BASEMENT LEVEL 2	TOWN PLANNING	TP600	-	TYPICAL APARTMENTS B6	TOWN PLANNING
TP100	-	OVERALL GROUND FLOOR PLAN	TOWN PLANNING	TP169	-	B9 BASEMENT LEVEL 1	TOWN PLANNING	TP601	-	TYPICAL APARTMENTS B6	TOWN PLANNING
TP101	-	OVERALL LEVEL 1	TOWN PLANNING	TP170	-	B9 GROUND FLOOR PLAN	TOWN PLANNING	TP602	-	TYPICAL APARTMENTS B9	TOWN PLANNING
TP102	-	OVERALL LEVEL 2	TOWN PLANNING	TP171	-	B9 LEVEL 1	TOWN PLANNING	TP603	-	TYPICAL APARTMENTS B9	TOWN PLANNING
TP103	-	OVERALL LEVEL 3	TOWN PLANNING	TP172	-	B9 LEVEL 2	TOWN PLANNING	TP604	-	TYPICAL APARTMENTS B9	TOWN PLANNING
TP104	-	OVERALL LEVEL 4	TOWN PLANNING	TP173	-	B9 LEVEL 3	TOWN PLANNING	TP605	-	TYPICAL APARTMENTS B9	TOWN PLANNING
TP105	-	OVERALL LEVEL 5	TOWN PLANNING	TP174	-	B9 LEVEL 4	TOWN PLANNING				
TP106	-	OVERALL LEVEL 6	TOWN PLANNING	TP175	-	B9 LEVEL 5	TOWN PLANNING	DRAWINGS ISSUED ON: 05.09.2017			
TP107	-	OVERALL LEVEL 7	TOWN PLANNING	TP176	-	B9 LEVEL 6	TOWN PLANNING				
TP108	-	OVERALL LEVEL 8	TOWN PLANNING	TP177	-	B9 LEVEL 7	TOWN PLANNING				
TP109	-	OVERALL LEVEL 9	TOWN PLANNING	TP178	-	B9 LEVEL 8	TOWN PLANNING				
TP110	-	OVERALL LEVEL 10	TOWN PLANNING	TP179	-	B9 LEVEL 9	TOWN PLANNING				
TP111	-	OVERALL LEVEL 11	TOWN PLANNING	TP180	-	B9 LEVEL 10	TOWN PLANNING				
TP112	-	OVERALL LEVEL 12	TOWN PLANNING	TP181	-	B9 LEVEL 11	TOWN PLANNING				
TP113	-	OVERALL LEVEL 13	TOWN PLANNING	TP182	-	B9 LEVEL 12	TOWN PLANNING				
TP114	-	OVERALL LEVEL 14	TOWN PLANNING	TP183	-	B9 LEVEL 13	TOWN PLANNING				
TP115	-	OVERALL LEVEL 15	TOWN PLANNING	TP184	-	B9 LEVEL 14	TOWN PLANNING				
TP130	-	B6 GROUND FLOOR PLAN	TOWN PLANNING	TP185	-	B9 ROOF	TOWN PLANNING				
TP131	-	B6 LEVEL 1	TOWN PLANNING	TP201	-	OVERALL NORTH ELEVATION	TOWN PLANNING				
TP132	-	B6 LEVEL 2	TOWN PLANNING	TP202	-	OVERALL EAST ELEVATION	TOWN PLANNING				
TP133	-	B6 LEVEL 3	TOWN PLANNING	TP203	-	OVERALL SOUTH ELEVATION	TOWN PLANNING				
TP134	-	B6 LEVEL 4	TOWN PLANNING	TP204	-	OVERALL WEST ELEVATION	TOWN PLANNING				
TP135	-	B6 LEVEL 5	TOWN PLANNING	TP231	-	B6 ELEVATIONS	TOWN PLANNING				
TP136	-	B6 LEVEL 6	TOWN PLANNING	TP251	-	B8 ELEVATIONS	TOWN PLANNING				
TP137	-	B6 LEVEL 7	TOWN PLANNING	TP271	-	B9 ELEVATIONS 1/2	TOWN PLANNING				
TP138	-	B6 LEVEL 8	TOWN PLANNING	TP272	-	B9 ELEVATIONS 2/2	TOWN PLANNING				
TP139	-	B6 LEVEL 9	TOWN PLANNING	TP273	-	B9 ELEVATIONS 3/2	TOWN PLANNING				
TP140	-	B6 LEVEL 10	TOWN PLANNING	TP301	-	OVERALL SECTION AA	TOWN PLANNING				
TP141	-	B6 LEVEL 11	TOWN PLANNING	TP302	-	OVERALL SECTION BB	TOWN PLANNING				
TP142	-	B6 LEVEL 12	TOWN PLANNING	TP303	-	OVERALL SECTION CC AND DD	TOWN PLANNING				
TP143	-	B6 LEVEL 13	TOWN PLANNING	TP400	-	SHADOW STUDIES 9AM	TOWN PLANNING				
TP144	-	B6 ROOF	TOWN PLANNING	TP401	-	SHADOW STUDIES 10AM	TOWN PLANNING				
TP150	-	B8 GROUND FLOOR PLAN	TOWN PLANNING	TP402	-	SHADOW STUDIES 11AM	TOWN PLANNING				

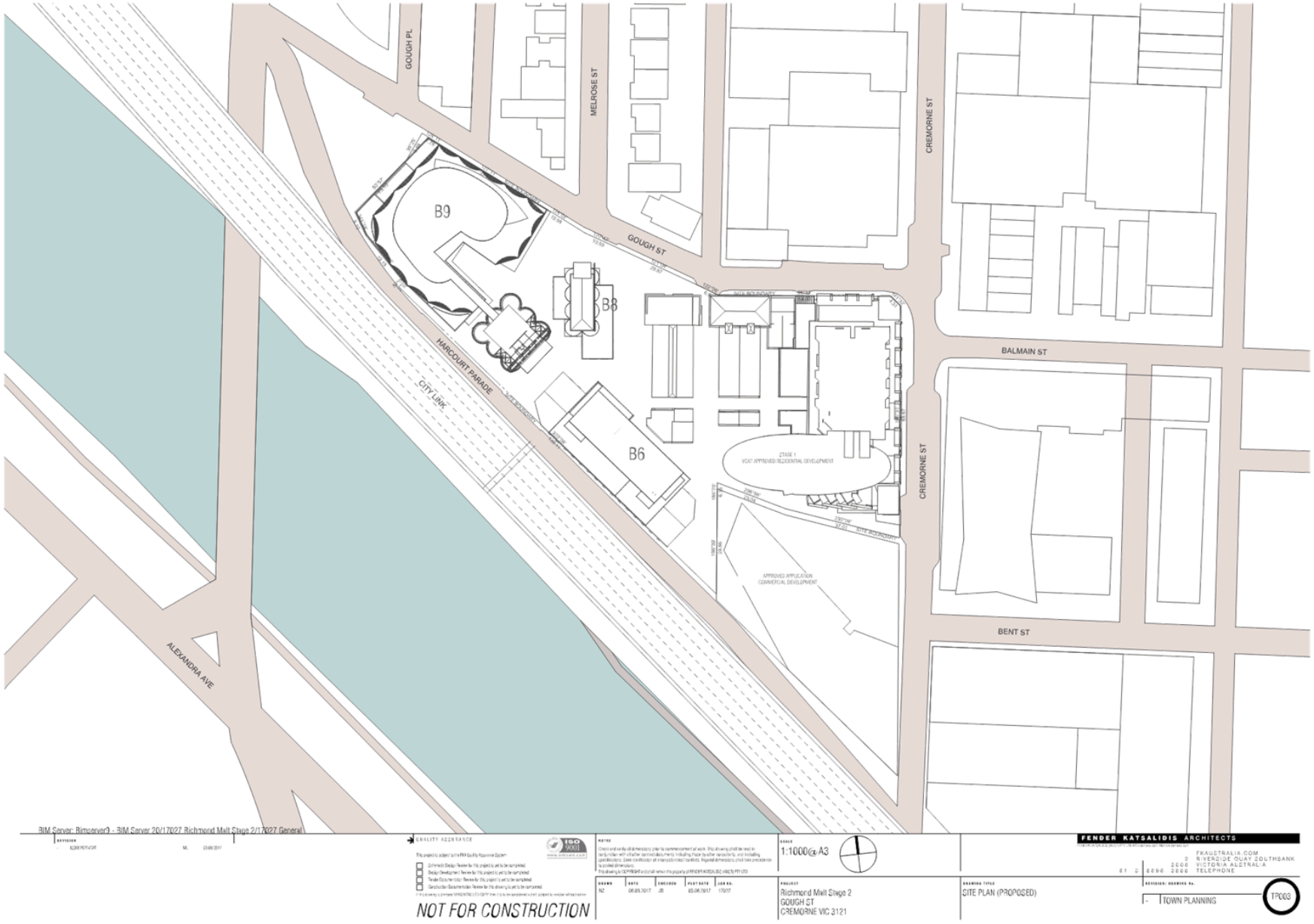
Attachment 1 - 2 Gough Street Cremorne - Part 1 of 12



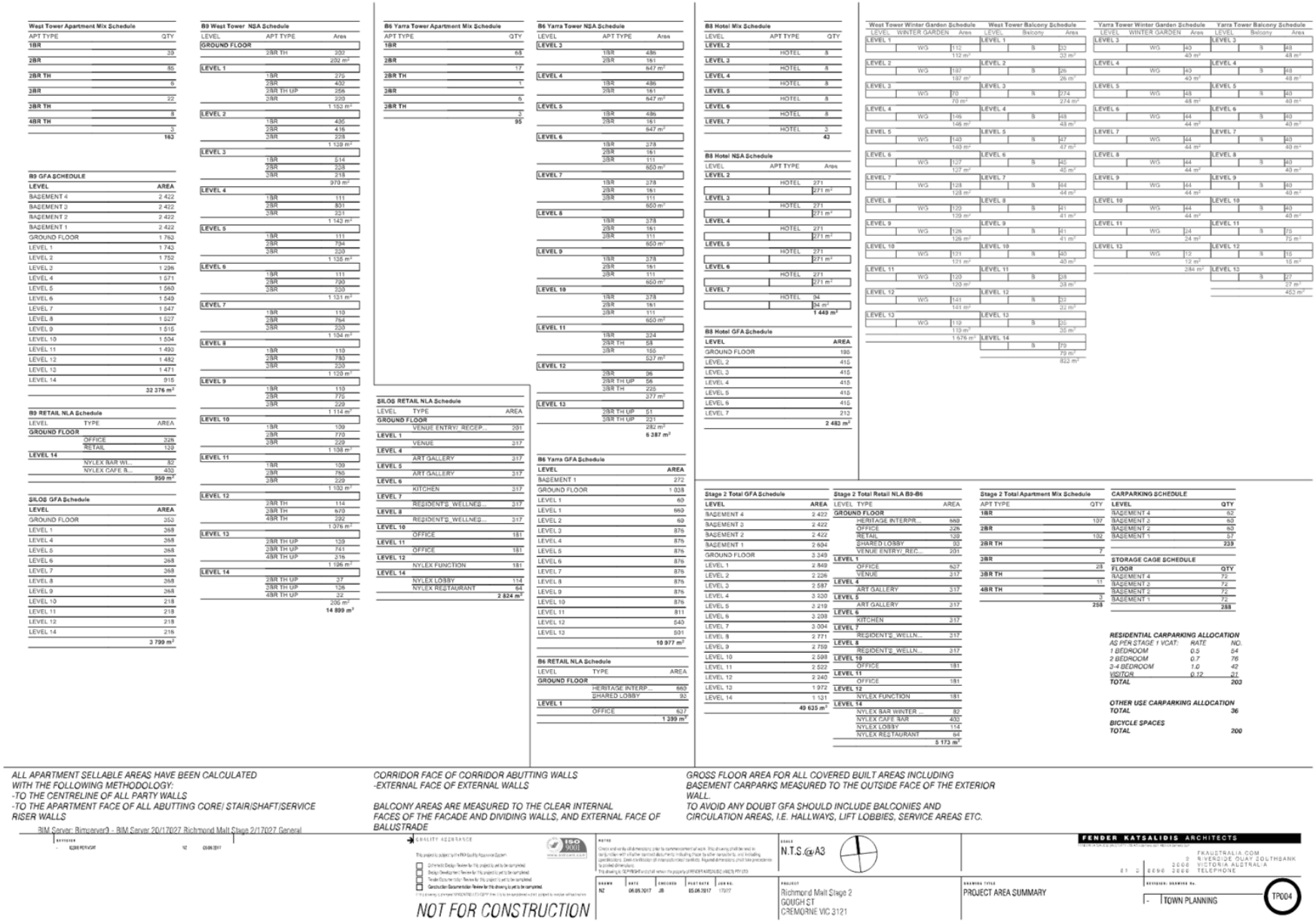
Attachment 1 - 2 Gough Street Cremorne - Part 1 of 12



Attachment 1 - 2 Gough Street Cremorne - Part 1 of 12



Attachment 1 - 2 Gough Street Cremorne - Part 1 of 12



West Tower Apartment Mix Schedule

APT TYPE	QTY
1BR	39
2BR	85
2BR TH	8
3BR	22
3BR TH	8
4BR TH	3
	163

B9 GFA SCHEDULE

LEVEL	AREA
BASEMENT 4	2 422
BASEMENT 3	2 422
BASEMENT 2	2 422
BASEMENT 1	2 422
GROUND FLOOR	1 763
LEVEL 1	1 743
LEVEL 2	1 752
LEVEL 3	1 296
LEVEL 4	1 571
LEVEL 5	1 560
LEVEL 6	1 549
LEVEL 7	1 547
LEVEL 8	1 527
LEVEL 9	1 515
LEVEL 10	1 504
LEVEL 11	1 493
LEVEL 12	1 482
LEVEL 13	1 471
LEVEL 14	915
	32 376 m²

B9 RETAIL NLA Schedule

LEVEL	TYPE	AREA
GROUND FLOOR		
	OFFICE	326
	RETAIL	129
LEVEL 14		
	NYLEX BAR WI...	82
	NYLEX CAFE R...	403
		939 m²

SILOS GFA Schedule

LEVEL	AREA
GROUND FLOOR	353
LEVEL 1	368
LEVEL 4	368
LEVEL 5	368
LEVEL 6	368
LEVEL 7	368
LEVEL 8	368
LEVEL 9	368
LEVEL 10	218
LEVEL 11	218
LEVEL 12	218
LEVEL 14	216
	3 799 m²

B9 West Tower NSA Schedule

LEVEL	APT TYPE	Area
GROUND FLOOR		
	2BR TH	202
		202 m²
LEVEL 1		
	1BR	275
	2BR	402
	2BR TH UP	256
	3BR	220
		1 153 m²
LEVEL 2		
	1BR	435
	2BR	416
	3BR	228
		1 139 m²
LEVEL 3		
	1BR	514
	2BR	228
	3BR	218
		970 m²
LEVEL 4		
	1BR	111
	2BR	831
	3BR	221
		1 143 m²
LEVEL 5		
	1BR	111
	2BR	794
	3BR	220
		1 126 m²
LEVEL 6		
	1BR	111
	2BR	790
	3BR	220
		1 131 m²
LEVEL 7		
	1BR	110
	2BR	764
	3BR	220
		1 104 m²
LEVEL 8		
	1BR	110
	2BR	780
	3BR	220
		1 120 m²
LEVEL 9		
	1BR	110
	2BR	775
	3BR	229
		1 114 m²
LEVEL 10		
	1BR	109
	2BR	770
	3BR	229
		1 108 m²
LEVEL 11		
	1BR	109
	2BR	765
	3BR	229
		1 103 m²
LEVEL 12		
	2BR TH	114
	3BR TH	670
	4BR TH	282
		1 076 m²
LEVEL 13		
	2BR TH UP	139
	3BR TH UP	741
	4BR TH UP	316
		1 196 m²
LEVEL 14		
	2BR TH UP	37
	3BR TH UP	126
	4BR TH UP	22
		206 m²
		14 899 m²

B6 Yarra Tower Apartment Mix Schedule

APT TYPE	QTY
1BR	68
2BR	17
2BR TH	1
3BR	6
3BR TH	3
	95

SILOS RETAIL NLA Schedule

LEVEL	TYPE	AREA
GROUND FLOOR		
	VENUE ENTRY/ RECEP...	201
LEVEL 1		
	VENUE	317
LEVEL 4		
	ART GALLERY	317
LEVEL 5		
	ART GALLERY	317
LEVEL 6		
	KITCHEN	317
LEVEL 7		
	RESIDENTS' WELLNES...	317
LEVEL 8		
	RESIDENTS' WELLNES...	317
LEVEL 10		
	OFFICE	181
LEVEL 11		
	OFFICE	181
LEVEL 12		
	NYLEX FUNCTION	181
LEVEL 14		
	NYLEX LOBBY	114
	NYLEX RESTAURANT	64
		2 824 m²

B6 Yarra Tower NSA Schedule

LEVEL	APT TYPE	Area
LEVEL 3		
	1BR	486
	2BR	161
		647 m²
LEVEL 4		
	1BR	486
	2BR	161
		647 m²
LEVEL 5		
	1BR	486
	2BR	161
		647 m²
LEVEL 6		
	1BR	378
	2BR	161
	3BR	111
		650 m²
LEVEL 7		
	1BR	378
	2BR	161
	3BR	111
		650 m²
LEVEL 8		
	1BR	378
	2BR	161
	3BR	111
		650 m²
LEVEL 9		
	1BR	378
	2BR	161
	3BR	111
		650 m²
LEVEL 10		
	1BR	378
	2BR	161
	3BR	111
		650 m²
LEVEL 11		
	1BR	324
	2BR TH	58
	3BR	155
		537 m²
LEVEL 12		
	2BR	96
	2BR TH UP	56
	3BR TH	225
		377 m²
LEVEL 13		
	2BR TH UP	51
	3BR TH UP	231
		282 m²
		6 387 m²

B6 Yarra GFA Schedule

LEVEL	AREA
BASEMENT 1	272
GROUND FLOOR	1 038
LEVEL 1	60
LEVEL 1	669
LEVEL 2	60
LEVEL 3	876
LEVEL 4	876
LEVEL 5	876
LEVEL 6	876
LEVEL 7	876
LEVEL 8	876
LEVEL 9	876
LEVEL 10	876
LEVEL 11	811
LEVEL 12	540
LEVEL 13	591
	10 977 m²

B6 RETAIL NLA Schedule

LEVEL	TYPE	AREA
GROUND FLOOR		
	HERITAGE INTERP...	660
	SHARED LOBBY	92
LEVEL 1		
	OFFICE	627
		1 399 m²

B8 Hotel Mix Schedule

LEVEL	APT TYPE	QTY
LEVEL 2		
	HOTEL	8
LEVEL 3		
	HOTEL	8
LEVEL 4		
	HOTEL	8
LEVEL 5		
	HOTEL	8
LEVEL 6		
	HOTEL	8
LEVEL 7		
	HOTEL	3
		43

B8 Hotel NSA Schedule

LEVEL	APT TYPE	Area
LEVEL 2		
	HOTEL	271
		271 m²
LEVEL 3		
	HOTEL	271
		271 m²
LEVEL 4		
	HOTEL	271
		271 m²
LEVEL 5		
	HOTEL	271
		271 m²
LEVEL 6		
	HOTEL	271
		271 m²
LEVEL 7		
	HOTEL	94
		94 m²
		1 449 m²

B8 Hotel GFA Schedule

LEVEL	AREA
GROUND FLOOR	198
LEVEL 2	415
LEVEL 3	415
LEVEL 4	415
LEVEL 5	415
LEVEL 6	415
LEVEL 7	213
	2 483 m²

West Tower Winter Garden Schedule / West Tower Balcony Schedule

LEVEL	WINTER GARDEN	Area	LEVEL	Balcony	Area
LEVEL 1	WG1	112	LEVEL 1	B	32
		112 m²			32 m²
LEVEL 2	WG1	187	LEVEL 2	B	26
		187 m²			26 m²
LEVEL 3	WG1	70	LEVEL 3	B	274
		70 m²			274 m²
LEVEL 4	WG1	146	LEVEL 4	B	48
		146 m²			48 m²
LEVEL 5	WG1	140	LEVEL 5	B	47
		140 m²			47 m²
LEVEL 6	WG1	127	LEVEL 6	B	45
		127 m²			45 m²
LEVEL 7	WG1	128	LEVEL 7	B	44
		128 m²			44 m²
LEVEL 8	WG1	129	LEVEL 8	B	41
		129 m²			41 m²
LEVEL 9	WG1	126	LEVEL 9	B	41
		126 m²			41 m²
LEVEL 10	WG1	121	LEVEL 10	B	40
		121 m²			40 m²
LEVEL 11	WG1	120	LEVEL 11	B	38
		120 m²			38 m²
LEVEL 12	WG1	141	LEVEL 12	B	32
		141 m²			32 m²
LEVEL 13	WG1	119	LEVEL 13	B	35
		119 m²			35 m²
		1 676 m²	LEVEL 14	B	79
					79 m²
					822 m²

Yarra Tower Winter Garden Schedule / Yarra Tower Balcony Schedule

LEVEL	WINTER GARDEN	Area	LEVEL	Balcony	Area
LEVEL 3	WG1	40	LEVEL 3	B	48
		40 m²			48 m²
LEVEL 4	WG1	40	LEVEL 4	B	48
		40 m²			48 m²
LEVEL 5	WG1	48	LEVEL 5	B	40
		48 m²			40 m²
LEVEL 6	WG1	44	LEVEL 6	B	40
		44 m²			40 m²
LEVEL 7	WG1	44	LEVEL 7	B	40
		44 m²			40 m²
LEVEL 8	WG1	44	LEVEL 8	B	40
		44 m²			40 m²
LEVEL 9	WG1	44	LEVEL 9	B	40
		44 m²			40 m²
LEVEL 10	WG1	44	LEVEL 10	B	40
		44 m²			40 m²
LEVEL 11	WG1	24	LEVEL 11	B	75
		24 m²			75 m²
LEVEL 12	WG1	12	LEVEL 12	B	15
		12 m²			15 m²
		284 m²	LEVEL 13	B	27
					27 m²
					452 m²

Stage 2 Total GFA Schedule

LEVEL	AREA
BASEMENT 4	2 422
BASEMENT 3	2 422
BASEMENT 2	2 422
BASEMENT 1	2 604
GROUND FLOOR	3 348
LEVEL 1	2 849
LEVEL 2	2 226
LEVEL 3	2 587
LEVEL 4	3 220
LEVEL 5	3 219
LEVEL 6	3 208
LEVEL 7	3 004
LEVEL 8	2 771
LEVEL 9	2 759
LEVEL 10	2 599
LEVEL 11	2 522
LEVEL 12	2 240
LEVEL 13	1 972
LEVEL 14	1 131
	49 635 m²

Stage 2 Total Retail NLA B9-B6

LEVEL	TYPE	AREA
GROUND FLOOR		
	HERITAGE INTERPR...	660
	OFFICE	326
	RETAIL	129
	SHARED LOBBY	93
	VENUE ENTRY/ REC...	201
LEVEL 1		
	OFFICE	627
	VENUE	317
LEVEL 4		
	ART GALLERY	317
LEVEL 5		
	ART GALLERY	317
LEVEL 6		
	KITCHEN	317
LEVEL 7		
	RESIDENTS' WELLN...	317
LEVEL 8		
	RESIDENTS' WELLN...	317
LEVEL 10		
	OFFICE	181
LEVEL 11		
	OFFICE	181
LEVEL 12		
	NYLEX FUNCTION	181
LEVEL 14		
	NYLEX BAR WINTER ...	82
	NYLEX CAFE BAR	403
	NYLEX LOBBY	114
	NYLEX RESTAURANT	64
		5 173 m²

Stage 2 Total Apartment Mix Schedule

APT TYPE	QTY
1BR	197
2BR	192
2BR TH	7
3BR	23
3BR TH	11
4BR TH	3
	258

CARPARKING SCHEDULE

LEVEL	QTY
BASEMENT 4	62
BASEMENT 3	60
BASEMENT 2	63
BASEMENT 1	57
	239

STORAGE CAGE SCHEDULE

FLOOR	QTY
BASEMENT 4	72
BASEMENT 3	72
BASEMENT 2	72
BASEMENT 1	72
	288

RESIDENTIAL CARPARKING ALLOCATION

AS PER STAGE 1 VCAT:	RATE	NO.
1 BEDROOM	0.5	54
2 BEDROOM	0.7	76
3-4 BEDROOM	1.0	42
VISITOR	0.12	31
TOTAL		203

OTHER USE CARPARKING ALLOCATION

TOTAL	36

BICYCLE SPACES

TOTAL	200

ALL APARTMENT SELLABLE AREAS HAVE BEEN CALCULATED WITH THE FOLLOWING METHODOLOGY:
-TO THE CENTRELINE OF ALL PARTY WALLS
-TO THE APARTMENT FACE OF ALL ABUTTING CORE/ STAIR/SHAFT/SERVICE RISER WALLS

CORRIDOR FACE OF CORRIDOR ABUTTING WALLS
-EXTERNAL FACE OF EXTERNAL WALLS

BALCONY AREAS ARE MEASURED TO THE CLEAR INTERNAL FACES OF THE FACADE AND DIVIDING WALLS, AND EXTERNAL FACE OF BALUSTRADE

GROSS FLOOR AREA FOR ALL COVERED BUILT AREAS INCLUDING BASEMENT CARPARKS MEASURED TO THE OUTSIDE FACE OF THE EXTERIOR WALL.
TO AVOID ANY DOUBT GFA SHOULD INCLUDE BALCONIES AND CIRCULATION AREAS, I.E. HALLWAYS, LIFT LOBBIES, SERVICE AREAS ETC.

BIM Server: Bimserver3 - BIM Server 20/17027 Richmond Malt Stage 2/17027 General

NOT FOR CONSTRUCTION

N.T.S.@A3

FENDER KATSALIDIS ARCHITECTS

FKAUSTRALIA.COM
2 RIVERSIDE QUAY SOUTHBANK
3006 VICTORIA AUSTRALIA
61 3 8696 3666 TELEPHONE

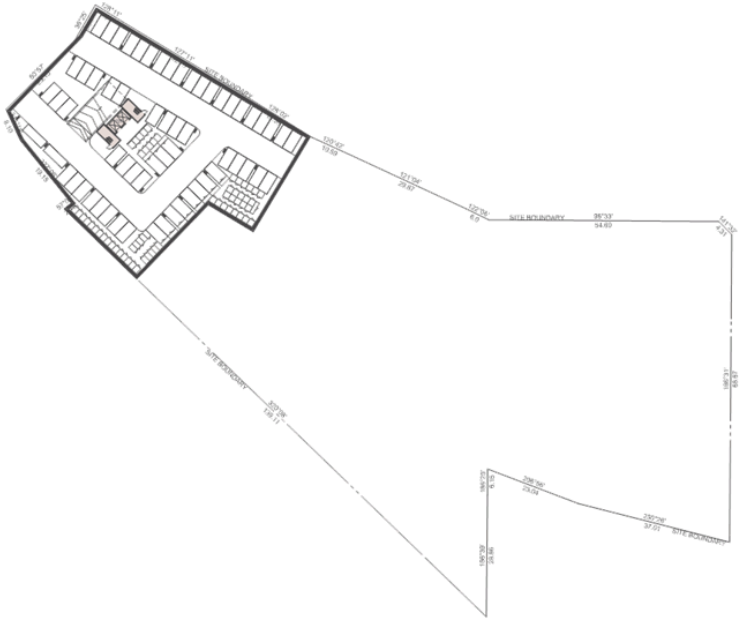
Richmond Malt Stage 2
GOUGH ST
CREMORNE VIC 3121

PROJECT AREA SUMMARY

- TOWN PLANNING

TP004

Attachment 1 - 2 Gough Street Cremorne - Part 1 of 12



BIM Server: Bimserver3 - BIM Server 20/17027 Richmond Mall Stage 2/17027 General

QUALITY ASSURANCE

ISO 9001

NOT FOR CONSTRUCTION

1:1000@A3

Richmond Mall Stage 2
GOUGH ST
CREMORNE VIC 3121

BASEMENT LEVEL 4

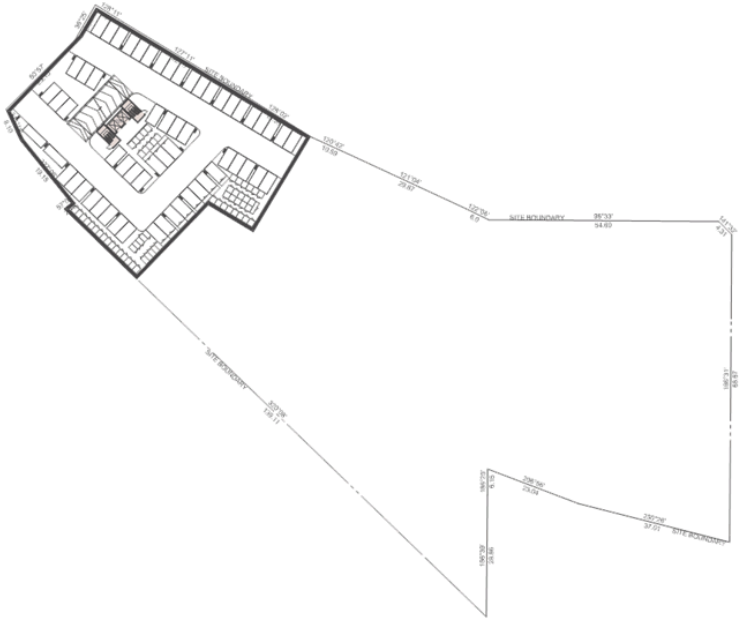
FENDER KATSALIDIS ARCHITECTS

FKAUSTRALIA.COM
2 RIVERSIDE QUAY SOUTHBANK
3006 VICTORIA AUSTRALIA
61 3 8696 3666 TELEPHONE

TOWN PLANNING

TP096

Attachment 1 - 2 Gough Street Cremorne - Part 1 of 12



BIM Server: Bimserver3 - BIM Server 20/17027 Richmond Mall Stage 2/17027 General

QUALITY ASSURANCE

ISO 9001

NOT FOR CONSTRUCTION

1:1000@A3

Richmond Mall Stage 2
GOUGH ST
CREMORNE VIC 3121

BASEMENT LEVEL 3

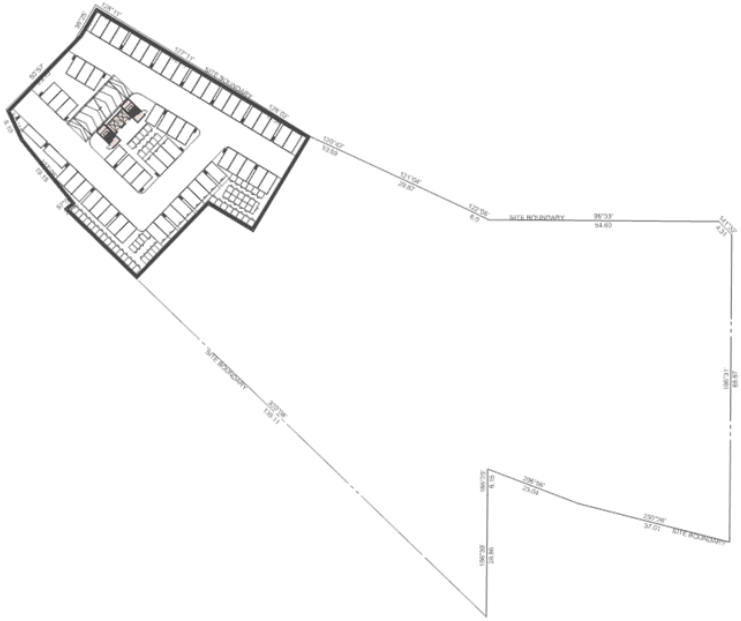
FENDER KATSALIDIS ARCHITECTS

FKAUSTRALIA.COM
2 RIVERSIDE QUAY SOUTHBANK
3006 VICTORIA AUSTRALIA
61 3 8696 3666 TELEPHONE

TOWN PLANNING

TP097

Attachment 1 - 2 Gough Street Cremorne - Part 1 of 12



BIM Server: Bimserver3 - BIM Server 20/17027 Richmond Mall Stage 2/17027 General

QUALITY ASSURANCE

ISO 9001

NOT FOR CONSTRUCTION

1:1000@A3

Richmond Mall Stage 2
GOUGH ST
CREMORNE VIC 3121

BASEMENT LEVEL 2

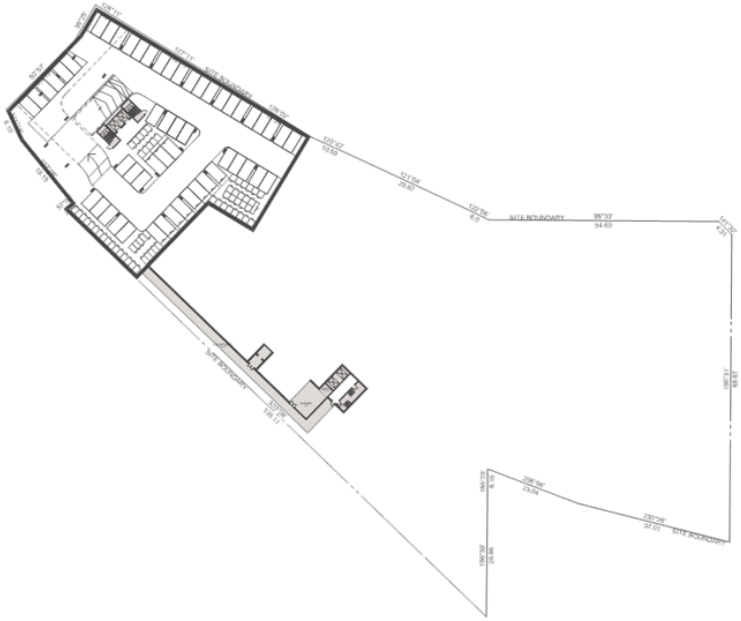
FENDER KATSALIDIS ARCHITECTS

FKAUSTRALIA.COM
2 RIVERSIDE QUAY SOUTHBANK
3006 VICTORIA AUSTRALIA
61 3 8696 3666 TELEPHONE

TOWN PLANNING

TP098

Attachment 1 - 2 Gough Street Cremorne - Part 1 of 12



BIM Server: Bimserver3 - BIM Server 20/17027 Richmond Mall Stage 2/17027 General

QUALITY ASSURANCE

ISO 9001

NOT FOR CONSTRUCTION

1:1000@A3

Richmond Mall Stage 2
GOUGH ST
CREMORNE VIC 3121

BASEMENT LEVEL 1

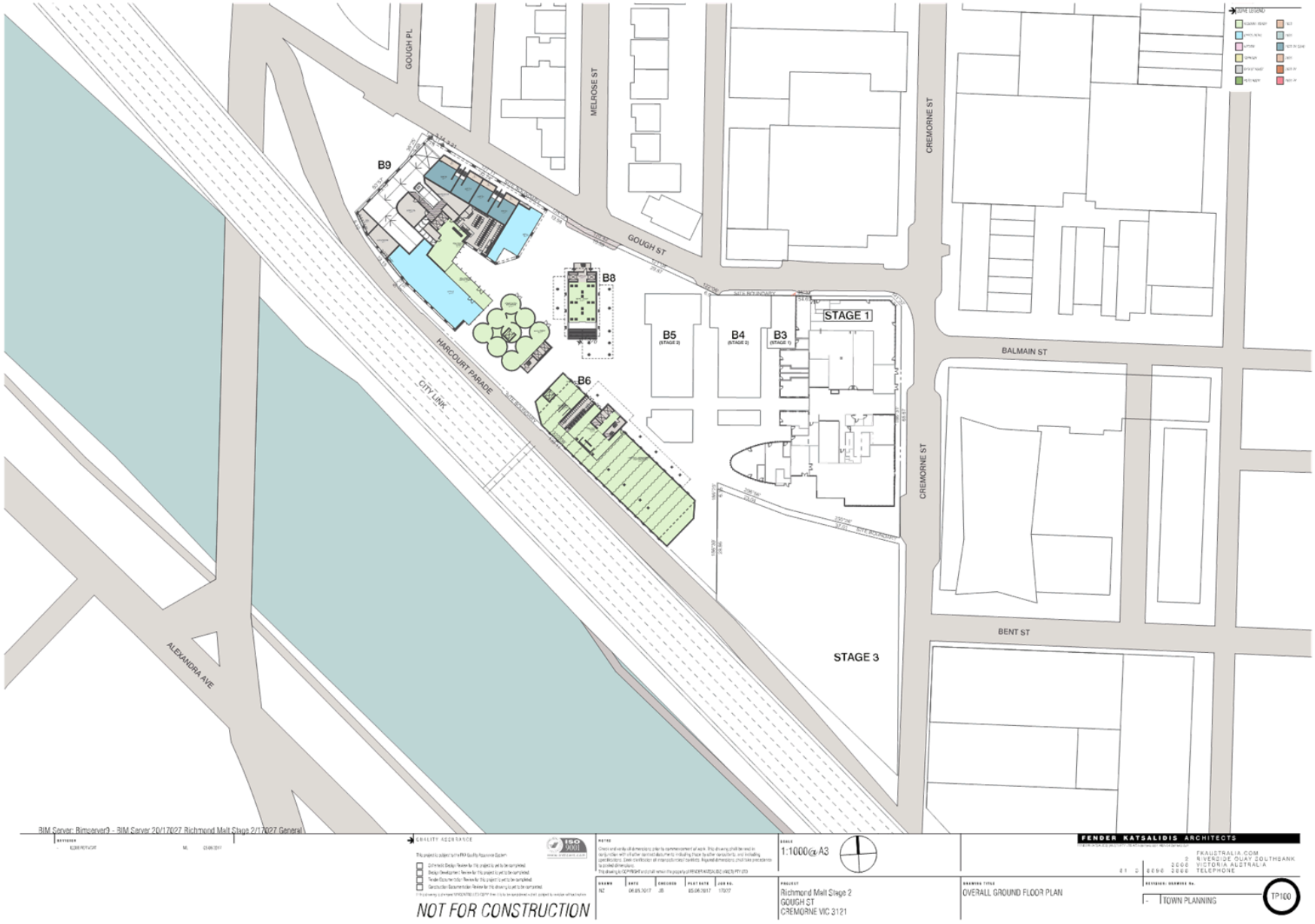
FENDER KATSALIDIS ARCHITECTS

FKAUSTRALIA.COM
2 RIVERSIDE QUAY SOUTHBANK
3006 VICTORIA AUSTRALIA
61 3 8696 3888 TELEPHONE

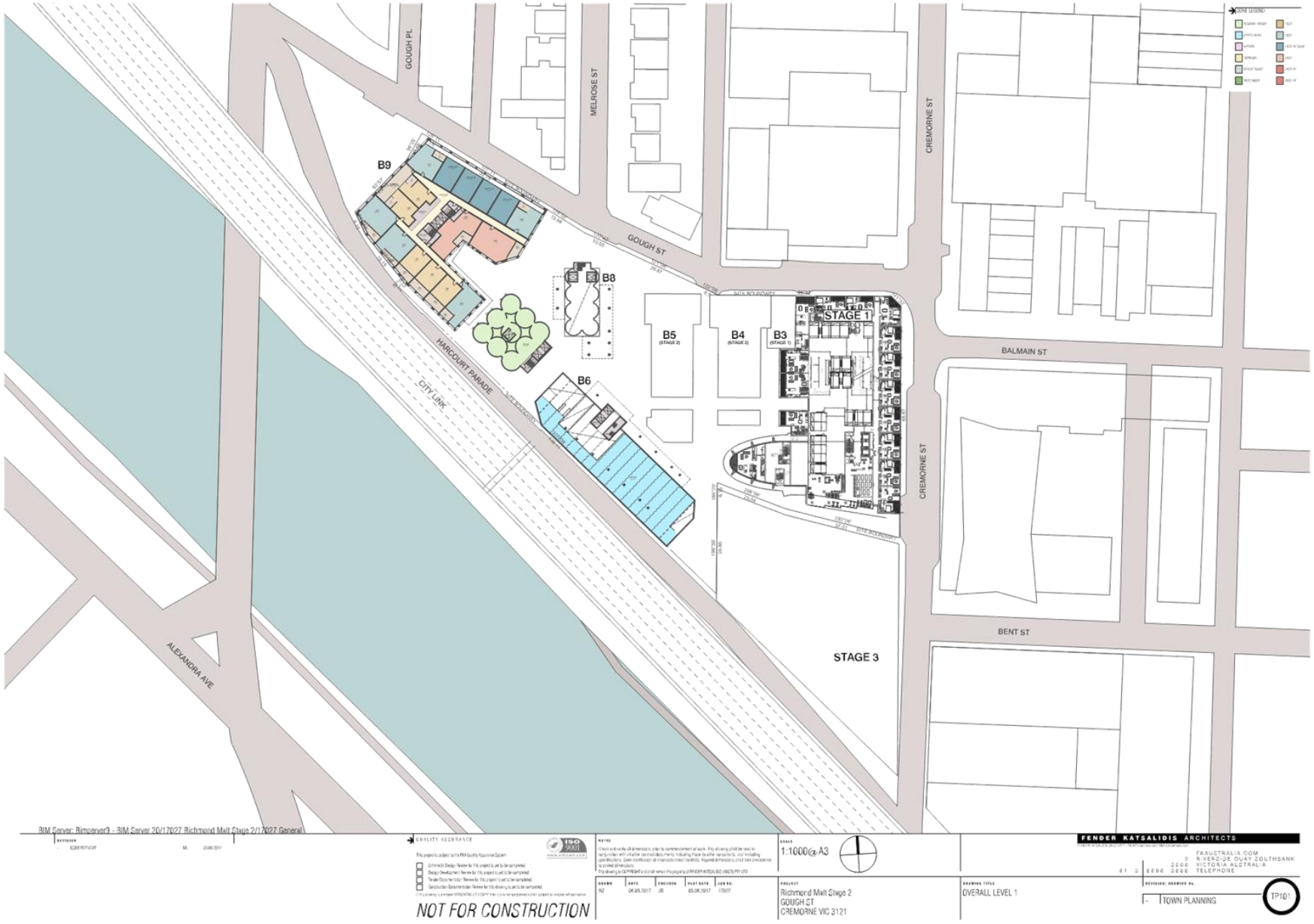
TOWN PLANNING

TP099

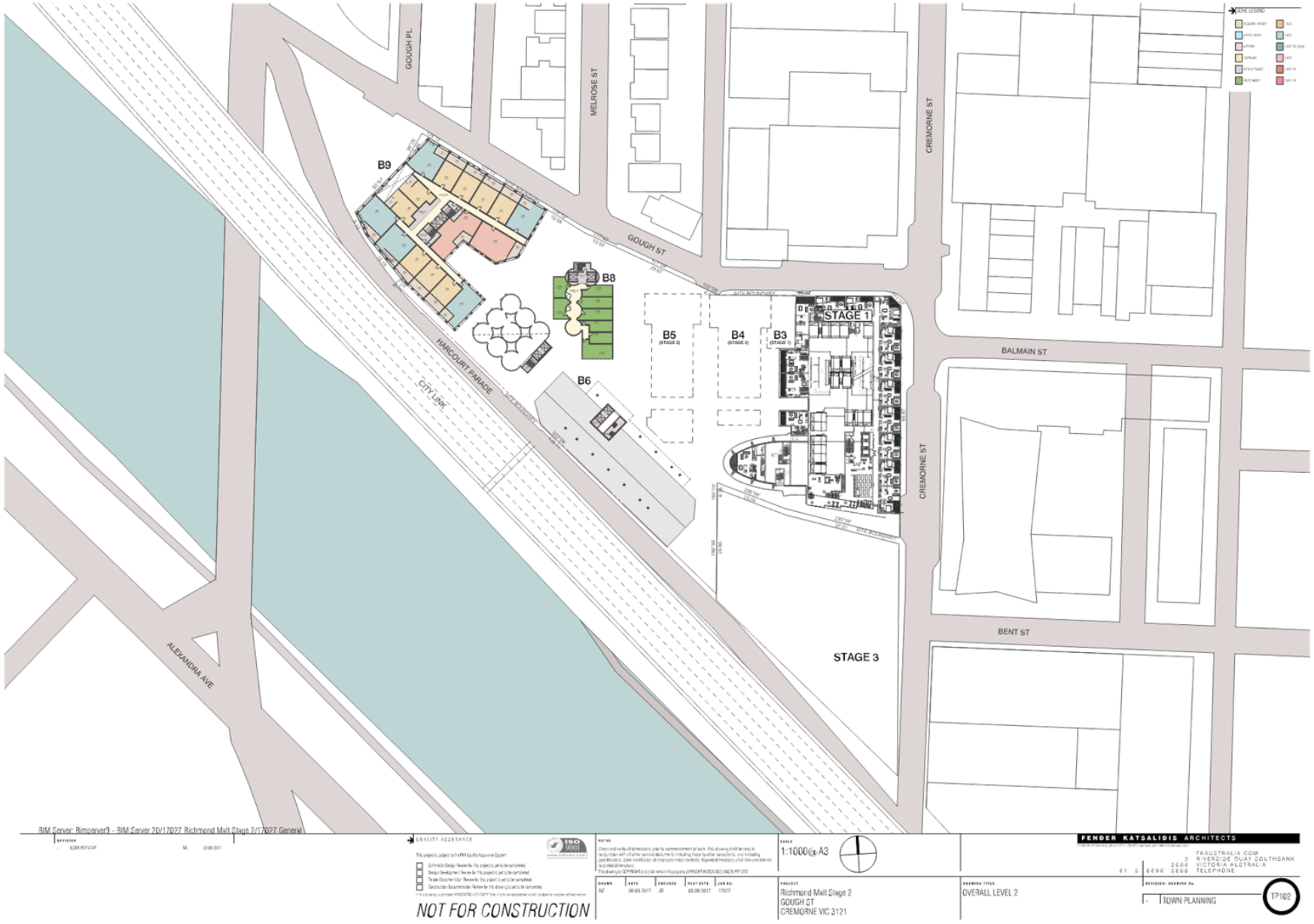
Attachment 1 - 2 Gough Street Cremorne - Part 1 of 12



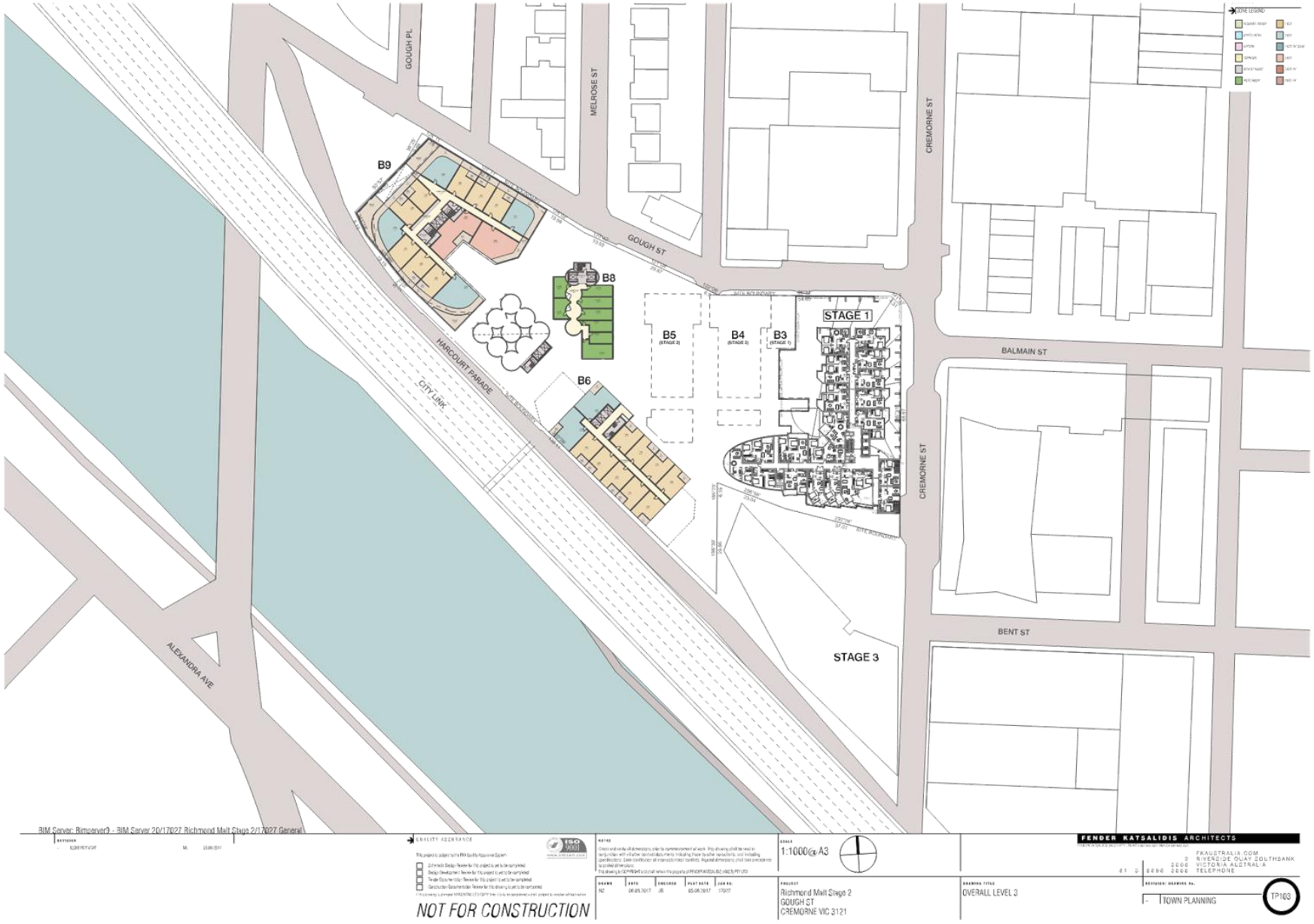
Attachment 2 - 2 Gough Street Cremorne - Part 2 of 12



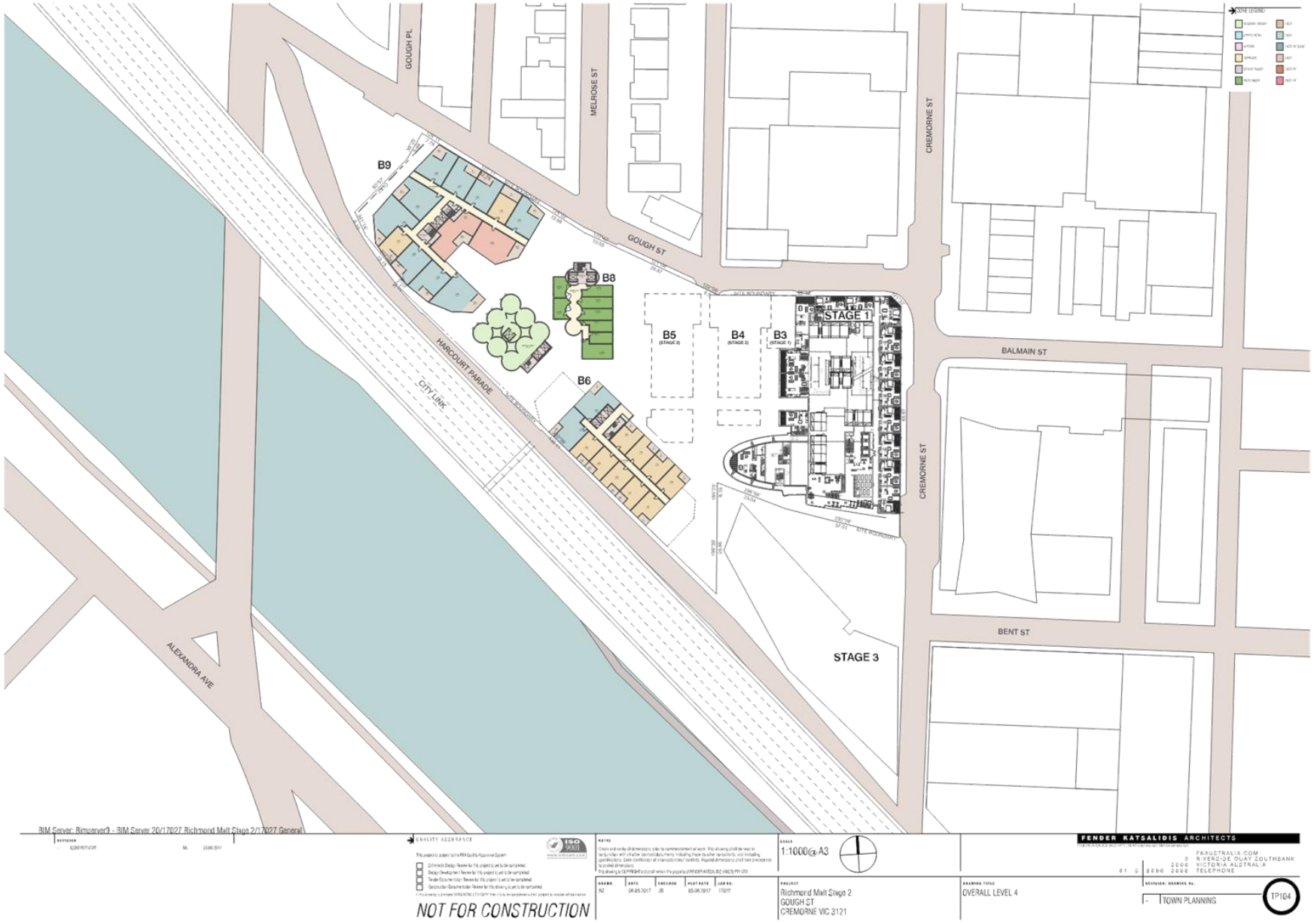
Attachment 2 - 2 Gough Street Cremorne - Part 2 of 12



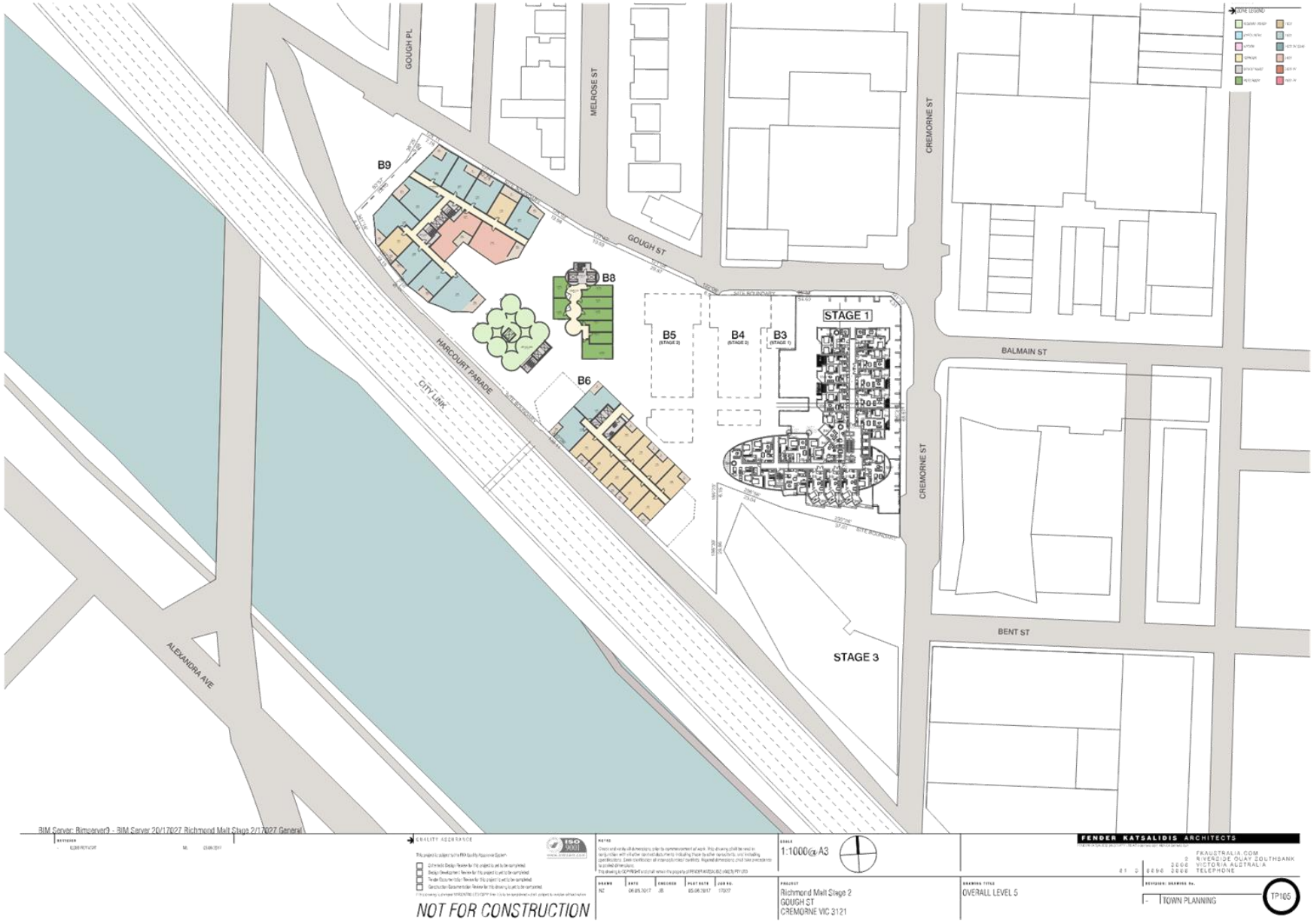
Attachment 2 - 2 Gough Street Cremorne - Part 2 of 12



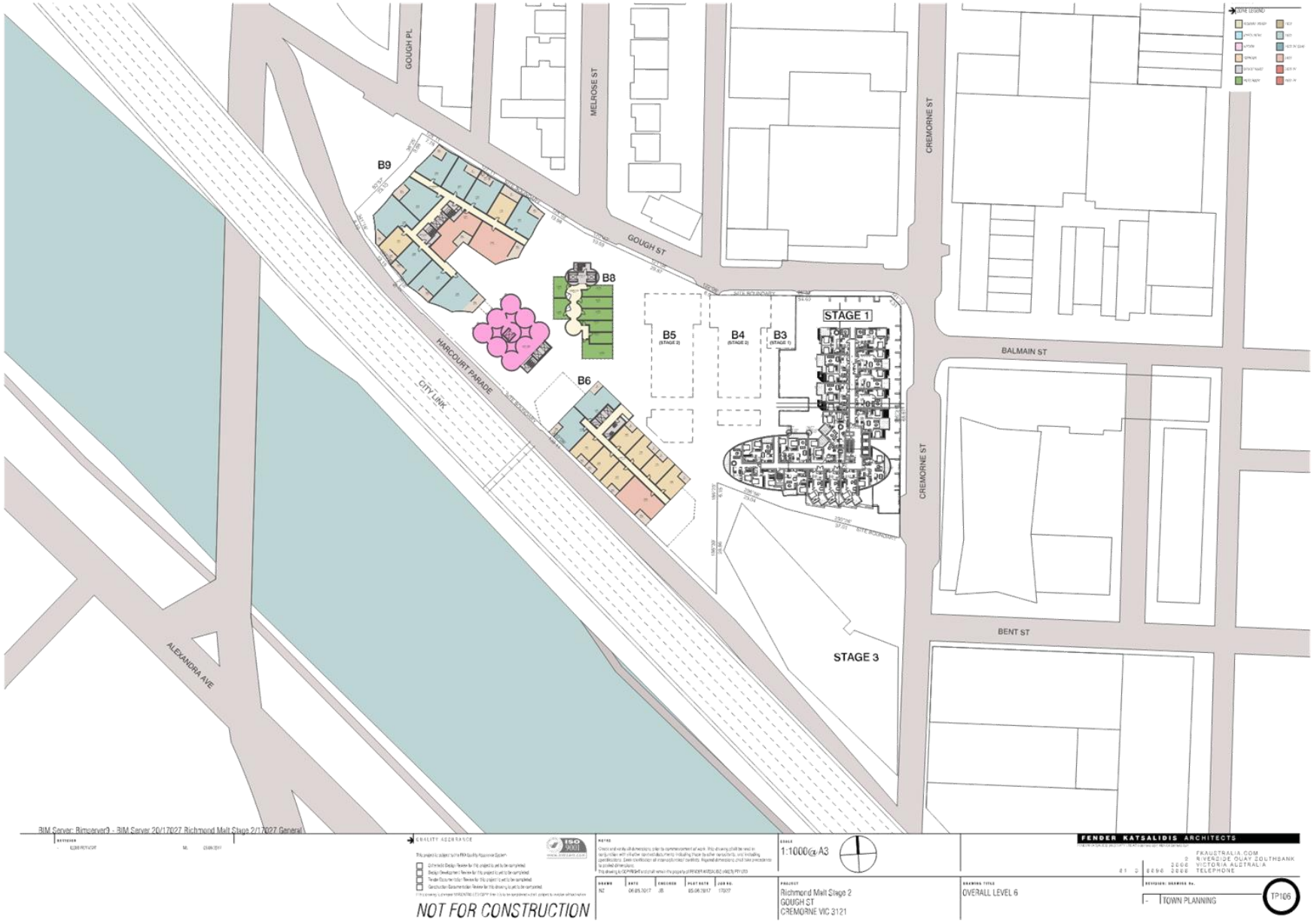
Attachment 2 - 2 Gough Street Cremorne - Part 2 of 12



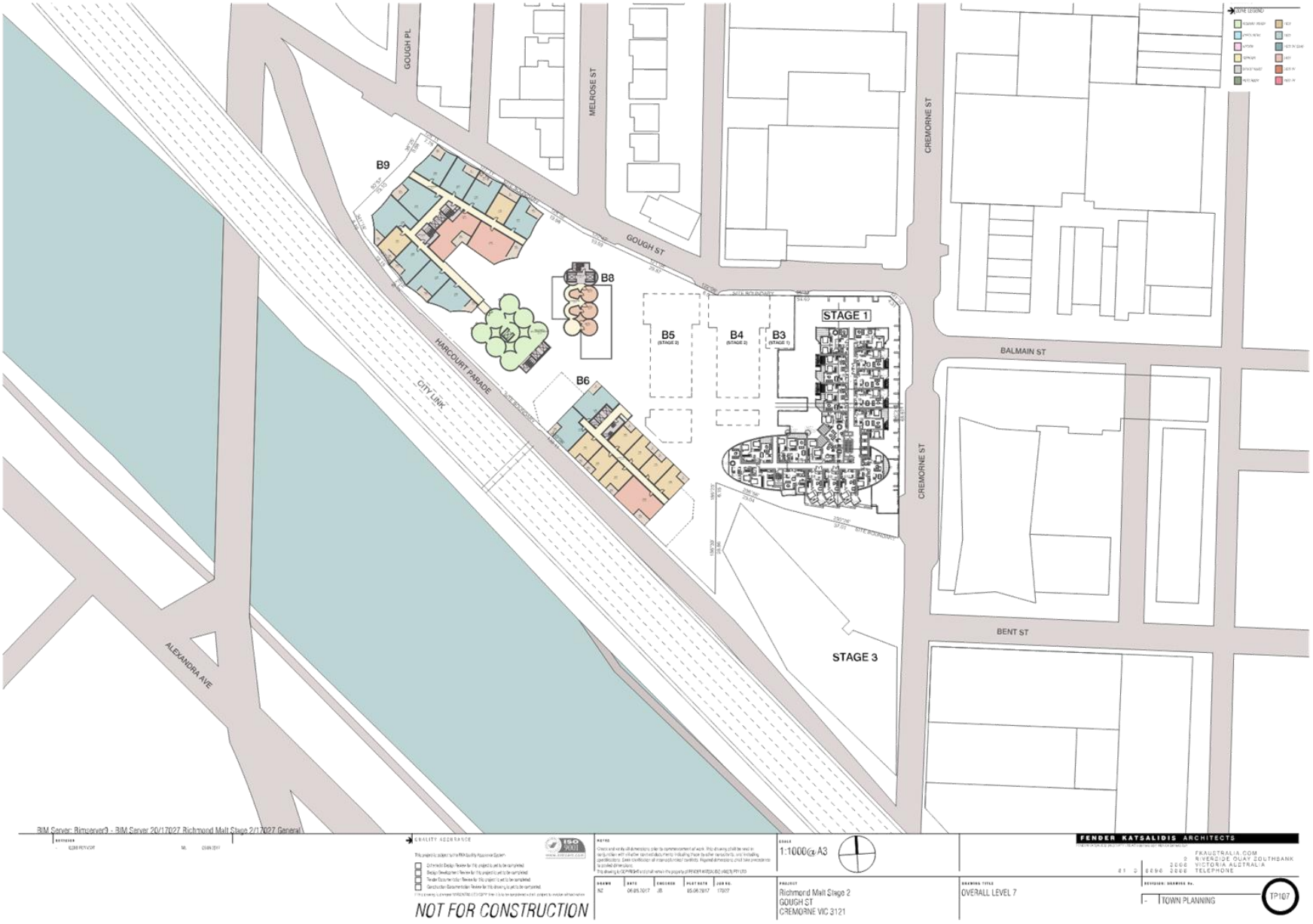
Attachment 2 - 2 Gough Street Cremorne - Part 2 of 12



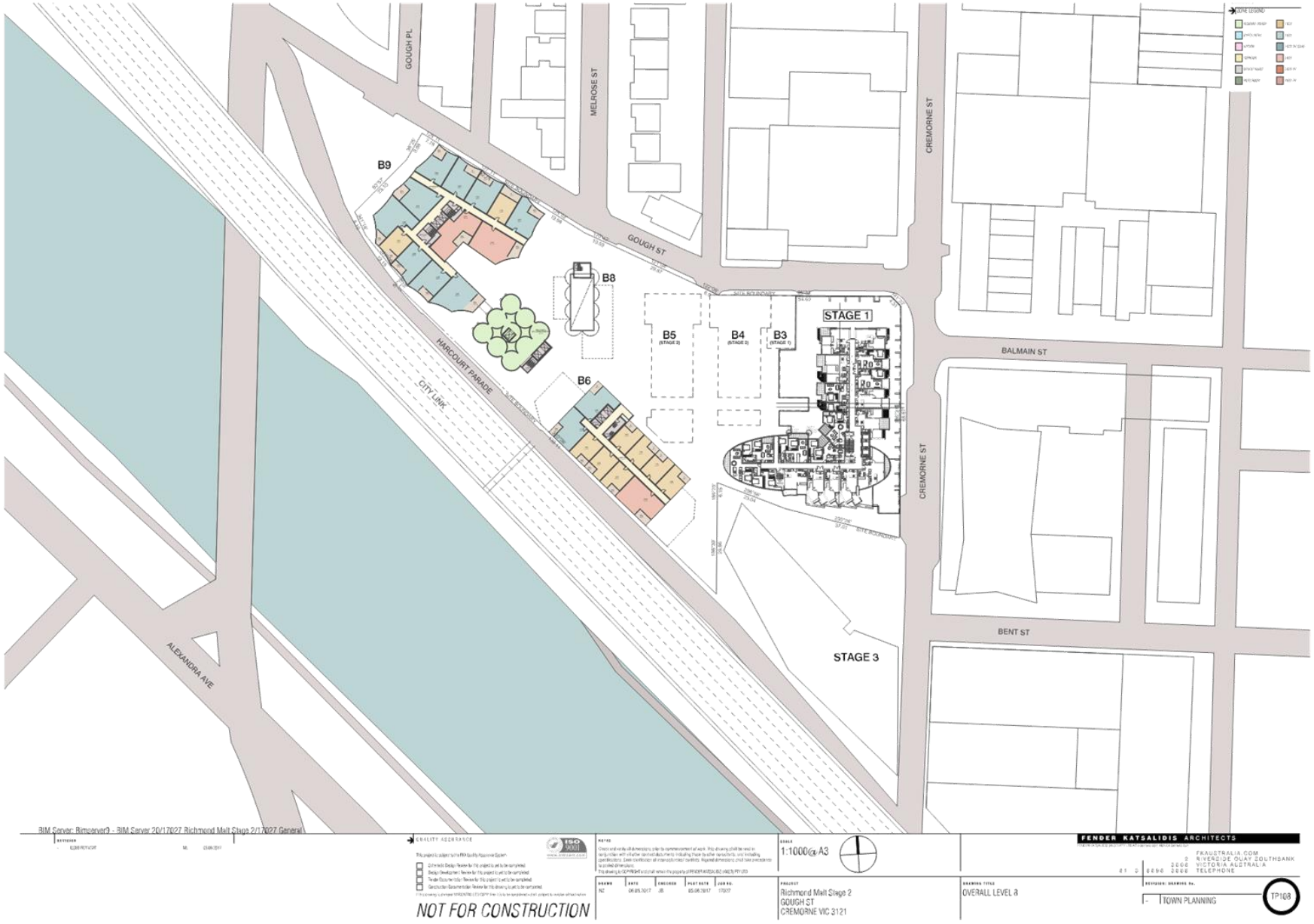
Attachment 2 - 2 Gough Street Cremorne - Part 2 of 12



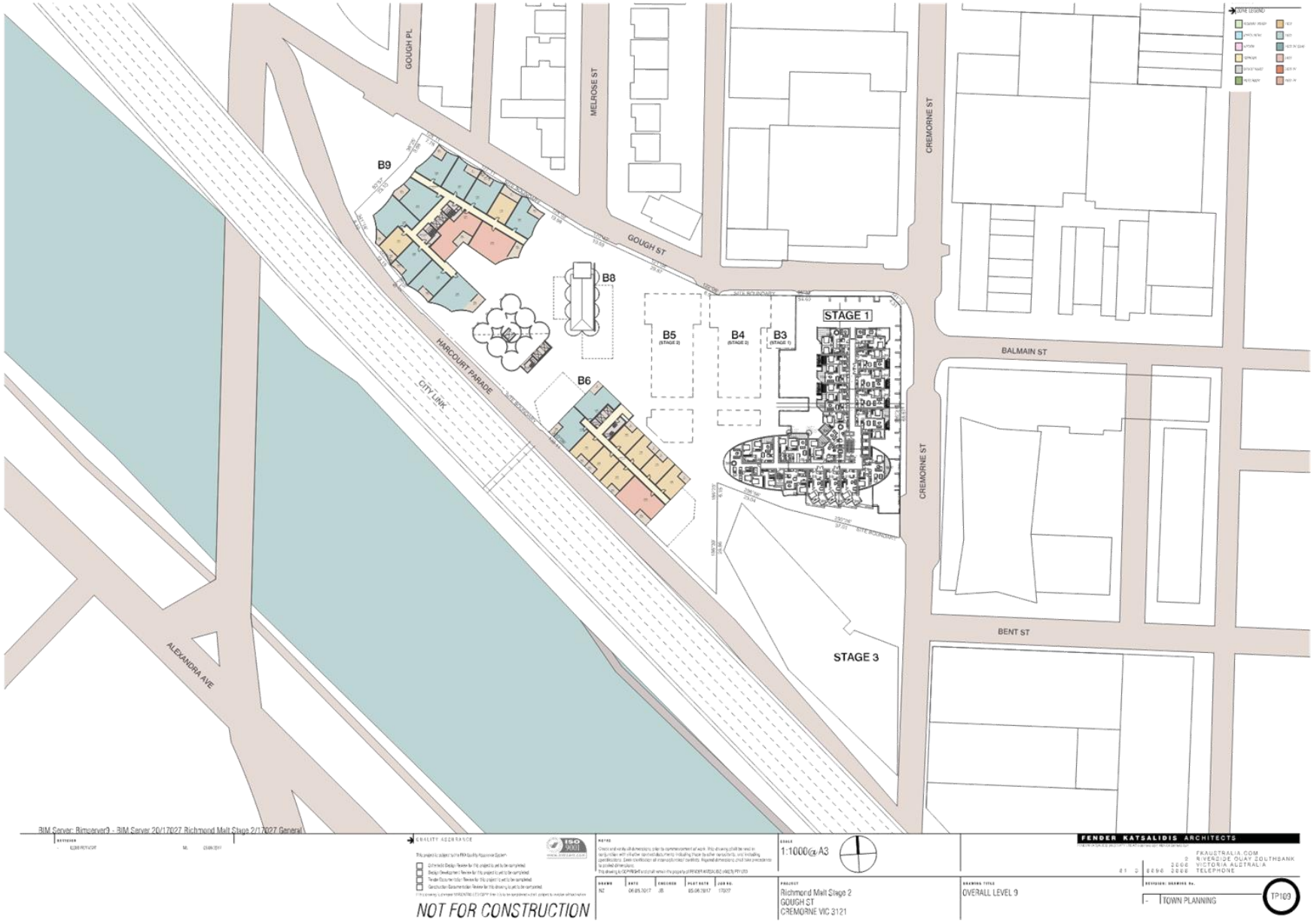
Attachment 2 - 2 Gough Street Cremorne - Part 2 of 12



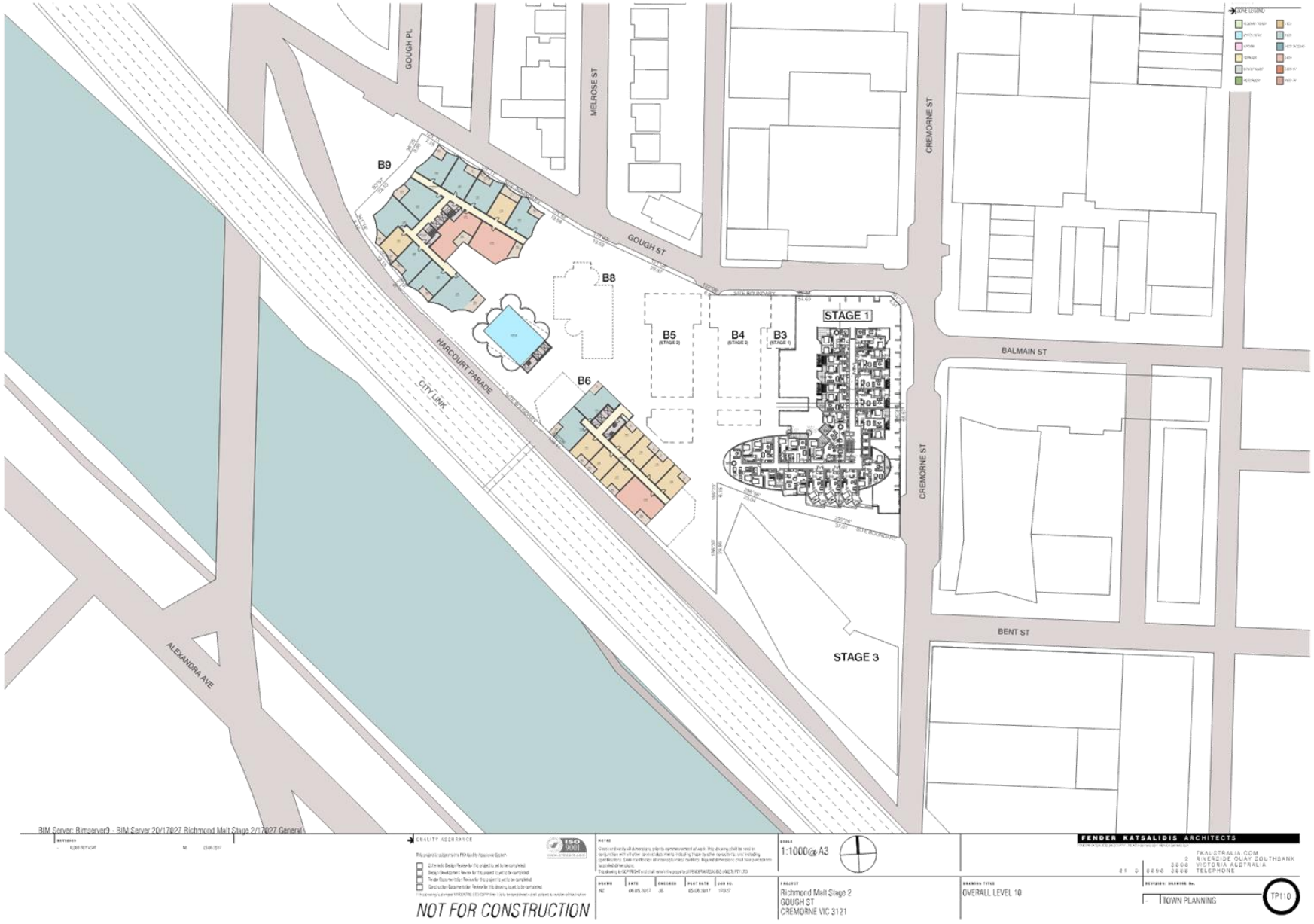
Attachment 2 - 2 Gough Street Cremorne - Part 2 of 12



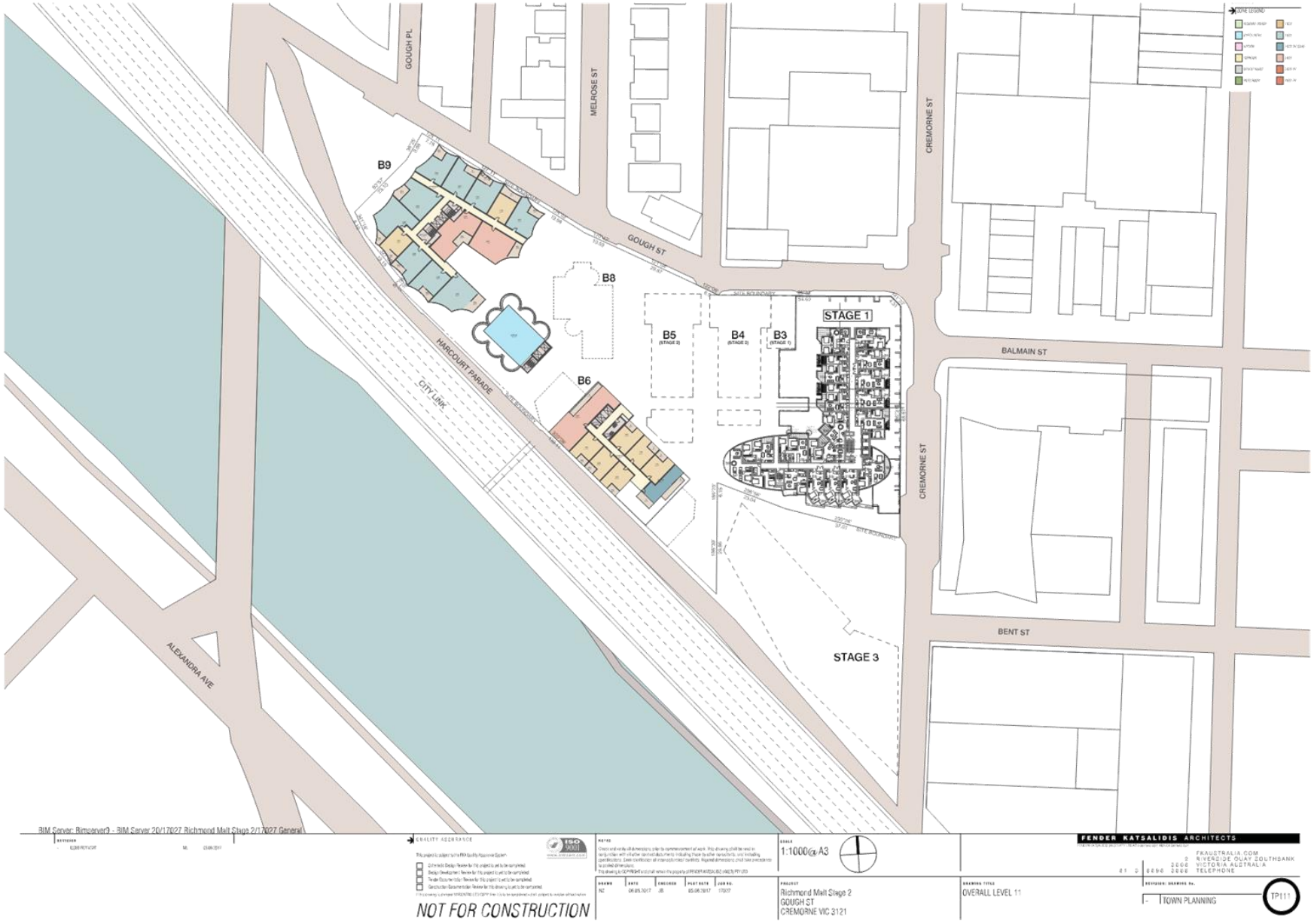
Attachment 2 - 2 Gough Street Cremorne - Part 2 of 12



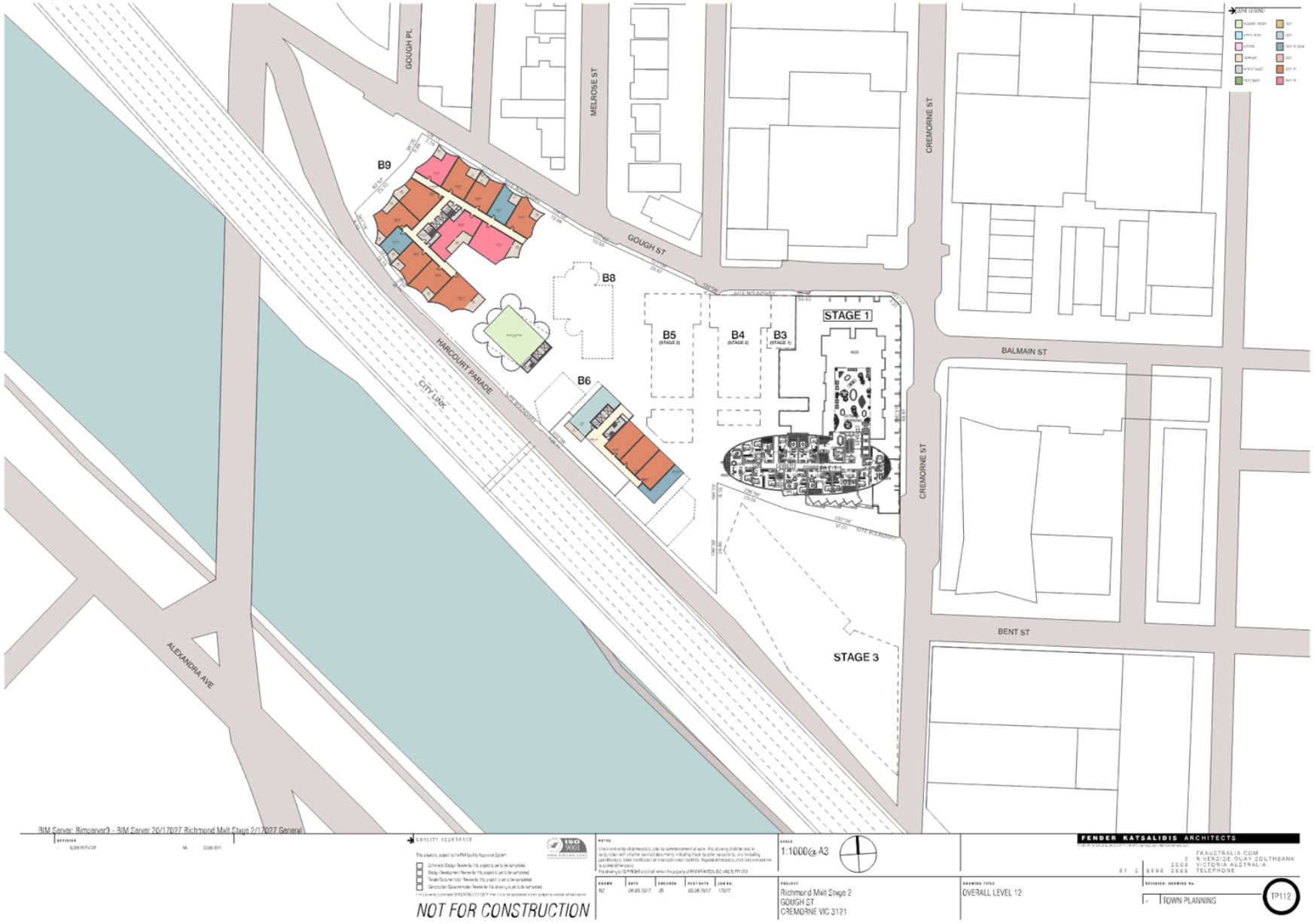
Attachment 2 - 2 Gough Street Cremorne - Part 2 of 12



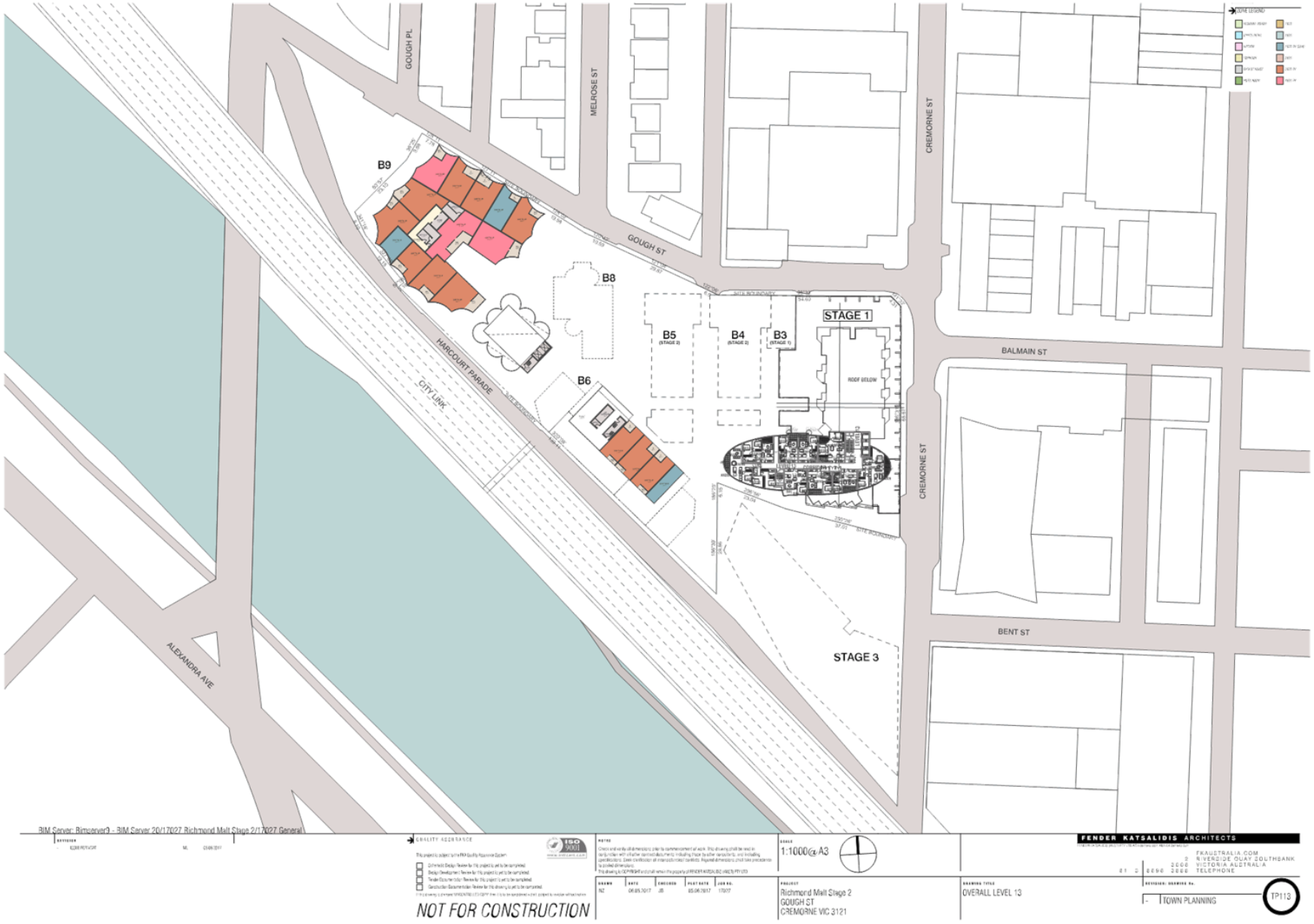
Attachment 3 - 2 Gough Street Cremorne - Part 3 of 12



Attachment 3 - 2 Gough Street Cremorne - Part 3 of 12



Attachment 3 - 2 Gough Street Cremorne - Part 3 of 12



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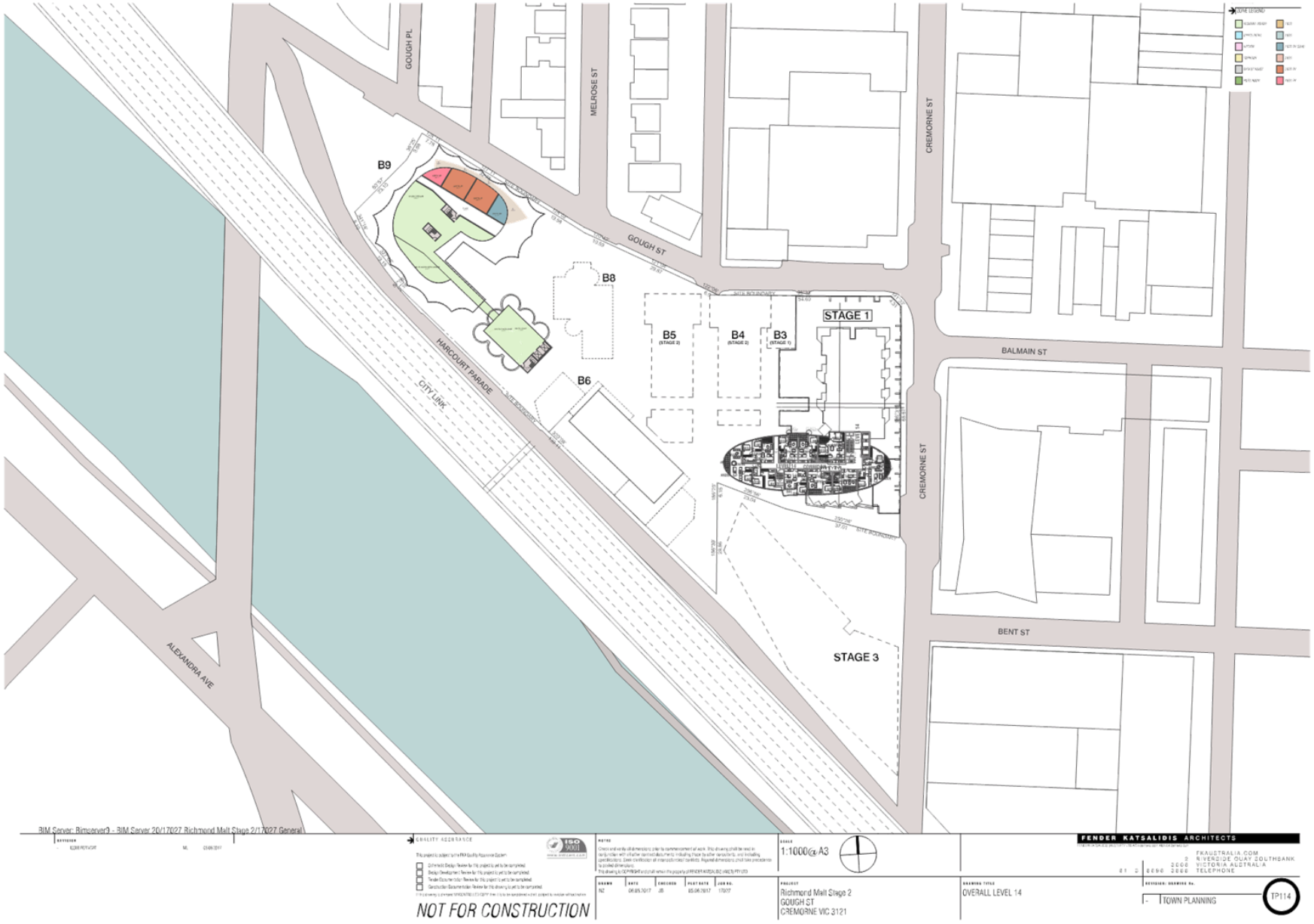

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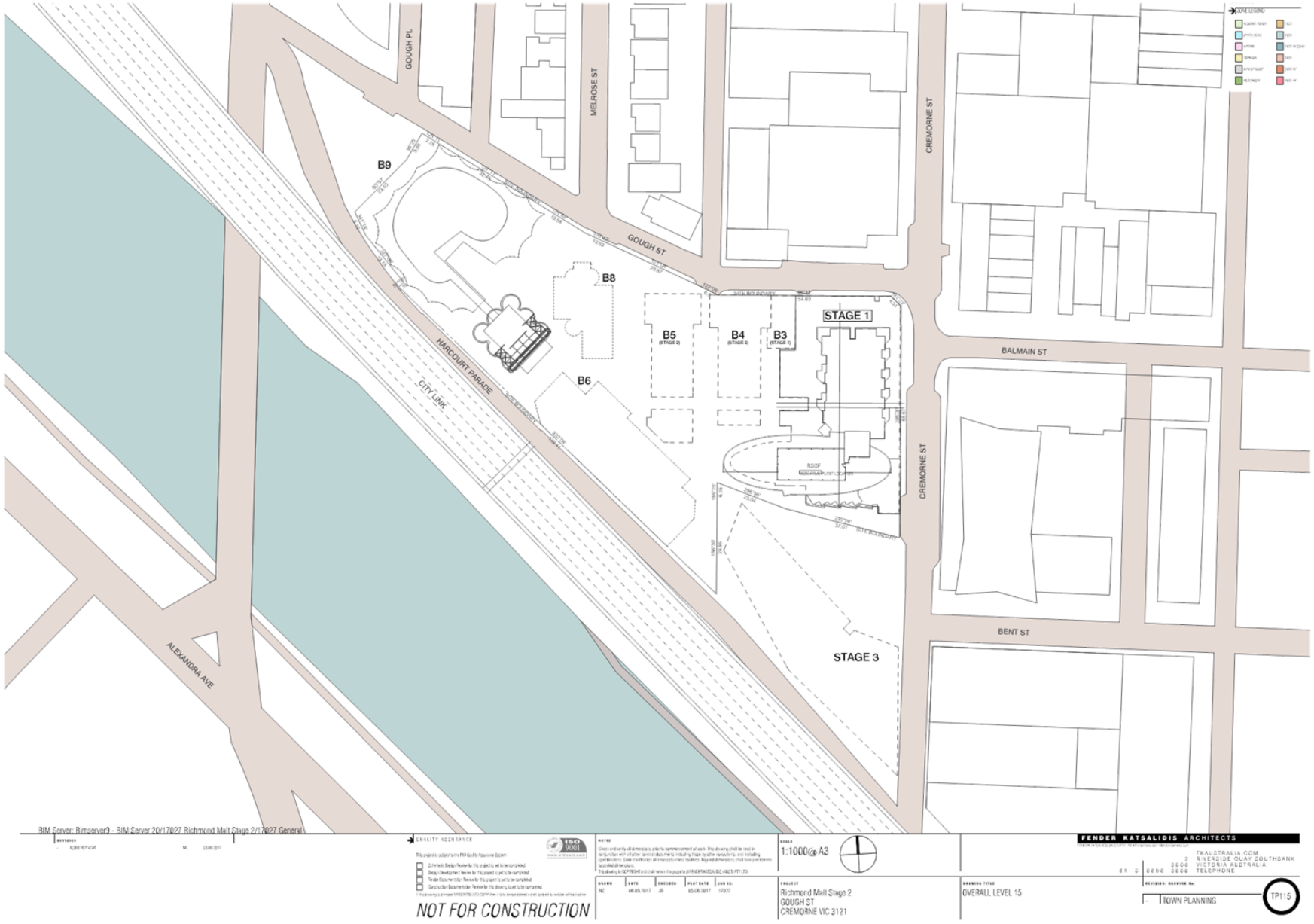

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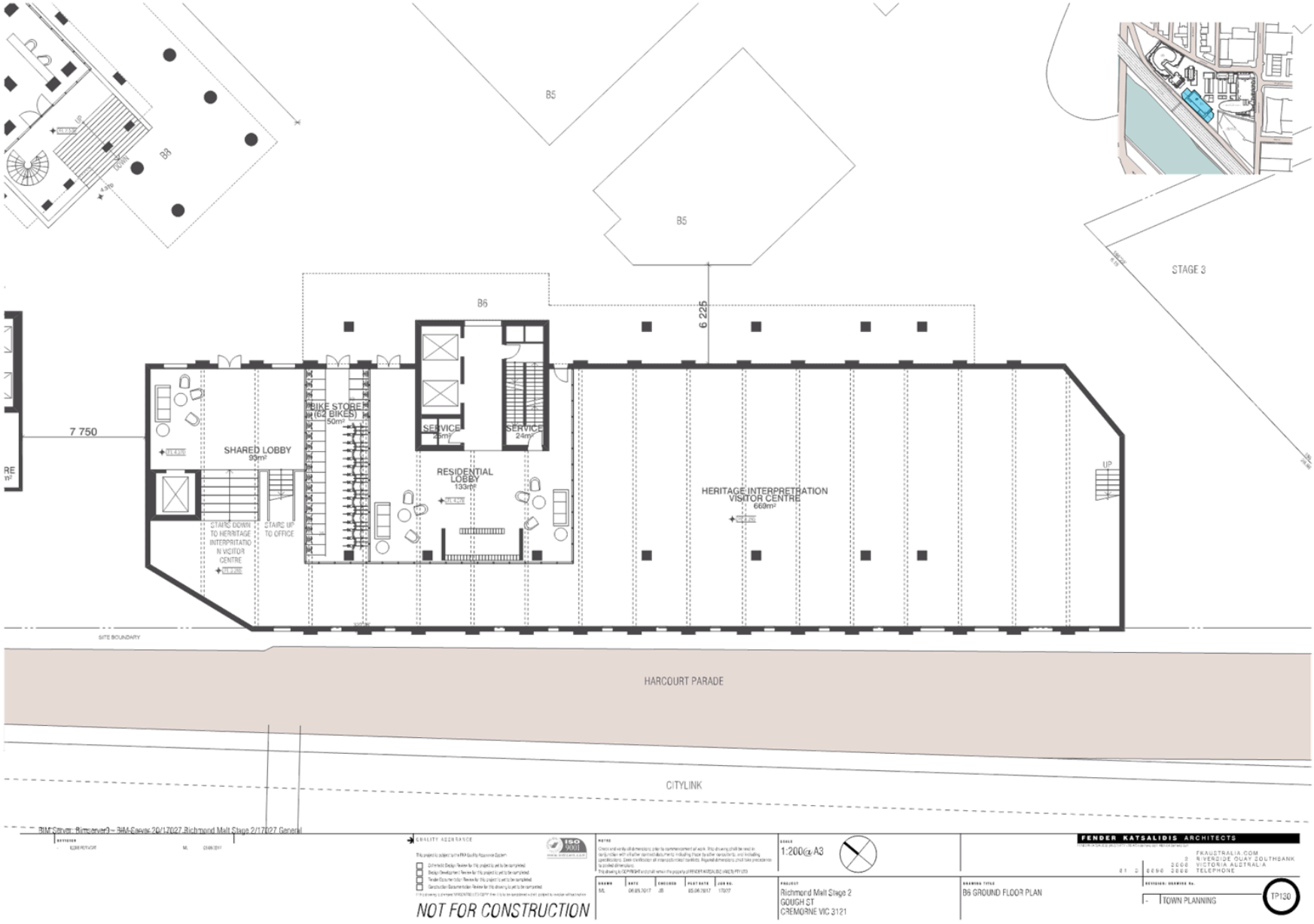

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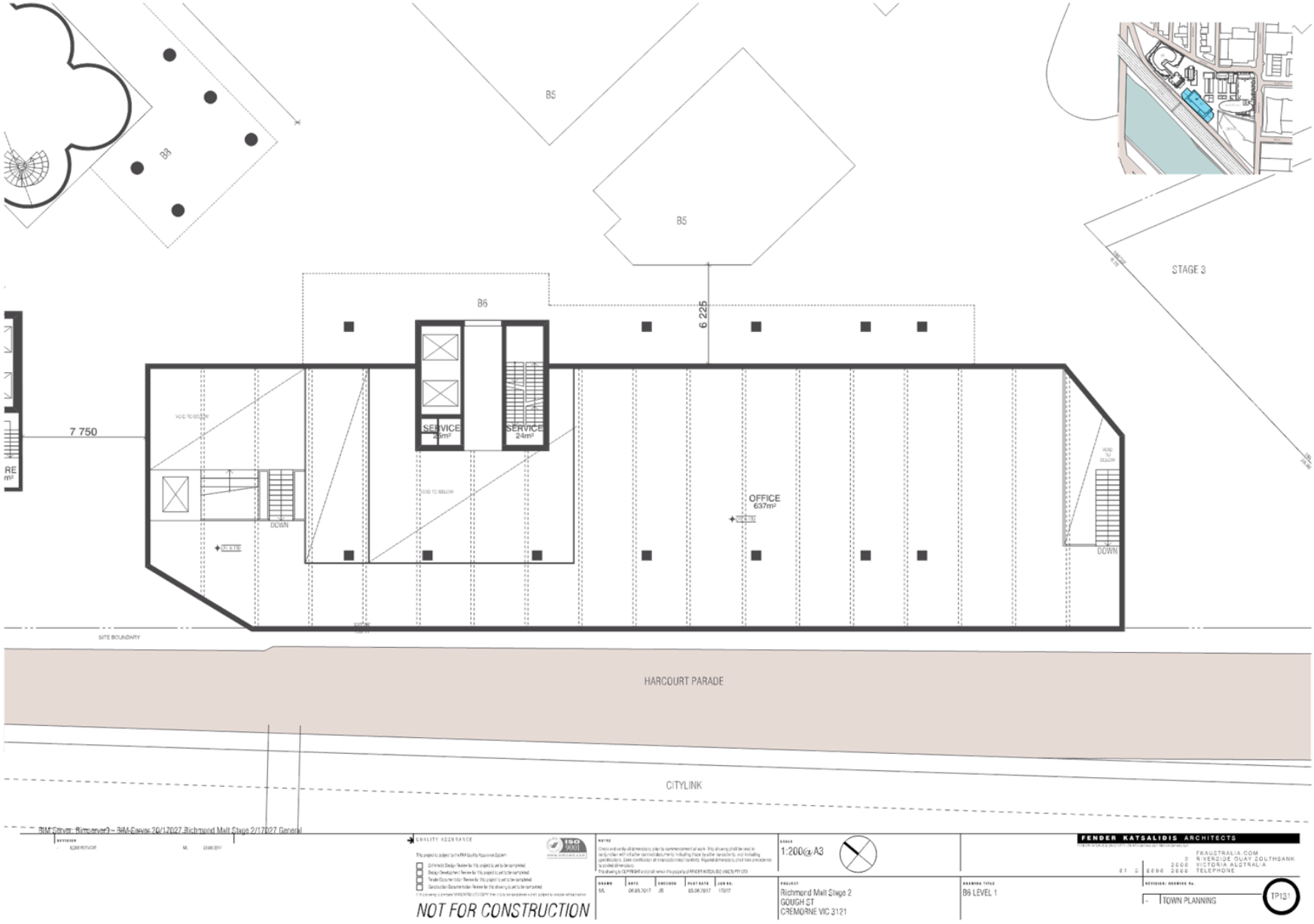
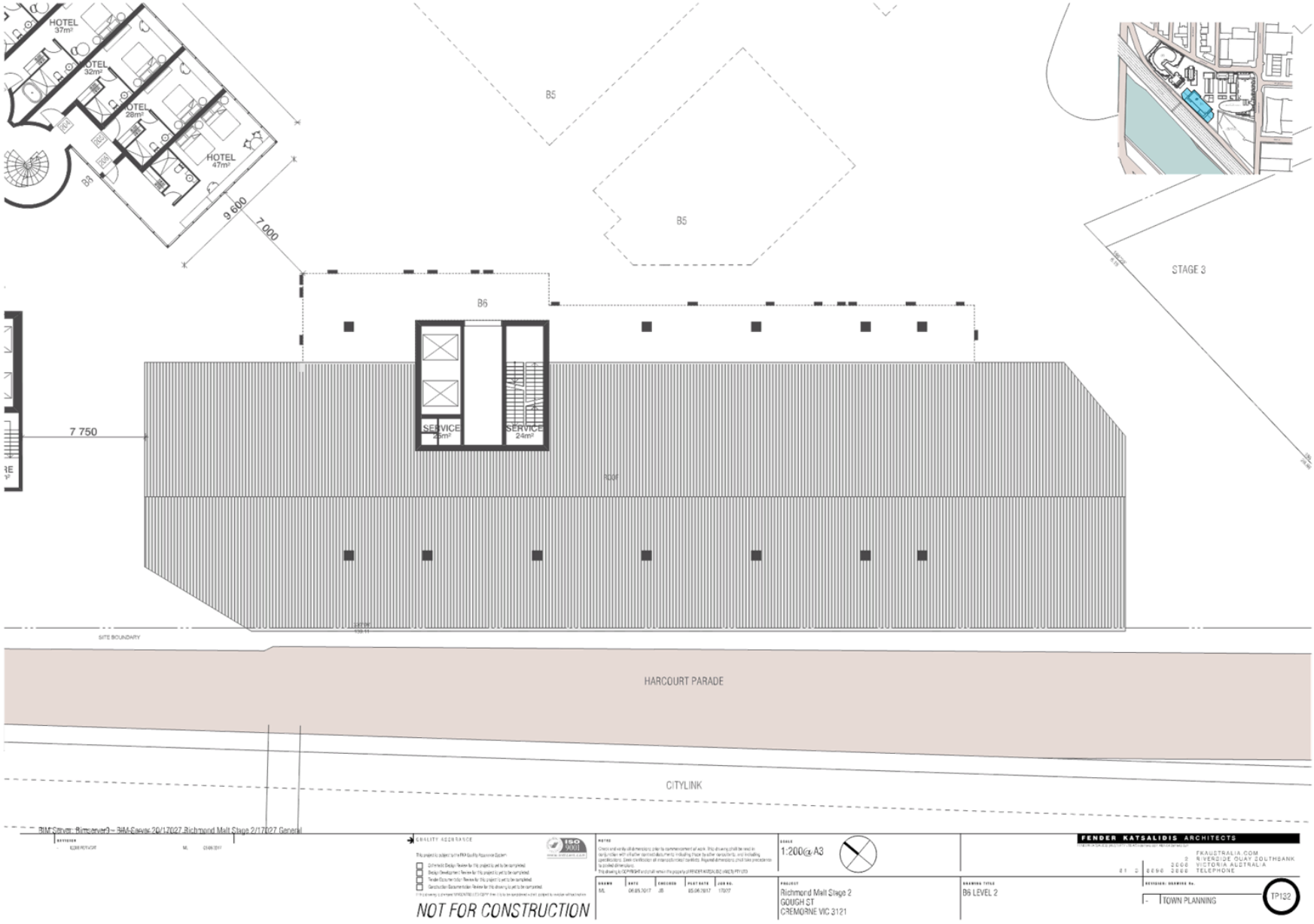


Attachment 3 - 2 Gough Street Cremorne - Part 3 of 12



Attachment 3 - 2 Gough Street Cremorne - Part 3 of 12

Attachment 3 - 2 Gough Street Cremorne - Part 3 of 12

Attachment 4 - 2 Gough Street Cremorne - Part 4 of 12

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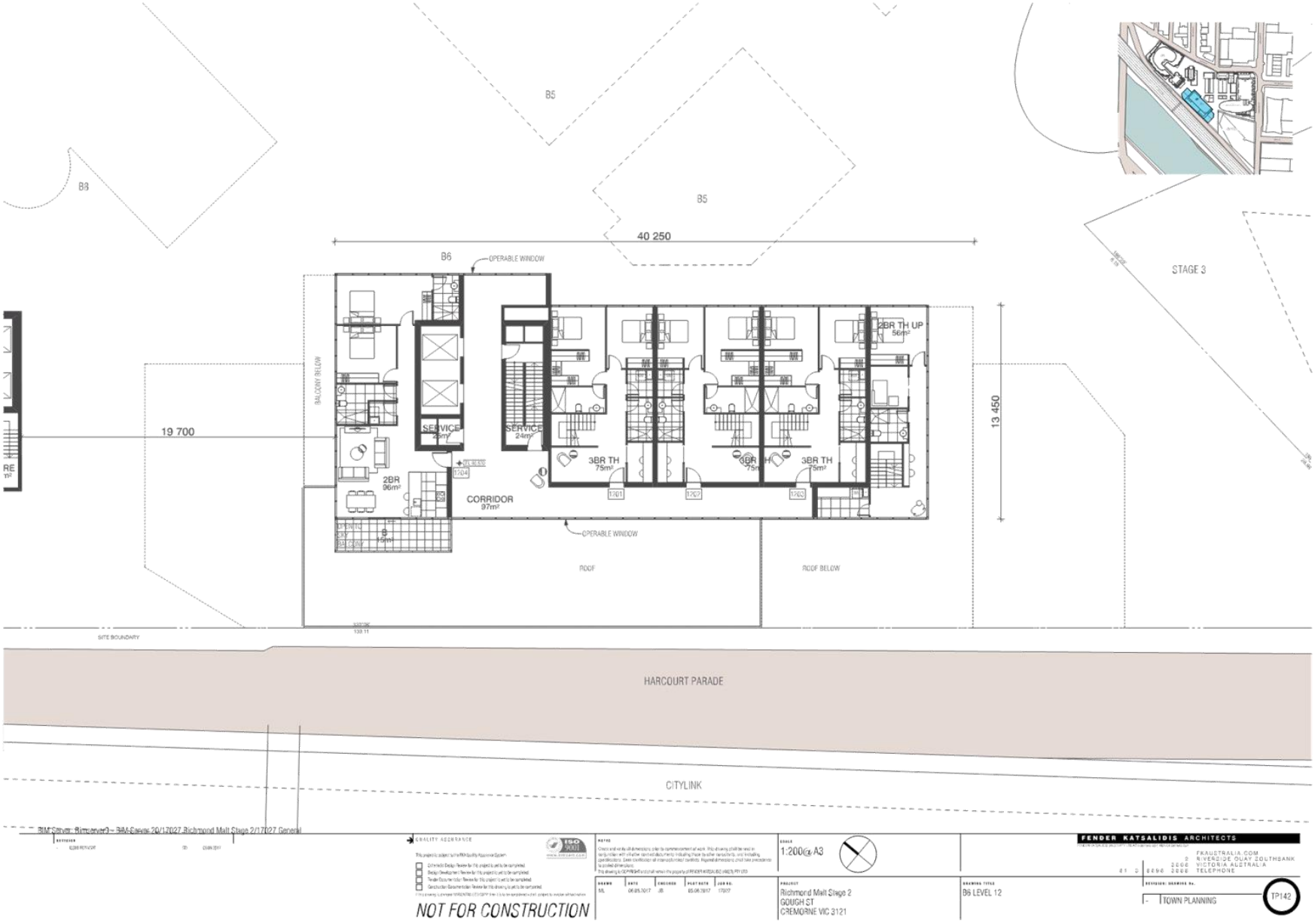

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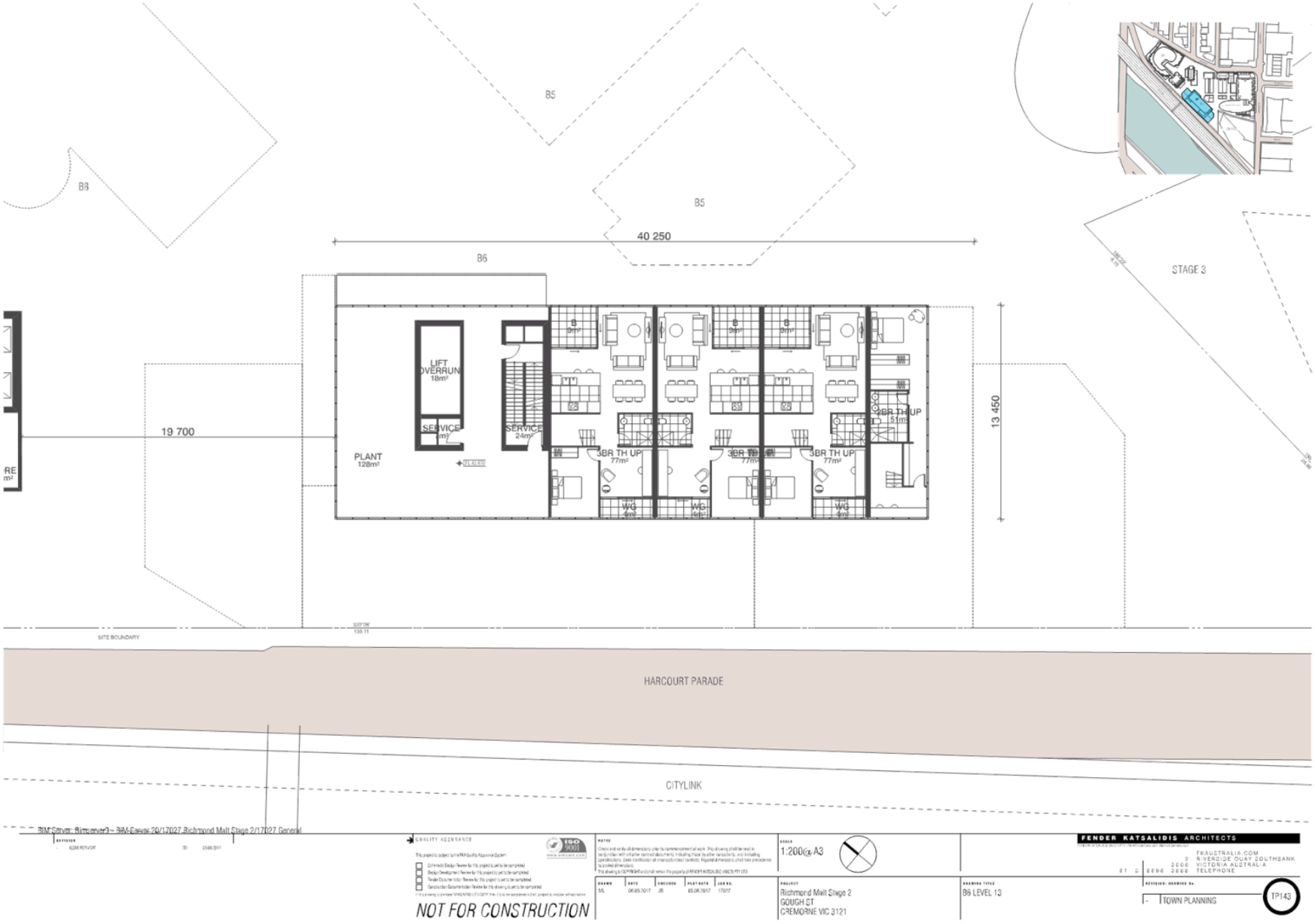

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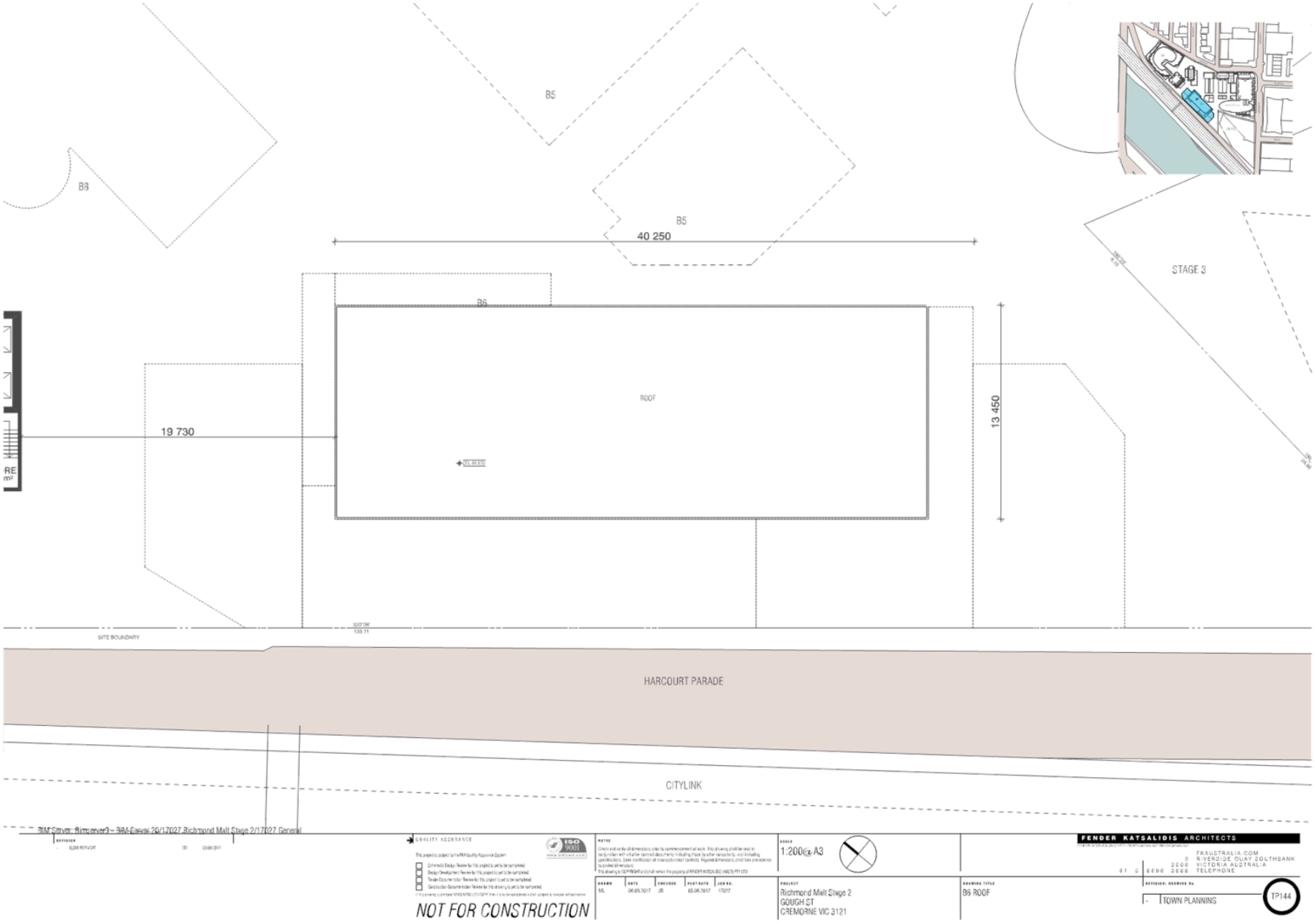
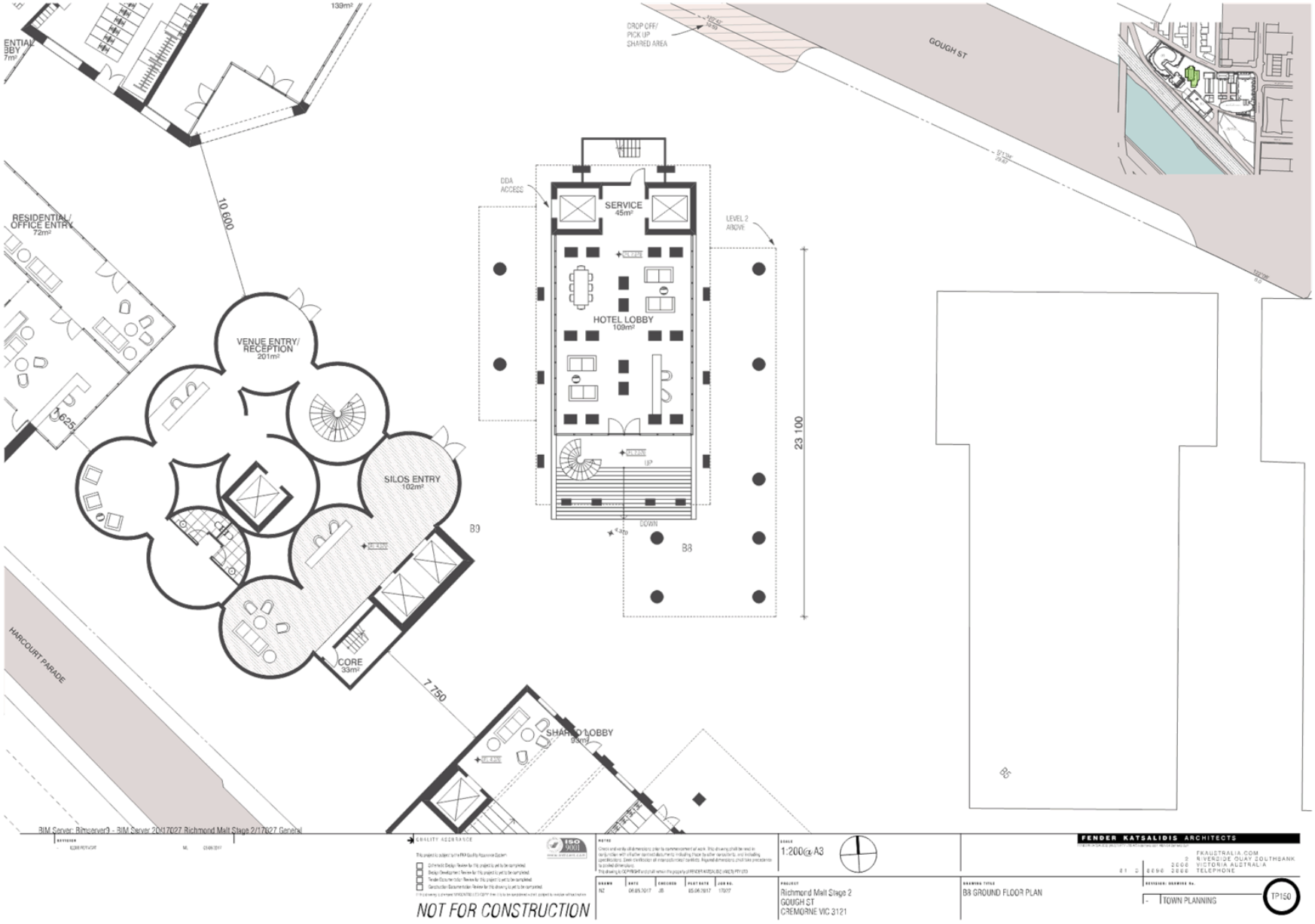


Attachment 5 - 2 Gough Street Cremorne - Part 5 of 12



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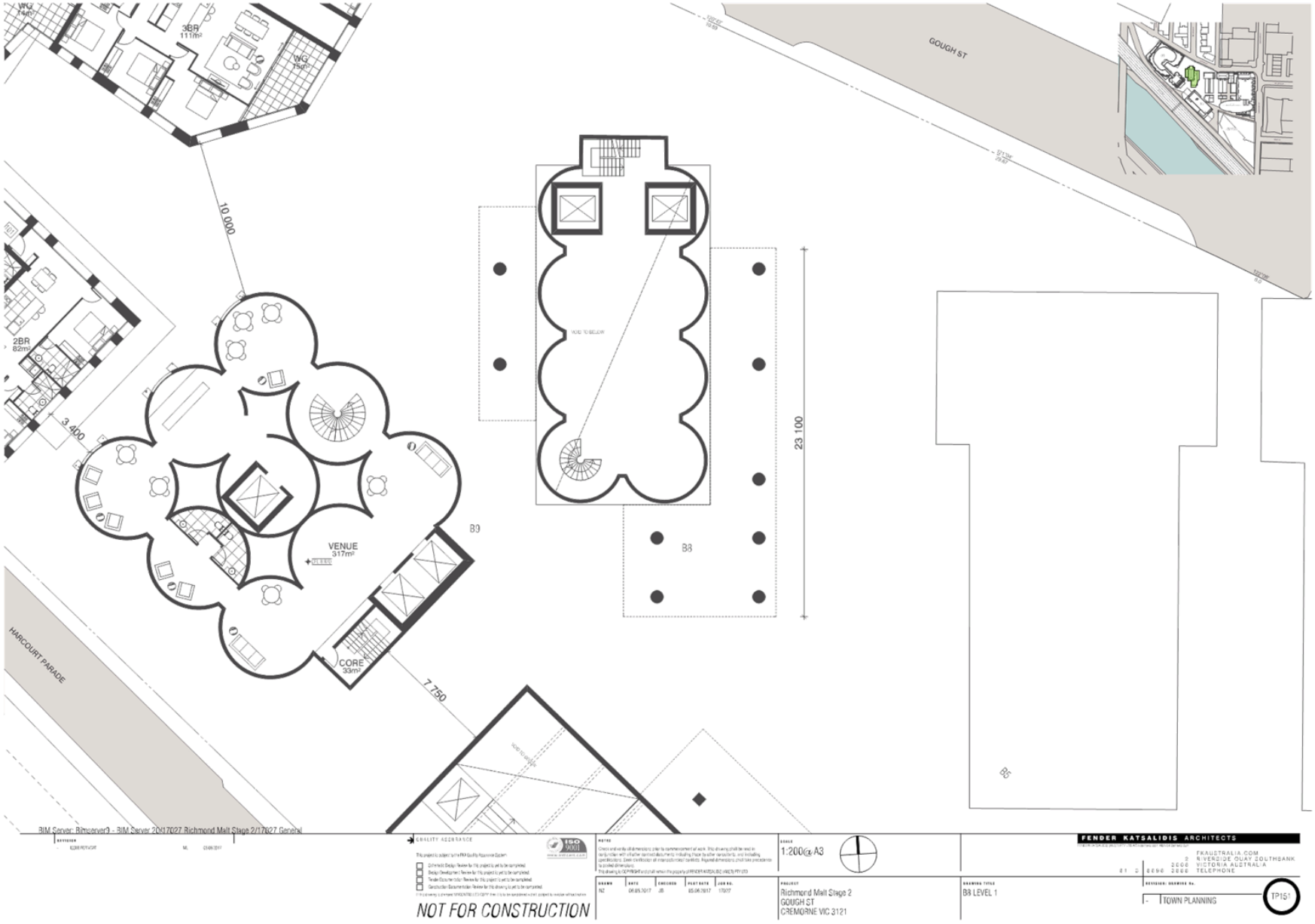

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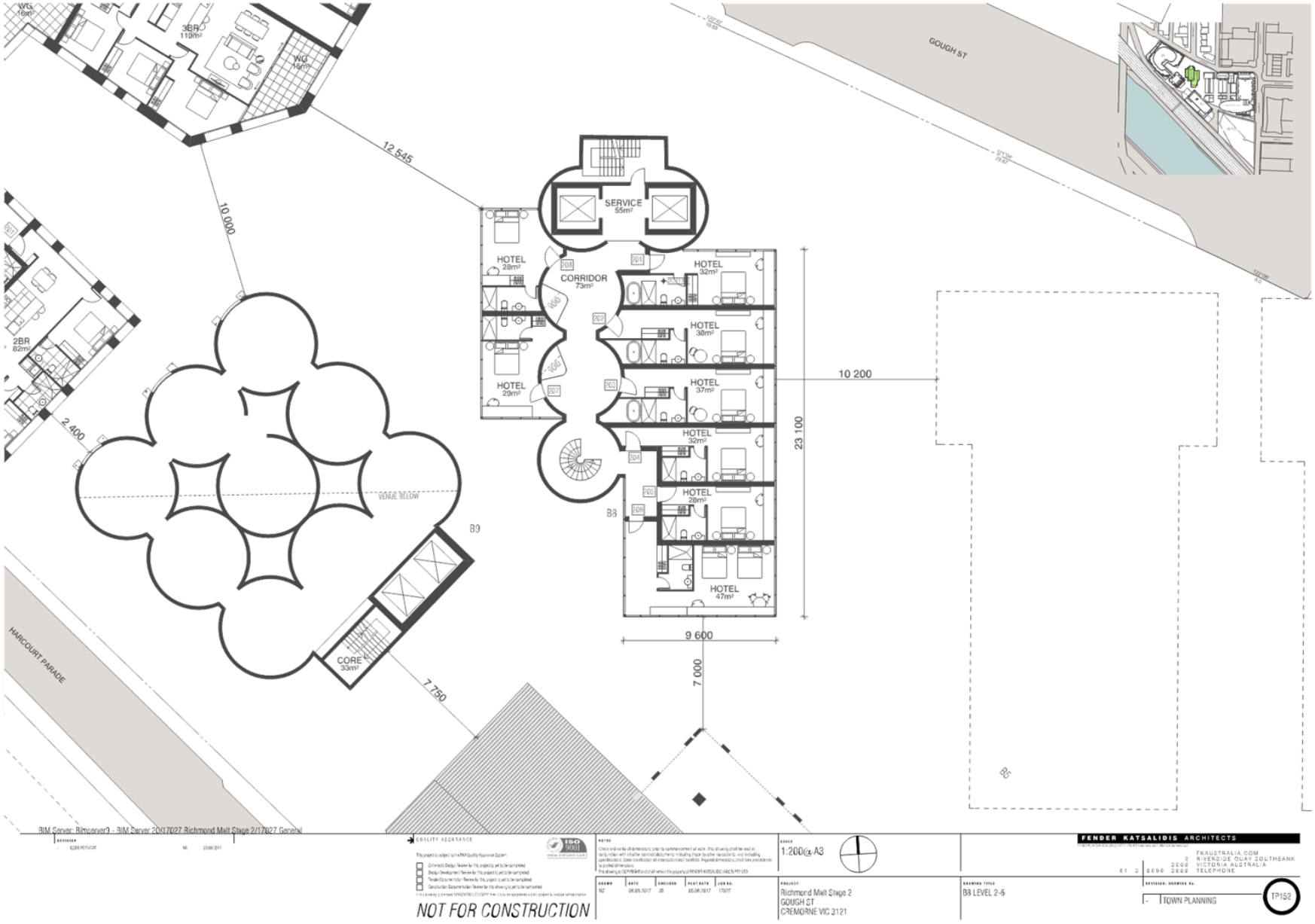

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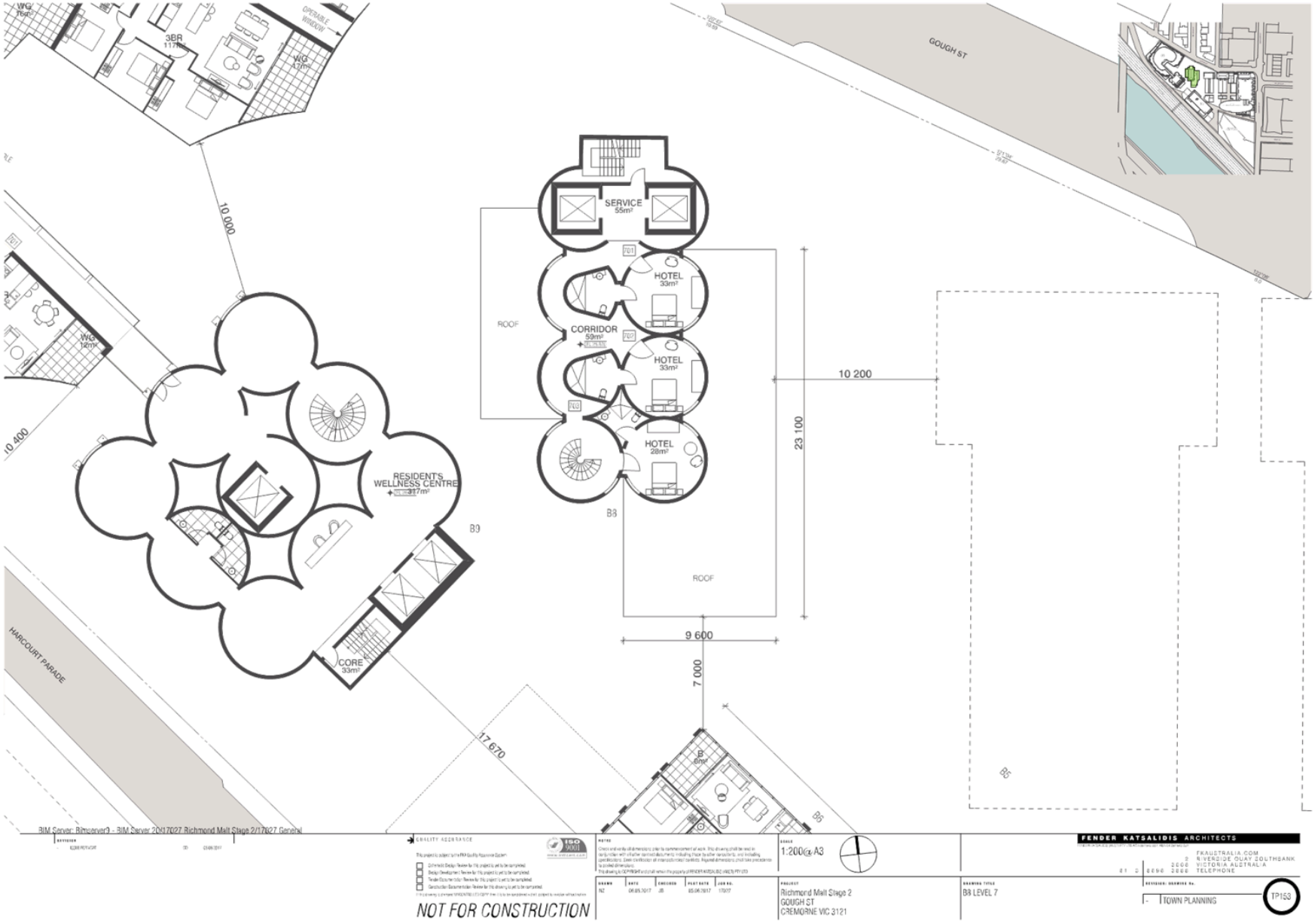

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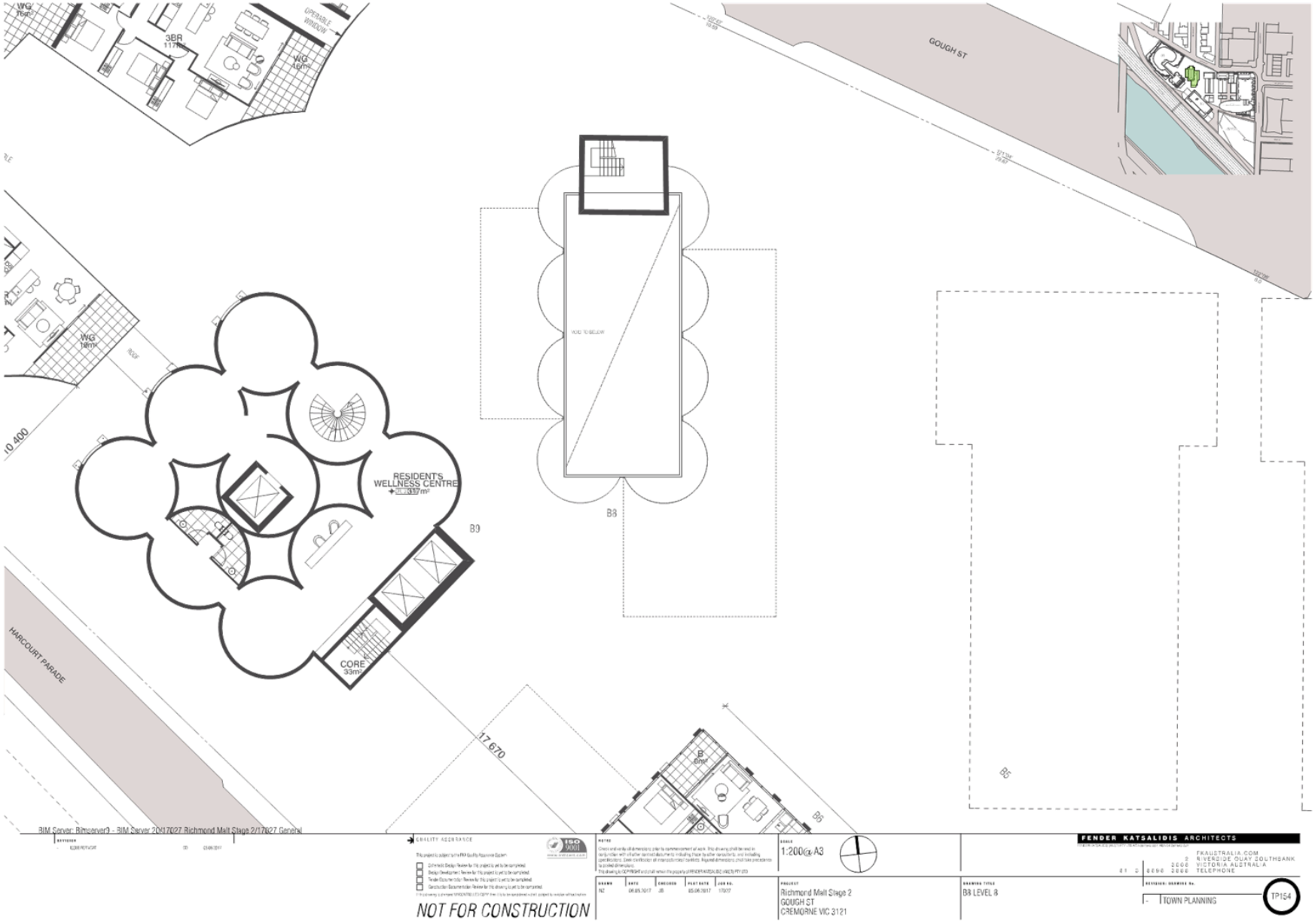

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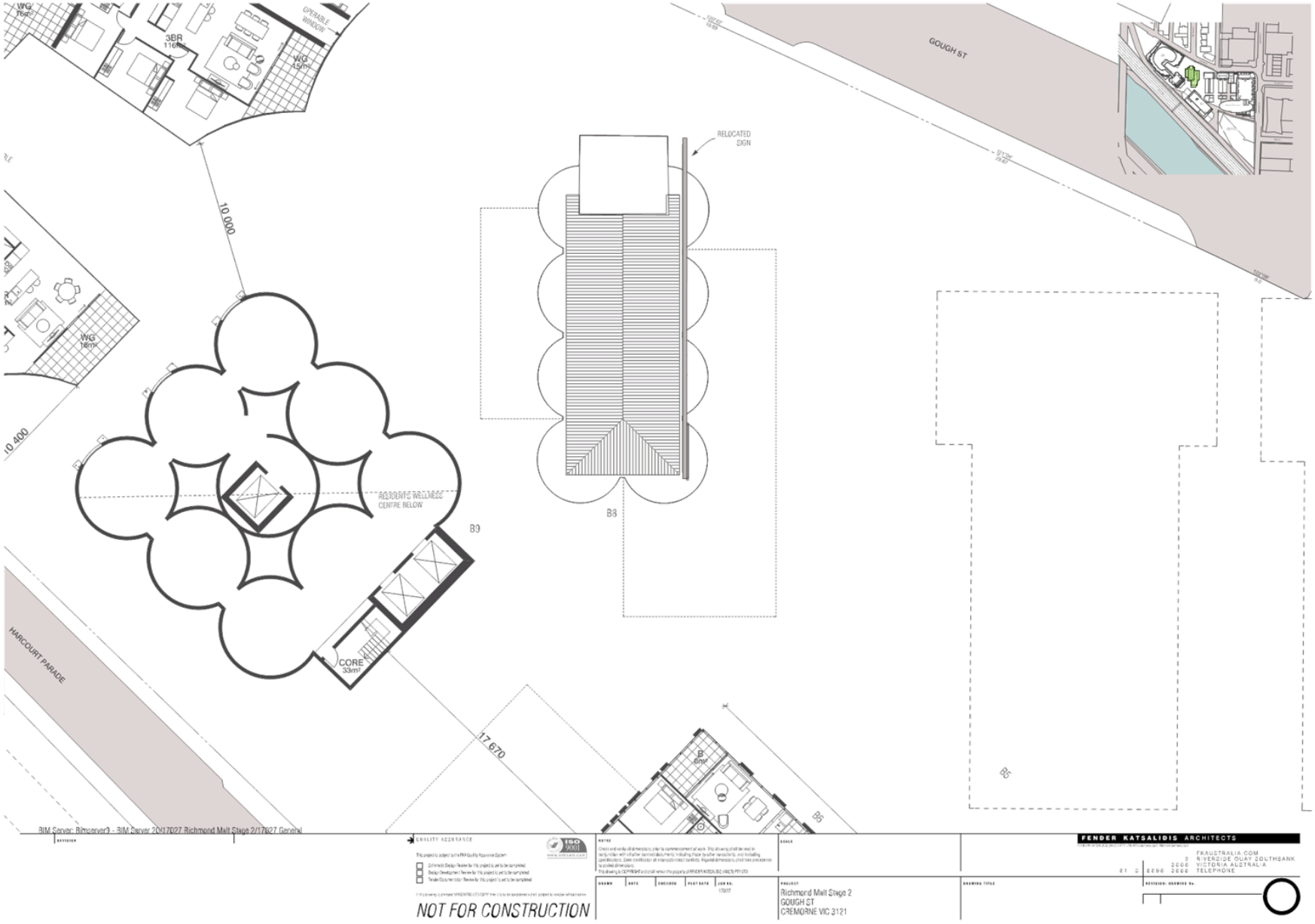

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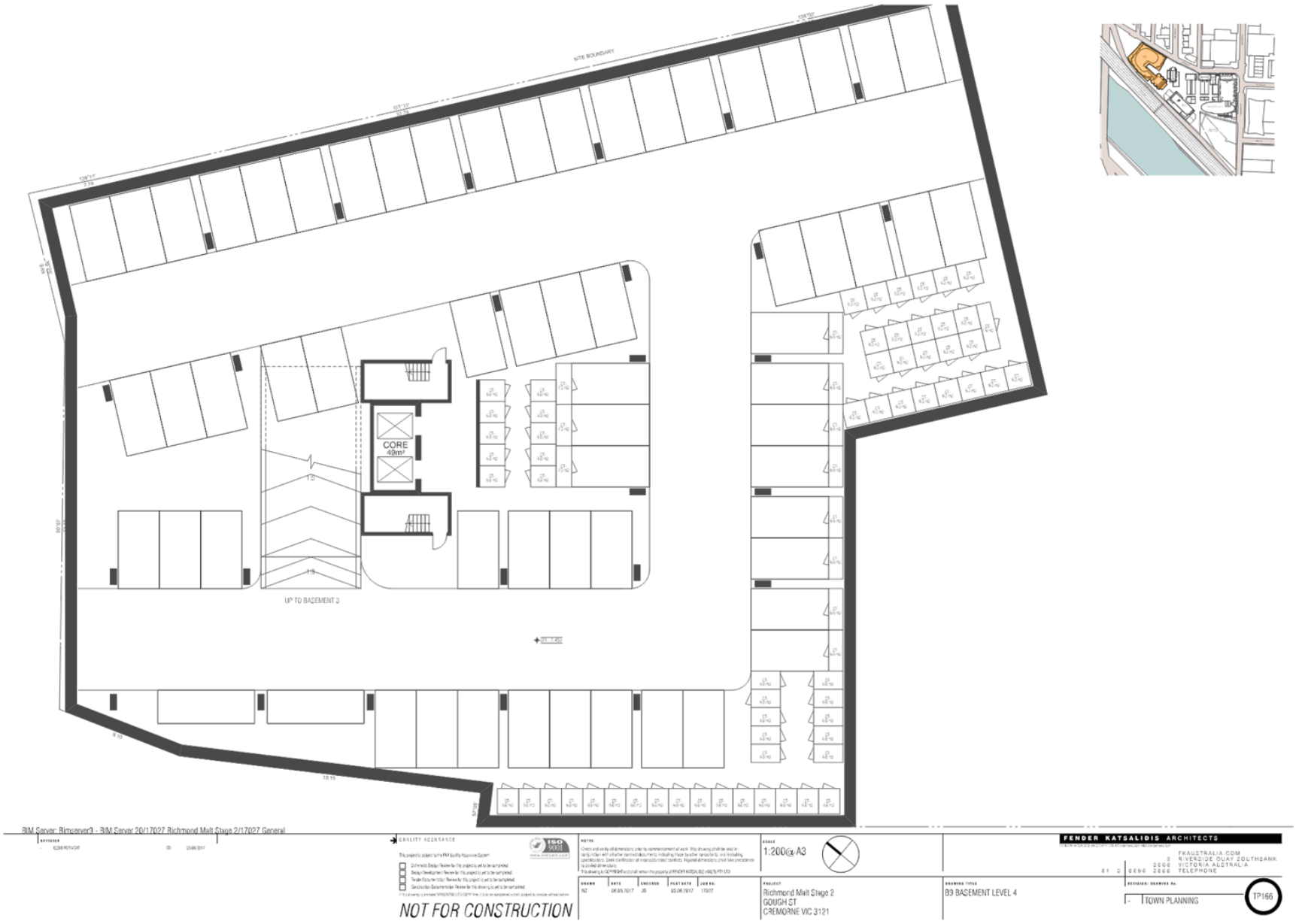

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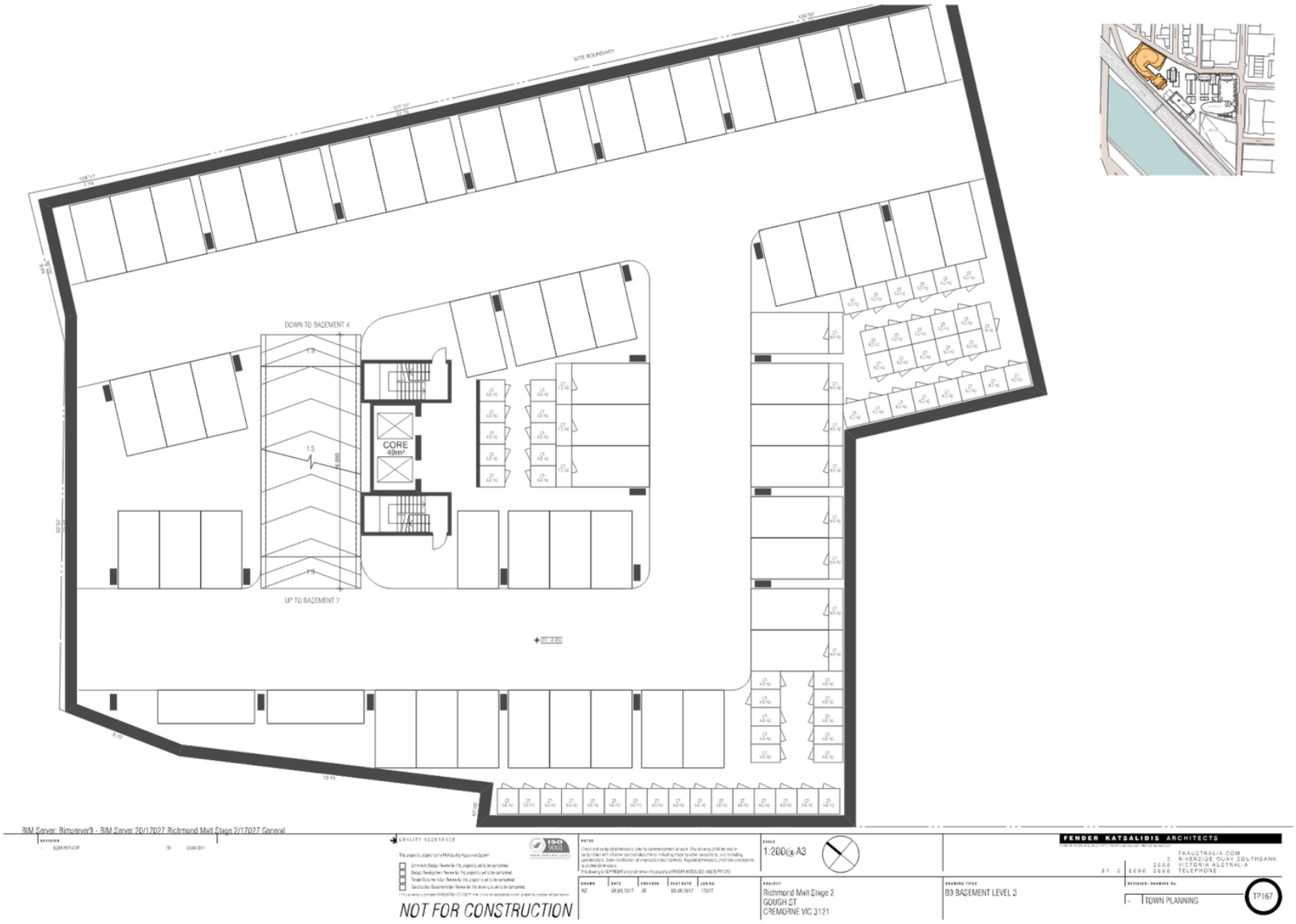

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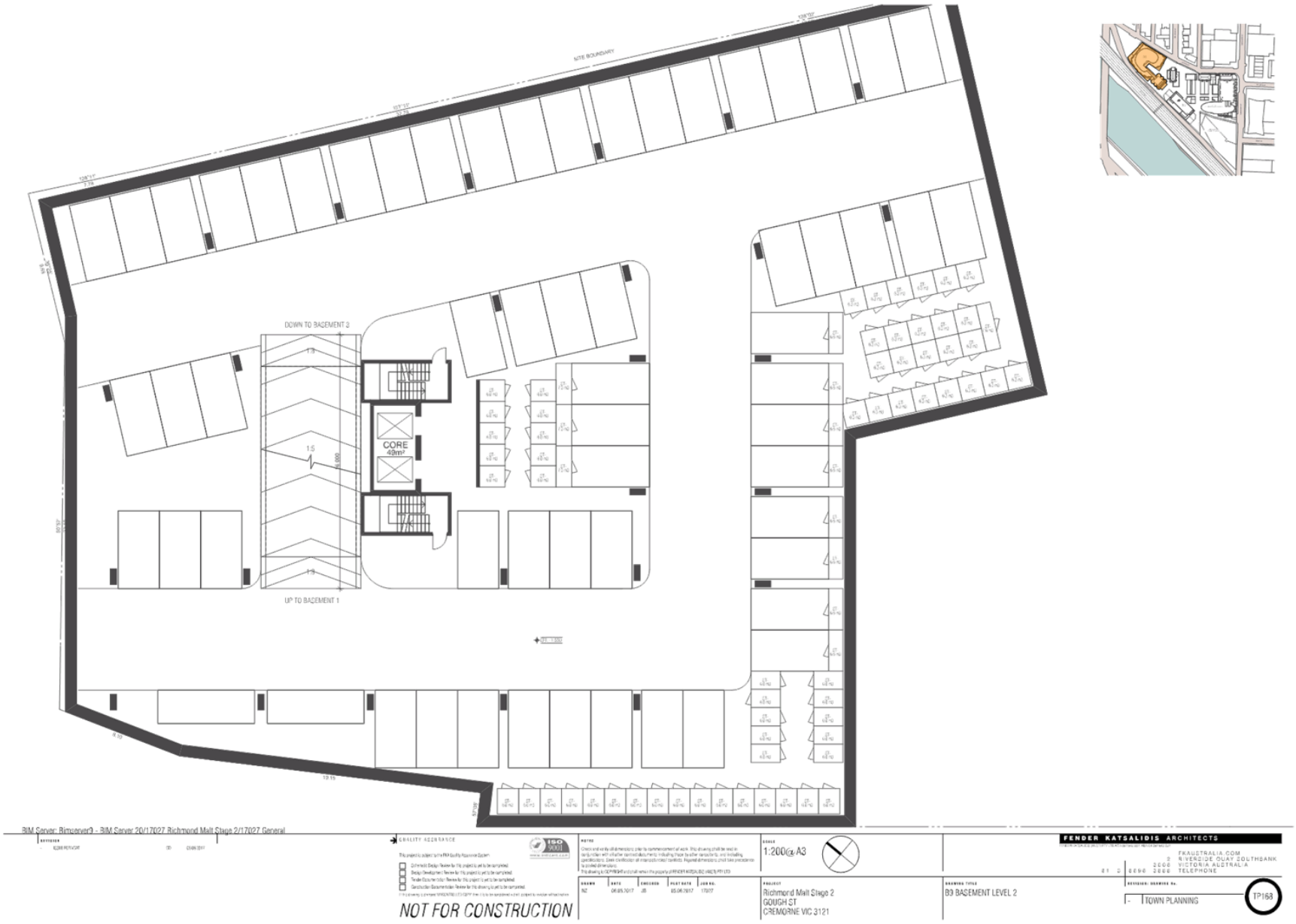

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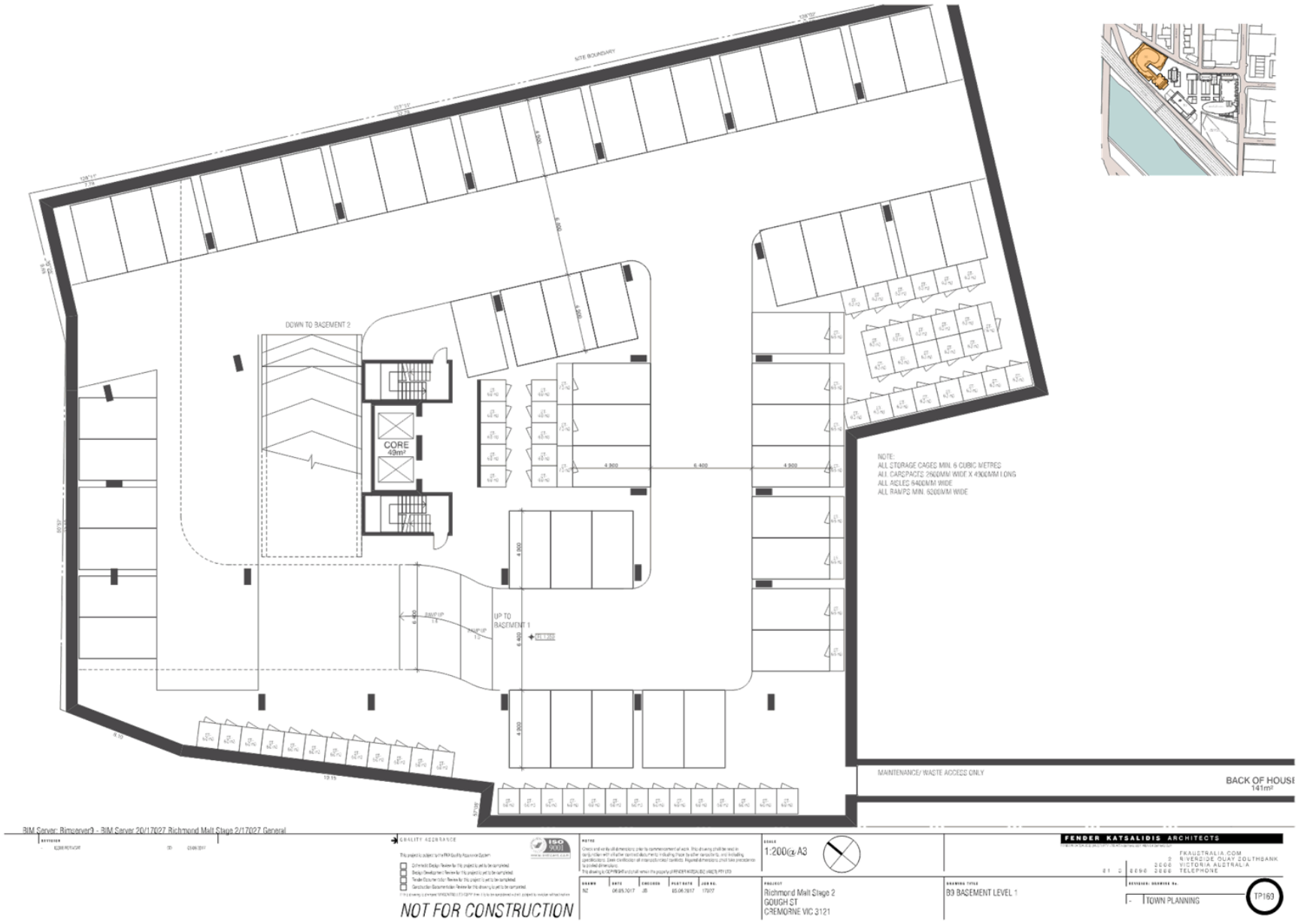

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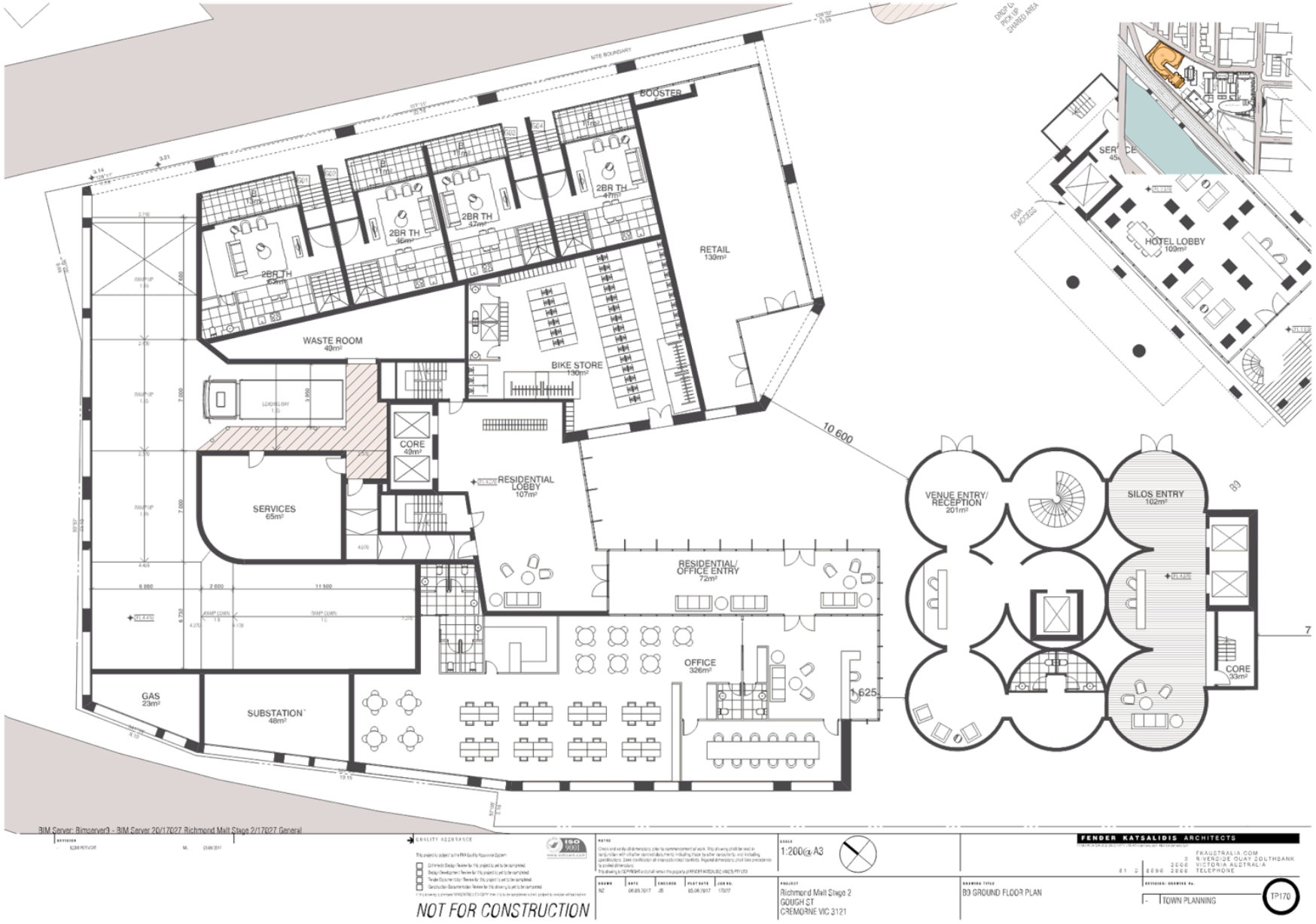

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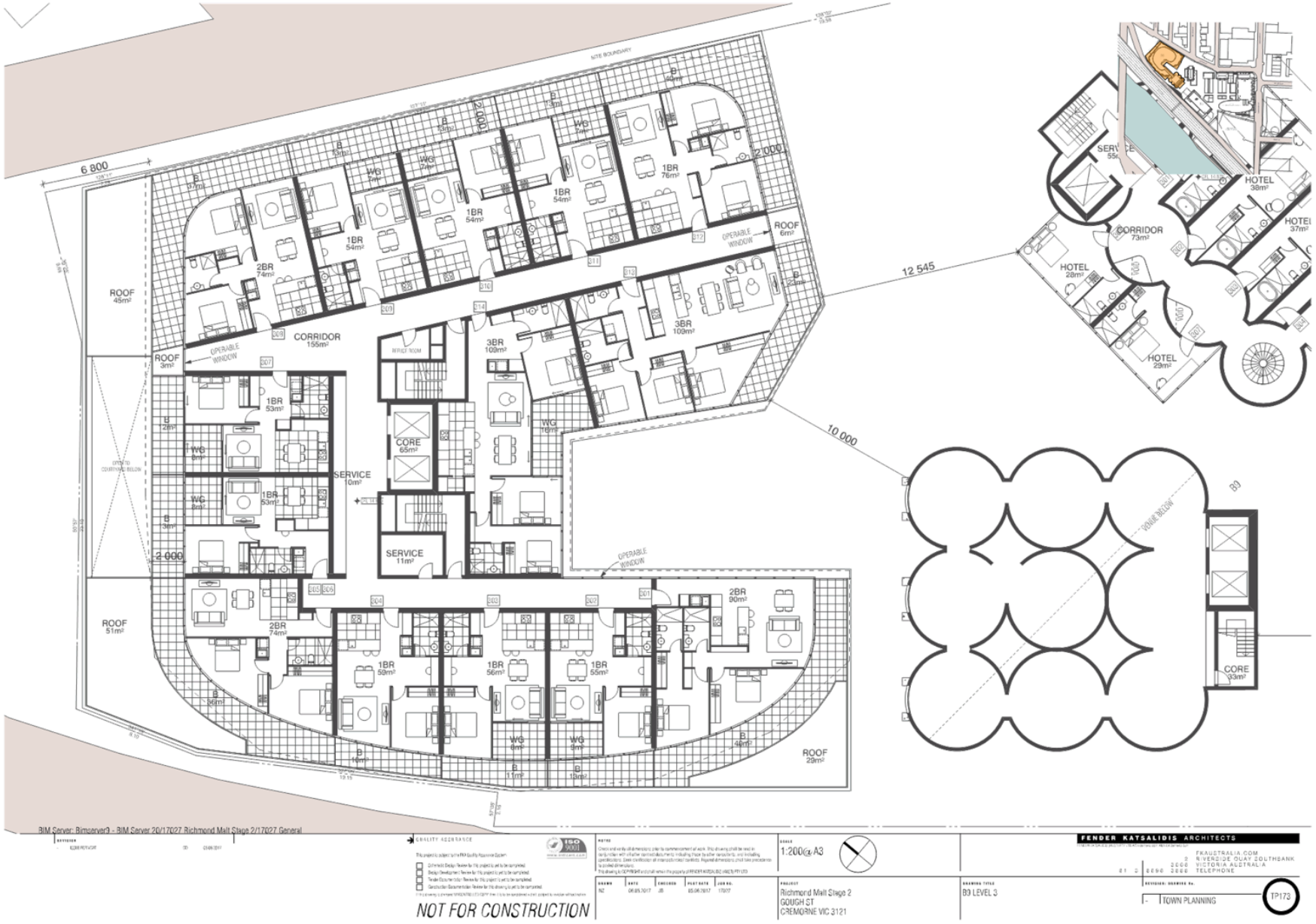

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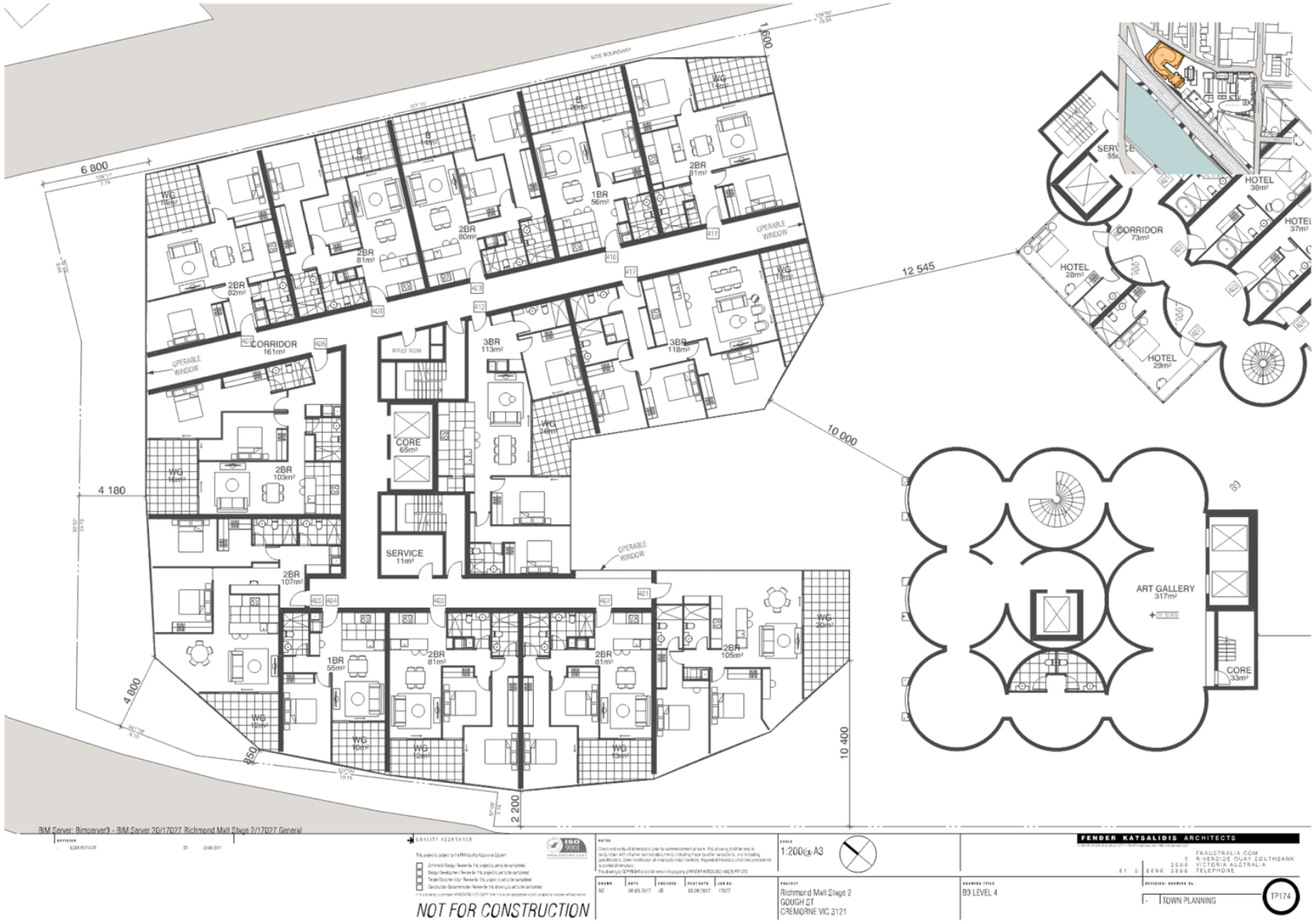

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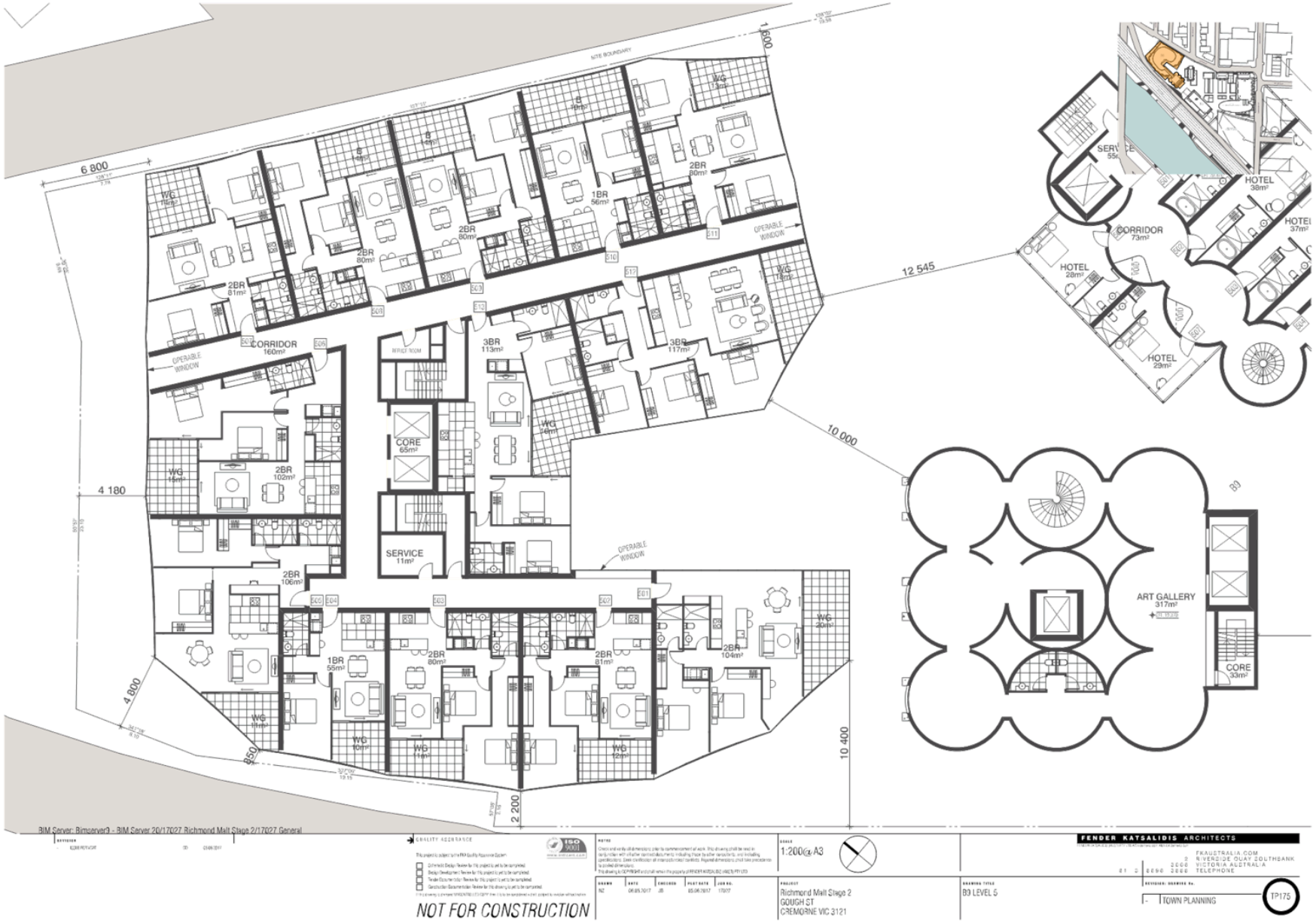

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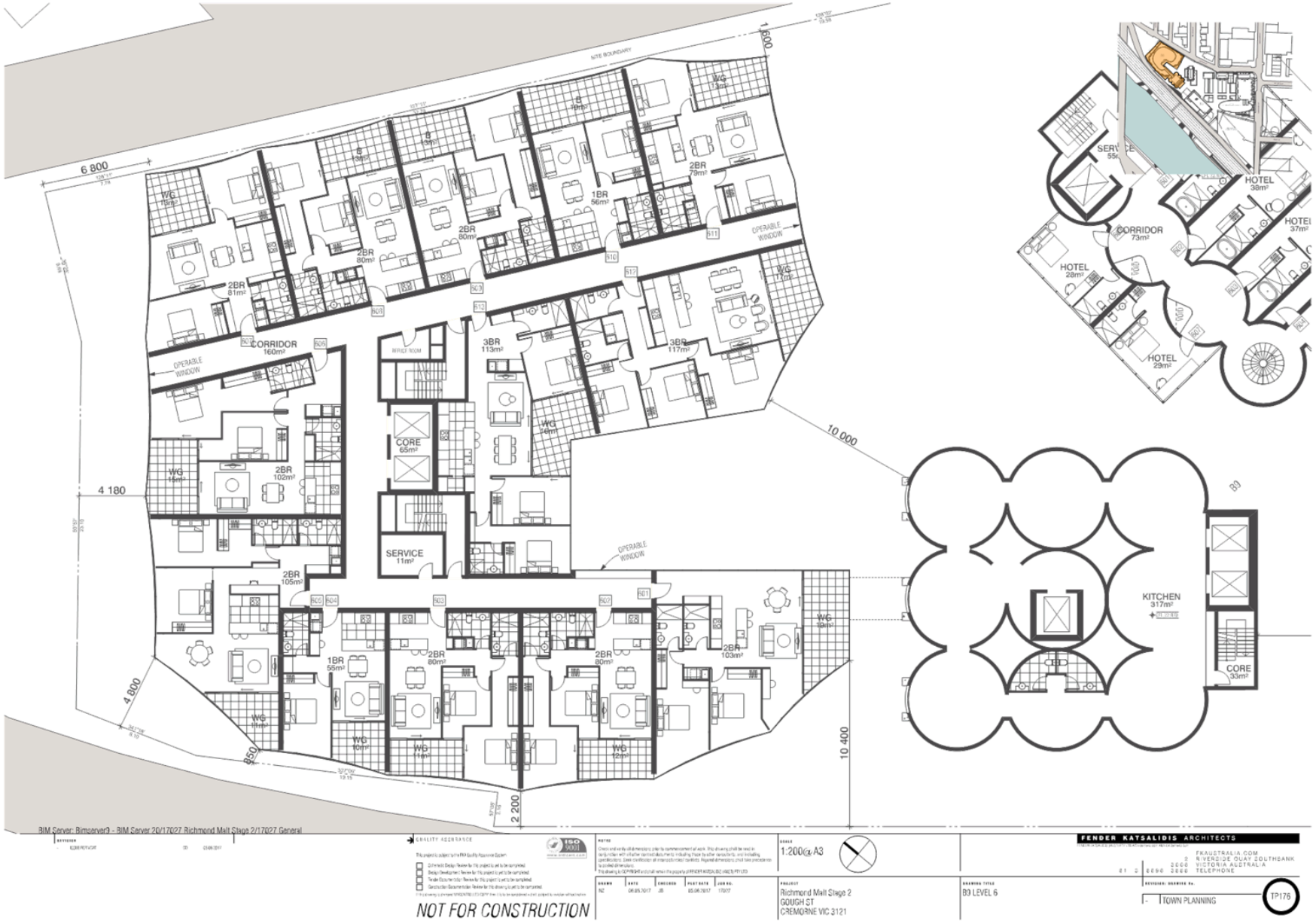

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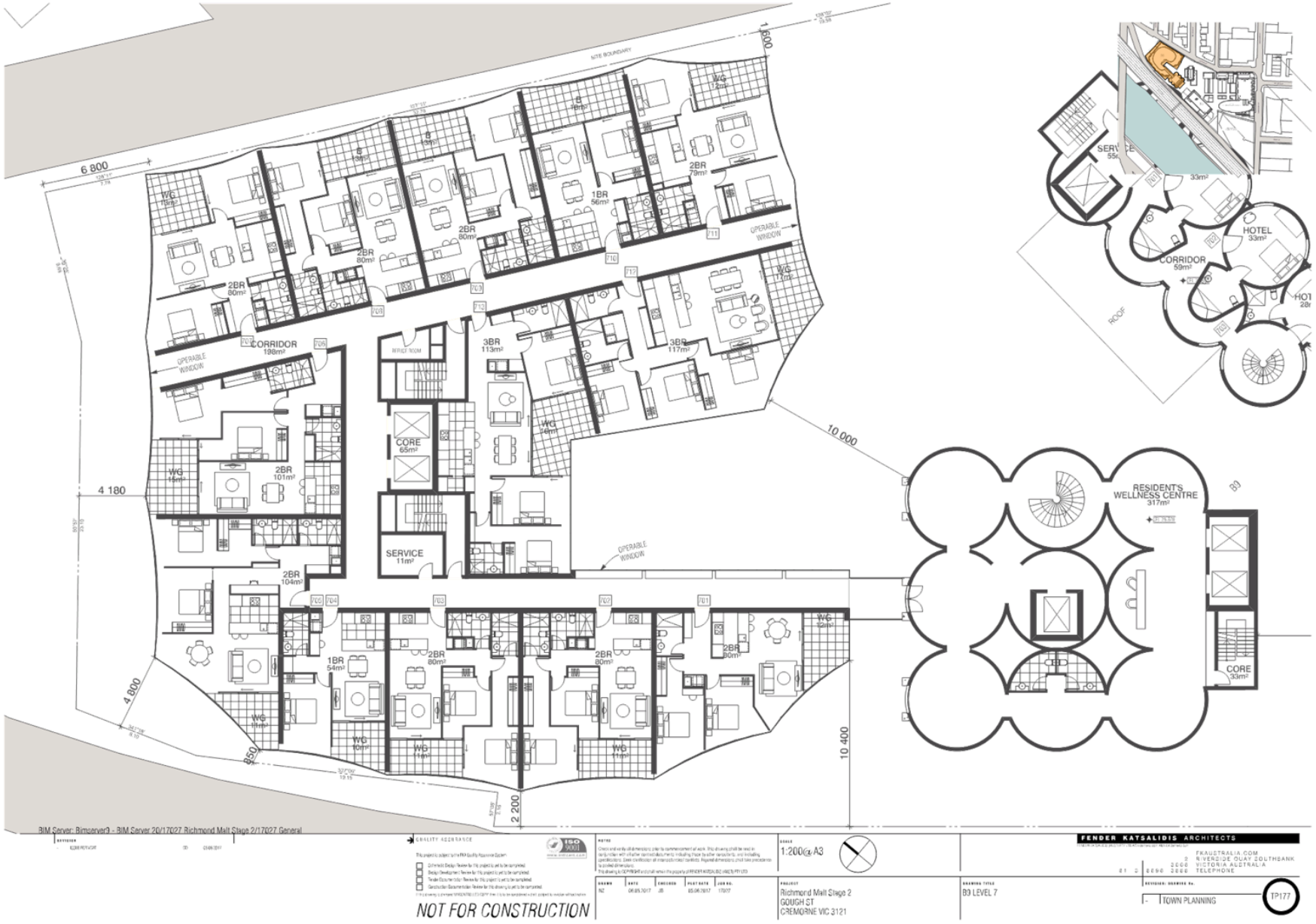
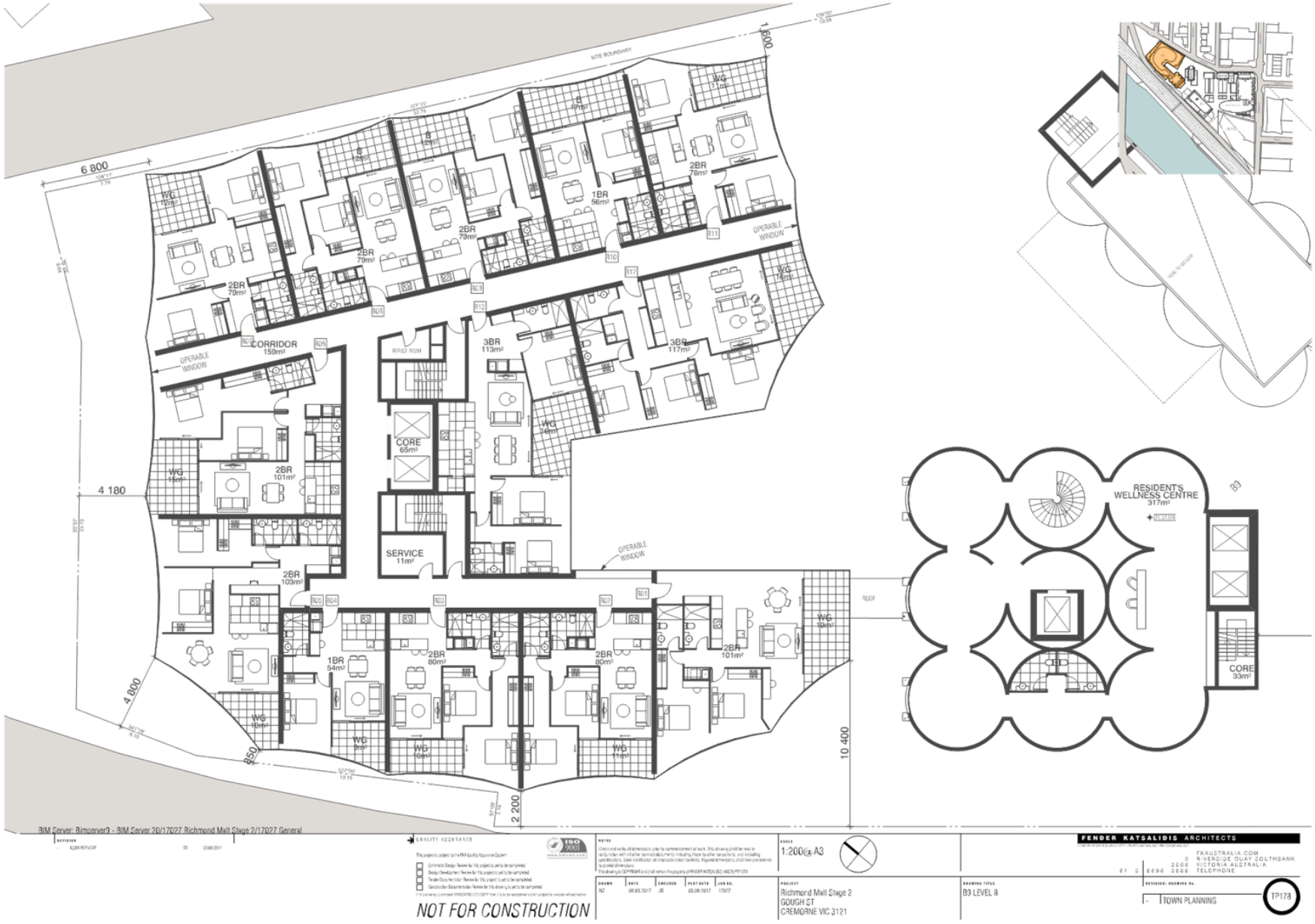
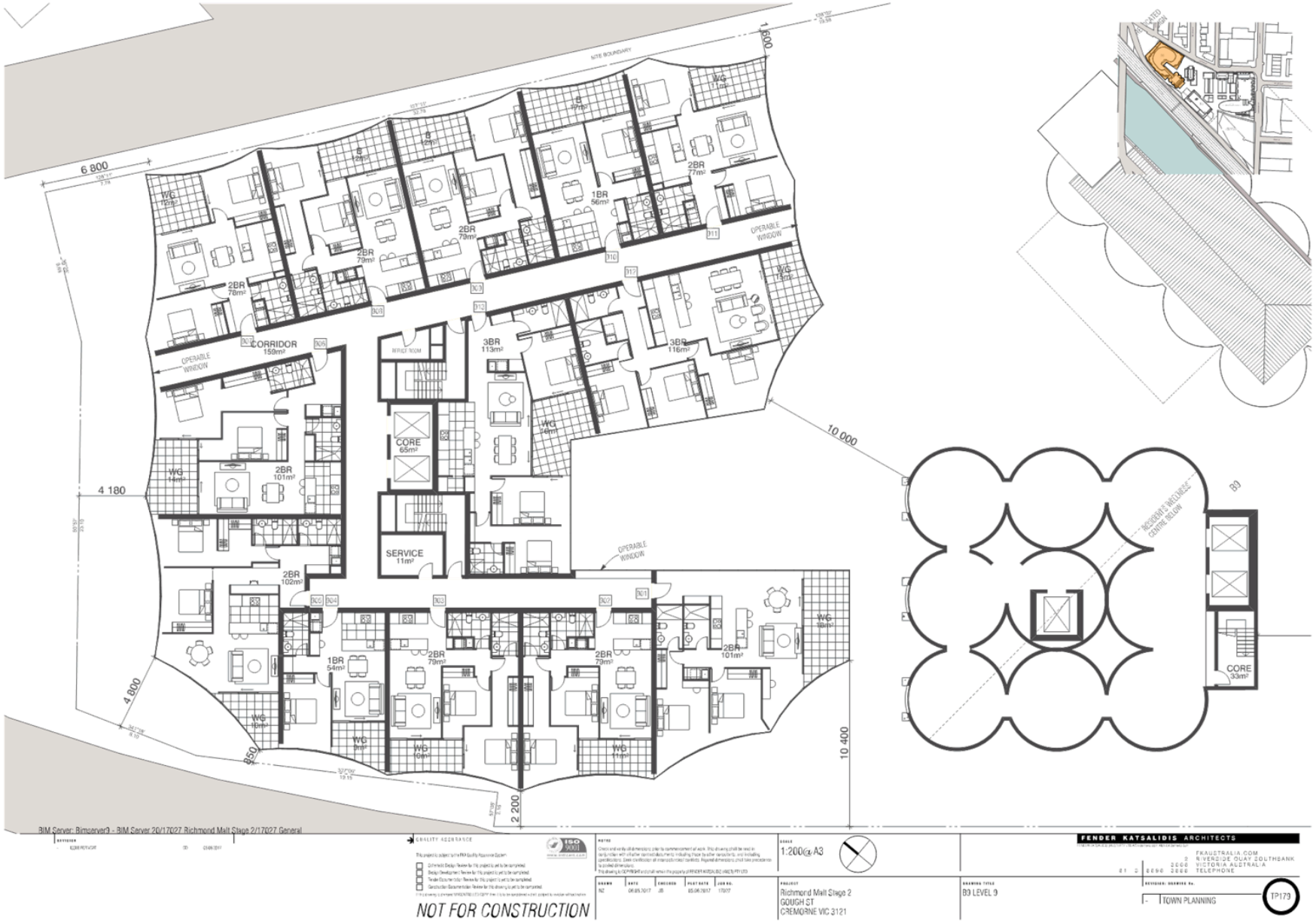


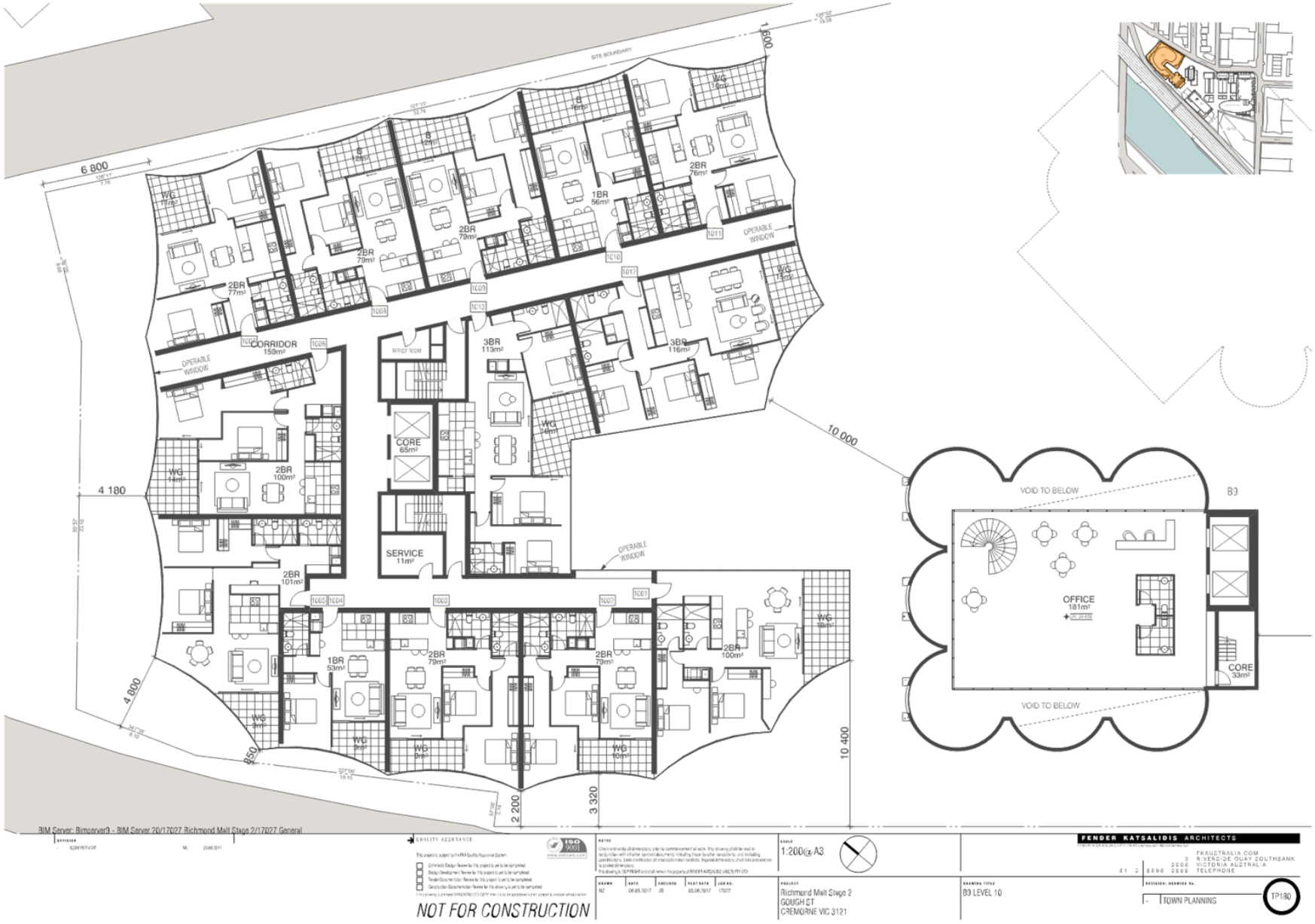
Attachment 6 - 2 Gough Street Cremorne - Part 6 of 12



Attachment 6 - 2 Gough Street Cremorne - Part 6 of 12



Attachment 7 - 2 Gough Street Cremorne - Part 7 of 12



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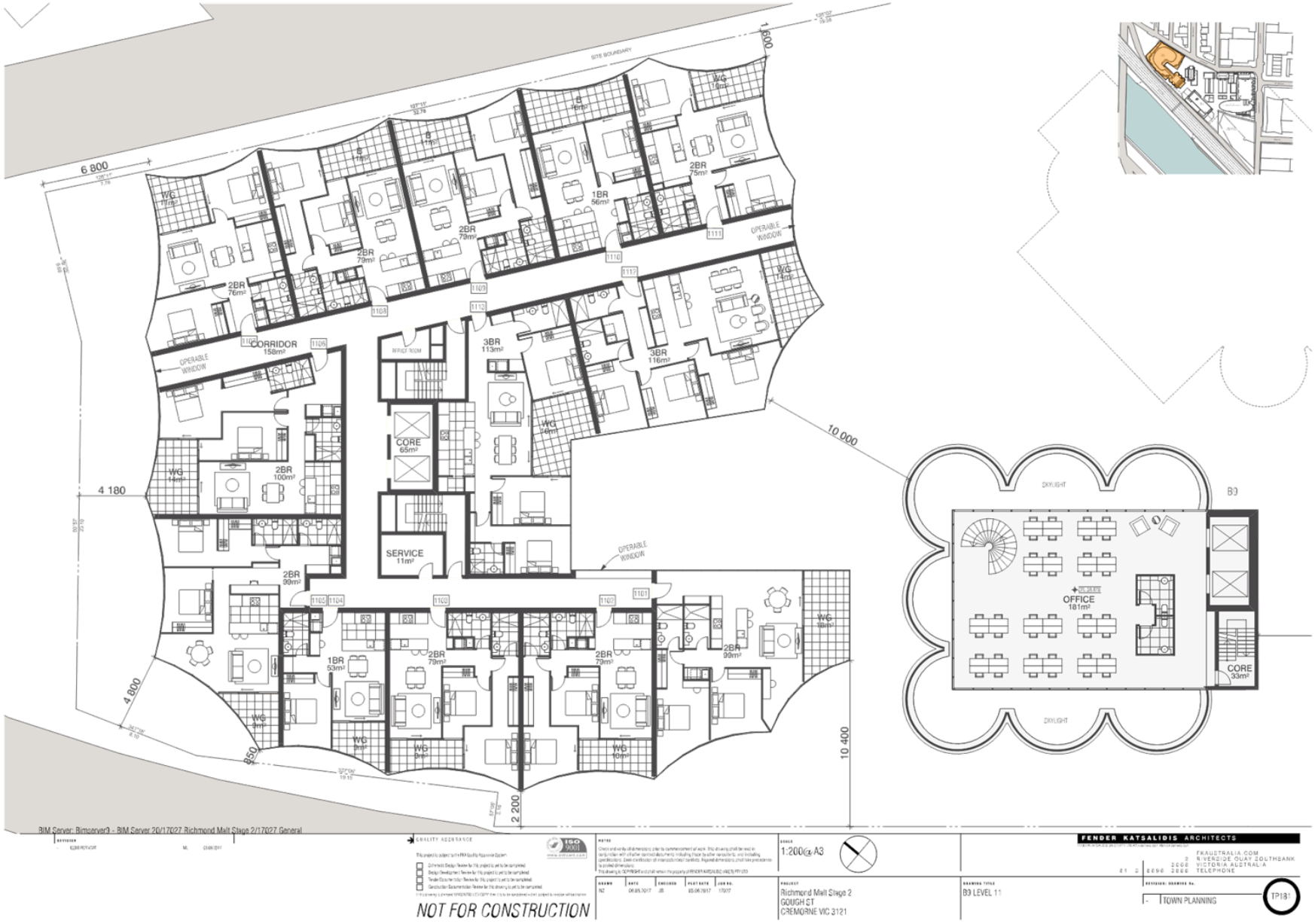
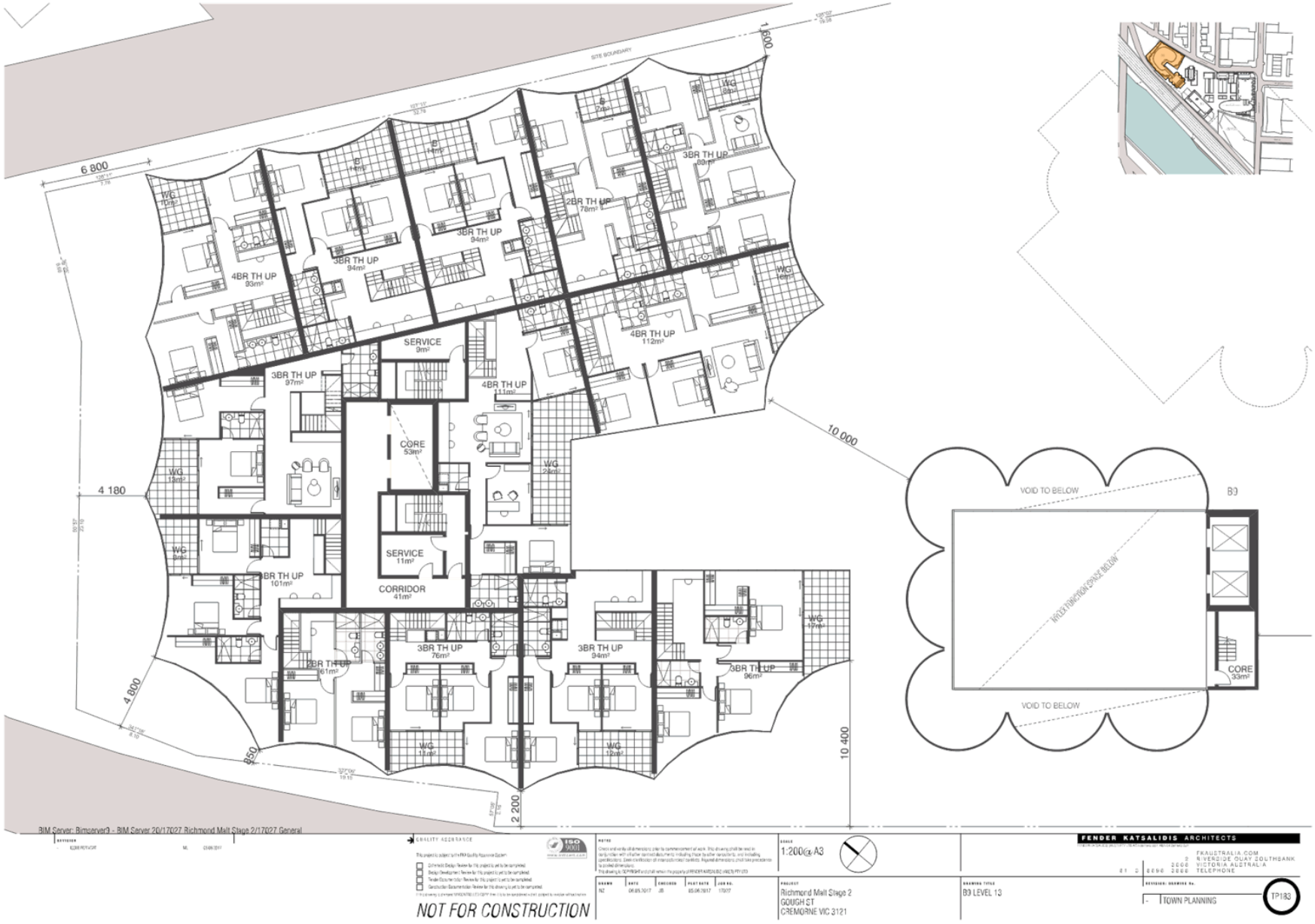
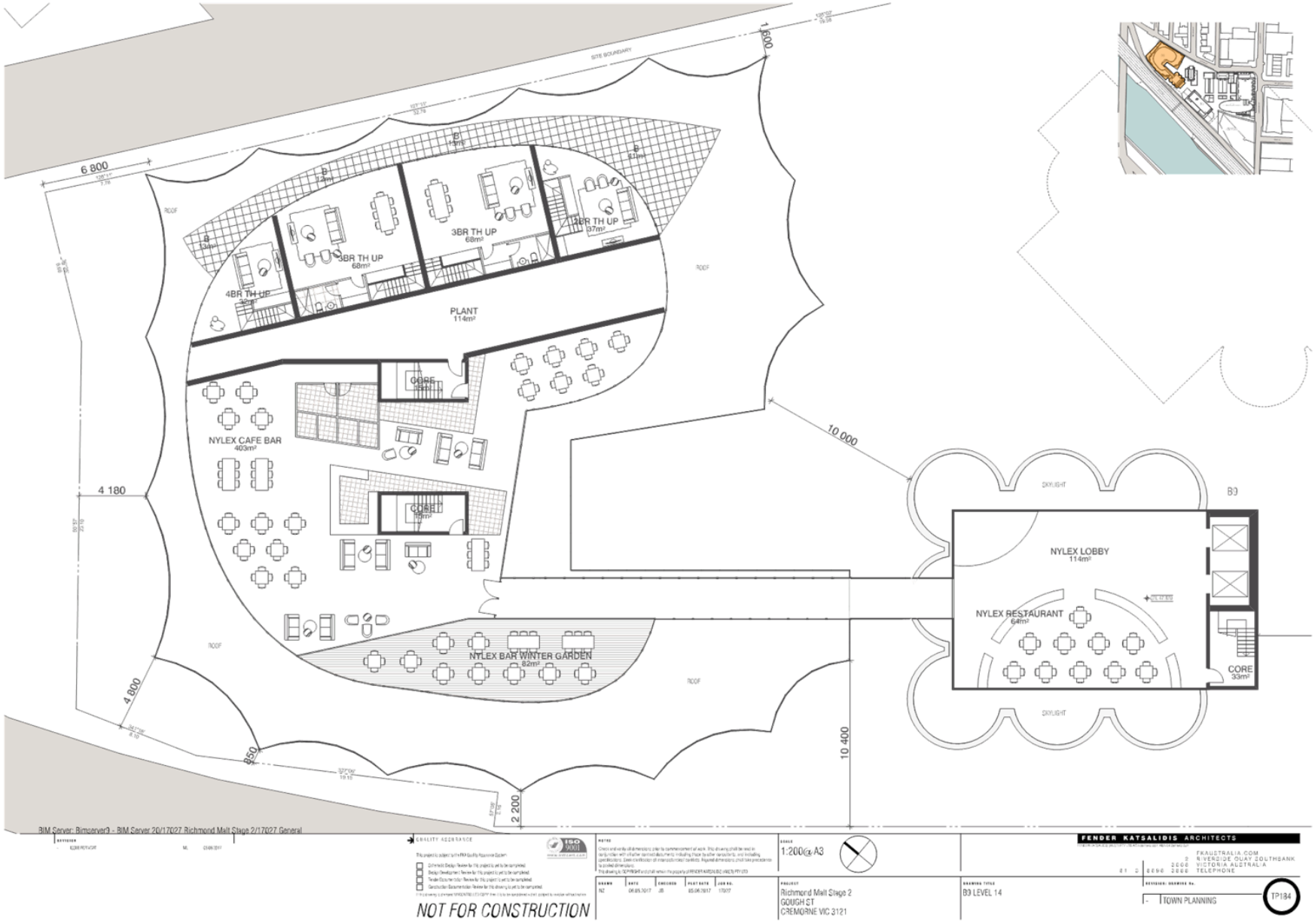


Attachment 7 - 2 Gough Street Cremorne - Part 7 of 12

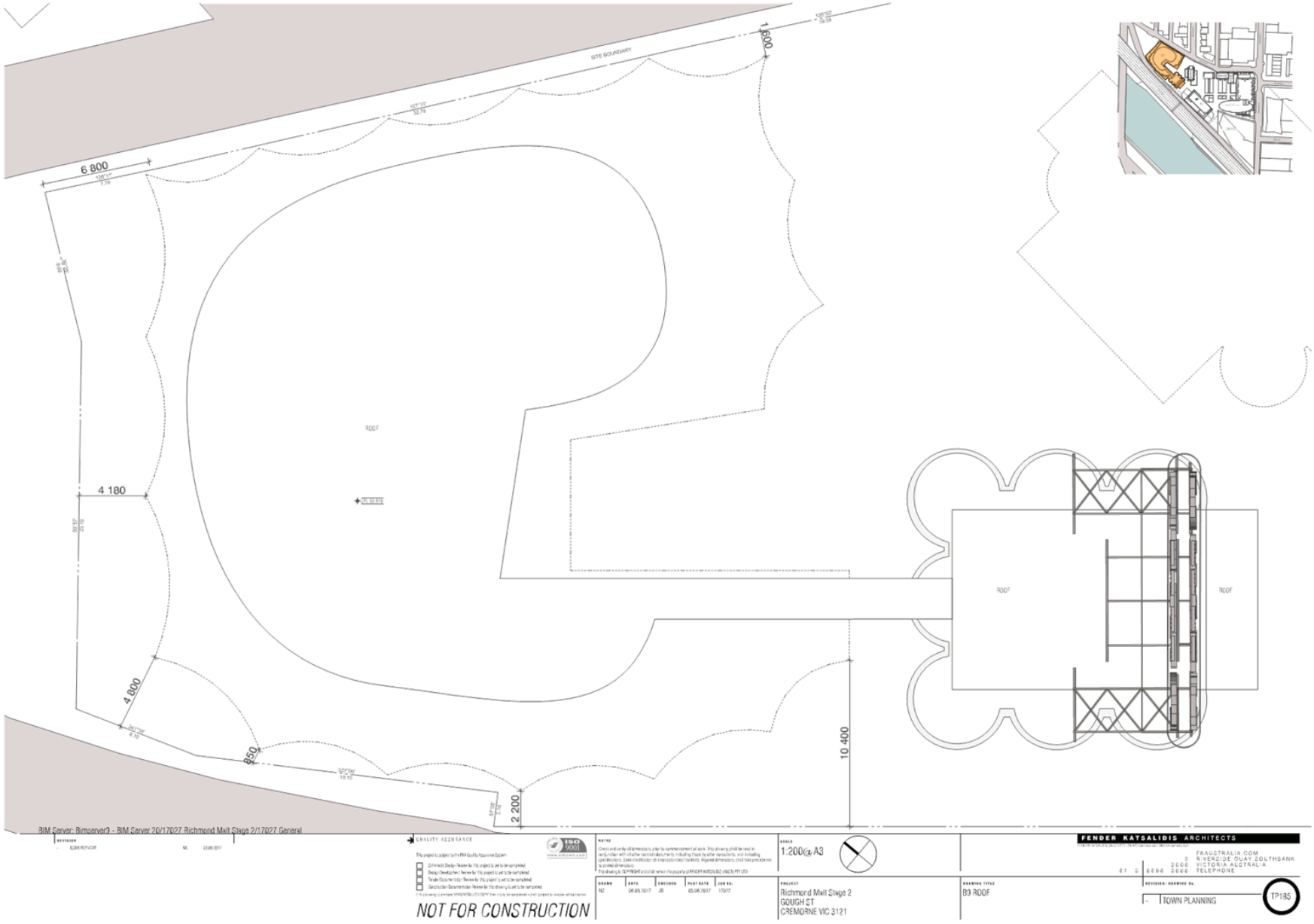
Attachment 7 - 2 Gough Street Cremorne - Part 7 of 12



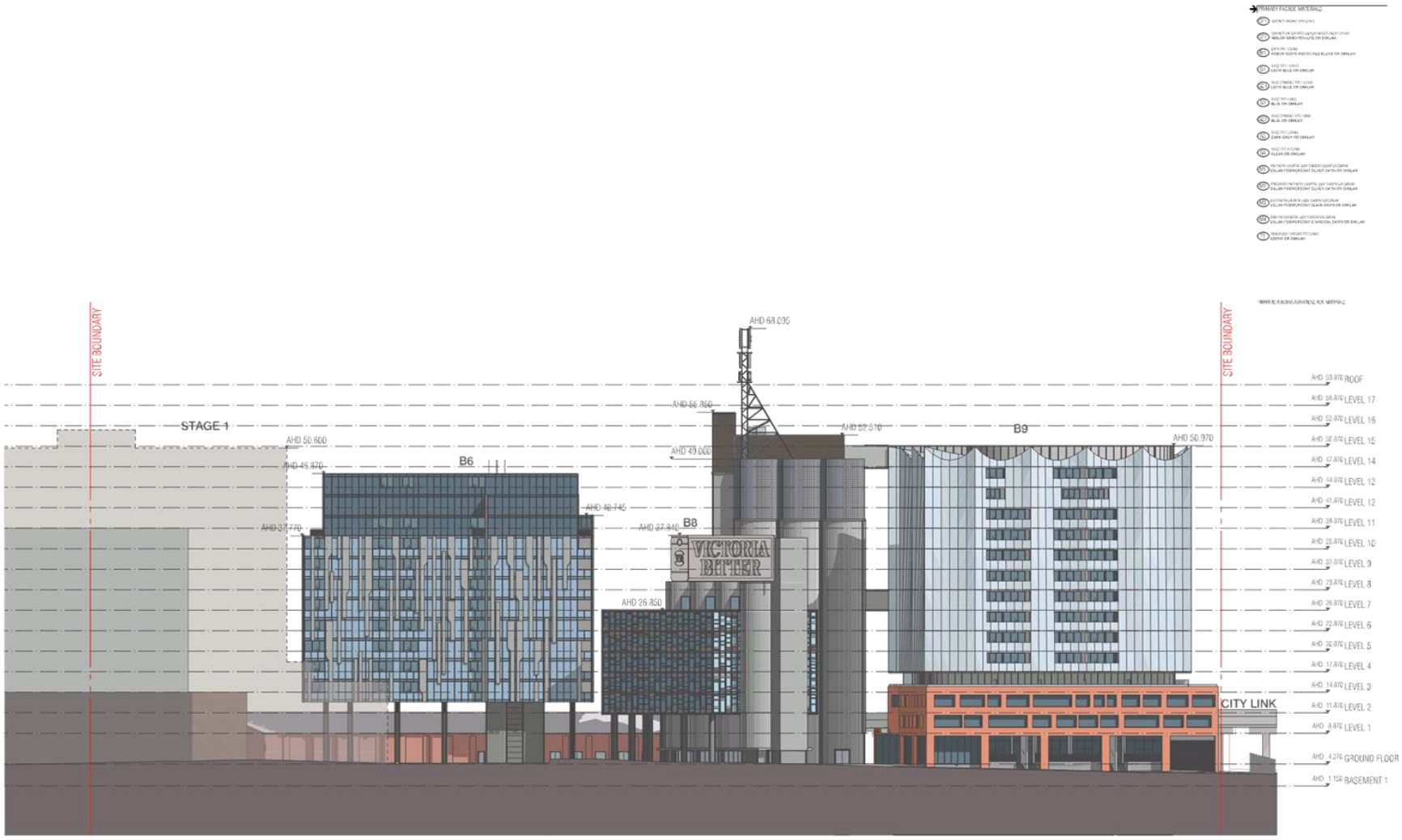
Attachment 7 - 2 Gough Street Cremorne - Part 7 of 12



Attachment 7 - 2 Gough Street Cremorne - Part 7 of 12



Attachment 7 - 2 Gough Street Cremorne - Part 7 of 12



BIM Server: Rimserver3 - BIM Server 20/17027 Richmond Malt Stage 2/17027 General

QUALITY ASSURANCE

NOT FOR CONSTRUCTION

1:500@A3

Richmond Malt Stage 2
GOUGH ST
CREMORNE VIC 3121

OVERALL NORTH ELEVATION

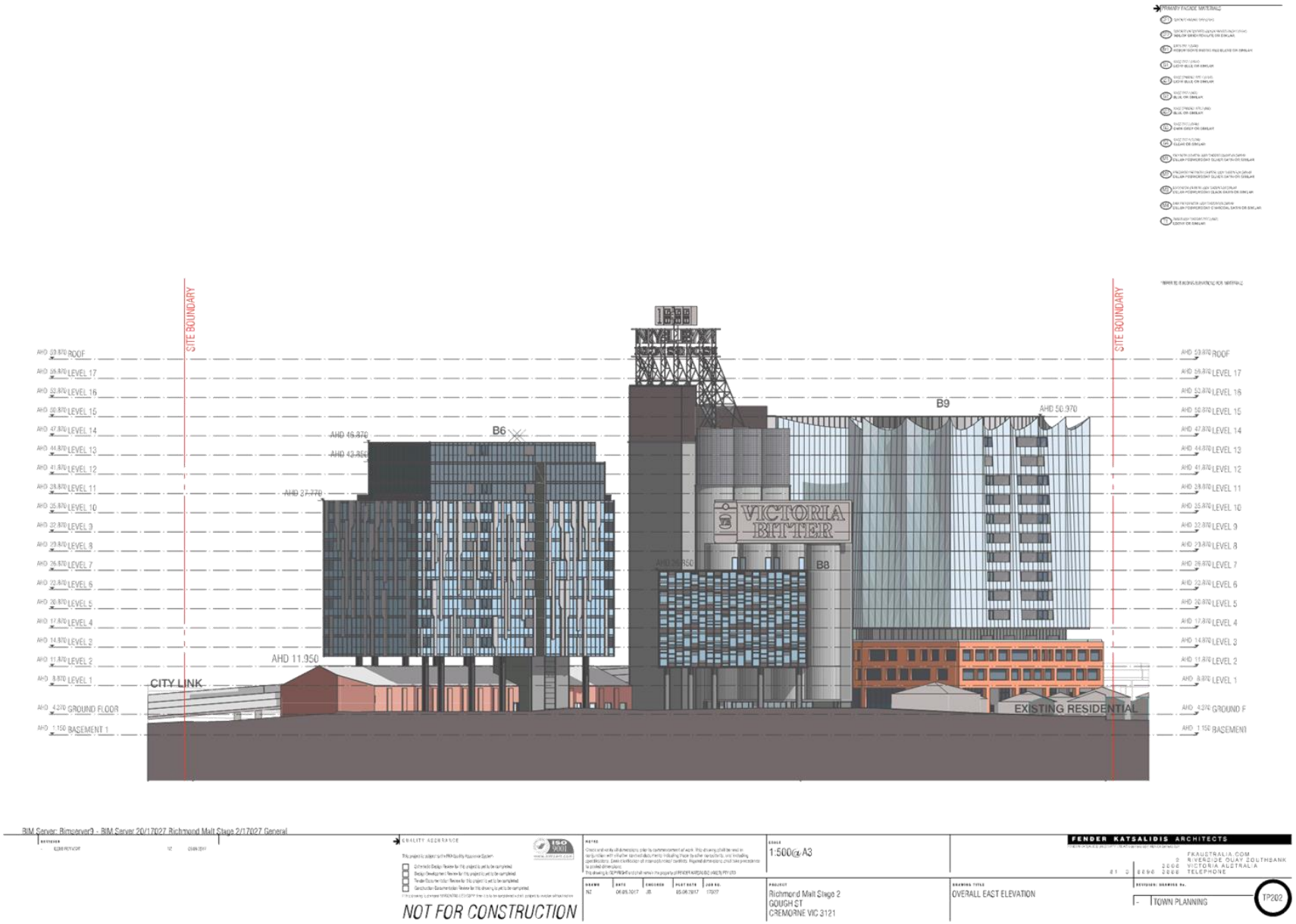
FENDER KATSALIDIS ARCHITECTS

FKAUSTRALIA.COM
2 RIVERSIDE QUAY SOUTHBANK
3006 VICTORIA AUSTRALIA
TELEPHONE

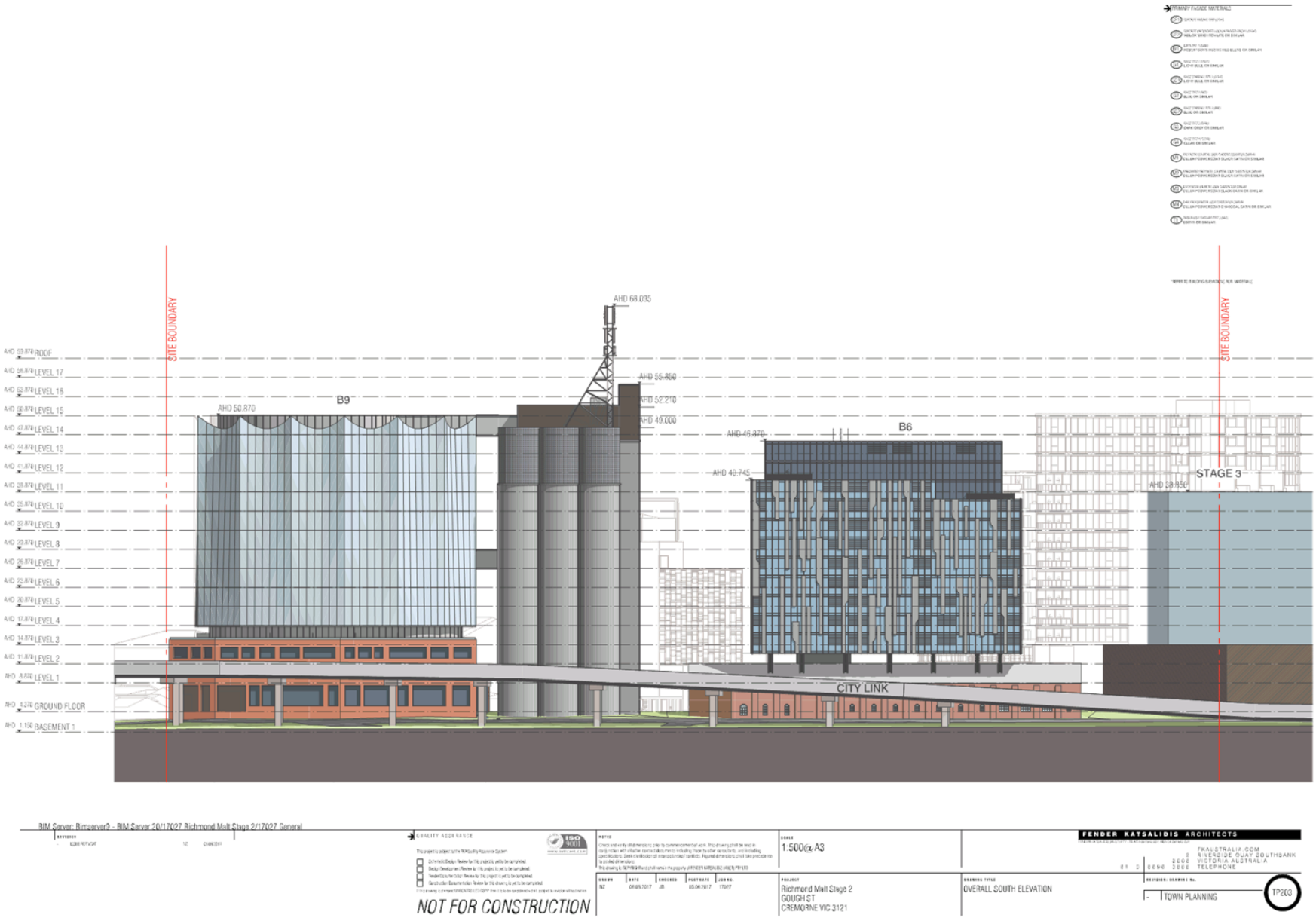
TOWN PLANNING

TP201

Attachment 7 - 2 Gough Street Cremorne - Part 7 of 12



Attachment 7 - 2 Gough Street Cremorne - Part 7 of 12



BIM Server: Bimserver3 - BIM Server 20/17027 Richmond Malt Stage 2/17027 General

QUALITY ASSURANCE

ISO 9001

NOT FOR CONSTRUCTION

1:500@A3

Richmond Malt Stage 2
GOUGH ST
CREMORNE VIC 3121

OVERALL SOUTH ELEVATION

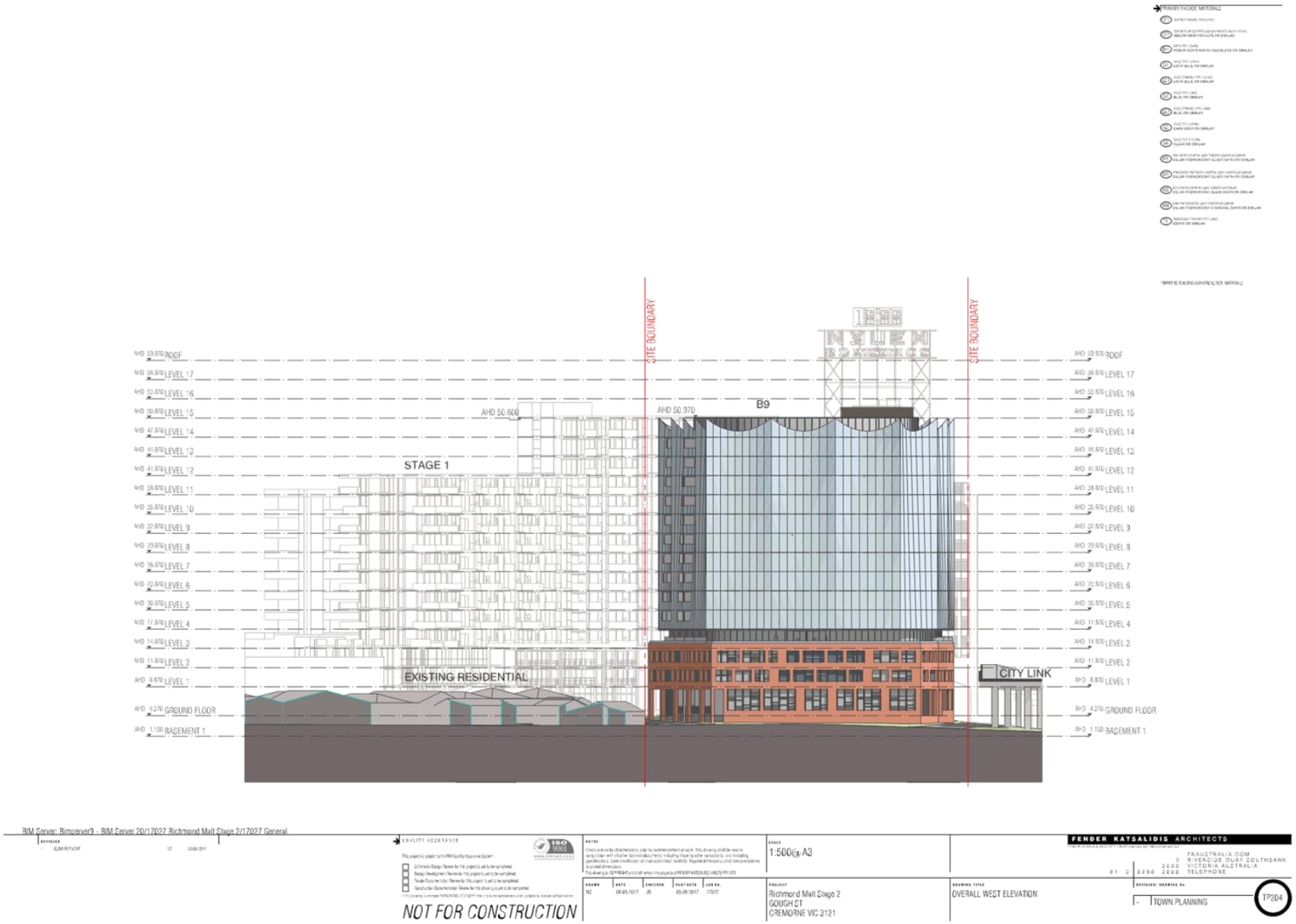
FENDER KATSALIDIS ARCHITECTS

FKAUSTRALIA.COM
2 RIVERSIDE QUAY SOUTHBANK
3006 VICTORIA AUSTRALIA
TELEPHONE

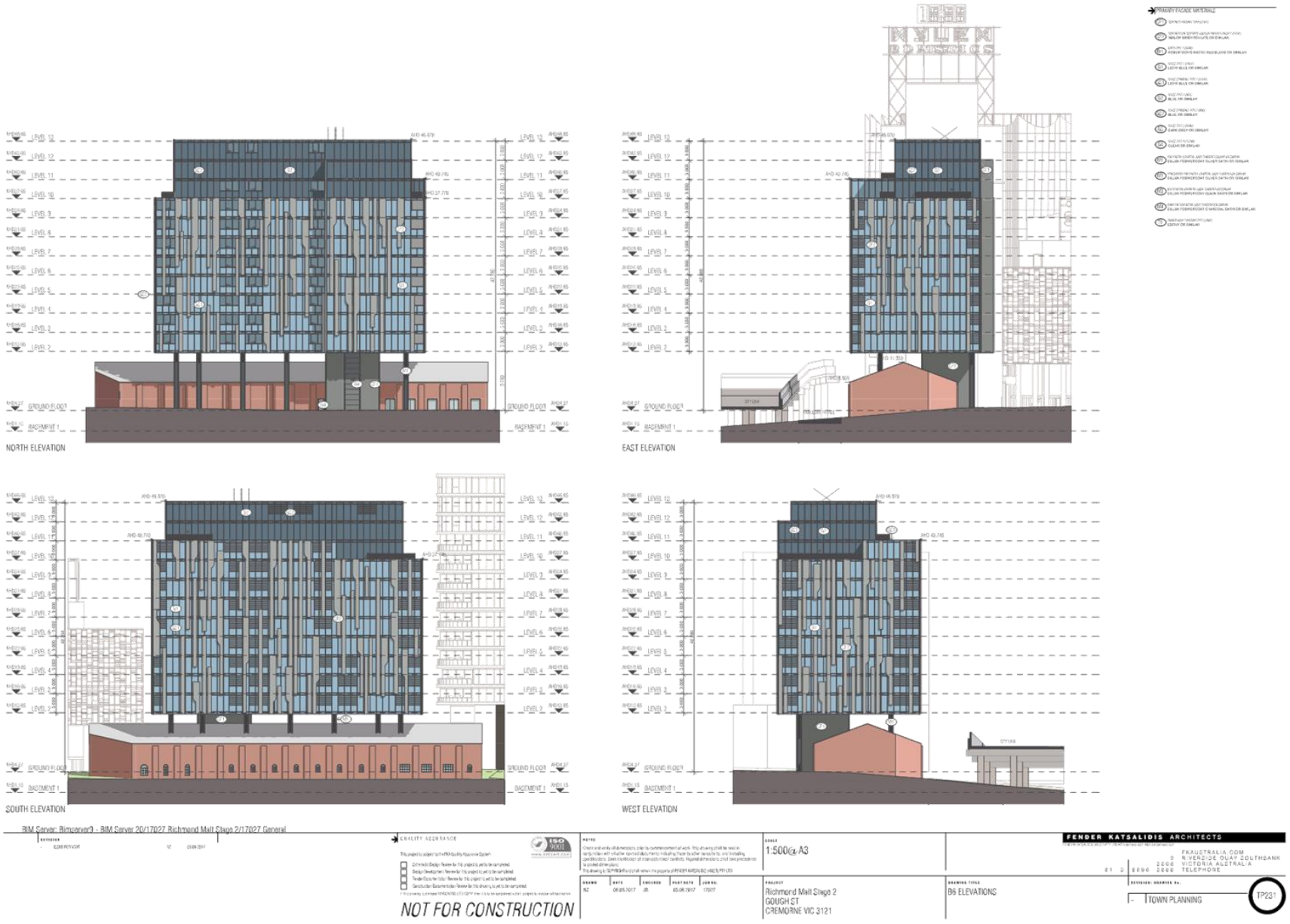
TOWN PLANNING

TP203

Attachment 7 - 2 Gough Street Cremorne - Part 7 of 12

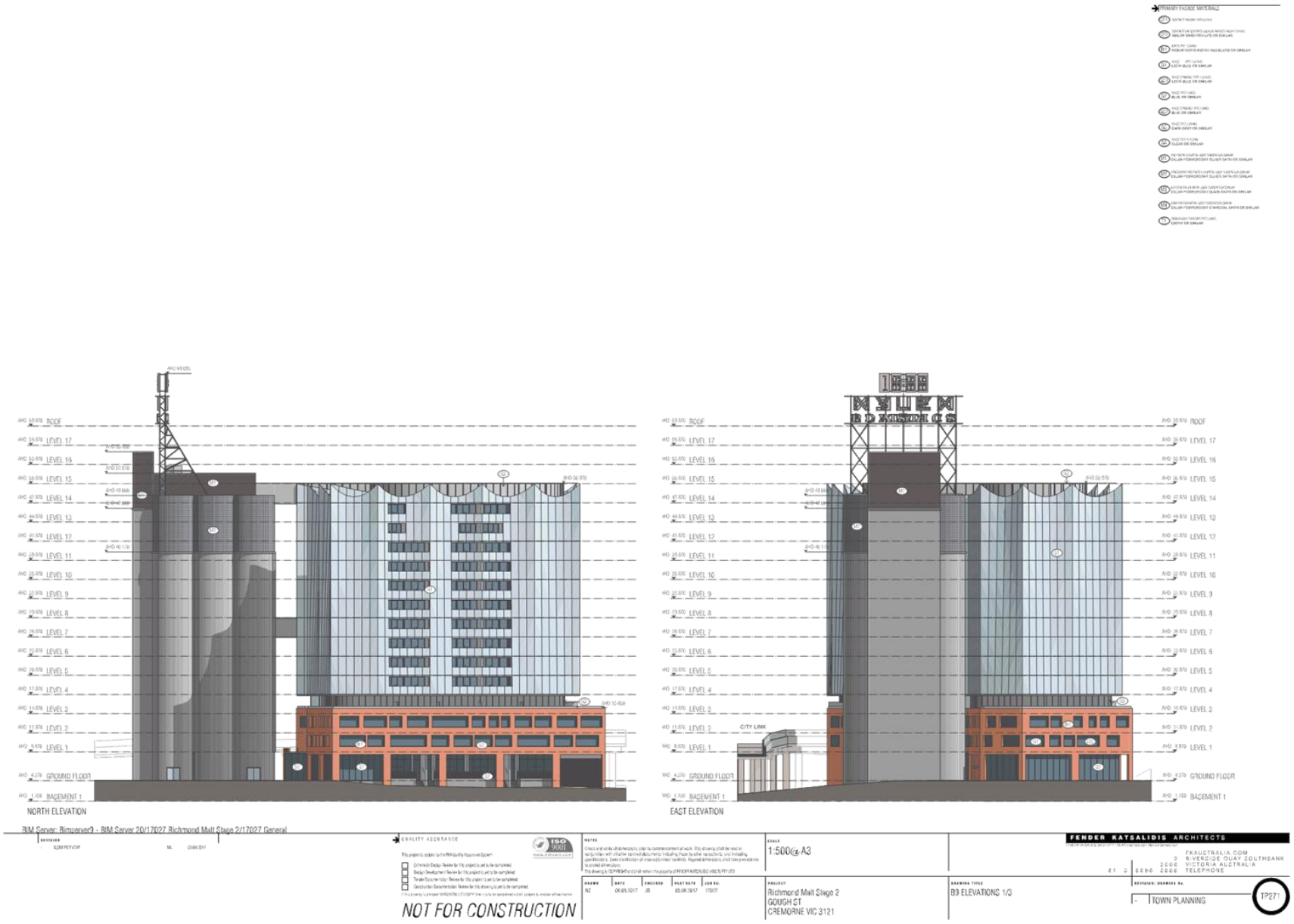


Attachment 8 - 2 Gough Street Cremorne - Part 8 of 12

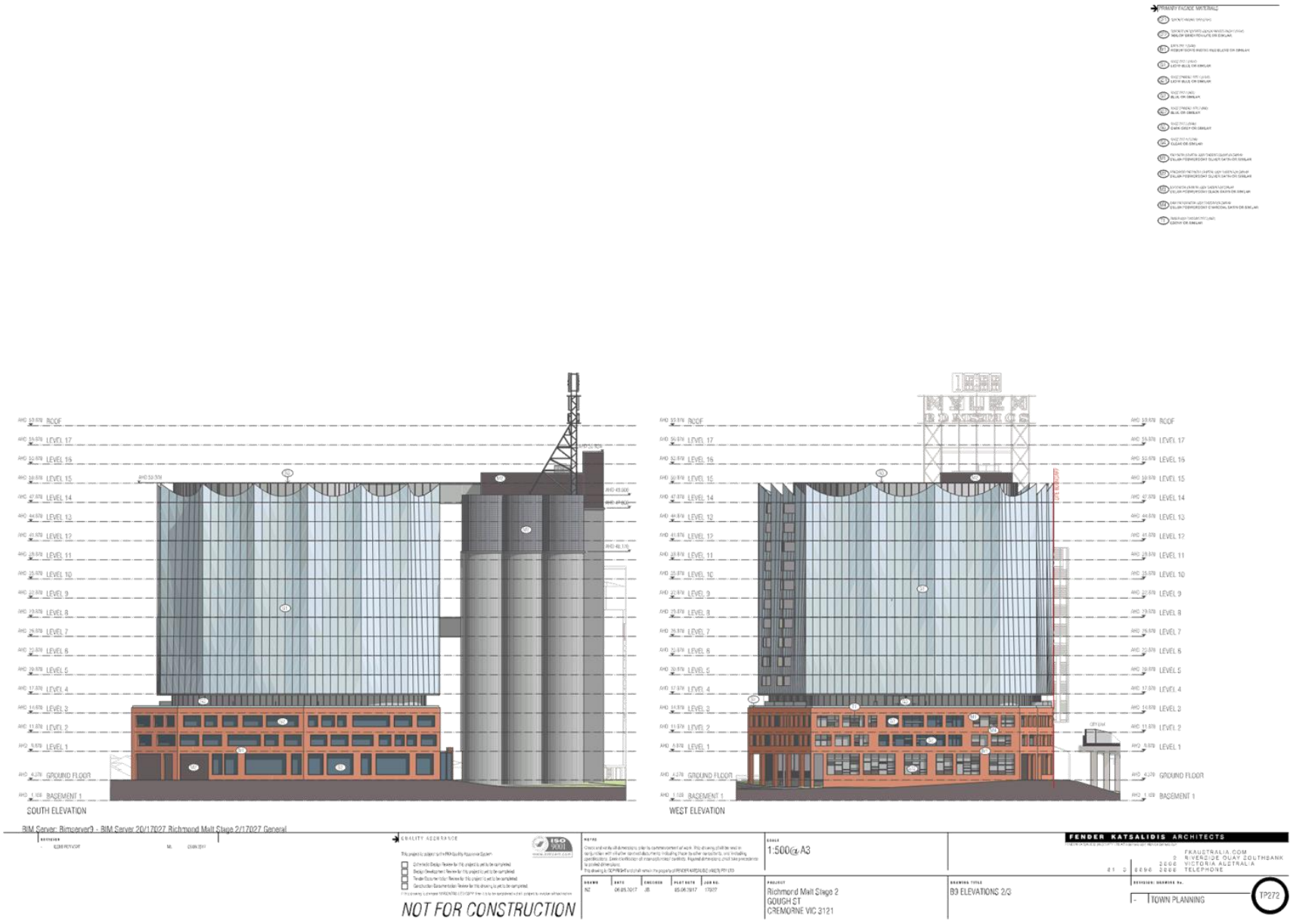


Attachment 8 - 2 Gough Street Cremorne - Part 8 of 12

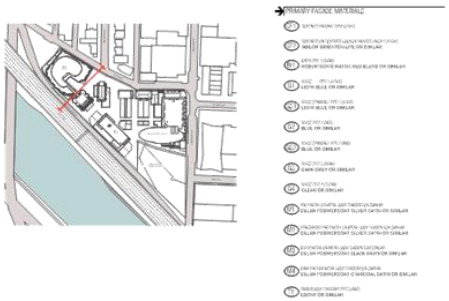
Attachment 8 - 2 Gough Street Cremorne - Part 8 of 12

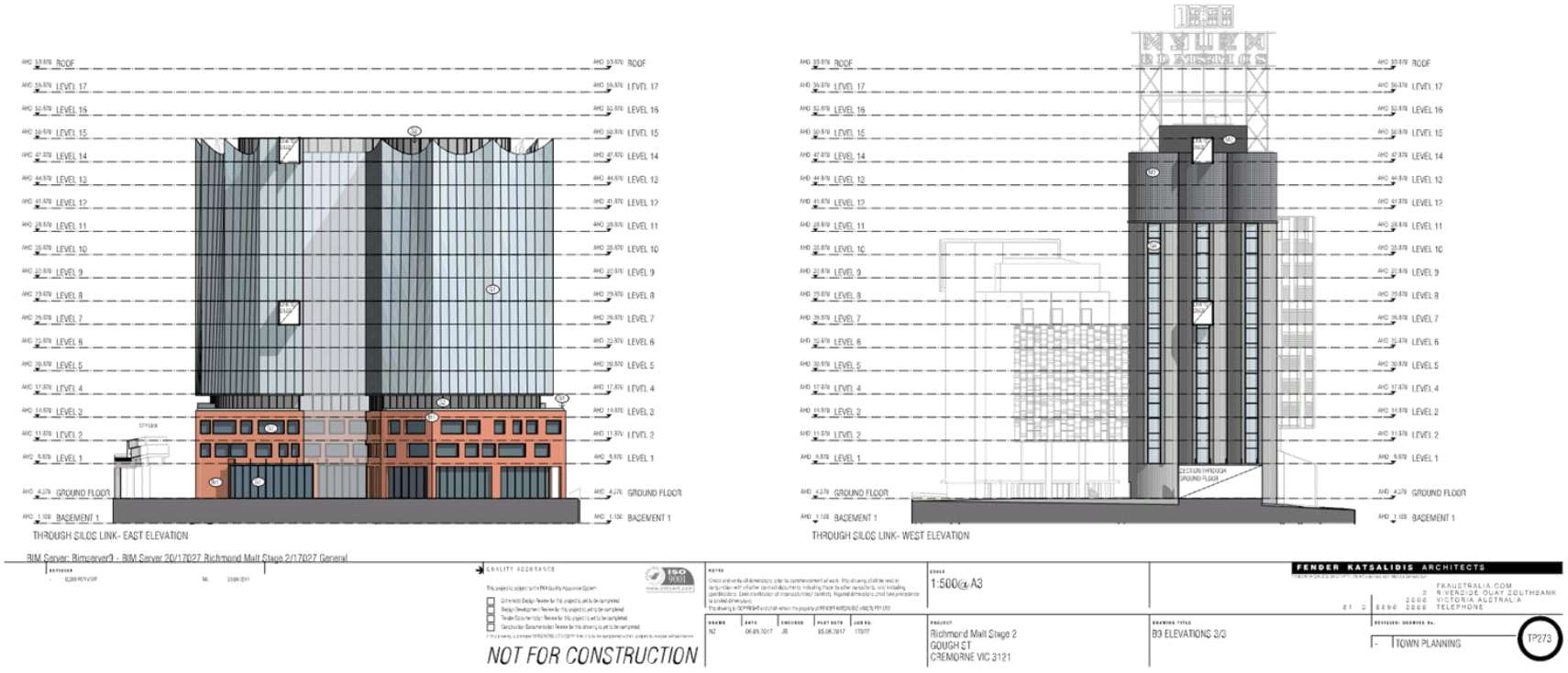


Attachment 8 - 2 Gough Street Cremorne - Part 8 of 12

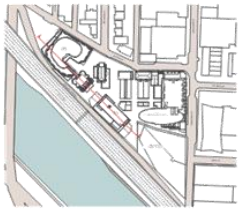


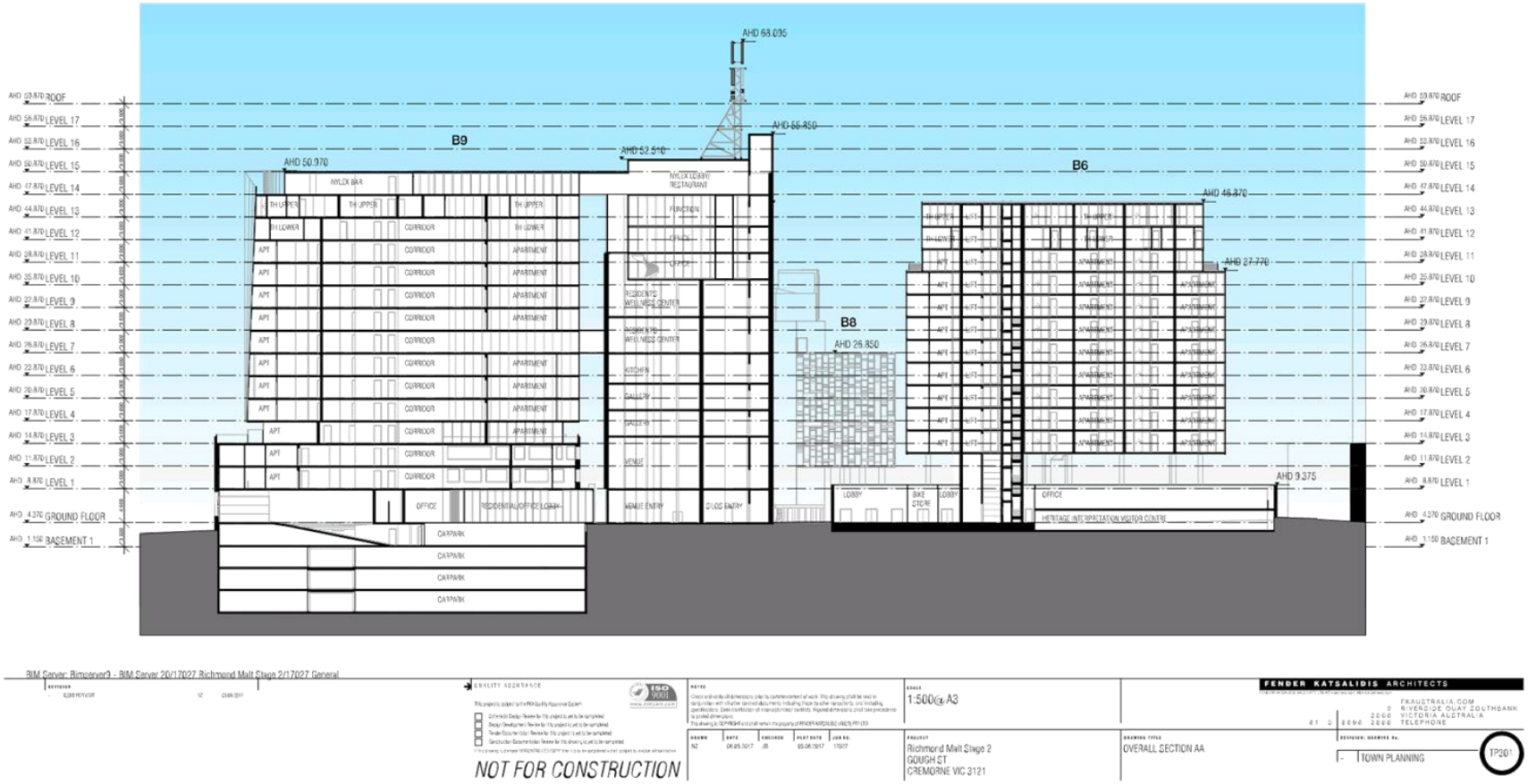
Attachment 8 - 2 Gough Street Cremorne - Part 8 of 12





Attachment 8 - 2 Gough Street Cremorne - Part 8 of 12





BIM Server: Rimserver3 - BIM Server 20/17027 Richmond Malt Stage 2/17027 General

QUALITY ASSURANCE

ISO 9001

NOT FOR CONSTRUCTION

1:500@A3

FENDER KATSALIDIS ARCHITECTS

FKAUSTRALIA.COM
2 RIVERSIDE QUAY SOUTHBANK
3006 VICTORIA AUSTRALIA
61 3 8696 3006 TELEPHONE

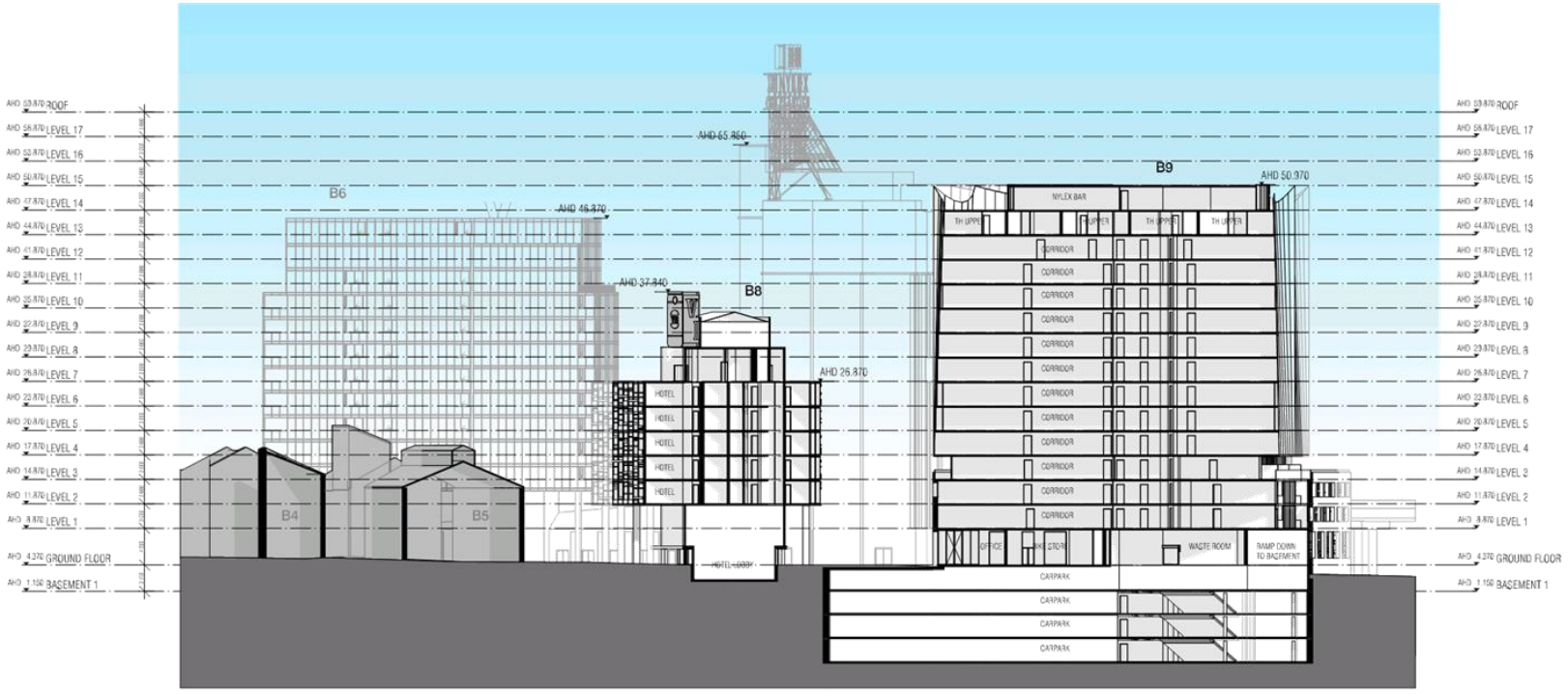
Richmond Malt Stage 2
GOUGH ST
CREMORNE VIC 3121

OVERALL SECTION AA

- TOWN PLANNING

TP201

Attachment 8 - 2 Gough Street Cremorne - Part 8 of 12



BIM Server: Bimserver3 - BIM Server 20/17027 Richmond Malt Stage 2/17027 General

QUALITY ASSURANCE

ISO 9001

NOTES

NOT FOR CONSTRUCTION

1:500@A3

FENDER KATSALIDIS ARCHITECTS

FKAUSTRALIA.COM
8 RIVERSIDE QUAY SOUTHBANK
3006 VICTORIA AUSTRALIA
61 3 8696 3006 TELEPHONE

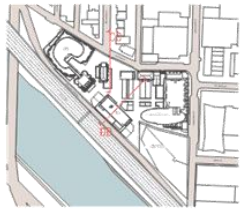
Richmond Malt Stage 2
GOUGH ST
CREMORNE VIC 3121

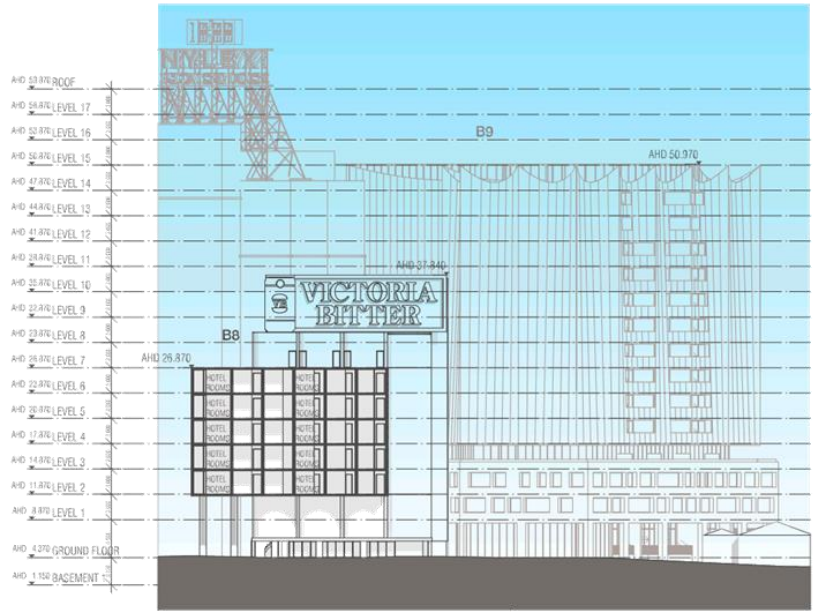
OVERALL SECTION BB

- TOWN PLANNING

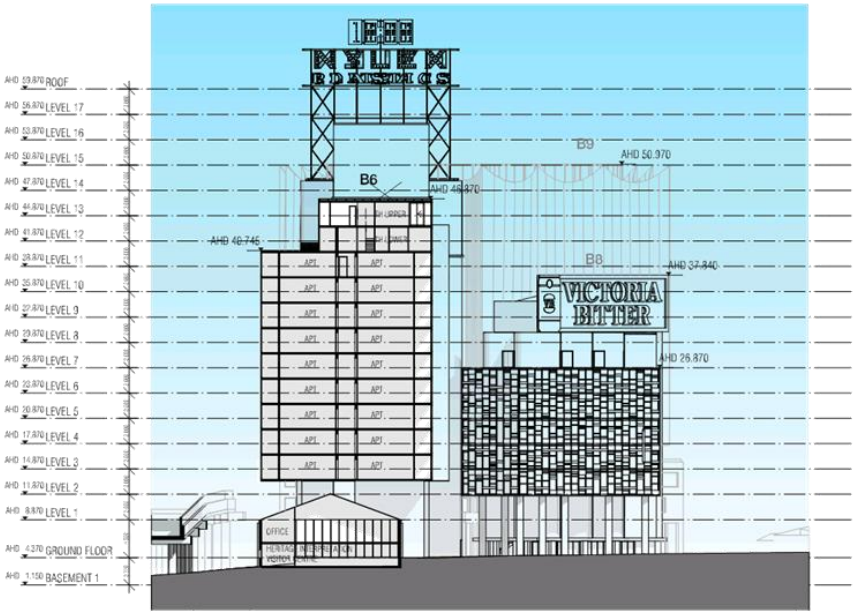
TP202

Attachment 8 - 2 Gough Street Cremorne - Part 8 of 12





SECTION CC



SECTION DD

BIM Server: Bimserver3 - BIM Server 20/17027 Richmond Malt Stage 2/17027 General

QUALITY ASSURANCE

ISO 9001

NOTES

NOT FOR CONSTRUCTION

DRAWN	DATE	CHECKED	PLOT DATE	JOB NO.
NZ	06.05.2017	JB	05.06.2017	17027

SCALE 1:500@A3

PROJECT
Richmond Malt Stage 2
GOUGH ST
CREMORNE VIC 3121

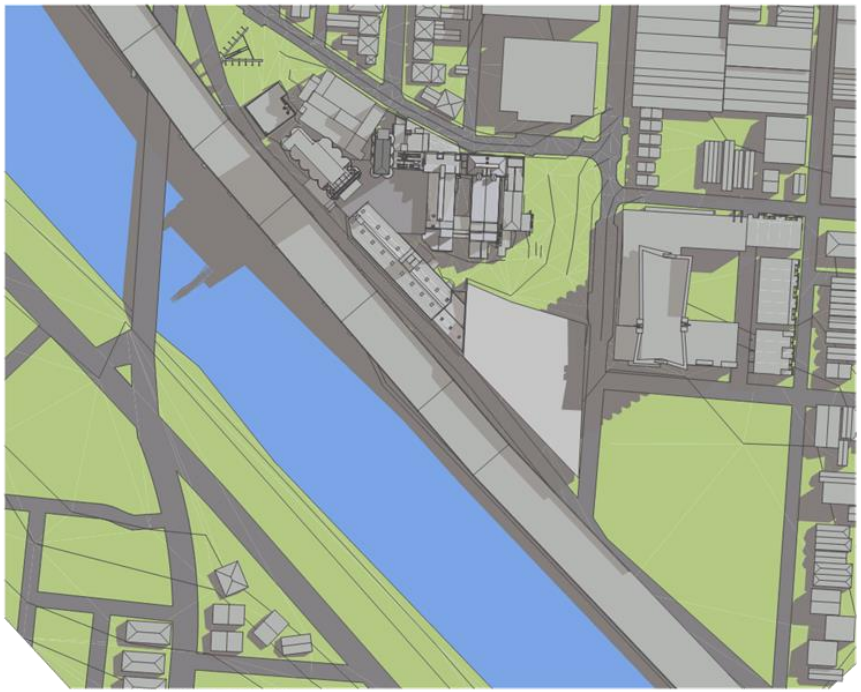
DRAWING TITLE
OVERALL SECTION CC AND DD

FENDER KATSALIDIS ARCHITECTS

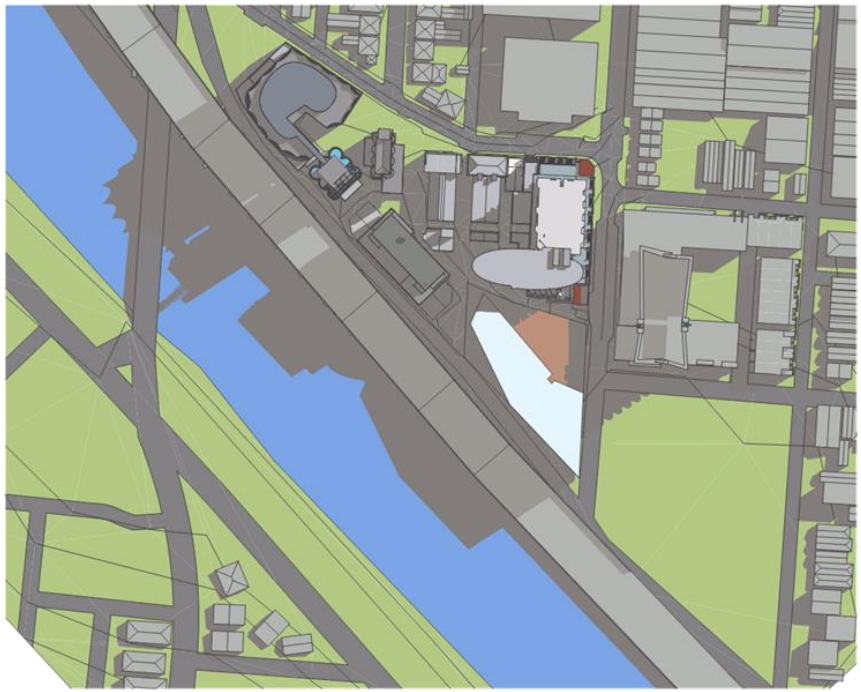
FKAUSTRALIA.COM
2 RIVERSIDE QUAY SOUTHBANK
3006 VICTORIA AUSTRALIA
61 3 8696 3006 TELEPHONE

REVISION: DRAWING No.
- TOWN PLANNING
TP203

Attachment 8 - 2 Gough Street Cremorne - Part 8 of 12



1 EXSITING SHADOWS 21 SEP 9AM



2 DESIGN PROPOSAL SHADOWS 21 SEP 9AM

BIM Server: Rimserver3 - BIM Server 20/17027 Richmond Malt Stage 2/17027 General

QUALITY ASSURANCE

NOT FOR CONSTRUCTION

1:2000@A3

Richmond Malt Stage 2
GOUGH ST
CREMORNE VIC 3121

SHADOW STUDIES 9AM

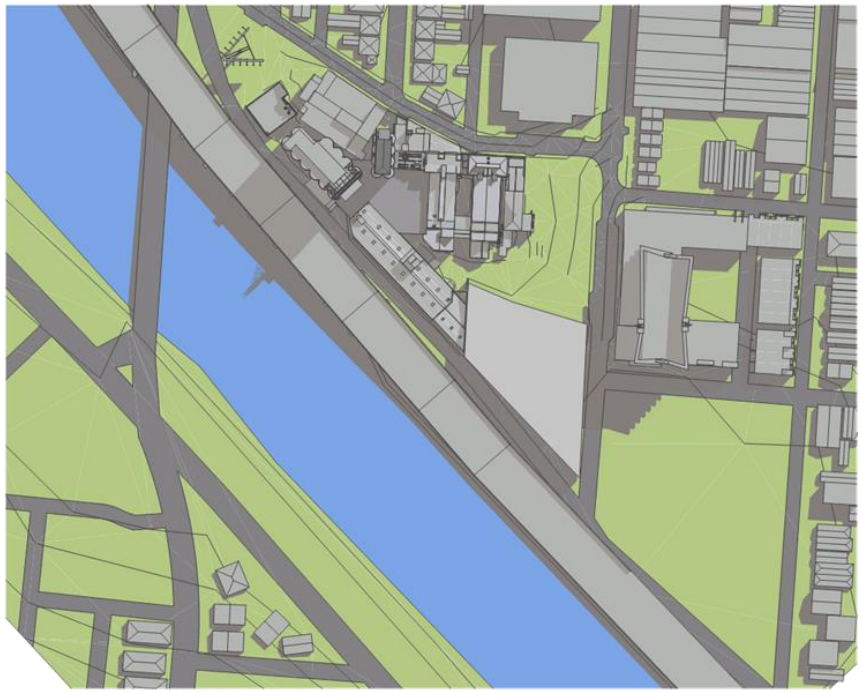
FENDER KATSALIDIS ARCHITECTS

FKAUSTRALIA.COM
2 RIVERSIDE QUAY SOUTHBANK
3006 VICTORIA AUSTRALIA
61 3 8696 3888 TELEPHONE

- TOWN PLANNING

TP400

Attachment 8 - 2 Gough Street Cremorne - Part 8 of 12



1 EXSITING SHADOWS 21 SEP 10AM

2 DESIGN PROPOSAL SHADOWS 21 SEP 10AM

BIM Server: Bimserver3 - BIM Server 20/17027 Richmond Malt Stage 2/17027 General

QUALITY ASSURANCE

NOT FOR CONSTRUCTION

1:2000@A3

Richmond Malt Stage 2
GOUGH ST
CREMORNE VIC 3121

SHADOW STUDIES 10AM

FENDER KATSALIDIS ARCHITECTS

FKAUSTRALIA.COM
2 RIVERSIDE QUAY SOUTHBANK
3006 VICTORIA AUSTRALIA
61 3 8696 3006 TELEPHONE

- TOWN PLANNING

TP401

Attachment 9 - 2 Gough Street Cremorne - Part 9 of 12

1 EXSITING SHADOWS 21 SEP 11AM

2 DESIGN PROPOSAL SHADOWS 21 SEP 11AM

BIM Server: Bimserver3 - BIM Server 20/17027 Richmond Malt Stage 2/17027 General

QUALITY ASSURANCE

ISO 9001

NOT FOR CONSTRUCTION

1:2000@A3

Richmond Malt Stage 2
GOUGH ST
CREMORNE VIC 3121

SHADOW STUDIES 11AM

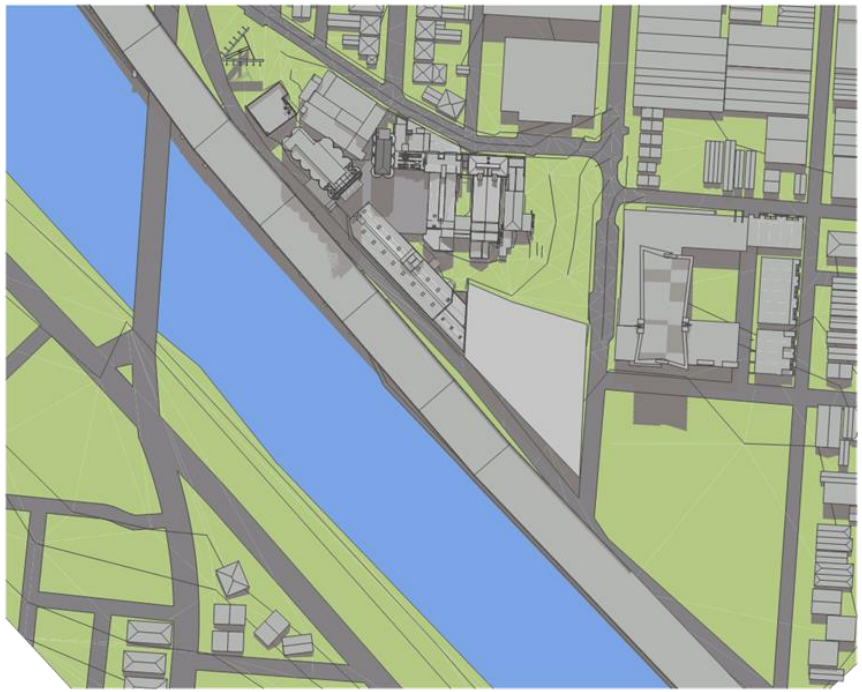
FENDER KATSALIDIS ARCHITECTS

FKAUSTRALIA.COM
2 RIVERSIDE QUAY SOUTHBANK
3006 VICTORIA AUSTRALIA
61 3 8696 3888 TELEPHONE

- TOWN PLANNING

TP402

Attachment 9 - 2 Gough Street Cremorne - Part 9 of 12



1 EXSITING SHADOWS 21 SEP 12PM

2 DESIGN PROPOSAL SHADOWS 21 SEP 12PM

BIM Server: Bimserver3 - BIM Server 20/17027 Richmond Malt Stage 2/17027 General

QUALITY ASSURANCE

NOT FOR CONSTRUCTION

1:2000@A3

Richmond Malt Stage 2
GOUGH ST
CREMORNE VIC 3121

SHADOW STUDIES 12PM

FENDER KATSALIDIS ARCHITECTS

FKAUSTRALIA.COM
2 RIVERSIDE QUAY SOUTHBANK
3006 VICTORIA AUSTRALIA
61 3 8696 3888 TELEPHONE

- TOWN PLANNING

TP403

Attachment 9 - 2 Gough Street Cremorne - Part 9 of 12

1 EXSITING SHADOWS 21 SEP 1PM

2 DESIGN PROPOSAL SHADOWS 21 SEP 1PM

BIM Server: Bimserver3 - BIM Server 20/17027 Richmond Malt Stage 2/17027 General

QUALITY ASSURANCE

NOT FOR CONSTRUCTION

1:2000@A3

Richmond Malt Stage 2
GOUGH ST
CREMORNE VIC 3121

SHADOW STUDIES 1PM

FENDER KATSALIDIS ARCHITECTS

FKAUSTRALIA.COM
2 RIVERSIDE QUAY SOUTHBANK
3006 VICTORIA AUSTRALIA
61 3 8696 3888 TELEPHONE

TOWN PLANNING

TP404

Attachment 9 - 2 Gough Street Cremorne - Part 9 of 12

1 EXSITING SHADOWS 21 SEP 2PM

2 DESIGN PROPOSAL SHADOWS 21 SEP 2PM

BIM Server: Bimserver3 - BIM Server 20/17027 Richmond Malt Stage 2/17027 General

QUALITY ASSURANCE

NOT FOR CONSTRUCTION

1:2000@A3

Richmond Malt Stage 2
GOUGH ST
CREMORNE VIC 3121

SHADOW STUDIES 2PM

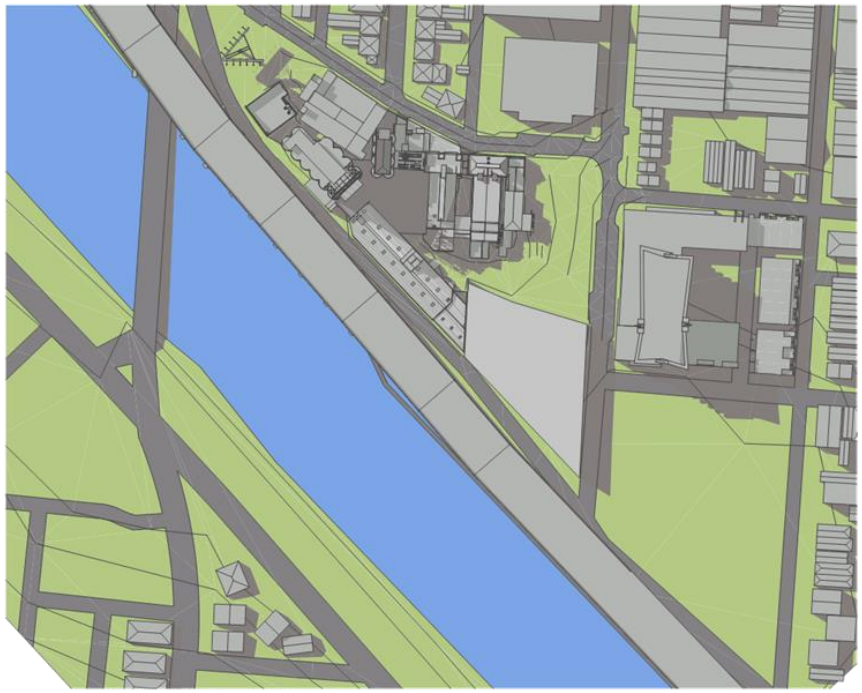
FENDER KATSALIDIS ARCHITECTS

FKAUSTRALIA.COM
2 RIVERSIDE QUAY SOUTHBANK
3006 VICTORIA AUSTRALIA
TELEPHONE

- TOWN PLANNING

TP405

Attachment 9 - 2 Gough Street Cremorne - Part 9 of 12



1 EXSITING SHADOWS 21 SEP 3PM

2 DESIGN PROPOSAL SHADOWS 21 SEP 3PM

BIM Server: Bimserver3 - BIM Server 20/17027 Richmond Malt Stage 2/17027 General

QUALITY ASSURANCE

NOT FOR CONSTRUCTION

1:2000@A3

Richmond Malt Stage 2
GOUGH ST
CREMORNE VIC 3121

SHADOW STUDIES 3PM

FENDER KATSALIDIS ARCHITECTS

FKAUSTRALIA.COM
2 RIVERSIDE QUAY SOUTHBANK
3006 VICTORIA AUSTRALIA
TELEPHONE

TOWN PLANNING

TP406

Attachment 9 - 2 Gough Street Cremorne - Part 9 of 12

PRIMARY FACADE MATERIALS

CF1 CONCRETE NATURAL GREY (LIGHT)

CF2 CONCRETE OR CONCRETE LOOK OR PAINTED FINISH 1 (LIGHT)
'ABILOX' BRIGHTON LITE OR SIMILAR

G1 GLASS TYPE 1 (LIGHT)
LIGHT BLUE OR SIMILAR

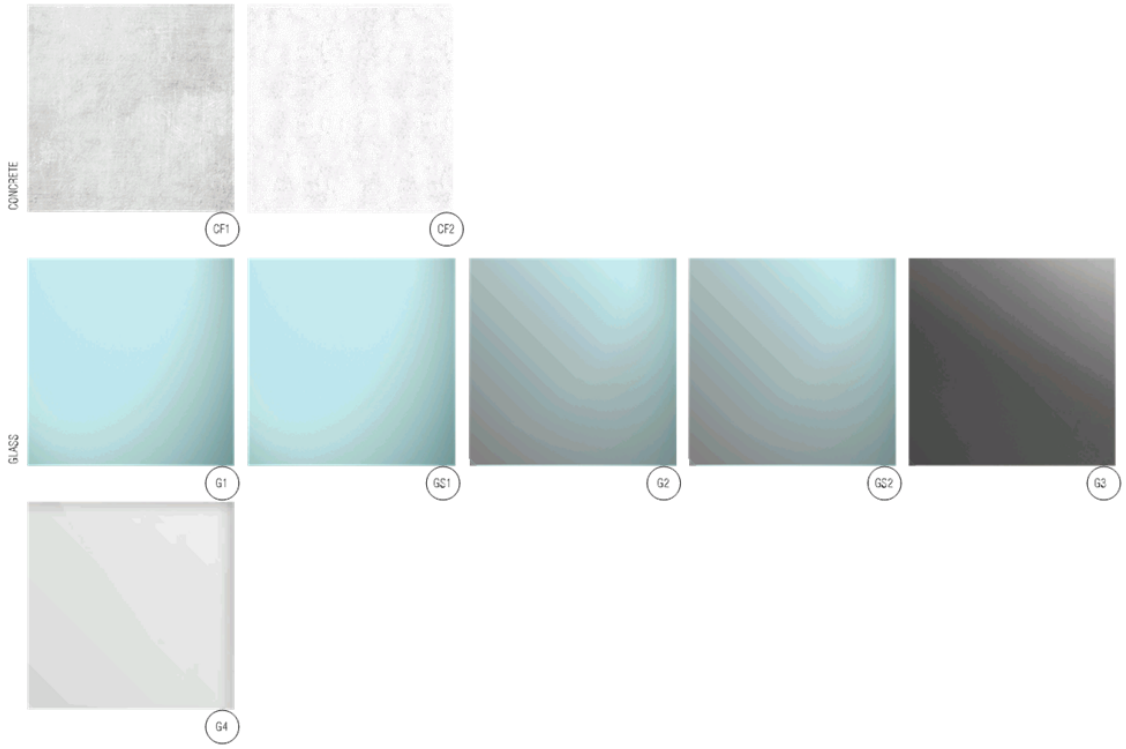
GS1 GLASS SPANDREL TYPE 1 (LIGHT)
LIGHT BLUE OR SIMILAR

G2 GLASS TYPE 2 (MID)
BLUE OR SIMILAR

GS2 GLASS SPANDREL TYPE 2 (MID)
BLUE OR SIMILAR

G3 GLASS TYPE 3 (DARK)
DARK GREY OR SIMILAR

G4 GLASS TYPE 4 (CLEAR)
CLEAR OR SIMILAR



BIM Server: Bimserver3 - BIM Server 20/17027 Richmond Malt Stage 2/17027 General

QUALITY ASSURANCE

ISO 9001

NOT FOR CONSTRUCTION

N.T.S.@A3

Richmond Malt Stage 2
GOUGH ST
CREMORNE VIC 3121

B6 MATERIALS AND FINISHES

FENDER KATSALIDIS ARCHITECTS

FKAUSTRALIA.COM
2 RIVERSIDE QUAY SOUTHBANK
3006 VICTORIA AUSTRALIA
61 3 8696 3666 TELEPHONE

- TOWN PLANNING

TP500

Attachment 9 - 2 Gough Street Cremorne - Part 9 of 12

PRIMARY FACADE MATERIALS

CF1 CONCRETE NATURAL GREY (LIGHT)

G2 GLASS TYPE 2 (MID)
BLUE OR SIMILAR

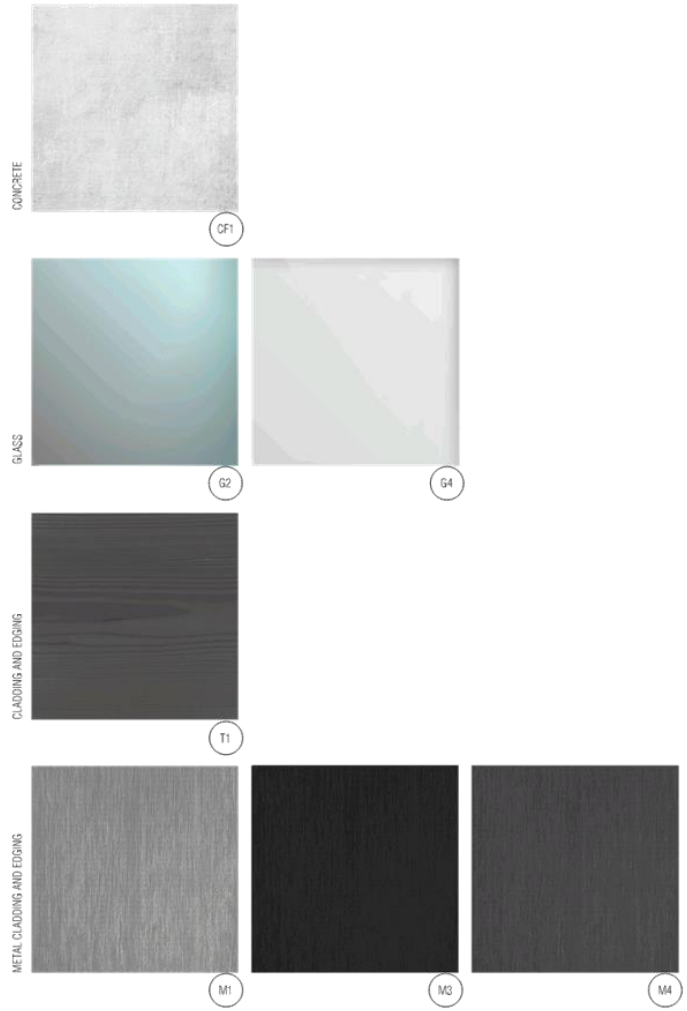
G4 GLASS TYPE 4 (CLEAR)
CLEAR OR SIMILAR

T1 TIMBER LOOK CLADDING TYPE 3 (MID)
EBONY OR SIMILAR

M1 GREY METAL OR METAL LOOK CLADDING OR SIMILAR
DULUX PODWERCOAT SILVER SATIN OR SIMILAR

M3 BLACK METAL OR METAL LOOK CLADDING OR SIMILAR
DULUX PODWERCOAT BLACK SATIN OR SIMILAR

M4 DARK GREY OR METAL LOOK CLADDING OR SIMILAR
DULUX PODWERCOAT CHARCOAL SATIN OR SIMILAR



BIM Server: Bimserver3 - BIM Server 20/17027 Richmond Malt Stage 2/17027 General

QUALITY ASSURANCE

NOT FOR CONSTRUCTION

N.T.S.@A3

Richmond Malt Stage 2
GOUGH ST
CREMORNE VIC 3121

B8 MATERIALS AND FINISHES

FENDER KATSALIDIS ARCHITECTS
FKAUSTRALIA.COM
2 RIVERSIDE QUAY SOUTHBANK
3006 VICTORIA AUSTRALIA
61 3 8696 3888 TELEPHONE

- TOWN PLANNING

TP501

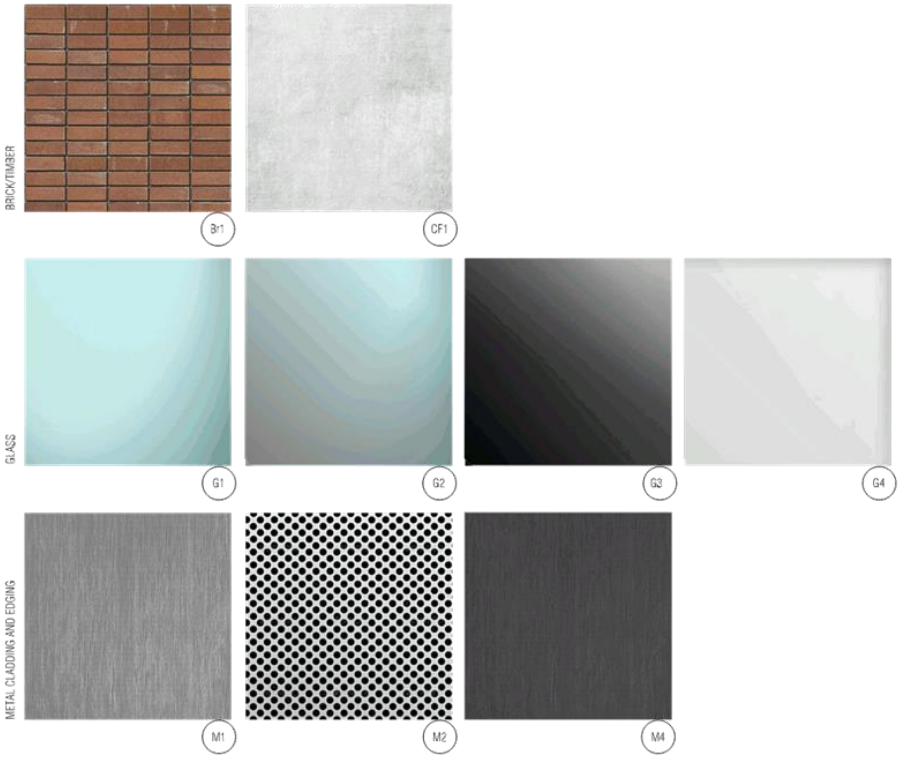
Attachment 9 - 2 Gough Street Cremorne - Part 9 of 12

PRIMARY FACADE MATERIALS

- Br1 BRICK TYPE 1 (DARK)
  ROBERTSON'S RUSTIC RED BLEND OR SIMILAR
- CF1 CONCRETE NATURAL GREY (LIGHT)

- G1 GLASS TYPE 1 (LIGHT)
  LIGHT BLUE OR SIMILAR
- G2 GLASS TYPE 2 (MID)
  BLUE OR SIMILAR
- G3 GLASS TYPE 3 (DARK)
  DARK GREY OR SIMILAR
- G4 GLASS TYPE 4 (CLEAR)
  CLEAR OR SIMILAR

- M1 GREY METAL OR METAL LOOK CLADDING OR SIMILAR
  DULUX PODWERCOAT SILVER SATIN OR SIMILAR
- M2 PERFORATED GREY METAL OR METAL LOOK CLADDING OR SIMILAR
  DULUX PODWERCOAT SILVER SATIN OR SIMILAR
- M4 DARK GREY OR METAL LOOK CLADDING OR SIMILAR
  DULUX PODWERCOAT CHARCOAL SATIN OR SIMILAR



BIM Server: Rimserver3 - BIM Server 20/17027 Richmond Malt Stage 2/17027 General

QUALITY ASSURANCE

NOT FOR CONSTRUCTION

N.T.S.@A3

Richmond Malt Stage 2
GOUGH ST
CREMORNE VIC 3121

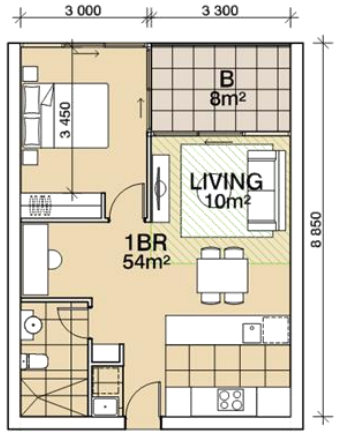
B3 MATERIALS AND FINISHES

FENDER KATSALIDIS ARCHITECTS
FRAUSTRALIA.COM
2 RIVERSIDE QUAY SOUTHBANK
3006 VICTORIA AUSTRALIA
61 3 8696 3006 TELEPHONE

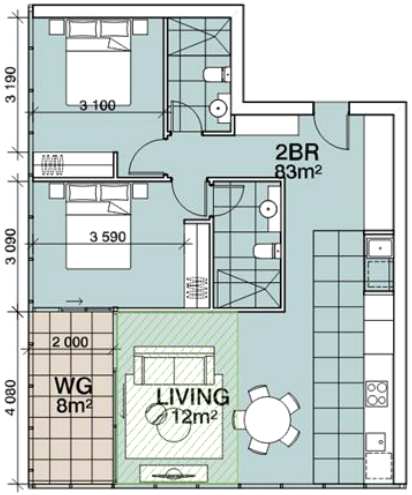
- TOWN PLANNING

TP502

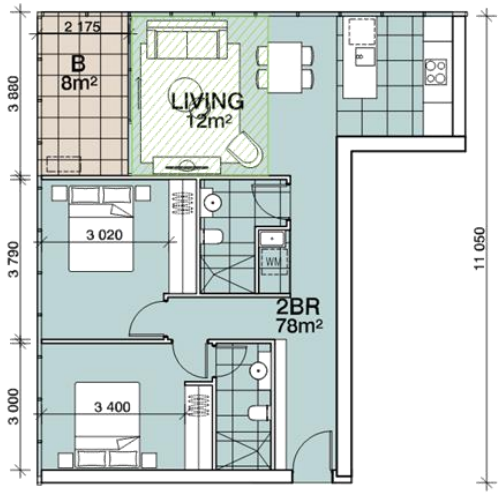
Attachment 9 - 2 Gough Street Cremorne - Part 9 of 12



TYPICAL 1 BEDROOM + STUDY APARTMENT



TYPICAL 2 BEDROOM APARTMENT



TYPICAL 2 BEDROOM APARTMENT

BIM Server: Rimserver3 - BIM Server 20/17027 Richmond Mall Stage 2/17027 General

NOTE: HABITABLE ROOM CEILING HEIGHT 2.7M. MIN

QUALITY ASSURANCE

ISO 9001

NOT FOR CONSTRUCTION

1:100@A3

Richmond Mall Stage 2
GOUGH ST
CREMORNE VIC 3121

TYPICAL APARTMENTS B6

FENDER KATSALIDIS ARCHITECTS

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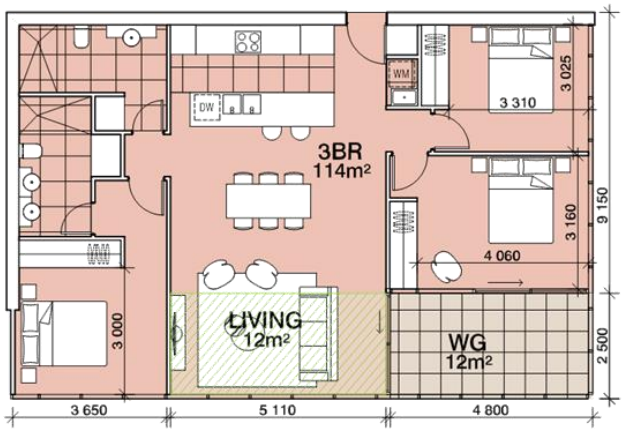
2 RIVERSIDE QUAY SOUTHBANK
3006 VICTORIA AUSTRALIA
61 3 8696 3006 TELEPHONE

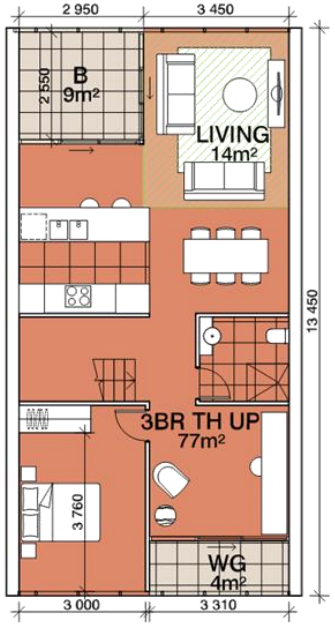
- TOWN PLANNING

TP600

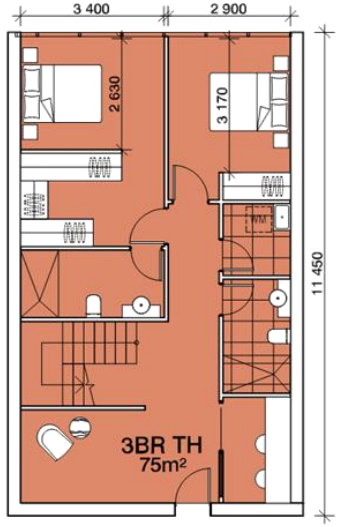
Attachment 9 - 2 Gough Street Cremorne - Part 9 of 12



TYPICAL 3 BEDROOM APARTMENT



TYPICAL 3 BEDROOM TOWN HOUSE (UPPER)



TYPICAL 3 BEDROOM TOWNHOUSE (LOWER)

BIM Server: Rimserver3 - BIM Server 20/17027 Richmond Mall Stage 2/17027 General

NOTE: HABITABLE ROOM CEILING HEIGHT 2.7M. MIN

QUALITY ASSURANCE

NOT FOR CONSTRUCTION

1:100@A3

Richmond Mall Stage 2
GOUGH ST
CREMORNE VIC 3121

TYPICAL APARTMENTS B6

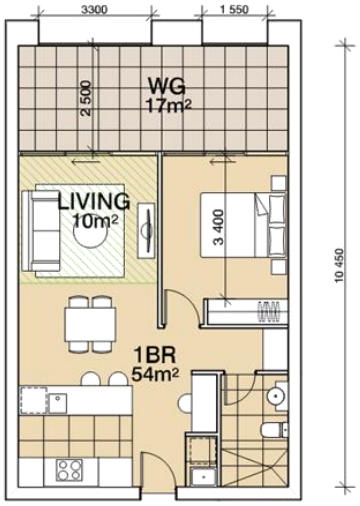
FENDER KATSALIDIS ARCHITECTS

FKAUSTRALIA.COM
2 RIVERSIDE QUAY SOUTHBANK
3006 VICTORIA AUSTRALIA
61 3 8696 3888 TELEPHONE

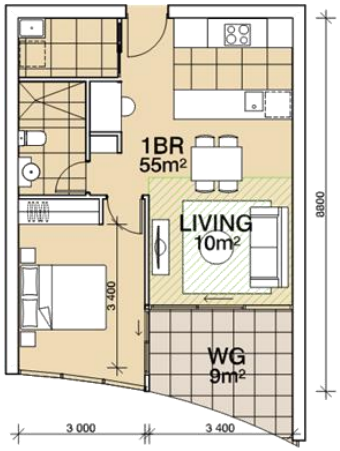
- TOWN PLANNING

TP601

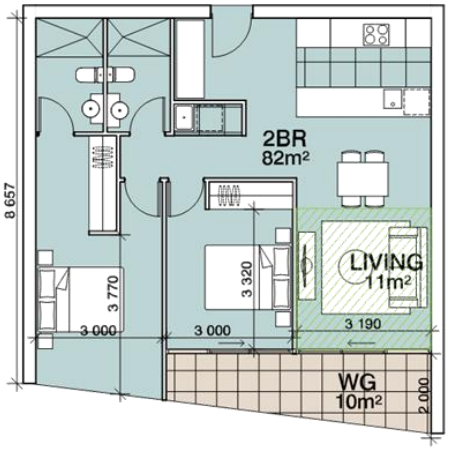
Attachment 10 - 2 Gough Street Cremorne - Part 10 of 12



TYPICAL 1 BEDROOM + STUDY APARTMENT (PODIUM)



TYPICAL 1 BEDROOM + STUDY APARTMENT (TOWER)



TYPICAL 2 BEDROOM APARTMENT (PODIUM)

BIM Server: Rimserver3 - BIM Server 20/17027 Richmond Mall Stage 2/17027 General

NOTE: HABITABLE ROOM CEILING HEIGHT 2.7M. MIN

QUALITY ASSURANCE

NOT FOR CONSTRUCTION

1:100@A3

Richmond Mall Stage 2
GOUGH ST
CREMORNE VIC 3121

TYPICAL APARTMENTS B3

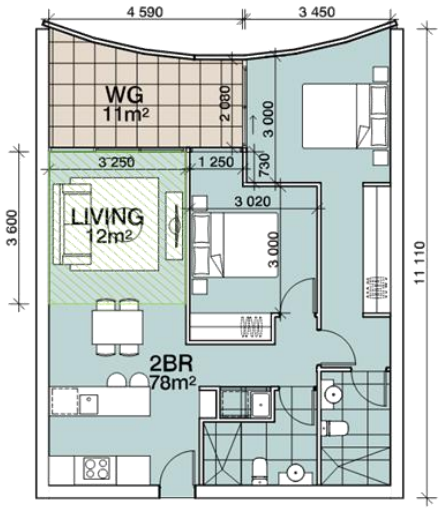
FENDER KATSALIDIS ARCHITECTS

FKAUSTRALIA.COM
RIVERSIDE QUAY SOUTHBANK
2006 VICTORIA AUSTRALIA
TELEPHONE

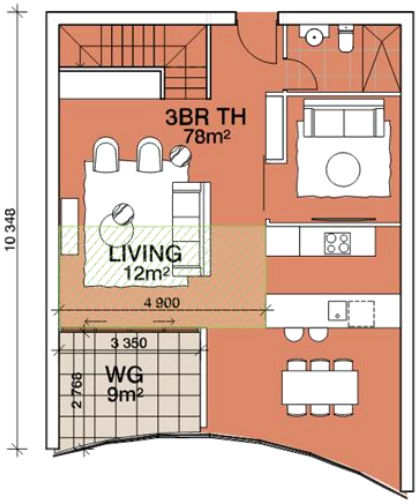
TOWN PLANNING

TP602

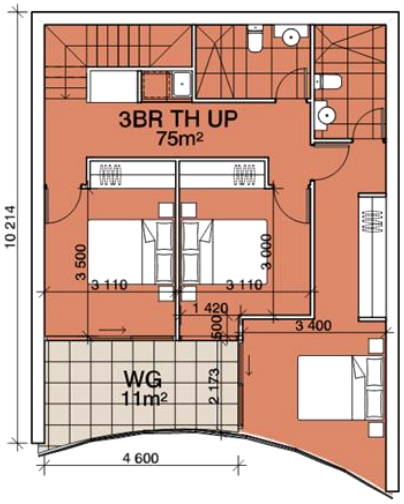
Attachment 10 - 2 Gough Street Cremorne - Part 10 of 12



TYPICAL 2 BEDROOM APARTMENT



TYPICAL 3 BEDROOM TOWNHOUSE (LOWER)



TYPICAL 3 BEDROOM TOWNHOUSE (UPPER)

BIM Server: Bimserver3 - BIM Server 20/17027 Richmond Mall Stage 2/17027 General

NOTE: HABITABLE ROOM CEILING HEIGHT 2.7M. MIN

QUALITY ASSURANCE

NOT FOR CONSTRUCTION

1:100@A3

Richmond Mall Stage 2
GOUGH ST
CREMORNE VIC 3121

TYPICAL APARTMENTS B9

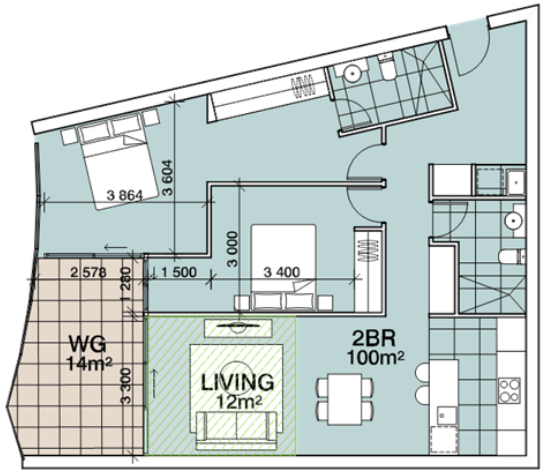
FENDER KATSALIDIS ARCHITECTS

FKAUSTRALIA.COM
8 RIVERSIDE QUAY SOUTHBANK
3006 VICTORIA AUSTRALIA
61 3 8696 3006 TELEPHONE

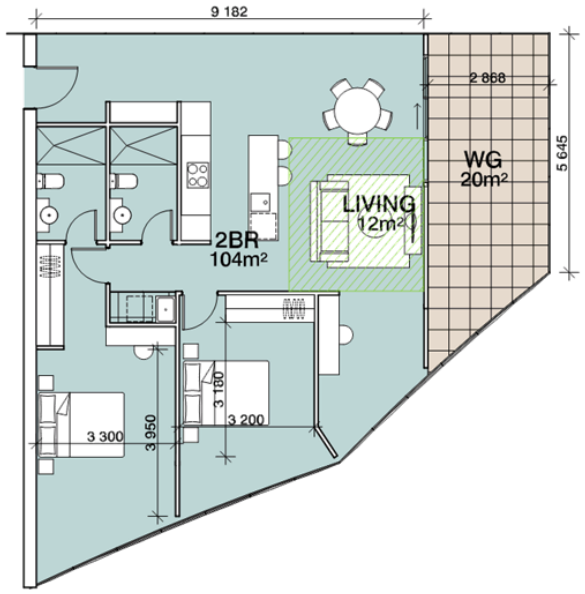
- TOWN PLANNING

TP603

Attachment 10 - 2 Gough Street Cremorne - Part 10 of 12



TYPICAL 2 BEDROOM APARTMENT (TOWER)



TYPICAL 2 BEDROOM APARTMENT (TOWER)

BIM Server: Bimserver3 - BIM Server 20/17027 Richmond Mall Stage 2/17027 General

NOTE: HABITABLE ROOM CEILING HEIGHT 2.7M. MIN

QUALITY ASSURANCE

ISO 9001

NOT FOR CONSTRUCTION

1:100@A3

Richmond Mall Stage 2
GOUGH ST
CREMORNE VIC 3121

TYPICAL APARTMENTS B9

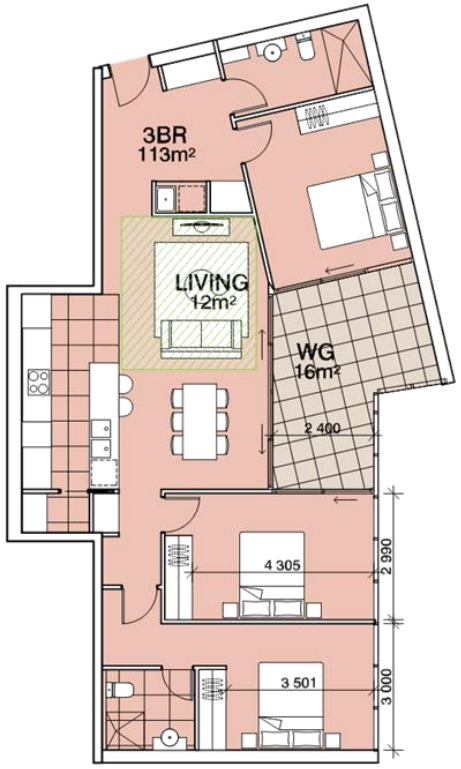
FENDER KATSALIDIS ARCHITECTS

FKAUSTRALIA.COM
2 RIVERSIDE QUAY SOUTHBANK
3006 VICTORIA AUSTRALIA
61 3 8696 3666 TELEPHONE

- TOWN PLANNING

TP604

Attachment 10 - 2 Gough Street Cremorne - Part 10 of 12



TYPICAL 3 BEDROOM APARTMENT (TOWER)

TYPICAL 3 BEDROOM APARTMENT (TOWER)

BIM Server: Bimserver3 - BIM Server 20/17027 Richmond Mall Stage 2/17027 General

NOTE: HABITABLE ROOM CEILING HEIGHT 2.7M. MIN

QUALITY ASSURANCE

NOT FOR CONSTRUCTION

1:100@A3

Richmond Mall Stage 2
GOUGH ST
CREMORNE VIC 3121

TYPICAL APARTMENTS B3

FENDER KATSALIDIS ARCHITECTS

FRAUSTRALIA.COM
2 RIVERSIDE QUAY SOUTHBANK
3006 VICTORIA AUSTRALIA
61 3 8696 3006 TELEPHONE

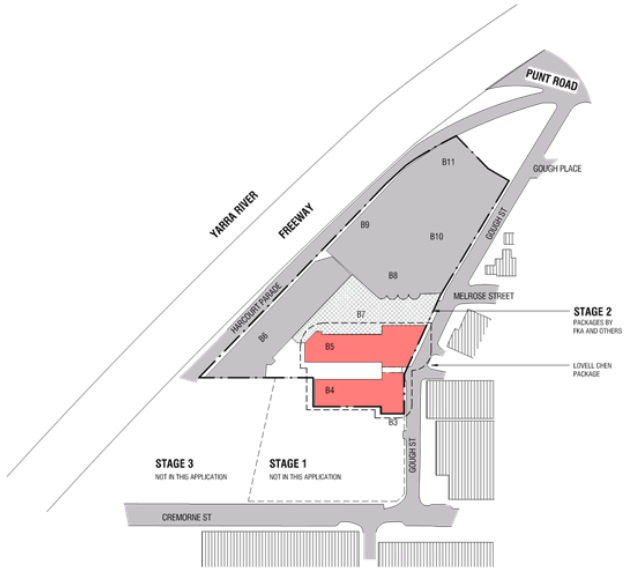
- TOWN PLANNING

TP605

Attachment 10 - 2 Gough Street Cremorne - Part 10 of 12

CREMORNE MALTINGS STAGE 2 BUILDINGS 4 & 5

CONSERVATION AND ADAPTIVE REUSE WORKS



SITE LOCATION
1 : 1000

GROSS BUILDING ENTIRE DEVELOPMENT

Name	Area
GROUND FLOOR	
GFA	1140 m²
	1140 m²
LEVEL 1	
GFA	494 m²
	494 m²
LEVEL 2	
GFA	782 m²
	782 m²
	2417 m²

NET LETTABLE ENTIRE DEVELOPMENT

USE	Area
GROUND FLOOR	84 m²
	84 m²
CAFE	130 m²
	130 m²
COOL ROOM	9 m²
	9 m²
OFFICE	1098 m²
	1098 m²
RESTAURANT	241 m²
	241 m²
	1562 m²

PROJECT SUMMARY B4 & B5

NUMBER OF DWELLINGS	8 UNITS
TOTAL OFFICE SPACE PROVIDED	1081 m2
TOTAL RETAIL SPACE PROVIDED	84 m2
TOTAL RESTAURANT/ CAFE SPACE PROVIDED	371 m2
NUMBER OF CARS PROVIDED	8 CARS
NUMBER OF BIKE PARKING SPACES	

DRAWING REGISTER

TP00	COVERSHEET	2	27/01/2016
TP01	BUILDINGS 4 & 5 SITE PLAN	2	27/01/2016
TP02	GROUND FLOOR DEMOLITION, SALVAGE AND CONSERVATION		
TP03	FIRST FLOOR DEMOLITION, SALVAGE AND CONSERVATION		
TP04	SECOND FLOOR DEMOLITION, SALVAGE AND CONSERVATION		
TP05	ROOF LEVEL DEMOLITION, SALVAGE & CONSERVATION		
TP06	ELEVATIONS B4 DEMOLITION, SALVAGE & CONSERVATION		
TP07	ELEVATIONS B5 DEMOLITION, SALVAGE & CONSERVATION		
TP08	ELEVATIONS DEMOLTION, SALVAGE & CONSERVATION		
TP10	GROUND FLOOR PROPOSED WORKS	2	27/01/2016
TP11	LEVEL 1 PROPOSED WORKS		
TP12	LEVEL 2 PROPOSED WORKS		
TP13	ROOF PLAN PROPOSED WORKS		
TP30	ELEVATIONS B4 PROPOSED WORKS	2	27/01/2016
TP31	ELEVATIONS B5 PROPOSED WORKS	2	27/01/2016
TP32	ELEVATIONS GOUGH ST PROPOSED WORKS	2	27/01/2016
TP40	SECTIONS PROPOSED WORKS		
TP41	SECTIONS PROPOSED WORKS		
TP42	SECTIONS PROPOSED WORKS		
TP50	EQUINOX SHADOWS	2	27/01/2016
TP51	EQUINOX SHADOWS EXTRA	2	27/01/2016
TP60	3D VIEWS		
TP61	3D VIEWS		
TP70	MATERIALS_ EXISTING B4		
TP71	MATERIALS - EXISTING B5		
TP72	MATERIALS - NEW - INTRODUCED	2	27/01/2016

NO.	DATE	REVISION
1	16/10/2015	TP/AV SUBMISSION
2	12/02/2016	RFI RESPONSE

NOTE
All dimensions are to be verified on site before commencing any work or preparing any shop drawings. Do not scale off drawings. Omissions or discrepancies are to be notified to the Architect.

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caydon.com.au
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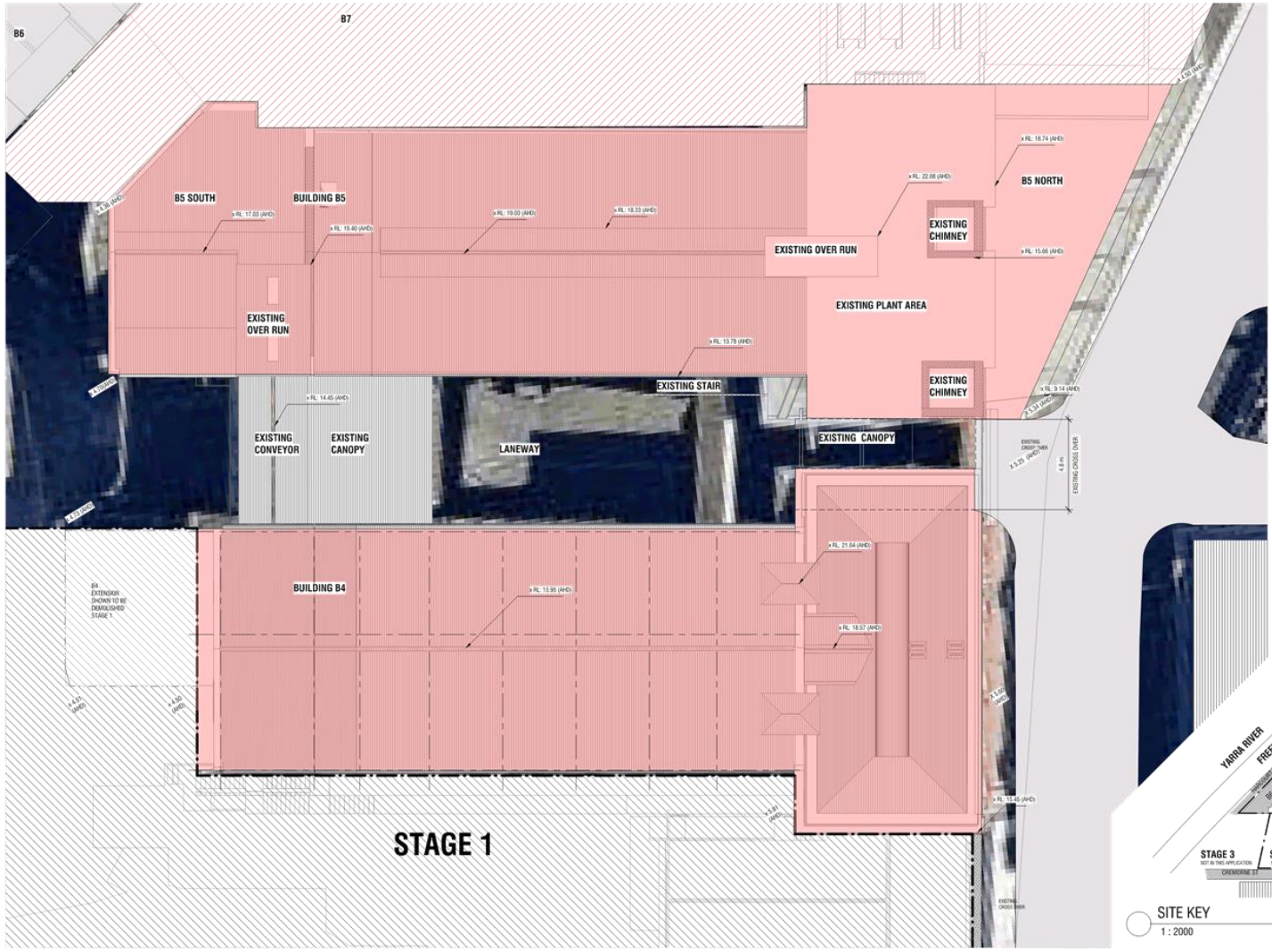
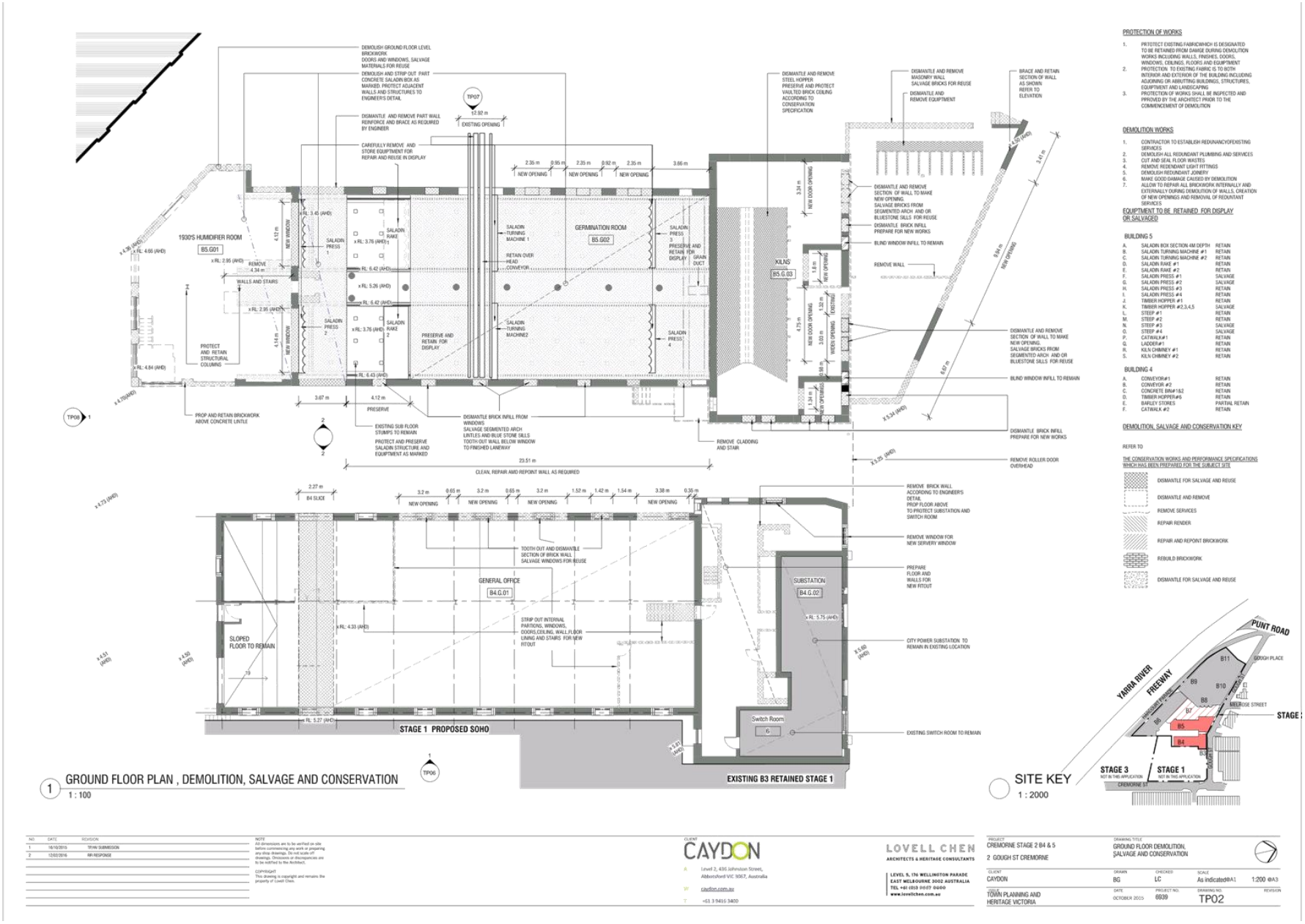
LOVELL CHEN
ARCHITECTS & HERITAGE CONSULTANTS
LEVEL 9, 176 WELLINGTON PARADE
EAST MELBOURNE 3002 AUSTRALIA
TEL +61 (0)3 9417 4400
www.lovellchen.com.au

PROJECT	CREMORNE STAGE 2 B4 & 5 2 GOUGH ST CREMORNE
DRAWING TITLE	COVERSHEET -
CLIENT	CAYDON
DRAWN	BG
CHECKED	LC
SCALE	1 : 1000 @A1 @A3
STATUS	TOWN PLANNING AND HERITAGE VICTORIA
DATE	OCTOBER 2015
PROJECT NO.	6939
DRAWING NO.	TP00
REVISION	2

Attachment 10 - 2 Gough Street Cremorne - Part 10 of 12



Attachment 10 - 2 Gough Street Cremorne - Part 10 of 12



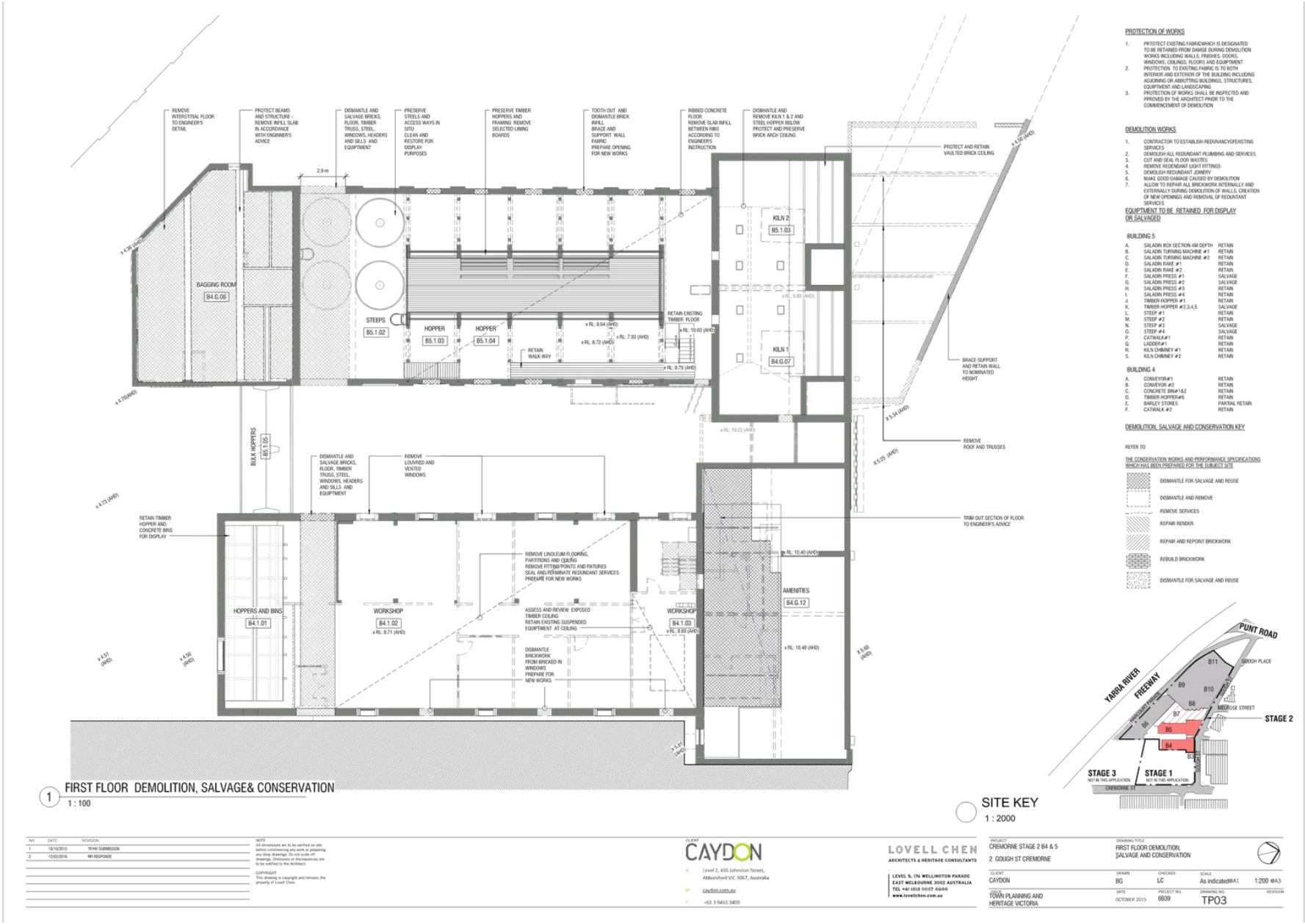
1 GROUND FLOOR PLAN , DEMOLITION, SALVAGE AND CONSERVATION
1 : 100

SITE KEY
1 : 2000

CAYDON
LOVELL CHEN
ARCHITECTS & HERITAGE CONSULTANTS

PROJECT: CREMORNE STAGE 2 B4 & 5
2 GOUGH ST CREMORNE
DRAWING TITLE: GROUND FLOOR DEMOLITION, SALVAGE AND CONSERVATION
CLIENT: CAYDON
DRAWN: BG
CHECKED: LC
SCALE: As indicated@A1 1:200 @A3
STATUS: TOWN PLANNING AND HERITAGE VICTORIA
DATE: OCTOBER 2015
PROJECT NO.: 6939
DRAWING NO.: TP02
REVISION

Attachment 10 - 2 Gough Street Cremorne - Part 10 of 12



1 FIRST FLOOR DEMOLITION, SALVAGE& CONSERVATION
1 : 100

SITE KEY
1 : 2000

NO	DATE	REVISION
1	16/10/2015	TP/HV SUBMISSION
2	12/02/2016	HV RESPONSE

NOTE
All dimensions are to be verified on site before commencing any work or preparing any shop drawings. Do not scale off drawings. Omissions or discrepancies are to be notified to the Architect.

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LOVELL CHEN
ARCHITECTS & HERITAGE CONSULTANTS
LEVEL 9, 176 WELLINGTON PARADE EAST MELBOURNE 3002 AUSTRALIA
TEL +61 (0)3 9607 0600
www.lovellchen.com.au

PROJECT
CREMORNE STAGE 2 B4 & 5
2 GOUGH ST CREMORNE

CLIENT
CAYDON

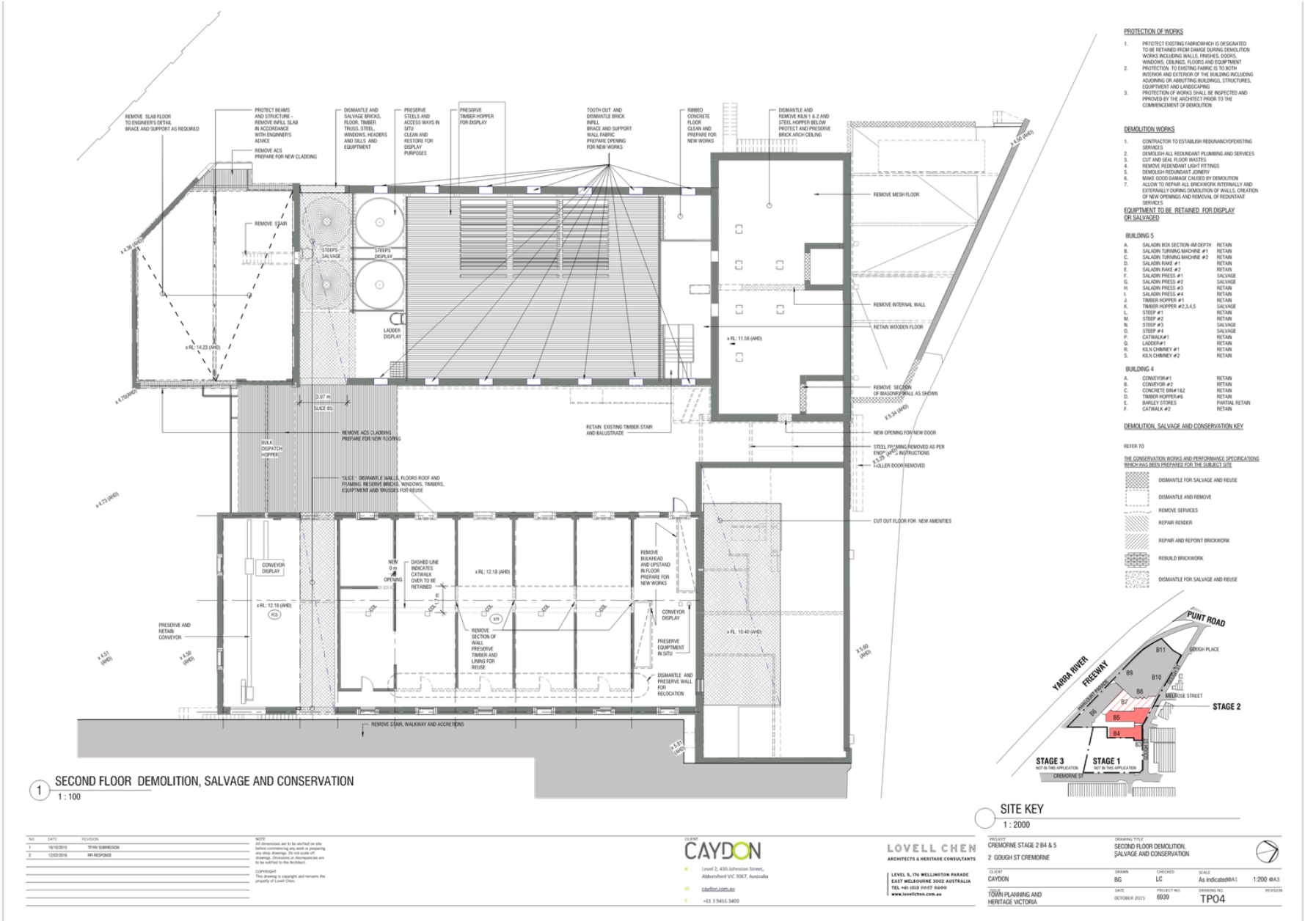
TOWN PLANNING AND HERITAGE VICTORIA

DRAWING TITLE
FIRST FLOOR DEMOLITION, SALVAGE AND CONSERVATION

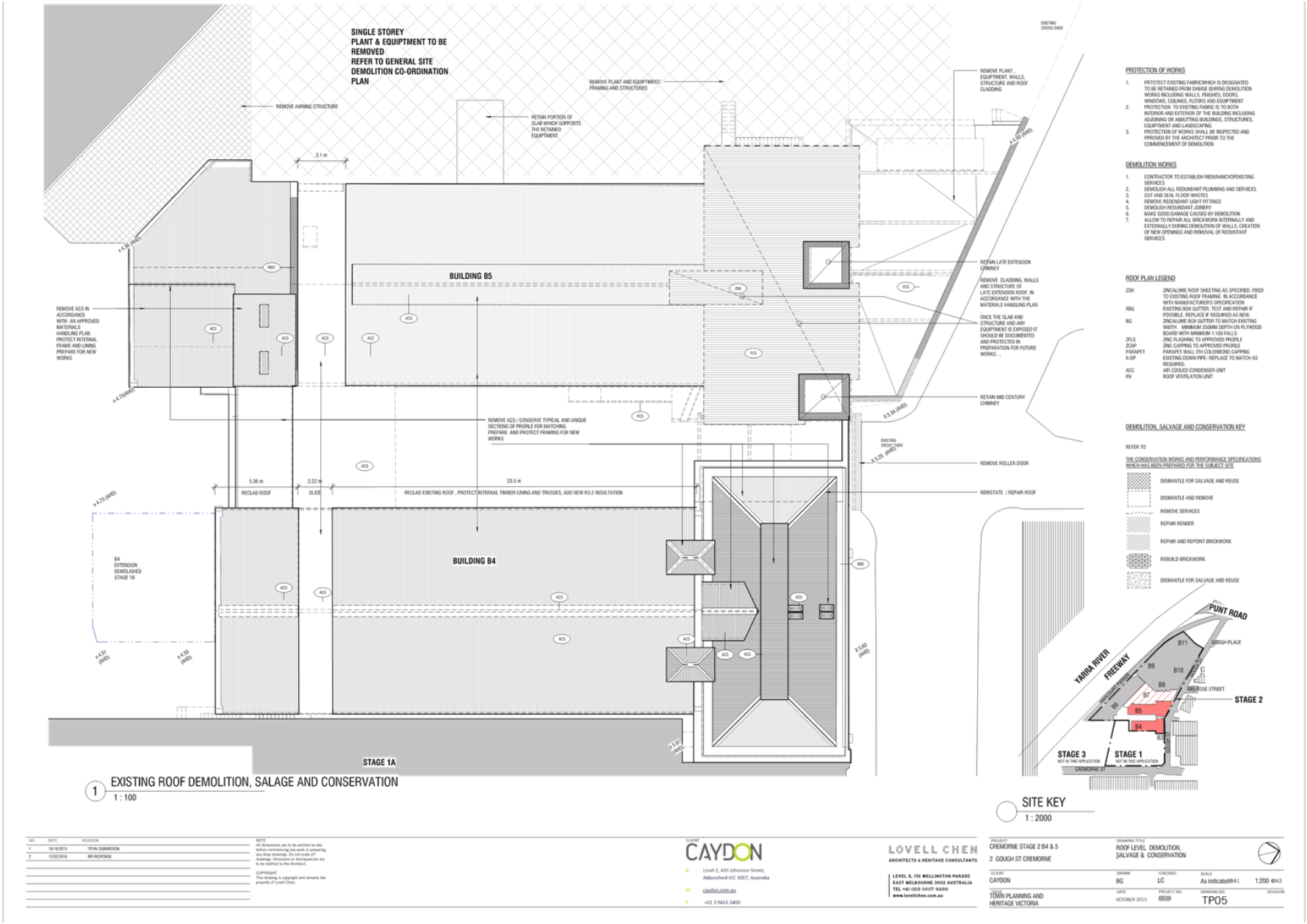
DRAWN	CHECKED	SCALE
BG	LC	As indicated@A1 1:200 @A3

DATE	PROJECT NO.	DRAWING NO.	REVISION
OCTOBER 2015	6939	TP03	

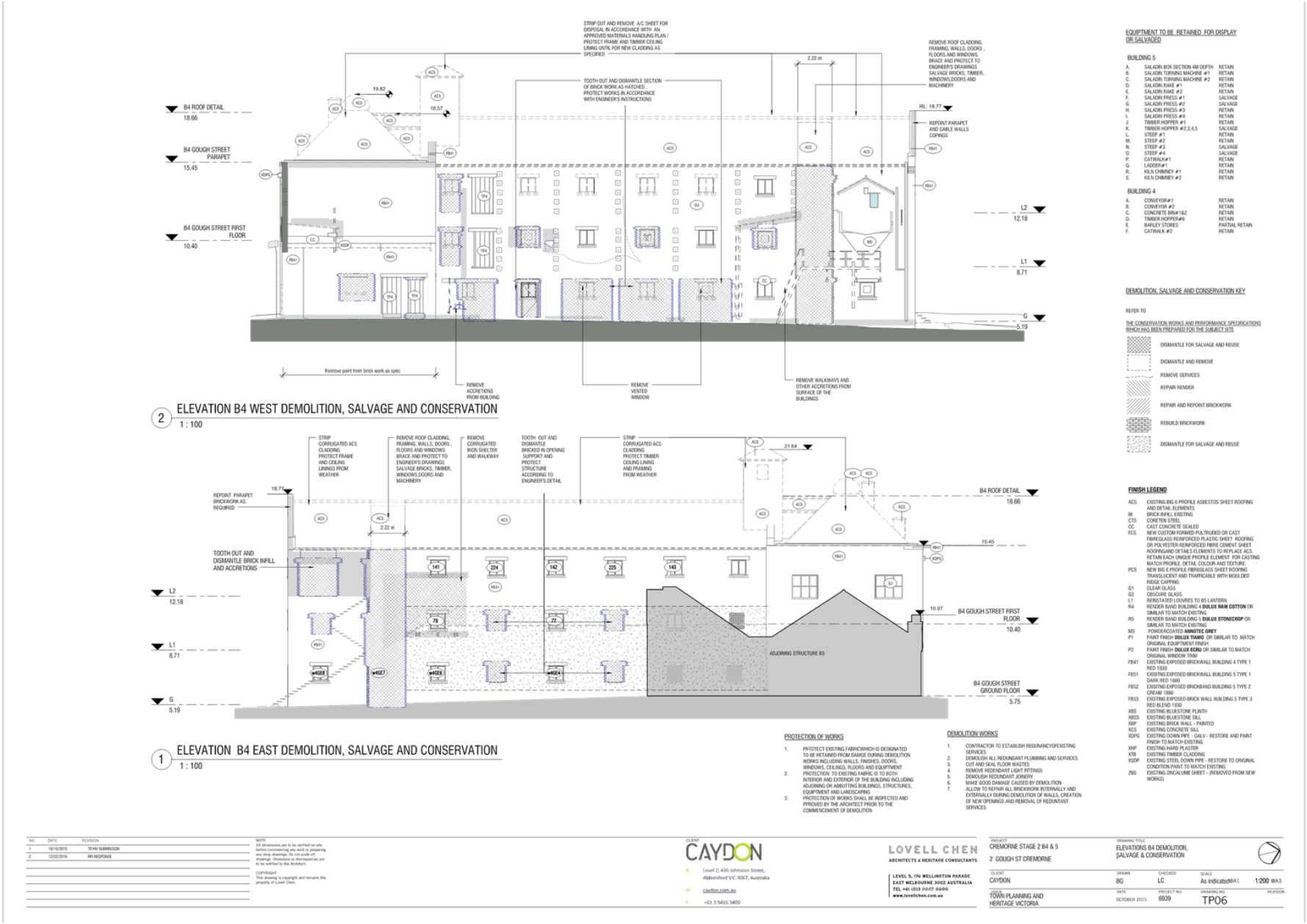
Attachment 10 - 2 Gough Street Cremorne - Part 10 of 12



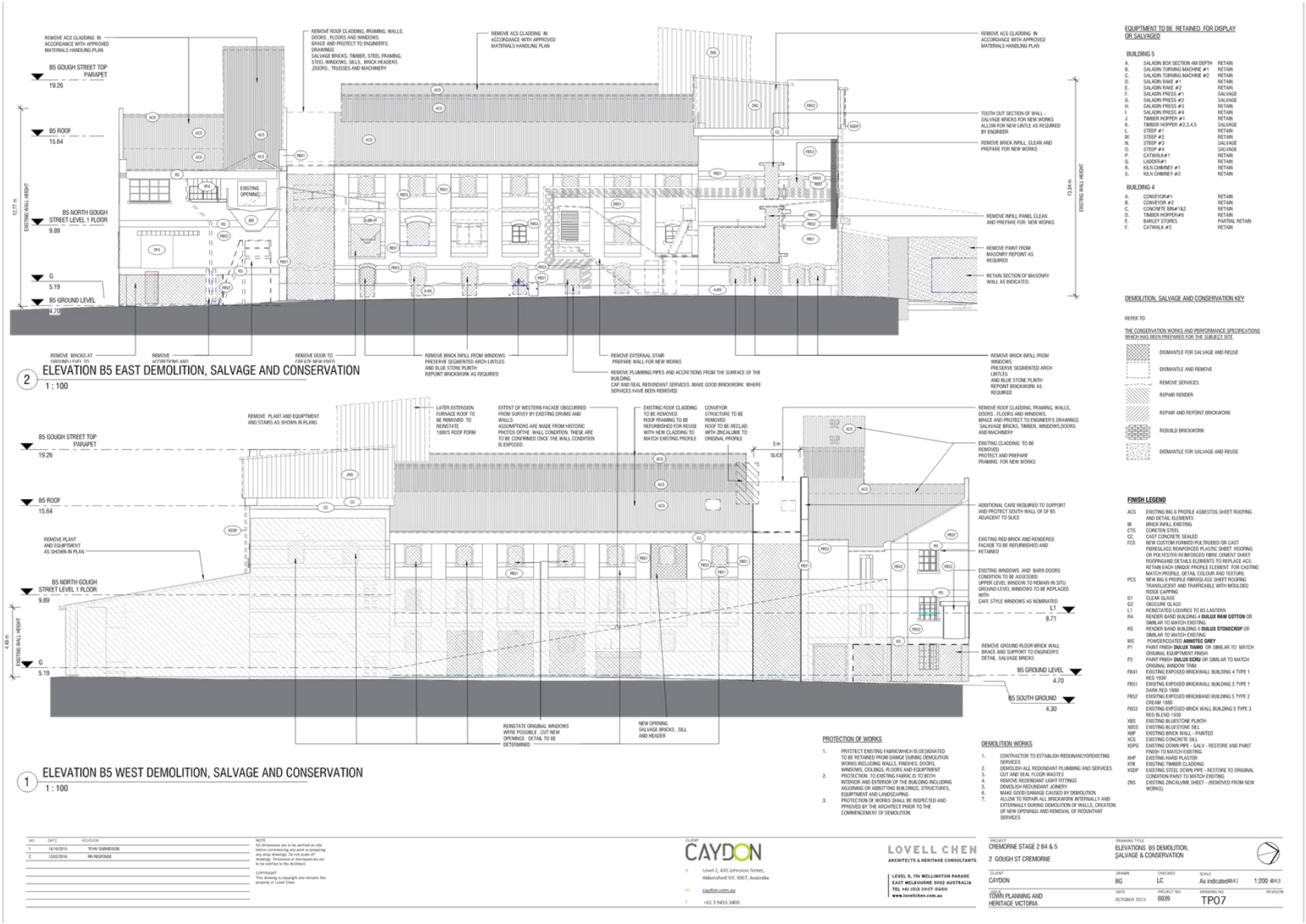
Attachment 10 - 2 Gough Street Cremorne - Part 10 of 12



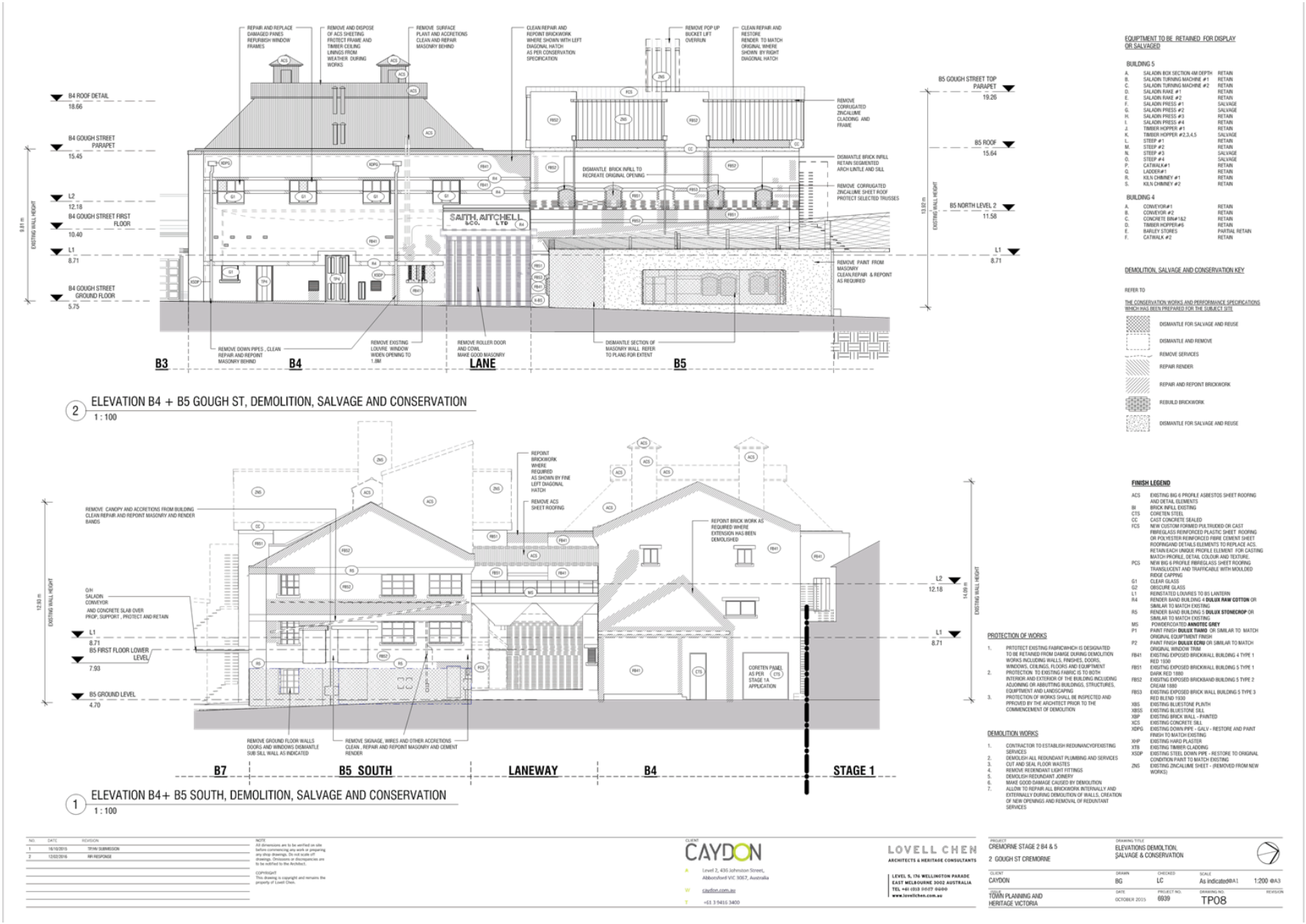
Attachment 11 - 2 Gough Street Cremorne - Part 11 of 12



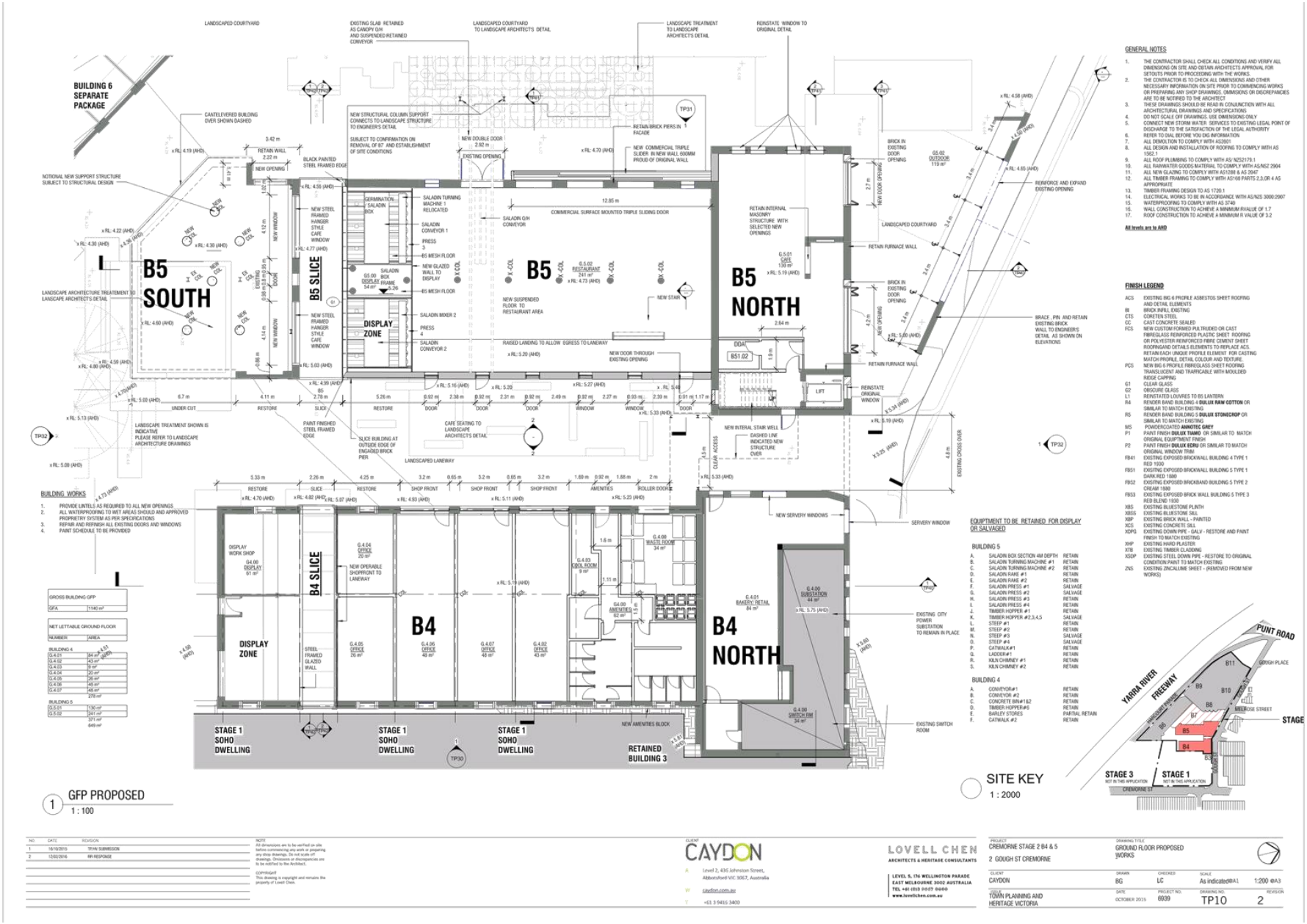
Attachment 11 - 2 Gough Street Cremorne - Part 11 of 12



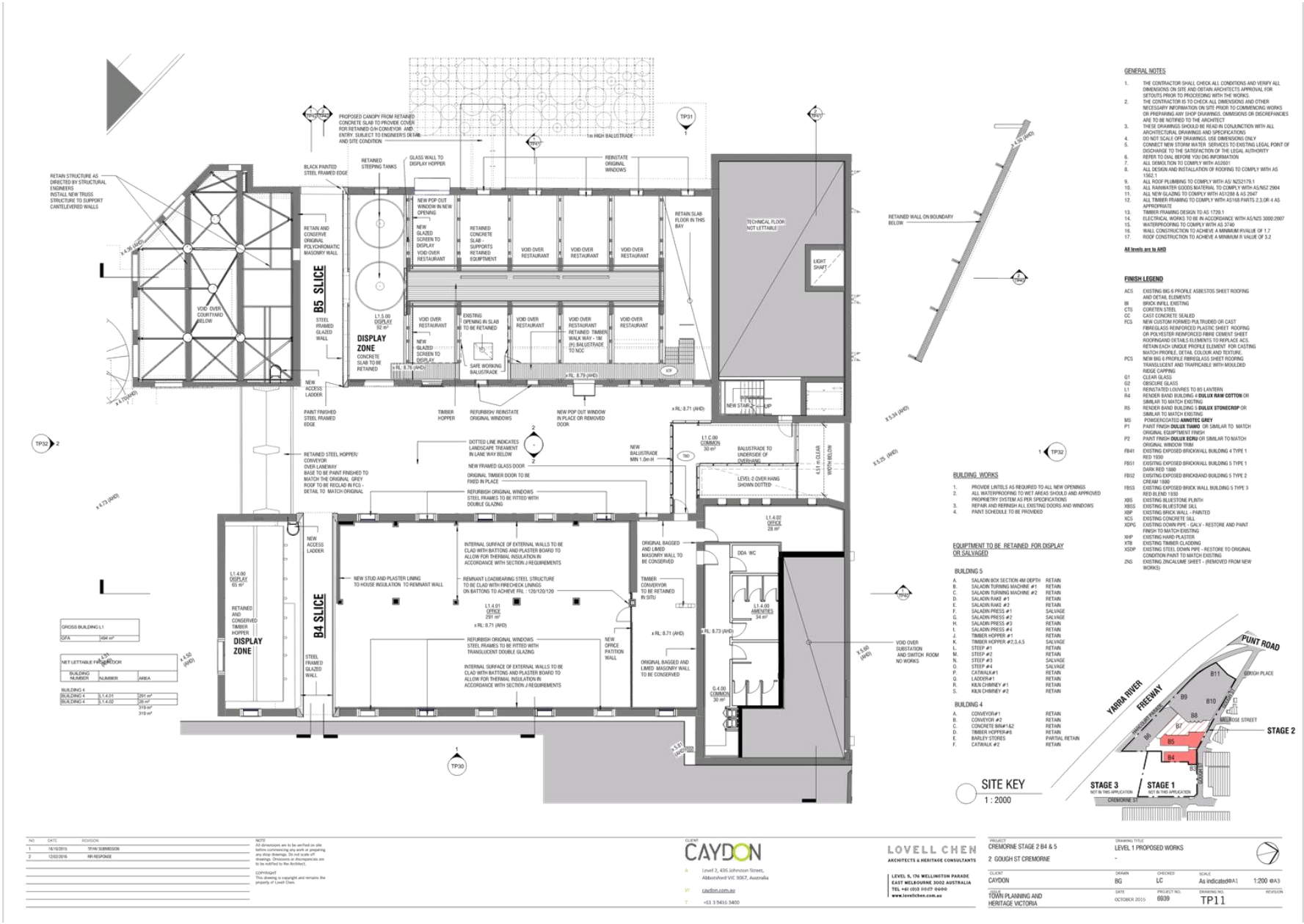
Attachment 11 - 2 Gough Street Cremorne - Part 11 of 12



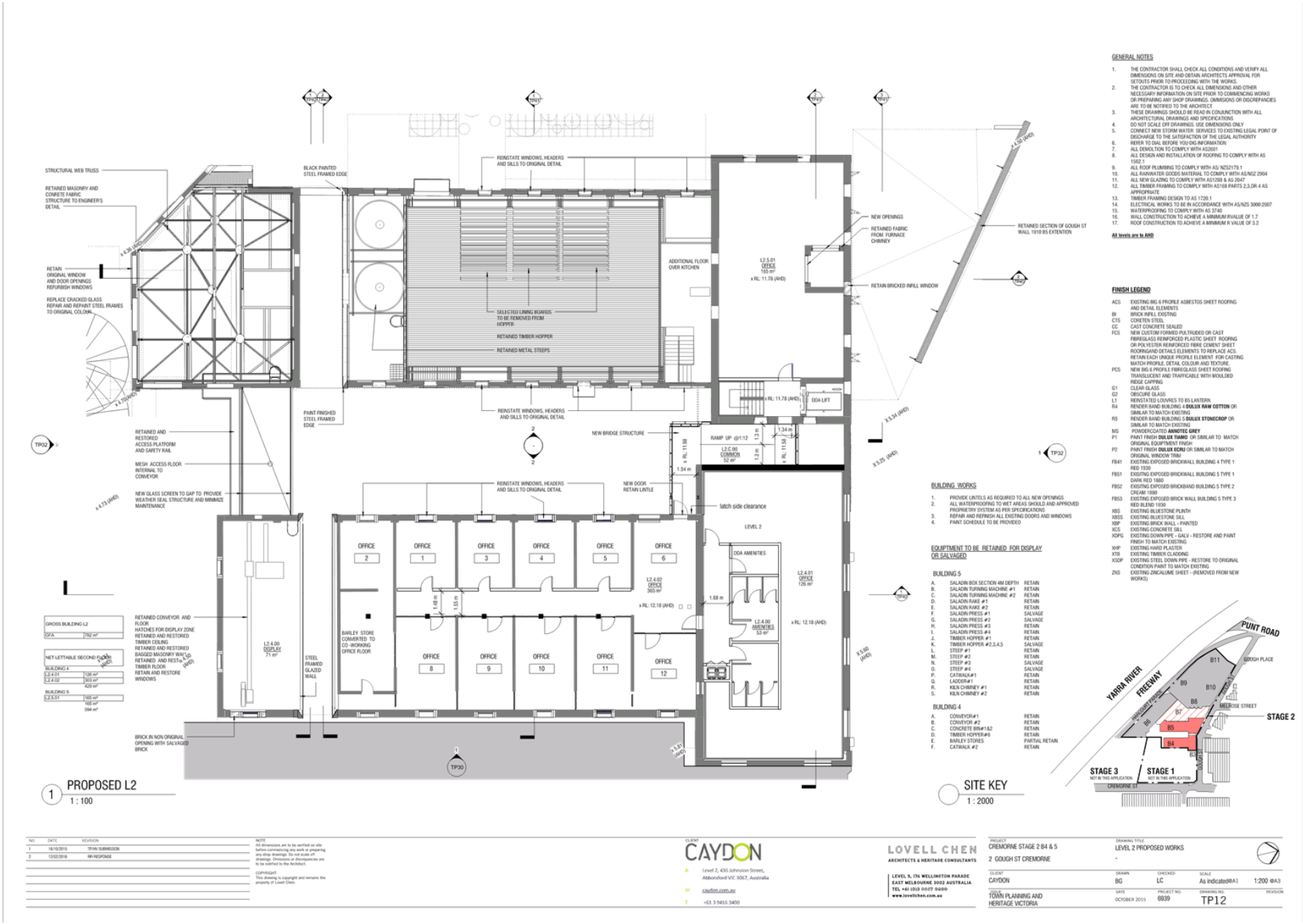
Attachment 11 - 2 Gough Street Cremorne - Part 11 of 12



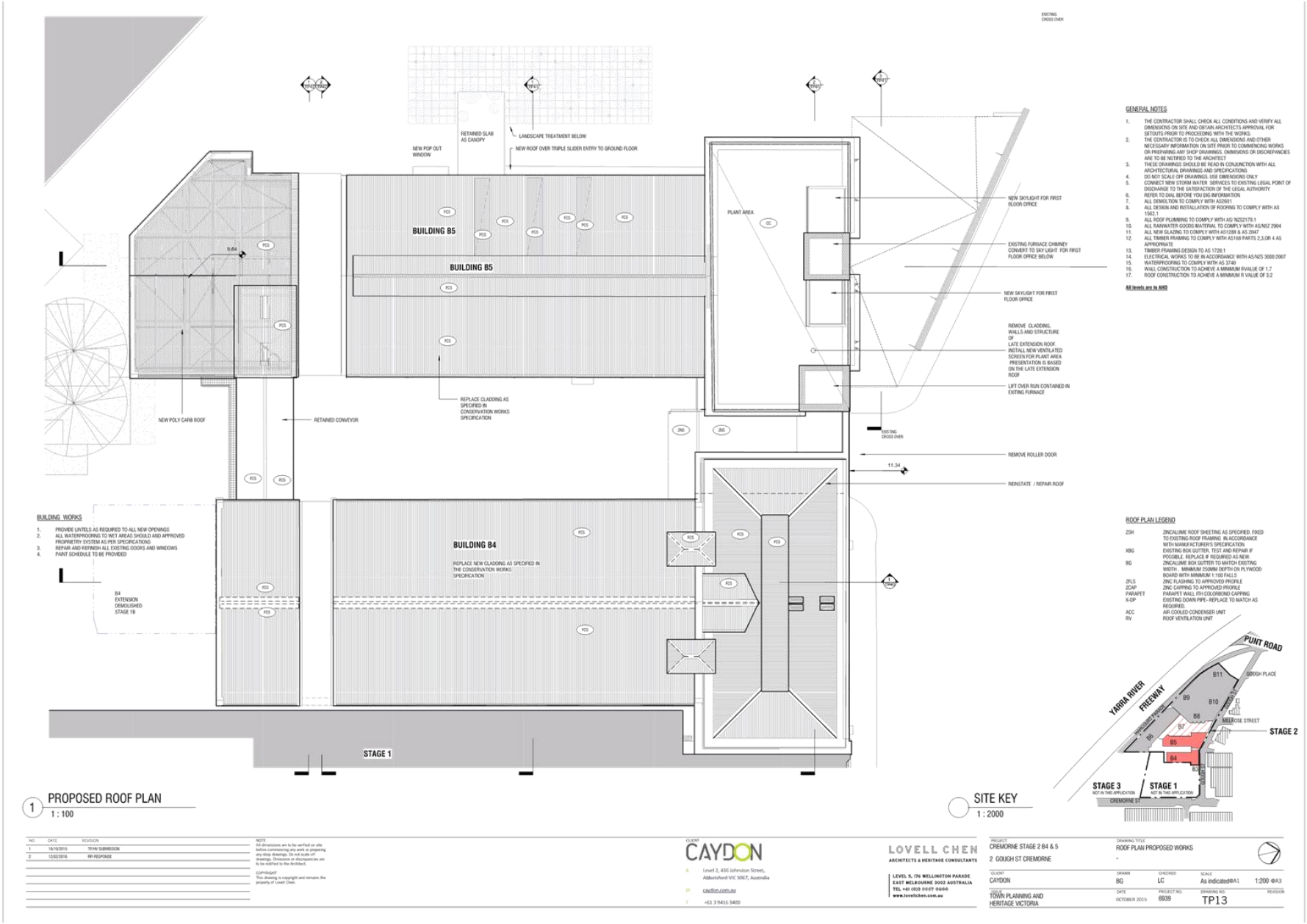
Attachment 11 - 2 Gough Street Cremorne - Part 11 of 12



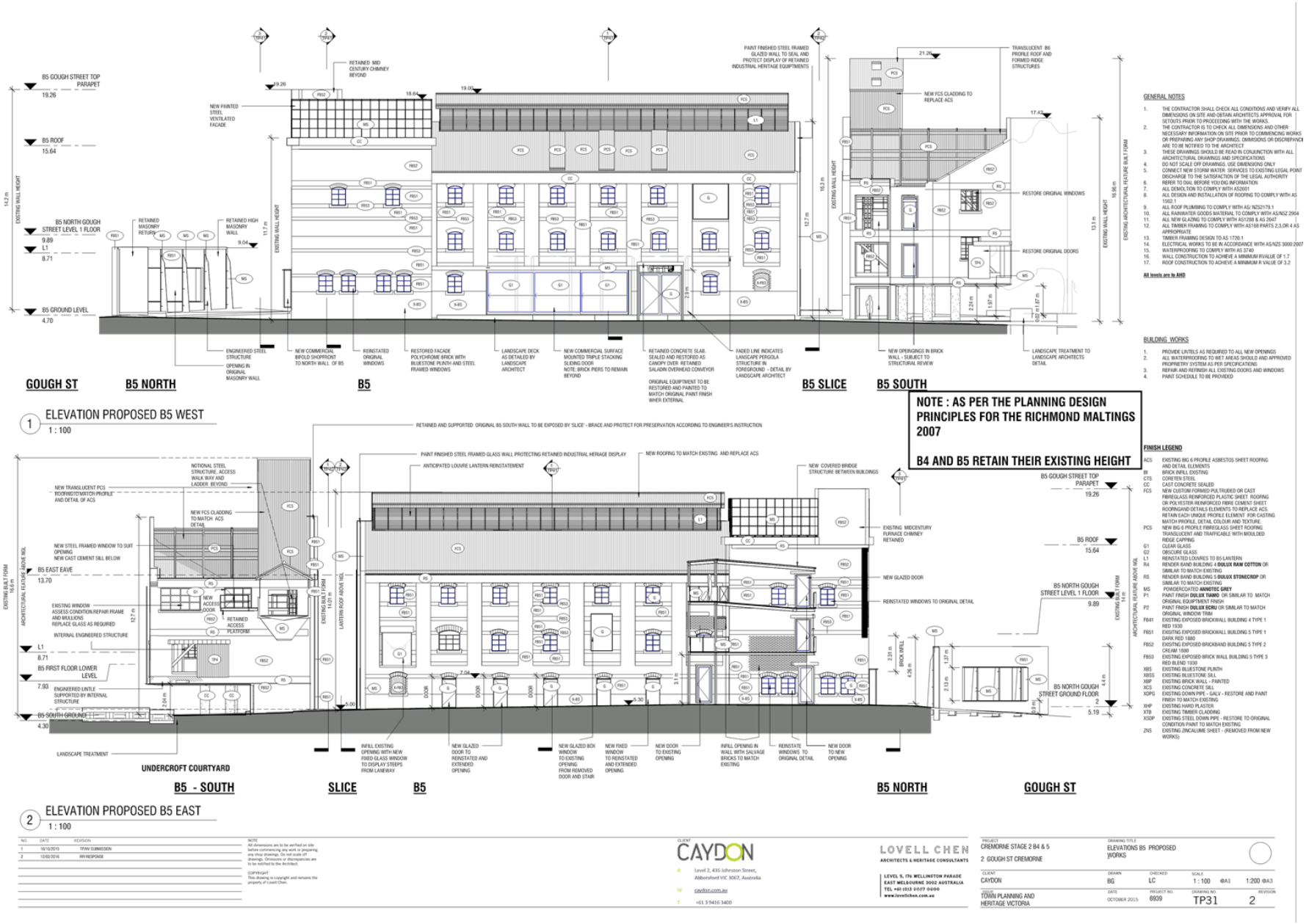
Attachment 11 - 2 Gough Street Cremorne - Part 11 of 12



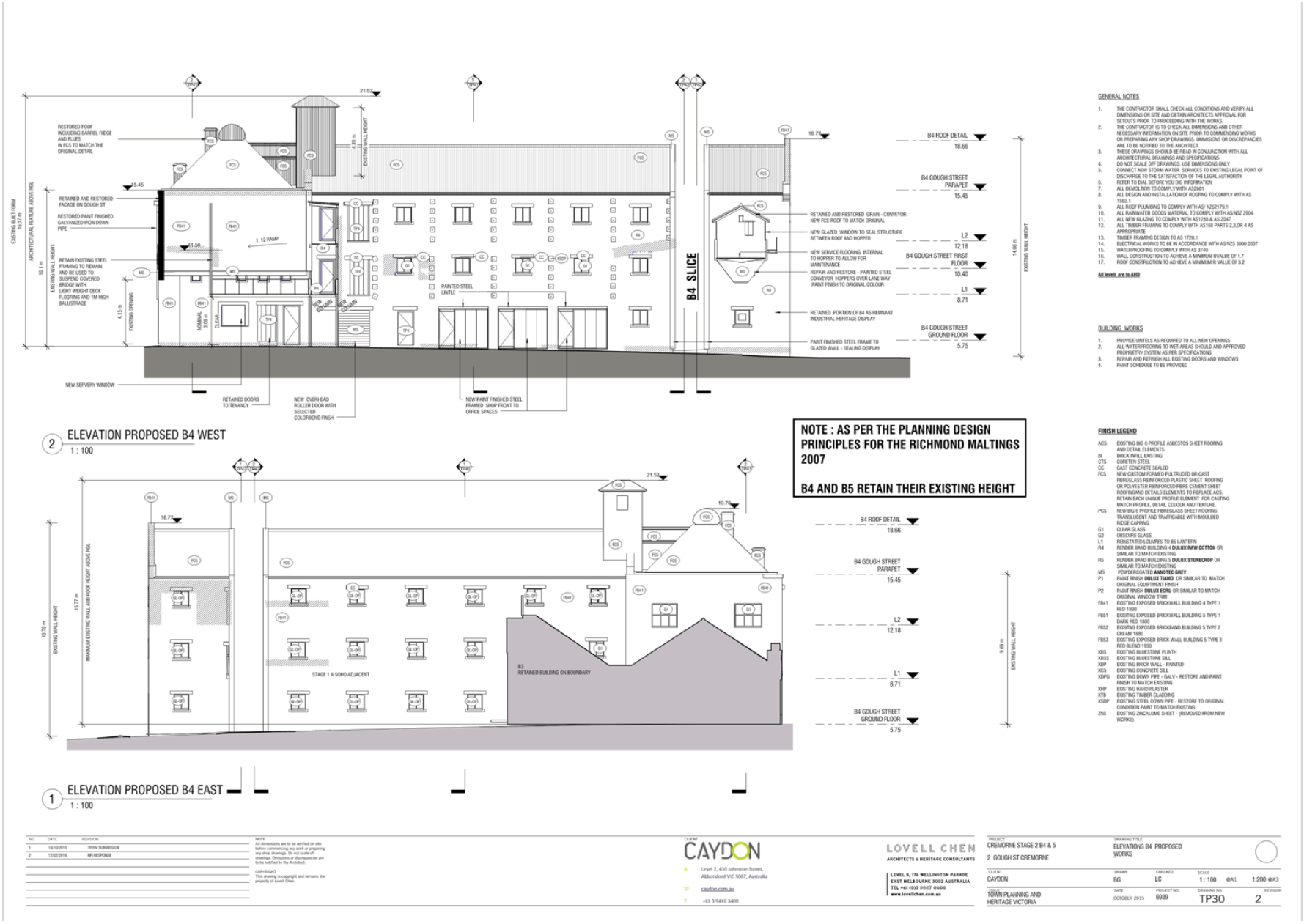
Attachment 11 - 2 Gough Street Cremorne - Part 11 of 12



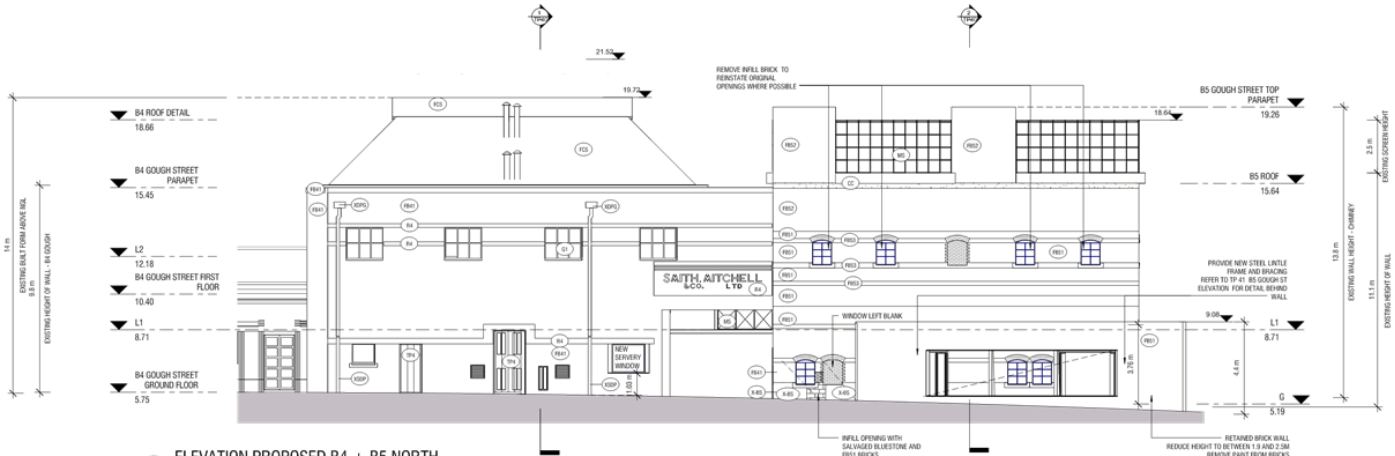
Attachment 11 - 2 Gough Street Cremorne - Part 11 of 12



Attachment 11 - 2 Gough Street Cremorne - Part 11 of 12



Attachment 11 - 2 Gough Street Cremorne - Part 11 of 12



1 ELEVATION PROPOSED B4 + B5 NORTH
1 : 100

2 ELEVATION PROPOSED B4+B5 SOUTH
1 : 100

NOTE : AS PER THE PLANNING DESIGN PRINCIPLES FOR THE RICHMOND MALTINGS 2007

B4 AND B5 RETAIN THEIR EXISTING HEIGHT

GENERAL NOTES

1. THE CONTRACTOR SHALL CHECK ALL CONDITIONS AND VERIFY ALL DIMENSIONS ON SITE AND OBTAIN ARCHITECTS APPROVAL FOR SETOUTS PRIOR TO PROCEEDING WITH THE WORKS.
2. THE CONTRACTOR IS TO CHECK ALL DIMENSIONS AND OTHER NECESSARY INFORMATION ON SITE PRIOR TO COMMENCING WORKS OR PREPARING ANY SHOP DRAWINGS. OMMISIONS OR DISCREPANCIES ARE TO BE NOTIFIED TO THE ARCHITECT
3. THESE DRAWINGS SHOULD BE READ IN CONJUNCTION WITH ALL ARCHITECTURAL DRAWINGS AND SPECIFICATIONS
4. DO NOT SCALE OFF DRAWINGS. USE DIMENSIONS ONLY
5. CONNECT NEW STORM WATER SERVICES TO EXISTING LEGAL POINT OF DISCHARGE TO THE SATISFACTION OF THE LEGAL AUTHORITY
6. REFER TO DIAL BEFORE YOU DIG INFORMATION
7. ALL DEMOLITION TO COMPLY WITH AS2601
8. ALL DESIGN AND INSTALLATION OF ROOFING TO COMPLY WITH AS 1562.1
9. ALL ROOF PLUMBING TO COMPLY WITH AS/ NZS2179.1
10. ALL RAINWATER GOODS MATERIAL TO COMPLY WITH AS/NSZ 2904
11. ALL NEW GLAZING TO COMPLY WITH AS1288 & AS 2047
12. ALL TIMBER FRAMING TO COMPLY WITH AS1684 PARTS 2,3,OR 4 AS APPROPRIATE
13. TIMBER FRAMING DESIGN TO AS 1720.1
14. ELECTRICAL WORKS TO BE IN ACCORDANCE WITH AS/NZS 3000:2007
15. WATERPROOFING TO COMPLY WITH AS 3740
16. WALL CONSTRUCTION TO ACHIEVE A MINIMUM R/VALUE OF 1.7
17. ROOF CONSTRUCTION TO ACHIEVE A MINIMUM R VALUE OF 3.2

All levels are to AHD

BUILDING WORKS

1. PROVIDE LINTELS AS REQUIRED TO ALL NEW OPENINGS
2. ALL WATERPROOFING TO WET AREAS SHOULD AND APPROVED PROPRIETRY SYSTEM AS PER SPECIFICATIONS
3. REPAIR AND REFINISH ALL EXISTING DOORS AND WINDOWS
4. PAINT SCHEDULE TO BE PROVIDED

FINISH LEGEND

ACS	EXISTING BIG 6 PROFILE ASBESTOS SHEET ROOFING AND DETAIL ELEMENTS
BI	BRICK INFILL EXISTING
CTS	CORETEN STEEL
CC	CAST CONCRETE SEALED
FCS	NEW CUSTOM FORMED PULTRUDED OR CAST FIBREGLASS REINFORCED PLASTIC SHEET ROOFING OR POLYESTER REINFORCED FIBRE CEMENT SHEET ROOFINGAND DETAILS ELEMENTS TO REPLACE ACS. RETAIN EACH UNIQUE PROFILE ELEMENT FOR CASTING MATCH PROFILE, DETAIL COLOUR AND TEXTURE.
PCS	NEW BIG 6 PROFILE FIBREGLASS SHEET ROOFING TRANSLUCENT AND TRAFFICABLE WITH MOULDED RIDGE CAPPING
G1	CLEAR GLASS
G2	OBSCURE GLASS
L1	REINSTATED LOUVRES TO B5 LANTERN
R4	RENDER BAND BUILDING 4 **DULUX RAW COTTON** OR SIMILAR TO MATCH EXISTING
R5	RENDER BAND BUILDING 5 **DULUX STONECROP** OR SIMILAR TO MATCH EXISTING
M5	POWDERCOATED **ANODTEC GREY**
P1	PAINT FINISH **DULUX TIANO** OR SIMILAR TO MATCH ORIGINAL EQUIPTMENT FINISH
P2	PAINT FINISH **DULUX ECRU** OR SIMILAR TO MATCH ORIGINAL WINDOW TRIM
FB41	EXISTING EXPOSED BRICKWALL BUILDING 4 TYPE 1 RED 1930
FBS1	EXISTING EXPOSED BRICKWALL BUILDING 5 TYPE 1 DARK RED 1880
FBS2	EXISTING EXPOSED BRICKBAND BUILDING 5 TYPE 2 CREAM 1880
FBS3	EXISTING EXPOSED BRICK WALL BUILDING 5 TYPE 3 RED BLEND 1930
XBS	EXISTING BLUESTONE PLINTH
XBSS	EXISTING BLUESTONE SILL
XBP	EXISTING BRICK WALL - PAINTED
XCS	EXISTING CONCRETE SILL
XDPG	EXISTING DOWN PIPE - GALV - RESTORE AND PAINT FINISH TO MATCH EXISTING
XHP	EXISTING HARD PLASTER
XTB	EXISTING TIMBER CLADDING
XSDP	EXISTING STEEL DOWN-PIPE - RESTORE TO ORIGINAL CONDITION PAINT TO MATCH EXISTING
ZNS	EXISTING ZINCALUME SHEET - (REMOVED FROM NEW WORKS)

ROOF PLAN LEGEND

ZSH	ZINCALUME ROOF SHEETING AS SPECIFIED. FIXED TO EXISTING ROOF FRAMING IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATION
XBG	EXISTING BOX GUTTER. TEST AND REPAIR IF POSSIBLE, REPLACE IF REQUIRED AS NEW.
BG	ZINCALUME BOX GUTTER TO MATCH EXISTING WIDTH . MINIMUM 250MM DEPTH ON PLYWOOD BOARD WITH MINIMUM 1:100 FALLS
ZFLS	ZINC FLASHING TO APPROVED PROFILE
ZCAP	ZINC CAPPING TO APPROVED PROFILE
PARAPET	PARAPET WALL ITH COLORBOND CAPPING
X-DP	EXISTING DOWN PIPE- REPLACE TO MATCH AS REQUIRED
ACC	AIR-COOLED CONDENSER UNIT
RV	ROOF VENTILATION UNIT

NO.	DATE	REVISION
1	16/10/2015	TP/HV SUBMISSION
2	12/02/2016	RFI RESPONSE

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PROJECT
CREMORNE STAGE 2 B4 & 5
2 GOUGH ST CREMORNE

DRAWING TITLE
ELEVATIONS GOUGH ST
PROPOSED WORKS

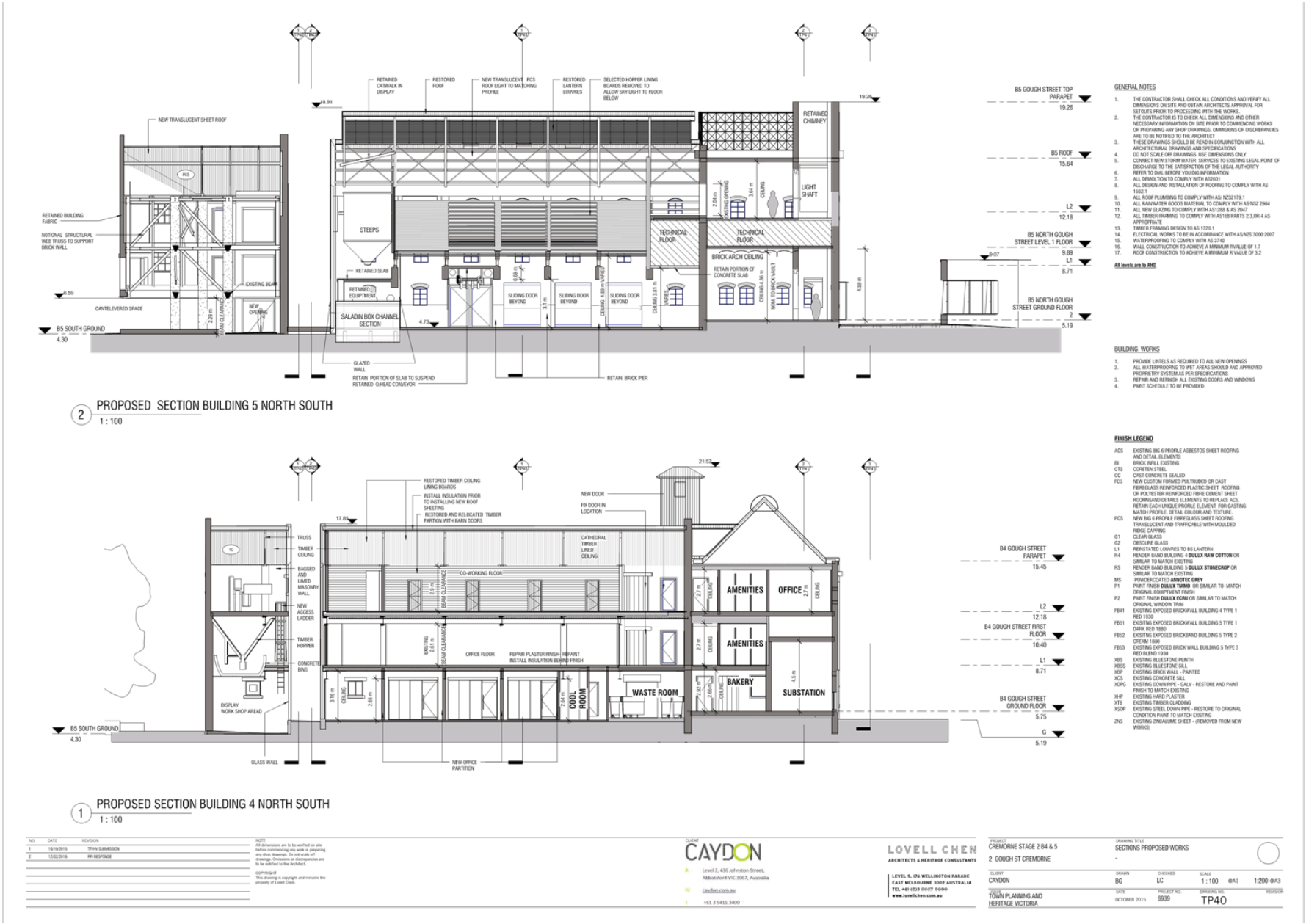
CLIENT
CAYDON

DRAWN BG | CHECKED LC | SCALE 1 : 100 @A1 1:200 @A3

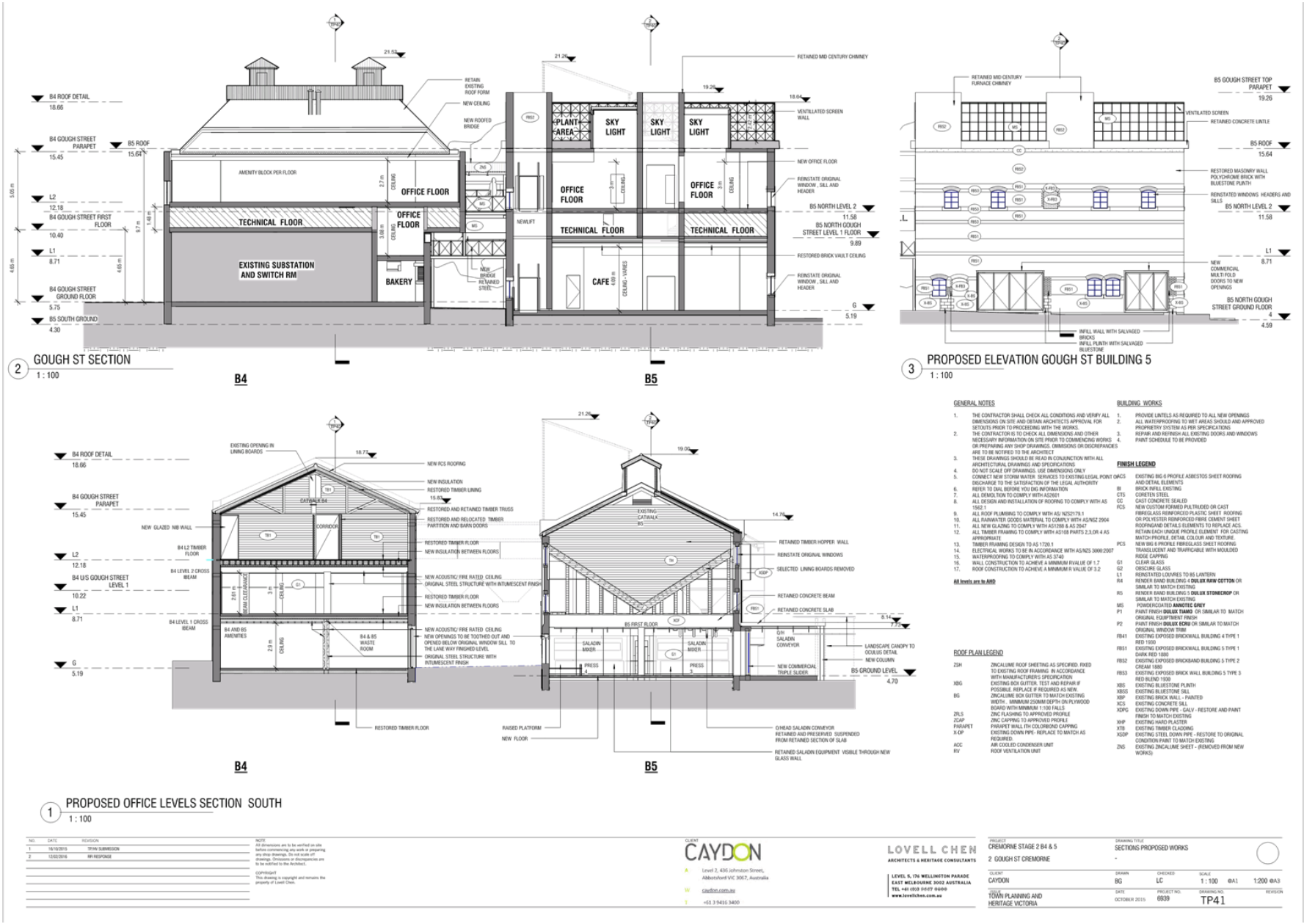
STATUS
TOWN PLANNING AND HERITAGE VICTORIA

DATE OCTOBER 2015 | PROJECT NO. 6939 | DRAWING NO. TP32 | REVISION 2

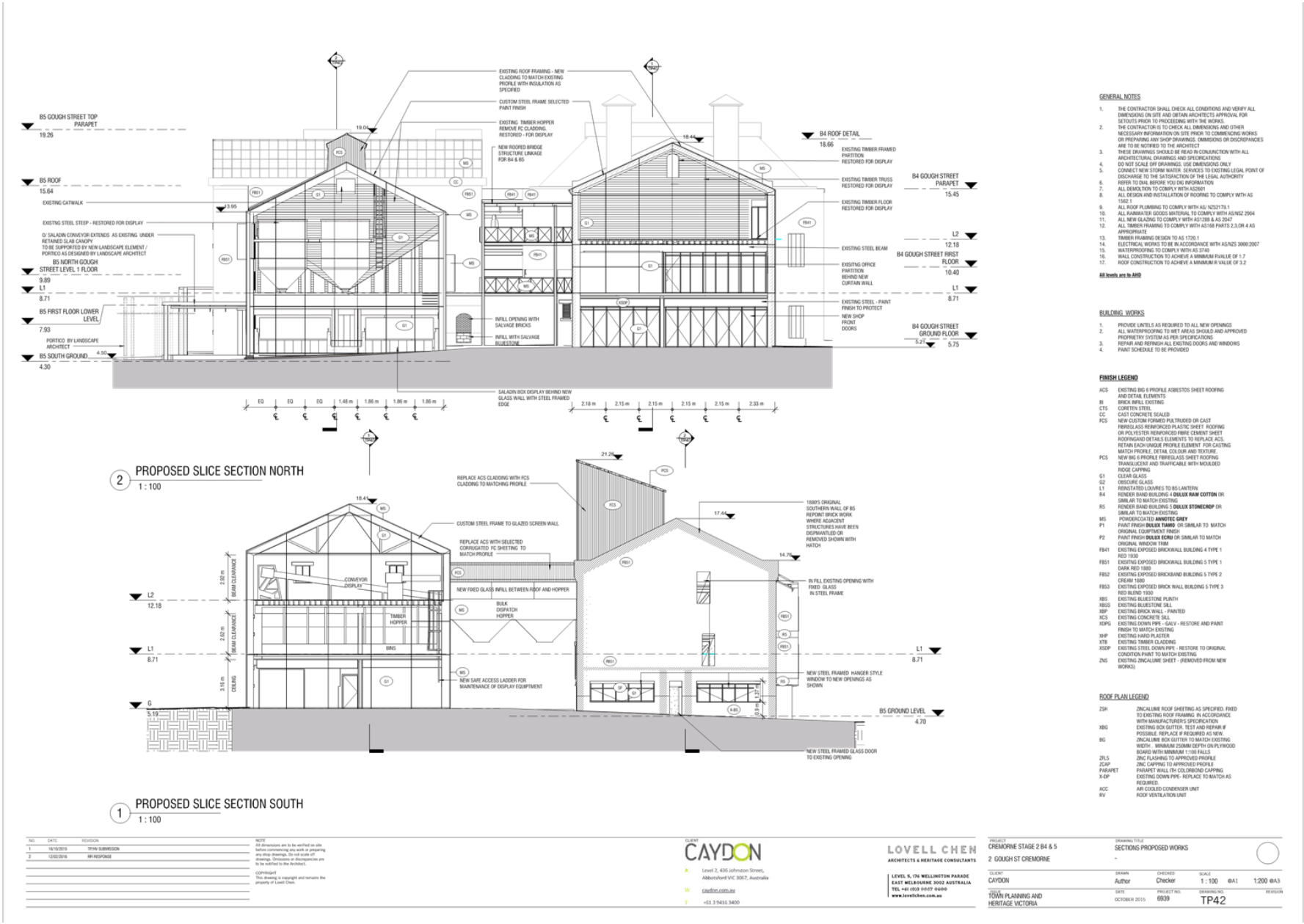
Attachment 12 - 2 Gough Street Cremorne - Part 12 of 12



Attachment 12 - 2 Gough Street Cremorne - Part 12 of 12



Attachment 12 - 2 Gough Street Cremorne - Part 12 of 12



GENERAL NOTES

1. THE CONTRACTOR SHALL CHECK ALL CONDITIONS AND VERIFY ALL DIMENSIONS ON SITE AND OBTAIN ARCHITECTS APPROVAL FOR SETOUTS PRIOR TO PROCEEDING WITH THE WORKS.
2. THE CONTRACTOR IS TO CHECK ALL DIMENSIONS AND OTHER NECESSARY INFORMATION ON SITE PRIOR TO COMMENCING WORKS OR PREPARING ANY SHOP DRAWINGS. OMMISIONS OR DISCREPANCIES ARE TO BE NOTIFIED TO THE ARCHITECT
3. THESE DRAWINGS SHOULD BE READ IN CONJUNCTION WITH ALL ARCHITECTURAL DRAWINGS AND SPECIFICATIONS
4. DO NOT SCALE OFF DRAWINGS. USE DIMENSIONS ONLY
5. CONNECT NEW STORM WATER SERVICES TO EXISTING LEGAL POINT OF DISCHARGE TO THE SATISFACTION OF THE LEGAL AUTHORITY
6. REFER TO DIAL BEFORE YOU DIG INFORMATION
7. ALL DEMOLITION TO COMPLY WITH AS2601
8. ALL DESIGN AND INSTALLATION OF ROOFING TO COMPLY WITH AS 1562.1
9. ALL ROOF PLUMBING TO COMPLY WITH AS/ NZS2179.1
10. ALL RAINWATER GOODS MATERIAL TO COMPLY WITH AS/NSZ 2904
11. ALL NEW GLAZING TO COMPLY WITH AS1288 & AS 2047
12. ALL TIMBER FRAMING TO COMPLY WITH AS1684 PARTS 2,3,OR 4 AS APPROPRIATE
13. TIMBER FRAMING DESIGN TO AS 1720.1
14. ELECTRICAL WORKS TO BE IN ACCORDANCE WITH AS/NZS 3000:2007
15. WATERPROOFING TO COMPLY WITH AS 3740
16. WALL CONSTRUCTION TO ACHIEVE A MINIMUM RVALUE OF 1.7
17. ROOF CONSTRUCTION TO ACHIEVE A MINIMUM R VALUE OF 3.2

All levels are to AHD

BUILDING WORKS

1. PROVIDE LINTELS AS REQUIRED TO ALL NEW OPENINGS
2. ALL WATERPROOFING TO WET AREAS SHOULD AND APPROVED PROPRIETRY SYSTEM AS PER SPECIFICATIONS
3. REPAIR AND REFINISH ALL EXISTING DOORS AND WINDOWS
4. PAINT SCHEDULE TO BE PROVIDED

FINISH LEGEND

ACS	EXISTING BIG 6 PROFILE ASBESTOS SHEET ROOFING AND DETAIL ELEMENTS
BI	BRICK INFILL EXISTING
CTS	CORETEN STEEL
CC	CAST CONCRETE SEALED
FCS	NEW CUSTOM FORMED PULTRUDED OR CAST FIBREGLASS REINFORCED PLASTIC SHEET ROOFING OR POLYESTER REINFORCED FIBRE CEMENT SHEET ROOFINGAND DETAILS ELEMENTS TO REPLACE ACS. RETAIN EACH UNIQUE PROFILE ELEMENT FOR CASTING MATCH PROFILE, DETAIL COLOUR AND TEXTURE.
PCS	NEW BIG 6 PROFILE FIBREGLASS SHEET ROOFING TRANSLUCENT AND TRAFFICABLE WITH MOULDED RIDGE CAPPING
G1	CLEAR GLASS
G2	OBSCURE GLASS
L1	REINSTATED LOUVRES TO B5 LANTERN
R4	RENDER BAND BUILDING 4 **DULUX RAW COTTON** OR SIMILAR TO MATCH EXISTING
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P1	PAINT FINISH **DULUX TIANO** OR SIMILAR TO MATCH ORIGINAL EQUIPTMENT FINISH
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RV	ROOF VENTILATION UNIT

NO.	DATE	REVISION
1	16/10/2015	TP/HV SUBMISSION
2	12/02/2016	RFI RESPONSE

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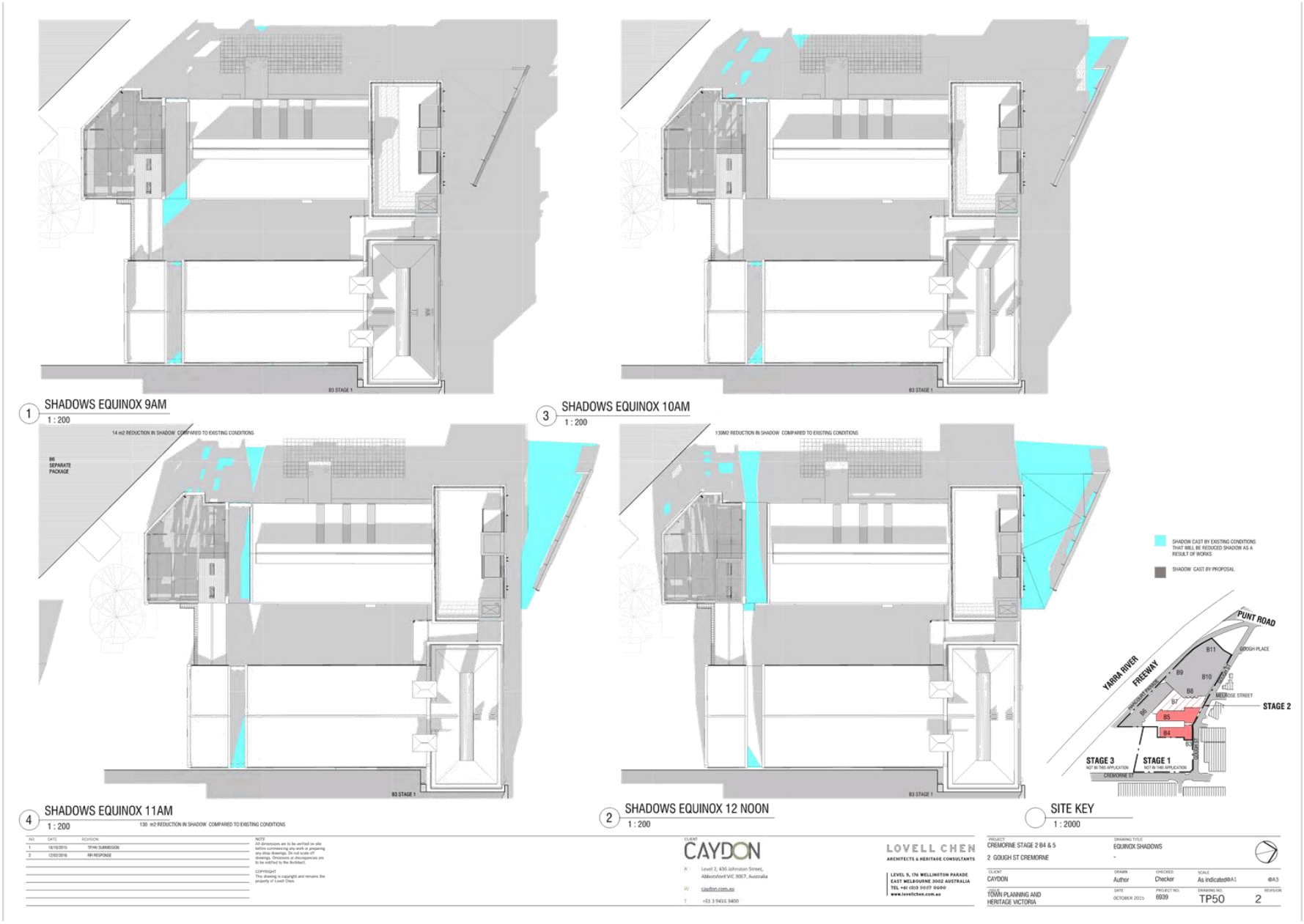
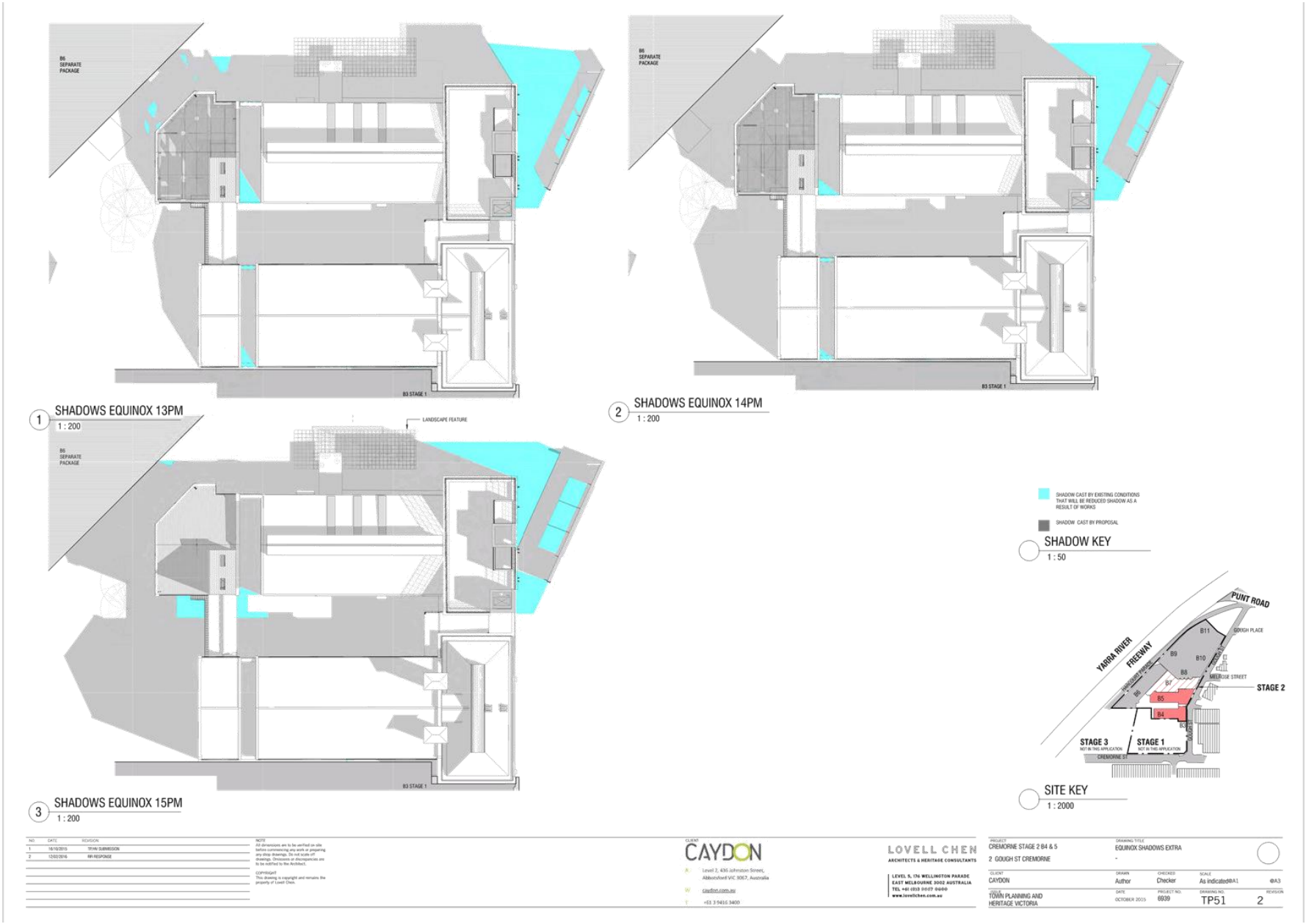
PROJECT	CREMORNE STAGE 2 B4 & 5 2 GOUGH ST CREMORNE
DRAWING TITLE	SECTIONS PROPOSED WORKS
CLIENT	CAYDON
DRAWN	Author
CHECKED	Checker
SCALE	1 : 100 @A1 1:200 @A3
STATUS	TOWN PLANNING AND HERITAGE VICTORIA
DATE	OCTOBER 2015
PROJECT NO.	6939
DRAWING NO.	TP42
REVISION	

Attachment 12 - 2 Gough Street Cremorne - Part 12 of 12



Attachment 12 - 2 Gough Street Cremorne - Part 12 of 12



Attachment 12 - 2 Gough Street Cremorne - Part 12 of 12

1 GOUGH ST NORTH EAST TOWARDS B4 AND B5 WITH B3 IN FOREGROUND

2 GOUGH ST NORTH WEST TOWARDS B4 AND B5 INTO COURTYARD

3 GOUGH ST CAFE COURTYARD B5 NORTH

4 B5 EXTENSION SOUTH EAST

NO	DATE	REVISION
1	16/10/2015	TP/HV SUBMISSION
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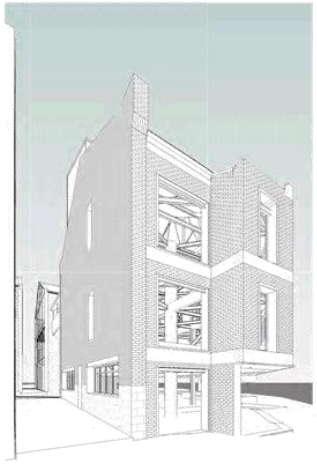
PROJECT: CREMORNE STAGE 2 B4 & 5 2 GOUGH ST CREMORNE		DRAWING TITLE: 3D VIEWS -		
CLIENT: CAYDON	DRAWN: Author	CHECKED: Checker	SCALE: @A1	@A3
STATUS: TOWN PLANNING AND HERITAGE VICTORIA	DATE: OCTOBER 2015	PROJECT NO.: 6939	DRAWING NO.: TP60	REVISION

Attachment 12 - 2 Gough Street Cremorne - Part 12 of 12

1 B5 WEST COURTYARD VIEW

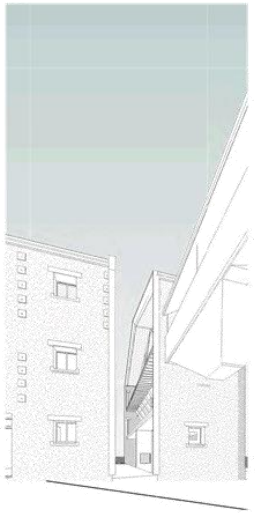


5 B5 WEST SOUTH EXTENSION COURTYARD VIEW

6 B5 WEST SOUTH COURTYARD VIEW INCLUDING SLICE

2 B4 WEST FROM LANEWAY SOUTH

3 SLICE B5 NORTH



4 SLICE B4 SOUTH

7 B4 WEST FROM LANEWAY

NO	DATE	REVISION
1	16/10/2015	TP/PA SUBMISSION
2	12/02/2016	RFI RESPONSE

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PROJECT: CREMORNE STAGE 2 B4 & 5 2 GOUGH ST CREMORNE	DRAWING TITLE: 3D VIEWS -			
CLIENT: CAYDON	DRAWN: BG	CHECKED: LC	SCALE: @A1	@A3
STATUS: TOWN PLANNING AND HERITAGE VICTORIA	DATE: OCTOBER 2015	PROJECT NO.: 6939	DRAWING NO.: TP61	REVISION

Attachment 12 - 2 Gough Street Cremorne - Part 12 of 12

CREMORNE MALTINGS: STAGE 2

BUILDING 4

LOVELL CHEN
ARCHITECTS & HERITAGE CONSULTANTS

Red brick. Flush pointed, sand coloured mortar.

Horizontal concrete band. Paint finish (cream colour).
Timber louvres in opening.

Horizontal banding. Render finish (sand colour).
Metal window frames. Paint finish (cream colour).
Corrugated AC sheet

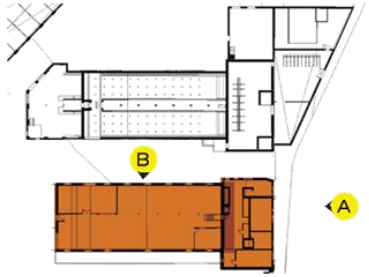
Cast iron downpipe, recessed into brickwork at ground level.
Light grey paint finish.

Pipework above ground level painted (red brick colour).

Rendered signage over metal roller door. Writing in relief
(raised). Paint finish (off white colour).

Concrete window head and sill.

Wall ties with anchor plates. Paint finish (cream colour on
ground and first level, red brick colour on second level).



1

Attachment 12 - 2 Gough Street Cremorne - Part 12 of 12

CREMORNE MALTINGS:STAGE 2

BUILDING 5

LOVELL CHEN
ARCHITECTS & HERITAGE CONSULTANTS

Painted brickwork on Gough St (cream colour).

Bichromatic brickwork (red and sand coloured). Concrete sills. Painted pipework (red brick colour). Bricked in openings with arched cream brick headers and blue stone sills.

Coursed rock-faced bluestone plinth.

Bichromatic brickwork with arched window head made from cream brick voussoirs. Opening filled with red bricks with rebuilt brick bond on sides. Wide brick piers.

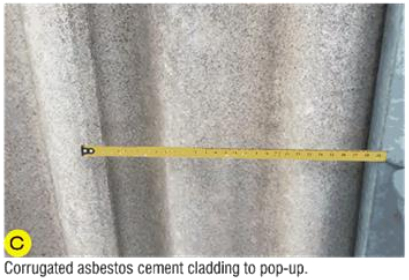
Steel structures bridging between buildings 4 and 5.

Bichromatic brickwork with arched window head made from cream brick voussoirs. Arched metal window, paint finish (cream colour). Blue stone sill.

Top hung timber sliding door. Paint finish.
Rendered banding (sand colour).
Rendered window sill (sand colour).

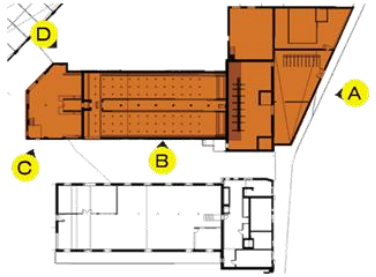
Bricked in openings with cream brick arched headers and cream brick banding. Some bluestone sills remaining.

Galvanized steel pipework.



Corrugated asbestos cement cladding to pop-up.

Corrugated asbestos cement roofing.



Attachment 12 - 2 Gough Street Cremorne - Part 12 of 12

CREMORNE MALTINGS: STAGE 2

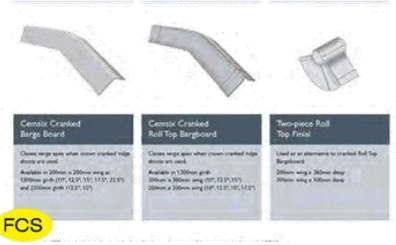
NEW MATERIALS

LOVELL CHEN
ARCHITECTS & HERITAGE CONSULTANTS

Corrugated panel and formed elements to be removed for matching

Double 6 corrugated pattern - to be removed and matched

New Formed Fibre Cement Sheet with Polypropylene reinforcement or "Pultruded Glass Reinforced Plastic to match existing



Formed Roofing elements to match existing

Render band B5

Rendered bands for B5 Colour to match existing

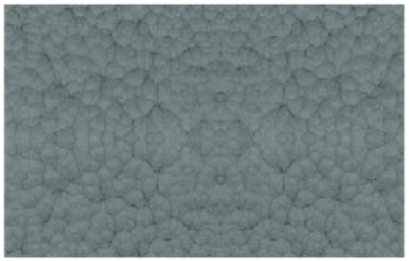
Render bands for B4

Render Band B4

Powdercoated Steel Balustrade and new Window frame trim

Anotec Dark Grey Matt

Retained equiptment


Protective Coating to retain patina and hue

3

Attachment 12 - 2 Gough Street Cremorne - Part 12 of 12

Attachment 12 - 2 Gough Street Cremorne - Part 12 of 12

Attachment 12 - 2 Gough Street Cremorne - Part 12 of 12

Attachment 13 - PLN15/1176 - 2 Gough Street Cremorne - Officer (DAP) report

Application for Planning Permit
Report by Delegate of the City of Yarra

Land Address:	2 Gough Street, Cremorne VIC 3121
Application No:	PLN15/1176
Zoning:	Comprehensive Development Zone – Schedule 3 (Richmond Maltings, 2 Gough Street, Cremorne) Part Road Zone – Schedule 1
Overlays:	CityLink Project Overlay Environmental Audit Overlay Heritage Overlay (HO350 – 2 Gough Street [Nylex Plastics sign] and 2 and 15 Gough Street [Richmond Maltings], both on the Victorian Heritage Register [H2049 and H2050]) Land Subject to Inundation Overlay
How is the land used now:	Vacant
The Proposal:	Development of the land for buildings and works, including the construction of two buildings, ranging from 6 to 20 and 21 storeys (plus 3 basement levels), use of the land as accommodation (399 dwellings and 78 serviced apartments), retail and shop, reduction in the car parking requirements (385 spaces provided on-site and utilisation of 90 spaces as shown in stage 1), and construction and display of a sign (relocation of Nylex sign).
Planning Officer:	Sarah Thomas
Date Received:	26/11/2015
Acknowledgment Letter Sent:	27/11/2015
Further Information Sent:	22/12/2015
Further Information Received:	18/03/2016
Application Advertised:	26/04/2016
Advertising Closed:	13/05/2016
Objections/Submissions:	85 objections and 1 letter of support

Assessment Type	Date	By
DAP	14 June 2016	Sarah Thomas

Background

This application is stage 2 of 2 of the former maltings site. We are currently waiting on VCATs final decision for the stage 1 application. The application was initially for the development of the land for the construction of a maximum 19 storey building (plus 3 basement levels); use of the site as dwellings (277), a shop and a supermarket; removal of light and air easement; reduction of the car parking requirements associated with dwellings, shop and supermarket; reduction in the loading bay requirement.

Following a hearing from 11-15 and 18-22 January and 4 February 2016, VCAT issued and interim order, dated 18 March 2016.

In their interim order, the Tribunal commented that:

- whilst Heritage Victoria refused the application for the stage 1 works, it did not prevent the Tribunal from considering or determining the application before it;
- the application was not considered to be 'piecemeal' and could be considered as its own planning unit, distinct from stage 2;
- the CDZ3 offers a permit trigger where works are not 'generally in accordance' with the incorporated plan. However, it does not offer detailed decision guidance when considering applications that don't meet the plan;
- the Incorporated Plan offers limited guidance in any event;
- the 19 storey elliptical tower element would unreasonably dominate views to the Nylex sign. However, a specific height reduction was not recommended, rather, the Applicant was asked to justify any height reduction sought (e.g. perspectives);
- the proposal would not unreasonably overshadow the river – explaining that was not their reasoning for a height reduction;
- whilst Council's submissions were that the car parking and traffic impacts of the proposal would unreasonably impact Cremorne, the following comments were made by the Tribunal:
    - *"…we were not presented with any substantial strategic traffic analysis or related policy development for the precinct undertaken by the Council." – Para 73*
    - *"We are troubled at the lack of local policy development on this issue, especially as it relates to the Cremorne precinct, and the review site specifically. There is for example no car parking overlay applicable to this site of the type that applies in parts of, for example, the City of Melbourne where maximum rates are specified and a permit required to exceed the maximum. There is no local policy in the planning scheme applying to Cremorne or the review site specifically of the type referred to us during the hearing18 in which the Council, having analysed the issue, specifically encourages lower parking rates in new development, in the area affected by the policy." – Para 82*
- the rates presented by Council's expert (Ms Dunstan) should be applied to this development (0.5 spaces per one bedroom apartment, 0.7 spaces per two bedroom apartment, 1 space per three bedroom apartment and 0.12 spaces per dwelling for visitors). In particular *'Notwithstanding our reservations about the Council's lack of detailed policy analysis and development on this issue, the existing levels of congestion in Cremorne calls for an approach that at least begins the process of reducing the reliance on car dependency and encouraging increased use of alternative transport methods. The review site is one site where this approach can be usefully employed.'* – Para 86
- the development does not achieve appropriate levels of housing diversity.

The interim order concluded with the following:

Changes accepted by the applicant

90. Each of the following changes can be readily incorporated into amended plans and we consider that each change is acceptable and addresses to some extent issues raised during the hearing.

- *a Widening of the footpath along the Gough Street and Cremorne Street frontages by at least 1 metre.*
- *b Removal of the walls currently proposed to be retained at the corner of Gough Cremorne Streets, with the purpose of opening up that corner and increasing site transparency.*
- *c Removal of the retained parts of the wall at the north east corner of the north south lane at the Gough Street entrance.*
- *d Changes to the loading bay including imposing restrictions on its use, its designation as a "zoned area" and the removal of the refuse services area.*
- *e Providing minimum floor to ceiling heights in the apartments of 2.65m and no less than 2.4m where bulk heads are necessary.*
- *f Adopting changes to the car park layout generally in accordance with the evidence of Ms Dunstan.*
- *g Increasing the width of the midpoint of the east west lane to the south of building B4 to 3.25m.*
- *h The removal of six car parking spaces at each level of the podium car park to improve the proposal's interface to the south.*
- *i Clarification that all apartments are designed to meet AS/NZS 2107:2000 Acoustics – Recommended Design Sound Levels and Reverberation Times for Building Interiors.*

Further changes required but not conceded by the applicant

91. The following matters relate to issues about which the applicant does not agree are necessary but which are capable of being incorporated into amended plans. We have concluded that each of these changes are necessary, for the reasons previously stated or for the reasons outlined under each point.

- *a A reduction in the height of the southern tower, and any consequential changes that derive from that change.*
- *b The rearrangement of the north – south lane to relocate at least some of the SOHO offices and apartments to the eastern side of the lane. This change would have the benefit of exposing the eastern elevation of building B4 as contemplated in the development plan and design principles of the Incorporated document, and would also assist in contributing to increased activation of the lane by minimising the presentation of the car park wall to the lane. Removing the built form immediately adjacent to building 4 would allow more flexibility in development opportunities for that building. We record here that the north south lane ought to adopt a configuration that provides clear vision of sight through the site, to the extent possible. This configuration is preferable to the "dog leg" arrangement pursued by the Council, and is consistent with the Safer Design Guidelines22 .*
- *c Residential car parking provided at a rate consistent with the evidence of Ms Dunstan: • 0.5 spaces per one bedroom apartment • 0.7 spaces per two bedroom apartment • 1 space per three bedroom apartment • 0.12 spaces per dwelling for visitors*
- *d The provision of a greater diversity of apartment types and sizes to better achieve housing diversity objectives.*

Council is awaiting the final VCAT order on this application.

On day 1 of the VCAT hearing, the parties became aware that Heritage Victoria had refused the stage 1 proposal. The grounds of refusal were:

- The application is for a high yield new development with very little positive heritage outcomes. There are only minor conservation works proposed to the remnants of walls (B1 and B2 being retained) on the subject site.
- The proposed development scale, form and massing will dominate visually in contrast to the industrial heritage presentation of the significant place generally.
- The proposed development is considered to be contrary to the *Burra Charter* Article 8 – Setting objectives. The overall height and form of the tower is considered to adversely affect the low scale industrial setting.
- The proposed development will have negative impacts on some significant views to the individually heritage listed Nylex Sign.

The applicant has appealed the Heritage Victoria decision, with the Heritage Council scheduling a hearing on 23 and 24 June 2016.

Planning History

On 26 August 2003, Planning Permit Application PL01/0697 for the construction of two internally illuminated high wall signs was withdrawn at the Applicant's request.

By way of VCAT order reference P909/2006, Planning Permit Application PL05/1165 for the installation of a floodlit major promotion sign was withdrawn following the Applicant's request.

On 6 February 2007, Planning Permit Application PL06/0024 for the installation of major promotional advertising signs was withdrawn at the Applicant's request.

On 27 June 2008, Planning Permit PL06/0550 was issued tor the use and development of the land for the purpose of a restricted retail premises, retail premises, and food and drinks premises (café), including buildings and works. This permit has not been acted on, however the permit was extended by VCAT in 2013 so that the development must commence by 21 June 2015. As this permit has not been acted on, it has since expired.

The history of planning permit application PLN15/0355 has been detailed in the 'background' section of this report.

Existing Conditions

Subject Site
The subject site is located on the south-west corner of the intersection of Gough and Cremorne Streets in Cremorne. Broadly speaking, the site is located in the south-west corner of Cremorne, adjacent to the CityLink, Yarra River and Hoddle Street.

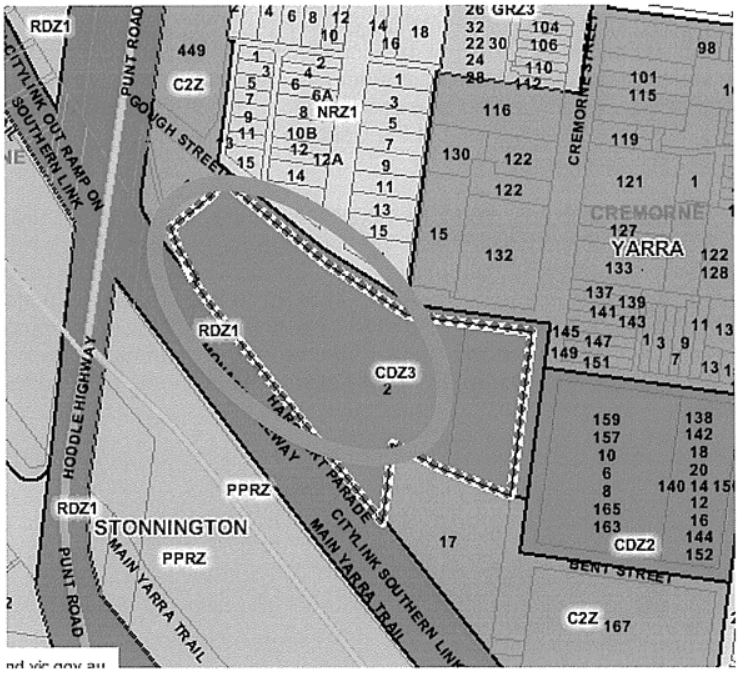
The site comprises 2 titles, being legally known as:
- Lot 2 on Plan of Subdivision 115787; and
- Lot 2 on Plan of Subdivision 408289Y.

The site is an irregular shaped lot, with a frontage of 68.7m to Cremorne Street and a frontage of 161m to Gough Street. The site also has a 139.1m frontage to Harcourt Parade (adjacent to the CityLink onramp). The site is approximately 11,025m².

The location of the proposed works is the western end of a larger property, known commonly as the 'Nylex' site by virtue of the prominent silos and sign adjacent to the Citylink. The significance of the site (and the sign) are highlighted with the property being on the Heritage Register (two listings – the sign specifically and the site as a whole).

Two Heritage Victoria registrations for the site exist and are described as:

- H2049 – Nylex Sign – The sign is identified as a double sided sky-sign mounted on a cross braced steel frame on top of silos. The sign is of social and historical significance to the state of Victoria. The sign is said to signalise the industrial base of the former City of Richmond. Further, the sign is of social significance for its landmark qualities, forming an unofficial gateway to Melbourne. It is noted that the silos supporting the sign are not referenced in the registration and are not of heritage significance.
- H2050 – Richmond Malting's – The site was the Barrett Burston Richmond Malting's, initially developed in the 1850s – 1860s. The site is historically, scientifically (technologically), aesthetically, socially and archaeologically significant to the State of Victoria.



The green oval depicts the general area of the proposed works. The land known as 2 Gough Street however, is boarded by the red and white dotted line [**Nylex Site**].

Reviewing the built form across the site in its entirety, the site contains a number of buildings, including 3 groups of silos, heritage building stock and non-heritage buildings. The section of the site affected by this application is developed with:

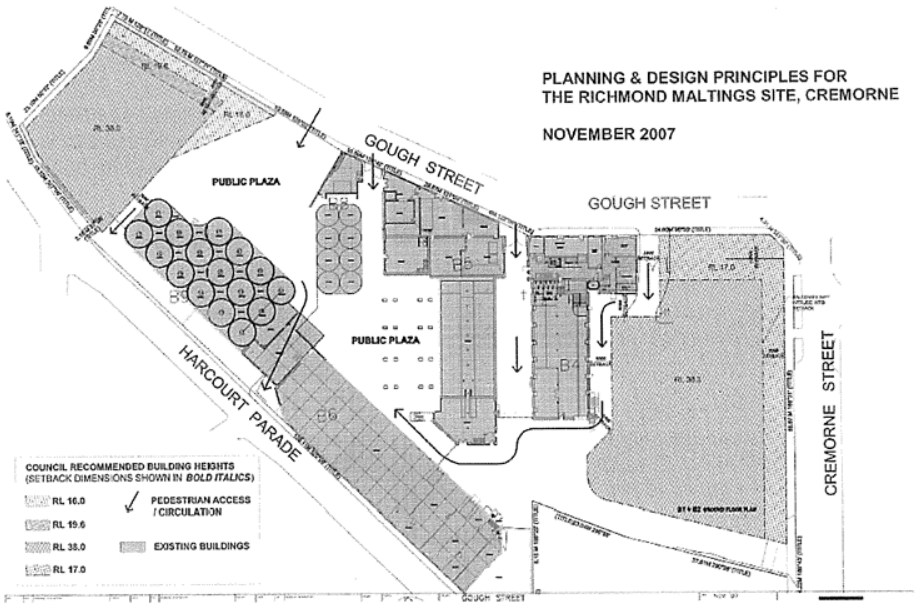
- B11 – a three storey brick building in the western end – 1939 barley store;
- B10 – a multi-storey brick building in the north-west corner of the site fronting Gough Street – 1956 malt house;

- B9 - 'Nylex' silos with the iconic sign on top along the Harcourt Parade frontage;
- B8 – 'VB' silos (displaying the 'Victoria Bitter' sign) to the north-east of the Nylex silos;
- B6 – Double storey brick building along Harcourt Parade, south-east of the Nylex Silos – 1920 malt house and mid-1920s extension;
- B7 – Single storey building north of B6 and generally central to the site – 1950s drum malt house;
- B5 – three storey building along the Gough Street frontage – 1880 and later malt house; and
- B4 – three storey brick building – late 1930s malt house.

The site is located within the Comprehensive Development Zone (Schedule 3). Schedule 3 references the incorporated document *Planning and Design Principles for the Richmond Malting Site, Cremorne – November 2007* [**Design Principles**]. This document includes a map with building envelopes, public space and circulation / access guidelines and second page with detailed design principles.

The Design Principles envisage the retention of buildings B4, B5, B6, B8 (VB silos) and B9 (Nylex silos). However, it is noted that an exemption applies within the heritage controls and articulated in the Conservation Management Plan which allows for the demolition of the Nylex silos. (The demolition of the Nylex silos was discussed at the Stage 1 appeal and although it was not mentioned in the interim order, even the Applicant's own heritage expert accepted under cross-examination that the silos and the Nylex sign should be considered one and the same in terms of significance.) Nevertheless, this issue is strictly part of the Heritage Victoria process and will be pursued by Council accordingly.

The Design Principles also envisage 2 new buildings on the site: the one at the eastern end (stage 1) and one at the western end (part of stage 2). The massing for the new westernmost building is for a RL 19.6m skin along Gough Street a 3m deep podium at RL 16, another 3m deep form from Gough Street at RL 19.6, increasing to a maximum tower height of RL 38. A 2.16m wide strip at RL19.6 is shown adjacent to Harcourt Parade. The massing also provides a 'funnel' into the site, encouraging view lines to the Nylex silos and sign. The Design Principles also result in 2 large public plaza areas within the site.



It is noted that these 'RLs' are taken to correlate to AHDs as opposed to a height in metres. This view was confirmed when officers reviewed the background files to the amendment that allowed the site to be rezoned from Business 3 to Comprehensive Development 3.

Restrictive Covenants
There are no restrictive covenants shown on the certificates of title provided with the application.

Easements
A 1.83m wide light and air easement runs along the southern end of the site (the section adjacent to 17-21 Harcourt Parade). The stage 1 application sought to remove this easement.

Surrounding Land

The officer report for stage 1 remains relevant when describing the surrounding land:

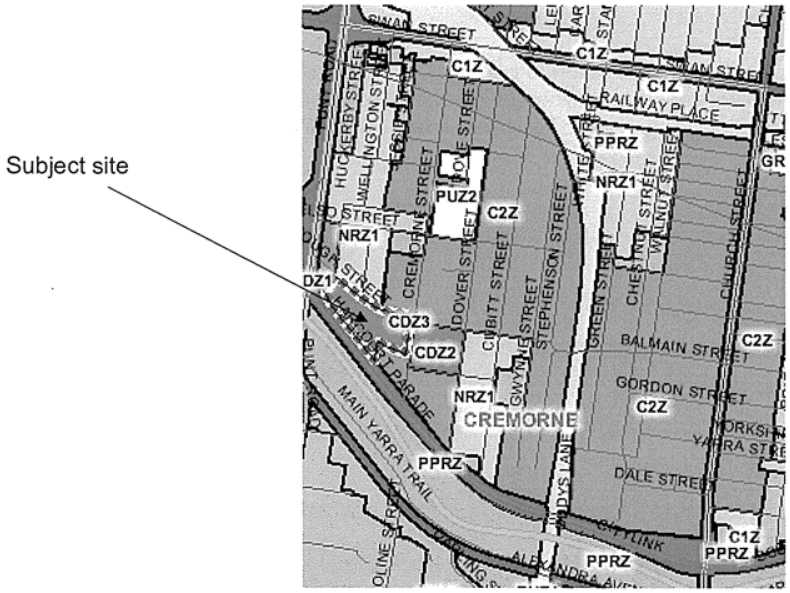
> *Cremorne is a pocket generally bound by Hoddle Street to the west, the CityLink and Yarra River to the south, Church Street to the east and Swan Street to the north. The area is characterised by a number of constrained streets, narrow footpaths and limited 'through roads' making it difficult to enter and subsequently leave the area by car. Swan Street is the closest Activity Centre, being approximately 516m to the north.*
>
> *Anecdotal evidence suggests that Balmain and Cremorne Streets are the busiest roads, providing a link from Church Street to Swan Street in a westerly direction into the City. This has been supported in the Applicants traffic report (SIDRA analysis). Motorists wishing to drive to the City from this area are limited to this Swan Street route due to Hoddle Street being 'no right turn' from Cremorne.*
>
> *The area is provided with public transport options (a PUZ 'cuts' the suburb into 'western' and 'eastern' segments by virtue of the train line) with Richmond Train station being located on the north side of Swan Street. The station is an approximately 525m walk up*

Cremorne Street. Trams service Church and Swan Streets (600m and 525m respectively from the site). Two bus routes service Hoddle Street, with the closest bus stop being approximately 380m south of the site along Punt Road (South Yarra side).

Zoning in the area is predominantly C2Z, with some residential areas (NRZ and GRZ). A PUZ2 is located centrally within Cremorne, being home to Kangan Institute (TAFE). This campus has a focus on creative industries (including visual merchandising, retail, hair and beauty, fashion and millinery).

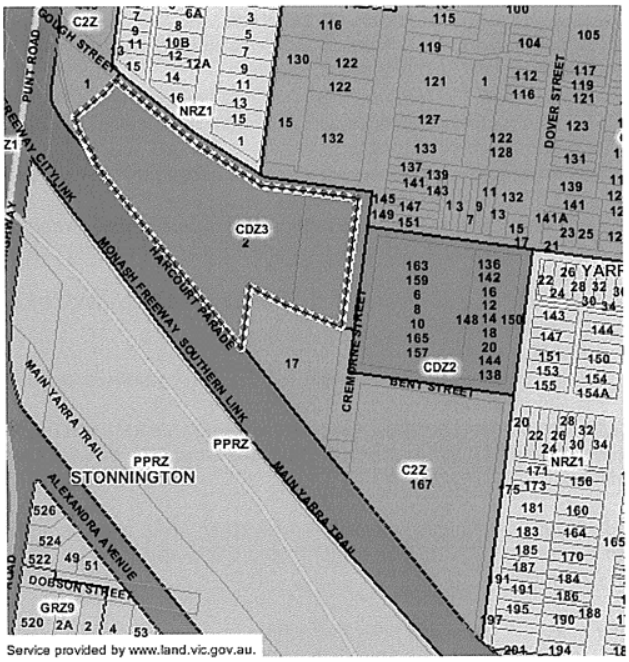
Council's vision for the area is to support the businesses and employment function of the precinct. This was highlighted in the abandonment of amendment C97 (driven by the Cremorne UDF) which sought to rezone much of Cremorne to the C1Z. Council abandoned the amendment (and subsequently the UDF) due to concern that these areas would lose their employment contribution to the municipality and become default residential areas.

In spite of this, two main sites in the south-west corner of Cremorne (one being the subject site and the other being the constructed Era apartments with offices and a café at the ground floor) have been zoned for Comprehensive Development. In the case of the subject site, a purpose of Schedule 3 of the CDZ is 'To allow a comprehensively staged, mixed use development on the site which will create activity during the day and evening and generate local employment opportunities' (amongst others).



Looking closer at this southern section of Cremorne, one planning permit application (the application subject of this assessment) and 2 Section 96A applications are currently before Council. Discussions have also been held with the future Applicant of stage 2 of the Nylex site (the balance of 2 Gough Street). It is understood that the application is likely to comprise a number of primarily residential buildings (dwellings and serviced apartments – almost 600 in total), including 18 to 21 storey towers. The ground level would also include a number of commercial tenancies.

This application now being considered is the 'stage 2' application referenced above.



The 2 Section 96A Applications are for 17-21 Harcourt Parade and 167 Cremorne Street. The applications have been lodged with Council, however officers are still working with the Applicants and have not yet sought Council permission to proceed to exhibition and authorisation stage.

The application for 17-21 Harcourt Parade is for:

- *a rezone from the Commercial 2 Zone (where dwellings are prohibited) to the Comprehensive Development Zone;*
- *a maximum 17 storey building (five storey podium with 12 storey tower above), with a maximum height of 51m (plus lift overrun);*
- *271 dwellings (161 x 1 bedroom, 104 x 2 bedroom and 6 home offices);*
- *278 car parking spaces accessed via Cremorne Street*
- *244 bicycle spaces;*
- *234m² of retail space, including a 161m² food a drink premises;*
- *688m² of office space;*
- *reduction of the car parking requirements. The statutory rate of car parking is 352 spaces, the proposal accommodates 278 therefore a reduction of 74 car spaces are sought pursuant to this application; and*
- *reduction in the loading bay requirements.*

Council has requested further information with regards to the Scheme amendment documentation and the development proposal. Council is awaiting receipt of this information.

By way of background, 17-21 Harcourt Parade already has planning permission (albeit plans are not yet endorsed) for the construction of a nine storey office building with three levels of car parking, part use of the ground floor for a café and a reduction in car parking requirements of the Yarra Planning Scheme. Plans have not yet been endorsed.

It is noted that the Permit Holder lodged plans addressing the condition 1 requirements of this office permit in March 2016. To-date, they have not yet been endorsed.

The application for 167 Cremorne Street is for:

- *a rezone from the Commercial 2 Zone (where dwellings are prohibited) to the Comprehensive Development Zone;*
- *a maximum 15 storey building (varying heights across the site between a minimum of three storeys and maximum of 15 storeys). The total height would be 50m (plus lift overrun);*
- *341 dwellings (one bedroom x 75, two bedroom x 231, three bedroom x 20, 4-one & 11-two-bed townhouses)*
- *361 car parking spaces (261 allocated to residential component; 20 visitor spaces; three car share spaces and 77 allocated to the commercial component);*
- *vehicular access created from Bent Street, and loading bay area accessed from Cremorne Street;*
- *154 bike spaces.*
- *3,895m² commercial area (office = 3,250m²; studio/retail/gallery = 342m²; retail = 125m²; and home occ. = 125m²);*

Council has requested further information with regards to the Scheme amendment documentation and the development proposal. Council is awaiting receipt of this information.

Considering these applications cumulatively (both 96As and this application), they equate to a total of 839 new apartments and 1,005 additional car parking spaces in this end of Cremorne.

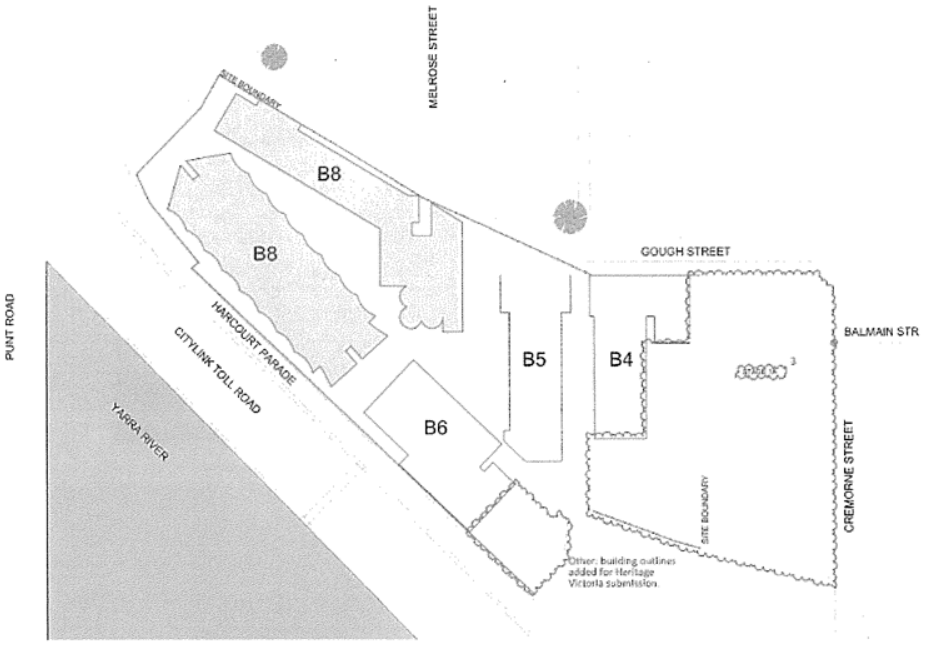
Looking more directly at the site interfaces:

- *To the north of the subject site, across Gough Street, area a range of 1-2 storey industrial buildings. The buildings are painted brick at the eastern end and red face brick at the western end. The red brick building at the western end was formerly part of the malting's site and is also on the Victorian heritage Register (H2050). The heritage building is built hard to the street edge, with the other buildings to the east being setback to accommodate car parking.*
- *To the north-west of the subject site (west of the malting's building) are the side of single storey dwellings fronting Melrose Street and Gough Place (which both intersect with Gough Street). These dwellings are within the Neighbourhood Residential Zone (Schedule 1).*
- *To the north-east of the subject site is a row of single storey Victorian era terraces. These dwellings are located within the C2Z, so it is assumed that they enjoy existing use rights.*
- *Further north along Cremorne Street is a range of 1-3 storey office/industrial buildings typical within the area. A mixture of front setbacks (with car parking) and hard edged development is evident.*
- *To the east of the subject site, across Cremorne Street, is the Era mixed use/apartment building. The building presents a three storey podium to Cremorne and Balmain Streets, with the 10 storey tower setback approximately 5.5m from Cremorne Street. The main residential pedestrian entrance to the building is positioned towards the Balmain Street end of the Cremorne Street frontage. The 3 level 'podium' to the street is used as offices. A café is located along the ground floor Balmain Street frontage, between offices (west) and a row of townhouse style dwellings (east).*
- *To the south-east of the subject site is 17-21 Harcourt Parade. The warehouse style building presents a 3 storey modern residential equivalent façade to the street and has a saw-toothed roof profile. The building is constructed to all title boundaries. The building is currently vacant.*
- *Moving further south along Cremorne Street is an entry to the on-ramp to the CityLink heading south (out of the City).*
- *To the south of the subject site (section west of 17-21 Harcourt Parade) is Harcourt Parade and an entry ramp to the CityLink. Beyond this at-grade onramp is an elevated ramp of the CityLink with one southbound and 4 City bound lanes. Elevated views are offered from the freeway to the subject site.*

- *To the west of the subject site is a triangular shaped site fronting Gough Street and Harcourt Parade. This parcel adjoins the subject site at its western end. The site is currently used as a commercial car park with two floodlit major promotional signs.*

The Proposal

The application is for the development of the land for the development of the land for buildings and works, including the construction of two buildings, varying in height from 6 to 20 and 21 storeys (plus 3 basement levels), use of the land as accommodation (399 dwellings and 78 serviced apartments), retail and shop, reduction in the car parking requirements (385 spaces provided on-site and utilisation of 90 spaces as shown in stage 1), and construction and display of a sign (relocation of Nylex sign).



The development is generally broken into 3 segments, B8 (6-21 storey), B6 (20 storeys) and B4 & B5 heritage works.

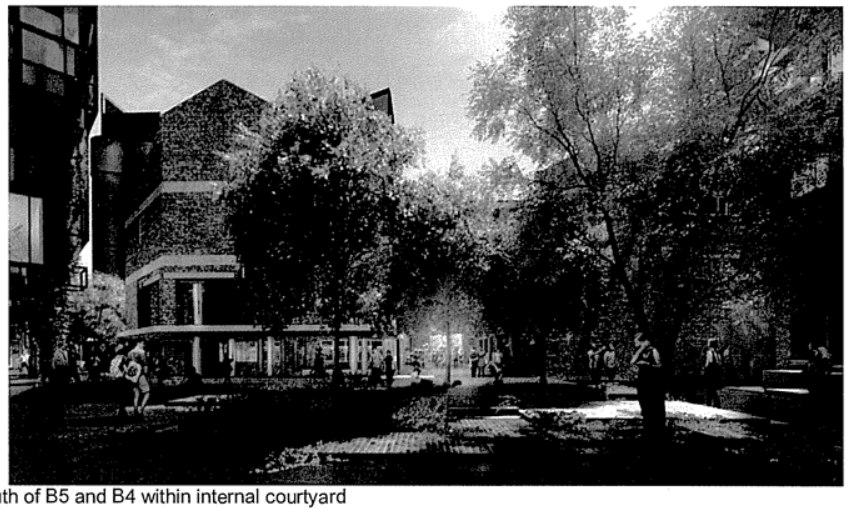
B4 and B5 (Lovell Chen booklet)

- Demolition of part of the building (internal, part roof, part facades/walls), including the removal of a 2.3m-3m wide 'slice' at the southern end of the buildings (east-west) to create a pedestrian link. Removal of roller door fronting Gough Street to facilitate pedestrian access – No permit required as the site is on the Victorian Heritage Register.
- Preservation of 2 steels and hoppers within B5 and hoppers and bins within B4.
- Reclad the existing roof to both buildings.
- Façade/wall works include removal of bricks infilling former windows (restoring windows), along with additional openings for the new tenancies (door and

window access). The works would not impact the height or footprint of these buildings.

- B4 – 3 levels of offices with amenities (including bin rooms, toilets, substation and switch rooms). A bakery/retail space would be located at the ground floor. The rear of the building 'within the slice' would include a display zone.
- B5 – Ground level restaurant (including outdoor seating to the east), northern café and a display zone at the southern end (as per B4 'slice'). An office would be located at level 2, within the northern segment.
- The works reference existing materials and finishes, including red face brick, horizontal banding (cream and sand colour render finishes) and corrugated FC sheet roofing.

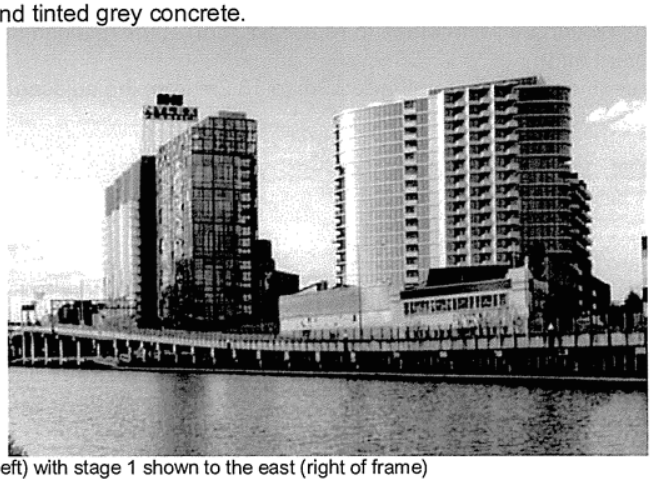
Internal view to rear of B5



South of B5 and B4 within internal courtyard

B6 (Fender Katsalidis booklet)

- Construction of a 20 storey building along the Harcourt Parade frontage of the site while retaining the single storey red brick wall.
- The building would have a footprint of 39.9m by 18.5m and a maximum overall height of 60.25m (RL 64.25) or RL66.85 including the 2.6m high roof plant.
- The building proposes a stepped form, with the 'taller element' generally in the north section, setback 9.35m (east) and 3.55m-8.05m (south) from the lower section.
- The building would be setback a minimum of 2.6m from the south-west corner of building B5.
- The ground floor would include a lobby and office space, with the levels above including dwellings and 'community facilities' rooms (use not defined);
- This building would be setback a minimum of 9.1m and 7.8m from building B8 (new and silo segments respectively).
- Apartments facing the freeway and river (south-west facing) incorporate wintergardens to offer some protection from freeway noise.
- The building would read as a fragmented or mosaic glass form, with squares and rectangles being expressed with the use of metal framing to articulate the façade. The building would incorporate a mixture of grey and clear glazing, with natural and tinted grey concrete.



View of B6 (centre-left) with stage 1 shown to the east (right of frame)

B8 (Fender Katsalidis booklet)

- This building segment includes 3 forms:
  - Podium – ground to level 2;
  - Gough Street (north), serviced apartment segment – 6-8 storey form incorporating the 'VB' silos;
  - Harcourt Parade (south), dwelling segment – 21 storey form, incorporating the Nylex sign and café.

Podium

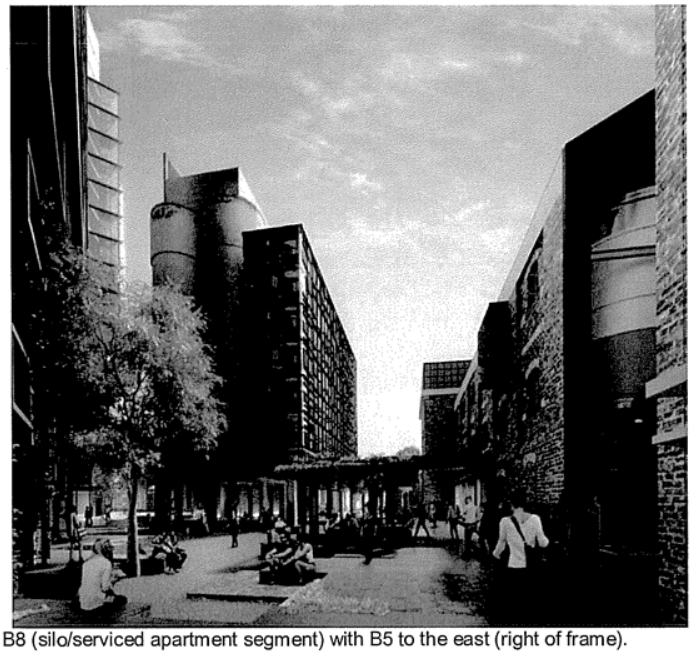
- A podium is provided from ground to level 2 (approximately AHD 13.4) with the following layout:

- Ground floor – a central residential lobby, serviced apartment lobby, retail premises, 2 office spaces, bicycle parking, Nylex sign café access and three SOHO apartments fronting Gough Street;
- Level 1 – split level, primarily with podium car parking, dwellings, community facilities and an office in the southern segment, along with the second floor of the SOHO dwellings along Gough Street;
- Level 2 – podium car parking, dwellings, community facilities and an office continue at this level in the southern segment, joining with serviced apartments in the northern segment. A pool would be provided between both segments at this level;
- the podium is not typical in a built form sense, with the Gough St and Harcourt Parade segments being 'tower's setback above. Heights will therefore be outlined in terms of frontages and overall heights of each segment;

B8 – Gough Street segment

- at levels 3-5, the serviced apartments continue across the Gough Street frontage for a length of 65m, with zero to 1.6m northern boundary setbacks;
- at levels 3-7, the serviced apartments continue within and around (new form 'wrapping' around) the 'VB' silos;
- this form would range from RL15.65 (approximately 11.8m) at the western end of the Gough Street frontage to RL38 (34.36m) at the retained silos end (eastern end);
- this segment would be setback 2.9m to 13.2m from the adjacent Harcourt Parade section of B8.

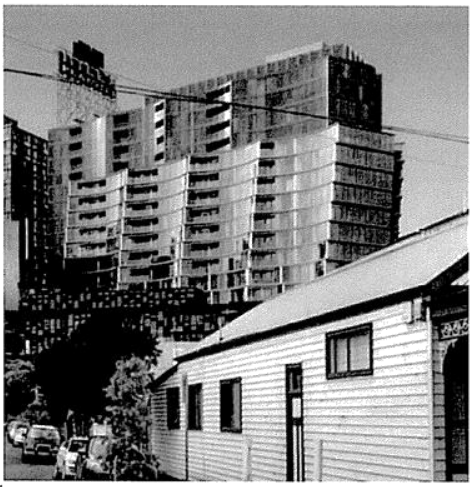
View of B8 from Gough Street



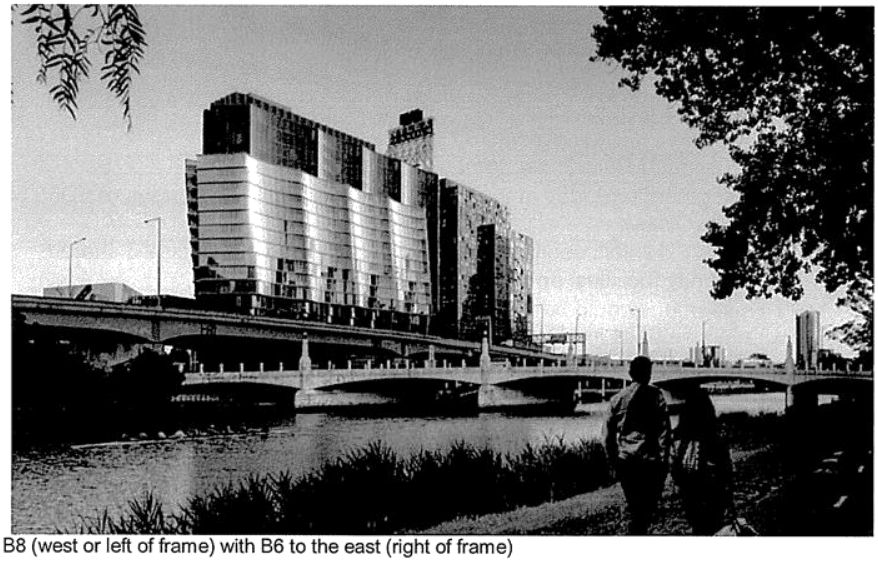
View to rear of B8 (silo/serviced apartment segment) with B5 to the east (right of frame).

B8 – Harcourt Parade segment

- This segment emerges at the podium level, rising to 21 storeys (AHD65.55 to top of services).
- At levels 3-19, this segment contains dwellings with associated shared 'community facilities' or communal rooms.
- This segment would be setback 800mm to 1.5m from the south title boundary, with this setback increasing to 11.2m at the north-west corner. The segment would also be setback a minimum of 5.2m from the west title boundary, a minimum of 9.1m from B6 and a minimum of 1.9m from the Gough Street segment of B8.
- At level 20 (21st storey), a 253m² café is proposed adjacent to the relocated Nylex sign.
- The design is an inverted silo concept, with concave waves across the façade. In terms of materials, a range of clear, light, mid tone and dark glass has been proposed.



View of B8 from the north-west

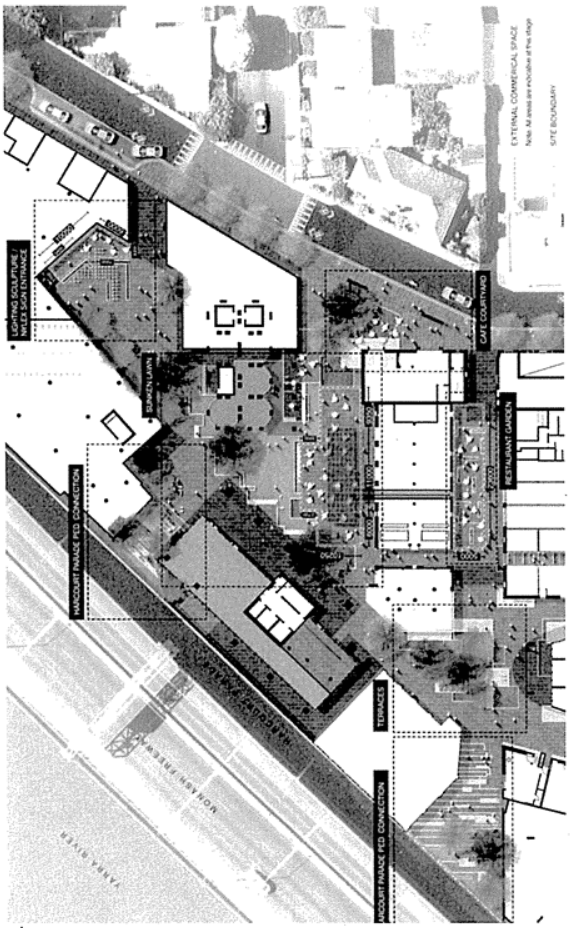


View of B8 (west or left of frame) with B6 to the east (right of frame)

Pedestrian access / Public spaces / Landscaping

- Pedestrian access to the site would be provided via Gough Street (2 entries, between B8, B5 and B4).
- A paved courtyard, east of the B8 entry, would lead to a sunken lawn area to the south of the serviced apartments and west of B5.
- A terrace would be provided to the south of B5 (albeit partially covered).
- The landscape plans detail 'pedestrian connection' to Harcourt Parade adjacent to B6 and B8, however this has not been referenced in any other plans – noting that if this was to be pursued that VicRoads and Citylink would need to be consulted.
- A 119m² café courtyard would be provided to the north-west of B5.

- Installation of a lighting sculpture adjacent to the Nylex Sign café lobby – albeit this has not been shown on the architectural plans, which should be addressed by way of a permit condition, should a permit issue.



Extract of landscape plan

Car parking

- A total of 475 car parking spaces are proposed, with 385 car parking spaces in stage 2 and 90 provided in stage 1. It is noted however, that the Interim Order VCAT plans circulated by the Applicant for stage 1 reduced the number of quarantined spaces to 50. As the Applicant has not sought to amend this application, the provision of 90 spaces on the stage 1 site will continue to be considered.
- The 90 spaces within stage 1 would be accessed via Cremorne Street.
- The 385 car parking spaces within stage 2 would be accessed via Gough Street (western end). The spaces would be located within 3 basement levels and within levels 1-2 of the Gough Street podium.
- The Applicant has elected to not specify which uses would be allocated car parking.

- A drop-off bay has been shown on the plans, however it has not been clearly dimensioned.
- As with stage 1, it is also unclear if the Applicant is proposing to widen the Gough Street footpath and/or modify the vehicular carriageway width.

Bicycle parking

- 258 bicycle parking spaces, including 53 'visitor' spaces.
- Bicycle parking would be provided in the base of the B8 building (Harcourt Parade segment), within levels 1 and 2 of the podium (adjacent to the car parking areas).
- The Application included a cyclist strategy, however the application material does not correlate or confirm that/if the suggested strategies have been adopted (e.g. lower speeds in Gough Street, shared zone treatments, modified traffic signs, etc.).

Uses

Use	B4	B5	B6	B8	TOTAL	Applicant's traffic report	Variation from plans
Dwellings			208 x 1BR 164 x 2BR 27 x 3BR		**399**	399	-
Serviced Apartments				78	**78**	78	-
Office	933m²	165m²	238m²	817m²	**2153m²**	2114	-39m²
Retail			352m²	203m²	555m²	203m²	-352m²
Restaurant		241m² 195 seats			**241m²**	370m²	+129m²
Café		130m² 105 seats		253m² 150 seats	**383m²**	253m²	-130m²
Bakery/ Retail The Applicant has confirmed this use is "Retail"	84m²				**84m²**	85m²	+1m²

Signage

- Relocation of the existing Nylex sign on top of B8 (Harcourt Parade or 21 storey segment).
- The sign would generally be in the same position and orientation, albeit 21.05m higher (54.15m to 75.2m – measured to top of sign).

Waste management

- B4 and B5 – 34m² bin store in the base of B4 for use of tenancies of both buildings. The restaurant and level 1 and 2 offices will have bins in each respective area, which will be emptied into the ground floor bin area by tenants. Waste would be removed by a 6.35m long vehicle (private collection – direct from ground level bin store), and would occur between 7am-7pm Monday to Friday and 9am-6pm Saturday and public holidays.
- B6 – 72m² bin store in basement level 1, with bin chutes from the office and dwellings above. Council collection is proposed within the property boundary.
- B8 - 81m² bin store at the ground level, south of the loading dock and accessed via the new Gough Street crossover with bin chutes from the office and dwellings above. Council collection is proposed within the property boundary. Dwellings in B8 would have access to a bin chute on each floor. Waste from the serviced apartments would be manually transferred to the bin room. Council collection is proposed within the property boundary.

It is noted that the WMP for B8 references a bar, however this has not formed part of this application (neither on the application form nor on the plans).

ESD commitments

- Buildings 4 and 5 – 4 Star Green Star – Best practice. STORM rating of 70% with use of 30kL rainwater tank for toilet flushing and irrigation.
- Building 6 – 4 Star Green Star – Best practice. STORM rating of 118% with use of 20kL rainwater tank for toilet flushing and irrigation.
- Building 8 – 4 Star Green Star – Best practice. STORM rating of 103% with use of 80kL rainwater tank for toilet flushing and irrigation.

Professional reports

The application was submitted with the following professional reports/letters:

- planning report (Urbis);
- urban context report (Fender Katsalidis Architects and Lovell Chen);
- landscape report (Oculus);
- traffic report and green travel plan (GTA Consultants);
- acoustic report (Renzo Tonin);
- waste management plan (RB Waste Consulting);
- wind report (Vipac);
- sustainability management plan (Simpson Kotzman);
- preliminary cultural heritage study (Ecology and heritage partners)
- place vision (Right Angle);
- Economic significance report (Deep End Services);
- cycle strategy (GTA and Right Angle);
- building report (Irwin Consult); and
- Nylex viewline analysis (Fender Katsalidis).

Planning Scheme Provisions

Zoning

Comprehensive Development Zone – Schedule 3 (Richmond Maltings, 2 Gough Street, Cremorne)

The purpose of this 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 provide for a range of uses and the development of land in accordance with a comprehensive development plan incorporated in this scheme.*

The purpose of schedule 3 is:

- *To allow a comprehensively staged, mixed use development on the site which will create activity during the day and evening and generate local employment opportunities.*
- *To conserve and enhance key heritage buildings through refurbishment and reuse.*
- *To allow the continuation of limited major advertising in the precinct.*
- *To ensure that development on the site will complement and enhance the Yarra River environs.*
- *To ensure the combination of uses, their density and the scale and character of development does not prejudice the amenity of the surrounding area.*
- *To retain the visual dominance and preservation of views of the landmark Nylex sign and associated silos through the sensitive siting of new building envelopes on the site.*
- *To provide a well designed, attractive open plaza space within the development which is accessible to the surrounding community.*
- *To ensure a high quality architectural response to the site that acknowledges and is respectful of the scale and form of buildings within the site and its immediate environs.*

Under schedule 3, the use of the site for offices does not require a planning permit. However, the use of the site as dwellings and serviced apartments (nested within 'accommodation') and the retail premises (café, bakery/retail and restaurant are all nested within 'retail premises') require planning permit.

Section 2 of schedule 3 states that:

- *Use of land must be in accordance with the Table of uses to this Clause and the comprehensive development plan: "Planning and Design Principles for the Richmond Maltings Site, Cremorne – November 2007".*
  [Design Principles]
- *A use must not detrimentally affect the amenity of the neighbourhood, including through the:*
  - *Transport of materials, goods or commodities to or from the land.*
  - *Appearance of any building, works or materials.*
  - *Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.*

The relevant land use guidance within the Planning and Design Principles are:

- *Establish a mix of uses on the site including restricted retail premises, cafes, bars, offices, display/exhibition spaces and residential apartments which reinforce the diversity and richness of Richmond.*
- *Attract a mix of uses which create local employment opportunities and contribute to the economy of the City of Yarra.*

Decision guidelines when considering the proposed uses include (as relevant):

- *The effect that existing uses may have on the proposed use.*
- *The drainage of the land.*
- *The effect of traffic to be generated on roads.*
- *The interim use of those parts of the land not required for the proposed use.*
- *The design principles outlined on the incorporated plan "Planning and Design Principles for the Richmond Malting Site, Cremorne – November 2007".*

Under section 4 of schedule 3, a planning permit is required for the proposed buildings and works as the proposal is not generally in accordance with the Planning or Design Principles.

Decision guidelines when considering the proposed buildings and works are:

- *Consistency with the building envelopes and design principles detailed on the comprehensive development plan: "Planning and Design Principles for the Richmond Maltings Site, Cremorne – November 2007".*
- *Streetscape character.*
- *Built form.*
- *Landscape treatment.*
- *Interface with nearby areas.*
- *Parking and site access.*
- *Lighting.*
- *The preservation of the amenity of nearby residents.*
- *The orderly management of vehicular and pedestrian traffic.*
- *The visual impact of the building or works on the impact of the area.*
- *The inclusion of appropriate acoustic measures to attenuate noise levels internally within new or refurbished / converted buildings for residential and other noise sensitive uses, located on the southern part of the site directly adjacent to the Monash Freeway.*

The Design Principles offer the following guidance when assessing built form (the full list has been included here, where some items may relate to the balance of the site, any development in this section must ensure it does not undermine the broader objectives of the site):

- *Conserve and enhance the key heritage features of the site which depict the various stages of the malting process since the late 19th Century.*
- *Provide opportunities for interpretation and appreciation of the cultural heritage attributes of the site which are to be retained.*
- *Activate the corner of Gough and Cremorne Streets.*
- *Facilitate safe, convenient and legible public access into and through the site.*
- *Maintain a low rise edge to the Gough Street residential interface to the north.*
- *Provide tall development at the eastern end of the site consistent with the built forms adjacent to the east.*
- *Retain the visual prominence and landmark qualities of the Nylex sign and clock and the 1960's silos which support this heritage feature.*
- *Provide opportunities for pedestrian access through the site to Harcourt Parade to the south and the Punt Road bridge. Options for any future potential*

pedestrian access across or along Harcourt Parade are to be the subject of full discussion and negotiation between VicRoads, CityLink, Council and the land owner.

- *Provide open space set back at ground & 1st floors at Cremorne end of Gough Street.*
- *Create a vibrant plaza edged by key heritage buildings which act as an activity node as well as significant place to view and interpret these buildings.*
- *Provide parking in basements and above ground multi level structures.*
- *Restrict vehicle access points to the eastern and western ends of the site thus maximising the opportunities for a pedestrian dominated environment within the site itself.*
- *Major advertising signage must not detract from the visual amenity of the site or surrounding area.*
- *Integrate public artwork and creative lighting displays on the site which add vibrancy, colour and visual interest to the site.*
- *Establish a mix of uses on the site including restricted retail premises, cafes, bars, offices, display/exhibition spaces and residential apartments which reinforce the diversity and richness of Richmond.*
- *Establish well defined and legible entries to the site which contribute to the sense of address.*
- *Reinforce the landmark qualities and heritage attributes of the site in the design of new buildings and works.*
- *Attract a mix of uses which create local employment opportunities and contribute to the economy of the City of Yarra.*
- *Strengthen the built form edge to the Monash Freeway and the Yarra River while allowing for access to sky and long distance views.*
- *Widen footpath and provide street planting adjacent to roads. Refer to landscape drawing for details.*
- *Provide an appropriate stepped built form along the Gough Street frontage*
- *Provide an attractive and appropriately designed façade/elevation to the western boundary of the site.*
- *Ensure that new development or refurbished / converted buildings for new residential and other noise sensitive uses, located on the southern part of the site directly adjacent to the Monash Freeway, include appropriate acoustic measures as outlined in AS 3671-1999 "Acoustics – Road Traffic Noise Intrusion – Building Siting and Construction", to attenuate noise levels internally within the building.*

Section 5 specifies car parking controls:

- office – 2.6 spaces per 100m²;
- shop – 4 spaces per 100m²;
- restaurant – 0.3 car spaces / seat
- residential (1-2 bedroom apartment) – 1 resident space per apartment;
- residential (3+ bedroom apartment) – 2 resident car spaces per apartment; and
- residential (general) – 0.12 visitor car spaces per apartment.

Land Use	Units/ Area / Seats proposed	No. required		No. proposed	Reduction sought
Dwelling residents	372 x 1 and 2BR	426		475	144

Land Use	Units/ Area / Seats proposed	No. required		No. proposed	Reduction sought
	27 x 3BR		619		
Dwelling Visitors	399	47			
Serviced Apartments	78 x 1 and 2BR	No rate			
Office	2153m²	55			
Retail	639m²	No rate specified			
Restaurant	195 seats	59			
Cafe	105 seats	32			

A permit may be granted to reduce the number of car spaces required for a particular use if the Responsible Authority is satisfied that the number of spaces required:

- *Is unnecessary in the circumstances;*
- *Can be provided on nearby land; or*
- *If the proposal is to achieve a heritage outcome.*

This application has a statutory requirement for 697 spaces, with a reduction of 144 being sought.

Due to the errors in the Applicant's traffic report, their report suggested 673 car parking spaces were required under the Scheme. However, Officer's maintain that the above table is correct.

Before deciding on the application, the Responsible Authority must consider:

- *The likely demand for car parking spaces.*
- *The extent to which the various uses of the land are likely to generate different levels of demand for parking at different times.*
- *The possible multi-use of car spaces.*
- *The demand for car spaces generated by the uses established in previous stages of the development.*
- *The accessibility of the site to vehicle traffic;*
- *The proposed layout of parking areas.*

Section 6 states that the dimensions of the car spaces, access lanes and driveways and layout of parking areas must meet the requirements of Clause 52.06, unless the responsible authority agrees otherwise.

Part Road Zone – Schedule 1

The southernmost strip of land adjacent to Harcourt Parade is within the RDZ1. This appears to be a planning anomaly, however this zoning must be considered.

It is noted that sections of B6 and B8 extend into the RDZ1 affected portion of the site.

A permit is required under clause 36.04-1 of the Scheme for the residential and retail uses that extend into these areas (and technically any other use that is allocated the affected car parking spaces as the basement levels also extend into this area). A permit is also required under clause 36.04-2 of the Scheme for buildings and works associated with a section 2 use.

The views of the relevant road authority (VicRoads and Transurban) are a decision guideline at clause 36.04-3.

Overlays

CityLink Project Overlay
This overlay exempts use and development in association with the City Link Project area if the use or development is part of the Melbourne City Link Project (as relevant).

The only permit triggers of this overlay relate to signage. However, the proposed Nylex sign (albeit relocated) is not in an area where signage is prohibited. The remainder of this overly exempts signs from requiring planning permission where they are for the propose of the CityLink in designated locations. A permit is therefore not required under this overlay.

Environmental Audit Overlay
Clause 45.03-1 of the Scheme states that 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 certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970, or*
- *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.*

Had a favourable assessment resulted, this requirement would have been conveyed to the Applicant in the form of a notation on any permit issued.

Heritage Overlay (HO350 – 2 Gough Street [Nylex Plastics sign] and 2 and 15 Gough Street [Richmond Maltings], both on the Victorian Heritage Register [H2049 and H2050])

Clause 43.01-2 of the Scheme states that no permit is required under this overlay to develop a heritage place which is included on the Victorian Heritage Register.

It is noted however, that the CDZ3 Design Principles note the following objectives:

- *Conserve and enhance the key heritage features of the site which depict the various stages of the malting process since the late 19th Century.*
- *Provide opportunities for interpretation and appreciation of the cultural heritage attributes of the site which are to be retained.*

At the time of writing, the Applicant had not yet lodged an application with Heritage Victoria for stage 2.

Land Subject to Inundation Overlay
A planning permit is required under clause 44.04-1 of the scheme to construct a building or to construct or carry out works. This includes roadworks. An application

under this overlay is exempt from the notice requirements, however the application must be referred to Melbourne Water under Section 55 of the Act.

Particular Provisions

Clause 52.05 – Advertising signs
The purpose of this provision is:

- *To regulate the display of signs and associated structures.*
- *To provide for signs that are compatible with the amenity and visual appearance of an area, including the existing or desired future character.*
- *To ensure signs do not contribute to excessive visual clutter or visual disorder.*
- *To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.*

A permit is required under clause 52.05-8 of the Scheme to construct and display a major promotion sign (this zone is a category 2 area).

Clause 52.06 – Car parking
The purpose of this provision (amongst others) is to ensure the provision of an appropriate number of car spaces are provided having regard to the activities on the land and the nature of the locality. However, the CDZ3 rates prevail in this instance.

Section 6 of the CDZ3 however, states that '*The dimensions of the car spaces, access lanes and driveways and layout of parking areas must meet the requirements of Clause 52.06, unless the responsible authority agrees otherwise*'.

Clause 52.07 – Loading and unloading of vehicles
The purpose of this clause: *To set aside land for loading and unloading commercial vehicles to prevent loss of amenity and adverse effect on traffic flow and road safety.*

Requirements to be met:

- *No building or works may be constructed for the manufacture, servicing, storage or sale of goods or materials unless:*
- *Space is provided on the land for loading and unloading vehicles as specified in the table below.*
- *The driveway to the loading bay is at least 3.6 metres wide. If a driveway changes direction or intersects another driveway, the internal radius at the change of direction or intersection must be at least 6 metres.*
- *The road that provides access to the loading bay is at least 3.6 metres wide.*

A permit may be granted to reduce or waive these requirements if either:

- *The land area is insufficient.*
- *Adequate provision is made for loading and unloading vehicles to the satisfaction of the responsible authority.*

FLOOR AREA OF BUILDING	MINIMUM LOADING BAY DIMENSIONS	
2,600 sq m or less in single occupation	Area	27.4 sq m
	Length	7.6 m
	Width	3.6 m
	Height clearance	4.0 m
For every additional 1,800 sq m or part	Additional 18 sq m	

The applicant has provided an 8.9m² (W) by 13.2m² (L) by 4.5m (H), or 27m², loading

bay at the base of building B8.

The uses that trigger a loading bay under clause 52.07 (retail, restaurant and café) total an area of 1,263m².

A permit is therefore not required to reduce or waive this requirement.

Clause 52.34 – Bicycle facilities
The purpose of this clause is to encourage cycling as a mode of transport and to provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities. Clause 52.34-2 states that a permit may be granted to vary, reduce or waive any requirement of clause 52.34-3 and clause 52.34-4.

Land Use	Units/Area proposed	Rate	No. required	No. proposed	Reduction sought
Dwelling Residents	399	1 to each 5 dwellings	78		
Dwelling Visitors		1 to each 10 dwellings	40		
Serviced Apartments	78	(Residential building, other than specified in this table) Employee/resident - 1 to each 20 employees	4		
		Visitor – 1 to each 10 lodging rooms	8		
Office	2153m²	Employee - 1 to each 300 sq m of net floor area if the net floor area exceeds 1000 sq m	7		
		Visitor - 1 to each 1000 sq m of net floor area if the net floor area exceeds 1000 sq m	2		
Retail	352m²	Employee - 1 to each 300 sq m of leasable floor area	1		
		Visitor - 1 to each 500 sq m of leasable floor area	0		
Restaurant	241m²	Employee - 1 to each 100 sq m of floor	2		

Land Use	Units/Area proposed	Rate	No. required	No. proposed	Reduction sought
		area available to the public			
		Visitor - 2 plus 1 to each 200 sq m of floor area available to the public if the floor area available to the public exceeds 400 sq m	3		
Cafe	130m²	(Applying the retail rate) Employee - 1 to each 300 sq m of leasable floor area	0		
		Visitor - 1 to each 500 sq m of leasable floor area	0		
Bakery/Retail (This use has recently been confirmed by the Applicant as being 'Retail')	84m²	(Applying the retail rate) Employee - 1 to each 300 sq m of leasable floor area	0		
		Visitor - 1 to each 500 sq m of leasable floor area	0		
Total			**145**	**258**	**0**

Design and signage requirements are at clause 52.34-4 and 52.34-5 of the Scheme and will be referenced throughout the assessment.

Clause 52.35 – Urban context report and design response for residential development of five or more storeys
The purpose of this clause is: *To ensure that an urban context report is prepared before a residential development of five or more storeys is designed and that the design responds to the existing urban context and preferred future development of the area.* An urban context report has been provided in accordance with this clause.

General Provisions

Clause 65 – Decision Guidelines
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 a number of matters. Amongst other things, the Responsible Authority must consider 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)

The following SPPF provisions of the Scheme are relevant:

Clause 11.02 – Urban growth
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 11.02-3 – Structure Planning
The objective of this clause is: *To facilitate the orderly development of urban areas.* Council has adopted the Swan Street Structure Plan which affects the site. The Structure Plan will be outlined later in this report.

Clause 11.04-2 – Housing Choice and Affordability
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
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.* Relevant strategies include:

- *Protect Melbourne and its suburbs from inappropriate development.*
- *Create neighbourhoods that support safe communities and healthy lifestyles.*
- *Create more great public places throughout Melbourne.*
- *Respect heritage while building for the future.*
- *Achieve and promote design excellence.*

Clause 12.05-1 – River corridors
The objective of this clause is: *To protect and enhance the significant river corridors of metropolitan Melbourne.*

Relevant strategies include:

- *Ensure development responds to and respects the significant environmental, conservation, cultural, aesthetic, open space, recreation and tourism assets of all river corridors.*
- *Ensure new development is sensitively designed and sited to maintain and enhance environmental assets, significant views and the landscapes along all river corridors. Ensure development does not compromise bank stability, increase erosion or impact on a river's natural capacity to manage flood flow.*

Clause 12.05-2 – Yarra River protection
The objective of this clause is: *Maintain and enhance the natural landscape character of the Yarra River corridor in which the topography, waterway, banks and tree canopy are dominant features providing a highly valued, secluded, natural environment for the enjoyment of the public.*

Relevant strategies include:

- *Strengthen the river's natural environment, heritage and overall health by:*
  - *Ensuring development does not increase the rate or quantity of stormwater, sediment or other pollutants entering the river.*
- *Retain and enhance people's enjoyment of the river and its environment by:*

- *Planning for the river and its environs as a recreation and tourism resource.*
- *Ensuring linkages and public access to the river and its parklands are maintained, enhanced and new links created where appropriate.*
- *Avoiding overshadowing of the river, its banks and adjacent public open space to ensure that the amenity of the public realm is maintained year round.*

- *Ensure that development is designed and sited to maintain and enhance the river's secluded and natural environment by:*
  - *Minimising the visual intrusion of development when viewed from major roads, bridge crossings, public open space, recreation trails and the river itself.*
  - *Ensuring that the siting and design of buildings avoid contrast with the local natural landscape and environmental character.*
  - *Ensuring building height is below the natural tree canopy and all development is set back a minimum of 30 metres, or greater, from the banks of the river.*

Clause 13.02-1 – Floodplain management
The relevant objectives of this clause are:

- *To assist the protection of:*
  - *Life, property and community infrastructure from flood hazard.*
  - *The natural flood carrying capacity of rivers, streams and floodways.*
  - *The flood storage function of floodplains and waterways.*
  - *Floodplain areas of environmental significance or of importance to river health.*

Clause 13.03-1 – Use of contaminated and potentially contaminated land
The objective of this clause is: *To ensure that potentially contaminated land is suitable for its intended future use and development, and that contaminated land is used safely.*

Clause 13.04-1 – Noise abatement
The objective of this clause is: *To assist the control of noise effects on sensitive land uses.*

Clause 15.01-1 – Urban design
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 15.01-2 – Urban design principles
The objective of this clause is: *To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.*

A list of 11 design principles is listed for development proposals for non-residential development or residential development not covered by Clause 54, Clause 55 or Clause 56.

Clause 15.01-4 – Design for safety
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
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
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 15.03-2 – Aboriginal cultural heritage
The objective of this clause is: *To ensure the protection and conservation of place of Aboriginal cultural heritage significance.*

Clause 16.01-1 – Integrated housing
The objective of this clause is: *To promote a housing market that meets community needs.*

Clause 16.01-2 – Location of residential development
The objective of this clause is: *To locate new housing in or close to activity centres and employment corridors and at other strategic redevelopment sites that offer good access to services and transport.* A relevant strategy being:

- *Encourage higher density housing development on sites that are well located in relation to activity centres, employment corridors and public transport.*

Clause 16.01-3 – Strategic redevelopment sites
The objective of this clause is: *To identify strategic redevelopment sites for large residential development in Metropolitan Melbourne.*

The Swan Street Structure Plan identifies this site as a strategic redevelopment site.

Clause 16.01-4 – Housing diversity
The objective of this clause is: *To provide for a range of housing types to meet increasingly diverse needs.*

Clause 16.01-5 – Housing affordability
The objective of this clause is: *To deliver more affordable housing closer to jobs, transport and services.*

Clause 17.01-1 – Business
The objective of this clause is: *To encourage development which meet the communities' needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.*

Clause 18.02-1 - Sustainable personal transport
The objective of this clause is: *To promote the use of sustainable personal transport.*

Clause 18.02-2 - Cycling
It is an objective: *To integrate planning for cycling with land use and development planning and encourage as alternative modes of travel.*

Clause 18.02-5 - Car parking
It is an objective: *To ensure an adequate supply of car parking that is appropriately designed and located.* The clause includes the following (relevant) strategies to achieve this objective:

- *Encourage the efficient provision of car parking through the consolidation of car parking facilities.*

- *Protect the amenity of residential precincts from the effects of road congestion created by on-street parking.*

Local Planning Policy Framework (LPPF)

*Municipal Strategic Statement **[MSS]***

Clause 21.04-1 – Accommodation and Housing
The relevant objectives and strategies of this clause are:

- *Objective 1 To accommodate forecast increases in population.*
  - (a) *Strategy 1.1 Ensure that new residential development has proper regard for the strategies applicable to the neighbourhood in question identified in clause 21.08;*
  - (b) *Strategy 1.2 Direct higher density residential development to Strategic Redevelopment Sites identified at clause 21.08 and other sites identified through any structure plans or urban design frameworks.*
- *Objective 2 To retain a diverse population and household structure; and*
- *Objective 3 To reduce potential amenity conflicts between residential and other uses.*

Clause 21.04-3 – Industry, office and commercial
The relevant objective of this clause is: *Objective 8 To increase the number and diversity of local employment opportunities.*

Clause 21.05-2 – Urban design
The relevant objectives and strategies of this clause are:

- *Objective 16 To reinforce the existing urban framework of Yarra.*
- *Objective 17 To retain Yarra's identity as a low-rise urban form with pockets of higher development.*
  - (a) *Strategy 17.2 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.*
  - (b) *Strategy 17.3 Apply the Landmarks and Tall Structures policy at clause 22.03.*
- *Objective 18 To retain, enhance and extend Yarra's fine grain street pattern.*
- *Objective 20 To ensure that new development contributes positively to Yarra's urban fabric.*
- *Objective 22 To encourage the provision of universal access in new development.*

Clause 21.05-4 – Public environment
The relevant objective and strategies of this clause are:

- *Objective 28 To a provide a public environment that encourages community*

interaction and activity:

(a) *Strategy 28.1 Encourage universal access to all new public spaces and buildings.*
(b) *Strategy 28.2 Ensure that buildings have a human scale at street level.*
(c) *Strategy 28.3 Require buildings and public spaces to provide a safe and attractive public environment.*
(d) *Strategy 28.4 Require new development to consider the opportunity to create public spaces as part of new development.*
(e) *Strategy 28.5 Require new development to make a clear distinction between public and private spaces.*
(f) *Strategy 28.8 Encourage public art in new development.*
(g) *Strategy 28.9 Apply the Public Open Space Contribution policy at clause 22.12.*

Clause 21.06-1 – Walking and cycling
The relevant objective and strategies of this clause are:

- Objective 30 To provide safe and convenient pedestrian and bicycle environments.
  (a) Strategy 30.1 Improve pedestrian and cycling links in association with new development where possible.
  (b) Strategy 30.2 Minimise vehicle crossovers on street frontages.
  (c) Strategy 30.3 Use rear laneway access to reduce vehicle crossovers.

Clause 21.06-2 – Public transport
The relevant objective and strategies of this clause are:

- *Objective 31 To facilitate public transport usage.*
  (a) *Strategy 31.1 Require new development that generates high numbers of trips to be easily accessible by public transport.*

Clause 21.06-3 – The road system and parking
The relevant objective and strategies of this clause are:

- *Objective 32 To reduce the reliance on the private motor car.*
  (a) *Strategy 32.1 Provide efficient shared parking facilities in activity centres.*
  (b) *Strategy 32.2 Require all new large developments to prepare and implement integrated transport plans to reduce the use of private cars and to encourage walking, cycling and public transport.*
- *Objective 33 To reduce the impact of traffic.*
  (a) *Strategy 33.1 Ensure access arrangements maintain the safety and efficiency of the arterial and local road networks.*

Clause 21.07-1 – Ecologically sustainable development
The relevant objective of this clause is:

- *Objective 34 To promote ecologically sustainable development.*

Clause 21.08-2 – Burnley, Cremorne, South Richmond
The following relevant commentary is offered in this clause:

The neighbourhood provides a range of residential opportunities:

- *the Cremorne area has a truly mixed use character with Victorian cottages, apartments and warehouse conversions intermingled with commercial and industrial uses. This mix of uses is valued by the local community and must be fostered*

- *the established residential area surrounding Barkly Gardens provides a range of housing opportunities in small cottages and larger period dwellings*
- *the area east of Burnley Street includes the Golden Square residential area which comprises predominantly cottages of heritage significance.*

This area includes the visually and historically significant silos which host the also significant Nylex Plastics clock and temperature indicator. Views of and to these Melbourne landmarks need to be protected.

This neighbourhood is largely an eclectic mix of commercial, industrial and residential land use. With two railway lines and both north south, and east west tram routes, the neighbourhood has excellent access to public transport. The Cremorne commercial area functions as an important metropolitan business cluster which must be fostered.

The clause identifies that the prominence of the Nylex landmark sign must be maintained, as must views of and to the silo site. The subject site is also identified as a strategic redevelopment site. Generally, the clause supports business clusters (for textiles and design) in the Cremorne area.

Clause 22.11 – Reference Documents

Yarra Strategic Transport Statement City of Yarra 2006

This document outlines transport options and objectives within the municipality. Including the following hierarchy of transport modes:

4.1.1 More sustainable transport modes
*1. Pedestrians**
2. Cyclists
3. Tram
4. Bus / Train
5. Taxi users / car sharers
*(*includes using wheelchairs and walking with prams)*

4.1.2 Less sustainable transport modes
6. Freight vehicles
7. Motorcyclists
8. Multiple occupants local traffic
9. Single occupants local traffic
10. Multiple occupants through traffic
11. Single occupant through traffic

Whilst not a reference document, a Status Report and Recommended Changes and Actions was adopted by Council in August 2011, extending from 2012 to 2016.

Relevant Local Policies

Clause 22.03 – Landmarks Policy
The objective of this clause is to:

- *maintain the prominence of Yarra's valued landmark signs;*
- *protect views to the silhouette and profile of Yarra's valued landmarks to ensure they remain as the principal built form reference; and*
- *ensure the profile and silhouette of new tall structures adds to the interest*

of Yarra's urban form and skyline.

The Nylex sign is an identified landmark sign in this policy.

Clause 22.04 – Advertising Signs Policy
This Policy applies to all permit applications for advertising signs or for development which incorporates an advertising sign.

The relevant objectives of this clause are:

- *To ensure that signs contribute to and do not detract from the visual amenity of commercial precincts, activity centres and residential areas.*
- *To minimise visual clutter.*
- *To ensure that signs are not the dominant element in the streetscape.*
- *To protect and enhance the character and integrity of places of heritage significance.*
- *To protect major view corridors and vistas.*
- *To maintain vehicular and pedestrian safety.*

Clause 22.05 – Interface Uses Policy
Whilst this policy technically does not apply to the Comprehensive Development Zone, it includes relevant considerations when assessing section 2 uses. Clause 22.05-3 states that it is policy that:

- *New residential use and development in or near commercial centres and activity centres and near industrial uses includes design features and measures to minimise the impact of the normal operation of business and industrial activities on the reasonable expectation of amenity within the dwellings.*
- *New non-residential use and development within Business and Mixed Use and Industrial Zones are designed to minimise noise and visual amenity impacts upon nearby, existing residential properties.*

Decision guidelines at clause 22.05-6 include:

- *Before deciding on an application for residential development, Council will consider as appropriate:*
  - (a) *The extent to which the proposed dwellings may be subject to unreasonable noise, fumes and air emissions, light spillage, waste management and other operational matters from the nearby business or industrial uses.*
  - (b) *Whether the dwellings are designed or incorporate appropriate measures to minimise the impact of noise, fumes and air emissions, light spillage, waste management and other operational matters from the nearby business or industrial uses.*

Clause 22.12 – Public Open Space Contribution
The objectives of this clause are:

- *To implement the Yarra Open Space Strategy;*
- *To identify when and where land contributions for public open space are preferred over cash contributions; and*
- *To ensure that where appropriate, land suitable for public open space is set aside as part of the design of a development so that it can be transferred to or vested in Council, in satisfaction of the public open space contribution requirement.*

The subject site is in an area where land in lieu of cash is the preferred method of

public open space contribution (area 3121G).

Clause 22.16 – Stormwater Management (Water sensitive urban design)
This policy applies to applications for more than 50m² extensions to existing buildings (amongst others).

Under this clause it is policy to:

- *Require that development applications provide for the achievement of the best practice performance objectives for suspended solids, total phosphorus and total nitrogen, as set out in the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999 (or as amended)*
- *Require the use of stormwater treatment measures that improve the quality and reduce the flow of water discharged to waterways. This can include but is not limited to:*
  (a) *collection and reuse of rainwater and stormwater on site*
  (b) *vegetated swales and buffer strips*
  (c) *rain gardens*
  (d) *installation of water recycling systems*
  (e) *multiple uses of water within a single manufacturing site*
  (f) *direction of flow from impervious ground surfaces to landscaped areas.*
- *Encourage the use of measures to prevent litter being carried off-site in stormwater flows, including:*
  (a) *appropriately designed waste enclosures and storage bins, and*
  (b) *the use of litter traps for developments with the potential to generate significant amounts of litter.*
- *Encourage the use of green roofs, walls and facades on buildings where practicable (to be irrigated with rainwater/stormwater) to enhance the role of vegetation on buildings in managing the quality and quantity of stormwater.*

Clause 22.17 – Environmentally Sustainable Development

This clause applies to this application as the development is for more than 10 dwellings. A Sustainability Management Plan [**SMP**] is therefore required.

This clause states that '*The overarching objective is that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation*'.

The clause outlines objectives relating to energy performance, water resources, indoor environment quality, stormwater management, transport, waste management and urban ecology.

Other documents

Swan Street Structure Plan [**SSSP**]
Generally, the SSSP acknowledges that public realm improvements should be made in the existing street network, improving the pedestrian experience.

In relation to movement and transport:

> *It is anticipated that traffic generation will increase as urban intensification occurs in some locations. Subsequent to this is the potential for increasing*

traffic volumes on local road networks and traffic congestion. A key challenge for the future is to promote a modal shift to more sustainable forms of transport through appropriate public realm improvements that encourage sustainable transport choices.

The subject site is located in the River Edge Precinct (#7) as defined by the SSSP.

7. River Edge Precinct

Existing Context

- *The River Edge Precinct contains a mixture of industrial and commercial buildings, low rise residential dwellings and a recently developed mixed residential and commercial building on Cremorne Street. The Nylex sign is a prominent landmark feature in the precinct. This is a discrete and contained precinct bounded by CityLink along its southern boundary, Punt Road to the west, Balmain Street to the north and the railway line along its eastern boundary. The precinct includes significant local heritage character and value including the Rosella complex.*
- *The precinct contains a mixture of industrial buildings, low rise residential dwellings and a recently developed 9 storey combined residential and commercial development in Cremorne Street known as the ERA development.*
- *Land uses in this precinct have changed significantly over time with the contraction of the manufacturing sector. Consequently, some former industrial sites are vacant or underutilised and have been either adapted for reuse or redeveloped as typified by the ERA development.*
- *A Comprehensive Development Zone (CDZ) applies to the Maltings site providing direction on future development and built form outcomes for the site. The CDZ has effectively established a benchmark for heights in the precinct.*
- *A permit has been issued for a 9 storey office building in Harcourt Parade adjacent to the Maltings site and the freeway to the south. Further application was made to rezone the land to permit a residential use and this matter now rests with the Minister for Planning.*
- *A large, underutilised, Strategic Redevelopment Site is located at the southern end of Cremorne Street and presents a significant redevelopment opportunity for a combined residential and commercial development.*
- *The Rosella complex is located on Balmain Street and functions as a commercial and light industrial complex. Vehicular and pedestrian access to buildings is provided through an internal roadway and there are buildings within the complex with heritage value. Rosella presents opportunities for redevelopment to strengthen the employment focus and accommodate housing growth.*
- *Balmain Street and Cremorne Street provide the main vehicular access to the precinct. The precinct is characterised by a network of small north south streets, many of which terminate at the freeway.*
- *Vehicular movements within the precinct are relatively constrained.*
- *The precinct provides an inconsistent built form edge along the southern boundary with the freeway.*
- *The visual presence of the freeway and associated noise from vehicles results in poor general amenity along the most southern edge of the precinct.*

Built Form

Objectives

- *To ensure built form provides passive surveillance to the street.*

- *To allow for taller buildings on Strategic Redevelopment Sites that are subservient to maximum building heights established for the Maltings site.*
- *To respect and where appropriate, maintain the non-residential heritage buildings in the precinct whilst allowing for a level of change.*
- *To strengthen the street edge along Balmain, Gough, Dover and Cremorne Streets.*
- *To protect the character and heritage value of the existing residential area in the precinct.*
- *Strengthen the built form edge adjacent to City Link.*

Strategies

- *Ensure new development on the Maltings site is in accordance with the existing planning provisions in the Schedule to the Comprehensive Development Zone.*
- *Provide active frontages to the street.*
- *Promote the reuse and adaption of nonresidential heritage buildings.*
- *Rebuild/reinforce the street edge along Balmain, Gough, Dover,Bent and Cremorne Streets.*
- *Ensure redevelopment of Strategic Redevelopment Sites provide an appropriate transition and interface to low-scale residential areas.*
- *Incorporate building separation, setbacks and articulated built form to avoid the appearance of a solid wall of buildings along the southern boundary of the precinct.*
- *Ensure that no additional shadow is cast across the north bank of the Yarra River between 11.00am and 2.00pm on 21 June.*
- *Prepare Urban Design principles for the Rosella Complex to inform the preparation of a Master Plan.*
- *Encourage the redevelopment of Strategic Redevelopment Sites in the precinct to a maximum height of 10 storeys.*

Public Realm

Objectives

- *To improve the quality of the public realm.*
- *To provide additional public open space.*

Strategies

- *Investigate opportunities for streetscape improvements.*
- *Incorporate local public open space as part of redevelopment opportunities.*
- *Improve links between the park at the end of Cubitt Street and the Rosella Complex.*

Access and Movement

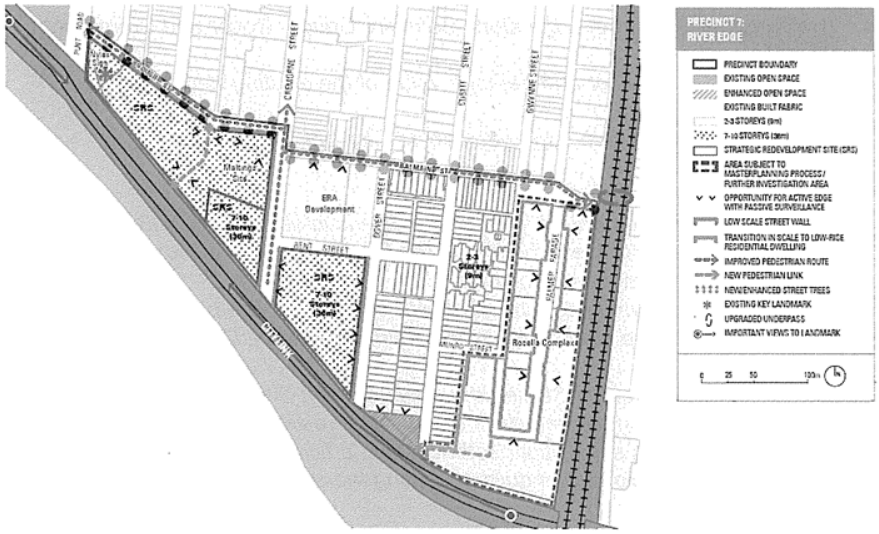
Objectives

- *To reinforce Balmain Street and Cremorne Street as the primary road network for vehicle movement in and out of the precinct.*
- *To improve connections to the public transport network to the north and east.*
- *To create a highly walkable and cycle friendly environment.*

Strategies

- *Develop Balmain Street as an improved pedestrian route.*
- *Investigate opportunities to improve pedestrian and bicycle access to the Capital City Trail.*

- *Investigate ways to manage potential increase in traffic volumes and flows and demand for car parking.*



Page 50 of the SSSP – Precinct 7

Reviewing the above map, the key views to the landmark Nylex sign are along the CityLink (east and west views).

It is noted that page 22 of the SSSP identifies the subject site as being appropriate for 7-10 storey development (30m). However, the CDZ3 allows RL38 in the eastern end of the site (approximately 33m). The CDZ3 is considered to prevail and this is seen by officers as an anomaly within in the SSSP.

Advertising

The application was advertised under the provisions of Section 52 of the *Planning and Environment Act* 1987 [**the Act**] by 4,165 letters sent to surrounding owners and occupiers including properties within the City of Stonington and the City of Melbourne and signs being placed on the Gough Street (x2) and Harcourt Parade (x1) frontages of the site. VicRoads, CityLink, Parks Victoria and the City of Melbourne were also notified.

A total of 84 objections were received based on the following grounds:

- impact on the heritage fabric (including the silos and buildings B4 and B5) and this iconic site;
- stages 1-3 should be considered holistically;
- overdevelopment, height and visual bulk;
- high residential density should not be supported;
- non-compliance with the Design Principles, Yarra Planning Scheme and Swan Street Structure Plan;
- the site is a commercial, not a residential zone;
- this application will create a precedent;
- impact on the character of the area;

- impact on the Nylex sign (visibility and questioning if it will be turned on again. Also requests for additional perspectives);
- design detail – the development looks too modern;
- off-site amenity, including:
  - overshadowing of the Yarra River and Era building;
  - visual bulk;
  - light pollution;
  - noise (people and traffic);
  - air pollution from additional vehicles;
  - impact on footpaths (should be widened but not at the expense of the carriageway);
  - overlooking;
  - loss of vistas;
  - inadequate setbacks;
  - no positive contribution to the public realm;
- poor internal amenity, including:
  - low floor to ceiling heights;
  - insufficient tree planting/greening;
  - small apartments and bedroom sizes;
- inadequate dwelling diversity (including insufficient 3 bedroom dwellings);
- the proposal would not achieve housing affordability objectives;
- impact on the Yarra River;
- the open space should be open to the public 24/7;
- traffic congestion (including impact on emergency service vehicles and pedestrian safety. One suggestion was that clearways be implemented);
- impact on infrastructure (including broadband);
- insufficient loading bay provision;
- do not support traffic lights at the intersection of Punt Road and Kelso Street;
- Kelso Street only has parking on one side (referenced as both sides in the Traffic Report);
- the proposal may obstruct planes and helicopters;
- parking along Gough Street should not be removed;
- the reduction in car parking sought would impact the area (the area already has limited on-street parking, which is also exacerbated by the nearby sporting precinct);
- vehicular entries should be limited to Cremorne Street;
- Transurban objection:
  - impact of construction process on the CityLink (including safety and operational disruption);
  - *To the satisfaction of CityLink, the applicant is to display that building maintenance (fronting Harcourt Parade) will not impact the operation of CityLink roadway either by virtue of closing ramp or limiting road width etc.*
  - *Building materials/finishes fronting Harcourt Parade should discourage the act of graffiti.*
  - *Landscaping is not to front Harcourt Parade (without any fencing or similar) in order to reduce maintenance activities from road side and reduce any potential foliage falling on the roadway and/or impacting driver sightlines.*
  - *To the satisfaction of CityLink, the applicant is to display that the finish of the building will not result in sunlight reflection that may dazzle drivers increasing the risk of collisions on CityLink.*
  - *It is understood that a proposed strategy is to provide better cycling connections between Harcourt Parade and the Capital City Trail. This*

would potentially involve installation of bicycle lanterns and kerb build out to Harcourt Parade. To the satisfaction of CityLink, the applicant is to display that this proposal will have no impact to existing and future operation of the Harcourt Parade ramp having consideration for, but not limited to, maintenance activities, traffic volumes, over dimensional vehicle access, the existing emergency lane catering for broken down vehicles to stop etc.

- *Pedestrian/Bicycle access not to be permitted adjacent Harcourt Parade which forms access to the CityLink tollway and forms part of CityLink Lease boundary.*

- plan inaccuracies (streets labelled incorrectly, parking location incorrectly referenced);
- questioning if the traffic report has considered all stages; and
- impacts during the construction phase.

One letter of support was also received, supporting the renewal of the area, and additional amenity and connections it would provide. Their view is that the silos and industrial structures are now at odds with the look and use of the land.

Referrals

External Referrals

PTV, VicRoads and Melbourne Water are the only Section 55 Referral Authorities under the Scheme. The following comments were received:

PTV

Public Transport Victoria, pursuant to Section 56(1) of the *Planning and Environment Act 1987* does not object to the grant of a planning permit **subject to the following conditions** being placed on any permit issued:

1. Before the development starts, or at any other time agreed to in writing with Public Transport Victoria, amended plans to the satisfaction of Public Transport Victoria must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the 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 plans submitted with the application but modified to show:

    a. The design details and the location of the bike share station;

    b. Consideration must be given to the integration between the bike share station and public access, and connection to existing shared paths within the vicinity of the site;

2. The bike share station is to be designed and constructed to the satisfaction of Public Transport Victoria and the Responsible Authority and at no cost to Public Transport Victoria prior to the occupation of the buildings hereby approved.

VicRoads

VicRoads noted that their response has been prepared in consultation with Transurban (CityLink).

VicRoads has considered the application and has no objection to the proposal in its current form as reflected in Stage 2.

Council should be mindful that the decision guidelines in Schedule 3 to the Comprehensive Development Zone require the Responsible Authority to consider as appropriate the "Planning and Design Principles for the Richmond Maltings Site, Cremorne – November 2007".

More specifically, the schedule requires:

Options for any future potential pedestrian access across or along Harcourt Parade are to be subject of full discussion and negotiation between VicRoads, City Link, Council and the landowner

Having regard to the above, no formal consultation has occurred to date between VicRoads, City Link, Council and the landowner.

Notwithstanding the above, if the Council regards the proposed development favourably, VicRoads would require that the following conditions be included in any Notice of Decision to Issue a Planning Permit or Planning Permit:

1. *VicRoads prohibits the construction of building/s or the carrying out of works within the Road Zone Category 1 (i.e. Punt Road and Harcourt Parade).*
2. *VicRoads prohibits vehicular, pedestrian or cycling access to the site along Harcourt Parade.*
3. *The luminance of the advertising sign/s must be such that it does not give a veiling luminance to the driver, of greater than 0.25cd/m^2, throughout the driver's approach to the advertising sign/s.*
4. *In the event of an attack by a computer hacker or similar resulting in unauthorised display of visual images or any other display malfunction, the electronic sign is to shut down and cease any form of visual output until the malfunction is repaired.*
5. *Prior to commencement of the development hereby approved, a truck wheel wash must be installed at the property boundary to enable all mud and other tyre borne debris from vehicles to be removed prior to exiting the land.*
6. *The truck wheel wash must be maintained in good order during the construction phase of the development and may be removed at the end of the construction phase of the development with the prior approval of Council.*

The above conditions have been included in recognition of the potential mitigation required to ensure no adverse impact will result on the safety and operational efficiency on the surrounding road network.

It is also anticipated that due to access restrictions imposed along Harcourt Parade, in the event a permit is issued an appropriate Construction Management Plan should be prepared to Council's satisfaction consistent with the above requirements.

Melbourne Water

Melbourne Water, pursuant to Section 56 (1) of The Planning and Environment Act 1987, objected to the proposed development on the following grounds:

1. *The proposed development is inconsistent with State Planning Policy relating to drainage and floodplain management.*

2. *The proposed development is inconsistent with the purpose and decision guidelines set out in the Land Subject to Inundation Overlay (LSIO) within the Yarra City Council Planning Scheme.*

3. *The proposed development is inconsistent with Melbourne Water's 'Guidelines for Development in Flood-prone Areas.*

4. *The proposed development is inconsistent with Melbourne Water's flood flows//flood storage requirements for development in floodprone land.*

5. *The proposed development is inconsistent with Melbourne Water's Freeboard / Site safety access Requirements for development in flood-prone land. Advice Please note that as the Responsible Authority under Section 61 (2) of the Planning and Environment Act 1987 you must refuse to grant the permit if Melbourne Water (the relevant referral authority) objects to the permit. Please be advised that should the application be amended or a new application lodged, separate approval from Melbourne Water must be obtained.*

The applicable maximum 1% flood level for the property grades from 3.77 metres to Australian Height Datum from the south eastern corner to 3.75 metres to Australian Height Datum (AHD) to the western property boundary.

Development Requirements

Melbourne Water will require amended plans to Australian Height Datum to be re submitted to Melbourne Water for approval. The plans must be highlighted to show each condition can be acheived. The following requirements are as follows,

1. *The ground floor areas of the buildings including the foyer and lift area must be constructed with finished floor levels to a minimum of 600mm above the applicable flood level.*

2. *All lifts and stairwells, windows, openings, vents or other entry and exit points that could allow entry of floodwaters to the basement must be a minimum of 600mm above the applicable flood level.*

3. *Apex to the basement entry to the buildings must be set at 600mm above the applicable flood level.*

4. *Flood resistant materials must be used for the construction of flood levels and walls (including any glass/glazing window panels) below the applicable flood level.*

5. *No filling outside the building envelop that will cause significant flood storage loss.*

6. *All new fences and gates need to be open style to allow for flood flows with at*

least 50% opening up to the applicable flood level.

7. *All open space within the property must be set at existing natural surface level so as not to obstruct the passage of overland flows.*

8. *Access safety issues to the western side of the property will need to be addressed.*

9. *Prior to the commencement of works, a separate application direct to Melbourne Water must be made for any new or modified storm water connection to Melbourne Water's drains or watercourses. Prior to accepting an application, evidence must be provided demonstrating that Council considers that it is not feasible to connect to the local drainage system.*

10. *Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways.*

11. *Prior to the issue of an Occupancy Permit, a certified survey plan showing finished floor levels (as constructed) reduced to the Australian Height Datum must be submitted to Melbourne Water. The Plan must demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements.*

As Melbourne Water is a Section 55 Referral Authority, the application must be refused under Section 61(2) of the Act and their grounds of objection must be included.

Internal Referrals

Heritage Consultant

- *The Stage 2 proposal is not approved as it is unacceptable. Without any rationale buildings of heritage significance are proposed to be demolished, others which contribute to an understanding of the site will be demolished and others will be unsympathetically altered. The proposed new built form will overwhelm the site, the heritage buildings and the area to the north which contains heritage precincts. Any appreciation of the heritage values of the site from the south will be overwhelmed. Essentially there has been scant regard for heritage and what is proposed is to great and out-of-keeping and will result in considerable adverse effects on the heritage values of the Richmond Maltings site.*
- *Demolition of B7, B9, and B10 is acceptable.*
- *The landscaping is acceptable.*
- *Generally the visibility of the Nylex sign appears to comply with the relevant polices however its iconic connection with the silos will be severed. It will be important that the sign(s) and the clock are always illuminated so that they remain a visually distinctive element and are not overwhelmed by the new built fabric.*

As a planning permit is not required under the Heritage Overlay, these comments will be taken into consideration from a landmarks/urban design assessment perspective only.

Urban Design Unit

Comments:

- *The site is located in Cremorne which is cited as one of the Urban Renewal precincts in Plan Melbourne. It also forms part of the River Edge Precinct of the Swan Street Structure Plan.*
- *The proposed application is for Stage 2 development of a large site between Gough Street, Cremorne Street and Harcourt Parade in Cremorne, where a large scale redevelopment with over 1000 dwelling/apartment units is proposed.*

- *Council is currently looking in to a number of public domain projects in Cremorne. Since the redevelopment on the site would bring significant numbers of cars, pedestrians and cyclists in the area, it is felt that the connection of the site to and from Richmond and East Richmond Stations, Church Street, Hoddle Street and Swan Street needs to be improved. Following are some of the key projects under consideration by the Council:*
- *Improvement to the street intersection and pedestrian crossing at the corner of Swan and Cremorne Streets.*
- *A new pedestrian crossing and signals at Hoddle Street.*
- *A new entry and a transport interchange at the East Richmond Station.*
- *Improvements to the railway underpass at the Green Street.*
- *Improvements to the key street intersections through raised pedestrian crossings.*
- *There would also be an increased need for visitors parking in the area.*
- *Looking at the impact of the development to the area a contribution to improve above infrastructure is recommended.*

Urban Design Consultant (MGS)

THE PROPOSAL

46. *Parts of the planning permit have been superseded by revised drawings submitted by the applicant for Stage 1 which transform for example, the relationship of B4 to surrounding pedestrian networks. These are yet to be reflected in the revised proposal.*

47. *Notwithstanding, generally speaking the public realm as proposed by Oculus proposes a high quality urban space particularly in the interfaces with buildings 4 and 5 and with Gough Street. With the proposed incorporation of a laneway interface to building B4 instead of SoHo apartments this plan is likely to be further enhanced.*

48. *Of some concern is the absence of meaningful improvements to connections between the subject site and the River front trail. My concern in this case is predicated on the need for active transport to be a key part of the project's success, with high amenities to be provided for occupants. In the absence of this, sufficient car parking to provide conventional arrangements is considered unlikely to be achievable whilst allowing orderly development through the broader precinct and indeed this was confirmed by the applicant's transport consultant Mr Kiriakidis under cross examination in the Stage 1 hearing at VCAT.*

SUMMARY OF ISSUES

Cramped juxtaposition and scale of towers and consequent on and offsite impacts

Buildings 5 & 6

49. *The proposal is excessive in height and footprint and delivers poor amenity outcomes for the site and in some cases for occupants. Additionally offsite impacts are excessive.*

50. *The building is constructed at the interface of the proposed major lane extending from Cremorne Street into the major square sunken lawn west of Building 5 and its links northwards to Melrose Street and the regional bike paths.*

51. *The separation of the proposed north façade of the tower from the adjoining B5 South roofed and elevated relative to the abutting pedestrian link and its columned ground level plaza.*

52. *Whilst the separation is not dimensioned it scales at approximately 1.8m and 3.5m from the primary ground floor walls to be retained with this plaza zone having columns at 2.5m centres.*

53. *Community spaces at first floor level are offset 3.4m and large columns supporting the tower over are only 2m south of Building 5, with a lift core projecting forward leaving only clear 3m south of this colonnade.*

54. *An integrated ground floor plan of the two buildings and the intervening levels should be provided. The elevations of the proposed works to Building 5 suggest the building will retain its upper level fabric save for a translucent roof over replacing the existing roof cladding. Thus building rises to 13m at its ridge at this south interface with an eastern eave height at 9.4m. This suggests that the ridge extends to above the mid-level of level 3 and the eave above the balustrade at level 2.*

55. *I am generally satisfied that the design of Building 5 for adaptive reuse and the proposed western, intermediate lane treatments with Building 4 and proposed modifications are consistent with policy goals and establish this building as an attractive and logical hub for the precinct. Similarly Building 4 work is adequate.*

56. *Similarly it is clear that considerable thought has gone into the work of Oculus in developing the public realm proposition for the site and the quality of landscapes and materials at street level is exemplary. That being said I have grave concern at the amenity of the public realm in both solar access and thermal comfort terms arising from the compositional arrangements and heights and setbacks between towers and between towers and heritage buildings arising from the design response. The Framework Plan located the public realm with an interface to the Gough Street interface that ensured the shared public space seen as a resource for the neighbourhood as well as the subject site, would be one of high amenity.*

57. *The shadow diagrams suggest that the proposed public spaces within the site will be shaded for much of the day along with the majority of shared community spaces for occupants. Access to a high quality amenity in the*

public realm has been acknowledged in a large number of high density precincts in recent times and in areas of shared public amenity. In this instance I am gravely concerned that the outcome of built form and weight has significant impacts on the river environs, the internal public realm areas within the project and the south riverbank in the early morning when commuters are using the river paths prior to and on their way to work. I note for example the 9:00am winter solstice is not provided but it is apparent it will extend shadows onto much of the south road and riverbank trail zone of the south bank.

RECOMMENDATION

a. *Provide a 6m clear separation for a clearly defined 24-hour public walking zone between the southwest wall of Building 5-South and Building 6 linking the eastern entry walk from Cremorne Street with the proposed sunken plaza to the west of Building 5.*

b. *Reduce the scale of buildings abutting the river bank to a scale similar to that recommended by the panel for Stage 1 of the development in terms of its offsite impacts on the overshadowing of the river and environs and relative proximity to fine grain resident hinterlands to the north.*

c. *Provide a greater setback between residential towers 6 and 8 to ensure they do not provide a continuous wall to the river edge but rather a clearly legible campus of forms. Indicatively I would suggest a minimum of 9m below the existing silos with greater setbacks and greater separation of setbacks at higher levels, with 15m an indicative minimum.*

d. *Provide a wind modelling study demonstrating the Gough Street internal lane and street network and key gathering spaces described as Nylex Sign Entrance and Sunken Lawn Café Courtyard Restaurant and garden and terraces each have a wind speed level that provides comfortable environments for long term seating and enjoyment. Currently the plans assume that the entire sunken garden and areas interfacing with the southern toplit end to building 5 met Recommended for walking only when the underlying concept particularly of the sunken lawn and associated western hospitality areas is as a social space where sitting could reasonably be envisaged. Similarly the courtyard common zone is similarly defined in building 8. The entire western side of Building 5 has been designed as a highly activated space with outdoor seating areas and operable doors. The VIPAC report fails to adequately acknowledge this or the strategic planning goals to create a major public space of high amenity in this precinct and to only provide a small area of laneway on the entire Stage 2 as a zone meeting sitting criteria for such a large and landlocked population seems a poor outcome*

e. *Ensure that in order to maintain the legibility of the taller Nylex sign from the east, south and west that buildings to the east, notably Building 6 are lower rather than higher than the Nylex mounting zone i.e. the base of the sign.*

Building 8

58. Building 8 replaces existing silos and B11.

59. *The proposal incorporates a rooftop café below which is a large perimeter block form at lower level, with a 21 level riverfront major building with a footprint larger than both of the buildings they replace to the Gough Street frontage. The silos are to be retained as a single loaded form lining the Gough Street frontage of 7 levels and an 8 level sleeving of the B8 silos.*

60. *At the southwestern interface of these two wings of development separation is only approximately 2.4m. At the eastern end separation varies between approximately 6m and 4.8m. In my view these dimensional separations are grossly inadequate and lead to a perceived continuous form from most views. Additionally this proximity substantially compromises the amenity and outcome for units at the interface between towers and between these forms and existing and adapted and expanded heritage.*

    The proximity will require mitigating screening, and sealing of windows to mitigate impacts that will further compromise light, liveability and amenity.

RECOMMENDATIONS

a. *Amend the footprint of Building 8 to provide for a springing point for the southwest courtyard of the entry courtyard that extends due north to Gough Street to ensure this space is invested with a high quality amenity during the key times of the day at the equinox. Currently the proposal extends an 18m+ high building continuously across the northern side of this courtyard largely compromising its amenity as is evident from the shadow diagrams. This is contrary to the Framework Plan goals and despite a substantial escalation in development density, the quality and perceived public nature of the space is severely compromised and needs to be reconsidered.*

b. *I would recommend the reorganising of this end of the development. A better outcome I think could be achieved with a double loaded western end and removal of the single fronted Gough Street frontage form.*

c. *In conjunction with this I would recommend greater separation between the proposed sleeving of the silos and adjoining Sunken Lawn to provide for higher quality amenity in this zone through a reduced extension of development at the south east end through removal of alignment of the south end of proposed development south of and including the last two bays of two silos. (refer Figure 1).*

d. *Provide for a minimum 9m separation between the north eastern façade of the southern wing and the existing adapted silos to the northeast of this wing.*

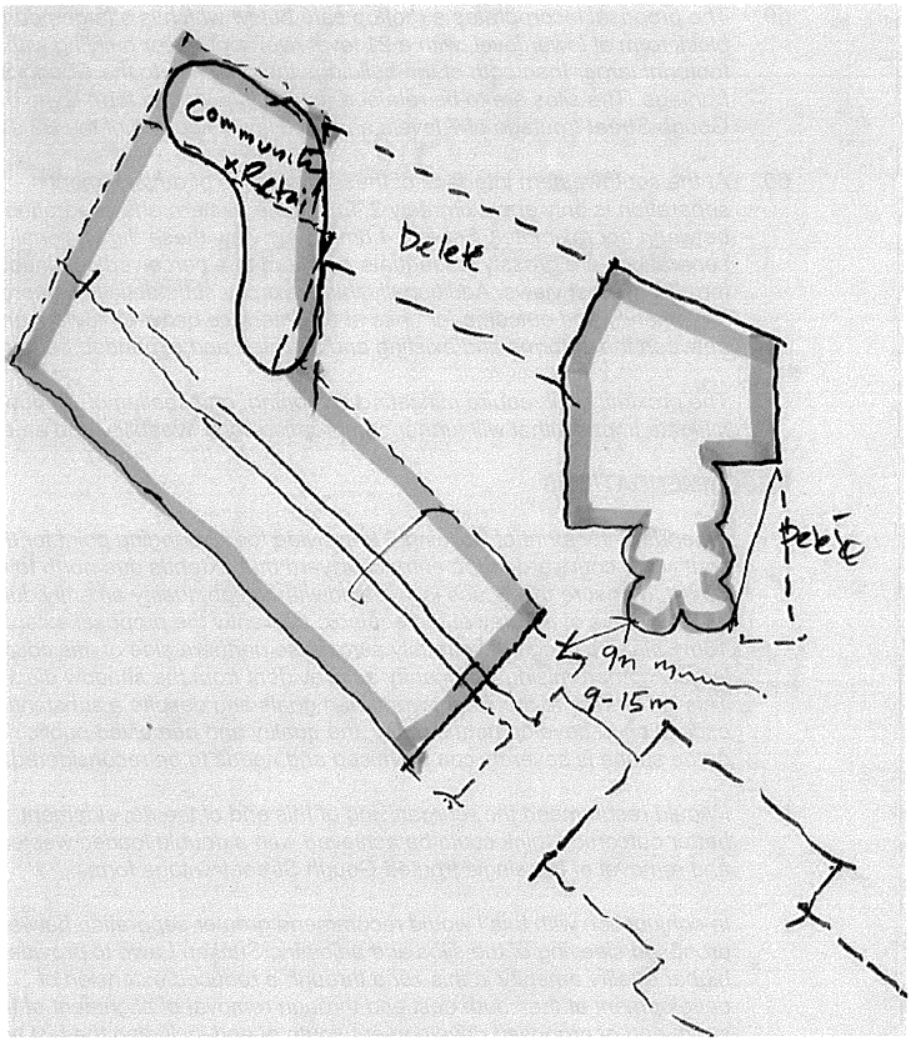


Fig.1 Recommendation C (not to scale)

Internal Amenity

61. Similar to my advice for the Stage 1 work, I am concerned at the modest provision of private open space for a large number of units and the campus form and heights and their impact on amenity of shared and private dwellings.

62. In addition to the siting issues already raised I would recommend a minimum of 8sqm of open space per dwelling. Whilst a small number of single bedroom units may be able to incorporate a smaller provision, I am concerned that this has been adopted as the benchmark in the majority of cases for this scale of dwellings.

63. I would similarly recommend a minimum of 2100mm for lift lobbies, 1800m at the entry to dwellings and the greater of 1500mm or as required for DDA compliance for visitability for the balance of units. 64. The positioning of the

proposed community spaces and pool south of the northern Gough Street Building but in close proximity results in the bulk of this space being impacted by overshadowing for a substantial extent of the day. In my view these facilities would be better located at the north western end of the development in a revised footprint form with engagement directly with Gough Street and the proposed realigned plaza to ensure for these residents with south facing apartments that a sunny shared amenity zone is provided within their development.

65. *The proximity of the proposed southern wing with its north eastern neighbouring dwellings in the silos additions results in a poor amenity outcome. The silos redevelopment relies on a wintergarden treatment of living areas with no separate balcony zone for these sleeving dwellings and hence no ability to screen these west facing and east facing units. Similarly the northeast facing units of the south wing have proposed open balcony forms and living and bedroom areas to these interfaces and a modest separation of less than 9m at the western end from the common pool deck area. This arrangement will necessitate north facing dwellings being screened or the common areas being further restricted in their access to light. Neither is an acceptable outcome and speaks to a poor resolution of these parts of the development at this time. Whilst I acknowledge that there may be justification for having some units without balconies in a serviced apartment element, the absence of high amenity shared space undermines this proposition, with neither the ground level courtyard, sunken garden or podium social areas delivering high quality amenity for sitting. Additionally the proximity of these living areas with neighbouring apartments is unacceptably close and comprimises the amenity for occupiers of both interfacing forms.*

66. *Avoid the need for screening through the provision of a minimum 9m separation between habitable rooms and relocate the common areas of the building to a location where the spaces and their associated external areas can enjoy high quality sunlight access and engagement with adjoining streets and spaces without the need for screening.*

The Nylex Clock & Site Identity

67. *The documentation is unclear in its representation of the proposal with some drawings talking to the retention of the sign e.g. TP200. The comparison of existing and proposed makes evident the proposed elevation of the sign by approximately 6 levels or 18-19m. Notwithstanding the proposed elevation it is clear that in combination the proposed elongation of Building 8 westwards and development of a taller building to its east in combination change the hierarchy of built form on the site and the positioning of the Nylex Sign. I additionally note the photomontages do not include the proposed Stage 3 and continue to show the proposed Stage 1 with the height that has not been supported in the recent hearing and preliminary review. Equally the modest separation of dwellings is quite evidently resulting in an outcome where the precinct presents as a continuous built form owing to the elongation of the forms parallel to the river*

CONCLUSION

68. *The development in its current form is excessive in both footprint and scale and requires in my view a radical rethink.*

69. *The public realm treatments and quality of both street interface and courtyards is broadly supportable as an approach and finishes standard as is the proposed redevelopment of Buildings 4 and 5, particularly with the demarcation of a laneway on the eastern side now separating these heritage forms from Stage 1.*

70. *However the creation of high quality open space relies on a design response that preserves the amenity of these areas, aligns the environmental standards of these spaces with the suggested uses with the western terrace of Building 5 and adjoining sunken garden obvious areas conducive to seating) and these must be looked at as key public spaces not only for residents of this development but the Cremorne precinct more broadly. This has previously been noted in the Framework Plan and Policy. These issues must be addressed to deliver spaces and connections both reflective of the framework plan and policy ambitions and the needs of a high density residential population and will require a substantial reconfiguration of built form and placemaking to ensure these outcomes are realised.*

71. *In addition it is apparent that with the future inclusion of Stage 3 the river environment and indeed the south bank of the river are impacted. In both instances the year round impact on the river and its character is in my view excessive resulting in an environment between bridges almost completely in shade for much of the day for key times of the year. This environment is enjoyed both recreationally and as part of the tourist routes and should be better acknowledged in the design response as a place of shared public amenity unlike the freeway where I have no such concern. Similarly the shading of the south side of the river in the morning at the winter solstice should be avoided as sought by State Policy Cl 12 Avoiding overshadowing of the river, its banks and adjacent public open space to ensure that the amenity of the public realm is maintained year round. It is unacceptable in my view to have an outcome with such a profound impact on the river itself as a recreational space and its environs and a substantial reduction in scale will be necessary to achieve the recently introduced policy goals.*

    Additionally more substantive breaks in built form should in my view characterise this interface as a skyline profile. In my view, Building 8 rather than Building 6 should remain the tallest building as it is apparent that the increase in height of Building 6 will reduce the visibility of the Nylex sign and additionally is in close proximity to the major public open space and heritage precinct where a reduced scale and footprint is warranted. Presently Building 6 rises up behind the sign. The arrangement changes the hierarchy of importance of skyline elements.

72. *The separation of the southern buildings from existing and future neighbours and the proposed street life and hospitality therein also needs more significant acknowledgement in the design to ensure the success of these spaces and their amenity and integration with surrounding street networks.*

73. *The proposed Image in photomontage looking to the southeast interface of this and the heritage building demonstrate the inadequate separation at this time.*

74. *Likewise the adoption of a perimeter block form in the triangulated north western end of the site as a design response requires my view significant reappraisal. The dimensional characteristics would seem to have demonstrated at least in the proposed response that a successful outcome cannot be achieved for separation of the wings of development and has resulted in poor amenity in the courtyard zones, semi-private community recreation areas and in the north facing units at the western end of development.*

75. *Similarly at the eastern end the site response has left insufficient space between the south end of the silos development and the eastern end of this proposal and requires substantial change.*

76. *Whilst the proposition of a rooftop cafe is strongly supported and the proposed adaptive reuse of Buildings 4 and 5 similarly so, the current proposal is not one where I feel comfortable of a satisfactory outcome.*

77. *In my view it requires more radical redesign and hence should be refused in its current form and should be informed also by the preliminary report on Stage 1 as to issues of housing diversity, amenity, scale and public realm that should inform the design response also in this stage.*

ESD Advisor

(1) *Applicant ESD Commitments:*

- *The applicant proposes to meet Council's best practice standard of a 10% improvement on the minimum NCC required NatHERS rating. Currently demonstrating an average 7.2 Star average NatHERS rating in Building 8 and 6.5 Star average rating in Building 6. However, high to extreme cooling loads have been submitted. See Effective Shading section and comments below.*

(2) *Application ESD Deficiencies:*

- *Reasonable access to natural ventilation in Building 4 and 5 provided that windows to office areas are operable. Recommend that windows to offices in Building 4 & 5 are operable.*
- *Single aspect dwellings throughout Building 6 and 8 are too deep (<5m) for effective natural ventilation. Winter gardens to balconies will further restrict the access to natural ventilation. Given the restricted access to natural ventilation via winter gardens, recommend increasing the percentage of operability of winter garden façade, and also supply mechanical fresh air via a HRV to supply rates 50% above the minimum requirements in AS1668. Recommend including ceiling fans to improve natural ventilation in all single aspect dwellings. Recommend all kitchens to have extraction fans (not re-circulating ranges).*
- *Common area corridors in Building 6 are internal and have no access to daylight or ventilation. Common corridors in Building 8 have an external window that should be operable. Recommend all common area corridors have an operable window to provide some access to natural ventilation.*
- *The floor plans of most apartments in Building 6 and 8 will have adequate daylight access; however the ceiling heights of ~2.5m will reduce daylight penetration into dwellings. Recommend increasing ceiling heights to 2.7m for improved daylight, natural ventilation and amenity.*
- *There are large amounts of glazing completely exposed to summer sun angles and high levels of summer solar heat gains. This is clearly demonstrated by some high cooling loads in the sample NatHERS ratings, ranging from 18-22*

MJm2 (moderate) to 50-68 MJm2 (high) to 90MJm2 (extreme). Despite the high specification of glazing many dwellings will be hot and uncomfortable in summer and completely reliant on mechanical cooling. Strongly recommend that all exposed north, east and west facing glazing not protected by balcony overhangs and/or in dwellings with cooling loads higher than 30MJ/m2/pa is shaded and from summer sun angles with adjustable awnings, blinds, screens, shutters, louvers or similar.

- *Three STORM ratings were been received for Stage 2. A STORM rating of 70% has been received for Building 4 and 5. This relies on a minimum of 810m2 of roof connected to a 30,000 litre tank and connected to all toilets in the buildings for flushing. Please explain why a heritage building (Building 4 and 5) cannot reach 100% STORM. Over 80% of Yarra is in a Heritage overlay and meets this standard. Consider increasing site permeability in landscaped areas. Consider increasing the area of roof connected to tanks.*
- *A STORM rating of 118% has been received for Building 6. This relies on a minimum of 730m2 of roof connected to 20,000 litres of storage tank and connected to toilets for flushing in dwellings with 20 bedrooms. A STORM rating of 103% has been received for Building 8. This relies on a minimum of 2,340m2 of roof connected to 80,000 litres of storage tank and connected to toilets for flushing in dwellings with 80 bedrooms. No tanks can be identified on plans. Please show 30,000 litre tank on Building 4 and 5 plans, the 20,000 litres of storage in Building 6 and the 80,000 litres of storage in Building 8. Please update plans to clearly show and be consistent with SMP. Please demonstrate that the demand for garden irrigation in Building 6 and 8 is justifiable.*
- *A total of 258 bicycle parking spaces have been provided for the residents across Ground level, Level 1 and Level 2 in Building 8 (southside) for dwellings and staff. This is not enough spaces for 399 dwellings and the staff of commercial areas. Please increase to one space per dwellings plus additional spaces for staff and visitors, and meet Council's best practice standard.*
- *Recommend providing end of trip facilities (two showers and lockers) will be accommodated for staff to encourage cycling to work.*

(3) Outstanding Information:

- *Please briefly describe the proposed hot water system for apartment dwellings.*
- *Please update SMP to include nominated showerhead flowrate and WELS efficiency.*
- *Please indicate how many toilet connections and update in SMP to be consistent with STORM.*
- *Please check Waste Management Plan for details of recycling and waste management.*

(4) ESD Improvement Opportunities:

- *Consider a solar photovoltaic system to contribute to common area electricity consumption.*
- *Recommend provided foldable clothes drying racks fixed to each balcony.*
- *Recommend FSC accredited timber be specified for all timber used in this development.*

Engineering Services Unit

Car Parking Provision

Engineering comments and observations:

- *The proposed development comprises a mixed use development with varying heights of between six to 21 storeys and comprises of 208 one-bedroom*

dwellings, 164 two-bedroom dwellings, 27 three-bedroom dwellings, 78 serviced apartments, offices, retail, restaurant, and a café. A total of 475 car spaces will be provided for the development accommodated within basement and podium car parks. The planning permit being sought is for stage 2 of the Richmond Maltings Site. The Richmond Maltings site is bounded by Punt Road, Gough Street, Cremorne Street and Harcourt Parade. According to GTA Consultants, the Richmond Maltings Site is subject to Schedule 3 to the Comprehensive Development Zone of the Yarra Planning Scheme. The car parking requirements for the site would come under Schedule 3 to Clause 37.02 (CDZ3) of the Yarra Planning Scheme.

- *The site's statutory car parking requirements are as follows:*

Proposed Use	Size	Statutory Parking Rate	No. of Spaces
One-bedroom dwelling	208	1 space per dwelling	208
Two-bedroom dwelling	164	1 space per dwelling	164
Three-bedroom dwelling	27	2 spaces per dwelling	54
Residential visitors	399 dwellings	0.12 spaces per dwelling	47
Office	2,114 m^2	2.6 spaces per 100 m^2	54
Retail	288 m^2	4.0 spaces per 100 m^2 of leasable floor area	11
Cafe	150 seats	0.3 spaces per seat	45
Restaurant	300	0.3 per seat	90
		Total	**673 spaces**

- *Since the site has a statutory car parking requirement of 673 spaces and 475 spaces would be provided on-site, a waiver of 198 spaces is sought by the applicant.*
- *GTA Consultants have indicated that there is no car parking provision specified for Serviced Apartments. In this instance, car parking provision would be provided to the satisfaction of the responsible authority.*

Car Parking Demand Assessment

- *In reducing the number of parking spaces required for the proposed development, the Car Parking Demand Assessment would assess the following:*

  - *Parking Demand for One-Bedroom Dwellings.*

In assessing the likely parking demand for the residential dwellings, GTA Consultants have sourced the car ownership rates for dwelling type from the Australian Bureau of Statistics 2011 Census for the Cremorne and Richmond areas. A summary of this information is as follows:

ABS 2011 Census – Car Ownership in Richmond and

Cremorne		
Dwelling Type	**Car Ownership Vehicles/Dwelling**	**Residents who do not own car/s**
One-bedroom dwelling	0.81 - 0.86	30 - 33%
Two-bedroom dwelling	1.15 - 1.19	15 - 17%
Three-bedroom dwelling	1.40 - 1.43	9 - 11%

- To estimate the development's residential car parking demand, GTA have adopted slightly lower car ownership rates than those sourced from the ABS census data in the above table. The reason why a slightly lower rate has been adopted is due to the constrained on-street parking conditions in Cremorne and residents' ineligibility to apply for on-street resident and visitor parking permits. The adopted rates of car parking rates are: one-bedroom dwellings at 0.55 spaces per dwelling; two-bedroom dwellings at 1.00 spaces per dwelling; and three-bedroom dwellings at 1.35 spaces per dwelling.

- Applying these adopted rates are summarised as follows:

Estimated Residential Car Parking Requirement				
Dwelling Type	**Quantity**	**Adopted Parking Rate**	**Car Parking Requirement**	**Proportion of Dwellings with no cars**
One-bedroom dwelling	208	0.55 spaces per dwelling	114	45%
Two-bedroom dwelling	164	1.00 space per dwelling	164	0
Three-bedroom dwelling	27	1.35 spaces per dwelling	36	0
Total	**399 dwellings**		**314 spaces**	

The above rates would result in the provision of 0.79 spaces per dwelling. The estimated car parking provision for the one-bedroom and three-bedroom dwellings is less than the rate proposed by the Comprehensive Development Zone. The above estimated car parking requirements for each dwelling type for the subject site is considered appropriate.

- VCAT issued an order in relation to Stage 1 of the development and required the following car parking rates to be provided for the residential component of - the development.

Estimated Residential Car Parking Requirement (VCAT Decision)			
Dwelling Type	**Quantity**	**Adopted Parking Rate**	**Car Parking Requirement as per VCAT decision**

One-bedroom dwelling	*208*	*0.5 spaces per dwelling*	*104*
Two-bedroom dwelling	*164*	*0.7 spaces per dwelling*	*115*
Three-bedroom dwelling	*27*	*1.0 space per dwelling*	*27*
Sub-Total	***399 dwellings***		***246 spaces***
Residential Visitors	***399***	*0.12 spaces per dwelling*	*47*
Total			***293***

- *Parking Demand with the Residential Visitor*
  GTA Consultants conducted parking surveys at a similar development at 674-679 Victoria Street in Abbotsford. The survey indicated the residential visitor parking had a rate of 0.04 spaces per dwelling during the peak evening rate. Applying this rate would result in a peak residential visitor parking demand of 16 spaces.

- *Parking Demand Associated with the Serviced Apartments.*
  GTA Consultants has used empirical data collected at six similar developments within Metropolitan Melbourne and adopted an average parking rate of 0.5 spaces per apartment. Applying this rate would generate a peak demand of 39 car parking spaces.

- *Parking Demand Associated with the Offices.*
  According to GTA Consultants, the proposal would generate a peak office demand of 54 car parking spaces based on the rate specified in the Comprehensive Development Zone. It can be expected that 49 spaces would be used for staff parking and the remaining five spaces would be used for visitor parking. GTA Consultants has indicated that staff parking demand would be zero by approximately 7pm and recommended that the office parking spaces could become a shared space during the evening and on weekends to minimise the oversupply of parking for the site.

- *Parking Demand Associated with the Retail.*
  It is likely that the retail component would generate a low parking demand since the majority of visitors would either live, work, or be visiting in the immediate area. GTA Consultants have adopted a parking rate of 1 space per 100 m^2 of leasable floor area. Applying this rate would yield a car parking demand of 3 car spaces.

- *Parking Demand Associated with the Cafe.*
  GTA Consultants has used empirical data collected at similar cafes within Metropolitan Melbourne and adopted a peak parking rate of 0.11 spaces per seat. Applying this rate would generate a peak demand of 17 car parking spaces, with 2 car spaces for staff use and the remaining 15 spaces for visitors.

- *Parking Demand Associated with the Restaurant.*
  The location of the restaurant is likely to attract local residents in this catchment area and result to a lower car parking demand. GTA Consultants has adopted a parking rate of 0.25 spaces per seat during the evening peak period. Applying this

rate would result a car parking demand of 75 car spaces, with 15 car spaces for staff use and the remaining 60 spaces for visitors.

- *Availability of Public transport in the Locality of the Land.*
  Geographically, the site is very well positioned in terms of public transport services. Bus services operate along Punt Road (Routes 246 and 605) and tram services are available along Swan Street (Route 70) and Church Street (Route 78). Train services are available from Richmond and East Richmond railway stations. Easy access to public transport services would reduce the demand for parking on-site.

- *Convenience of Pedestrian and Cyclist Access.*
  Since the site is located near the Swan Street and Church Street Activity Centres, pedestrian access would have a high level of service. The site has very good connectivity to the on-road and the off-road bicycle network. It is highly probable that some staff, customers, and residential visitors to the site would either live or work locally.

- *Multi-purpose Trips within the Area.*
  Residential visitors and customers to the development could possibly combine their visit with other activities or business whilst in the area.

Appropriateness of Providing Fewer Spaces than the Likely Parking Demand

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

- *Availability of Car Parking.*
  According to the report, it is anticipated that the peak car parking demand of 475 spaces would occur during lunchtime on a Friday, comprising of 314 spaces for the apartments, 39 spaces for the serviced apartments, 2 spaces for café staff, 15 spaces for restaurant staff, and 105 spaces shared for the sites other parking demands.

- *Access to or provision of Alternative Transport Modes.*
  The site has very good accessibility to public transport and good connectivity to the on-road and off-road bicycle network. Car share pods are also within reach of the site and could be introduced within the site to further reduce the development's parking demand.

Adequacy of Car Parking

- *Based on the car parking requirement rates from the VCAT decision and the car parking rates in the GTA Traffic report, the total number of spaces required for the development is 445 car spaces.*

- *The GTA Traffic report indicated that a total of 475 spaces would be required for Stage 2 of the development, which includes 90 spaces that were set aside for use by future development stages of the site; however, the number of spaces that has now been set aside is 40 car spaces from Stage 1. Accordingly, there is a shortfall of 20 spaces for Stage 2.*

- *Since it is proposed to remove 23 on-street car spaces along Gough Street as part of the development, it would be imperative for the development to accommodate the shortfall of 20 spaces within the site.*

Traffic Generation and Impact

- *In the previous GTA Consultants report for Stage 1 of the Richmond Maltings Site, the proposal would generate 67 vehicle trips in the morning and evening peak hours. The current report indicates that Stage 2 of the development is expected to generate some 71 vehicle trips in the morning and evening peak hours. The combined total for Stage 1 and 2 is 138 vehicle trips during the AM and PM peak hours.*

- *The traffic generation and impact advice provided for Stage 1 would still be applicable for Stage 2 of the development.*

  According to the SIDRA analysis modelling undertaken by GTA Consultants, key intersections are presently approaching or exceeding saturation. The traffic generated from the site, plus the aggregation of other imminent major redevelopments in the Cremorne, will add to traffic congestion in the broader Cremorne area if the key intersections are to remain at their current operating conditions.

  A high-level strategic approach needs to be taken to address the traffic impacts attributed to this development and other nearby proposed major sites in the Cremorne area. The applicant would need to propose mitigating measures at key intersections and these would need to be developed conjunction with VicRoads, who are the major stakeholder for the operation and management of the arterial road network. The applicant would also need to re-run the modelling for any proposed mitigating proposals at the key intersections.

  Unless significant traffic mitigation measures are implemented at key intersections of the Cremorne area, we would be reluctant to accept that the proposed Stage 2 of the Richmond Maltings Site will operate comfortably, with regard to motor vehicle movements, in the future.

- *Further to the above, the applicant could also consider implementing a Green Travel Plan for the development to encourage occupants of the site to utilise sustainable modes of transport. An example could be the provision of a shuttle bus service at the site to transport commuters to Richmond railway station or other various destinations.*

Access Arrangements

Gough Street Access

- *The development's primary access is located on the south west side of Gough Street which provides access to the basement car park, the podium car park, and the loading dock.*

- *The proposed 7.4 metre width of the vehicle crossing is considered satisfactory and can allow for two-way simultaneous traffic movements. The vertical geometry/profile of the vehicle crossing must be able to accommodate the B99*

design vehicle. The applicant must demonstrate the vehicles can enter and exit the property via Gough Street without scraping or bottoming out.

- *Some visibility is provided at the east side of the entrance, however, the west side contains no splay due to the existing building. It is suggested that the applicant explores options on improving visibility at the west edge of the entrance. Visibility splays should be superimposed on the plans to demonstrate driver sight lines.*
- *The plan shows the vehicle crossing with very large radials at the kerb. The radials also extend in front of the adjoining property. The vehicle crossing must be designed in accordance with Council standards.*
- *The existing vehicle crossing servicing the Gough Street access point must be demolished and reconstructed.*
- *A second vehicle crossing is proposed to provide access for refuse vehicles. The design of the accessway and vehicle crossing will be developed during the detailed design stages.*

Basement Car Park Design

- *The dimensions of the regular car parking spaces satisfy the Yarra Planning Scheme's Clause 52.06-8 Design standard 2 – Car parking spaces.*
- *The columns have been set back between 250 mm and 1,200 mm from the aisle as specified in Diagram 1 Clearance to car parking spaces in Clause 52.06-8.*
- *Tandem parking sets have been provided with a minimum length of 10.3 metres as required under Clause 52.06-8.*
- *The 6.1 metre width of the internal ramps satisfies AS/NZS 2890.1:2004.*
- *The grades of the ramp and changes in grade satisfy Clause 52.06-8 Design standard 3: Gradients.*
- *All bays adjacent to the blind aisle should be checked using swept path diagrams and should be submitted for assessment.*
- *Swept path diagrams should be provided for vehicles accessing and egressing the internal ramp using the B99 design vehicle to confirm that it can support simultaneous two-way traffic flow.*
- *Ground and headroom clearances checks should be undertaken for the internal ramps using the B99 design vehicle. Checks to be represented as cross sectional drawings and critical headroom clearances are to be dimensioned.*

Podium Car Park Design

- *The dimensions of the regular car parking spaces satisfy the Yarra Planning Scheme's Clause 52.06-8 Design standard 2 – Car parking spaces.*
- *The 6.4 metre aisle widths satisfy AS/NZS 2890.1:2004.*

- *The easternmost car space on the south side of the podium car park on Levels 1 and 2 have been designated as a small car space and comply with AS/NZS 2890.1:2004.*

- *All bays adjacent to the blind aisle should be checked using swept path diagrams and should be submitted for assessment.*

Mechanical Parking (Car Lift)

- *A two vehicle waiting bay has been designated on the ground level, adjacent the loading dock. A single vehicle waiting bay are also designated on Levels 1 and 2. According to GTA Consultants, the number of waiting bays provided for the car life can accommodate the peak vehicle queue during the critical road network periods.*

- *The applicant must submit the type/model of car lift to be used for the development and provide swept path diagrams for a B99 design vehicle accessing and exiting the car lift for each level.*

Headroom Clearance

- *A minimum headroom clearance of 2.1 metres must be provided for the car parks. During the building design phase of the development, headroom clearances should be rechecked by the designer. If any headroom clearances happen to be less than 2.1 metres, a warning sign should be installed.*

Loading Provision

- *According to GTA Consultants, the delivery vehicles for the retail, café, and restaurant tenancies are expected to utilise the on-site loading area accessed via Gough Street. The loading area can accommodate up to two medium rigid vehicles (up to 8.8 metres in length). The swept path diagrams for a medium rigid vehicle accessing the loading area are considered satisfactory.*

- *The report proposes to remove on-street parking in front of the development in Gough Street as part of the cycling strategy. However, a short-term on-street loading zone in Gough Street, adjacent to Buildings 4 and 5, is also proposed.*

- *All loading/unloading activities for the shop, restaurant, and café should be accommodated within the development.*

Refuse Collection

- *The applicant must seek advice from Council's Waste Management branch regarding the collection of refuse at the site.*

Green Travel Plan

- *The Green Travel Plan should be prepared and submitted to Council's Strategic Transport branch for assessment.*

Capital Works Programme

- *A check of the Capital Works Programme for 2015/2016 indicates that no infrastructure works have been approved or proposed within the area of the site at this time. Capital Works Programmes are subject to change.*

Summary of Design Matters

- *The applicant must revise the drawings to incorporate the following:*

GOUGH STREET ACCESS	
Item	***Details***
Geometry/profile of vehicle crossing	*The vertical geometry/profile of the vehicle crossing must be able to accommodate the B99 design vehicle. The applicant must demonstrate the vehicles can enter and exit the property via Gough Street without scraping or bottoming out.*
Visibility splays	*The west side contains no splay due to the existing building. It is suggested that the applicant explores options on improving visibility at the west edge of the entrance. Visibility splays should be superimposed on the plans to demonstrate driver sight lines.*
Vehicle crossing	*The plan shows the vehicle crossing with very large radials at the kerb. The radials also extend in front of the adjoining property. The vehicle crossing must be designed in accordance with Council standards.* *The existing vehicle crossing servicing the Gough Street access point must be demolished and reconstructed.*
BASEMENT CAR PARK	
Item	***Details***
Bays at southwest end of each basement level	*Bays adjacent to the blind aisle end at the southwest end of each basement level appear to be smaller than standard bays and may need to be designated as small car spaces. The applicant should provide swept path diagrams to demonstrate access into and out of the south westernmost bays.*
Easternmost angled parking space (located in the mid-section of each basement level)	*The applicant should provide swept path diagrams of the easternmost angled parking space (located in the mid-section of each basement level). These bays may need to be designated as small car spaces.*
Internal Ramps – vehicle turning movements	*Swept path diagrams should be provided for vehicles accessing and egressing the internal ramp using the B99 design vehicle.*
Internal Ramps – ground clearance and headroom clearance	*Ground and headroom clearances checks should be undertaken for the internal ramps using the B99 design vehicle. Checks to be represented as cross sectional drawings*

	and critical headroom clearances are to be dimensioned.
MECHANICAL PARKING (CAR LIFT)	
Item	*Details*
Car lift	*The applicant must submit the type/model of car lift to be used for the development and provide swept path diagrams for a B99 design vehicle accessing and exiting the car lift for each level.*

Building Works and Impact on Council Road Assets

- *The construction of the new building, the provision of underground utilities and construction traffic servicing and transporting materials to the site will impact on Council assets. Trenching and areas of excavation for underground services invariably deteriorates the condition and integrity of footpaths, kerb and channel, laneways and road pavements of the adjacent roads to a development site.*

- *It is essential that the developer rehabilitates/restores footpaths, kerbing, road pavements and other road related items, as recommended by Council, to ensure that the Council infrastructure surrounding the site has a high level of serviceability for residents, employees and visitors of the site.*

ENGINEERING CONDITIONS

- *The following items must be included in the Planning Permit for this site:*

Civil Works – Gough Street

- *Upon the completion of all building works and connections for underground utility services, the footpaths and kerb and channel immediately outside the property's Gough Street road frontage must be reconstructed to Council's satisfaction and at the developer's expense.*
- *The cross-fall of the reconstructed footpath shall be no steeper than 1 in 40 as per DDA requirements.*
- *All redundant vehicle crossings area to be demolished and reinstated with paving, kerb and channel to the satisfaction of Council and at the developer's cost.*
- *The road pavements immediately outside the development's Gough Street road frontage must be profiled and re-sheeted to Council standard and at the developer's cost.*

Redundant Vehicle Crossings

- *All redundant vehicle crossings along the property's road frontages must be demolished and reinstated with paving, kerb and channel to Council's satisfaction and the developer's cost.*

Cross Sectional Drawings of Vehicular Access Points – Gough Street

- *The designer shall prepare and submit 1 in 20 scale cross sectional drawings of the development's two vehicular entrances, showing the actual reduced levels (not interpolated levels from the application drawings) of the road profile, the lip of the channel, the invert of the channel, the top of kerb and the existing*

building line. The existing road profiles of Gough Street (from the kerb line to the centre line of the road) and the accessways inside the property must be accurately drawn. The designer must demonstrate that vehicles can traverse the new vehicle crossing and ramp without scraping or bottoming out. The 1 in 20 cross sectional drawings must be submitted to Council's Construction Management branch for assessment and approval.

Vehicle Crossings

- *All vehicle crossings must be constructed in accordance with Council's Standard Drawings and engineering requirements.*

Road Asset Protection

- *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.*
- *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.*

Pedestrian Access

- *All pedestrian access points of the development from the road reserve must be DDA compliant.*

Public Lighting

- *The designer must ensure that there is adequate public lighting along the road frontages of the site. Lighting for pedestrian access must comply with the minimum lighting level of P4 as per the Australian Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements. The lighting levels of all existing public lights near the site must be measured and checked against the AS/NZS 1158.3.1:2005 to determine whether new or upgraded public lights are required. The supply and installation of any additional or upgraded lighting and poles shall be funded by the developer.*
- *The developer must ensure that light projected from any existing, new or modified lights does not spill into the windows of any new dwellings or any existing nearby residences. Any light shielding that may be required shall be funded by the applicant.*

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.*

Drainage

- *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), to Council's satisfaction under Section 200 of the Local Government Act 1989 and Regulation 610.*

- *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.*
- *The developer must prepare a drainage design scheme for the development for Council assessment and approval. Any pipes, pits or other drainage infrastructure required for the drainage scheme shall be supplied, installed and funded by the developer.*

NON-PLANNING ADVICE FOR THE APPLICANT

Waterproofing of Building and Management of Rainfall Run-Off

- *The Permit Holder/developer is responsible for the management and protection of their building from groundwater.*
- *The developer needs to ensure that the basement car park 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.*
- *The excavation for the basement car park would be to a depth of around 10.0 metres and it is possible that groundwater would be encountered. It is also quite probable that any groundwater discovered by the developer would be contaminated.*
- *In the event that contaminated groundwater seeps through the walls of the car stacker pit, 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*

<u>Traffic consultant (Traffix Group)</u>

a) *Based on the car parking allocation recommended by GTA, the proposal has a statutory car parking shortfall of at least 192 car spaces under Clause 37.02 of the Yarra Planning Scheme. This does not include the any car parking required for the serviced apartments.*
b) *In addition, Stage 1 of the development is no longer supplying 90 car spaces for Stage 2, it is suppling 40 spaces. Accordingly, the development has a shortfall of at least 242 car spaces.*
c) *based on the VCAT decision for Stage 1, the development should adopt reduced car parking rates for the apartments, specifically:*
    - *0.5 car spaces per one-bedroom apartment*
    - *0.7 car spaces per two-bedroom apartment*
    - *1 car space per three-bedroom apartment*
    - *0.12 car spaces per dwelling for residential visitors*
d) *In our assessment, the development has an empirical shortfall of 20 car spaces. These spaces should be provided, given that the on-street car parking in Gough Street is being removed. Alternative, the hours of*

operation of the cafes should be limited so that they are not operating during the evening when demand for the shared parking resources is expected to peak.

e) *A Car Parking Management Plan will need to be prepared as a condition of permit. This plan will have to detail to the satisfaction of Council how the sharing of car parking will work for the offices, restaurants/cafes, retail space and residential visitors. This car parking will need to be unbundled (i.e. not permanently allocated). Suitable management measures will also need to be detailed to ensure that car parking is equitably shared.*

f) *Bicycle parking is provided well in excess of the Clause 52.34 requirements and is strongly supported.*

g) *We have reviewed the carpark layout against the requirements of Clause 52.06-8 of the Planning Scheme and AS2890.1-2004, where relevant. The following review has been undertaken by exception and the following dot points only raise outstanding issues:*

   i. *No information has been provided regarding the car lift. The following information is required:*
      - *A car lift model has not been specified and it has not been adequately dimensioned.*
      - *There is no information as to what size vehicle fits within the car lift.*
      - *Swept path diagrams have not been prepared demonstrating satisfactory access to the lift for the B99 design vehicle. Three point turns are not acceptable given the size of the carpark.*
      - *GTA report states that queuing analysis has been undertaken for the car lift, it is not provided in the report.*
   ii. *A condition requiring a minimum of headroom clearance of 2.1m throughout the carpark is required for any permit issued.*
   iii. *There are a number of car spaces at the dead ends of aisles. While the GTA report states that swept path assessments have been undertaken, these are not included in the Traffic Report and should be provided.*
   iv. *The GTA report states that the internal ramps support simultaneous two-way traffic flow, however swept path diagrams are not included in the Traffic Report and should be provided.*

h) *A loading bay in accordance with the requirements of Clause 52.07 is required for the shop and restaurant/cafes and is provided on the site,*

i) *The waste collection arrangements are satisfactory.*

Strategic Transport Unit

I have reviewed the plans I can see are relevant and have the following thoughts:

- *Investigate an option for better connection to MYT over Harcourt Pde somewhere near the picture below.*
- *Their bike parking rates are also very low (according to the GTA report – I was only able to find 60 spaces on the plans (indicating they are somewhere else which concerns me as we really want bike parking to be available on the ground floor, easily seen etc). I would be aiming for 1 bike rack per apartment as a minimum. They are only providing around 0.5 bikes per apartment. I would really like a better look at the bike parking (all locations) as I was unable to tell any dimensions due to the fuzziness of the plans.*

The following additional advice was also received:

- *I agree that a crossing over Harcourt should be provided. It is an obvious desire line and the crossing at Gough/Punt Rd is pretty poor quality even if they upgrade the signals because the crossing/storage space is tight, it is further to travel, Gough Street is narrow for peds and bikes. It is just cheaper for the developer to not install it.*
- *This link isn't jus*[t] *important for this development is provides an improved link to the Yarra River Trail for all of western Cremorne!*
- *A new set of pedestrian signals could be installed that operate in partnership with the existing Punt/Gough Signals so there is no loss of capacity for Harcourt.*

The following additional advice was also received:

- *The bicycle parking rates are way too low for an inner city are that has very bad localised traffic congestion. I would advocate for 1 space for each apartment (I have never seen a bike cage at an apartment that isn't full).*
- *Better connection to Main Yarra Trail preferably across* [Harcourt] *as there are significant carriageway constraints at Gough/Punt.*

Acoustic Consultant (SLR)

- We note that SLR provided review of the Stage 1 application for this site, and also presented our findings and opinions in VCAT. Some of the issues raised as part of this current review of Stage 2 are similar to those raised for Stage 1.

REVIEW
- *We have reviewed the provided RTA report, and make the following comments.*

Gym (RFI Item 14 a)
- *There is no gym in this development based on the current design so this item is no longer relevant.*

Residential Amenity Rooms (RFI Item 14 c)
- *Section 10.1.3.2 of the RTA report addresses this issue.*
- *RTA note that these are now referred to as Community Facilities spaces, and have advised that these are spaces available for booking by dwelling occupants for dinners and meetings.*
- *RTA indicate that the spaces will have to comply with normal BCA / NCC requirements in relation to sound transmission through walls and floors.*
- *While these spaces have the potential to affect neighbouring residences (especially those directly on the other side of the separating wall), they are not commercial spaces and therefore not subject to any formal SEPP N-1 or SEPP N-2 requirements. It would be in the best interests of the developer and the body corporate to appropriately address this within their building via some building upgrades, or via proper management of usage (eg. types of events, times of usage etc.), but this is not considered a significant planning issue.*
- *We generally accept this discussion and approach from RTA.*

Music Noise
- *RTA address potential music noise from the café restaurant tenancies to apartments in Item 10.1.2.*
- *They advise that with background level music only in the tenancies, and with no external loudspeakers, SEPP N-2 compliance is achievable in nearby apartments.*

- *We generally agree with this assessment.*
- *We do note that cafés and restaurants have the potential to cause significant structural impact sound that could affect adjacent apartments. This, ultimately, is a fitout issue for the commercial tenancy, and needs to be addresses as part of their permit.*

Mechanical Plant from Development

- *RTA provide general discussion in Section 10.1.1, including some description of the surrounding building and physical geometry of likely plant locations.*
- *RTA address the requirement to comply with SEPP N-1 and that this will need to be designed for in the detailed design stage. RTA also refer to the requirement for an acoustical assessment to be undertaken once plant equipment details are available.*
- *We accept that mechanical plant cannot be addressed at the planning stage and that sufficient information and guidance is provided in the RTA report for the planning application.*

Road Traffic Noise

- *Road traffic noise impacts to the site are our major concern, based on the close proximity of the Monash Freeway to the south façade of the development.*
- *RTA provide noise plots (and noise logging) that show façade noise levels in the order of 75 dBA during the day along the southern facade. Night time levels would be in the order of 70 dBA. Table 12 of the report provides recommended glazing specification, which includes winter garden arrangements and large cavity double glazing.*
- *We provide the following comments:*
  - *This is the noisiest and most impacted location we have ever considered in the City of Yarra in terms of traffic noise. As such, the potential for amenity and health impacts due to noise are significant.*
  - *As per our advice in relation to Stage 1, our main concern in relation to the report is the adopted internal design levels for the development. RTA have adopted the maximum levels provided in AS 2107, averaged over the entire day or night periods, being 45 dBA to living rooms, and 40 dBA to bedrooms. We believe these do not represent reasonable amenity for this development on the following grounds:*
    - *The Standard provides a 'satisfactory' and 'maximum' level range. To be clear, the definitions of these are:*
      - *The 'satisfactory' level is defined as "The level of noise that has been found to be acceptable by most people for the environment in question and also to be not intrusive".*
      - *The 'maximum' level is defined as "The level of noise above which most people occupying the space start to become dissatisfied with the level of noise".*
  - *We would consider that designing to the maximum level represents a significant risk of noise exceeding this level (eg, seals degrade over time, traffic flows increase). We also note that, due to the 15 h and 9 h averaging of noise, there would be some periods (i.e. a number of hours) where noise levels could in fact be above the maximum level.*
  - *We see this as a high risk that people will be dissatisfied, which represents a poor amenity outcome.*
- *The planning requirements for the Maltings site require assessment to AS 3671-1999. The procedure provided in AS 3671 requires internal design levels to meet the satisfactory levels of AS 2107, not the maximum levels. This is clear in Section 3.3 of the Standard and also the target used in the worked example*

of AS 3671. We do not agree with RTA's interpretation that maximum of AS2107 can be used when undertaking AS 3671 assessment. It is clear in the Standard what has to be done. Using the maximum targets is 10 dB noisier than using the satisfactory targets

- *The adopted targets are 4 dBA worse that the worst '2 star' standard recommended in the AAAC star rating guide for apartments. While we accept that this is not a planning tool, it provides an indication of what is considered minimum quality for apartments.*
- *The adopted targets are not in alignment with planning guidelines applied in other States of Australia. In particular, the NSW Road Noise Policy (NSW RNP) provides targets of 35 dBA (9h) for bedrooms and 40 dBA (15h) for living rooms for new residential developments adjacent to existing roads. Western Australia also applies the 35 dBA and 40 dBA targets in their State Planning Policy (5.4). These targets (NSW and WA) are 5 dBA lower than adopted by RTA in this application.*
- *The World Health Organisation (WHO) Guidelines 1999 recommend internal levels of 30 dBA Leq to protect sleep. This further highlights that a design level of 40 dBA is not a reasonable amenity target.*
- *To be clear, our preferred and recommended approach on all City of Yarra applications is as follows:*
  - *Design internal spaces to the average of the AS2107 range when using the long term averages.*
  - *Design the loudest hour to the maximum of the AS2107 range for the particular space / period.*
- *Achieving both is preferred, but achieving at least either of these as a minimum is recommended.*
- *We further note, in relation to the report and design of the buildings:*
  - *There is no mention or discussion of the requirement to provide any fresh air / alternative ventilation to the building. This would be a significant concern and needs to be implemented due to the necessity to keep windows closed for noise control. In addition to this, any ventilation / relief air paths would also require careful design to ensure noise ingress via these paths does not increase internal noise levels.*
  - *The building does not provide any practical noise reduction via basic building siting and design. In particular we note extremely large areas of glazing to bedrooms overlooking the freeway. This does not appear to align with the requirements and intent of Clause 22.05-4.1 of the Yarra Planning Scheme.*

Commercial Impacts

- *RTA advise that no specific commercial noise impacts were observed at the site that may cause a SEPP N-1 breach from existing commercial operations.*
- *We generally accept RTA's observations and cannot advise otherwise given we have not inspected the site and area ourselves. As the entire site / precinct is part of a large redevelopment there is likely less risk of any existing nearby mechanical plant impacts.*

CONCLUSION

- *Our concerns in relation to the traffic noise assessment for the site are provided above.*
- *Ultimately, there is an opposing view between SLR and RTA on the issue of what is an acceptable planning based design level for internal amenity to apartments. We have provided our view and supporting information above.*
- *We find the other aspects of the application generally satisfactory.*

Wind Consultant (MEL)

Scale model and wind climate

The site exposure, terrain assessment and regional wind climate used by VIPAC in their wind tunnel test would be considered to be accurate and fair in the context of the development. The modelled terrain around the development has been assessed as Terrain Category 3, as shown in Figure 2, for all wind directions and MEL Consultants concurs with that evaluation. Mean velocity and turbulence profiles presented in Figure 12 appear to have a good agreement with the AS1170.2 :2011 Category 3 boundary layer profiles.

The directional distribution of wind speeds used for the Melbourne wind climate model and presented in Figure 8 would be considered appropriate for the location of the development, with north and west sector wind directions giving rise to the strongest winds and secondary strength winds from the southern sector.

The development and proximity mode, scaled at 1:300 appears to extend out to a radius of approximately 300m, as shown in Figure 6, which satisfies the minimum requirements of the AWES Quality Control Guidelines for scale model wind tunnel testing.

As such MEL Consultants have no issue with the approach modelled wind flow over the development, as presented in the VIPAC report.

Assessment criteria

MEL Consultants also concur with the choice of wind assessment criteria provided by VIPAC Engineers for this report, as presented in Tables 1 and 2. The applicable wind criteria recommended in and around the public realm surrounding the site, relating to the type of activity or intended use of space are summarised in Table 5 and MEL Consultants agrees with the general consensus.

Some comments on the use of balcony/terraces spaces is also discussed, with reference to usability and recommended comfort criteria and there is no disagreement on these points by MEL Consultants.

Test and measurement procedures

For measurement of the wind speeds in the pedestrian realm, VIPAC uses omnidirectional pressure sensors (Irwin probes) which are installed at a variety of locations around the precinct. Although these are commonly used in the measurement of pedestrian level wind speeds in the wind engineering field, MEL Consultants uses alternative measurement probes (hot wire probes) in their testing. The advantages of these is that they are not fixed in place which facilitates measurement around built form changes and wind mitigation features during the testing, unlike the Irwin probes which are fixed in place. However MEL Consultants does not dispute the use of the Irwin probes in VIPAC's study.

The VIPAC study shows a total of sixty Irwin sensors placed in the pedestrian realm in and around the site to measure the wind conditions and in elective use areas on B8. There is good directional resolution in the measurements

which were taken every 10 degrees. There appears to be a good number of locations measured, however several of the sensors could have been a little more strategically placed to measure local hot-spots and downstream wind induced effects from Towers B8 – B11. In particular corner locations between B5 and B7 along Gough Street in the vicinity of test location 40 appear to have been omitted and corner locations to the rear of B7. Additional wind conditions along Melrose Street and Gough Place should have been measured to examine the effects of the tall B9 – B11 towers on the wind conditions in those streets. Measurement locations along Gough Street should also have been extended to Punt Road. Also, there appear to have been no measurements conducted in the area east of Building 6.

Measurements were taken for three configurations :
1. proposed design, no landscaping
2. proposed design, with landscaping
3. with additional wind mitigation control strategies

There has been an omission in the measurement of existing conditions. The measurement of this can be quite critical in that if existing conditions are already high then it is important the development does not make things any worse

Results and discussion of wind conditions

The results of the wind tunnel testing showed that pedestrian areas on both the north and south sides of Gough Street achieved the criterion for walking comfort for all wind directions without the need for additional wind mitigation. Wind conditions at main building entrances were shown to achieve the standing criterion and several areas within the precinct achieved the criterion for sitting which included the outdoor seating areas between Building 4 and 5. It is clearly evident that the proposed landscaping associated with the design has been shown to be effective at improving the wind conditions within the precincts, as demonstrated at several test locations within the precinct. This landscaping was not applicable to pedestrian areas outside the site boundaries. The wind report make no mention of what type of trees/planting was used in the wind mitigation configuration, which would be critical in achieving an effective outcome.

Wind mitigation measures employed trees which are considered to be effective, however the details of the type, size and density of foliage of the trees used has not been provided. This would be considered necessary as the type of tree used would have a large impact on its effectiveness as a wind mitigation feature.

Wind conditions on the podium of Building 8 were shown to satisfy the criterion for walking comfort with additional mitigation strategies. The replacement of the 1.5m parapet with trees, as shown in the letter dated 18 March, 2016 is considered valid from a wind mitigation perspective. However, as noted above, the size and type of trees to be utilised has not been mentioned.

Wind conditions at test locations 1 and 49 appear to be on or very close to the walking criterion and for reasons noted earlier additional measurements should have been conducted further west along Gough Street and further north along Gough Place as towers B9 – B11 appear to be affecting the conditions in these areas due to south-west sector wind directions.

MEL Consultants agrees with the general statement regarding wind conditions and use of balconies as well as the requirement to tie down loose furniture

In summary, MEL Consultants considers the VIPAC wind tunnel modelling and testing methodology consistent with current wind engineering techniques and in accordance with the AWES Quality Control Guidelines for wind tunnel testing. MEL Consultants agrees with the wind climate model and assessment criteria chosen by VIPAC for use with the 2 Gough Street development. A good number of measurement locations have been used in mapping out the environmental wind conditions in and around the site, however, a more strategic placement of several sensors could have been done to measure some local areas near building corners and the effects of building induced wind flow into neighbouring streets. The specific details of the wind mitigation strategies have not been described, nor has the type of trees used in the landscaping configuration, i.e. types and size of trees, which would be necessary for their effectiveness as wind mitigation.

Services Contracts Unit

- *The Waste Management Plans (WMPs) from RB Waste Consulting Service for buildings B4, B5,B6 and B8, and all dated 20th November 2015 are **unsatisfactory** from the Yarra Works Branch's perspective.*

- *The issues to be addressed in the WMPs include, but are not limited to, the following:*
  - *Must be written as a standalone documents*
  - *All waste must be collected internally*
  - *Generally need more details, such as, plans of bin rooms, plans of collection point, path of access for users, collection contractor vehicles, tenants*
  - *Signage in bins rooms*
  - *Tenants/occupiers information kit*
  - *Bin rooms appear too small to fulfil their function*
  - *Hard waste to be undertaken by the property manager by private contractor*
  - *Hard waste area*
  - *Details that guides how all parties fulfil their function to manage waste from the whole facility*

The following clarification was also provided:

- *…this development would require an onsite private internal collection. Please refer to my email advice dated 29 April 2016.*

Construction Management Unit

- *In relation to the demolition/construction the following would need to be addressed:*
  - *Site Access/Egress*
  - *Site/Storage/Accommodation Facilities*
  - *Contractor Parking*
  - *Environmental Management*
  - *Noise Management*

These matters could be addressed by way of a construction management plan (permit condition).

Council's Construction Management and Engineering Services Unit also offered the following combined response (noting that the 'dot points' have been regrouped for discussion purposes):

- *Upon the completion of Stage 2 of the development and provision for underground services, the length of Gough Street must be fully reconstructed to Council's satisfaction and at the Permit Holder's expense.*
- *Cremorne Street, from Harcourt Parade to Gough Street must also be reconstructed to Council's satisfaction and at the Permit Holder's expense.*
- *The south footpath, kerb and channel of Gough Street must be reconstructed in sawn bluestone to Council's satisfaction and at the Permit Holder's expense.*
- *The north footpath, kerb and channel of Gough Street, between Cremorne Street and Punt Road, must be reconstructed to Council's satisfaction and at the Permit Holder's expense.*
- *The site's northern boundary with Gough Street must be delineated to Council's satisfaction.*
- *The footpath, kerb and channel in Harcourt Parade must be upgraded/reinstated to Council satisfaction and at the Permit Holder's expense.*
- *The applicant must prepare detailed engineering design drawings for all road infrastructure works.*

The above could be addressed by way of permit conditions, should a permit issue.

- *The west footpath, kerb and channel of Cremorne Street, between Harcourt Parade and Gough Street, must be reconstructed in sawn bluestone to Council's satisfaction and at the Permit Holder's expense.*
- *The east footpath, kerb and channel of Cremorne Street, between Harcourt Parade and Gough Street, must be reconstructed to Council's satisfaction and at the Permit Holder's expense.*

These 2 comments are not relevant to stage 2, as this footpath is adjacent to stage 1.

- *The raised pavements along the length of Gough Street (at the intersections with Cremorne Street, Melrose Street and Punt Road) must be deleted. The raised pavements have the potential to block the natural overland flow path of Gough Street, which slopes from east to west. Historically, the local area has experienced inundation during heavy storm events (please see attached photographs from 2010 of the western end of Gough Street).*

NON-PLANNING ADVICE TO THE APPLICANT
Drainage

- *As part of the site's Legal Point of Discharge, it is advisable that applicant prepares a drainage design scheme and catchment area analysis for the development and its connection to Council's drainage infrastructure for Council assessment and approval. Any pipes, pits or other drainage infrastructure required for the drainage scheme shall be supplied, installed and funded by the Permit Holder.*

The legal point of discharge application is separate to this planning process.

Loss of On-Street Parking

- *The proposal has included elimination of on-street parking on the south side of Gough Street (a public asset). Council would be reluctant to remove such a large amount of on-street parking.*

- *From the plans, it is not clear as to whether the road carriageway of Gough Street would be narrowed. It is also not clear whether the footpaths are proposed to be widened in Gough Street.*

This point (and the dot point relating to the raised pavements along Gough Street) was followed up with Council's Engineering Services and Construction Management Units. They agreed that some streetscape improvements could be made (e.g. some narrowing of the road reserve to slow traffic, however not a full narrowing), however detailed design drawings must be provided to Council to assess and consider the detail of these changes. This is not a refusal ground, rather something that could be clarified by way of a permit condition, should a permit issue.

Access and Movement Plan

- *The Access and Movement Plan prepared by Oculus depicts vehicular traffic movements incorrectly turning right from Gough Street into Punt Road. In addition, encouraging traffic to use Melrose Street is not condoned. These movements on the plan need to be deleted.*

The above could be addressed by way of a permit condition.

Access to Capital City Trail

- *Applicant to explore options for improving access to the Capital City Trail from Gough Street and Cremorne Street.*

Officers agree with this suggestion, which is explored further in this report.

Open Space Unit

With respect to the proposed open space provision and landscape design the plans continue to contain limited information in terms of open space, however I provide the following comments:

Landscape master plan

- *The Landscape Master Plan shows generally good permeability throughout site, but as predominantly hard-paved spaces & access-ways. The amount of green space is somewhat limited (proposed green walls not with-standing), and canopy tree planting throughout the development site appears limited and piecemeal, with no overall tree planting framework. We therefore recommend that shade tolerant canopy trees are planted along internal access ways, and more green space is included throughout the development.*
- *The Master Plan includes a number of outdoor seating areas, sometimes in association with garden beds and/or lawn areas. Raised landscape and terraced areas are also indicated on the plan with no specific details. We recommend that details are provided which clearly show levels, materiality, size and location of all proposed open space areas.*
- *A number of the green façade treatments are located in a full-shade environment, so we have some concerns about the viability of these plantings.*

Street trees

- *The inclusion of street trees and raised platforms along Gough Street will help to form a better interface with the adjoining areas to the north. The existing footpath along Gough Street is extremely narrow –it appears to be widened into the development site in some sections, although the Demolition Plan shows that parts of the existing single story brick wall and adjoining buildings are to be retained. We require cross-sections along Gough Street to demonstrate how the street trees will be accommodated in relation to the narrow footpath.*
- *We recommend that a separate street tree planting plan be prepared to address the above and show species and planting details.*

Raised platform in the road reserve

- *We recommend that consideration be given to lengthening the main central raised platform in Gough Street to correspond with the main pedestrian space & access to the east, and pedestrian access to the north.*

Access & Movement Plans

- *Previous Access & Movement Plans for the total site indicated an important bicycle link to the Capital City Trail Harcourt Parade Pedestrian Connection, however it is noted that the pedestrian/cycle connection from the Harcourt Parade Pedestrian Connection is now deleted?*

Proposed tree planting (Comment from Streetscapes and Arboriculture)

- *More information is required on where each tree species is proposed to be planted to properly assess their suitability.*
- *Schinus molle and Robinia pseudoacacia should not be used as they are often considered a weed and would easily self-seed into waterway, such as the Yarra River.*
- *Recommend a mix of native and exotic species to give seasonal change, allow light in in winter and to link to the Yarra River.*
- *As much of the site will be in shade, trees will need to be carefully selected to grow in these conditions. Often trees that grow in these conditions become scraggly, distorted with sparse foliage and do no grow to their natural form.*
- *The soil depths proposed are inadequate to maintain tree growth.*

Previous Comments yet to be addressed

Previous comments dated 31/07/2015 and 09/12/2015 in respect of the Landscape Concept Plans prepared by Oculus remain relevant regarding the open space design:

- *It is not clear if the green spaces shown in the Landscape Master Plan are intended to count towards an open space land contribution for the site, however it is unlikely that it would meet the criteria for provision of open space as outlined in the Yarra Open Space Strategy (eg. being located at the back of the development, being significantly overshadowed and overwhelmed by surrounding proposed buildings). The plans do not indicate the area/dimensions of these spaces.*
- *There is no information on proposed maintenance of the landscape areas beyond a reference to the selection of low maintenance species.*
- *We recommend that some detailed sections at a larger scale are provided that specifically address the landscape treatments referenced in the Landscape Master Plan.*
- *Further information is required on the proposed landscape treatments referenced in the Landscape Master Plan, including:*
    - *Garden bed dimensions*
    - *Proposed areas of paving and proposed materials*

  - *Location of proposed tree planting – distances from buildings and other infrastructure, planting proposed over the basement levels or under the overhang of the tower?*
  - *Details of proposed irrigation to trees, lawn and garden bed areas*
  - *Opportunities to incorporate WSUD*
  - *Clear delineation of public/private interface*
- *A detailed landscape plan with plant schedule indicating the location, species type, quantities and pot size of proposed planting will need to be provided.*
- *The plant palette is generally considered appropriate, however more information on the location of the proposed trees is required, as they will have different growing requirements.*

The following additional advice was provided:

- *Further to your query below, the Open Space Strategy calls for an open space developer contribution of land in the 3121G sub precinct.*
- *However, the current development proposed at 2 Gough Street does not present opportunity for an open space developer land contribution for the following reasons:*
  - *There appears to be basement carpark proposed beneath most of the site, and we would not accept land above a car park (or other encumbered land)*
  - *The open spaces delineated in the plans would not meet the criteria set out in the Open Space Strategy with respect to solar amenity, visual access and adjoining buildings not disproportionately overwhelming the space.*
- *It is also noted that the development does provide for a variety of publically accessible private open spaces which will be accessible to the local population.*
- *In this instance an open space developer cash contribution would be acceptable.*

OFFICER ASSESSMENT

The primary considerations for this application are as follows:

- strategic policy;
- uses;
- urban design;
- on-site amenity;
- off-site amenity/development potential;
- environmental sustainability;
- Aboriginal cultural heritage;
- Land subject to inundation overlay;
- signage;
- car parking / traffic;
- bicycle facilities;
- waste management; and
- Objector concerns.

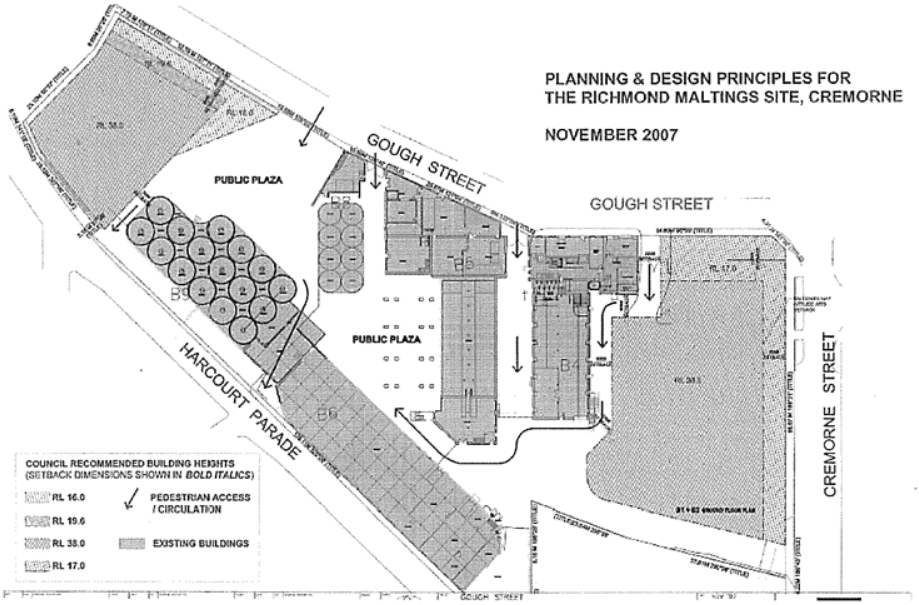
Strategic policy

The most relevant policy guidance for this site is contained within the CDZ3 which is a site specific control. The purposes of the CDZ include:

- *To allow a comprehensively staged, mixed use development on the site which will create activity during the day and evening and generate local employment opportunities.*
- *To conserve and enhance key heritage buildings through refurbishment and reuse.*
- *To allow the continuation of limited major advertising in the precinct.*
- *To ensure that development on the site will complement and enhance the Yarra River environs.*
- *To ensure the combination of uses, their density and the scale and character of development does not prejudice the amenity of the surrounding area.*
- *To retain the visual dominance and preservation of views of the landmark Nylex sign and associated silos through the sensitive siting of new building envelopes on the site. To provide a well designed, attractive open plaza space within the development which is accessible to the surrounding community.*
- *To ensure a high quality architectural response to the site that acknowledges and is respectful of the scale and form of buildings within the site and its immediate environs.*

The Design Principles for the site have already been outlined, however it envisages:

- the retention of buildings B4, B5, B6, B8 (VB silos) and B9 (Nylex silos);
- 2 new buildings on the site: the one at the eastern end (stage 1) and one at the western end (part of stage 2);
    - the massing for the new westernmost building is for a RL 19.6m skin along Gough Street a 3m deep podium at RL 16, another 3m deep form from Gough Street at RL 19.6, increasing to a maximum tower height of RL 38. A 2.16m wide strip at RL19.6 is shown adjacent to Harcourt Parade. The massing also provides a 'funnel' into the site, encouraging view lines to the Nylex silos and sign.
- 2 large public plaza areas within the site, with the westernmost opening as a 'funnel' from Gough Street.



This map aligns with the second page of the Design Principles, with the above massing clearly aiming to achieve the following:

- *Conserve and enhance the key heritage features of the site which depict the various stages of the malting process since the late 19th Century.*
- *Facilitate safe, convenient and legible public access into and through the site.*
- *Maintain a low rise edge to the Gough Street residential interface to the north.*
- *Retain the visual prominence and landmark qualities of the Nylex sign and clock and the 1960's silos which support this heritage feature.*
- *Create a vibrant plaza edged by key heritage buildings which act as an activity node as well as significant place to view and interpret these buildings.*
- *Establish well defined and legible entries to the site which contribute to the sense of address.*

Whilst a permit may be granted under the CDZ3 for a variation which is 'not minor' to the Design Principles, decision guidelines the Responsible Authority must consider when assessing an application to construct a building or construct or carry out works includes '*Consistency with the building envelopes and design principles detailed on the comprehensive development plan: "Planning and Design Principles for the Richmond Maltings Site, Cremorne – November 2007"*. In other words, although a variation may be supported, the building envelopes and design principles must still be considered.

The physical and strategic context of the site show that there are a number of opportunities such as limited direct sensitive interfaces due to the adjoining street frontages and CityLink and a clear policy direction with the application of the CDZ3 and the incorporated Design Guidelines. However, the site is also somewhat constrained by this freeway interface the proximity to the Yarra River, heritage building stock and the need to protect views to the Nylex sign.

Again, as was identified when stage 1 was assessed (PLN15/0355):

> *'…the traffic conditions in the surrounding area are also a key consideration, with limited ways into and out of this pocket. While sustainable transport modes are encouraged in state and local polices in general, the access challenges facing the Cremorne area highlight the importance of proposals encouraging alternative forms of transport compared to private motor vehicles. The transport issues of this pocket are also highlighted in the SSSP.'*

This issue has been addressed in the VCAT interim order by way of adoption of the car parking rates suggested by Council's Expert Witness (Charmaine Dunstan).

There are also other issues that flow from the proposed development such as ground level open space layout, street presentation, internal amenity, ESD outcomes, and the general massing or 'wall' to the river. The combination of these factors have led planning officers to a position of refusal.

Uses

There are a number of purposes of the CDZ3 as relevant to land use, they include:

- *To allow a comprehensively staged, mixed use development on the site which will create activity during the day and evening and generate local employment opportunities.*
- *To ensure the combination of uses, their density and the scale and character of development does not prejudice the amenity of the surrounding area.*

As was identified in the stage 1 officer report:

This mixed use, local employment generation vision of the CDZ3 is consistent with Council's historical vision for the area (highlighted in the abandonment of the Cremorne UDF/Amendment C97) and the SSSP:

- *Opportunities to intensify land uses will strengthen Yarra's employment base through the conversion of redundant industrial or manufacturing land uses.*

Land use (Objectives)
- *Retain and increase employment generating uses.*
- *Encourage the selective redevelopment of sites in the precinct for a mix of residential and commercial uses.*

Land use (Strategies)
- *Promote a mix of commercial and residential uses.*

The land uses that require a planning permit in the application are the:
- dwellings;
- serviced apartments;
- cafés;
- retail (not further specified); and
- restaurant.

Dwellings

The use of B6 and part of B8 for dwellings supports the Design Principles, which include:

- *Establish a mix of uses on the site including restricted retail premises, cafes, bars, offices, display/exhibition spaces and residential apartments which reinforce the diversity and richness of Richmond.*

The CDZ3 also aims to maintain active frontages during the day and local employment opportunities. Whilst dwellings have been incorporated into the development, they are generally at the upper levels (save the 3 SOHO dwellings along Gough Street), with ground level tenancies generally being offices, retail premises, a restaurant and a café. This is both an appropriate mix and configuration for this site.

Serviced apartments

The use of the northern segment of the B8 building as serviced apartments has little differentiation from a dwelling use. As per the dwellings, the serviced apartments would complement the other uses on the site and create a dynamic, active mix of uses throughout the day and into the night.

B4 bakery/retail

For the purposes of car parking, the Applicant has also confirmed that this use is to be 'retail'. As the plans reference 'bakery/retail', this should be addressed by way of a permit condition, should a permit issue.

The B4 retail space is on the ground floor, fronting Gough Street. This would positively activate the Gough Street frontage and with the entry within the laneway within the site (as opposed to along Gough Street), this configuration would encourage patrons to enter the site.

One issue with this use is the incorporation of a servery window along Gough Street. This does not meet Council's Footpath Trading Policy as patrons may obstruct the footpath when waiting for their order. Should a permit issue, the northern servery window should be deleted by way of a permit condition (albeit permitted to remain as a window).

B5 café

As with the B4 retail premises, the café in B5 would positively activate the Gough Street frontage.

It is noted however, that the floor plans do not correlate with the elevations. In particular, the floor plans reference a 'door' and the elevations incorporate a sill (i.e. show a window). Should a permit issue, this could be addressed by way of a permit condition.

B5 restaurant

The restaurant, as with the other commercial uses, would encourage local employment opportunities. The restaurant would also activate the central courtyard.

B6 retail

This retail premises would sleeve the residential building lobby to positively activate the central courtyard.

B8 cafe

The café would support the appreciation of the Nylex sign, an objective of the CDZ3 and the Design Principles.

Hours

The hours of operation for the Section 2 uses were not provided by the Applicant.

Given the site contains a mixture of residential and commercial land uses, it is not reasonable to allow the commercial tenancies to trade 24/7. This would undermine the relevant purposes of the CDZ3, which is:

- *To allow a comprehensively staged, mixed use development on the site which will create activity during the day and evening and generate local employment opportunities.*

Whilst also aiming:

- *To ensure the combination of uses, their density and the scale and character of development does not prejudice the amenity of the surrounding area.*

Considering the hours of operation, the amenity of the proposed dwellings on-site and the existing dwellings north of Gough Street must be considered.

The CDZ3 offers limited guidance in terms of balancing these uses. However clauses 22.01 and 22.09 provide some guidance in terms of reasonable amenity expectations for residential land uses and commercial trading hours (albeit the site is not within the R1Z nor is a liquor licence currently proposed).

However, had the site been within the R1Z, clause 22.01 states that hours of operation should be limited to 8am to 8pm (except for convenience shop). Clause 22.09 also permits licenced premises within 30m of a residential zone to trade until 11pm. Another factor at play is the car parking provision, which is outlined later in this submission. Balancing these factors and in the absence of proposed hours of operation being tabled by the Applicant, the following would have been recommended, had a favourable assessment resulted:

- B4 bakery/retail (confirmed by the Applicant as a 'retail' premises – 8am – 8pm – A retail premises is unlikely to trade beyond these hours in this location, with these hours being generally as per clause 22.01 to protect on and off-site residential amenity.
- B5 café – 7am – 5pm – Restricted to a 5pm close due to car parking reasons (later in this report). Earlier than 8am (Clause 22.01 recommendation) is supported in this context to enable early morning (e.g. coffee and breakfast) trade.
- B5 restaurant – 7am – 11pm – Generally in line with Clause 22.27 (albeit not licenced at this stage) to protect off-site and on-site residential amenity, with a 7am open also able to accommodate morning breakfast/coffee trade.
- B6 retail – 8am – 8pm – As per B4 retail.
- B8 café – 7am - 5pm – As per B5 café, with the car parking rationale explained later in this report.

Use summary

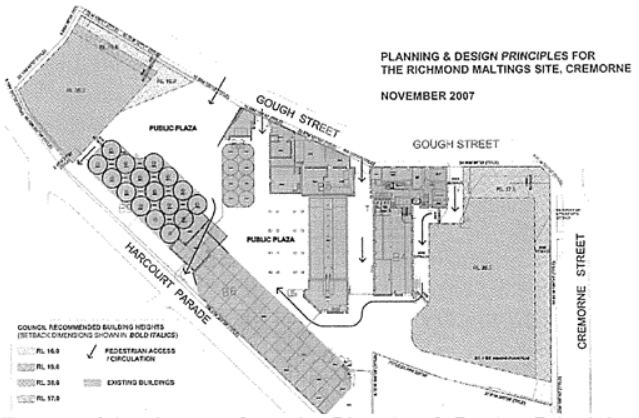
The mix of uses does not bring rise to off-site amenity or on-site amenity concerns (addressed further in this report, but can be addressed by way of permit conditions). Further, the mix and layout of uses would both activate the site throughout the day and create local employment opportunities. Subject to the conditions outlined above, the land use mix supports the objectives of the CDZ3.

Urban design

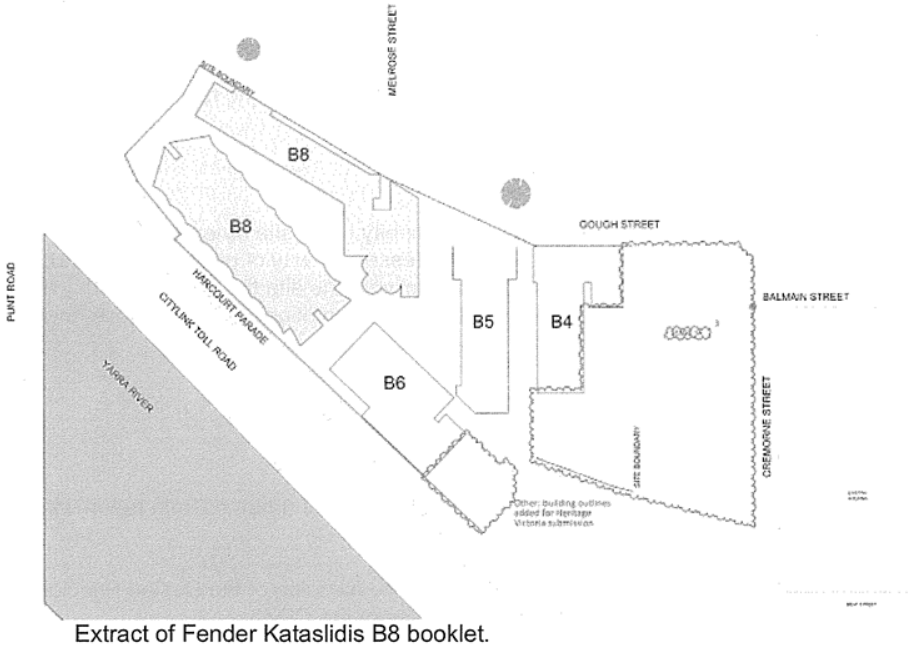
Site Analysis Plan and context

The Applicant provided a satisfactory site analysis plan and urban context report with the application.

However, the proposal significantly deviates from the massing of the Design Principles and therefore undermines the underlying objectives of the CDZ3.



Extract of the drawing from the Planning & Design Principles



Extract of Fender Kataslidis B8 booklet.

In particular:

- the CDZ3 decision guidelines envisaged new 'taller' forms at the western and eastern ends of the site. This application introduces new built form for a significantly wider portion of the site, given the penetration of buildings B6 and B8 into the central segment of the site;
- the 'funnel' from Gough Street has not been provided and would not accentuate views to the Nylex sign, would fail to provide a well defined or legible entry and fails to provide a public plaza with reasonable levels of amenity, contrary to the Design Principles;
- the B9 silos would be demolished;
- the public plaza areas are smaller and built up to the north, restricting natural daylight, outlook and thermal comfort within these spaces; and

- the proposal would result in a 98m long segment or wall of built form adjcent to the River, with an approximatley 9m wide break in between. This is contrary to the Design Princples which support the strengthenign of the built form edge to the river, while also allowing for access to sky and long distance views.

These issues will be explored further within this urban design assessment.

Height and setbacks

The Local Policies acknowledge that the municipality is a low rise scale with 'pockets of higher development'. This typically encourages developments to be no more than 5-6 storeys, unless a number of benefits can be achieved (clause 21.05-2).

This site enjoys a site specific planning control in the CDZ3, with an incorporated document (referred to throughout this report as the 'Design Principles') which envisages taller buildings in the western and eastern ends of the site, offering breathing space for the heritage buildings. This is somewhat linked to the Conservation Management Plan for the site (Richmond Maltings Conservation Management Plan, October 2005, Lovell Chen) which states at pages 147-148:

> '*Industrial sites by their very nature are often densely built-up and contain reasonably substantial buildings. With regard to new development, it would not be inappropriate from a heritage perspective to have a reasonably dense grain and substantial new buildings introduced to this site, subject to the policies included here. As discussed above under 'Curtilage' (see Section 5.8), new development should also not impinge upon opportunities to improve the setting of the most significant buildings and elements.*
>
> *There is also an opportunity to introduce new works of some scale and height, given the scale of structures introduced historically (such as the two silos buildings, and the 1956 malt house on Gough Street), and current character of the site. It is recommended, however, that new development of height should preferably be located at the western or eastern ends of the site, where the visual impacts would be minimised on the lower scale heritage buildings in the centre of the site (particularly B5, B4 and B6). There is also a need to have regard for protecting the landmark qualities of the 1960s silos (B9), and for new development to not obscure or hinder views of the very prominent Nylex sign.'*

It is perplexing that the CMP however, notes that the demolition of the silos is permit exempt, yet the above notes that their landmark qualities must be protected. In any event, the CMP aims to protect the significant heritage buildings at the centre of this site.

The Design Principles also pick up on this point:

> *'Provide opportunities for interpretation and appreciation of the cultural heritage attributes of the site which are to be retained.'*

The Design Principles have accepted a building height of RL38, or approximately 12 storeys for the western segment (part of stage 2). In the Design Principles, the massing for the new westernmost building is for a RL 19.6 skin along Gough Street a 3m deep podium at RL 16, another 3m deep form from Gough Street at RL 19.6, increasing to a maximum tower height of RL 38. A 2.16m wide strip at RL19.6 is shown adjacent to Harcourt Parade.

In addition, a strategy of the SSSP is to

'Ensure new development on the Maltings site is in accordance with the existing planning provisions in the Schedule to the Comprehensive Development Zone.'

Whilst the CDZ3 allows for planning permission to be granted where developments are not generally in accordance with the Planning & Design Principles, the following remain relevant decision guidelines:

- *Consistency with the building envelopes and design principles detailed on the comprehensive development plan: "Planning and Design Principles for the Richmond Maltings Site, Cremorne – November 2007".*
- *Streetscape character.*
- *Built form.*
- *Interface with nearby areas.*
- *The preservation of the amenity of nearby residents.*
- *The visual impact of the building or works on the impact of the area.*

Given the Victorian Planning System takes a performance based approach, it is accepted that variations to the Design Principles (as is built into the Zone) can be permitted, however sufficient justification needs to be provided. This is where the decision guidelines assist in this assessment.

Building B8 extends further east along Harcourt Parade and Gough Street than recommended in the Design Principles. This building also extends higher than the Design Principle envelope, with the 21 storey tower being approximately 9 storeys taller than envisaged in the incorporated document.

Segment	**Design Principle height**	**Proposed height**	**Complies?**
3m deep portion adjacent to Gough Street	RL19	AHD15.75 to AHD21.5	No. The first 3m of development adjacent to Gough Street is at most, 2.5m taller than the Design Principles
3m deep segment behind	RL19.8	AHD21.5	No. The second 'step' along Gough Street is 2.5m taller than the Design Principles
Maximum tower height beyond	RL38	AHD65.6	No – 27.6m above the Design Principles
2.16m deep string adjacent to Harcourt Parade	RL 19.6	Approximately RL13	Yes

It is noted that the 'RLs' in the Design Principles have been taken to correlate to AHDs as opposed to a height in metres. This view is supported when officers reviewed the background files to the amendment that allowed the site to be rezoned from Business 3 to Comprehensive Development 3.

The Design Principles of the CDZ3 aim to:

- *Maintain a low rise edge to the Gough Street residential interface to the north.*
- *Provide an appropriate stepped built form along the Gough Street frontage.*
- *Retain the visual prominence and landmark qualities of the Nylex sign and clock and the 1960's silos which support this heritage feature.*

The result of this massing is:

- a form that does not appropriately transition with the low scale development to the north of Gough Street (generally single storey housing stock);
- a 'closed off' pedestrian entry from Gough Street, undermining the:
    - contribution of the open space area beyond;
    - views to the Nylex sign as a pedestrian along Gough Street and the residential hinterland to the north (alebit in a close range to the site); and
    - daylight, thermal comfort and outlook enjoyed from the adjacent open space area within the site, due to the 6 storey built form wall to the north (outlined as an open 'funnel' from Gough Street in the Design Principles).
- a solid 'wall' to Harcourt Parade which goes beyond the 'strengthening' of the built form edge to the freeway and river as per the Design Guidelines, resulting in:
    - an unreasonable impact on the visual amenity along the River and as viewed from the adjoining Municipality (City of Stonnington);
    - unreasonable overshadowing of the Yarra River; and
    - an impact on views to the sky and long distance views due to the stacked form of B6 and B8 (and stages 1 and 3 when considered holistically);
- a large 'mass' when viewed in the round due to the northern and southern 'wings' of B8 having limited central separation; and
- other internal amenity issues that will be addressed later in this report.

The external urban design advice received by Council noted that the whilst a variation to the CDZ3 may be considered by Council (noting the reference in the CDZ3 is that variations which are 'not minor' may be considered), the advice summarised that the variation to this massing in the western end of the site does not have any positive on-site private or public amenity impacts, rather simply offers a higher density (or yield) for the developer.

Considering the impact of B6 and B8 together, not only is B8 a larger footprint and is approximately 9 storeys taller than envisaged in the Design Principles (which were incorporated into the Scheme following an extensive Amendment process, with urban design background and analysis being prepared by Hansen), a 20 storey tower is proposed within 9m of B8 (known as B6).

The Design Principles did not contemplate a new building in the location of B6, rather the existing building would be retained.

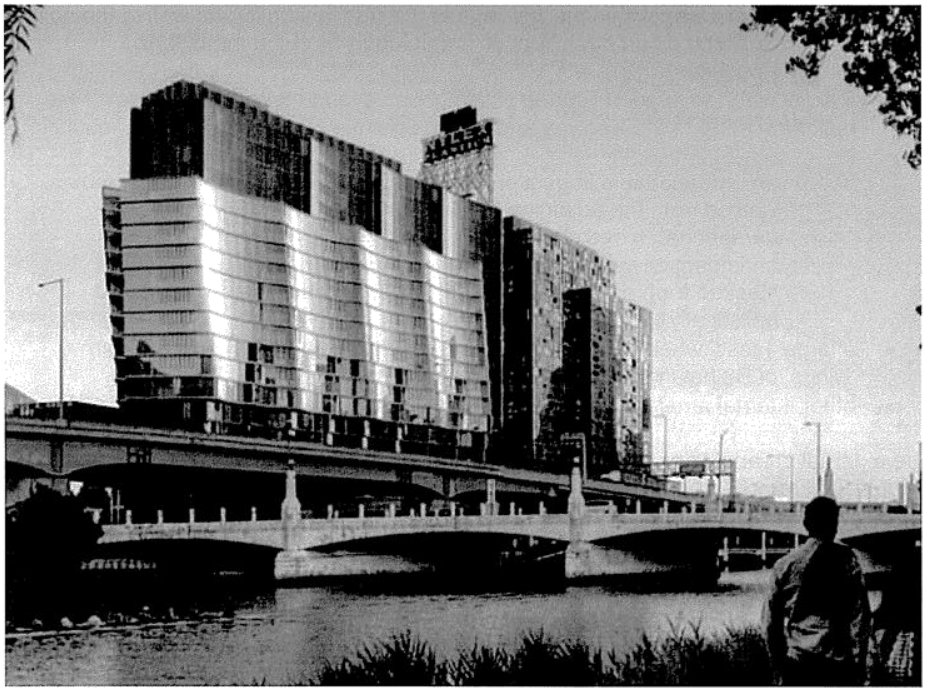
It is noted that the SSSP states that developments should:

> '*Incorporate building separation, setbacks and articulated built form to avoid the appearance of a solid wall of buildings along the southern boundary of the precinct.*'

Council's external Urban Design Advice notes that the cumulative impact of B6 and B8 would adversely affect the visual amenity and enjoyment of the River environs and would appear as one large mass as a result of the limited (9m minimum) separation between the 20 and 21 storey forms. This mass would also be accentuated due to the similar design language adopted across both facades (primarily glazing, albeit B8 is an 'inverted silo' and B6 has a varied composition of glazed framing elements). To address this, Council's external Urban Design Advice recommended that:

- the buildings be broken into a campus of buildings;
- a minimum 15m separation should be provided between B6 and B8; and
- the Applicant re-visit the overall height of the proposal, being guided by the stage 1 VCAT interim order which recommended a height reduction of approximately 4 storeys (to approximately 15 storeys) due the impact on views to the Nylex Sign.

It is noted that the elevations provided do not show B6 and B8 on the one elevation. Nevertheless, the perspectives demonstrate this issue:



B6 and B8 would read as a continuous 98m long building (excluding the 9m 'break' between towers, which cannot be appreciated from this angle).

Further consideration must be given to the shadowing issue resultant from this height and mass. The CDZ3 aims:

> '*To ensure that development on the site will complement and enhance the Yarra River environs*'.

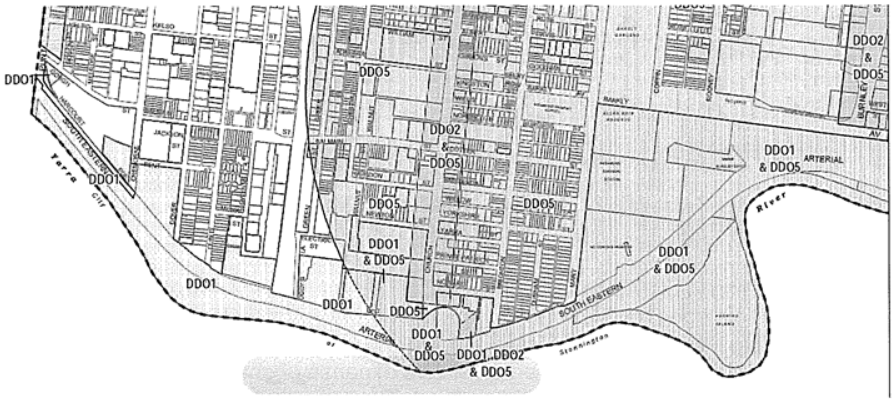
The SSSP aims to:

> '*Ensure that no additional shadow is cast across the north bank of the Yarra River between 11.00am and 2.00pm on 21 June.*'

In addition, an objective of the DSE Guidelines is:

> '*To protect sunlight access to public spaces.*'

The recently gazetted DDO1 does not apply to this site when it extends across the ex-industrial river edge properties as the Comprehensive Development Zone (Schedule 3) includes a building envelope which if met, would not cast additional shadows over the river (this exercise was undertaken by officers using shadow drawn on the provided B6 Fender Katsalidis booklet).



In any event, the DDO1 aims:

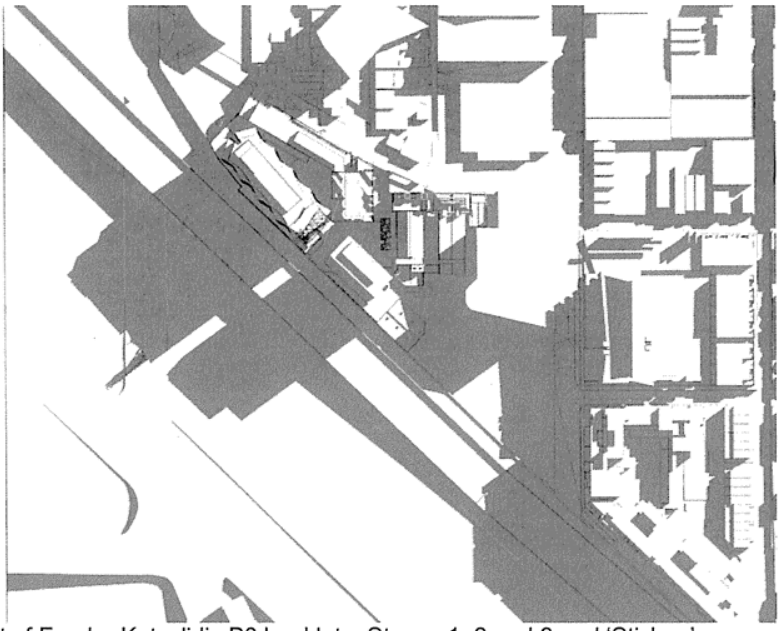
> '*To minimise overshadowing of the river corridor at all times of the year*'.

These objectives should be applied to this development as one means of achieving the purpose of the CDZ3.

The shadow diagrams provided by the Applicant include a set which show stages 1, 2 and 3 of the 2 Gough/17-21 Harcourt Parade development and the proposed 'Stiches' site redevelopment east of Cremorne Street (noting that along with stage 3, the stiches site is a combined planning permit/Section 98A amendment).

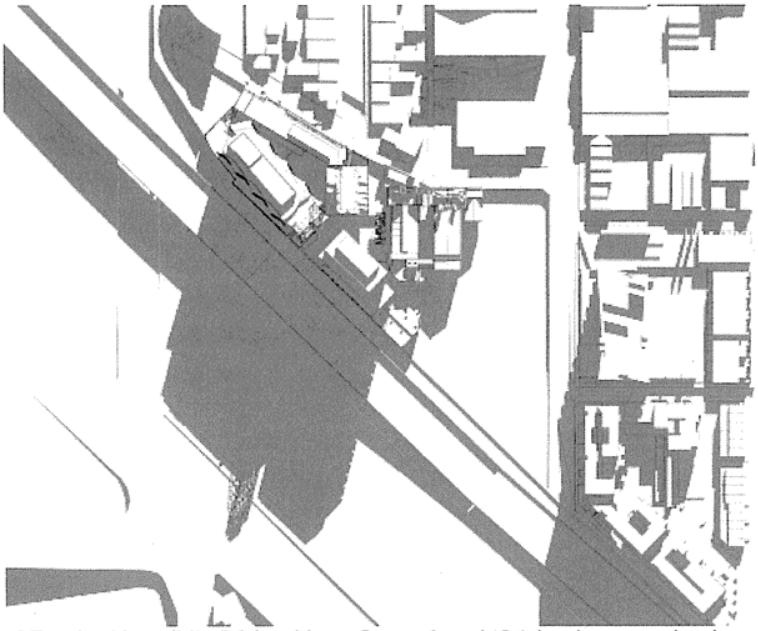
The diagrams show that:

- Between 9am and 11am at the September equinox, the shadowing impacts of the Yarra River would be significant.



Extract of Fender Katsalidis B6 booklet – Stages 1, 2 and 3 and 'Stiches' proposal – 9am September Equiox

- Interestingly, the Applicant only provided Winter Solstice shadow diagrams showing stage 2 of 2 Gough Street and the proposed Stiches development (omitting stages 1 and 3 of the Gough Street proposal). Nevertheless, the result between 9am and 11am is an extensive expanse of shadowing for one of the state's greatest assets; the Yarra River. The external Urban Design Advice received by Council also raised concern with only receiving Winter Solstice studies at 11am, midday and 2pm (noting that the impact at 9am would obviously be worse than shown in the selected hours).

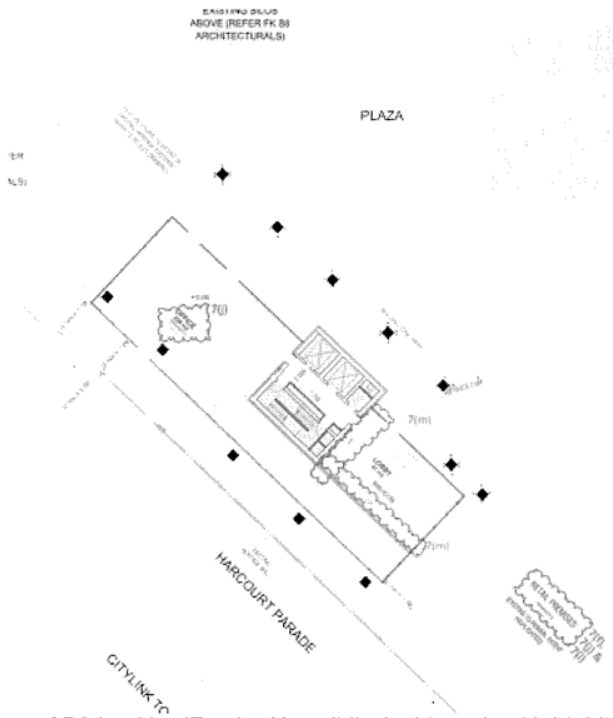


Extract of Fender Katsalidis B6 booklet – Stage 2 and 'Stiches' proposal only – 11am Winter Solstice

Whilst stage 1 was not accepted by VCAT as being problematic in terms of shadowing of the river, stage 2 is closer to the river and taller. As the above shadow diagrams demonstrate, even the impact of stage 2 alone would cast significant shadows over the river at both the September Equinox and the Winter Solstice. This is not supported by Council where there is both existing policy and a recent strengthening of policy to protect the river environs in the State.

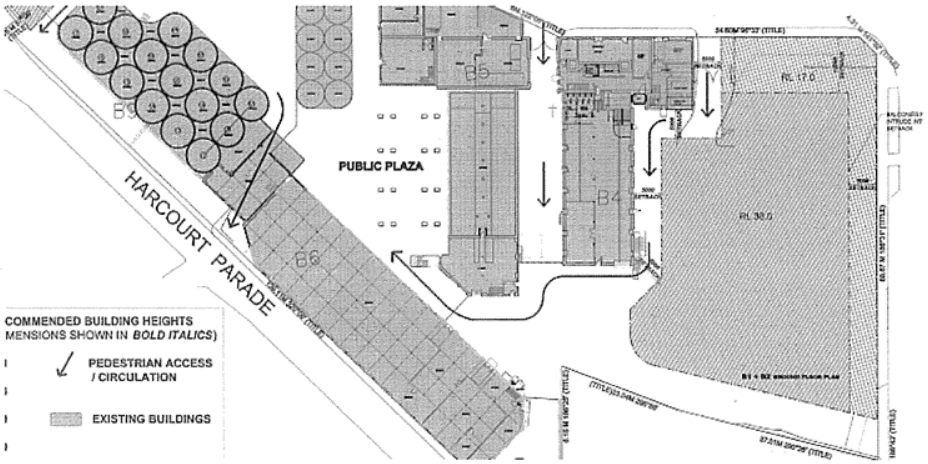
Again, this is another marker of an overdevelopment with the massing and height of the proposal failing to respect the site context.

Another issue with the massing of the development is the proximity of B6 (20 storey form) and B5 (3 storey heritage fabric). These forms are setback 8m at the ground level, however the positioning of columns impacts the functionality of this pathway (B6 columns as close as 2.6m to B5 and their placement is staggered). This severely obstructs the east-west pedestrian movements within the site.



Extract of B6 booklet (Fender Katsalidis Architects), with highlighted area showing the 8m ground floor setback between B6 and B5.

B5 extends to approximately level 3 of B6 and is positioned as close as 3.9m (excluding columns) across levels 1 to 3. This will be further explored in the on-site amenity section of this assessment, however this massing also compromises the pedestrian access / circulation route identified in the Design Principles (highlighted below).



Other massing issues will be raised in terms of communal open space impacts later in this report.

Finally, the buildings and works to B4 and B5 must be considered. Given the works are limited to restoration works to heritage fabric, they are considered to achieve the following objective of the Design Principles:

> *'Conserve and enhance the key heritage features of the site which depict the various stages of the malting process since the late 19th Century.'*

It is noted however that the Lovell Chen booklet refers to the original stage 1 proposal and has not been updated to reflect the VCAT interim order response plans circulated by the Applicant in April 2016. This could be addressed by way of a permit condition, should a permit issue.

Accessibility

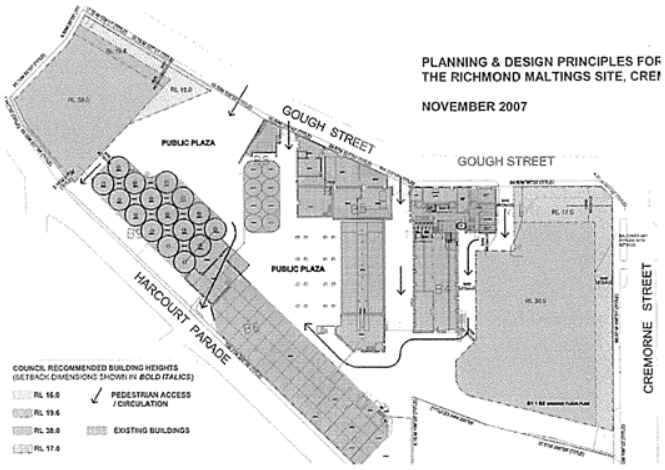
The Design Principles outline a number of key links to be provided into and through the site. In particular (as relevant):

- *Facilitate safe, convenient and legible public access into and through the site.*
- *Create a vibrant plaza edged by key heritage buildings which act as an activity node as well as significant place to view and interpret these buildings.*
- *Establish well defined and legible entries to the site which contribute to the sense of address.*
- *Provide opportunities for pedestrian access through the site to Harcourt Parade to the south and the Punt Road bridge. Options for any future potential pedestrian access across or along Harcourt Parade are to be the subject of full discussion and negotiation between VicRoads, CityLink, Council and the land owner.*

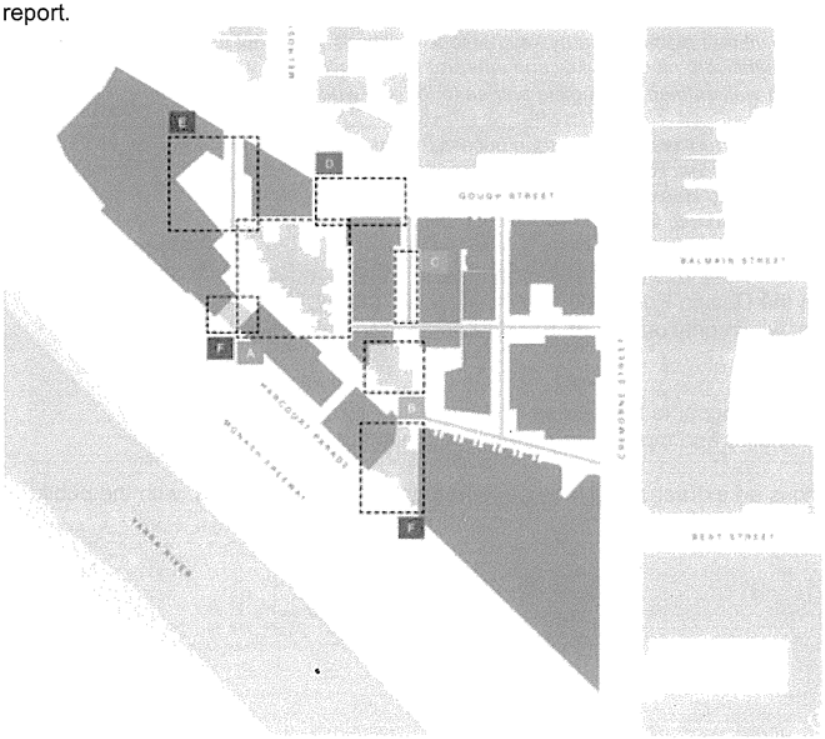
As has already been indicated, the footprint of B8 has extended further east than was envisaged in the Design Principles. The result is a 5 storey, 71m long building to Gough Street which only offers a 6.1m wide pedestrian entry to the westernmost courtyard.

Comparing the proposal to the Design Principles, the open space areas are significantly smaller and more constrained by tall built form.

The following is an extract of the map page from the Design Principles, with the public plaza areas highlighted.



The following is the special character overview suggested in the Applicant's landscape report.



In reality however, the level 2 plan of B8 shows how constrained the above 'public spaces' are.

Due to cantilevered building forms, not only are the areas highlighted above smaller than envisaged in the Design Principles, the current proposal introduces 6 and 8 storey forms to the north of these spaces. This would significantly impact the sunlight, daylight, thermal comfort, outlook and general experience of these spaces. This deviation from the Design Principles is not supported by Council officers and would compromise the built form outcome of the site.

Public open space contributions

Council's Open Space Unit has confirmed that whilst the site is in an area where land in lieu of cash is the preferred contribution method, Council's Open Space Unit support cash contribution in this instance as:

- the open space areas are above a basement. Council does not typically accept land above basements due to liability and maintenance concerns;
- the open space areas would not receive adequate solar access or visual access and would be unreasonably overwhelmed by the proposed buildings;

Should a permit issue, the Permit Holder would be informed of this requirement in the form of a notation.

Street, public space quality and safety

The SSSP includes a strategy to:

'*Investigate opportunities for streetscape improvements.*'

- *Provide open space set back at ground & 1st floors at Cremorne end of Gough Street.*
- *Widen footpath and provide street planting adjacent to roads. Refer to landscape drawing for details.*

This report has already outlined how this application has failed to provide an open pedestrian entry space at the ground level along Gough Street (i.e. the 'funnel' in the western end of the site). However, the application has positively widened the footpath along Gough Street through both a setback of the new built form and a narrowing of the Gough Street roadway.

In addition to these public realm improvements, Council's Open Space Unit support the inclusion of street trees and raised platforms along Gough Street to provide an improved interface with properties to the north.

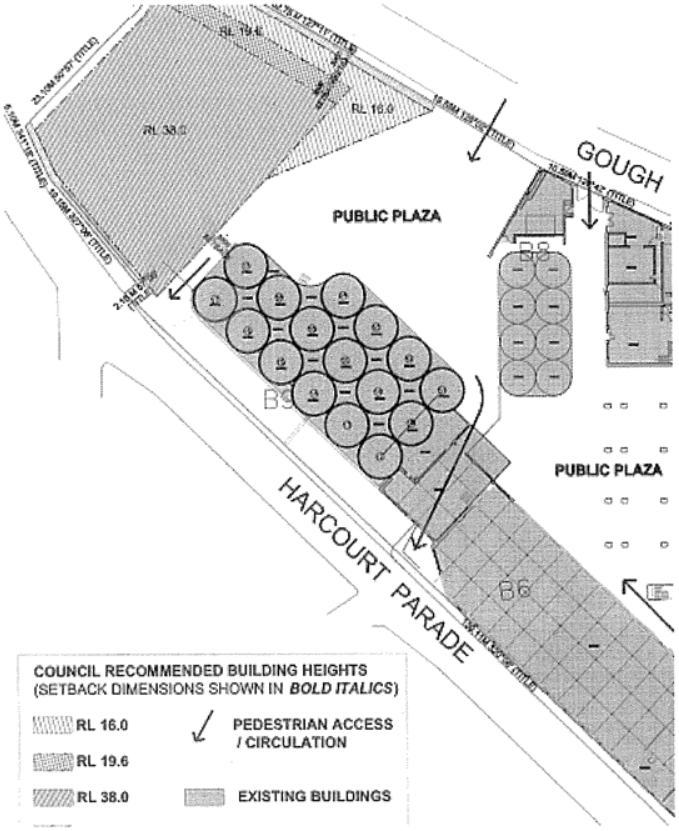
Council's Construction Management Unit (in conjunction with the Engineering Services unit) and Council's Open Space Unit suggested a number of road and footpath upgrades (outlined in the 'referral' section of this report). These should be imposed by way of a permit condition, should a permit issue.

A key failing of this application, as articulated by Council's external urban design advisor is the proposal's failure to provide '*meaningful improvements to connections between the subject site and the River front trail*'.

The Design Principles aim to:

> *'Provide opportunities for pedestrian access through the site to Harcourt Parade to the south and the Punt Road bridge. Options for any future potential pedestrian access across or along Harcourt Parade are to be the subject of full discussion and negotiation between VicRoads, CityLink, Council and the land owner.'*

The accompanying plan suggests the following options.



This will be explored further in the bicycle parking section of this assessment, as these access paths would provide a crucial link to the Main Yarra Trail.

Council's Urban Design Unit also recommended a number of other public realm improvements, however they were generally problematic as a reasonable nexus could not be drawn with the proposal or they require collaboration with VicRoads and Transurban and could not be imposed as conditions on permit.

Architectural quality, colours and materials

The external urban design advice received by Council noted that at the general landscaping approach and material selection around B4 and B5 'is exemplary'. However, as this report has already outlined, the primary issue with the proposal is the architectural expression is that B6 and B8 are too similar (large expanses of glazing) and the scale is too great.

The CDZ3 states that development should:

> *'Integrate public artwork and creative lighting displays on the site which add vibrancy, colour and visual interest to the site.'*

Should a permit issue, a condition should require a public artwork plan to be submitted to Council's satisfaction. This could assist in telling the story of the rich industrial history

of the site and area and the CDZ3 focus on creating active and interesting public spaces.

It's also noted that a schedule of colours and materials (including samples) was not provided with the application. This should be imposed by way of a permit condition, should a permit issue.

Wind

The DSE Guidelines aim:

> '*To ensure new tall buildings do not create adverse wind effects*' (objective 2.10).

The application included a wind tunnel test report, prepared by Vipac. Council had this report peer reviewed by MEL.

The peer review supported the Vipac report, however the following conditions were recommended for any permit issued:

- details of the type, size and density of foliage of trees used to mitigate wind impacts; and
- additional wind measurements must be taken further west along Gough Street and further north along Gough Place.

It is also noted that the Vipac report does not confirm that the northern B5 café outdoor seating area would fulfil the sitting criteria (only assessed as a 'walking' area). Should a permit issue, this could be addressed by way of a permit condition.

Landmarks, views and vistas

The Planning & Design Principles of the CDZ3 includes an objective to:

> *'Retain the visual prominence and landmark qualities of the Nylex sign and clock and the 1960's silos which support this heritage feature.'*

Policy at clause 22.03 of the Scheme aims to:

> '*protect views to the silhouette and profile of Yarra's valued landmarks to ensure they remain as the principal built form reference.*'

Whilst also aiming to:

> '*ensure the profile and silhouette of new tall structures adds to the interest of Yarra's urban form and skyline.*'

Further, the CDZ3 Planning & Design Principles aim to:

> '*Strengthen the built form edge to the Monash Freeway and the Yarra River while allowing for access to sky and long distance views.*'

Clause 22.03 does not identify where key viewlines are to be taken from when assessing the impact on these landmarks and signs. However, the SSSP identifies views along the CityLink as being the key views to this sign.

The Applicant provided a viewline analysis (prepared by Fender Katsalidis Architects). The analysis demonstrates that the approximately 20m elevation of the sign (above its existing location) on top of B8 would not impact views 'in the round'.

However, Council's external urban design advisor (in addition to an overall height reduction) recommended that the height of B6 be lower than the frame of the Nylex Sign. It is currently 2 storeys (including the plant level) taller than this framing element. The viewline analysis demonstrates that this would compete with the dominance of the sign.

Another consideration is the impact of moving the sign on top of a glazed building (and next to another primarily glazed building (being B6 and B8). At night, officers are concerned that the luminous nature of the buildings would impact the legibility or dominance of the sign as the 'principal built form reference'. This issue goes hand-in-hand with the architectural quality and material comments already made in this report, and whilst fatal to this assessment, the Applicant is urged to undertake further lighting studies and potentially a review of the materiality of the host (B8) and adjacent building (B6) to ensure the sign remains a dominant feature in the skyline.

Site coverage/Permeability

Clause 22.16 addresses stormwater management and is important when considering issues of site coverage and permeability. The policy aims to improve stormwater quality and incorporate stormwater treatment measures into the design of developments.

The proposed level of site coverage is generally supported in this location, being an inner suburban, former industrial location. The built form issues with this application do not pertain to site coverage, rather layout, massing and height.

The application included STORM reports for each building segment, committing to 70% (B4 and B5), 118% (B6) and 103% (B8). Council's ESD Advisor supported the stormwater treatments for B6 and B8, however the 70% commitment for B4 and B5 was not supported. Given approximately 80% of the Municipality is affected by a Heritage Overlay, this is insufficient grounds to warrant non-compliance with Council's best practice stormwater treatment standards and clause 22.16. However, this is not considered to be fatal to this application and could be addressed by way of a permit condition, should a permit issue.

Landscaping

Council's Open Space Unit reviewed the landscape master plan and generally support the approach, however, the following was recommended:

- additional canopy tree planting throughout the development, including shade tolerant canopy trees along internal access ways, and more green space is included throughout the development;
- plans showing:
    - a plant schedule indicating the location, species type, quantities and pot size of proposed planting;
    - levels, materiality, size and location of all proposed open space areas;
    - details of green walls/facades and maintenance (particularly where in full-shade);
    - detailed cross-sections with soil depths, demonstrating must be adequate to maintain tree growth;
    - garden bed dimensions;

  - areas of paving and proposed materials
  - location of tree planting – distances from buildings and other infrastructure (e.g. over the basement levels or under the overhang of the towers);
  - details of proposed irrigation to trees, lawn and garden bed areas
  - WSUD features/treatments; and
  - clear delineation of public/private interface.
- a maintenance program;
- *Schinus molle* and *Robinia pseudoacacia* should not be used as they are often considered a weed and would easily self-seed into waterway, such as the Yarra River;
- a mixture of native and exotic species should be selected to afford a seasonal change; and
- tree selection will be critical given must of the site will be in shade.

These items are not fatal to this assessment and could be addressed by way of a permit condition, should a permit issue.

Service infrastructure

The DSE Guidelines aim:

> '*To treat roof spaces and forms as a considered aspect of the overall building design.*'

The proposal includes plant and equipment levels on top of B6 and B8. Whilst it is unfortunate that the proposal has not incorporated these elements into the building (e.g. part of the topmost level), this is not considered to be fatal to this assessment.

Urban design summary

The height, massing, setbacks and articulation of the proposal would unreasonably impact the amenity of the site and the surrounding area, contrary to the purpose and decision guidelines of the CDZ3. Whilst variations which are 'not minor' to the Design Principles are contemplated by the Zone, the variations sought in this instance would result in a substandard built form outcome.

<u>On-site amenity</u>

Access, layout and circulation

Objective 5.3 of the DSE Guidelines is:

> '*To create functional, flexible, efficient and comfortable residential apartments.*'

Design suggestion 4.3.1 of the DSE Guidelines is to:

> '*ensure that the main entry and individual dwelling entries allow for the delivery or removal of large furniture items.*'

Whilst the entries are generally well designed, Council's external urban design advice recommended '*a minimum of 2100mm for lift lobbies, 1800m at the entry to dwellings and the greater of 1500mm or as required for DDA compliance for visitability for the balance of units*'. This is not considered to be fatal to this application and could be addressed by way of a permit condition, should a permit issue.

Overlooking

Objective 2.9 of the DSE Guidelines aims:

> '*To maximise residential amenity through the provision of views and protection of privacy within the subject site and on neighbouring properties.*'

The key issue with this application from an overlooking perspective is the proximity of the north and south wings of B8. They create a 'pinch point' of 4.7m (eastern end) where the serviced apartments interface with the dwellings. Whilst this interface could be screened (a potential permit condition), it also highlights the internal amenity concern with regard to privacy, outlook, massing and daylight impacts.

As was suggested by Council's external urban design advisor, for a site of this size, minimum 9m separations should be provided to minimise the need for screening.

Noise

The CDZ3 aims to:

> *'Ensure that new development or refurbished / converted buildings for new residential and other noise sensitive uses, located on the southern part of the site directly adjacent to the Monash Freeway, include appropriate acoustic measures as outlined in AS 3671-1999 "Acoustics – Road Traffic Noise Intrusion – Building Siting and Construction", to attenuate noise levels internally within the building.'*

Clause 22.05 of the Scheme deals with interface uses, aiming to protect the amenity of existing and proposed dwellings and ensure that existing businesses can operate without being unreasonably burdened by the introduction of new dwellings.

Council engaged SLR to undertake a peer review of the Applicant's acoustic report. SLR noted that they:

> *'…provided review of the Stage 1 application for this site, and also presented our findings and opinions in VCAT. Some of the issues raised as part of this current review of Stage 2 are similar to those raised for Stage 1.'*

SLR recommended the following conditions, should a permit issue:

- background level music only in the commercial tenancies, with no external loudspeakers; and
- the acoustic report should address SEPP N-1 and N-2 and the interface of commercial and residential tenancies.

However, as per stage 1, the main conflict between RTA and SLR was the internal acoustic levels suitable for the proposed dwellings. SLR commented that:

> *'This is the noisiest and most impacted location we have ever considered in the City of Yarra in terms of traffic noise. As such, the potential for amenity and health impacts due to noise are significant.'*

While RTA have adopted an average maximum acoustic level approach, SLR state that the maximum levels experienced in the area could significantly impact the amenity of occupants (i.e. the average could appear acceptable but het 'peak' periods would significantly impact the amenity of dwellings). SLR notes that using the 'maximum'

targets instead of the 'satisfactory' targets in the Australian Standard result in a 10dB variation (nosier in maximum).

The targets adopted by RTA are also 4 dBA worse than the worst standard recommended in the AAAC star rating guide (2 stars). SLR noted that the adopted RTA targets do not align with NSW policy, WA policy or the World Health Organisation Guidelines (ranging from 30dBA to 35dBA for bedrooms and 40 dBA for living areas).

Should a permit issue, this could be addressed by way of a permit condition, ensuring that the proposal meets the following:

- *Design internal spaces to the average of the AS2107 range when using the long term averages.*
- *Design the loudest hour to the maximum of the AS2107 range for the particular space / period.*

SLR also referenced clause 22.05 of the Scheme, which aims to mitigate amenity impacts of interface uses by considering the massing and layout of developments. However, this is difficult in a development of this scale (it would be difficult to simply align living areas or just commercial areas adjacent to the freeway). However, if the 'wall' of B6 and B8 to the freeway was re-massed and lowered in height (as per the urban design assessment), this would reduce the number of apartments along this sensitive interface.

Finally, the plans do not include details of any fresh air ventilation for the buildings. A condition however, could clarify if this was proposed and ensure it was addressed in any acoustic report.

Private and communal open space

Objective 6.1 of the DSE Guidelines is:

> '*To ensure access to adequate open space for all residents.*'

The guidelines for this objective state that:

> '*If a balcony is intended to serve as private open space it should be of sufficient size to accommodate outdoor seating, with good connections between these spaces and the building's interior*'. In addition, objective 6.3 is '*To allow solar access to the private and shared open spaces of new high density residential units.*'

Council's external urban design advisor noted that 6m² appears to be the 'standard' developers are applying for today. However, the majority should be 8m², with some tolerance for a proportion of 6m² balconies where suitable communal open space areas have been provided.

This issue in this instance is especially problematic where the communal open space areas within the development would be shadowed throughout the day; impacting their amenity as 'secondary' open space areas for residents.

Reviewing the shadow diagrams provided by the Applicant, the 3 main open space areas (B8 pool deck, central courtyard within B8 and the sunken lawn south of the retained silos would remain within shade for the majority of the day. Again, this is a result of a poorly massed proposal, which has failed to appreciate the urban design concepts behind the Design Principles.

Solar amenity and daylight to windows

Objective 5.4 of the DSE Guidelines is:

> '*To ensure that a good standard of natural lighting and ventilation is provided to internal building spaces.*'

Whilst minimum separation distances are not included in the Yarra Planning Scheme, a common-sense approach would suggest that a 20-21 storey building should be offered greater separation distances than the typical 9m separation accepted in a number of VCAT decisions (including *Cremorne Corporation Pty Ltd v Yarra CC [2008] VCAT 1202 (2 July 2008)*).

The DSE Guidelines include the following relevant objective and design suggestions:

> *'OBJECTIVE 2.6:*
> - *To ensure areas can develop with an equitable access to outlook and sunlight.*
> - *DESIGN SUGGESTION 2.6.1: CONSIDER THE POSSIBLE FUTURE DEVELOPMENT OF ADJOINING SITES AND ALLOW, AS BEST AS POSSIBLE, OR AN EQUITABLE SPREAD OF DEVELOPMENT POTENTIAL THROUGHOUT THE AREA.*
> - *DESIGN SUGGESTION 2.6.3: PROVIDE SPACING BETWEEN TALLER BUILDINGS TO PROVIDE OUTLOOK, DAYLIGHT ACCESS AND PRIVACY FOR RESIDENTS.'*

Firstly considering B8, the northernmost and southernmost wings are provided with a minimum 2.3m separation. As the northernmost wing is up to 7 storeys high, the impact of this separation is significant for a number of north facing apartments within the southern wing and the easternmost segment of serviced apartments (within the retained silo form). This is unacceptable for a site of this size and demonstrates the point that the deviation from the CDZ3 Design Principles has not resulted in an improved or even a 'status quo' outcome (compared to amenity outcomes envisaged within the Design Principles) when considering the CDZ3 decision guidelines.

The next 'pinch point' is between B6 and B8. Although the apartments at this interface are generally orientated to the north or south, a 9m separation between a 20 storey and a 21 storey tower is not sufficient for providing reasonable daylight, ventilation, outlook or amenity for apartments. This would be exacerbated by the adoption of a low (2.65m) floor to ceiling heights, which would further reduce daylight, ventilation and the perception of outlook from these dwellings.

When this issue of the interface between B6 and B8 is considered hand-in-hand with the massing or 'wall' impact of the proposal adjacent to the freeway and river, a greater separation between B6 and B8 would both enhance the daylight, ventilation and outlook afforded to residents, and provide a visual break between built form along the southern boundary of the site. It is noted that the external urban design advice received by Council suggested a minimum 15m separation between towers, however officers will not be as prescriptive, as a number of factors could inform what an 'appropriate' separation could be (e.g. if the tower heights are reduced, if the materials are modified so B6 and B8 don't look so similar).

As has already been outlined in the height section of this report, the proximity of B6 and B5 raises concerns for ground level circulation and level 1 to 3 internal amenity for B6. Focusing on internal amenity, where a 3.9m minimum separation has been provided at levels 1-3, Council's External Urban Design Advice suggested a minimum

6m building separation to afford a reasonable level of amenity, daylight and outlook for the community facilities and dwellings on levels 1-3 of B6. This is too substantial to address by way of a permit condition and as per the other massing, height and setback issues contained in this report, is considered to be fatal to this assessment.

Storage

Objective 5.5 of the DSE Guidelines is:

> '*To provide adequate storage space for household items.*'

The development only includes 294 'above bonnet' storage lockers. This is insufficient for the needs of 399 dwellings. Whilst this is not typically seen as a fatal issue to a planning assessment (it is typically an issue which could be dealt with by way of a permit condition), the proposal has failed to provide storage for 105 dwellings.

Further, the 'above bonnet' systems are not typically supported for all storage lockers, where these lockers are typically limited in size. Whilst officers are not advocating the need for 6m³ per dwelling, numerous VCAT decisions (including *U1 Stanley Street Pty Ltd v Yarra CC [2012] VCAT 1455*, paragraph 92) have supported at least 3m³ of storage for dwellings in this type of development (e.g. high density apartment style).

The number and style of storage cages is therefore considered to be fatal to this assessment and would impact the amenity for future residents.

Internal circulation/way finding

This is not considered to be an issue, however given the scale of the development, a signage plan could be imposed by way of a permit condition.

On-site amenity summary

The proposal, notably the deviations from the Design Principles, is considered to result in poor levels of internal amenity for residents. These issues are considered to be fundamental to the general approach the Applicant has taken to the massing of the development and are too significant to address by way of permit conditions. These issues are therefore considered to be fatal to this assessment.

Off-site amenity/development potential

The DSE Guidelines are the most relevant tool when assessing off-site amenity and development potential. However the following decision guidelines are listed in the CDZ3 (section 4):

- *Interface with nearby areas.*
- *The preservation of the amenity of nearby residents.*
- *The visual impact of the building or works on the impact of the area*

Each interface will be considered in turn.

North

The proposal adjoins Gough Street to the north. The land further north is zoned Neighbourhood Residential, Schedule 1. As this land has a maximum 9m height

control, this further accentuates the need to provide a more appropriate transition along the Gough Street 'podium' (currently proposed at 6 storeys).

However, this issue is considered to be a general urban design issue (as already outlined in this report) as opposed to an immediate amenity or equitable development concern.

West

B8 has been appropriately massed with regard to equitable development for the property to the west (an underutilised 'car park' also containing a major promotional sign). The podium would be built to the boundary up to level 2, along with the introduction of a courtyard at this level. However, the serviced apartments and dwellings would be setback at least 5.9m from the western boundary, ensuring the principle of equitable development (outlined previously in this report, with the 4.5m and 4.5m shared responsibility) being met.

The plans however, detail what appears to be metal louvres along the western elevation. As the subject site does not enjoy a light and/or ventilation easement right along this boundary, a condition could ensure that the wall is solid, perhaps with a similar metal screen in front for a similar architectural resolution. However this application should not create an unreasonable expectation that daylight or ventilation will be provided from this adjacent site.

South

The setbacks from the south do not bring rise to equitable development concerns, rather off-site amenity or overshadowing and visual bulk impacts of the B8 and B6 'wall' to the freeway and river as has already been addressed throughout this report.

East

The development interfaces with stages 1 and 2 to the east.

B6 and B8 are sufficiently setback from stage 1 to ensure that the proposal would not unreasonably impact the amenity of any approved development in this segment.

B6 is also setback approximately 26.5m from stage 3 (17-21 Harcourt Parade). This ensures that equitable development could be achieved on this property (should the S96A application progress) or alternatively, that the approved office development would not be unreasonably impacted (should the permit holder act on planning permit PL08/0921).

Off-site amenity and development potential summary

Subject to the conditions outlined in this report, the proposal would not unreasonably impact the amenity of nearby dwellings or the development potential of adjoining sites.

Environmental sustainability

State and Local Policy encourage ecologically sustainable development. Clause 21.07-1 specifies that this includes environmentally sustainable design measures as they relate to energy and water efficiency, greenhouse gas emissions, passive solar design, natural ventilation, stormwater reduction and management, solar access, orientation and layout of development, building materials and waste minimisation.

The Applicant submitted a Sustainable Management Plan [**SMP**] prepared by Simpson Kotzman. The SMP made a number of ESD commitments, including a commitment to achieving Council's best practice standard of a 10% improvement on the minimum NCC required NatHERS rating (average 7.2 Star average NatHERS rating in B8 and 6.5 Star average rating in B6).

Assessing each category in turn:

- energy and water efficiency – The minimum 10% above BCA requirements would ensure that a reasonable level of water and energy efficiency is achieved. However, given the scale of this development and the ease of incorporating these measures as the design stage, conditions should require the following:
    - details of hot water systems for dwellings;
    - nominated showerhead flowrate and WELS efficiency;
    - solar photovoltaic system(s) to contribute to common area electricity consumption; and
    - foldable clothes drying racks fixed to each balcony or within laundries or bathrooms.

- greenhouse gas emissions – The main issue or concern in terms of greenhouse gas emissions is the reliance on mechanical cooling due to large amounts of glazing. The sample NatHERS ratings ranged from 18-22MJm2 (moderate) to 90MJm2 (extreme) in some instances. Council's ESD advisor recommended that all exposed north, east and west facing glazing not protected by balcony overhangs and/or in dwellings with cooling loads higher than 30MJ/m2/pa be shaded from summer sun angles with adjustable awnings, blinds, screens, shutters, louvers or similar. This could be addressed by way of a permit condition, should a permit issue.

- solar access and passive solar design – Council's ESD Advisor does not support the minimum ceiling height of 2.65m, recommending they be increased to 2.7m for natural daylight, ventilation and amenity. These heights were accepted in stage 1, however in conjunction with the minimum separation of the tower forms (in particular, the minimum 2.3m and 4.7m 'pinch points' between both arms of B8), these dwellings (the northern dwellings in the Harcourt Parade wing of B8) would not receive adequate solar access. This is considered to be fatal to this assessment and will form a ground of refusal.

- natural ventilation – The B6 and B8 floorplates are as deep as 7m-7.5m in some instances across the living/dining kitchen areas. This is not supported for single aspect apartments and would result in poor levels of natural ventilation. This issue is exacerbated with these rooms being positioned behind wintergardens, further restricting their access to ventilation. To address this, Council's ESD Advisor recommended that:
    - the percentage of operability of winter garden façade be increased to a minimum width of 2m (this width was confirmed in a subsequent email from the Advisor);
    - mechanical fresh air via a HRV be provided to supply rates 50% above the minimum requirements in AS1668;
    - ceiling fans be included to improve natural ventilation in all single aspect dwellings; and
    - all kitchens have extraction fans (not re-circulating ranges).

These items could be imposed by way of permit conditions, should a permit issue.

Whilst the B8 corridor has windows, a condition should ensure that they are openable.

There is no natural daylight or ventilation provided to the B6 communal corridors. However, the north-western end of the corridor could be extended through the rearrangement of the adjacent apartment to provide an external window. This could be addressed by way of a permit condition, should a permit issue.

The B4 and B5 offices would be afforded adequate natural ventilation, provided a condition is imposed on any permit issued to ensure that the windows are openable.

- stormwater reduction and management – This has been addressed previously in this report, however subject to a condition ensuring that the B4 and B5 stormwater treatments meet a minimum 100% compliance (requiring more of the roof area to be connected to the tank), the objective of this standard is met.

  In terms of the finer ESD details of stormwater treatment however, the following conditions should be imposed on any permit issued to ensure the commitments can be achieved:
  - rainwater tanks to be shown on plans (could be captured by a generic 'items as per the ESD report' condition 1 requirement);
  - ESD report updated to justify the demand for garden irrigation for B6 and B8; and
  - number of toilet connections in the SMP to correlate with the STORM report.

- orientation and layout of development – The building separation of the 2 B8 wings has already been raised as an issue and would result in poor levels of amenity for the northern Harcourt Parade wing of B8. Whilst this could be tolerated for the serviced apartments, this is not acceptable for residents of dwellings.

- building materials – Council's ESD Advisor generally supports the palette of materials, however a condition should be imposed on any permit issued to ensure that FSC accredited timber is used.

- waste minimisation – The SMP makes a commitment to:
  - use timber from certified sustainable forests;
  - achieve 90% recycling of demolition and construction waste;
  - source steel from an environmentally sustainable steel maker; and
  - constructed pipework, flooring, blinds and cables using environmentally certified PVC.

Whilst a number of issues could be addressed by way of a permit condition, the layout and massing of the development is considered to result in substandard levels of natural daylight, ventilation and direct sunlight for the dwellings in the Harcourt Parade wing of B8 and is therefore not supported.

Aboriginal cultural heritage

The site is within 500m of the Yarra and therefore, the impact of the proposal on the Aboriginal Cultural Heritage significance of the land must be considered.

The Applicant submitted a Preliminary Cultural Heritage Study, prepared by Ecology and Heritage Partners. The report confirms that the site has been subject to significant ground disturbance, so r. 23(2) of the *Aboriginal Heritage Act* 2006 applies and a mandatory Cultural Heritage Management Plan is not required before a permit can be issued. In any event, the report included core samples within the stage 2 area, no Aboriginal artefacts of areas of archaeological likelihood have been identified within the study area.

Land subject to inundation overlay

This section of the assessment will be based on the decision guidelines contained at clause 44.04-6 of the Scheme.

It has already been identified that Melbourne Water have objected to the application. Assessing the proposal against the decision guidelines and considering the 1 in a 100 year flood level for the property, it is understood why Melbourne Water has concerns with the introduction of high density residential land uses on this site. Not only are ground level entrances below the flood level, but if vehicular entries are not appropriately treated, the development includes 3 levels of basement which could be flooded.

Officers support the grounds of objection raised by Melbourne Water and as required by the Act, will be imposed on any Notice of Refusal to Grant a Permit issued.

Signage

Clauses 22.04 and 52.05 are the most relevant to this assessment, namely the relocation of the Nylex sign.

This is a unique assessment, in that the sign iconic to Melbourne, is on the Victorian Heritage Register and is protected under Council's Landmarks Policy (Clause 22.03).

The silos on which the sign sits are proposed to be demolished, which will be assessed by Heritage Victoria. In any event, this application seeks to reposition the Nylex sign on top of the 21 storey building (Harcourt Parade section of B8).

Whilst policy at clause 22.04 and 52.05 generally aims to ensure that signs do not unreasonably dominate views of vistas or impact heritage areas, this sign is clearly of heritage significance and the views to the sign are protected under local policy.

The sign would therefore be 21m higher on top of the new building. However, the sign would continue to be perpendicular to the Citylink. The Applicant included a viewline analysis (prepared by Fender Katsalidis). The analysis confirmed that the repositioned sign would be visible from the intersection of:

- Balmain and Gwynne Streets;
- Domain and Punt Roads;
- Davidson Street and Punt Road; and
- Dobson Street and Punt Road.

Should a permit issue, clause 52.05-6 states that a permit for a major promotion sign must include conditions that specify:

- *'That the sign must not:*
  - *Dazzle or distract drivers due to its colouring.*
  - *Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles.*
  - *Be able to be mistaken as an instruction to drivers.*
- *An expiry date which is 15 years from the date the permit is issued unless otherwise specified in this clause. This does not apply to a permit for major promotion sign for a special event or temporary building shrouding.'*

The provision also states that an alternative expiry condition must be no less than 10 years and no more than 25 years. Given the iconic nature of the sign, a 25 year expiry would be supported.

Should a permit issue however, the following should be required by way of a permit condition (due to limited information being provided on the application plans):

- the dimensions of the sign;
- the colour, materiality and lettering style of the sign;
- the type and level of illumination; and
- confirmation that the clock will be turned on.

Car parking / traffic

Traffic

The stage 1 officer report description of the traffic conditions of Cremorne remains relevant:

> *'Cremorne is a unique pocket within Yarra. Although this site has been zoned for comprehensive redevelopment, the area is physically 'land locked' when traffic movements are considered. There are few 'in' and 'out' roads leaving limited options. Drivers wishing to leave Cremorne to go into the City are typically directed towards the Cremorne/Swan Street intersection as exits leading directly to Punt Road only allows for southbound travel. Entries from the east area also generally taken via Balmain Street (from Church Street) as the road dips under the train line, allowing east-west movements within the suburb.'*

The policy assessment from the stage 1 report also continues to be relevant:

> *It is important to lay out the state and local policy context. Clauses 18 and 21.06 of the Scheme encourage alternatives to private motor vehicle usage, including walking, cycling and public transport. The SSSP specifies the following objectives and strategies for the River Edge Precinct:*
>
> *Access and Movement*
>
> *Objectives*
> - *To reinforce Balmain Street and Cremorne Street as the primary road network for vehicle movement in and out of the precinct.*
> - *To improve connections to the public transport network to the north and east.*
> - *To create a highly walkable and cycle friendly environment.*
>
> *Strategies*

- *Develop Balmain Street as an improved pedestrian route.*
- *Investigate opportunities to improve pedestrian and bicycle access to the Capital City Trail.*
- *Investigate ways to manage potential increase in traffic volumes and flows and demand for car parking.*

The CDZ3 includes the following decision guidelines (as relevant):

> *'The accessibility of the site to vehicle traffic.'*

Council (and its expert, Traffix Group) acknowledged that the traffic conditions in this area would need to be managed through higher level strategic planning and is not necessarily the responsibility of individual developers.

The interim VCAT order for stage 1 (Caydon Cremorne No.1 Development Pty Ltd v Yarra City Council, Interim order P1969/2015) confirmed this, stating:

> *73. The second observation we make about the Council's submission is that the strategic analysis of the cumulative traffic impacts of developments in the Cremorne precinct is a matter that is, at least partly, in the hands of the Council, and VicRoads. Notwithstanding the fact that the rezoning of the review site occurred in 2008, and that the wider Cremorne precinct has been earmarked for significant redevelopment for some years, we were not presented with any substantial strategic traffic analysis or related policy development for the precinct undertaken by the Council.*

As a result, the proposal is not considered to unreasonably impact traffic conditions in the area, given the existing conditions and the responsibility of Council and VicRoads to act on a known problem.

It has been noted however, that Council's Engineering Services Unit does not support the full narrowing of Gough Street as suggested by the Applicant. This could unreasonably impact traffic movements in the street. However, segments could be narrowed to show down traffic. This detail could be addressed by way of a permit condition, should a permit issue.

Car parking

The stage 1 officer report description of the car parking conditions of Cremorne remains relevant:

> *'When managing car parking, it is important to note that all parties acknowledge that on-street car parking spaces are in 'high' demand (page 22 of the GTA report). Developments in this pocket, especially of this scale, therefore need to be self-sufficient and cannot rely on on-street parking.'*

The CDZ3 includes the following decision guidelines (as relevant):

- *The likely demand for car parking spaces.*
- *The demand for car spaces generated by the uses established in previous stages of the development.*

When assessing stage 1, Council also formed the position that a surplus of car parking was being provided given the known traffic conditions/constraints of the area. This was accepted by VCAT in its interim order, which accepted the Traffix expert evidence rates:

74. *In this case, the major dispute between the Council and the applicant in relation to traffic management and car parking relates to the quantum of car parking provided for this proposal. The Council submits that excessive parking is proposed and the provision of car parking should be reduced and greater emphasis placed on encouraging sustainable transport options such as the use of bicycles and scooters, walking and public transport.*

75. *The Council relied on the evidence of Ms Dunstan on these issues. It is Ms Dunstan's evidence that based on her empirical analysis, parking should be provided at a rate of 0.5 spaces per one bedroom apartment, 0.7 spaces per two bedroom apartment, 1 space per three bedroom apartment and 0.12 spaces per dwelling for visitors. The application of these rates to the residential component of the proposal equates to a parking provision of 148 spaces plus 33 for visitors (181 total).*

76. *The statutory requirement for parking under the CDZ3 generates a parking requirement for the residential component of 311 spaces.*

77. *The applicant proposes to provide 236 resident spaces (including the SOHO offices and apartments) plus 33 visitor spaces at the rate of 0.81 spaces per one bedroom apartment, 1.15 spaces for two bedroom apartments and 1.43 spaces for three bedroom apartments, plus resident visitor parking at 0.12 spaces per dwelling (269 total). It is the evidence of Mr Kiriakidis that this provision is consistent with his empirical analysis of parking demand generated by this proposal.*

78. *The areas of difference between the two witnesses relate to issues of public policy and the different approaches to undertaking empirical analysis of parking demand.*

79. *With respect to public policy, it is Ms Dunstan's evidence that there is support in the planning scheme at a broad policy level, for limiting car parking supply as a component of encouraging sustainable transport options and managing traffic generation impacts generally. Clause 21.06 of the Municipal Strategic Statement (MSS) is relevant in this respect. It states that:*

    > *Parking availability is important for many people, however in Yarra unrestricted car use and parking is neither practical nor achievable. Car parking will be managed to optimise its use and to encourage sustainable transport options.*

80. *Clause 21.06-3 of the MSS states that new large developments are required to prepare and implement integrated transport plans to reduce the use of private cars and to encourage walking, cycling and public transport use.*

81. *Mr Kiriakidis acknowledges the public policy dimension of this issue but queries the extent to which such an approach is justified on this site, and the benefits associated with limiting parking generally. Mr Kiriakidis considers that the developer of the site is probably in the best position to assess the market demand for car parking.*

82. *On this aspect of the dispute, we are sympathetic to the Council's position and agree that there is at least high level policy support in the planning scheme for the approach advocated by the Council. We are troubled at the lack of local policy development on this issue, especially as it relates to the Cremorne precinct, and the review site specifically. There is for example no car parking overlay applicable to this site of the type that applies in parts of, for example, the City of Melbourne where maximum rates are specified and a permit required to exceed the maximum. There is no local policy in the planning scheme applying to Cremorne or the review site specifically of the type referred to us during the hearing in which the Council, having analysed the issue, specifically encourages lower parking rates in new development, in the area affected by the policy.*

83. *The Swan Street Structure Plan probably contains the strategic analysis that comes closest to representing a policy position of the type that would lend weight to the*

Council's submissions on this point. Largely it is a document that sets the scene for more detailed analysis and policy development at a local level. The Structure Plan does however address Cremorne and the various precincts that comprise it, and acknowledges that traffic congestion is likely to increase as development proceeds, and there is therefore a need to promote sustainable transport options. A range of objectives and strategies are recommended around this theme.

84. *There is broad, although not unanimous, agreement between the parties about the contextual issues that inform decisions around the provision of car parking, and the need to encourage sustainable transport options as a means of addressing in part, traffic generation and congestion. Ms Dunstan described public transport access as "excellent" but Public Transport Victoria (PTV) in its response to the referral of the application commented that the site is not ideally located with regard to public transport and increased provision of public transport to the area is challenging. PTC further commented that the provision of car parking must be informed by the limited connection to public transport.*

85. *We have described previously the review site's proximity to the fixed rail network and we are satisfied that the site has reasonable access to public transport, enjoys access to bicycle infrastructure, is located in an area which exhibits "walkability" features, has access to an activity centre and is close to the Melbourne CAD. Ms Dunstan described the area as being subject to high levels of traffic congestion in a constrained street network. Mr Kiriakidis broadly agreed with that assessment. He stated that key roads providing access to Cremorne and the review site are at or approaching their practical capacities.*

86. *There is a wide range of initiatives needed to address the traffic congestion issues in Cremorne. Most of these initiatives are beyond the control of the applicant in this case, and are the responsibility of the Council and VicRoads. Limitations on the provision of car parking is however one component of a wider strategy necessary to address traffic congestion generally and, in Cremorne specifically, that does fall within the ambit of the applicant's responsibility. Notwithstanding our reservations about the Council's lack of detailed policy analysis and development on this issue, the existing levels of congestion in Cremorne calls for an approach that at least begins the process of reducing the reliance on car dependency and encouraging increased use of alternative transport methods. The review site is one site where this approach can be usefully employed.*

87. *Our conclusions on this matter are primarily influenced by the policy considerations associated with the management of the proposal's contribution to the traffic congestion being encountered in Cremorne. We have also been usefully informed by the empirical analysis carried out by both Mr Kiriakidis and Ms Dunstan on parking demand. As we have discussed above, both witnesses came to different conclusions about the quantum of car parking generated by the proposal. The source of the differences derives from the use of ABS data and the method by which social housing is accounted for in the analysis of that data. It is not necessary for us to resolve the dispute between the witnesses by making findings about the analysis of ABS data. While the analysis by Mr Kiriakidis presents a parking rate more akin to the applicant's assessment of the market preference for parking, Ms Dunstan's analysis provides us with some comfort that a reduced provision based on lower rates, can at least contribute to encouraging alternative transport options, without compromising development viability.*

The following table applies the rates suggested for stage 1 by Council's expert, and subsequently accepted by VCAT.

	Rate (per dwelling)	Number of dwellings	Requirement suggested in previous interim VCAT order	Provision
1 bedroom	0.5	208	104	314
2 bedrooms	0.7	164	114	
3 bedrooms	1	27	27	
Dwelling visitors	0.12	399	47	Access to 105 'shared spaces' with office, retail, restaurant and café visitor/customer
TOTAL			**292**	

The Applicant's car parking demand assessment outlined the following:

- Dwellings (399) – ABS data for the Richmond (noting that the data for Cremorne is relatively small to be statistically significant) suggests that existing car ownership rates at 33% for 1BR, 17% for 2BR and 11% for 3BR dwellings. Notwithstanding these statistics, the Applicant's traffic report suggests rates of 0.55 spaces per 1BR, 1 space per 2BR and 1.35 spaces per 3BR (or 314 car parking spaces).

- Residential Visitor – Using a case study on Victoria Street in Abbotsford, the Applicant suggested that the proposal would have an empirical residential visitor parking rate of 0.04 spaces per dwelling (15 spaces).

  However, the Victoria Street example is not considered to be comparative, given the Victoria Gardens shopping centre and car park is located across the road. Numerous VCAT decisions along Burnley and Victoria Streets have accepted lower visitor parking rates based on the proximity of the Victoria Gardens shopping centre car park. This will be discussed later.

- Serviced Apartments (78) – Using empirical evidence from 6 similar uses within metropolitan Melbourne, the Applicant's traffic report suggests a peak car parking demand of 39 spaces.

- Office (2153m²) – The Applicant's traffic report has accepted the CDZ3 rate for office parking, however it is noted that these spaces would have a lower demand on weeknights and on weekends and could be shared with other uses.

- Retail (639m²) – The Applicant's traffic report suggests that the key customer group would be walk-up-trade; allocating no on-site spaces for visitors. However, a rate of 1 per 100m² has been allocated for retail staff (the report incorecty identified a demand for 3 spaces where the retail area is actually 639m², which is a demand for 6 car parking spaces).

- Restaurant (241m² or 195 seats) – The Applicant's traffic report refers to an empirical rate of similar restaurants in metropolitan Melbourne would be in the

order of 0.25 spaces per seat during peak periods (generating a demand for 48 car parking spaces).

- Café (383m² or 105 seats) - The Applicant's traffic report refers to an empirical rate of similar cafes in metropolitan Melbourne would be in the order of 0.11 spaces per seat (generating a demand for 11 car parking spaces).

Given the varying anticipated parking demands throughout the day, the 'worse case' scenario is considered to be lunchtime on a typical Friday, which would see a demand for 475 car parking spaces.

Table 5.5: Car Parking Demand Summary and Sharing Assessment (Friday)

Land Use		Time of Day				Demand at Peak Time (1:00pm)
		9:00am*	1:00pm	5:30pm*	8:00pm	
Dwellings	Apartments**	314 spaces	314 spaces	314 spaces	314 spaces	314 spaces
	Visitors	0 spaces	2 spaces	3 spaces	13 spaces	2 spaces
Serviced Apartments**		39 spaces	39 spaces	39 spaces	39 spaces	39 spaces
Office	Staff [1]	49 spaces	49 spaces	49 spaces	0 spaces	49 spaces
	Visitors	4 spaces	5 spaces	2 spaces	0 spaces	5 spaces
Retail	Staff	3 spaces	3 spaces	3 spaces	2 space	3 spaces
	Visitors	0 spaces	0 spaces	0 spaces	0 spaces	0 spaces
Café	Staff**	2 spaces	2 spaces	2 spaces	2 space	2 spaces
	Visitors	2 spaces	15 spaces	8 spaces	15 spaces	15 spaces
Restaurant	Staff**	15 spaces	15 spaces	15 spaces	15 spaces	15 spaces
	Visitors	0 spaces	31 spaces	9 spaces	60 spaces	31 spaces
TOTAL		**428 spaces**	**475 spaces**	**444 spaces**	**460 spaces**	**475 spaces**

* Peak parking demands during the AM and PM peak road network times, respectively
** 100% car parking allocation
[1] Allocated car parking for office staff from 7am to 7pm Monday to Friday. Office closed on Saturday

Extract from Applicants traffic report (GTA).

Councils external traffic expert (Traffix) used their own empirical evidence and applied the accepted dwelling rate (as per the VCAT interim order) and calculated a parking demand for 445 spaces.

Use	Size/No.	Recommended Parking Provision (Note 1)	Parking Rate	Notes
Residential and Serviced Apartments				
One-bedroom apt.	208	104 resident spaces	0.5 car spaces/at	As per VCAT decision for Stage 1
Two-bedroom apt.	164	115 resident spaces	0.7 car spaces/apt	
Three-bedroom apt.	27	27 resident spaces	1 car space/apt	
Resident Subtotal	*399*	*246* resident *spaces*		
Serviced Apartments	78	39 resident spaces	0.5 car spaces/serviced apartment	Empirical rate
Subtotal		**285 spaces**		
Unbundled car parking				
Residential Visitors	399 (apartments)	160 car spaces	0.12 spaces/apt.	As per VCAT decision for Stage 1
Office	2,114m²		90% of the 2.6 spaces per 100m² parking rate	Empirical rate consistent with Stage 1.
Retail	288m²		1 space per 100m²	Staff only, negligible customer demands Consistent with Stage 1.
Cafe	150 seats		Based on a peak demand 0.25 spaces per seat and 20% staff demand	Empirical rate
Restaurant	300 seats			
Subtotal		**160 spaces**		
Total Car Parking Required		**445 spaces**		
Parking Proposed		**425 spaces***		

Notes: 475 car spaces proposed originally, however 50 spaces set aside in Stage 1 since been removed following the VCAT decision.

Extract from Traffix report.

As a result of the Traffix car parking demand review, their calculations indicate a parking shortfall of 20 spaces. Council's Engineering Services Unit agree with this assessment, further stressing that:

> *Since it is proposed to remove 23 on-street car spaces along Gough Street as part of the development, it would be imperative for the development to accommodate the shortfall of 20 spaces within the site.*

To address this shortfall, Traffix recommend that the cafes not be permitted to operate in the evenings (they later clarified that they should close at 5pm). This would reduce the demand by 15 spaces and would ensure that the site is reasonably self-sufficient in terms of parking supply. (Both the Applicant's and Council's Traffix experts have accepted that car parking is at maximum capacity on-street in the area.)

In terms of more general car parking access, layout and management considerations, the following were raised by Council's Engineering Services Unit and Traffix and most could have been dealt with via permit conditions, had a favourable recommendation resulted:

- Car parking management plan – managing the sharing of uses.

- Details of the car lift, adequately dimensioned on the plans, confirming it will accommodate a B99 design vehicle, along with swept path diagrams and a queueing analysis.
- A minimum head room clearance of 2.1m throughout the car park.
- Swept paths for car parking spaces adjacent to the dead end of aisles (B99 vehicle size or designated as small car spaces).
- Swept paths demonstrating that the internal ramps can support simultaneous two-way traffic flow (B99 vehicle size).
- Cross sections demonstrating that vehicles will not scrape or bottom out when using the new Gough Street crossover.
- Improved visibility at the western side of the vehicular entrance.
- The new crossover to Gough Street must be constructed in accordance with Council standards.
- The existing vehicle crossing servicing Gough Street must be demolished and reconstructed as footpath, kerb and channel.
- Swept path diagrams of the easternmost angled parking space (located in the mid-section of each basement level). These bays may need to be designated as small car spaces.
- Upon the completion of all building works and connections for underground utility services, the footpaths and kerb and channel immediately outside the property's Gough Street road frontage must be reconstructed to Council's satisfaction.
- The cross-fall of the reconstructed footpath must be no steeper than 1 in 40 as per DDA requirements.
- The road pavements immediately outside the development's Gough Street road frontage must be profiled and re-sheeted to Council standard.
- A construction management plan must be provided.
- Any damage to Council assets must be reinstated prior to the occupation of the building.
- All pedestrian access to the development must be DDA compliant.
- Public lighting must be provided and meet Australian Standard AS/NZS 1158.3.1:2005 *Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements.*
- Standard asset impact/relocation/damage conditions.
- Standard drainage requirements – which should be imposed by way of a notation, as opposed to a condition (not strictly planning related).

Councils Engineering Services Unit also commented on the waterproofing of the building and management of rainfall run-off. However, it is noted that Melbourne Water have objected to the application on this basis; indicating that this is an issue the Applicant must address.

VicRoads recommended a condition deleting the works within the RDZ1. It is unclear if this is a zoning anomaly (given it's a narrow [approximately 1.5m wide strip at the southern end of the site]), however the purpose of the 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 identify significant existing roads.*
- *To identify land which has been acquired for a significant proposed road.'*

It seems counterproductive to orderly planning objectives (clause 65) if a development is approved within a road zone. Therefore, the VicRoads condition should be imposed

on any permit issued. In the event this is a zoning anomaly, the Applicant can apply to re-zone this strip of land. The condition would then become redundant in this event.

Car parking / traffic summary

Subject to the restriction of café hours (not permitted to operate into the evenings), the on-site parking provision is anticipated to meet the needs of the development.

Whilst traffic is acknowledged as being an issue within the precinct, the solution will be a wide-spread or larger picture response and is not the responsibility of this Applicant.

Notwithstanding the above, there are a number of conditions which have been recommended in this car parking/traffic assessment, which should be imposed on any permit issued.

Bicycle facilities

The application includes 258 bicycle parking spaces. These spaces would be split between each of the basement levels 1 and 2 of building 8 and the ground floor of building B8.

- The Application included a cyclist strategy, however the application material does not correlate or confirm that/if the suggested strategies have been adopted (e.g. lower speeds in Gough Street, shared zone treatments, modified traffic signs, etc.).

With a statutory requirement of 145 spaces, the application exceeds the Scheme requirements in terms of bicycle parking provision. However the application does not achieve Council's 'best practice' standard, being in excess of 1 bicycle parking space per dwelling. This is especially important considering clauses 18 and 21.06 of the Scheme, along with the car parking reduction sought.

Council's Strategic Transport Unit made the following comments (summary):

- Options for a link between the site and the Main Yarra Trail should be explored across Harcourt Parade.
- The existing crossing at Gough Street and Punt Road is of poor quality as the crossing/storage space is tight.
- A link from this site to the Main Yarra Trail across Harcourt Parade would benefit the broader Cremorne area (not just this development).

Notwithstanding the above, should a permit issue, conditions should also be imposed to ensure that:

- at least 1 bicycle space is provided per dwelling (in addition to bicycle parking provided for the commercial/office tenancies);
- the design of the bicycle parking spaces can accommodate a bicycle of the minimum dimensions of 1.7m in length, 1.2m in height and 0.7m in width at the handlebars; and
- bicycle signage is provided as per clause 52.34-5 of the Scheme.

Waste management

The waste management plan provided by the Applicant was found to be deficient in a number of areas by Council's Services Contracts Unit. In particular:

- the WMP must be written as a standalone document;
- all waste must be collected internally;
- more details are required, such as, plans of bin rooms, plans of collection point, path of access for users, collection contractor vehicles and tenants;
- signage in bins rooms is required;
- a tenant/occupier information kit must be provided;
- bin rooms appear too small to fulfil their function;
- a hard waste area must be provided and collections must be undertaken by the property manager by private contractor;

Due to the number of outstanding matters relating to waste, these issues are considered to be fatal to this assessment.

Objector concerns

The following concerns have been addressed throughout this report:

- impact on the heritage fabric (including the silos and buildings B4 and B5) and this iconic site;
- stages 1-3 should be considered holistically;
- overdevelopment, height and visual bulk;
- high residential density should not be supported;
- non-compliance with the Design Principles, Yarra Planning Scheme and Swan Street Structure Plan;
- the site is a commercial, not a residential zone;
- impact on the character of the area;
- impact on the Nylex sign (visibility and questioning if it will be turned on again. Also requests for additional perspectives);
- design detail – the development looks too modern;
- off-site amenity, including:
    - overshadowing of the Yarra River and Era building;
    - visual bulk;
    - impact on footpaths (should be widened but not at the expense of the carriageway);
    - overlooking;
    - loss of vistas;
    - inadequate setbacks;
    - no positive contribution to the public realm;
- poor internal amenity, including:
    - low floor to ceiling heights;
    - insufficient tree planting/greening;
- impact on the Yarra River;
- traffic congestion (including impact on emergency service vehicles and pedestrian safety. One suggestion was that clearways be implemented);
- insufficient loading bay provision;
- parking along Gough Street should not be removed; and
- the reduction in car parking sought would impact the area (the area already has limited on-street parking, which is also exacerbated by the nearby sporting precinct).

The following items have not been addressed:

- off-site amenity, including:
    - light pollution;

The site is relatively well removed from nearby residential uses when light spill is concerned (approximately 10m). This is therefore not considered to be an issue.

    - noise (people and traffic);

The proposed land uses are considered to be a reasonably complementary use to the surrounding residential properties. The conditions contained in this report (primarily relating to hours of operation) further ensure this.

Given the roads in the area are already heavily congested, the traffic generated by this development is not anticipated to create adverse noise impacts.

    - air pollution from additional vehicles;

Again, given the site is positioned within one of Melbourne's busiest areas for traffic (adjacent to the CityLink/Monash Freeway and near Punt Road/Hoddle Street), an additional 175-182 traffic movements in the peak AM and PM periods is not anticipated to unreasonably impact the existing air quality.

- this application will create a precedent;

Each application must be considered on its own merits, with sites having their own unique context and policy application.

- small apartments and bedroom sizes;

The apartment sizes and layouts are generally supported, however this report has acknowledged that the balcony sizes (6m²) are insufficient. Internal amenity has also been raised as an issue by Council's ESD Advisor, as has been outlined in this report.

- inadequate dwelling diversity (including insufficient 3 bedroom dwellings);

The interim VCAT decision raised concern with 80% of the development being single bedroom units (paragraph 91 of order). This application offers 52% 1BR, 41% 2BR and 7% 3BR. The VCAT interim decision also highlighted the lack of specific policy direction on this point. However, this application is considered to have a more even spread of unit types (across 1 and 2 bedrooms at least) and would reasonable achieve dwelling diversity objectives.

- the proposal would not achieve housing affordability objectives;

By providing a range of apartment sizes, configurations, orientations and some units without car parking, the proposal would achieve a reasonable range of prices.

- the open space should be open to the public 24/7;

The plans do not include a 'gate' to fence this area off and it is understood that the intention is that the public plazas would remain open 24/7. A condition could always be imposed to this effect.

- impact on infrastructure (including broadband);

Whilst the application is not considered to unreasonably strain existing infrastructure of services, the impact on broadband services is unknown. Officers have taken a similar approach to the Tribunal in cases where impact on TV reception has been raised. The issue of broadband, whilst important to the objector party, essentially falls outside of the realm of planning. In any event, the site has been earmarked for comprehensive development and any capacity issues associated with the internet would need to be addressed by those service providers.

- do not support traffic lights at the intersection of Punt Road and Kelso Street;

The application does not include works to this intersection (a suggestion in the GTA report only).

- Kelso Street only has parking on one side (referenced as both sides in the Traffic Report);

Traffix are aware of this error in the GTA report.

- the proposal may obstruct planes and helicopters;

The site is not close to a hospital or airport to bring rise to this concern.

- vehicular entries should be limited to Cremorne Street;

Council supports the vehicular entry along Gough Street, which has been consolidated into one entry/exit (as opposed to a scenario with multiple entries/exits which may significantly impact traffic flows). This approach also meets the Design Principles which state that proposals should:

'Restrict vehicle access points to the eastern and western ends of the site thus maximising the opportunities for a pedestrian dominated environment within the site itself.'

- Transurban objection:
  - impact of construction process on the CityLink (including safety and operational disruption);
  - *To the satisfaction of CityLink, the applicant is to display that building maintenance (fronting Harcourt Parade) will not impact the operation of CityLink roadway either by virtue of closing ramp or limiting road width etc.*
  - *Building materials/finishes fronting Harcourt Parade should discourage the act of graffiti.*
  - *Landscaping is not to front Harcourt Parade (without any fencing or similar) in order to reduce maintenance activities from road side and reduce any potential foliage falling on the roadway and/or impacting driver sightlines.*
  - *To the satisfaction of CityLink, the applicant is to display that the finish of the building will not result in sunlight reflection that may dazzle drivers increasing the risk of collisions on CityLink.*

The above concerns could be addressed by way of permit conditions.

- *It is understood that a proposed strategy is to provide better cycling connections between Harcourt Parade and the Capital City Trail. This would potentially involve installation of bicycle lanterns and kerb build out to Harcourt Parade. To the satisfaction of CityLink, the applicant is to display that this proposal will have no impact to existing and future operation of the Harcourt Parade ramp having consideration for, but not limited to, maintenance activities, traffic volumes, over dimensional vehicle access, the existing emergency lane catering for broken down vehicles to stop etc.*
- *Pedestrian/Bicycle access not to be permitted adjacent Harcourt Parade which forms access to the CityLink tollway and forms part of CityLink Lease boundary.*

The proposal does not include a pedestrian/cyclist link across Harcourt Parade, yet it is noted that Transurban would entertain this idea, should be above be demonstrated.

- plan inaccuracies (streets labelled incorrectly, parking location incorrectly referenced);

Officers are quite familiar with the site and any errors such as this would not impact the outcome of this assessment.

- questioning if the traffic report has considered all stages;

The traffic report has considered the impact of all stages of the development.

- impacts during the construction phase;

A construction management plan condition would be imposed on any permit issued.

Conclusion

Based on the above report, the proposal does not comply with the relevant Planning Scheme provisions and planning policy and therefore Council does not support the application.

RECOMMENDATION

That had Council been in a position, it would have issued a Notice of Refusal (PLN15/1176) for the development of the land for buildings and works, including the construction of two buildings, ranging from 6 to 20 and 21 storeys (plus 3 basement levels), use of the land as accommodation (dwellings and serviced apartments), retail and shop, reduction in the car parking requirements and construction and display of a sign at 2 Gough Street, Cremorne VIC 3121 based on the advertised plans (received by Council 18 March 2016) on the following grounds:

1. The application does not promote the purposes of Schedule 3 to the Comprehensive Development Zone so as to produce an acceptable outcome particularly in so far as it:

   (a) does not adequately conserve and enhance key heritage buildings;

(b) does not complement and enhance the Yarra River Environs;
(c) will prejudice the amenity of the surrounding area due to the density, scale and character of the development;
(d) does not retain the visual dominance and views of the landmark Nylex sign and associated silos;
(e) does not provide for an adequate open plaza which is sufficiently accessible to the surrounding community; and
(f) does not provide a high quality architectural response to the site and is not respectful of the scale and form of buildings within the site and its immediate environs.

2. The application is contrary to clause 37.02 (Comprehensive Development Zone, Schedule 3 of the Yarra Planning Scheme) in that the development is not generally in accordance with the *Planning and Design Principles for the Richmond Malting Site, Cremorne – November 2007)* and does not achieve the purposes of the Comprehensive Development Zone, Schedule 3.

3. The height, siting and layout of the proposed development does not provide for an acceptable outcome with regard to the Comprehensive Development Zone, Schedule Plan being the *Planning and Design Principles for the Richmond Malting Site, Cremorne – November 2007).*

4. The height, massing, setbacks and design detailing would result in a poor urban design outcome. Specifically, the proposal would:
(a) result in unreasonable visual bulk;
(b) unreasonably overshadow the Yarra River;
(c) create inadequate communal spaces (open plazas) within the development;
(d) fail to provide functional pedestrian links within the site and a pedestrian/cyclist link across Harcourt Parade; and
(e) unreasonably impact views to and the prominence of the Nylex Sign.

5. The height, massing and setbacks of the buildings and the design of balcony areas would result in poor on-site amenity and an unacceptable environmentally sustainable development outcome.

6. The waste management arrangement is not functional, particularly given the constrained traffic and parking conditions around the site.

7. The proposal fails to provide adequate storage space for residents.

8. The proposal is not consistent with the orderly planning of the area.

Melbourne Water Grounds

9. The proposed development is inconsistent with State Planning Policy relating to drainage and floodplain management.

10. The proposed development is inconsistent with the purpose and decision guidelines set out in the Land Subject to Inundation Overlay (LSIO) within the Yarra City Council Planning Scheme.

11. The proposed development is inconsistent with Melbourne Water's 'Guidelines for Development in Flood-prone Areas.

12. The proposed development is inconsistent with Melbourne Water's flood flows//flood storage requirements for development in floodprone land.

13. The proposed development is inconsistent with Melbourne Water's Freeboard / Site safety access Requirements for development in flood-prone land. Advice Please note that as the Responsible Authority under Section 61 (2) of the Planning and Environment Act 1987 you must refuse to grant the permit if Melbourne Water (the relevant referral authority) objects to the permit. Please be advised that should the application be amended or a new application lodged, separate approval from Melbourne Water must be obtained.

Signed: Dated: 14 June 2016

Mary Osman
Manager Statutory Planning

Attachment 14 - PLN15/1176 - 2 Gough Street Cremorne - Open space unit comments

Memo

diverse

vibrant

exciting

inclusive

To: Sarah Thomas

Cc:

From: Carrie Lindsay

Date: 9/06/17

Subject: PLN15/03552 Gough Street, Cremorne

VCAT Formal Amended Plans

Dear Sarah,

I refer to the VCAT Planning Stage 2 VCAT Proceedings P1604/2016 Rev A plans prepared by Oculus and dated 5 June 2017. The submitted plans contain a Ground Floor Plan, Landscape Character Plan and a Grading Plan. I note the plans have not changed significantly since the version dated 15 May 2017, so many of the comments made previously still apply.

With respect to the proposed open space provision and landscape design, the plans provide some indication of green space versus hard-scape and however they contain very limited information in terms of circulation, terracing of spaces, and it is very difficult to differentiate between seating elements, retaining walls, paving treatments etc.

General comments

- We recommend that some detailed sections at a larger scale are provided that specifically address the landscape treatments referenced in the Landscape Character Plan.
- Further information is required on the proposed landscape treatments referenced in the Landscape Master Plan, including:
    - Garden bed dimensions
    - Proposed areas of paving and proposed materials
    - Location of proposed tree planting – distances from buildings and other infrastructure, planting proposed over the basement levels or under the overhang of the tower?
    - Details of proposed irrigation to trees, lawn and garden bed areas
    - Clear definition of terraced spaces, retaining walls, seating elements and other structures independent of paving treatments (currently indistinguishable on the submitted plans)
    - Opportunities to incorporate WSUD
    - Clear delineation of public/private interface
- A detailed landscape plan with plant schedule indicating the location, species type, quantities and pot size of proposed planting should be provided.

Attachment 14 - PLN15/1176 - 2 Gough Street Cremorne - Open space unit comments

Landscape Character Plan

Landscape Buffer

- The landscape buffer along Harcourt Parade is significantly overshadowed by the adjacent buildings, so shade tolerant species would need to be selected.
- It is not clear what is happening along the ground plane at this point, but need to be careful that if it is intended as a thoroughfare, that it complies with CPTED principles and that there is adequate visual permeability.

Heritage Courtyard and Landscape Terraces

- Are these spaces raised - how do they related to the ground plane?

Modular Precast Seating Elements

- We require more detailed plans of how the modular seating elements work across the broader space and cross the different surface treatments to ensure they do not provide a significant impediment to pedestrian circulation. A circulation plan would assist in assessing this.

Pavement

- The circular patterning appears busy and divides up the open spaces, rather than creating a coherent open space. The heritage interpretation referencing the silos is understood, however it may be better to limit its replication to referencing only the silos removed?
- The circular patterning is also incongruent with the strong geometric patterning proposed for the other common areas on the site.
- It is not clear from the plan which elements are to be elevated and which are ground plane, which makes it difficult to assess how people will move around the site and where barrier may exist.

Planting

- It is difficult to differentiate the areas of lawn from the areas of planting shown on the plan, however there would appear to be additional opportunity for planting within the common areas.
- It is not possible to comment on the suitability of proposed planting, as no species have been identified.

Lawn

- It would be preferable for the lawn areas to be expanded (and connected, rather than carved up into the circular patterns) to strengthen the “green”, provide relief from all the hard-scape and provide open space for passive recreation.
- It appears that the lawn areas south of the central silos are proposed to be undercover?

Street trees

- The proposed layout of street trees in Gough Street is generally supported; however it would be preferable to provide additional trees towards the western end of the street to provide shade and a buffer to Punt Road. The northernmost tree in Cremorne Street could be moved further north to continue the regular tree spacing along this section.
- There is the opportunity to extend the kerb extension shown in Cremorne Street around the corner into Gough Street. This would provide the opportunity to improve pedestrian access, calm traffic and could encompass the easternmost tree in Gough Street.
- The layout of street trees in Cremorne Street should show parking spaces between trees. An additional street tree is required to the southern end of Cremorne Street to correspond with the approved street tree layout for 17-21 Harcourt Parade.

Attachment 14 - PLN15/1176 - 2 Gough Street Cremorne - Open space unit comments

- The preferred tree cut out size is 1.5 x 1.5m. Please note that the approved plan for 17-21 Harcourt Parade shows larger tree cut outs. These could be reduced in size if required.
- The preferred tree species are:

  Gough St – *Hymenosporum flavum*, 100L size.

  Cremorne St – *Lophostemon confertus*, 100L size.
- We recommend that a separate street tree planting plan be prepared to address the points made above and show species and planting details.
- All street tree planting works would be carried out by Council's tree planting contractor. Once tree locations are finalised, a cost to the developer will be determined.

If you require any further input, please don't hesitate to contact me on 9205 5725.

Kind regards,

Carrie Lindsay
Coordinator Open Space Planning and Design

Attachment 15 - PLN15/1176 - 2 Gough Street Cremorne - Engineering comments on Stage 2

CITY OF YaRRA

MEMO

To:	**Sarah Thomas**	
From:	**Mark Pisani**	
Date:	**9 June 2017**	
Subject:	**Application No:**	**PLN15/1176**
	Description:	**Amended Drawings**
	Site Address:	**2 Gough Street, Cremorne**

I refer the amended plans prepared by fender Katsalidis Architects received on 30 May 2017 in relation to the proposed development at 2 Gough Street, Cremorne. Council's Engineering Services unit provides the following information:

CAR PARKING PROVISION

Proposed Development

The Richmond Maltings Site is subject to Schedule 3 to the Comprehensive Development Zone of the Yarra Planning Scheme. Similarly for Stage 1 of the development, the car parking requirements for Stage 2 would also come under Schedule 3 to Clause 37.02 (CDZ3) of the Yarra Planning Scheme.

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
One-bedroom dwelling	107	1 space per dwelling	107	54
Two-bedroom dwelling	109	1 spaces per dwelling	109	76
Three- and Four - bedroom dwelling	42	2 spaces per dwelling	84	42
Residential visitors	258 Dwellings	0.12 spaces per dwelling	31	31
Office	1,323 m^2	2.6 spaces per 100 m2	34	36
Retail	152 m^2	4.0 spaces per 100 m2 of leasable floor area	6	
Restaurant	40 seats	0.3 spaces per seat	12	
Residential Hotel	43 rooms	Rate not specified under Schedule 3 to Clause 37.02	To satisfaction of Resp. Authority	
Tavern	Not Specified	Rate not specified under Schedule 3 to Clause 37.02	To satisfaction of Resp. Authority	
Wellness Centre	Not Specified	Rate not specified under Schedule 3 to Clause 37.02	To satisfaction of Resp. Authority	
			Total	**239 Spaces**

Attachment 15 - PLN15/1176 - 2 Gough Street Cremorne - Engineering comments on Stage 2

According to the applicant, 40 on-site car parking spaces from Stage 1 would be available for use for Stage 2.

Car Parking Demand Assessment

Under Schedule 3 to the Comprehensive Development Zone, the Responsible Authority must consider the following:

- *Parking Demand for Dwellings*. The car parking provision for the dwellings is consistent with the residential parking approved for Stage 1. Parking for one-bedroom dwellings has been provided at a rate of 0.5 spaces per dwelling, whereas the two- and three-/four-bedroom dwellings have been provided at 0.7 spaces per dwelling and 1.0 space per dwelling respectively. We are satisfied with this residential on-site parking provision.
- *Parking Demand for Residential Visitors*. The parking for the residential visitors has been provided in accordance with Clause 37.02.
- *Parking Demand for Office Use*. Under Clause 37.02, the office use has a car parking requirement of 2.6 spaces per 100 square metres of area. The applicant must indicate how much on-site parking would be set aside/shared for the office use.
- *The Possible Multi-Use of Car Parking Spaces*. According to the information provided by Fender Katsalidis Architects, the development would have 36 spaces set aside for 'Other uses'. It is understood that 40 spaces from Stage 1 would be made available for Stage 2. It is unknown how these spaces would be used.

Appropriateness of Providing Fewer Spaces than the Likely Parking Demand

Other considerations:

- *Relevant Local Policy or Incorporated Document*. The proposed development is considered to be in line with the objectives contained in Council's *Strategic Transport Statement*. The site is ideally located with regard to sustainable transport alternatives and the reduced provision of on-site car parking could potentially discourage private motor vehicle ownership and use.

Adequacy of Car Parking

Before Engineering Services is satisfied with the proposed car parking provision for Stage 2 of the site, the applicant must provide a traffic engineering report with a detailed assessment of the car parking. Details of the car parking allocation for each use and of the multi-use of car parking spaces are to be provided.

TRAFFIC GENERATION

No details have been provided by the applicant. Before Engineering Services can comment further on the traffic generation and impact of the site, the applicant must prepare and submit a traffic engineering report for review and assessment.

Attachment 15 - PLN15/1176 - 2 Gough Street Cremorne - Engineering comments on Stage 2

DEVELOPMENT LAYOUT DESIGN
Layout Design Assessment

Item	Assessment
Access Arrangements	
Development Entrance	Not dimensioned on the drawings. A check of the *B9 Ground Floor Plan* using the Trapeze plan management tool indicates that the development entrance has a width of approximately 6.7 metres. The development can allow for two-way movements and satisfies the requirements of *Design standard 1 – Accessways* of Clause 52.06-8.
Visibility	For the exit lane onto Gough Street, it is not known whether there is a window or opening on the west side of the building that would provide visibility. This is to be confirmed by the applicant.
Residential Visitor Intercom	Not shown on the submitted drawings.
Headroom Clearance	Not dimensioned on the drawings. Doorway at entrance is approximately 4.5 metres in height and would be suitable for delivery vehicles.
Vehicle Crossing – Gough Street	Not depicted on the drawings.
Internal ramps	Internal ramps have been provided with wall-to-wall widths of 6.3 metres, which satisfy the Australian/New Zealand Standard AS/NZS 2890.1:2004.
Car Parking Modules	
Car Parking Spaces – 90-degree	The 90-degree parking spaces (2.6 metres by 4.9 metres) satisfy *Design standard 2: Car parking spaces*. Parking spaces have not been numbered.
Car Parking Spaces – Parallel	Not dimensioned on the drawings.
Aisles	Aisles of 6.4 metres in width satisfy *Design standard 2*. On *B9 Basement Level 1* plan, the width of the aisle between the west row of parking spaces and the face of the column has not been dimensioned.
Column Depths and Locations	Not dimensioned on the drawings.
Blind Aisle Extensions	Not dimensioned on the drawings.
Gradients	
Ramp Grade for first 5.0 metres inside Property	The ramp inside the property is set back by approximately 2.2 metres along the west edge and 3.6 metres on the east edge. The gradients for the first 5.0 metres inside the property satisfy *Design standard 3: Gradients* (i.e. not steeper than 1 in 10).
Internal Ramp Grades	Internal grades satisfy *Design standard 3*.

Attachment 15 - PLN15/1176 - 2 Gough Street Cremorne - Engineering comments on Stage 2

Item	Assessment
Loading Arrangements	
Service Bay Dimensions	Width of service bay is 3.95 metres. Length has not been dimensioned on the drawings.
Gradient of Service Bay	The 1 in 25 grade satisfies the Australian Standard AS 2890.2-2002.
Service Bay Clearance Height	Not specified or shown on the drawings. Should be a minimum of 4.5 metres as required by AS 2890.2-2002.

Design Items to be Addressed

Item	Details
Development Entrance and Primary Accessway	Must be dimensioned on the drawings.
Headroom Clearance at Entrance	Must be dimensioned on the drawings.
Vehicle Crossing – Gough Street	Must be depicted on the submitted drawings. The design of the vehicle crossing must satisfy Council engineering requirements.
Apex of Ramp	The finished floor level of the apex of the ramp must be 300 mm above the 1 in 100 year ARI as per Melbourne Water requirements.
Parking Space Identification	All parking spaces must be numbered for easy identification.
Parallel Parking Spaces	Must be dimensioned on the drawings.
Aisle – West Side of B9 Basement Level 1	The aisle width between the western row of car parking spaces and the face of the column must be dimensioned.
Column Depths and Locations	Must be dimensioned on the drawings.
Blind Aisle Extensions	Must be dimensioned on the drawings. Where blind aisles may be less than 1000 mm, the applicant must demonstrate vehicle exit movements out of bays adjacent to the blind aisle ends using the B85 design vehicle.
Ramp Grades	All ramps grades throughout the parking levels must be dimensioned.
Loading Bay and Access to Development by Commercial Vehicles.	The length of the service bay must be dimensioned. The applicant must submit swept path diagrams for a medium rigid vehicle or similar sized commercial vehicle for entering and exiting into and out of the bay. Swept path diagrams must also be prepared for a commercial vehicle entering and exiting the development via Gough Street. The headroom clearance of the service bay must also be dimensioned on the drawings.

Attachment 15 - PLN15/1176 - 2 Gough Street Cremorne - Engineering comments on Stage 2

IMPACT ON COUNCIL ROAD ASSETS

The construction of the new buildings, the provision of underground utilities and construction traffic servicing and transporting materials to the site will impact on Council assets. Trenching and areas of excavation for underground services invariably deteriorates the condition and integrity of footpaths, kerb and channel, laneways and road pavements of the adjacent roads to the site.

It is essential that the developer rehabilitates/restores laneways, footpaths, kerbing and other road related items, as recommended by Council, to ensure that the Council infrastructure surrounding the site has a high level of serviceability for residents, employees, visitors and other users of the site.

ENGINEERING CONDITIONS

Civil Works

- Upon the completion of all building works and connections for underground utility services, the footpath immediately outside the property's Gough Street must be reconstructed to Council's satisfaction and at the Permit Holder's expense.
- The full width road pavement of Gough Street, immediately outside the property, must be profiled and re-sheeted to Council's satisfaction and at the Permit Holder's cost.
- The kerb and channel along the Gough Street road frontage of the property must be reconstructed to Council's satisfaction and at the Permit Holder's expense.
- The cross-fall of the reconstructed footpath must be no steeper than 1 in 40 as per DDA requirements.
- All redundant vehicle crossings surrounding the site must be demolished and reinstated to Council's satisfaction and at the Permit Holder's cost.
- The applicant must undertake a drainage catchment analysis of the surrounding area and verify that the outfall drains to the Yarra River have adequate capacity (for post development conditions). As part of the development's legal point of discharge, drainage upgrades must extend to the Yarra River. Drainage surrounding the site must also be upgraded by the Permit Holder once the development is operational. The Permit Holder must fund and undertake these upgrade works.
- A 300 mm wide sawn bluestone kerb is to be used along the Gough Street frontage of the site.
- Trees in the road reserves are to be provided with structural soils to protect road pavements from damage by roots.
- The intersections of Gough Street/Punt Road and Gough Street/Cremorne Street must be provided with pedestrian improvements/enhancements. Treatments considered must take overland flow/drainage into account. Intersection improvements must be designed and constructed to Council's satisfaction and at the Permit Holder's cost.

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.

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.

- The Construction Management Plan for the site must also take the following into account:
  - If any existing public lighting assets require temporary disconnection, alternative lighting must be provided to maintain adequate lighting levels. A temporary lighting scheme can only be approved by Council and relevant power authority.
  - Existing public lighting could only be disconnected once temporary alternative lighting scheme becomes operational.

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.

Preparation of Detailed Road Infrastructure Design Drawings

The developer must prepare and submit detailed design drawings of all road infrastructure works and drainage works associated with this development for assessment and approval.

Vehicle Crossing – 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 Gough 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 Gough Street and the accessway inside the property (for the first 2.0 metres) must be accurately drawn. The applicant must demonstrate by way of a ground clearance check using the B99 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 Basement

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

The developer needs to ensure that the basement car park 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.

The excavation for the basement would be to a depth of in excess of 15.0 metres and it is possible that groundwater would be encountered.

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

Attachment 15 - PLN15/1176 - 2 Gough Street Cremorne - Engineering comments on Stage 2

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.

Regards

Mark Pisani
Senior Development Engineer
Engineering Services Unit

Attachment 16 - PLN15/1176 - 2 Gough Street Cremorne - Services contract unit advice

Johnston, Cindi

From: Agostino, Joe
Sent: Tuesday, 13 June 2017 14:59
To: Thomas, Sarah; Valente, Enzo
Cc: Osman, Mary
Subject: RE: VCAT Reference No. P1604/2016 - 2-6 Gough Street, Cremorne (160477)

Hi Sarah

Sorry about the confusion with this one as I assumed a detailed WMP would be part of the application process.

The plans for stage 2 of the development at 2-6 Gough Street Cremorne present a number of concerns from the City Works Branch's perspective including:

1. The waste rooms appear to be too small for the development
2. Council prefers to have waste rooms with a capacity to allow for a once per week collection to minimise vehicle movements
3. For building above four stories Council prefers that the site has a garbage chute and a recycling chute accessible from all floors
4. The collection point for the bins is not clear
5. The entry and exit path of the collection vehicle is not clear and requires details
6. This development requires an internal private collection (mandatory)
7. All waste management processes should be provided in a detailed Waste Management Plan
8. The Waste Management Plan needs to be approved by the responsible authority prior to the Planning Permit approval or before plans are endorsed.

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 **W** www.yarracity.vic.gov.au

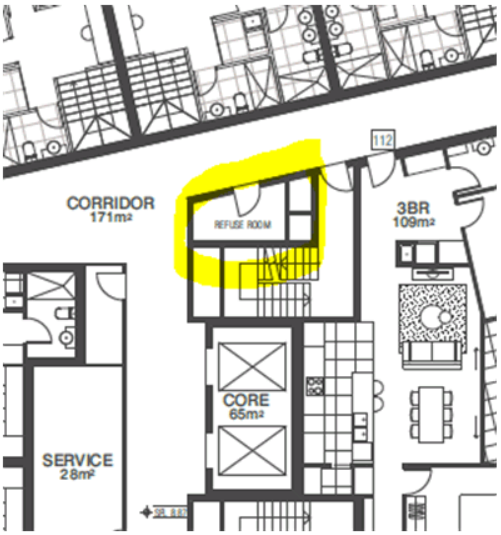
Please consider the environment before you print this email!

From: Thomas, Sarah
Sent: Tuesday, 13 June 2017 12:06 PM
To: Agostino, Joe; Valente, Enzo
Cc: Osman, Mary
Subject: RE: VCAT Reference No. P1604/2016 - 2-6 Gough Street, Cremorne (160477)

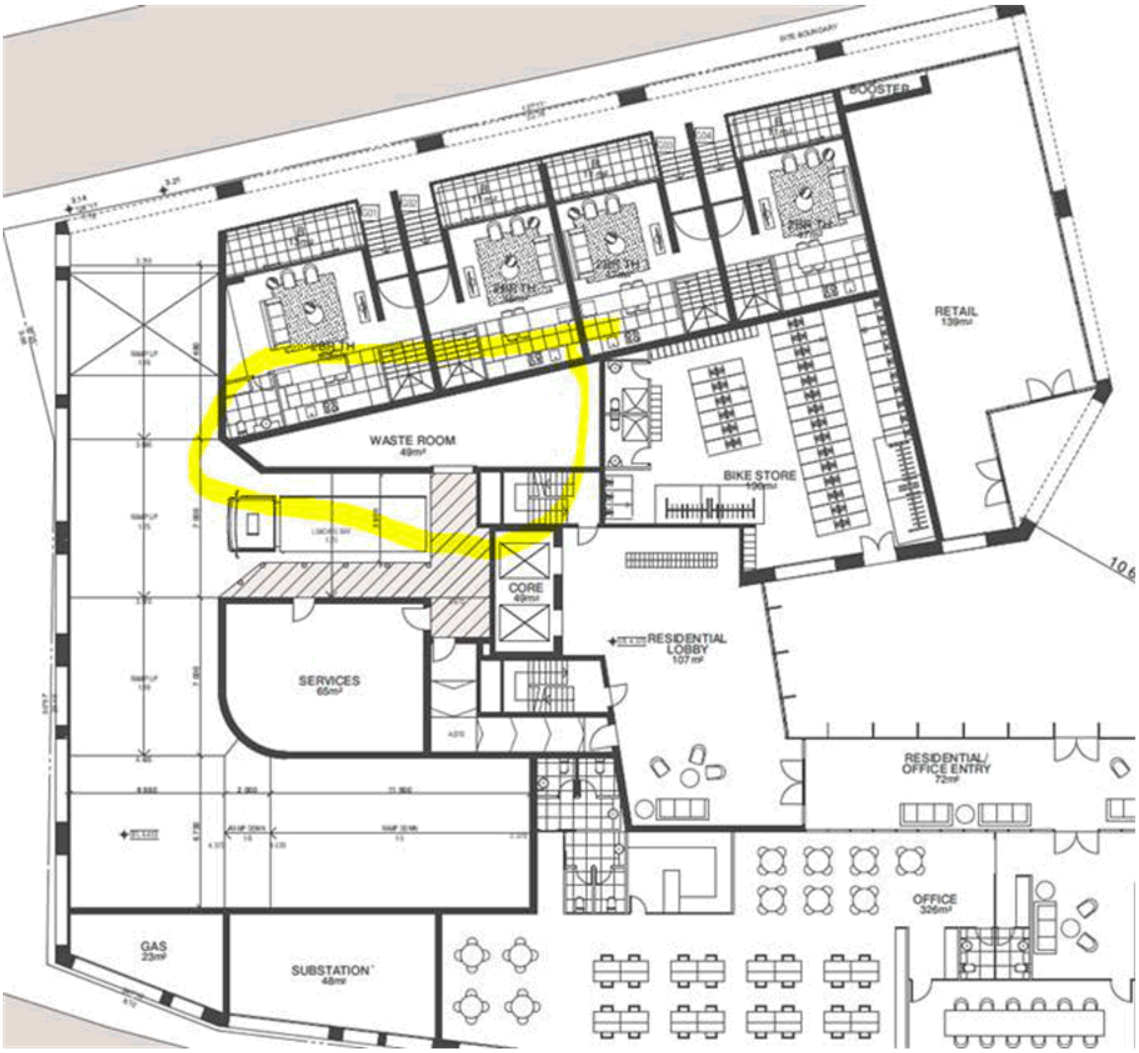
Hi Joe and Enzo

I would've thought that you'd want waste and recycling chutes on each level of B9.

Attachment 16 - PLN15/1176 - 2 Gough Street Cremorne - Services contract unit advice



This bin area would also service **the entire development** (including B4, B5, B6, B8 and B9).
I just can't accept that this would be anywhere near a sufficient size or layout for this development?



Thanks

Sarah Thomas
Principal Planner and Advocate
(Monday, Tuesday, Thursday and Friday)
City of Yarra PO Box 168 Richmond 3121
T 9205 5046 **F** (03) 8417 6666
E Sarah.Thomas@yarracity.vic.gov.au **W** www.yarracity.vic.gov.au

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From: Agostino, Joe
Sent: Tuesday, 13 June 2017 10:26 AM

Attachment 16 - PLN15/1176 - 2 Gough Street Cremorne - Services contract unit advice

To: Thomas, Sarah
Cc: Valente, Enzo
Subject: RE: VCAT Reference No. P1604/2016 - 2-6 Gough Street, Cremorne (160477)

Hi Sarah

Yes it looks generally OK, however without a detailed WMP it is only possible to provide a general comment.

Regards

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

City of Yarra PO Box 168 Richmond 3121
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Please consider the environment before you print this email!

From: Thomas, Sarah
Sent: Monday, 12 June 2017 1:40 PM
To: Agostino, Joe
Cc: Valente, Enzo
Subject: Re: VCAT Reference No. P1604/2016 - 2-6 Gough Street, Cremorne (160477)

Hi Joe

So the bin store size and layout looks generally ok for a development of this size?

Thanks

Sarah Thomas
Principal Planner and Advocate
(Monday, Tuesday, Thursday and Friday)
City of Yarra PO Box 168 Richmond 3121
T 9205 5046 F (03) 8417 6666
E Sarah.Thomas@yarracity.vic.gov.au W www.yarracity.vic.gov.au

---

From: Agostino, Joe
Sent: Saturday, 10 June 2017 9:59 AM
To: Thomas, Sarah
Cc: Valente, Enzo
Subject: RE: VCAT Reference No. P1604/2016 - 2-6 Gough Street, Cremorne (160477)

Hi Sarah

Apologies about the mix up.

There are no obvious issues with the stage 2 plans for 2-6 Gough Street Cremorne from the City Works Branch's perspective.

Kind Regards

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

City of Yarra PO Box 168 Richmond 3121
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Please consider the environment before you print this email!

From: Thomas, Sarah
Sent: Thursday, 8 June 2017 10:35 AM
To: Agostino, Joe
Subject: RE: VCAT Reference No. P1604/2016 - 2-6 Gough Street, Cremorne (160477)

Hi Joe

They are two different applications.

The attachment was comments you provided in relation to condition 35 of planning permit pln15/0355.

I recently referred a new set of plans for stage 2.
We don't have an amended WMP, however I need you to check the plans and let me know if there are any obvious issues with the bin store, access, layout, etc.

Thanks

Sarah Thomas
Principal Planner and Advocate
(Monday, Tuesday, Thursday and Friday)
City of Yarra PO Box 168 Richmond 3121
T 9205 5046 **F** (03) 8417 6666
E Sarah.Thomas@yarracity.vic.gov.au **W** www.yarracity.vic.gov.au

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From: Agostino, Joe
Sent: Tuesday, 6 June 2017 5:16 PM
To: Thomas, Sarah
Cc: Valente, Enzo
Subject: RE: VCAT Reference No. P1604/2016 - 2-6 Gough Street, Cremorne (160477)

Hi Sarah

Re: VCAT Reference No. P1604/2016 - 2-6 Gough Street, Cremorne (160477)

From the City Works Branch's perspective the comments regarding the Waste Management Plan as per the attached email dated 20th April 2017 will remain applicable, relevant and conditional. If you have any further queries please contact me.

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 **W** www.yarracity.vic.gov.au

Please consider the environment before you print this email!

From: Thomas, Sarah
Sent: Tuesday, 6 June 2017 12:46 PM
To: Swarup, Richa; Williamson, Euan; Pisani, Mark; Engineering Referral Unit; Simnett, Kate; Valente, Enzo; Moran, Peter; Connolly, Colm; Lindsay, Carrie; bruce@trethowan.com.au
Cc: Osman, Mary
Subject: FW: VCAT Reference No. P1604/2016 - 2-6 Gough Street, Cremorne (160477)

Formally amended plans below.
Include landscape plans at end of file.

I would appreciate your comments by the end of the week (I'll be finishing the report over the weekend)!

Thanks

Sarah Thomas
Principal Planner and Advocate
(Monday, Tuesday, Thursday and Friday)
City of Yarra PO Box 168 Richmond 3121
T 9205 5046 **F** (03) 8417 6666
E Sarah.Thomas@yarracity.vic.gov.au **W** www.yarracity.vic.gov.au

bess
BESS is now live!
If you're applying for a planning permit, use the Built Environment Sustainability Scorecard to prepare your sustainable design assessment.
Visit www.bess.net.au to get started.

From: Sarah Raso [mailto:sraso@besthooper.com.au]
Sent: Tuesday, 6 June 2017 12:24 PM
To: 'Terry.Montebello@maddocks.com.au'; Thomas, Sarah
Cc: Morgan Koloni; John Cicero
Subject: FW: VCAT Reference No. P1604/2016 - 2-6 Gough Street, Cremorne (160477)

Hi Terry and Sarah

To ensure this email finds you in a timely manner I am also sending it to you both directly. See below.

Kind regards,
Sarah

From: Sarah Raso
Sent: Tuesday, 6 June 2017 12:19 PM
To: 'vcat-admin@vcat.vic.gov.au' <vcat-admin@vcat.vic.gov.au>; 'info@yarracity.vic.gov.au' <info@yarracity.vic.gov.au>; 'mailroom@maddocks.com.au' <mailroom@maddocks.com.au>; 'Kristin Richardson' <Kristin.Richardson@maddocks.com.au>; 'mw.vcatadmin@melbournewater.com.au' <mw.vcatadmin@melbournewater.com.au>; 'tony@thapl.com.au' <tony@thapl.com.au>; 'sean.mcardle@nortonrosefulbright.com' <sean.mcardle@nortonrosefulbright.com>; 'michaelcoffey50@gmail.com' <michaelcoffey50@gmail.com>; 'mrbarrie@hotmail.com' <mrbarrie@hotmail.com>
Cc: Sarah Raso <sraso@besthooper.com.au>; John Cicero <jCicero@besthooper.com.au>; Morgan Koloni <mkoloni@besthooper.com.au>
Subject: VCAT Reference No. P1604/2016 - 2-6 Gough Street, Cremorne (160477)

Dear Sir or Madam,

We continue act for the Permit Applicant/Applicant for Review, **Caydon Cremorne No 2 Development Pty Ltd**, in the above matter, and note that you have lodged a Statement of Grounds in respect of the Application for Review.

At the hearing of this matter, our client will seek to substitute the amended plans from those previously considered by the Council. We are required to notify you of this by Tribunal Practice Note 9 PNPE9 - *Amendment of Plans and Applications* and the Tribunal Order dated 29 May 2017.

Hence, by way of service we **enclose** (in the dropbox link below) for your information the following:

a) Notice of an Amendment of an Application - PNPE9 (Form A);
b) Statement of Grounds form;
c) An A3 set of the amended plans comprised in Drawing Nos. TP001-TP004, TP096-TP115, TP130-TP144, TP150-TP155, TP166-TP185, TP201-TP204, TP231, TP251, TP271-TP273, TP301-TP303, TP400-TP406, TP500-TP502 and TP600-TP605 dated 5 June 2017 prepared by Fender Katsalidis Architects, and Drawing Nos. TP00-TP-01 (Revision 2), TP02-TP08, TP10 (Revision 2), TP11-TP13, TP30-TP32 (Revision 2), TP40-TP42, TP50-TP51 (Revision 2), TP60-61 and TP70-TP71 and TP72 (Revision 2) dated 12 February 2016 prepared by Lovell Chen Architects and Heritage Consultants;
d) An A3 set of landscape plans comprised in Drawing Nos. LP01-LP03 dated 5 June 2017, prepared by Oculus; and
e) A statement describing the changes that have occurred to the plans from those last considered by the Council.

https://www.dropbox.com/sh/tsdc16fv63v14sp/AABkepcN8AZYVDu1c__Z8ZHOa?dl=0

You will see from the enclosed Notice of Amendment of an Application – PNPE9 (Form A) that our client is seeking to amend the plans, development proposal and also the proposed uses so that permission is now being sought for:

Development of the land for buildings and works, food and drink premises (restaurant and café/bar), function venue, art gallery, use of the land as accommodation (dwellings and serviced apartments), retail premises, and reduction in the car parking requirements and construction and display of a sign.

If you wish to amend your Statement of Grounds, you must file your amended Statement of Grounds with VCAT and serve a copy on the Responsible Authority and our office.

Please note that a fee may be payable by you if you intend to appear at the hearing to present a submission. Details of such fees are available on VCAT's website https://www.vcat.vic.gov.au/ or by contacting VCAT directly.

Please also note a hardcopy of this correspondence and documentation will also be sent by courier today.

Regards,

Morgan Koloni Legal Secretary
On behalf of **Sarah Raso**, Principal
Direct Tel: (03) 9691 0236 | **Sarah Raso: (03) 9691 0239**
Reply to: sraso@besthooper.com.au
Address: Level 9 / 451 Little Bourke Street, Melbourne, Victoria, 3000

BESTHOOPER
LAWYERS

LATEST NEWS:
Recent VCAT Decision on the transitional provisions in the reformed Residential Zones.

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Attachment 17 - PLN15/1176 - 2 Gough Street Cremorne - ESD advice

CITY OF YaRRA

MEMO

To:	**Sarah Thomas**	
From:	**Mark Pisani**	
Date:	**9 June 2017**	
Subject:	**Application No:**	**PLN15/1176**
	Description:	**Amended Drawings**
	Site Address:	**2 Gough Street, Cremorne**

I refer the amended plans prepared by fender Katsalidis Architects received on 30 May 2017 in relation to the proposed development at 2 Gough Street, Cremorne. Council's Engineering Services unit provides the following information:

CAR PARKING PROVISION

Proposed Development

The Richmond Maltings Site is subject to Schedule 3 to the Comprehensive Development Zone of the Yarra Planning Scheme. Similarly for Stage 1 of the development, the car parking requirements for Stage 2 would also come under Schedule 3 to Clause 37.02 (CDZ3) of the Yarra Planning Scheme.

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
One-bedroom dwelling	107	1 space per dwelling	107	54
Two-bedroom dwelling	109	1 spaces per dwelling	109	76
Three- and Four - bedroom dwelling	42	2 spaces per dwelling	84	42
Residential visitors	258 Dwellings	0.12 spaces per dwelling	31	31
Office	1,323 m^2	2.6 spaces per 100 m2	34	36
Retail	152 m^2	4.0 spaces per 100 m2 of leasable floor area	6	
Restaurant	40 seats	0.3 spaces per seat	12	
Residential Hotel	43 rooms	Rate not specified under Schedule 3 to Clause 37.02	To satisfaction of Resp. Authority	
Tavern	Not Specified	Rate not specified under Schedule 3 to Clause 37.02	To satisfaction of Resp. Authority	
Wellness Centre	Not Specified	Rate not specified under Schedule 3 to Clause 37.02	To satisfaction of Resp. Authority	
			Total	**239 Spaces**

Attachment 17 - PLN15/1176 - 2 Gough Street Cremorne - ESD advice

According to the applicant, 40 on-site car parking spaces from Stage 1 would be available for use for Stage 2.

Car Parking Demand Assessment

Under Schedule 3 to the Comprehensive Development Zone, the Responsible Authority must consider the following:

- *Parking Demand for Dwellings*. The car parking provision for the dwellings is consistent with the residential parking approved for Stage 1. Parking for one-bedroom dwellings has been provided at a rate of 0.5 spaces per dwelling, whereas the two- and three-/four-bedroom dwellings have been provided at 0.7 spaces per dwelling and 1.0 space per dwelling respectively. We are satisfied with this residential on-site parking provision.
- *Parking Demand for Residential Visitors*. The parking for the residential visitors has been provided in accordance with Clause 37.02.
- *Parking Demand for Office Use*. Under Clause 37.02, the office use has a car parking requirement of 2.6 spaces per 100 square metres of area. The applicant must indicate how much on-site parking would be set aside/shared for the office use.
- *The Possible Multi-Use of Car Parking Spaces*. According to the information provided by Fender Katsalidis Architects, the development would have 36 spaces set aside for 'Other uses'. It is understood that 40 spaces from Stage 1 would be made available for Stage 2. It is unknown how these spaces would be used.

Appropriateness of Providing Fewer Spaces than the Likely Parking Demand

Other considerations:

- *Relevant Local Policy or Incorporated Document*. The proposed development is considered to be in line with the objectives contained in Council's *Strategic Transport Statement*. The site is ideally located with regard to sustainable transport alternatives and the reduced provision of on-site car parking could potentially discourage private motor vehicle ownership and use.

Adequacy of Car Parking

Before Engineering Services is satisfied with the proposed car parking provision for Stage 2 of the site, the applicant must provide a traffic engineering report with a detailed assessment of the car parking. Details of the car parking allocation for each use and of the multi-use of car parking spaces are to be provided.

TRAFFIC GENERATION

No details have been provided by the applicant. Before Engineering Services can comment further on the traffic generation and impact of the site, the applicant must prepare and submit a traffic engineering report for review and assessment.

Attachment 17 - PLN15/1176 - 2 Gough Street Cremorne - ESD advice

DEVELOPMENT LAYOUT DESIGN

Layout Design Assessment

Item	Assessment
Access Arrangements	
Development Entrance	Not dimensioned on the drawings. A check of the *B9 Ground Floor Plan* using the Trapeze plan management tool indicates that the development entrance has a width of approximately 6.7 metres. The development can allow for two-way movements and satisfies the requirements of *Design standard 1 – Accessways* of Clause 52.06-8.
Visibility	For the exit lane onto Gough Street, it is not known whether there is a window or opening on the west side of the building that would provide visibility. This is to be confirmed by the applicant.
Residential Visitor Intercom	Not shown on the submitted drawings.
Headroom Clearance	Not dimensioned on the drawings. Doorway at entrance is approximately 4.5 metres in height and would be suitable for delivery vehicles.
Vehicle Crossing – Gough Street	Not depicted on the drawings.
Internal ramps	Internal ramps have been provided with wall-to-wall widths of 6.3 metres, which satisfy the Australian/New Zealand Standard AS/NZS 2890.1:2004.
Car Parking Modules	
Car Parking Spaces – 90-degree	The 90-degree parking spaces (2.6 metres by 4.9 metres) satisfy *Design standard 2: Car parking spaces*. Parking spaces have not been numbered.
Car Parking Spaces – Parallel	Not dimensioned on the drawings.
Aisles	Aisles of 6.4 metres in width satisfy *Design standard 2*. On *B9 Basement Level 1* plan, the width of the aisle between the west row of parking spaces and the face of the column has not been dimensioned.
Column Depths and Locations	Not dimensioned on the drawings.
Blind Aisle Extensions	Not dimensioned on the drawings.
Gradients	
Ramp Grade for first 5.0 metres inside Property	The ramp inside the property is set back by approximately 2.2 metres along the west edge and 3.6 metres on the east edge. The gradients for the first 5.0 metres inside the property satisfy *Design standard 3: Gradients* (i.e. not steeper than 1 in 10).
Internal Ramp Grades	Internal grades satisfy *Design standard 3*.

Attachment 17 - PLN15/1176 - 2 Gough Street Cremorne - ESD advice

Item	Assessment
Loading Arrangements	
Service Bay Dimensions	Width of service bay is 3.95 metres. Length has not been dimensioned on the drawings.
Gradient of Service Bay	The 1 in 25 grade satisfies the Australian Standard AS 2890.2-2002.
Service Bay Clearance Height	Not specified or shown on the drawings. Should be a minimum of 4.5 metres as required by AS 2890.2-2002.

Design Items to be Addressed

Item	Details
Development Entrance and Primary Accessway	Must be dimensioned on the drawings.
Headroom Clearance at Entrance	Must be dimensioned on the drawings.
Vehicle Crossing – Gough Street	Must be depicted on the submitted drawings. The design of the vehicle crossing must satisfy Council engineering requirements.
Apex of Ramp	The finished floor level of the apex of the ramp must be 300 mm above the 1 in 100 year ARI as per Melbourne Water requirements.
Parking Space Identification	All parking spaces must be numbered for easy identification.
Parallel Parking Spaces	Must be dimensioned on the drawings.
Aisle – West Side of B9 Basement Level 1	The aisle width between the western row of car parking spaces and the face of the column must be dimensioned.
Column Depths and Locations	Must be dimensioned on the drawings.
Blind Aisle Extensions	Must be dimensioned on the drawings. Where blind aisles may be less than 1000 mm, the applicant must demonstrate vehicle exit movements out of bays adjacent to the blind aisle ends using the B85 design vehicle.
Ramp Grades	All ramps grades throughout the parking levels must be dimensioned.
Loading Bay and Access to Development by Commercial Vehicles.	The length of the service bay must be dimensioned. The applicant must submit swept path diagrams for a medium rigid vehicle or similar sized commercial vehicle for entering and exiting into and out of the bay. Swept path diagrams must also be prepared for a commercial vehicle entering and exiting the development via Gough Street. The headroom clearance of the service bay must also be dimensioned on the drawings.

Attachment 17 - PLN15/1176 - 2 Gough Street Cremorne - ESD advice

IMPACT ON COUNCIL ROAD ASSETS

The construction of the new buildings, the provision of underground utilities and construction traffic servicing and transporting materials to the site will impact on Council assets. Trenching and areas of excavation for underground services invariably deteriorates the condition and integrity of footpaths, kerb and channel, laneways and road pavements of the adjacent roads to the site.

It is essential that the developer rehabilitates/restores laneways, footpaths, kerbing and other road related items, as recommended by Council, to ensure that the Council infrastructure surrounding the site has a high level of serviceability for residents, employees, visitors and other users of the site.

ENGINEERING CONDITIONS

Civil Works

- Upon the completion of all building works and connections for underground utility services, the footpath immediately outside the property's Gough Street must be reconstructed to Council's satisfaction and at the Permit Holder's expense.
- The full width road pavement of Gough Street, immediately outside the property, must be profiled and re-sheeted to Council's satisfaction and at the Permit Holder's cost.
- The kerb and channel along the Gough Street road frontage of the property must be reconstructed to Council's satisfaction and at the Permit Holder's expense.
- The cross-fall of the reconstructed footpath must be no steeper than 1 in 40 as per DDA requirements.
- All redundant vehicle crossings surrounding the site must be demolished and reinstated to Council's satisfaction and at the Permit Holder's cost.
- The applicant must undertake a drainage catchment analysis of the surrounding area and verify that the outfall drains to the Yarra River have adequate capacity (for post development conditions). As part of the development's legal point of discharge, drainage upgrades must extend to the Yarra River. Drainage surrounding the site must also be upgraded by the Permit Holder once the development is operational. The Permit Holder must fund and undertake these upgrade works.
- A 300 mm wide sawn bluestone kerb is to be used along the Gough Street frontage of the site.
- Trees in the road reserves are to be provided with structural soils to protect road pavements from damage by roots.
- The intersections of Gough Street/Punt Road and Gough Street/Cremorne Street must be provided with pedestrian improvements/enhancements. Treatments considered must take overland flow/drainage into account. Intersection improvements must be designed and constructed to Council's satisfaction and at the Permit Holder's cost.

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.

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.

Attachment 17 - PLN15/1176 - 2 Gough Street Cremorne - ESD advice

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.

- The Construction Management Plan for the site must also take the following into account:
    - If any existing public lighting assets require temporary disconnection, alternative lighting must be provided to maintain adequate lighting levels. A temporary lighting scheme can only be approved by Council and relevant power authority.
    - Existing public lighting could only be disconnected once temporary alternative lighting scheme becomes operational.

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.

Preparation of Detailed Road Infrastructure Design Drawings

The developer must prepare and submit detailed design drawings of all road infrastructure works and drainage works associated with this development for assessment and approval.

Vehicle Crossing – 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 Gough 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 Gough Street and the accessway inside the property (for the first 2.0 metres) must be accurately drawn. The applicant must demonstrate by way of a ground clearance check using the B99 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 Basement

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

The developer needs to ensure that the basement car park 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.

The excavation for the basement would be to a depth of in excess of 15.0 metres and it is possible that groundwater would be encountered.

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.

Attachment 17 - PLN15/1176 - 2 Gough Street Cremorne - ESD advice

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.

Regards

Mark Pisani
Senior Development Engineer
Engineering Services Unit

Attachment 18 - PLN15/1176 - 2 Gough Street Cremorne - Strategic transport comments

Memo

To: Sarah Thomas

Cc: Simon Exon; Jane Waldock;

From: Kate Simnett

Date: 09/06/2017

Subject: 2-6 Gough St, Cremorne (VCAT Reference No. P1604/2016)

diverse

vibrant

exciting

inclusive

We have received the plans for the development in Cremorne (VCAT Reference No. P1604/2016) and provide the following feedback:

1. Provide detail of crossing from centre of site across Harcourt Pde to provide pedestrian and bicycle access to the Capital City Trail, including a traffic assessment of impacts on the wider network. See below for detail on location recommended.
2. Provide detail of access through the site for pedestrians and cyclists.
3. Provide better provision for pedestrians on Gough St at Cremorne and Hoddle Sts.
4. Increase bicycle parking number and facilities
5. Provide a traffic report including detailed information regarding the bicycle parking location(s), style of facilities and number of hoops. The hoops and facilities nominated in the plans (TP130 & TP170) are difficult to assess for adequacy because of the lack of detail. See Council's ESD Guidelines (p.25) for more information on bicycle parking.

If you require any further input, or would like to discuss these comments in more detail, please don't hesitate to contact me on 9205 5734.

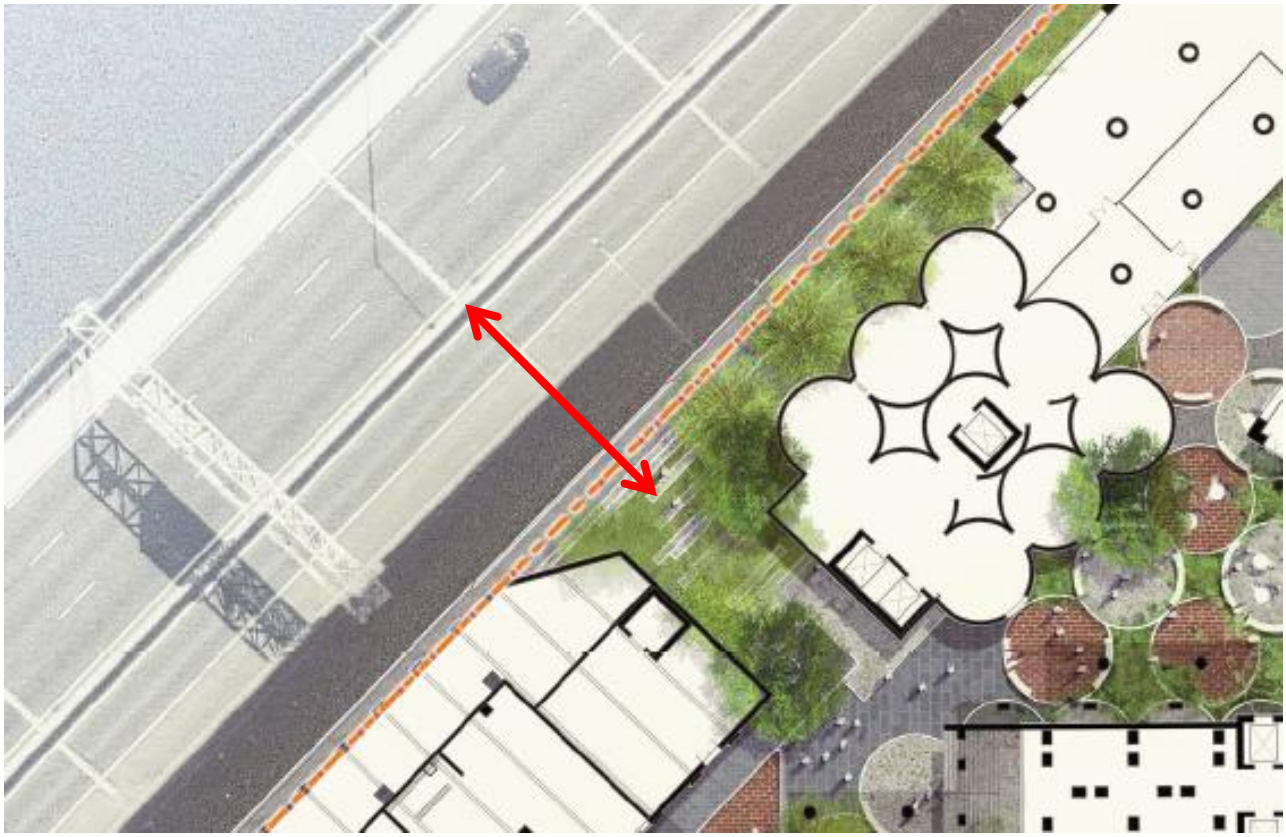
Regards

Kate Simnett
Sustainable Transport Officer
Strategic Transport

Attachment 18 - PLN15/1176 - 2 Gough Street Cremorne - Strategic transport comments

Location of link to Capital City Trail

Attachment 18 - PLN15/1176 - 2 Gough Street Cremorne - Strategic transport comments



Attachment 19 - PLN15/1176 - 2 Gough Street Cremorne - Heritage Comments on substituted plans

trethowan
architecture interiors heritage

ABN 44168657823

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Richmond Victoria 3121
P O Box 221
East Melbourne Victoria 8002
Australia

Telephone 613 9421 5448
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bruce@trethowan.com.au

16 June 2017

Sarah Thomas
City of Yarra
P O Box 168
Richmond VIC 3121

Proposed Redevelopment – Richmond Maltings Site Stage 2

Dear Sarah,

Preamble
I have been asked to provide comments from a heritage perspective in relation to the amended plans for the stage 2 redevelopment of the Richmond MaltIngs site. Specifically, issues to do with layout, massing, setbacks, height and materiality of the proposal as they relate to relevant clauses and related documents of the Yarra Planning Scheme will be addressed.

It is noted that the Stage 2 redevelopment relates to the remainder of the Richmond Maltings site which was not dealt with under Stage 1. In addition, it is noted that Heritage Victoria have approved (with conditions) a development proposal for Stage 2. On this basis, these comments will not deal with direct heritage issues related to Stage 2, rather they will deal with issues of bulk, massing etc as they relate to the Yarra Planning Scheme and the site's heritage context and its general context in its urban setting. A similar approach was adopted by VCAT members Hewett and Keddie in their decision related to Stage 1.

Another aspect of the VCAT order is also worth repeating in these comments as it is relevant to my considerations. This is the VCAT members' approach to the Yarra Planning Scheme and the related Incorporated Document. The VCAT members concluded that the Incorporated Document was a reflection of how the site's attributes and constraints could be reconciled with the Planning Scheme's competing policies and constraints (Clause 61 of their Order dated 18 March, 2016). There is discretion to depart from the specified heights, setbacks and development footprints set out in the Incorporated Plan provided it can be acceptably argued that such a departure conformed with the Planning and Design Principles noted in that document and the stated purposes to the zone set out in Schedule 3 to CDZ3. These latter purposes include the following:

- Development to complement and enhance the Yarra River Scale and character should not prejudice the amenity of the surrounding area
- Provide a well designed attractive open plaza square within the development
- Development that is respectful of the scale and form of buildings within the site and its immediate environs.

The Planning and Design Principles expand on these purposes in some respects. Relevant dot points in my considerations include:

- Create a vibrant plaza edged by key heritage buildings which act as an activity node as well as significant place to view and interpret these buildings
- Strengthen the built form edge to the Monash Freeway and the Yarra River while allowing for access to sky and long distance views Provide an appropriate stepped built form along the Gough Street frontage
- Provide an attractive and appropriately designed facade/elevation to the western boundary of the site.

Comments
It is noted that Development Plan which formed part of the Incorporated Document proposed two sectors within the site for the development of new buildings, these being located at the western and eastern ends with the central section of the site given over to a public plaza surrounded by heritage buildings. The purposes and dot points listed above reflect this outcome but in a non-specific way. From an overall perspective, this concept encapsulated in the Development Plan and the related text has been lost when transferred to the current amended development proposal.

Attachment 19 - PLN15/1176 - 2 Gough Street Cremorne - Heritage Comments on substituted plans

1. Development of the Western Sector

In an overall sense the built form in the east will now be balanced by a new built form in the west and this is a satisfactory outcome. Overall heights match in these two sectors providing this appropriate balance. These heights have been endorsed by VCAT as part of the Stage 1 planning process and there is no reason to take this matter further. It is noted that the overall footprint of the western sector development has been significantly extended from that set down in the Development Plan to now include the area of the demolished silos of B9 and an extended arm along Gough Street. The building itself is 15 stories comprising a three storey red brick podium surmounted by an upper bulk set back slightly from the property boundaries and composed of a series of convexes. The arrangement has resulted in a U shaped bulk around a light court with the principal elevations facing north (aligned with Gough Street), west (roughly aligned to the western property boundary) and south (aligned to Harcourt Parade).

The proposal has some positive aspects. The brick podium provides an appropriate scale at the building base. The material reflects the site's industrial past and has the potential to be developed in an innovative and contemporary way. The podium height references the present building on the property. The series of convexes that make up the upper section reference the curves of the silos and this is again an appropriate.

On the negative side, the building's massing is problematic and requires refinement. Historically, buildings on this site have adopted a consistent alignment principle in that they all follow the alignment of the surrounding streets, Cremorne Street, Gough Street and Harcourt Parade. To an extent this has been applied in this case but the dominating western face presents as a wall with little articulation and the light court in the centre will be dark and semi enclosed. An H shaped footprint would be more satisfactory, with the two principal arms of the H aligned to Gough Street and Harcourt Parade and the cross arm of the H providing a much needed recess on the western side and removing the light court arrangement on the eastern side. The creep in tall built form and lack of setback along Gough Street is also a concern. There needs to be a stated transition from this tall built form down to the adjacent residential properties directly to the north of the Maltings site.

2. The Design of the Public Plaza

The plans provided make no reference to the public plaza, however there are open spaces between the existing and proposed buildings and under the proposed buildings. There has been no design response as to how these spaces are to be treated or for that matter used, the area is simple shown as paved and planted with seating. The Planning Scheme is specific here. The open plaza needs to be 'well designed, attractive and vibrant'. The location of the public plaza is set out on the Development Plan where it is shown in two sections straddled by Silo Building B8. This location is shown as open on the drawings provided however the hotel addition to B8, elevated as it is on tall columns above the plaza, may result in a dark or foreboding atmosphere despite the fact that the space has exposure to the north. The space is shown as having few features and little surrounding retail presence. Its prime purpose appears to be the provision of access to residential, office and hotel entrances and lobbies. A more considered design response is required in relation to the open public space and this has not been provided.

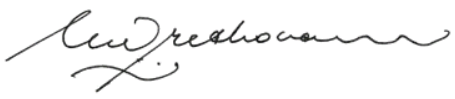
3. The Building above B9

The major concern with the proposal is the construction of an elevated building form above Building B6. This proposed building will destroy the overall balance of the development comprising two major multi storey building complexes at the eastern and western ends of the site flanking a central section of two storey retained heritage buildings. As proposed the new building complexes will create a U shaped collection of multinational storey buildings, enclosing the heritage buildings on three sides and overwhelming their heritage setting. This is not an appropriate outcome. It is made more concerning when one realizes that this additional development will close a view corridor between Cremorne and Richmond to the north and the the Yarra River and the slopes South Yarra to the south.

This additional building was not anticipated in the Development Plan and is contrary to the Planning Scheme purposes of 'complementing and enhancing the Yarra River environs' and 'being respectful of the scale and form of buildings within the site and its immediate environs'. In addition the Planning and Design Principles of 'strengthening the built form edge of the Monash Freeway and the Yarra River while allowing access to sky and long distance views' has been ignored. I note that at freeway level, Building B6 already provides a strong built form along the Monash Freeway and screens the interior of the site from the freeway.

In my view the proposed addition above Building B6 should not be allowed to proceed.

Yours sincerely,



Bruce Trethowan
Trethowan Architecture

Attachment 20 - PLN15/1176 - 2 Gough Street Cremorne - VicRoads comments on substituted plans

Metropolitan North West Region
499 Ballarat Road
Sunshine Victoria 3020
Telephone (03) 9313 1333

Send Correspondence to:
mnw.mail@roads.vic.gov.au
or Fax (03) 9313 1175

Parcels and Drawings to:
Private Bag 4000 Sunshine
Victoria 3020

vicroads.vic.gov.au

The Registrar
Planning and Environment List
Victorian Civil and Administrative Tribunal
DX 210576 MELBOURNE

Dear Sir/Madam

PLANNING APPLICATION NO.:	**PLN15/1176**
VICROADS REFERENCE NO:	**17312/16**
PROPERTY ADDRESS:	**2 GOUGH STREET, CREMORNE (STAGE 2)**
VCAT REF:	**P1604/2016**

VicRoads recently received notification of the above Application for Review from Yarra City Council which included the Statement of Changes and amended plans dated 5 June 2017.

Please quote the above VicRoads reference number in all correspondence and contact with VicRoads.

The proposed development was initially considered by VicRoads under Section 55 of the Planning and Environment Act. VicRoads in consultation with CityLink was given the opportunity to comments on the proposed development and consequentially forwarded a letter to the Responsible Authority dated 2 June 2016 (copy attached).

VicRoads have since re-assessed the amended plans in consultation with City Link and have determined that our initial advice and conditions remain relevant to the current proposal.

The Victoria Bitter and Nylex signs should always operate within the parameters of proposed condition numbered 3, noting we anticipate that modern lighting technology will be installed/incorporated into the sign/s avoiding the need for roof top maintenance etc.

Consistent with our previous response VicRoads kindly request that the permit conditions be taken into account together with those comments and/or requirements forwarded by CityLink to Council dated 13 & 16 May 2016 (copy attached) in addition to the following CityLink requirements:

- *There should be no interruption to traffic flow on CityLink assets.*
- *CityLink assets should not be exposed to any waste generated from the project.*
- *New buildings should not cause any adverse impacts on the users of CityLink (e.g. reflective glare from the building).*

Consequentially, VicRoads and CityLink does not wish to contest the Application for Review and is not expecting to be represented at the hearing. However, should the Tribunal member recommend the attendance of VicRoads and/ or CityLink, due to any issues that may affect its interests, please advise.

Should you have any enquiries regarding this matter, please contact Gillian Menegas me on 03 9313 1148 or Gillian.Menegas@roads.vic.gov.au

Yours sincerely

GMenegas

GILLIAN MENEGAS
Principal Statutory Planner

19 June 2017

VICTORIA State Government

VicRoads ABN 61 760 960 480

PSL 38

Attachment 20 - PLN15/1176 - 2 Gough Street Cremorne - VicRoads comments on substituted plans

vicroads

Yarra City Council
PO Box 168
RICHMOND VIC 3121
Attention: Sarah Thomas

COPY

Metropolitan North West Region
499 Ballarat Road
Sunshine Victoria 3020
Telephone (03) 9313 1333

Send Correspondence to:
mnw.mail@roads.vic.gov.au
or Fax (03) 9313 1175

Parcels and Drawings to:
Private Bag 4000 Sunshine
Victoria 3020

vicroads.vic.gov.au

Dear Ms Thomas,

PLANNING APPLICATION NO.: **PLN15/1176**
VICROADS REFERENCE NO: **17312/16**
PROPERTY ADDRESS: **2 GOUGH STREET, CREMORNE (STAGE 2)**

Section 55 – No objection subject to conditions

Thank you for forwarding the above planning permit application pursuant to Section 55 of the Planning and Environment Act 1987.

VicRoads has considered the application and has no objection to the proposal in its current form as reflected in Stage 2.

Council should be mindful that the decision guidelines in Schedule 3 to the Comprehensive Development Zone require the Responsible Authority to consider as appropriate the "Planning and Design Principles for the Richmond Maltings Site, Cremorne – November 2007".

More specifically, the schedule requires:

Options for any future potential pedestrian access across or along Harcourt Parade are to be subject of full discussion and negotiation between VicRoads, City Link, Council and the landowner

Having regard to the above, no formal consultation has occurred to date between VicRoads, City Link, Council and the landowner.

Notwithstanding the above, if the Council regards the proposed development favourably, VicRoads would require that the following conditions be included in any Notice of Decision to Issue a Planning Permit or Planning Permit:

1. *VicRoads prohibits the construction of building/s or the carrying out of works within the Road Zone Category 1 (i.e. Punt Road and Harcourt Parade).*

2. *VicRoads prohibits vehicular, pedestrian or cycling access to the site along Harcourt Parade.*

3. *The luminance of the advertising sign/s must be such that it does not give a veiling luminance to the driver, of greater than 0.25cd/m^2, throughout the driver's approach to the advertising sign/s.*

VICTORIA State Government

VicRoads ABN 61 760 960 480

Attachment 20 - PLN15/1176 - 2 Gough Street Cremorne - VicRoads comments on substituted plans

COPY

4. *In the event of an attack by a computer hacker or similar resulting in unauthorised display of visual images or any other display malfunction, the electronic sign is to shut down and cease any form of visual output until the malfunction is repaired.*

5. *Prior to commencement of the development hereby approved, a truck wheel wash must be installed at the property boundary to enable all mud and other tyre borne debris from vehicles to be removed prior to exiting the land.*

6. *The truck wheel wash must be maintained in good order during the construction phase of the development and may be removed at the end of the construction phase of the development with the prior approval of Council.*

The above conditions have been included in recognition of the potential mitigation required to ensure no adverse impact will result on the safety and operational efficiency on the surrounding road network.

It is also anticipated that due to access restrictions imposed along Harcourt Parade, in the event a permit is issued an appropriate Construction Management Plan should be prepared to Council's satisfaction consistent with the above requirements.

VicRoads, kindly request that the above permit conditions and advice be taken into account together with those comments and/ or requirements forwarded by CityLink to Council dated 13 May and 16 May 2016.

Should you have any enquiries regarding this matter, please contact Gillian Menegas on 03 9313 1148 or Gillian.Menegas@roads.vic.gov.au

Yours sincerely

G Menegas

GILLIAN MENEGAS
Senior Planner - Traffic and Planning (Central)

2 June 2016

Cc CityLink

Attachment 20 - PLN15/1176 - 2 Gough Street Cremorne - VicRoads comments on substituted plans

COPY

- Message from "Moore, Bianca" <BMoore@transurban.com> on Mon, 16 May 2016 04:56:29 +0000 -

---

To: "planningadmin@yarracity.vic.gov.au" <planningadmin@yarracity.vic.gov.au>

cc: "Hecht, Martin" <MHecht@transurban.com>, "Liakos, Jimmy" <JLiakos@transurban.com>

Subject: RE: PLN15/1176 - 2 Gough St Cremorne - Transurban Comments

Dear Tarquin,

I apologise for the delay, however we would like to add some additional comments:

- To the satisfaction of CityLink, the applicant is to display that building maintenance (fronting Harcourt Parade) will not impact the operation of CityLink roadway either by virtue of closing ramp or limiting road width etc.
- Building materials/finishes fronting Harcourt Parade should discourage the act of graffiti.
- Landscaping is not to front Harcourt Parade (without any fencing or similar) in order to reduce maintenance activities from road side and reduce any potential foliage falling on the roadway and/or impacting driver sightlines.
- To the satisfaction of CityLink, the applicant is to display that the finish of the building will not result in sunlight reflection that may dazzle drivers increasing the risk of collisions on CityLink.
- It is understood that a proposed strategy is to provide better cycling connections between Harcourt Parade and the Capital City Trail. This would potentially involve installation of bicycle lanterns and kerb build out to Harcourt Parade. To the satisfaction of CityLink, the applicant is to display that this proposal will have no impact to existing and future operation of the Harcourt Parade ramp having consideration for, but not limited to, maintenance activities, traffic volumes, over dimensional vehicle access, the existing emergency lane catering for broken down vehicles to stop etc.
- Pedestrian/Bicycle access not to be permitted adjacent Harcourt Parade which forms access to the CityLink tollway and forms part of CityLink Lease boundary.

Please also note that during construction, CityLink will require an access deed to indemnify us of losses and outline expectations in terms of operation and safety.

Kind regards,

Bianca Moore
Commercial and Contracts Advisor
VIC Business
Level 23, Tower One, Collins Square
727 Collins Street
Docklands VIC 3008
Phone: +61 3 8656 8390
Fax: +61 3 9649 7380
Mob: +61 423 616 864
Email: bmoore@transurban.com

transurban

From: Moore, Bianca
Sent: Friday, 13 May 2016 9:33 AM
To: 'planningadmin@yarracity.vic.gov.au'
Cc: Hecht, Martin
Subject: PLN15/1176 - 2 Gough St Cremorne - Transurban Comments

Dear Tarquin,

Thank you for your application advice for the following development:

Application Number: PLN15/1176

Address: 2 Gough Street Cremorne VIC 3121

Attachment 20 - PLN15/1176 - 2 Gough Street Cremorne - VicRoads comments on substituted plans

COPY

Given the proximity of the site to the CityLink boundary (which extends up to the edge of the existing buildings on the Punt Rd on ramp and includes the pedestrian pavement), there is a direct physical interface with CityLink that we have some concerns about.
A notable concern involves the potential for objects to fall from the construction site onto the CityLink road network, which is a high risk to our business with regards to both safety and operational disruption. As such, we request that measures are implemented to address this and assure against this risk very early on in the project.
If you have any questions please do not hesitate to contact me.
Kind regards,

Bianca Moore
Commercial and Contracts Advisor
VIC Business
Level 23, Tower One, Collins Square
727 Collins Street
Docklands VIC 3008
Phone: +61 3 8656 8390
Fax: +61 3 9649 7380
Mob: +61 423 616 864
Email: bmoore@transurban.com
transurban

----- Message from "Moore, Bianca" <BMoore@transurban.com> on Thu, 12 May 2016 23:33:18 +0000 -----

To: "planningadmin@yarracity.vic.gov.au" <planningadmin@yarracity.vic.gov.au>
cc: "Hecht, Martin" <MHecht@transurban.com>
Subject: PLN15/1176 - 2 Gough St Cremorne - Transurban Comments

Dear Tarquin,
Thank you for your application advice for the following development:
Application Number: PLN15/1176
Address: 2 Gough Street Cremorne VIC 3121
Given the proximity of the site to the CityLink boundary (which extends up to the edge of the existing buildings on the Punt Rd on ramp and includes the pedestrian pavement), there is a direct physical interface with CityLink that we have some concerns about.
A notable concern involves the potential for objects to fall from the construction site onto the CityLink road network, which is a high risk to our business with regards to both safety and operational disruption. As such, we request that measures are implemented to address this and assure against this risk very early on in the project.
If you have any questions please do not hesitate to contact me.
Kind regards,

Bianca Moore
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Level 23, Tower One, Collins Square
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Mob: +61 423 616 864
Email: bmoore@transurban.com
transurban

Attachment 21 - PLN15/1176 - 2 Gough Street Cremorne - Urban Design Unit advice on substituted plans

CITY OF YaRRA

MeMO

TO:	Sarah Thomas
FROM:	Richa Swarup
DATE:	14 Jun 2017
SUBJECT:	2 Gough Street, Cremorne
APPLICATION NO:	PLN15/03552 Gough Street, Cremorne
	VCAT Formal Amended Plans

Urban design comments have been requested on the public realm improvements relating to the amended plans.

Response

Following observations are being made with respect to the information provided on the public realm improvements

- The proposed Ground Floor Plan LP01 and Landscape Character Plan LP02 are very small scale, not very clear and are difficult to interpret properly. The applicant should be asked to submit:
    - A detailed landscape plan with dimensions.
    - A plan indicating circulation strategy for pedestrian, bicycle and vehicular movement.
    - Cross sections across the public space to understand the land form and levels, scale trees and vegetation etc.
    - Sketches and palette of materials, colours, details of the proposed planting and seats bins etc.

- This is a large development which would bring a significant number of new residents in the area. There is a need to improve pedestrian connection across Gough Street at the intersection of Cremorne Street.

- Details of the modular circular seating are not understood properly. The idea of circular paving pattern seems unnecessary as it leaves residual stone paved areas in-between which will be difficult to construct and maintain (as it would require specific cutting of stones particularly in the area between the B8, B9 and silos).

- The boundary conditions of the landscaped areas as well as the buildings along Harcourt Parade are not very clear.

Attachment 21 - PLN15/1176 - 2 Gough Street Cremorne - Urban Design Unit advice on substituted plans

- The area between the Building B9 and silos seems to be narrow and constraint.

- The plantation of well-spaced trees and setting back of the building from the property boundary along Gough Street and Cremorne Street is supported as it would provide the opportunity for wider footpath and street greening.

- The boundary condition of the north western section along Building 9 also needs to be understood as no side setback is proposed which may impact the development of the adjoining site.

Attachment 22 - PLN15/1176 - 2 Gough Street Cremorne - MGS urban design advice on substituted plans

Independent Urban Design Advice
On Without Prejudice Documents

Proposed Stage 2 Development
Richmond Malting Precinct 2 Gough Street Cremorne

June 2017

1.0

Prepared by
Prof. Robert McGauran
B. Arch. (Hons. Melb), B.A. (Fine Arts Melb.), P.D.M. (Melb.), LFRAIA, FVEPLA, Architect

Our Ref: 15110

BACKGROUND

1. I was asked by the City of Yarra in May 2017 to review the Stage 2 without prejudice plans for the Richmond Malt Precinct having regard for the State and Local Planning Policy provisions of the Yarra Planning Scheme and as they relate to:
   - Appropriateness of the design treatment of the proposed building and its streetscape impact; and
   - Building height, bulk and massing;

- Use of colours and materials;
- Facade treatments and legibility as a residential building; and
- Does the proposal achieve a high architectural and urban design outcome.
- Subsequent to this I attend ed a mediation hearing and as a result subsequent plans have been drafted dated 29/5/17 by Fender Katsalides Architects and it is on these that I have been asked to comment.

REVIEW OF EARLIER WITHOUT PREJUDICE PLANS

I had earlier noted the following:

2. The retention of the nine silos as the base for the Nylex sign was supported in principle.
3. The increase in setback between the proposed new building B9 and the adjoining B8 and existing retained silos was also supported in principle as was the increased separation between B6 and B9.
4. The proposed juxtaposition of B9, B8, the existing silos and extensions and B6 to the south and to B5 was in my view unreasonably tight, leaving little by way of high quality open space within the development.
5. These areas needed to be reassessed. Indicatively I suggested the following:

B9

6. Removal of the ground floor retail tenancy at the eastern end and reconfiguration of the adjoining office for a south eastern interface with the proposed plaza.
7. At levels above to this end, the removal of the two easternmost apartments on each level to provide indicatively a separation of approximately 10m between the B9 new apartments and the existing silos.
8. Provide a plaza of approximately 20m in width between the easternmost point of the proposed northern wing of B9 and the existing silos at B8, delivering a more significant plaza area to the western side of B8.
9. Reconfiguration of the proposed south facing one-bedroom apartment immediately abutting this eastern plaza to become a two or three-bedroom apartment with an eastern orientation to the new plaza to overcome a problematic interface in the internal corner between the proposed east facing two-bedroom apartments that were backing the lift core and facing east and the adjoining one-bedroom apartments to the north.
10. To the west, principles of equitable development are to be applied, maintaining a 4.5m interface setback to the habitable room windows of the proposed west facing dwellings. I felt that modest projections of balconies into this space for up to 1m could be accommodated.
11. As previously noted I was not opposed to the proposition of an extension to the silos form with a contemporary treatment and I believed that the general approach adopted by the applicant of the fluted adjoining form and clear break between the apartments and the adjoining silos and the incorporation of these silos in a purposeful way into the adjoining apartment building are each strategies that are supportable. That being said the relationship of the western extension to the silos was in my view in need of modification to open up a view of the Southwestern silo in the round when viewed from key locations along the river.
12. The and location of the tallest element of the development at the westernmost end was supported in principle.

B8

13. The juxtaposition between the B8 hotel conversion and the adjoining B6 required review to increase the separation to 9m between the south westernmost hotel apartment and the adjoining north western apartment in the corner of B8.
14. I recommended the removal of the southernmost hotel room and the reconfiguration of the remaining two hotel rooms at right angles to their current arrangements, creating a separation of 8m between the balcony of the north western apartments and the south westernmost hotel rooms and 9m between the closest part of habitable room windows between that apartment and the adjoining hotel.

15. The configuration of the proposed hotel B8 resulted in a separation of only 6m between the eastern hotel rooms configured with a deeper footprint and the adjoining Stage 1 B5, the western side of which in the landscape plans had been configured as a major social space for the development that I felt would be highly compromised and undermined by the suggested approach.
16. In conjunction with the suggested erosion of B8, logically an opportunity may exist for shallower and wider apartments on the eastern side of B8, similar to that adopted for the western side or achieved through the utilisation of more of the core silo volume for hotel room occupation achieving more generous setbacks as a result.
17. I recommended providing for a 10m separation at the northernmost end of the development between the adjoining Stage 1 works and these upper hotel levels, providing an effective street open to the sky between the two areas.
18. The conversion of this building to a hotel was supported in principle.

Height & visibility of the proposed silos as part of the 'Melbourne View'

19. In general terms I had problem with the principle of greater height in the north western corner of the development.
20. The key issues will be the visibility of the silos from these key views. Having viewed the 3d envelopes provided at the conference I felt that the SOutheastern end of the new building needed to be further indented to reveal the SE retained silo south and west façade. Opportunities to use the underutilised linking element for occupation at some levels and removal of the link on some middle floors would help achieve this goal.
21. The increased height in this location does cast a shadow on the river, however it does so in an area already more substantially affected by the bridges crossing the river at Punt Road and the elevated freeway at that point.
22. Building B6 however proposes an increase above that which was recommended in the earlier reports. B6 should adopt the principles confirmed for Stage 3 by VCAT at RL38.85, a height that, due to the proximate and similar attributes of the river interface would result in a similar level of overshadowing i.e. not more than approximately 25% of the river.
23. Whilst I noted that new policy would suggest and even more rigorous constraint on the river overshadowing to the east of the subject precinct, it is my view that with the loss of the two floors of this development that an acceptable outcome could be achieved i.e. taking the proposed parapet level from its current RL43.85 down to RL37.85 and allowing for the set back upper level as indicated.
24. Hence, I suggested for B6 that at level 11 the south side of the corridor would be removed and that level 12 be removed, with level 13 replacing level 12 as the uppermost floor. The lower notch below this parapet datum could I felt be filled in to align with the heights of its eastern neighbour at the river interface.
25. End of journey change facilities are to be provided for cyclists and storage of 6 cubic metres per apartment..

REVISED PLANS

26. The diminished footprint of B9 has increased the separation between the proposal and the adjoining B8 to a satisfactory level
27. The separation between b8 hotel suites and B5 is now satisfactory.
28. The separation between the habitable rooms of the hotel and B6 (9m approx.) is adequate.

B9

29. The separation between B9 north wing and the silos of B9 retained is satisfactory at 10m minimum
30. Revised plans for B9 enhance the arrival sequence to the residential.
31. Further activation of the eastern plaza interface should be encouraged.
32. The inclusion of bike storage off the internal courtyard is supported at ground level.
33. The revised proposal still promotes an indented bedroom arrangement for west facing lower level apartments 101 and the southern adjacent unit reliant in turn on daylighting via the walled courtyard. Amenity and daylighting evidence to a satisfactory level should be provided.

34. Daylighting adequacy for deeper midblock south-facing apartments should be verified.
35. Opportunity to treat the east wall of the north wing as a front rather than side should be further investigated for the north eastern unit.
36. The cranking back of development at Unit 4 and above to reveal the south-eastern corner of the silos is supported.
37. The adequacy of the living space associated with a number of units requires review to demonstrate the spatial arrangements enable furnishing for the number of occupants envisaged.
    a. E.g. the east facing internal courtyard 3 bedroom unit needs review as do a number of 2 bedroom units with the current living area appearing inadequate for the proposed number of occupants.
38. The more sculptured form of upper level units is supported.in principle
39. Sizing of habitable rooms notably bedrooms to meet minimum BAD Standards.
40. Daylighting of upper level embedded living space for west facing 3 bedroom apartment on Level 13.

B6

41. I am generally happy with the arrangement of B6 and its extension
42. The overshadowing of the river was to be to the same maximum projection of the adjoining approval for the Stage 3 office.
43. I note the shadow diagrams indicate a greater projection at 9am.
44. This could be reduced by removing overhanging roofs to south facing balconies at upper levels and by setting back the upper level plant area from the south façade to approximately the south end of the central core.
45. Heritage interpretation and detailing of the historic and interface outcomes and ground plane both need considerable work.
46. Public realm works need to be defined – as discussed I would urge removal of kerbside parking between the eastern end of Building B9 and Eastern end of B5 to enhance the extent of long term sunlit open space.\
47. I would advocate strongly for enhanced access across Harcourt Parade between B9 and B6 for pedestrians linking to the river trail and facilitated through slowing signs in the on ramp given the ongoing exit of vehicles from Cremorne Street and the increasing pedestrian and cycling activity envisaged.

CONCLUSION

48. With these changes it would be my view that we would be close to a reasonable outcome for the site that balanced the need for sufficient development footprint to enable the site's restoration in combination with sufficient amenity and separation between buildings to deliver a legible precinct and quality places.

Prof. Rob McGauran
Director MGS Architects
6th June 2017

Attachment 23 - PLN15/1176 - 2 Gough Street Cremorne - Traffix part 1

Thomas, Sarah

From: Leigh Furness <leigh@traffixgroup.com.au>
Sent: Monday, 19 June 2017 11:06 AM
To: Thomas, Sarah
Cc: Osman, Mary
Subject: RE: 2 Gough - Stage 2

Hi Sarah,

I understand that Stage 2 provides 239 car spaces and Stage 1 is contributing another 40 car spaces. So the total car parking for Stage 2 is 279 car spaces.

The GTA Table has 171 car spaces permanently allocated to residents. This provision accords with the car parking rates of Stage 1 (0.5 per 1 bed, 0.7 per 2 bed and 1 per 3 bed). To simplify the discussion, I have put all of 171 car spaces aside. This leaves a pool of 108 car spaces.

GTA have also permanently allocated 10 car spaces to various staff. Specifically the 4 spaces for hotel staff, 2 spaces for retail staff, 2 spaces for café/bar staff and the 2 spaces for restaurant staff. We are satisfied with these allocations, including no parking for hotel guests. No guest car parking is acceptable given the site's location and that hotel guests will also know in advance when they book the room that it does not have a car space and if they require a car space, they would look elsewhere.

This leaves a pool of 98 car spaces shared by:

- Residential visitors
- Office staff
- Office visitors
- Retail customers
- Gallery staff/patrons
- Café/bar patrons
- Restaurant patrons
- Function centre visitors/staff

The more critical time periods are 1pm and 8pm on both Friday and Saturday. So I am going to set aside the 9am and 5:30pm time periods to simply the analysis.

The following table sets out car parking rates GTA applied at the key times. In green is the car parking rates we believe should be applied where there is a difference of opinion.

Table 1: Review of Car Parking Rates (Traffix Group recommended rates shown in green where different to GTA)

Use	Size	Friday		Saturday		Notes
		1pm	8pm	1pm	8pm	
Residential Visitors	258 apartments.	0.004/apt. (0.04/apt)	0.031/apt. (0.12/apt.)	0.016/apt. (0.06/apt.)	0.039/apt. (0.12/apt.)	We don't accept the visit raised in our initial comm The peak rate of 0.04 spa commonly accepted emp At 1pm on a Friday, intuit 258 apartments at 1pm is Finally, a peak residential is consistent with the pre allocation within Stage 1.

1

Office staff	2,423m^2	0.87/100m^2	Closed	Closed	Closed	The overall office rate is a is acceptable and has bee
Office visitors		0.08/100m^2	Closed	Closed	Closed	in the past.
Retail customers	223m^2	None	None	None	None	The assumption that dem consistent with how Stag
Gallery staff/patrons	25 patrons	0.3/patron	Closed	0.3/patron	Closed	This rate is acceptable in
Café/bar patrons	150 seats	0.06/patron (0.12/patron)	0.11/patron (0.25/patron)	None (0.12/patron)	0.11/patron (0.25/patron)	This rate is low. In our vie differentiation between t centre rates. They are ve Applying a car parking rat is acceptable, representin greater proportion of loc
Restaurant patrons	48 seats	Closed	0.25/patron	Closed	0.25/patron	These rates are acceptabl
Function centre visitors/staff	100 seats	Closed	0.25/patron	Closed	0.25/patron	These rates are acceptabl

We are generally satisfied with the GTA car parking rates except for residential visitors and the café/bar rates, as discussed in the table above.

The table below summarises our empirical car parking demand assessment for the common pool of car parking.

Table 2: Summary of Empirical Parking Demand for Common Pool of Car Parking

Use	Size	Friday		Saturday	
		1pm	8pm	1pm	8pm
Residential Visitors	258 apartments.	10	31	15	31
Office staff	2,423m^2	23	Closed	Closed	Closed
Office visitors			Closed	Closed	Closed
Retail customers	223m^2	None	None	None	None
Gallery staff/patrons	25 patrons	8	Closed	8	Closed
Café/bar patrons	150 seats	18	38	18	38
Restaurant patrons	48 seats	Closed	12	Closed	12
Function centre visitors/staff	100 seats	Closed	25	Closed	25
Total Demand		59	106	41	106
Supply		98			
Surplus/Shortfall		+39	-8	+57	-8

Overall, the analysis shows a modest shortfall of 8 car spaces at 8pm on Friday and Saturday and a surplus at other times. While we would prefer that the full empirical rate was met on-site, a modest shortfall of 8 spaces is

acceptable. The landscape plans appear to show around 12 car spaces retained along the site's frontage, which would support the projected overflow.

Please note that this analysis relies on Stage 1 contributing 40 car spaces. We would not support a shortfall of 48 car spaces (as opposed to 8 spaces) given the lack of public car parking in the nearby area.

Finally, there should be a car parking management plan included as a condition of permit. This should detail such items as:

- The allocation of car parking
- Where the car parking is located
- How the car parking is shared
- Whether any fees are charged for the carpark
- How security of the carpark is managed

The plan should also detail how the common pool of car parking will be managed so that it is not all consumed by long-term car parking. There is the potential that office staff, staff of other businesses on the site or external users parking within the common carpark all day during business hours (and exclude short-term parking) if the car parking is not controlled.

Regards

Leigh Furness

Associate

TraffixGroup

http://www.traffixgroup.com.au

Suite 8, 431 Burke Road
Glen Iris Victoria Australia 3146

Email: leigh@traffixgroup.com.au
Phone: +61 3 9822 2888
Facsimile: +61 3 9822 7444

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