YARRA CITY COUNCIL

Internal Development Approvals Committee

Agenda – Meeting 1

to be held on Wednesday 13 December 2017 at 6.30pm in Meeting Rooms 1 & 2 at the Richmond Town Hall

Rostered Councillor membership

Councillor Stephen Jolly
Councillor James Searle
Councillor Mike McEvoy

I. ATTENDANCE
Mary Osman (Manager Statutory Planning)
Vicky Grillakis (Co-Ordinator Statutory Planning)
Rhys Thomas (Senior Governance Advisor)

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	PLN17/0370 - 198-242 Burnley Street, Richmond - Part demolition and the construction of buildings up to nine storeys including basement car parking and containing office, shop and restricted retail premises, a reduction in the car parking requirement, a variation to the loading bay requirement and alterations to the access of and buildings and works to a road in a Road Zone, Category 1 (Burnley Street).	5	60
1.2	PLN17/0626 - 60 - 88 Cremorne Street Cremorne - Use and development of the land for the construction of two buildings (two and seven storeys in height with a roof terrace and two basement levels) for the purposes of three (3) food and drinks premises (7am to 7pm, seven days per week), an indoor recreation facility (7am to 7pm, seven days per week), an education centre (68 students - 7am to 7pm, Monday to Saturday) and office (no permit required for office use) and a reduction in the car parking requirements.	153	205
1.3	PLN17/0389 - 16A-17A/64 Balmain Street, Cremorne - Development of the land for the construction of a 9 storey building (plus basement levels), reduction in the car parking requirement associated with an office	289	319
1.4	PLN17/0278 - 506 & 508 - 510 Church Street Cremorne - Use and development of the land for the construction of an 11 storey building (plus roof terrace and three basement levels) for offices and three food and premises (no permit required for office use), reduction in car parking requirement, and alteration of access and building and works to a Road Zone Category 1 Road.	426	477
1.5	86 Fergie Street, Fitzroy North - Planning Permit Application No. PLN17/0005 - Part demolition to allow for the construction of a basement and a double-storey extension to the existing dwelling.	561	579

1.1 PLN17/0370 - 198-242 Burnley Street, Richmond - Part demolition and the construction of buildings up to nine storeys including basement car parking and containing office, shop and restricted retail premises, a reduction in the car parking requirement, a variation to the loading bay requirement and alterations to the access of and buildings and works to a road in a Road Zone, Category 1 (Burnley Street).

Executive Summary

Purpose

1. This report provides Council with an assessment of planning permit application PLN17/0370 and recommends approval subject to conditions.

Key Planning Considerations

2. Key planning considerations include:
   (a) Land use (Clauses 11.01, 11.06, 17.01, 21.04 and 34.02)
   (b) Built form (Clauses 15.01, 15.03, 21.05, 22.02 and 22.10)
   (c) Off-site amenity impacts (Clauses 15.01, 22.05 and 22.10)
   (d) Internal amenity (Clauses 22.05 and 22.17)
   (e) Car and bicycle parking provision (Clauses 18.02, 21.06, 52.06 and 52.34)

Key Issues

3. The key issues for Council in considering the proposal relate to:
   (a) Strategic justification.
   (b) Built form, design and heritage impacts.
   (c) Equitable development.
   (d) Off-site amenity impacts.
   (e) Internal amenity.
   (f) Sustainable design.
   (g) Car and bicycle parking.
   (h) Traffic and access.
   (i) Objectors' concerns.

Objector Concerns

4. A total of 110 objections were received to the application, these can be summarised as:
   (a) Overdevelopment of the site.
   (b) Out of character with the streetscape, including inappropriate materials and finishes.
   (c) Heritage impacts on individually significant buildings.
   (d) Excessive height, bulk and scale.
   (e) Overshadowing.
   (f) Overlooking.
   (g) Increase in noise (traffic, people, outdoor areas/terraces, mechanical plant equipment, etc.).
   (h) Lighting impacts on adjoining properties.
   (i) Loss of views.
   (j) Impact on vegetation.
   (k) Lack of car parking.
   (l) Increased traffic congestion including trucks accessing residential streets.
   (m) Emergency services access.
   (n) Impacts from waste collection.
   (o) Lack of public open space.
   (p) Potentially contaminated site.
   (q) Safety concerns.

(r) Impact on infrastructure.
(s) Impacts during construction.
(t) Will set a precedent.
(u) No community benefit.
(v) Compete with retail activity on Bridge Road.
(w) Loss of property values.

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: **Nikolas Muhllechner**
TITLE: **Principal Planner**
TEL: **9205 5456**

1.1 PLN17/0370 - 198-242 Burnley Street, Richmond - Part demolition and the construction of buildings up to nine storeys including basement car parking and containing office, shop and restricted retail premises, a reduction in the car parking requirement, a variation to the loading bay requirement and alterations to the access of and buildings and works to a road in a Road Zone, Category 1 (Burnley Street).

Trim Record Number: D17/180992
Responsible Officer: Senior Coordinator Statutory Planning

Proposal:	Part demolition and the construction of buildings up to nine storeys including basement car parking and containing office, shop and restricted retail premises, a reduction in the car parking requirement, a variation to the loading bay requirement and alterations to the access of and buildings and works to a road in a Road Zone, Category 1 (Burnley Street).
Existing use:	Car dealership, self-storage facility and design studio.
Applicant:	Burnley Developments Pty Ltd
Zoning / Overlays:	Commercial 2 Zone Design and Development Overlay (Schedule 2) Heritage Overlay (Schedule 443)
Date of Application:	16 May 2017
Application Number:	PLN17/0370

Planning History

1. Planning permit application PLN11/0733 formed part of a Section 96A combined planning permit application and planning scheme amendment. This proposal sought to rezone the land to the Mixed Use Zone and approval for the construction of four buildings (each between three and eight storeys in height) and two basement levels, providing for a mixed-use development including 348 dwellings, office, retail and shop uses, a reduction in the car parking requirement and alteration of the access to a road in a Road Zone, Category 1 (Burnley Street). This combined planning permit and planning scheme amendment was ultimately abandoned in 2012.

2. Planning permit application PLN15/0176 sought approval for alterations to the front façade of the building located centrally on the Burnley Street frontage, at 198 Burnley Street. This planning permit was issued on 1 May 2015. A Section 72 amendment was subsequently lodged and later withdrawn. It appears that the works approved under this planning permit have not been pursued.

3. Planning permit application PLN16/0947 sought approval for the display of business identification signage and external painting of the building located to the north of the Burnley Street frontage at 220 Burnley Street. This planning permit was issued on 5 August 2016.

Background

4. This application was received by Council on 16 May 2017. Following the submission of further information the application was advertised and 110 objections were received.

5. A consultation meeting was held on 14 November 2017 and attended by objectors, the applicant's development team and Council officers. In response to the issues raised in objections, as well as issues raised by Council officers and in referral comments, a set of concept plans prepared by Wireframe Architects, dated 15 November 2017 were presented at the consultation meeting. These plans made the following changes to the proposed development as depicted in the advertised plans:
   (a) Changes to the basement layout increasing the extent of basement area to the west and south, incorporating car stackers along the eastern side of the basement, increasing the number of car parking spaces from 104 spaces to 190, reducing the overall number of car parking spaces from 385 to 378 and shifting the lift lobby of Building D further north (replicated on the floors above), amongst other internal layout changes.
   (b) Changes to the ground floor layout including:
      (i) Shifting the vehicle access to the proposed development further north on the Neptune Street frontage and now providing access to the upper floor car parking areas, with a total of 118 car parking spaces, an increase of 14 car parking space accessed of Neptune Street compared to the advertised plans.
      (ii) Introducing a bicycle entrance from Neptune Street along the southern boundary.
      (iii) Shifting the Burnley Street vehicle access further south and widening the landscaped forecourt to the lift lobby of Building A.
      (iv) Providing an east-west pedestrian link between Burnley Street and the laneway off Neptune Street through the building to the north of the Burnley Street frontage, requiring the part demolition of this building. This also results in the deletion of the loading bay from the laneway.
   (c) Changes to Building A including an increased setback to Burnley Street at the first floor and above from 8.70 metres to 10 metres and an increased setback to Neptune Street between the first floor and seventh floor from 9.77 metres to 10 metres and at the eighth floor from 10 metres to 13.65 metres incorporating a balcony. The proposed lightwell on the ground floor to the third floor of Building A deleted.
   (d) Internal changes to Building B, including additional floor area on the first floor replacing a void area next to the staircase.
   (e) Changes to Building C including increased setbacks to Neptune Street from 4.67 metres to 14.45 metres and from the boundary with 43 Neptune Street from 8.44 metres to 14.18 metres. The rooftop terrace structures of Building C have also been significantly reduced, effectively dropping from five stories to four stories and from 18.79 metres to 16.14 metres in height. The ground floor car parking spaces of Building C replaced with office space facing Neptune Street.
   (f) Changes to Building D including:
      (i) Increasing the ground floor setback from the eastern boundary of 2 Strafford Street and its driveway from 0 metres to 1.29 metres.
      (ii) Increasing the setbacks to 244 Burnley Street from 2.91 metres to 5.84 metres at the first floor, from 16.29 metres to 29.52 metres at the second, third and fourth floors, from 33.14 metres to 39.96 metres at the fifth and sixth floors and from 33.14 metres to 45.55 metres at the seventh floor.
      (iii) Increasing the first floor setback to the rear boundaries of 43-47 Neptune Street from 0 metres to 2 metres.
      (iv) Increasing the first floor setback to the eastern boundary of 2 Strafford Street and its driveway from 0 metres to 6.69 metres.
      (v) Increasing the setback of the second floor terrace from the rear boundaries of 43-47 Neptune Street from 0 metres to 4.5 metres.
      (vi) Increased setbacks from the rear boundaries of 43-47 Neptune Street and the eastern boundary of 2 Strafford Street from a minimum of 3.99 metres to a minimum of 12.95 metres on the second, third and fourth floors.
      (vii) Increased setbacks from the rear boundaries of 43-47 Neptune Street and the eastern boundary of 2 Strafford Street from a minimum of 9.69 metres to a minimum of 20.14 metres on the fifth and fourth floors.

(viii) Increased setbacks from the rear boundaries of 43-47 Neptune Street and the eastern boundary of 2 Strafford Street from a minimum of 9.69 metres to a minimum of 25.17 metres on the seventh floor.
(ix) Various additions and reductions at all levels of Building D, generally central to the Burnley Street frontage, as depicted in the concept plans.
(x) Combining the two restricted retail premises fronting Burnley Street into one tenancy.
(xi) Shifting the Building D lobby to the north of the combined restricted retail tenancy.

6. The concept plans were tabled at the consultation meeting. However, no resolutions were reached. These plans have not been formally substituted within the application material but will be utilised for discussion purposes throughout the body of this report.

Existing Conditions

Subject Site

7. The subject site (Attachment 1) is irregular in shape and located on the western side of Burnley Street, approximately 110 metres south of Bridge Road, in Richmond. The site fronts Burnley Street to the east, Neptune Street to the west and abuts the northern end of Strafford Street along its southern boundary. The site is relatively flat with minimal appreciable fall across the site.

8. It is noted that this application does not apply to 196A Burnley Street, a rectangular parcel of land with a frontage to Burnley Street that divides the subject site's Burnley Street frontage into a north and south section. This parcel of land is described in greater detail in the Surrounding Land section of this report.

Aerial imagery, August 2017.

9. The Burnley Street frontage consists of a 21.67 metre section north of 196A Burnley Street and a frontage of 99.62 metres to the south. The site has a frontage to Neptune Street in the west of 73.98 metres, a depth from Burnley Street to Neptune Street of 74.82 metres and an overall site area of 8,020 square metres.

10. The western part of the northern boundary abuts a laneway accessed from Neptune Street for a length of 32.18 metres, before turning north for a length of 4.67 metres. The northern boundary then extends east to Burnley Street for a length of 42.47 metres.

11. The southern interface of the site adjoins multiple residential properties. At Neptune Street, the southern boundary adjoins a residential property at 43 Neptune Street for a length of 24.38 metres, before heading south along the rear yards of residential properties facing Neptune Street for a length of 21.74 metres. The boundary then turn east for a length of 11.65 metres, wraps around a dwelling sited at the rear of 49 Neptune Street and proceeds south for a distance of 26.52 metres along the rear yards of more residential properties.

12. The southern boundary then has an angled interface with Strafford Street for a length of 13.18 metres, before heading east to Burnley Street for a distance of 30.18 metres, adjoining the residential property at 244 Burnley Street.

13. The subject site contains a mix of commercial tenancies with the various buildings across the site. To the north and with a frontage and single storey facade to Burnley Street is a narrow, building that extends to the east-west laneway further west, rising to two storeys where it adjoins the laneway. This building is a northern addition to the Patersons building described below. Vehicle access to this double storey component is provided directly from the laneway. This building is used as an office and ancillary uses associated with the car dealership on the broader site.

14. Abutting the single storey office and the laneway's southern boundary is the Patersons building which extends from Neptune Street to Burnley Street. This large brick building is constructed to both street frontages with vehicle access also gained from both streets. This building is currently used as a car dealership and service centre.

15. Further south on the Neptune Street frontage is a similar brick building constructed to the Neptune Street frontage. This building was constructed circa 1890 and identified as the Alcock's Electric Light and Motive Power Co. Building (Alcock's building). A sawtooth roof factory is located further south on the Neptune Street frontage and is also built to the street frontage and constructed primarily of brick. This building has a 5.88 metre high brick wall along the western portion of the southern boundary. An extension of this factory is constructed along the eastern boundaries of 43-47 Neptune Street and the northern boundary of 2 Strafford Street. Both the Alcock's building and the sawtooth roof factory are currently used as a self-storage facility.

16. To the Burnley Street frontage, south of the Patersons Building, and east of the Alcock's building, is a concrete sawtooth roof factory used as a warehouse by the car dealership. South of the concrete building and east of the sawtooth roof factory extension is a large concrete paved area used for car parking, with vehicle access available from both Burnley Street and Strafford Street, to the south.

17. In the south-east portion of the site is a two storey Moderne-style office building, constructed between 1945 and 1948. This building is currently used as a lighting design studio. The building is setback from the southern boundary with 244 Burnley Street approximately 2.5 metres.

18. The subject site consists of two allotments. To the north, the property at 200-220 Burnley Street is legally described as Lot 1 on Title Plan 882748E and is not affected by any restrictive covenants or easements.

    To the south, the property at 198 Burnley Street is legally described as Lot 1 on Title Plan 848645J and is not affected by any restrictive covenants or easements.

    <u>Surrounding Land</u>

19. The surrounding area contains a mix of uses, with residential interfaces to the west across Neptune Street, to the south and to the east across Burnley Street. To the north the subject site is land within the Commercial 2 Zone.

20. Dividing the site's Burnley Street frontage, at 196A Burnley Street, is a rectangular parcel of land with an area of approximately 100 square metres. The site currently contains an electricity substation owned by the relevant government agency.

21. Immediately to the north at 194 Burnley Street, with a frontage to Burnley Street, is a double storey commercial building used for furniture sales. Further north and also with frontage to Burnley Street are similar double and triple storey commercial buildings.

22. The east-west laneway that abuts the western part of the northern boundary and is accessed from Neptune Street has a width of approximately 3 metres, veering north near the midpoint of the northern boundary, before terminating approximately 19 metres north of the site. To the north of the east-west laneway are two single storey warehouses that front Neptune Street. Further north is part of the triple storey commercial building that fronts Burnley Street.

23. To the west of the site is Neptune Street, a north-south local road that travels between Bridge Road in the north and Corsair Street in the south. Neptune Street has a road reserve width of 10 metres and a road surface width of 6.1 metres. Neptune Street operates as a two-way road with parallel parking along both sides of the street, effectively reducing the width of the road to one lane.

24. On the western side of Neptune Street opposite the subject site is predominantly single storey residential development with some examples of two storey contemporary dwellings. The built form predominantly consists of single storey terrace houses with low front fences and secluded private open space at the rear.

25. To the immediate south at 43 Neptune Street is a single storey dwelling with its secluded private open space located to the rear of the dwelling. This dwelling is setback minimally from the common boundary with the subject site, with windows either facing west towards the street, east towards the property's rear yard or south towards the adjoining residential property.

26. Further south are similar single and double storey dwellings with their secluded private open space located to the rear adjoining the subject site's western boundary. These properties include 45, 47 and 47A Neptune Street, while 49 Neptune Street partly abuts the boundary of the subject site.

27. To the south-west is a double storey dwelling at 2 Strafford Street, which adjoins the subject site to the north and east. This dwelling has double storey walls constructed on its eastern and northern boundaries, while its secluded private open space is located on the western side of the dwelling. Further south of this dwelling, the rear yards of 55 and 57 Neptune Street are separated from the western boundary of the subject site by the driveway of 2 Strafford Street.

28. Strafford Street terminates at the southern boundary of the site. It is a north-south local street with a carriageway width of approximately 7 metres and car parking available on both sides of the street. Strafford Street primarily provides rear vehicle access to dwellings that front Burnley Street to the east and Neptune Street to the west.

29. On the eastern side of Strafford Street, adjoining the remaining portion of the southern boundary of the site, is 244 Burnley Street, where a single storey detached dwelling faces Burnley Street with the secluded private open space and outbuildings facing Strafford Street.

This dwelling has habitable room windows facing north towards the subject site. Further south of this dwelling are more single and double storey dwellings.

30. To the immediate east of the subject site is Burnley Street, a major arterial road that travels north-south with a single lane of traffic in each direction, a bicycle lane in each direction and parallel car parking on both sides of the road. Burnley Street has a road reserve width of 20 metres and a carriageway width of approximately 13 metres.

31. On the eastern side of Burnley Street, opposite the subject site is predominantly single storey detached dwellings, with Stillman Street bisecting these dwellings and forming a T-intersection with Burnley Street towards the south of the site's Burnley Street frontage. To the north-east of the site, opposite the Patersons building, is a large site where a part six and part eight storey residential development is currently under construction.

32. The site is well serviced by public transport with the Bridge Road and Swan Street tram lines located approximately 110 metres and 540 metres away to the north and south, respectively, and the Burnley train station located approximately 630 metres away to the south. The Bridge Road activity centre is located approximately 110 metres to the north of the site and the Swan Street activity centre is located approximately 540 metres to the south. Both activity centres consist of a wide range of commercial uses, including retail premises, restaurants, cafes and licensed premises.

The Proposal

33. This application proposes the part demolition and the construction of buildings up to nine storeys including basement car parking and containing office, shop and restricted retail premises, a reduction in the car parking requirement, a variation to the loading bay requirement and alterations to the access of and buildings and works to a road in a Road Zone, Category 1 (Burnley Street).

34. The key elements of the proposed development as depicted in the plans advertised with the application are:

Use:

(a) Ground floor restricted retail premises of 349 square metres and 503 square metres, respectively, in the ground floor of Building D.
(b) Ground floor shop of 616 square metres within the eastern portion of the Patersons building. Proposed operating hours for the shop are between 8:00am and 8:00pm, Monday to Sunday.
(c) A landscaped forecourt is proposed between Buildings A and D with a frontage to Burnley Street.
(d) A total of 18,281 square metres of office space across building B, the upper floors of Buildings A and D and the second and third floors of Building C.
(e) Main pedestrian entries to the building from both Burnley Street and Neptune Street.

Car parking and access

(f) A total of 385 car parking spaces within the development, including:
    (i) 104 spaces in the basement.
    (ii) 81 spaces on the ground floor.
    (iii) 88 spaces on the first floor, divided between Buildings C and D.
    (iv) 41 spaces each on the second and third floors, divided between Buildings C and D.
    (v) 30 spaces on the fourth floor of Building D.
    (vi) Vehicle access proposed from Burnley Street, accessing 281 car parking spaces across the ground and upper floors. Vehicle access to the ground floor car park also proposed from Strafford Street.
    (vii) Vehicle access to the basement proposed from the southern part of the Neptune Street frontage, accessing a total of 104 car parking spaces.

(viii) A total of 230 bicycle parking spaces, including 28 on the ground floor and accessible to visitors. A total of 22 showers with associated change rooms and 248 lockers.

Built form

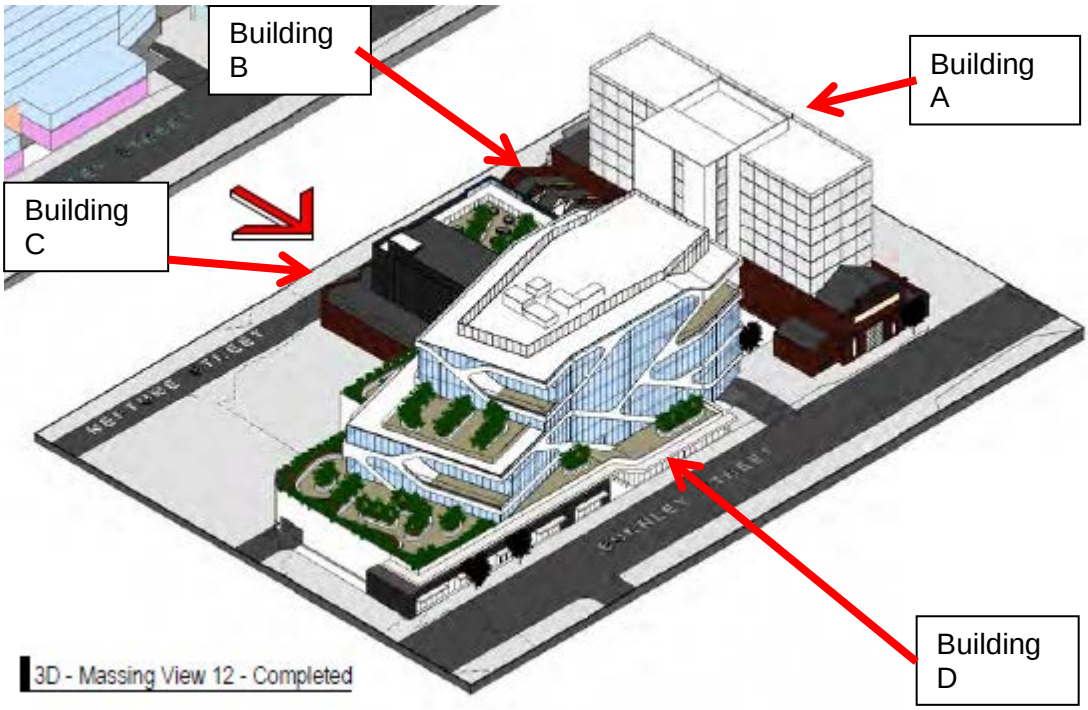
(g) The proposed development consists of four buildings:

(i) Building A consists of the retained portions of the Patersons building to the north of the site, with a nine storey tower

(ii) Building B consists of the retained Alcock's building (two stories) located centrally on the Neptune Street frontage.

(iii) Building C consists of the retained portions of the sawtooth roof factory with a five storey addition, located to the south of the Neptune Street frontage.

(iv) Building D consists of an eight storey building with a stepped design to the southern boundary and a part two storey and part single storey street wall. Building A is located on the majority of the Burnley Street frontage in the southern and eastern portions of the site.



Location of proposed buildings as depicted in the advertised plans.

Building A:

(h) The substantial retention of the four walls of the Patersons building along with sections of the roof to Burnley Street and Neptune Street for a distance of 8.69 metres and 9.77 metres, respectively. The central sections of the roof, further from the street frontages are to be removed. Demolition of a small portion of the southern wall in the centre of the building is proposed to facilitate internal access. The single-storey northern addition to Burnley Street will be retained in its entirety.

(i) The Building A extension is extruded from the Patersons building, including nine storeys reaching a height of 33.55 metres to the eighth floor and an overall maximum height of 35.15 metres to the top of the lift overrun.

(j) The proposed extension is setback from the Burnley Street and Neptune Street facades 8.69 metres and 9.77 metres, respectively, setback 6.07 metres from the common boundary with 194 Burnley Street to the north and nominally constructed to the boundary.

(k) Pedestrian entrances are provided from both the Burnley Street and Neptune Street facades, while a lift lobby is centrally located to the south of the Patersons building and to the rear of Alcock's building.

(l) Colours and materials of the proposed extension include grey glazing to all elevations, while the lift core and stairwell are constructed with white concrete in a natural finish.

Building B:

(m) Sections of the roof sheeting of the Alcock's building will be removed to allow skylights to be incorporated into its design. The existing roofing material will be replaced with clear glazing alternating with matte black Colorbond sheeting. The existing roller door to the Neptune Street vehicle entry will be removed to allow the introduction of steel framed glazing.

(n) The external appearance of the Alcock's building is to be retained largely as is, save for part demolition of the roof form to allow for skylights to be incorporated into the design and alterations to the facade.

(o) The internal layout of building B includes office space in the basement with daylight access provided through voids around the perimeter of the ground floor and via the central stair case. Office space is also provided on the first and second floors.

Building C:

(p) The rear (eastern) sections of the sawtooth roof factory are to be demolished. The building is to be retained to a depth of approximately 4.6 metres from the Neptune Street boundary and 8.44 metres from the southern boundary, allowing the end bay of the existing sawtooth roof to Neptune Street to be partially retained. Some changes to the façade are proposed. New and remodelled entries would provide access to separate lift lobbies accessing the upper levels in Building C and those in the adjacent building B. A new vehicle entry and crossover from Neptune Street to the proposed car parking areas would also be created. More substantial changes to existing openings will be undertaken to facilitate vehicle access.

(q) The Building C extension is extruded from the red brick sawtooth roof factory, including four storeys reaching a height of approximately 16.1 metres, plus a rooftop terrace reaching an overall maximum height of 18.44 metres to the top of the lift overrun.

(r) The internal layout of Building C includes car parking across the basement, ground floor and first floor, a combination of office space and car parking at the second and third floors and a roof top terrace above with lift and stair access as well as toilet facilities.

(s) Colours and materials of the proposed extension include grey alucobond cladding and blue glazing.

Building D:

(t) The demolition of the concrete sawtooth roof factory and Moderne-style office building to Burnley Street. These buildings are not located within the Heritage Overlay and therefore a planning permit is not required for their demolition.

(u) The construction of an eight storey building fronting Burnley Street, reaching a height of 29.6 metres and an overall maximum height of 32.2 metres to the top of the lift overrun.

(v) Building D is partly constructed to the common boundary with 244 Burnley Street for a depth of 10.9 metres from the Burnley Street boundary, then setback 2.90 metres through to Strafford Street. The first floor setback is 2.90 metres, the second, third and fourth floors are setback between 16.29 metres and 24.9 metres, and the fifth, sixth and seventh floors are setback between 33.13 metres and 40.24 metres.

(w) Building D is constructed the western boundary at the ground and first floors, then setback a minimum of 3.99 metres at the second, third and fourth floors, and a minimum 9.69 metres at the fifth, sixth and seventh floors.

(x) The ground and first floors are partly constructed to the Burnley Street frontage, with the upper floors setback between 1.47 metres and 8 metres.

(y) The internal layout of Building D includes car parking across the basement, a combination of car parking and restricted retail premises at ground floor, a combination of car parking and office space at the first, second, third and fourth floors, and office space at the fifth, sixth and seventh floors.

(z) Communal terrace areas of varying sizes are provided at the first, second, third, fifth and sixth floors.

(aa) Colours and materials of Building D include clear and blue glazing, white perforated metal and white alucobond cladding.

Environmental sustainable design initiatives:

(bb) Minimum NCC energy efficiency standards for building shell and services exceeded.
(cc) A 100 kWp solar PV array to contribute to electricity consumption.
(dd) A STORM report with a score of 100 per cent, demonstrating best practice and relying on 6,700 square metres of roof connected to a 100,000 litre rainwater tank for flushing to all toilets.
(ee) External architectural screen system and glazing specification will assist in glare control.
(ff) 202 bicycle parking spaces for staff, plus 28 visitor bicycle parking spaces. Extensive end of trip facilities including 22 showers, 248 lockers, ironing facilities and bicycle service area.
(gg) Access to daylight with at least 30 per cent of office areas reaching a daylight factor standard of 2 per cent.
(hh) Electric vehicle charging infrastructure included. Four vehicle charging spaces are noted within the ground floor car park.
(ii) Energy efficient heating/cooling (HVAC) system.
(jj) Energy efficient LED lighting throughout.

Landscaping

(kk) The proposal incorporates a landscaped forecourt on the Burnley Street frontage.
(ll) Landscaped communal terraces are located on the first, second and fifth floors of Building A and the fourth floor of Building C.

Planning Scheme Provisions

Zoning

Clause 34.02 – Commercial 2 Zone

35. Pursuant to Clause 34.02-1 of the Yarra Planning Scheme (the Scheme), an office and a restricted retail premises are both section 1 uses in the Commercial 2 Zone. A shop is also a section 1 use provided:
    (a) Must adjoin, or be on the same land as, a supermarket when the use commences.
    (b) The combined leasable floor area for all shops adjoining or on the same land as the supermarket must not exceed 500 square metres.
    (c) The site must adjoin, or have access to, a road in a Road Zone.

36. As there is no supermarket on the subject site or adjoining land, the shop requires a planning permit to operate in this instance.

37. Under clause 34.02-4 of the Scheme, a planning permit is required for buildings and works.

Clause 36.04 – Road Zone

38. Pursuant to Clause 36.04-2, a planning permit is required to construct a building or construct or carry out works. As the proposed awnings are located over the Burnley Street footpath within the Road Zone, a planning permit is triggered under this overlay.

Overlays

Design and Development Overlay (Schedule 2 – Main Roads and Boulevards)

39. The Design and Development Overlay (Schedule 2) applies to the Burnley Street frontage of the site, to a depth of approximately 30 metres.

40. Pursuant to Clause 43.02-2 of the Scheme, a planning permit is required to construct a building or construct or carry out works. The design objectives of the schedule include the following:
    (a) To recognise the importance of main roads to the image of the City.
    (b) To retain existing streetscapes and places of cultural heritage significance and encourage retention of historic buildings and features which contribute to their identity.
    (c) To reinforce and enhance the distinctive heritage qualities of main roads and boulevards.
    (d) To recognise and reinforce the pattern of development and the character of the street, including traditional lot width, in building design.
    (e) To encourage high quality contemporary architecture.
    (f) To encourage urban design that provides for a high level of community safety and comfort.
    (g) To limit visual clutter.
    (h) To maintain and where needed, create, a high level of amenity to adjacent residential uses through the design, height and form of proposed development.

Extent of Design and Development Overlay.

Heritage Overlay (Schedule 443)

41. The Heritage Overlay (Schedule 443) applies to the Alcock's building, Patersons building, the brick sawtooth roof factory and the northern additions to the Patersons building. The remainder of the site is not affected by the Heritage Overlay, as detailed in the map below.

Extent of Heritage Overlay.

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

Particular Provisions

Clause 52.06 – Car Parking

43. Pursuant to Clause 52.06-2, the car parking spaces required under Clause 52.06-5 must be provided on the land. Clause 52.06-3 requires a planning permit to reduce the number of car parking spaces required under this clause.

44. Pursuant to Clause 52.06-5, the car parking requirements for the proposed development are as follows:

Use:	Rate:	Spaces required:	Proposed:	Reduction sought:
Office (18,281.2 sqm)	3.5 spaces per 100 sqm	639		
Shop (616.6 sqm)	4 spaces per 100 sqm	24		
Restricted retail (853.1 sqm)	3 spaces per 100 sqm	25		
TOTAL		**688**	**385**	**303**

45. With a shortfall of 303 car parking spaces, this application therefore seeks a reduction in the car parking requirement.

Clause 52.07 – Loading and Unloading of Vehicles

46. Pursuant to Clause 52.07 of the Scheme, 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 the proposed shop and restricted retail premises are not provided with a loading bay that meets the requirements, a planning permit is required to reduce these requirements.

Clause 52.29 – Land Adjacent to a Road Zone, Category 1

47. Pursuant to Clause 52.29, a planning permit is required create or alter access to a road in a Road Zone, Category 1. Burnley Street is a road in a Road Zone, Category 1 and the proposal seeks to create a new vehicle access point and remove others to Burnley Street. A planning permit is therefore required to alter the access to Burnley Street.

Clause 52.34 – Bicycle Facilities

48. Pursuant to Clause 52.34-1, a new use must not commence until the required bicycle facilities and associated signage has been provided on the land. The bicycle parking requirements as contained in the table at Clause 52.34-3 are summarised in the table below:

Use:	Employee Rate:	Spaces req'd:	Visitor/Shopper Rate:	Spaces req'd:	Spaces prop'd:
Office (18,281.2 sqm)	1 to each 300 sqm of net floor area if the net floor area exceeds 1,000 sqm	61	1 to each 1000 sqm of net floor area if the net floor area exceeds 1000 sqm	18	
Shop (616.6 sqm)	1 to each 600 sqm of leasable floor area if the leasable floor area exceeds 1,000 sqm	0	1 to each 500 sqm of leasable floor area if the leasable floor area exceeds 1,000 sqm	0	
Restricted retail (853.1 sqm)	1 to each 300 sqm of leasable floor area	3	1 to each 500 sqm of leasable floor area	2	
TOTAL		**64**		**20**	**84**

49. As 230 bicycle parking spaces are proposed and 84 spaces are required, the application exceeds the bicycle parking spaces requirement.

50. End of trip facilities (i.e. showers or change rooms) are required by the Scheme. If five or more employee bicycle spaces are required, one shower is required for the first five employee bicycle spaces, plus another shower to each ten employee bicycle spaces thereafter. Additionally, one change room or direct access to a communal change room is required to each shower. The change room may be a combined shower and change room.

51. As 64 employee bicycle parking spaces are required, seven showers with change rooms are required. The plans provide 22 showers with change rooms in the basement and on the ground floor, exceeding the requirements of Clause 52.34.

Clause 52.36 – Integrated Public Transport Planning

52. Pursuant to Clause 52.36-1, a planning permit application involving an office development of more than 10,000 square metres must be referred in accordance with Section 55 of the Act to the Head, Transport for Victoria.

General Provisions

Clause 65 – Decision Guidelines

53. 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.

State Planning Policy Framework (SPPF)

Clause 11.06 – Metropolitan Melbourne

54. The relevant objectives of this clause include:
    (a) To create a city structure that drives productivity, attracts investment, supports innovation and creates jobs.
    (b) To provide an integrated transport system connecting people to jobs and services, and goods to market.
    (c) To create a distinctive and liveable city with quality design and amenity.
    (d) To create a city of inclusive, vibrant and healthy neighbourhoods that promote strong communities, healthy lifestyles and good access to local services and jobs.
    (e) To create a more sustainable and resilient city that manages its land, biodiversity, water, energy and waste resources in a more integrated way.

Clause 13.03-1 - Use of Contaminated and Potentially Contaminated Land

55. The relevant objective is:
    (a) 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 – Noise and Air

56. The relevant objective of this clause is:
    (a) To assist the control of noise effects on sensitive land uses.

Clause 15.01-1 – Urban Design

57. The relevant objectives of this clause are:
    (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

58. The relevant objectives of this clause are:
    (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.

Clause 15.01-4 – Design for Safety

59. The relevant objectives of this clause are:
    (a) To improve community safety and encourage neighbourhood design that makes people feel safe.

Clause 15.02 – Sustainable Development

60. 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 – Heritage

61. The relevant objective of this clause is:
    (a) To ensure the conservation of places of heritage significance.

Clause 17.01 - Commercial

62. The relevant objectives of this clause are:
    (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 18.01 – Integrated Transport

63. The relevant objective of this clause is:
    (a) To create a safe and sustainable transport system by integrating land-use and transport.

Clause 18.02 – Movement Networks

64. The relevant objectives of this clause are:
    (a) To promote the use of sustainable personal transport.
    (b) To integrate planning for cycling with land use and development planning and encourage as alternative modes of travel.
    (c) To ensure an adequate supply of car parking that is appropriately designed and located.

Local Planning Policy Framework (LPPF)

Clause 21 – Municipal Strategic Statement (MSS)

Clause 21.04-3 – Industry, Office and Commercial

65. The relevant objectives of this clause are:
    (a) To increase the number and diversity of local employment opportunities.

Clause 21.05-1 – Heritage

66. The relevant objectives of this clause are:
    (a) To protect and enhance Yarra's heritage places.

Clause 21.05-2 – Urban Design

67. The relevant objectives of this clause are:
    (a) To reinforce the existing urban framework of Yarra.
    (b) To retain Yarra's identity as a low-rise urban form with pockets of higher development. Strategy 17.2 – Development on strategic redevelopment sites or within activity centres should generally be no more than five to six storeys unless it can be demonstrated that the proposal can achieve specific benefits such as:
        (i) Significant upper level setbacks.
        (ii) Architectural design excellence.
        (iii) Best practice environmental sustainability objectives in design and construction.
        (iv) High quality restoration and adaptive re-use of heritage buildings.
        (v) Positive contribution to the enhancement of the public domain.
        (vi) Provision of affordable housing.
    (c) To ensure that new development contributes positively to Yarra's urban fabric
    (d) To enhance the built form character of Yarra's activity centres.

Clause 21.05-4 – Public Environment

68. The relevant objectives of this clause are:
    (a) To provide a public environment that encourages community interaction and activity.

Clause 21.06 - Transport

69. The objectives of this clause are:
    (a) To provide safe and convenient pedestrian and bicycle environments.
    (b) To facilitate public transport usage.
    (c) To reduce the reliance on the private motor car.
    (d) To reduce the impact of traffic.

Clause 21.07 – Environmental Sustainability

70. The relevant objectives of this Clause are:
    (a) To promote environmentally sustainable development.
    (b) To improve the water quality and flow characteristics of storm water run-off.

Clause 21.08 – Neighbourhoods

71. Clause 21.08-10 describes the Central Richmond (area between Bridge Road and Swan Street) area in the following way:
    (a) *The Bridge Road major activity centre is an important regional centre. It can be split into three distinct precincts:*
        - *Bridge Road West, from Punt Road to Church Street, encompasses a variety of retail outlets, with an emphasis on fashion, clothing and footwear. The precinct includes the Epworth Hospital and associated health services.*
        - *Church Street to Coppin Street is diverse in its array of land uses with cafes, bars and restaurants dominating the south side and the Town Hall dominating the north side. This part of the centre does not have a consistent built form.*
        - *Bridge Road East has a strong home wares focus particularly on the north side. This part of the centre also does not have a consistent built form.*

72. Within Figure 23 of Clause 21.08-10, the subject site is identified as being outside the Bridge Road activity centre. Figure 24 of Clause 21.08-10 shows the site as being within category 5 area relating to '*Inner Suburban Residential'* where the objectives include to *'maintain the existing pattern of front setbacks'* and *'limit variations in height to a maximum of one storey compared to the adjacent properties, on single house sites/small development sites in areas with generally consistent building height*'.

73. This designation as *'Inner Suburban Residential'* is at odds with the Commercial 2 Zone of the land that seeks *'To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services'*. Council's strategic planning unit have clarified this designation as an error in the Planning Scheme that could potentially be corrected as part of the broader review of the local policies within the Yarra Planning Scheme.

Relevant Local Policies

Clause 22.02 – Development Guidelines for Sites Subject to the Heritage Overlay

74. This policy applies to all new development included in a heritage overlay. 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.
(e) To encourage the preservation, maintenance, restoration and where appropriate, reconstruction of heritage places.
(f) To ensure the adaptation of heritage places is consistent with the principles of good conservation practice.
(g) To ensure that additions and new works to a heritage place respect the significance of the place.
(h) To encourage the retention of 'individually significant' and 'contributory' heritage places.

75. Specifically, in relation to industrial, commercial and retail heritage places or contributory elements, the policy seeks to:
    (a) Encourage new upper level additions and works to:
        (i) Respect the scale and form of the existing heritage place or contributory elements to the heritage place by being set back from the lower built form elements. Each higher element should be set further back from lower heritage built forms.
        (ii) Incorporate treatments which make them less apparent.

Clause 22.05 – Interface Uses Policy

76. This policy applies to applications for use or development within Commercial 2 Zones (amongst others). The relevant objective of this clause is to ensure that residential uses located within or near commercial centres or near industrial uses enjoy a reasonable level of amenity. it is policy that:
    (a) New non-residential use and development within Business (now Commercial) 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

77. This policy applies to applications for development that is accessed from a laneway or has laneway abuttal. The objectives of this policy include to provide an environment which has a feeling of safety for users of the laneway, to ensure that development along a laneway acknowledges the unique character of the laneway, to ensure that where development is accessed off a laneway, all services can be provided to the development and to ensure that development along a laneway is provided with safe pedestrian and vehicular access.

Clause 22.10 – Built Form and Design Policy

78. The policy applies to all new development not included in a heritage overlay and comprises ten design elements that address the following issues: urban form and character; setbacks and building heights; street and public space quality; environmental sustainability; site coverage; on-site amenity; off-site amenity; landscaping and fencing; parking, traffic and access; and service infrastructure.

Clause 22.16 – Stormwater Management (Water Sensitive Urban Design)

79. This policy applies to application for new buildings. The policy aims to achieve best practice water quality performance objectives, to promote the use of water sensitive urban design, including stormwater re-use, and to mitigate the detrimental effect of development of downstream waterways.

Clause 22.17 – Environmentally Sustainable Development

80. This policy applies to commercial development with more than 1,000 square metres. The overarching objective is that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation. The considerations are energy performance, water resources, indoor environment quality, storm water management, transport, waste management and urban ecology.

Other Documents

City of Yarra Review of Heritage Areas 2007 Appendix 8 (as updated from time to time)

81. The Patersons building and its northern addition, the Alcock's building and the red brick sawtooth roof factory are located within the Heritage Overlay (Schedule 443) and are all identified as 'individually significant' to the heritage precinct as outlined in the incorporated document.

Urban Design Guidelines for Victoria (DELWP)

82. These guidelines are policy guidelines within the State Planning Policy Framework of the Victoria Planning Provisions. The guidelines must be considered when assessing the design and built form of new development where relevant. The guidelines use best practice knowledge and advice underpinned by sound evidence.

Advertising

83. The application was advertised in accordance with Section 52 of the *Planning and Environment Act 1987* (the Act) by way of 946 letters sent to the surrounding property owners/occupiers and by six signs, with three facing Burnley Street and three facing Neptune Street.

84. A total of 110 objections were received to the application. The concerns can be summarised as:
    (a) Overdevelopment of the site.
    (b) Out of character with the streetscape, including inappropriate materials and finishes.
    (c) Heritage impacts on individually significant buildings.
    (d) Excessive height, bulk and scale.
    (e) Overshadowing.
    (f) Overlooking.
    (g) Increase in noise (traffic, people, outdoor areas/terraces, mechanical plant equipment, etc.).
    (h) Lighting impacts on adjoining properties.
    (i) Loss of views.
    (j) Impact on vegetation.
    (k) Lack of car parking.
    (l) Increased traffic congestion including trucks accessing residential streets.
    (m) Emergency services access.
    (n) Impacts from waste collection.
    (o) Lack of public open space.
    (p) Potentially contaminated site.
    (q) Safety concerns.
    (r) Impact on infrastructure.
    (s) Impacts during construction.
    (t) Will set a precedent.
    (u) No community benefit.
    (v) Compete with retail activity on Bridge Road.
    (w) Loss of property values.

85. The grounds of objections raised will be considered and addressed where relevant throughout the following assessment.

86. A consultation meeting was held on 14 November 2017, where the key issues raised in the objections were discussed with the objectors, the applicant's development team and Council officers. No resolutions were reached at the meeting.

87. As highlighted earlier in this report, the applicant tabled concept plans at the consultation meeting in an attempt to address the issues raised in the objections, as well as issues raised by Council officers and in referral comments. The changes made in the concept plans are outlined earlier in this report.

88. These concept plans have not been formally substituted within the application material but will be utilised for discussion purposes through the body of this report.

Referrals

External Referrals

VicRoads

89. The application was referred under Section 55 of the Act to the Roads Corporation (VicRoads) pursuant to Clause 52.29 of the Scheme as the proposal includes alterations to the access to Burnley Street, a road in a Road Zone, Category 1. VicRoads has considered the proposal and requested the following condition be included on any planning permit that is issued:
    (a) The crossover and driveway are to be constructed to the satisfaction of the Responsible Authority and at no cost to the Roads Corporation prior to the commencement of the use and occupation hereby approved.
    (b) All disused or redundant vehicle crossings must be removed and the area reinstated to kerb and channel to the satisfaction of and at no cost to the Roads Corporation prior to the commencement of the use and the occupation hereby approved.

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

90. Council received additional comments from Vicroads on 04 December 2017, with the following additional condition:

    (a) The mid block access onto Burnley Street being restricted to left in/left out movements.

    Public Transport Victoria (PTV)

91. The application was referred under Section 55 of the Act to the Head, Transport for Victoria (PTV) pursuant to Clause 52.36 of the Scheme as the proposal includes an office development of 10,000 or more square metres of leasable floor area. PTV has considered the proposal and raised no objections.

    Internal Referrals

92. The application was referred to the following areas, with their full comments attached to this report:
    (a) Engineering services unit (Attachment 2).

(b) External traffic consultant (Attachment 3).
(c) ESD advisor (Attachment 4).
(d) City works branch (Attachment 5).
(e) Open space planning and design unit (Attachment 6).
(f) Heritage advisor (Attachment 7).
(g) Urban design unit (Attachment 8).
(h) Urban design consultant (David Lock Associates) (Attachment 9).
(i) Acoustic consultant (SLR Consulting Australia) (Attachment 10).
(j) Wind consultant (MEL Consultants) (Attachment 12).

93. The concept plans were referred to Council's engineering services unit and external traffic consultant, as well as Council's urban design unit, open space planning and design unit, property unit and construction management unit in relation to the proposed east-west pedestrian link. These additional comments are included as a part of the attachments listed above or referenced in the assessment section of the report, where appropriate.

OFFICER ASSESSMENT

94. The primary considerations for this assessment are as follows:
(a) Strategic justification.
(b) Built form, design and heritage impacts.
(c) Equitable development.
(d) Off-site amenity impacts.
(e) Internal amenity.
(f) Sustainable design.
(g) Potentially contaminated land.
(h) Car and bicycle parking.
(i) Traffic and access.
(j) Objectors' concerns.

Strategic Justification

95. The subject site is located within the Commercial 2 Zone (C2Z), a zone that encourages commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services. Both an office use and restricted retail premises do not require a planning permit in the Commercial 2 Zone. However, as detailed earlier in this report, the use of the land for a shop and the construction of buildings and works do.

96. In relation to the proposed use of the land, the proposed office and restricted retail premises are both section 1 uses within the Commercial 2 Zone. They are both therefore considered entirely appropriate for the site and complementary to the surrounding commercial uses, while ensuring the amenity of the adjoining residential properties are not unreasonably impacted upon, as will be discussed in more detail below.

97. The proposed shop, while a section 2 use within the Commercial 2 Zone, is also considered appropriate given that the purpose of the zone includes encouraging other retail uses, amongst other uses and the hours of operation, as discussed in more detail later in this report, will not unreasonably surrounding residential uses.

98. In regards to the proposed building and works, State and Local policies encourage the concentration of development in and around activity centres and intensifying development on sites well connected to public transport, ensuring the efficient use of existing infrastructure.

Council's local policies at Clauses 22.02 and 22.10 outline high level heritage and urban design guidance for future built form, which supplements State and Local policy that seeks to increase the number and diversity of employment opportunities within and around activity centres.

99. The application proposes the construction of buildings up to nine storeys containing office and retail uses on a site which is underutilized and zoned for commercial purposes. While Council's Municipal Strategic Statement (MSS) does not specifically identify the site as a strategic redevelopment site or within an activity centre, the site has many of the attributes of a strategic redevelopment site. These include the overall size of the site, three street frontages, proximity to a regionally significant transport corridor and proximity to services and transportation within both the Bridge Road and Swan Street activity centres.

100. The proposal is therefore considered to be consistent with the purpose of the zone and strategic incentives for this area that seek to encourage intensification of commercial uses and the provision of diverse employment opportunities.

101. The site is also well connected to public transport infrastructure, with tram lines along both Bridge Road and Swan Street and Burnley train station located approximately 650 metres to the south, encouraging the use of alternative modes of transport to and from the site, rather than reliance on motor vehicles. This is encouraged by both State and local policies, at Clause 18.02 (Movement Networks), Clause 21.06-3 (Transport) and Clause 21.07 (Environmental Sustainability).

102. In a strategic sense, the proposal to construct a multi-storey office building with ground floor retail uses is consistent with the relevant State and local policies (Clauses 11.03-2 and 17.01-1 and Clause 21.04-3) and the purpose of the Commercial 2 Zone.

103. However, the policy support for more intensive development needs to be balanced with built form guidance at Clauses 15.01, 21.05-2, 22.02 and 22.10 of the Scheme. These policies call for development that responds to the surrounding context with regard to urban character.

104. While the surrounding area to the north is expected to undergo change as a result of the zoning of the land, strategic location and access to services and transport, consideration of the off-site amenity impacts remains a relevant assessment. As will be discussed in more detail within this report, while the scale of the proposed development as depicted in the advertised plans fails to respond to the surrounding context and results in unreasonable overshadowing and visual bulk impacts on the surrounding residential land, the concept plans tabled at the consultation meeting adequately address those impacts.

105. The proposed development enjoys strong strategic support at both State and local level. The site is within an area where a change in the environment is encouraged and is achieved through the mix of uses proposed. Subject to conditions, the proposed development is considered to achieve the various land use and development objectives outlined earlier in this report and achieves a sound level of compliance with the relevant policies.

Built Form, Design and Heritage Impacts

106. In considering the design and built form of the proposed development, the most relevant aspects of the Scheme are found at Clause 15 (Built Environment and Heritage), Clause 21.05 (Built Form), Clause 22.02 (Development Guidelines for Sites Subject to the Heritage Overlay), Clause 22.07 (Development Abutting Laneways) and Clause 22.10 (Design and Built Form). As supplementary guidance, the Urban Design Guidelines for Victoria (Department of Environment, Land, Water and Planning, 2017) are also of relevance.

107. These provisions and guidelines all seek a development outcome that responds to the existing or preferred neighbourhood character and provides a contextual urban design response reflective of the aspirations for the area.

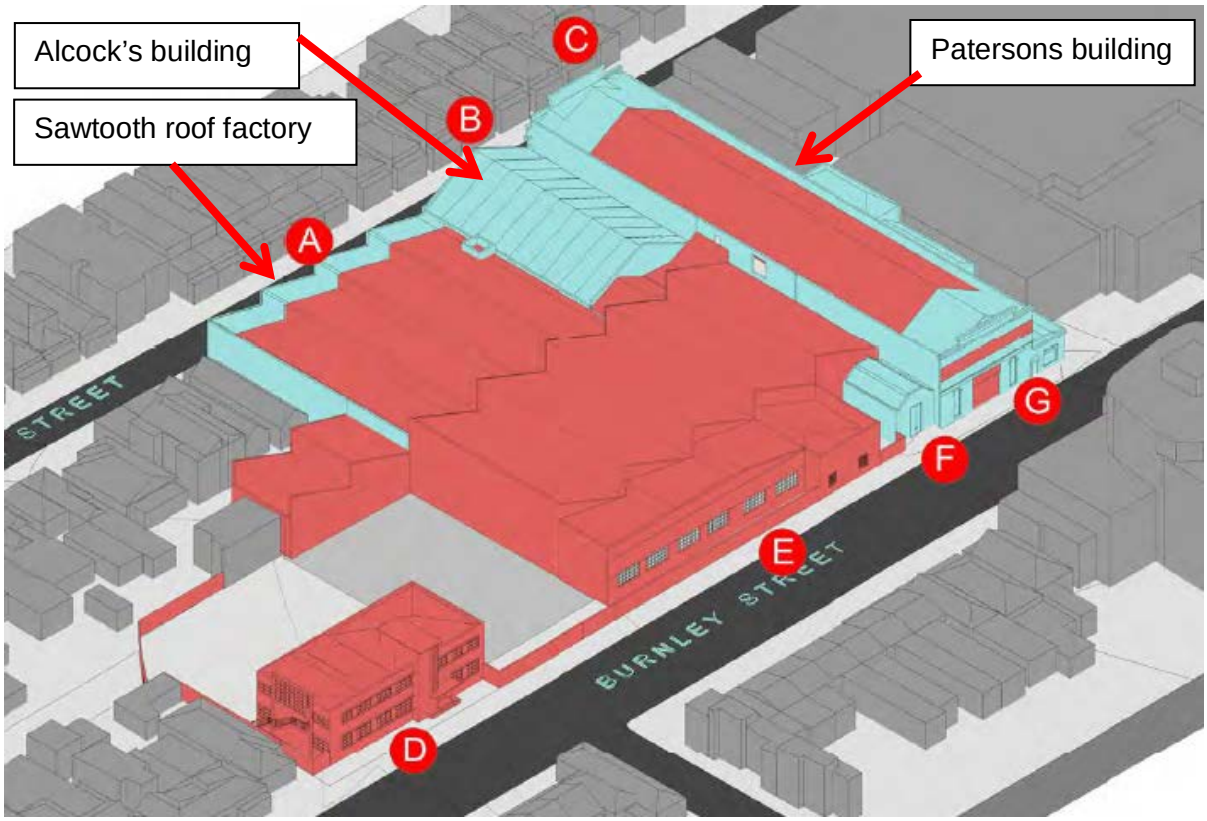
Particular regard must be given to the acceptability of the design in terms of height and massing, street setbacks, relationship to adjoining buildings, views and roof forms.

108. The proposed development incorporating buildings up to nine storeys storey as depicted in the advertised plans is considered excessive for the subject site and surrounds. However, the proposal as depicted in the concept plans is considered to be generally consistent with the relevant built form and design guidelines, as discussed in further detail below.

Demolition

109. In terms of demolition, Clause 22.02-5.1 encourages the retention of a building in a heritage place. In relation to the part demolition of a heritage building, 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.

110. The application consists of the part demolition of the Patersons building, as well as the part demolition of the sawtooth roof factory fronting Neptune Street. The demolition works also involve the changes to the openings to the Neptune Street façade of all three buildings, as well as the removal of the roof sheeting from the Alcock's building.



Location of individually significant buildings.

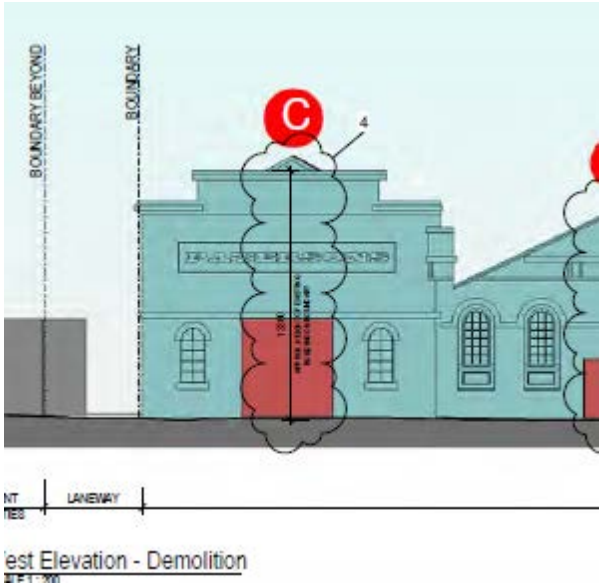
111. The proposed development was referred to Council's heritage advisor who assessed the extent of demolition proposed and commented that *'none of the parts of any of the individually significant buildings has been changed beyond recognition, indeed very little change has occurred'*. The determining consideration, therefore, in respect of the partial demolition proposed is whether or not the extent of demolition will negatively or adversely affect the significance of the place.

112. In relation to the Patersons building, the proposal seeks to retain three roof trusses and the roof form at either street frontage. Council's heritage advisor noted that the extent of demolition should *'be determined by the requirement to retain an appropriate number of trusses and then by their exact location at both the west and east ends'* of the building.

On review of the roof truss plan, Council's heritage advisor recommended that *'four trusses should be retained at either end. Given the open-plan offices proposed for this location, this should be easily achievable'*.

113. The above recommendation would require an overall setback of 11.1 metres to both Burnley Street and Neptune Street, in lieu of the proposed 8.69 metres and 9.77 metres, respectively. It is also noted that the concept plans further increased the setbacks to 10 metres at each frontage. The recommendation is therefore supported given the improved heritage outcome achieved and the minimal loss of office floor space as a result of the recommended setback.

114. Council's heritage advisor also commented on *'a large timber vertically-sliding door to the Neptune Street entrance'* of the Patersons building that *'appears to contain at least one pedestrian opening'*. The door has *'been fixed in an up position, above the lintel, for some considerable time'* according to Council's heritage advisor.



est Elevation - Demolition

Neptune Street elevation of the Patersons building, with the *'large timber vertically-sliding door'* shown in red.

115. Given the importance of the Neptune Street streetscape and the general intactness of this façade, Council's heritage advisor noted that *'it is preferable that the door is retained'*. The retention of this door is not an unusual requirement for an industrial building. The proposal currently incorporates a new glazed entry to this facade. Council's heritage advisor recommended that the *'entry should be re-considered in the light of the timber door with the objective of retaining it, preferably in a down position'*. A condition in the recommendation seeks to achieve this outcome.

116. In relation to the removal of the roof sheeting from the Alcock's building, Council's heritage advisor commented that these alterations were *'acceptable, provided that only the roof sheeting and not the framing is removed'*. A condition in the recommendation requires this to be shown on amended plans.

117. The part demolition of the sawtooth roof factory to the south of the Neptune Street frontage involves the roof form beyond a depth of 4.6 metres from the façade and various alterations to the streetwall to accommodate new openings.

118. Council's heritage advisor noted that *'part of the alterations to the elevation include changes to existing openings (roller door replaced by glazing, previously bricked up openings re-opened) and the like which will have little consequence on the significance of this wall' and the 'introduction of a vehicle entrance to the whole of the southernmost bay, while more interventionist, will have little consequence also on the significance of the wall'*. The part demolition of the sawtooth roof factory is therefore acceptable from a heritage perspective.

119. Council's heritage advisor also recommended that an archival photographic record of the Patersons building and the Moderne-style office building to the south-east of the site be made prior to the commencement of buildings and works. Given the Moderne building is not located within a Heritage Overlay, there is no justification to require this. As the Patersons building is within the Heritage overlay, an archival photographic record is supported for this building.

120. In relation to the concept plans, the amount of demolition is relatively unchanged, if not reduced as is the case with the sawtooth roof factory. However, the concept plans include the part demolition of the northern addition to the Patersons building to accommodate an east-west pedestrian link from Burnley Street, through that building to the northern laneway.

121. Council's heritage advisor considered the part demolition of this building and noted that the double storey component *'appears to be contemporary with these buildings but otherwise has no particular features'*, while *'there is nothing of great significance in the fabric of No. 198 Burnley Street'*. Although Council's heritage advisor requested further photographic and other information to confirm the above observations, given the majority of the demolition works to this building will be largely concealed from the both Burnley Street and Neptune Street, save for the alterations to the Burnley Street façade, the part demolition of this building will not negatively affect the significance of the place.

122. Council's heritage advisor also noted that *'no conservation works have been included'* on the plans, as acknowledged in the heritage impact statement submitted with the application. The heritage impact statement further acknowledged that *'it is evident that some conservation works to brick pointing, render and timber windows are required'*. Council's heritage advisor therefore recommended that *'a schedule of conservations works and accompanying drawings… be provided'*.

123. Given the above assessment of the proposed demolition works, the recommendation section of this report incorporates conditions requiring the following:
    (a) A minimum of four roof trusses and the associated roof form retained at both the Burnley Street and Neptune Street ends of the Patersons building and the proposed tower addition setback to match the depth of the retained trusses.
    (b) The entry through the Neptune Street façade of the Patersons building redesigned to retain the vertically sliding timber entry door, preferably in the down position.
    (c) The retention of all roof framing of the Alcock's building.
    (d) An archival photographic record of the exterior and interior of the Patersons building, including the northern addition.
    (e) A conservation works plan detailing all proposed conservation works.

Building A

124. Council's local policy at Clause 22.02 provides the relevant guidance to assess development within the heritage overlay. In relation to industrial and commercial development in a heritage overlay, Clause 22.02-5.7.2 encourages new upper level additions and works to:
    (a) Respect the scale and form of the existing heritage place or contributory elements to the heritage place by being set back from the lower built form elements. Each higher element should be set further back from lower heritage built forms.
    (b) Incorporate treatments which make them less apparent.

125. The Design and Development Overlay (Schedule 2) also provides built form guidance. Relevantly, the objectives include to retain existing streetscapes and places of cultural heritage significance and encourage retention of historic buildings and features which contribute to their identity and to reinforce and enhance the distinctive heritage qualities of main roads and boulevards.

Heritage Impacts

126. In assessing the proposed extension of the Patersons building, Council's heritage advisor noted that *'on the Burnley Street frontage there is no heritage context other than'* the Patersons building and the substation, while *'Neptune Street is quite narrow and visibility of the new higher forms will be somewhat constrained'*.

127. Council's heritage advisor further added that the *'site is a large site and, as proposed, there has been a reasonable approach to respecting the heritage fabric and to retaining significant parts of it. As a consequence, the significance of the site will not be adversely affected'*.

128. Moreover, Council's heritage advisor stated that the *'retained fabric is of a robust industrial nature and given the extent of the site, a large building would not be unreasonable. In considering setbacks, each higher element should be set back further from the lower built forms. The lower heritage forms are on the perimeter of the site and two separate linked higher forms are proposed on the site set back behind them as is clearly demonstrated in the massing diagrams. This is appropriate on this site, however it may not be so elsewhere'*.

Height and Setbacks

129. In relation to height, Clause 21.05-2 states that development on strategic development sites or within activity centres should generally be no more than five to six 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.

130. The proposed tower element, at nine storeys and a maximum of 35.15 metres, exceeds the five to six storey height limit referred to above. However, Building A achieves significant upper level setbacks to both Burnley Street and Neptune Street. The recommendation to retain four trusses and the roof form at either end of the Patersons building further increases these setbacks.

131. Council's ESD advisor has reviewed the application and noted the proposed development *'largely meets Council's Environmental Sustainable Design (ESD) standards'*, achieving best practice environmentally sustainability objectives. Additionally, as noted by the Tribunal in Zak Group Pty Ltd v Yarra CC [2017] VCAT 1124, *'we need to recognise that the proposed predominant land use of office floor space represents a significant benefit to the broader community'* (paragraph 11).

132. The proposal will also result in the restoration and adaptive re-use of the heritage buildings. The public realm will benefit from the proposed retail premises at ground floor providing greater activation to Burnley Street, while the more benign office space will provide activation to Neptune Street frontage of the Patersons building and is an appropriate outcome for the more sensitive residential interface to the west.

133. Therefore, Building A within the proposed development meets a number of the criteria to allow a building that exceeds the five to six storey preferred height limit for development on strategic redevelopment sites or within activity centres.

134. For the above reasons, the proposed extension of the Patersons building is considered to adequately respect the significance of the heritage place and satisfactorily preserve the scale and pattern of the heritage streetscape, subject to the retention of a minimum of four roof trusses and the proposed tower addition setback to match the location of the trusses, as detailed earlier in this report.

135. Council's urban design consultant recommended that that the Patersons building extension be reduced in height to a maximum of eight storeys with a 12.5 metre setback from the Burnley Street façade and a 10 metre setback from Neptune Street. However, the setbacks achieved by retaining four trusses at each frontage, as detailed earlier in this report, achieves a similar outcome to that recommended by Council's urban design consultant, albeit retaining nine storeys.

136. Additionally, the concept plans setback the eighth (top) floor an additional 3.65 metres from Neptune Street, compared to the floor below. This further assists in reducing the visual profile of the contemporary built form above the existing heritage fabric, the outcome sought by Council's urban design consultant.

137. Combined, all these changes result in Building A achieving an acceptable visual profile above the existing heritage fabric.

Building C

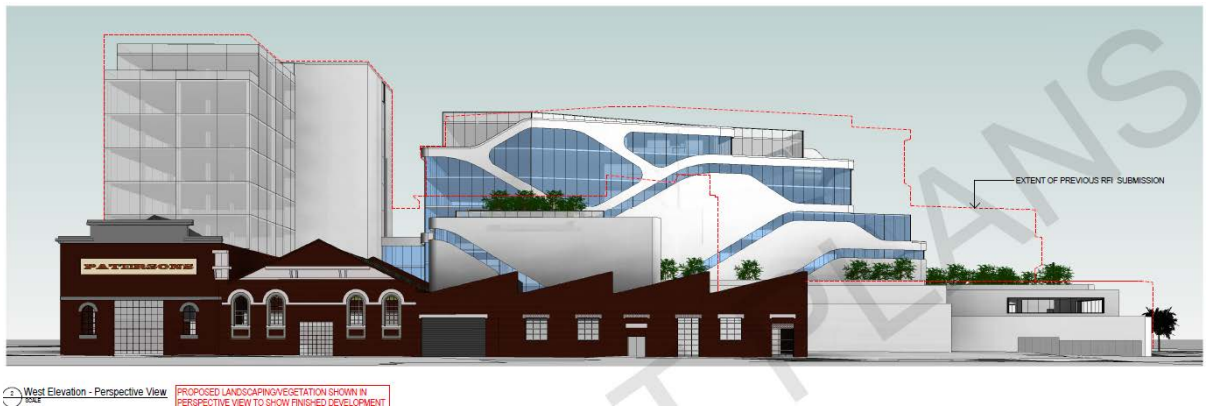
138. Similar to Building A, Council's local policy at Clause 22.02 provides the relevant guidance to assess development within the heritage overlay. In relation to the extension to the sawtooth roof factory facing Neptune Street, Council's heritage advisor raised no concerns from a heritage perspective, noting that *'Neptune Street is quite narrow and visibility of the new higher forms will be somewhat constrained'*.

139. However, Council's urban design consultant recommended that the extension be setback approximately 10 metres from the Neptune Street façade in order to reduce the prominence of new built form above the retained heritage fabric. The proposed built form of Building C, as depicted in the advertised plans was considered too prominent within the streetscape, resulting in an adverse impact on the surrounding area.

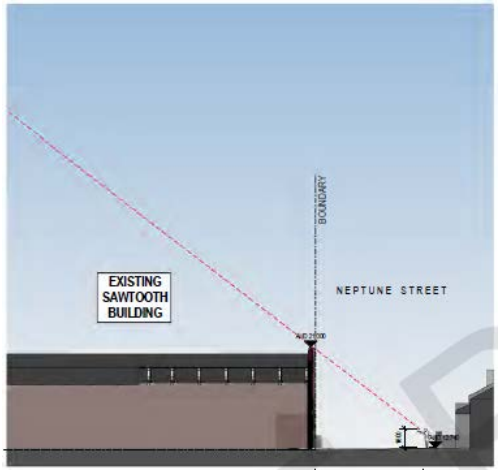
140. The concept plans tabled by the applicant significantly reduced the built form of Building C above the retained heritage fabric. The building's setback to Neptune Street was increased from 4.67 metres to 14.45 metres, while the setback to the southern boundary (with 43 Neptune Street) increased from 8.44 metres to 14.18 metres.

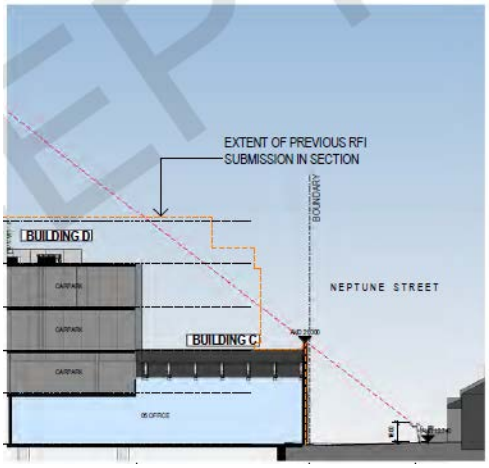
141. The rooftop terrace structures of Building C have also been significantly reduced, effectively dropping from five stories to four stories and from 18.79 metres to 16.14 metres in height. This significantly reduces the visual prominence of Building C above the retained heritage fabric and exceeds the setbacks recommended by Council's urban design consultant.

142. As such, subject to the changes detailed in the concept plans, Building C is considered to adequately respect the significance of the heritage place and satisfactorily preserve the scale and pattern of the heritage streetscape.

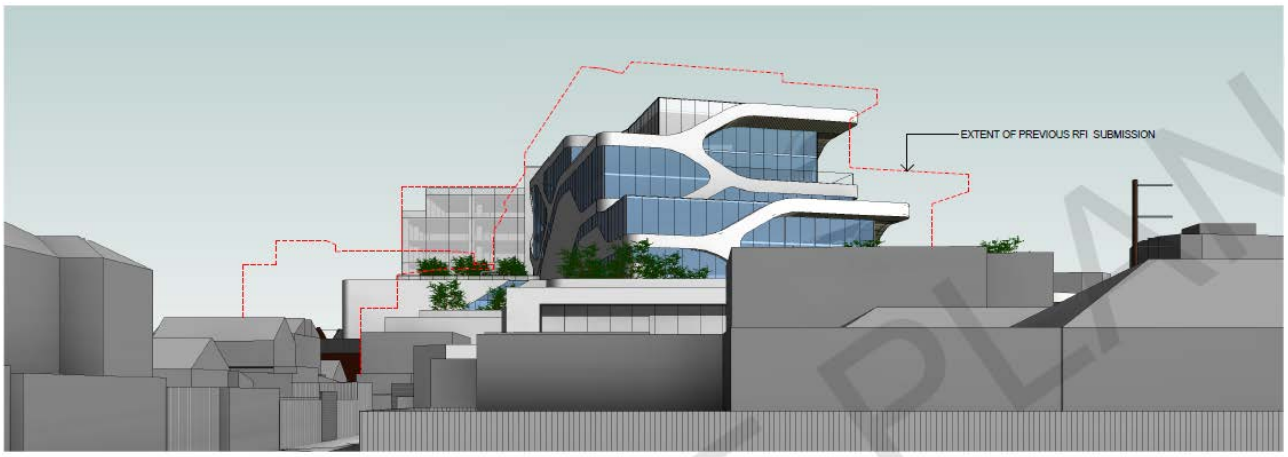


West elevation (Neptune Street) as depicted in the concept plans, with the advertised proposal depicted by the red line.





Existing and proposed site line through the sawtooth roof factory and proposed Building C in the concept plans, with the advertised plans depicted by the red line.



Southern elevation perspective view of proposed development as shown in the concept plans, with the advertised plans depicted by the red line.

Southern elevation perspective view of proposed development as shown in the advertised plans.

Building D

143. Unlike Buildings A, B and C, Building D is not constrained by a heritage overlay. Council's local policy at Clause 22.10 is therefore relevant and, amongst other relevant policies, seeks a development outcome that responds to the existing or preferred neighbourhood character and provides a contextual urban design response reflective of the aspirations for the area. Particular regard must be given to the acceptability of the design in terms of height and massing, street setbacks, relationship to adjoining buildings, views and roof forms.

144. Overall, Building D is generally consistent with the relevant built form and design guidelines. However, in order to achieve a built form outcome that better responds to the sensitive interfaces to the south and west of this proposed building from an off-site amenity perspective, it is recommended that the changes as depicted in the concept plans be adopted. The off-site amenity impacts are discussed in more detail later in this report.

145. In relation to height, Clause 21.05-2 states that development on strategic development sites or within activity centres should generally be no more than five to six storeys unless it can be demonstrated that the proposal can achieve specific benefits, as detailed earlier in this report.

146. The proposed eight storey building, at a maximum of 32.2 metres, exceeds the five to six storey height limit referred to above. However, Building D also achieves significant upper level setbacks to both Burnley Street and the adjoining residential properties, as well as best practice environmentally sustainability objectives. For similar reasons to Building A, Building D represents a significant benefit to the broader community as it is predominantly used for office space.

147. While this building does not result in the restoration or adaptive re-use of a heritage building, the public realm will benefit from the proposed retail premises at ground floor providing greater activation to Burnley Street compared to the existing conditions.

148. Therefore, Building D within the proposed development also meets a number of the criteria to allow a building that exceeds the five to six storey preferred height limit for development on strategic redevelopment sites or within activity centres.

149. Council's urban design consultant also noted in relation to the advertised plans that *'the southern elevation of Building D will be highly visible in longer northern views toward the proposal from further south along Burnley Street, and will continue to remain so given the prevailing GRZ-zoning of all fine-grained residential built form south of the subject site'*.

150. Both the Design and Development Overlay (Schedule 2) and Clause 22.10 seek to achieve high quality architectural outcomes on site, with the former again seeking to promote the existing streetscape qualities of Burnley Street. Council's urban design consultant recommended *'inviting the architect to reconsider the fundamental architectural expression of the proposal and achieve a visual outcome that visually promotes the revised street wall through a more muted architectural expression that does not 'compete' for the attention of the viewer. Doing so would also be a more appropriate response to the visibility of Building D's upper form from predominantly residentially zoned properties and streetscapes'*.

151. As depicted in the concept plans, the setbacks of Building D from the southern boundary have been increased significantly, resulting in a more prominent streetwall. The visibility of Building D's upper floors therefore becomes less apparent from the residential properties to the south and competes less with the streetwall for the attention of the viewer.

152. Building D incorporates a part single storey and part two storey street wall facing Burnley Street reaching a height of between 5.60 metres and 9.2 metres. The relationship between street width and building height is important for defining the character of a place.

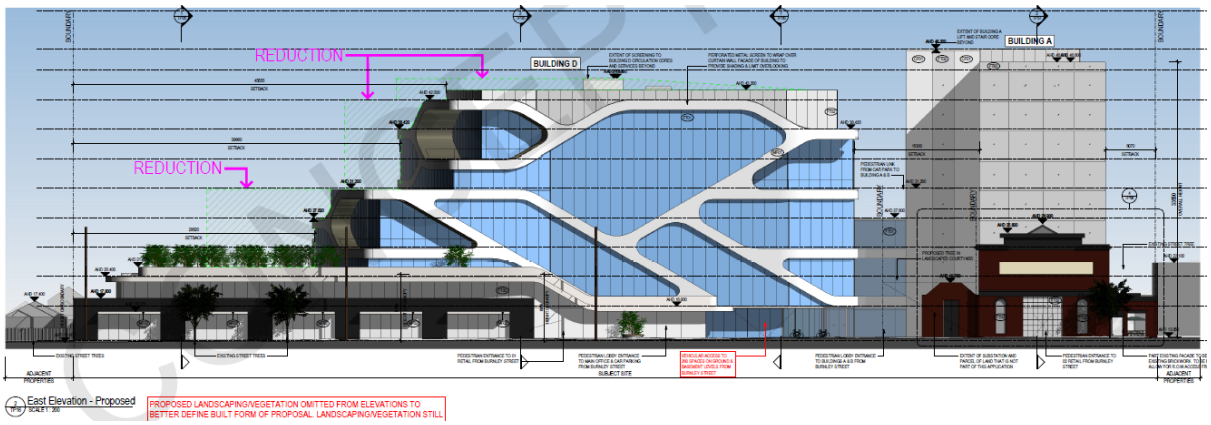
The surrounding built form context contains predominantly detached dwellings setback from the street frontage, as evidenced to the south facing Burnley Street and the east on the opposite side of Burnley Street. A mixture of street wall heights can be found to the north, including single, double and triple storey built form in the Commercial 2 Zone.

153. Additionally, within the subject site, the Patersons building has a façade height of approximately 12.75 metres, while the electricity substation has a height of approximately 6.65 metres. Both of these buildings are identified as individually significant.

154. Ranging between 5.60 metres and 9.2 metres, the proposed street wall of Building D to Burnley Street is considered acceptable due to the varied nature of street wall heights along this section of Burnley Street. The proposed street wall height is also generally consistent with the commercial development to the north and consistent with the heritage fabric within the subject site.

155. The staggered streetwall height allows a stepping down in built form as the new development approaches the individually significant heritage buildings, thus ensuring the retention of their prominence.

156. While Council's urban design consultant recommended *'a clearly distinguishable two storey street wall (8m) to Burnley Street for the entirety of Building D's Burnley Street interface'*, given the varied nature of façade heights within the Commercial 2 Zone to the north, the proposed street wall is considered acceptable.



Proposed eastern elevation as depicted in the concept plans.

Laneway Interface

157. Council's local policy at Clause 22.07 relates to development abutting laneways. Relevantly, the policy seeks to provide an environment which has a feeling of safety for users of the laneway and to ensure that development along a laneway acknowledges the unique character of the laneway. The policy specifically calls for development that respects the scale of the surrounding built form.

158. Additionally, Council's local policy at Clause 22.10 in relation to built form and design states that new development which abuts a laneway should be no higher than two storeys and should not affect the amenity of neighbouring residential properties.

159. The proposal depicted in the advertised plans incorporates a nine storey high wall nominally on the boundary with the northern laneway. While the policy mentioned above does not specify a maximum height in metres, it is acknowledged that the proposed nine storey high wall on the laneway would considerably exceed the recommended two storeys for development that abuts a laneway.

160. However, the policy provides guidance only and is not a mandatory control. The interface to the north is to the Commercial 2 Zone containing commercial development and uses.

Therefore, this laneway does not represent a sensitive interface to the subject site and the height of the wall will not affect the amenity of neighbouring residential properties, as there are none to the north. Building A also benefits from a 6 metre setback to the eastern section of the northern boundary, to the east of the laneway.

161. The proposed design incorporates a generous setback from Neptune Street and glazing to the tower element that will assist in softening the appearance of the development from the laneway and providing passive surveillance. Overall, the proposed presentation to the laneway is considered acceptable in this instance. However, as discussed in more detail later in this report, wind impacts on the proposed pedestrian link will need to be taken into consideration.

Architectural quality

162. The development is considered to be of a high architectural quality and in that regard responds to the design objectives of both Clauses 15.01-2 and the Design and Development Overlay (Schedule 2). The contemporary design is appropriate and responds well to the character of this part of Richmond, as confirmed by Council's urban design consultant who noted that the *'prevailing use of grey glazing for Building A above this is suitably recessive and subservient and will assist in promoting the retained heritage fabric in a manner that is consistent'* with heritage policies.

163. Additionally, Council's urban design consultant noted that *'the same can also be said for Building C, which makes use of a materials palette that incorporates matt black alucobond and glazing to achieve a visually recessive composition'*. However, concern was raised with the southern elevation of Building C, which *'will be prominent in longer views toward the site from further south along Neptune Street (and beyond)'*.

164. The concept plans significantly reduce the built form of Building C, as detailed earlier in this report, with the building's setback to Neptune Street and the southern boundary significantly increased. The concept plans also alter the fenestration of Building C facing Neptune Street and alter the predominant material from grey alucobond cladding to white perforated metal. The changes to Building C, as depicted in the concept plans, address the concerns raised by Council's urban design consultant and therefore represent an acceptable built form outcome to this interface.

165. In relation to Building D, Council's urban design consultant noted that *'the proposal adopts a clearly contemporary upper form that predominantly consists of glazing and perforated white-finished metal and which adopts a chamfered street setback to Burnley Street*'.

Concerns were raised with the chamfered setback, which *'undermines the intent of the proposed upper form setback to Burnley Street'*.

166. The concept plans address this concern to some extent by increasing the upper floors' setbacks to Burnley Street and significantly increasing the building's setbacks to the southern boundary with 244 Burnley Street. These changes ensure views to the site from the south will not be undermined, with the building representing a respectful transition from the sensitive residential interface to the south.

167. Council's urban design consultant also commented that *'the 'horizontality' of the proposed street wall (where it is proposed) is at odds with the prevailing fine-grained streetscape rhythm of Burnley Street, and we therefore recommend revising this to incorporate more 'verticality' and grain into the revised street wall outcome'*.

168. The concept plans introduced more vertical detailing to the ground floor of Building D, resulting in a better response to the fine-grained streetscape rhythm of Burnley Street. Given the commercial zoning of the land and the proposed design response, this recommendation is considered to be adequately addressed.

169. Additionally, Council's open space planning and design unit recommended that *'multiple replacement plantings along Burnley Street'* should be considered. The applicant has suggested that this could add a layer of verticality to the development, as sought by Council's urban design consultant. Council's open space planning and design unit has also indicated that they would allow the two street trees in front of the Moderne office building *'to be removed subject to payment of amenity value, removal cost and reinstatement costs for new trees the length of the subject site on Burnley Street'*.

170. A condition contained in the recommendation section of this report therefore requires the applicant to make a contribution to Council for the removal of the two street trees in front of the Moderne office building and for the replacement plantings along the subject site's frontage to Burnley Street.

Street Level Interface

171. At the ground floor, the proposal will activate Burnley Street by way of the main pedestrian entries to Buildings D and A, and the provision of retail premises to the majority of the ground floor Burnley Street frontage. The lack of any service cabinets encroaching into the ground floor Burnley Street façade is a positive design outcome and ensures there will be no unreasonable impact on the public realm.

172. The proposed development includes awnings over the Burnley Street footpath, consisting of a series of awnings with breaks providing gaps. This is generally consistent with Clause 21.08-9 which encourages buildings to maintain a hard edge to the street and Clause 22.10 that seeks to create attractive interfaces with the public realm and therefore supported. Additionally, Council's engineering services unit require awnings be set back no less than 750mm from the kerb as required by the Building Regulations 2006. The proposed awning achieves this.

173. However, the separation between the awnings is not supported. To ensure appropriate weather protection is achieved, a condition contained in the recommendation requires the awning to be extended along the Burnley Street frontage of Building D.

174. Objective 3.1.5 of the Urban Design Guidelines for Victoria (UDGV) aims to ensure comfortable and enjoyable public spaces. Taller buildings invariably create challenging wind conditions at street level and, specifically, the guidelines seek to protect public spaces from strong winds. These include down drafts and wind tunnel effects. Measures to reduce the impact of these effects should be considered.

175. The proposed development incorporates a stepped building form and articulation of the building mass to reduce wind turbulence at ground level of both the Burnley Street and Neptune Street frontages, with the proposed awning of Building D further reducing any adverse wind impacts.

176. The wind impact assessment submitted by the applicant concludes that the *'proposed development would be expected to generate wind conditions in ground level footpath areas within the walking criterion'* and *'wind conditions in the building entrance areas within standing criterion'*. Council's wind consultant noted that *'Vipac have assessed the Burnley and Neptune Streets to achieve the walking criterion, which would be reasonable given the set-backs of the building from the site boundaries'*.

177. However, the rooftop terrace of Building C might have higher wind conditions than the recommended sitting criterion. The wind impact assessment recommends porous windscreens at the west and north edge of the seating areas to improve the wind environment. A condition contained within the recommendation ensures this will be achieved.

178. Additionally, no wind impact assessment has been undertaken for the proposed pedestrian link introduced in the concept plans. Given the likely increase to pedestrian activity through the proposed pedestrian link and the laneway, a condition contained within the recommendation section of this report requires a wind tunnel assessment be undertaken to ensure the window conditions generated within the proposed pedestrian link and laneway are within walking criterion.

179. Council's wind consultant reviewed the applicant's wind impact assessment, noting that no assessment of the wind conditions in the laneway has been undertaken, commenting that the *'9 storey shear wall of Building A would have exposure to the strong north sector wind directions over low buildings to the north, and would be expected to induce downwash into the north ROW and laneway'*.

180. While it was also noted that wind conditions in the laneway and pedestrian link would be expected to *'achieve the criterion for walking comfort along the ROW away from the corners'*, Council's wind consultant supported the recommendation in the applicant's wind impact assessment for a *'a wind tunnel study at the design development stage'*. The conditions referred to above require this study.

Pedestrian Link

181. The concept plans introduced an east-west pedestrian link from Burnley Street, through the northern addition to the Patersons building to the northern laneway to the west. The majority of the roof form of this building is to be removed with the exception of the roof trusses, while the window opening to Burnley Street is to be cut down to ground level to increase the width of the entrance.

182. Council's construction and development unit reviewed the pedestrian link and commented that *'entry points to the pedestrian link should be unobstructed and DDA compliant'* and that the *'location of internal tables/benches should not obstruct pedestrian entry points'*. In relation to security, it was queried whether the *'link be gated and locked at night?'* and, if so, *'the applicant should commit to adequately lighting the private section of this thoroughfare'*.

183. Council's open space planning and design unit noted that the pedestrian link *'is very narrow and long – with the western extent of nearly 23 metres without pedestrian permeability or natural surveillance'*. Additionally, it was noted that the *'picnic tables reduces the trafficable area (especially where located adjacent to the planters) and adds to the visual clutter of the space. It would be preferable if there was a wider clear line of sight and travel through the space'*.

184. Further, Council's open space planning and design unit recommended that the opening off Burnley Street be *'increased to improve the prominence and visual permeability of the link from Burnley Street'*. The main opening to Burnley Street is approximately 2 metres in width and considered appropriate to prevent vehicle access and, when combined with the adjoining door opening, sufficient for pedestrian access.

185. The concept plans include a notation identifying an integrated lighting and security camera system will be installed, while a condition contained within the recommendation section of this report requires a lighting plan to be submitted for the pedestrian link and laneway. Additionally, the proposed shop incorporates bi-fold glazed doors onto the eastern section of the pedestrian link, providing additional passive surveillance opportunities.

186. However, additional windows could be provided along the remainder of the pedestrian link, to the west of the bi-fold doors, at both the ground and upper floors to improve passive surveillance. A condition contained within the recommendation seeks to achieve this outcome. These measures adequately address the concerns about safety.

187. The proposed pedestrian link will also result in increased pedestrian activity to the laneway connecting through to Neptune Street to the west. Council's traffic and engineering unit reviewed the pedestrian link and noted that a *'shared zone is not required for the existing laneway (Lane number 909) off Neptune Street given the low vehicle traffic volume'*. It was also noted that there is *'limited space to install regulatory shared zone signs in the laneway'* and that the *'existing laneway is in a satisfactory condition and does not require upgrade'*, although recommending that *'a minimum 1.5m wide pedestrian clearance is provided between tables, furniture and pot plants on the south side of the pedestrian link through the site'*. A condition contained in the recommendation ensures this will be achieved.

188. Given the narrow width of the pedestrian link, it was recommended that the picnic tables be removed from the plans to improve the legibility of the link. However, provided a 1.5 metre wide pedestrian clearance is provided for the full length of the pedestrian link, there is no reason why tables and chairs, as well as additional landscaping, cannot be provided within the space. This would ensure the pedestrian link is a high quality public space that draws users and making it safer in return.

189. The proposed pedestrian link also provides an opportunity to contribute to public artwork on the internal walls of the northern addition to the Patersons building retained as part of the pedestrian link. In order to achieve an appropriate outcome in this regard, a condition contained within the recommendation requires the submission of a public art management plan detailing the location of the art work and the methodology for commission, amongst other details.

190. The creation of the pedestrian link on private land also raises issues surrounding the maintenance, costs and indemnity of the space and public access. A condition contained within the recommendation section of this report therefore requires the applicant enter into a Section 173 agreement with Council to address these issues. To ensure there is a clear distinction between private and public land, the boundary between the two should be clearly delineated. A condition contained in the recommendation ensures this is achieved.

Equitable Development

191. To ensure the fair, orderly, economic and sustainable development of land, matters of equitable development should be considered in accordance with the objectives of planning in Victoria as set out in Section 4(1) of the Planning and Environment Act 1987. Objective 5.1.3 of the UDGV also seeks to ensure buildings provide equitable access to daylight and sunlight.

192. Council's urban design consultant noted that *'the subject site is located in abuttal to C2Z zoned and utilised properties to the north (23 Neptune Street and 194 Burnley Street) that – at face value – could reasonably be expected to undergo some form of future redevelopment. However, the C2Z precludes the possibility for sensitive future residential development on these properties, and therefore 'equitable development' in this sense pertains more to reasonable built form separation than it does to an equitable division of amenity management'*.

193. In this respect, the proposed design utilises the Burnley Street and Neptune Street for primary outlooks. This is considered appropriate as Burnley Street has a width of 20 metres and Neptune Street is approximately 10 metres wide.

194. To the northern laneway, the 3 metre width of the laneway provides adequate separation between Building A and the adjoining commercially zoned property to the north, which benefits from frontage to both Neptune Street to the west and the laneway to the south and east. Council's urban design consultant noted that from an equitable development perspective, the *'proposal's built form response to this interface is therefore appropriate'*.

195. To the eastern section of the northern boundary, the northern addition of the Patersons building is proposed to be retained with no additional built form as part of the advertised plans, while the concept plans seek the demolition of the roof form of this building, allowing for the east-west pedestrian link to be open to the sky. The partial retention of this building provides a setback of between 4.67 metres and 6.07 metres to the adjoining commercially zoned site to the north and effectively allows for equitable development outcomes.

196. As Council's urban design consultant has noted, *'the subject site's southern and western abutting residences are not considered significant future development sites by way of their mandatory height controls'* within the General Residential Zone. From an equitable development perspective, the proposed development presents an acceptable outcome to this interface.

Off-site Amenity Impacts

197. The subject site is located within the Commercial 2 Zone. Properties to the north are also within the Commercial 2 Zone, while those to the west, south and east are in the General Residential Zone. The policy framework for amenity considerations is contained within clause 22.05 (Interface Uses Policy) and Clause 22.10. Clause 55 of the Scheme provides some guidance on these matters (although not strictly applicable).

198. The appropriateness of amenity impacts including visual bulk, shadowing and overlooking need to be considered within their strategic context, with the site being located within a Commercial 2 Zone. In addition, the local character shows a high level of site coverage and boundary-to-boundary development, within the subject site and those surrounding it that are also within the Commercial 2 Zone.

199. Moreover, the appropriateness of the setbacks and walls on boundaries provided in this instance also need to be considered within their strategic context, being located within a Commercial 2 Zone and on a site with the attributes of a strategic redevelopment site. There would be an expectation within this area that buildings would include on boundary walls and limited setbacks, particularly as this area is earmarked for commercial development.

200. Clause 34.02-7 of the Scheme also seeks to protect the amenity of residential properties in abuttal to commercial areas, although this should also be tempered with amenity expectations for residential properties at commercial interface locations.

Visual Bulk

201. The sensitive interface to the proposed development is to the south, where multiple residential properties abut the subject site or are located within close proximity. The Tribunal has commented on the amenity expectations of residential properties located next to a commercial zone on many occasions. More recently, the Tribunal member in *Calodoukas v Moreland CC [2012] VCAT 180* commented at paragraph 13 that:

'Owners of residential properties next to a business or industrial zone cannot realistically expect the same level of residential amenity as someone residing in the middle of a purely residential area. Similarly, owners of commercial or industrial sites abutting residential properties cannot expect the same opportunities as owners of sites well removed from residential areas. This is explicitly recognised in planning policy as evidenced by the many references to commercial development maintaining and enhancing residential amenity and interfaces.'

202. The existing interface between the subject site and the adjoining residential properties already contains substantial walls on boundaries. A 5.88 metre high brick wall associated with the sawtooth roof factory is located along the northern boundary of 43 Neptune Street.

A wall varying in height between 5.88 metres and 8.34 metres is located along the eastern (rear) boundaries of 43, 45, 47 and 47A Neptune Street, while a 5.22 metre high wall is located along the northern boundary of 2 Strafford Street. The existing Moderne-style office building is setback from the northern boundary of 244 Burnley Street approximately 2.5 metres, rising to a height of approximately 10 metres.

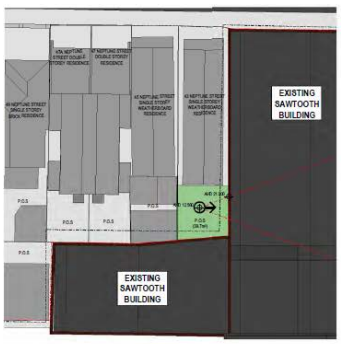
203. The proposed development as depicted in the advertised plans retains the existing wall along the northern boundary of 43 Neptune Street and seeks to construct a new wall along the rear boundaries of 43, 45, 47 and 47A Neptune Street and the northern boundary of 2 Strafford Street up to a height of 9.2 metres. To the northern boundary of 244 Burnley Street, Building D is partly constructed to the common boundary with 244 Burnley Street for a depth of 10.9 metres from the Burnley Street boundary and a height of 5.4 metres, then setback 2.90 metres from the boundary through to Strafford Street.

204. While expectations of visual bulk should be tempered for those who live in proximity to commercially zoned land, as outlined earlier, the proposed development as depicted in the advertised plans failed to adequately reduce the visual bulk impact.

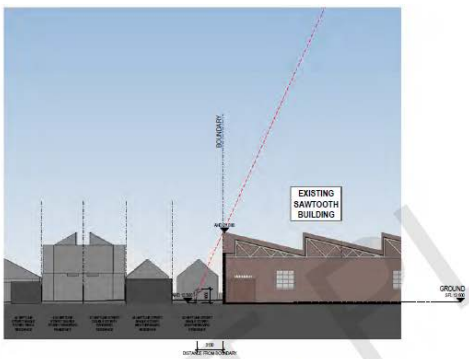
205. Council's urban design consultant has commented that the resultant overshadowing impacts on the secluded private open space areas to the south *'is excessive and will necessitate a reduction in built form accordingly'*. The reduction in the built form required to address overshadowing impacts *'will likely result in an acceptable visual bulk profile to these properties to a more acceptable level within the context of the site's existing built form condition at this interface'*, as noted by Council's urban design consultant.

206. The concept plans submitted by the applicant significantly reduce the built form that presents to the residential interface to the south in an attempt to reduce the overshadowing impacts and, in doing so, has significantly reduced the visual bulk impacts. The following diagrams provided with the concept plans at TP59 to TP67 show the existing views from the secluded private open space areas of the abutting dwelling compared to the proposed views, including a comparison between the advertised plans and the concept plans. Discussion on each of the abutting residential properties is provided below.

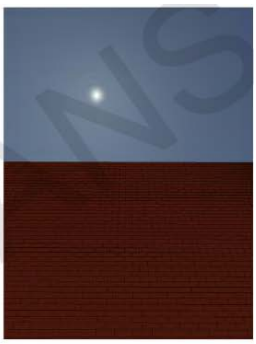
43 Neptune Street



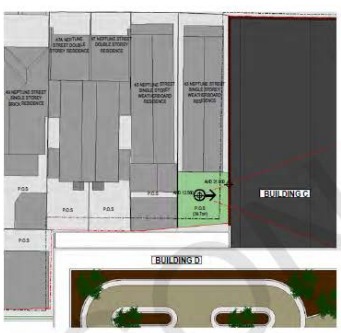
SITE LINE PLAN FROM 43 NEPTUNE STREET THROUGH BUILDING C - EXISTING

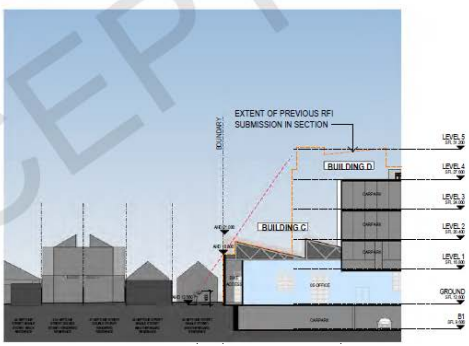


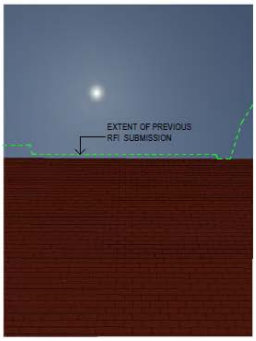
EXISTING SITE LINE THROUGH BUILDING C FROM 43 NEPTUNE STREET



3D VIEW - BUILDING C EXISTING - 43 NEPTUNE ST

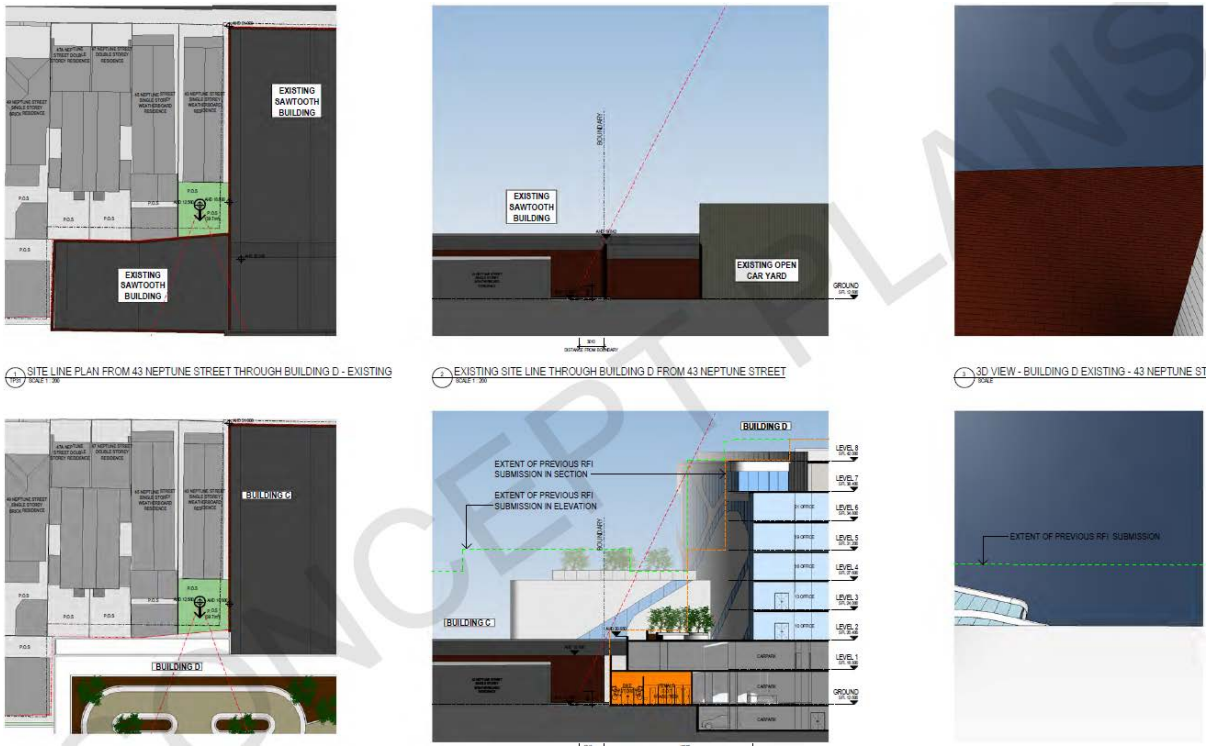






ADVERTISED PLANS

View looking north from the secluded private open space of 43 Neptune Street, with the existing conditions shown at the top right, and the concept plans compared to the advertised plans (green line) at the bottom left.

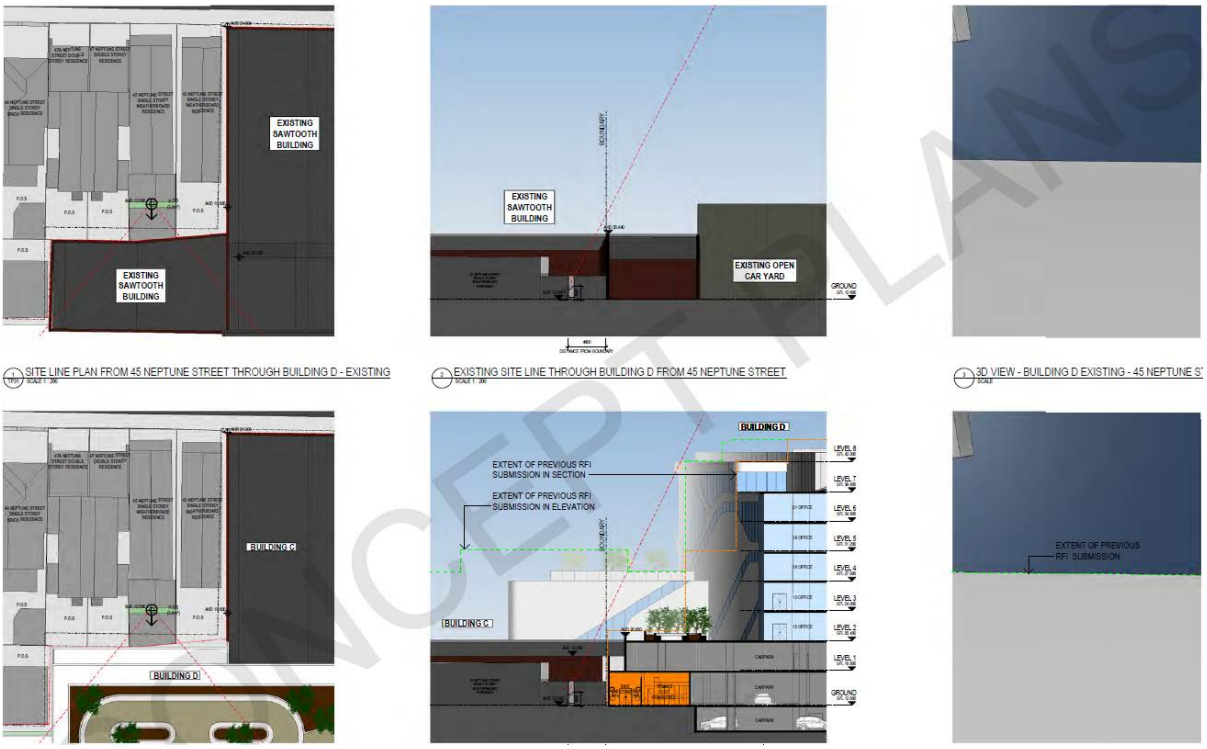


View looking east from the secluded private open space of 43 Neptune Street, with the existing conditions shown at the top right, and the concept plans compared to the advertised plans (green line) at the bottom left.

207. As shown in the diagrams above, the proposed development does not result in any additional visible built form beyond the existing conditions when viewed from the centre of the secluded private open space of 43 Neptune Street. This is considered a positive outcome in this commercial/residential interface and acceptable from a visual bulk perspective.

45 Neptune Street

View looking north from the secluded private open space of 45 Neptune Street, with the existing conditions shown at the top right, and the concept plans compared to the advertised plans (green line) at the bottom left.

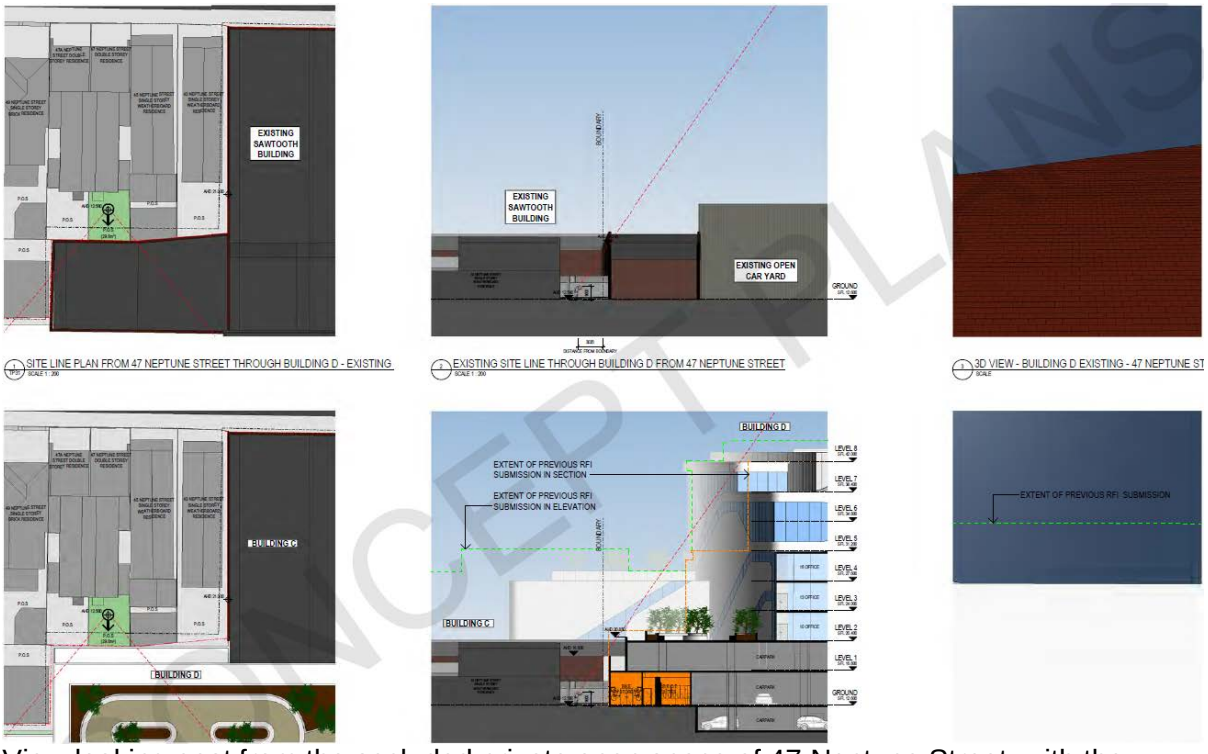


View looking east from the secluded private open space of 45 Neptune Street, with the existing conditions shown at the top right, and the concept plans compared to the advertised plans (green line) at the bottom left.

208. The diagrams above show that the proposed development will largely be concealed from the view lines taken from the centre of the secluded private open space of 45 Neptune Street. While some new built form will be visible in views to the north, the amount of additional built form visible in not considered unreasonable in the context of a commercial/residential interface and acceptable from a visual bulk perspective.

47 Neptune Street

View looking north from the secluded private open space of 47 Neptune Street, with the existing conditions shown at the top right, and the concept plans compared to the advertised plans (green line) at the bottom left.



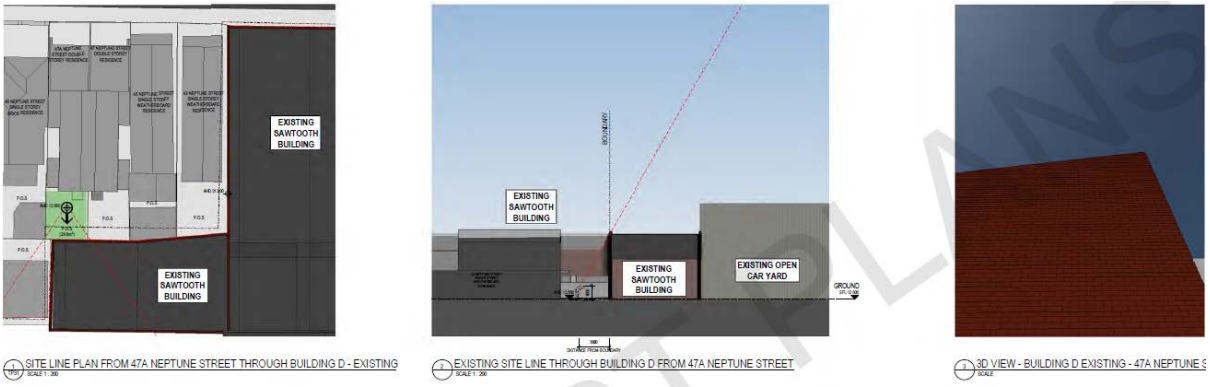
View looking east from the secluded private open space of 47 Neptune Street, with the existing conditions shown at the top right, and the concept plans compared to the advertised plans (green line) at the bottom left.

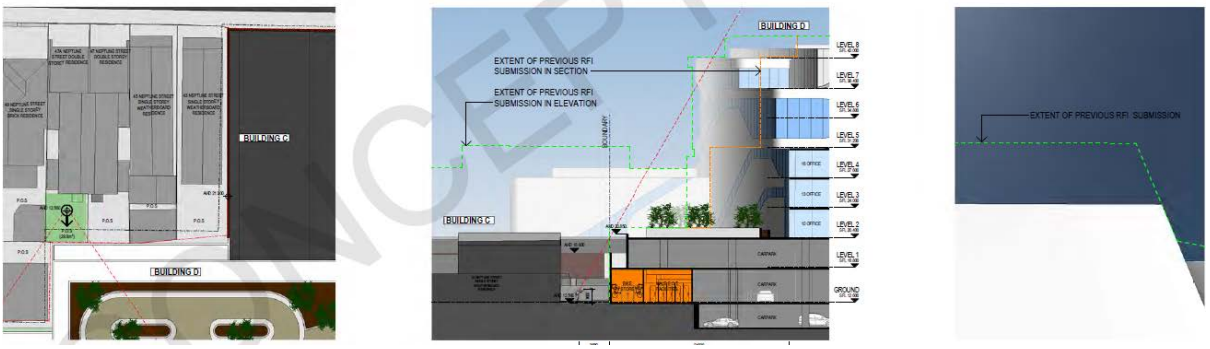
209. In relation to 47 Neptune Street, the diagrams above show that some additional built form will be visible in view lines to the north taken from the centre of the secluded private open space, while less built form than the existing conditions will be visible in view lines to the east.

Given the separation distance between 47 Neptune Street and the site's southern boundary, the additional built form visible in view lines to the north are considered reasonable at this commercial/residential interface, while the built form visible in view lines to the east has actually reduced compared to the existing conditions. The visual bulk impacts on the secluded private open space are therefore considered acceptable.

47A Neptune Street

View looking north from the secluded private open space of 47A Neptune Street, with the existing conditions shown at the top right, and the concept plans compared to the advertised plans (green line) at the bottom left.

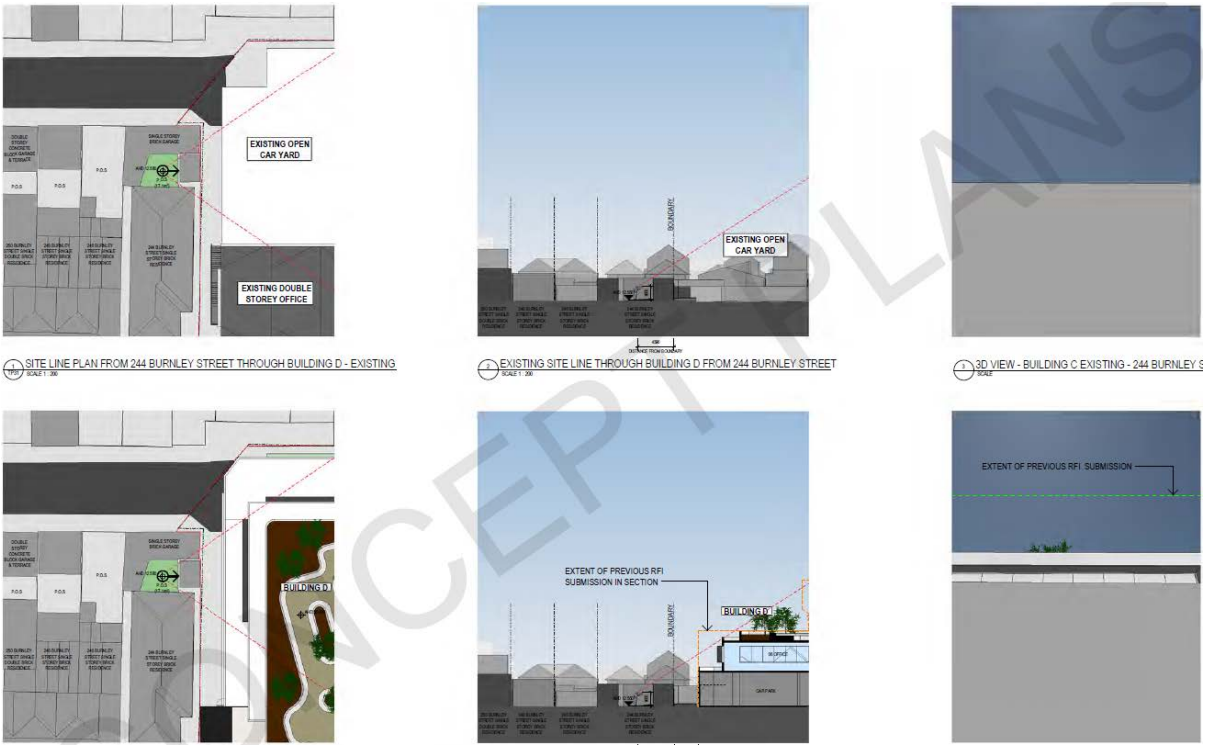




View looking east from the secluded private open space of 47A Neptune Street, with the existing conditions shown at the top right, and the concept plans compared to the advertised plans (green line) at the bottom left.

210. Again, the diagrams above show that some additional built form will be visible in view lines to the north, while less built form than the existing conditions will be visible in view lines to the east. Given the separation distance between 47A Neptune Street and the site's southern boundary, the additional built form visible in view lines to the north are considered reasonable at this commercial/residential interface, while the built form visible in view lines to the east has actually reduced compared to the existing conditions. The visual bulk impacts on the secluded private open space of this dwelling are therefore considered acceptable.

244 Burnley Street



View looking north from the secluded private open space of 244 Burnley Street, with the existing conditions shown at the top right, and the concept plans compared to the advertised plans (green line) at the bottom left.

211. As shown in the diagrams above, the proposed development will result in additional visible built form beyond the existing conditions when viewed from the centre of the secluded private open space of 244 Burnley Street. However, the amount of additional built form visible is minimal and is considered acceptable from a visual bulk perspective given the commercial/residential interface.

212. No site line diagrams have been provided for the secluded private open space areas of 2 Strafford Street or 53, 55 and 57 Neptune Street. The advertised plans increased the height of the wall abutting the northern boundary of the secluded private open space of 2 Strafford Street from the existing 5.22 metre high wall to a height of 9.2 metres. The concept plans reduce the height to 5.94 metres. While this increases the visual bulk compared to the existing conditions on the boundary, the existing building increases to a height of 7.98 metres setback approximately 1.3 metres from the boundary wall. This is not significantly different from what is proposed under the concept plans which shows a 5.94m high wall on the boundary, with the first floor then setback 2.0m from the western boundary. The overall visual bulk impacts are therefore considered reasonable for a commercial/residential interface and taking into account the existing built form on the subject site.

CONCEPT PLANS

213. In relation to the secluded private open space areas of 53, 55 and 57 Neptune Street, the driveway of 2 Strafford Street separates those areas from the subject site. Additionally, the concept plans significantly increased the setbacks to this boundary, resulting in the visual bulk impacts being acceptable in this instance.

214. While the proposed development as depicted in the concept plans remains visible from the some of the secluded private open space areas, the reduction in the built form compared to the advertised plans is considered acceptable at the interface between commercial and residential zoned land. A condition contained within the recommendation section of this report therefore requires amended plans that reflect the changes made within the concept plans.

Overshadowing

215. The decision guidelines of the Commercial 2 Zone include a requirement of buildings to provide for solar access. The amenity impacts associated with the proposal must be measured in the context of the future development of the land and that the zoning of the land seeks to provide for commercial uses at densities complementary to the role and scale of the commercial centre.

216. The subject site has a sensitive interface with land in the General Residential Zone to the south. The shadow diagrams submitted with the advertised plans show that the secluded private open space of the residential properties to the south are already impacted on by overshadowing as a result of buildings and structures on those properties and the subject site.

217. However, the additional overshadowing impacts as a result of the proposed development, as depicted in the advertised plans, is considered excessive and further undermines the amenity of these secluded private open space areas.

218. The concept plans presented at the consultation meeting significantly reduce the built form that presents to the southern interface and, as a result, significantly reduces the additional overshadowing to adjoining secluded private open space areas. The reduction in overshadowing as a result of the changes made in the concept plans results in no additional overshadowing to the secluded private open space areas of most dwellings to the south, with the following exceptions detailed in the table below:

Time	43 Neptune Street	53 Neptune Street	2 Strafford Street
9:00am	0	1.5	0
10:00am	2.4	0	0
11:00am	-1.8	0	0
12:00pm	-1.4	0	1.2
1:00pm	0	0	-2.0
2:00pm	0	0	-0.5
3:00pm	0	0	0

Additional overshadowing from concept plans in square metres.

219. While the proposed development as depicted in the concept plans does result in some additional overshadowing, these are largely modest increases at varying times of the day. The amount of additional overshadowing to the secluded private open space as shown in the concept plans is considered acceptable for an interface between a commercial zone and a residential zone. A condition contained within the recommendation section of this report therefore requires amended plans that reflect the changes made within the concept plans.

Overlooking

220. Clause 22.10-3.8 seeks to ensure that new development does not prejudice the rights of adjoining and/or nearby land users (especially residents) to enjoy privacy. The subject site has a sensitive interface with land in the General Residential Zone to the south.

221. The ground and first floor of the proposed development provide no windows or outdoor areas able to overlook the residential properties to the south. At the second floor of Building D, the communal terrace has an outlook to the south and west towards residential properties. The trafficable area of the communal terrace is setback a minimum 2 metres from the building edge with landscaping provided within the 2 metre break. This will prevent views down into secluded private open spaces and minimise unreasonable overlooking from this space.

222. At the third and fourth floors of Building D, the setback to the southern boundary is a minimum of 16.28 metres, minimising any unreasonable overlooking. To the west, a perforated metal screen wraps over the curtain wall to minimise unreasonable overlooking. The perforated metal screen has an open area of 56 per cent. While this level of transparency is greater than the normal 25 per cent transparency required for overlooking screens, these floors are largely setback in excess of 9 metres from any secluded private open space area, further minimising unreasonable overlooking. These setbacks are all increased (or maintained) on the concept plans.

223. The setbacks to the southern and western boundaries from the fifth, sixth and seventh floors of Building A are all in excess of 9 metres, adequately ensuring that any unreasonable overlooking is minimised.

224. In relation to overlooking to the west and east across Neptune Street and Burnley Street, the width of the road reservations, at 10 metres and 20 metres respectively, provides sufficient separation distance to minimise any unreasonable overlooking.

Noise

225. Clause 13.04-1 of the State Planning Policy Framework aims to ensure that development is not prejudiced and community amenity is not reduced by noise emissions. Council's local policy at Clause 22.05 of the Scheme seeks to ensure new commercial development is adequately managed having regard to its proximity to residential uses.

226. The proposed use of the land is unlikely to result in unacceptable noise emissions to the nearby residential properties given the majority of the building would be used for offices. Furthermore, the majority of the office space is enclosed and the use conducted indoors. As the office use does not require a planning permit, there is no further control that can be applied in regards to the use of offices.

227. Council's acoustic consultant has reviewed the applicant's acoustic report and commented that a detailed review of all acoustically significant mechanical plant proposed for installation should be conducted during the detailed design phase. Additionally, recommendations were made in relation to the maximum noise level to be specified for the car parking entrance doors.

228. Council's acoustic consultant also undertook an indicative review of the communal outdoor areas proposed as part of the development and concluded it *'would seem unlikely that these spaces will cause nuisance at the existing residential area provided that they are not used for large gatherings during the late evening and night periods'*. While this is a possibility, as an office is a section 1 use within the Commercial 2 Zone and therefore as of right, no use conditions can be applied.

229. Conversely, as the shop is a section 2 use within the Commercial 2 Zone, its use can be controlled via conditions. An additional condition contained within the recommendation section of this report therefore restricts the use of the shop on the ground floor to between 8:00am and 8:00pm, Monday to Sunday, as requested by the applicant.

230. The recommendations detailed in the acoustic consultant's referral comments are therefore included in the recommendation section of this report to ensure any potential off-site amenity impacts from noise are appropriately addressed. These include a detailed review of all acoustically significant mechanical plant proposed for installation and the maximum noise level to be specified for the car parking entrance doors.

Internal Amenity

231. Council's local polices at Clause 22.10-3.7 relating to on-site amenity and Clause 22.17 relating to sustainable design provide useful guidance with regard to on-site amenity. Generally, these policies aim to ensure that new development optimises amenity for future occupants and improves the amenity and liveability of new development.

Daylight and Ventilation

232. The proposed development is considered to provide an acceptable level of amenity and indoor environmental quality consistent with objectives of these policies. Specifically, this is achieved through good access to daylight for the office space and retail premises, compliant with the Built Environment Sustainability Scorecard's minimum standard for non-residential development.

233. The advertised plans included lightwells on the ground, first, second and third floors to the northern boundaries of Building A. However, these lightwells have been removed from the concept plans. While it is anticipated that the proposed development will retain adequate daylight access despite the removal of the lightwells, the recommendation section of this report requires an amended sustainable management plan maintaining a minimum of 30 per cent of commercial floor areas to achieve a daylight factor of 2 per cent. The additional windows required to improve passive surveillance of the pedestrian link and laneway, as discussed earlier in this report, will also assist in achieving a high standard of daylight access.

234. The proposed separation distance between the upper floors of Buildings A and D and Buildings A and C, at 15.3 metres and 18.91 metres, respectively, combined with the internal floor layouts is also considered adequate to ensure daylight access is to not unduly impacted upon by buildings within the development.

235. In relation to ventilation, Council's ESD advisor noted that the proposed development does not provide for natural ventilation and recommended consideration of a mixed mode HVAC or fresh air delivery rates well above the standard.

236. However, the proposed development seeks to improve indoor air through reduced contaminants introduced to the air stream. This will include the specification of low-VOC paints, carpets, glues and adhesives to improve indoor air quality, as well as low-formaldehyde timber. Additionally, the proposal includes increased outside air rates to the air handling systems above minimum code requirements, while the mechanical systems will be designed with careful consideration of air intake locations and effective exhaust of building contaminants.

Circulation spaces

237. The proposed development has multiple pedestrian entries, including main pedestrian access into Building D from Burnley Street, a landscaped forecourt to the south of the electricity substation to the main pedestrian entrance to Building A, as well as secondary entries from Neptune Street to Buildings A, B and C.

238. The lift lobbies of Buildings A, C and D provide access to the lift cores and stair wells, as well bike storage and end-of-trip facilities. All entries and lift lobby areas are provided with adequate sightlines from the street so people can see both in and out when entering or leaving.

239. Council's urban design consultant recommended that *'the proposed Burnley Street interface could be substantially improved through relocation of Building D's proposed vehicular driveway further south along the site's Burnley Street frontage, where it will enhance the connectivity between the proposed landscaped forecourt and the balance of Building D's Ground Floor program'*.

240. The concept plans addressed this concern by shifting the Burnley Street vehicle access further south, increasing the size of the landscaped forecourt and widening the aperture of the forecourt to Burnley Street, improving its prominence within the streetscape.

241. However, this alters the Building D lobby location to adjacent to the vehicle access from Burnley Street. It is not clear from the concept plans how this interface will be treated. There also appears to be a lack of pedestrian access from the ground floor car parking areas to the lift lobby of Building D. A condition contained in the recommendation therefore seeks the interface between the lift lobby and the vehicle access point to be improved and pedestrian access provided between the car park and the lift lobby.

Site services

242. Site services and related enclosures for waste disposal and recycling, mail and deliveries and water and energy metering are necessary elements in any development. It is important, however, that these elements are assimilated in a subdued way into the design while still meeting the size and location requirements of service authorities.

243. The ground floor façade of the proposed development presents to three streets and incorporates minimal service cabinets facing the street. To Neptune Street, a substation is located to the north of the main pedestrian entrance to Building C. The minimal amount of service cabinets facing the street is considered an appropriate design outcome consistent with Clause 22.10-3.11 of the Scheme, minimising the visual impact of these items.

244. However, the substation cupboard doors open outwards, encroaching on the footpath area. The doors encroaching over the public footpath are not supported and should therefore be redesigned to ensure they swing 180 degrees and latch on to the building. The recommendation section of this report includes a condition to ensure this requirement is met.

245. The remainder of the building services are appropriately located within the basement, on the ground floor or on the roof top, largely concealed from view and obscured from the public domain. This is also considered an appropriate outcome that is consistent with Clause 22.10-3.11 relating to service infrastructure.

<u>Sustainable Design</u>

246. Council's local policies at Clause 22.16 and Clause 22.17 call for best practice water quality performance objectives and best practice in environmentally sustainable development from the design stage through to construction and operation. The applicant submitted a sustainability management plan prepared by WSP Parsons Brinckerhoff which provides an overview of the sustainability initiatives that have been assessed for inclusion in the proposed development.

247. Council's ESD advisor has reviewed the application, including the sustainability management plan, and found that the standard of environmental sustainable design largely meets Council's requirements. Overall, the proposed development achieves an appropriate level of sustainability with the following initiatives proposed:

(a) Minimum NCC energy efficiency standards for building shell and services exceeded.
(b) A 100 kWp solar PV array to contribute to electricity consumption.
(c) A STORM report with a score of 100 per cent, demonstrating best practice and relying on 6,700 square metres of roof connected to a 100,000 litre rainwater tank for flushing to all toilets.
(d) External architectural screen system and glazing specification will assist in glare control.
(e) 202 bicycle parking spaces for staff, plus 28 visitor bicycle parking spaces. Extensive end of trip facilities including 22 showers, 248 lockers, ironing facilities and bicycle service area.
(f) Access to daylight with at least 30 per cent of office areas reaching a daylight factor standard of 2 per cent.
(g) Electric vehicle charging infrastructure included. Four vehicle charging spaces are noted within the ground floor car park.
(h) Energy efficient heating/cooling (HVAC) system.
(i) Energy efficient LED lighting throughout.

248. Improvement opportunities were identified, including better ventilation, the use of recycled materials for insulation and recycled concrete and all timbers used to be FSC accredited. However, these recommended improvements are aspirational and not mandatory.

Potentially Contaminated Land

249. The Environment Protection Authority, although not a referral authority under Section 55 of the Act, provided comments in relation to the proposed development. The EPA were alerted to the proposed development following a pollution report. Their comments are summarised below:
    (a) Following a pollution report, EPA would like to offer guidance to Council in its decision making for planning permit application PLN17/0370 at 198-242 Burnley Street, Richmond. Please note, EPA is not a statutory referral authority in accordance with section 55 of the Planning and Environment Act 1987.
    (b) The site has a long history of industrial use, including a quarry hole with anecdotal evidence of landfilling activities occurring on site, as well as use of the land for an electric power station.
    (c) In accordance with the requirements of Clause 14(2) of State Environment Protection Policy (Prevention and Management of Contamination of Land), guided by the planning General Practice Note for Potentially Contaminated Land, EPA strongly recommends any planning permit issued for the site should include the requirement for environmental assessment. Despite not being covered by the Environmental Audit Overlay, this environmental assessment should be an audit in accordance with section 53X of the Environment Protection Act 1970 (53X Audit). This will determine if the land is suitable for the proposed use and there is an acceptable level of risk to human health and the environment.
    (d) As such, EPA recommends that the following conditions be included on a planning permit, should one be issued for the site:
        i) Prior to the commencement of the use or buildings and works associated with the use (or the certification or issue of a statement of compliance under the Subdivision Act 1988) the applicant must provide:
            a. A Certificate of Environmental Audit in accordance with Section 53Y of the Environment Protection Act 1970; or
            b. A Statement of Environmental Audit under Section 53Z of the Environment Protection Act 1970. A Statement must state that the site is suitable for the use and development allowed by this permit.
        ii) All the conditions of the Statement of Environmental Audit must be complied with to the satisfaction of the responsible authority, prior to commencement of use of the site.

Written confirmation of compliance must be provided by a suitably qualified environmental professional or other suitable person acceptable to the responsible authority. In addition, sign off must be in accordance with any requirements in the Statement conditions regarding verification of works.

250. While an office, shop and restricted retail premises are not sensitive land uses that would usually trigger an environment assessment report, as noted by the EPA, the *'site has a long history of industrial use, including quarry hole with anecdotal evidence of landfilling activities occurring on site, as well as use of the land for an electric power station'*.

251. The General Practice Note – Potentially Contaminated Land (June 2005) is designed to provide guidance on identifying land that is potentially contaminated, the appropriate level of assessment of contamination for a planning permit and applying appropriate conditions.

252. The subject site is located within a commercial zone. While the proposed use is not specifically considered a sensitive use under the provisions of the Environmental Audit Overlay and the site is not affected by the Environmental Overlay, it is anticipated that the proposed development will result in increased activity on the site.

253. The applicant has indicated that they do not object to the imposition of such a condition. As such, the recommendation section of this report therefore includes that Council's standard conditions requiring either a Certificate or Statement of Environmental Audit prior to the commencement of works.

Car and Bicycle Parking

Car parking

254. Under clause 52.06 of the Scheme, the development as shown in the advertised plans is seeking a car parking reduction of 303 car parking spaces, as outlined within the table included in the Particular Provisions section earlier in the report. It is noted that the overall car parking reduction sought in the concept plans is reduced to 298 car parking spaces.

255. A total of 385 on-site car parking spaces will be accommodated within the proposed development, all allocated to employees. The concept plans provide a total of 378 car parking spaces. The development will also contain 230 on-site bicycle parking spaces.

256. According to Council's engineering services unit, car parking associated with office type developments *'is generally long-stay parking for employees and short term parking (say up to two hours' duration) for customers and clients'*. The actual car parking demand generated by the office is expected to be *'lower than the statutory parking rate of 3.5 car parking spaces per 100 square metres of floor space, since the area has very good access to public transport services'*.

257. The applicant's traffic consultant quoted an office car parking rate of 1.0 car parking space for every 40 square metres of floor area (equivalent to 2.5 spaces per 100 square metres) for 'unrestrained situations' (i.e. car parking demand is to be met on site), subsequently adopting a rate of 2 spaces per 100 square metres, which equates to a parking demand of around 383 spaces. An on-site car parking provision of 2.0 spaces per 100 square metres of office floor space is considered acceptable by Council's engineering services unit, especially since the site has good access to public transport.

258. According to Council's engineering services unit, a car parking rate of 3 spaces per 100 square metres of floor area for the shop could be adopted, with 1 space per 100 square metres of floor area for staff. For an area of 617 square metres, this would equate to a parking demand of 18 spaces, including six spaces for staff.

259. Similar to the car parking rate for the shop, Council's engineering services unit applied a rate of 3 car parking spaces per 100 square metres of floor area to the restricted retail premises, with 1 space per 100 square metres of floor area for staff. The car parking demand for this use would be 25 spaces, including eight employee spaces.

260. Council's engineering services unit also noted that the site is within walking distance of tram services operating along Bridge Road, while tram services operating along Swan Street and Church Street can also be accessed by foot. Additionally, customers and clients to the proposed development might combine their visit by engaging in other activities or business whilst in the area.

261. Clause 52.06 of the Scheme lists a number of considerations for deciding whether the required number of spaces should be reduced. For the subject site, the considerations for providing fewer car parking spaces than the likely car parking demand are discussed below.

262. The applicant's traffic consultant conducted an on-street car parking occupancy survey of the area surrounding the site. The extent of the survey is considered appropriate by Council's engineering services unit. An inventory of 375 car parking spaces were identified.

263. The results of the survey indicate that the peak car parking occupancy occurred at 2:00pm on a weekday, with a minimum of 63 on-street car parking spaces vacant within the study area. Customers and clients to the development should therefore be able to find a car parking space. Observations by Council's engineering services unit indicated that Bridge Road contained a number of vacant spaces.

264. Council's engineering services unit concluded that 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 lack of on-site car parking would discourage private motor vehicle ownership and use'*.

265. Therefore, from a traffic engineering perspective, Council's engineering services unit consider the proposed car parking provision *'appropriate in the context of the development and the surrounding area'*. All long-stay employee car parking *'would be contained on-site, whereas short-stay (clients and customers) would be accommodated off-site'*. Council's engineering services unit has no objection to the reduction in the car parking requirement for the proposed development.

266. Council's external traffic consultant undertook a peer review of the applicant's traffic report and also concluded that the car parking reduction is generally acceptable based on:
    (a) An empirical assessment of demands (the car parking demand assessment).
    (b) The availability of alternative transport modes to the site.
    (c) The reduced parking provision has positive benefits in terms of reducing the traffic impacts of the development, which is consistent with Council's sustainable transport objectives.
    (d) The existing car parking credits associated with the site.
    (e) The availability of car parking, including the unavailability of alternative long-term car parking.

Bicycle Parking

267. As outlined earlier in the report, the proposed development as depicted in the advertised plans is required to provide 64 employee bicycle parking spaces and 20 visitor bicycle spaces. The proposal includes 230 bicycle parking spaces within the proposed development.

268. Through the provision of these spaces, the applicant has responded to the importance that State and local policies place on encouraging low energy forms of transport such as Clauses 15.02-3, 18.02-1, 18.02-2 and 21.06.

This is a development where the use of bicycles can take precedence over the use of private motor vehicles due to the proximity of services and employment opportunities and higher density residential development, which will encourage the use of bicycles in this development.

269. The bicycle parking spaces have also been provided in a convenient location within the ground floor or basement level, where there is limited potential for conflict with motor vehicles and close to the proposed end-of-trip facilities. This satisfies the requirements of clause 52.34 of the Yarra Planning Scheme.

270. In relation to residential visitor bicycle parking options, it is noted that the advertised plans provide visitor bicycle parking within the entrance of Building D. The concept plans relocated these spaces to the landscaped forecourt and, in doing so, remove the potential conflict between cyclists and pedestrians created by locating the visitor bicycle spaces in a foyer area, given the additional space provided in the forecourt area.

Traffic and Access

Vehicle access

271. The proposed development incorporates three vehicle access points. The vehicle access points are located off Burnley Street, Neptune Street and from Strafford Street. Council's engineering service unit assessed the Neptune Street and Burnley Street entrances, with widths of 7.8 metres and 7.0 metres respectively. These widths satisfy the relevant standard of Clause 52.06-8. The width of the vehicle entrance to Strafford Street has not been dimensioned. A condition contained in the recommendation section of this report will ensure this is dimensioned on the plans.

272. Under the advertised plans, the Burnley Street and Strafford Street vehicle access points provide access to the ground and upper floors car parking, totalling 281 car parking spaces. Neptune Street provides access to the basement car parking in the advertised plans, totalling 104 car parking spaces.

273. Under the concept plans, the Burnley Street and Strafford Street access points provide access to the ground floor and basement car parking, totalling 260 car parking spaces. The Neptune Street access point provides vehicle access to the upper floor car parking areas, totalling 118 car parking spaces.

274. The application was also referred to VicRoads who raised no concerns in relation to the access point of Burnley Street, subject to access onto Burnley Street being restricted to left in/ Left out movements. VicRoads conditions are included within the recommendation section of this report.

Traffic generation

275. As noted by Council's engineering services unit, the proposed development as depicted in the advertised plans would have peak hour volumes of 215 vehicle trips per hour. The peak hour traffic off the Neptune Street access point would be 54 vehicle trips per hour. In the morning peak hour, the Neptune Street access point would experience 50 inbound trips and 4 outbound trips, whereas in the afternoon peak hour, the reverse movements would occur.

276. Council's engineering services unit assessed the plans originally submitted with the application, noting *'Neptune Street has a carriageway width of approximately 7.0 metres, with parallel parking taking place on both sides of the street. This would effectively leave a single moving traffic lane (two-way) of around 2.8 metres. Given that the street would experience more traffic during peak periods, this may increase the incidence of vehicle conflict as there are few opportunities for vehicle passing'*.

277. It was therefore recommended *'that some of the development's Neptune Street traffic be redistributed to the other access points (Burnley Street and possibly Strafford Street) or further reduce the amount of on-site parking that is serviced by the Neptune Street access'*.

278. The advertised plans responded to this concern by reducing the amount of development traffic to and from the Neptune Street access point by more than 50 per cent, resulting in *'a better outcome when compared to the original scheme'*. However, for both the original and the advertised plans, Council's engineering services unit noted that *'under post-development conditions, Neptune Street would experience a daily traffic volume of around 1,280 vehicles per day. This traffic would be within the environmental capacity of an Access Street – Level 2, which is 2,000 to 3,000 vehicles per day'*.

279. Council engaged an external traffic consultant to peer review the applicant's traffic report. The external traffic consultant supported *'the change in the plans to increase the proportion of car spaces accessed directly via Burnley Street in order to reduce the traffic impacts on nearby residential streets'*. Further, it was noted that *'the development will generate approximately 1 vehicle trip every 2 minutes to the north and south of the site along Neptune Street and 1 vehicle every 2 minutes on Corsair Street. This volume of traffic is relatively low'*.

280. Council's engineering services unit also considered the traffic impact on intersections surrounding the site and the site's Burnley Street access point. These were assessed by the applicant's traffic consultant using the SIDRA program, which measures intersection performance. As noted by Council's engineering services unit the *'results of the intersection modelling suggest that the intersections have capacity to accommodate peak hour development traffic. The Burnley Street access point is expected to operate satisfactorily once the development is operational'*.

281. In relation to the Burnley Street and Bridge Road intersection, Council's external traffic consultant noted that *'the development will contribute slightly more than 1 vehicle per minute through this intersection, split over multiple routes. This volume is modest in the context of an arterial road intersection'*.

282. Council's external traffic consultant raised concerns with the SIDRA analysis undertaken by the applicant's traffic consultant, questioning the assumptions inserted into the analysis in relation to the Burnley Street and Bridge Road intersection. On review of the concerns raised, the applicant's traffic consultant provided the following response:

> *'SCATS (Sydney Coordinated Adaptive Traffic System) is adaptive to traffic volumes by design, and can adjust cycle lengths and phase times from one cycle to the next based on traffic volumes experienced, within the range of parameters set within the system. The cycle time and phase times included within any SIDRA model represent an average across the periods being modelled, which in this case are the AM and PM peak hours.*
>
> *The overall cycle time of 120 seconds used in the modelling (AM and PM peak hour) is based on on-site observations over a number of cycles, and is a common cycle time adopted by VicRoads on arterial roads such as this.*
>
> *In relation to phase times, the existing conditions model for the AM period returned reasonable phase times when set to allow SIDRA to determine them. Similarly, under the post-development scenario, phase times changed by no more than 4 seconds which is expected to be within the variation permitted under the SCATS programming. When allowing SIDRA to determine phase times for the PM peak hour, there were some minor inconsistencies with the on-site observations in relation to queuing, and as such the phase times were tweaked manually to better reflect on-site conditions.*

Once again, the variation in phase times between existing and post-development scenarios are minimal.

It is acknowledged that providing additional time to one phase reduces the time allocated to another, however it should be recognised that the aim is to minimise delay to all vehicles utilising the intersection. As Traffix identified in its review, the phase time for through movements on Bridge Road is reduced under the post-development scenario, however with the lane configuration and phasing, this is not expected to affect delays experienced by trams. Eastbound trams operate within a designated lane, with a tram extension phase that can operate to allow a tram to catch the tail end of the green phase if need be. Westbound trams share the right turn lane from Bridge Road (east) onto Burnley Street (north). The phasing works to provide a green arrow to clear the lane of right turning vehicles ahead of a tram so that the tram can catch the start of the green westbound phase.

As such the SIDRA assessment shows that the increase in traffic anticipated to be generated by the proposed development should not trigger the need for geometric changes to the intersection.

It is acknowledged that there is a minor inconsistency in the model in relation to the right turn lane length on the Burnley Street south approach between the AM and PM scenarios, however it is possible and permissible under the road rules for vehicles to queue within the chevron marked area behind the turn lane, and as such this small discrepancy does not make the model unrepresentative.'

283. Based on the above response to the concern raised and Council's external traffic consultant's original comment that the volume of traffic anticipated to be generated through the Burnley Street and Bridge Road intersection in a post-development scenario *'is modest in the context of an arterial road intersection'*, the proposed traffic generation is considered acceptable for this development.

284. However, VicRoads condition restricting the Burnley Street vehicle access point to left in/left out movements only has implications on the anticipated traffic movements on Burnley Street and specifically on the Burnley Street and Bridge Road intersection. The applicant's traffic consultant has reviewed the proposed development (Attachment 12) based on left in/left out movements from the Burnley Street access point and provided the following summary:

'onemilegrid has assessed the implications of this change to the site access conditions on the operations of the surrounding road network. The operations of the intersection were assessed under the anticipated post-development traffic volumes for the alternative scheme using the SIDRA Intersection software package.

The results of the analysis are shown in Table 1 and Table 2. It can be seen that the intersection would operate within its capacity with either the fully directional site access, or with a left in / left out access as per VicRoads' request.

Indeed, the analysis shows that during the AM peak hour, the intersection would be expected to operate with greater spare capacity, lower delays, and shorter queues under the left in / left out access scenario.

During the PM peak hour, more traffic would be directed towards the Bridge Road / Burnley street intersection with a left in / left out access, however the intersection operations are still within capacity and are considered to be acceptable for an intersection of two arterial roads during the commuter peak period.'

285. Based on the above, it is anticipated that the Burnley Street and Bridge Road intersection will still operate within its design capacity and therefore acceptable.

Council's engineering services unit have reviewed the assessment provided by the applicant's traffic consultant and consider the conclusions reasonable, stating *'Based on the summary of the SIDRA results provided by One Mile Grid, the Bridge Road/Burnley Street intersection should be able to function adequately under post development with the left-in/left-out arrangement'*.

Car parking layout

286. The proposed car parking will be accommodated in the basement and on the lower floors in Buildings C and D. Council's engineering services unit and external traffic consultant have reviewed the car parking layout and recommended the following changes:
   (a) A CCTV monitor is to be provided and installed for motorists exiting the Neptune Street vehicle access. The monitor is to view Neptune Street footpath conditions to the south of the entrance.
   (b) The carpark designed to accord with Clause 52.06-9 and not the Australian Standards.
   (c) Ramp details, including grades, lengths, transitions, headroom clearances, etc.). These need to be included to confirm the design of the ramps. The plan views of the ramps also do not show the ramp grades or lengths.
   (d) Swept path diagrams for the B99 design vehicle must be provided for vehicle entry and exit movements for the Neptune Street entrance. Parallel car parking and nearby vehicle crossings must be accurately depicted on the swept path diagrams.
   (e) Accessible car parking spaces to be identified and dimensioned on the drawings.
   (f) Column locations and depths to be dimensioned on the drawings.
   (g) Clearances to walls to be dimensioned on the drawings.
   (h) On-site loading bays to be dimensioned on the drawings. All loading must take place within the curtilage of the property, unless there is easy access to a nearby on-street Loading Zone.
   (i) Some car parking spaces do not have adequate clearance to the adjacent wall (300mm required).

287. The recommendation section of this report includes conditions to ensure the above suggestions are implemented in the proposed development, where appropriate.

Green travel plan

288. The applicant's traffic consultant prepared a green travel plan for the proposed development, outlining *'a suite of initiatives and services employed to encourage travel mode behaviour change and to promote use of sustainable transport options such as walking, cycling, public transport or car-pooling in preference to single occupant car trips where practicable'*.

289. Council's external traffic consultant reviewed the green travel plan and recommended that the plan *'should be reviewed and strengthened in some areas'*, including the following:
   (a) A formal review process to assess and update the plan, including timeframes and who is responsible for the review of the green travel plan and how will it be reviewed.
   (b) Whether priority car parking for car pooling staff will definitely be provided or not. Allocating priority car parking would strongly support car pooling.
   (c) The applicant should review whether some on-site car share vehicles can be provided, which would be more convenient than the on-street car share spaces that are currently available in the nearby area.
   (d) Additional support for sustainable transport events such as ride to work day.
   (e) Remove references to residents within the green travel plan.
   (f) Consistency between the proposed uses in the green travel plans and those on the plans.

290. The recommendation section of this report includes conditions to ensure the above suggestions are included in the green travel plan.

Loading and unloading

291. The requirement for a loading bay is triggered by the ground floor shop and restricted retail components, which have a combined floor area of 1,469.7 square metres. The proposed development incorporates a loading bay within the ground floor car parking area. Council's engineering services unit commented that *'all loading must take place within the curtilage of the property, unless there is easy access to a nearby on-street Loading Zone'* and requested that the loading bay be dimensioned on the drawings.

292. Council's external traffic consultant also noted that *'loading can be satisfactorily accommodated on-site, however these vehicles should access the site via Burnley Street, instead of Strafford Street'*. A condition contained within the recommendation can ensure that trucks only access the site from Burnley Street. Additionally, it was recommended that the *'loading bay proposed from the ROW for the shop should be removed'*. The concept plans remove the loading bay from the northern laneway, addressing this concern.

Waste Management

293. The applicant submitted a waste management plan with the application which outlines the waste management practices for the proposed development. These practices include a private waste contractor to collect all waste streams for commercial waste. The waste collection point is located within the ground floor car parking area, adjoining the bin storage room.

294. Council's city works branch has reviewed the application and the waste management plan prepared by One Mile Grid and dated 6 April 2017. The waste management plan is considered satisfactory from the city works branch's perspective. However, given the changes to the proposal as depicted in the concept plans, an amended waste management plan will be required via a condition contained within the recommendation so that the plan reflects the approved development.

295. Council's external traffic consultant recommended that waste trucks should access the site from Burnley Street, instead of Strafford Street. A condition contained within the recommendation section of this report can ensure that waste trucks only access the site from Burnley Street.

Objectors' Concerns

296. The majority of the issues which have been raised by the objectors have been addressed within this report, as outlined below:
    (a) Out of character with the streetscape.
    (b) Heritage impacts on individually significant buildings.
    (c) Bulk and scale.
    (d) Excessive height.
    (e) South/west boundary wall excessive in height.
    (f) Excessive site coverage.
    (g) Materials and finishes.
    (h) Overshadowing.
    (i) Overlooking.
    (j) Increase in noise (traffic, people, outdoor areas/terraces, mechanical plant equipment, etc.).
    (k) Lack of car parking.
    (l) Increased traffic congestion.
    (m) Impacts from waste collection.
    (n) Potentially contaminated site.
    (o) No community benefit.

297. Outstanding concerns raised in the objections are discussed below, and relate to:
    (a) Overdevelopment of the site.

Overdevelopment is a commonly used expression to dismiss development proposals which seek to remove existing buildings and to introduce significant new built form into particular neighbourhoods. An assessment against State and local planning policies has demonstrated that the proposal is not an overdevelopment and will not have unreasonable visual bulk or overshadowing impacts, subject to adopting the changes in the concept plans. For the reasons advanced earlier in this report, the proposed development is not considered to be an overdevelopment of the site.

(b) South/west boundary wall excessive in height.

The advertised plans sought increase the amount of walls on boundaries adjoining the sensitive residential interfaces to the south. While the concept plans retain walls on boundaries to the adjoining residential properties, they have reduced in scale and in some instances been setback further. Overall, as discussed earlier in this report, the visual bulk and overshadowing impacts as a result of the proposed development as depicted in the concept plans are considered reasonable in a commercial/residential interface.

(c) Excessive site coverage.

The subject site is located within the Commercial 2 Zone, as are the adjoining properties to the north. The existing buildings on the subject site already consist of a high site coverage, as do the adjoining properties commercial to the north. From a character perspective, the site coverage of the proposed development is considered to be consistent with the expectations of development within a Commercial 2 Zone and similar to those nearby commercial developments.

(d) Lighting impacts on adjoining properties.

A condition contained within the recommendation section of this report will require that external lighting from the proposed development to be designed, baffled and located to prevent any adverse impact on any adjoining property.

(e) Loss of views.

While the Victorian Civil and Administrative Tribunal have recognised that views can be a relevant amenity consideration, it has also held that there is no right to a view and that the weight to be given to the amenity impact of loss of views is diminished where no planning control applies encouraging retention or sharing of views. There is no specific policy, provision or local policy control regarding views within the Yarra Planning Scheme. In this context, it is not considered that the extent of loss of view in this case is unreasonable, particularly considering the built form expectations envisaged in a Commercial 2 Zone.

(f) Impact on vegetation.

The subject site contains minimal vegetation and no significant vegetation, while there is minimal vegetation of note on immediately abutting properties. The proposed development includes a landscaped forecourt on the Burnley Street frontage as well as landscaped communal terrace areas on the upper floors that will add landscape value to the site and surrounds. As discussed earlier in this report, a condition contained in the recommendation also requires the applicant to make a contribution in order to provide replacement trees along the Burnley Street frontage.

(g) Trucks accessing residential streets.

Council's external traffic consultant recommended that truck access be provided solely from Burnley Street to minimise impacts on the surrounding residential streets. A condition contained within the recommendation section of this report ensures this requirement is met.

(h) Emergency services access.

The proposed development does not seek to change the configuration or layout of local streets.

While additional traffic movements are expected for any development that proposes an intensification of activities on the site, the surrounding road network has the capacity to accommodate the proposed increase, as confirmed by both Council's engineering services unit and external traffic consultant. Emergency vehicles will continue to access the local streets as they have done so in the past.

(i) Lack of public open space.

The proposed development as depicted in the advertised plans incorporated a landscaped forecourt on Burnley Street, while the concept plans have further introduced an east-west pedestrian link from Burnley Street to the northern laneway. While both of these spaces will be retained in private ownership, they will provide opportunities for passive outdoor recreation. The pedestrian link specifically will be required to be accessible to the public 24 hours a day, as per the condition in the recommendation section of this report.

(j) Safety concerns.

There is no evidence to link the proposed development with increased crime rates or reduced safety for residents. The proposed development will increase the amount of activity taking place on the site, providing greater passive and active surveillance of the surrounding area. Fire safety requirements are considered at the building permit stage of the process under the relevant provisions of the Building Act 1993 and subordinate legislation and regulations. Concern was also raised with the narrow setback of Building D from the eastern boundary of 2 Strafford Street and its driveway. A condition contained in the recommendation seeks amended plans showing access (e.g. via a door) to this setback area.

(k) Impact on infrastructure.

As discussed within the State and local policy section within the report, increased densities and employment opportunities are encouraged within areas with existing services. Additionally, the availability and frequency of public transport is delivered by the State Government. The permit holder would be required to address infrastructure servicing demands of the proposed development as stipulated by the various service agencies at the time of either subdivision or connection of the development, including any service authority requirements to contribute to the cost of upgrading trunk infrastructure. Additionally, the recommendation section of this report also requires a construction management plan to be submitted to ensure impacts during construction are minimised.

(l) Impacts during construction.

Concern has been raised in relation to damage of the adjoining dwellings, buildings and public property during construction. Protection of adjoining properties during construction is not a matter that can be addressed through the planning permit process. However, the developer has obligations under the Building Act 1993 to protect adjoining property from potential damage. It is the responsibility of the relevant building surveyor to require protection work as appropriate. Council's local laws require an asset protection permit to be obtained to ensure infrastructure assets within the road reserve are protected or repaired if damaged.

(m) Will set a precedent.

Future planning permit applications on this site or neighbouring and nearby land will be assessed against relevant planning policy and site conditions, based on their own merits at the time of assessment. The possibility of setting an undesirable precedent cannot be substantiated.

(n) Compete with retail activity on Bridge Road.

The purpose of the zone encourages a range of land use activities. That there is a similar use to that proposed in proximity of the site is not adequate justification to refuse the application.

The decision guidelines of the Planning Scheme and Planning and Environment Act 1987 do not accommodate consideration of lost income arising as a result of new development and competing land uses.

(o) Loss of property values.
The Victorian Civil and Administrative Tribunal and its predecessors have generally found claims that a proposal will reduce property values are difficult, if not impossible, to gauge and of no assistance to the determination of a planning permit application. It is considered the impacts of a proposal are best assessed through an assessment of the amenity implications rather than any impacts upon property values. This report provides a detailed assessment of the amenity impacts of this proposal.

Conclusion

298. The proposed development is considered to demonstrate a high level of compliance with policy objectives contained within the State and Local Planning Policy Framework. Notably, the proposal achieves the State Government's urban consolidation objectives and Council's preference to direct higher density development in activity centres or on strategic redevelopment sites.

299. The proposal, subject to conditions outlined in the recommendation section below including the adoption of the changes made in the concept plans, is an acceptable planning outcome that demonstrates compliance with the relevant Council policies.

RECOMMENDATION

That having considered all objections and relevant planning policies, it is recommended that a Notice of Decision to Grant a Planning Permit PLN17/0370 be issued for part demolition and the construction of buildings up to nine storeys including basement car parking and containing office, shop and restricted retail premises, a reduction in the car parking requirement, a variation to the loading bay requirement and alterations to the access of and buildings and works to a road in a Road Zone, Category 1 (Burnley Street) at 198-242 Burnley Street, Richmond, 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 advertised plans prepared by Wireframe Architecture and dated 24 July 2017, but modified to show:
   (a) The changes shown in the concept plans prepared by Wireframe Architecture and dated 17 October 2017, which generally show:
      (i) Changes to the basement layout increasing the extent of basement area to the west and south, incorporating car stackers along the eastern side of the basement, amongst other internal layout changes.
      (ii) Changes to the ground floor layout including:
         - Shifting the vehicle access to the proposed development further north on the Neptune Street frontage.
         - Introducing a bicycle entrance from Neptune Street along the southern boundary.
         - Shifting the Burnley Street vehicle access further south and widening the landscaped forecourt to the lift lobby of Building A.
         - Providing an east-west pedestrian link between Burnley Street and the laneway off Neptune Street through the building to the north of the Burnley Street frontage.

(iii) Changes to Building A including increased setbacks to Burnley Street and Neptune Street at the first floor and above.
(iv) Changes to Building C including increased setbacks to Neptune Street and from the boundary with 43 Neptune Street and a reduction in height to 16.14 metres.
(v) Changes to Building D including generally increasing setbacks to the southern and western boundaries, various additions and reductions at all levels of Building D, generally central to the Burnley Street frontage and shifting the Building D lobby to the north of the combined restricted retail tenancy.

But further modified to show the following changes:

(b) A minimum of four roof trusses and the associated roof form retained at both the Burnley Street and Neptune Street ends of the Patersons building and the proposed tower addition setback to match the depth of the retained trusses.
(c) The entry through the Neptune Street façade of the Patersons building redesigned to retain the vertically sliding timber entry door, preferably in the down position.
(d) The retention of the roof framing of the entire Alcock's building.
(e) The awning extending along the full width of Building D to Burnley Street.
(f) Details of the interface between the lift lobby of Building D and the Burnley Street vehicle access to ensure this interface is appropriately treated.
(g) Pedestrian access provided between the ground floor car park and the lift lobby of Building D.
(h) Additional north-facing windows provided along the pedestrian link to the west of the bi-fold doors, at both the ground and upper floors.
(i) Access (e.g. via a door) to the 1.295 metre setback along eastern boundary of 2 Strafford Street and its driveway.
(j) The width of the vehicle access point to Strafford Street.
(k) A CCTV monitor provided and installed for motorists exiting the Neptune Street vehicle access capturing views to the south of the entrance.
(l) Swept path diagrams for the B99 design vehicle provided for vehicle entry and exit movements for the Neptune Street entrance. Parallel car parking and nearby vehicle crossings must be accurately depicted on the swept path diagrams.
(m) The carpark designed to accord with Clause 52.06-9.
(n) Ramp details, including grades, lengths, transitions, headroom clearances, etc.
(o) Accessible car parking spaces to be identified and dimensioned.
(p) Column locations and depths to be dimensioned.
(q) On-site loading bays to be dimensioned.
(r) Specifications for the car stacker device
(s) Any service cabinet or meter room doors that open outwards as able to swing 180 degrees and be latched to the building when opened or serviced.
(t) Car parking spaces that do not have adequate clearance to an adjacent wall provided with a 300mm clearance.
(u) The porous windscreens on the north and west edges of the rooftop terrace of Building C as recommended in the wind impact assessment report prepared by Vipac and dated 22 June 2017.
(v) A minimum 1.5 metre wide pedestrian clearance provided through the proposed pedestrian link from the Burnley Street frontage to the laneway to the west.
(w) Additional landscaping within the pedestrian link.
(x) The property boundary between private and public property clearly delineated where this is not delineated by a building on boundary.
(y) Any requirement of the amended sustainable management plan required by condition 9 of this planning permit (where relevant to show on plans).
(z) Any requirement of the amended acoustic report required by condition 11 of this planning permit (where relevant to show on plans).
(aa) Any requirement of the amended wind impact assessment required by condition 13 of this planning permit (where relevant to show on plans).
(bb) Any requirement of the amended waste management plan required by condition 15 of this planning permit (where relevant to show on plans).

2. The use and 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.

Shop Use

3. Except with the prior written consent of the Responsible Authority, the shop use authorised by this permit may only operate between the hours of 8:00am and 8:00pm, Monday to Sunday.

Section 173 Agreement

4. Prior to the commencement of the development authorised by this permit, or by such later date as approved in writing by the Responsible Authority, the permit holder (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) The permit holder must provide unfettered 24 hour public access over that part of the land to be used for the east-west pedestrian link.
   (b) The permit holder is responsible for maintaining at all times the areas that are private land open to the public described in condition 4(a) at the cost of the permit holder of the site and to the satisfaction of the Yarra City Council.
   (c) The permit holder must obtain and maintain insurance, approved by Yarra City Council, for the public liability and indemnify Yarra City Council against all claims resulting from any damage, loss, death or injury in connection with the public accessing the land described in condition 4(a).
   (d) That the permit holder pay the costs of the Responsible Authority in relation to the preparation, review, execution and registration of the agreement.
   (e) For any other matters agreed between Council and the owner in relation to the public realm improvements.

   The permit holder, 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.

Landscape 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 amended landscape plan will be endorsed and will form part of this permit. The amended landscape plan must be generally in accordance with the landscape design report prepared by Papworth Davies and dated 24 July 2017, but modified to include (or show):
   (a) Reflect the changes in the concept plans prepared by Wireframe Architecture and dated 24 July 2017.
   (b) Location of species proposed.
   (c) Plant schedule indicating pot size, quantity, mature height and spread of all proposed planting.
   (d) Details of raised garden beds and rooftop planting, including proposed planting media, irrigation and drainage.

6. Before the buildings are 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.

Street Trees

7. Before the development commences, or by such later date as approved in writing by the Responsible Authority, a tree management plan to the satisfaction of the Responsible Authority must be prepared by a suitably qualified Arborist and must be submitted to and approved by the Responsible Authority. When approved the tree management plan will be endorsed and will form part of this permit. The tree management plan must make recommendations for:
   (a) the protection of the street tree on the Burnley Street footpath closest to Patersons building (198 Burnley Street):
      (i) pre-construction;
      (ii) during construction; and
      (iii) post construction.
   (b) the provision of any barriers;
   (c) any pruning necessary; and
   (d) watering and maintenance regimes,

8. Before the development commences, or by such later date as approved in writing by the Responsible Authority, the permit holder must make a one off contribution to the Responsible Authority for the amenity value and removal cost of the two street trees located in front of the Moderne office building and for the reinstatement costs for new trees for the full length of the Burnley Street frontage. The location and number of replacement trees are at the discretion of the Responsible Authority.

Sustainable Management Plan

9. 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 WSP Parsons Brinkerhoff and dated 19 April 2017, but modified to include or show:
   (a) Reflect the changes made in the concept plans prepared by Wireframe Architecture and dated 24 July 2017, while retaining the equivalent standard of environmentally sustainable design.
   (b) A minimum of 30 per cent of the commercial floor areas achieve a minimum daylight factor of 2 per cent.

10. The provisions, recommendations and requirements of the endorsed sustainable management plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Acoustic Report

11. Before the development commences, 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 Acoustic Logic and dated 24 July 2017, but modified to include (or show, or address):
   (a) A full assessment of all mechanical plant proposed for installation with the SEPP N-1 noise limits calculated for the potentially most impacted noise sensitive receivers.
   (b) A maximum noise level at a reference distance specified for carpark entrance doors in close proximity to noise sensitive locations.

12. The provisions, recommendations and requirements of the endorsed acoustic report must be implemented and complied with to the satisfaction of the Responsible Authority.

Wind Assessment

13. Before the development commences, 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 Engineers and Scientists and dated 22 June 2017, but modified to include (or show):
    (a) An assessment, including a wind tunnel assessment, of the wind conditions in the proposed pedestrian link and laneway to the north of the site and measures to ensure the wind conditions generated within the proposed pedestrian link and laneway are within walking criterion.

14. The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

15. Before the development commences, or by such later date as approved in writing by the Responsible Authority, 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 One Mile Grid and dated 6 April 2017, but modified to include or show:
    (a) Reflect the changes in the concept plans prepared by Wireframe Architecture and dated 24 July 2017.
    (b) Waste collection trucks entering/exiting the site from Burnley Street.

16. The provisions, recommendations and requirements of the endorsed waste management plan must be implemented and complied with to the satisfaction of the Responsible Authority.

17. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

Green Travel Plan

18. Before the development commences, or by such later date as approved in writing by the Responsible Authority, an amended green travel 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 travel plan prepared by One Mile Grid and dated 6 April 2017, but modified to include or show:
    (a) A formal review process to assess and update the plan, including timeframes and who is responsible for the review of the green travel plan and how will it be reviewed.
    (b) Whether priority car parking for car pooling staff will definitely be provided or not. Allocating priority car parking would strongly support car pooling.
    (c) A review of whether some on-site car share vehicles can be provided.
    (d) Additional support for sustainable transport events such as ride to work day.
    (e) Remove references to residents within the green travel plan.
    (f) Consistency between the proposed uses in the green travel plans and those on the plans.

19. The provisions, recommendations and requirements of the endorsed green travel plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Lighting Plan

20. Before the development commences, a lighting plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The lighting plan must address lighting along the east-west pedestrian link and the laneway between Burnley Street and Neptune Street.

When approved, the lighting plan will be endorsed and will form part of this permit. The lighting plan must provide for:

(a) A lighting scheme designed for the east-west pedestrian link and the laneway between Burnley Street and Neptune Street that complies with uniformity requirements as per standard AS1158.3.1;
(b) The control of light spillage into the windows of existing and proposed residences to comply with the requirements of AS 4282 – 1997, "Control of the obtrusive effects of outdoor lighting";
(c) The locations of any new light poles so as not to obstruct access into private garages/off and on street parking places;
(d) A maintenance regime for the lighting scheme within the curtilage of the property.
(e) The use of energy efficient luminaries and/or solar lighting technologies to reduce carbon emission if possible.

21. The provisions, recommendations and requirements of the endorsed lighting plan must be implemented and complied with at no cost to Council and to the satisfaction of the Responsible Authority.

Conservation Works Plan

22. Before the demolition commences, or by such later date as approved in writing by the Responsible Authority, a conservation works plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the conservation works plan will be endorsed and will form part of this permit. The conservation works plan must include, but not be limited to, the following:
    (a) Fully dimensioned and accurately measured plans at a scale of no less than 1:50 prepared by a suitably qualified heritage practitioner/architect, detailing:
        (i) The existing façade, roof and walls, including sections to show the thickness of architectural elements;
        (ii) The proposed reconstruction, restoration or works to the existing building, with notations clearly outlining any changes from existing conditions or use of new materials.
    (b) A written description of the demolition and construction methods to be used.

23. The provisions, recommendations and requirements of the endorsed conservation works plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Archival Record

24. Before demolition of the Patersons building and its northern addition commences, a detailed and annotated photographic record of these buildings in their context must be submitted to and approved by the Responsible Authority as a record of the buildings. 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.

Potentially Contaminated Land

25. Before the construction of the development authorised by this permit commences, an Environmental Auditor must be appointed under section 53S of the EP Act to undertake an Environmental Audit in accordance with the provisions of the EP Act. The Environmental Auditor appointed under section 53S of the EP Act must undertake an Environmental Audit in accordance with the provisions of the EP Act and issue either:
    (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.

26. If, pursuant to condition 25, a Statement is issued:
    (a) the 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 (**pre-commencement conditions**);
    (c) 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 pre-commencement conditions have been complied with must be submitted to the responsible authority.
    (d) 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 of the land) 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
    (e) 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).

Public Art Management Plan

27. Before the occupation of the buildings, or by such later date as approved in writing by the Responsible Authority, 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) The location of the artwork (to be consistent with the endorsed development plans);
    (b) Outline of methodology for commission;
    (c) Details of the commissioned artist(s);
    (d) Description of art work, including:
        (i) Materials;
        (ii) Colours;
        (iii) Dimensions;
        (iv) Conceptual and site context rationale;
        (v) Special features (for example lighting);
    (e) Details of the installation process;
    (f) Details of art work maintenance schedule and ongoing ownership/caretaker details; and
    (g) Attribution plans (e.g. signage or plaque).

28. 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 at no cost to Council and to the satisfaction of the Responsible Authority. Once completed, the public art must be maintained in accordance with the endorsed Public Art Management Plan to the satisfaction of the Responsible Authority.

General

29. The amenity of the area must not, to the satisfaction of the Responsible Authority, be detrimentally affected by the development and 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.
    (d) The presence of vermin.

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

31. The uses and development must comply at all times with the State Environment Protection Policy — Control of Music Noise from Public Premises (SEPP N-2).

32. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the pedestrian and vehicular entrances and internal laneway must be provided on the subject site. Lighting must be:
    (a) located;
    (b) directed;
    (c) shielded; and
    (d) of limited intensity,
    to the satisfaction of the Responsible Authority.

33. 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.

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

35. Before the building 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.

36. 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.

37. 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.

Car Parking

38. Except with the prior written consent of the Responsible Authority, all trucks, including waste collections trucks, must access the site from the Burnley Street vehicular access point.

39. Before the development commences, or by such later date as approved in writing by the Responsible Authority, 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) the number of car parking spaces allocated to each tenancy and that each space is allocated;
    (b) details of way-finding, cleaning and security of end of trip bicycle facilities;
    (c) policing arrangements and formal agreements;
    (d) 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.;
    (e) 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 15; and

(f) details regarding the management of loading and unloading of goods and materials.

40. 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.

41. Before the building 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;

    to the satisfaction of the Responsible Authority.

42. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, a notice showing the location of car parking must be placed in a clearly visible position near the entry to the land. The notice must be maintained thereafter to the satisfaction of the Responsible Authority.

Civil Works

43. Before the buildings is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing(s) 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.

44. Before the buildings 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.

45. Before the buildings 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 (including by the re-sheeting of the entire Burnley Street and Neptune Street footpaths for the width of the property frontage if required by the Responsible Authority):
    (a) at the permit holder's cost; and
    (b) to the satisfaction of the Responsible Authority.

46. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in anyway.

Construction Management Plan

47. 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.
    (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.
(q) 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.
(r) Existing public lighting could only be disconnected once temporary alternative lighting scheme becomes operational.
(s) A temporary lighting scheme must remain operational until a permanent lighting scheme is reinstated.
(t) Any site-specific requirements.

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.

48. 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.

49. The provisions, recommendations and requirements of the endorsed construction management plan must be implemented and complied with to the satisfaction of the Responsible Authority.

VicRoads Conditions

50. The mid block access onto Burnley Street being restricted to left in/left out movements.

51. The crossover and driveway are to be constructed to the satisfaction of the Responsible Authority and at no cost to the Roads Corporation prior to the commencement of the use and occupation hereby approved.

52. All disused or redundant vehicle crossings must be removed and the area reinstated to kerb and channel to the satisfaction of and at no cost to the Roads Corporation prior to the commencement of the use and the occupation hereby approved.

Permit Expiry

53. 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:

A building permit may be required before development is commenced. Please contact Council's building services on 9205 5095 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.

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.

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.

All future employees and occupiers working within the development approved under this permit will not be permitted to obtain employee or visitor car parking permits.

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

The applicant must liaise with Council's open space unit for the protection of the street tree in Burnley Street.

The developer needs to ensure that the building has adequate clearances from overhead power cables, transformers, substations or any other electrical assets where applicable. Energy Safe Victoria has published an information brochure, Building design near powerlines, which can be obtained from their website: http://www.esv.vic.gov.au/About-ESV/Reports-and-publications/Brochures-stickers-and-DVDs.

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

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

In the event that 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.

VicRoads Notes:

The proposed development requires the construction of a crossover. Separate approval under the Road Management Act for this activity may be required from VicRoads (the Roads Corporation). 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 for this activity may be required from VicRoads (the Roads Corporation). Please contact VicRoads prior to commencing any works.

CONTACT OFFICER: **Nikolas Muhllechner**
TITLE: **Principal Planner**
TEL: **9205 5456**

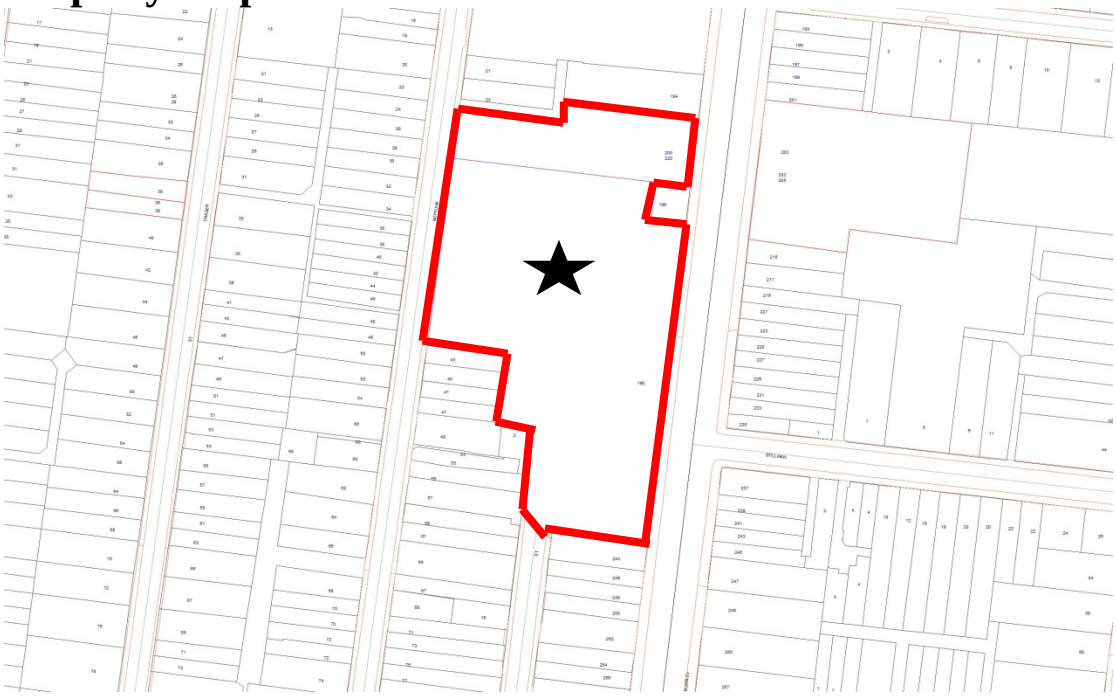
Attachments

1 PLN17/0370 - 198-242 Burnley Street Richmond - Subject Land Map
2 PLN17/0370 - 198-242 Burnley Street Richmond - Engineering Services Unit Comments
3 PLN17/0370 - 198-242 Burnley Street Richmond - TraffixGroup Comments
4 PLN17/0370 - 198-242 Burnley Street Richmond - ESD Advisor Comments
5 PLN17/0370 - 198-242 Burnley Street Richmond - City Works Branch Comments
6 PLN17/0370 - 198-242 Burnley Street Richmond - Open Space Planning and Design Unit Comments
7 PLN17/0370 - 198-242 Burnley Street Richmond - Heritage Advisor Comments
8 PLN17/0370 - 198-242 Burnley Street Richmond - Urban Design Unit Comments
9 PLN17/0370 - 198-242 Burnley Street Richmond - David Lock Associates Urban Design Comments
10 PLN17/0370 - 198-242 Burnley Street Richmond - SLR Consulting Acoustic Comments
11 PLN17/0370 - 198-242 Burnley Street Richmond - Wind Impact Assessment Comments from MEL Consultants
12 PLN17/0370 - 198-242 Burnley Street Richmond - Traffic Response from One Mile Grid
13 Full Set of Plans (distributed separately or via link on website)
14 Concept Plans (distributed separately or via link on website)

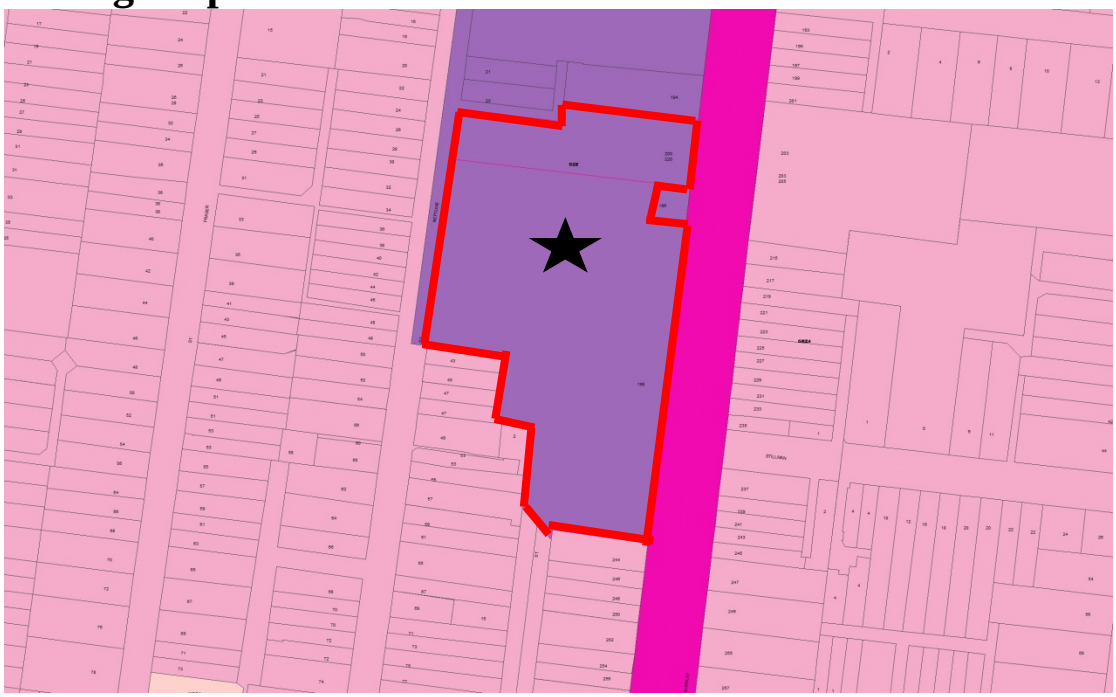
Attachment 1 - PLN17/0370 - 198-242 Burnley Street Richmond - Subject Land Map

SUBJECT LAND:

Property Map



Zoning Map



⇧ North

★ **Subject Site**

Attachment 2 - PLN17/0370 - 198-242 Burnley Street Richmond - Engineering Services Unit Comments

CITY OF YARRA

MEMO

To:	**Nikolas Muhllechner**	
From:	**Mark Pisani**	
Date:	**6 July 2017**	
Subject:	**Application No:**	**PLN17/0370**
	Description:	**Mixed Use Development**
	Site Address:	**198-242 Burnley Street, Richmond**

I refer to the above Planning Application received on 25 May 2017 and the accompanying report prepared by One Mile Grid traffic engineering consultants in relation to the proposed development at 198-242 Burnley Street, Richmond. Council's Engineering Services unit provides the following information:

CAR PARKING PROVISION

Proposed Development

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

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Office	19,116 m²	3.5 spaces per 100 m² of net floor area	669	387
Shop	617 m²	4 spaces per 100 m² of leasable floor area	24	9
Retail Premises	846 m²	Not Specified	To Satisfaction of the Responsible Authority	
		Total	**693 Spaces, plus retail parking to the satisfaction of the RA**	**396 Spaces**

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:

- *Parking Demand for Office Use*. Parking associated with office type developments is generally long-stay parking for employees and short term parking (say up to two hours' duration) for customers and clients. The actual parking demand generated by the office is expected to be lower than the statutory parking rate of 3.5 spaces per 100 square metres of floor space, since the area has very good access to public transport services.

One Mile Grid traffic engineering consultants have quoted the New South Wales Roads and Maritime Services' Guide to Traffic Generating Development office parking rate of 1.0 space for every 40 square metres of floor area (equivalent to 2.5 spaces per 100 square metres) for 'unrestrained situations' (i.e. parking demand is to be met on site). One Mile Grid has adopted a rate of 2.0 spaces per 100 square metres, which equates to a parking demand of around 383 spaces. An on-site parking provision of 2.0 spaces per 100 square metres of office floor space is considered acceptable, especially since the site has good access to public transport.

- *Parking Demand for the Shop*. A parking rate of 3.0 spaces per 100 square metres of floor area for the shop could be adopted, with 1.0 space per 100 square metres of floor area for staff. For an area of 617 square metres, this would equate to a parking demand of 18 spaces, including six spaces for staff.
- *Parking Demand for the Retail Premises Use*. As for the shop rate, we could also apply a rate of 3.0 spaces per 100 square metres of floor area to the retail premises, with 1.0 space per 100 square metres of floor area for staff. The parking demand for this use would be 25 spaces, including eight employee spaces.
- *Availability of Public Transport in the Locality of the Land*. The site is within walking distance of tram services operating along Bridge Road. Tram services operating along Victoria Parade and Church Street can also be accessed by foot.
- *Multi-Purpose Trips within the Area*. Customers and clients to the development might combine their visit by engaging in 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*. One Mile Grid had conducted an on-street parking occupancy survey of the area surrounding the site on Wednesday 2 December 2015 from 7:00am to 7:00pm. The survey area encompasses Bridge Road (Coppin St to Stawell St), Burnley Street (Bridge Rd to Boyd St), Neptune Street, Strafford Street, Bolan Street and corsair Street. The survey should have also included a Friday survey, rather than rely on just one day of parking data. The extent of the survey is considered appropriate. An inventory of 375 car parking spaces was identified. The results of the survey indicate that the peak parking occupancy had occurred at 2:00pm, with a minimum of 63 spaces vacant within the study area. Customers and clients to the development should be able to find a parking space. Our own observations on Tuesday 27 June 2017 at 3:30pm indicated that Bridge Road contained a number of vacant spaces.
- *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 lack of on-site car parking would discourage private motor vehicle ownership and use.

Adequacy of Car Parking
From a traffic engineering perspective, the proposed car parking provision of the site is considered appropriate in the context of the development and the surrounding area. All long-stay employee parking would be contained on-site whereas short-stay (clients and customers) would be accommodated off-site.

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

Attachment 2 - PLN17/0370 - 198-242 Burnley Street Richmond - Engineering Services Unit Comments

TRAFFIC GENERATION

Trip Generation of Site

The traffic generation for the site adopted by One Mile Grid is as follows:

Proposed Use	Adopted Traffic Generation Rate	Peak Hour	
		AM	PM
Office	AM Peak: 0.5 trips/space (inbound) + 10% of peak direction volume PM Peak: 0.5 trips/space (outbound) + 10% of peak direction volume	213	213
Shop and Retail	AM Peak:1.0 trip/space (inbound) PM Peak: 1.0 trip/space (outbound)	9	9
	Total	**222**	**222**

The traffic generation rates are considered reasonable. For office use, we previously accepted a peak hour office traffic generation rate of 0.5 trips per on-site space per peak hour.

The traffic distribution diagrams provided by One Mile Grid show that 112 vehicles would enter or exit the Neptune Street access and 112 vehicles would enter or exit the Burley Street access. The traffic distribution model does to show any traffic movements via Strafford Street and it is not clear whether this access point would be used by employees (this matter should be clarified by the applicant).

A check of the submitted drawings indicates that 53% of the on-site spaces (209 spaces) would utilise the Neptune Street access whereas the balance (187 spaces) would have access from Burnley Street (and likely Strafford Street). The distribution of traffic entering and exiting building would slightly differ from the traffic distribution model provided by One Mile Grid.

Neptune Street

The following table provides a summary of existing and post-development traffic volumes in Neptune Street based on the turning movement counts and distribution models provided by One Mile Grid:

NEPTUNE STREET PEAK HOUR VOLUMES				
Location	Existing Volumes (Vehicles per peak hour)		Post-Development Volumes (vehicles per peak hour)	
	AM	PM	AM	PM
Just south of Bridge Road	62	50	128	107
Just north of Corsair Street	47	35	103	91

Neptune Street is classified as an Access Street – Level 2 under the provisions of Clause 56.06 Standard C21 of the Yarra Planning Scheme. Under post-development conditions, Neptune Street would experience a daily traffic volume of around 1,280 vehicles per day. This traffic would be within the environmental capacity of an Access Street – Level 2, which is 2,000 to 3,000 vehicles per day.

Neptune Street has a carriageway width of approximately 7.0 metres, with parallel parking taking place on both sides of the street. This would effectively leave a single moving traffic lane (two-way) of around 2.8 metres. Given that the street would experience more traffic during peak periods, this may increase the incidence of vehicle conflict as there are few opportunities for vehicle passing. It is recommended that some of the development's Neptune Street traffic be redistributed to the other access points (Burnley Street and possibly Strafford Street) or further reduce the amount of on-site parking that is serviced by the Neptune Street access.

Attachment 2 - PLN17/0370 - 198-242 Burnley Street Richmond - Engineering Services Unit Comments

Intersection Analysis

The traffic impact of intersections surrounding the site and the site's Burnley Street access point was assessed using the SIDRA program, which measures intersection performance. SIDRA modelling works well under free flowing traffic conditions and may have limitations, such as queuing of downstream traffic. The results of the intersection modelling suggest that the intersections have capacity to accommodate peak hour development traffic. The Burnley Street access point is expected to operate satisfactorily once the development is operational.

Attachment 2 - PLN17/0370 - 198-242 Burnley Street Richmond - Engineering Services Unit Comments

DEVELOPMENT LAYOUT DESIGN
Layout Design Assessment

Item	Assessment
Access Arrangements	
Development Entrances	Not dimensioned on the drawings. A check using the Trapeze plan management tool indicates that the Neptune Street and Burnley Street entrances have widths of 7.8 metres and 7.0 metres respectively, which satisfy the Australian/New Zealand Standard AS/NZS 2890.1:2004 and Design standard 1 – Accessways of Clause 52.06-8. Strafford Street access width has not been dimensioned.
Queuing Analysis – Neptune Street and Burnley Street	Not provided.
Visibility	The Burnley Street access point has clear sight lines (within the landscaped area). The Neptune Street access point does not have the sight triangle as per *Design standard 1.*
Headroom Clearance	Not dimensioned on the drawings.
Internal Ramped Accessways	Widths not dimensioned on the drawings.
Vehicle Entry and Exit Movements Neptune Street Access	Swept path assessment of the Neptune Street has not been provided.
Car Parking Modules	
Car Parking Spaces	Dimensions of spaces not provided on the drawings.
Accessible Parking Spaces	Not Provided.
Aisles	Not dimensioned on the drawings.
Column Locations and Depths	Not dimensioned on the drawings.
Clearances to Walls	Not dimensioned on the drawings.
Blind Aisle Extensions	Not dimensioned on the drawings.
Car Sharing Spaces	Details on the four Car Sharing Spaces at the western side of the Ground Level car parking have not been provided.
Gradients	
Grade for first 5.0 metres inside Property – Neptune Street access	From the Neptune Street building line, the ramp profile comprises a 4.1 metre long horizontal section, followed by a 2.0 metre long 1 in 8 transition grade. The ramp profile over the first 5.0 metres is less steep than 1 in 10 and satisfies *Design standard 3: Gradients*.
Ramp Grades and Changes of Grade	The ramp grades and the changes of grade for the ramped accessway and the internal ramps satisfy *Design standard 3*.
Loading Arrangements	
On-Site Loading Bays	Not dimensioned on the drawings.
Commercial Vehicle Swept Paths	The swept path diagrams provided for the 6.4 metre refuse collection vehicle and for the 6.4 metre Small Rigid Vehicle entering and exiting the Waste Services area and the loading dock to 02 Showroom are considered satisfactory.

Attachment 2 - PLN17/0370 - 198-242 Burnley Street Richmond - Engineering Services Unit Comments

Design Items to be Addressed

Item	Details
Development Entrances	To be dimensioned on the drawings.
Queuing Analysis – Neptune Street and Burnley Street	Although the entry lane into the Neptune Street entrance provides storage for around five vehicles (30 metres), the Burnley Street entrance would have storage for around three vehicles (18 metres). A queuing analysis is to be undertaken for the two entrances to confirm that the 98th percentile queues are contained within the curtilage of the site.
Visibility	Since a sight triangle cannot be achieved, a CCTV monitor is to be provided and installed for motorists exiting the Neptune Street access. The monitor is to view Neptune Street footpath conditions to the south of the entrance.
Headroom Clearances	To be dimensioned at the entrances and along critical points on the internal ramped accessways.
Internal Ramped Accessways	Widths to be dimensioned on the drawings.
Vehicle Entry and Exit Movements Neptune Street Access	Sept path diagrams for the B99 design vehicle must be provided for vehicle entry and exit movements for the Neptune Street entrance. Parallel parking and nearby vehicle crossings must be accurately depicted on the swept path diagrams.
Car Parking Spaces	To be dimensioned on the drawings.
Accessible Parking Spaces	To be dimensioned on the drawings.
Aisles	To be dimensioned on the drawings.
Column Locations and Depths	To be dimensioned on the drawings.
Clearances to Walls	To be dimensioned on the drawings.
Blind Aisle Extensions	To be dimensioned on the drawings.
On-Site Loading Bays	To be dimensioned on the drawings. All loading must take place within the curtilage of the property, unless there is easy access to a nearby on-street Loading Zone. For the use of the retail loading bay off the east-west aligned Right of Way, all commercial vehicles using this loading bay must not reverse out onto Neptune Street.
Delivery Vehicle Entry and Exit Movements of Right of Way via Neptune Street	Swept path diagrams for delivery vehicles accessing the Right of Way via Neptune Street must be provided. Parallel parking and nearby vehicle crossings must be accurately depicted on the swept path diagrams.
Service Cabinet Doors	Any service cabinet door opening onto a Public Highway must swing 180 degrees and be latched to the building when opened.
Pedestrian Doorway – 01 Retail Tenancy	The single pedestrian doorway opening into the aisle of the car park at Ground Level is considered inappropriate. This door should either swing inwards into the retail tenancy showroom or be replaced with a sliding door.

Attachment 2 - PLN17/0370 - 198-242 Burnley Street Richmond - Engineering Services Unit Comments

ENGINEERING CONDITIONS
Civil Works

- Upon the completion of all building works and connections for underground utility services, the footpaths immediately outside the property's Burnley Street and Neptune Street road frontages must be reconstructed to Council's satisfaction and at the Permit Holder's expense.
- All redundant vehicle crossings fronting the site must be demolished and reinstated to Council's satisfaction and at the Permit Holder's expense.
- The kerb and channel along the site's Burnley Street and Neptune Street road frontages must be reconstructed to Council's satisfaction and at the Permit Holder's cost.
- The east-west aligned Right of Way abutting the northern boundary of the site must be reconstructed to Council's satisfaction and at the Permit Holder's cost.
- The grates of pits along the Burnley Street frontage of the property must be replaced with galvanised safety grates to ensure safety for bicycles.
- The northern end of Strafford Street must be made good where it interfaces with the development. Matching-in works must be undertaken at the northern end of Strafford Street to Council's satisfaction and at the Permit Holder's cost.

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.

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.

Discharge of Water from Development

- Only roof runoff, surface water and clean groundwater seepage from above the water table can be discharged into Council drains.
- Contaminated ground water seepage into basements from above the water table must be discharged to the sewer system through a trade waste agreement with the relevant authority or in accordance with EPA guidelines.
- Contaminated groundwater from below the water table must be discharged to the sewer system through a trade waste agreement from the relevant sewer authority.
- Council will not permit clean groundwater from below the groundwater table to be discharged into Council's drainage system. Basements that extend into the groundwater table must be waterproofed/tanked.

Attachment 2 - PLN17/0370 - 198-242 Burnley Street Richmond - Engineering Services Unit Comments

Removal, Adjustment, Changing or Relocation of Parking Restriction Signs

- No parking restriction signs or line-marked on-street parking bays are to be removed, adjusted, changed or relocated without approval or authorisation from Council's Parking Management unit and Construction Management branch.
- Any on-street parking reinstated as a result of development works must be approved by Council's Parking Management unit.

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 associated with this development for assessment and approval.

Vehicle Crossing – Cross Sectional Drawing

The applicant must prepare and submit 1 in 20 scale cross sectional drawings of the development's two vehicular entrances, showing the actual reduced levels to three decimal places (not interpolated levels from the application drawings) of the Burnley Street and Neptune Street road profiles (from the centre line of the road 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 profiles the accessways 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 crossings without scraping or bottoming out. The 1 in 20 scale cross sectional drawings 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 7.0 metres and it is possible that groundwater could 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.

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.

Attachment 2 - PLN17/0370 - 198-242 Burnley Street Richmond - Engineering Services Unit Comments

Additional Comments provided by Construction Management

- Power Lines are close to building line in Burnley Street. Advice from CitiPower may be required.
- Vehicle entry/crossover dimensions and distance from pits, poles and other street furniture should be shown. New crossovers are to be B99 compliant
- There is an existing power supply to the property at 240 Burnley Street from pole number 6877 and is too close to the property line. Alternative power supply is required.
- VicRoads approval for the new vehicle crossing on Burnley Street.
- There is an existing substation at 198 Burnley Street. CitiPower comment is required for removal/relocation of it.
- Section of the footpath near the existing street tree is lifted by tree roots (towards northern boundary of site). Alternative footpath pavement treatments should be considered at this location to accommodate tree roots. Open space comment should be sought.
- The proposed new vehicle crossing at the southern end of the site (Neptune Street road frontage) will require changes to the existing property drain outlet of adjoining residential property
- Existing culverts in Neptune Street are to be removed and reinstated with kerb and channel.

Regards

Mark Pisani
Senior Development Engineer
Engineering Services Unit

Attachment 2 - PLN17/0370 - 198-242 Burnley Street Richmond - Engineering Services Unit Comments

CITY OF YARRA

MEMO

To:	**Nikolas Muhllechner**	
From:	**Mark Pisani**	
Date:	**23 August 2017**	
Subject:	**Application No:**	**PLN17/0370**
	Description:	**Major Development**
	Site Address:	**198-242 Burnley Street, Richmond**

I refer to the above Planning Application received on 1 August 2017, the submitted information provided by One Mile Grid traffic engineering consultants and previous comments prepared by Engineering Services dated 6 July 2017 in relation to the proposed development at 198-242 Burnley Street, Richmond. Council's Engineering Services unit provides the following information:

TRAFFIC GENERATION

Revised Traffic Volumes - Neptune Street Access

The revised proposal would result in a reduced on-site parking reduction from 396 on-site spaces to 382 on-site spaces. The majority of the on-site parking would now access Burnley Street.

The analysis conducted by One Mile Grid traffic engineering consultants that the development would now have peak hour volumes of 215 vehicle trips per hour, as opposed to 222 vehicle trips per hour. The peak hour traffic of the Neptune Street access point is now 54 vehicle trips per hour (previously, the peak hour volume was 112 vehicle trips per hour). In the AM peak hour, the Neptune Street access point would experience 50 inbound trips and 4 outbound trips, whereas in the PM peak hour, the reverse movements would occur.

Reducing the amount of development traffic to and from the Neptune Street access point by more than 50% is a better outcome when compared to the previous scheme.

Intersection Analysis

One Mile Grid has analysed the Bridge Road/Burnley Street intersection using SIDRA under post-development conditions of the revised scheme. Given that the Burnley Street access point would experience more trips than the previous scheme, it is acknowledged that the intersection would operate closer to its capacity. The results of this intersection modelling suggest that the intersection would still operate within its capacity.

In summary, Engineering Services is satisfied with the revised scheme in terms of trip generation and distribution.

Attachment 2 - PLN17/0370 - 198-242 Burnley Street Richmond - Engineering Services Unit Comments

DEVELOPMENT LAYOUT DESIGN
Layout Design Assessment

Item	Assessment
Access Arrangements	
Development Entrances	The Neptune Street and Burnley Street entrances have widths of 7.85 metres and 7.0 metres respectively and satisfy *Design standard 1 – Accessways* of Clause 52.06-8.
Queuing Analysis – Neptune Street and Burnley Street	Not provided.
Visibility	The Burnley Street access point has clear sight lines (within the landscaped area). The Neptune Street access point does not have the sight triangle as per *Design standard 1.*
Headroom Clearance	Not dimensioned on the drawings.
Internal Ramped Accessways	Internal ramps have minimum wall-to-wall widths of 6.2 metres and satisfy the Australian/New Zealand Standard AS/NZS 2890.1:2004.
Vehicle Entry and Exit Movements Neptune Street Access	Swept path assessment of the Neptune Street has not been provided.
Car Parking Modules	
Car Parking Spaces	The dimensions of the car parking spaces (2.4 metres by 5.4 metres) satisfy AS/NZS 2890.1:2004.
Accessible Parking Spaces	Not Provided.
Aisles	The 6.2 metre wide aisles satisfy AS/NZS 2890.1:2004.
Column Locations and Depths	Not dimensioned on the drawings.
Clearances to Walls	Not dimensioned on the drawings.
Blind Aisle Extensions	Blind aisle extensions satisfy AS/NZS 2890.1:2004.
Car Sharing Spaces	Details on the four Car Sharing Spaces at the western side of the Ground Level car parking have not been provided.
Gradients	
Grade for first 5.0 metres inside Property – Neptune Street access	From the Neptune Street building line, the ramp profile comprises a 4.1 metre long horizontal section, followed by a 2.0 metre long 1 in 8 transition grade. The ramp profile over the first 5.0 metres is less steep than 1 in 10 and satisfies *Design standard 3: Gradients*.
Ramp Grades and Changes of Grade	The ramp grades and the changes of grade for the ramped accessway and the internal ramps satisfy *Design standard 3*.
Loading Arrangements	
On-Site Loading Bays	Not fully dimensioned on the drawings.
Commercial Vehicle Swept Paths	The swept path diagrams provided for the 6.4 metre refuse collection vehicle and for the 6.4 metre Small Rigid Vehicle entering and exiting the Waste Services area and the loading dock to 02 Showroom are considered satisfactory.

Attachment 2 - PLN17/0370 - 198-242 Burnley Street Richmond - Engineering Services Unit Comments

Design Items to be Addressed

Item	Details
Queuing Analysis – Neptune Street and Burnley Street	Although the entry lane into the Neptune Street entrance provides storage for around five vehicles (30 metres), the Burnley Street entrance would have storage for around three vehicles (18 metres). A queuing analysis is to be undertaken for the two entrances to confirm that the 98th percentile queues are contained within the curtilage of the site.
Visibility	Since a sight triangle cannot be achieved, a CCTV monitor is to be provided and installed for motorists exiting the Neptune Street access. The monitor is to view Neptune Street footpath conditions to the south of the entrance.
Vehicle Entry and Exit Movements Neptune Street Access	Sept path diagrams for the B99 design vehicle must be provided for vehicle entry and exit movements for the Neptune Street entrance. Parallel parking and nearby vehicle crossings must be accurately depicted on the swept path diagrams.
Accessible Parking Spaces	To be identified and dimensioned on the drawings.
Column Locations and Depths	To be dimensioned on the drawings.
Clearances to Walls	To be dimensioned on the drawings.
On-Site Loading Bays	To be dimensioned on the drawings. All loading must take place within the curtilage of the property, unless there is easy access to a nearby on-street Loading Zone. For the use of the retail loading bay off the east-west aligned Right of Way, all commercial vehicles using this loading bay must not reverse out onto Neptune Street.
Delivery Vehicle Entry and Exit Movements of Right of Way via Neptune Street	Swept path diagrams for delivery vehicles accessing the Right of Way via Neptune Street must be provided. Parallel parking and nearby vehicle crossings must be accurately depicted on the swept path diagrams.
Service Cabinet Doors	Any service cabinet door opening onto a Public Highway must swing 180 degrees and be latched to the building when opened.
Pedestrian Doorway – 01 Retail Tenancy	The single pedestrian doorway opening into the aisle of the car park at Ground Level is considered inappropriate. This door should either swing inwards into the retail tenancy showroom or be replaced with a sliding door.

ENGINEERING CONDITIONS

The engineering conditions as specified in our referral comments of 6 July 2017 are still relevant and pertinent to this development application.

NON-PLANNING ADVICE FOR THE APPLICANT

The non-planning advice for the applicant as specified in our referral comments of 6 July 2017 are still relevant and pertinent to this development application.

Attachment 2 - PLN17/0370 - 198-242 Burnley Street Richmond - Engineering Services Unit Comments

Regards

Mark Pisani
Senior Development Engineer
Engineering Services Unit

TraffixGroup
Traffic Engineers and Transport Planners

Our Reference: 23508L#1

Traffix Group Pty Ltd
ABN 32 100 481 570

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20th September, 2017

Yarra City Council
Statutory Planning Branch
PO Box 168
RICHMOND VIC 3121

Attention: Ms Ally Huynh

Dear Madam,

198-242 Burnley Street, Richmond - Proposed Commercial Development
Traffic Engineering Review

Introduction

Further to your instructions, please find following our review of the proposed commercial development at 198-242 Burnley Street. We have been instructed to review the following aspects of the development:

- *Car parking provision*
- *Car parking layout including ramp grades and manoeuvrability within the car park etc.*
- *Traffic impact to the surrounding streets*
- *Any traffic amelioration works required as a result of the proposal*
- *Green Travel initiatives*
- *Any development contributions relevant to reconstruction of footpaths, roads etc.*

For this assessment, we have reviewed the following documents:

- RFI Plans prepared by Wire Frame Architects (various dates and revisions).
- Traffic Report, prepared by One Mile Grid (dated 30th March, 2017).
- Letter response, prepared by One Mile Grid (dated 27th July, 2017).
- Green Travel Plan, prepared by One Mile Grid (dated 6th April, 2017).
- Waste Management Plan, prepared by One Mile Grid (dated 6th April, 2017).

Proposal

The proposal is for a commercial development on the site. A development summary is provided below (based on the development in the RFI plans – TP29, Rev 4, dated 24th July, 2017):

- 19,751m^2 of office space (multiple tenancies)
- 853m^2 of restricted retail space (two tenancies)
- 617m^2 of shop spaces (one tenancy)
- 385 car spaces
- 250 bicycle spaces

Car parking and vehicle access is proposed within multiple building levels from Basement 1 to Level 4 as follows:

- 104 car spaces within Basement 1 – accessed via Neptune Street.
- 281 car spaces on all levels from Ground to Level 4 – accessed via Strafford Street and Burnley Street.

Existing Conditions

Subject Site

The subject site is 198-242 Burnley Street, Richmond. The site is located on the west side of Burnley Street, Bridge Road and Corsair Street.

The site is tenanted by a Kia car dealership (car showroom and a car service centre), a self-storage facility, an office, a lighting design workshop and a retail outlet. Two fully directional vehicle accesses are provided from Burnley Street, and another two fully directional vehicle accesses are provided from Neptune Street. A currently unused access is also provided at the northern end of Strafford Street.

The site is located within a Commercial 2 Zone. Nearby land uses in the immediate vicinity are a mixture of light industrial, commercial and residential uses.

Transport Network

Burnley Street is a VicRoads Arterial Road and Road Zone Category 1 aligned in a north south direction. In the vicinity of the site, Burnley Street provides a traffic lane and shared bicycle/parking lane in each direction. A 60km/h speed limit applies to Burnley Street.

Neptune Street is a Local Road aligned in a north-south direction between Burnley Street and Corsair Street. Neptune Street has a pavement width of approximately 7m, which provides for a single lane for two-way traffic and parking on both sides of the road. At its intersection with Burnley Street, all turning movements are permitted. A 40km/h area speed limit applies to Neptune Street.

Strafford Street is a dead end Local Road that extends north from Corsair Street to the site's southern boundary. Stafford Street has a pavement width of approximately 6m, which provides for a single lane

for two-way traffic and parking on the east side of the road. A 40km/h area speed limit applies to Strafford Street.

Corsair Street is a Local Road aligned in an east-west direction between Burnley Street and Lord Street. Corsair Street operates in a one-way, eastbound direction. It typically provides a single traffic lane and kerbside parking on both sides of the road. The intersection of Corsair Street and Burnley Street is controlled by a 'Stop' sign facing Corsair Street and left and right turn out movements are permitted. A 40km/h area speed limit applies to Corsair Street.

An L-shaped, dead end **ROW** extends east from Neptune Street along part of the site's northern boundary. The ROW is 3m wide and constructed with asphalt.

OMG undertook extensive traffic counts at 5 locations between 7-10am and 3-6:30pm on Wednesday 2nd December, 2015:

- Bridge Road/Neptune Street.
- Bridge Road/Burnley Street.
- Neptune Street/Corsair Street.
- Strafford Street/Corsair Street.
- Burnley Street/Corsair Street.

Adopting that approximately 10% of the traffic within local streets is generated during the peak hours, Neptune Street, Strafford Street and Corsair Street carry the following two-way traffic volumes:

- Neptune Street – 50-62 vehicles per peak hour and approximately 600 vehicles per day.
- Strafford Street – 4-8 vehicles per peak hour and approximately 80 vehicles per day.
- Corsair Street – 50-79 vehicles per peak hour and approximately 800 vehicles per day.

One Mile Grid (OMG) undertook SIDRA analysis of all 5 intersections. The detailed SIDRA outputs and model diagrams are not provided. The report does not detail the assumptions used in the SIDRA models (i.e. intersection layout, assumptions, signal phasing, etc.).

Under this analysis, all local road intersections operate under excellent conditions and the Bridge Road/Burnley Street intersection operating under 'Fair' conditions.

We are satisfied that the local road intersections operate well during peak hours.

We are not convinced that the model for the Bridge Road/Burnley Street intersection has been calibrated appropriately. Ratio in preparing their assessment for 81-95 Burnley Street, Richmond (report dated 3rd October, 2016), identified this intersection as operating under 'very poor' (LOS F) conditions during the commuter peak hours, which is more consistent with our experience at this intersection. There is not enough detail to verify the OMG analysis on the material provided.

Alternative Transport Modes

The site is well served by public transport services, including the following services within convenient walking distance:

- Tram Routes 12 and 109 on Victoria Street, approximately 1.1km north of the site,

- Tram Routes 48 and 75 on Bridge Road, approximately 150m north of the site,
- Tram Routes 70 on Swan Street, approximately 600m south of the site, and
- Burnley Station, approximately 750m south of the site.

The site enjoys a high level of access to bicycle infrastructure including formal and informal bicycle routes on many roads surrounding the site.

There are multiple car share vehicles within close proximity to the site.

Car Parking Conditions

OMG undertook extensive parking surveys in the nearby area at 7am, 10am, 12noon, 2pm, 4pm and 7pm on Wednesday 2nd December, 2015. The survey area comprised an area up to 400m walking distance from the site, which is a very wide area.

The traffic report did not include the detailed survey results.

The survey encompassed a very wide area and over 350 car spaces. The survey results generally found a moderate to high demand for car parking in the nearby area with the peak demand being 79% at 2pm, representing 63 vacant car spaces.

Accordingly to the text of the report, all car spaces in the survey area are time restricted and there is no long-term car parking in the area.

Car Parking Assessment

Statutory Car Parking Assessment

The statutory car parking assessment of the development is set out in the table below.

Table 1: Statutory Car Parking Assessment – Clause 52.06-5

Use	Size/No.	Statutory Parking Rate	Car Parking Requirement (Note 1)	Car Parking Provision	Shortfall/ Surplus
Office	19,751m²	3.5 spaces per 100m² NFA	691	385	-335
Restricted Retail	853m²	3 spaces per 100m² LFA	5		
Shop	617m²	4 spaces per 100m² LFA	24		
TOTAL			720	385	-335

Notes:
1. Clause 52.06-5 specifies that where a car parking calculation results in a requirement that is not a whole number, the number of spaces should be rounded down to the nearest whole number.

Based on the above assessment, the proposed application has a statutory car parking requirement to provide 720 car spaces and the provision of 385 car spaces results in a shortfall of 335 car spaces. Accordingly, the development requires a car parking reduction under the decision guidelines of Clause 52.06-7.

The OMG report has incorrectly assessed the restricted retail tenancies as 'retail' uses. A restricted retail tenancy has its own car parking requirement under Clause 52.06-5.

Car Parking Demand Assessment

The OMG Traffic Report adopts the following car parking rates for the development:

- Office – 2.0 car spaces per 100m^2
- Shop – 3.5 car spaces per 100m^2
- Retail - 3.5 car spaces per 100m^2

Our review of each rate is provided below.

Office

The OMG report adopted an empirical office car parking rate of 2.0 car space per 100m^2 based on the site's accessibility by alternative transport modes, lack of alternative on-street car parking and "case study data held by onemilegrid".

We recommend that this case study data is provided.

Notwithstanding the above, we are satisfied on principle that a rate of 2 spaces per 100m^2 is an acceptable car parking rate for an office use in this location. Council has supported lower office parking rates down to 1 space per 100m^2 in Cremorne, Richmond and Abbotsford in recent times.

Adopting this rates equates to a demand for 395 car spaces.

Shop

The OMG report adopted a car parking rate of 3.5 car spaces per 100m^2 for the shop, inline with the Column B parking rates of Clause 52.06-5. Whilst the Column B parking rates do not apply to the site, we agree with the parking rate adopted. This equates to a peak demand for 22 car spaces.

OMG estimated that the 22 spaces would be split between 4 staff and 18 customers.

We would typically adopt staff as generating a parking demand of 1 space per 100m^2 for retail uses, or 6 spaces. The balance or 16 car spaces would be associated with customers.

Restricted Retail

The development plans detail one shop and two restricted retail tenancies. OMG assessed the retail restricted retail tenancies as 'retail' and applied the Column B parking rate for a 'shop' instead of restricted retail uses and applied a rate of 3.5 car spaces per 100m^2.

A restricted retail tenancy has a lower car parking requirement reflecting the nature of the businesses occupying these spaces, which a lower customer generators (furniture showrooms, homewares businesses, etc.).

The Column B parking rates from Clause 52.06-5 do not apply to this site, however we are satisfied with the principle of applying this rate to this use in this location.

Accordingly, the 853m^2 restricted retail tenancies will generate a peak empirical demand of 21 car spaces at a rate of 2.5 car spaces per 100m^2.

Typically staff generate a parking demand of 1 space per 100m^2 for retail uses, or 9 spaces. The balance (or 12 car spaces) would be associated with customers.

Summary

A summary of our empirical assessment is presented in the table below. It is not markedly different from the OMG assessment.

Table 2: Total parking demand

Use	Short-term spaces	Long-term spaces	Total Spaces
Office	0	395	395
Shop	16	6	22
Restricted Retail	12	9	21
Total	**28**	**410**	**438**

A total of 385 car spaces are provided on the site, which results in a shortfall of 53 car spaces. All car parking will be allocated to long-term parking by staff, with customers parking on-street. Accordingly, the shortfall relates to 28 customer spaces and 25 staff spaces.

Assuming that the shop and retail staff were provided with 15 car spaces on-site, the office would be provided with 370 car spaces, resulting in an overall office parking rate of 1.9 car spaces per 100m^2.

Appropriateness of the Car Parking Provision

Clause 52.06-7 sets out a series of car parking provision factors that should be considered when assessing the appropriateness of providing fewer car spaces on the site than are likely to be generated by the use. We are generally satisfied with the level of car parking proposed for the reasons set out in the table below. Only the most relevant decision factors from Clause 52.06-7 are included in this assessment.

Table 3: Appropriateness of car parking reduction

Decision Factor of Clause 52.06-7	Response
• The Car Parking Demand Assessment.	The site has an empirical shortfall of 28 short-term customer spaces and 25 staff spaces.
• The availability of alternative car parking in the locality of the land.	The OMG includes parking survey results, however the detailed parking inventory is not provided. The report only states that time restrictions apply to all spaces. This inventory should have been provided. According to the report, there is no unrestricted or all day parking in the survey area. The parking conditions in the area support the proposed car parking provision. Specifically: • There is adequate short-term parking in the area to support customers/visitors. This includes

Decision Factor of Clause 52.06-7	Response
	approximately 29 car spaces along the site's frontages. • The lack of long-term parking means that staff without on-site parking will be required to use alternative transport modes.
• Any car parking deficiency associated with the existing use of the land.	This was not considered in the OMG report and should have been provided. It appears likely that the site has an existing parking shortfall of some degree.
• Local traffic management in the locality of the land.	This was not considered in the OMG report.
• The impact of fewer car parking spaces on local amenity, including pedestrian amenity and the amenity of nearby residential areas.	Providing car parking at a rate lower than the statutory requirement reduces the traffic impacts of the development and is inline with Council's sustainable transport objectives.
• Access to or provision of alternative transport modes to and from the land.	The site is well served by alternative transport modes including train and tram services, bicycle infrastructure.

Overall, we are satisfied with the level of car parking provided for the development and the reduction in car parking proposed is acceptable under Clause 52.07.

Bicycle Parking Assessment

Clause 52.34 of the Planning Scheme specifies bicycle parking requirements for new developments and changes in use. The table below sets out the statutory bicycle parking assessment.

Table 4: Statutory Bicycle Parking Assessment – Clause 52.34

Proposed Use	Size/No.	Bicycle Parking Rate		No. of spaces required
		Employee	Customer	
Office	19,751m²	1 space per 300m² NFA, if NFA >1,000m²	1 space per 1,000m² NFA, if NFA >1,000m²	66 staff spaces 20 customer spaces
Retail, other than specified (Restricted Retail)	853m²	1 space per 300m² LFA	1 space per 500m² LFA	3 staff spaces 2 customer spaces
Shop	617m²	1 space per 600m² LFA, if LFA >1,000m²	1 space per 500m² LFA, if LFA >1,000m²	None
Total				**91 spaces**

The development requires 91 bicycle spaces to be provided on the site, which is satisfied by the provision of 250 bicycle spaces. The high level of bicycle parking proposed is strongly supported.

Bicycle spaces are provided at a number of locations on ground and basement level. Bicycle space dimensions accord with Clause 52.34 and are acceptable.

Over 20% of bicycle spaces are floor mounted rails in accordance with Clause 2.1 of AS2890.3-2015.

There are also 28 shower/change room facilities provided, which is also strongly supported.

We are satisfied with the bicycle parking provision of this development.

Carpark Layout

The parking layout and access arrangements have been assessed under Clause 52.06-9 of the Planning Scheme and the relevant clauses of the Australian Standard (AS2890.1-2004 and AS2890.6-2009).

The most significant issue with the carpark layout is the use of car spaces dimensions designed to AS2890.1-2004, instead of Clause 52.06-9 of the Yarra Planning Scheme. The note to Table 2 of this clause states that:

> *Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access.* ***The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street)*** *except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).*

In our view, there is no reason why the carpark could not have been designed to accord with Clause 52.06-9. The site is large and there are no site constraints that support the use of the dimensions specified by AS2890.1-2004 (for instance, a tight site might be more efficient with Australian Standard spaces).

Other issues have been identified as follows:

- Car spaces B69, G09, G10, G76, 177, 178, 230, 231, 330, 331, 419 and 418 do not have adequate clearance to the adjacent wall (300mm required).
- Sections B-B and C-C do not include any ramp detail (grades, lengths, transitions, headroom clearances, etc.). These need to be included to confirm the design of the ramps. The plan views of the ramps also do not show the ramp grades or lengths.

Loading

Clause 52.07 of the Planning Scheme specifies that:

> *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.*

Table 5: Loading Bay Requirements of Clause 52.07

Floor Area of Building	*Minimum Loading Bay Dimensions*	
2,600 sq m or less in single occupation	*Area* *Length* *Width* *Height Clearance*	*27.4 sq m* *7.6 m* *3.6 m* *4.0 m*
For every additional 1,800 sq m or part	*Additional 18 sq m*	

Under Clause 52.07 of the Planning Scheme, a loading bay of the minimum dimensions is required for the shop and restricted retail tenancies.

Loading for the restricted retail tenancies is proposed internally at ground level. The loading area would accommodate trucks up to 6.4m long (the Small Rigid Vehicle (SRV) defined in AS2890.2-2002) and has dimensions which accord with Clause 52.07 of the Planning Scheme.

Swept path diagrams have not been provided demonstrating access to this area, as the Traffic Report with the diagrams is based on an earlier set of plans. However, based on our past experience, we are satisfied that adequate access to the loading bay by SRV is available.

The OMG report nominates trucks as arriving and departing via Stafford Street. There does not appear to be an issue from the plans provided with trucks arriving and departing the site via Burnley Street, which would benefit residents of Stafford Street, Neptune Street and Corsair Street. The applicant should confirm whether trucks can be limited to arriving from Burnley Street.

The headroom clearance to this area is 3.5m, which complies with AS2890.2-2002 for a SRV but not Clause 52.07. We are satisfied that a 3.5m headroom clearance is acceptable given that it is adequate for the likely vehicles undertaking loading and it complies with AS2890.2-2002.

A separate loading bay is proposed for the shop, accessed via a ROW at the rear. This is not addressed in the OMG report. This arrangement is not supported given the length of ROW that trucks would have to reverse down, the loading bay should be deleted. We are satisfied that a waiver of the loading bay requirement for the shop is acceptable and could be accommodated by the 1/4P parking that is located directly in front of this shop on Burnley Street.

Waste Collection

We have reviewed the Waste Management Plan (WMP) prepared by OMG, dated 6th April, 2017.

Waste collection is to be via a private contractor using the small 6.4m long waste collection vehicle. The WMP nominate this truck as arriving and departing from Stafford Street.

Similar to truck access to the loading bay, in our view waste vehicles should arrive and depart the site from Burnley Street.

The swept paths included within the WMP are out of date compared to the advertised plans (dated 24th July, 2017). However, we are satisfied that the waste room is accessible by the small 6.4m long waste collection vehicle based on past experience.

Traffic Generation and Impacts

For the review of traffic impacts, we have reviewed both the original Traffic Report and the letter prepared by OMG responding to the Council's RFI (dated 27th July, 2017). The letter reflects the advertised plans, which changes the distribution of car spaces to provide more car spaces accessed via Burnley Street.

We support the change in the plans to increase the proportion of car spaces accessed directly via Burnley Street in order to reduce the traffic impacts on nearby residential streets.

The OMG reports provide a detailed analysis of the traffic generation and impacts of the development. The key assumptions are listed below:

- 50% of the office car spaces turning over in a peak hour.
- A 90/10 split of inbound/outbound movements in the AM peak and the reverse in the PM peak.
- 9 staff spaces generate 1 vehicle trip each in the AM and PM peak hours, with all staff arriving at work or departing work in the AM and PM peak hours, respectively.
- 50% of the traffic will arrive from the north and 50% from the south.
- Once at Burnley Street, 65% will arrive/depart west, 25% to/from the east and 10% to/from the north.

We are generally satisfied with the above rates and assumptions. We would have simplified the analysis to adopt a 50% car space turnover and the same splits for all car spaces across the development. In our view, a greater proportion of traffic at Burnley Street is likely to head north/east, instead of west, more inline with the current traffic distribution at this intersection, however this assumption is unlikely to critically impact the analysis.

We agree with the letter that the Burnley Street/Bridge Road intersection is the critical intersection, especially with the alternative scheme that will reduce the traffic volumes using Neptune Street/Corsair Street/Strafford Street following the internal redistribution of car spaces. The development will generate approximately 1 vehicle trip every 2 minutes to the north and south of the

site along Neptune Street and 1 vehicle every 2 minutes on Corsair Street. This volume of traffic is relatively low.

The post-development traffic volumes outlined at Figure 1 and 2 of the letter report indicate that the development will contribute slightly more than 1 vehicle per minute through this intersection, split over multiple routes. This volume is modest in the context of an arterial road intersection.

Notwithstanding our doubts surrounding the calibration of the SIDRA model of the Burnley Street/Bridge Road intersection, the relative difference in the performance of the Burnley Street/Bridge Road intersection is minor, which is consistent with the relatively modest traffic volumes generated by the development (in the context of an urban arterial intersection).

The other critical intersection in relation to this site is the site access to Burnley Street. The critical movement is the right turn into the site, which may block southbound traffic on Burnley Street. The SIDRA analysis indicates that this is a possibility, with the 95th percentile queue extending past the site access.

In the event that traffic turning right into the site was an issue post-development, Council and VicRoads can review whether car parking should be prohibited opposite the site access (to provide space for traffic to move past a stationary queue of vehicles turning right into the site) or review whether Keep Clear line marking is warranted (to provide a clear space for traffic to turn into the site, past a stationary queue).

Based on the above, we are satisfied the traffic impacts of the development are acceptable.

Review of Green Travel Plan

The Green Travel Plan (GTP) does not include an adequate range of initiatives to encourage sustainable transport modes. The proposed initiatives are:

- A high level of bicycle parking and end of trip facilities.
- A Travelsmart display in common areas.
- Information dissemination via leaflets and posters regarding nearby public transport services and a display in common areas.
- Carpooling will be encouraged via links to car pool matching websites. Priority car parking for car-pooling staff may be provided.
- A building intranet will be established and provide information to support cycling, public transport, maps and links to relevant websites.
- Staff will be encouraged to use existing nearby car share vehicles.

The Green Travel Plan should include some additional features:

- A formal review process to assess and update the plan, including timeframes and who is responsible for the review of the GTP and how will it be reviewed.
- Whether priority parking for carpooling staff will definitely be provided or not. Allocating priority parking would strongly support carpooling.

- The applicant should review whether some on-site car share vehicles can be provided, which would be more convenient than the on-street car share spaces that are currently available in the nearby area.
- Additional support for sustainable transport events such as ride to work day.

There are numerous references to residents within the GTP.

Development Contributions

The site is not subject to a development contributions plan and in our view there is no nexus between this development and a requirement for additional traffic engineering works in the nearby area.

The development is likely to require the footpaths along the sites frontages to be reconstructed once construction is finished (due to the impact of construction on the footpaths along the site's frontage). This could include additional streetscape amenities (trees, seats, bicycle spaces, etc.).

Conclusions

Based on our various investigations, we are of the opinion that:

a) Under a Clause 52.06-5 assessment, the statutory parking requirement for the development is 720 spaces. The numerical provision of 385 spaces results in a shortfall of 335 car spaces.

b) The required parking reduction is generally acceptable based on:
   i) an empirical assessment of demands (the Car Parking Demand Assessment),
   ii) the availability of alternative transport modes to the site,
   iii) the reduced parking provision has positive benefits in terms of reducing the traffic impacts of the development, which is consistent with Council's sustainable transport objectives,
   iv) the existing car parking credits associated with the site, and
   v) the availability of car parking, including the unavailability of alternative long-term car parking.

c) Bicycle parking is provided in excess of the Clause 52.34 requirements and the high level of bicycle parking is supported.

d) There is no reason why the carpark could not have been designed to accord with Clause 52.06-9. The site is large and there are no site constraints that support the use of the dimensions specified by AS2890.1-2004 (for instance, a tight site might be more efficient with Australian Standard spaces).

   Other issues with the carpark layout have been identified as follows:

   i) Car spaces B69, G09, G10, G76, 177, 178, 230, 231, 330, 331, 419 and 418 do not have adequate clearance to the adjacent wall (300mm required).

   ii) Sections B-B and C-C do not include any ramp detail (grades, lengths, transitions, headroom clearances, etc.). These need to be included to confirm the design of the ramps. The plan views of the ramps also do not show the ramp grades or lengths.

e) Loading can be satisfactorily accommodated on-site, however these vehicles should access the site via Burnley Street, instead of Strafford Street.

f) The loading bay proposed from the ROW for the shop should be removed.

g) Waste collection can be satisfactorily accommodated on-site, however waste trucks should access the site from Burnley Street, instead of Strafford Street.

h) The results of the SIDRA analysis for the Burnley Street/Bridge Road intersection are not consistent with analysis undertaken by other firms or our observations of how this intersection currently operates and there is insufficient information in the report to analyse the model.

i) The critical intersection is the Burnley Street/Bridge Road intersection. Notwithstanding our reservations regarding the SIDRA model, we are satisfied that the relative difference between the before and after scenarios is relatively small and the traffic impacts of the development are acceptable in our view.

j) We are satisfied that the local street intersections surrounding the site will operate satisfactorily and the proposed split of car spaces between Burnley Street and Neptune Street (weighted towards the Burnley Street access) is supported to reduce the impact on the local road network.

k) The Green Travel Plan should be reviewed and strengthened in some areas.

We trust this information meets with your requirements. If you require further information, please contact Leigh Furness at Traffix Group on 9822 2888.

Yours faithfully,

TRAFFIX GROUP PTY LTD

LEIGH FURNESS
Senior Associate

Sustainable Management Plan (SMP)
Referral Response by Yarra City Council

ESD in the Planning Permit Application Process

Yarra City Council's planning permit application process includes Environmentally Sustainable Development (ESD) considerations. This is now supported by the ESD Local Policy Clause 22.17 of the Yarra Planning Scheme, entitled *Environmentally Sustainable Development.*

The Clause 22.17 requires all eligible applications to demonstrate best practice in ESD, supported by the Built Environment Sustainability Scorecard (BESS) web-based application tool, which is based on the Sustainable Design Assessment in the Planning Process (SDAPP) program.

As detailed in Clause 22.17, this application is a 'large' planning application as it meets the category *Non-residential - 1,000m^2 floor area or greater.*

What is a Sustainable Management Plan (SMP)?
An SMP is a detailed sustainability assessment of a proposed design at the planning stage. An SMP demonstrates best practice in the 10 Key Sustainable Building Categories and;

- Provides a detailed assessment of the development. It may use relevant tools such as BESS and STORM or an alternative assessment approach to the satisfaction of the responsible authority; and
- Identifies achievable environmental performance outcomes having regard to the objectives of Clause 22.17 (as appropriate); and
- Demonstrates that the building has the design potential to achieve the relevant environmental performance outcomes, having regard to the site's opportunities and constraints; and
- Documents the means by which the performance outcomes can be achieved.

An SMP identifies beneficial, easy to implement, best practice initiatives. The nature of larger developments provides the opportunity for increased environmental benefits and the opportunity for major resource savings. Hence, greater rigour in investigation is justified. It may be necessary to engage a sustainability consultant to prepare an SMP.

Assessment Process:

The applicant's town planning drawings provide the basis for Council's ESD assessment. Through the provided drawings and the SMP, Council requires the applicant to demonstrate best practice.
The following comments are based on the review of the architectural drawings, prepared by *Wireframe Architecture (prepared 28.09.2016)* and the accompanying SMP, prepared by *WSP Parsons Brinckeroff Engineers (prepared April 2017).*

Sustainable Management Plan (SMP)
Referral Response by Yarra City Council

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Attachment 4 - PLN17/0370 - 198-242 Burnley Street Richmond - ESD Advisor Comments

Sustainable Management Plan (SMP)
Referral Response by Yarra City Council

Assessment Summary:

Responsible Planner:	Nik Muhllechner
ESD Advisor:	Euan Williamson
Date: 12.06.2017	Planning Application No: PLN17/0370
Subject Site:	198-242 Burnley Street, Richmond, VIC 3121
Site Area: Approx. 7,980m^2	Site Coverage: 100%
Project Description:	Nine storey building comprising offices and retail
Pre-application meeting(s):	None.

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

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

(1) Applicant ESD Commitments:
- Minimum NCC energy efficiency standards for building shell and services exceeded.
- A 100 kWp solar PV array to contribute to electricity consumption.
- A STORM report with a 100% STORM score has been submitted that demonstrates best practice and relies on 6,700m^2 of roof connected to100,000 litre rainwater tank for flushing to all toilets.
- External architectural screen system and glazing specification will assist in glare control.
- 202 bicycle spaces for staff, plus 28 visitor bike spaces. Extensive end of trip facilities including 22 showers, 248 lockers, ironing facilities and bicycle service area.
- Access to daylight is reasonable with at 30% of office areas reaching a daylight factor standard of 2%.
- Electric vehicle charging infrastructure included. 4 spaces are clearly noted on the ground floor carpark
- Energy efficient heating/cooling (HVAC) system.
- Energy efficient LED lighting throughout.

(2) Application ESD Deficiencies:
There are no outstanding ESD deficiencies associated with this project at this time.

(3) Outstanding Information:
- Please show adequate waste bin space on plans, and detail in a Waste Management Plan.

(4) ESD Improvement Opportunities
- There is no access to natural ventilation. Consider mixed mode HVAC or fresh air delivery rates well above the AS1668 rates.
- Consider using recycling materials in products such as insulation.
- Consider using recycled concrete.
- Recommend that all timbers are FSC accredited.

Further Recommendations:
The applicant is encouraged to consider the inclusion of ESD recommendations, detailed in this referral report. Further guidance on how to meet individual planning conditions has been provided in

reference to the individual categories. The applicant is also encouraged to seek further advice or clarification from Council on the individual project recommendations.

1. Indoor Environment Quality (IEQ)

Objectives:

- to achieve a healthy indoor environment quality for the wellbeing of building occupants.
- to provide a naturally comfortable indoor environment will lower the need for building services, such as artificial lighting, mechanical ventilation and cooling and heating devices.

Issues	Applicant's Design Responses	Council Comments	CAR*
Natural Ventilation and Night Purging	There is no access to natural ventilation.	Energy efficient HVAC design. Consider mixed mode HVAC or fresh air delivery rates well above the AS1668 rates.	4
Daylight & Solar Access	Access to daylight is reasonable with at 30% of office areas reaching a daylight factor standard of 2%.	-	1
Glare	External architectural screen system and glazing specification will assist in glare control.	-	1
Hazardous Materials and VOC	All paints, glues, adhesives and sealants and carpet to be low VOC type, and all engineered timber contain no formaldehyde.	-	1
Thermal Comfort	Good thermal comfort is determined through a combination of good access to ventilation, balanced passive heat gains and high levels of insulation. The application proposes for the office areas: - no access to natural ventilation - good shading to manage heat gains - high thermal efficiency standards.	Please refer to section on, *NCC Energy Efficiency Requirements Exceeded* and *Effective Shading*	1

*** Council Assessment Ratings:**

1 – Design Response is SATISFACTORY; 2 – Design Response is NOT SATISFACTORY
3 – MORE INFORMATION is required; 4 – ESD IMPROVEMENT OPPORTUNITIES

References and useful information:
SDAPP Fact Sheet: 1. Indoor Environment Quality
Good Environmental Choice Australia Standards www.geca.org.au
Australian Green Procurement www.greenprocurement.org
Residential Flat Design Code www.planning.nsw.gov.au
Your Home www.yourhome.gov.au

2. Energy Efficiency

Objectives:

- to ensure the efficient use of energy
- to reduce total operating greenhouse emissions
- to reduce energy peak demand
- to minimize associated energy costs.

Issues	Applicant's Design Responses	Council Comments	CAR*
NCC Energy Efficiency Requirements Exceeded	Minimum NCC energy efficiency standards for building shell and services exceeded with a 49% reduction in BESS.	-	1
Hot Water System	Exact hot water system type unknown but overall minimum NCC energy efficiency standards for building shell and services exceeded with a 49% reduction in BESS.	-	1
Peak Energy Demand	Peak demand reduced through various initiatives.	-	1
Effective Shading	Exterior screen feature to provide shade to large areas of the façade and assist manage glare.	-	1
Efficient HVAC system	High efficiency HVAC system.	-	1
Efficient Lighting	Energy efficient lighting with LED lighting, significantly better than minimum NCC requirements.	-	1
Electricity Generation	A 100 kWp solar PV array to contribute to electricity consumption.	-	1
Other	-	-	-

*** Council Assessment Ratings:**

1 – Design Response is SATISFACTORY; 2 – Design Response is NOT SATISFACTORY
3 – MORE INFORMATION is required; 4 – ESD IMPROVEMENT OPPORTUNITIES

References and useful information:
SDAPP Fact Sheet: 2. Energy Efficiency
House Energy Rating www.makeyourhomegreen.vic.gov.au
Building Code Australia www.abcb.gov.au
Window Efficiency Rating Scheme (WERS) www.wers.net
Minimum Energy Performance Standards (MEPS) www.energyrating.gov.au
Energy Efficiency www.resourcesmart.vic.gov.au

3. Water Efficiency

Objectives:

- to ensure the efficient use of water
- to reduce total operating potable water use
- to encourage the collection and reuse of rainwater and stormwater
- to encourage the appropriate use of alternative water sources (e.g. grey water)
- to minimise associated water costs.

Issues	Applicant's Design Responses	Council Comments	CAR*
Minimising Amenity Water Demand	Water efficient taps and fittings throughout, including: - 6 Star basin taps - 6 Star urinals - 4 Star toilets - 3 Star showers <7.5 litres/min	-	1
Water for Toilet Flushing	A 100,000 litre rainwater tank connected to all toilets for flushing.	-	1
Water Meter	Water sub-metering of all commercial tenancy areas.	-	1
Landscape Irrigation	Water efficient landscaping will be installed.	-	1
Other	-	-	-

*** Council Assessment Ratings:**

1 – Design Response is SATISFACTORY; 2 – Design Response is NOT SATISFACTORY
3 – MORE INFORMATION is required; 4 – ESD IMPROVEMENT OPPORTUNITIES

References and useful information:
SDAPP Fact Sheet: 3. Water Efficiency
Water Efficient Labelling Scheme (WELS) www.waterrating.gov.au
Water Services Association of Australia www.wsaa.asn.au
Water Tank Requirement www.makeyourhomegreen.vic.gov.au
Melbourne Water STORM calculator www.storm.melbournewater.com.au
Sustainable Landscaping www.ourwater.vic.gov.au

4. Stormwater Management

Objectives:

- to reduce the impact of stormwater runoff
- to improve the water quality of stormwater runoff
- to achieve best practice stormwater quality outcomes
- to incorporate Water Sensitive Urban Design principles.

Issues	Applicant's Design Responses	Council Comments	CAR*
STORM Rating	A STORM report with a 100% STORM score has been submitted that demonstrates best practice and relies on 6,700m^2 of roof connected to100,000 litre rainwater tank for flushing to all toilets.	-	1
Discharge to Sewer	-	-	-
Stormwater Diversion	-	-	-
Stormwater Detention	-	-	-
Stormwater Treatment	-	-	-
Others	-	-	-

*** Council Assessment Ratings:**

1 – Design Response is SATISFACTORY; 2 – Design Response is NOT SATISFACTORY
3 – MORE INFORMATION is required; 4 – ESD IMPROVEMENT OPPORTUNITIES

References and useful information:
SDAPP Fact Sheet: 4. Stormwater Management
Melbourne Water STORM calculator www.storm.melbournewater.com.au
Water Sensitive Urban Design Principles www.melbournewater.com.au
Environmental Protection Authority Victoria www.epa.vic.gov.au
Water Services Association of Australia www.wsaa.asn.au
Sustainable Landscaping www.ourwater.vic.gov.au

5. Building Materials

Objectives:

- to minimise the environmental impact of materials used by encouraging the use of materials with a favourable lifecycle assessment.

Issues	Applicant's Design Responses	Council Comments	CAR*
Reuse of Recycled Materials	No specific information has been provided.	Consider using recycling materials in products such as insulation.	4
Embodied Energy of Concrete and Steel	No specific information has been provided.	Consider using recycled concrete/steel.	4
Sustainable Timber	No specific information has been provided.	Recommend that all timbers are FSC accredited.	4
Design for Disassembly	No information has been provided.	Consider a small pallet of materials and construction techniques that can assist in disassembly.	4
Other	-	-	-

*** Council Assessment Ratings:**

1 – Design Response is SATISFACTORY; 2 – Design Response is NOT SATISFACTORY
3 – MORE INFORMATION is required; 4 – ESD IMPROVEMENT OPPORTUNITIES

References and useful information:
SDAPP Fact Sheet: 5. Building Materials
Building Materials, Technical Manuals www.yourhome.gov.au
Embodied Energy Technical Manual www.yourhome.gov.au
Good Environmental Choice Australia Standards www.geca.org.au
Forest Stewardship Council Certification Scheme www.fsc.org
Australian Green Procurement www.greenprocurement.org

6. Transport

Objectives:

- to minimise car dependency
- to ensure that the built environment is designed to promote the use of public transport, walking and cycling.

Issues	Applicant's Design Responses	Council Comments	CAR*
Minimising the Provision of Car Parks	Car parking across multiple levels proposed.	-	1
Bike Parking Spaces	202 bicycle spaces for staff, plus 28 visitor bike spaces.	-	1
End of Trip Facilities	Extensive end of trip facilities including 22 showers, 248 lockers, ironing facilities and bicycle service area.	-	1
Car Share Facilities	No information has been provided.	-	1
Electric vehicle charging	Electric vehicle charging infrastructure included. 4 spaces are clearly noted on the groundfloor carpark	-	1

*** Council Assessment Ratings:**

1 – Design Response is SATISFACTORY; 2 – Design Response is NOT SATISFACTORY
3 – MORE INFORMATION is required; 4 – ESD IMPROVEMENT OPPORTUNITIES

References and useful information:
SDAPP Fact Sheet: 6. Transport
Off-setting Car Emissions Options www.greenfleet.com.au
Sustainable Transport www.transport.vic.gov.au/doi/internet/icy.nsf
Car share options www.yarracity.vic.gov.au/Parking-roads-and-transport/Transport-Services/Carsharing/
Bicycle Victoria www.bv.com.au

7. Waste Management

Objectives:

- to ensure waste avoidance, reuse and recycling during the design, construction and operation stages of development
- to ensure long term reusability of building materials.
- to meet Councils' requirement that all multi-unit developments must provide a Waste Management Plan in accordance with the *Guide to Best Practice for Waste Management in Multi-unit Developments 2010*, published by Sustainability Victoria.

Issues	Applicant's Design Responses	Council Comments	CAR*
Construction Waste Management	The building contractors will achieve a minimum 80% recycling/reuse target for construction and demolition waste.	-	1
Operational Waste Management	Waste streams for general waste and recycling will be collected.	-	1
Storage Spaces for Recycling and Green Waste	Area for separate recycling and general waste bins and hard waste cannot be identified on the plans.	Please show adequate waste bin space on plans, and detail in a Waste Management Plan.	3
Others	-	-	-

*** Council Assessment Ratings:**

1 – Design Response is SATISFACTORY; 2 – Design Response is NOT SATISFACTORY
3 – MORE INFORMATION is required; 4 – ESD IMPROVEMENT OPPORTUNITIES

References and useful information:
SDAPP Fact Sheet: 7. Waste Management
Construction and Waste Management www.sustainability.vic.gov.au
Preparing a WMP www.epa.vic.gov.au
Waste and Recycling www.resourcesmart.vic.gov.au
Better Practice Guide for Waste Management in Multi-Unit Dwellings (2002)
www.environment.nsw.gov.au
Waste reduction in office buildings (2002) www.environment.nsw.gov.au

8. Urban Ecology

Objectives:

- to protect and enhance biodiversity
- to provide sustainable landscaping
- to protect and manage all remnant indigenous plant communities
- to encourage the planting of indigenous vegetation.

Issues	Applicant's Design Responses	Council Comments	CAR*
On Site Topsoil Retention	There is no productive topsoil on this site.	-	NA
Maintaining / Enhancing Ecological Value	Landscaping in courtyard, on terraces and roof top will marginally improve the ecological value of the site.	-	1
Heat Island Effect	No specific information has been submitted.	-	1
Other	-	-	-

*** Council Assessment Ratings:**

1 – Design Response is SATISFACTORY; 2 – Design Response is NOT SATISFACTORY
3 – MORE INFORMATION is required; 4 – ESD IMPROVEMENT OPPORTUNITIES

References and useful information:
SDAPP Fact Sheet: 8. Urban Ecology
Department of Sustainability and Environment www.dse.vic.gov.au
Australian Research Centre for Urban Ecology www.arcue.botany.unimelb.edu.au
Greening Australia www.greeningaustralia.org.au
Green Roof Technical Manual www.yourhome.gov.au

9. Innovation

Objective:

- to encourage innovative technology, design and processes in all development, which positively influence the sustainability of buildings.

Issues	Applicant's Design Responses	Council Comments	CAR*
Significant Enhancement to the Environmental Performance	-	-	-
Innovative Social Improvements	-	-	-
New Technology	-	-	-
New Design Approach	-	-	-
Others	-	-	-

*** Council Assessment Ratings:**

1 – Design Response is SATISFACTORY; 2 – Design Response is NOT SATISFACTORY
3 – MORE INFORMATION is required; 4 – ESD IMPROVEMENT OPPORTUNITIES

References and useful information:
SDAPP Fact Sheet: 9. Innovation
Green Building Council Australia www.gbca.org.au
Victorian Eco Innovation lab www.ecoinnovationlab.com
Business Victoria www.business.vic.gov.au
Environment Design Guide www.environmentdesignguide.com.au

10. Construction and Building Management

Objective:

- to encourage a holistic and integrated design and construction process and ongoing high performance

Issues	Applicant's Design Responses	Council Comments	CAR*
Building Tuning	Comprehensive commissioning and tuning to all building services.	-	1
Building Users Guide	A Building Users Guide explaining optimal usage of sustainability features within the development including rainwater tanks, energy systems, etc.	-	1
Contractor has Valid ISO14001 Accreditation	No information has been provided.	-	1
Construction Management Plan	No information has been provided.	Recommend that an Environmental Management Plan be developed by the building contractor to monitor and control activities undertaken during construction.	4
Others	-	-	-

*** Council Assessment Ratings:**

1 – Design Response is SATISFACTORY; 2 – Design Response is NOT SATISFACTORY
3 – MORE INFORMATION is required; 4 – ESD IMPROVEMENT OPPORTUNITIES

References and useful information:
SDAPP Fact Sheet: 10. Construction and Building Management
ASHRAE and CIBSE Commissioning handbooks
International Organization for standardization – ISO14001 – Environmental Management Systems
Keeping Our Stormwater Clean – A Builder's Guide www.melbournewater.com.au

Sustainable Management Plan (SMP)
for planning applications being considered by Yarra Council

Applicant Response Guidelines

Project Information:

Applicants should state the property address and the proposed development's use and extent. They should describe neighbouring buildings that impact on or may be impacted by the development. It is required to outline relevant areas, such as site permeability, water capture areas and gross floor area of different building uses. Applicants should describe the development's sustainable design approach and summarise the project's key ESD objectives.

Environmental Categories:

Each criterion is one of the 10 Key Sustainable Building Categories. The applicant is required to address each criterion and demonstrate how the design meets its objectives.

Objectives:

Within this section the general intent, the aims and the purposes of the category are explained.

Issues:

This section comprises a list of topics that might be relevant within the environmental category. As each application responds to different opportunities and constraints, it is not required to address all issues. The list is non-exhaustive and topics can be added to tailor to specific application needs.

Assessment Method Description:

Where applicable, the Applicant needs to explain what standards have been used to assess the applicable issues.

Benchmarks Description:

The applicant is required to briefly explain the benchmark applied as outlined within the chosen standard. A benchmark description is required for each environmental issue that has been identified as relevant.

How does the proposal comply with the benchmarks?

The applicant should show how the proposed design meets the benchmarks of the chosen standard through making references to the design brief, drawings, specifications, consultant reports or other evidence that proves compliance with the chosen benchmark.

ESD Matters on Architectural Drawings:

Architectural drawings should reflect all relevant ESD matters where feasible. As an example, window attributes, sun shading and materials should be noted on elevations and finishes schedules, water tanks and renewable energy devices should be shown on plans. The site's permeability should be clearly noted. It is also recommended to indicate water catchment areas on roof- or site plans to confirm water re-use calculations.

Attachment 5 - PLN17/0370 - 198-242 Burnley Street Richmond - City Works Branch Comments

Muhllechner, Nikolas

From: Agostino, Joe <Joe.Agostino@yarracity.vic.gov.au>
Sent: Saturday, 10 June 2017 2:17 PM
To: Muhllechner, Nikolas
Cc: Valente, Enzo
Subject: RE: PLN17/0370 - 198-242 Burnley Street Richmond - Proposed office development up to nine storeys

Hi Nik

The Waste Management Plan prepared by onemilegrid dated 6th April 2017 for 198 – 242 Burnley Street Richmond is satisfactory from the City Works Branch's perspective. If you have any queries please give me a call.

Kind Regards

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

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

Please consider the environment before you print this email!

From: Muhllechner, Nikolas
Sent: Thursday, 25 May 2017 5:06 PM
To: Agostino, Joe
Cc: Valente, Enzo
Subject: PLN17/0370 - 198-242 Burnley Street Richmond - Proposed office development up to nine storeys

Hi Joe/Enzo,

I refer to the above application recently received by Council.

The planning permit application seeks part demolition, the construction of buildings up to nine storeys for office and retail, a reduction in the car parking requirement, a reduction in the loading bay requirement and alterations to the access to a Road Zone, Category 1 (Burnley Street). The proposal also utilises Stafford Street and Neptune Street for vehicle access.

Your comments on the proposed waste management plan would be much appreciated.

Attached for your reference is the waste management plan and the development plans.

If comments could please be provided by 9 June 2017, that would be much appreciated.

If you have any queries regarding the above or need any further information, please contact me.

Regards,

Nik

1

Attachment 6 - PLN17/0370 - 198-242 Burnley Street Richmond - Open Space Planning and Design Unit Comments

Memo

To: Nikolas Muhllechner

Cc: Clare Lee; Craig Lupton; Paul Whitten

From: Carrie Lindsay

Date: 17 August 2017

Subject: 198-242 Burnley Street, Richmond VIC 3121

diverse

vibrant

exciting

inclusive

Dear Nikolas,

I refer to the submitted plans for the proposed development at 198-242 Burnley Street, Richmond and provide the following comments:

Open Space comments

- A landscape planting plan should be provided showing;
  - Location of species proposed.
  - Plant schedule indicating pot size, quantity, mature height and spread of all proposed planting.
  - Details of raised garden beds and rooftop planting, including proposed planting media, irrigation and drainage.

Arborist comments

- There are 3 trees on the Burnley Street frontage. At the northern point a mature Kanooka, towards the south, 2 Lophostemons which have been managed around the powerlines.
- The development should not impact on the Kanooka, however I recommend a bond be applied to it for protection.
- The 2 Lophostemons will require the majority of the west canopy removed as the existing structure is set back further than the proposed development, additionally there is a proposal for canopies over the retail areas, extending over the foot path.
- We would allow these trees to be removed subject to payment of Amenity value, removal cost and reinstatement costs for new trees the length of the subject site on Burnley Street. A quote can be provided upon request.
- The development needs to consider multiple replacement plantings along Burnley Street and design any canopies extending into the footpath area to accommodate for new trees.

Attachment 6 - PLN17/0370 - 198-242 Burnley Street Richmond - Open Space Planning and Design Unit Comments

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 5725.

Yours sincerely

Carrie Lindsay

Coordinator Open Space Planning and Design

Attachment 6 - PLN17/0370 - 198-242 Burnley Street Richmond - Open Space Planning and Design Unit Comments

Memo

To: Nikolas Muhllechner

Cc:

From: Carrie Lindsay

Date: 13 November 2017

Subject: 198-242 Burnley Street, Richmond

diverse

vibrant

exciting

inclusive

Dear Nikolas,

I have reviewed the plan submitted for the proposed pedestrian link associated with the above development and whilst I support the provision of an east-west link through the development connecting Burnley Street with Neptune Street, I have some concerns regarding the design and consideration of CPTED principles.

- The proposed link is very narrow and long – with the western extent of nearly 23 metres without pedestrian permeability or natural surveillance.
- The picnic tables reduces the trafficable area (especially where located adjacent to the planters) and adds to the visual clutter of the space. It would be preferable if there was a wider clear line of sight and travel through the space.

I understand that the proposal retains the Burnley Street heritage façade of the building and the roof trusses, however this creates some site constraints.

- The proposed pergola structure contributes to the feel of the space being enclosed and further reduces the solar amenity (already restricted due to the built form either side).
- It would be preferable if the opening off Burnley Street was increased to improve the prominence and visual permeability of the link from Burnley Street.

Please don't hesitate to contact me if you have any questions or need anything further.

Kind regards,

Carrie Lindsay
Coordinator Open Space Planning & Design

Attachment 7 - PLN17/0370 - 198-242 Burnley Street Richmond - Heritage Advisor Comments

City of Yarra

Heritage Advice

Application No.: PLN17/0370

Address of Property: 198-220, 196A Burnley Street, Richmond

Planner: Nik Mullechner

Yarra Planning Scheme References: Clauses 43.01 and 22.02

Heritage Overlay No.: HO443 **Precinct**: Individual listing.

External paint controls apply.

Level of significance

Nos. 196A, 198, 200 and Rear 220 Burnley Street, constructed 1890-1940, are listed as being "Individually significant".-
(Appendix 8, *City of Yarra Review of Heritage Overlay Areas 2007, Rev. May. 2017)*

Individually significant places are defined as:

- Individually significant: The place is a heritage place in its own right. Within a Heritage Overlay applying to an area each individually significant place is also Contributory.

The Statement of Significance for the precinct identifies, *inter alia*, the following reasons why the site is significant:

- Significant for its association with companies involved in electricity supply, innovative electrical equipment, design and manufacture for approximately 80 years.
- Historical significance for associations with G Weymouth & Co. and Australian General Electrical co. manufacturers of electrical equipment and machinery
- Alcock's power station at the north-west corner of 198 Burnley Street is of aesthetic significance for its architectural design: neo-classical design by architect Henry Browse Gibbs
- The adjacent building at 200-220 Burnley Street, and the extension to the north are significant for their brick and cement rendered façades (the Neptune Street one remains unpainted) that mirror the architecture of Alcock's power station (albeit in a simpler form) and for its form: a single span interior formed by a series of large timber roof trusses
- The Neptune Street façade is particularly intact, having remained unpainted.
- The continuous red brick wall along Neptune Street to the south is consistent with the industrial aesthetic set by the other two buildings, and forms and important part of the streetscape of Neptune Street
- The site and power station at part of 198 Burnley Street is significant for its associatio0n with inventor Alfred Upton Alcock who was involved in electric supply in Fitzroy, Collingwood, Kew and South Melbourne form the 1880s.

Some buildings on the broader site are not covered by a Heritage Overlay. The site comprises:

Fronting Neptune Street

The Kia/Paterson building, western addition c. 1920 (north-west corner) *Building C*
Alcock's power station c. 1890 (adjacent to the south) *Building B*
Alcock's power station and brick factory sawtooth roofed addition c. 1920 adjacent to the south) *Building A*

Small annexe to the brick sawtooth roofed factory c.1950s (*Not in the HO.* In the centre of the site.)

Fronting Burnley Street

Kia/Paterson building northern addition c. 1920 (north-east corner) *Building G*
Kia/Paterson building original Edwardian building c.1915 (adjacent to the south) *Building G*
Electrical sub-station c. 1920 (adjacent to the south) *Building F* and not part of the development site.
Sawtooth truss roofed concrete c. 1950s building (*Not in the HO*) *Building E*
Hard stand car park (*Not in the HO*)
Moderne office building (*Not in the HO*) *Building D*

Proposal

It is proposed to demolish variously all or parts of the buildings on the site and to construct two linked commercial buildings of varying heights above a basement. At Levels 2 and 5 there will be two rooftop communal areas (terraces). There will also be rooftop plant and ancillaries.

Drawing Numbers

55 sheets of Architectural drawings, prepared by Wireframe Architects.

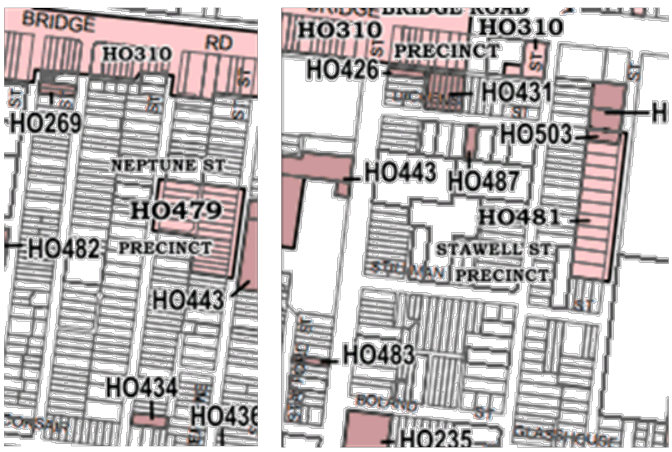
Heritage Impact Statement, prepared by Lovell Chen dated April, 2017.

There is some confusion in this report as to which building is which. I have followed the numbering on TP 08 and associated elevations. I note that this is different from some other drawings and also that the new buildings have the same letter identifiers as the heritage buildings.

Citation prepared by Context for Amendment C157.

Context Description

Other than for the part of the site which is included in HO 443 and the Neptune Street Precinct (HO 479) the immediate vicinity provides no heritage context and is in fact mixed in terms of building type, style and height.



The Heritage context.

The physical context.

The interface between the development site and the Neptune Street Precinct (HO 479). On the right from the top is Building C, Building B and Building A.

Assessment of Proposed Works

Demolition

Complete demolition of the buildings not covered by HO443 is acceptable i.e.: sawtooth truss roofed concrete c. 1950s factory, 1950s annexe (Building E) and Moderne office building (AGE) constructed 1945-48 fronting Burnley Street (Building D).

The Moderne office building (240 Burnley Street) should be archivally photographically recorded as per Heritage Victoria's standard methodology (exterior and principle entry, stair and hallway if intact) regardless.

The hard stand car park will also be removed.

Partial demolition of Individually significant buildings:

The relevant policy context is:

> Generally discourage the demolition of part of an individually significant or contributory building or removal of contributory elements unless:
>
> - That part of the heritage place has been changed beyond recognition of its original or subsequent contributory character(s).
> - 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.

None of the parts of any of the Individually significant buildings has been changed beyond recognition, indeed very little change has occurred. The determining consideration in respect of partial demolition here is whether or not the extent of demolition will negatively (or adversely) affect the significance of the place.

The Kia/Paterson building, western addition (Neptune Street) c. 1920 beyond a depth of 9.8 metres. (Building C) From the citation and Statement of significance this building together with Building G is noted for its "single large interior with timber trussed roof that extends from Neptune Street to Burnley Street". Before considering any demolition of this building(s) two items are required. First a dimensioned plan showing the location of all of the trusses numbered must be provided. The extent of demolition will then be determined by the requirement to retain an appropriate number of trusses and then by their exact location at both the west and east ends of Buildings C and G. Secondly before any demolition commences the building (externally and internally) must be archivally photographically recorded as per Heritage Victoria's standard.

Alcock's Power station constructed c. 1890: removal of sections of the roof and replacement with glazing. (Building B) Acceptable provided that only the roof sheeting and not the framing is removed.

Sawtooth truss roofed building fronting Neptune Street beyond a depth of 4.6 metres and additional demolition in the street wall to accommodate new openings. (Building A) Part of the alterations to the elevation include changes to existing openings (roller door replaced by glazing, previously bricked up openings re-opened) and the like which will have little consequence on the significance of this wall. The introduction of a vehicle entrance to the whole of the southernmost bay, while more interventionist, will have little consequence also on the significance of the wall. Acceptable.

The Kia/Paterson building, "an extension to Building B" (Burnley Street) c. 1920 beyond a depth of 8.6 metres. (Building G) As per the requirements for Building C above a plan of the trusses numbered and an archival photographic record must be provided before the extent of demolition is determined and before any demolition commences.

The small addition along the northern boundary will be retained. Acceptable. (Building G)

Proposed works

Built form (height/setbacks)
The relevant policy consideration on relation to additions is:

General

Encourage the design of new development and alterations and additions to a heritage place or a contributory element to a heritage place 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.

Industrial, Commercial and Retail Heritage Place or Contributory Elements

Encourage new upper level additions and works to:

- Respect the scale and form of the existing heritage place or contributory elements to the heritage place by being set back from the lower built form elements. Each higher element should be set further back from lower heritage built forms.
- Incorporate treatments which make them less apparent.

In considering how to apply the policy it is important to be cognizant of the context, rather than basing a consideration simply on formulaic dimensions. Parts of the development site and the surrounding urban fabric are of no heritage significance which is important as compared with say an industrial site in Fitzroy where the surrounding area is covered by a Heritage Overlay. On the Burnley Street frontage there is no heritage context other than for Building G and the substation (Building F). Neptune Street is quite narrow and visibility of the new higher forms will be somewhat constrained. The site is a large site and as proposed, there has been a reasonable approach to respecting the heritage fabric and to retaining significant parts of it. As a consequence the significance of the site will not be adversely affected, subject to resolution of the extent of demolition of Buildings C and G. The retained fabric is of a robust industrial nature and given the extent of the site, a large building would not be unreasonable. In considering setbacks, each higher element should be set back further from the lower built forms. The lower heritage forms are on the perimeter of the site and two separate linked higher forms are proposed on the site set back behind them as is clearly demonstrated in the massing diagrams. This is appropriate on this site however it may not be so elsewhere.

Colours/materials

The proposed two higher buildings (new Buildings A and D) are mostly glazed, particularly to Burnley Street, and with the southern building being detailed in angled ribs, somewhat reminiscent of the Parkville hospital precinct. The lightness of materials and colour will contrast with the darker colours of the heritage brickwork with the effect that the heritage elements will be the most visually strong elements. The colours and materials palette therefore is generally acceptable but I note that the white concrete ribs are to be a natural finish. Given recent experiences with a similar finish in Yarra e.g. Bridge Road, where the presentation has become stained and generally ugly, the long-term presentation of this finish, which will be highly visible, is somewhat unknown. Given the high visibility of new Building D on a main street and generally above the surrounding lower rise area, the applicant should be asked to provide the manufacturer's technical specification and any guarantees with regard to future appearance.

Conservation Works

No conservation works have been included and as acknowledged in the Lovell Chen report (p. 25). The heritage citation notes that the render to Alcock's power station "has partly

deteriorated, showing the brick construction underneath". In addition the Burnley Street façade of Building G (Kia/Paterson) has been overpainted but was originally face brickwork and render as exists on the Neptune Street façade of Building C. The paint should be removed from the façade of Building G. This is the minimum of conservation works which are to be undertaken. A schedule of conservations works and accompanying drawings is to be provided.

Recommendation / Comments:

Approved subject to the following.

The Moderne office building (240 Burnley Street) should be archivally photographically recorded as per Heritage Victoria's standard methodology (exterior and principle entry and hallway if intact) and the photographs should be lodged in the Richmond Library local history collection. This should be a permit condition to the satisfaction of the Responsible Authority.

Before considering further any demolition of Buildings C and G a dimensioned plan showing the location of all of the trusses (numbered) must be provided to determine an appropriate extent of demolition. Before any demolition commences an archival photographic record of the exterior and interior and with details of the numbered trusses must be prepared as per Heritage Victoria's standard methodology. Photographs should be lodged in the Richmond Library local history collection. This should be a permit condition to the satisfaction of the Responsible Authority.

Removal of the roof sheeting only to Alcock's power station (Building B) as proposed is acceptable. The framing should be retained in situ.

Request the applicant to provide the manufacturer's technical specification and any guarantees with regard to future appearance of the natural finish concrete to new Building D before approving this finish. This should be a permit condition to the satisfaction of the Responsible Authority.

A schedule of conservations works and accompanying drawings is to be provided and which includes the render repairs and paint removal specified above as a minimum scope. This should be a permit condition to the satisfaction of the Responsible Authority.

Signed:

Robyn Riddett
Director – Anthemion Consultancies

Date: 30 August, 2017

Attachment 7 - PLN17/0370 - 198-242 Burnley Street Richmond - Heritage Advisor Comments

City of Yarra

Heritage Advice - Supplementary

Application No.: PLN17/0370

Address of Property: 198-220, 196A Burnley Street, Richmond

Planner: Nik Mullechner

Yarra Planning Scheme References: Clauses 43.01 and 22.02

Heritage Overlay No.: HO443 **Precinct**: Individual listing.

External paint controls apply.

Level of significance

Nos. 196A, 198, 200 and Rear 220 Burnley Street, constructed 1890-1940, are listed as being "Individually significant".-
(Appendix 8, *City of Yarra Review of Heritage Overlay Areas 2007, Rev. May. 2017)*

Previous Advice

I provided advice in relation to the whole proposal on 30 August, 2017 and this advice remains current. I have now been requested to address the trusses and the proposed lane/accessway along the north boundary. This advice is intended to be read in conjunction with the earlier advice.

Drawing Numbers

1 sheet (TP69) showing the location of the roof trusses and the area proposed for demolition, prepared by Wireframe Architects.

Assessment of Proposed Works

Demolition in Relation to the Roof Trusses

The roof trusses are located in the Kia/Paterson building, western addition (Neptune Street) c. 1920 beyond a depth of 9.8 metres (Building C) and the Kia/Paterson building, "an extension to Building B" (Burnley Street) c. 1920 beyond a depth of 8.6 metres. (Building G)

From the citation and Statement of significance, prepared by Context, Buildings C and G are noted for the "single large interior with timber trussed roof that extends from Neptune Street to Burnley Street".

http://dsewebapps.dse.vic.gov.au/Shared/ATSAttachment1.nsf/(attachmentopen)/0F7A972F14CE28CDCA25810A002E8D2C/$File/Yarra+C157+Supporting+Document+Heritage+Gaps+Study+Context+Citation+for+196A+and+198+and+200+220+Burnley+Exhibition+Gazetted.pdf

As requested, a dimensioned plan showing the location of all of the trusses has been provided. It is proposed to retain three trusses at the east and another three at the west end. Four trusses should be retained at either end. Given the open-plan offices proposed for this location, this should be easily achievable.

The Statement of Significance also states:

> The red brick wall along Neptune Street to the south is consistent with the industrial aesthetic set by the other two buildings, and forms an important part of the streetscape of Neptune Street.

The site inspection revealed a large timber vertically-sliding door to the Neptune Street entrance. It appears to contain at least one pedestrian opening. It has been fixed in an up position, above the lintol, for some considerable time and is barely noticeable externally which is probably why it was not mentioned in the citation viz.:

> Alcock's is a dichrome red and cream brick, gable roofed building with cement render detailing. It has a symmetrical neoclassical façade to Neptune Street, comprising a central doorway (now altered), flanked by a pair of round arch-headed windows on each side.

It was not obvious from the drawings that the door existed although I note that a "door" is coloured red (demolition) on TP10.

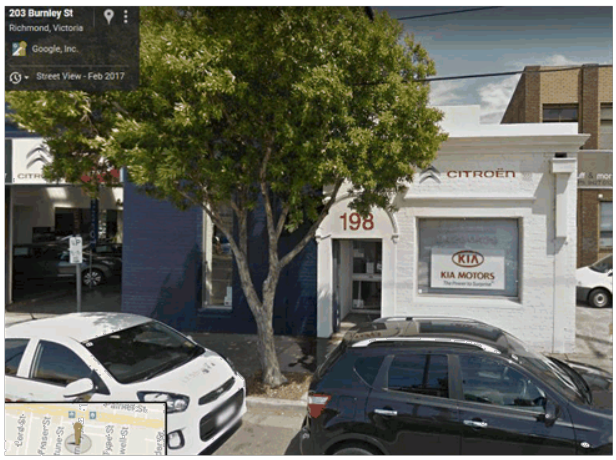
Given the importance of the Neptune Street streetscape and the general intactness of this façade, it is preferable that the door is retained. This is not an unusual requirement for industrial buildings. I note that a new glazed entry is proposed. The entry should be re-considered in the light of the timber door with the objective of retaining it, preferably in a down position.

I previously requested that before any demolition commences an archival photographic record of the building(s) (externally and internally) must be made as per Heritage Victoria's standard. This door must be included.

New Access way along the north boundary

Part of the north boundary comprises a lane off Neptune Street which leads to a car washing bay in a brick addition, with a roof monitor, to Buildings C and G. It appears to be contemporary with these buildings but otherwise has no particular features. It is not possible to ascertain exactly what the next portion (east) comprises but from glimpses it appears there is nothing of any significance. However the applicant should provide sufficient photographic and any other information to confirm this before any demolition is approved.

The accessway will also require the demolition of No. 198 Burnley Street



There is nothing of great significance in the fabric of No. 198 Burnley Street. The numbers in the citation do not match the street numbers and this building appears to have been included in Nos. 200 - 220 Burnley Street on the citation. The citation appears to mention it *viz.*: "To the north is an office with square window [Sic.] and a separate door entry..." but includes no qualitative commentary. The shape of the window appears to be an alteration. Other than generally being included in the site there does not appear to be anything of particular significance about this building. A quick search has not revealed any illustrations. The applicant should undertake some research to clarify the origins of this building and any alterations to it before and demolition is approved.

Recommendation / Comments:

Retain four trusses at the east and west ends of Building C and G.

Retain the Neptune Street door and reconsider the entry in the light of this, preferably retaining the door in a down position.

Before any demolition commences an archival photographic record of the building(s) (externally and internally) must be made as per Heritage Victoria's standard and to the satisfaction of the Responsible Authority. This door must be included.

Undertake some research and provide sufficient photographic evidence to clarify the origins of the buildings proposed to be demolished for the accessway and any alterations to No. 198 Burnley Street to the satisfaction of the Responsible Authority before any demolition is approved.

Signed:

Robyn Riddett
Director – Anthemion Consultancies

Date: 25 October, 2017

Attachment 8 - PLN17/0370 - 198-242 Burnley Street Richmond - Urban Design Unit Comments

CITY OF YARRA

MeMO

TO: Nik Muhllechner

FROM: Richa Swarup

DATE: 2 September 2017

SUBJECT: 198-242 Burnley Street Richmond

APPLICATION NO:

DESCRIPTION:

Urban Design response has been requested for:

- The proposed development's integration with the streetscape and public realm including vehicle, pedestrian entries, landscaped forecourt and lift lobby location.
- Any capital works approved or proposed in the area?

Response

Integration with the streetscape and public realm

Clause 22.10-2 of the Yarra Planning Scheme requires that

- *new development makes a positive contribution to the streetscape through high standards in architecture and urban design.*

Drawing TP08 indicates that building D and E (proposed to be demolished) are set back from the boundary. It also indicates that there is a large open area between the buildings D and E. The proposed development however is brought to the boundary and in line with the Building G. It also increases the site coverage more than the current.

Considering that the site interfaces with residential areas on the south, west and east and that the residences to its south are also set back, it would be appropriate to set the new building in line with the adjoining residences on the south. This will provide a wider footpath in front of the development which would provide opportunity for new trees and seats. In this regard it would be worth mentioning that Burnley Street is also proposed to be a key bus route. A wider forecourt on sites like this would provide an opportunity for accommodating bus stop and provide seating etc.

Further it would also be appropriate to reduce the site coverage in the new proposal by creating an open/public space on the south of the site adjoining the residences.

Landscaped court

Strategy 28.4 under Clause 21.05-4 of the Yarra planning Scheme requires new development to consider the opportunity to create public spaces as part of new development; and

Attachment 8 - PLN17/0370 - 198-242 Burnley Street Richmond - Urban Design Unit Comments

Strategy 28.5 requires new development to make a clear distinction between public and private spaces.

In this regard it is felt that a large site such as this, on the edge of the activity centre and adjoining residential areas, should contribute to providing a public space. The current proposal includes a landscaped court which is not clearly visible from the street and appears to be highly internalised court, being surrounded by buildings. The site on the other hand has street access on two sides and also has a laneway to the the north as well as another connection through Strafford Street on the south, as such it has the opportunity to provide a well connected public space. The applicant should therefore be asked to provide a landscaped area as a well accessed public space.

The proposed landscaped court would also be under shadow most of the times.

Clause 15.01-2 of the SPPF on Urban Design suggests that new development should contribute positively to local urban character and enhance the public realm whilst minimising detrimental impact on neighbouring properties.

Regarding light and shade it includes that

- Enjoyment of the public realm should be enhanced by a desirable balance of sunlight and shade.
- This balance should not be compromised by undesirable overshadowing or exposure to the Sun.

It is therefore recommended that the applicant should be asked to revise their proposal to provide a public space which gets at least 2 hours of sun to its 50% area in winters.

Pedestrian entry

The pedestrian access points connecting the lift lobbies need to be enhanced.

- Provision of bicycle parking at the access point between Restricted Retail 1 & 2 (Refer TP17) which also provides access to the lift lobby, crates a constraint on the proposed pedestrian space. A wider space would need to be provided.
- The roof and canopy structure between restricted retail 1 & 2 also does result in providing a distinct entry. It is recommended that the applicant be should be asked to revise the designs to enhance the entry points. Similarly, the key entry point facing Neptune Street also needs to be enhanced.
- The pedestrian entry to the lift lobby for Building A appears cramped between the substation (hatched area and the driveway).
- Door openings opposite the lifts need to be avoided.

Capital works

Currently no capital works are proposed by Urban Design unit in this area.

Attachment 9 - PLN17/0370 - 198-242 Burnley Street Richmond - David Lock Associates Urban Design Comments

DAVID LOCK ASSOCIATES
TOWN PLANNING & URBAN DESIGN

198-242 Burnley Street, RICHMOND

Urban Design Referral

Date	29th August 2017
Council Reference	PLN17/0370
To	Nikolas Muhllechner
From	David Lock Associates

INTRODUCTION

In August 2017, City of Yarra requested that David Lock Associates ('DLA') undertake an urban design assessment of a proposed development at 198-242 Burnley Street, Richmond (the subject site). The proposal seeks approval for an office park comprising built form of up to 9 commercial storeys in height.

In undertaking this assessment we have had regard to the following:

- The relevant provisions of the Yarra Planning Scheme;
- The provisions of relevant Incorporated and Reference Documents, including the *'City of Yarra Heritage Overlay Review (2007, revised September 2015)';*
- The physical context of the subject site and wider area;
- The 'RFI Response' version of the architectural plans prepared by Wireframe Architecture (Revision 3, dated 4th May 2017); and
- The town planning report prepared by Burnley Developments Pty. Ltd. (no date).

CHARACTER

Context

The subject site is a large amalgamated landholding of 8,020m^2 in area (approx.) located on the western side of Burnley Street, Richmond, between Bridge Road (to the north) and Corsair Street (to the south). The site has a second street frontage to Neptune Street (to the west) as well as an interface to Strafford Street (to the south). The subject site currently contains an eclectic mix of built form massed predominantly within the north of the site, including remnant industrial built form of approximately 8-9m in height associated with the former *'Alcock's Electrical and Motive Power Co'* building and *'Patersons Building'* (198 Burnley Street) and remnant saw-tooth industrial built form predominantly used for the purpose of a car dealership. The balance of the subject site is utilised for a mix of at-grade vehicle parking and remnant double storey commercial built form (240 Burnley Street). The site is relatively flat, devoid of significant vegetation, and encompasses a small agency-owned substation to Burnley Street that does not form part of the aggregate landholding (196a Burnley Street).

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In terms of abuttals, the subject site's northern interface consists of a mix of non-descript single and double storey commercial built form (194 Burnley Street and 23 Neptune Street respectively) as well as a small ROW (western half of the site's northern boundary). East of the subject site is Burnley Street (a 20m wide regionally significant north-south vehicular corridor) with a range of single storey residential development (215-247 Burnley Street) and a large future development site (203-213 Burnley Street) further beyond. South of the subject site is Strafford Street, as well as a range of single and double storey fine-grained residential built form at 244 Burnley Street and 41 Neptune Street respectively. West of the subject site is a mix of Neptune Street itself (approx. 11m wide) and the rear residential interfaces of 41-57 Neptune Street.

In terms of broader surrounding urban character, the prevailing built form character south of Bridge Road generally consists of fine grained low-set detached residential built form set within a fine-grained historic subdivision pattern. Where pockets of larger sites exist, however, they have typically been redeveloped for the purpose of higher density residential development and relevant examples include the former Channel 9 Studios (between Bendigo Street and Stawell Street, 350m south-east of the subject site), or that which has recently been constructed south of Bridge Road between Lord Street and Coppin Street (200m west of the subject site). It is also important to note that the subject site is located approximately 110m south of the Bridge Road MAC and is therefore proximate to services and transportation options.

With respect to planning policy, the entirety of the subject site is zoned Commercial 2 Zone (C2Z) under the Yarra Planning Scheme, which seeks to *'encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services'*. Of additional relevance from a character perspective is the outright prohibition of dwelling land uses within the C2Z, as well as the provisions of Clause 34.02-2 that states a use must not detrimentally affect the amenity of the neighbourhood including *'through the appearance of any building, works or materials'*. All properties north of the subject site (between the subject site and the Bridge Road MAC) are similarly zoned C2Z, whilst all residential properties south and west of the subject site are zoned a mix of General Residential Zone Schedules 2 (GRZ2 to Neptune Street) and 4 (GRZ4 to Burnley Street). Both mandate a maximum future built form height of 9m and 11.5m respectively.

In terms of overlays, the eastern half of the subject site (approximately) is encompassed within the Design and Development Overlay Schedule 2 (*DDO2 – Main Roads and Boulevards*) which – of relevance – seeks to encourage retention of historic buildings and features that contribute to the identity of the streetscape, recognise and reinforce the pattern of development and the character of the street, encourage high quality contemporary architecture, and encourage urban design that provides for a high level of community safety and comfort.

Further, all existing built form within the north of the subject site (198 Burnley Street) and that which has an interface with Neptune Street is also included in the Heritage Overlay Schedule 443 (*HO443 – 196A, 198 and 200-220 Burnley Street, Richmond*). Whilst Schedule 443 outlines external paint controls, it is the fundamental purpose of the Heritage Overlay that is most relevant in that it seeks to conserve and enhance heritage places and those elements that contribute to heritage

significance whilst ensuring that development does not adversely affect the significance of heritage places. The *'City of Yarra Review of Heritage Overlay Areas (2007 – Revised February 2017)'* underpins the municipality's heritage overlays, and identifies all heritage built form on site as having *'individually significant'* heritage status (refer property references 203820, 203825 and 203820). No other overlays apply.

The balance of the Yarra Planning Scheme generally encourages the highest intensity of future built form change within the municipality to occur within Activity Centres and/or Strategic Redevelopment Sites (refer Clauses 21.03, 21.05 and 21.08). Whilst the subject site is identified as proximate to each, it is not specifically identified as either. Clause 21.08 identifies the subject site as being within the *'Neighbourhood 5'* subprecinct of the *'Central Richmond'* neighbourhood where built form responses to existing conditions are generally envisioned, and Clauses 22.02 and 22.10 of the Yarra LPPs outline high level heritage and urban design guidance for future built form. We are also not aware of any existing structure plan for the Bridge Road MAC, but are aware that Council is currently undertaking a built form review of the existing built form of the Bridge Road MAC to inform future planning guidance. This review incorporates the entirety of the subject site but we appreciate this review is still in its infancy.

Finally, although cognisant of the fact that neither Clause 21.03 nor 21.08 not specifically identify the subject site as a Strategic Redevelopment Site or within an Activity Centre, it is clear that the subject site has many of the qualities of the former by way of its location in abuttal to a regionally significant transport corridor, its proximity to services and transportation (including the Bridge Road MAC), and the development potential of the relatively large amalgamated size of the landholding. We further note that the subject site has been included as a review site within the current Bridge Road built form review and therefore - from an urban design perspective - we consider the notion of more intensive built form on site appropriate provided it continues to respond to the relevant provisions of the Yarra Planning Scheme (DDO, HO and commensurate LPPs) as well as the broader physical context.

Therefore, taken together, the existing pertinent planning policy framework relevant to the subject site specifically envisions high quality commercial built form outcomes on site that respect identified heritage values and which respond to prevailing urban character. The site's physical context – combined with the relevant provisions of the HO443, DDO2 and Clauses 21.05, 21.08, 22.02 and 22.10 – provide the most useful urban design guidance on how best to achieve this.

Burnley Street Interface

As viewed from Burnley Street, the proposal seeks to construct two separate buildings toward Burnley Street referred to as 'Building A' and 'Building D'. Building A is located within the north of the subject site (198 Burnley Street) and seeks to retain the existing heritage fabric and construct a new nine storey grey-glazed commercial development (33.78m high, plus plant) set back approximately 8.79m behind the retained façade. Building D generally forms the balance of the subject site's Burnley Street interface, and seeks to replace the existing saw-tooth industrial shed, at-grade car park and double storey commercial development (240 Burnley Street) with an eight

storey office building (29.4m high, plus plant) that incorporates varying chamfered setbacks. A maximum two storey street wall (approx. 8.5m) is proposed within the south of the building's interface to Burnley Street, and no 'street wall' is proposed within the north.

With respect to Building A, DDO2 and HO443 are both clear in that existing heritage fabric which contributes to streetscape qualities is to be retained and enhanced. Clause 22.02.02-5.7.2 is also clear in that new commercial additions to an identified *'individually significant heritage place'* is to respect the scale and form of the heritage host by being setback from lower built form elements (such as retained heritage fabric). Within this context, an appropriate urban design response for significant heritage fabric is to ensure that the contemporary addition behind a heritage place constitutes only a small proportion of the overall visibility of the proposal in direct views from the opposing footpath. Refer to Figure 1 below. We therefore recommend deleting one storey from Building A, and increasing the extent of built form setback to approximately 12.5m. Doing so will better respect the significance of the retained heritage fabric in direct views from Burnley Street whilst also achieving a visual built form profile that provides a comfortable 1:1 building-height-to-street-width relationship with Burnley Street.

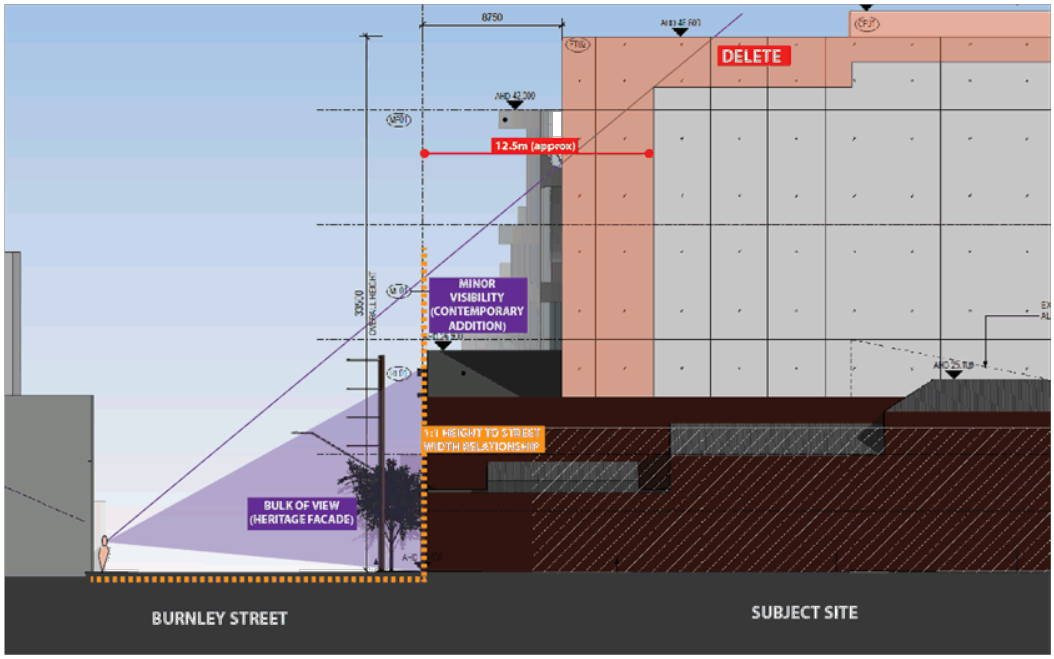

Figure 1 – Recommended 'Building A' Envelope Changes to Burnley Street (Source: Wireframe Architects, with emphasis added)

The proposed grey glazed materiality of Building A is also broadly appropriate from a character perspective, noting that it will read as visually subservient to the retained heritage fabric in closer

range views and will be likely obscured by future development of the Bridge Road MAC and northern abutting C2Z properties in longer range views from the north over time.

With respect to Building D, both DDO2 and Clause 21.08 seek to reinforce and recognise the pattern of development and the character of the street, which – in proximity of the subject site - typically consists of fine-grained single storey dwellings in Burnley Street. In our opinion, the incorporation of a two storey street wall within the south of Building D's Burnley Street interface is an appropriate in-principle response to the opposing built form condition within the context of DDO2, but should be extended to the majority of Building D's Burnley Street interface. Further, the 'horizontality' of the proposed street wall (where it is proposed) is at odds with the prevailing fine-grained streetscape rhythm of Burnley Street, and we therefore recommend revising this to incorporate more 'verticality' and grain into the revised street wall outcome.

Above this, the proposal adopts a clearly contemporary upper form that predominantly consists of glazing and perforated white-finished metal and which adopts a chamfered street setback to Burnley Street that encroaches to less than 1.5m (Level 2). The chamfered setback undermines the intent of the proposed upper form setback to Burnley Street in longer southern views toward the proposal from Burnley Street, and we therefore recommend retaining the prevailing 8m upper form setback proposed to better promote the double storey street wall and preserve the comfortable 1:1 building-height-to-street-width visual profile relationship to Burnley Street for the height proposed (eight storeys). Consideration will also need to be given to the urban design merits of any uniformity in overall building height between Building A and Building D within the context of the aforementioned recommended height reductions to Building A (8 commercial storeys each), and this may necessitate a commensurate reduction in the height of Building D to better transition to the southern adjoining GRZ properties whilst achieving skyline variation.

Finally, we note the southern elevation of Building D will be highly visible in longer northern views toward the proposal from further south along Burnley Street, and will continue to remain so given the prevailing GRZ-zoning of all fine-grained residential built form south of the subject site (maximum of 11.5m future building height). DDO2 and Clause 22.10 both seek to achieve high quality architectural outcomes on site, with the former again seeking to promote the existing streetscape qualities of Burnley Street. We recommend inviting the architect to reconsider the fundamental architectural expression of the proposal and achieve a visual outcome that visually promotes the revised street wall through a more muted architectural expression that does not 'compete' for the attention of the viewer. Doing so would also be a more appropriate response to the visibility of Building D's upper form from predominantly residentially zoned properties and streetscapes.

Neptune Street Interface

As viewed from Neptune Street, the proposal seeks to generally retain all existing heritage built form and construct three buildings beyond, including the rear of 'Building A' as well as a new 'Building B' and 'Building C'. Building A's Neptune Street interface sets back the proposed 9 storey commercial form approximately 9.77m behind the retained heritage façade, whilst Building B does

not seek to rise above the retained façade height of the existing heritage condition (approx.. 12m from footpath NGL to the peak of the façade's gable). Building C seeks to rise to a Neptune Street to a total height of five storeys (19.69m, plus plant) and set back 4.67m behind the retained heritage façade.

The aforementioned principle regarding recessive contemporary additions above individually significant heritage fabric within a Heritage Overlay applies to the entirety of the proposal's Neptune Street interface. Within this context, the aforementioned height reduction of Building A to a maximum of 8 storeys will result in an acceptable visual profile for contemporary built form above existing heritage fabric at the setback proposed (9.77m) given the much narrower width of the Neptune Street road reserve. We similarly note that Building B will be largely invisible above the retained parapet height, which again is considered to be an acceptable urban design outcome within the context of HO443 and Clause 22.02. With respect to Building C, however, the extent of contemporary built form setback is challenging and we recommend increasing the extent of upper form setback to a minimum of 10m (should the height be retained). Refer to Figure 2 below. The street setback of the proposed plant and rooftop services should be further recessed commensurately so as to continue to be invisible in direct views from the opposing Neptune Street footpath.

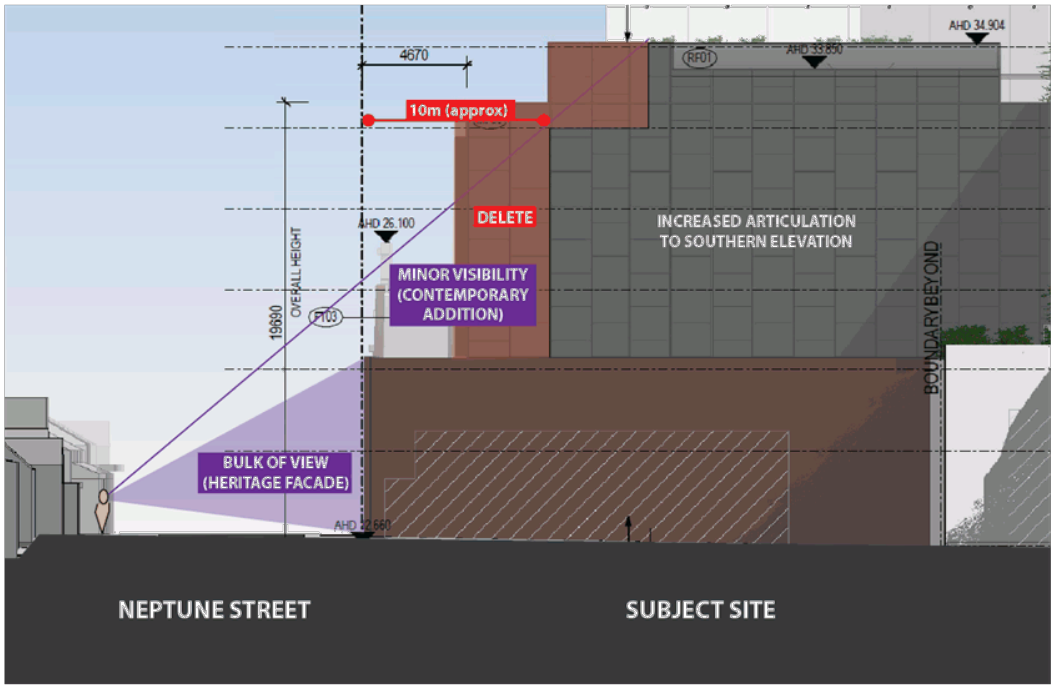

Figure 2 – Recommended 'Building C' Envelope Changes to Neptune Street (Source: Wireframe Architects, with emphasis added)

With respect to materiality, the primary retention and restoration of all existing heritage fabric to this interface is an appropriate character response given this will constitute the primary visual experience of the proposal from Neptune Street's public realm (and opposing residences on the western side of Neptune Street). The prevailing use of grey glazing for Building A above this is suitably recessive and subservient and will assist in promoting the retained heritage fabric in a manner that is consistent with HO443, Clause 22.02 and the existing streetscape character. The same can also be said for Building C, which makes use of a materials palette that incorporates matt black alucobond and glazing to achieve a visually recessive composition. However, we note that the southern elevation of Building C will be prominent in longer views toward the site from further south along Neptune Street (and beyond), and we therefore recommend introducing increased articulation and built form modulation along this interface – particular when considered within the context of the perpetual visibility of this interface by way of the adjoining GRZ2's 3 storey mandatory height control.

Remaining Street Interfaces

The proposal's public realm interface to Strafford Street and the northern adjoining ROW are driven primarily by public realm amenity considerations rather than 'character' per se, and are therefore discussed further in the corresponding section of this statement.

PUBLIC REALM AND OFFSITE AMENITY

Public Realm Amenity

Clauses 15 and 22.10 together seek to achieve a broad range of public realm urban design outcomes. In response, the proposal generally activates the Burnley Street Ground Floor interface by way of retail uses and communal employee entries with intermittent weather protection, noting that a landscaped forecourt is also proposed where east of Building B. Although generally acceptable, the proposed Burnley Street interface could be substantially improved through relocation of Building D's proposed vehicular driveway further south along the site's Burnley Street frontage, where it will enhance the connectivity between the proposed landscaped forecourt and the balance of Building D's Ground Floor program. We also note that the substation at 196A Burnley Street cannot be relied upon for pedestrian access, and that the resultant aperture for entry into the landscaped forecourt within the constraints of the site's title boundaries is therefore proposed to be minimal. Relocation of Building D's vehicle drive would also assist in negating this and allow for a commensurate widening of this aperture.

With respect to the proposal's Ground Floor interface to Neptune Street, it is noted that a significant proportion of the retained heritage fabric is utilised for the purpose of basement access and at-grade car parking. This results in a comparably poor extent of public realm activation that is contrary to the intent of Clauses 15 and 22.10, which is further compounded by the presence of substations and fire escape lobbies. We strongly recommend encouraging the applicant to explore alternative mechanisms of Ground Floor activation to Neptune Street (particularly where within

Building C) given the size of the subject site and the abundant availability of alternative locations for car parking.

Along the proposed southern Ground Floor interface to Strafford Street, the proposal seeks to concentrate at-grade vehicle movements and present with a double storey car parking component. A small 2.906m setback is also proposed for the purpose of pedestrian egress from Building D's car park. Whilst the concentration of car parking to Strafford Street is a fundamentally correct response to the character of this street, far more needs to be done from a CPTED and visual interest perspective and we recommend reconsidering the proposed sheer white wall materiality treatment (which will likely invite vandalism) as well as revisiting the extent of 'alcove' for the proposed pedestrian egress (which results in unnecessary potential for entrapment). A significant opportunity also exists for activation at the terminus of Strafford Street at Level 1, which could be achieved within the south-western corner of the subject site through an innovative design response (ie. a sunken component to the Level 2 communal terrace).

We note also that the size of the subject site and its mid-block location represents a significant opportunity for increased permeability within the context of the site's broader urban morphology. Consideration should be given to creating a publically accessible east-west mid-block link through the site, which could be readily achieved through a redesign of Building B's Ground Floor program to act as a publically accessible continuation of the landscaped forecourt from Burnley Street.

Finally, the proposal will result in additional overshadowing of the Burnley Street and Neptune Street public realms at the Equinox. However, we note that all proposed additional overshadowing generally falls within the shadow profile of the existing built form on site, which will be further enhanced through adoption of the aforementioned recommended envelope changes.

Offsite Amenity

The subject site is located in direct abuttal or adjacent to a number of residentially zoned and utilised properties at 41-57 Neptune Street and 244 Burnley Street. A number of residential properties are also located opposite the subject site on both Burnley Street and Neptune Street. Clauses 22.05 and 34.02-2 prioritise the reasonable amenity expectations of such properties and consideration must therefore be given to overshadowing, visual bulk and overlooking.

With respect to visual bulk, we understand that the rear POS areas of 41-51 Neptune Street are primarily oriented toward the subject site but that the current outlook from each is of saw-toothed commercial built form in the order of 4-7m in height built sheer to the common boundary (or the residential built form of 2 Strafford Street, in the case of 51 Neptune Street). The proposal seeks to respond by way of a continuous 8m high (approx.) boundary wall, with all proposed upper form generally massed so as to be largely invisible in closer range views from these aspect. Whilst generally consistent with the visual profile of the existing condition, the resultant overshadowing outcome upon the POS is excessive and will necessitate a reduction in built form accordingly. This is discussed in greater detail in the overshadowing assessment of this statement, and will likely

result in an acceptable visual bulk profile to these properties to a more acceptable level within the context of the site's existing built form condition at this interface.

As viewed from the rear of 51-57 Neptune Street, we note the existence of an intervening 3m wide (approx.) ROW that provides access to 2 Strafford Street. A double storey car parking element is proposed without boundary setbacks that reaches a maximum height of approximately 8m, which is broadly consistent with the provisions of Standard B17 of Clause 55 as measured from the western boundary of the ROW. Again, recommended overshadowing responses to the rear POS of these properties will likely further necessitate a built form change here (refer to the commensurate section of this statement).

With respect to the visual bulk impact upon 2 Strafford Street, it is noted that this property is primarily oriented north-south and presents to the subject site with a sheer wall. The primary POS of this property, however, appears to be located at Ground Floor to the west of the dwelling where it will be reasonably sheltered from aspects of the proposal that differ to the existing on-boundary built form condition (such as that north of the POS of this dwelling).

In terms of visual bulk as experienced from 244 Burnley Street to the south, it is noted that this dwelling is primarily oriented east-west and presents to the subject site with a side interface opposite an existing double storey built form condition. Whilst the north-facing POS of this dwelling is oriented toward the subject site, the proposal's 8m high (approx.) car parking element is set back approximately 2.906m, which is broadly consistent with Standard B17 of Clause 55.

No other visual bulk considerations apply.

With respect to overshadowing, the shadow diagrams submitted by the applicant (TP47 to TP50) show extensive additional morning Equinox overshadowing to the rear POS of many abutting Neptune Street properties as well as extensive additional overshadowing to the rear POS of 244 Burnley Street throughout the Equinox. The shadow diagrams also omit a shadow assessment of the proposal in relation to the rear POS of 53-57 Neptune Street (and potentially beyond). Many of the abutting POS areas are less than 40m^2 in area, and the subject site is a very large site capable of reasonably accommodating for its own amenity impacts. There is therefore no reason for the amenity of surrounding fine-grained residences to be unreasonably impacted through overshadowing (particularly within the context of Clauses 22.05 and 34.02) and we recommend ensuring full compliance with the provisions of Standard B21 to all affected dwellings.

We note also that the applicant has prepared shadow diagrams that depict the morning and evening Equinox shadow profile of the proposal in relation to dwellings on the opposing sides of Burnley Street and Neptune Street. The aforementioned built form changes (including those that pertain to increased setbacks and reduced building height) will likely further enhance the overshadowing performance of the proposal upon these properties, but we further note that non-private front yards and east/west facing habitable room windows are not afforded any overshadowing protection within the Yarra Planning Scheme.

Finally, with respect to overlooking, it appears that the landscape planter treatment to the Level 2 communal area of Building D has been sufficiently designed to preclude downward views, as has the western elevation of Building D itself.

It will be important to ensure that the aforementioned southern elevation design recommendations for Building C continue to ensure that no unreasonable downward views toward the adjoining Neptune Street residential sensitivities are possible.

EQUITABLE DEVELOPMENT

Whilst the subject site's southern and western abutting residences are not considered significant future development sites by way of their mandatory height controls and GRZ zoning, the subject site is located in abuttal to C2Z zoned and utilised properties to the north (23 Neptune Street and 194 Burnley Street) that – at face value – could reasonably be expected to undergo some form of future redevelopment. However, the C2Z precludes the possibility for sensitive future residential development on these properties, and therefore 'equitable development' in this sense pertains more to reasonable built form separation than it does to an equitable division of amenity management.

With respect to 23 Neptune Street, it is noted that this property is a small, narrow site separated from the subject site by way of an intervening ROW. Future development of this site will likely be modest in height without site amalgamation, and will therefore have sufficient access to daylight for future commercial uses by way of the ROW. The proposal's built form response to this interface is therefore appropriate.

With respect to 194 Burnley Street, it is noted that this is a rectangular property oriented east-west and has access to dual street interfaces (ROW and Burnley Street). Future development of this site will again likely primarily orientate itself accordingly (and not toward the subject site), where sufficient outlook and daylight is available for future non-residential uses. The proposal's built form response at this interface (including 6.069m setback to Building A) is again considered appropriate.

No other equitable development considerations apply.

SUMMARY

Whilst there are aspects of the subject site that support more intensive built form outcomes (such the size of the subject site and its location in proximity to the Bridge Road MAC), there is a need to ensure that the proposal responds to valued heritage and streetscape character of both Burnley Street and Neptune Street as well as the reasonable offsite amenity expectations of surrounding residential properties. There are also a number of significant urban design opportunities to enhance the broader public realm amenity of the subject site's immediate environs.

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We therefore recommend the following design changes from an urban design perspective:

- **Reduce the overall height of Building A to a maximum height of 8 storeys (approx. 30m, plus plant). Increase the setback of the resultant contemporary upper form to a minimum of 12.5m from Burnley Street;**
- **Increase the street setback of Building C to a minimum of 10m from Neptune Street where above the retained heritage fabric;**
- **Provide a clearly distinguishable two storey street wall (8m) to Burnley Street for the entirety of Building D's Burnley Street interface. Employ enhanced verticality within the proposed street wall as a response to the prevailing fine-grain existing character of Burnley Street;**
- **Above this, delete the proposed upper form street setback 'chamfer' of Building D and achieve a minimum Burnley Street street setback of 8m for all proposed upper form. Revise the intended architectural expression of the upper form to be visually subservient to the revised street wall and more responsive to the visibility of the building in longer range views;**
- **Relocate Building D's Burnley Street vehicle driveway further south within the building's street interface, and better integrate the proposed landscaped forecourt with the balance of Building D's Ground Floor program;**
- **Ensure that the access aperture to the proposed landscaped forecourt to Burnley Street is of a sufficient width and is sufficiently designed so as to not rely on 196A Burnley Street for access and visibility;**
- **Explore the potential for a publically accessible east-west mid-block link through the site. This could be achieved through further consideration of the Ground Floor program of Building B within the context of the adjoining landscaped forecourt;**
- **Enhance the CPTED performance of the proposal through revisiting the Ground Floor car park pedestrian egress along the site's common boundary with 244 Burnley Street (Building D);**
- **Further consider the architectural resolution of the southern and western 'white walls' of the proposed car parking element of Building D to Strafford Street. Explore the potential for meaningful activation at the northern terminus of Strafford Street through innovative design responses at Level 1;**
- **Increase the extent of Ground Floor activation to Neptune Street through a more considered design response to Building C; and**

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- **Reduce the profile of the building where opposite 43-57 Neptune Street and 244 Burnley Street to achieve strict compliance with the overshadowing provisions of Standard B21.**

Please do not hesitate to contact Brodie Blades on (03) 9682 8568 or at brodieb@dlaaust.com should you wish to discuss any aspect of the above further.

DAVID LOCK ASSOCIATES

Attachment 10 - PLN17/0370 - 198-242 Burnley Street Richmond - SLR Consulting Acoustic Comments

4 September 2017

640.10090.4930 198-242 Burnley St Richmond 20170831.docx

City of Yarra
PO Box 168
Richmond VIC 3121

Attention: Nikolas Muhllechner

Dear Nikolas

198-242 Burnley Street, Richmond
Planning Assessment Acoustical Review

SLR Consulting Pty Ltd (SLR) has been retained by the City of Yarra to provide a review of the acoustic assessment report for the commercial development proposed for 198-242 Burnley Street, Richmond.

Details of the report are as follows:

- Title: 198-242 Burnley Street, Richmond, Planning Permit Report
- Reference: 20170856.1/2407/R1/JZ
- Date: 24 July 2017
- Prepared by: Acoustic Logic Pty Ltd

The report has been prepared to address the City of Yarra Request for Information for the project. The RFI is reproduced below:

> *"An acoustic report prepared by a qualified acoustic engineer outlining specific noise attenuation measure to ensure that surrounding dwellings are not adversely impacted upon by mechanical plant equipment noise from the proposed development, including the garage entrance doors. Construction and maintenance of buildings must be in accordance with the recommendation contained in the acoustic report."*

1 Preliminary

(Sections 1 to 3 of the acoustic report)

The proposal, the development site, and nearest noise sensitive uses are identified in these sections of the report.

The proposal is for four linked office buildings ranging from 4 to 9 levels in height. The development includes six levels of carparking (basement to level 4). An aerial photograph of the site and surrounds is provided in the report and the local residential area is indicated. The site is adjacent to a residential area and there are dwellings abutting the subject site and some separated from the site by a local road (Neptune Street).

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ABN 29 001 584 612

SLR Comments: *the project, site and surrounds are generally adequately described in the report. We also note that there are retail premises proposed for the ground level fronting Burnley Street.*

2 Acoustic Issues and Noise Criteria

(Section 6.3 and 7 of the acoustic report)

The report has been prepared to address the issue of SEPP N-1 compliance due to noise from mechanical plant and other equipment serving the premises, including the carpark entrance gates, in accordance with the Council RFI. Details of the equipment considered are provided in Sections 6.3 and Section 7.

SLR Comments:

Acoustic Logic identify all major noise sources on site, however they do not provide specific consideration of their impacts with respect to this development. This is generally understandable as the mechanical plant selection and layout will not be completed yet. Regarding the carpark entrance gates, from the architectural drawings it appears that the carpark will be accessed from three sides (Burnley Street, Neptune Street and Strafford Street). Noise from the carpark entrance gates to dwellings on Neptune and Strafford Streets may be of particular concern.

3 Existing Noise Environment

(Section 5 of the acoustic report)

Unattended background noise monitoring was conducted at the rear of the subject site overlooking Neptune Street, with the microphone of the noise logger extended through an existing building window. Logging was undertaken from Monday 26 June to Thursday 6 July 2017 (10 days). The background noise levels used to determine noise limits are presented in table 2 of the acoustic report and the full logging data is included as an attachment to the report.

SLR Comments:

The monitoring location is appropriate for determining noise limits at the quieter side of the development. We have reviewed the noise logging data and the presented background noise levels look representative of the measurement results.

4 SEPP N-1 Noise Limits

(Section 6 of the acoustic report)

SEPP N-1 zoning levels and noise limits are presented and are equal to 56 dBA (day), 50 dBA (evening) and 45 dBA (night).

SLR Comment: *The development site covers a large area and the SEPP N-1 Zoning Levels will be different for different residential areas, depending on their proximity to major roads and other land use zoning. The levels we have calculated for dwellings at the south west end of the subject development are 2 dB lower than Acoustic Logic's. It is probable that they have conducted their assessment for a receiver closer to the noise monitoring location (the report does not state), which would result in higher noise limits.*

Once the mechanical design is finalised and the receivers potentially affected by the equipment can be identified, Zoning Levels and SEPP N-1 noise limits should be calculated for the most affected residences. This may result in different noise limits (either lower or higher).

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5 Noise Assessment and Advice for Noise Control

5.1 Mechanical Plant

(Sections 6.3 of the acoustic report)

The writer states that the mechanical design is not finalised, but that the equipment will be designed to achieve SEPP N-1 compliance. Conceptual advice is provided in the report for controlling mechanical plant noise.

SLR Comments:

The advice provided is reasonable given the early stage of the design. Acoustic Logic indicate that the acoustical consultant will be involved in the detailed design, however the report does not advise that this involvement is required to address the Council RFI. As the project is likely to include an extensive amount of mechanical plant for both the carpark and air conditioning we recommend that a review of all acoustically significant plant be conducted by the acoustical consultant during the detailed design phase.

5.2 Carpark Entrance Gates

(Section 7 of the acoustic report)

The report includes the advice that noise from carpark access doors should not exceed 65 dBA L_{max} outside habitable room windows, and should comply with SEPP N-1. Recommendations are included in Section 7 of the report for minimising noise from the carpark access doors.

SLR Comment: *The advice provided in the report is generally reasonable however we recommend that a maximum noise level at a reference distance is specified for carpark entrance gates, and particularly for those on residential streets, such that SEPP N-1 and sleep disturbance targets are met. This information, which can be expressed as a maximum allowable noise level at a reference distance (say 1 m from any part of the equipment) can be used by the builder / developer to assist in the selection of appropriate equipment.*

6 Other Noise Issues

There are outdoor communal areas on levels 2 (southern boundary), 4 (western boundary) and 5 (south). These spaces are adjacent to existing dwellings. An assessment of voice noise from these areas has not been provided in the acoustic report, and was not required by Council. Consideration of potential issues is provided below.

Level 2: The communal outdoor area on Level 2 is large but is broken up by planter boxes and does not show seated areas designed for large gatherings. Given this, and the fact that there does not appear to be a direct line of sight from the outdoor area to nearby dwellings, nuisance due to voice impacts from this area seem unlikely.

Level 4: The level 4 outdoor area is the largest single space and the architectural drawings show tables and chairs. There is no direct line of sight to existing dwellings, however due to its size and layout, there is potential the space to be used for moderately large outdoor functions. If this occurred during the late evening or night period, voice noise from this area may cause nuisance. However, during the day period, when the space is more likely to be used, nuisance is unlikely.

Level 5: The level 5 outdoor space is also large but also reasonably well shielded from residences. Again, while there is potential for nuisance from voice noise in this space, it would seem unlikely during the normal use of the area.

None of the communal outdoor areas appear to have associated permanent kitchen facilities

Attachment 10 - PLN17/0370 - 198-242 Burnley Street Richmond - SLR Consulting Acoustic Comments

In summary, the extensive outdoor areas proposed for the development do not appear to present an immediate risk of nuisance noise. If they are used for noisy events during the night period it may be sufficient to address this issue at that time rather than in the planning permit.

7 SLR Summary

A review of the acoustic report prepared for the office development proposed for 198-242 Burnley Street, Richmond is provided above. The items we would like to see addressed in further detail are summarised below.

- SEPP N-1 noise limits for a reference location have been identified and conceptual advice is provided in the report for controlling noise from mechanical plant. This approach is reasonable during the early planning phase of the project however a full assessment of all acoustically significant mechanical plant proposed for installation should be conducted during the detailed design phase. The current acoustic report should include the statement that the detailed review is required to address the planning requirements.

  As part of the full review, the SEPP N-1 noise limits should be calculated for the potentially most impacted noise sensitive receivers. SEPP N-1 noise limits may differ from those presented in the report for some receiver locations.

- We recommend that a maximum noise level at a reference distance be specified for carpark entrance doors in close proximity to noise sensitive locations. This information can assist the builder / developer in their selection of appropriate equipment.

We have also undertaken an indicative review of the outdoor communal areas proposed as part of this project. It would seem unlikely that these spaces will cause nuisance at the existing residential area provided that they are not used for large gatherings during the late evening and night periods.

Yours sincerely,

Dianne Williams
Associate - Acoustics

Checked by: JA

Attachment 11 - PLN17/0370 - 198-242 Burnley Street Richmond - Wind Impact Assessment Comments from MEL Consultants

Muhllechner, Nikolas

From: Michael Eaddy <eaddy@melconsultants.com>
Sent: Monday, 4 December 2017 4:55 PM
To: Muhllechner, Nikolas
Subject: RE: PLN17/0370 - 198-242 Burnley Street Richmond - Wind assessment

Hi Nick,
Tired to call a few times to discuss.

Brief comments are as follows:

- I have only had a brief review of the Vipac report
- Reviewing the two sets of drawings on the Yarra website and the laneway was present in both drawing sets. Vipac have not assessed the wind conditions along the laneway.
- The drawings indicate the east half of the laneway is intended to have out seating, suggesting this space could be used for outdoor retail activities associated with Shop 02. If this is the case the target wind criterion would be the sitting criterion.
- The outdoor seating area appears to be partially covered (hatching on the drawings that could indicate a canopy or roof?)
- The 9 storey shear wall of Building A would have exposure to the strong north sector wind directions over low buildings to the north, and would be expected to induce downwash into the north ROW and laneway.
- Wind conditions would be expected to be above the sitting criterion in the laneway where the proposed seating is located, but achieve the criterion for walking comfort along the ROW away from the corners. The Burnley and Neptune Street corners (NE and NW) would be expected to be up to, perhaps just above, the walking criterion for the north sector wind directions.
- Vipac have assessed the Burnley and Neptune Streets to achieve the walking criterion, which would be reasonable given the set-backs of the building from the site boundaries.
- Vipac have recommended a wind tunnel study at the design development stage and we support this recommendation. The wind tunnel study should examine the north laneway for sitting criterion compliance, given the drawings indicate outdoor seating areas and operable facade to Shop 02.

This some brief feedback, we will provide a formal review at a later date.

Please call me if you need to discuss.

Regards,

Michael Eaddy

M E L
CONSULTANTS

P: +61 3 8516 9680
D: +61 3 8516 9683
E: eaddy@melconsultants.com

From: Muhllechner, Nikolas [mailto:Nikolas.Muhllechner@yarracity.vic.gov.au]
Sent: Monday, 4 December 2017 3:21 PM
To: Michael Eaddy <eaddy@melconsultants.com>
Subject: RE: PLN17/0370 - 198-242 Burnley Street Richmond - Wind assessment

Attachment 12 - PLN17/0370 - 198-242 Burnley Street Richmond - Traffic Response from One Mile Grid

onemilegrid
TRAFFIC ENGINEERING
ABN: 79 168 115 679
1/59 Keele Street
COLLINGWOOD, VIC 3066
www.onemilegrid.com.au

6 December 2017

Meydan Group

Via email: natasha@meydangroup.com.au

Attention: Natasha Liddell

198-200 Burnley Street, Richmond

Transport Impact Assessment – Left In / Left Out Burnley St Access

Dear Natasha,

onemile**grid** continues to provide traffic engineering services in relation to the proposed office development at 198 – 200 Burnley Street, Richmond.

VicRoads referral comments dated 5 December 2017 (VicRoads reference 21818/17) specified that if a permit were to be issued for the proposal, VicRoads would require the following condition (amongst others) to be included:

> *"The Mid Block access onto Burnley Street being restricted to left in / left out movements."*

The previous traffic assessments undertaken considered a fully directional access from Burnley Street, and it is acknowledged that under a left in / left out scenario the distribution of generated traffic volumes around the road network would differ to that covered in the previous assessment. Accordingly we have undertaken an updated assessment for the left in / left out access scenario.

The previous assessment identified that the Burnley Street / Bridge Road intersection is the 'critical' intersection in the vicinity of the site, and as such this assessment focuses on operations at this location.

This assessment considers the 'concept plans' currently before Council, whereby a total of 380 car parking spaces are provided on-site, comprising:

- 260 spaces accessed from Burnley Street; and
- 120 spaces accessed from Neptune Street.

As with the assessments previously undertaken, it is assumed that 50 % of office car parking spaces will be filled during the AM peak hour and 50 % of spaces will be vacated during the PM peak hour. It is assumed that counter-peak flows will be 10 % of the volume occurring in the peak direction. It is also assumed that each of the shop spaces will be filled during the AM peak hour and will be vacated during the PM peak hour.

The following traffic distribution was previously adopted:

- 50 % to/from the north; and
- 50 % to/from the south;

These general distributions will be adopted again for the purposes of this assessment, however if the Burnley Street access were to be restricted to left in / left out, direct ingress from the north and direct egress to the south via Burnley Street would not be possible. Based on the location of the site

with respect to the surrounding road network, it is expected that inbound traffic will be redistributed through the broader road network to approach from the south. It is noted that U-turns on the south approach to the Bridge Road / Burnley Street intersection are not permitted, and as such vehicles exiting to Burnley Street with destinations to the south of the site will be distributed to the east and west at the Bridge Road / Burnley Street intersection and then distributed throughout the broader road network.

Figure 1 and Figure 2 show the anticipated peak hour traffic generation, while Figure 3 and Figure 4 show the anticipated post-development peak hour volumes.

Figure 1 Traffic Generation – AM Peak Hour

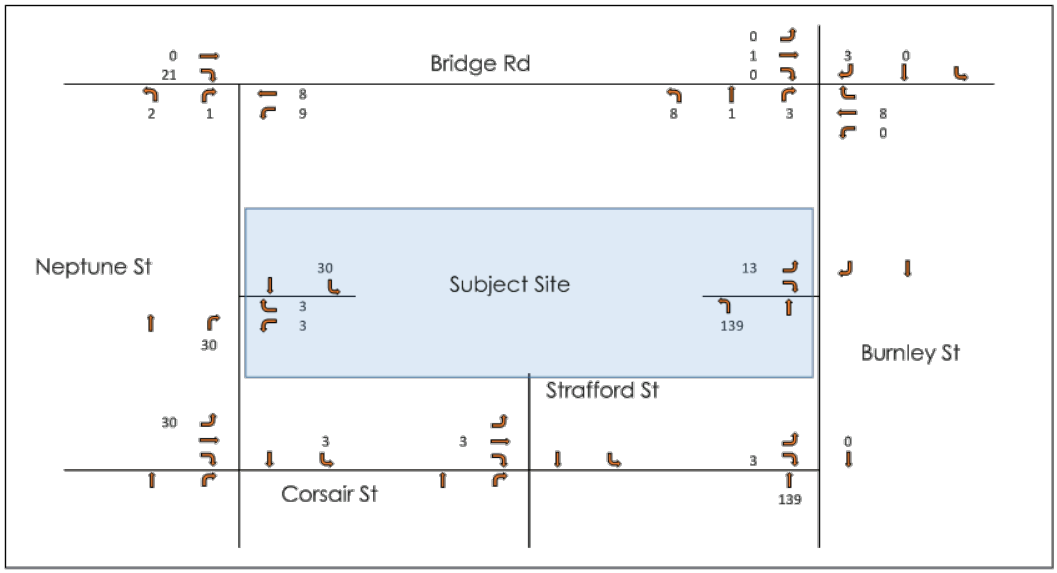
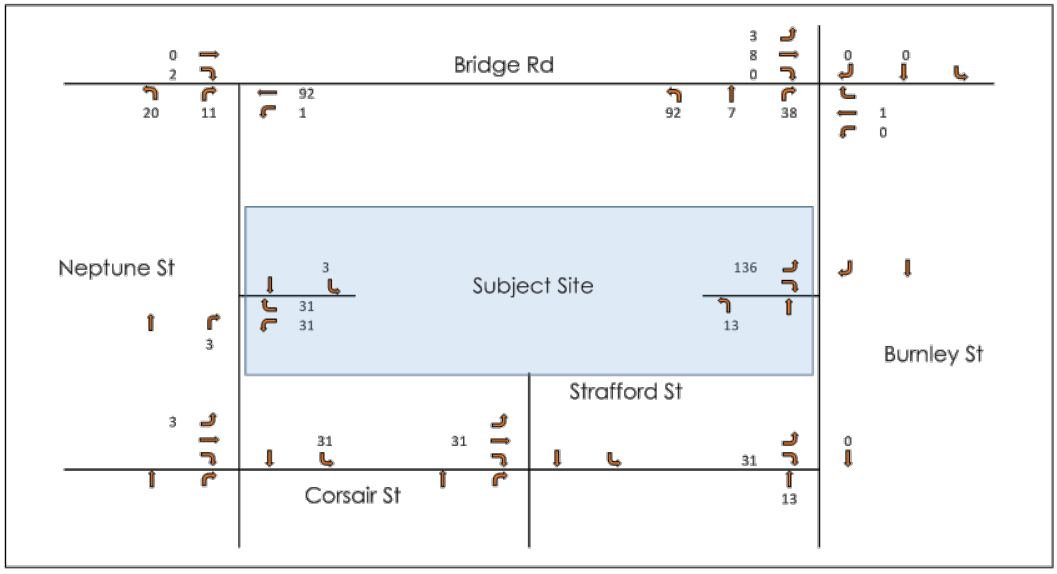


Figure 2 Traffic Generation – PM Peak Hour



Attachment 12 - PLN17/0370 - 198-242 Burnley Street Richmond - Traffic Response from One Mile Grid

Figure 3 Post-Development Traffic Volumes – AM Peak Hour

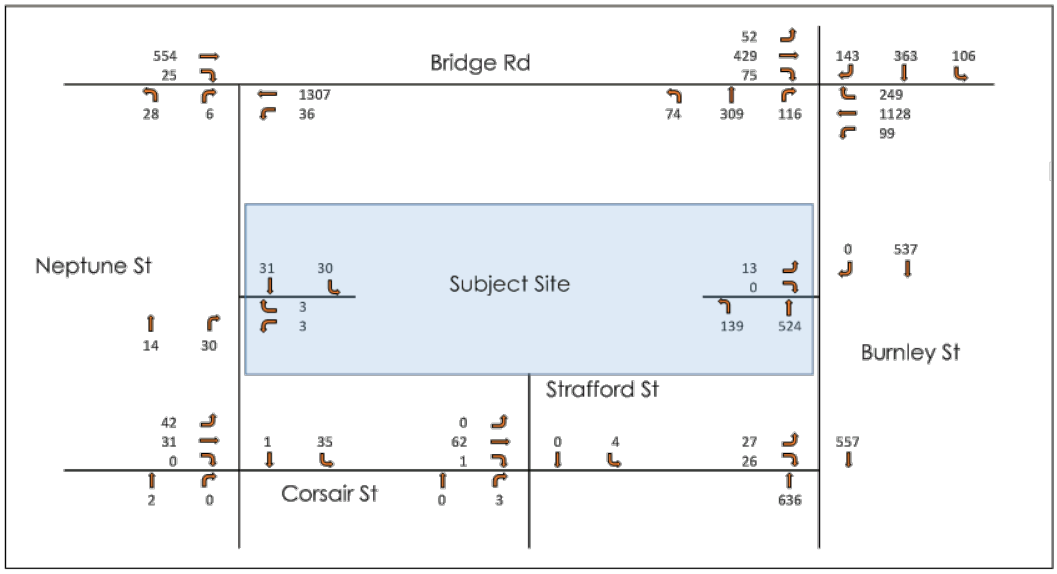
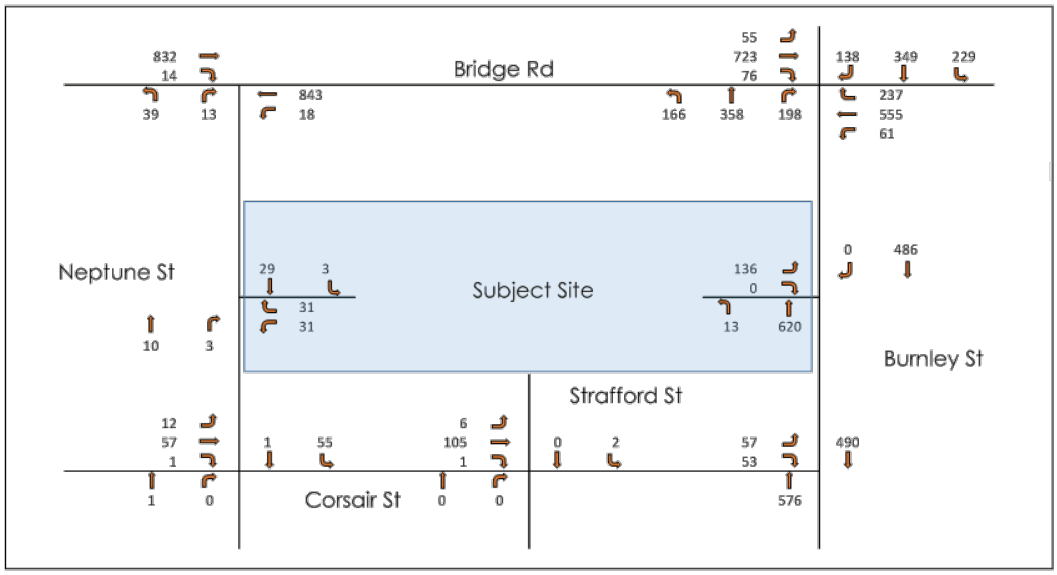


Figure 4 Post-Development Traffic Volumes – PM Peak Hour



Attachment 12 - PLN17/0370 - 198-242 Burnley Street Richmond - Traffic Response from One Mile Grid

onemile**grid** has assessed the implications of this change to the site access conditions on the operations of the surrounding road network. The operations of the intersection were assessed under the anticipated post-development traffic volumes for the alternative scheme using the SIDRA Intersection software package.

The results of the analysis are shown in Table 1 and Table 2. It can be seen that the intersection would operate within its capacity with either the fully directional site access, or with a left in / left out access as per VicRoads' request.

Indeed, the analysis shows that during the AM peak hour, the intersection would be expected to operate with greater spare capacity, lower delays, and shorter queues under the left in / left out access scenario.

During the PM peak hour, more traffic would be directed towards the Bridge Road / Burnley street intersection with a left in / left out access, however the intersection operations are still within capacity and are considered to be acceptable for an intersection of two arterial roads during the commuter peak period.

Attachment 12 - PLN17/0370 - 198-242 Burnley Street Richmond - Traffic Response from One Mile Grid

Table 1 Bridge Road / Burnley Street AM Peak Hour – Post-Development Operations

Approach	Movement	Existing			Post-Development (Submitted Scheme – Fully Directional Access)			Post-Development (RFI Scheme – Fully Directional Access)			Post-Development (Concept Plans – Left In / Left Out Access)		
		D.o.S.	Avg Delay (sec)	Queue (m)	D.o.S.	Avg Delay (sec)	Queue (m)	D.o.S.	Avg Delay (sec)	Queue (m)	D.o.S.	Avg Delay (sec)	Queue (m)
South	Left	0.75	43	144	0.76	43	147	0.78	45	153	0.77	44	151
	Through	0.75	37	144	0.76	37	147	0.78	39	153	0.77	38	151
	Right	0.72	45	41	0.74	46	41	0.79	48	43	0.74	46	42
East	Left	0.85	40	299	0.87	46	314	0.93	58	385	0.85	40	298
	Through	0.85	34	299	0.89	40	314	0.93	52	385	0.85	34	298
	Right	0.69	30	76	0.89	70	81	0.67	25	75	0.69	30	76
North	Left	0.20	38	35	0.13	24	26	0.18	35	33	0.20	38	35
	Through	0.87	57	177	0.88	59	184	0.93	69	202	0.87	57	177
	Right	0.43	49	55	0.44	49	57	0.45	50	56	0.43	49	56
West	Left	0.17	25	36	0.26	39	45	0.18	27	38	0.18	25	33
	Through	0.50	22	96	0.74	38	134	0.53	24	102	0.53	22	100
	Right	0.88	79	39	0.85	74	54	0.87	75	62	0.88	79	39

Attachment 12 - PLN17/0370 - 198-242 Burnley Street Richmond - Traffic Response from One Mile Grid

Table 2 Bridge Road / Burnley Street PM Peak Hour – Post-Development Operations

Approach	Movement	Existing			Post-Development (Submitted Scheme – Fully Directional Access)			Post-Development (RFI Scheme – Fully Directional Access)			Post-Development (Concept Plans – Left In / Left Out Access)		
		D.o.S.	Avg Delay (sec)	Queue (m)	D.o.S.	Avg Delay (sec)	Queue (m)	D.o.S.	Avg Delay (sec)	Queue (m)	D.o.S.	Avg Delay (sec)	Queue (m)
South	Left	0.81	44	172	0.85	47	197	0.88	51	217	0.91	57	254
	Through	0.81	39	172	0.85	41	197	0.88	46	217	0.91	51	254
	Right	0.84	51	61	0.76	43	61	0.74	42	61	0.70	38	64
East	Left	0.38	26	30	0.4	27	30	0.40	27	30	0.44	31	31
	Through	0.83	29	173	0.88	32	188	0.88	33	189	0.90	47	233
	Right	0.83	44	90	0.88	55	103	0.88	53	101	0.90	55	106
North	Left	0.39	38	78	0.4	39	79	0.42	40	81	0.40	39	79
	Through	0.78	48	153	0.81	50	158	0.87	57	171	0.86	57	170
	Right	0.39	47	52	0.41	47	53	0.43	49	54	0.43	49	54
West	Left	0.52	32	130	0.55	34	137	0.55	34	136	0.60	38	145
	Through	0.52	26	130	0.55	28	137	0.55	28	136	0.60	32	145
	Right	0.77	72	37	0.79	73	39	0.82	74	40	0.59	67	35

Attachment 12 - PLN17/0370 - 198-242 Burnley Street Richmond - Traffic Response from One Mile Grid

We trust that this is of assistance. Please do not hesitate to contact either Stuart Valentine (9982 9765 or stuart.valentine@onemilegrid.com.au) should you wish to discuss the above.

Yours sincerely,

Stuart Valentine

Senior Engineer

onemilegrid

d: (03) 9982 9765
e: stuart.valentine@onemilegrid.com.au

1.2 PLN17/0626 - 60 - 88 Cremorne Street Cremorne - Use and development of the land for the construction of two buildings (two and seven storeys in height with a roof terrace and two basement levels) for the purposes of three (3) food and drinks premises (7am to 7pm, seven days per week), an indoor recreation facility (7am to 7pm, seven days per week), an education centre (68 students - 7am to 7pm, Monday to Saturday) and office (no permit required for office use) and a reduction in the car parking requirements.

Executive Summary

Purpose

1. This report provides Council with an assessment of planning permit application No. PLN17/0626 which affects land at 60 – 88 Cremorne Street, Cremorne.

Key Planning Considerations

2. Key planning considerations include:
   (a) Use (Clauses 34.02-7);
   (b) Interfaces uses policy (Clause 22.05);
   (c) Built form (Clauses 15.01, 21.05, 22.10 and 34.02-7); and
   (d) Car Parking, Bicycle Provision and Loading Bay (Clauses 52.06, 52.07 and 52.34) of the Yarra Planning Scheme.

Key Issues

3. The key issues for Council in considering the proposal relate to:
   (a) Policy and physical context;
   (b) Use;
   (c) Built form;
   (d) Environmentally Sustainable Development (ESD);
   (e) Off-site amenity impacts;
   (f) Car parking, traffic, loading, access and bicycle provision;
   (g) Waste management; and
   (h) Objector concerns.

Objector Concerns

4. 69 objections were received to the application, these can be summarised as:

   (a) The proposal is an overdevelopment and is not responsive to neighbourhood character and heritage;
   (b) Excessive height and scale;
   (c) Design/materials/colour
   (d) Amenity impacts (overlooking/overshadowing/daylight to existing windows/noise including from vehicles/toxic & cigarette smoke/7-day trading/issues from substation);
   (e) Impact on trees in backyards due to on-boundary construction;
   (f) Lack of public contribution and open space – applicant should contribute to a traffic study;
   (g) Inadequate car parking and loading of vehicles and bicycle facilities (including visitor parking) and increased traffic ;
   (h) Increased pedestrian/cycling along Blanche St;
   (i) Direction of Blanche Street may change due to VicRoads works;
   (j) Precinct traffic study should be conducted;
   (k) Traffic surveys done on school holidays;
   (l) Amenity impacts due to the use of the vehicle entrance
   (m) Not in-line with policy in the Swan Street Structure Plan;

(n) Cumulative traffic/parking impacts of other approvals;
(o) Safety concerns of roads;
(p) Infrastructure cannot handle increased people;
(q) Construction issues (disruption, parking of vehicles, early starts, structural damage, traffic and noise).

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: **Coordinator Statutory Planning**
TEL: **92055124**

1.2 PLN17/0626 - 60 - 88 Cremorne Street Cremorne - Use and development of the land for the construction of two buildings (two and seven storeys in height with a roof terrace and two basement levels) for the purposes of three (3) food and drinks premises (7am to 7pm, seven days per week), an indoor recreation facility (7am to 7pm, seven days per week), an education centre (68 students - 7am to 7pm, Monday to Saturday) and office (no permit required for office use) and a reduction in the car parking requirements.

Trim Record Number: D17/191389
Responsible Officer: Manager Statutory Planning

Proposal:	Use and development of the land for the construction of two buildings (two and seven storeys in height with a roof terrace and two basement levels) for the purposes of three (3) food and drinks premises (7am to 7pm, seven days per week), an indoor recreation facility (7am to 7pm, seven days per week), an education centre (68 students - 7am to 7pm, Monday to Saturday) and office (no permit required for office use) and a reduction in the car parking requirements.
Existing use:	Car park
Applicant:	Arthur Land Pty Ltd c/o Contour Consultants Aus Pty Ltd
Zoning / Overlays:	Commercial 2 Zone
Date of Application:	7 August 2017
Application Number:	PLN17/0626

Planning History

1. Planning Permit 990593 was issued on 29 November 1999 for 'development of two office buildings, with associated car parking and landscaping'. An extension of time to permit 990593 was approved on 5 December 2000 for the use/development to commence no later than 29 November 2001 and be completed no later than 29 November 2003.

2. Planning Permit PL07/0538 was issued on 11 March 2008 to 'develop the land through buildings and works including the construction of two five-storey buildings and one three-storey building, plus basement and use of the land as offices (no permit required), restricted retail premises and food and drinks premises (café) and a reduction in car parking requirements.

3. Planning Permit PL07/0538 was amended on 28 August 2008 in accordance with VCAT Order and Conditions 1(p), 1(q), 1(r) and Condition 5 deleted and '*The first floor windows and second floor balcony located at the northwest end of Building 3 – North elevation (Plan 22 Revision P3), to be screened to a height of 1.7 metres above floor level*' added to Condition 1

4. An extension of time to permit PL07/0538 was approved on 27 April 2010 for development to commence no later than 11 March 2011. A second extension of time to permit PL07/0538 was approved on 29 March 2011 for development to commence no later than 11 March 2012 and be completed no later than 11 March 2014. This permit has not been acted upon and has now expired.

5. Planning permit PLN11/0404 was issued on 29 July 2011 for the development of the land for buildings and works (retrospective) and use of the land as a temporary car park and storage warehouse for the Epworth Hospital (3 years); and waiver of the car parking requirement. The permit expired on 29 July 2014 with the applicant applying for two extensions of time, which have resulted in a permit expiration date of 29 July 2020.

6. The permit allows for 175 car parking spaces to be provided on the site.

Background

7. The application was lodged on 7 August 2017 with an additional plan being provided on 9 August 2017. The application was then advertised following that with 69 objections being received. A Consultation Meeting was held on 10 October 2017 where the key issues raised in the objections were discussed with the Permit Applicant, a Ward Councillor, Objectors and Planning Officers present.

8. Whilst this process was occurring, Council had sought and received advice from an Acoustic Consultant, Urban Design Consultant, as well as Council internal units including Urban Design, Waste Management, Engineering, Open Space Unit, Strategic Transport and Environmental Sustainable Development (ESD).

9. An amended Sustainability Management Plan (SMP) was submitted on 27 October 2017 following referral advice being received with further supplementary comments being provided by Council's ESD Advisor.

10. Referral advice is an attachment to this report.

Existing Conditions

Subject Site

11. The site is located on the west side of Cremorne Street in Cremorne. The site comprises three separate titles and is bound by Blanche Street to the north, Parkins Lane to the south and a laneway for part of the western boundary. The site is a regular shaped allotment, has a frontage to Cremorne Street of approximately 88.66m and a depth of approximately 76.54m, yielding an overall site area of approximately 6734sq m.

12. The subject site is shown below:

13. The site is currently used as an at-grade car park as per Planning Permit PLN11/0404 and is leased by Epworth Hospital. There is an existing structure in the southern-western corner of the subject site. It is currently in a state of disrepair and has a saw tooth-shaped roof form.

The site is enclosed by cyclone wire fence and brick fence. The brick fence runs along the southern and western boundaries and is quite high with it ranging between 4.94m and 6.13m in height. Below is an image of the brick fence:

14. The site is legally described as Lots 1, 2 and 3 on Plan of Subdivision PS416600G and the copy of title submitted with the application reveals that there are no restrictive covenants affecting the site.

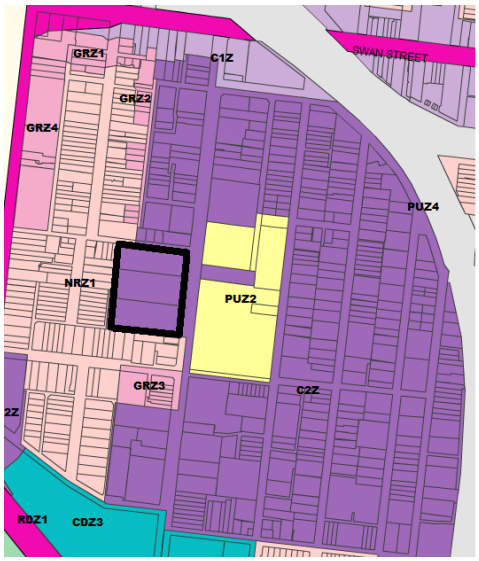
Surrounding Land

General

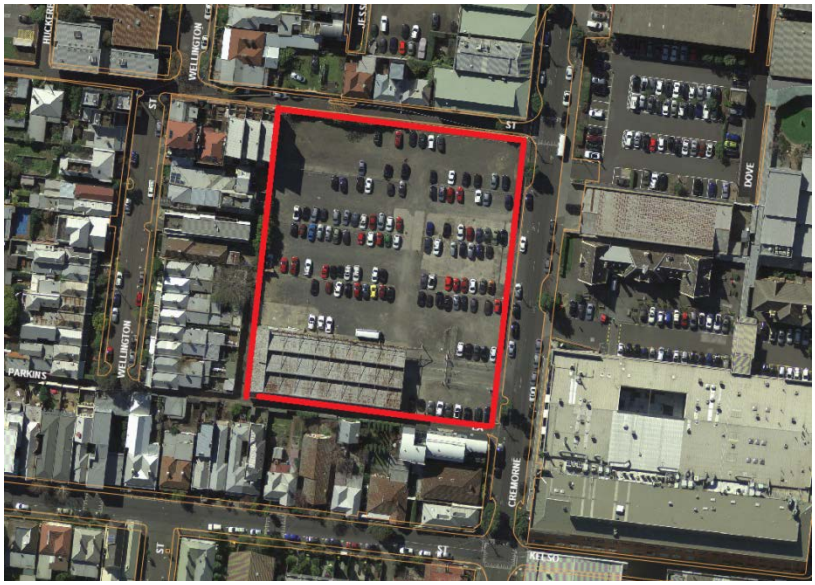
15. Cremorne is a pocket generally bound by Punt Road to the west, the CityLink and Yarra River to the south, Church Street to the east and Swan Street to the north.

16. The site is located within a transitional area where the Commercial 2 Zoned land abuts residential land to its immediate west. Further to the east, the Commercial 2 Zone land continues beyond Church Street with the exception of some residentially zoned pockets. It is noted there are also pockets of dwellings within the Commercial 2 Zone area, some of which have established existing use rights. To the south is land within the Comprehensive Development Zone and further to the north is the Swan Street Major Activity Centre (MAC) and the associated Commercial 1 Zone land. This various zoning has resulted in existing development in the wider area being mixed resulting in diverse built form.

17. The zoning of the area is shown below:



18. The variation in the subdivision pattern and built form types associated with the different zones is clearly shown in the aerial image below:



19. Generally speaking, the built form of the area is hard-edged or with minimal front setbacks, with fine grain residential developments to the west, south (and interspersed in the surrounds also), with lots having high site coverage and high on-boundary walls. Cremorne is well known as being quite intensely developed where “cheek by jowl” development is already common. The residential pockets of Cremorne are also generally built to their side boundaries with small private open spaces. Existing building heights in this area are primarily low rise, between one and three storeys with some taller structures to the south including the ‘Era’ development and the Nylex Silos.

20. Further to the north, are the Richmond Train Station and Swan Street MAC which includes various commercial uses as well as Melbourne’s international sports precinct further to the north-east and east.

21. The wider area of Cremorne is currently going through a period of transition from lower scale buildings to higher density development. There have been a number of larger scale developments within this western part of Cremorne which have been approved and some of which are under construction or already completed:

    (a) 69 - 77 Stpehenson Street – (7 storeys)
    (b) 9 - 11 Cremorne Street– (8 storeys)
    (c) 10 Dover Street - (6 storeys)
    (d) 7 - 11 Dover Street – (7 storeys)
    (e) 13 Cremorne Street – (7 storeys)
    (f) 16 Dover Street Cremorne – (5 storeys plus roof terrace)
    (g) 165 Cremorne Street – (10 storeys)
    (h) 2 Gough Street - Stage 1 – (15 storeys)
    (i) 17 – 21 Harcourt Parade – (9 storeys)
    (j) 375 - 377 Punt Road – (6 storeys)
    (k) 379 - 387 Punt Road – (6 storeys)

22. Council also has other current planning applications in this part of Cremorne:

    (a) PLN17/0278 - 506 & 508 - 510 Church Street Cremorne – 11 storeys
    (b) PLN17/0177 – 57 Balmain Street – 7 storeys
    (c) PLN15/0146 – 167 Cremorne Street – 12 storeys
    (d) PLN17/0389 – 16A – 17A/64 Balmain Street– 9 storeys

(e) PLN15/1176 - 2 Gough Street – Stage 2 – 17 storeys

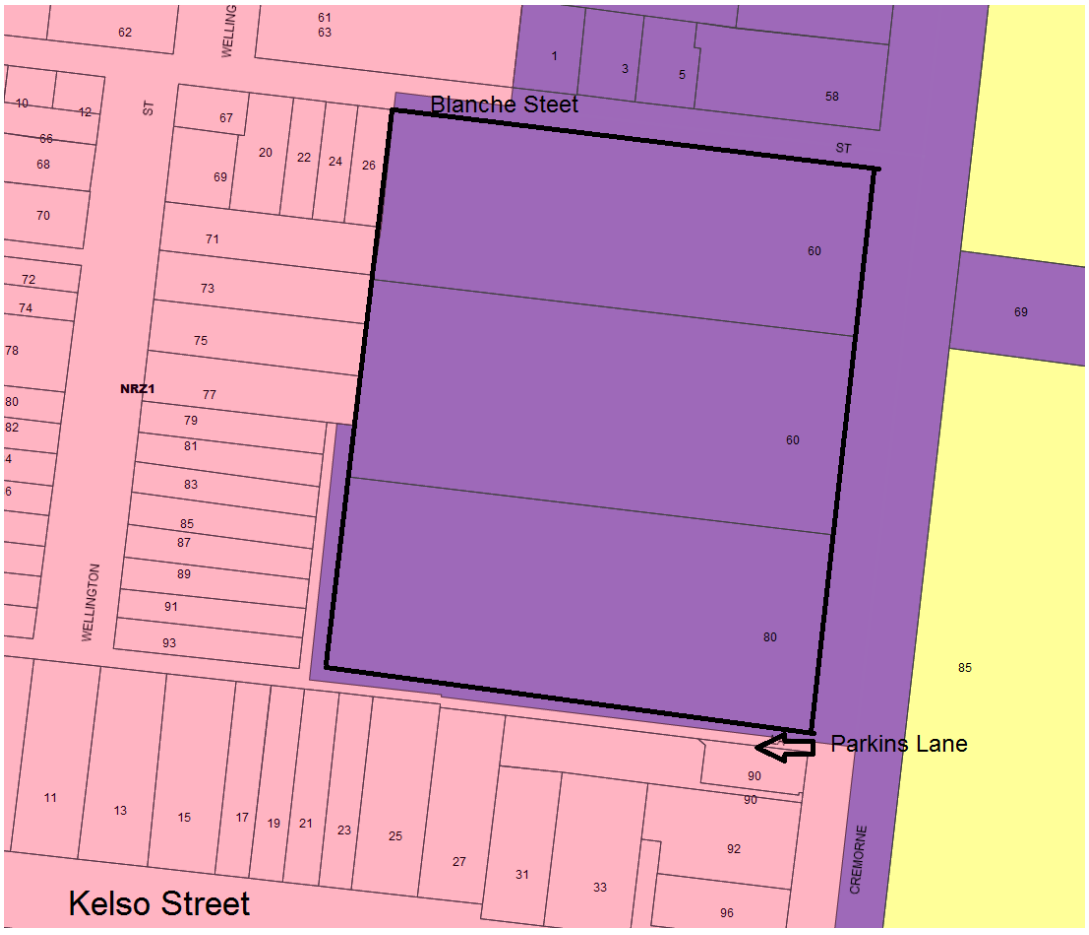
23. No decision had been made at the time of writing this report for the above applications.

24. The above approved/under construction developments and current planning applications show there is an increasing trend in Cremorne for larger scale built form then what currently exists.

25. In terms of public transport and cycling opportunities, the site is well serviced with:

(a) Tram route No.70 along Swan Street which provides service between Wattle Park and Bourke Street (Docklands).
(b) Richmond Train Station is within walking distance; 250m to the north of the site.
(c) Punt Road serviced by bus route 246 which provides service between Elsternwick Railway Station and La Trobe University (Bundoora Campus), via Clifton Hill.
(d) Yarra Trail cycling route to the south.

26. Turning to the specific site interfaces, each of these will be discussed in turn. The image below includes street names and numbers for reference.



North

27. To the north of the site is Blanche Street which is a one-way street accessed from Wellington Street. It provides access in a westerly direction however there is no ability to exit onto Punt Road. It has a width of approximately 4m, with the eastern portion being within a Commercial 2 Zone and the western portion in a residential zone. There is a narrow footpath on both sides of the street as well as some landscaping along the north side. The north side of the street has Permit Zone parking with no parking spaces provided on the southern side.

28. Nos. 1, 3 and 5 Blanche Street are a row of three, similarly constructed dwellings (existing use rights unknown for Nos. 1 and 5 Blanche Street) with minimal front setbacks (covered by a verandah), built to their side boundaries and private open space to the north. Nos. 1 and 5 are single storey, however No. 3 Blanche Street has a first floor extension. To their east at No. 58 Cremorne Street is a large single storey warehouse and office used by a fabric company. It has vehicular access from Blanche Street.

29. Further north along Cremorne Street are other single and double storey commercial and industrial buildings built to full title boundaries which are typical of the area.

30. To the north-west are the residential streets of Jessie, Wellington and Huckerby Streets which are occupied by dwellings ranging between single and triple storeys in height. To the north-east are hard edge warehouses and offices ranging up to seven storeys in height.

South

31. Along the southern boundary of the subject site is Parkins Lane which is approximately 3m in width and provides access to Cremorne, Kelso and Wellington Streets. A left turn into Parkins Lane from Cremorne Street from a southern direction is prohibited between 5pm and 6.30pm during the week.

32. Parkins Lane has a laneway-scape with it mainly consisting of the rear of properties facing Kelso Street or the side-ages of dwellings fronting Wellington Street with walls, rear fences, sheds/outbuildings and roller doors. These properties all have high site coverage. The majority of properties along Kelso Street are single storey to Kelso Street however some have rear double storey extensions including No. 17 and 23 Kelso Street. There is a mixture of rear setbacks from their northern boundaries with some being as little as 5m, and others 16m.

33. Along the site's southern boundary, at its intersection with Cremorne Street are two dwellings located at Nos. 90 and 90A Cremorne Street with car access and on-boundary north-facing windows. No. 90 Cremorne Street faces Cremorne Street with No. 90A Cremorne Street built directly along its rear western boundary. No. 90A Cremorne Street is a part two, part 3 storey dwelling with private open space to its west and a double storey garage with a first floor studio above.

34. To the south of these dwellings, along Cremorne Street between Nos. 92 and 104 Cremorne Street are single storey dwellings with high site coverage. No. 92 Cremorne Street has the three-storey wall of No. 90A Cremorne Street along its northern boundary abutting a single storey shed and its private open space.

35. Nos.106 to 112 Cremorne Street are a row of attached, three storey dwellings with ground floor deck areas and rear car park access to a laneway.

36. To the south-west of the subject site are the side of single storey dwellings fronting Melrose Street and Gough Place. These dwellings are within the Neighbourhood Residential Zone (Schedule 1). To the south-east of the subject site is a row of single storey Victorian era terraces. These dwellings are located within the Commercial 2 Zone (existing use rights unknown).

37. Beyond these are large (mixture of single, double and triple storeys) warehouse/office buildings dotted along the remainder of the street, as well as the buildings associated with the Nylex Silos site and the 10-storey 'Era' residential building. The on-ramp for CityLink and the Yarra River are further to the south. The Era mixed use/apartment building presents as 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).

East

38. To the east of the site along the eastern side of Cremorne Street are the various buildings and large at-grade car parking areas associated with Kangan TAFE. There are also commercial car parks within this area. The buildings are generally double storeys in height and built along the street frontages.

39. Also to the east are the two former Cremorne Street State School buildings which are constructed in red brick in Romanesque and Gothic inspired styles

West

40. To the west of the site are dwellings which front Blanche and Wellington Streets.

41. No. 26 Blanche Street is a three-story dwelling (which is part of an attached row of three) and is directly to the west of the subject site. This dwelling includes a three-storey on-boundary wall which also acts as a wing wall to the dwelling's north-facing balconies.

    Each of the dwellings between Nos. 22-26 Blanche Street have ground floor car park access, as well as first and second floor north-facing balconies. Each has a small courtyard at ground floor in the south-east corner of their site.

42. Further to the west, No. 20 Blanche Street is a three-storey dwelling setback from its northern boundary to provide for car park access and a first floor balcony.

43. At the south-eastern intersection of Blanche and Wellington Streets are two modern dwelling warehouse conversions. No. 67 Wellington Street is a large, three storey dwelling whilst to its south is No. 69 Wellington Street which contains four floors and has south-facing private open space. To their south are dwellings facing Wellington Street.

44. Nos. 71 – 77 Wellington Street all directly abut the subject site with Nos. 79 - 93 Wellington Street being separated by the width of Parkins Lane (4m). The majority of dwellings are single storey to the street with the exception of No. 75 Wellington Street which has a first floor terrace as part of its frontage. Some dwellings include first floor extensions with No. 73 Wellington Street also having a first floor deck towards its rear. The majority of the dwellings are built deep into the site with minimal rear setbacks. No. 77 Wellington Street also has access to the laneway to its south with a large concreted area at the rear of the dwelling. Nos. 79, 83, 85, 91 and 93 Wellington Street have sheds/outbuildings along their rear boundary abutting the lane. Nos. 79 - 93 Wellington Street form part of an attached row of dwellings.

45. Further to the west are residences along Wellington Street and Punt Road.

The Proposal

46. The proposal is for the construction of two buildings surrounded by landscaped areas with active frontages to the north and east and vehicle access and services largely contained to the southern end of the site.

47. The smaller building is a two-storey 'co-working hub' building built along the northern and western boundaries which houses a bike ramp and food and drinks premises at ground floor with the co-working area located on the first floor. The second, larger main office building is a seven-storey warehouse-style construction which includes indentations along its eastern and western sides to give the appearance of two separate buildings sitting on top of four and five storey bases with steeply pitched roofs above. The central area is all connected and forms one large floor plate with an atrium.

48. These two buildings are separated by a 4.13m wide internal laneway.

Demolition

(a) All structures on site and existing crossovers (no planning permit required).

(b) No change to the existing western boundary paling fence abutting Nos. 71-77 Wellington Street and No. 26 Blanche Street.

Use

(c) Three food and drinks premises (454sqm in total area). One is located within the double storey co-working hub, a second (largest) is located at the intersection of Cremorne and Blanche Streets and the third is located to the south of the main entry foyer. The applicant has confirmed these will be cafes .The cafés are proposed to have hours of 7am to 7pm, seven days per week. This will form conditions on the permit.

(d) The three Food and Drinks premises will also be required to be numbered Tenancy 1 to 3 on the ground floor plan with Tenancy 1 located under the co-working hub, Tenancy 2 being at the intersection of Blanche and Cremorne Streets and Tenancy 3 facing Cremorne Street. This will form a condition of the permit.

(e) The applicant also confirmed the following maximum number of patrons for each tenancy as follows with this forming a condition of the permit:

(a) Tenancy 1 - 25
(b) Tenancy 2 - 100
(c) Tenancy 3 - 25

(f) The office space has a floor area of 27,653sqm (no planning permit required for the use).

(g) An education centre located in the south-west section of the site with a covered area and an unroofed external area. There is a mezzanine level above this. It is proposed that this will operate 7am to 7pm, Monday to Saturday. The applicant has confirmed that the staff numbers of the Education Centre will be a maximum of 12 and no more than 68 students.

(h) An indoor recreation facility (156sqm) located along Cremorne Street with hours of operation of 7am to 7pm, seven days with a maximum of 30 patrons.

Construction

(i) Reconstruction of the south-western boundary wall ranging in height to between 4.8m along the western boundary and between 4.4m and 4.6m along the southern boundary.

(j) Two levels of basement built to full title boundaries with services and 231 car parking spaces (inclusive of 4 x DDA spaces, 13 x small car spaces, 5 x wide car spaces and 5 x car spaces with electric charging). Access to this basement area is via Cremorne Street abutting the southern boundary of the site.

(k) End-of-trip facilities are located in Basement Level 1 with 287 bike spaces, lockers and showers provided at this level. This area is accessed directly from the ground floor via a separate bike ramp on Blanche Street. There are also seven motorbike spaces on this level.

(l) At ground floor, the development is broken up into areas associated with use/functions. The larger office building has its main entry foyer from Cremorne Street where it wraps around and becomes narrower to the western side of the north-eastern food and drinks premises. There is also a secondary entry to the south providing direct access to the eastern bank of lifts. These provide access to the main office area. Further to their south along the Cremorne Street frontage is the indoor recreation facility and substation with loading bays and back-of-house areas located behind it. The education centres located to its west.

(m) A seated and landscaped area is located within the north-eastern corner of the site.

Co-working hub

(n) The smaller two storey building is constructed along the Blanche Street frontage for a width of 40m (approximately half of the boundary length) and houses the bike ramp and food and drinks premises at ground floor and a first floor co-working hub. The ground floor is setback 1.78m from its northern boundary with a secure entrance separating the bike ramp and the food and drinks premises.
The first floor is constructed to the northern and western boundaries and overhangs the ground floor along its northern and southern sides. It's constructed of metal cladding, aluminium framing, glazing and timber battens with a maximum height of 7m.

Main office building

(o) The larger office building is generally square in shape, however two indentations in the eastern and western sides create the appearance of two, separate buildings (when viewed form Cremorne Street and from the west) with steeply hipped roofs. In both instances the indentations have lifts or stairs either side. The image below depicts the larger building and the smaller building can also be seen to the right:

(p) The northern section has a five storey base with two levels within the hipped roof whilst the southern section has a four storey base with three levels in the hipped roof.

(q) Due to the uneven title boundaries, between the ground and third floor, the larger building has the following setbacks:

(i) between 11.27m and 12.33m from the northern boundary;
(ii) between 6.44m and 7.64m from the western boundary;
(iii) between 6.68m and 8.39m from the southern boundary; and
(iv) 3m from the eastern boundary.

(r) From the fourth floor, setbacks from the western boundary increase to between 8.47m and 8.95m and between 8.76m and 9.68m from the southern boundary. A narrow terrace wraps along the southern side.

(s) The hipped roofs result in increased setbacks at the fifth floor from the northern, western and southern boundaries:

(i) between 12.2m and 13.16m from the northern boundary;
(ii) between 11.86m and 12.81m from the western; and
(iii) between 12.12m and 13.63m from the southern boundary.

(t) A narrow terrace wraps along the northern and southern sides of this floor.

(u) The sixth floor results in setbacks of between 16.75m to 17.81m from the northern boundary, between 16.08m and 17.4m from the west and between 16.48m and 18.2m from the southern boundary. This floor also includes to west-facing terraces which have narrow sections wrapping around the northern and southern sides of the building.

(v) The western indentation is 7m in width and 16.15m deep, whilst the eastern indentation is the same width but 13m in depth. There is a central atrium area, with the lift lobbies, toilets and two additional voids in the eastern side of the building. There are also wintergardens on each floor.

(w) Inclusive of the plant and equipment, the proposal; has a maximum height of 37.8m and is constructed of brick with black aluminium framed glass.

Planning Scheme Provisions

Zoning

Commercial 2 Zone

49. Pursuant to clause 34.02-1 of the Yarra Planning Scheme, use of the land as an office does not require a planning permit.

50. A 'Food and Drinks Premises' is a Section 1 – no permit required use unless the leasable floor area would exceed 100m^2. The proposed tenancies have a total floor area of 454sqm and therefore trigger a permit under the zone.

51. The applicant has shown the three tenancies as food and drinks premises on the plans but has confirmed they will operate as café's and this can be required by way of condition. The proposed hours of operation are 7am to 7pm, 7 days. This will also be included as a condition on any permit to be issued. They will also be numbered as previously outlined. The applicant also confirmed the following maximum number of patrons for each tenancy as follows with this forming a condition of the permit:

(a) Tenancy 1 - 25
(b) Tenancy 2 - 100
(c) Tenancy 3 - 25

52. Pursuant to clause 34.02-1, both an 'indoor recreation facility' and an 'education centre' are a Section 2 –permit required use and therefore require a planning permit. The hours proposed for the indoor recreation facility is 7am to 7pm, seven days per week with a maximum of 30 patrons anticipated and maximum of four staff. The education centre will have 68 students and operate between 7am and 7pm, Monday to Saturday with a maximum of 12 staff.

53. Pursuant to clause 34.02-4 of the Yarra Planning Scheme, a planning permit is required to construct a building or construct or carry out works.

Overlays

54. None

Particular Provisions

Clause 52.06 – Car Parking

55. Clause 52.06-1 requires that a new use must not commence or the floor area of an existing use must not be increased until the required car spaces have been provided on the land.

56. A permit is required to reduce (including reduce to zero) the requirement to provide the number of car parking spaces required under this clause.

57. The table below outlines the car parking requirements for the uses of the development and the allocation of car parking which would be provided in association with each use.

    Within Clause 52.06-5 policy states that if in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number.

58. Where a use is not specified in the table at Clause 52.06-5, an adequate number of car spaces must be provided to the satisfaction of the responsible authority.

59. In this instance, the use of the site as an indoor recreation facility does not generate a reduction or waiver of car parking as the use is not specified in the table at Clause 52.06-5. Therefore, the only requirement is that an adequate number of car spaces be provided to the satisfaction of the Responsible Authority.

60. Under clause 52.06-5, the following parking rates are required:

Use	Area	Rate	No. required	No. proposed	Reduction sought
Office	27,653sqm	3.5 car spaces to each 100sqm of net floor area	967	200	767
Food and drinks premises	454sqm	4 per 100sqm	18	3	15
Education centre	68 students	0.4 spaces to each student that is part of the maximum number of students on the site at any time.	27	27	0
Total			**1021**	**231**	**790**

61. As 231 car spaces are being provided, a total of 790 (767 office spaces, and 15 spaces associated with the food and drink premises) car parking spaces are required to be reduced.

Clause 52.07 – Loading and unloading of vehicles

62. Clause 52.07 requires that "*no buildings or works may be constructed for the manufacture, servicing, storage or sale or goods or materials*" unless space is provided for loading and unloading in accordance with specified requirements. The only use proposed within this development which is applicable to this requirement is the food and drinks premises.

63. In the case of the proposed development, a loading area of 27.4sqm is required for the food and drinks premises to satisfy the requirement of Clause 52.07 as well as a height clearance of 4m.

64. An on-site loading area will be provided, accessed via Cremorne Street. The loading area will be able to accommodate vehicles of a size up to and including 8.8m medium rigid vehicles (MRV). The applicant confirmed the loading area has a height clearance of 4.2m. The proposed loading area satisfies this requirement.

Clause 52.34 – Bicycle Facilities

65. Pursuant to clause 52.34, a new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.

66. The purpose of the policy is to encourage cycling as a mode of transport and to provide secure, accessible and convenient bicycle parking spaces. A new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.

Land Use	Units/Area proposed	Rate for staff	Rate for visitors shoppers	No. required
Office	27,653sqm	1 to each 300sqm of net floor area if the net floor area exceeds 1000sqm	1 to each 1000sqm of net floor area if the net floor area exceeds 1000sqm	92 staff 22 visitor
Retail (Food and drinks premises)	454sqm	1 to each 300sqm of leasable floor area	1 to each 500sqm of leasable floor area	2 staff 1 visitor
Education centre other than specified in this table	68 students	1 to each 20 employees	1 to each 20 full-time students	1 staff 3 students
Indoor Recreation Facility	156sqm	1 per 4 employees	1 to each 200sqm of leasable floor area	1 staff (assumed less than 4) 1 visitor
Total				**96 staff** **33 visitor**

67. The proposal includes 287 bicycle spaces for staff in Basement Level 1 and 38 spaces for visitors along Blanche Street and in two locations along Cremorne Street.

68. Pursuant to clause 52.34-3, ten showers and change rooms are required on site. The development includes 20 change rooms and showers on Basement Level 1 as well as lockers. This requirement is met.

69. Clause 52.34-4 provides design standard for bicycle spaces and signage.

<u>General Provisions</u>

70. 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 in further in this report.

State Planning Policy Framework (SPPF)

71. Clause 11 'Settlement' - *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

72. *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.*

73. Clause 11.02 'Urban growth' aims *to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.*

74. This clause includes several strategies to achieve this objective, including;

(a) Opportunities for the consolidation, redevelopment and intensification of existing urban areas.
(b) Neighbourhood character and landscape considerations.

Clause 11.02-3 'Planning for growth areas'

75. The objective is: *to locate urban growth close to transport corridors and services and provide efficient and effective infrastructure to create benefits for sustainability while protecting primary production, major sources of raw materials and valued environmental areas*.

76. The clause includes several strategies to achieve this objective.

Clause 11.03-2 (Activity centre planning)

77. The objective is:

(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.*

Clause 11.06-1 (Jobs and investment)

78. The relevant objective of this clause is '*to create a city structure that drives productivity, attracts investment, supports innovation and creates jobs*.'

79. Relevant strategies include:

(a) Improve access to jobs across Melbourne and closer to where people live.

(b) Support the continued growth and diversification of activity centres to give communities access to a wide range of goods and services, provide local employment and support local economies.
(c) Plan for new development and investment opportunities on the existing and planned transport network

Clause 11.06-4 (Place and identify)

80. The relevant objective of this clause is '*to create a distinctive and liveable city with quality design and amenity*.'

81. Relevant strategies include:

(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.
(c) 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.

Clause 13.04-1 (Noise abatement)

82. The objective is:

(a) To assist the control of noise effects on sensitive land uses.

83. Noise abatement issues are measured against relevant State Environmental Protection Policy (SEPP) and other Environmental Protection Authority (EPA) regulations.

Clause 15.01-1 – Urban design

84. 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

85. This Clause directs that the following design principles be applied to development proposals for non-residential development.

86. The relevant design principles are as follows:

(a) Context

(i) Development must take into account the natural, cultural and strategic context of its location.
(ii) Planning authorities should emphasise urban design policies and frameworks for key locations or precincts.
(iii) A comprehensive site analysis should be the starting point of the design process and form the basis for consideration of height, scale and massing of new development.

(b) The public realm

(i) The public realm, which includes main pedestrian spaces, streets, squares, parks and walkways, should be protected and enhanced.

(c) Safety

(i) New development should create urban environments that enhance personal safety and property security and where people feel safe to live, work and move in at any time.

(d) Landmarks, views and vistas

(i) Landmarks, views and vistas should be protected and enhanced or, where appropriate, created by new additions to the built environment.

(e) Pedestrian spaces

(i) Design of interfaces between buildings and public spaces, including the arrangement of adjoining activities, entrances, windows, and architectural detailing, should enhance the visual and social experience of the user.

(f) Consolidation of sites and empty sites

(i) New development should contribute to the complexity and diversity of the built environment.
(ii) Site consolidation should not result in street frontages that are out of keeping with the complexity and rhythm of existing streetscapes.
(iii) The development process should be managed so that sites are not in an unattractive, neglected state for excessive periods and the impacts from vacant sites are minimised.

(g) Light and shade

(i) Enjoyment of the public realm should be enhanced by a desirable balance of sunlight and shade.
(ii) This balance should not be compromised by undesirable overshadowing or exposure to the sun.

(h) Energy and resource efficiency

(i) All building, subdivision and engineering works should include efficient use of resources and energy efficiency.

(i) Architectural quality

(i) New development should achieve high standards in architecture and urban design.
(ii) Any rooftop plant, lift over-runs, service entries, communication devices, and other technical attachment should be treated as part of the overall design.

(j) Landscape architecture

(i) Recognition should be given to the setting in which buildings are designed and the integrating role of landscape architecture.

Clause 15.01-4 – Design for safety

87. 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

88. The objective of this clause is:

(a) To recognise and protect cultural identity, neighbourhood character and sense of place.

89. Relevant strategies to achieve this objective include:

(a) Ensure development responds and contributes to existing sense of place and cultural identity.
(b) Ensure development recognises distinctive urban forms and layout and their relationship to landscape and vegetation.
(b) *Ensure development responds to its context and reinforces special characteristics of local environment and place by emphasising:*
i *The heritage values and built form that reflect community identity.*
ii *The values, needs and aspirations of the community.*

Clause 15.02-1 – Energy and resource efficiency

90. 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..*

91. Relevant strategies to achieve this objective include:

(a) Ensure that buildings and subdivision design improves efficiency in energy use.
(b) Promote consolidation of urban development and integration of land use and transport.
(c) Improve efficiency in energy use through greater use of renewable energy.
(d) Support low energy forms of transport such as walking and cycling.

Clause 17.01-1 – Business

92. 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 18.01-1 – Land use and transport planning

93. The objective of this clause is:

(a) To create a safe and sustainable transport system by integrating land-use and transport.

94. Relevant strategies to achieve this objective include:

(a) Develop transport networks to support employment corridors that allow circumferential and radial movements.

(b) 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) *Connecting activity centres, job rich areas and outer suburban areas through the Principal Public Transport Network.*
(iv) *Providing for bus routes and stops and public transport interchanges in new development areas.*
(v) *Providing safe, convenient and direct pedestrian and cycling access to job rich areas, public transport interchanges and urban renewal precincts.*
(vi) *Promote walking and cycling when planning for new suburbs, urban renewal precincts, greyfield redevelopment areas and transit-oriented development areas (such as railway stations).*

(c) *Integrate public transport services and infrastructure into new development.*

Clause 18.02-1 – Sustainable personal transport

95. The objective of this clause is:

(a) To promote the use of sustainable personal transport.

Local Planning Policy Framework (LPPF)

96. The relevant policies in the Local Planning Policy Framework (LPPF) can be described as follows:

Municipal Strategic Statement (MSS)

97. Relevant clauses are as follows:

Clause 21.04-3 Industry, office and commercial

98. The objective of this clause is:

(a) To increase the number and diversity of local employment opportunities.

Clause 21.05-2 – Urban design

99. The relevant objectives 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 19 To create an inner city environment with landscaped beauty;

(e) Objective 20 - To ensure that new development contributes positively to Yarra's urban fabric;
(f) 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; and
(ii) Strategy 21.3 Support new development that contributes to the consolidation and viability of existing activity centres.

Clause 21.05-3 – Built form character

100. The general objective of this clause is:

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

101. The subject site is located within a non-residential area, where the built form objective is to *"improve the interface of development with the street"*.

102. The strategies to achieve the objective are to:

(a) Allow flexibility in built form in areas with a coarse urban grain (larger lots, fewer streets and lanes).
(b) Require new development to integrate with the public street system.

Clause 21.06 – Transport

103. This policy recognises that Yarra needs to reduce car dependence by promoting walking, cycling and public transport use as viable and preferable alternatives. Relevant objectives and strategies of this Clause are as follows:

(a) Objective 30 – To provide safe and convenient pedestrian and bicycle environments.
(i) Strategy 30.2 – Minimise vehicle crossovers on street frontages.
(ii) Strategy 30.3 – Use rear laneway access to reduce vehicle crossovers.
(b) Objective 31 – To facilitate public transport usage.
(c) Objective 32 – To reduce the reliance on the private motor car.
(d) 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 network.

Clause 21.07-1 – Ecologically sustainable development

104. The relevant objectives and strategies of this clause are:

(a) Objective 34 – To promote ecologically sustainable development.

(i) Strategy 34.1 – Encourage new development to incorporate environmentally sustainable design measures in the areas of 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.

Clause 21.08-2 Neighbourhoods (Burnley-Cremorne- South Richmond)

105. This clause describes the area in the following way (as relevant):

(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) 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.

(b) …

(c) 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

[Emphasis Added]

106. Figure 8 shows the subject site is partly within the '*non-residential areas'.* Therefore, built form character objective is to improve the interface of development with the street.

Relevant Local Policies

Clause 22.03 – Landmarks and Tall Structures

107. The objective of this policy is to:

(a) To maintain the prominence of Yarra's valued landmarks and landmark signs.

108. It is policy 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.
(c) Ensure the profile and silhouette of new tall structures adds to the interest of Yarra's urban form and skyline.

109. Within Clause 22.03-4, the Nylex Sign is identified as a landmark and is over 200m distance from the subject site. New buildings within the vicinity of the following landmarks should be designed to ensure the landmarks remain as the principal built reference.

110. The proposal will not impact this landmark as it is significantly lower in height and a considerable distance away.

Clause 22.05 – Interfaces Uses Policy

111. This policy applies to applications within the Commercial Zones (among others), and aims to reduce conflict between commercial, industrial and residential activities. The policy acknowledges that the mix of land uses and development that typifies inner city areas can result in conflict at the interface between uses.

112. The relevant objective is:

(a) To ensure that residential uses located within or near commercial centres or near industrial uses enjoy a reasonable level of amenity.

113. It is policy that:

(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.

114. A number of decision guidelines for non-residential use and development within the business zones are outlined, including the extent to which the proposal may cause overlooking, overshadowing, noise, fumes and air emissions, light spillage, waste management and other operational disturbances that may cause unreasonable detriment to the residential amenity of nearby residential properties.

Clause 22.10 – Built form and design policy

115. This policy applies to all new development not included in a Heritage Overlay. The relevant objectives of this policy are to:

(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.

116. The Clause includes various design objectives and guidelines that can be implemented to achieve the above objectives. The design elements relevant to this application relate to:

(a) urban form and character;
(b) setbacks and building height;
(c) street and public space quality;
(d) environmental sustainability;
(e) site coverage;
(f) on-site amenity;
(g) off-site amenity;
(h) landscaping and fencing;
(i) parking, traffic and access; and
(j) service infrastructure.

Clause 22.16 Stormwater Management (Water Sensitive Urban Design)

117. Clause 22.16-3 requires the use of measures to *"improve the quality and reduce the flow of water discharge to waterways"*, manage the flow of litter from the site in stormwater and encourage green roofs, walls and facades in buildings where practicable.

Clause 22.17 – Environmentally Sustainable Design

118. This policy was introduced into the Scheme on 19 November 2015 and applies to residential development with more than one dwelling. The overarching objective is that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation. The considerations are energy performance, water resources, indoor environment quality, storm water management, transport, waste management and urban ecology.

Relevant Local Policies

Cremorne and Church Street Precinct Urban Design Framework

119. The *Cremorne and Church Street Precinct Urban Design Framework* [UDF] was adopted by Council at its meeting in September 2007. The intent of the UDF was to support redevelopment that contributes to Cremorne as a mixed-use area, while supporting strategic aims to develop employment opportunities in the area.

120. Map 2 within the UDF acknowledges the subject site as being a site were substation change is expected and can contribute to improvements to the public realm.

The subject site is not located within any sub-precinct, however the UDF Blanche Street as being a widened footpath/pedestrian link due to setbacks from the northern boundary of the subject site and the northern and eastern sides of the subject site are shows as having an active building frontage to pedestrian walkways. Public realm recommendations within the UDF are as follows:

Public Realm Recommendations

(a) Consider the establishment of Shared Zones in all streets and lanes that are too narrow for DDA-compliant footpaths and where multiple driveways erode the integrity of the footpaths.
(b) Develop and implement a public lighting strategy. Suspend street lights from buildings wherever possible to enable removal of poles from footpaths.
(c) Explore opportunities for undertaking aerial bundling of cables or place power lines underground, especially in connection with the redevelopment of any of the major sites in the precinct.
(d) Rationalise poles and signs to reduce obstacles in footpaths
(e) Prepare a streetscape precinct plan, setting out paving materials, identifying improvements for disabled access, including improved alignment of kerb ramps and installation of tactile pavers, and identifying locations for tree planting (e.g. within localised kerb outstands, pocket parks, building setbacks, etc.). Implement the plan through a combination of Council capital works budget and developer contributions for frontages adjoining their sites.

121. Council prepared Amendment C97 to the Scheme which proposed to rezone the study area from Business 3 Zone to Business 2 Zone, in order to provide for some residential development in the precinct. The Amendment was abandoned by Council at its February 2010 meeting, however the UDF remains as an adopted document.

Swan Street Structure Plan

122. The SSSP was adopted by Council at its meeting on 17 December 2013 and is relevant to the site.

123. The site is located within the 'Cremorne Mixed Commercial Precinct' of the Plan's study area. The Structure Plan prepared for the Swan Street Major Activity Centre [MAC] was in response to the State Government sustainable growth policy, *Melbourne 2030*; a plan for the growth and development of the Melbourne metropolitan area. One of the principal aims of the policy was to provide a network of activity centres throughout Melbourne, with these centres providing a focus for development and urban expansion in areas well serviced by public transport, existing infrastructure and community services. The Swan Street Structure Plan aims to manage this growth within the Swan Street MAC and the surrounding area.

124. Of relevance to this application are proposed revisions to the built form guidelines that will provide guidance on future built form and how that would be in keeping with the longer term vision for Swan Street and surrounds, along with guidance on urban intensification within the precinct.

125. The plan acknowledges the site is a Strategic Redevelopment Site and provides guidance on maximum building heights within each precinct, with 4 storeys (13m to 16m) the suggested height for this area within the Cremorne Mixed Commercial Precinct neighbourhood. The SSSP also states that new buildings should be stepped back from a maximum of 3 storeys (10m) adjacent to the site boundary above which the building should be setback at a ratio of 1:1 for any additional building height.

126. The SSSP acknowledges that the area is functioning well and provides significant employment opportunities and that with the right support, these activities are likely to continue.

127. Whilst adopted, the SSSP has yet to progress to the formal amendment stage and technically has limited statutory weight.

Advertising

128. The application was advertised in accordance with Section 52 of the *Planning and Environment Act* 1987 [**the Act**] by way of 780 letters sent to the surrounding property owners/occupiers and by fours signs placed on site (two signs facing Cremorne Street), and one for each of the Blanche Street and Parkins Lane frontages.

129. 69 objections were received to the application, these can be summarised as:

    (a) The proposal is an overdevelopment and is not responsive to neighbourhood character and heritage;
    (b) Excessive height and scale;
    (c) Design/materials/colour
    (d) Amenity impacts (overlooking/overshadowing/daylight to existing windows/noise including from vehicles/toxic & cigarette smoke/7-day trading/issues from substation);
    (e) Impact on trees in backyards due to on-boundary construction;
    (f) Lack of public contribution and open space – applicant should contribute to a traffic study;
    (g) Inadequate car parking and loading of vehicles and bicycle facilities (including visitor parking) and increased traffic ;
    (h) Increased pedestrian/cycling along Blanche St;
    (i) Direction of Blanche Street may change due to VicRoads works;
    (j) Precinct traffic study should be conducted;
    (k) Traffic surveys done on school holidays;
    (l) Amenity impacts due to the use of the vehicle entrance
    (m) Not in-line with policy in the Swan Street Structure Plan;
    (n) Cumulative traffic/parking impacts of other approvals;
    (o) Safety concerns of roads;
    (p) Infrastructure cannot handle increased people;
    (q) Construction issues (disruption, parking of vehicles, early starts, structural damage, traffic and noise).

130. The grounds of objections raised will be considered and addressed where relevant throughout the following assessment.

131. A Consultation Meeting was held on 10 October 2017, where the key issues raised in the objections were discussed with the Permit Applicant, a Ward Councillor, Objectors and Planning Officers present.

Referrals

132. <u>External Referrals</u>

(a) Public Transport Victoria;

133. Internal departments

(a) Engineering Services Unit;
(b) ESD Advisor;
(c) Open Space;
(d) Strategic Transport;
(e) Urban Design;
(f) Waste Services;

134. External consultants

(a) Acoustic (SLR Consulting);
(b) Urban Design (Rob McGauran - MGS Architects);

135. Referral comments are attachments to this report.

OFFICER ASSESSMENT

136. The following key issues and policies will be used to frame the assessment of this planning permit application:

(a) Policy and physical context;
(b) Use;
(c) Built form;
(d) Environmentally Sustainable Development (ESD);
(e) Off-site amenity impacts;
(f) Car parking, traffic, loading, access and bicycle provision;
(g) Waste management; and
(h) Objector concerns.

Policy and physical context

137. The site is located in the Commercial 2 Zone which specifically encourages office, retail uses and associated commercial services. In assessing this application Council officers must make a comprehensive evaluation of the proposal with consideration to the purposes and objectives sought to be achieved by the Act and the Yarra Planning Scheme, the applicable decision guidelines, and as to whether or not there is a net community benefit and sustainable development outcome. Having carried out an assessment of the competing state and local policies and objectives, on balance, Council Planning Officers submit that this proposal represents an acceptable outcome. The proposal complies with Council's strategic direction for the area and should be supported, subject to conditions.

138. The site is well connected to the public transport systems and road network supporting both cars, walking and cycling. State policy encourages the intensification of employment generating uses in areas with these locational characteristics close to where people live (clause 11.04).

139. Similarly, local planning policy identifies the vibrant and mixed use nature of activity centres as an important attribute of the municipality and seeks to encourage their long term viability through development and land uses that contributes to the adaptation, redevelopment and economic growth. Clause 21.04-3 also seeks to increase the number and diversity of employment opportunities, specifically identifying service industries as an area where opportunities have been created by declines in traditional manufacturing businesses. The proposal complies with this policy and achieves these goals.

140. This zone preferences uses such as offices to occur within this location and accordingly, the site is located within an area where higher intensity industrial and commercial uses have been directed to be located by both local and state policy. This is also acknowledged in the Tribunal decision *WAF Construction Pty Ltd v Yarra CC [2003] VCAT 1122 (29 August 2003),* where the following comments were made in relation to built form expectations within a Business 3 Zones (now Commercial 2 Zone) in Cremorne:

    [33] The site's location in an identified commercial/industrial area, together with its proximity to an extensive public transport network and an Activity Centre, are factors supporting a higher density commercial development.

    [34] [Commercial 2 Zones] seek to facilitate development of the service sector, allow for more efficient utilisation of business premises and encourage the development of employment areas that are serviced by public transport and bicycle and pedestrian networks.

141. The proposed density of the development is consistent with both State and Local Policies such as clauses 15.02-1, 17.01-1, 18.01-1 which encourages concentration of development and employment opportunities in and around activity centres and intensifying development on sites well connected to public transport. This ensures efficient use of existing infrastructure.

142. Council's local Neighbourhood's policy at Clause 21.08-2 recognises this as an *important metropolitan business cluster which must be fostered.* In recent years, Cremorne has become home to many creative companies with technology companies starting to emerge. Council's Urban Design Consultant provided advice regarding this application and confirmed that this site *"is one of the better placed sites within the popular Cremorne Employment Precinct for a contemporary corporate headquarters*."

143. Finally, the proposal includes a substantial contribution to the public realm via streetscape improvements to Blanche Street (including the creation of a Shared Zone) and to Cremorne Street. A condition can require these works to be completed to the satisfaction of the Responsible Authority and with all works to be at the permit holder's expense. This will be discussed later in the report.

144. Having regard to the above, the proposed re-development of the site for a mixed use building of this scale is considered to have strategic planning support.

    Use

145. With the exception of the office use, all other proposed uses on-site require a planning permit in the zone. In respect to their appropriateness there is support for them at the ground floor where it can be demonstrated that the scale of operation would not result in unreasonable impacts to the surrounding area or erosion of the primary purpose of the Commercial 2 Zone. This consideration is relevant in terms of the objective of the Commercial 2 Zone: *to encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.*

146. By retaining land for commercial uses, Cremorne will remain a viable and thriving economic cluster, thus providing a net community benefit through employment and contributing to the local and regional economy for present and future generations. It is also Council local planning policy (Clause 21.04-3) to increase the number and diversity of local employment opportunities and by maintaining this land for the purpose it was intended for, this policy will be met and a net community benefit will be achieved. Council's local policy at Clause 21.04-3 states that the commercial and industrial sectors underpin a sustainable economy and provide employment. Yarra plans to retain and foster a diverse and viable economic base.

147. The site is located within an employment cluster which is of importance not only to the municipality, but also to the broader metropolitan region given its capacity for change and connections to other Activity Centres, residential areas and public transport.

The area supports a growing employment base, and the proposed uses will support this. These uses will provide:

(a) a venue where the local workers can obtain food and drinks as well as local residents;
(b) opportunities for physical activity; and
(c) an additional education centre

148. Council's Urban Design Consultant was supportive of "*the development of a diversified group of on-site uses including the core employment headquarters for Seek Limited and in addition an Education Centre, Co-working Hub, recreation and supporting food and drink premises*."

149. The food and drinks premises and the indoor recreation facility will contribute to the mixed use nature of the location which includes other commercial entities. Council's local policy within clause 21.08-2 acknowledges that the area has a "*truly mixed character*" and "*this mix of uses is valued by the local community and must be fostered*".

150. On weekends, there is an expectation that buildings are active and provide for visitors and local residents alike. These two different uses will play a legitimate role in meeting the needs of the area in this respect and providing seven days a week activation of the area whereas offices are generally closed and can lead to inactivity.

151. The location of the education centre is logical considering Kangan TAFE is across the road and it will add to the mix of uses within the surrounding area.

152. The Swan Street Structure Plan (SSSP) is also relevant to the site and whilst planning officers acknowledge that it is has limited weight, and cannot be relied upon to determine this application, it does set out a vision for the future land use of this part of Cremorne. With regards to land use, the SSSP encourages land uses that compliment the business activities that activate streets beyond conventional business hours, supports education uses in the precinct and encourages commercial uses that consolidate the role of the precinct as a business and employment area.

153. Council's Urban Design Consultant also highlighted that "*the inclusion of small business with big business is welcome*".

154. The Commercial 2 Zone also requires consideration of the following matters (as relevant) at clause 34.02-7, each with a response provided below:

(a) The effect of existing uses on the proposed use – existing uses are residential (to the west and south in the residential zone) and commercial/industrial in nature and are not expected to have an adverse impact on the proposed uses;
(b) The drainage of the land – the land is not located in an area with any specific drainage requirement under the Scheme and would have adequate ability to connect to relevant drainage networks;
(c) The availability and connection to services – the site is in an existing built up urban area with easy connection to all necessary services;
(d) The effect of traffic to be generated – this is discussed in detail later in this report;

155. In respect of amenity impacts, Clause 22.05 seeks to ensure that new non-residential uses do not unreasonably impact dwellings including through noise, light spill, emissions and rubbish.

156. The closest residentially zoned land is to the south and west of the subject site. The location of the food and drinks premises and the indoor recreation both face commercial or educational zoned land and are separated from these more sensitive areas by built form. The proposed education centre has the closest interface however is separated by a high on-boundary brick wall and the width of Parkins Lane.

157. As already outlined, the proposed hours of operation are generally 7am to 7pm, seven days per week, with the education centre not operating on Sundays. There is limited guidance in the Scheme as to what appropriate opening hours are in the Commercial 2 Zone. It is considered that these hours are not particularly early or late, and are therefore acceptable. Due to the zoning of the land, other potentially more intensive uses could operate without requiring a planning permit and would therefore not have their hours restricted. Additionally, considering the small scale of these uses, and that they do not have any direct abuttal with residences, impacts will be low. Accordingly, the uses are not expected to have unreasonable impacts on these dwellings and can be managed with appropriate conditions.

158. In terms of the numbers of patrons, the applicant is proposal a total of 150 for the three food and drinks tenancies, with 25 for each of the two small cafes and 100 for the larger one. The indoor recreation facility will have a maximum of 30 patrons and the education centre will have a maximum of 68 students. These numbers are considered to be low and a small percentage of the overall number of people who already live and work in this area. Additionally, the applicant has lower patron numbers for the two cafes which are closes to residences which reduces the potential for amenity impacts.

159. Rubbish would be adequately concealed within the building and any emissions would have an adequate dispersal distance from the dwellings. Conditions would have been included to ensure the amenity of the area is not unreasonably compromised due to the 'permit required' uses. These would normally include restrictions on hours of operation, noise, patron numbers, waste disposal, deliveries and emission including light spill.

Built form

160. The following is a detailed assessment of the proposal against the design objectives of Clause 22.10 – Built Form and Design Policy, of the Commercial 2 Zone, and the urban design principles articulated at Clause 15.01-2. In the interests of providing a concise assessment and avoiding repetition between State and local design principles, the following assessment will group similar themes where applicable.

Urban form, character and context

161. As discussed in the policy section above, the proposal is an appropriate response to the site's strategic context and makes efficient use of relatively under-utilised land. Strategically, the subject site is appropriately located for a higher-density development, being located within proximity to an Activity Centre, within a commercial zone with excellent access to public transport, services and facilities and with limited sensitive, residential interfaces being the dwellings to the immediate west and south. Two boundaries have at least the width of a street to provide a buffer from amenity impacts with laneways running along the southern and a portion of the western boundaries. Council has also acknowledged this site as a Strategic Redevelopment Site within its adopted Swan Street Structure Plan (SSSP).

162. The subject site is not located within a heritage overlay, however there are sites to the east, west and south which are within a heritage overlay. The proposal will not impact these as they will still be able to be read from their principal street frontages.

Character

163. As already outlined extensively within the 'Surrounding Land' portion of this report, the subject site is in a genuinely mixed area. There is a commercial area to the east as well as lower scale residential to the south and west. The majority of buildings are constructed boundary to boundary, with high site coverage, rectilinear forms and mixture of roof forms. The residences have small front yards, are built to their side boundaries and minimal rear setbacks.

164. This mixture in built form types and heights is typical of the Cremorne area as discussed within the Clause 21.08-2 description. These areas have and will continue to experience an intensification of use and development.

165. Considering the recent approvals of larger scale developments, the street's proximity to the Swan Street MAC, convenient access to a train station and that the majority of sites are not located within a heritage overlay to restrict development, it would be a reasonable expectation that this site and others in the street, would experience further intensification in use and development. There is no doubt that its current use as at-grade car park is an underutilisations of land in an inner city location.

166. In terms of more specific street interfaces, the proposed works are an improvement on the existing streetscape interface through the demolition of dilapidated structures and the removal of at-grade car parking spaces which do not activate the street frontage for the construction of two modern buildings with various uses The proposal is continuing the character of high site coverage with improved visual permeability.

Cremorne Street

167. The proposal has sited its tallest elements towards Cremorne Street. The proposal will fill-in an area within the streetscape currently used for an at-grade car park for the Epworth Hospital. This currently creates a void in the streetscape where active frontage should be and does not contribute to the streetscape character of Cremorne Street. Below is an image of the proposal from along Cremorne Street.

168. From along Cremorne Street, the proposal presents as two brick structures with the recessed glazed curtain wall visible in the background between them. The proposed bases are between four and five storeys in height and setback from the northern and southern boundaries and then step away from the boundary forming steeply pitched roof elements. The proposal is setback 3m from its Cremorne Street frontage. This response is appropriate as it provides setbacks from the abutting, lower built form whilst maintaining its tallest elements towards the least sensitive area where robust form is directed to be located. Cremorne Street is quite wide at a width of 15m and is therefore able to accommodate the full height of the proposal. Adding to this, the proposal is setback an additional 3m from the street frontage.

169. The proposal has not adopted a typical podium/tower typology and has instead proposed a front façade with no variation in its front setbacks. The proposal has included numerous windows which provide articulation as well as a variation in the front façade depth due to the window recesses. This, combined with the significant side setbacks of the the steeply pitched roofs reduce the width of the upper levels and thus minimise its dominance in the street without having to provide a setback from Cremorne Street.

Additionally, the lower levels of the bases along the northern and southern sides provide a transition down to the lower forms adjacent to these areas. Due to the width of the street and the width of subject site along this frontage, this form is able to be absorbed into the street, particularly as it presents as two separate elements along Cremorne Street which further separates the development. These elements have all been incorporated to ensure the proposal fits in with the future character of the surrounding area as well minimising impacts to the streetscape in an innovative and interesting way. This adds to the mix of urban form visible in the surrounding area and is acceptable. Whilst the proposal has considered the future context and is a significant departure from the existing conditions on Cremorne Street, it responds to the inherent industrial character of the precinct by its hard edge form and use of robust materials.

Blanche Street

170. The current character of Blanche Street is a mixture of the front and sideages of dwellings with built form ranging from side boundary fencing up to three-storey dwellings and warehouse conversions. The development includes a modern two-storey building along Blanche Street as well as a landscaped area. Behind these and setback a minimum of 11.2m is the main office building as well as a variety of active uses. Below is an image of the proposal from along Blanche Street:

171. The co-working hub building is an appropriate response to the surrounding context by constructing a modern two-storey form to the street with ground floor activation. The proposed on-boundary construction to Blanche Street will continue what is already evident on the street to the west, however will then open up into a landscaped area which enhances the character of the street. The hipped roof forms of the main office building are similar to the warehouse dwelling conversions visible along Blanche Street.

Parkins Lane

172. Whilst Parkins Lane is a named laneway, its laneway-scape consists of the rear of properties facing Kelso Street and sideages of dwellings facing Wellington and Cremorne Streets.

173. The proposal includes the re-instatement of the existing brick wall which surrounds the site along its southern and western boundaries, similar to existing conditions. Visible above this will be the brick construction of the proposal which will fit in with the existing surrounding materials.

Architectural quality

174. The development is considered of high architectural quality and in that regard responds to the design objective of clauses 15.01-2 and 22.10-3.4. The contemporary design is appropriate and responds well to this part of Cremorne.

175. The larger building of the development presents itself as a modern interpretation of a warehouse through the use of bricks and its hipped roof form. The main building is one larger structure, however has the appearance of two due to the hipped roofs and the central large indentation.

    The building is also articulated by numerous windows which are also each divided into nine panes by aluminium framing. By doing this, the proposal provides both a hard edge and fine grain response to its surrounds. The windows of the proposal are either set in from the edge or have a frame surrounding them, resulting in a recess which provides opportunities for light and shadow within the window reveal. These elements also ensure that each façade has visual interest and shows that the building has been considered 'in the round'.

176. Council's external Urban Designer was supportive of the overall architectural quality of the development and made the following statements:

    (a) *"The development response configuring the site with two larger brick clad warehouse forms skirted by smaller street level elements to the northern laneway is an appropriate design response to context where there is a history of taller built form elements for larger anchoring employment nodes juxtaposed to lower adjacent areas. Examples of this typology include the Rosella, Maltings and Bryant and May complexes"*

    (b) *"The presentation of the buildings as two lifted large brick clad gable and hip forms that develop a richer campus of highly transparent street level activities with a more private corporate environment above strikes an appropriate balance between the goals for street life and development of a strong workplace culture."*

177. The double storey building along Blanche Street will be constructed in a rectilinear form with metal cladding, glazing and timber battens. This provides a mix of overall robust built form with the timber battens and aluminium framing providing fine grain detailing and a scale of development commensurate with its residential interface. Council's external Urban Designer did find that the interface between the main office building and the co-working hub needed some additional work with confirmation required that the eastern façade of the building provides for surveillance of the 'parklet' and that further details of the battening being needed to ensure that the materials are robust and long lasting. These can be included as conditions on any permit which may be issued.

178. The proposed design is considered overall to be of a high architectural standard, offering a modern built form that revitalises the street frontages. The design response is such that it provides articulation and a frontage to each interface. This is achieved through the inclusion of windows, the roof form of the main building, the various materials and textures.

Height and Massing

179. The proposed larger building will extend to a maximum height of seven storeys at its peak which equates to approximately 37.8m inclusive of services screening, whilst the double storey co-working hub will have a maximum of 7m. The proposed building will be taller than immediately adjoining sites, however there are other taller buildings in the nearby vicinity such as the 10 storey 'Era' development and the Nylex Silos. In addition to that, the aforementioned site has approval for a 15 storey building.

180. With a maximum height of seven storeys, the proposal is in-line with the emerging character of the area (as described in the *Surrounding Land* section of this report) which, in the absence of a precinct specific overlay control, is further guided by the Commercial 2 Zone.

181. The issue of development which is higher than abutting built form was discussed in the 2012 'Red Dot' Tribunal decision, *Pace Developments v Port Phillip CC* (includes Summary) (Red Dot) [2012] VCAT 1277:

> [58] We accept that the building will be taller and will be seen, but the notion of respectful development does not mean that new buildings must replicate that which exists nor does it imply that they will not result in change. As we have noted, change must be contemplated in an area where growth is encouraged by the MSS and chance to improve, or perhaps in this case repair, the urban environment.

182. As has already been discussed, the double storey building located on Blanche Street is appropriate and is lower in height than the dwelling to its west in the residential zone. The construction of a double storey building within the Commercial 2 Zone and along its title boundary is considered typical and already evident in the street. Further to this, the building provides a visual buffer to the dwellings to the north and obscures views to the taller building behind it. The proposed height and massive is acceptable.

183. Turning again to the larger building, although the maximum height is seven storeys, the upper levels form only a small part of the overall building footprint due to the steeply pitched roof forms on top of the four and five storey bases. The development has appropriately responded to its context by scaling back the built form away from the more sensitive areas to the south and west which not only minimised amenity impacts but also reduces the visual bulk of the proposal. The upper levels have significant side setbacks which make it subservient to the base. This will ensure the overall height is thus broken up into smaller segments (in conjunction with the numerous windows) to reduce visual bulk and height perception. The proposal has also included double row windows in the upper levels for further articulation. For example, some floors have two rows of windows.

184. The proposal is noted within the SSSP as having a maximum four storey height limit which many objectors have raised as an issue. As previously outlined, whilst it is an adopted document, it can only be given very limited weight as it has not progressed to a planning scheme amendment. This has been repeatedly stated by the Tribunal in numerous decisions, one of which being *Barkly Gardens Pty Ltd v Yarra CC* [2017] VCAT 995:

> [19] …. It is not a seriously entertained planning proposal. It has not been subject to public scrutiny. The Tribunal has consistently given limited weight to the structure plan.

185. It has been four years since the SSSP was adopted and has not progressed to a planning scheme amendment. Many developments have been approved and constructed which exceed the heights proposed within it.

186. Overall, the height proposed is compliant with policy at clauses 15.01-1, 15.01-2 and 22.10-3.3. The height is appropriate within the context of the area in accordance with objectives at clause 22.10-3.3. Due to the lack of heritage development restrictions in the street and the sites proximity to the Swan Street MAC, it is expected that as time goes on, the area will increasingly become developed with multi-level commercial buildings contributing to the economic viability of the centre.

187. Within a previous Tribunal decision, *WAF Constructions Pty Ltd v Yarra CC [2003] VCAT 1122 (29 August 2003)*, regarding a multi-level office building in Cremorne the following statement was made:

[36] I appreciate that the buildings in the immediate vicinity of the subject site have a relatively low scale. However, there is consensus that this is an area in transition. As described by Mr Tweedie, it is an area "*crying out for redevelopment and renewal*" given the state of the building stock and its convenient location. I consider it is appropriate to consider the likely future built form in the area. It does not amount to "crystal ball gazing" to predict that many other properties in the area will be redeveloped or extended. Much higher buildings are likely to be the norm, especially as policies support change and sites are not constrained by heritage considerations or residential amenity considerations.

[Emphasis Added]

The Member goes on to state:

[40] There are no height controls or express policies in the Planning Scheme which suggest what height is acceptable. The idea of a transition in height, usually invoked when considering residential development, is not necessarily applicable.

188. By acknowledging its existing context and the agreed aspirations for the future development of the area, the proposal has complied with policies within clauses 15.01-1, 15.01-2 and 22.10-3.3. Overall, the development is in an area where it is appropriate and practicable to provide a building of this height in order to achieve planning objectives, with the scale of the building aligning with all relevant policies and objectives.

Public Realm

189. This principle requires the design of interfaces between buildings and public spaces to enhance the visual and social experience of the user. In this respect, the proposal represents a significant improvement in streetscape, public space quality and perceived safety.

190. Council is supportive of the construction of two modern buildings with large glazed ground floor lobbies, active tenancies and improved outdoor spaces. Through the activation of the ground floor, the building will provide interaction at street level where there currently is none. This satisfies public realm, pedestrian spaces and street and public space quality policies at clauses 15.01-2, 21.04-2, 22.10-3.2 and 22.10-3.4.

191. The proposal has been designed to have active and attractive frontages and has provided street interaction in its interface design. The proposal has been setback from Cremorne Street at ground floor which results in an additional 3m in width for a footpath area which provides a public benefit for all pedestrians. The proposal includes low level planting and seating along the Blanche Street frontage which will add to the vitality of the street, compared to the existing conditions which offer minimal similar opportunities.

192. In terms of light and shade to the public realm, due to the orientation of the site, shadows only fall over the footpath on the eastern side of Cremorne Street from 2pm onwards. At this time, small sections of the footpath are shadowed due to the hipped roofs. The footpath is more heavily shadowed at 3pm. This is not considered an unreasonable amount of time and is therefore found to be acceptable.

193. The proposal includes the conversion of Blanche Street into a Shared Zone. As part of the proposed Shared Zone works, the applicant will be carrying out many streetscape improvement works, including the provision of seating, a new kerb outstand along Blanche Street, improved planting and the resurfacing of the entire section of Blanche Street immediately abutting the subject site. This will result in several benefits including providing an enhanced pedestrian experience, improved safety, additional public seating and areas for planting. Other improvements include the provision of undergrounding of electrical cables and the provision of underground drainage (as part of civil works drawings). These will result in positive infrastructure outcomes which Council's Engineering Services Unit is supportive of.

194. As part of these works the applicant has also confirmed they will construct two new kerb outstands with plantings along Cremorne Street as well as removing the reductant kerb oustand abutting Parkins Lane. This contributes to improving the surrounding amenity as it transitions to a revitalised area which will see an increase in foot traffic. They will provide benefits to all users of the public realm and not only those occupying the development. The proposed public realm improvements can be required by condition and is considered a very significant and positive contribution to the amenity of this changing part of Cremorne. It should be noted that Council's Open Space Unit have recommended numerous conditions with regards to the streetscape works and these will be discussed under the *Landscape architecture* section of this report.

195. The provision of this Shared Zone is also a public realm recommendation within Council's UDF for streets such as Blanche Street which are too narrow for DDA-complaint footpaths. As is the conversion of overhead cables to underground.

196. With regards to the above public realm improvements which are within the title boundaries of the site, these will remain as private title with the construction and on-going management/maintenance of the public realm improvements being required as per the endorsed plans and to the satisfaction of Council. This can be dealt with by way of condition on a permit. The applicant has agreed to this.

197. Overall Council's external and internal Urban Designers were supportive of the improvements to the public realm. However, they did make some additional recommendations and these will be addressed by way of conditions. They are as follows:

    (a) widen the ramped entrance from Blanche Street to create a more open feel by reducing the raised brick seating on either one or both sides;
    (b) notate the gradient of the ramp on the floor plans to ensure it is DDA compliant;
    (c) widen the space between the raised brick seating and the wall of the larger food and drinks tenancy;
    (d) confirmation that no new brick seating or landscaping other than tree cut outs will be constructed outside of title boundaries. This is due to maintenance issues for Council;
    (e) clear delineation of the site's title boundaries through the use of discs or studs;
    (f) redesign the northern ground floor interface between the main office building and adjoining food and drink premises to ensure a satisfactory interface is developed between the office and hospitality areas;
    (g) redesign the north eastern tenancy to provide outside weather protection areas to both street interfaces; and
    (h) reposition short term bicycle racks to ensure pedestrian movement zones are aggregated to be as generous as possible.

198. There were also some recommendations which Council's planning officer will not be including as permit conditions and they are as follows:

    (a) The extension of the raised threshold treatment over Cremorne Street to the north-east of the subject site.

    Further discussions were had with Council's internal Urban Design Unit who confirmed that the raised threshold treatment could be extended slightly further north up Cremorne Street so that people can safely cross the road from the footpath, rather than in the middle of the intersection of Cremorne and Blanche Streets. This is considered an onerous requirement as there have not been any pedestrian crossing issues highlighted in this area. It will not be included.

    (b) An integrated art plan for the vehicle entry zone to the southwest inclusive of the substation facade areas and forecourt and the northern laneway and Blanche Street public realm network

This is also not considered necessary as the ground floor of the site will already be quite active and visually interesting due to the various uses, materials and structures.

199. Subject to the conditions as discussed, the proposal will result in a vast improvement on current conditions and will result in a positive outcome for the streetscape.

Site Coverage

200. The level of site coverage proposed is well above the maximum of 80 percent as directed by clause 22.10-3.6. However as the existing level of site coverage in the surrounding (and immediate) area is similar, it is acceptable. Commercial buildings in this precinct traditionally have high levels of site coverage with this characteristic being evident throughout Cremorne.

Landscape architecture

201. Landscaping is not a typical feature of commercial buildings in Cremorne, however the proposal include landscaping surrounding the ground floor of the proposal including the more a considerably landscaped area at the intersection of Blanche and Cremorne Streets.

202. This is a significant improvement compared to existing conditions with the subject site currently being a hardstand car park.

203. Council's Open Space Unit provided comments in relation to the proposed landscape plans provided with the majority of their recommendations being included as conditions on any permit to issue and they are as follows:

(a) The Landscape plan requires a legend to distinguish existing trees from proposed trees.
(b) A landscape planting plan should be provided showing:

(i) Species proposed and location.
(ii) Plant schedule indicating pot size, quantity, mature height and spread of all proposed planting.
(iii) Planting details, dimensions of planters, proposed planting media, irrigation and drainage.

(c) The provision of a tree management plans to show how any Council owned or privately owned trees adjacent to the site (Rear of Wellington St properties, Blanche St and Cremorne St) will be protected during demolition and construction works.
(d) The developer is requested to reimburse Council to cover the cost of reinstating the planting in the middle kerb extension outside of No. 1 Blanche Street.
(e) The width of the new kerb extension outside of No. 1 Blanche Street is required to provide a minimum of 1.5m planting space.
(f) No further tree planting is required at the northernmost raingarden/kerb extension on Cremorne Street.
(g) Removal of the kerb extension and planting near Parkins Lane along Cremorne Street is supported on condition that the developer compensates Council for the amenity value of the Lophostemon tree (calculated at $4600).
(h) Construction of the two new kerb extensions along Cremorne Street with trees and low planting is supported and the developer allowing for the following:

(i) Passive irrigation and use of recycled brick mulch to match existing kerb outstands along Cremorne Street.
(ii) Kerb extension detail drawings should be supplied for approval by Council's Asset Drainage Engineer. Allowance should be made for overland water flow.
(iii) Two street trees per outstand (Tristaniopsis laurina 'Luscious') with low planting to match existing outstand planting.

(iv) The width of the kerb outstands should be consistent with the existing outstand to allow for approximately 1.85m planting width at the widest point.
(v) Traffic treatments are to be as per the City of Yarra Standard.

(i) The new location of the electricity light pole near Parkins Lane should not be within 3m of a street tree location.
(j) The "low planters" either side of the ramp to the basement car park from Cremorne Street protrude into the footpath area. The planter beds should be pulled back so that they are in line with the building line.
(k) The positioning of the trees proposed in the 'Active Laneway' outdoor space between the Bicycle Ramp/Food & Drink and Office building will unlikely result in the development of trees to the size and spread indicated on the elevations due to their close proximity to building edges. Trees should be positioned centrally in the space to allow for the fullest possible tree canopy growth.
(l) Likewise, positioning of the trees along the building line in the Office Garden Space should be reconsidered.
(m) Sections 01 and 02 of the landscape plans do not accurately reflect the proposed tree positions.
(n) Section 05 and 06 of the landscape plans do not show the proposed landscape features.
(o) Drawing TP_002 does not include the planter box/tree planting locations adjacent to the southwest corner of the building.
(p) Confirmation that all vegetation within the subject site boundary would be maintained by the property owner.

204. Due to the proposal setting the building line back from the Cremorne Street boundary, Council's Open Space Unit have confirmed that the proposed visitor bike spaces would end up being in the middle of the newly created wide footpath and have recommended their location be revisited. This can be required by way of condition.

205. In addition to the above, Council's Open Space Unit has requested that the applicant contribute to provision of additional footpath tree planting on the eastern side of Cremorne Street (6 x Tristaniopsis laurina 'Luscious') to be planted by Council when construction is completed. Council's Open Space Unit has also required that the applicant reimburse Council for the cost of supply, planting and establishment maintenance of all new street tree and understorey planting with the total streetscape planting costs being $15,861. The applicant has agreed to this. It should be noted that Council's Open Space Unit confirmed that the total planting cost of $15,861 also included compensation for the Lophostemon tree which will be removed and reinstating the planting in the middle kerb extension outside of No. 1 Blanche Street.

206. Council's Open Space Unit has requested has requested a tree management plans to show how any Council owned or privately owned trees adjacent to the site (Rear of Wellington St properties, Blanche St and Cremorne St) will be protected during demolition and construction works. This will be required by way of condition and addresses objector concerns.

207. All of these requirements can be included as permit conditions, should a planning permit be granted, and they constitute significant improvements to the landscape character of Cremorne and Blanche Streets. As with the proposed kerb outstands and Shared Zone, the proposed improved landscaping to Blanche and Cremorne Street will enhance the pedestrian experience for occupants of the site and also local residents.

Environmentally Sustainable Development (ESD)

208. Redevelopment of the site located in an existing built up area would make efficient use of existing infrastructure and services, and the proximity of the subject site to numerous public transport modes which reduce employees and visitors from relying on private vehicles. Policy at clauses 15.02-1, 21.07, 22.16 and 22.17 of the Scheme, encourage ecologically sustainable development, with regard to water and energy efficiency, building construction and ongoing management.

209. Originally Council's ESD Advisor had a number of concerns with the proposal as outlined in the *Referral* comments. The majority of these matters were addressed within the amended documentation received on 27 October 2017. Council's ESD Advisor confirmed that amended Sustainability Management Plan (SMP) had largely addressed their previous concerns, however there are some remaining outstanding issues/discrepancies and these can all be addressed by way of conditions. They relate to the following:

    (a) Stormwater management system to be clearly shown on plans, and system overview and performance standard, demonstrating best practice, to be included in an updated SMP.
    (b) Façade detail included in the Façade Optimisation section of the SMP, to be reflected and included in an amended version of the plans.
    (c) Update the Energy Modelling Results JV3 section of the SMP to reflect the minimum 10% improvement stated in the Energy Efficiency section of the SMP. The current efficiency improvement displayed in the JV3 results appears to demonstrate a 2% improvement only.
    (d) Area for bins can be identified on the plans, but no delineation for different waste streams can be identified. Please note separate space for recycling and general waste on plans. Ensure that adequate space for waste and recycling is included in the WMP.

210. Council's ESD Advisor stated that the electric charging stations were not shown on the plans, however the two basement floor plans clearly show spaces with the letter 'E' and this depicts the electric charging bay.
211. In relation to the comments regarding bicycle parking, Council's ESD Advisor stated the following:

    (a) Please ensure that the 309 bike spaces are shown on the architectural drawings. It appears that all staff spaces in the basement are 'double hung'. Ensure that at least 20% of spaces are on ground in line with AS2890.3

212. Council's Strategic Transport Unit also provided comments regarding bicycle parking, with these being incorporated. Conditions will require that at least 20% of spaces are on ground in line with AS2890.3 and that the correct number of spaces is provided in line with the comments from Council's Strategic Transport Unit.

213. It is considered that the proposal will achieve a high level of environmentally sustainable design and greater internal amenity for future occupants. This satisfies a number of clauses including 15.02-1, 18.02-1, 21.06 and 21.07.

    Off-site amenity impacts

214. The policy framework for amenity considerations is contained within clause 22.05 (Interface uses policy). Clause 55 of the Scheme provides some guidance on these matters (although not strictly applicable).

215. Design objectives at *clause 22.10-3.8* aim to limit the impact of new development on the amenity of surrounding land, particularly residential land, by ensuring that development does not prejudice the rights of adjoining land users. These objectives are largely designed to reduce off-site amenity impacts to land where they interface between land uses.

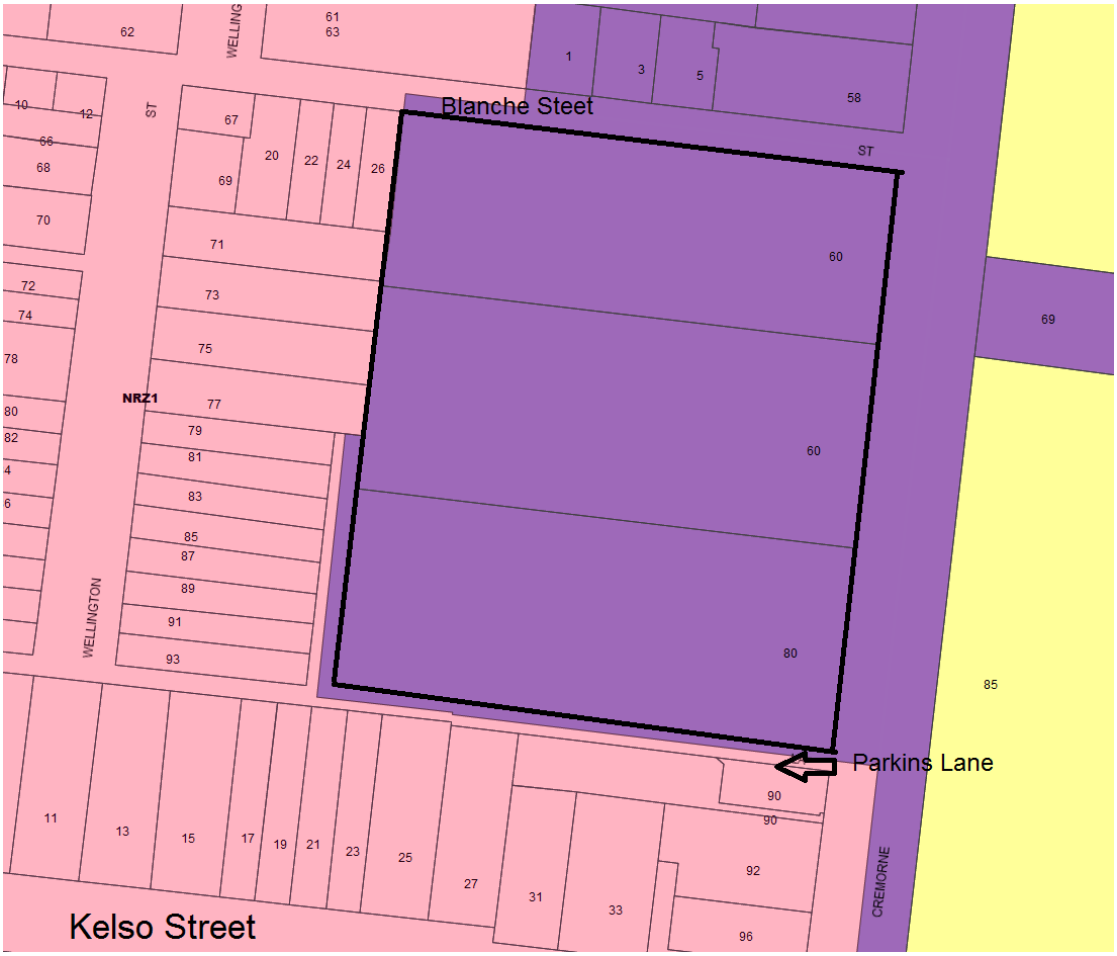
This can include limiting off-site amenity impacts on residential land as well as ensuring that new non-residential use and development within Commercial and Mixed Use and Industrial Zones are designed to minimise noise and visual amenity impacts upon nearby, existing residential properties. Therefore this application must consider both the off-site amenity impacts for residential land as well as any potential impacts to existing commercial/industrial uses.

216. Having regard to amenity impacts on nearby existing residences, policy within clause 22.05 acknowledges that in order to maintain the viability of industrial and business areas, residences which abut business areas should not have unrealistic expectations of the level of amenity which can be achieved. The appropriateness of amenity impacts including setbacks, walls on boundaries, shadowing and overlooking need to be considered within their strategic context, with the site being located within a Commercial 2 Use Zone. In addition, the local character shows a high level of site coverage and boundary-to-boundary development within the surrounding area.

217. The subject site abuts dwellings to its west and to the south with the majority of these being separated by the width of a laneway. To the north are a mixture of commercial uses and dwellings (some with existing use rights, some with an unknown status) and to the east are other commercial/education uses.

218. Whilst surrounding dwellings have had the benefit of abutting a largely vacant site, there should have always been an expectation that due to the zoning of the land, it would be developed more intensely in the future.

219. For ease of reference a site map of the surrounding area including street names and numbers is included below:



Dwellings in the Commercial 2 Zone

220. With regards to the south-facing dwellings in the Commercial 2 Zone on the northern side of Blanche Street, impacts would be minimal as they have a northern outlook which does not face the subject site and is separated by built form. The proposal would only face their front windows and considering the zoning of the land there is an expectation of taller built form in this location. The proposed double storey secondary building will be constructed opposite these windows and will obscure some views of the larger built form behind.
Double storey construction along the boundary is already evident in the street with three-storey dwellings to the west. Due to the narrow width of the street, views to the proposal from the private open spaces of these dwellings in its entirety would be limited and only possible from a greater distance, further reducing any potential visual bulk impacts. All of the private open spaces of these dwellings are to the north, resulting in the proposal having no additional overshadowing to these areas.

221. Council's Urban Designer stated that a positive attribute of the development was the location of the co-working hub and retail and internal duplicating pedestrian lane creates generous setbacks of approximately 17m from northern neighbours.

222. The building is consistent with the purpose of the zone and resultant built form outcomes and is therefore deemed acceptable.

Dwellings within the Residential Zone

223. The subject site has three interfaces with residentially zoned land, to the west, south and north-west. The majority of these areas are separated by either a street, laneway, a high on-boundary wall (existing demolished and re-instated) or a fence.

224. It's important to consider this existing on-boundary wall as it provides a substantial buffer to the dwellings to the south and south-west. Along its western interface to Parkins Lane, the proposed wall will be 4.8m in height and along the southern interface, the wall is between 4.4m and 4.6m in height. At the site's existing western boundary interfacing directly with the Wellington Street dwellings, there is an existing 3m high paling fence. Council's Urban Designer was supportive of the proposals response to its more sensitive interfaces through the incorporation of hipped roof forms and locating the tallest forms to Cremorne Street. Council's Urban Designer stated that "*the management of offsite amenity impacts by way of environmental effects (wind and reflection), overshadowing and noise is handled reasonably*."

Overlooking

225. Typically even the more stringent Clause 55 (Rescode) requirements only consider potential views within 9m. Within commercially zoned land for non-residential development, it is encouraged within policy that they are designed to minimise the potential for unreasonable overlooking. Due to the setbacks proposed, the proposal has limited overlooking opportunities.

226. There is no overlooking potential at ground floor as there is at least a visual barrier of 1.8m with this meeting Rescode requirements.

227. The only part of the development which is within 9m of any private open space or habitable room windows is to the west and north-west of the site where it faces Nos. 71-75 Wellington Street, No. 26 Blanche Street and No. 63 & 63A Wellington Street. Along its western side, the proposal includes 1.7m high privacy screens on the first to fourth floors of the northern section of the main building. This ensures that any private open space or habitable room windows within 9m are protected from unreasonable overlooking. Above this, the built form rakes away from the boundary thus reducing the potential for views due to the sloping roof. From the fifth floor and above, the distances increase to well over a 9m separation. This is illustrated on TP 3002 – West Interface.

228. Adjacent to No. 77 Wellington Street is the west-facing wall of the central indentation of the main office building. The indentation is setback 16.15m and has stair wells either side of it which are setback 7.23m. Overlooking from stairs is not considered as this is a transient area rather than one where people stay for extended periods of time. To the north of the stairwell, there are privacy screens and to the south the distance is over 9m. This is an acceptable outcome.

229. Turning to the north-west and any overlooking opportunities across Blanche Street into the private open spaces of No. 63 & 63A Wellington Street. The double storey co-working hub which will face the aforementioned sites. There is a 1.8m high visual barrier in the form of a paling fence along their side boundaries which protects from views at ground floor. It is important to note that there is already overlooking from the first and second floor north-facing balcony of No. 26 Blanche Street into the aforementioned private open spaces.

230. There is a 6m separation between the north-facing walls of the co-working hub and the southern boundaries of No. 63 & 63A Wellington Street. This distance provides a visual buffer form potential overlooking opportunities. Additionally construction along the boundary of a commercial building is a typical occurrence and considering the zoning of the land, this is acceptable. It must be considered that office developments in Commercial 2 zoned land, do not have the same overlooking requirements as dwellings in residential land. The proposal has gone above and beyond what is required within the planning scheme.

Daylight to existing windows

231. Due to the design of the main office building wall heights abutting residential zoned land are much lower than the overall height. West-facing walls are between 21.47m and 17.31m in height and the southern-facing walls are 17.31m in height.

232. Whilst not applicable, the proposal would even comply with Rescode requirements for setbacks of walls from existing windows. Rescode standards require walls or carports more than 3m in height opposite an existing habitable room window be set back from the window at least 50 per cent of the height of the new wall. The proposal complies with this.

233. In regards to Nos. 90 and 90A Cremorne Street, at ground floor these dwellings have a vehicular entry and glass brick windows. A search of Council's records and a site visit confirmed that these windows are either for bathrooms (which are non-habitable rooms) or are frosted and therefore already receive reduced daylight. Any potential impacts to these areas are therefore acceptable and not unreasonable.

234. When considering the first and second floor dwelling windows and the first floor studio windows of No. 90A Cremorne Street, it must be noted that these windows are located above the ground floor and setback requirements need to be measured from their height above ground floor. Therefore, even assessing this proposal with the more rigorous Rescode requirements (which are not applicable for this application), the proposal would comply with the required distance of 10m for the first floor windows. Additionally, No. 90A Cremorne Street has west-facing windows which provide rooms with daylight access.

235. With the levels above the podium being raked away quite steeply they also comply with the Rescode requirements.

Overshadowing

236. Standard B21 of Clause 55 seeks to ensure buildings do not significantly overshadow existing secluded private open space between 9am and 3pm on 22 September. It is important to note that Clause 55 is no strictly applicable in this instance due to the zoning of the land however, it is used as a reference.

237. Due to the location of existing built form including high on-boundary walls and paling fences and high site coverage there is already some overshadowing to the private open spaces to the south and west. This is shown in the existing shadow diagrams provided by the applicant.

238. At 9am, the shadow impacts are extensive and fall over the entire private open spaces of Nos. 71 – 93 Wellington Street, portions of the private open spaces of Nos. 15-27 Kelso Street and also No. 90A Cremorne Street.

239. By 10am shadows are significantly reduced, with additional overshadowing only experienced by Nos. 71-77 Wellington Street, Nos. 21-27 Kelso Street and No. 90A Cremorne Street. Shadows fall over other sites, however this is within existing shadows or over built form.

240. At 10am, of the aforementioned sites, Nos. 71 Wellington Street, Nos. 25 Kelso Street and No. 90 Cremorne Street are only marginally impacted, with the majority of the their private open spaces unaffected by the proposal.

241. Nos. 25 Kelso Street and No. 90A Cremorne Street both have larger areas of private open space, with their southern extent not being impacted at 10am. By 11am, only a sliver of their private open space is impacted with there being no additional shading by 1pm.

242. The most impacted private open spaces at 10am are Nos. 73 -77 Wellington Street and Nos. 21, 23 and 27 Kelso Street. This is partly due to all of these sites having high site coverage with minimal rear setbacks. It should not be an expectation that these small areas be protected, regardless of all other factors, given that over time these dwellings have been constructed deep into the site and as a consequence of this, their sunlight access at the rear has been affected. This was addressed within the Tribunal decision, *37 KR Developments Pty Ltd v Moonee Valley CC* [2010] VCAT 1063, where it was stated that:

> [9] Local communities often do not acknowledge or recognise that significant change has been a constant feature of our urban areas, and that further substantial change will continue into the future

243. It is not a reasonable expectation that these small areas of private open space that have had structures built around them will perpetually be able to be protected particularly considering the future of urban environments and the wider community benefit of higher density development.

244. Looking further into this, at 10am, Nos. 73 and 75 Wellington Street have their entire rear private open spaces covered in shadow. An important consideration for No. 73 Wellington Street is that it has a large first floor deck approved under planning permit PLN12/1092 (granted 19 March 2014). From aerial imagery it is clear that this has been constructed. The first floor deck provides an additional outdoor area to their ground floor rear private open space. Considering the deck's location above ground, the shadowing impacts to it are lessened and the impacts to this property are therefore considered acceptable.

245. Now, turning to No. 75 Wellington Street which is the most impacted at 10am. At the request of Council's planning officer, the applicant provided a 10.30am shadow diagram on 5 October 2017. This shadow diagram shows that by 10.30am none of the Wellington Street sites are impacted with this including No. 75 Wellington Street.

246. Looking at the Kelso Street properties, at 10am, Nos. 21 and 23 Kelso Street have the majority of the private open space in shadow. However by 10.30am, No. 21 Kelso Street has the majority of its private open space in sunlight with only a small portion in shadow and by 11am, it is unaffected. By 10.30am, No. 23 Kelso Street has the southern extent of its private open space free of shadow with this area increasing at 11.30am with it being unaffected from 12noon onwards.

247. The proposed shadow diagrams show that the proposal does not impact any private space areas from 1pm onwards.

248. In summary, the shadows are as follows:

    (i) Wellington Street properties are only impacted from 9am to 10.30am (many only impacted for one hour until 10am);
    (ii) Nos. 15 to 19 Kelso Street are only impacted for one hour at 9am;
    (iii) No. 21 Kelso Street is impacted for two hours with no additional shadows by 11am;
    (iv) No. 23 Kelso Street has increased shadows at 9am and 10am, but by 10.30am its southern extent of private open space is in sunlight, with it being completely unaffected by 12noon;
    (v) Nos. 25 Kelso Street and No. 90A Cremorne Street experience their largest area of shadows at 9am with this becoming only a sliver from 10am onwards. It should be noted there is always a large area of private open space which is free of any shadows.

249. The issue of impacts to residential land in the instance where it abuts a commercial zone has been discussed many times at VCAT, one such decision (*Calodoukas v Moreland CC* [2012] VCAT 180) made the following comments:

    > [13] I accept the well established view that interface properties, on which ever side of a zone boundary, have different opportunities and constraints than sites well removed from zone boundaries. Owners of residential properties next to a business or industrial zone cannot realistically expect the same level of residential amenity as someone residing in the middle of a purely residential area. Similarly, owners of commercial or industrial sites abutting residential properties cannot expect the same opportunities as owners of sites well removed from residential areas. This is explicitly recognised in planning policy as evidenced by the many references to commercial development maintaining and enhancing residential amenity and interfaces.

250. Council's Urban Designer did raise issues of overshadowing to the properties to the west and suggested changes to the built form along the western side. No issues were raised with regards to the south. Considering the limited extent of time of additional overshadowing for the majority of these properties and keeping in mind that dwellings which abut Commercial 2 Zoned land must temper their expectations of amenity, this is considered to be an acceptable outcome. In this instance the development has considered its abuttal with residential properties by including substantial side and rear setbacks and the steeply hipped roofs which rake away from these more sensitive areas. Offices require large regular shaped floor plates and therefore the provision of these substantial setbacks and hipped roof form is not a typical design response, however the applicant has incorporated these in this instance to reduce amenity impacts.

251. The extent of time as listed above and also for some, the limited area of additional overshowing will not change how their open space is used and is not considered unreasonable.

Setbacks and visual bulk

252. Traditionally buildings with commercial and industrial uses tend not to include side and rear setbacks and this is evident in both the remnant and modern commercial and industrial buildings in the area. Minimal side and rear setbacks would be an expected feature of a commercial and industrial area.

253. As already noted, the west-facing walls of the development are between 21.47m and 17.31m in height and the southern-facing walls are 17.31m in height. Setbacks for these base levels are between 6.44m and 7.64m from the western boundary and between 6.68m and 8.39m from the southern boundary. The width of the lane (4m) also adds to these setback areas to reduce visual bulk. Council's planning officers submit that the proposal has adequately reduced visual bulk amenity impacts experienced from private open spaces and habitable room windows through the provision of a four storey podium for the southern half of the building, substantial side and rear setbacks and the raked upper levels.

Whilst the proposal has included a five storey base for the northern section of the main office building, this northern section is only four storeys along its western side.

254. The double storey form of the co-working hub is not abutting any private open spaces or habitable room windows.

The dwellings directly to its west have nib-walls along their eastern boundary which prevents views from their north-facing balconies to their east, nevertheless, these are taller than the proposed co-working hub. As already stated, with regards to the dwellings to the north at Nos. 1 to 5 Blanche Street, their primary area of private open space does not look towards the subject site which reduces visual bulk impacts. Nos. 63 and 63A Wellington Street have opportunities for views towards other orientations. The double storey form of the co-working hub would not be any different to the scale of built form which already currently exists along the southern side of Blanche Street where double and triple storey dwellings are already evident.

255. It should also be highlighted that whilst the SSSP recommends a maximum of four storeys on this site (issue already discussed in this report), it also states that buildings should generally be constructed to 3 storeys (10m) adjacent to the site boundary with residential interfaces. The proposal has incorporated side and rear boundary setbacks from residential interfaces which is a better outcome for those properties compared to a three storey on-boundary wall as the SSSP suggests.

256. Council submits that the rear setbacks proposed are substantial and consistent with the purpose of the zone and resultant built form outcomes and is therefore deemed acceptable. Additionally, those which reside in residential zoned land which backs onto a commercial/industrial area must have an expectation that there will be greater built form in these areas compared to if it faced residential land.

Commercial businesses.

257. In terms of off-site amenity impacts to local businesses, amenity impacts are limited as these are not considered to be sensitive uses.

Equitable development

258. The width of Blanche and Cremorne Streets ensures the commercially zoned sites to the north and east are not impeded in terms of development potential.

259. The sites to the west and south have sufficient setbacks from the development to ensure any development potential is not limited. It should be noted that those sites are currently within a more restrictive zone which has a height restriction of two and three storeys respectively.

Noise and light spill

260. Policy at Clause 22.05 of the Scheme seeks to ensure new commercial development is adequately managed having regard to its proximity to residential uses.

261. The proposal is unlikely to result in unacceptable noise emissions to the nearby residential properties given the majority of the building would be used for offices. Due to the nature of the office use there will be minimal noise generated by pedestrian activity, with this activity largely limited to Cremorne Street and not considered to be detrimental to the amenity of the adjacent properties. The use also ensures that deliveries to the site will be kept to a minimum with the laoding bay being located away from residences and asccessed from Cremorne Street. The majority of the office space is enclosed and the use conducted indoors (with the exception of the outdoor terrace). As the office use does not require a planning permit, there is no further control that can be applied in regards to the use of offices.

262. The proposed food and drinks tenancies and indoor recreation facility face away from residential areas and are also primarily indoors, hence their impacts will be further diminished. Whilst there are some outdoor areas for the cafes, these are not located opposite or abutting residences. Additionally built form separates these uses from residences. The education centre does face residential areas and this will be discussed further below.

263. As already acknowledged, any non-conforming uses within the Commercial 2 Zone must temper their amenity expectations regarding noise and light spill with regards to the preferred uses in the zone.

264. Light spill will also be limited due to the use primarily operating during the day. Again, this is another area where residents must temper their expectations when they face a zone where these types of uses are encouraged. Whilst the uses proposed as part of this development will operate until 7pm, this is acceptable as residents will be awake at this time.

265. The applicant submitted an acoustic report which was peer reviewed by Council's acoustic consultant, SLR Consulting who confirmed that the report generally addresses the acoustic issues related to the proposal however they suggested the following matters be addressed further:
    (a) SEPP N-1 noise limits for a reference location have been identified and conceptual advice is provided in the report for controlling noise from mechanical plant. This approach is reasonable during the early planning phase of the project however a full assessment of all acoustically significant mechanical plant proposed for installation should be conducted during the detailed design phase.

    (b) Potential voice noise impacts from the ground floor outdoor areas have not been addressed.

    (c) It is unclear what the outdoor area associated with the education centre (south west corner of the site) will be used for. This space will be overlooked by upper levels of several dwellings. If noisy uses are proposed, such as a childcare centre, a separate acoustic report should be prepared for that application.

    (d) The ground floor outdoor patron area towards the north west corner of the building will be overlooked by dwellings. Given this we would recommend that a clear specification for the fence between the development and these dwellings is provided in the report such that the noise targets will be met where practical.
    (e) Use of the outdoor areas for gatherings after 7 pm should be restricted to minimise nuisance.
    (f) An acoustic assessment should be conducted for the ground level café (north east side of the building) if that premises is proposed to operate during the evening and night period. The report should address:

        (i) Patron noise impacts from the outdoor patron area and from within the café

        (ii) Music noise

        (iii) Mechanical plant noise.

266. Following further discussions with SLR Consulting regarding some of these matters, the following was confirmed by them:

    (a) As the proposed education centre is not a child care, an additional acoustic report is not required

    (b) The proposed office use does not require a planning permit for the use, therefore Council is unable to restrict the hours of operation (inclusive of hours of use of any outdoor areas associated with the office)

(c) As the food and drinks premises are only proposed to operate between 7am and 7pm, there is no longer a concern regarding the evening and night period. The use will still have to comply with State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1) - irrespective of their planning conditions. Voice and music from daytime use only are unlikely to be unreasonable for this area, which is so busy during the day.

267. Therefore, the remaining matters which will be required to be addressed via permit conditions are:

(a) A post-occupation acoustic report to confirm mechanical plant and equipment complies with SEPP N-1.

(b) Address noise impacts from ground floor outdoor areas

(c) Further details regarding the education centre outdoor area fencing

268. Looking specifically at the noise sources, the location of services/plant equipment (plus screening) is shown on the roof which is a typical and acceptable location within a commercial area and responds to policy at clause 22.10-3.8. It should be noted that the majority of services are located within the basements. A condition would also require that the noise and emissions from plant equipment must comply at all times with SEPP N-1.

269. In respect of car noise, the car park entry and exit are located facing Cremorne Street with a 4.2m high brick wall running along the majority of its southern interface with Parkins Lane and No. 90 Cremorne Street. This proposed wall and the width of Parkins Lane will provide a buffer from noise and light spill. Council's Acoustic Engineer Consultant did not raise any concerns with the location of the car park entry and exit subject to a post-occupation report being provided confirming all mechanical equipment complies with SEPP N-1.

270. It should be noted that Council's Urban Design Consultant suggested the provision of a wind report demonstrating the Cremorne Street and Blanche Street interfaces are comfortable for long term sitting. This will be required can be way of condition.

Car parking, traffic, loading, access and bicycle provision

271. Under clause 52.06 of the Scheme, the applicant is seeking a parking reduction of total of 782 spaces (767 office spaces and 15 spaces associated with the food and drinks premises with the indoor recreation being to Council's satisfaction), as outlined within the table included in the *Particular Provisions* section earlier in the report. The education centre has provided the full requirement of car parking spaces as per Clause 52.06.

272. A recent Red Dot VCAT decision (*Ronge v Moreland CC [2017]* VCAT 550) made numerous statements with regards to car parking reductions. The Member clearly advocated for a reduction in the statutory car parking provision in inner-city sites such as this. Whilst this decision pertains to a site in Brunswick, the context is similar, being located within proximity to train stations and tram routes. In this instance, the subject site is closer to public transport opportunities and the Melbourne CBD than the review site.

273. Throughout the decision there are numerous relevant statements in support of the reduction and also regarding the limited importance that should be placed on car parking demand assessments. Relevant statements within the summary of this decision are applicable to this application, as follows;

(a) State and local planning policies are already acknowledging the change that is required in the way in which people travel with Plan Melbourne 2017-2050 and State policies referring to 20-minute neighbourhoods and greater reliance on walking and cycling.

(b) Our roads are already congested and will be unimaginably so if a 'business-as-usual' approach is accepted through until 2050. The stark reality is that the way people move around Melbourne will have to radically change, particularly in suburbs so well served by different modes of public transport and where cycling and walking are practical alternatives to car based travel.

(c) A car parking demand assessment is called for by Clause 52.06-6 when there is an intention to provide less car parking than that required by Clause 52.06-5.

(d) However, discussion around existing patterns of car parking is considered to be of marginal value given the strong policy imperatives about relying less on motor vehicles and more on public transport, walking and cycling.

Census data from 2011 or 2016 is simply a snapshot in time, a base point, but such data should not be given much weight in determining what number of car spaces should be provided in future, for dwellings with different bedroom numbers.

(e) Policy tells us the future must be different.

(f) Oversupplying parking, whether or not to comply with Clause 52.06, has the real potential to undermine the encouragement being given to reduce car based travel in favour of public transport, walking and cycling.

(g) One of the significant benefits of providing less car parking is a lower volume of vehicle movements and hence a reduced increase in traffic movements on the road network.

274. In the recent Red Dot Tribunal decision regarding Stage 1 of the Nylex development (*Caydon Cremorne No.1 Development Pty Ltd v Yarra CC* (Red Dot) [2016] VCAT 423), the Member made the following comments regarding parking and traffic in Cremorne:

> [85] …..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.
>
> [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.

[Emphasis Added]

275. The above decision acknowledges that the area has good access to public transport and that in order to minimise traffic congestion, there needs to be a reduction in the provision of car parking spaces. This follows on the comments included from the *Ronge v Moreland* decision which also confirms that in inner city areas where there is access to alternative forms of transport, we need to drastically change how we are currently moving around Melbourne. Providing less car parking spaces encourages people to cycle, walk or use public transport.

Parking Availability

276. The applicant's traffic engineers did not conduct an on-street parking survey. It is well known that on-street parking in the Cremorne area is very high during business hours with all streets either having permit only parking or time based parking restrictions.

The applicant's traffic report confirms that during site visits they observed very little available parking and a low turnover in parking spaces. Council's Senior Traffic Engineer confirmed that the introduction of parking sensors along Cremorne Street would facilitate the parking turnover of bays.

277. Within the *Ronge v Moreland* decision it was stated that discussion surrounding the existing patters of car parking is redundant as we need to reduce car usage in the future.

Parking Demand

278. Looking at the empirical parking demand for offices, the proposed office would have a car parking provision rate of 0.72 spaces per 100sqm (200 on-site spaces for 27,653sqm of floor area). By comparison, the other office developments recently approved in Cremorne between 2015 and 2017 have had on-site car parking provision at a rate of between 0.41 and 0.85 spaces per 100sqm. The proposal falls within this range.

Council's Senior Traffic Engineer confirmed parking associated with such developments is generally long-stay parking for employees and short-stay parking (say up to two hours' duration) for customers and clients. Council's Senior Traffic Engineer confirmed that the actual parking demand generated by the office is expected to be lower than the statutory parking rate of 3.5 spaces per 100sqm of floor space, since the area has very good access to public transport services.

279. Council's Senior Traffic Engineer is satisfied that the office parking rate of 0.72 spaces per 100sqm for the proposed development is appropriate given the site's excellent accessibility to public transport services and proximity to Melbourne.

280. The parking demand associated with the indoor recreation facility is to council's satisfaction. The applicant's traffic engineers (GTA Consultants) have provided an empirical parking demand rate for indoor recreation use of 4.66spaces per 100sqm of leasable floor area. The development includes the provision of one car parking space for the indoor recreation facility which would most likely be used by a staff member. Council's Senior Traffic Engineer confirmed that the majority of those attending the indoor recreation facility would either be from the office, local businesses or residents and they would most likely walk rather than drive. This is a similar situation for the food and drinks premises tenancies. The development includes three on-site spaces (one for each food and drink tenancy), with these being used for employees.

281. Within a recent Tribunal decision (*Grocon (Northumberland St) Developer Pty Ltd v Yarra CC* [2017] VCAT 753) regarding an office development in Collingwood, the Tribunal Member also supported a reduced office car parking rate and made the following comments:

> [54] We have concluded that the reduced car parking provision is justified in the circumstances of this application. In doing so, we have had regard to the location within an inner city environment that is earmarked as an employment precinct, with convenient access to a range of alternative transport modes and a constrained supply of on-street parking. We consider that the reduced parking provision will not compromise the viability of the development or precinct, nor will it result in an unacceptable demand for on-street parking, given the saturated conditions that are presently experienced.
>
> [55] We agree that employees who are not allocated a car space will utilise alternative transport modes rather than attempt to seek out long term parking in the surrounding street network. This may well include walking to the site for persons who reside in the nearby residential and mixed-use areas. To constrain development of the land for a purpose that is in accordance with the zone purpose on the basis of car parking provision would not be consistent with the policy framework when read as a whole. This includes policies aimed at fostering economic development, employment and environmental sustainability. We reach this conclusion mindful of the site's strategic and physical context and its accessibility by a range of transport modes. In a different context without the level of policy support and more remote from alternative transport modes, there may be less justification for a reduction of the magnitude proposed here.

282. Accordingly, the reduction being sought by the proposal is supported by the following:

(a) Objective 32 of Council's MSS facilitates parking reductions by advocating reduced reliance on private motor vehicles.

(a) The site has excellent access to the public transport network (train, tram and bus), bicycle facilities and a wide range of retail, dining and commercial services within the Swan Street MAC, which in turn will reduce the dependence on private vehicle ownership by future employees;

(b) The proposal includes secure bicycle parking spaces well in excess of rates specified within the Scheme. The development also has excellent end of trip facilities which will further encourage the use of bicycles. Future employees would be able to take advantage of the bike lanes along the Yarra River;

(c) Between the Yarra River and Richmond Train Station, there are approximately seven car share spaces within short walking distance to the site;

(d) Occupant or visitor parking permits will not be issued for the development, which will discourage people from driving to the site given the high utilisation of existing on-street car parking, this is a welcomed sustainable option in lieu of on-site car parking and consistent with Clauses 18.02-1 and 21.06-1 of the Scheme;

(e) The office land use is particularly conducive to encouraging those without a car to not drive given trips are made in peak public transport availability periods, trips are known and planned in advance, on-site parking availability is known in advance, surrounding parking conditions are known in advance and do not accommodate long term daytime parking associated with an office use. These factors encourage and help facilitate those without a car to use other modes of transport.

(f) Visitors would also be aware of the car parking constraints in the area which would discourage driving for alternative modes such as public transport, cycling, Ubers or taxis;

(g) The food and drinks premises and indoor recreation facility would heavily rely on walk-up trade for their primary sources of customers. It is highly likely that it would attract employees from nearby businesses as well as local residents; and

(h) The location of the proposal encourages multi-purpose trips to the area.

283. From a traffic engineering perspective, the reduction in car parking spaces is considered appropriate in the context of the development and the surrounding area. The site is very well positioned in terms of public transport services. Engineering Services has no objection to the proposed reduction in the car parking requirement.

Traffic

284. In terms of existing conditions, part of the site currently operates as a car park for the Epworth Hospital with 175 car parking spaces being provided on-site.

285. The applicant's traffic engineers adopted the following traffic generation for the site:

Proposed Use	Adopted Traffic Generation Rate	Daily Traffic	Peak Hour	
			AM	PM
Office	0.57 trips per space - AM peak hour 0.50 trips per PM peak hour 3.25 vehicle trips per space per day	650	114	100
Education Centre	1.0 trip per space in each peak hour	108	27	27

	4.0 trips per space per day (27 on-site spaces)			
Food and Drink & Indoor Recreation Facility	1.0 trip per space in each peak hour (4 on-site space)	16	4	4
	Total	774 trips	145 Trips	131 Trips

286. Council's Senior Traffic Engineer confirmed that the traffic distribution assumptions were considered reasonable.

287. According to the applicant's traffic engineers, under post-development conditions, Cremorne Street would experience a daily traffic volume of around 5,000 vehicles per day. This traffic would be within the environmental capacity of a Connector Street – Level 2, which is between 3,000 to 7,000 vehicles per day.

288. The traffic impact of the development along the Cremorne Street site access was assessed by the applicant's traffic engineers using the SIDRA program, which measures intersection performance. Council's Senior Traffic Engineer stated that SIDRA modelling works well under free flowing traffic conditions and may have limitations, such as queuing of downstream traffic. This modelling show that overall the traffic impacts of the proposed development will be relatively minor and will not notably impact the operation of the road network. Council's Senior Traffic Engineer confirmed that the post-development modelling suggest that Cremorne Street access point is expected to operate satisfactorily without adversely impacting on Cremorne Street.

289. With regards to the cumulative impact of other developments, the area has repeatedly been acknowledged as being quite constrained. As previously stated within the Tribunal decision for Stage 1 of Nylex *Caydon Cremorne No.1 Development Pty Ltd v Yarra CC,* the issue of congestion is one for Council and VicRoads rather than the applicant. This development has limited the number of car spaces it has provided which is all it can do. The issue of traffic congestion is bigger than this application and is a Metropolitan Melbourne wide issue. Additionally, it should be noted that the site also currently operates as a 175 space car park which is not much lower than the spaces proposed within this application. Therefore traffic impacts will be similar.

Access and layout

290. The development incudes 231 on-site spaces over two basement levels accessed via Cremorne Street. There are not any car stackers within this development. Council's Senior Traffic Engineer assessed the access arrangements, the car parking modules, gradients and the loading and waste collection. The majority of matters were satisfactory, however the following design items need to be shown:

    (a) Due to the location of the vehicle crossing, the existing power pole must be relocated to the satisfaction of the relevant power authority and Council. The two existing junction pits will need to be adjusted with the pit lids flush with the surface of the vehicle crossing. The lids must be heavy duty cover lids (Gatic or equivalent); and
    (b) Dimensions of the clearance to walls, motorbike spaces and the loading bay.

291. These can be required by way of condition should a permit be granted.

292. As had already been discussed, Council's Senior Traffic Engineer also confirmed that the applicant must provide a Shared Zone scheme for the proposed shared zone along Blanche Street in consultation with various Council units with a detailed design being required to be submitted to Council.

Bicycle parking and facilities

293. As outlined earlier in the report the development is required to provide a total of 96 staff and 33 visitor bicycle spaces under clause 52.34 of the Scheme. The development provides 287 bicycle spaces for staff in Basement Level 1 and 38 spaces for visitors along Blanche Street and in two locations along Cremorne Street. End-of-trip facilities are located in Basement Level 1 adjacent to the staff bike racks. They include showers, change rooms and lockers. Through the provision of these spaces, the applicant has responded to the importance that State and Local policies place on encouraging low energy forms of transport such as clause 15.02-3, 18.02-1, 18.02-2 and 21.06.

294. Council's Strategic Transport Unit stated that whilst the proposal exceeds the statutory requirement for visitor spaces, Council's BESS guidelines for sustainable transport recommend 1 visitor space for each 500sqm of office floor space which equates to 50 visitor spaces. Council's Strategic Transport Unit was satisfied with the number provided, however Council planning officers can require a condition that 50 visitor bike spaces be provided.

295. Council's Strategic Transport Unit confirmed that Council's best practice rate for office staff (total of 281 spaces) is exceeded with this application however required further information of how these spaces were provided in the bike rack area. It was unclear how the 287 spaces can be provided. A condition can require the following in-line with Council's Strategic Transport Unit's comments:

    (a) Detailed plans, and/or section diagrams showing the dimensions and configuration of bicycle parking spaces within the secure facility. At least 281 bicycle spaces must be shown.
    (b) All spaces must be designed to comply with the requirements AS2890.3.
    (c) At least 20% of the spaces within the secure facility should be provided as horizontal, at ground-level spaces.

296. Subject to this additional information being satisfied, Council's Strategic Transport Unit confirmed the style and location of these spaces was acceptable.

297. A Green Travel Plan was provided by the applicant with Council's Strategic Transport Unit recommending the following conditions:

    (a) the correct number of bicycle spaces, to match the endorsed plans. (Currently the GTP refers to 309 employee spaces, whilst the plans only show 287);
    (b) the types of bicycle storage devices proposed to be used for employee, resident and visitor spaces (i.e. hanging or floor mounted spaces)
    (c) the types of lockers proposed within the change-room facilities, with at least 50% of lockers providing hanging storage space;
    (d) security arrangements to access the employee bicycle storage spaces;
    (e) signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;
    (f) the provision of real time passenger information displays for nearby stops within each lobby;
    (g) details of GTP funding responsibilities; and
    (h) provisions for the Green Travel Plan to be updated not less than every 5 years.

298. These can all be required by way of condition.

299. It should be noted that whilst the applicant is providing more than the statutory requirement for shows, due to the provision of 287 staff spaces, the requirement for shows would be 29 showers, with the development only providing 20. Council's Strategic Transport Unit did not raise any issues with the number of showers provided.

Loading

300. It should be noted that the loading requirement is due to the proposed food and drinks premises use and not the office use. An on-site loading bay has been provided within the ground floor area accessed via Cremorne Street. The proposed loading area has been designed to accommodate vehicles of a size up to and including 8.8m long trucks. Whilst not annotated on the plans, the applicant's traffic report confirms the size of the loading bay. The applicant has confirmed that the loading dock has a height clearance of 4.2m.

301. The proposed loading area meets the requirements of Clause 52.07 in terms of overall size, dimensions and height.

302. The applicant provided swept path diagrams for the loading facility with Council's Senior traffic Engineer confirming that the vehicles proposed can satisfactorily service and access the site.

Other

303. It should be noted that Council's Senior Traffic Engineer has recommended the inclusion of a number of conditions relating to civil works to, road protection, impacts on assets, vehicle crossings and drainage. Many of these have either been included as notes on the permit or can be required by way of condition.

304. Council's Urban Design Consultant also suggested improvements to Parkins Lane, however this is unnecessary as Council's Engineering Unit did not raise this as an issue and conditions have been included requiring any damaged roads/infrastructure to be repaired to Council's satisfaction. The development is not proposing any access via Parkins Lane and numerous other sites use it. It would be an onerous request to require this.

Waste Management

305. The applicant's Waste Management Plan (WMP) dated 9 August 2017 has been found to be satisfactory by Council's Waste Management Unit. The WMP confirms the following:

(a) Waste shall be stored within the development (hidden from external view).
(b) Users shall sort their waste, and dispose garbage and recyclables into collection bins.
(c) Waste shall be collected onsite, in the development's Ground Floor Level carpark Loading Zone.
(d) The collection contractor shall transfer bins between the Bin Store and the truck.
(e) A collection frequency of three times a week is expected for garbage and recycling waste streams.
(f) Waste collection shall be carried out by a 6.4m long vehicle with a 2.1m height, requiring a 2.5m height clearance.
(g) A private contractor shall provide waste collection services.

Objector concerns

306. The majority of the issues which have been raised by the objectors have been addressed within this report.

(a) The proposal is an overdevelopment and is not responsive to neighbourhood character and heritage; (paragraphs 161-188)
(b) Excessive height and scale; (paragraphs 179-188)
(c) Design/materials/colour (paragraphs 174-178)
(d) Amenity impacts (overlooking/overshadowing/daylight to existing windows/noise); (paragraphs 192, 214-270)
(e) Amenity impacts due to 7-day trading (paragraphs 145-159)
(f) Impact on trees in backyards due to on-boundary construction; (paragraph 206)
(g) Inadequate car parking and loading of vehicles and bicycle facilities (including visitor parking) and increased traffic ; (paragraph 271-302)

(h) Not in-line with policy in the Swan Street Structure Plan; (paragraphs122-127, 152, 184-185 and 255)
(i) Cumulative traffic/parking impacts of other approvals; (paragraph 288)

307. Outstanding concerns will be discussed below, and relate to:

(a) Amenity impacts (including from vehicles/toxic & cigarette smoke/issues from substation)

With regards to amenity impacts from smells, there is no evidence to suggest that this development (which is similar to many other office developments) would be detrimental to any surrounding resident's health due to smells and odours.

The smoking of cigarettes in outdoor areas is governed by Victoria's *Tobacco Act 1987* and is not a relevant planning consideration.

With regards to the substation Council Officers on other occasions have consulted with the Environment Protection of Australia and have been advised that there is no evidence to suggest that locating a stand-by generator on-site would be a health risk to surrounding residents. By its very nature, the stand-by generator would only be used for emergency services and is likely to be used only a couple of times in a year.

(b) Increased pedestrian/cycling along Blanche St;

The site is located within the inner-city and within an area designated for residences. Additionally, State and Local policies encourage increased use and development and hence an increase in density of people. This is encouraged by policy as this improves public safety.

(c) Traffic surveys done on school holidays;

School holidays ended on 16 July 2017 with the traffic movement surveys conducted on 18 July 2017.

(d) *Lack of public contribution and open space – applicant should contribute to a traffic study*;

The proposal includes substantial improvements to the public realm. There is no requirement for the applicant to provide open space nor contribute to a traffic study.

(e) Direction of Blanche Street may change due to VicRoads works;

This would not impact the proposal as the development has vehicle access from Cremorne Street.

(f) Precinct traffic study should be conducted;

This is a matter for Council's Strategic Unit to consider and is outside the realms of this planning permit application.

(g) Amenity impacts due to the use of the vehicle entrance

The vehicle entrance is separated from residences by the width of Parkins Lane with this not being an uncommon occurrence in other developments.

(h) Safety concerns of roads;

No safety concerns have been raised by Council's Engineering Services Unit. All car and bicycle users as well as pedestrians must comply with road safety rules. Any non-compliance is a matter for the Victoria Police.

(i) Infrastructure cannot handle increased people;

The site is located within the inner-city and within an area designated for residences. Additionally, State and Local policies encourage increase use and development and hence an increase in density of people. It is considered that existing infrastructure can accommodate this increase.

(j) Construction issues (disruption, parking of vehicles, early starts, structural damage, traffic and noise).

This will be dealt with at the Building Permit stage. A Construction Management Plan (CMP) will be required by way of condition and will manage impacts during the construction stage. This will be further considered during the building stage also.

Conclusion

308. The proposed development is considered to demonstrate a high level of compliance with policy objectives contained within the State and Local Planning Policy Framework. Notably, the proposal achieves Council's preference to direct higher density commercial development in commercial precincts and aligns with the State Policy as well as the direction given by the Tribunal.

309. The proposal, subject to the conditions recommended, is an acceptable planning outcome that demonstrates clear compliance with the relevant Council policies. Additionally, the proposal will result in a significant improvement to Blanche and Cremorne Streets and will make a substantial contribution to the streetscape.

RECOMMENDATION

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN17/0626 for use and development of the land for the construction of two mixed use buildings (permit required for food and drinks premises (café), indoor recreation facility and education centre) and a reduction in the car parking requirements at 60 – 88 Cremorne Street, Cremorne, subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans by Hassell Studio received by Council on 7 and 9 August 2017 but modified to show:

    (a) the three Food and Drinks Premises to be labelled as Food and Drinks Premises (café) and numbered Tenancy 1 to 3 on the ground floor plan with Tenancy 1 located under the co-working hub, Tenancy 2 being at the intersection of Blanche and Cremorne Streets and Tenancy 3 facing Cremorne Street;
    (b) the eastern façade of the co-working hub providing passive surveillance of the 'parklet';
    (c) details of the proposed timber batten screening including confirmation that it will be a treated material;
    (d) further detailing and improvements to the northern ground floor interface between the main office building and adjoining food and drink premises to ensure a satisfactory interface is developed between the office and hospitality areas;
    (e) the "low planters" either side of the ramp to the basement car park from Cremorne Street pulled back so that they are in line with the building line;

(f) provide outside weather protection for the food and drinks tenancy in the north-east part of the site along both street frontages;
(g) detailed plans, and/or section diagrams showing the dimensions and configuration of bicycle parking spaces within the secure facility with at least 281 bicycle spaces being provided;
(h) repositioning of visitor bike spaces to ensure they do not obstruct pedestrian movements;
(i) confirmation that the loading bay can accommodate an 8.8m long truck and has a height clearance of 4.2m;
(j) all spaces be designed to comply with the requirements AS2890.3;
(k) at least 20% of the spaces within the secure facility provided as horizontal, at ground-level spaces;
(l) dimensions of the clearance to walls on the basement plans, motorbike spaces and the loading bay;
(m) at least 50 visitor bike spaces be provided;
(n) any service cabinet or meter room doors that open outwards as able to swing 180 degrees and be latched to the building when opened or serviced;
(o) any requirement of the endorsed Sustainable Management Plan (condition 12) (where relevant to show on plans);
(p) any requirement of the endorsed Waste Management Plan (condition 14) (where relevant to show on plans);
(q) any requirement of the endorsed acoustic report (condition 16) (where relevant to show on plans;
(r) any requirement of the endorsed wind report (condition 19) (where relevant to show on plans); and
(s) any requirement of the endorsed landscape plan report (condition 21) (where relevant to show on plans.

2. The use and 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. As part of the ongoing consultant team, Hassell Studio 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.

Food and Drinks Premises (café)

4. Except with the prior written consent of the Responsible Authority, the café uses authorised by this permit may only operate between the hours of 7am and 7pm, seven days per week.

5. Except with the prior written consent of the Responsible Authority, no more than the following maximum number patrons are permitted on the land at any one time:

(a) Tenancy 1 - 25
(b) Tenancy 2 - 100
(c) Tenancy 3 - 25

Indoor Recreation facility

6. Except with the prior written consent of the Responsible Authority, the indoor recreation facility authorised by this permit may only operate between the hours of 7am and 7pm, seven days per week.

7. Except with the prior written consent of the Responsible Authority, no more than 30 patrons

are permitted on the land at any one time.

8. Except with the prior written consent of the Responsible Authority, no more than 4 staff are permitted on the land at any one time

Education Centre

9. Except with the prior written consent of the Responsible Authority, the education centre authorised by this permit may only operate between the hours of 7am and 7pm, Monday to Saturday.

10. Except with the prior written consent of the Responsible Authority, no more than 68 students are permitted on the land at any one time.

11. Except with the prior written consent of the Responsible Authority, no more than 12 staff are permitted on the land at any one time

Sustainable Management Plan

12. 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 Arup (prepared on 9 October 2017), but modified to include or show:

    (a) Stormwater management system overview and performance standard to demonstrate best practice; and

    (b) An update of the Energy Modelling Results JV3 section of the SMP to reflect the minimum 10% improvement stated in the Energy Efficiency section of the SMP. The current efficiency improvement displayed in the JV3 results appears to demonstrate a 2% improvement only;

    (c) The Façade detail included in the Façade Optimisation section of the SMP annotated on plans;

    (d) At least 20% of bike spaces are on ground in line with AS2890.3; and

    (e) Delineation for different waste streams and for these to be notated on plans.

13. 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

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

15. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

Acoustic report

16. Before the development commences, 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 ARUP prepared on 3 August 2017, but modified to include (or show, or address):

(a) noise impacts from ground floor outdoor areas; and
(b) further details of the education centre outdoor fencing.

17. Within 3 months of the occupation of the building, updated post-occupation Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be generally in accordance with the ARUP report prepared on 3 August 2017. The report must be submitted to and approved by the Responsible Authority. When approved, the updated post-commencement Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must (assess) address the following:

    (a) Confirm that the recommendations of the endorsed acoustic report required as part of Condition 16 have been implemented;

    (b) Assess mechanical plant noise to SEPP N-1; and

    (c) If non-compliance with Condition 17b is measured, additional acoustic measures as recommended by the amended post-occupation acoustic report are to be implemented within one month of the date of the amended acoustic report.

18. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Wind Report

19. Before the development commences, a Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Wind Assessment Report will be endorsed and will form part of this permit.

20. The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscape Plan

21. 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) centrally position the trees located within the ‘active laneway’ outdoor space between the co-working hub and main office building to allow for the fullest possible canopy growth;
    (b) centrally position the trees along the building line in the main office building to allow for the fullest possible canopy growth;
    (c) accurately reflect the proposed tree positions and include the planter box/tree planting locations;
    (d) show the proposed landscape features;
    (e) show a legend to distinguish existing trees from proposed trees;
    (f) show the type, location, quantity, height at maturity and botanical names of all proposed plants;
    (g) plant schedule indicating pot size, quantity, mature height and spread of all proposed planting
    (h) show the materiality of the proposed spaces;

(i) planting details, dimensions of planters, proposed planting media, irrigation and drainage;
(j) provide a specification of works to be undertaken prior to planting;
(k) further detail on any sustainable treatments and water harvesting methods ;and
(l) detail plant/planting maintenance schedules and requirements including confirmation that all vegetation within the subject site boundary would be maintained by the property owner.

to the satisfaction of the Responsible Authority.

22. 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.

Street Tree

23. Before the development commences, the permit holder must make a one off contribution of $15,861 to the Responsible Authority to be used for:

(a) the cost of supply, planting and establishment maintenance of all new street tree and understorey planting that are required as a result of the development;
(b) compensation for the Lophostemon tree; and
(c) reinstating the planting in the middle kerb extension outside of No. 1 Blanche Street.

Tree Management Plan

24. Before the development commences, a Tree Management Plan to the satisfaction of the Responsible Authority must be prepared by a suitably qualified Arborist and must be submitted to and approved by the Responsible Authority. When approved the Tree Management Plan will be endorsed and will form part of this permit. The Tree Management Plan must make recommendations for:

(a) the protection of any Council owned or privately owned trees adjacent to the site (Rear of Wellington St properties, Blanche St and Cremorne St):
    (i) pre-construction;
    (ii) during construction; and
    (iii) post construction
(b) the provision of any barriers;
(c) any pruning necessary; and
(d) watering and maintenance regimes,

to the satisfaction of the Responsible Authority.

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

Blanche Street Shared Zone and public realm works

26. Before the development commences, or by such later date as approved in writing by the Responsible Authority, a Blanche Street Shared Zone and public realm plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Blanche Street Shared Zone and public realm plan will be endorsed and will form part of this permit. The Blanche Street Shared Zone and public realm plan must be generally in accordance with the public realm and landscape report prepared by Hassell Studio and received by Council on 7 August 2017, but modified to include (or show, or address):

    (a) title boundaries with a clear delineation along contiguous at-grade surfaces (i.e. on footpaths or pedestrian open space) with metal circular discs or other similar products;
    (b) confirmation that no new brick seating or landscaping other than tree cut outs will be constructed outside of title boundaries;

    (c) the width of the new kerb extension outside of No. 1 Blanche Street as a minimum of 1.5m planting space;
    (d) no further tree planting at the northernmost raingarden/kerb extension on Cremorne Street;
    (e) a widened ramped entrance from Blanche Street to create a more open feel by reducing the raised brick seating on either one or both sides;
    (f) the gradient of the ramp notated on the floor plans to ensure it is DDA compliant;
    (g) a widened space between the raised brick seating and the wall of the large food and drinks tenancy;
    (h) the new location of the electricity light pole near Parkins Lane not within 3m of a street tree location;
    (i) construction of the two new kerb extensions along Cremorne Street with trees and low planting with details as follows:
        (i) passive irrigation and use of recycled brick mulch to match existing kerb outstands along Cremorne Street.
        (ii) kerb extension detail drawings should be supplied for approval by Council's Asset Drainage Engineer. Allowance should be made for overland water flow.
        (iii) two street trees per outstand (Tristaniopsis laurina 'Luscious') with low planting to match existing outstand planting.
        (iv) the width of the kerb outstands should be consistent with the existing outstand to allow for approximately 1.85m planting width at the widest point.
        (v) traffic treatments are to be as per the City of Yarra Standard.

Civil Works

27. Before the development commences, the owner of the site must submit detailed civil works drawings associated with the Blanche Street Shared Zone and public realm plan to the satisfaction of the Responsible Authority and approved by the Responsible Authority and at the full cost of the owner and include (but not be limited to):

    (a) the full reconstruction of Blanche Street covering the area of Blanche Street from Cremorne Street to the western boundary of the subject site
    (b) the provision of a new road pavement for the Shared Zone (covering the area of Blanche Street from Cremorne Street to the western boundary of the subject site);
    (c) undergrounding of electrical cables (covering the area of Blanche Street from Cremorne Street to the western boundary of the subject site);
    (d) provision of drainage infrastructure within Blanche Street (covering the area of Blanche Street from Cremorne Street to the western boundary of the subject site); and
    (e) alignment for underground services to be clear of tree root zones.

28. All works associated with the Blanche Street Shared Zone and public realm plan as shown on the endorsed plans and within the Blanche Street Shared Zone and public realm plan and the Civil Works drawings (referred to in Conditions 26 and 27) must be carried out, at the permit holder's cost and to the satisfaction of the Responsible Authority.

Timing of works

29. Before the building is occupied, all works associated with the Blanche Street Shared Zone and public realm plan an as shown on the endorsed plans and within the Blanche Street Shared Zone and public realm plan and the Civil Works drawings (referred to in Conditions 26 and 27) must be fully constructed and completed by the owner to the satisfaction of the Responsible Authority.

Section 173 Agreement (widening of Blanche and Cremorne Streets)

30. Within six months of the commencement of works, 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) The Owner must provide unfettered 24 hour public access over that part of the land to be used for the widened Blanche and Cremorne Streets;

    (b) The owner is responsible for maintaining at all times the areas that are private land open to the public described in condition 30(a) at the cost of the owners of the site and to the satisfaction of the Yarra City Council;

    (c) The owner(s) must obtain and maintain insurance, approved by Yarra City Council, for the public liability and indemnify Yarra City Council against all claims resulting from any damage, loss, death or injury in connection with the public accessing the land described in condition 30 (a).

31. 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 reasonable costs borne by the Responsible Authority.

Road Infrastructure

32. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the two existing junction pits within the new vehicle crossing must be adjusted such that the lids are made flush with the surface of the new vehicle crossing and the pit lids must be replaced with solid heavy duty cover lids (Gatic lids or equivalent):

    (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, the existing electrical pole within the area of the new vehicle crossing (west side of Cremorne Street, just north of Parkins Lane) must be relocated:

    (c) at the permit holder's cost; and
    (d) to the satisfaction of the Responsible Authority and the relevant power authority.

34. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:

    (a) in accordance with any requirements or conditions imposed by Council;
    (b) at the permit holder's cost; and
    (c) to the satisfaction of the Responsible Authority.

35. 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:

(e) at the permit holder's cost; and
(f) to the satisfaction of the Responsible Authority.

36. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 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:

(a) at the permit holder's cost; and
(b) to the satisfaction of the Responsible Authority.

37. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 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 along Cremorne Street must be re-sheeted for the full width (with any areas of pavement failure as a consequence of construction traffic must be reinstated with full depth pavement):

(c) at the permit holder's cost; and
(d) to the satisfaction of the Responsible Authority.

38. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the footpath immediately outside the property's Cremorne Street road frontage must be re-constructed:

(a) with a cross-fall of 1 in 40 or unless otherwise specified by Council;
(b) at the permit holder's cost; and
(c) to the satisfaction of the Responsible Authority.

39. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the kerb and channel immediately outside the property's Cremorne Street road frontage must be profiled and re-sheeted:

(a) at the permit holder's cost; and
(b) to the satisfaction of the Responsible Authority.

40. Before the building 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.

Car parking

41. Before the development commences, 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) the number of car parking spaces allocated to each tenancy and that each space is allocated;
(b) details of way-finding, cleaning and security of end of trip bicycle facilities;
(c) policing arrangements and formal agreements;
(d) 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;

(e) 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 14; and
(f) details regarding the management of loading and unloading of goods and materials.

42. 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.

43. Before the building 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;

to the satisfaction of the Responsible Authority.

44. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, a notice showing the location of car parking must be placed in a clearly visible position near the entry to the land. The notice must be maintained thereafter to the satisfaction of the Responsible Authority.

Green Travel Plan

45. Before the development commences, an amended Green Travel 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 Travel Plan prepared by GTA Consultants and dated 1 August 2017, but modified to include or show:

(a) the correct number of bicycle spaces, to match the endorsed plans.;
(b) the types of bicycle storage devices proposed to be used for employee, resident and visitor spaces (i.e. hanging or floor mounted spaces)
(c) the types of lockers proposed within the change-room facilities, with at least 50% of lockers providing hanging storage space;
(d) security arrangements to access the employee bicycle storage spaces;
(e) signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;
(f) the provision of real time passenger information displays for nearby stops within each lobby;
(g) details of GTP funding responsibilities; and
(h) provisions for the Green Travel Plan to be updated not less than every 5 years.

46. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Lighting

47. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the pedestrian and vehicular entrances and internal laneway must be provided on the subject site. Lighting must be:
(a) located;

(b) directed;

(c) shielded; and

(d) of limited intensity,

to the satisfaction of the Responsible Authority.

General

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

49. The amenity of the area must not be detrimentally affected by the use, 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.

50. 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).

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

52. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.

53. 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.

54. 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.

Construction Management

55. 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
(q) any site-specific requirements.

During the construction:

(r) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
(s) 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;
(t) vehicle borne material must not accumulate on the roads abutting the land;
(u) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
(v) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

Time expiry

56. 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

(c) the use has 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:

The removal of the existing street tree in front of the proposed vehicle crossing in Cremorne Street requires approval from Council's Open Space unit prior to endorsement of the drawings.

A building permit maybe required before development is commenced. Please contact Council's Building Services on 9205 5095 to confirm.

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.

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.

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.

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

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

Only roof runoff, surface water and clean groundwater seepage from above the water table can be discharged into Council drains.

Contaminated ground water seepage into basements from above the water table must be discharged to the sewer system through a trade waste agreement with the relevant authority or in accordance with EPA guidelines.

Contaminated groundwater from below the water table must be discharged to the sewer system through a trade waste agreement from the relevant sewer authority.

Council will not permit clean groundwater from below the groundwater table to be discharged into Council's drainage system. Basements that extend into the groundwater table must be waterproofed/tanked.

No parking restriction signs or line-marked on-street parking bays are to be removed, adjusted, changed or relocated without approval or authorisation from Council's Parking Management unit and Construction Management branch.

Any on-street parking reinstated as a result of development works must be approved by Council's Parking Management unit.

The removal of any kerbside parking sensors and any reinstatement of parking sensors will require the Permit Holder to pay Council the cost of each parking sensor taken out from the kerb/footpath.

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.

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

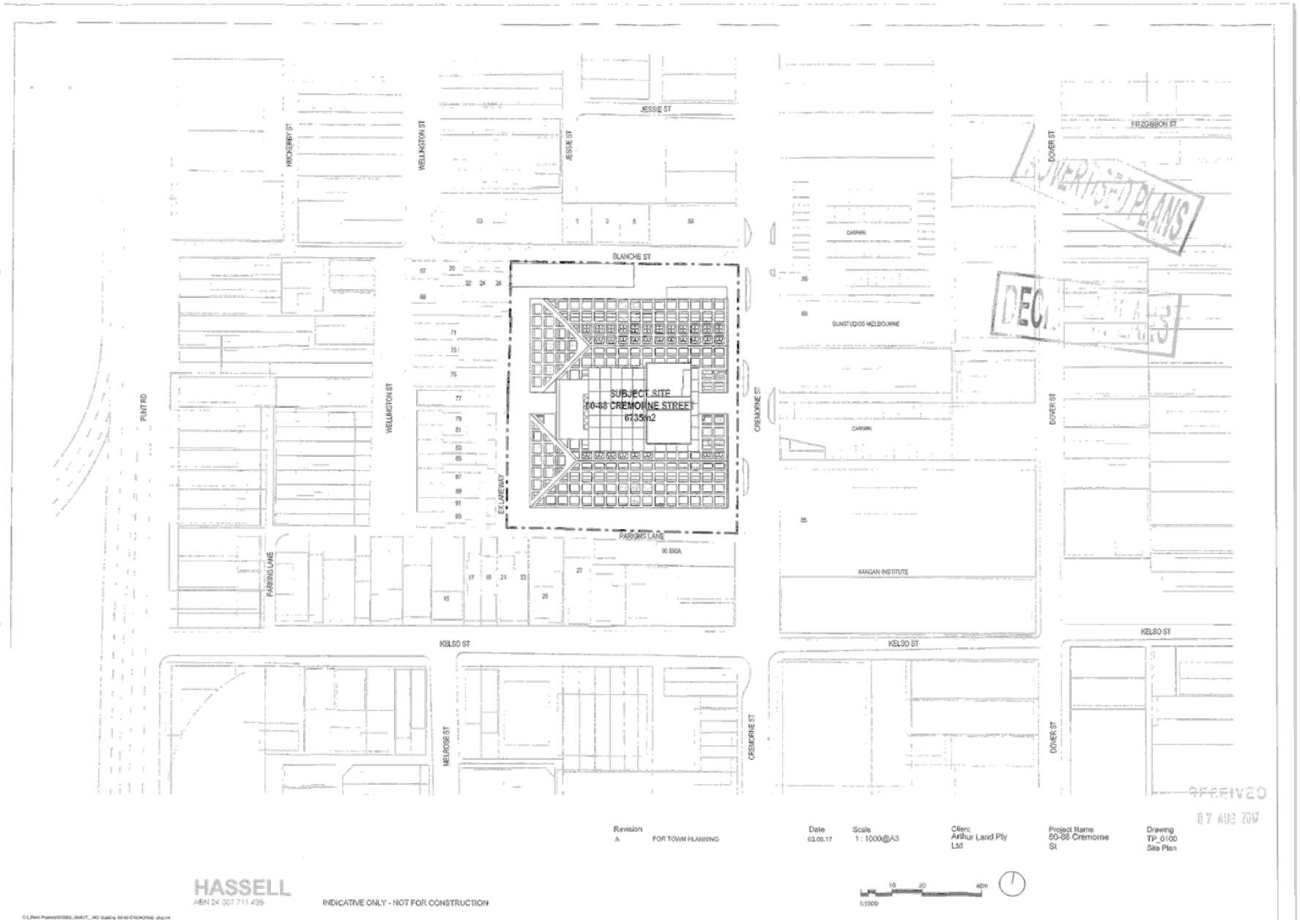
It is also the Permit Holder's onus and responsibility to ensure that rainfall run-off does not enter the property in the event of a heavy storm. Adequate measures should be in place to prevent backwash from entering the property.

CONTACT OFFICER: **Vicky Grillakis**
TITLE: **Coordinator Statutory Planning**
TEL: **92055124**

Attachments

1 PLN17/0626-04 - 60 - 88 Cremorne Street Cremorne - decision plans - idac attachment
2 PLN17/0626-04 - 60 - 88 Cremorne Street Cremorne - shadow plans - idac attachment
3 PLN17/0626-04 - 60 - 88 Cremorne Street Cremorne - 10.30am & 11.30am shadow plans - idac attachment
4 PLN17/0626-04 - 60 - 88 Cremorne Street Cremorne - public realm works - idac attachment
5 PLN17/0626-04 - 60 - 88 Cremorne Street Cremorne - referral comments - idac attachment

Attachment 1 - PLN17/0626-04 - 60 - 88 Cremorne Street Cremorne - decision plans - idac attachment



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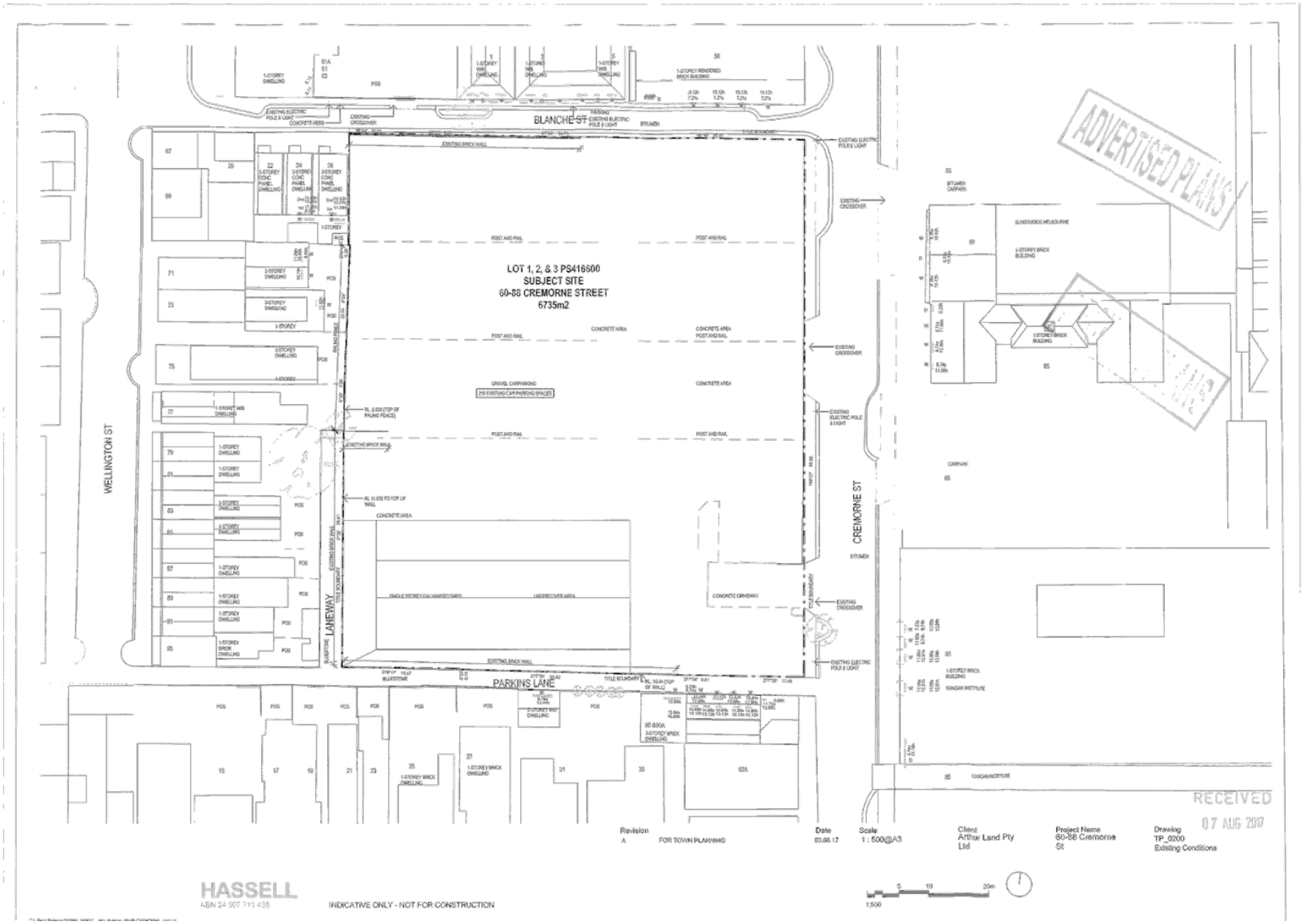

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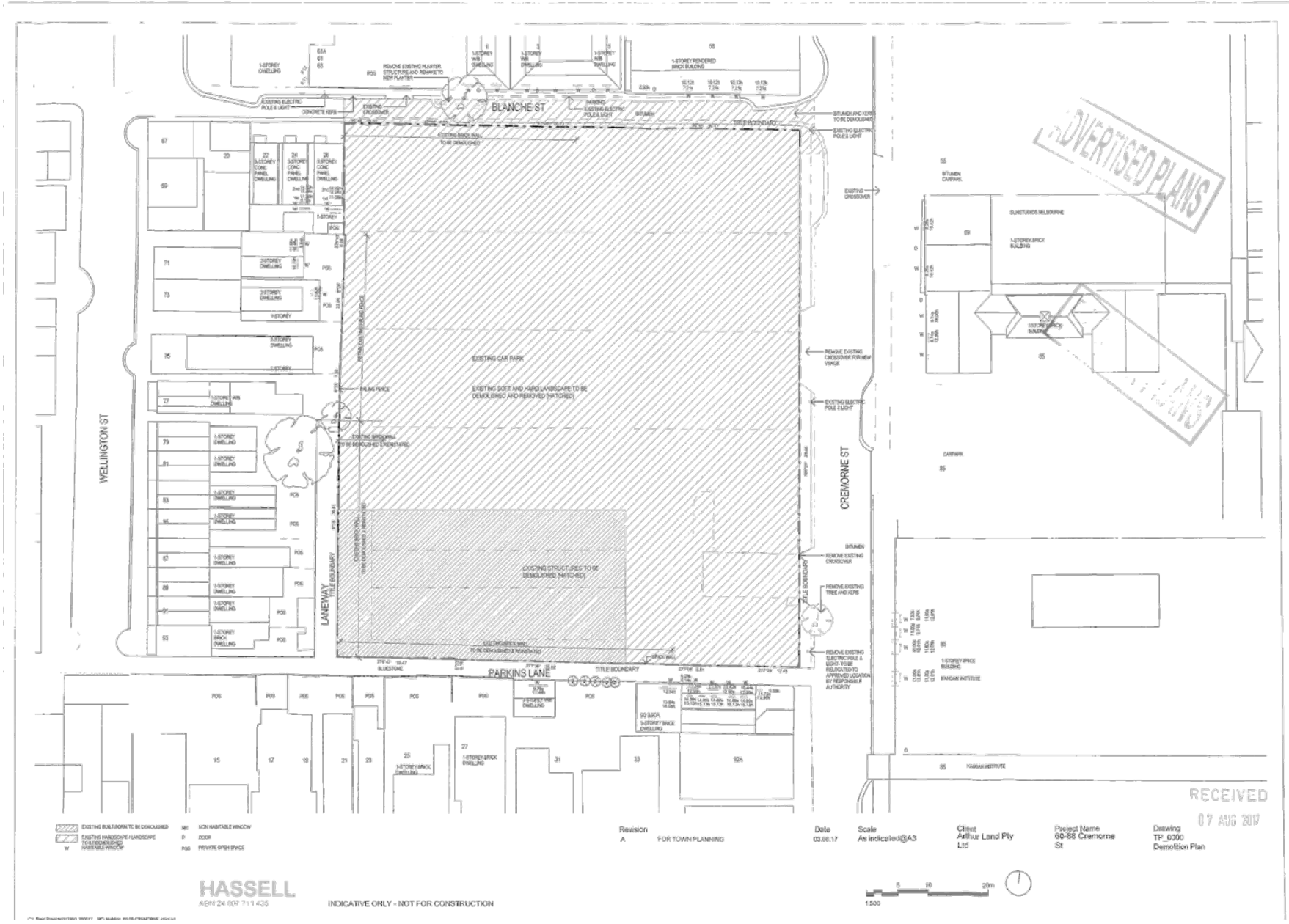

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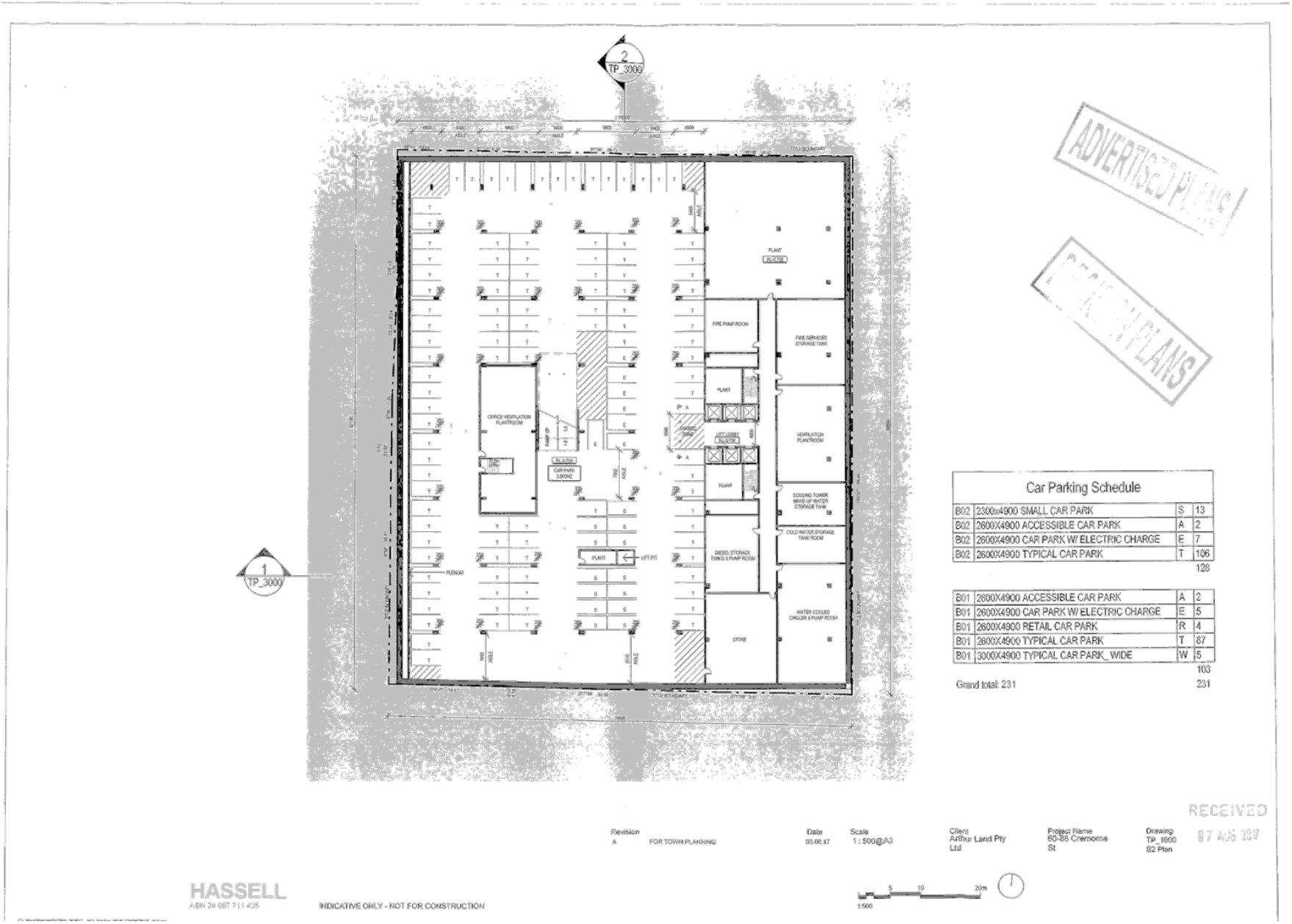

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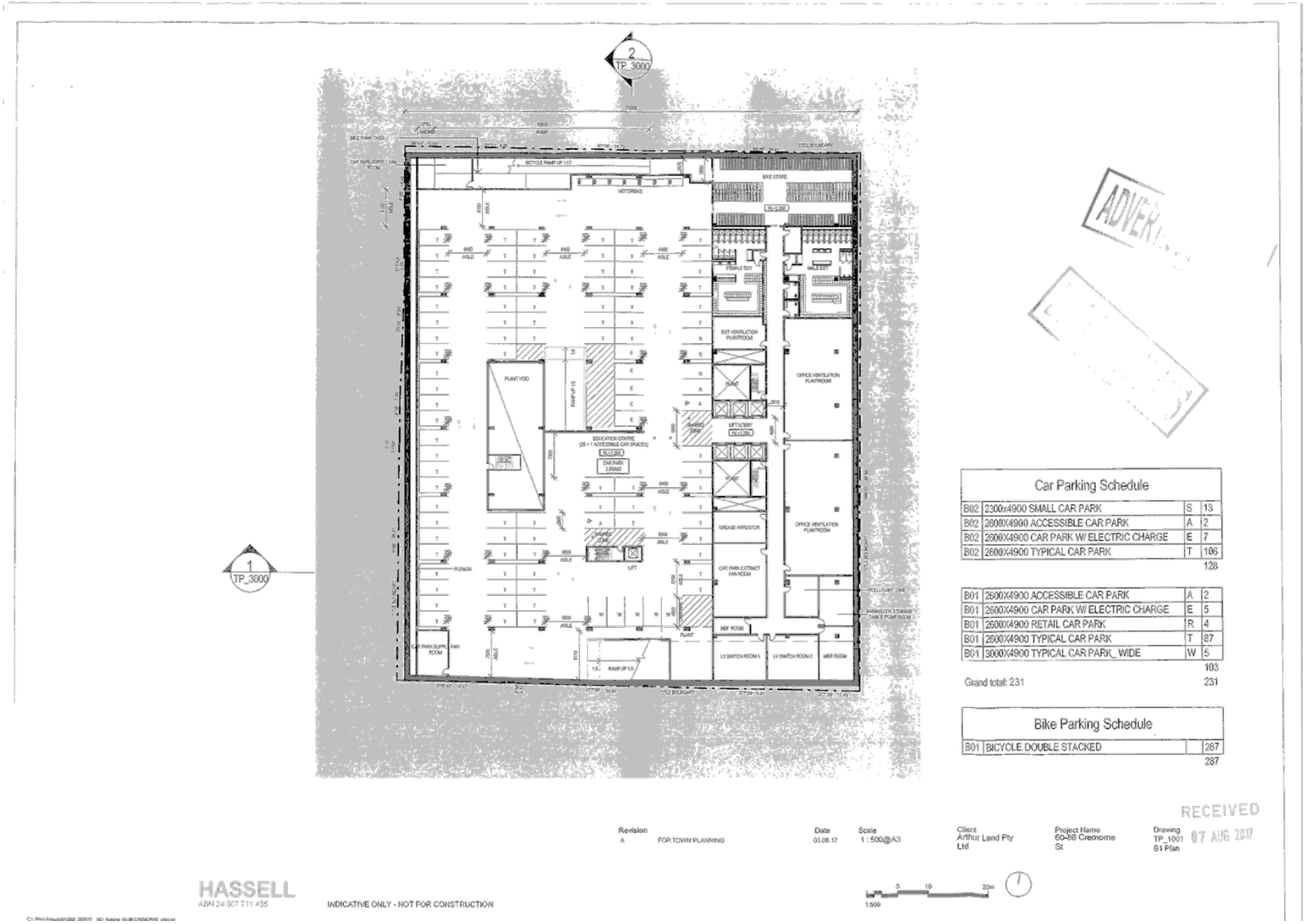

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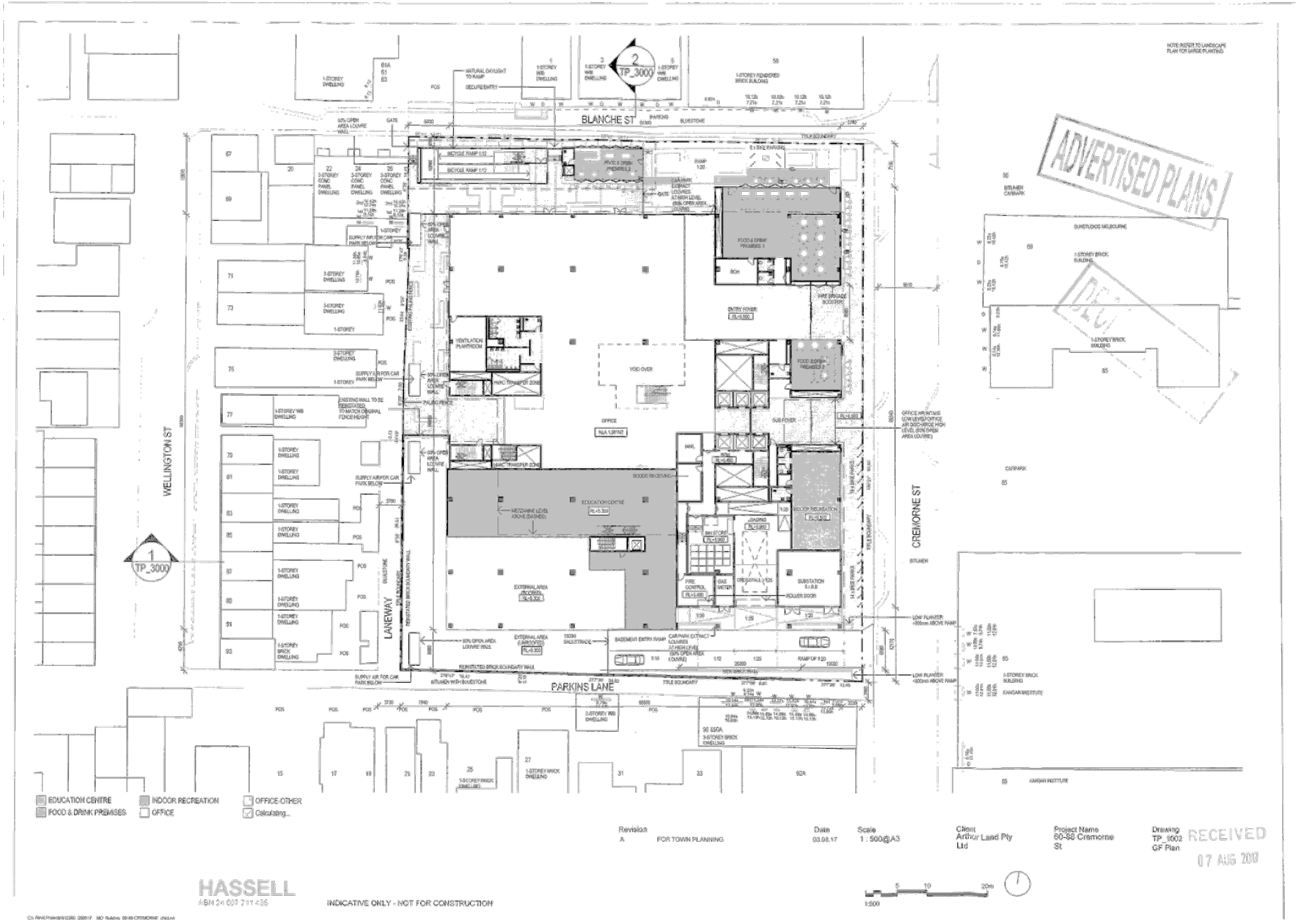

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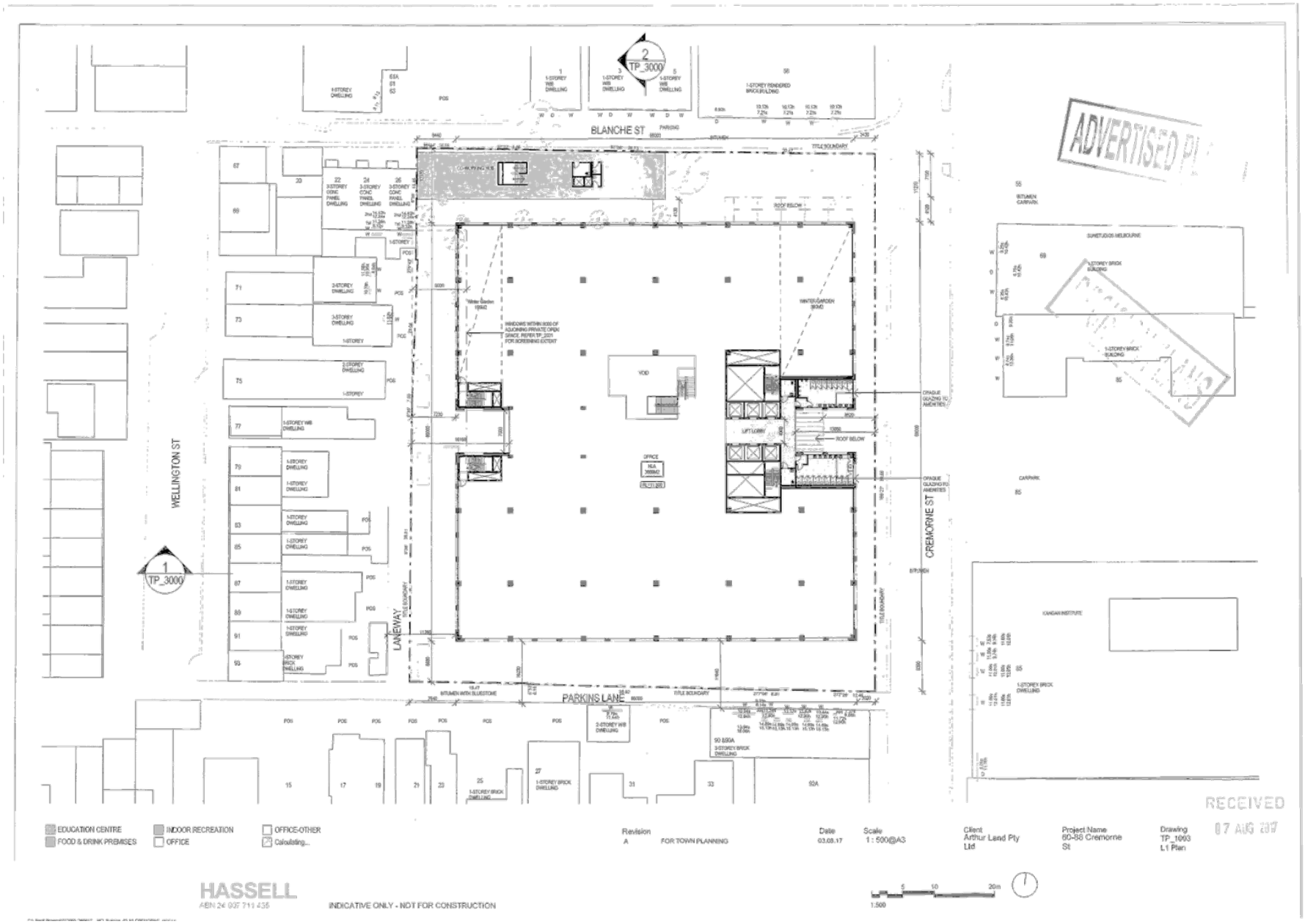

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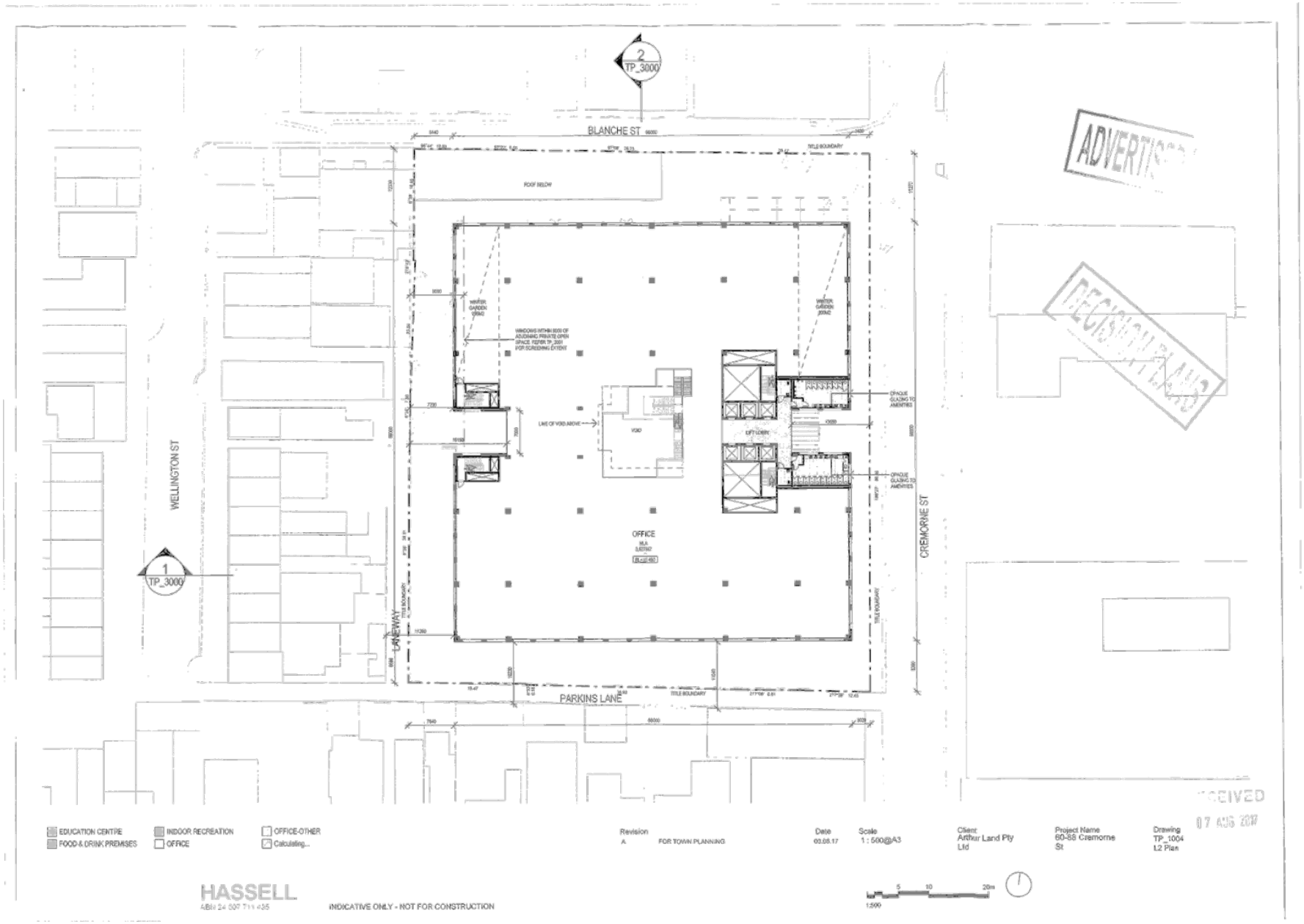

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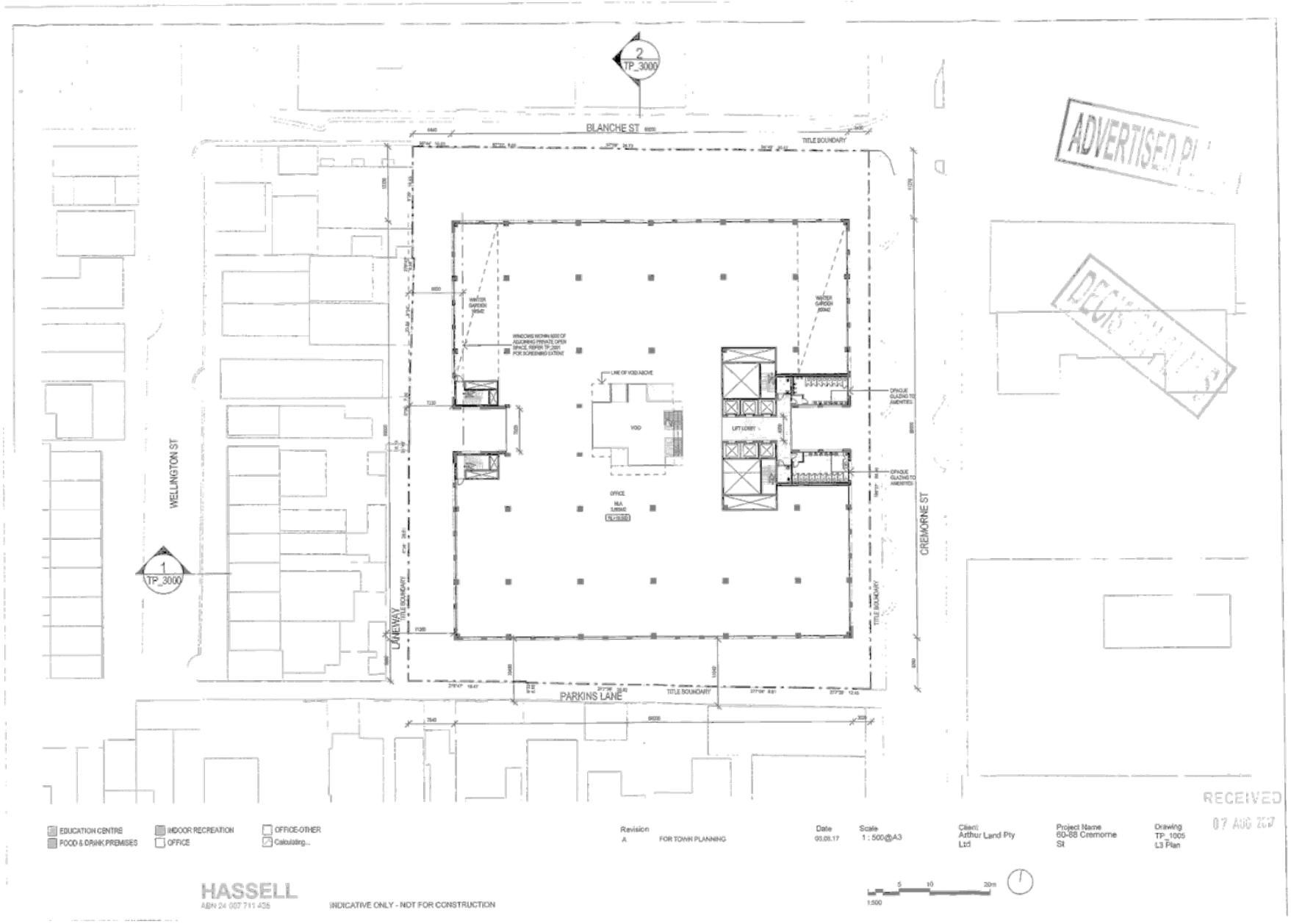

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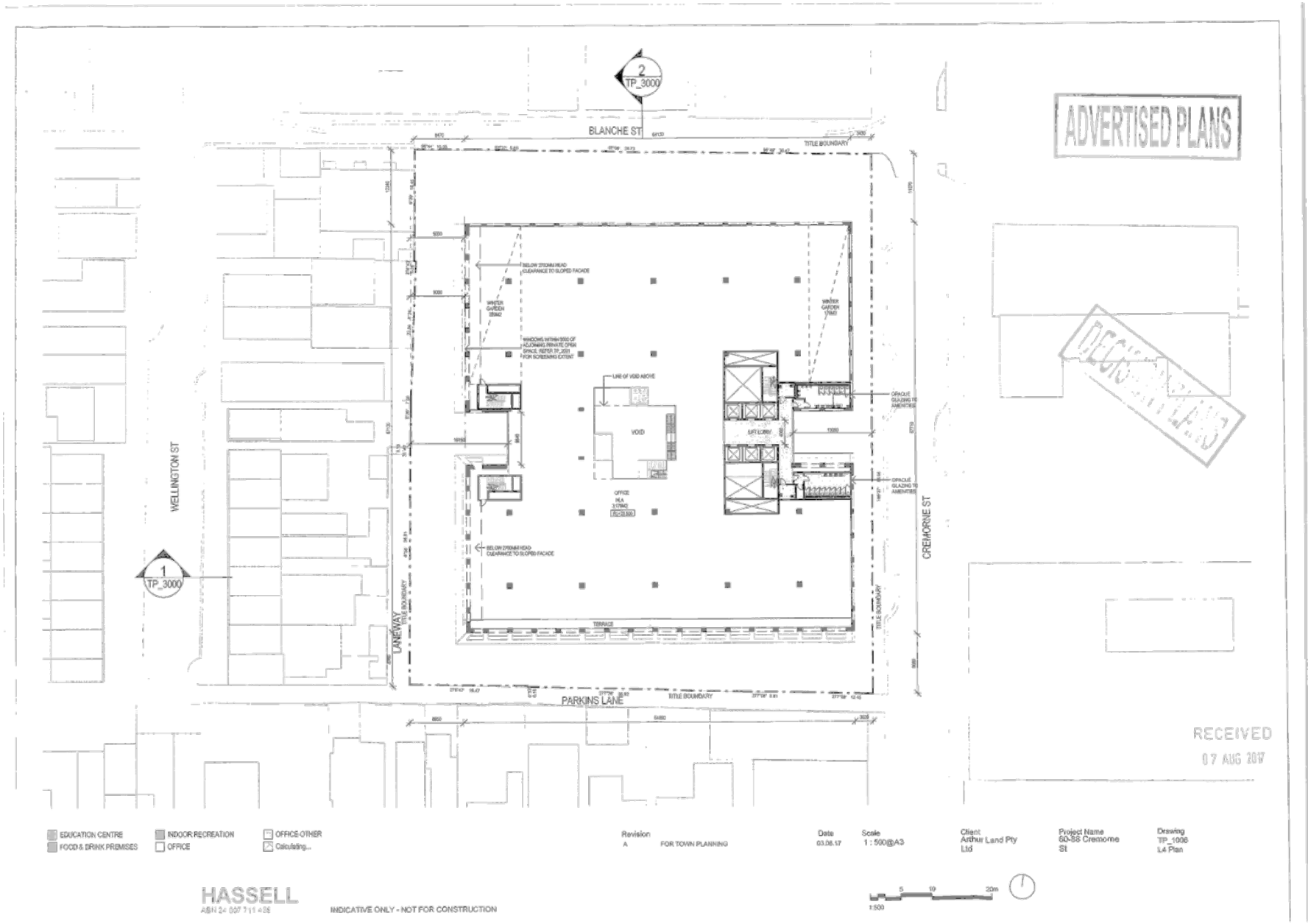

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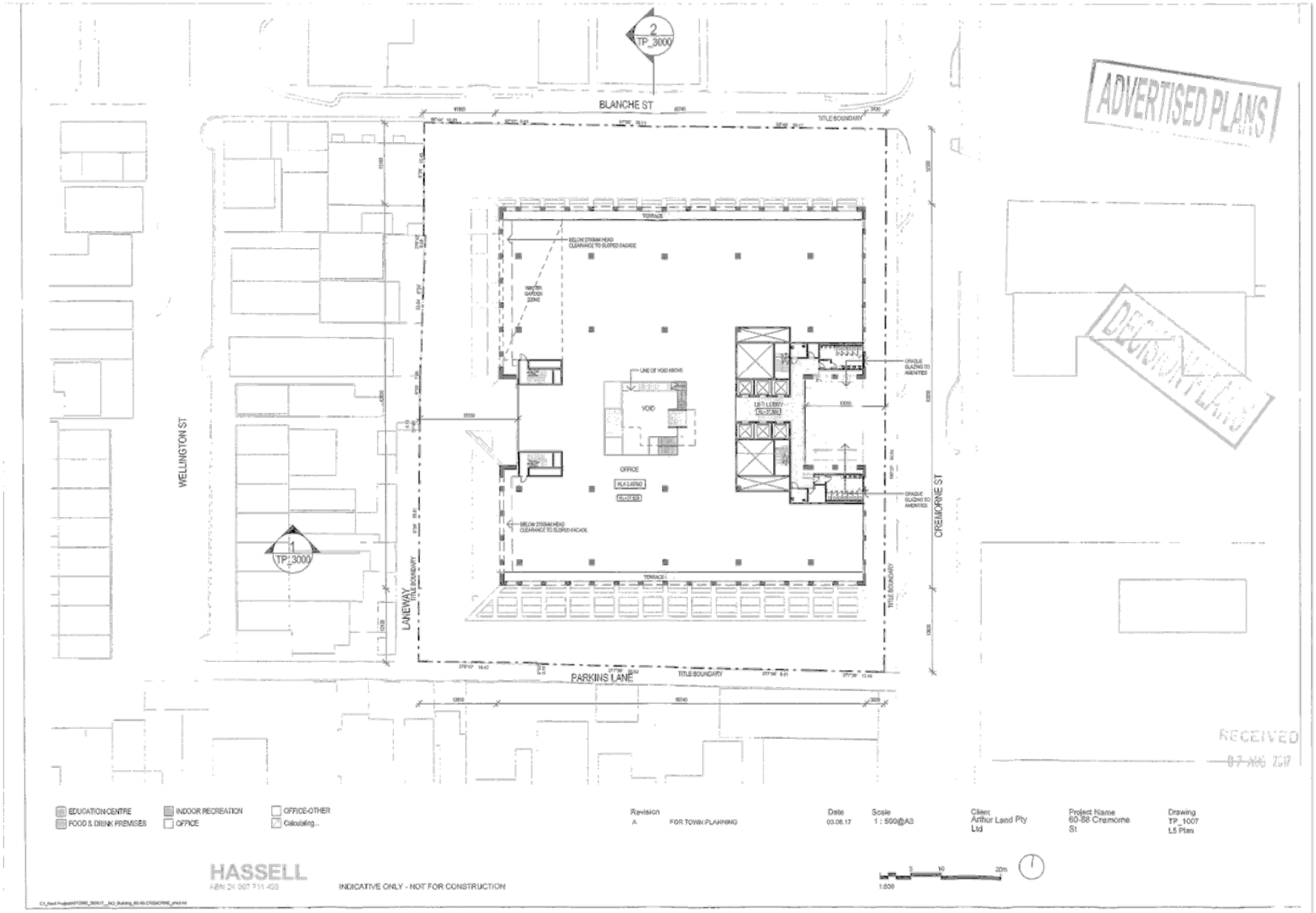

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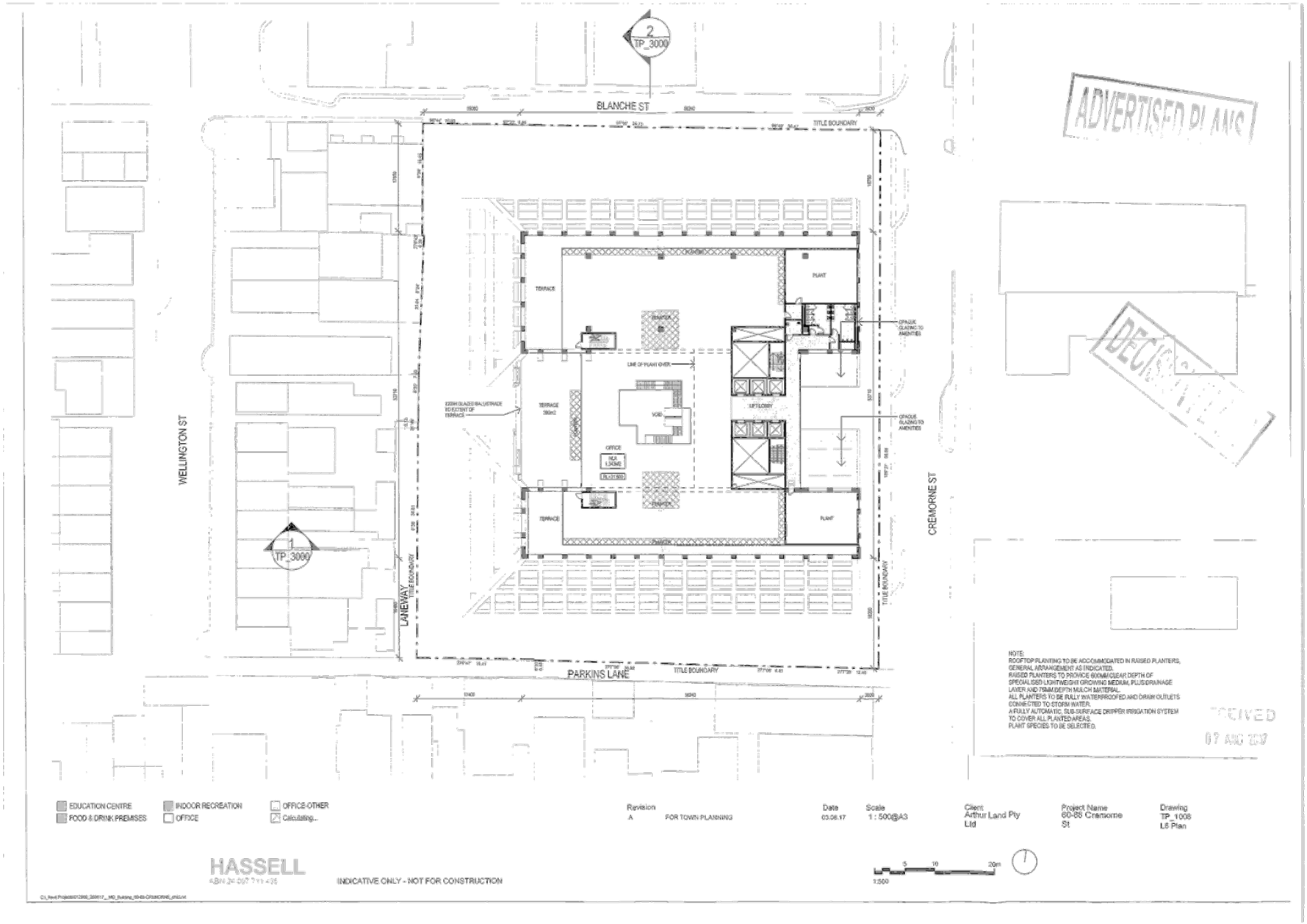

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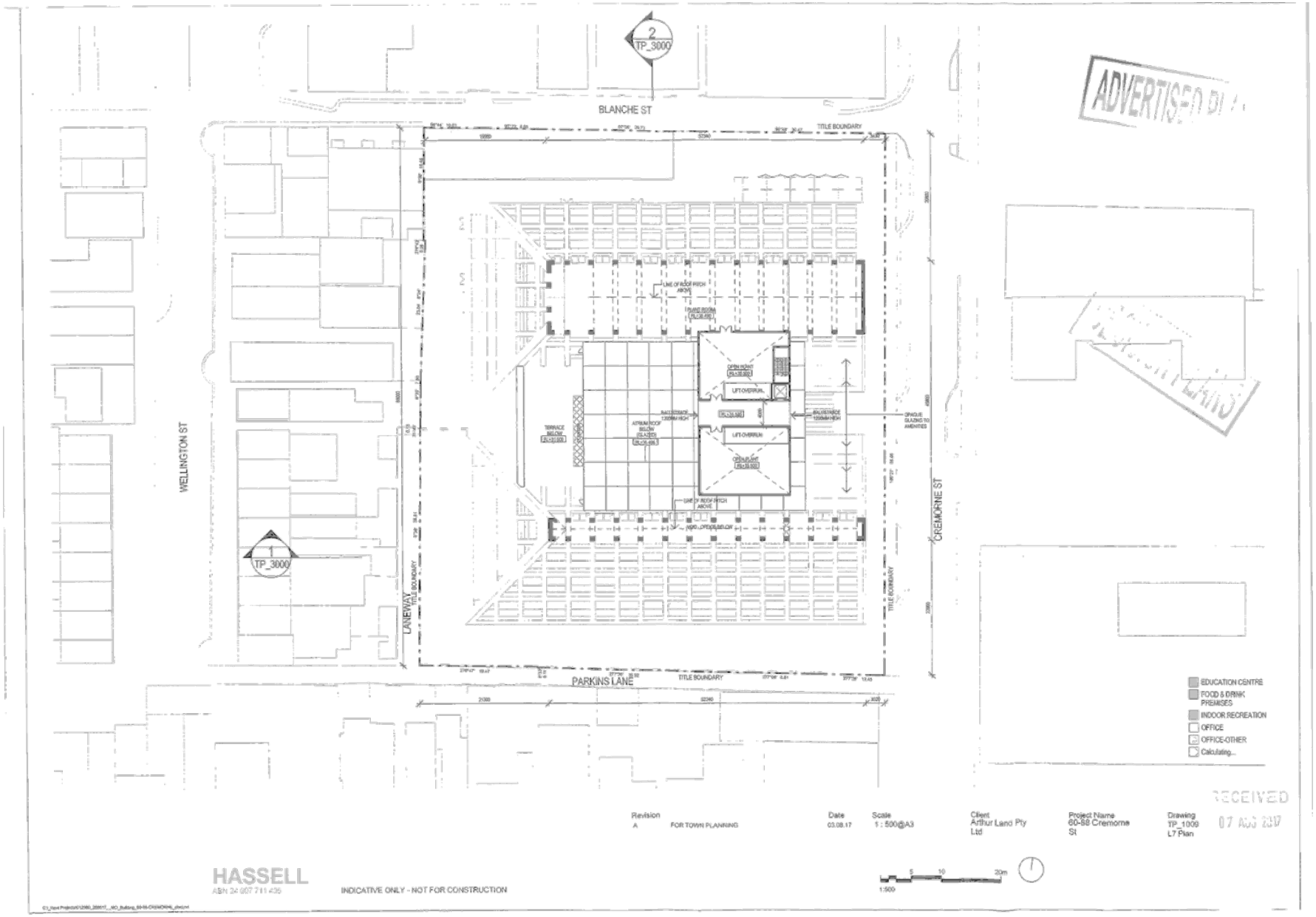

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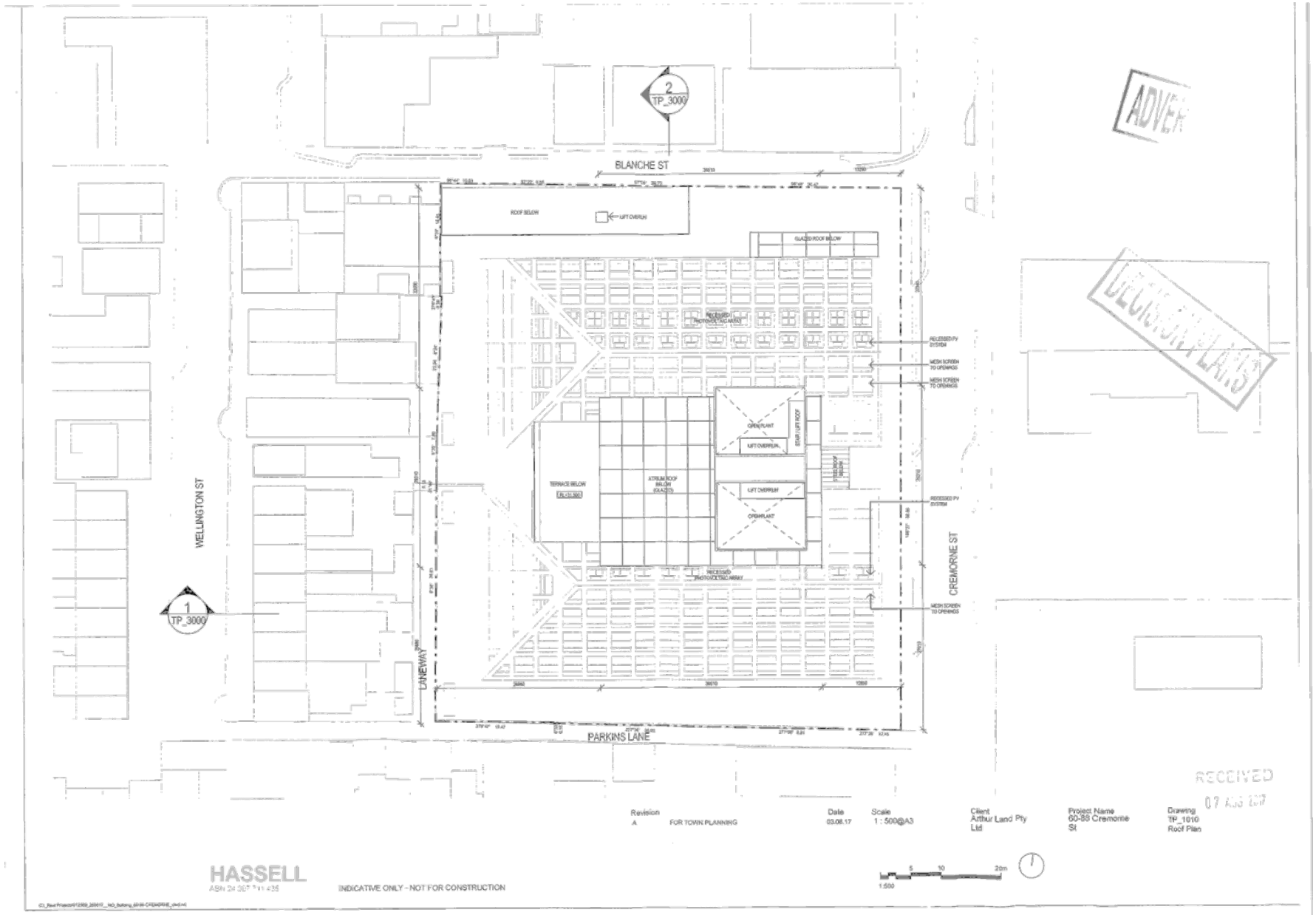

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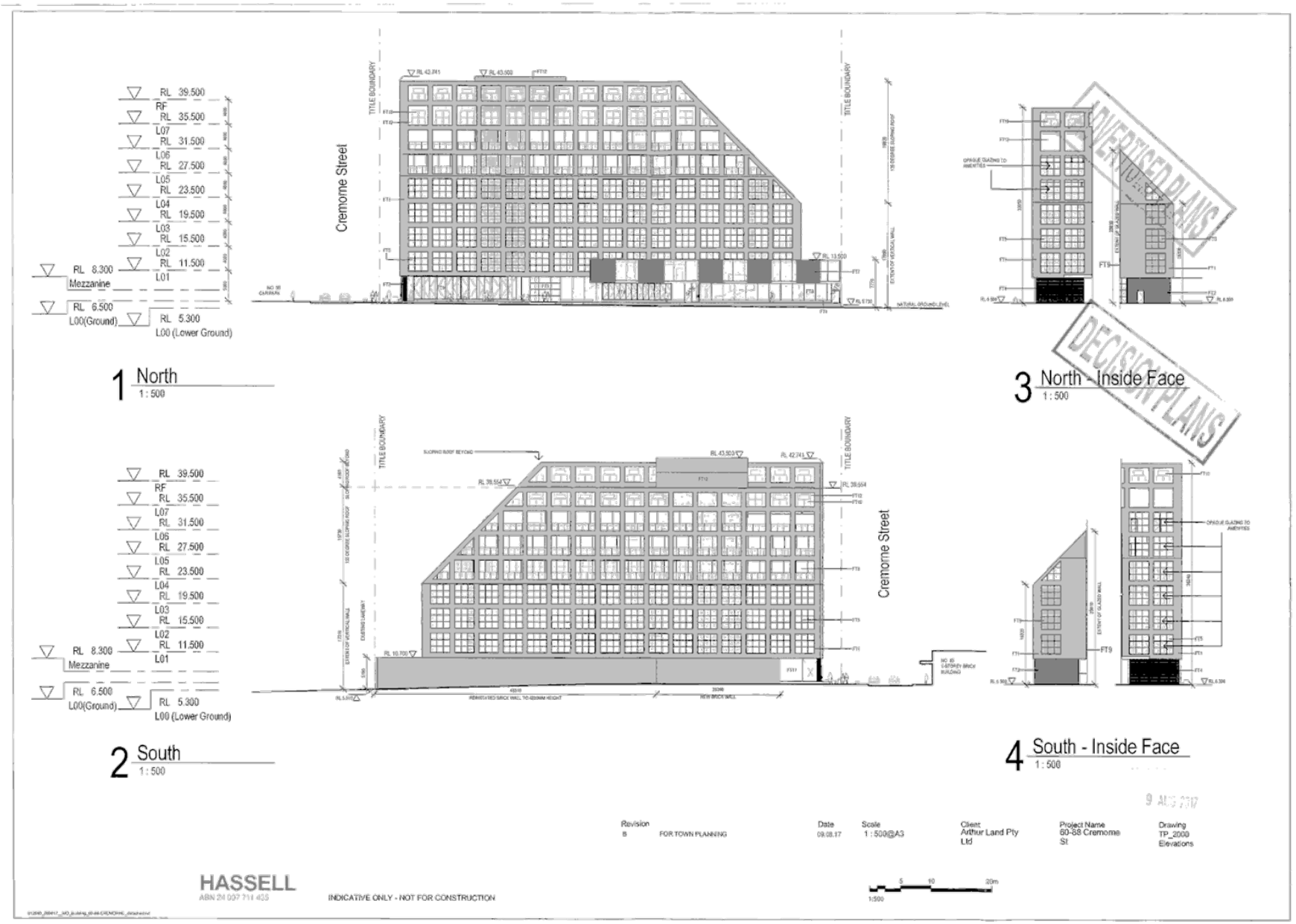

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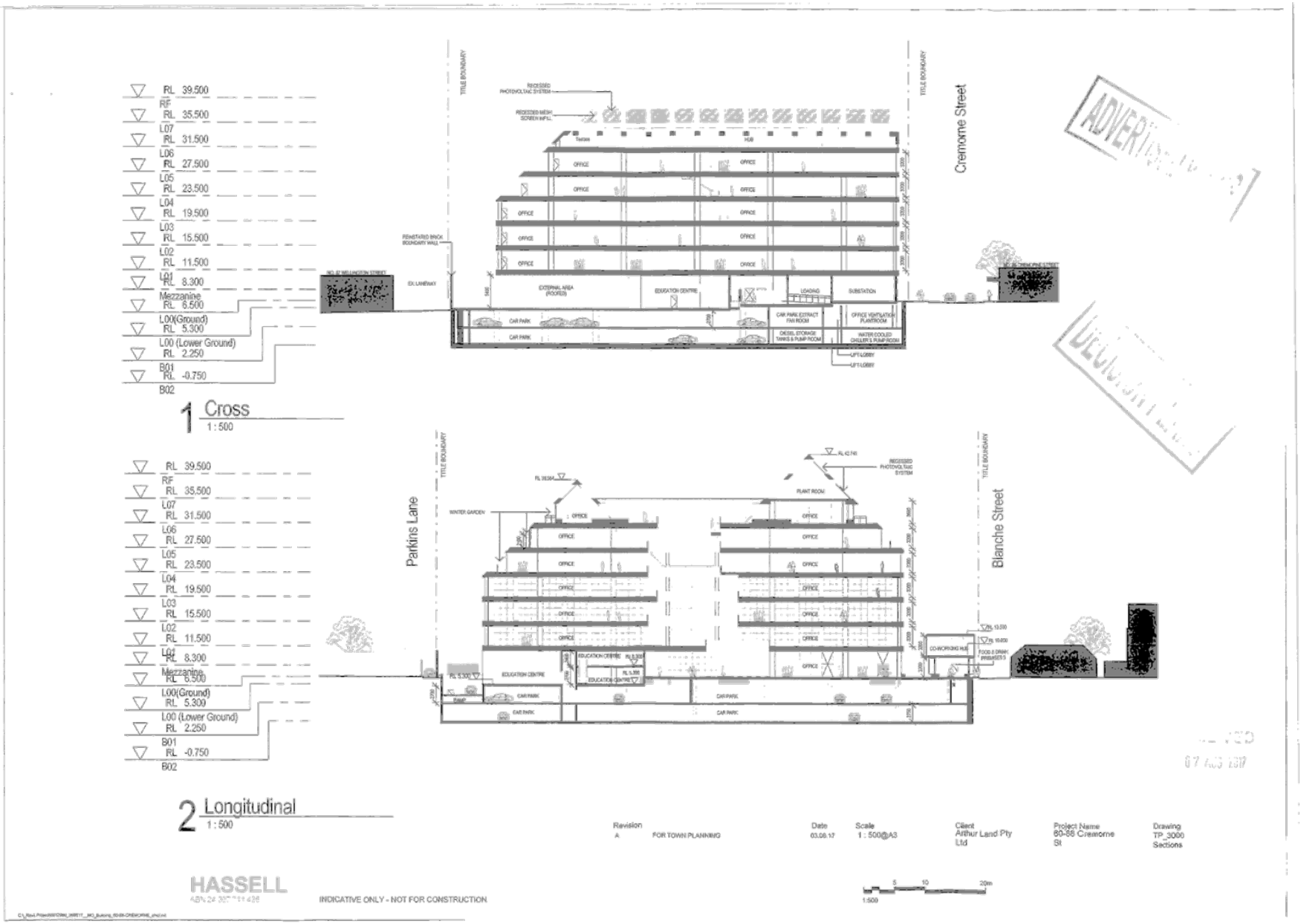

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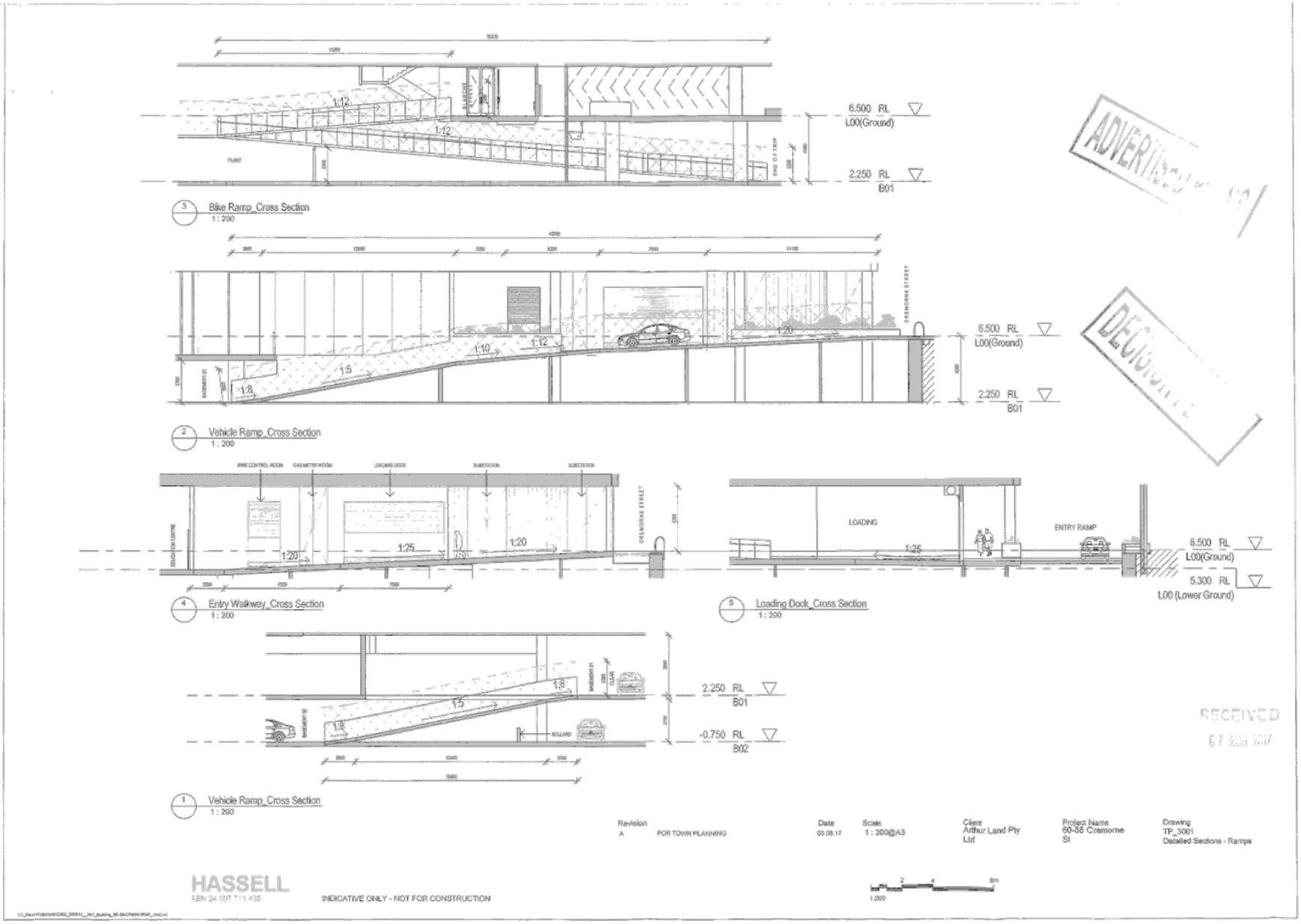

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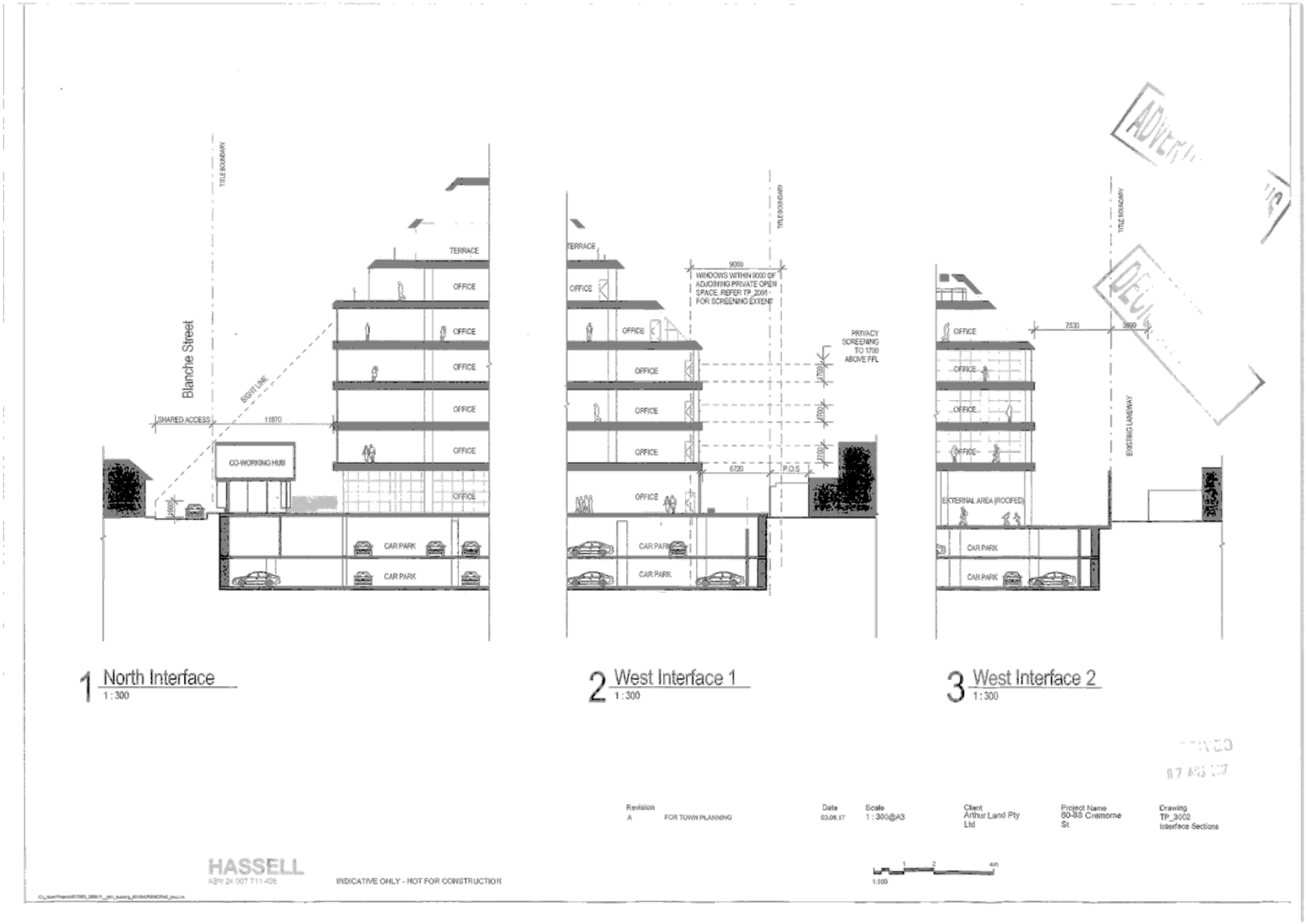

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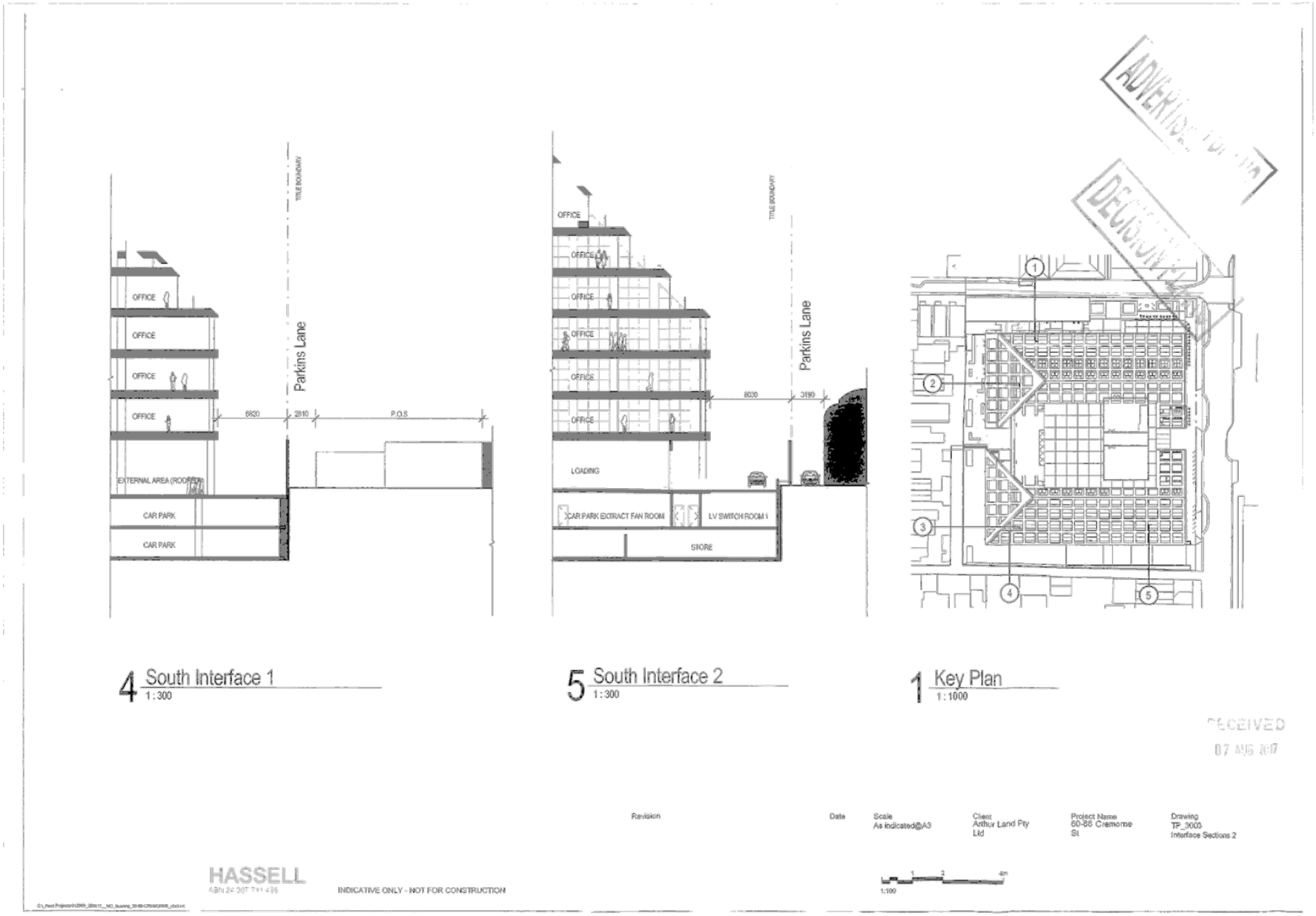

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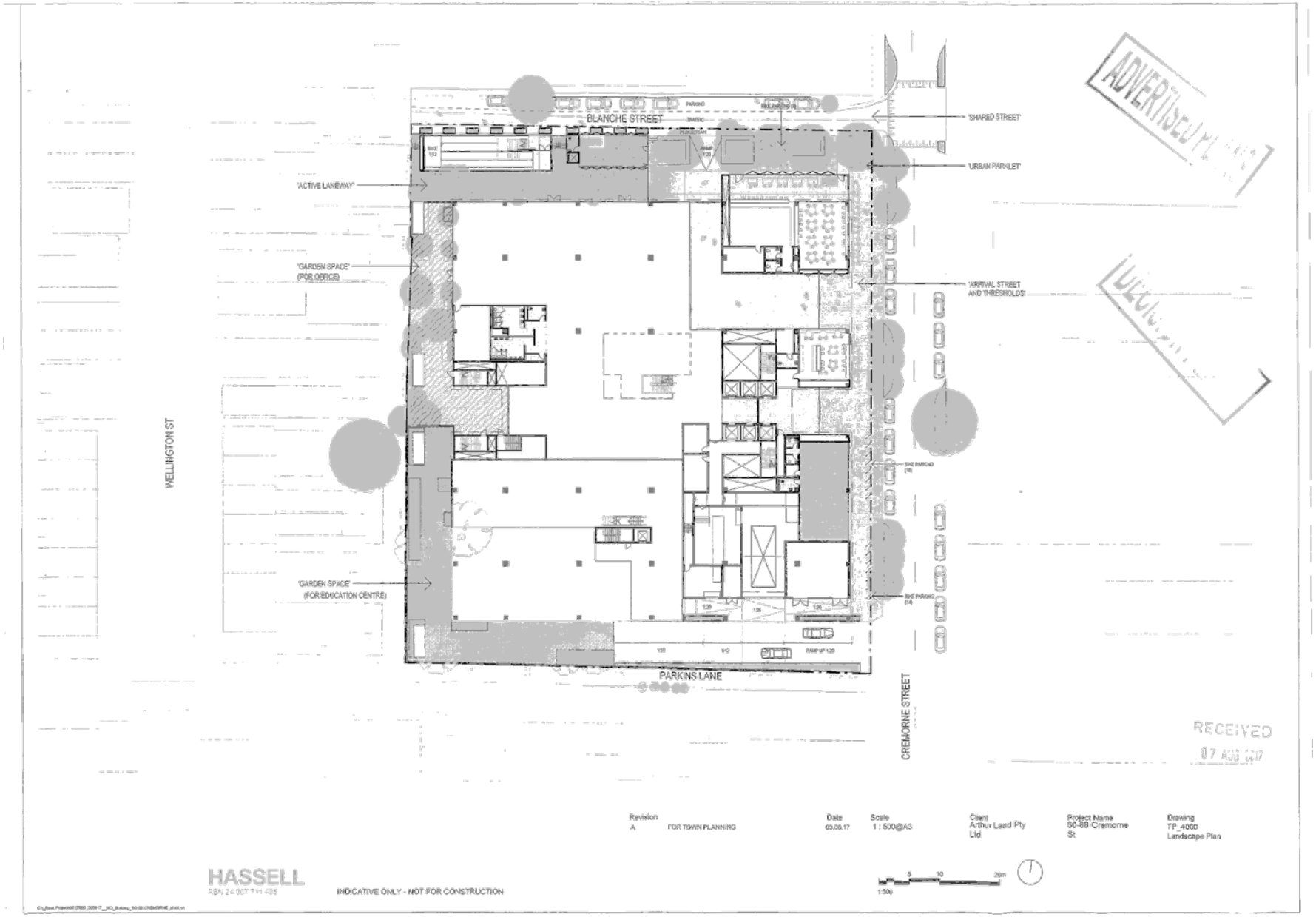

Attachment 1 - PLN17/0626-04 - 60 - 88 Cremorne Street Cremorne - decision plans - idac attachment

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TP_5000
Materials & Finishes Schedule

Below are the key materials and finishes proposed for the facade as indicated on the town planning elevations:

Legend	Description
FT1	Brick faced cladding panel
FT2	Metal Cladding - Dark Charcoal
FT3	Metal Cladding - Light Charcoal
FT4	Metal Cladding - Light Charcoal (50% open area) horizontal louvres
FT5	Fixed/operable high performance recessed DGU with aluminium framing (dark charcoal) with integrated feature metal surround and shading hood
FT6	Fixed/operable clear shop front glazing with aluminium framing (dark charcoal)
FT7	Timber batten screen with high performance glazing behind
FT8	Fixed/operable clear shop front glazing with aluminium framing (light charcoal)
FT9	High performance glazed curtain wall system with aluminium sub framing
FT10	Monocrystraline PV standard panels recessed to match FT5
FT11	Timber batten cladding
FT12	Recessed metal mesh screening

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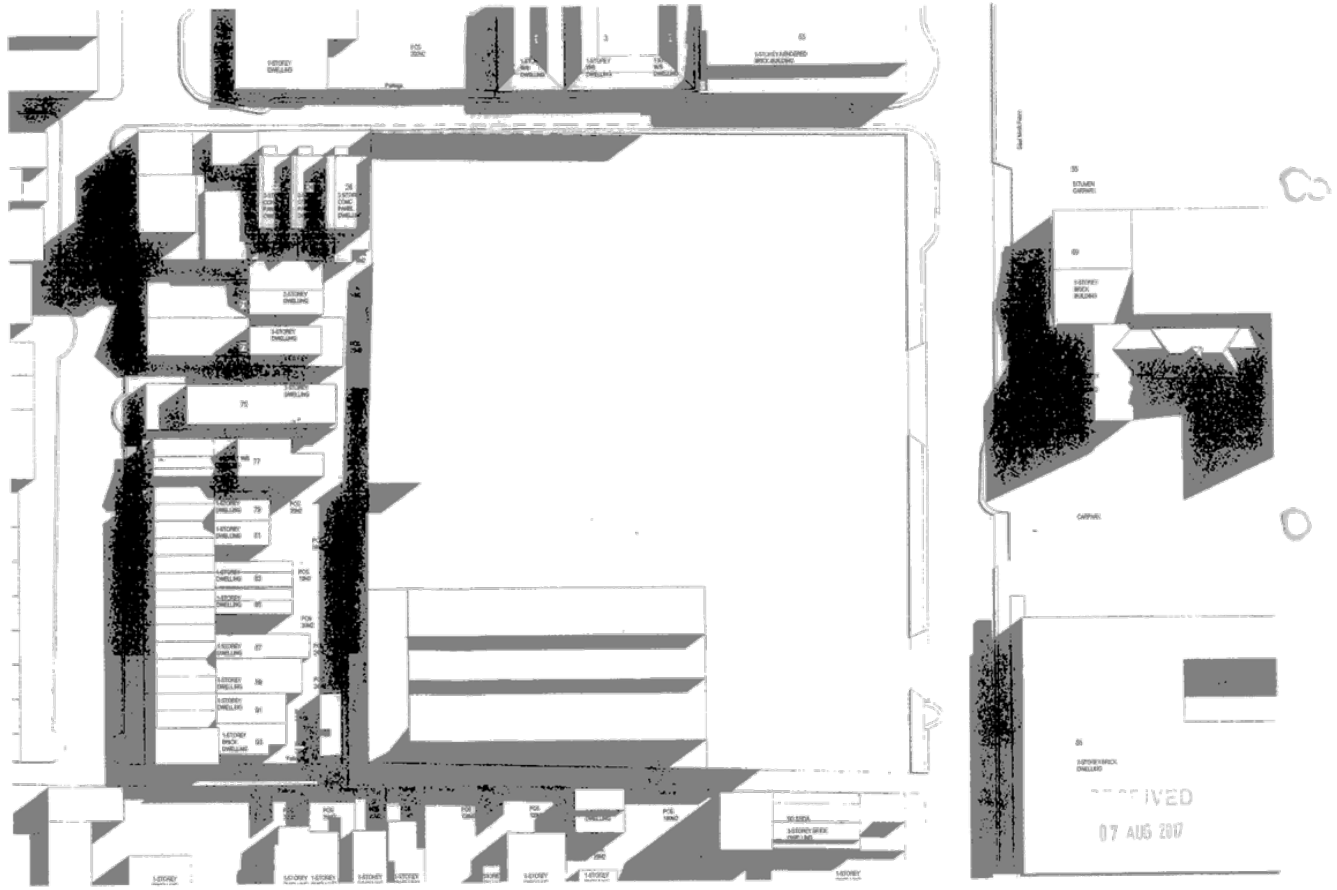
Shadow Diagrams

Existing September 21 9am



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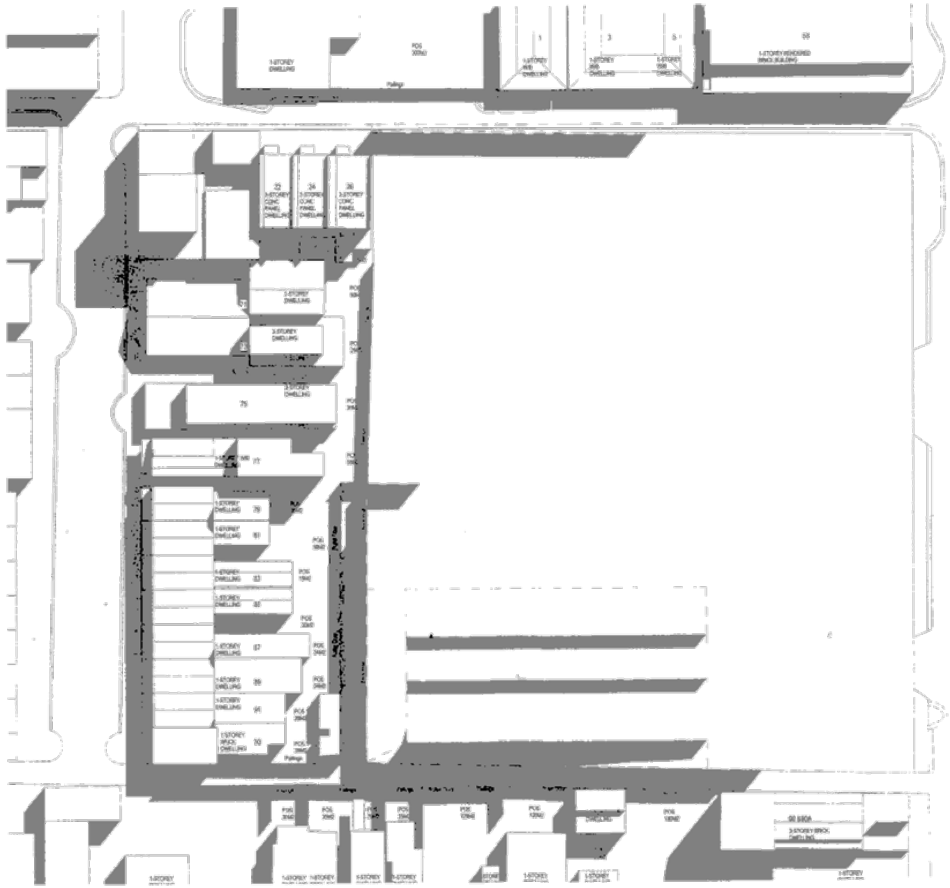
Shadow Diagrams

Existing September 21 10am



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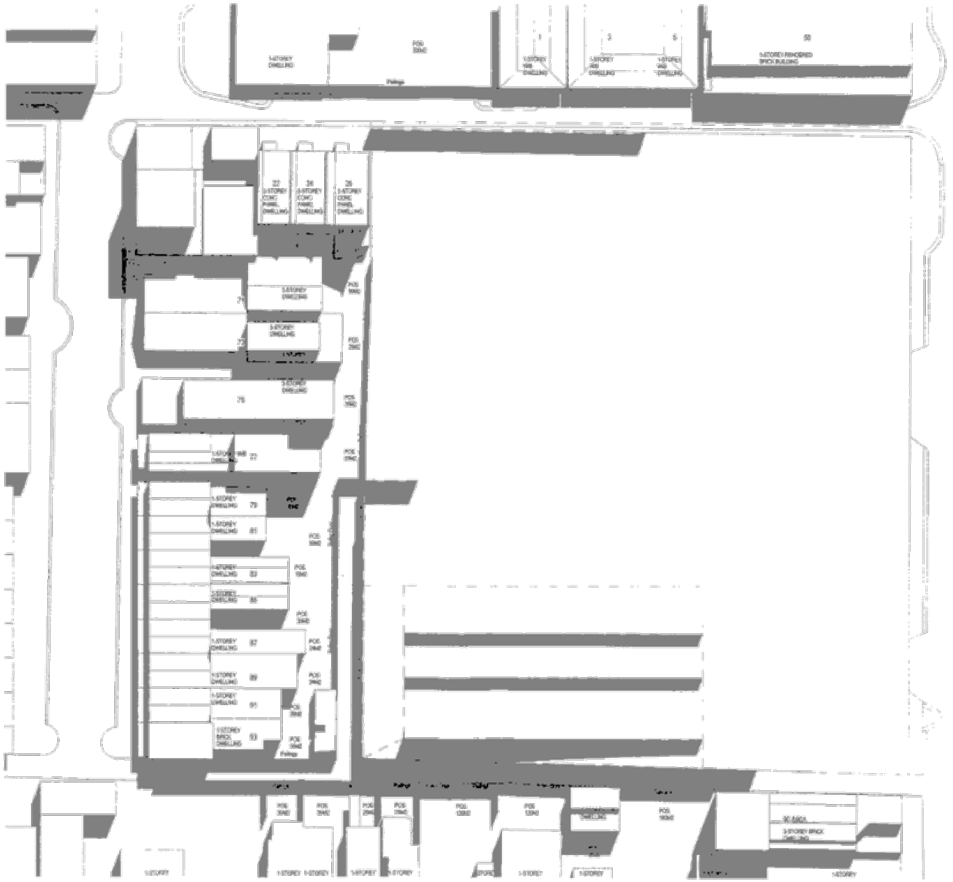
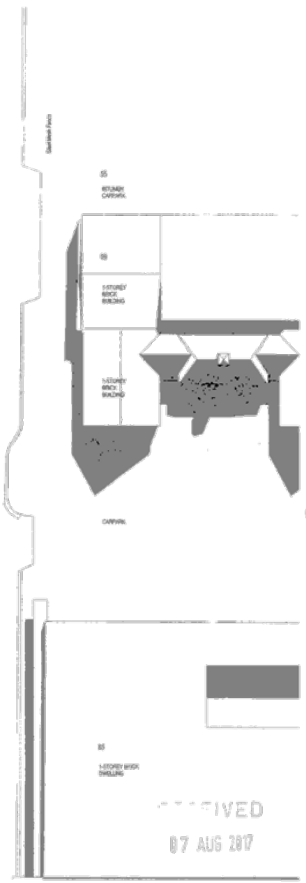
Shadow Diagrams

September 21 11am





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Shadow Diagrams

Existing September 21 12pm

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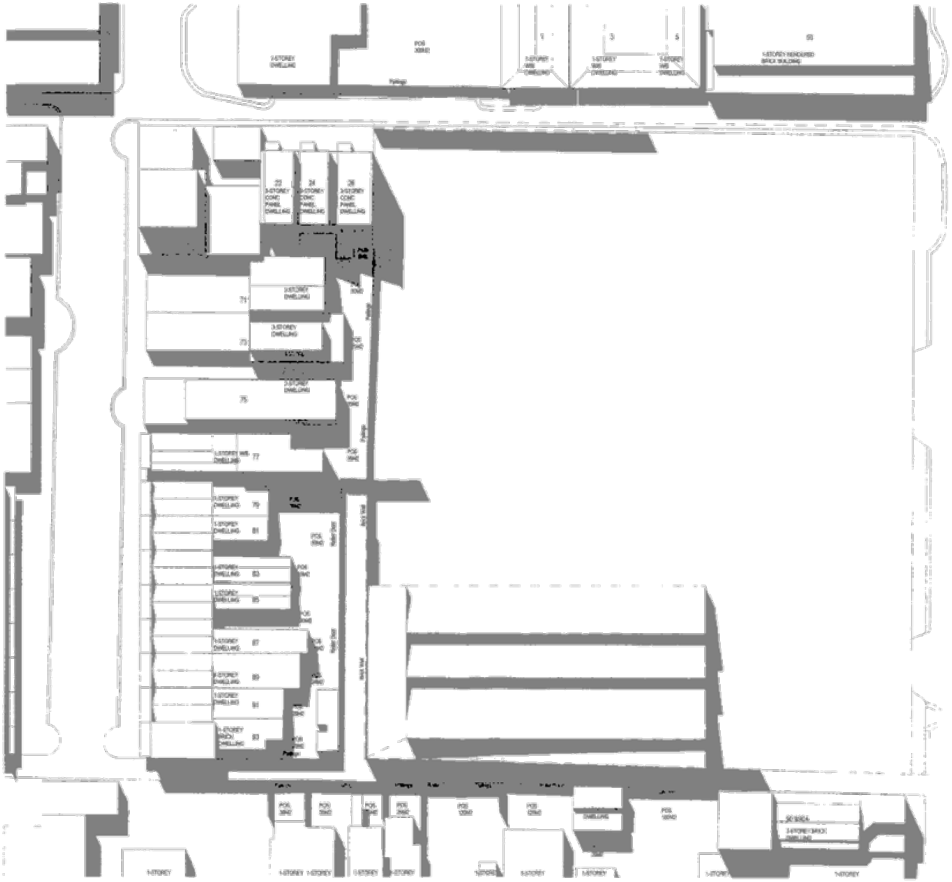
Shadow Diagrams

Existing September 21 1pm



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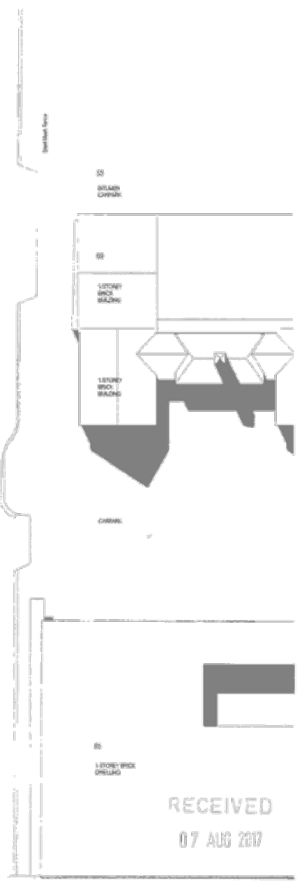

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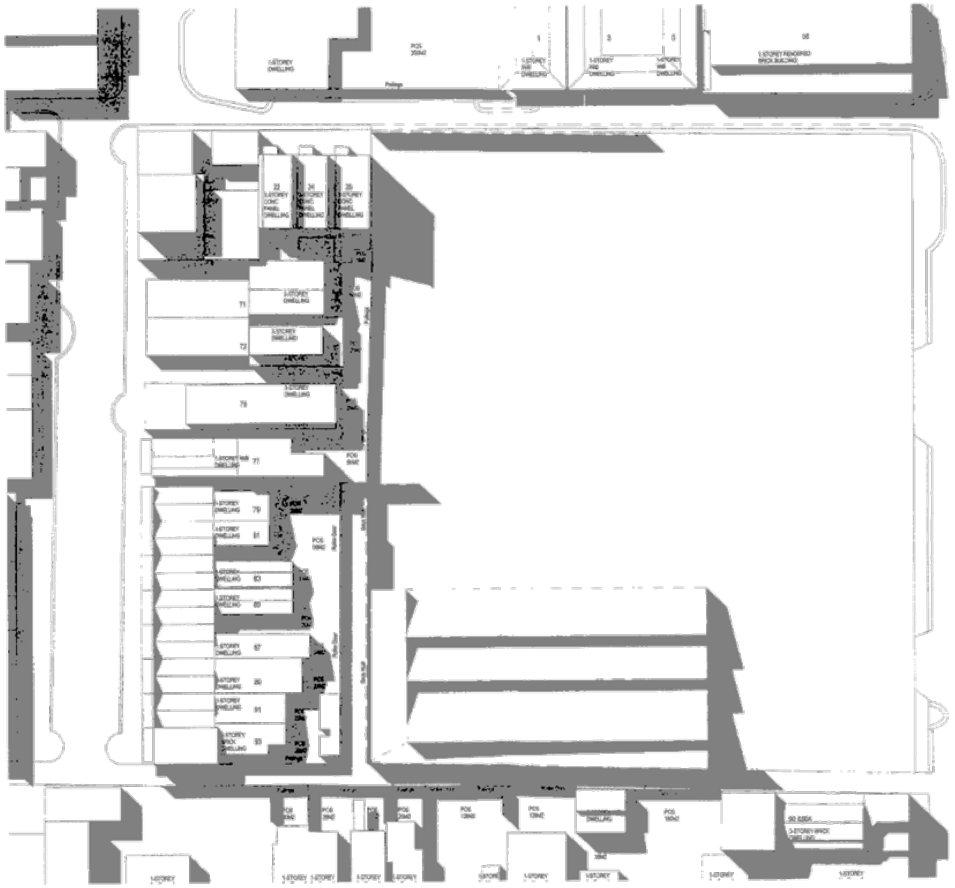
Shadow Diagrams

Existing September 21 2pm



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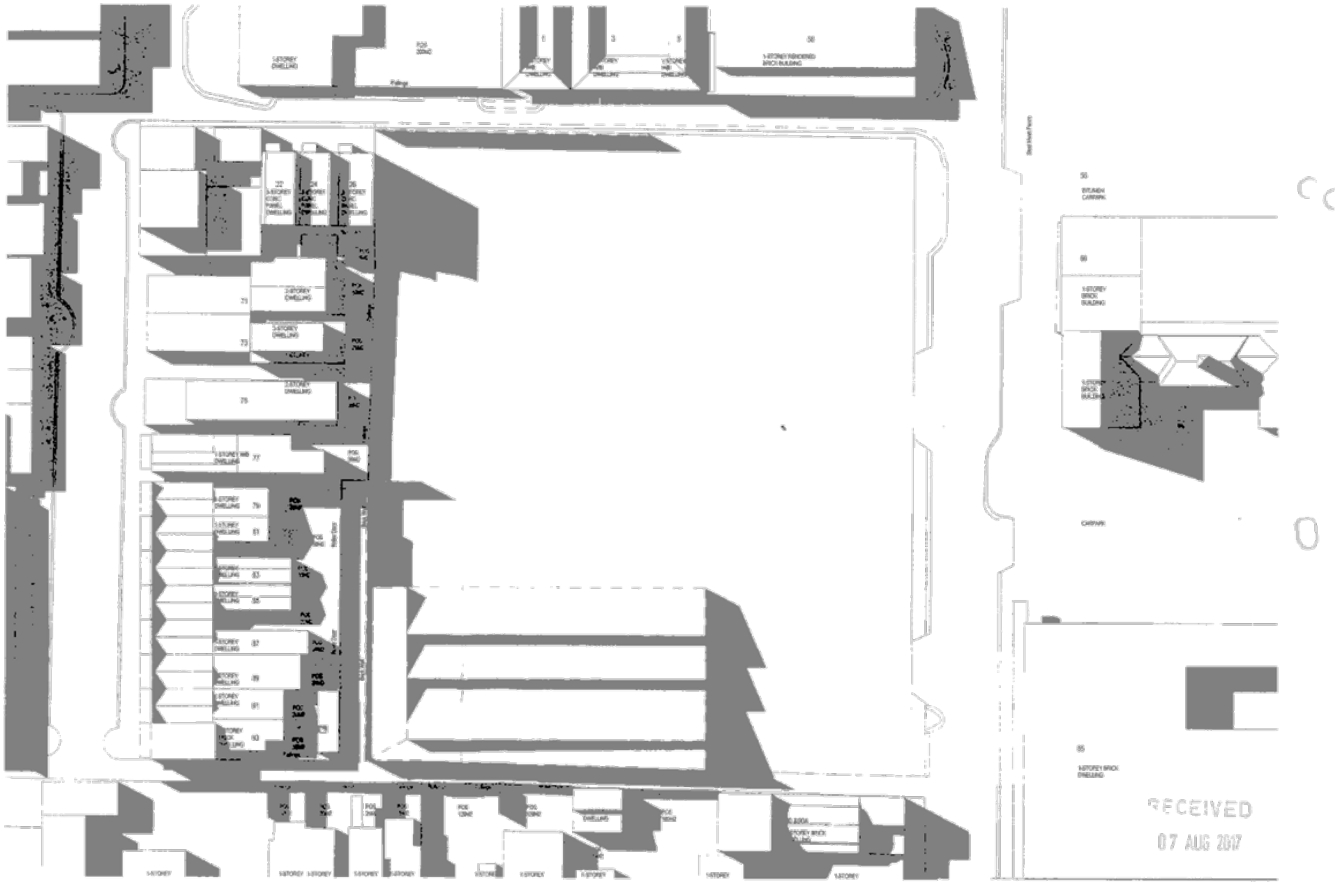
Shadow Diagrams

Existing September 21 3pm



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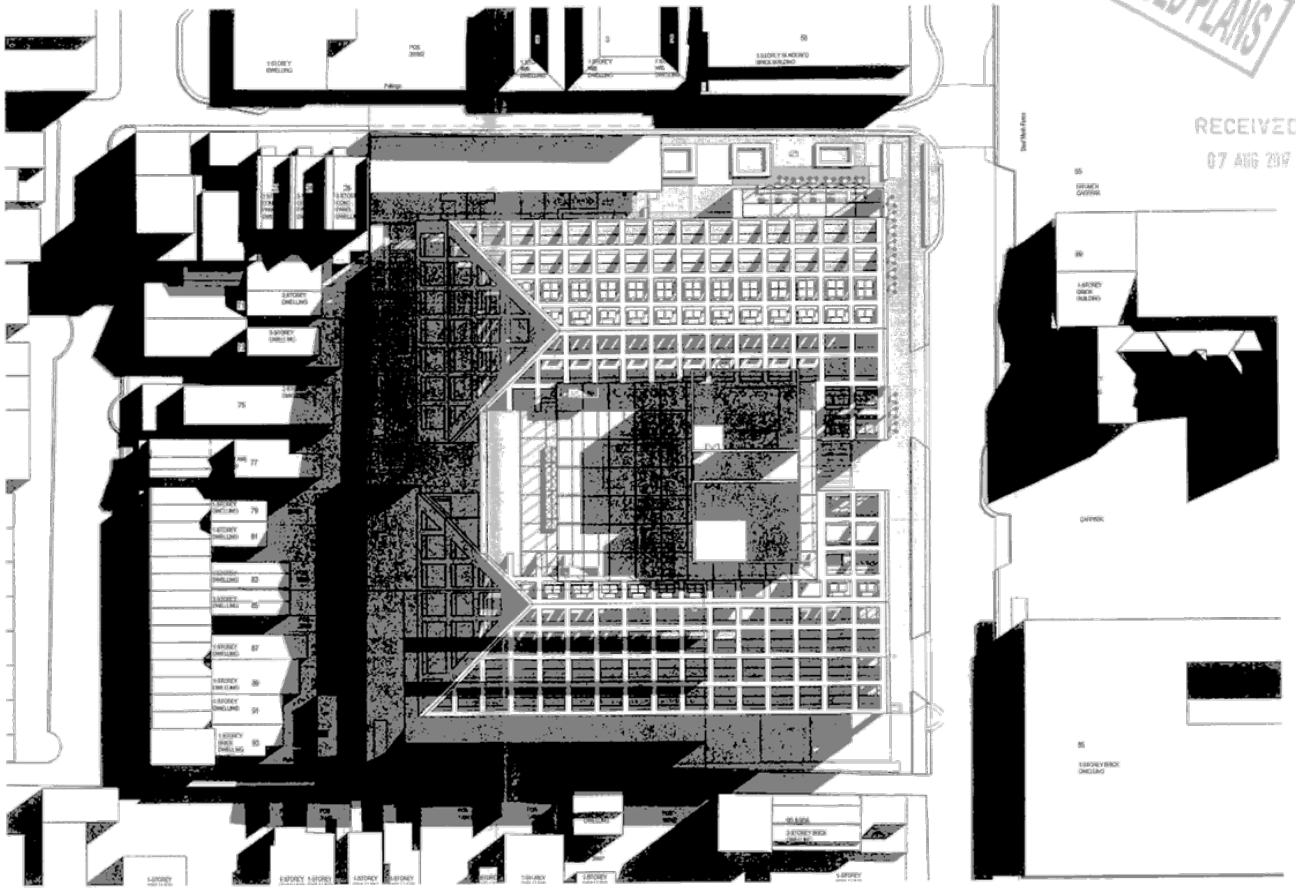
Shadow Diagrams

Proposed September 21 9am

Denotes new shadow



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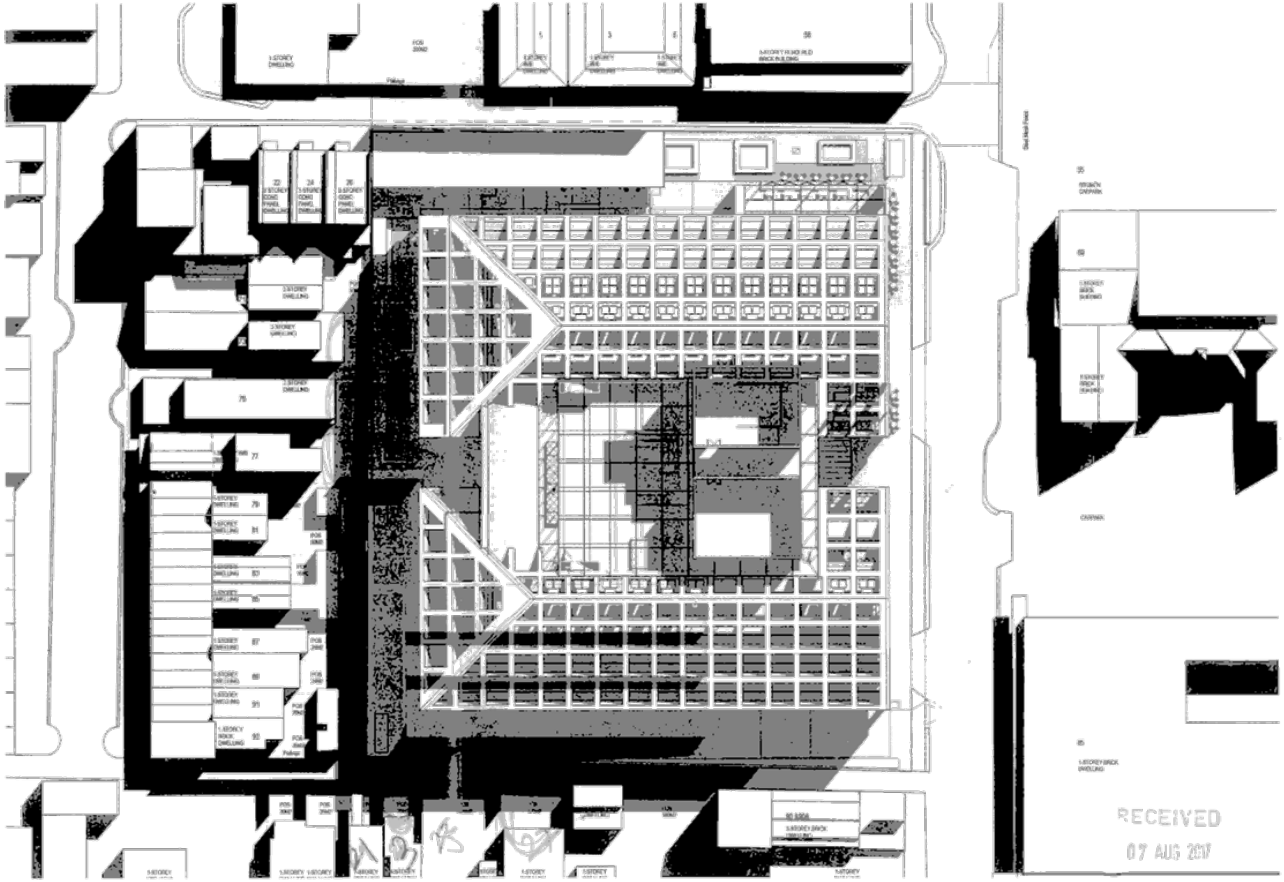

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Shadow Diagrams

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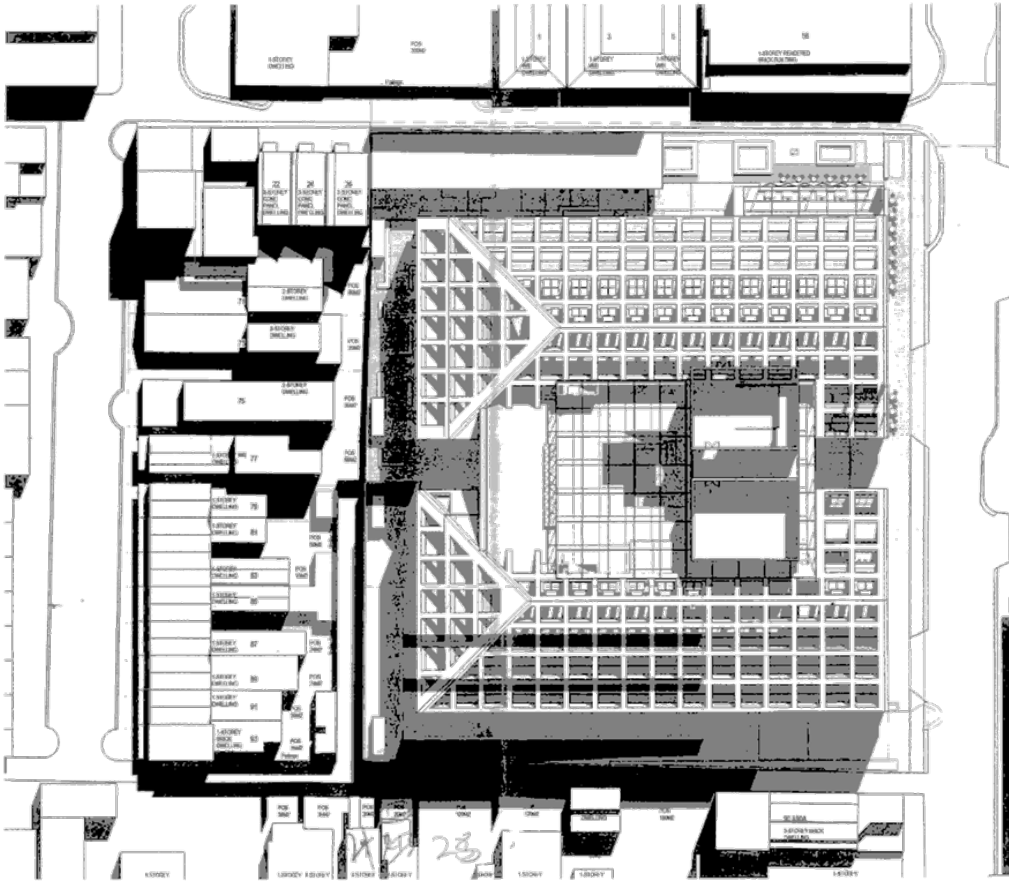

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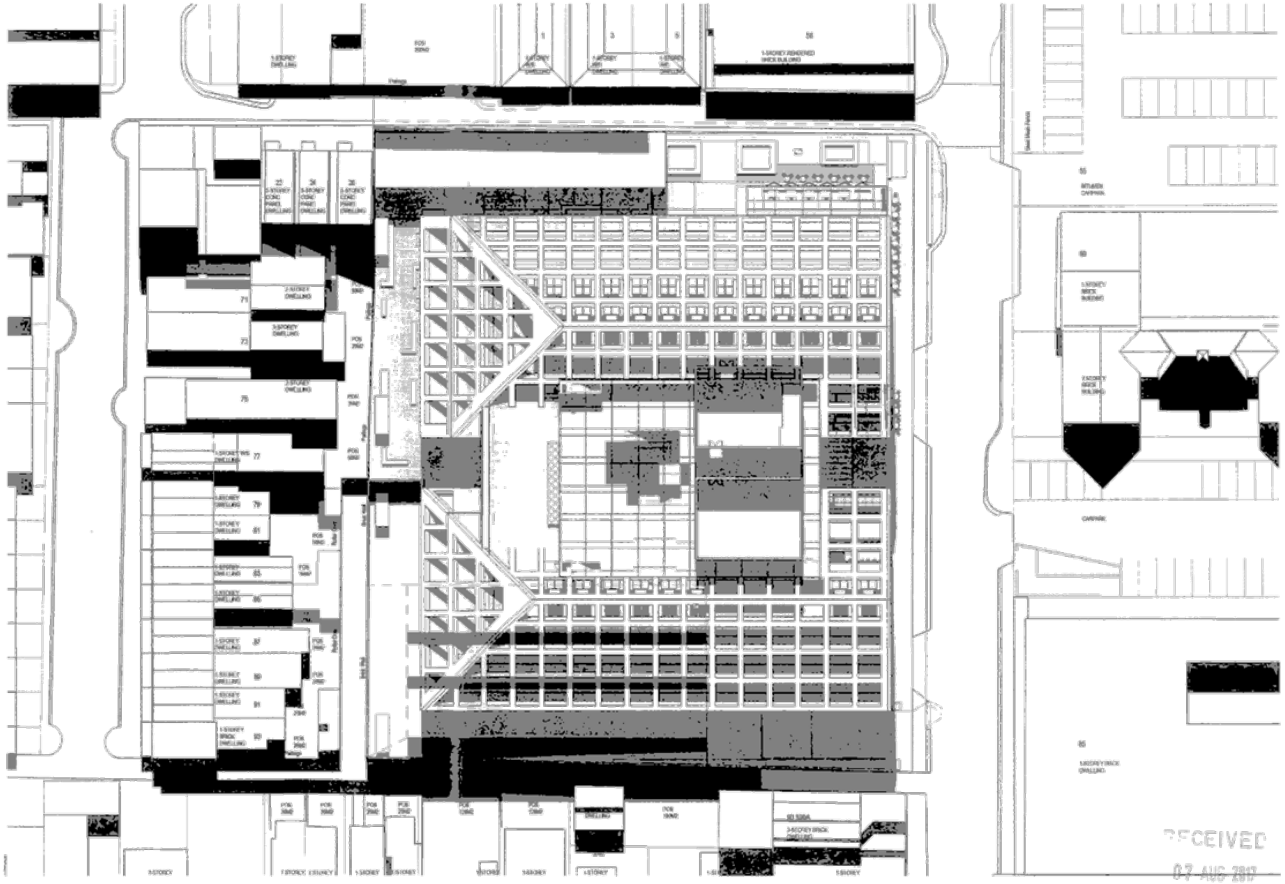

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Shadow Diagrams

Proposed September 21 1pm

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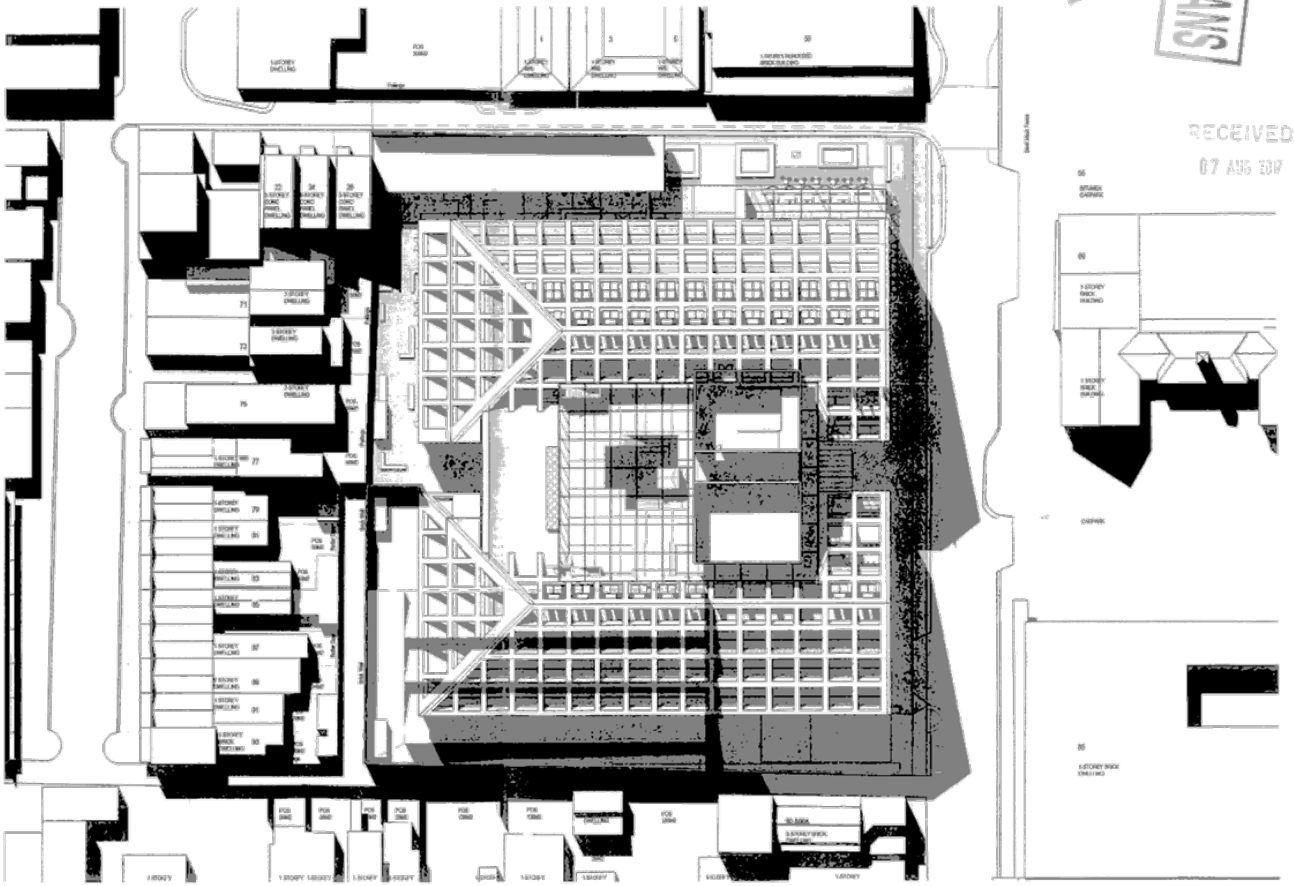

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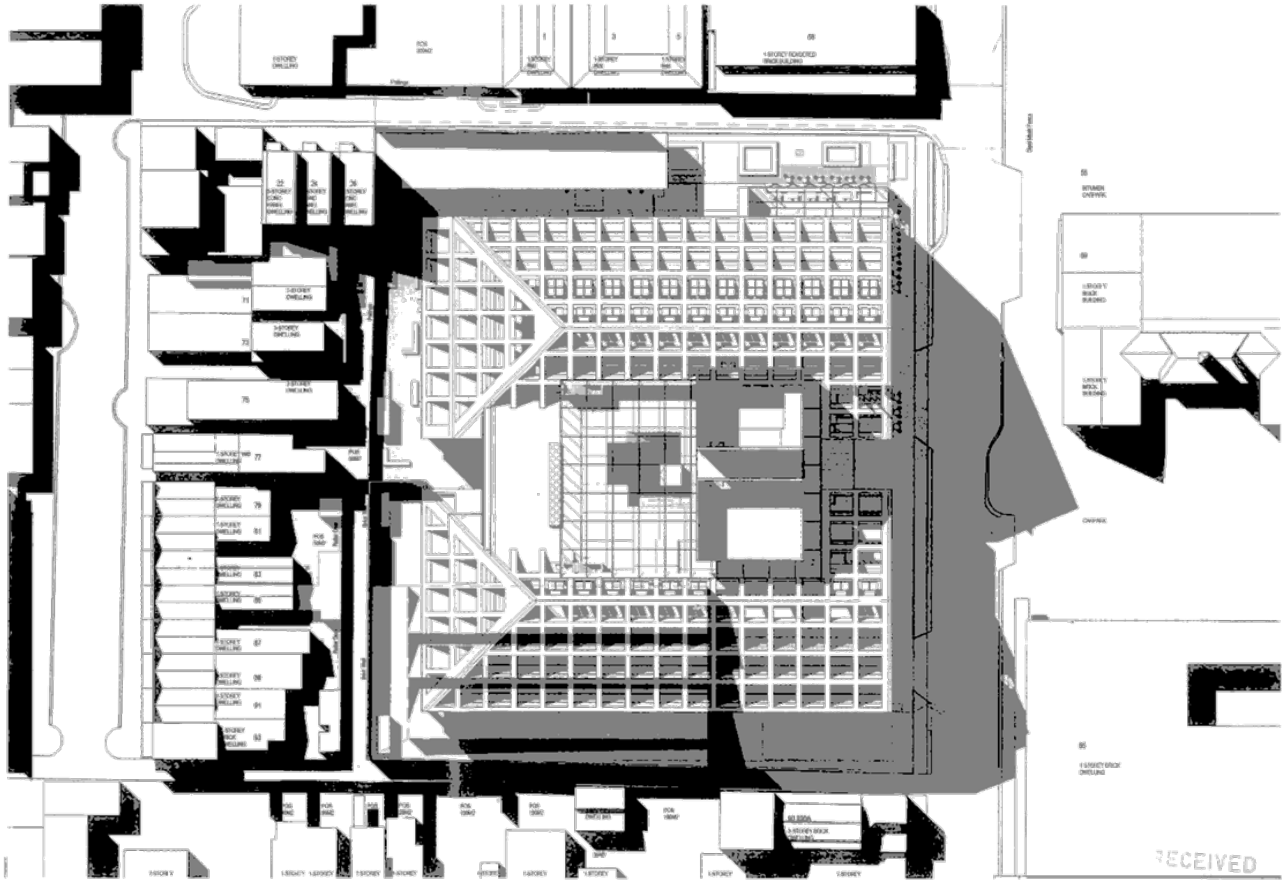

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Shadow Diagrams

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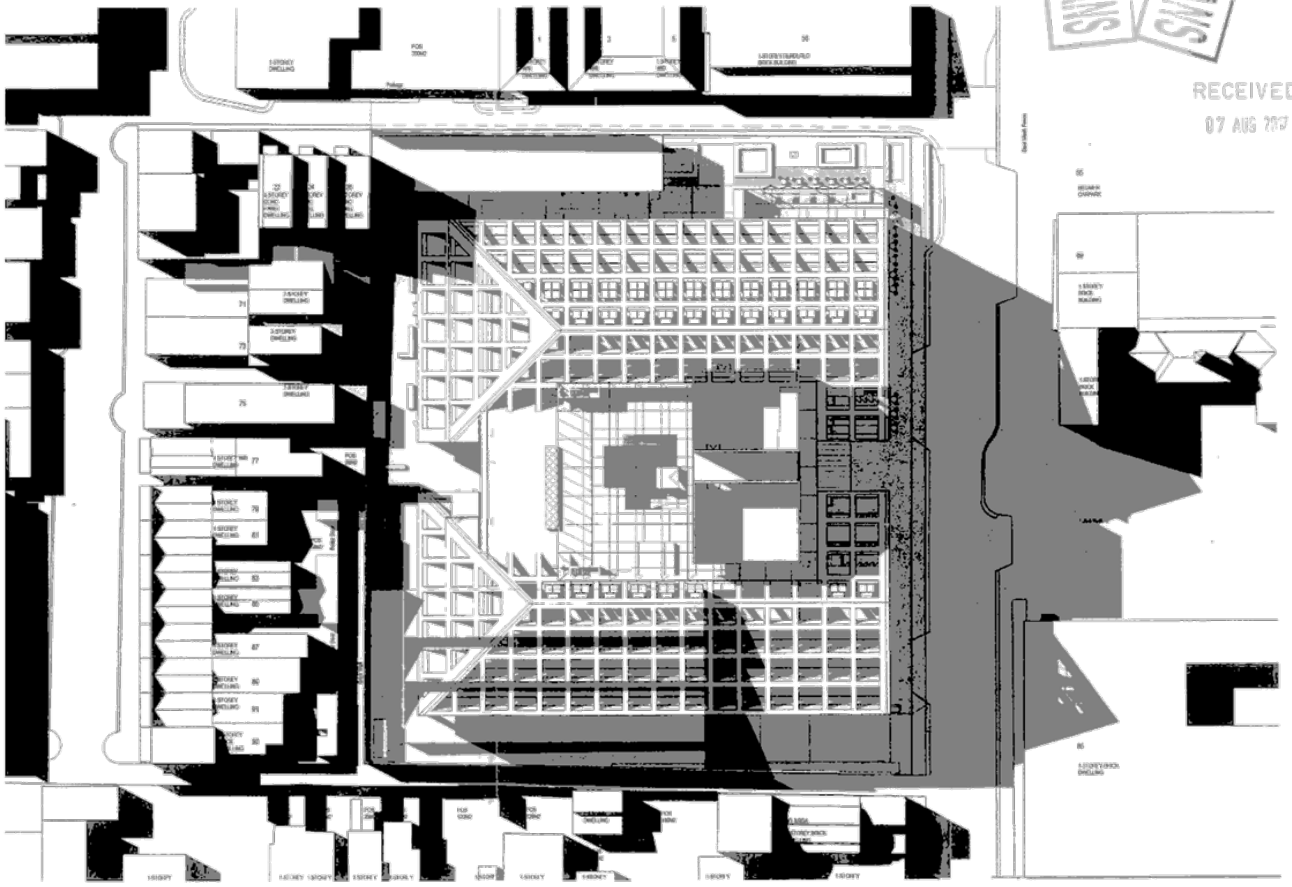

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60-88 Cremorne Street
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Attachment 3 - PLN17/0626-04 - 60 - 88 Cremorne Street Cremorne - 10.30am & 11.30am shadow plans - idac attachment

3.8 Shadow Diagrams

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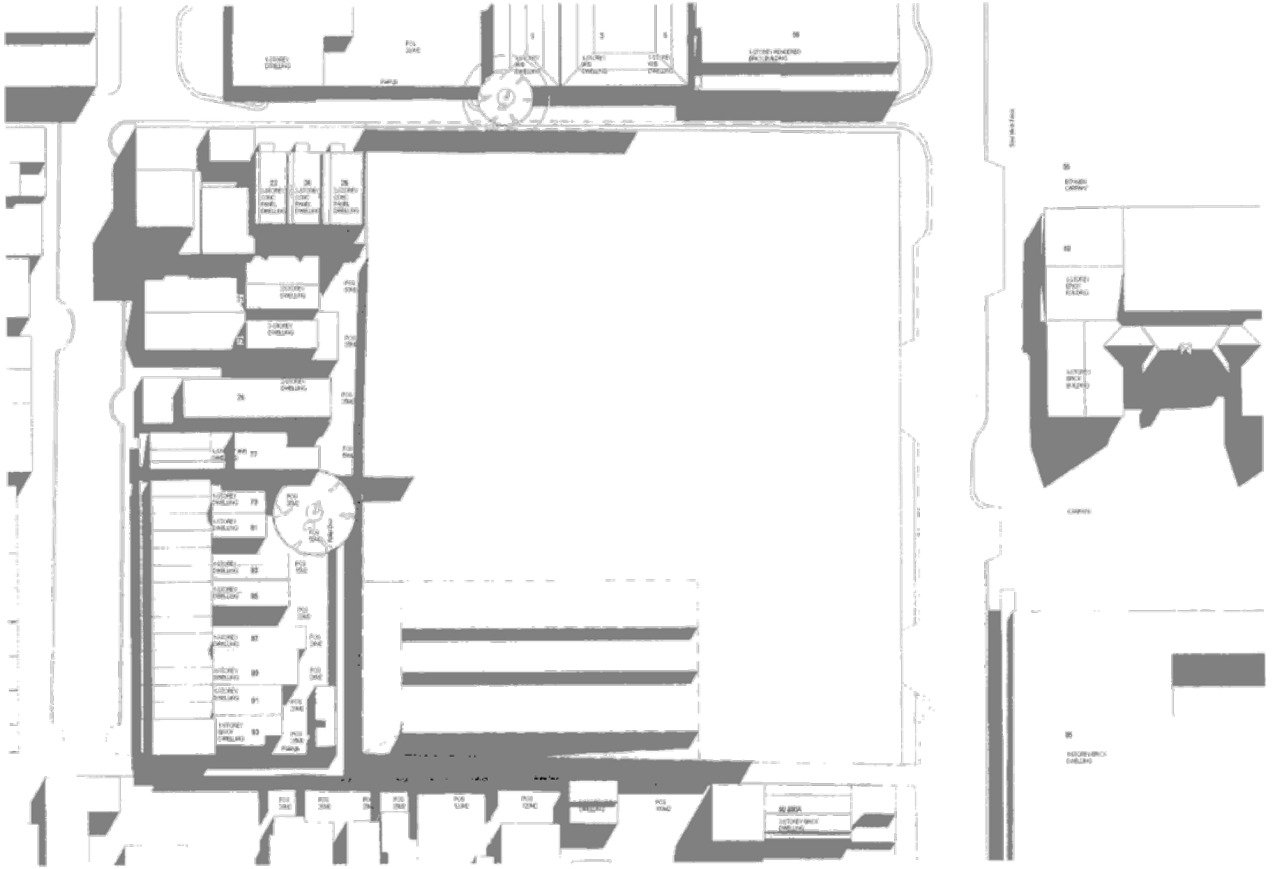
Existing September 21 1030am



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Attachment 3 - PLN17/0626-04 - 60 - 88 Cremorne Street Cremorne - 10.30am & 11.30am shadow plans - idac attachment

3.8 Shadow Diagrams

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Existing September 21 1130am

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3.8 Shadow Diagrams

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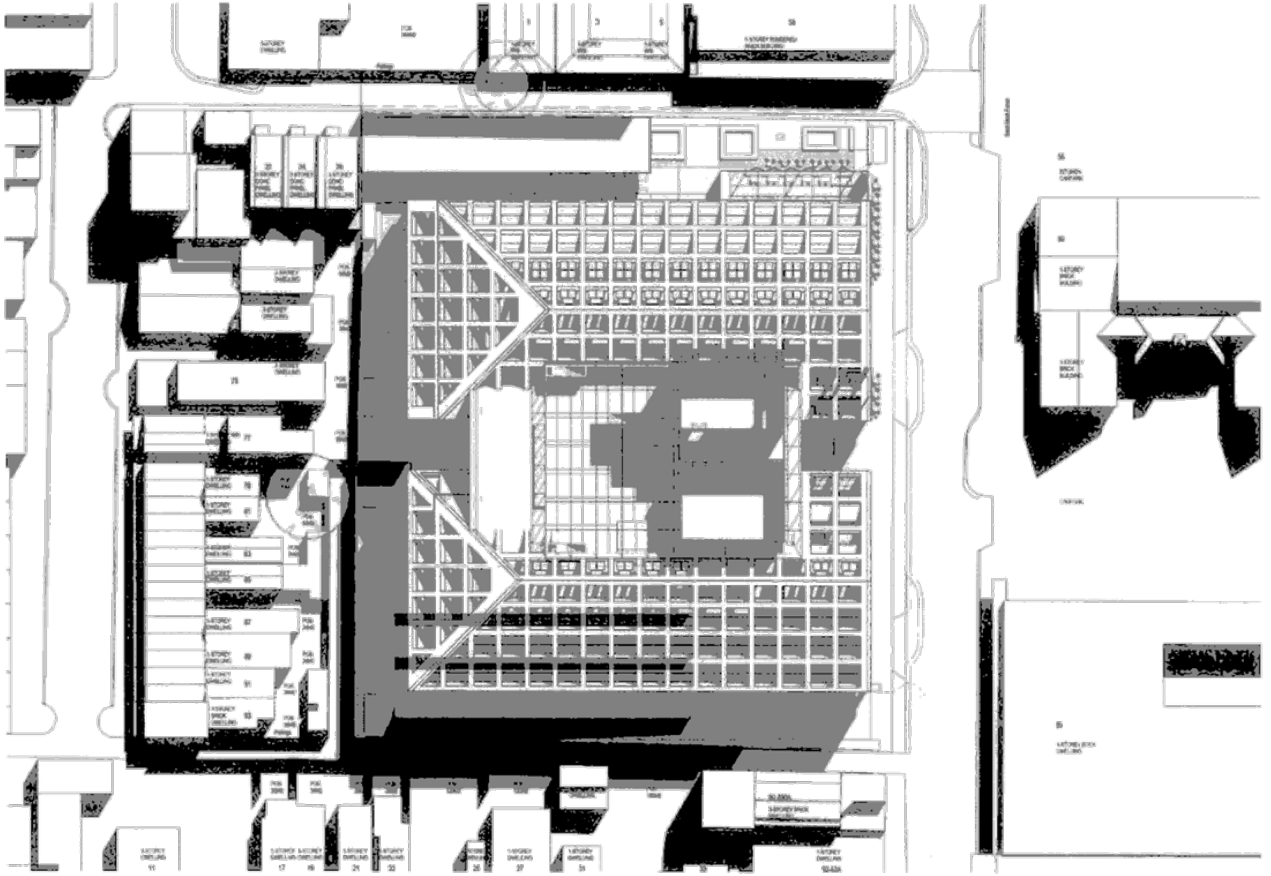
Proposed September 21 1030am

Denotes new shadow



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Attachment 3 - PLN17/0626-04 - 60 - 88 Cremorne Street Cremorne - 10.30am & 11.30am shadow plans - idac attachment

3.8 Shadow Diagrams

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Proposed September 21 1130am

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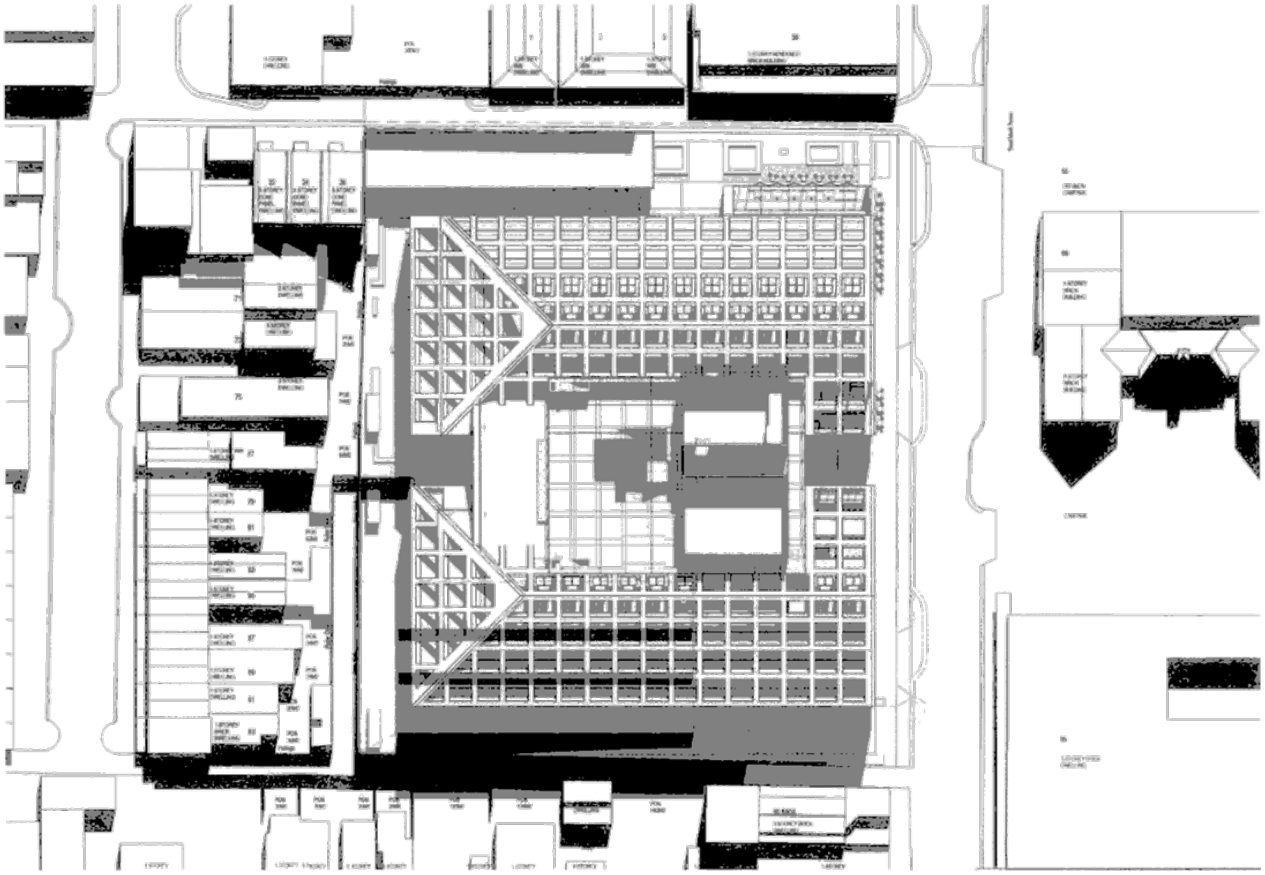


Attachment 4 - PLN17/0626-04 - 60 - 88 Cremorne Street Cremorne - public realm works - idac attachment

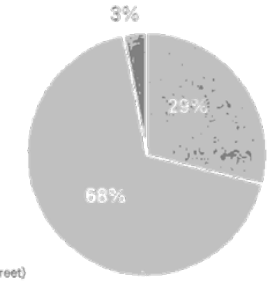
05 Design Proposal Evaluation
Public Realm Area Evaluation:
Existing

DECISION PLANS

Streetscape

- Pedestrian Area: 562m²
- Vehicular Area: 1311m²
- Planted Area: 46m²

Total Area: 1919m²
Number of Trees: 4



107m² non DDA compliant (Blanche Street)

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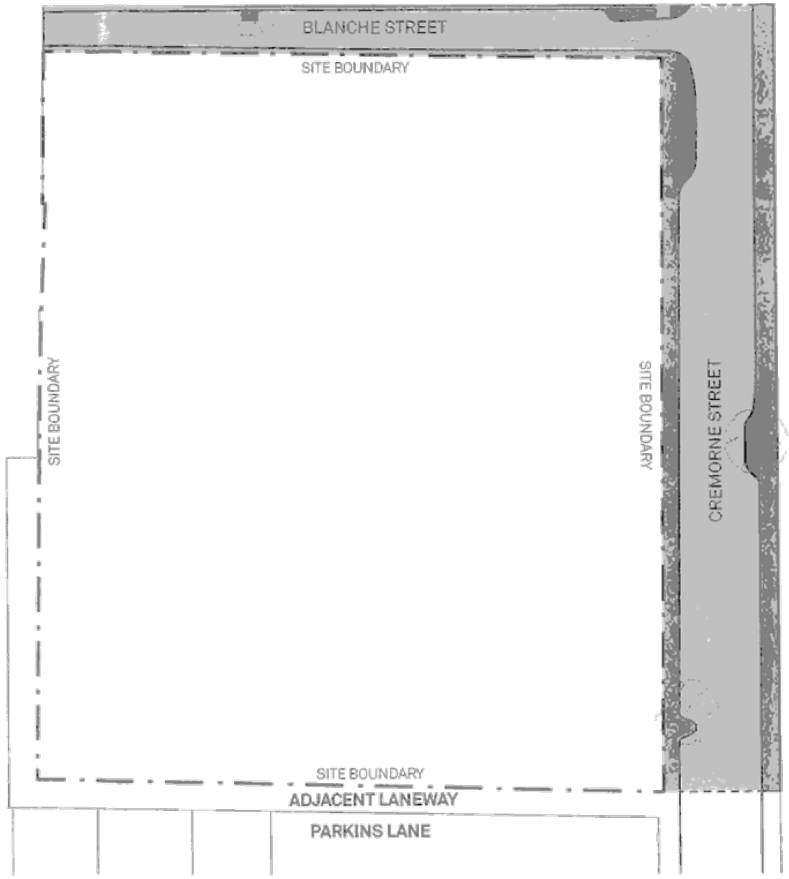

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Attachment 4 - PLN17/0626-04 - 60 - 88 Cremorne Street Cremorne - public realm works - idac attachment

ADVERTISED PLANS

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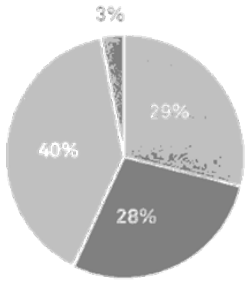
05 Design Proposal Evaluation
Public Realm Area Evaluation:
Proposed

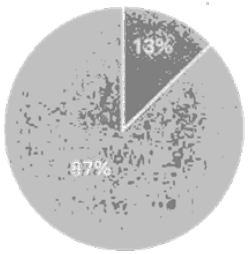


Streetscape

- Pedestrian Area: 562m²
- Vehicular Area: 770m²
- Shared Area: 541m²
- Planted Area: 46m²

Total Area: 1919m²
Number of Trees: 8

+



Publicly Accessible Private Space (24 hours)

- Pedestrian Area: 580m²
- Planted Area: 86m²
- Possible Access Control Points

Total Area: 666m²
Number of Trees: 4

+

Publicly Acessible Private Space (9am-5pm)

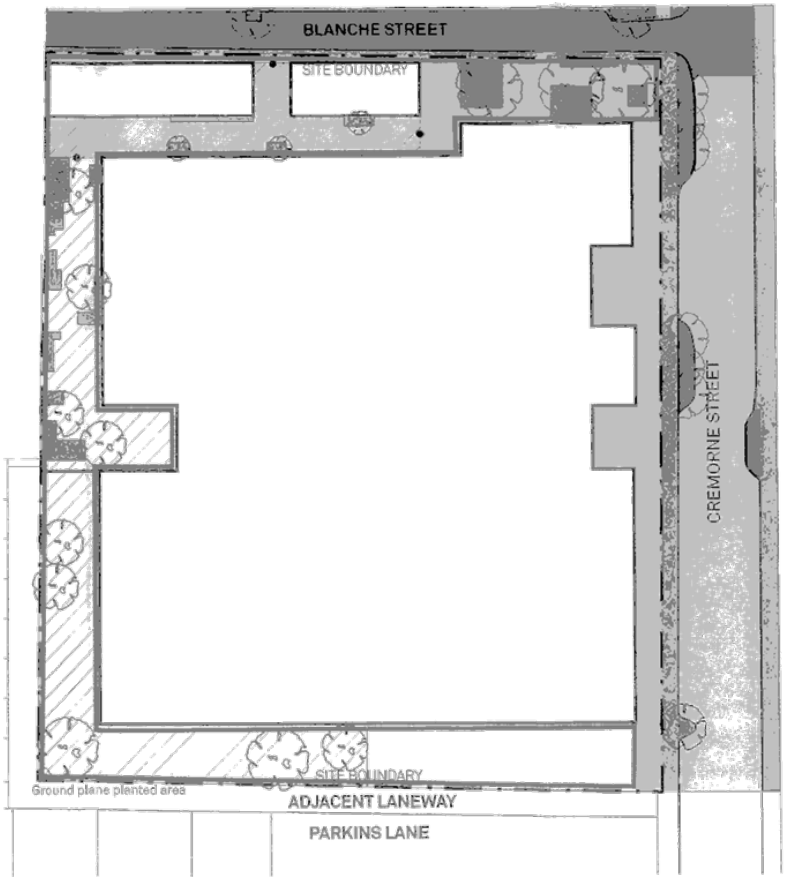
- Private Space: 234m²

Total Area = 234m²
Number of Trees: 4

=

Total Area 2819m²
Site coverage ratio = 72%

Ground plane planted area achieves 200m² native planting, minimum Green Star target.



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Attachment 4 - PLN17/0626-04 - 60 - 88 Cremorne Street Cremorne - public realm works - idac attachment

05 Design Proposal Evaluation
Activated Frontages

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Activated Building Frontage

Building Entry / Access
- Pedestrians
- Cycles
- Cars

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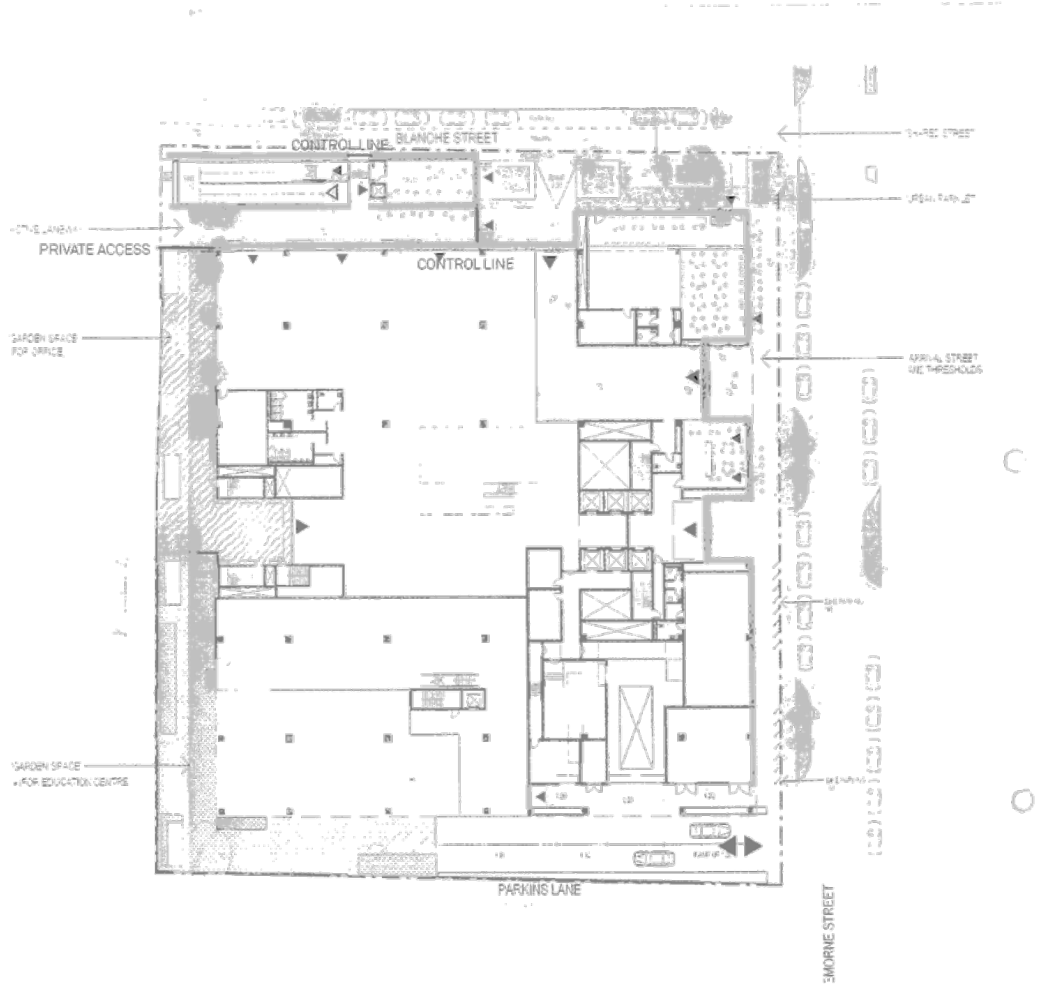

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Attachment 4 - PLN17/0626-04 - 60 - 88 Cremorne Street Cremorne - public realm works - idac attachment

05 Design Proposal Evaluation
Scale Comparison

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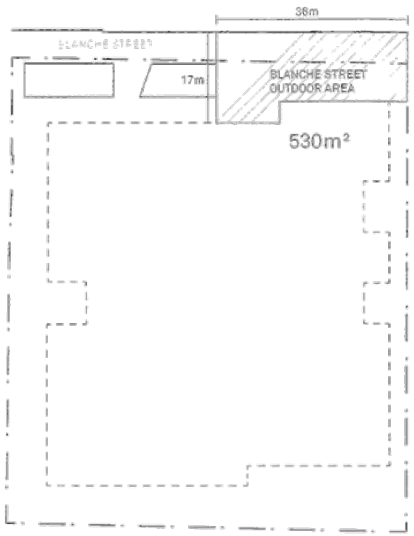
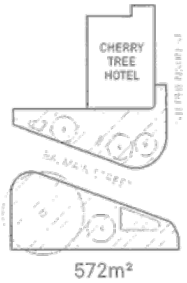
To give a sense of the scale of the proposed public space, this scale comparison shows the area in contrast to the Cherry Tree Hotel and the Terrace Houses on Blanche Street.

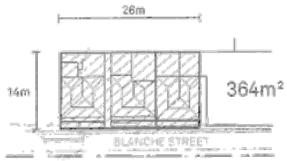
60 Cermorne Street, Cermorne



Cherry Tree Hotel, Cermorne



Terrace Houses, Blanche Street



60-88 CREMORNE STREET

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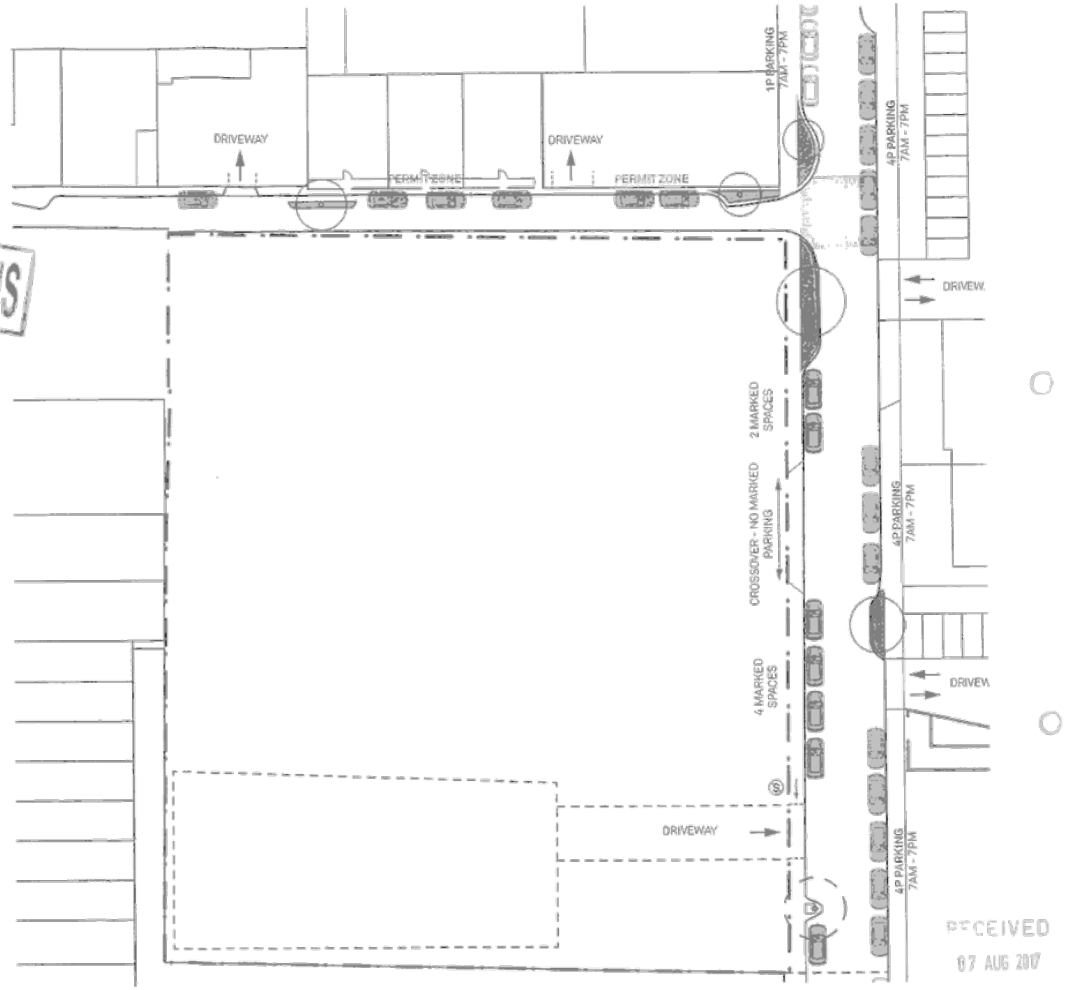
05 Design Proposal Evaluation
Car Parking Area Evaluation

- **Blanche Street**
  6 Parking Bays – Permit Parking
- **Cremorne Street (West Side)**
  7 Parking Bays - 2P 7ᴬᴹam-9pm
- **Cremorne Street (East Side)**
  13 Parking Bays - 4P 7am - 7pmW

ADVERTISED PLANS



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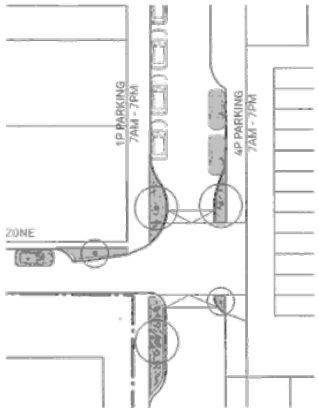
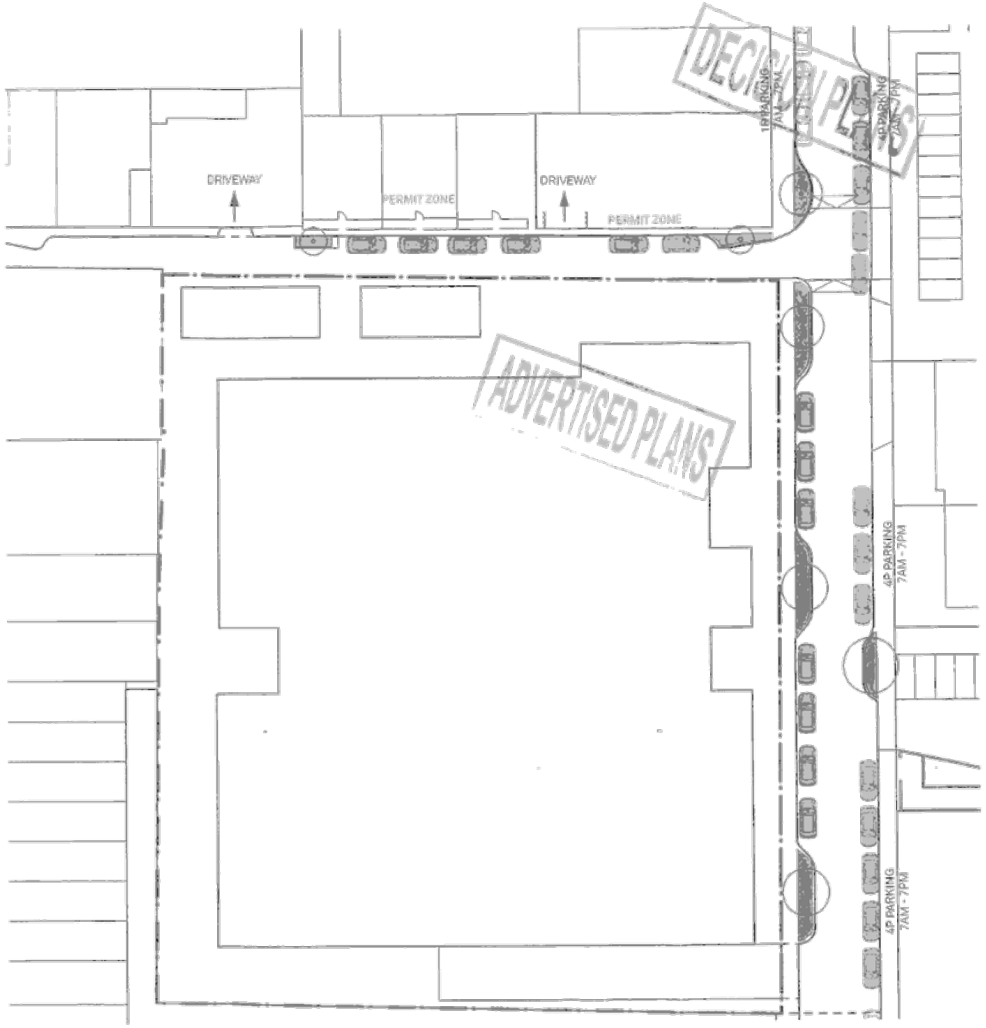
05 Design Proposal Evaluation
Car Parking Area Evaluation

- **Blanche Street**
  6 Parking Bays - Permit Parking
- **Cremorne Street (West Side)**
  7Parking Bays - 2P 7[RD]am-8pm
- **Cremorne Street (East Side)**
  10 Parking Bays - 4P 7am - 7pm



Option to improve Blanch Street link.
(Further car parking removals required)



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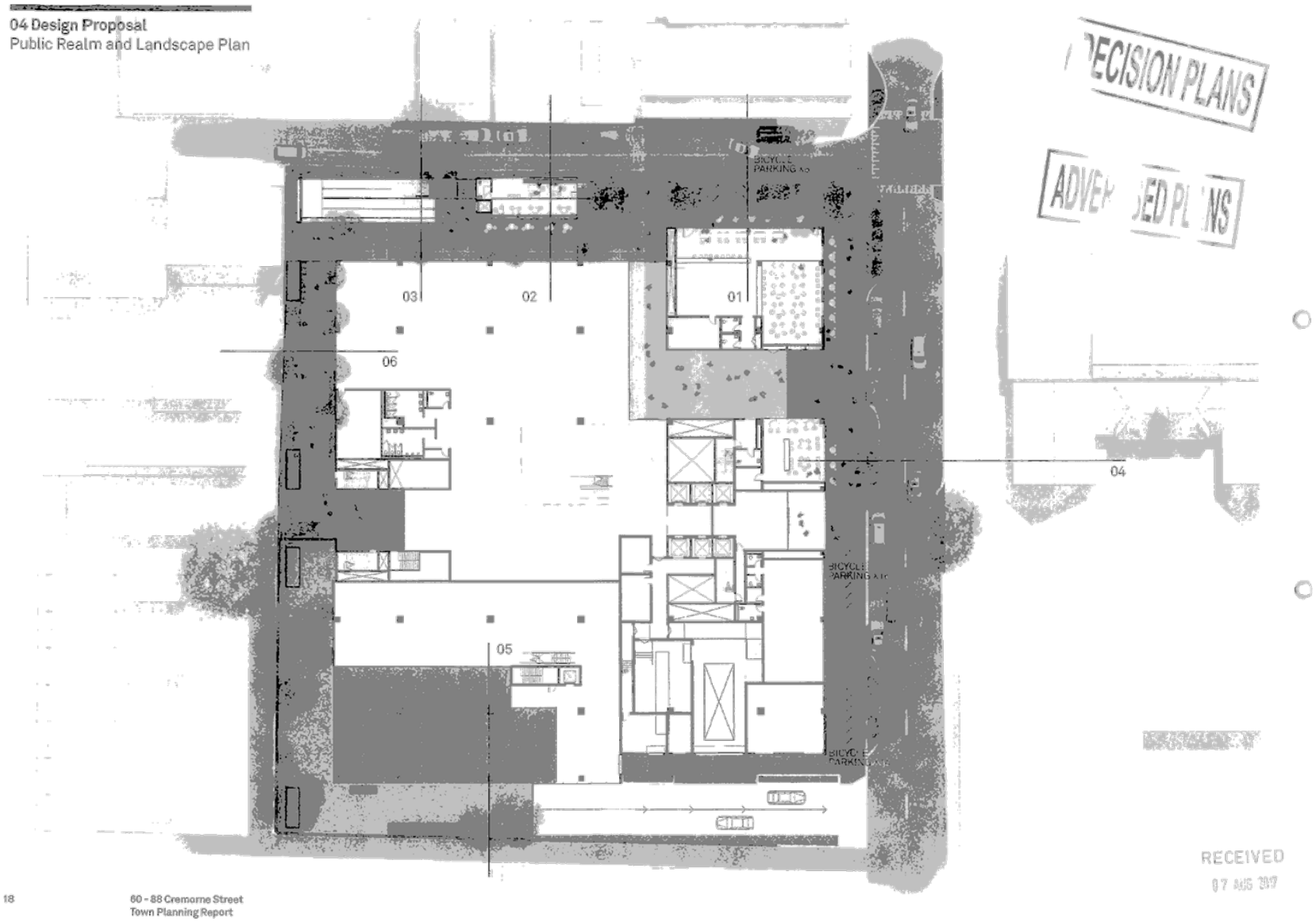

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04 Design Proposal
Blanche St Urban Parklet

DECISION PLANS

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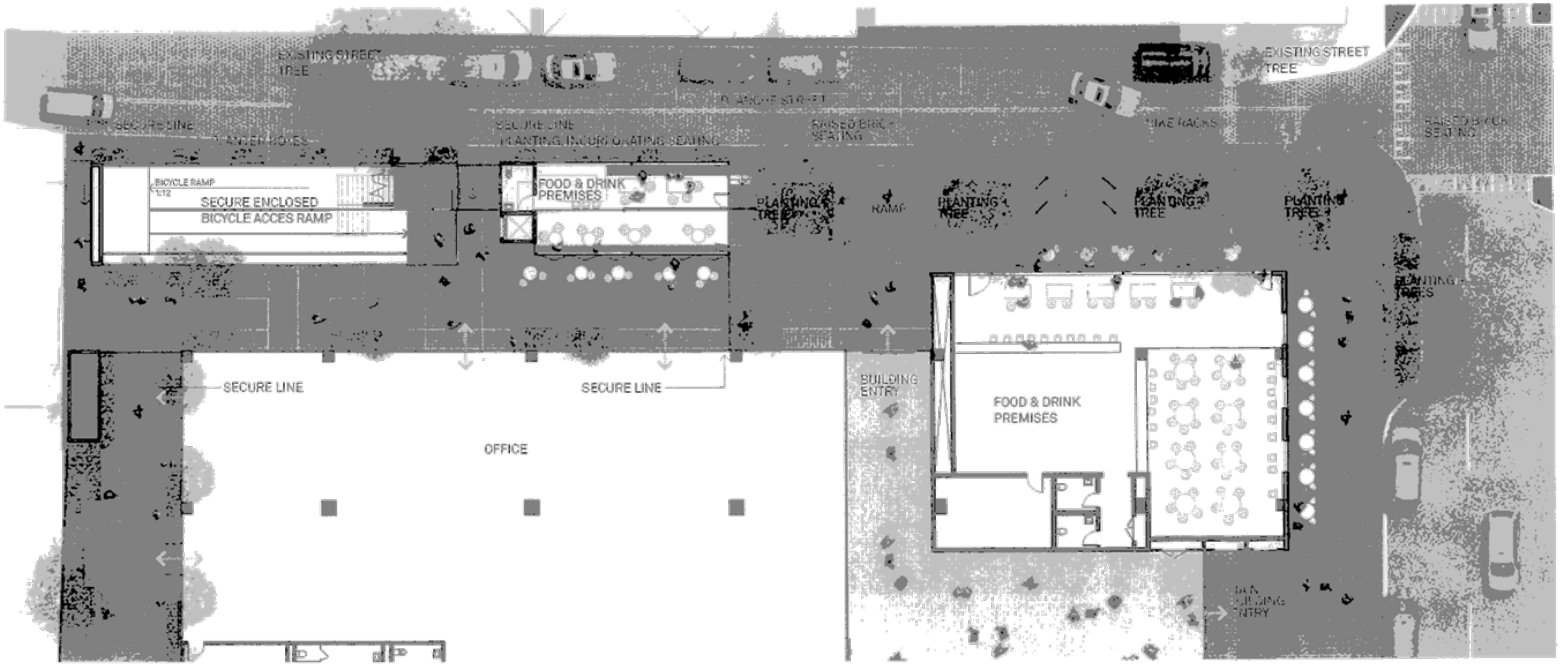

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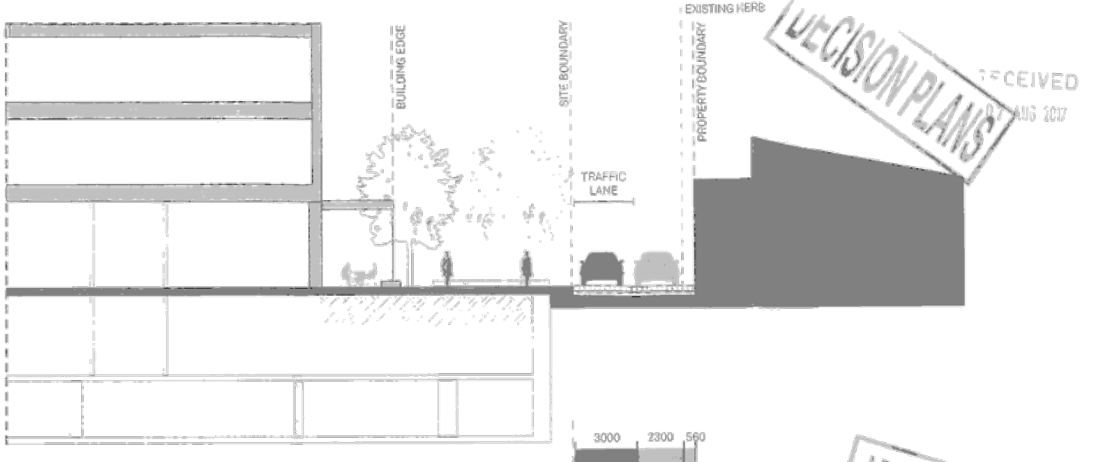
04 Design Proposal
Public Realm and Landscape
Blanche Street Section
(Vehicular Zone to Encroach Title)

The transformation of Blanche Street into a new shared street resolves existing traffic issues and also creates a great piece of new public realm which enhances the experience and amenity of the Cremorne Precinct.



DECISION PLANS

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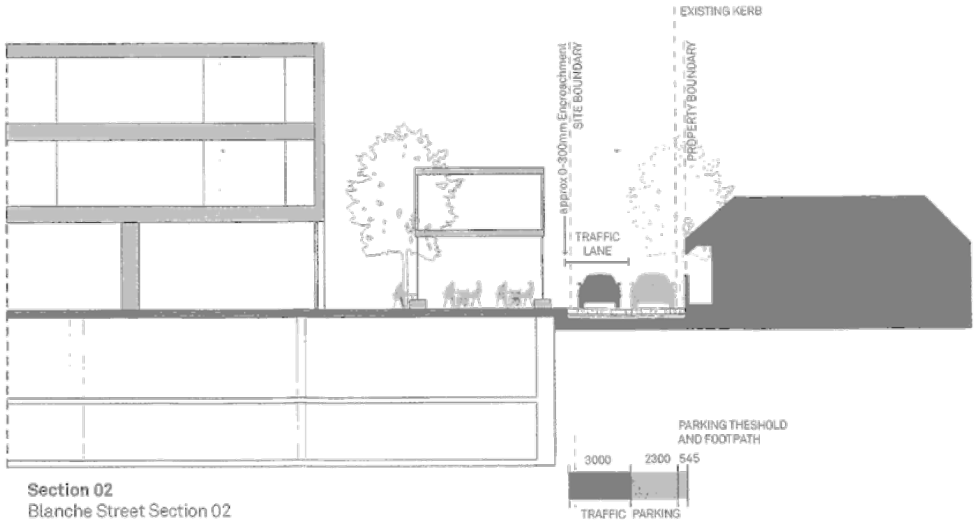
ADVERTISED PLANS

Section 01
Blanche Street Section 01
Shared Zone



Section 02
Blanche Street Section 02
Shared Zone

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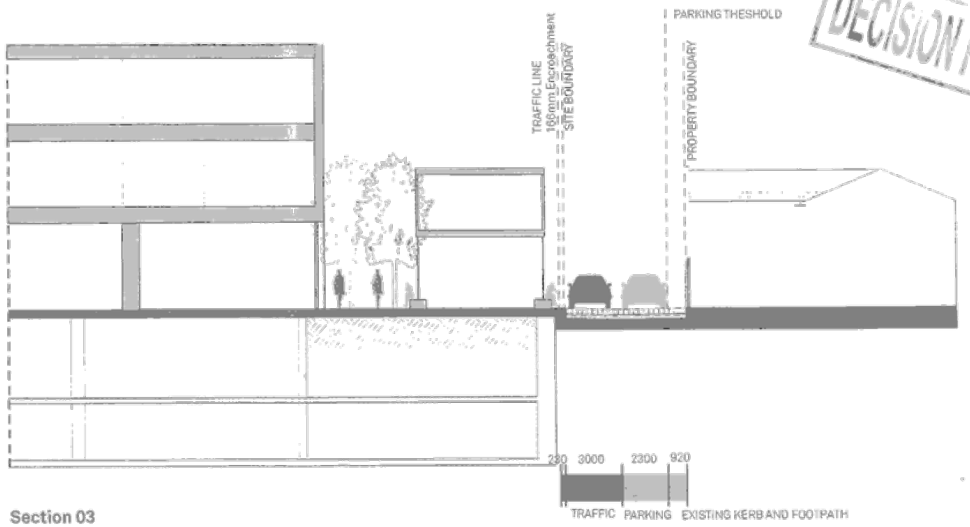
04 Design Proposal
Public Realm and Landscape
Blanche Street Section

ADVERTISED PLANS
DECISION PLANS



Section 03
Blanche Street Section 02
Shared Zone

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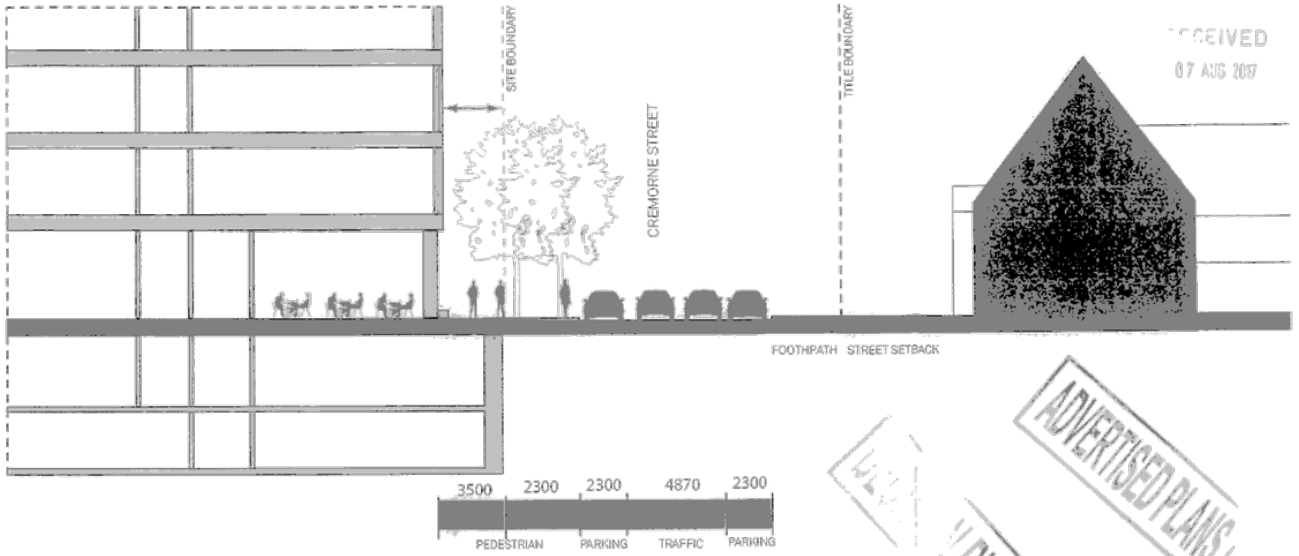
04 Design Proposal
Public Realm and Landscape
Sections



Section 04
Cremorne Street Section 03

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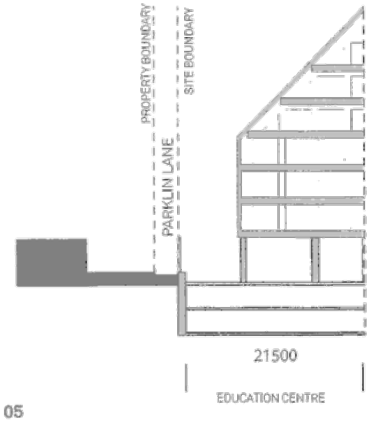
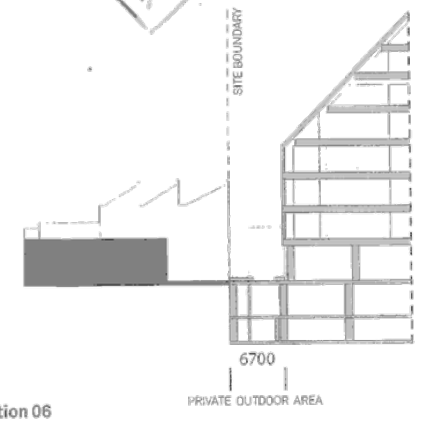
PLAN



Section 05
Parkins Lane Section 04



Section 06
Private Lane 05

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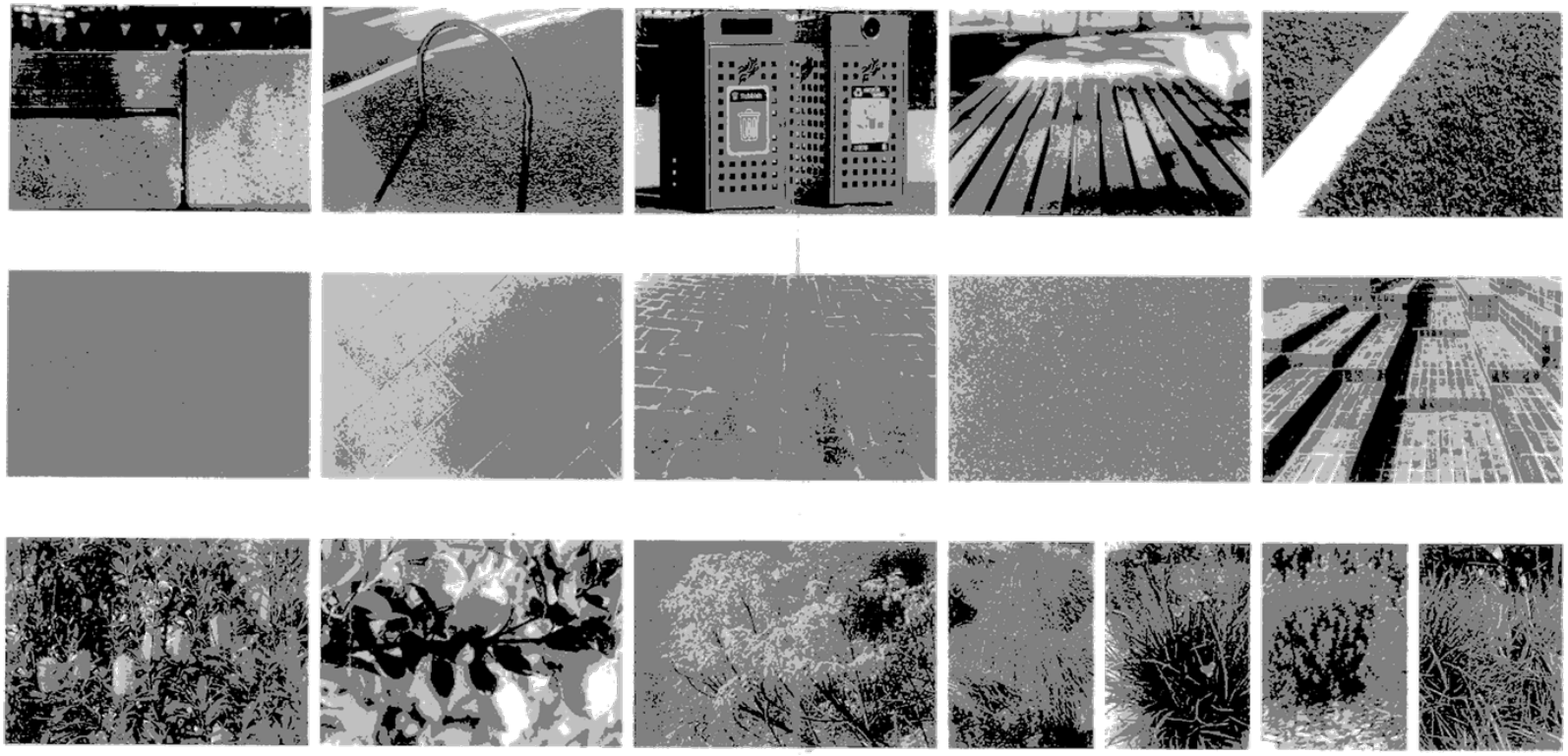
04 Design Proposal
Materials + Plant Palette

DECISION PLANS
ADVERTISED PLANS



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Referrals

External Referrals

Public Transport Victoria

PTV has reviewed the information supplied and, pursuant to Section 56(1) of the Planning an Environment Act 1987, Public transport Victoria does not object to the grant of a planning permit.

Internal departments

Engineering Services Unit

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 Office Use. Parking associated with office type developments is generally long-stay parking for employees and short term parking (say up to two hours' duration) for customers and clients. The actual parking demand generated by the office is expected to be lower than the statutory parking rate of 3.5 spaces per 100 square metres of floor space, since the area has very good access to public transport services.*

  The development would be providing on-site office parking at a rate of 0.72 spaces per 100 square metres (200 spaces for 27,653 square metres of office floor space). In Cremorne, a number of developments have been approved with reduced office rates, as shown in the following table:

Development Site	*Approved Office Parking Rate*
9-11 Cremorne Street PLN16/0171 (Amended) issued 13 June 2017	*0.85 spaces per 100 m² (20 on-site spaces, 2,329 m²)*
33 Balmain Street PLN15/0309 issued 21 October 2015	*0.78 spaces per 100 m² (14 on-site spaces, 1788.1 m²)*
13 Cubitt Street PLN16/1022 issued 20 December 2016	*0.41 spaces per 100 m² (3 on-site spaces, 726.25 m²)*

  The proposed on-site office parking rate of 0.72 spaces is considered appropriate, having regarding to the site's excellent accessibility to public transport services and proximity to Melbourne.

- *Parking Demand for Indoor Recreation Facility Use. GTA Consultants have provided an empirical parking demand rate for indoor recreation use of 4.66 spaces per 100 square metres of leasable floor area. The type of indoor recreation facility is not known. Using the rate quoted by GTA Consultants would result in a parking demand of seven spaces. The one on-site space allocate to the indoor recreation use would highly likely be used by an employee or supervisor. The balance of the parking demand would be generated by customers. It is highly probable that customers to the facility would be drawn from the offices at the subject site, nearby businesses and local residents.*
- *Parking Demand for Food and Drink Use. As for the indoor recreation facility, patrons to the food and drink premises would be drawn from employee of the office, nearby workplaces and local residents. It is unlikely that the proposed food and drink premises*

would be a specific destination in its own right. The three on-site spaces for this use would be used by employees.

- *Availability of Public Transport in the Locality of the Land. The site is within walking distance of tram services operating along Swan Street. The Richmond railway station and bus services operating along Punt Road are also within walking distance of the site.*
- *Multi-Purpose Trips within the Area. Clients and customers to the site who choose to drive might combine their visit by engaging in other business or activities whilst in the area.*
- *Convenience of Pedestrian and Cyclist Access. The site has very good walking accessibility to public transport nodes. The site also has good connectivity to the on-road bicycle network.*

Appropriateness of Providing Fewer Spaces than the Likely Parking Demand

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

- *Availability of Car Parking. The on-street parking in the Cremorne area is very high during business hours. All the streets in the Cremorne area contain time based parking restrictions. The introduction of parking sensors along Cremorne Street would facilitate the parking turnover of bays. The high parking demand in the Cremorne area would be a disincentive to visitors, customers or employees to drive.*
- *Relevant Local Policy or Incorporated Document. The proposed development is considered to be in line with the objectives contained in Council's Strategic Transport Statement. The site is ideally located with regard to sustainable transport alternatives and the reduced provision of on-site car parking would potentially discourage private motor vehicle ownership and use.*

Adequacy of Car Parking

From a traffic engineering perspective, the dispensation in the car parking requirement for the office, indoor recreation facility and food and drink uses is considered appropriate in the context of the development and the surrounding area. The site has the advantage of being located close to public transport nodes.

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

TRAFFIC GENERATION

The traffic generation for the site adopted by GTA Consultants is as follows:

Proposed Use	*Adopted Traffic Generation Rate*	*Daily Traffic*	*Peak Hour*	
			AM	*PM*
Office	*0.57 trips per space - AM peak hour* *0.50 trips per PM peak hour* *3.25 vehicle trips per space per day*	*650*	*114*	*100*

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Education Centre	*1.0 trip per space in each peak hour* *4.0 trips per space per day* *(27 on-site spaces)*	*108*	*27*	*27*
Food and Drink & *Indoor Recreation Facility*	*1.0 trip per space in each peak hour* *(4 on-site space)*	*16*	*4*	*4*
	Total	*774 trips*	*145 Trips*	*131 Trips*

The traffic distribution assumptions made by GTA Consultants is based on the existing traffic distribution along Cremorne Street, Blanche Street and Parkins Lane. These assumptions are considered reasonable.

Cremorne Street

According to GTA Consultants, Cremorne Street would have a daily traffic volume of around 5,000 vehicles per day and would have characteristics similar to a Connector Street – Level 2 as per Clause 56.06 of the Yarra Planning Scheme, which has an environmental capacity of 3,000 to 7,000 vehicles per day. It is agreed that the additional traffic generated by the development would result in the daily traffic volume for Cremorne Street being within the range for a Connector Street – Level 2.

Development Access

The traffic impact of the site's access on Cremorne Street was assessed using the SIDRA program, which measures intersection performance. SIDRA modelling works well under free flowing traffic conditions and may have limitations, such as queuing of downstream traffic. The results of the post-development modelling suggest that Cremorne Street access point is expected to operate satisfactorily without adversely impacting on Cremorne Street.

DEVELOPMENT LAYOUT DESIGN

Layout Design Assessment

Item	*Assessment*
Access Arrangements	
Development Entrance	*The proposed 6.55 metre wide entrance satisfies the Australian/New Zealand Standard AS/NZS 2890.1:2004 and Design standard 1 – Accessways of Clause 52.06-9.*
Visibility	*The exit lane will be provided with a sight triangle in accordance with Design standard 1. This has not been depicted on the drawings.*
Headroom Clearance	*A minimum headroom clearance of 2.2 metres has been provided, which satisfies AS/NZS 2890.1:2004.*
Vehicle Crossing	*An existing power pole and two existing junction pits occupy the area of the new vehicle crossing. To be relocated or adjusted.*

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Vehicle Passing at Entrance	*The submitted swept path diagrams for the B85 design vehicle and an oncoming B99 design vehicle are considered satisfactory.*
Internal Ramped Acessways	*The internal ramp has a width of 6.2 metres and satisfies AS/NZS 2890.1:2004.*
Car Parking Modules	
At-grade Parking Spaces	*The dimensions of the parking spaces (2.6 metres by 4.9 metres) satisfy design standard 2: Car parking spaces.*
Accessible Parking Space	*With the exception of the lengths (which satisfy Design standard 2), the accessible parking spaces and shared areas satisfy the Australia/New Zealand Standard AS/NZS 2890.6:2009.*
Small Car Spaces	*With the exception of the lengths (which satisfy Design standard 2), the small car spaces satisfy AS/NZS 2890.1:2004.*
Aisles	*The aisle widths range from 5.75 metres to 8.1 metres and satisfy Design standard 2.*
Column Depths and Setbacks	*Column depths and setbacks from the aisle satisfy Diagram 1 Clearance to car parking spaces of Clause 52.06-9.*
Clearances to Walls	*Not dimensioned on the drawings.*
Motorbike Spaces	*Not dimensioned on the drawings.*
Gradients	
Ramp Grade for First 5.0 metres inside Property	*The ramp grade for the first 5.0 metres inside the building line is 1 in 20 and satisfies Design standard 3: Gradients.*
Ramp Grades and Changes of Grade	*The ramp grades and the changes of grade for the ramped accessway and the internal ramps satisfy Design standard 3.*
Other Items	
Loading Bay	*Not dimensioned on the drawings.*
Truck Turning Movements	*The swept path diagrams for a Medium Rigid Vehicle entering and exiting the loading bay are considered satisfactory.*

Design Items to be Addressed

Item	*Details*
Vehicle Crossing	*The existing power pole must be relocated to the satisfaction of the relevant power authority and Council. The two existing junction pits are to be adjusted with the pit lids flush with the surface of the vehicle crossing. The lids must be heavy duty cover lids (Gatic or equivalent).*
Visibility	*The sight triangle for the exit lane to be shown on the drawings.*
Clearances to Walls	*To be dimensioned on the drawings.*
Motorbike Spaces	*To be dimensioned on the drawings.*
Loading Bay	*To be dimensioned on the drawings.*
Blanche Street Shared Zone	*The applicant is to develop a Shared Zone scheme for Blanche Street, in*

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	consultation with various Council units. The detailed design must be submitted to Council for assessment and approval.

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.

BLANCHE STREET WORKS

The development of a Shared Zone in Blanche Street will require the reconstruction of Blanche Street and the provision of underground drainage (since he road profile would be altered). The undergrounding of electrical cables would also be required as part of these works. Any parking changes or removal in Blanche Street would need to be assessed and approved by Council's Parking Management unit.

ENGINEERING CONDITIONS

Civil Works

Upon the completion of all building works and connections for underground utility services,

- *Blanch Street, from Cremorne Street to the western boundary of the site, must be fully reconstructed to Council's satisfaction and at the Permit Holder's cost. The works include, but are not limited, to the following:*
  - *The provision of a new road pavement for the Shared Zone;*
  - *Undergrounding of electrical cables;*
  - *Provision of drainage infrastructure within Blanche Street; and*
  - *Alignment for underground services to be clear of tree root zones.*
- *The detailed design of the Blanche Street Shared Zone and civil works is to be submitted to Council for assessment and approval.*
- *The development's title boundaries must be delineated along contiguous at-grade surfaces (i.e. on footpaths or pedestrian open space) with metal circular discs or other similar products to Council's satisfaction and at the Permit Holder's cost.*
- *The design and construction of the new vehicle crossing on the property's Cremorne Street frontage must satisfy Council's Standard Drawings and engineering requirements.*
- *All redundant vehicle crossings must be demolished and reinstated to Council's satisfaction and at the Permit Holder's cost.*
- *The existing electrical pole within the area of the new vehicle crossing (west side of Cremorne Street, just north of Parkins Lane) must be relocated to the satisfaction of*

the relevant power authority and Council. All costs associated with the relocation of the electrical pole shall be borne by the Permit Holder.

- *The removal of the existing street tree in front of the proposed vehicle crossing in Cremorne Street requires approval from Council's Open Space unit prior to endorsement of the drawings.*
- *The two existing junction pits within the new vehicle crossing must be adjusted such that the lids are made flush with the surface of the new vehicle crossing. The pit lids must be replaced with solid heavy duty cover lids (Gatic lids or equivalent) to the satisfaction of Council and at the Permit Holder's cost.*
- *The kerb and channel along the property's Cremorne Street road frontage must be reconstructed to Council's satisfaction and at the Permit Holder's cost.*
- *The footpath along the property's Cremorne Street road frontage must be reconstructed to Council's satisfaction and at the Permit Holder's cost. The footpath must have a cross-fall of 1 in 40 or unless otherwise specified by Council.*
- *Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any area/s of any damage caused by the development works and associated utility service trenching in relation to the development along Cremorne Street must be re-sheeted for the full width (with any areas of pavement failure as a consequence of construction traffic must be reinstated with full depth pavement):*
  - *at the permit holder's cost; and*
  - *to the satisfaction of the Responsible Authority.*
- *All service cabinet or substation doors that open outwardly into pedestrian areas or footways must be able to swing 180 degrees and be latched to the building when opened.*

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.*

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.*

Discharge of Water from Development

- *Only roof runoff, surface water and clean groundwater seepage from above the water table can be discharged into Council drains.*
- *Contaminated ground water seepage into basements from above the water table must be discharged to the sewer system through a trade waste agreement with the relevant authority or in accordance with EPA guidelines.*
- *Contaminated groundwater from below the water table must be discharged to the sewer system through a trade waste agreement from the relevant sewer authority.*
- *Council will not permit clean groundwater from below the groundwater table to be discharged into Council's drainage system. Basements that extend into the groundwater table must be waterproofed/tanked.*

Removal, Adjustment, Changing or Relocation of Parking Restriction Signs

- *No parking restriction signs or line-marked on-street parking bays are to be removed, adjusted, changed or relocated without approval or authorisation from Council's Parking Management unit and Construction Management branch.*
- *Any on-street parking reinstated as a result of development works must be approved by Council's Parking Management unit.*
- *The removal of any kerbside parking sensors and any reinstatement of parking sensors will require the Permit Holder to pay Council the cost of each parking sensor taken out from the kerb/footpath.*

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 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 Cremorne 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 Cremorne Street and the accessway inside the property 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.

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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.

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

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

Additional Comments Provided By Construction Management

Construction Difficulty Notes:

- *Presence of power poles/lines on Blanche Street and Cremorne Street road frontages - Performing crane lifts from these frontages will be considerably difficult. It is recommended to underground a section of the power lines, if possible, to enable the use of crane-lifting during construction.*
- *Blanche Street, Parkins Lane and the north-south aligned Right of Way to the west of the site have restricted access. Limiting larger sized construction vehicles using these narrow roads is advised.*

Other Construction Items

- *WSUD assets to be retained along Cremorne Street road frontage.*
- *Parking sensors to be retained in parking bays along site's Cremorne Street frontage unless otherwise authorised by Council's Parking Management unit.*
- *Parking bays to line-marked where redundant vehicle crossings have been removed on Cremorne Street.*
- *Existing tree on Blanche Street is overhanging into site. Open Space unit to provide comment.*
- *Proposed location of vehicle crossing on the west side of Cremorne Street would require the removal of a street tree. Open Space unit to provide comment.*
- *Underground structural trees cells to be installed for roots of proposed trees in Blanche Street and Cremorne Street.*
- *Proposed surface materials and finishes for all infrastructure works in Blanch Street and Cremorne Street must be approved by Council.*

ESD Advisor

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The standard of the ESD does not meet Council's Environmental Sustainable Design (ESD) standards. Should a permit be issued, the following ESD commitments (1) and deficiencies (2) should be conditioned as part of a planning permit to ensure Council's ESD standards are fully met.

Applicant ESD Commitments:

- *Access to daylight is passable with ~30% of the office floor area reaching the target daylight factor of 2% or greater.*
- *No natural ventilation. Mechanical ventilation with fresh air rates exceeding AS1668 rates by at least 50%.*
- *20,000 litre rainwater tank will be provided connected to all toilets onsite.*
- *Water efficient taps, fixtures and irrigation system.*

Application ESD Deficiencies:

- *Project is targeting a 5 Star NABERS rating but has not committed to the standard. "Targeting" a NABERS does not appear to be a firm NABERS Commitment Agreement. Recommend a clear NABERS 5 Star Energy Commitment Agreement, or remove all reference to NABERS from the SMP.*
- *Recommend a façade re-design that responds to climate and local conditions and is not overly reliant on mechanical/electrical systems. No evidence has been provided that the building envelope will be above NCC minimum, as overall energy result can be traded-off with equipment efficiency and solar PV. No exterior glare control has been provided. Internal motorised glare control blinds will control glare. Recommend exterior glare control that reduces solar heat and does not rely of block-out blinds to compensate for the deficiencies of the façade design.*
- *Exterior shading "has been explored" but clearly was not incorporated into the building fabric design. Large of area of glazing are exposed to high levels of summer solar heat gain on the north, east and western facades and atrium roof glazing. Recommend exterior adjustable shading devices to protect glazing on the north, east and west facades and atrium roof glazing, and/or high performance glazing. Demonstrate that the building fabric can perform at least 10% above NCC standards.*
- *A MUSIC report demonstrating best practice in stormwater management has been provided that relies on 20,000 litres of storage for toilet flushing of all toilets onsite, plus a system of SPEL propriety stormwater management products. The SPEL products that are proposed appear to be reliant on propriety information and assumptions built into the MUSIC model nodes that cannot ensure that urban stormwater quality objectives of best practice can be met. Please provide valid evidence that the SPEL systems can perform to the required best practice standard in local conditions, or select a different stormwater management system.*
- *Consideration given to low-VOC products. "Giving consideration" is not an acceptable term to use in a SMP for town planning. Please re-word this section to avoid any vague or ambiguous language.*

Outstanding Information:

- *High efficiency system with Under Floor Air Delivery, but standard of efficiency not stated. Please state what COP/EER the chiller and gas boiler will be. Recommend 100% economy cycle. Heat recovery and a BMS to manage, control and monitor the system.*
- *Exact hot water system type unknown. Please indicate what type of hot water system will be used and its standard of energy efficiency.*

Attachment 5 - PLN17/0626-04 - 60 - 88 Cremorne Street Cremorne - referral comments - idac attachment

- *Proposing a 40kWp or 60 kWp solar PV system. Please commit to a clear and measurable ESD performance standard.*
- *The GTP claims 309 bicycle spaces provided, the SMP doesn't state figures, but the architectural drawings appear not to have incorporated the same total 309 number of spaces. 287 are noted on the basement level 1 and an additional 8 on the ground floor. Please ensure that the 309 bike spaces are shown on the architectural drawings. It appears that all staff spaces in the basement are 'double hung'. Ensure that at least 20% of spaces are on ground in line with AS2890.3.*
- *SMP includes electric vehicle charging. No electric vehicle charge facilities can be noted on the architectural drawings. Please update drawings to clearly show number and location.*
- *Area for bins can be identified on the plans, but no delineation for different waste streams can be identified. Please note separate space for recycling and general waste on plans. Ensure that adequate space for waste and recycling is included in the WMP.*

ESD Improvement Opportunities

- *Terrace area for top levels offices only. Consider providing a terrace accessible for staff on other levels.*
- *Consider a climate responsive design that maximises passive elements of the building shell rather than a heavy reliance on mechanical and electrical systems, as is currently proposed.*

An Amended SMP was submitted on 27 October 2017 with the following amended comments being supplied:

I have reviewed the amended SMP prepared by Arup (09.10.2017), and in summary it largely addresses the concerns raised in my previous advice (07.10.2017), however, the following items should be included in an amended set of plans:

- *Stormwater management system to be clearly shown on plans, and system overview and performance standard, demonstrating best practice, to be included in an updated SMP.*
- *Façade detail included in the Façade Optimisation section of the SMP, to be reflected and included in an amended version of the plans.*
- *Update the Energy Modelling Results JV3 section of the SMP to reflect the minimum 10% improvement stated in the Energy Efficiency section of the SMP. The current efficiency improvement displayed in the JV3 results appears to demonstrate a 2% improvement only.*

The follow pieces of information from my initial advice are still outstanding:

- *Please ensure that the 309 bike spaces are shown on the architectural drawings. It appears that all staff spaces in the basement are 'double hung'. Ensure that at least 20% of spaces are on ground in line with AS2890.3*

- *SMP includes electric vehicle charging. No electric vehicle charge facilities can be noted on the architectural drawings. Please update drawings to clearly show number and location.*

- *Area for bins can be identified on the plans, but no delineation for different waste streams can be identified. Please note separate space for recycling and general waste on plans. Ensure that adequate space for waste and recycling is included in the WMP.*

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Open Space

General comments
The Landscape plan requires a legend to distinguish existing trees from proposed trees.

Management of existing trees adjacent to the site
The developer is required to provide tree management plans to show how any Council owned or privately owned trees adjacent to the site (Rear of Wellington St properties, Blanche St and Cremorne St) will be protected during demolition and construction works.

The aerial view below shows existing private vegetation at rear of Wellington Street properties which may be impacted:

Blanche St kerb extension outside #1

- *The developer is requested to reimburse Council to cover the cost of reinstating the planting in the middle kerb extension.*
- *The width of the new kerb extension is required to provide a minimum of 1.5m planting space.*

Cremorne St

- *Northernmost raingarden/kerb extension – no further tree planting is required at this location.*
- *Removal of the kerb extension and planting near Parkins Lane is supported on condition that the developer compensates Council for the amenity value of the Lophostemon tree (calculated at $4600).*
- *Construction of two new kerb extensions with trees and low planting is supported and the developer should allow for the following:*
    - *Passive irrigation and use of recycled brick mulch to match existing kerb outstands along Cremorne Street.*
    - *Kerb extension detail drawings should be supplied for approval by Council's Asset Drainage Engineer. Allowance should be made for overland water flow.*
    - *Two street trees per outstand (Tristaniopsis laurina 'Luscious') with low planting to match existing outstand planting.*
    - *The width of the kerb outstands should be consistent with the existing outstand to allow for approximately 1.85m planting width at the widest point.*
    - *A CoY standard detail for traffic treatments is attached (YSD712-Street Garden Bed).*

Attachment 5 - PLN17/0626-04 - 60 - 88 Cremorne Street Cremorne - referral comments - idac attachment

- *The new location of the electricity light pole near Parkins Lane should not be within 3 metres of a street tree location.*
- *Pulling the building line back from the title boundary means that the proposed bicycle parking on Cremorne Street presents as an obstacle in the middle of the footpath. Suggest locating bike parking in less of a thoroughfare (e.g. between planters on Blanche Street).*
- *The "low planters" either side of the ramp to the basement car park from Cremorne Street protrude into the footpath area. If possible, the planter beds should be pulled back so that they are in line with the building line.*
- *To further contribute to improving the landscape amenity of this area of Cremorne Street, Open Space requests the developer contribute to provision of additional footpath tree planting on the eastern side of Cremorne Street (6 x Tristaniopsis laurina 'Luscious') to be planted by Council when construction is completed.*

Streetscape Planting Costs

- *The developer is required to reimburse Council for the cost of supply, planting and establishment maintenance of all new street tree and understorey planting. Trees and plants would be sourced and planted by Council's tree planting contractor on completion of construction.*

  The breakdown of costs is as follows:

- *Removal of existing Cremorne Street tree, including amenity value cost $5,138*
-
- *Supply, planting and establishment maintenance of 4 x 100L Lophostemon in Cremorne St kerb extensions and 6 x 45L Tristaniopsis in footpath on east side $4,991*

- *Low shrub and ground cover planting, mulch and maintenance for 10 months of kerb extensions in Cremorne and Blanche Streets $5,732*

TOTAL: $15,861

Planting on the subject site

- *A landscape planting plan should be provided showing;*
  - *Species proposed and location.*
  - *Plant schedule indicating pot size, quantity, mature height and spread of all proposed planting.*
  - *Planting details, dimensions of planters, proposed planting media, irrigation and drainage.*
- *The positioning of the trees proposed in the 'Active Laneway' outdoor space between the Bicycle Ramp/Food & Drink and Office building will unlikely result in the development of trees to the size and spread indicated on the elevations due to their close proximity to building edges. It would be preferable to position trees centrally in the space to allow for the fullest possible tree canopy growth.*
- *Likewise, positioning of the trees along the building line in the Office Garden Space should be reconsidered.*
- *Sections 01 and 02 of the landscape plans do not accurately reflect the proposed tree positions.*
- *Section 05 and 06 of the landscape plans do not show the proposed landscape features.*
- *Drawing TP_002 does not include the planter box/tree planting locations adjacent to the southwest corner of the building.*

- *It is presumed that all vegetation within the subject site boundary would be maintained by the property owner.*

Additional comments

- *Section 2 and 3 of the landscape drawings do not show the first floor building overhang, yet it is in the architectural sections (Dwg TP_3000) and perspective view.*

Strategic Transport

Adequacy of visitor spaces

38 spaces are noted as visitor bicycle parking spaces. The provision of the visitor spaces is adequate given:

- *Whilst 38 spaces exceeds the statutory requirement of 33 spaces, Council's BESS guidelines for sustainable transport recommend 1 visitor space for each 500sqm of office floor space. This plus the statutory requirement for the other uses, generates a recommended 50 visitor bicycle spaces on the site. However, it is acknowledged that:*
  - *the site provides in excess of the requirements of the scheme;*
  - *provides in excess of best practice rates for employee; and*
  - *all visitor spaces are well situated and designed for visitor use and ease of access.*

Given the above, the number, design and location of visitor spaces is supported.

Adequacy of employee spaces
Number of spaces
Whilst the proposal includes a surplus of 191 employee spaces above the requirements of the planning scheme, it is noted:

- *A reduction of 782 car parking spaces is sought (77% of the statutory requirement);*
- *the subject site is located in an inner-urban area with already high cycling-to-work demand, and trends indicate demand will continue to increase; and*
- *both local and state planning policies include objectives to promote sustainable transport modes, including cycling.*
- *Given the above, best-practice requires a rate of 1 space to each 100sqm of office floor space[1], plus the statutory rate for the other uses. Therefore, 281 employee spaces should be provided.*

With 287 spaces, the best practice rate has been exceeded and the number of spaces can be supported. However, it is noted below that there is inadequate detail to demonstrate the stated number of spaces can be provided. If this number cannot be provided, no less than 281 spaces should be provided.

Design and location of employee spaces and facilities
The location of employee spaces and facilities is acceptable for the following reasons:

[1] *Category 6 of the Built Environment Sustainability Scorecard (BESS) offers the following best-practice guidance for bicycle parking rates: 'Non-residential buildings should provide spaces for at least 10% of building occupants.' Assuming a floor-space occupancy of 1 staff member to 10sqm (which is the maximum rate allowed under the National Construction Code for fire safety), providing bicycle spaces for 10% of occupants results in a rate of 1 space per 100sqm of floor area*

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- *Employee bicycle parking is provided at Basement 1, and are accessed by a suitably graded ramp. All spaces are located with easy access to end-of-trip facilities.*
- *It appears entrance to the above mentioned ramp requires navigating a small number of steps at the Blanche Street entrance, these should be designed to allow a bicycle to be wheeled along the side of the steps.*
- *All spaces appear to be located in a secure facility.*

Despite the above, the design of the spaces themselves is unclear. Neither the Green Travel Plan nor the floor plans provide enough detail to demonstrate that 287 bicycle spaces can be adequately located within the space provided. Further there is no indication as to the number or percentage of spaces which are provided as horizontal at ground-level spaces. Pursuant to AS2890.3, at least 20% of spaces within any bicycle storage facility should be provided as at ground, horizontal spaces. Therefore the following information should be provided:

- *Detailed plans, and/or section diagrams showing the dimensions and configuration of bicycle parking spaces within the secure facility. At least 281 bicycle spaces must be shown.*
- *All spaces must be designed to comply with the requirements AS2890.3.*
- *At least 20% of the spaces within the secure facility should be provided as horizontal, at ground-level spaces.*

Safety and Access

It is noted Blanche Street is proposed to be converted from its current one-way configuration with narrow footpaths into a shared zone. Given the street is too narrow to allow two way automobile movements, this shared zone must be configured to allow safe contra-flow bicycle movements to the cyclist entrance located on Blanche Street.

It is understood details plans of the shared zone have not yet been submitted to Council for consideration, however when these plans are submitted they should be provided to Strategic Transport for consideration.

Green Travel Plan

It is noted the applicant has supplied a Green Travel Plan (GTP). The GTP includes a number of inaccuracies and does not adequately address all relevant issues, an amended GTP should be submitted to include:

- *The correct number of bicycle spaces, to match the endorsed plans. (Currently the GTP refers to 309 employee spaces, whilst the plans only show 287);*
- *the types of bicycle storage devices proposed to be used for employee, resident and visitor spaces (i.e. hanging or floor mounted spaces)*
- *the types of lockers proposed within the change-room facilities, with at least 50% of lockers providing hanging storage space;*
- *security arrangements to access the employee bicycle storage spaces;*
- *signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;*
- *the provision of real time passenger information displays for nearby stops within each lobby;*
- *details of GTP funding responsibilities; and*
- *provisions for the Green Travel Plan to be updated not less than every 5 years.*

Recommendation

The following information should be provided to Strategic Transport before endorsement:

Attachment 5 - PLN17/0626-04 - 60 - 88 Cremorne Street Cremorne - referral comments - idac attachment

- *Detailed drawings of the proposed shared zone along Blanche Street showing a design, which will allow safe bicycle movements in the opposite direction to the one-way configuration for automobiles.*
- *Detailed plans, and/or section diagrams showing the dimensions and configuration of bicycle parking spaces within the secure facility. At least 281 bicycle spaces must be shown.*
- *All spaces must be designed to comply with the requirements AS2890.3.*
- *At least 20% of the spaces within the secure facility should be provided as horizontal, at ground-level spaces.*
- *An amended Green Travel Plans showing the information outlined previously.*

Urban Design

Council's internal Urban Design Unit were satisfied with the landscape drawings proposed and provided the following comments:

- *How wide is the ramped entrance to the laneway leading from Blanche Street (refer to No. 1 on plan below)? We understand that the brick seating and landscaping on either side of the ramp will be at a low level, which should allow clear views of the laneway from Blanche Street. However to make the entrance to the laneway feel more open and inviting (and publicly accessible), it may be worth widening the ramp by pulling back the raised brick seating or one or both sides.*

- *The gradient of the ramp should be shown on the drawings to demonstrate that it is accessible (refer to No. 1 on plan below).*

- *There is some raised brick seating and landscaping around the tree on Cremorne Street (refer to No. 2 on plan below). Is this referring to the existing rain garden being retained, or is it proposing new landscaping to be provided? Our previous comments noted that all plantings other than trees in cut outs need to be on private land. I don't think we would want to maintain the brick seating and any different landscaping on the footpath, unless you have already spoken to someone else about this?*

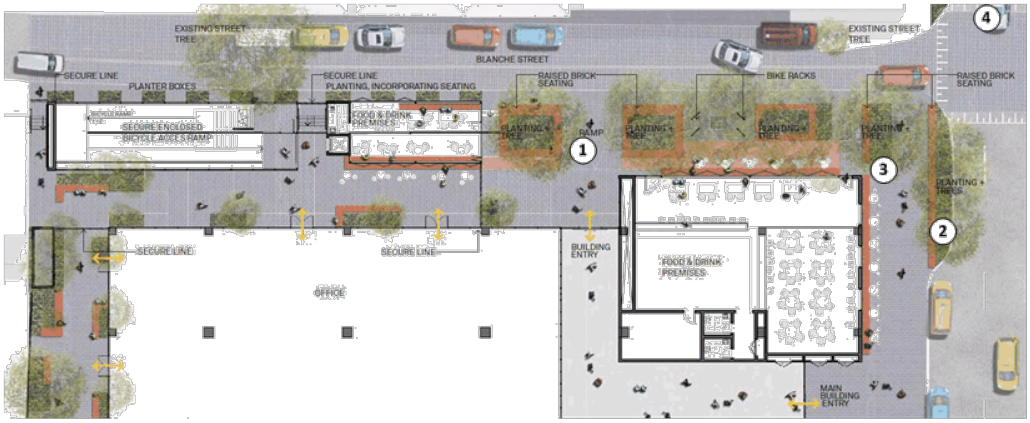
- *The space between the raised brick seating and the north-east corner of the building (refer to No. 3 on plan below) is quite narrow – consider making this a bit wider to provide better access.*

- *There are limited pedestrian crossing facilities along this stretch of Cremorne Street and we consider that it is a good opportunity to improve the pedestrian environment directly around the site. We suggest that the raised threshold treatment over Cremorne Street is extended slightly to provide a safe crossing point for pedestrians across Cremorne Street (refer to No. 4 on plan below). This requires further discussion with Traffic (traffic safety) and Asset Management (impact on rain gardens).*

- *The plan should show that the boundary between public and private land will be demarcated with discs/studs.*

  The retention of the old red brick wall which runs along part of Parkins Lane and wraps around the south-west corner of the site is supported, as it reflects the history of the site and provides an appropriate interface to the proposed education centre.

Attachment 5 - PLN17/0626-04 - 60 - 88 Cremorne Street Cremorne - referral comments - idac attachment



Waste Services

The Waste Management Plan prepared by LEIGH DESIGN dated 9th August 2017 for 60-68 Cremorne Street Richmond is satisfactory from the City Works Branch's perspective. This WMP supersedes all previous WMP's.

External consultants

Acoustic (SLR Consulting)

A review of the acoustic report prepared for the office development proposed for 60-88 Cremorne Street, Cremorne is provided above. The items we would like to see addressed in further detail are summarised below.

- *SEPP N-1 noise limits for a reference location have been identified and conceptual advice is provided in the report for controlling noise from mechanical plant. This approach is reasonable during the early planning phase of the project however a full assessment of all acoustically significant mechanical plant proposed for installation should be conducted during the detailed design phase.*
- *Potential voice noise impacts from the ground floor outdoor areas have not been addressed.*
- *It is unclear what the outdoor area associated with the education centre (south west corner of the site) will be used for. This space will be overlooked by upper levels of several dwellings. If noisy uses are proposed, such as a childcare centre, a separate acoustic report should be prepared for that application.*
- *The ground floor outdoor patron area towards the north west corner of the building will be overlooked by dwellings. Given this we would recommend that a clear specification for the fence between the development and these dwellings is provided in the report such that the noise targets will be met where practical.*
- *Use of the outdoor areas for gatherings after 7 pm should be restricted to minimise nuisance.*
- *An acoustic assessment should be conducted for the ground level café (north east side of the building) if that premises is proposed to operate during the evening and night period. The report should address:*
  - *Patron noise impacts from the outdoor patron area and from within the café*
  - *Music noise*
  - *Mechanical plant noise.*

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Urban Design (Rob McGauran - MGS Architects)

Summary of Findings

The site, at over 6,730sqm. is one of the better placed sites within the popular Cremorne Employment Precinct for a contemporary corporate headquarters.

The land is appropriately zoned for commercial use.

The development response configuring the site with two larger brick clad warehouse forms skirted by smaller street level elements to the northern laneway is an appropriate design response to context where there is a history of taller built form elements for larger anchoring employment nodes juxtaposed to lower adjacent areas. Examples of this typology include the Rosella, Maltings and Bryant and May complexes.

The site design response establishes a number of measures of which I am supportive.

These include the following:

- *The widening of the public realm in Blanche Street and Cremorne Street to accommodate more generously the transformation of increased pedestrian activity in the precinct and the development of Blanche Street as an east-west link to Hoddle Street.*
- *The development of a diversified group of on-site uses including the core employment headquarters for Seek Limited and in addition an Education Centre, Co-working Hub, recreation and supporting food and drink premises.*
- *The inclusion of high quality access and facilities for a generous amount of bicycles for over 335 spaces along with short term facilities cycling off Blanche Street.*
- *Car parking in basement areas.*
- *Provision of a Green Travel Plan establishing exemplary targets and a range of useful initiatives to direct alternative transport outcomes.*
- *The inclusion of setbacks to neighbouring properties and reinstatement to achieve an apparent retention of existing conditions for the southwestern interface of the subject site with Parkins Lane and the adjoining residential properties*
- *The development of hipped roof forms to the western northern and southern interfaces with neighbour as where the eave height is between 16.3m and 17.33m to the southern and western interfaces and 21.470m to the setback interface with Blanche Street with the tallest forms to the Cremorne Street interface and the gabled expression therein with the larger gabled warehouse form to the north and lower by approximately 4.2m to the south.*
- *The presentation of the buildings as two lifted large brick clad gable and hip forms that develop a richer campus of highly transparent street level activities with a more private corporate environment above strikes an appropriate balance between the goals for street life and development of a strong workplace culture.*
- *The separation of the two main forms to provide for a rebated central entry and separated west elevation forms is welcome.*
- *The inclusion of small business with big business is welcome.*
- *The proposed placemaking approach finishing areas out to the kerb and for the full extent of Blanche Street is logical.*
- *The inclusion of breakout spaces at both lower and upper street and upper terrace levels is appropriate*

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- *The embedding of the core plant areas in the centre of the site well away from the residential interfaces is logical.*
- *The management of offsite amenity impacts by way of environmental effects (wind and reflection), overshadowing and noise is handled reasonably. The most significant issues relate to early morning overshadowing 9.00-10.00am at the equinox.*
- *The building bulk will be significant when seen from the backyards of adjoining dwellings to the west and in part to the south. That said the bulk is reduced through the combination of hip roof treatments to the west that means the upper most southern form is some 23m at its ridge from the west and a similar distance from the south where for nearly 70% of the southern frontage the existing 4.21m high brick wall is reintroduced to the north side of Parkins Lane, diminishing the view line to new built form supplemented by new planting areas.*
- *Screening up to 1.7m is provided to the west interface where development is closer than 9m.*
- *The impact of development is further diminished by organising the building with the workplace areas indented behind wintergarden elements.*
- *To the north across Blanche Street the co-working lab and retail and internal duplicating pedestrian lane creates generous setbacks of approximately 17m from northern neighbours.*
- *An ambitious interior and an ESD program for the building with a 5 star Green Star target.*

For these reasons I am generally satisfied with the proposal.

The major areas of concern relate to the private open space of dwellings at 73 to 77 Wellington Street where shadow impacts are until after 10.00am at the equinox to a significant degree.

The proximity of the upper levels of development of the north western end to their western neighbours that will overshadow, increase apparent bulk and require screening of the windows of the offices, in turn, diminishing internal amenity.

Whilst impacts on other areas are evident south and southwest they are mitigated by an intervening laneway in each instance.

Amendments to the built form are not easy without making significant inroads to the development footprint, with the only options to reduce impacts being the splaying or rotation of the western façade towards the northeast, greater setbacks of the west elevation of the northern building or stepping of the west façade. This will negate the need to screen these windows and will reduce the level of overshadowing in the morning hours.

Recommendation

- *Provide a minimum 9m setback for levels ground to level 3 from the western boundary for the northern wing of the development. Provide screening to upper level windows only if required for energy management purposes.*

Whilst the re-instatement of walls to the western and eastern laneway interfaces are supported to manage enterprise noise impacts on adjoining areas, impacts on both laneways will arise.

Recommendation

- *Make good the laneway treatments to Parkins Lane and the western laneway to the satisfaction of the responsible authority.*

Attachment 5 - PLN17/0626-04 - 60 - 88 Cremorne Street Cremorne - referral comments - idac attachment

The northern interface treatments to Blanche Street are generally supported, though the internal lane between the business incubator and adjoining office lacks interest. Consideration should be given to how the area between the ground floor retail below the co-working space and the adjoining main building could be enhanced as it is likely the area will be screened in some way, with internal staff wanting both privacy and diminished reflection to internal electronic screens. I would invite the architects to develop an appropriate integrated art or similar screening approach to this intermediate area to ensure this works well for both user groups.

Similarly the north eastern corner is not well resolved, with outdoor seating areas without weather protection expressed to both the Blanche Street and Cremorne Street interfaces. These areas would benefit from an indenting of the façade or introduction of a canopy in each instance. The location of the short term bicycle spaces similarly fails to maximise the unobstructed movement zone and should be reconfigured to the Cremorne Street interface.

Recommendation

- *Redesign the northern ground floor interface between the workplace and adjoining food and drink premises to ensure a satisfactory interface is developed between the office and hospitality areas.*

- *Redesign the north eastern tenancy to provide outside weather protection areas to both street interfaces.*

- *Reposition short term bicycle racks to ensure pedestrian movement zones are aggregated to be as generous as possible.*

- *Provide a wind report demonstrating the Cremorne Street and Blanche Street interfaces are comfortable for long term sitting.*

- *Details of the battening of the co-working area are not supplied but need to be robust and long lasting to deliver a high quality public realm outcome. Desirably the eastern façade will also provide for surveillance of the eastern plaza and engagement with this area. The renderings do not make clear what the visibility or otherwise is for this interface.*

Recommendation

- *Provide details and finishes for the proposed facades of the co-working space and ensure engagement between the co-working space and eastern plaza and public lighting details for the laneway and internal laneway areas to ensure these places are safe and secure zones.*

Integrated Art Plan

The development of a large piece of the suburb as proposed in this instance warrants, as other similar sites have, an integrated art plan that ensures that the pedestrian experience is enriched. In this instance opportunities would appear to exist to enhance the amenity of the vehicle entry zone to the southwest inclusive of the substation facade areas and forecourt and the northern laneway and Blanche Street public realm network.

Recommendation

- *An integrated art plan and attached extra-over budget be provided to enhance key areas where an enriched public realm treatment will be necessary to the satisfaction of the responsible authority.*

1.3 PLN17/0389 - 16A-17A/64 Balmain Street, Cremorne - Development of the land for the construction of a 9 storey building (plus basement levels), reduction in the car parking requirement associated with an office

Executive Summary

Purpose

1. This report provides an assessment of planning permit application PLN17/0389. The Applicant has lodged a VCAT 'failure to determine' appeal with VCAT, so this report is for a position (as opposed to a decision) on this application.

Key Planning Considerations

2. Key planning considerations include:
   (a) clause 13.04-1 – Noise abatement;
   (b) clause 15.01-1 – Urban Design;
   (c) clause 15.01-2 – Urban design principles;
   (d) clause 15.01-4 – Design for safety;
   (e) clause 15.01-5 – Cultural identity and neighbourhood character;
   (f) clause 15.02-1 – Energy and resource efficiency;
   (g) clause 18.02-1 – Sustainable personal transport;
   (h) clause 18.02-2 – Cycling;
   (i) clause 18.02-5 – Car parking;
   (j) clause 21.04-3 – Industry, office and commercial;
   (k) clause 21.05-2 – Urban design;
   (l) clause 21.05-4 – Public environment;
   (m) clause 21.06-1 – Walking and cycling;
   (n) clause 21.06-2 – Public transport;
   (o) clause 21.06-3 – The road system and parking;
   (p) clause 21.07-1 – Ecologically sustainable development;
   (q) clause 21.08-2 – Burnley, Cremorne, South Richmond;
   (r) clause 22.05 – Interface uses policy;
   (s) clause 22.10 – Built form and design policy;
   (t) clause 22.16 – Stormwater management (water sensitive urban design);
   (u) clause 22.17 – Environmentally sustainable development;
   (v) clause 34.02 – Commercial 2 Zone;
   (w) clause 43.02 – Design and Development Overlay (Schedule 1);
   (x) clause 52.06 – Car parking; and
   (y) clause 52.34 – Bicycle facilities.

Key Issues

3. The key issues for Council in considering the proposal relate to:
   (a) buildings and works (including heritage interface);
   (b) off-site amenity;
   (c) on-site amenity and ESD;
   (d) car parking/traffic;
   (e) bicycle parking;
   (f) waste; and
   (g) Objector concerns.

Objector Concerns

4. A total of 26 objections were received to the application, these can be summarised as:
   (a) development of the Rosella Complex buildings should not be considered in isolation;

(b) this development would be more appropriate on the building 3-5 sites within the complex;
(c) impact on traffic (traffic report does not consider PM peaks and no pedestrian or vehicular access should be provided via Gwynne Street);
(d) insufficient car parking (including concerns with removal of on-street parking on Gwynne Street);
(e) footpaths and roads are narrow in Cremorne and are problematic for pedestrians and cyclists;
(f) applications in the area should be considered holistically;
(g) neighbourhood character and heritage;
(h) the proposal does not employ the urban design principles of the Swan Street Structure Plan;
(i) off-site amenity (overshadowing, wind, overlooking, public safety, noise, impact on daylight, light spill and visual bulk) – primarily due to interface with low scale dwellings in Gwynne Street to the west;
(j) safety concerns with ground floor link through the site;
(k) impact on solar panels to the west;
(l) request for a construction management plan;
(m) building height (including contrary to Swan Street Structure Plan);
(n) waste management plan is unacceptable (traffic and practical impacts);
(o) palmer Parade frontage does not activate the street;
(p) construction impacts (including traffic, noise, parking, dust, truck access and use of cranes);
(q) plan inaccuracies (the building is not setback from the east, rather the upper levels cantilever over Palmer Parade);
(r) public access should be provided through Palmer Parade (not just access to this building lobby);
(s) impact on street trees in Palmer Parade; and
(t) developer should be required to upgrade cycling infrastructure in Cremorne.

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: **Sarah Thomas**
TITLE: **Principal Planner and Advocate**
TEL: **9205 5046**

1.3 PLN17/0389 - 16A-17A/64 Balmain Street, Cremorne - Development of the land for the construction of a 9 storey building (plus basement levels), reduction in the car parking requirement associated with an office

Trim Record Number: D17/194163
Responsible Officer: Coordinator Statutory Planning

Proposal:	Development of the land for the construction of a 9 storey building (plus basement levels), reduction in the car parking requirement associated with an office
Existing use:	Single storey warehouse/commercial buildings
Applicant:	Parkmore Management Pty Ltd
Zoning / Overlays:	Commercial 2 Zone and Design and Development Overlay (Schedule 1)
Date of Application:	22 May 2017
Application Number:	PLN17/0389

Planning History

1. The relevant planning history on Council's files include:
   (a) Planning Permit No. 2923 was issued on 4 February 1985 for the conversion of the former Rosella factory into an industrial estate.
   (b) Planning Permit No. 96/371 was issued on 13 June 1996 for an 18 lot subdivision.
   (c) Planning Permit PLN11/0080 was issued on 18 April 2011 for 16A/64 Balmain Street for the development of the land for buildings and works including external alterations and a waiver of the car parking requirements associated with an internal increase in floor area of the existing warehouse.

Background

2. On 2 November 2017, Council was informed that the Applicant had lodged a Section 79 'failure to determine' appeal with VCAT. A compulsory conference has been scheduled for 20 March 2018 and a hearing has been scheduled for 14 May 2017 (4 days). This recommendation is therefore to form a position on the application as opposed to a final decision.

3. On 28 November 2017, sketch plans were provided by the Applicant. The plans make the following changes to the advertised plans:
   (a) modified treatment to Palmer Parade, with face brick accentuating a 4 storey podium and a 1m setback above level 3;
   (b) installation of planter boxes to terraces at Levels 3 and 4 fronting Gwynne Street; and
   (c) increased clearance above the brick piers at ground level.

4. These changes will be considered throughout this report, with the decision plans remaining the advertised set of plans.

5. It is also noted that the advertised plans on the website did not match those on the hard copy advertising file. However, the only difference was the additional dimensions annotated, and the basement levels are now contained within the title boundaries (previously a 300mm variation or projection). Save for the basement being contained within the site, the website plans are the same.

Existing Conditions

Subject Site

6. The subject site is located on the east side of Gwynne Street, south of Balmain Street in Cremorne. The site is legally known as lots 16A, 17 and 17A of Plan of Subdivision 402692B and the proposal also extends into a private road (Palmer Parade) to the east, known legally as common property 1 on Plan of Subdivision 402262B.

7. The sites at 16A-17A Balmain Street have a frontage of 71.7m to Gwynne Street and a depth of approximately 23.4m, yielding a total area of 1,710m². The common property known as Palmer Parade varies in width and links Balmain Street to the north with Munro Street to the west through the site.

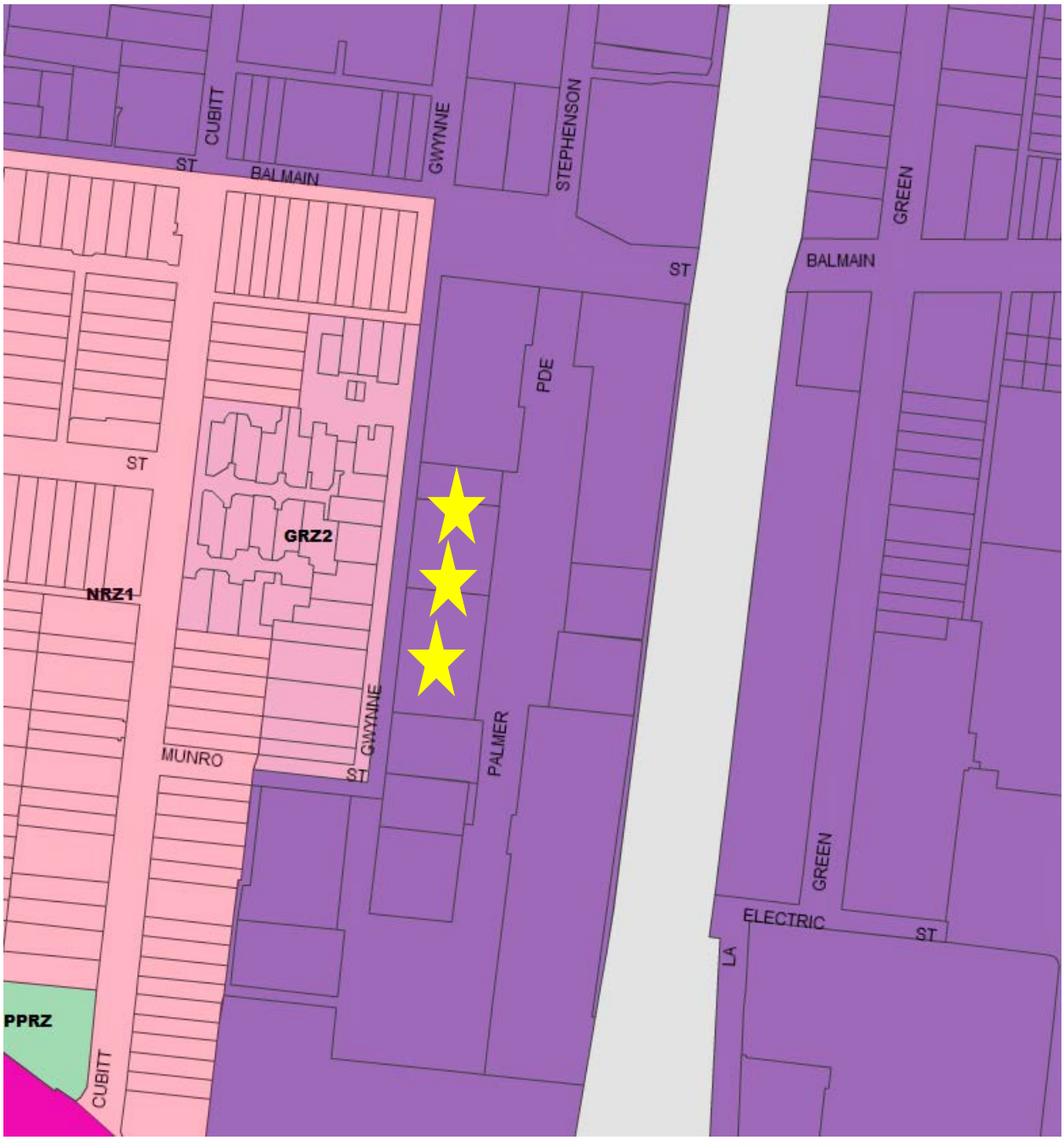
8. The sites are currently developed with 3, single storey warehouse buildings. The buildings present a mixture of painted face brick and painted concrete panel walling to both streets. The main entrance is via Palmer Parade with the rear of the buildings presenting a sheer wall to Gwynne Street (excluding one pedestrian entrance door).

9. There is no car parking provided on the site, however the Applicant has indicated that 12 on-street (Palmer Parade) and 14 multi-deck car parking spaces (within 64 Balmain Street, at the southern end within the complex) are allocated to the subject site.

Surrounding Land

10. The site is located within the 'Rosella complex', containing a number of office and warehouse tenancies. Built form varies from 1 to 4 storeys, with a range of brick (painted and red face brick) and concrete finishes. The building in the south-east corner of the complex is 3 storeys, however due to the high floor to ceilings, it is a 5 storey building equivalent.

11. Broadly speaking, the site is located at the western end of a Commercial 2 Zoned parcel, interfacing with general residential zoned land to the west across Gwynne Street.



Subject site =

12. To the immediate north of the subject site is a 4 level office building. The building presents a painted brick façade to Palmer Parade and a red face brick façade to Gwynne Street. Vehicular access is provide via Palmer Parade. North of this building is a landscaped area providing a buffer to Balmain Street.

13. To the east of the subject site, across Palmer Parade, is a range of office and warehouse buildings, ranging from 1 to 3 storeys in height (albeit 5 storey modern equivalent). The northern end is a 3 storey equivalent concrete panel building, with the central (longest) section being a series of single storey concrete panel buildings.

14. Palmer Parade ranges from a width of 12.3m (segment of the north-south section) to 41.4m (southern section). A number of 45 degree and parallel parking spaces are provided within Palmer Parade, with spaces allocated to each of the tenancies.

15. To the immediate south of the subject site is a recently constructed, 4 storey office building. The building presents a 4 storey street wall to Gwynne Street. The building incorporates face brickwork, horizontal powder coat steel battens and concrete panelling.

16. To the west of the subject site, across Gwynne Street, is a row of single and double storey dwellings. The dwellings present a number of habitable room windows and private open space areas towards Gwynne Street and the subject site. These dwellings are within the General Residential Zone, Schedule 2.

17. The site is well located in terms of public transport access, with the East Richmond Train station being approximately 590m to the north-east and a tram service 339m to the east along Church Street. The site is also easily accessible by cyclists and pedestrians.

The Proposal

18. The application is for the development of the land for the construction of a 9 storey building (plus basement levels), reduction in the car parking requirement associated with an office. More specifically:

Buildings and works

(a) full demolition of all buildings on the site (no permit required);
(b) construction of a 9 storey building, with a maximum overall height of approximately 35.5m (RL44.3). The maximum north and east boundary wall heights would be 30.8m, the maximum south boundary wall height would be 30.7m and the maximum west boundary wall height would be 14.5m;
(c) construction of 3 basement levels, generally built to all boundaries;
(d) the development would be constructed to the north and south boundaries (albeit partially);
(e) the ground level would be generally constructed to the western boundary, save for 1.7m to 4m deep terraces and garden beds. The building would generally be constructed to the eastern boundary, with works extending into the common property to the east (including new a footpath, landscaping, planter beds and 4 new parallel parking spaces);
(f) the first floor would be generally constructed to the western boundary, save for a 1.7m deep terrace and a 6m deep light court. Along the eastern boundary, the first floor would partially cantilever over the common property for a depth of 2.5m. This cantilevered element would continue along the eastern elevation to level 7;
(g) the second floor would continue to be partially constructed to the western boundary, with a 6.1m deep and 17.8m wide terrace offered at the southern end;
(h) at the third floor, the southern terrace setback from the floor below would be continued, with the introduction of a 2.4m terrace for the remainder of the façade;
(i) at the fourth floor, the introduction of a deeper terrace would see this floor setback 6.2m from the western boundary (with a 3.5m deep terrace in front);
(j) the fifth and sixth floors would be setback 6m from the western boundary;
(k) the seventh floor would be setback 8.4m from the western boundary, with a 2.5m deep projecting terrace. A deeper setback would be afforded a the northern end, with a 15m west boundary setback for a width of 7.3m;
(l) at level 8 or the roof level, a 259m² terrace would be provided, positioned in the north-east corner of the site adjacent to Palmer Parade. The remainder of the roof would be developed with services, including PV panels and plant and equipment;

Layout

(m) the development includes 3 basement levels, containing car parking, bicycle parking (including lockers, change rooms/toilets/showers), waste storage, a 35,000L rain water tank, fire static water storage and fire pumps;

(n) the ground floor would include 4 office spaces, vehicular access via Palmer Parade and pedestrian access to the site from both Palmer Parade and Gwynne Street. A breezeway (incorporating a rain garden) would also cut through the ground floor, linking Palmer Parade and Gwynne Street. Bicycle parking (including a bicycle repair station) is provided at the ground floor. The common circulation space (including lifts and amenities) would be positioned at the eastern end of both floors, with a vertical garden and openable windows at the upper levels to provide natural ventilation to this space;
(o) levels 2-7 include additional office space, continuing with the common circulation space adjacent to Palmer Parade;
(p) at level 8 (roof level), a 259m² roof deck would be provided, accessed via a lift and stairs, with amenities;
(q) total 10,814m² of net floor office area (noting the use does not require a planning permit);

Environmentally sustainable development features

(r) a 35,000L rain water tank, connected to the ground floor and level 1 toilets and for landscaping irrigation and bin washing;
(s) electric vehicle charging stations;
(t) a STORM score of 119%;
(u) a 44.5kWp solar pV array;

Landscaping

(v) the proposal includes planter beds, a green wall to the east and a rain garden along the western boundary;
(w) 2 street trees are proposed within Gwynne Street, resulting in changes to on-street parking (loss of 1 on-street parking space);

Car parking and bicycle parking

(x) provision of 112 car parking spaces across the basement levels;
(y) provision of 157 bicycle parking spaces across basement 1 and the ground floor;
(z) installation of 8 bicycle hoops along Palmer Parade;

Colours and materials

(aa) to Gwynne Street, the development would present a 3 storey podium, constructed of face brick with vertical metal powder coated fins. At the southern end of this elevation, a ‘bay’ with a cable end style wall would mirror the form of the heritage building to the south, constructed in an open block brick. The upper floors to Gwynne Street include concrete panels and a mixture of vertical and horizontal aluminium fins;
(bb) the north and south boundary walls include concrete panelling in a plain and painted (patterned) finish. It is unclear if ventilation/windows are proposed along these elevations, however a condition should be imposed on any permit issued to ensure there are no windows or vents on the north or south boundaries (due to equitable development concerns);
(cc) to Palmer Parade, the building would be constructed of face brick, with vertically accentuated metal fins. The common circulation space would be framed with an open brick wall; and
(dd) the use of colours and materials includes red brick, charcoal and gold powder coated metal and natural and painted (black stain) concrete finishes.

Planning Scheme Provisions

Zoning

Commercial 2 Zone

19. The relevant purposes of the zone are:
    (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.*

20. Under clause 34.02-4 of the Scheme, a permit is required to construct a building or construct or carry out works. The use of the land as an office is a section 1, permit not required use.

    Overlays

    Design and Development Overlay, Schedule 1 (DDO map area reference J)

21. Under clause 43.02 of the Scheme a permit is required to construct a building or to construct or carry out works.

22. Requirements include (as relevant):

    (a) *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.*

    (b) *A new building must:*
        (i) *Not exceed the maximum height specified in each table of this schedule measured from natural ground level.*
        (ii) *Be set back at least the minimum specified in each table of this schedule from the Yarra River.*

    (c) *The following requirements should be met. A permit may be granted to vary the following:*
        (i) *Building materials should utilise non-reflective colours and finishes to blend with the existing natural landscape character of an area.*

23. The site is in area J, where the site is setback over 100m from the setback reference line so as to not cause additional overshadowing as per this overlay and not necessitate a Section 55 referral to Melbourne Water. There is also no mandatory minimum setback or height requirement in the Schedule for this area (being the Motorway Precinct, Cremorne).

    Heritage Overlays in the area (not affecting the subject site)

24. While the site is not affected by Heritage Overlay, it is noted that Heritage Overlays both about the site and are within close proximity to the site as follows:

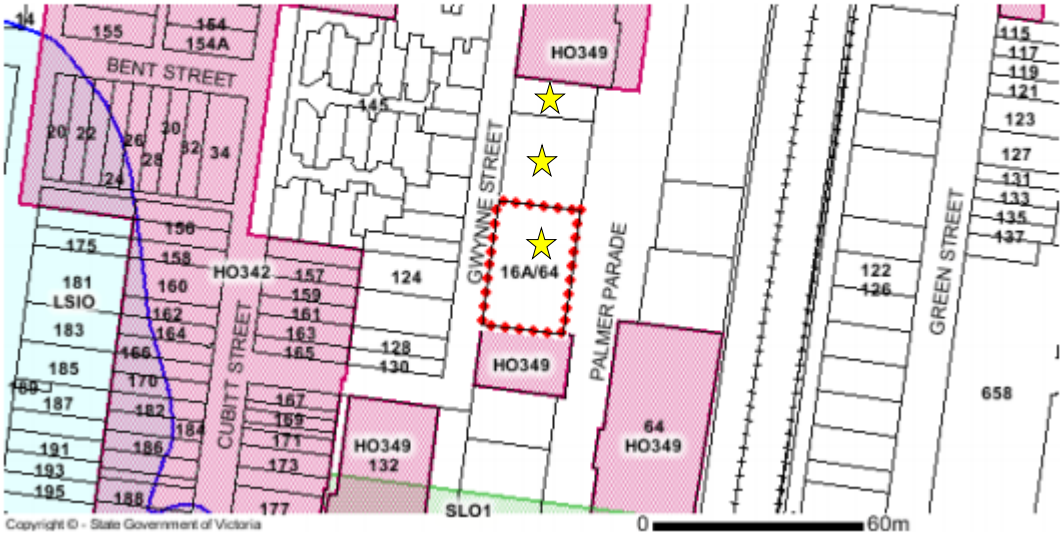
OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

HERITAGE OVERLAY (HO)

LAND SUBJECT TO INUNDATION OVERLAY (LSIO)

SIGNIFICANT LANDSCAPE OVERLAY (SLO)



Subject site = ★

25. These Heritage Overlays include the following:
    (i) HO349 - Rosella Factory Complex, Buildings 1, 2 (façade and 8 metres depth of building only), 6, 7, 12, 13, 15, and 18 (façade and 7.5 metres depth of building only), with emphasis on fabric from the main Rosella complex development period (c1905-1940); and
    (ii) HO342 – Cremorne Precinct.

Particular Provisions

Clause 52.06 – Car Parking

26. 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.

27. Under clause 52.06-3 of the Scheme, a permit is required to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5. In this instance, an office has a car parking requirement for 3.5 spaces per 100m² of net floor area.

28. With a net office floor area of 9,108m², the application has a requirement for 318 car parking spaces. With 112 spaces being provided, a reduction of 206 is sought. (it is noted that the plans reference Net Sellable Area whereas the car parking requirement is based on Net Leasable Area).

29. Decision guidelines are listed at clause 52.06-6 of the Scheme and include a car parking demand assessment.

Clause 52.34 – Bicycle Parking

30. Under clause 52.34 of the Scheme the application has a requirement for 36 employee and 11 visitor bicycle parking spaces, along with 4 change rooms/showers. The plans show 165 employee and 8 visitor spaces, however a reduction in parking has not been sought (the provision of the statutory bicycle parking requirement should be imposed by way of a permit condition. The application also provides 13 showers/change rooms, in excess of the requirements of this provision.

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 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)

Clause 13.04-1 – Noise abatement

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

Clause 15.01-1 – Urban design

33. 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

34. 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.*

35. 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

36. 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

37. 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

38. 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 17.01-1 – Business

39. 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

40. The objective of this clause is: *To promote the use of sustainable personal transport.*

Clause 18.02-2 - Cycling

41. 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

42. 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)

Clause 21.04-3 – Industry, office and commercial

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

Clause 21.05-2 – Urban design

44. 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

45. 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

46. 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

47. 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

48. 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

49. The relevant objective of this clause is 'Objective 34 To promote ecologically sustainable development'.

Clause 21.08-2 – Burnley, Cremorne, South Richmond

50. The following relevant elements are offered at this Clause:
(a) *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.*
(b) *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.*

Relevant Local Policies

Clause 22.05 – Interfaces Uses Policy

51. This policy applies to applications within Business Zones (now Commercial Zones, among others), and aims to reduce conflict between commercial, industrial and residential activities. The policy acknowledges that the mix of land uses and development that typifies inner city areas can result in conflict at the interface between uses.

52. The relevant objective is:
    (a) To ensure that residential uses located within or near commercial centres or near industrial uses enjoy a reasonable level of amenity.

53. It is policy that:
    (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.

54. A number of decision guidelines for non-residential use and development within the business zones are outlined, including the extent to which the proposal may cause overlooking, overshadowing, noise, fumes and air emissions, light spillage, waste management and other operational disturbances that may cause unreasonable detriment to the residential amenity of nearby residential properties.

Clause 22.10 – Built form and design policy

55. This policy applies to all new development not included in a Heritage Overlay. The relevant objectives of this policy are to:
    (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.*

56. The Clause includes various design objectives and guidelines that can be implemented to achieve the above objectives.

Clause 22.16 – Stormwater Management (water sensitive urban design)

57. This policy applies to applications for new buildings, amongst others. The policy aims to achieve best practice water quality performance.

Clause 22.17 – Environmentally Sustainable Development

58. This policy applies to developments for non-residential buildings with a gross floor area greater than 100m². In this instance, the policy calls for the submission of a Sustainable Management Plan [**SMP**]. This has been provided.

59. The relevant objective of this policy is: …that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation.

Other Policies

Swan Street Structure Plan

60. The subject site is located within the draft Swan Street Structure Plan [**Structure Plan**] study area. The first round of public consultation on the draft Structure Plan took place during May and June 2011. In mid-2012, Council revised the draft Plan, and conducted further community consultation. The final Plan was adopted by Council at its meeting on 17 December 2013.

61. While it is a document adopted by Council, it does not form part of the Scheme and limited weight must therefore be given to it.

62. The site is within area 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.

63. Page 50 of the SSSP identifies that a low scale street wall should interface with the residential properties west of Gwynne Street.

64. Relevant guidance is also offered as follows:

Objectives

(a) *Support the redevelopment of the Rosella complex to support residential, commercial and retail uses.*
(b) *Retain and increase employment generating uses.*

Strategies

(c) *Prepare a Master Plan for the Rosella Complex.*
(d) *Promote a mix of commercial and residential uses.*
(e) *Protect the existing character and heritage value of the area.*
(f) *Investigate appropriate zoning for Strategic Redevelopment Sites and Rosella Complex*

Built Form
Objectives

(g) *To ensure built form provides passive surveillance to the street.*
(h) *To allow for taller buildings on Strategic Redevelopment Sites that are subservient to maximum building heights established for the Maltings site.*
(i) *To respect and where appropriate, maintain the non-residential heritage buildings in the precinct whilst allowing for a level of change.*
(j) *Ensure contemporary additions to nonresidential heritage buildings are recessive to the heritage building.*

Built Form
Objectives

(k) *To strengthen the street edge along Balmain, Gough, Dover and Cremorne Streets.*
(l) *To protect the character and heritage value of the existing residential area in the precinct.*
(m) *Strengthen the built form edge adjacent to City Link.*

Strategies

(n) *Ensure new development on the Maltings site is in accordance with the existing planning provisions in the Schedule to the Comprehensive Development Zone.*
(o) *Provide active frontages to the street.*
(p) *Promote the reuse and adaption of nonresidential heritage buildings.*

(q) *Rebuild/reinforce the street edge along Balmain, Gough, Dover,Bent and Cremorne Streets.*
(r) *Ensure redevelopment of Strategic Redevelopment Sites provide an appropriate transition and interface to low-scale residential areas.*
(s) *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.*
(t) *Ensure that no additional shadow is cast across the north bank of the Yarra River between 11.00am and 2.00pm on 21 June.*
(u) *Prepare Urban Design principles for the Rosella Complex to inform the preparation of a Master Plan.*
(v) *Encourage the redevelopment of Strategic Redevelopment Sites in the precinct to a maximum height of 10 storeys.*

Public Realm
Objectives
(w) *To improve the quality of the public realm.*
(x) *To provide additional public open space.*
Strategies
(y) *Investigate opportunities for streetscape improvements.*
(z) *Incorporate local public open space as part of redevelopment opportunities.*
(aa) *Improve links between the park at the end of Cubitt Street and the Rosella Complex.*

Access and Movement
Objectives
(bb) *To reinforce Balmain Street and Cremorne Street as the primary road network for vehicle movement in and out of the precinct.*
(cc) *To improve connections to the public transport network to the north and east.*
(dd) *To create a highly walkable and cycle friendly environment.*
Strategies
(ee) *Develop Balmain Street as an improved pedestrian route.*
(ff) *Investigate opportunities to improve pedestrian and bicycle access to the Capital City Trail.*
(gg) *Investigate ways to manage potential increase in traffic volumes and flows and demand for car parking.*

Cremorne and Church Street Precinct Urban Design Framework

65. The *Cremorne and Church Street Precinct Urban Design Framework* [**UDF**] was adopted by Council at its meeting in September 2007. The intent of the UDF was to support redevelopment that contributes to Cremorne as a mixed-use area, while supporting strategic aims to develop employment opportunities in the area.

66. Council prepared Amendment C97 to the Scheme which proposed to rezone the study area from Business 3 Zone to Business 2 Zone, in order to provide for some residential development in the precinct. The Amendment was abandoned by Council at its February 2010 meeting.

67. The objectives/ aims of the UDF are as follows:
(a) *to support appropriate redevelopment and ensure that it contributes to, rather than undermines, Cremorne's valued characteristics such as the mixed use environment and its sense of place;*
(b) *to encourage activities that fit comfortably with the desired future character of the precinct, complementing its distinctive character, while also supporting strategic aims to develop employment opportunities in Yarra;*
(c) *to identify public domain improvements that can be realised through the private and public development process; and*
(d) *to better connect Cremorne with surrounding areas.*

68. The subject site and surrounding area is identified as suitable for 'incremental change', defined as:
    (i) *Mixed use areas dominated by light industry, with slightly larger properties. Recent redevelopment trends are likely to continue on a property-by-property basis. The industrial building pattern with total site coverage makes it relatively easy for new development to occur with minimal impact on nearby sites with the same building pattern and similar scale.*

69. The UDF has no strategic weight other than as an adopted Council document, and has not been translated into planning policies or controls. It is noted that since Amendment C97 was abandoned, a number of the strategies of the UDF have been incorporated into the Structure Plan.

Advertising

70. Notice of the application was given by way of letters and signs as per Section 52 of the *Planning and Environment Act* 1987 [**the Act**]. It is noted that the notice incorrectly included a waiver of the loading ay requirement where no such requirement applies to offices.

71. A total of 26 objections were received to the application, these can be summarised as:
    (a) development of the Rosella Complex buildings should not be considered in isolation;
    (b) this development would be more appropriate on the building 3-5 sites within the complex;
    (c) impact on traffic (traffic report does not consider PM peaks and no pedestrian or vehicular access should be provided via Gwynne Street);
    (d) insufficient car parking (including concerns with removal of on-street parking on Gwynne Street);
    (e) footpaths and roads are narrow in Cremorne and are problematic for pedestrians and cyclists;
    (f) applications in the area should be considered holistically;
    (g) neighbourhood character and heritage;
    (h) the proposal does not employ the urban design principles of the Swan Street Structure Plan;
    (i) off-site amenity (overshadowing, wind, overlooking, public safety, noise, impact on daylight, light spill and visual bulk) – primarily due to interface with low scale dwellings in Gwynne Street to the west;
    (j) safety concerns with ground floor link through the site;
    (k) impact on solar panels to the west;
    (l) request for a construction management plan;
    (m) building height (including contrary to Swan Street Structure Plan);
    (n) waste management plan is unacceptable (traffic and practical impacts);
    (o) palmer Parade frontage does not activate the street;
    (p) construction impacts (including traffic, noise, parking, dust, truck access and use of cranes);
    (q) plan inaccuracies (the building is not setback from the east, rather the upper levels cantilever over Palmer Parade);
    (r) public access should be provided through Palmer Parade (not just access to this building lobby);
    (s) impact on street trees in Palmer Parade; and
    (t) developer should be required to upgrade cycling infrastructure in Cremorne.

72. A planning consultation meeting was held on 14 November 2017 with Council planning officers, the permit applicant and objectors in attendance. No resolutions were reached.

Referrals

73. The application was referred to:
    (a) ESD Advisor;

(b) Engineering Services Unit;
(c) Heritage Advisor;
(d) Construction Management Unit;
(e) Urban Design Unit;
(f) External Wind consultant;
(g) Open Space Unit;
(h) Services Contracts Unit;
(i) Strategic Transport Unit.

74. Given the plans showed over 10,000m² of office floor area, the application was initially referred to PTV under clause 52.36 of the Scheme. PTV responded with no objection to the application, however as the leasable floor area is less than 10,000m², PTV are not a Referral Authority under Section 55 of the Act (or clause 52.36 of the Scheme). In any event, their advice is included as an attachment to this report for the sake of completeness.

OFFICER ASSESSMENT

75. The planning considerations in this instance will be framed around the following:
(a) buildings and works (including heritage interface);
(b) off-site amenity;
(c) on-site amenity and ESD;
(d) car parking/traffic;
(e) bicycle parking;
(f) waste; and
(g) Objector concerns.

Buildings and works (including heritage interface)

76. This assessment will be primarily framed using clause 22.10 of the Scheme and the DDO1, where relevant.

Urban form and character.

77. The policy section of this report has outlined how the 'metropolitan business cluster' of this area must be fostered (clause 21.08-2) and how the employment function and redevelopment of Rosella to support residential, commercial and retail uses must be supported (SSSP). However, the site is also adjacent to residential properties within the General Residential Zone 2. The built form outcome must therefore reach a balance between achieving the C2Z objectives, and providing a reasonable level of amenity for the dwellings within the GRZ2 (noting the amenity expectations for these residents must be tempered by the presence of the C2Z across Gwynne Street).

78. The urban form or character of the east side of Gwynne Street is robust, with the existing site presenting a solid, 2 storey equivalent concrete and painted brick wall. The proposal draws upon this built form context, with the addition of upper levels which would be setback from the street, and a fine-grained design response to improve the appearance of the building from Gwynne Street. The proposal also includes a walk-through at the ground level to break up the length of the site and positively activate the pedestrian space.

79. The main issue with this application from an urban form and character perspective is the presentation to Palmer Parade, which currently is not successful in achieving a pedestrian scale or respecting the existing built form or massing along the eastern elevation of the site. This will be addressed further in this report and could be addressed by way of a permit condition.

80. It is noted that while the DDO1 applies to the site, the site is well removed from the river corridor and would not generally impact the appearance or landscape character of the Yarra River corridor.

Setbacks and building height

81. Clause 22.10-3.3 offers guidance when considering setbacks and building height. Council's Urban Design Unit raised issue with the 9 storey height, however Council's Heritage Advisor did not have concerns regarding the overall height. Rather, the heritage advisor made recommendations regarding the colours, materials and façade treatments.

82. Each interface will be considered in turn.

83. North and south – The proposal would be constructed to the side boundaries, which is supported given both adjoining properties are also within the C2Z. While these adjoining properties are also affected by a Heritage Overlay and would be somewhat more constrained than the subject site, this built form outcome ensures the development potential of these sites would not be unreasonably impacted by the proposal.

84. Contrary to the Urban Design advice, the 9 storey height on these boundaries is also supported due to the zoning of the land. Considering views from the adjoining public realm (Gwynne Street), the upper level setbacks of the proposal also ensure that the development would not unreasonably impact the heritage significance or character of adjoining buildings (see 'heritage' assessment later in this report).

West – The proposal would include a 3 storey street wall to generally match the adjacent street walls, with the upper 6 levels setback 2.4 to 6m from the street. (Council's Urban Design Unit raised no concern with the street wall.) These setbacks would not make the upper levels invisible from the west side of Gwynne Street, however this is not necessary given the C2Z of the land where development is to be expected. Rather, the upper level setbacks have achieved an appropriate relief or separation with the residential properties 9m to the west of the site across Gwynne Street.

As is outlined throughout the later off-site amenity section of this report, the upper level setbacks ensure that the proposal would not unreasonably impact the direct sunlight exposure to private open space areas to the west. In addition, these dwellings already have an outlook to a 2 storey blank wall. The proposal would marginally increase the street wall height and introduce a 6 storey tower, which when setback from the street from 2.4m to 6m, would not unreasonably impact the outlook afforded to these dwellings.

Perspective along Gwynne Street based on sketch plans

85. East – While 9 storeys is generally supported in this location from a policy and physical perspective, the zero setback to the upper levels along Palmer Parade is not. Council's Urban Design Unit raised issue with the Palmer Parade presentation, as it could result in a canyon effect, particularly if the other sites in the area are developed in a similar manner. They concluded:
Considering the above points, we do not support this scale and form of building along this eastern part of the site, as it does not provide a pedestrian scale to the street, would overwhelm the Rosella complex heritage buildings along Palmer Parade and would set a negative precedent for future developments along this street. Furthermore the building does not provide any breaks or building separation along the length of the site (which is over 70 metres) or any upper floor setbacks, which makes the development even more prominent.

86. While Council's Urban Design Unit recommended a 4 storey street wall and '*the upper floors should be setback a few metres at least*', the Applicant's sketch plans and perspectives have demonstrated that the strengthening of the podium and addition of a 1m setback above level 3 has achieved a reasonable pedestrian scale and would no longer create a 'canyon effect' along Palmer Parade. Should a permit issue, these changes along Palmer Parade should be imposed by way of permit conditions.

Perspectives along Palmer Pde looking south

87. Subject to the conditions contained in this report, the setbacks and building heights respond to the policy and physical context of the site.

Heritage context

88. While the site itself is not within a Heritage Overlay, the site abuts heritage overlays to the north and south. Clause 22.10-3.3 states that:
The height of new development abutting land in a Heritage Overlay should:
    - *Adopt a façade height to the street frontage which is no higher than the adjacent building within the Heritage Overlay;*
    - *Design and site taller structures so that they do not visually dominate surrounding heritage places; and*
    - *Match the floor levels of the adjacent heritage building*

89. The façade to Gwynne Street is generally in line with the adjoining heritage buildings. At the northern end, the façade adopts a shallow gable end treatment to reflect building 18 to the north and at the southern end the façade treatment respects the shaper gable end detail and proportions of building 16 to the south.

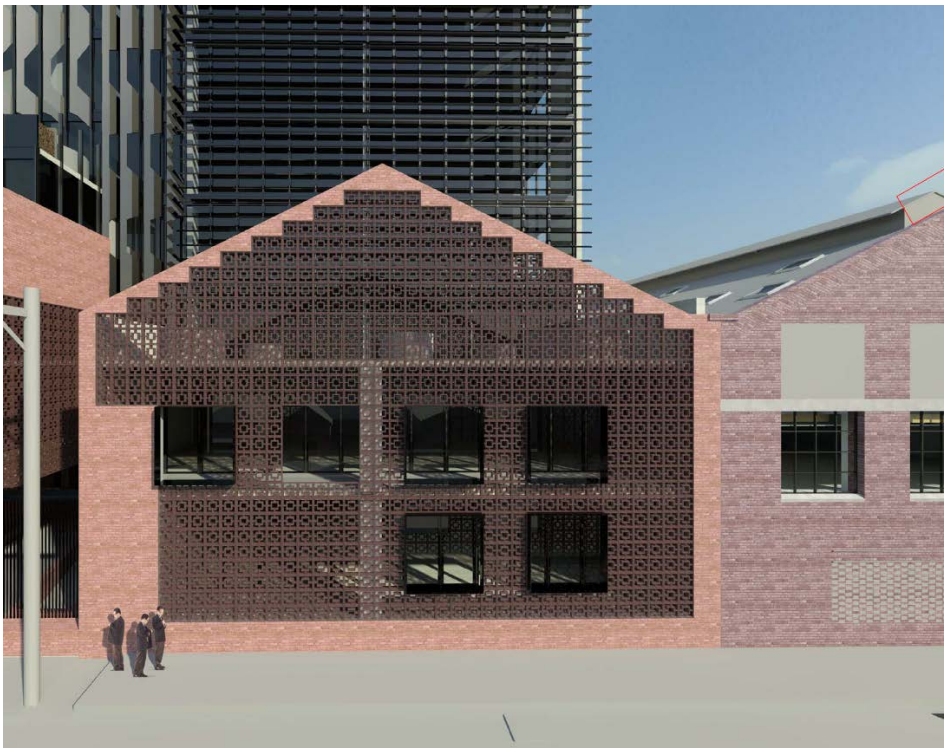
90. Acknowledging that Palmer Street is a private road, the setback from Gwynne Street is the most important from a heritage perspective. As the development is setback 2.4m to 6m at level 3 (above the podium), with setbacks increasing to at least 6m at level 4 and above, this is considered to provide a sufficient separation between the podium and tower, ensuring the proposal does not dominate the adjoining heritage buildings 16 and 18.

91. Council's Heritage Advisor also reviewed the proposal, noting that '*In this case assessing what is proposed it is not simply a matter of considering height and setbacks in a formulaic fashion. Rather it is a matter of how any proposed building fits into its specific context*'. They note:

    …the east and west façades are long and situated in narrow streets. As drawn and illustrated these façades are unnecessarily busy and dark. While the use of red face brick elements is a reference to the industrial buildings, they are out-of-place here and do nothing architecturally – they are clumsy. Similarly the gabled element, obviously a reference to the abutting building, does nothing to link them together – rather it appears an unhappy pastiche. The vertical ribs present as a cage-like appearance and where this has been constructed elsewhere in Yarra (Smith Street), and other examples elsewhere, the unfortunate effect indicated on the drawings has eventuated. All this leads to a dominant and overbearing presentation which will detract from the heritage building nearby i.e. Rosella complex. There is scope for good contemporary design which complements rather than competes with or detracts from the character and characteristics of the Rosella buildings – they should remain the most visually solid and dark (red brick) buildings with new buildings being a lighter contrast. The design needs to be lightened in colour and simplified in materiality, and generally toned down to be quieter while being a worthy contribution to the streetscape.

92. It is agreed that the original renders provided appears dark and the appearance of the fins therefore seemed busy. However, the sketch plans are lighter and appear to go some way to address these concerns. However, a modified schedule of colours and materials was not provided. Should a permit issue, a condition should require a modified schedule of colours and materials, confirming the facades are not too dark. While the site does not have a direct link to the river given it's setback, this is also appropriate as the site is within the DDO1, where '*Building materials should utilise non-reflective colours and finishes to blend with the existing natural landscape character of an area*'.

93. The Applicant also provided additional perspectives/renders of the gabled element along Gwynne Street. From the below render, it can be seen how the form respects the gable end of the heritage fabric to the south, and the architectural quality and level of design detailing would ensure the façade does not appear as a closed off 'cage'.



Applicant's render of the gable end segment along Gwynne Street

94. Council's Heritage Advisor comments included reference to heritage interpretation works tabled more generally by the Applicant for the wider Rosella Precinct. These works do not form part of this application (or any other current application) and these comments are therefore not relevant to this assessment.

95. Subject to the conditions contained in this report, the proposal would not unreasonably impact the heritage significance of the adjoining heritage properties or nearby heritage precinct.

Street and public space quality

96. Considering the 2 storey, face print/concrete panel building currently on the site, the proposal would make a vast improvement to the public realm. The proposal incorporates a pedestrian scale to Gwynne Street, and incorporates fine grained colours and materials to successfully breaks up the length of the lot and add to this pedestrian scale.

97. The introduction of a pedestrian link between Gwynne Street and Palmer Parade also positively activates the streetscape. In addition, the presence of upper level balconies and terraces would offer positive passive surveillance opportunities.

98. Council's Urban Design Unit raised concern with the angled vertical brick piers along Palmer Parade as they could create a hazard for pedestrians. The Applicant offered sketch plans showing planter boxes at the lower sections of these piers, which address this concern and should be imposed by way of a permit condition, should a permit issue.

99. Council's Urban Design Unit also recommended the following with regard to street and public space quality:

    (a) *Domain Manual is a useful starting point to look at, as well as other examples of spaces in the surrounding area such as the Balmain Street public space close by. If the applicant is proposing a higher quality paving material, we suggest that sawn bluestone paving could be used.*

100. Council's Construction Management Unit has already requested that the Gwynne Street footpath be constructed as per Council's standard materials. This should be addressed by way of a permit condition. As Palmer Parade is a private road, the materiality does not pose the same maintenance issues for Council and is therefore acceptable.

(b) *At southern end of site, we suggest splaying the end of the last parking bay to provide more space for pedestrians.*

101. While this may achieve a positive urban design outcome, the car parking dimensions are required as proposed to ensure the spaces can be used.

(c) *There is a raised planter bed with a seat near the building entrance. We suggest that this is moved to the kerb edge, to provide a sunnier spot for the seat and plants and a clearer pedestrian path along the building edge.*

102. The proposed location is supported as it provides a clear pedestrian link and protects the roots of existing street trees (moving the planter bed east would move these works within the drip line of existing street trees).

103. For a lot of this length, the building is vertically articulated through the use of varying podium approaches to Gwynne Street and vertical fins.

104. Finally, the building entries are clearly identified, with the incorporation of landscaping across all levels to create visual interest and a positive pedestrian environment.

Site coverage

105. Clause 22.10-3.6 states that:
New development should not exceed a maximum site coverage of 80% of the site area unless:
- *the pattern of site coverage in the immediate area is higher than this figure (as identified in the Site Analysis Plan and Design Response); or*
- *there is a need to cap the site to deal with contamination.*

106. In this instance, the other buildings in the Rosella complex display high levels of site coverage, similar to or equal to the 100% proposed as part of this application. This is appropriate in this context and in keeping with the character of the area.

Landscaping and fencing

107. There is no mature landscaping on-site to be retained.

108. The proposed landscaping is restricted to planter beds and vertical green walls, an appropriate outcome in this context, creating reasonable levels of amenity for office occupants and pedestrians around the site.

109. Council's Construction Management Unit raised concern with the varied material treatment along the Gwynne Street footpath as it could be a trip hazard. Should a permit issue, a condition should require details of all footpath materials to be as per Council's standard specifications/materials. In particular, Council's Open Space Unit have suggested sawn bluestone paving and asphalt.

110. Council's Open Space Unit generally supports the landscape detailing, subject to the following conditions:
(a) Provision of a landscape plan showing:
    (i) species proposed and location
    (ii) a plant schedule indicating pot size, quantity, mature height and spread of all proposed planting;

(iii) details of raised garden beds and rooftop planting, including proposed planting media, irrigation and drainage;
(iv) a maintenance / management plan;
(v) further detail of the rain garden (including sections, proposed planting media, and drainage); and
(vi) Palmer Parade frontage:
- demonstrating the bench seats near trees will not impact the health of the trees;
- an appropriate mix of plants must be selected for under the existing Plane trees; and
- the proposed new kerb extensions and low planting should allow for irrigation.

111. While Council's Open Space Unit suggested that overland flows should be considered with regard to kerb extensions, the site is not within a Special Building or Land Subject to Inundation Overlay and is therefore not a relevant planning consideration.

Parking and street trees

112. The proposal would introduce 2 street trees along Gwynne Street, removing one on-street parking space.

113. Council's Open Space, Construction Management and Engineering Services Units generally support this aspect of the proposal. Council's Open Space Unit note that residents have been requesting street tree planting along Gwynne Street. The street tree planting is supported subject to the following conditions:
(a) there is a spread of 3 street trees more evenly across the façade;
(b) the tree cut out sizes must be 2m long by 1.5m wide, with parking bays being 6.1m long;
(c) a plan must show on-street parking spaces from the south alignment of Balmain Street, demonstrating how these modifications would work;
(d) Gwynne Street street trees should be Brachychiton 'Bella Pink'. The Permit Holder is required to pay Council $4,165 for the supply, planting and establishment of the street trees (works undertaken by Council);
(e) any on-street parking space modifications must be undertaken to the satisfaction of the Responsible Authority and at the expense of the permit holder (including moving any parking sensors, signs, road re-sheeting etc.).

114. It is also noted that separate approval is required from Council's Parking Services Unit before any on-street parking is altered. This should be conveyed to the permit applicant in the form of a notation.

Service infrastructure

115. The development includes a plant deck on level 8, which would be centrally located at this level and shielded by a 1m high balustrade. This ensures this area is not an afterthought and would provide an attractive built form outcome in the round.

116. Design objectives within clause 22.10 pertaining to environmental sustainability, on and off-site amenity will be addressed later in this report.

Off-site amenity

117. Many of the objections raised issue with off-site amenity, including overshadowing, overlooking, visual bulk, smoking and safety. However, the important starting point for this assessment is the policy context and zoning of the site and surrounding area.

118. As is identified in clause 21.08 '*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*'.

119. The site is also adjacent to a General Residential Zone 2, west of Gwynne Street.

120. The site itself however, is located within the C2Z, where the 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.*

121. It is noted that the proposed office use is 'as-of-right' and does not require a permit in the zone. Further, the zone purpose specifically encourages commercial areas for offices and the like. The Swan Street Structure Plan also identifies that '*Rosella presents opportunities for redevelopment to strengthen the employment focus and accommodate housing growth*'. Being within the C2z, there is no opportunity for housing growth in this location (dwellings are prohibited), but there is an opportunity to strengthen the employment focus of the area.

122. The C2Z however, includes the following decision guidelines when considering buildings and works:
    (i) *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.*
    (ii) *Any natural or cultural values on or nearby the land.*
    (iii) *The design of buildings to provide for solar access*

123. Clause 22.10-3.8 also outlines the following design objectives:
    (a) *To ensure that new development does not prejudice the rights of adjoining and/or nearby land users (especially residents) to enjoy solar access, privacy, and acceptable noise levels.*
    (b) *To ensure that built form enhances and does not detract from the landscape character of parks and open spaces.*
    (c) *To ensure that new development does not substantially overshadow adjoining residential private open space or public facilities such as parks and gardens.*

124. Clause 22.05 also aims to ensure that '*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*'.

125. This policy and physical context outlines the need to achieve a reasonable balance between the residential properties west of Gwynne Street and facilitating the employment growth envisaged by the C2Z and the SSSP. The above policies will be used to guide this off-site amenity assessment.

Overlooking

126. With Gwynne Street being 9m wide, the proposal is beyond the screening threshold for overlooking within the Scheme. The proposal would therefore not unreasonably overlook the dwellings west of Gwynne Street.

Overshadowing

127. The shadow diagrams provided by the Applicant demonstrate that three private open space areas to the west would be affected by the proposal. However, the impact would be limited to before 11am at the September Equinox. These affected dwellings are:
    (a) 114 Gwynne Street – 28m² - while this private open space area would receive no direct sunlight until 10am, by 10am the impact on shadows would only be an additional 2m² above existing shadows (13m² to 11m² not in shadow). The remainder of the day would be as per existing conditions;
    (b) 116 Gwynne Street – 50m² - the shadow impact on this area of private open space would be limited to 9am, with conditions as per existing from 10am after;
    (c) 118 Gwynne Street – 53m² - this parcel of private open space would be affected until 11am, with no direct sunlight at 9am, and 11m² receiving direct sunlight at 10am (currently 23m²). However, at 11am, a 29m² area of private open space would remain free of shadow, as per existing conditions.

128. From 11am onwards, the shadows would be as per existing for these dwellings. Given the limited time additional shadows would be cast and the limited extend of much of the impacts, the private open space areas to the west would receive sufficient sunlight.

Visual bulk

129. The previous section of this report dealt with setbacks and building height, incorporating off-site amenity considerations. The massing of the proposal has successfully matched the street wall height of the other buildings on the east side of Gwynne Street, with the upper levels setback to not completely obscure the building (given the site is within the C2Z), but to provide a visual relief between podium and tower forms .The proposal has successfully responded to the GRZ2 context west of Gwynne Street and is supported. These dwellings will continue to have a reasonable outlook due to the massing of the proposal and the 9m width of the street. Further, the replacement of the existing 2 storey face brick and concrete building with an architecturally designed, vertically articulated form would improve the integration with the street and outlook for these dwellings.

Noise

130. The application did not include an acoustic report, however clauses 13.04-1 and 22.05 require consideration of noise.

131. As the use of the site as offices does not require a permit, the primary consideration relates to noise from any plant and equipment. Should a permit issue, a condition should require an acoustic report, demonstrating compliance with SEPP N-1 and any other relevant EPA guideline. With the plant and equipment being located on the roof, this could easily be achieved through acoustic attenuation or screens.

Wind

132. The Applicant provided a wind report, prepared by Windtech and dated 13 July 2017. The report recommends a number of mitigation methods, including street trees, hinged doors to the ground level walkway, 1.8m-2m high blade walls to sections of the level 1-7 terraces and balustrades/landscaping treatments to the roof terrace.

133. Council had this report peer reviewed by ViPac, generally supporting the findings of the Windtech report with the following recommendations:
    (a) wind tunnel testing should be carried out at the detailed design stage to ensure the wind mitigation approaches are appropriate;
    (b) specific wind mitigation treatments are to be shown in the report (not just 'recommendations');
    (c) in addition to or instead of impermeable balustrades and blade walls, consider using porous windbreaks (above 50% of porosity); and

(d) occupants should be advised to not leave any loose items (especially lightweight furniture) unsecured in their balconies/open terraces before leaving.

134. Subject to conditions to this effect, the proposal would not unreasonably impact wind conditions around the site and would achieve a reasonable level of amenity for office workers.

Services

135. The plans generally show services along Palmer Parade, however mail box locations, pits and metres have not been shown. This should be required by way of a permit condition, should a permit issue.

Light spill

136. The plans do not show any lights which would unreasonably impact the amenity of nearby dwellings. However, a standard permit condition should be imposed to ensure that lighting is located and baffled so as to not unreasonably impact the amenity of nearby dwellings.

137. Subject to the conditions contained in this report, the proposal would not unreasonably impact the amenity of the area.

On-site amenity and ESD

138. This section of the assessment will be guided by clauses 22.10 and 22.17 of the Scheme.

139. In terms of on-site amenity and ESD features, the application proposes the following:
(a) energy efficiency to exceed NCC requirements by at least 10% and a greenhouse gas reduction of at least 30%;
(b) mixed-mode ventilation will include automated operable windows to all tenancies;
(c) high efficiency VRV with automated mixed mode HVAC;
(d) good access to daylight with at least 40% of the floor area reaching a daylight factor of 2%;
(e) glazing specification and shade fins will assist in glare control;
(f) a 44.5 kWp solar PV array to contribute to electricity consumption;
(g) energy storage batteries;
(h) a STORM report (119% score) demonstrating best practice in stormwater management has been provided that relies on a minimum of 955m2 of roof connected to a 35,000 litre tank for toilet flushing and irrigation, and a further 194m2 of balconies connected to a 4m2 raingarden for filtering;
(i) 116 plus 41 bicycle spaces for staff of 9441m2 of office and end-of-trip facilities, plus an additional 8 visitor bike spaces;
(j) electric vehicle charging facilities;
(k) energy efficient lighting system zoned and with sensor controls;
(l) water efficient fixtures and taps;
(m) sub-metering of water and energy for each floor with a display screen; and
(n) water efficient irrigation from rainwater tank with drip irrigation and moisture sensors.

140. The Application was referred to Council's ESD Advisor, who raised no issue with the application form an ESD perspective.

141. In terms of internal amenity the offices would be provided with reasonable outlooks and natural daylight and ventilation. Balconies and terraces also offer a range of outdoor options for staff.

142. Having regard to the following, the application meets clause 22.17 and would provide a reasonable level of internal amenity and achieve a high standard of energy efficiency:

(i) energy performance – the development exceeds minimum NCC requirements by at least 10%;
(ii) water resources and stormwater management – the development achieves a 116% STORM rating, minimising stormwater runoff and reducing reliance on mains water;
(iii) indoor environment quality – the application includes adequate cross ventilation, a natural breezeway to the common circulation and openable doors/windows. Glazing and metal fins have also been selected and designed to reduce the need for mechanical heating and cooling;
(iv) transport – the application has sought a car parking reduction, is located within walking distance of public transport and provides bicycle parking in excess of the clause 52.34 requirements;
(v) waste management – the Applicant has committed to recycling 90% of the mass of all demolition and construction waste. Ongoing waste management matters are considered later in this report;
(vi) urban ecology – there are no significant trees to retain, however the proposal incorporates garden beds and a green wall to improve the site's ecological value.

143. Should a permit issue, the following should be addressed by way of permit conditions:
(i) operable glazing must be shown on the plans;
(ii) a completed energy efficiency JV3 model;
(iii) the system capacity (kWh) of the energy storage battery; and
(iv) the SMP and plans modified to reflect the correct location of the water tank (shown on plans in basement 1 and in the SMP as in basement 3).

144. Subject to the conditions contained in this report, the proposal would achieve a high standard of on-site amenity and energy and resource efficiency.

Car parking

145. This section of the report will be guided by clause 52.06, noting that clauses 18 and 21.06 support sustainable transport modes, such as walking, cycling and public transport.

146. With a net office floor area of 10,814m², the application has a requirement for 378 car parking spaces. With 112 spaces being provided, a reduction of 206 car parking spaces is sought.

147. The Applicant's traffic report referenced the ABS journey to work data, finding that approximately 35% of workers in Yarra travel to work using public transport, walking or cycling; Council's Engineers note that recent office approvals in the area range from 0.41 to 0.85 spaces per 100m².

148. The Applicant's traffic report also included empirical rates, based on other developments they have assessed in the Richmond/Cremorne area. They suggest a rate of 1.76-2.2 spaces per 100m² (equalling a demand for 182-236 spaces). However, they continued to review car parking demand rates for buildings specifically within the Rosella Complex, Sussan head office and within 511 Church Street. This analysis revealed a demand ranging from 1.7 to 2.2 car parking spaces per 100m².

149. Considering the reduction sought with regard to clause 52.06:
(a) the site is within walking distance of tram services along Church Street and the East Richmond and Richmond Train Stations;
(b) visitors to the site could make a multi-purpose trip given the amenities along Swan and Church Streets;
(c) the site is accessible via walking and cycling;
(d) Council's Engineers note that there is limited on-street parking capacity in the area. While Council's Engineers acknowledge the Applicants on-street parking survey is incomplete, their local knowledge of the area indicates that on-street parking should not be relied upon for new developments;

(e) this application proposes a car parking rate of 1.23 spaces per 100m² and would be sufficient for catering for the needs of office workers in this location, where Council's Engineers knowledge of recent office approvals shows a rage of 0.41 to 0.85; and
(f) finally, the Applicant acknowledges that the proposed rate of 1.23 spaces per 100m² is below the existing demand, however they note in section 5.3 of their report that state and local policy objectives support a modal shift to walking, cycling and public transport. While the rate provided is at least 0.47 spaces per 100m² below the existing demand for other offices in this pocket of Cremorne, this is supported and will assist in shifting employees to more sustainable transport modes as per clauses 18 and 21.06 of the Scheme.

150. Given the car park would be used by a number of tenants, a car park management plan should be required by way of a permit condition to ensure the space is used and managed appropriately.

151. Considering traffic and safety, the Applicant's traffic report included tube counts from 2012, and then extrapolated traffic growth at a rate of 2% per annum to reach today's volumes. When assessing this against the anticipated 56 and 45 (AM and PM) peak hour traffic generation, the Applicant's calculations indicate the Balmain / Palmer Street intersection will continue to operate '*with excellent conditions post-development*'.

152. Council's Engineering Services Unit raised issue with the date of the previous traffic count. On 17 November 2017, the Applicant's Engineer (Cardno) submitted a revised report with traffic counts undertaken on 11 October 2017. Council's Engineers reviewed this new data, agreeing that the anticipated AM and PM peak hour movements to/from the site from 45-56 vehicles would not unreasonably impact traffic conditions around the site.

153. Further, another objector concern related to traffic, cyclist and pedestrian safety. Council's Engineers also considered this issue in conjunction with their review of the Cardno traffic report. Reviewing the Cardno tube counts, an 85th percentile vehicle speed in the northbound direction along Palmer Parade would be 25.1kph. Council's Engineers found that:

there does not appear to be any issues of safety that require immediate attention. There also does not appear to be any evidence that traffic from the development site would create an issue of safety, especially since Palmer Parade is already in operation as a private road providing access to nearby properties (with an existing daily traffic volume of 1,251 vehicles per day).

154. A number of other issues were raised by Council's Engineers, which could be addressed by way of permit conditions:
(a) minimum headroom clearances (at the entrance of the basement, car parks, ramps and other critical points), ensuring waste collection can occur as per the WMP and to ensure compliance for accessible parking spaces;
(b) swept path diagrams for a B99 design vehicle and an oncoming B85 design vehicle satisfactorily pass one another in the internal ramps;
(c) ramp grades and dimensions, including sections;
(d) a ground clearance check for the inside radii of the curved internal ramps using the B99 design vehicle;
(e) if clearances cannot be provided, the spaces abutting the NBN Room are to be designated as Small Car Spaces;
(f) plants within the garden bed adjacent to the north edge of the crossing must be maintained at a maximum height of 900mm;
(g) car parking spaces 22, 32, 55, 69, 99 and 108 designed as small car spaces (due to the compromised length);
(h) car parking spaces 30 and 31 either provided with 300mm clearances from the NBN room or designated as small car spaces; and
(i) all service cabinet doors that swing outwards on footpaths and walkways should be able to swing 180 degrees and be latched to the walls of the building.

Bicycle parking

155. The application exceeds the clause 52.34 statutory bicycle parking requirements, being:
   (a) 36 employee bicycle parking spaces and 11 visitor bicycle parking spaces (165 are provided on-site with 8 spaces provided along Palmer Parade);
   (b) 4 showers (13 are provided); and
   (c) 1 change room (13 spaces are provided adjacent to showers).

156. Design and signage requirements are also at clause 52.34-4 and 52.34-5 of the Scheme.

157. The application was referred to Council's Strategic Transport Unit, who recommended/noted the following:
   (a) provision of at least 11 bicycle parking spaces along Palmer Parade (to accommodate for visitor parking). These spaces must be horizontal;
   (b) with a statutory reduction of 206 car parking spaces, the 'best practice' bicycle parking rate is 1 space per 100m² of net floor area, which equates to 109 employee spaces. With 165 employee spaces being provided, this application exceeds best practice;
   (c) the bicycle parking spaces are generally easily accessible, except for the hanging space closest to lift shaft in basement 3. This space would reduce the aisle for 700mm and should be deleted by way of a permit condition; and
   (d) should a permit issue, a green travel plan should be required.

158. Again, Council's Construction Management Unit does not support the clearance zone on the road to allow access to the bicycle parking area. This should be deleted by way of a permit condition, should a permit issue.

Waste

159. Council's Services Contracts Unit reviewed the Waste Management Plan [**WMP**] prepared by Cardno, dated 30 March 2017. The WMP proposes waste storage and collection within basement 1 by a private contractor (mini rear loader, requiring a minimum 2.5m clearance within the basement).

Objector concerns

160. The following objector concerns have been considered throughout this report:

impact on traffic (traffic report does not consider PM peaks and no pedestrian or vehicular access should be provided via Gwynne Street);
footpaths and roads are narrow in Cremorne and are problematic for pedestrians and cyclists;

161. See paragraphs 149-151.

insufficient car parking (including concerns with removal of on-street parking on Gwynne Street);

162. See paragraphs 111-113 and 144-148.

neighbourhood character and heritage;
building height (including contrary to Swan Street Structure Plan);
the proposal does not employ the urban design principles of the Swan Street Structure Plan;

163. See paragraphs 75-94.

off-site amenity (overshadowing, wind, overlooking, public safety, noise, impact on daylight, light spill and visual bulk) – primarily due to interface with low scale dwellings in Gwynne Street to the west;

164. See paragraphs 116-136.

waste management plan is unacceptable (traffic and practical impacts);

165. See paragraph 157.

Palmer Parade frontage does not activate the street; and
public access should be provided through Palmer Parade (not just access to this building lobby).

166. Palmer Parade and the pedestrian link have been considered throughout paragraphs 84 and 95-103.

167. The following will now be addressed:

development of the Rosella Complex buildings should not be considered in isolation;

168. While the SSSP suggests a master plan be prepared for the Rosella Complex, this is not a requirement in the Scheme.

this development would be more appropriate on the building 3-5 sites within the complex;

169. This is not a relevant consideration as each application must be considered on its own merit.

applications in the area should be considered holistically.

170. Applications before Council cannot be considered concurrently as it is premature (i.e. a permit may not issue or even if one does, the holder may never act on it).

safety concerns with ground floor link through the site;

171. Should a permit issue, a condition should ensure that this area is secured at night.

impact on solar panels to the west;

172. Based on the shadow diagrams provided by the Applicant, the shadows would not affect the roofs of the sites to the west from 10am onwards. This is reasonable in this context and would not unreasonably impact the efficiency of these panels.

request for a construction management plan and construction impacts (including traffic, noise, parking, dust, truck access and use of cranes);

173. Should a permit issue, a construction management plan condition should be imposed.

plan inaccuracies (the building is not setback from the east, rather the upper levels cantilever over Palmer Parade);

174. The plans show that the upper levels would cantilever over Palmer Parade. As this is common property, the Applicant would be required to obtain consent from necessary owners (outside of the planning process) to develop this land.

impact on street trees in Palmer Parade; and

175. Should a permit issue, tree protection zones should be required by way of a permit condition.

developer should be required to upgrade cycling infrastructure in Cremorne.

176. There is no requirement in the Scheme for developers contribute to upgrading cycling infrastructure in Cremorne.

Conclusion

177. The amendments comply with the relevant elements of the Yarra Planning Scheme and are supported. The amendment necessitates amendments to the permit preamble and conditions as per below.

RECOMMENDATION

That Council inform VCAT that had it been in a position, it would have issued a Notice of Decision to Grant a permit for the development of the land for the construction of a 9 storey building (plus basement levels), reduction in the car parking requirement associated with an office at 16A-17A / 64 Balmain Street, Cremorne VIC 3121 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 (prepared by BG Architecture, dated 19.07.17) but modified to show:
   (a) no windows on boundaries;
   (b) the following changes as per the sketch plans received by Council 28 November 2017:
      (i) modified treatment to Palmer Parade, with face brick accentuating a 4 storey podium and a 1m setback above level 3;
      (ii) addition of planter beds and changes to the angled walls at the ground floor along Palmer Parade; and
      (iii) installation of planter boxes to terraces at Levels 3 and 4 fronting Gwynne Street.
   (c) a schedule of colours and materials, including samples, generally in lighter colours/tones compared to the perspectives;
   (d) Gwynne Street footpath materials as per Council's standard specifications/materials (sawn bluestone paving and asphalt is suggested);
   (e) along Gwynne Street, a spread of 3 street trees spread more evenly across the façade, showing how the car parking spaces would be impacted (detailing parking from the intersection with Balmain Street);
   (f) the tree cut out sizes along Gwynne Street must be 2m long by 1.5m wide, with parking bays being 6.1m long;
   (g) the Gwynne Street street trees will be Brachychiton ‘Bella Pink’;
   (h) the location of mailboxes, pits and metres;
   (i) operable glazing;
   (j) minimum headroom clearances (at the entrance of the basement, car parks, ramps and other critical points), demonstrating waste collection can occur as per the WMP and ensuring compliance for accessible parking spaces;
   (k) swept path diagrams for a B99 design vehicle and an oncoming B85 design vehicle satisfactorily pass one another in the internal ramps;
   (l) ramp grades and dimensions, including sections;
   (m) a ground clearance check for the inside radii of the curved internal ramps using the B99 design vehicle;
   (n) plants within the garden bed adjacent to the north edge of the crossing must be maintained at a maximum height of 900mm;
   (o) car parking spaces 22, 32, 55, 69, 99 and 108 designed as small car spaces (due to the compromised length);
   (p) car parking spaces 30 and 31 either provided with 300mm clearances from the NBN room or designated as small car spaces; and
   (q) all service cabinet doors that swing outwards on footpaths and walkways able to swing 180 degrees and be latched to the walls of the building.

(r) deletion of the hanging bicycle space closest to lift shaft in basement 3;
(s) addition of at least 11 (horizontal) bicycle parking spaces along Palmer Parade;
(t) deletion of the clearance zone on the road adjacent to the bicycle parking room; and
(u) any works (where necessary to show on plan) as a result of the endorsed wind and acoustic reports.

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. Before the development commences, an Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must assess the following:
   (a) the impact of proposed services and equipment on nearby dwellings and the offices on-site.

   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.

4. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

5. 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 GIW Environmental Solutions and dated 11 April 2017, but modified to include or show:
   (a) a completed energy efficiency JV3 model;
   (b) the system capacity (kWh) of the energy storage battery; and
   (c) the location of the water tank to correlate with the plans.

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

7. Before the development commences, 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) a description of the location in the context of alternative modes of transport;
   (b) employee welcome packs (e.g. provision of Myki/transport ticketing);
   (c) the provision of real time passenger information displays for nearby stops within each lobby;
   (d) sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes;
   (e) a designated ‘manager’ or ‘champion’ responsible for coordination and implementation;
   (f) details of bicycle parking and bicycle routes;
   (g) details of GTP funding and management responsibilities;
   (h) the types of bicycle storage devices proposed to be used for employee, and visitor spaces (i.e. hanging or floor mounted spaces);
   (i) the types of lockers proposed within the change-room facilities, with at least 50% of lockers providing hanging storage space;

(j) security arrangements to access the employee bicycle storage spaces; and
(k) signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;
(l) provisions for the Green Travel Plan to be updated not less than every 5 years.

8. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

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

10. 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 amended 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 Tract Consultants and dated 6 April 2017, but modified to include (or show):
    (a) species proposed and location
    (b) a plant schedule indicating pot size, quantity, mature height and spread of all proposed planting;
    (c) details of raised garden beds and rooftop planting, including proposed planting media, irrigation and drainage;
    (d) a maintenance / management plan;
    (e) further detail of the rain garden (including sections, proposed planting media, and drainage); and
    (f) Palmer Parade frontage:
        (i) demonstrating the bench seats near trees will not impact the health of the trees;
        (ii) an appropriate mix of plants must be selected for under the existing Plane trees; and
        (iii) the proposed new kerb extensions and low planting should allow for irrigation.

11. 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.

12. Before the development commences, a Tree Management Plan to the satisfaction of the Responsible Authority must be prepared by a suitably qualified Arborist and must be submitted to and approved by the Responsible Authority. When approved the Tree Management Plan will be endorsed and will form part of this permit. The Tree Management Plan must make recommendations for:
    (a) the protection of the trees along Palmer Parade:
        (i) pre-construction;
        (ii) during construction; and
        (iii) post construction
    (b) the provision of any barriers;
    (c) any pruning necessary; and
    (d) watering and maintenance regimes,
    to the satisfaction of the Responsible Authority.

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

14. Before the development commences, 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 Windtech and dated 13 July 2017, but modified to include (or show):
    (a) wind tunnel testing the wind mitigation approaches are appropriate;
    (a) specific wind mitigation treatments (not just 'recommendations');
    (b) in addition to or instead of impermeable balustrades and blade walls, use porous windbreaks (above 50% of porosity); and
    (c) a commitment that occupants will be advised to not leave any loose items (especially lightweight furniture) unsecured in their balconies/open terraces before leaving.

15. The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.

16. Before the development commences, 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) the number and location of car parking spaces allocated to each tenancy;
    (b) any tandem parking spaces allocated to a single tenancy;
    (c) the number and location of car spaces for shared use, including time of shared use;
    (d) 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;
    (e) details of way-finding, cleaning and security of end of trip bicycle facilities;
    (f) The number and allocation of storage spaces;
    (g) policing arrangements and formal agreements;
    (h) 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;
    (i) 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 9; and
    details regarding the management of loading and unloading of goods and materials

17. 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.

18. Before the development commences, the permit holder must make a one off contribution of $4,165 to the Responsible Authority to be used for new street tree plantings that are required as a result of the development.

19. Any on-street parking space modifications must be undertaken with the prior written consent of the Responsible Authority, to the satisfaction of the Responsible Authority and at the expense of the permit holder (including moving any parking sensors, signs, road re-sheeting etc.).

20. The ground level walkway through the site must be closed to the public between 8pm and 7am every day.

21. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.

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

23. 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
    (q) any site-specific requirements.

24. During the construction:

    (a) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
    (b)

(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.

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

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

27. Before the building 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 pedestrian walkways must be provided within the property boundary. Lighting must be:
(a) located;
(b) directed;
(c) shielded; and
(d) of limited intensity,
to the satisfaction of the Responsible Authority.

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

29. Before the building 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.

30. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

31. Before the building 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 (including by the re-sheeting of the entire Gwynne Street footpath for the width of the property frontage if required by the Responsible Authority):
(a) at the permit holder's cost; and
(b) to the satisfaction of the Responsible Authority.

32. 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.

33. Before the building 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.
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 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.

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.
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.

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 permit holder must obtain approval from the relevant authorities to remove and/or build over any easement(s).

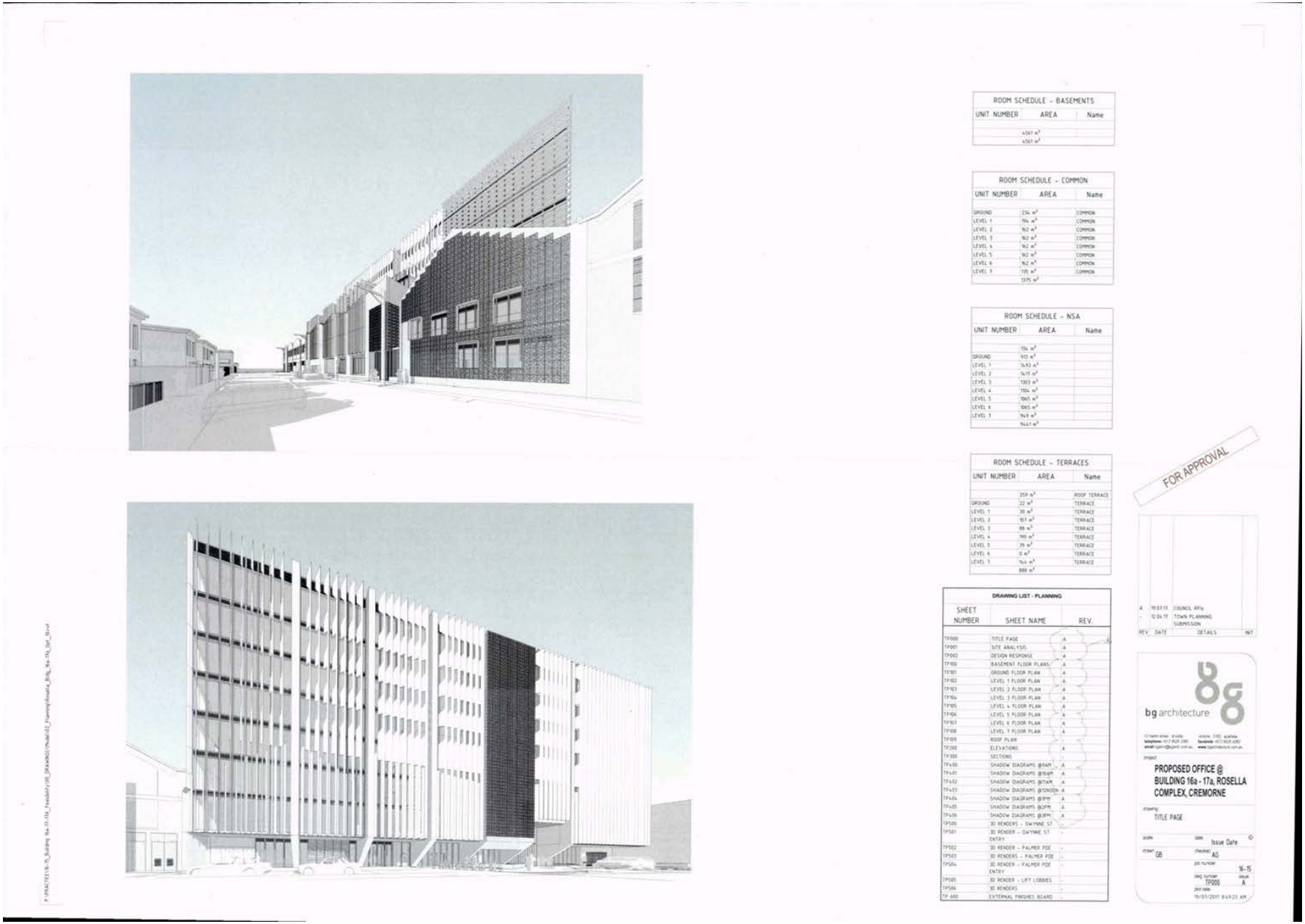
All future property owners, business owners and employees within the development approved under this permit will not be permitted to obtain employee or visitor parking permits.

Any changes to on-street car parking will require prior consent from Council's Parking Services Unit.

CONTACT OFFICER: **Sarah Thomas**
TITLE: **Principal Planner and Advocate**
TEL: **9205 5046**

Attachments
1 PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Decision plans
2 PLN17/0389-04: PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Sketch plans
3 PLN17/0389-04: PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - sketch plan renders
4 PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - ESD Referral
5 PLN17/0389 - 16A - 17A 64 Balmain Street Cremorne - Engineering comments
6 PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Heritage advice
7 PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Construction managment unit comments
8 PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Urban design advice
9 PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Review of Wind Environment Statement (ViPac)
10 PLN17-0389 - 16A-17A 64 Balmain Street Cremorne - Strategic Transport Comments
11 PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Open space unit advice
12 PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Services contract unit advice

Attachment 1 - PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Decision plans



ROOM SCHEDULE - BASEMENTS

UNIT NUMBER	AREA	Name
	4561 m²	
	4561 m²	

ROOM SCHEDULE - COMMON

UNIT NUMBER	AREA	Name
GROUND	234 m²	COMMON
LEVEL 1	196 m²	COMMON
LEVEL 2	162 m²	COMMON
LEVEL 3	162 m²	COMMON
LEVEL 4	162 m²	COMMON
LEVEL 5	162 m²	COMMON
LEVEL 6	162 m²	COMMON
LEVEL 7	135 m²	COMMON
	1325 m²	

ROOM SCHEDULE - NSA

UNIT NUMBER	AREA	Name
	134 m²	
GROUND	913 m²	
LEVEL 1	1493 m²	
LEVEL 2	1419 m²	
LEVEL 3	1303 m²	
LEVEL 4	1104 m²	
LEVEL 5	1065 m²	
LEVEL 6	1065 m²	
LEVEL 7	949 m²	
	9447 m²	

ROOM SCHEDULE - TERRACES

UNIT NUMBER	AREA	Name
	259 m²	ROOF TERRACE
GROUND	22 m²	TERRACE
LEVEL 1	30 m²	TERRACE
LEVEL 2	157 m²	TERRACE
LEVEL 3	89 m²	TERRACE
LEVEL 4	199 m²	TERRACE
LEVEL 5	39 m²	TERRACE
LEVEL 6	0 m²	TERRACE
LEVEL 7	144 m²	TERRACE
	888 m²	

FOR APPROVAL

DRAWING LIST - PLANNING

SHEET NUMBER	SHEET NAME	REV
TP000	TITLE PAGE	A
TP001	SITE ANALYSIS	A
TP002	DESIGN RESPONSE	A
TP100	BASEMENT FLOOR PLANS	A
TP101	GROUND FLOOR PLAN	A
TP102	LEVEL 1 FLOOR PLAN	A
TP103	LEVEL 2 FLOOR PLAN	A
TP104	LEVEL 3 FLOOR PLAN	A
TP105	LEVEL 4 FLOOR PLAN	A
TP106	LEVEL 5 FLOOR PLAN	A
TP107	LEVEL 6 FLOOR PLAN	A
TP108	LEVEL 7 FLOOR PLAN	A
TP109	ROOF PLAN	A
TP200	ELEVATIONS	A
TP300	SECTIONS	A
TP400	SHADOW DIAGRAMS @9AM	A
TP401	SHADOW DIAGRAMS @10AM	A
TP402	SHADOW DIAGRAMS @11AM	A
TP403	SHADOW DIAGRAMS @12NOON	A
TP404	SHADOW DIAGRAMS @1PM	A
TP405	SHADOW DIAGRAMS @2PM	A
TP406	SHADOW DIAGRAMS @3PM	A
TP500	3D RENDERS - GWYNNE ST	-
TP501	3D RENDER - GWYNNE ST ENTRY	-
TP502	3D RENDER - PALMER PDE	-
TP503	3D RENDERS - PALMER PDE	-
TP504	3D RENDER - PALMER PDE ENTRY	-
TP505	3D RENDER - LIFT LOBBIES	-
TP506	3D RENDERS	-
TP 600	EXTERNAL FINISHES BOARD	-

REV	DATE	DETAILS	INIT
A	19.07.17	COUNCIL RFIs	
-	12.04.17	TOWN PLANNING SUBMISSION	

bg architecture

PROPOSED OFFICE @ BUILDING 16a - 17a, ROSELLA COMPLEX, CREMORNE

TITLE PAGE

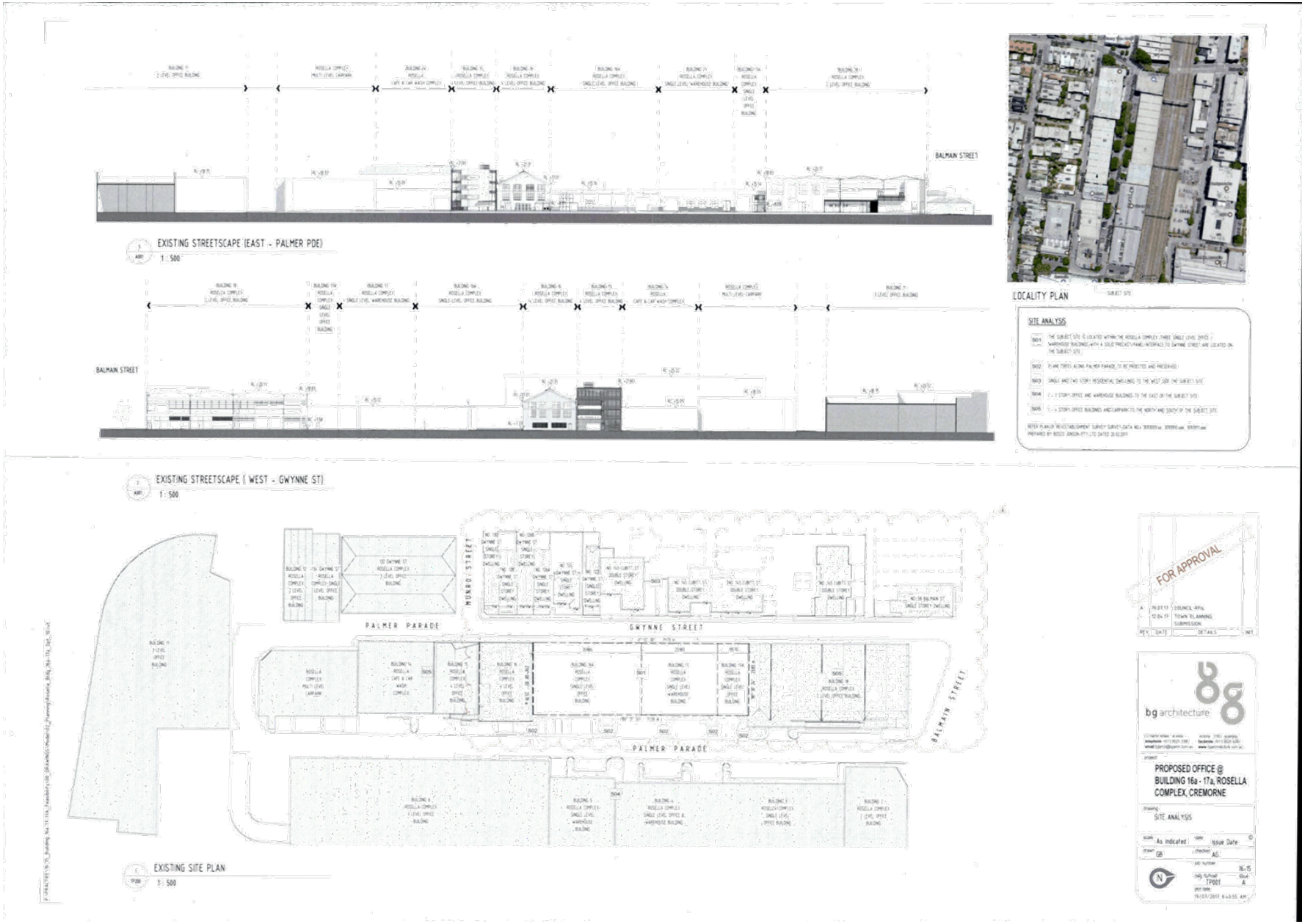
Issue Date

GB | AG

16-15

TP000 | A

Attachment 1 - PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Decision plans



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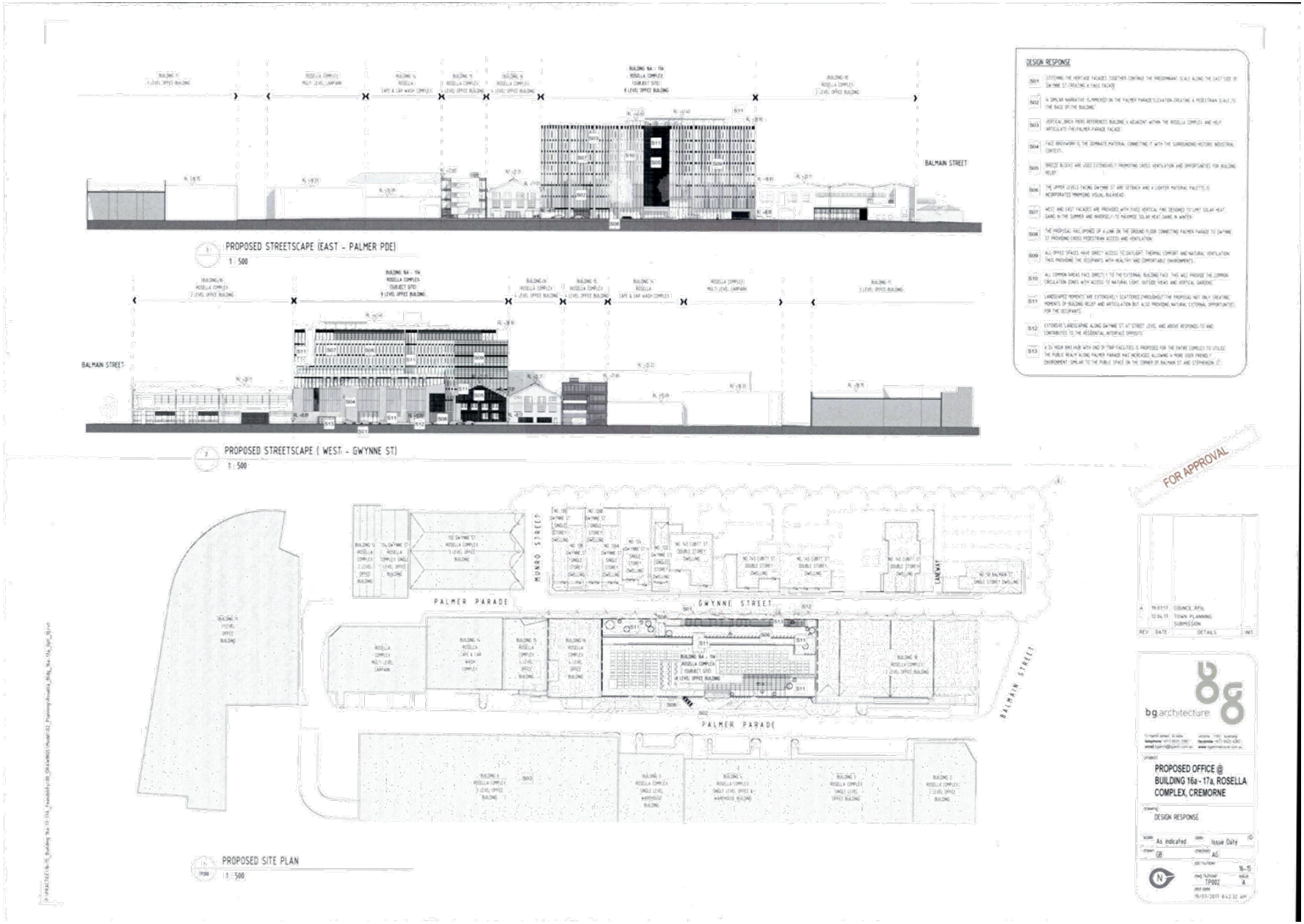
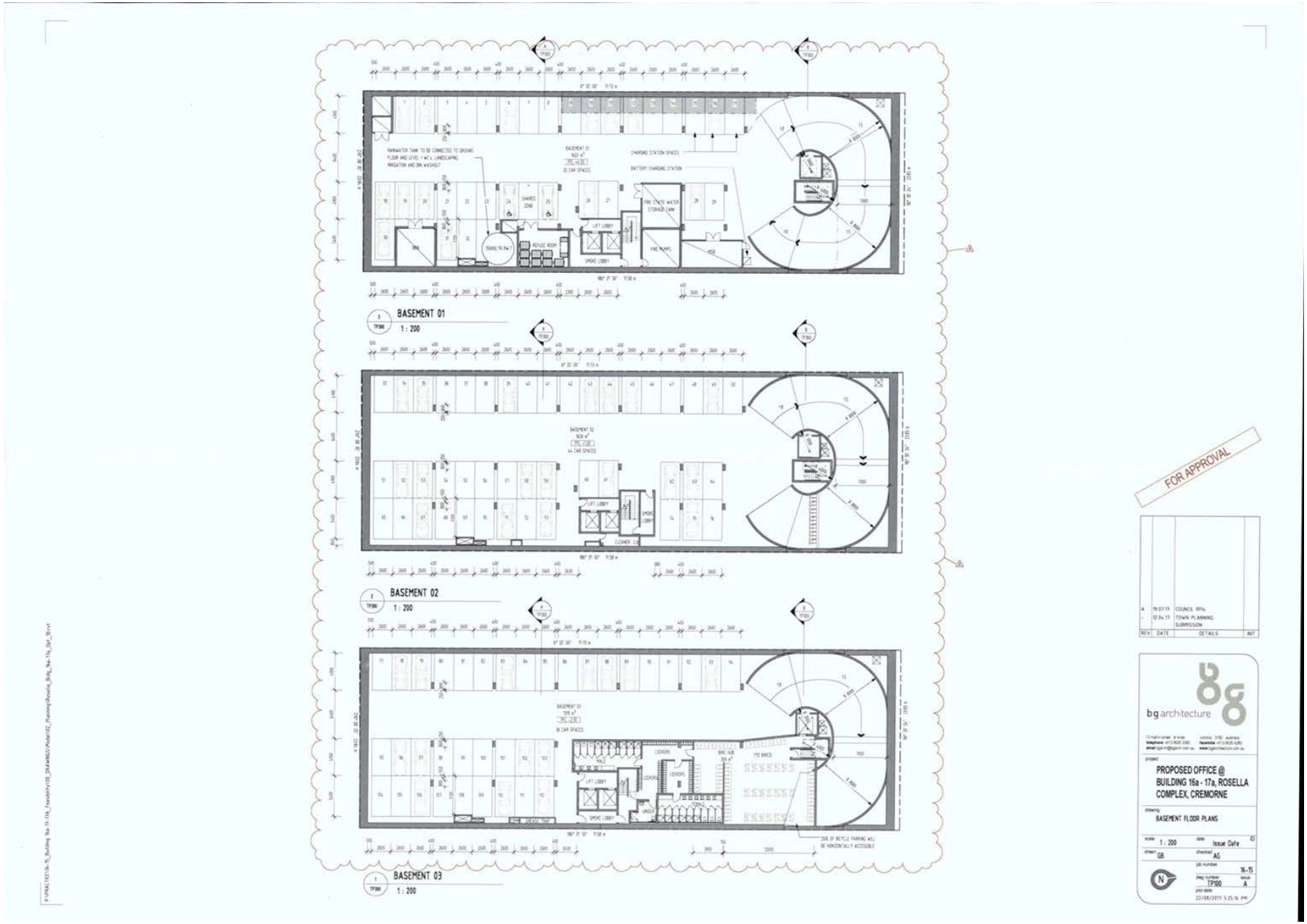
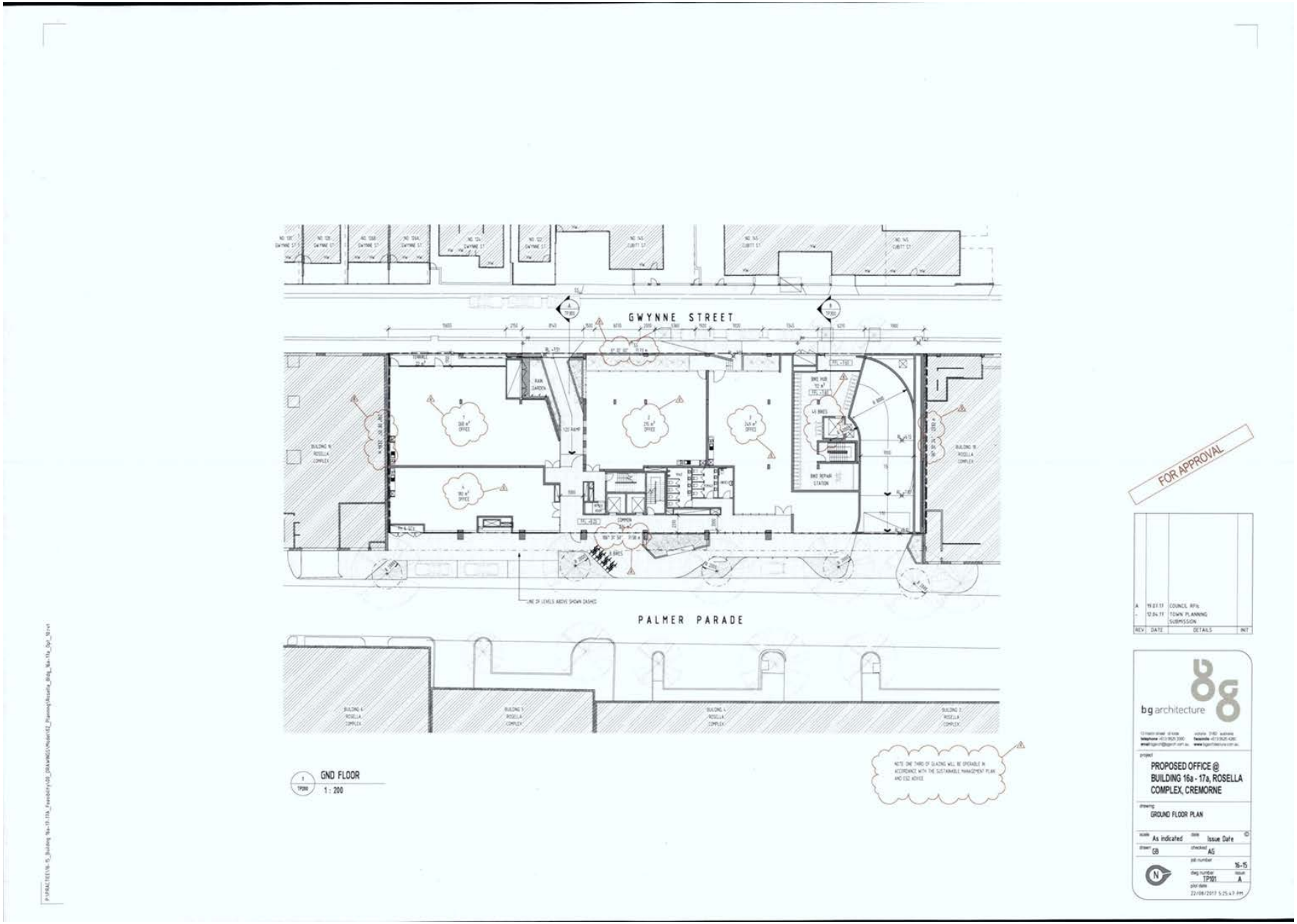


Attachment 1 - PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Decision plans



Attachment 1 - PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Decision plans



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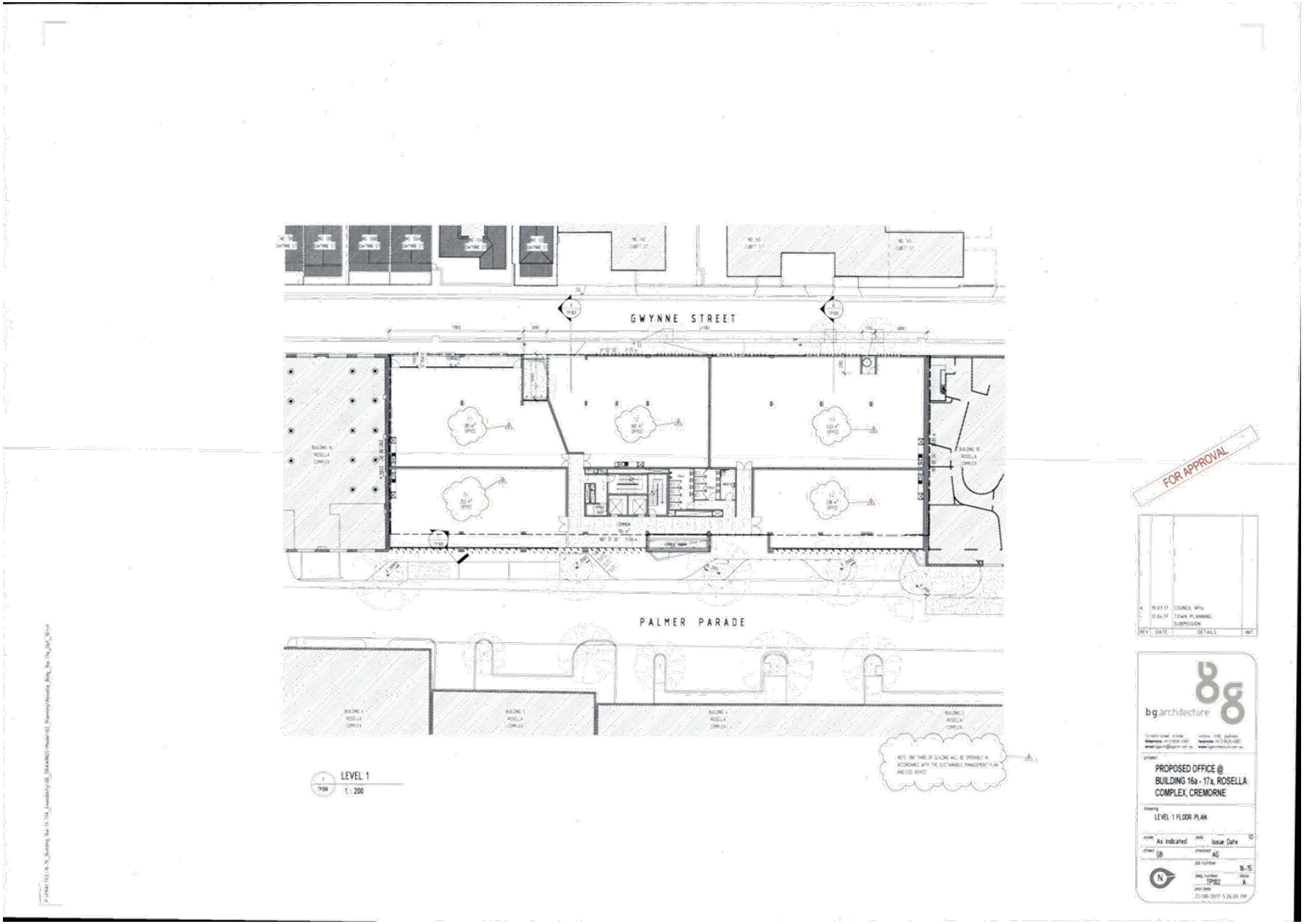

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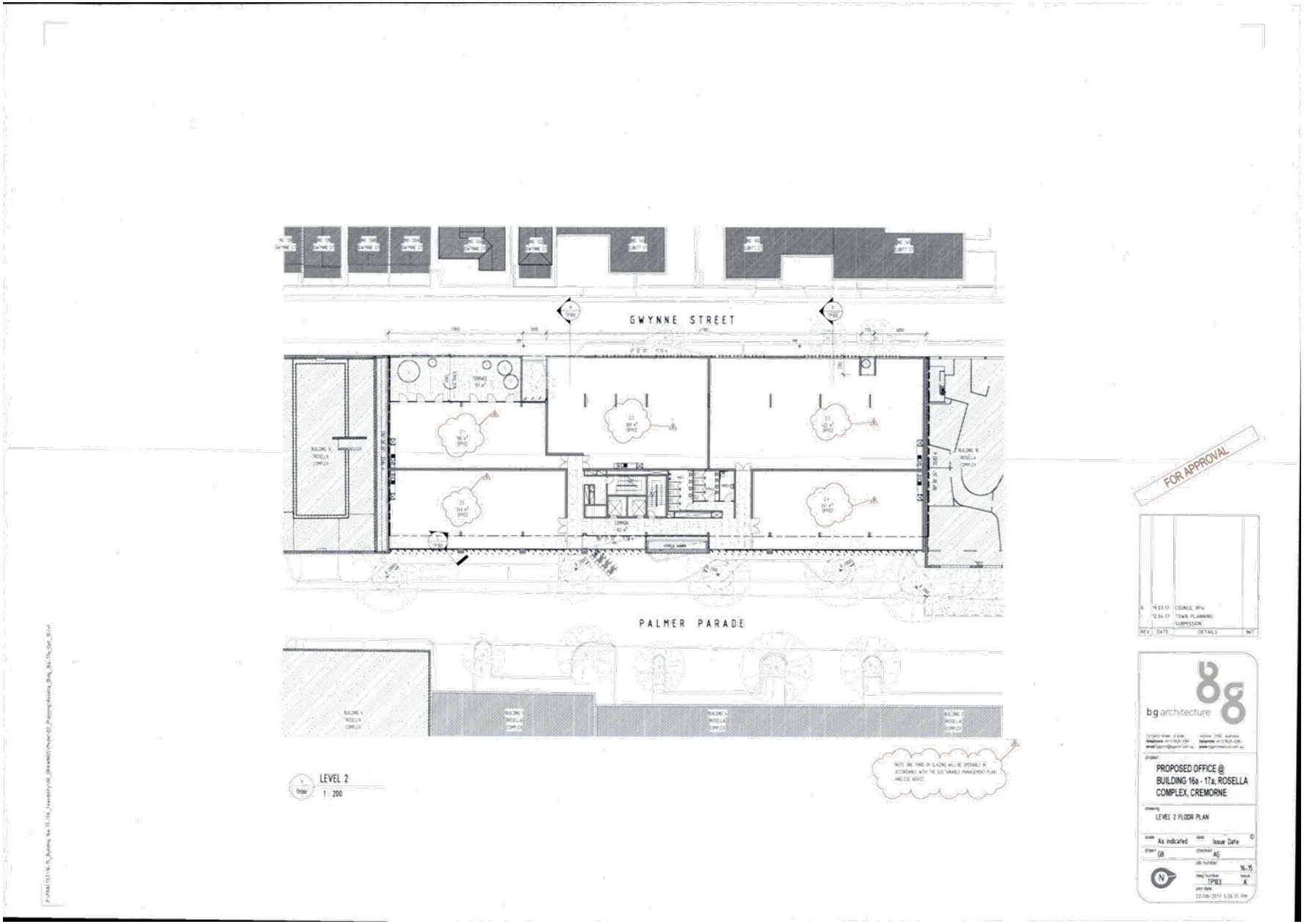

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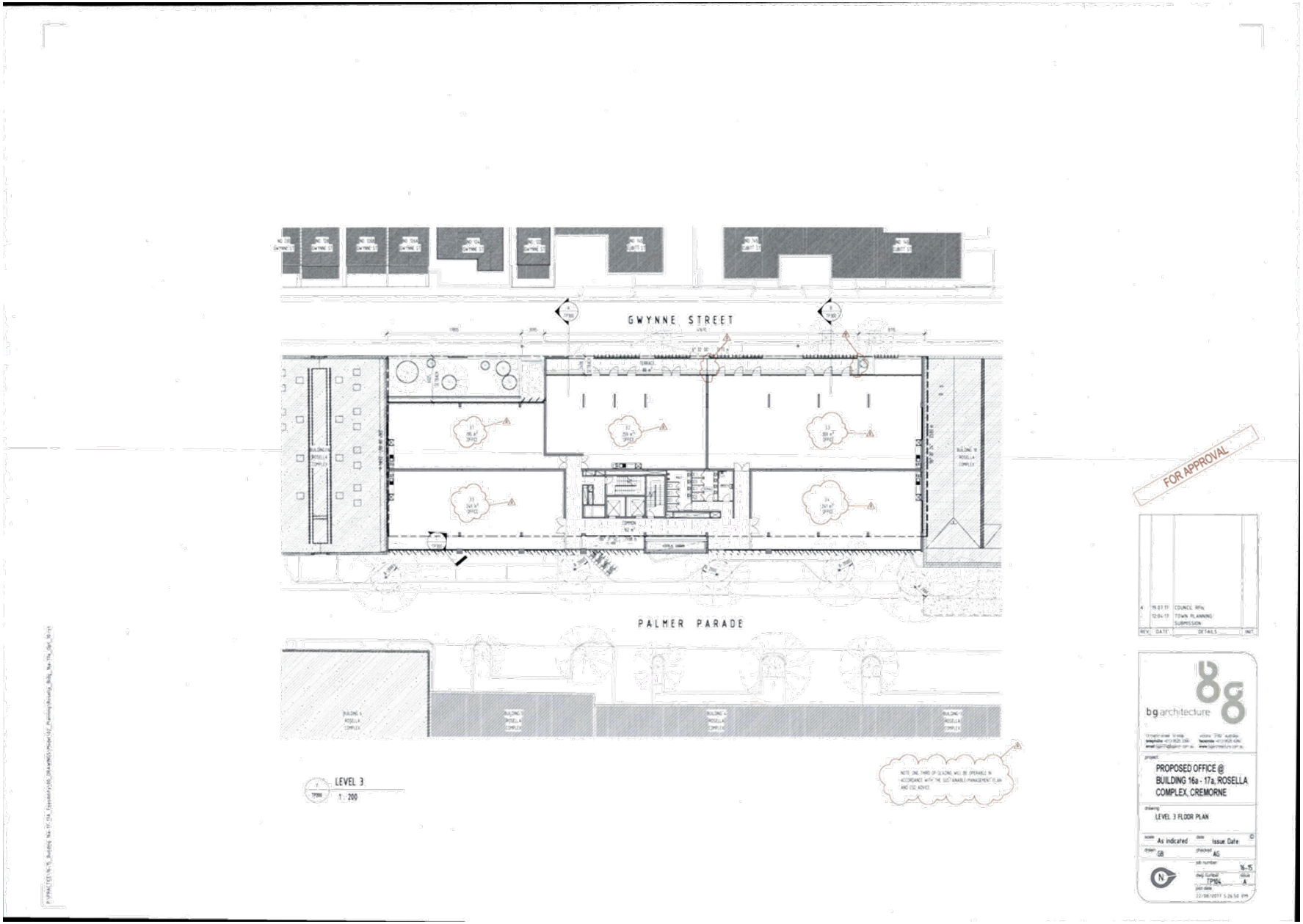

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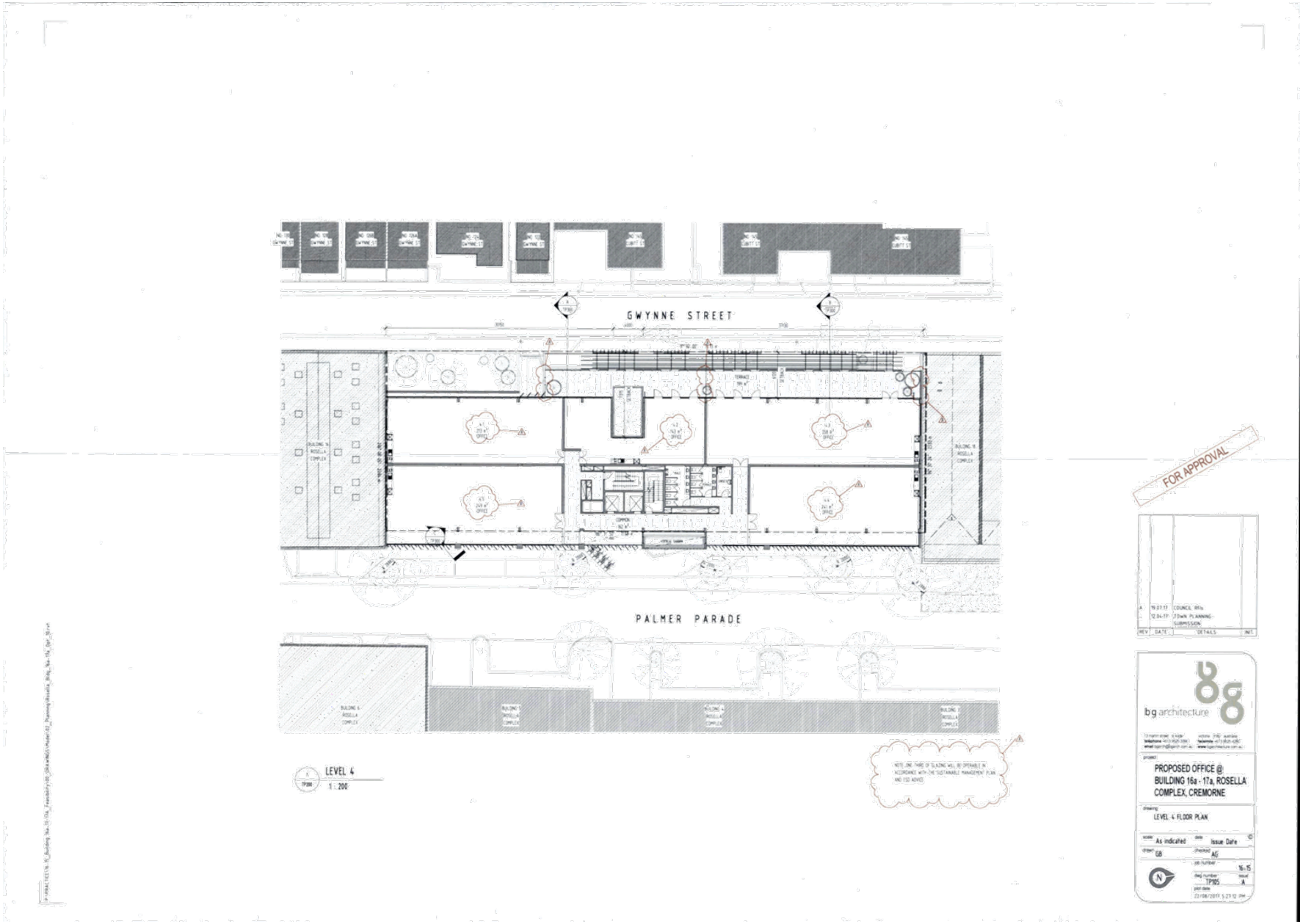

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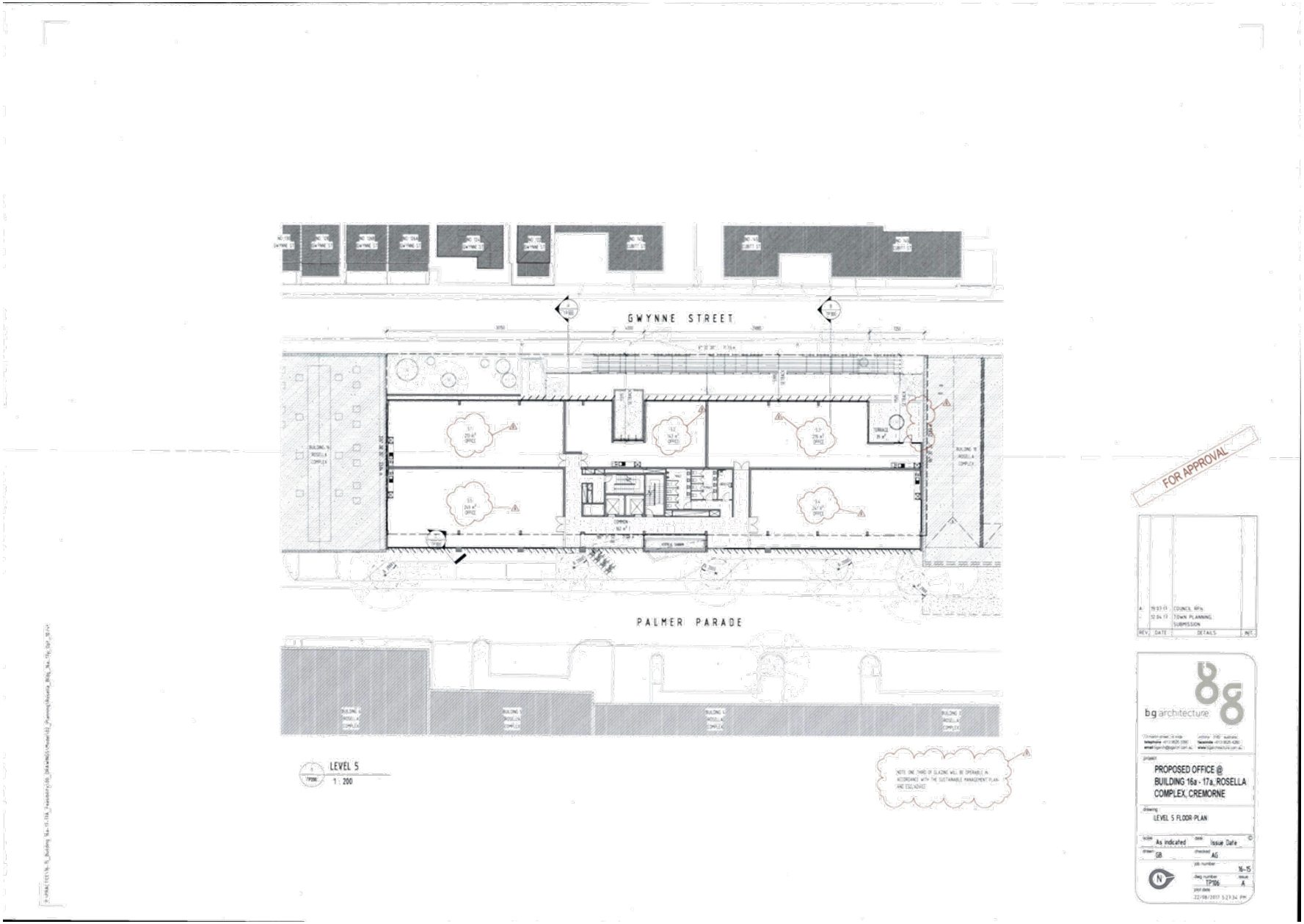

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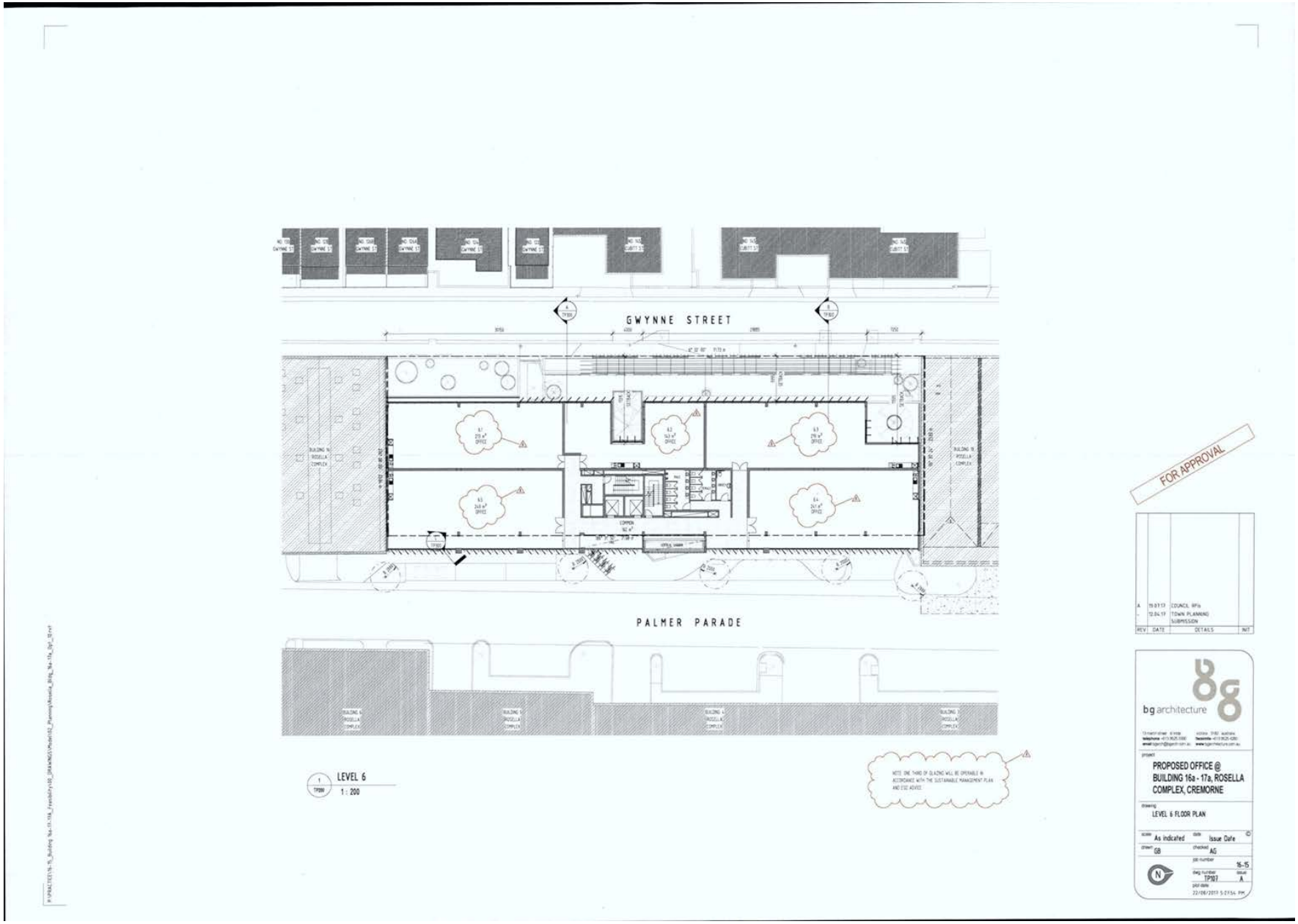

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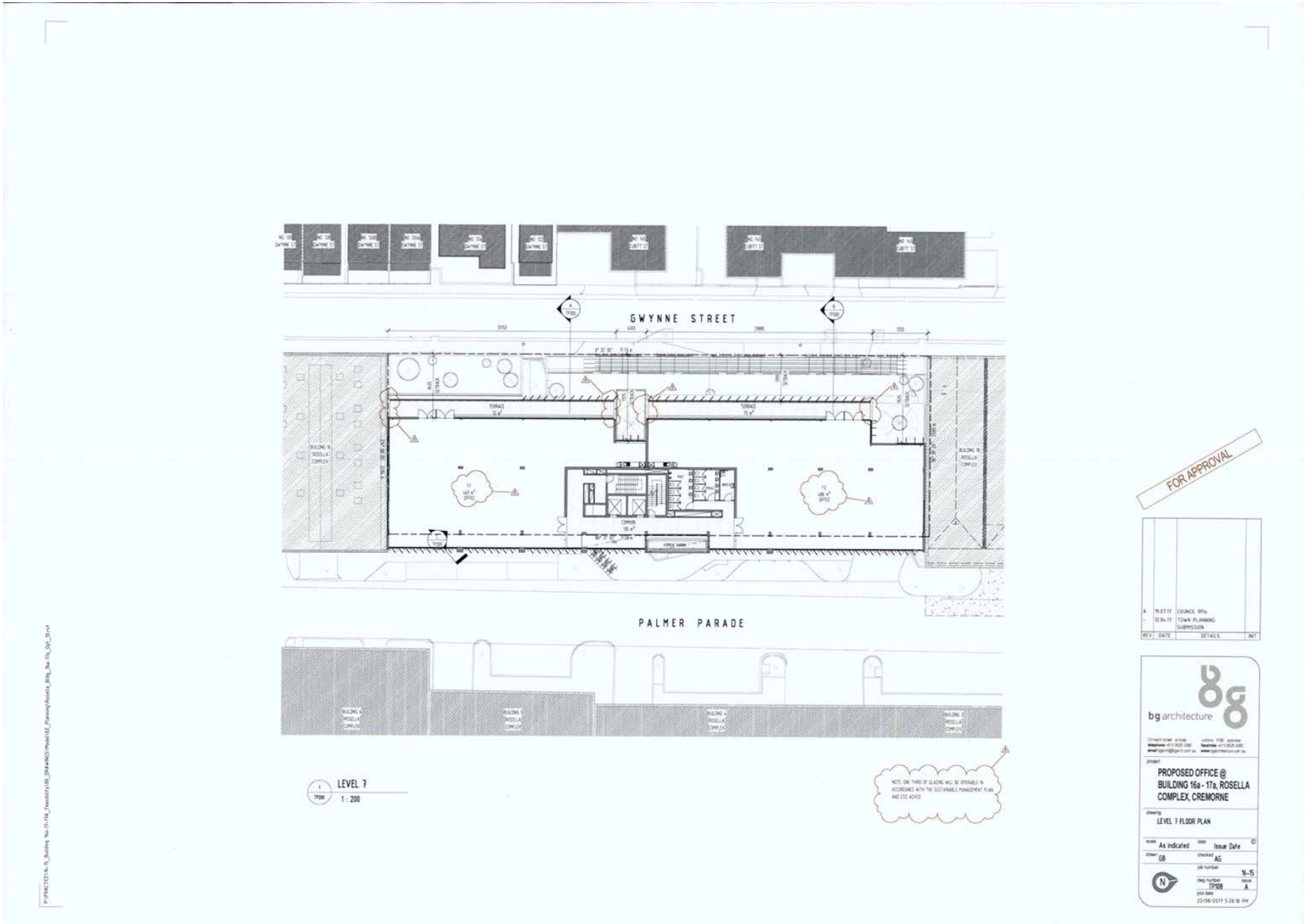

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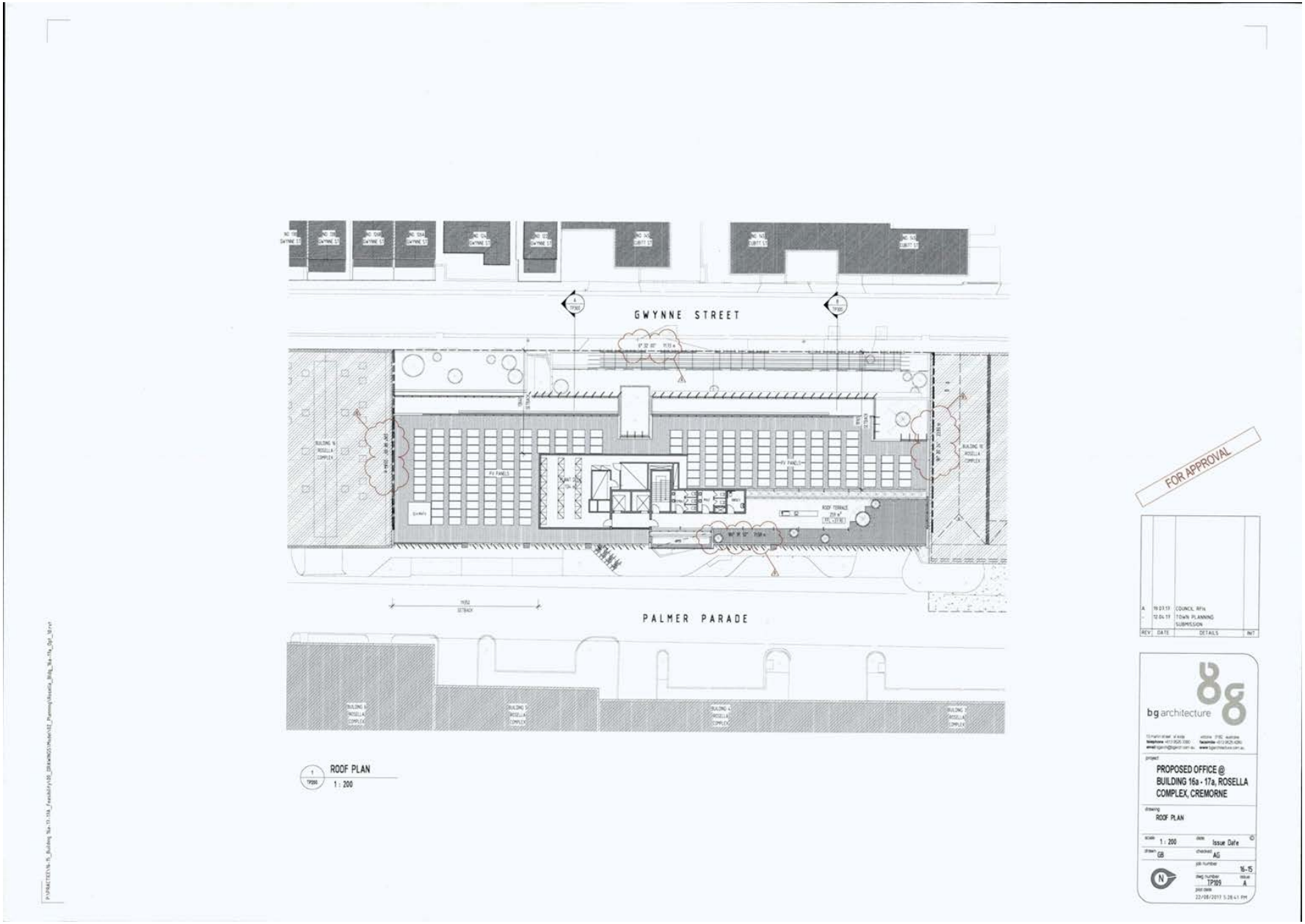

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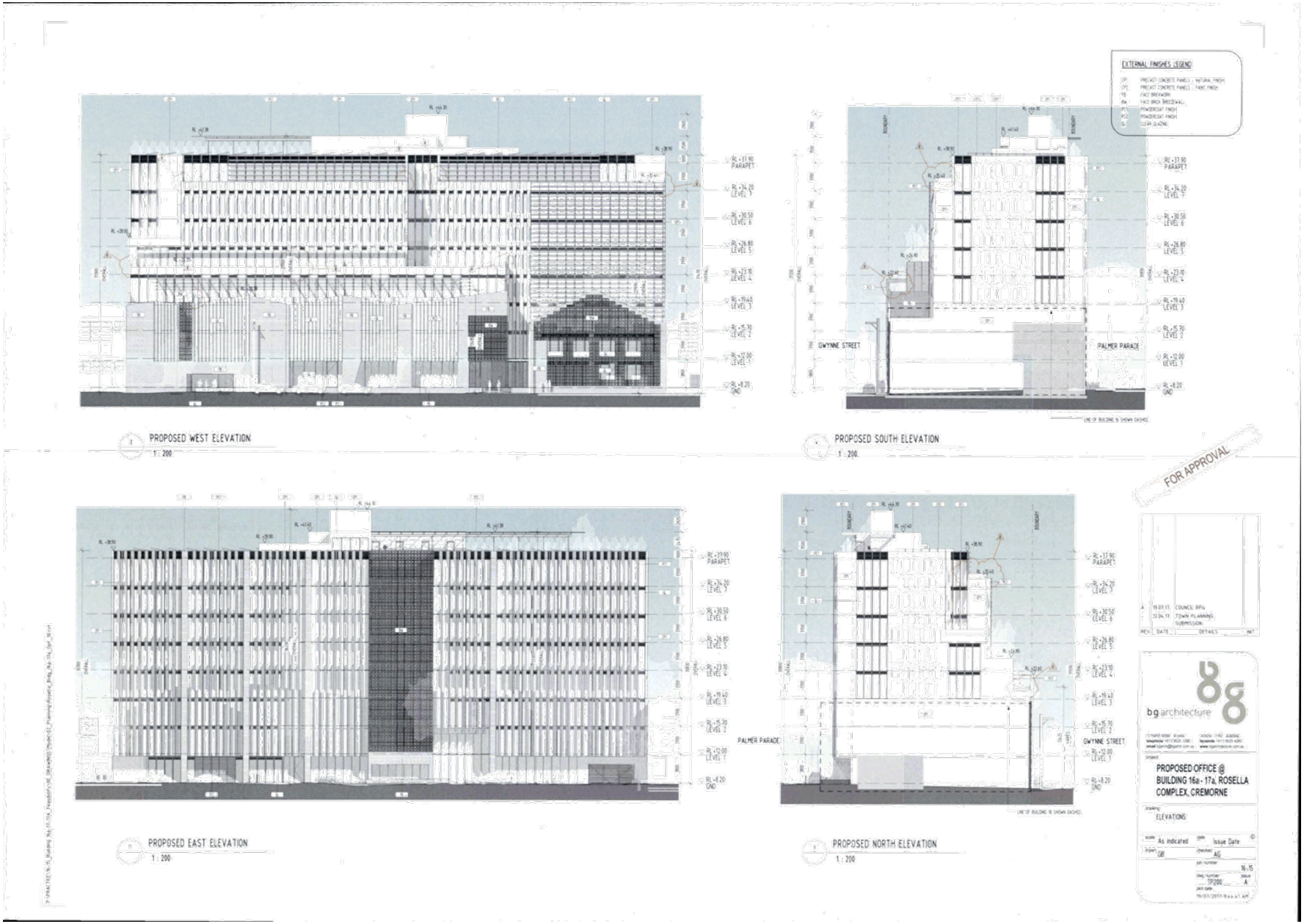

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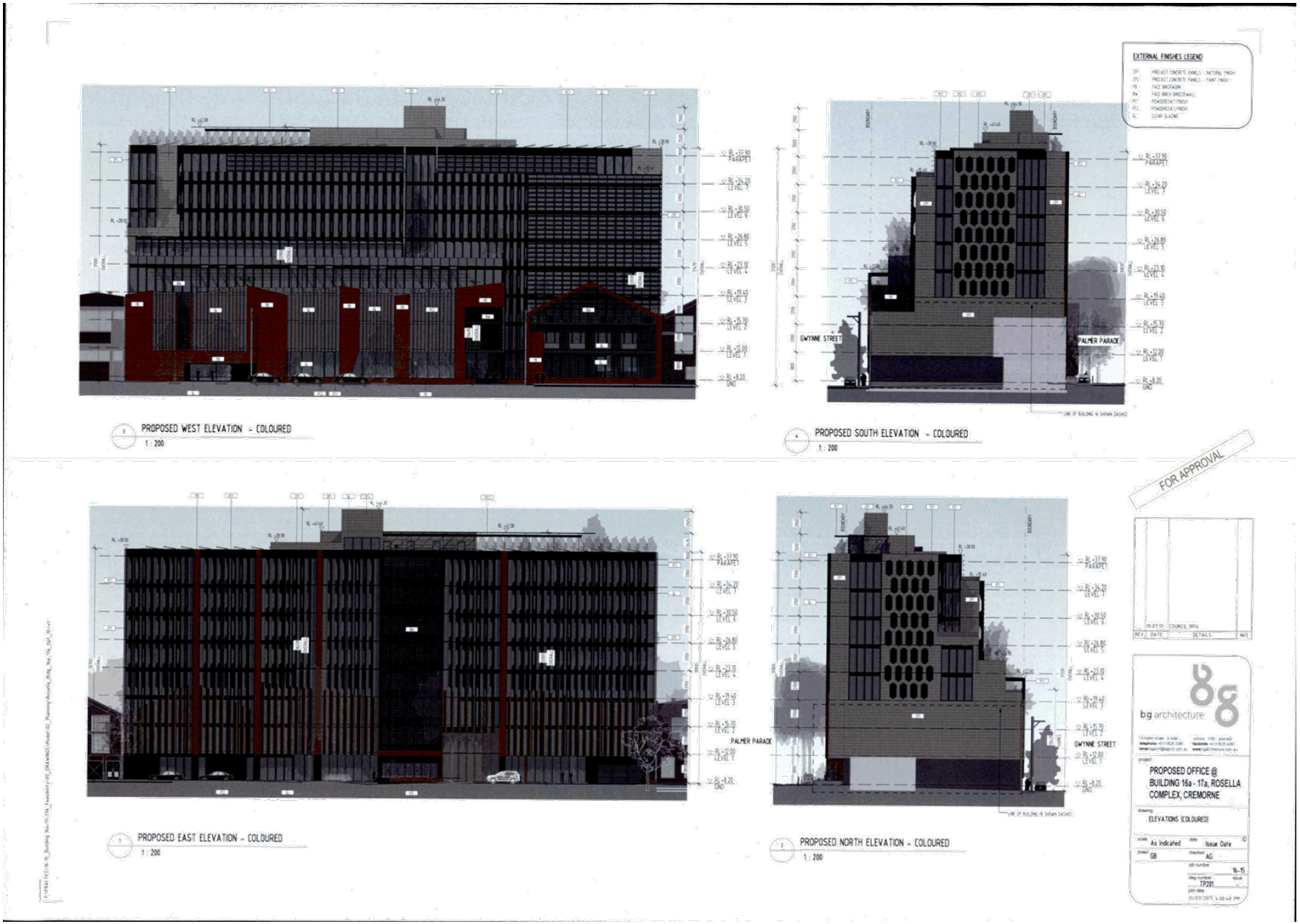

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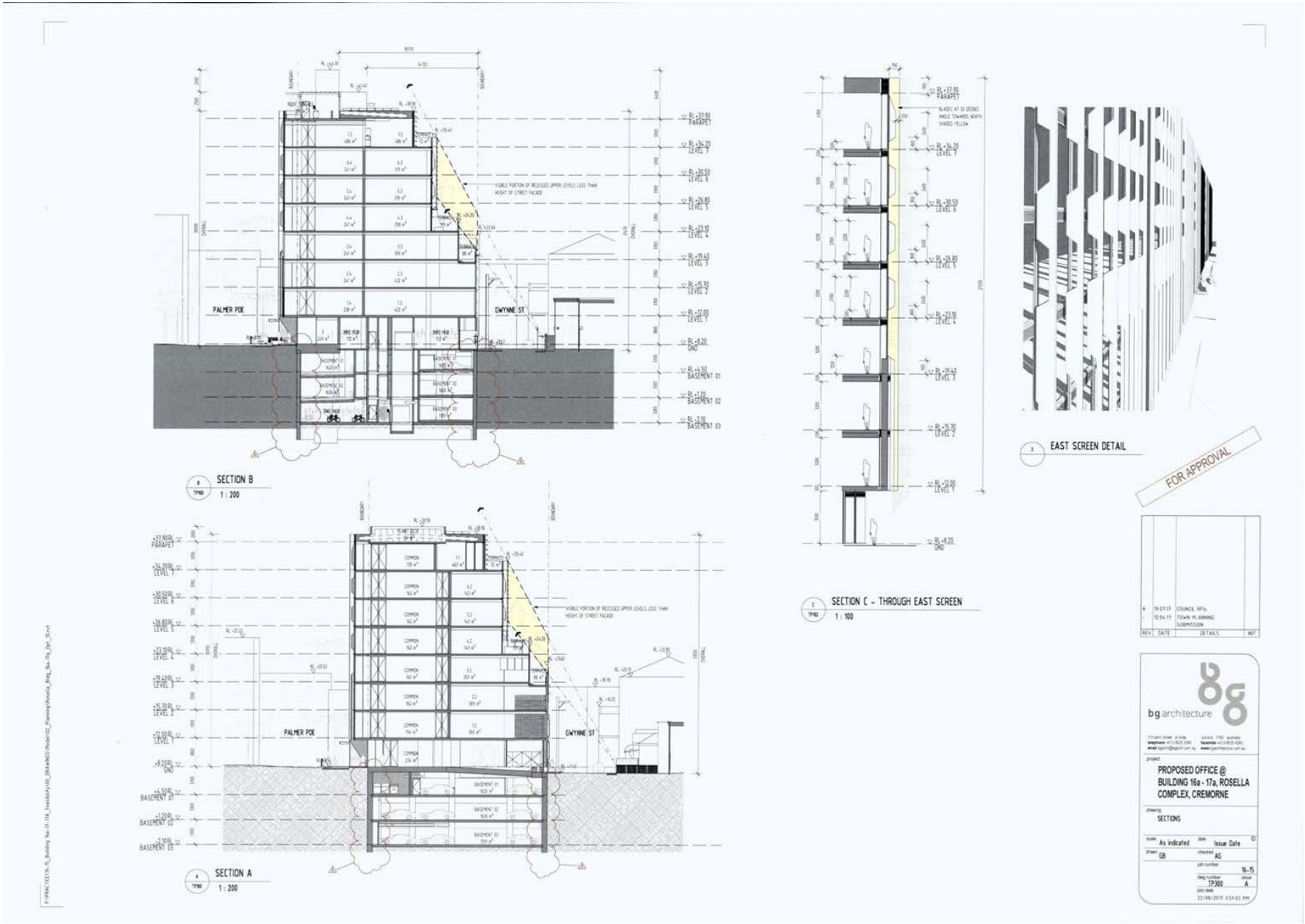
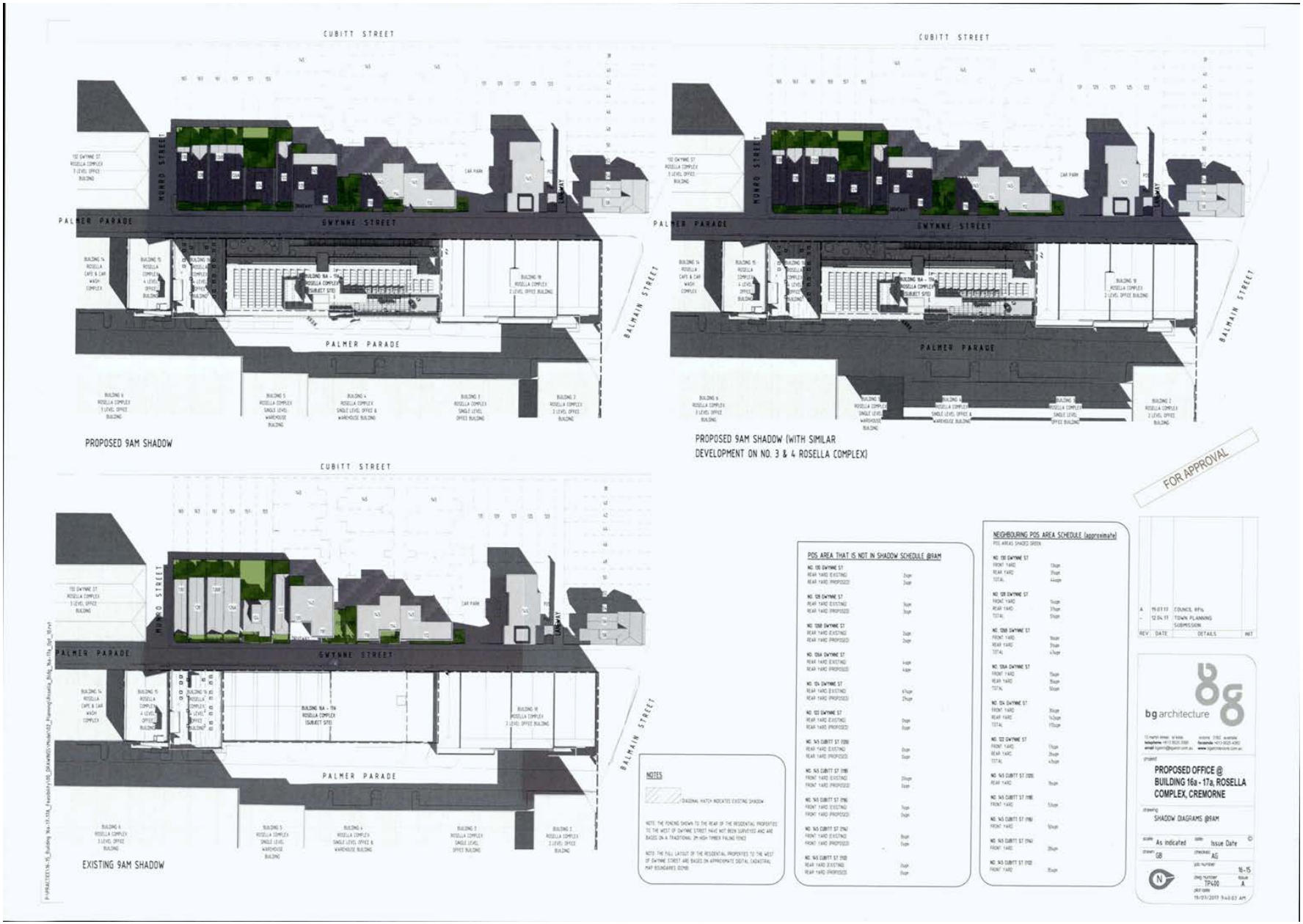


Attachment 1 - PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Decision plans



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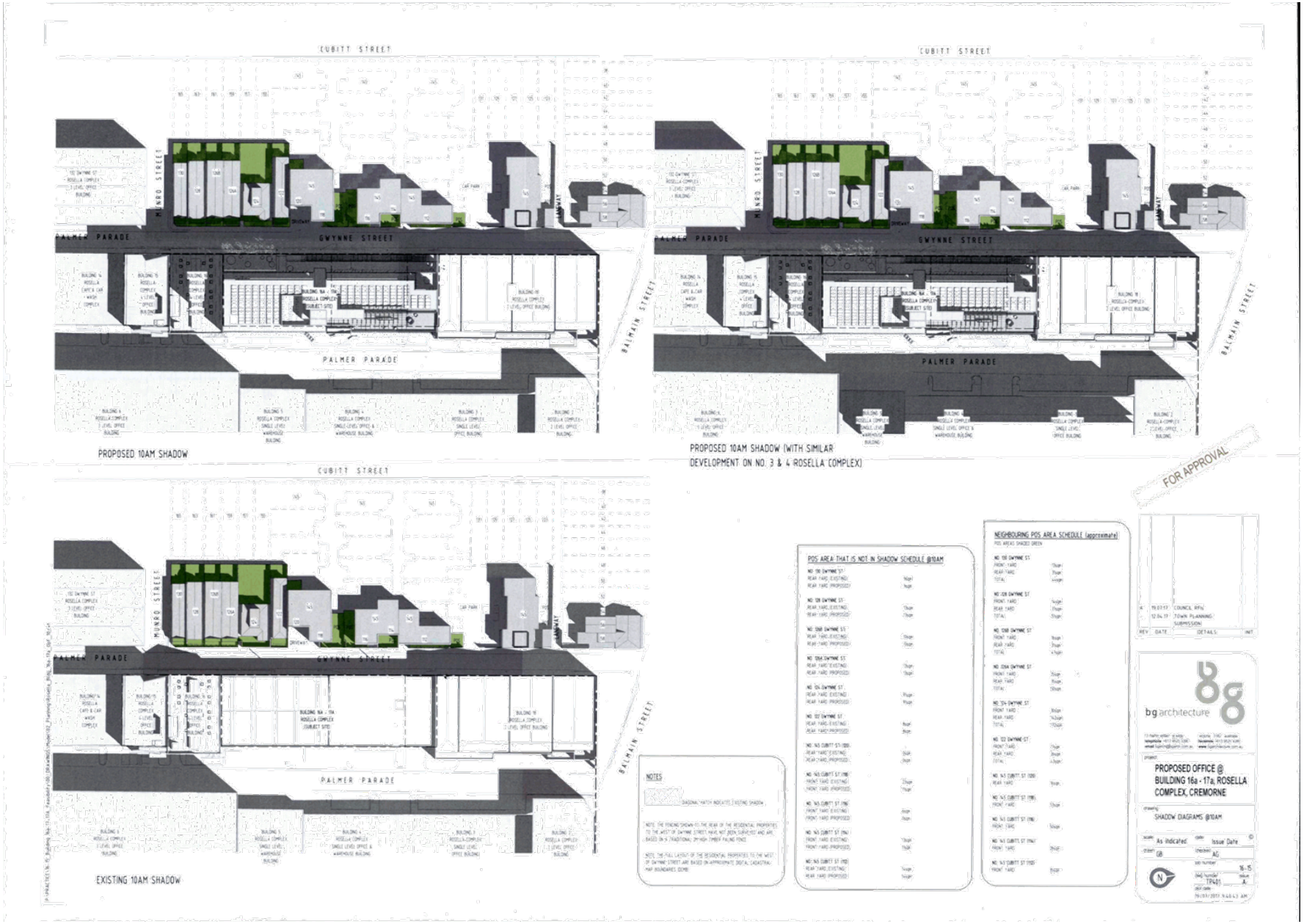

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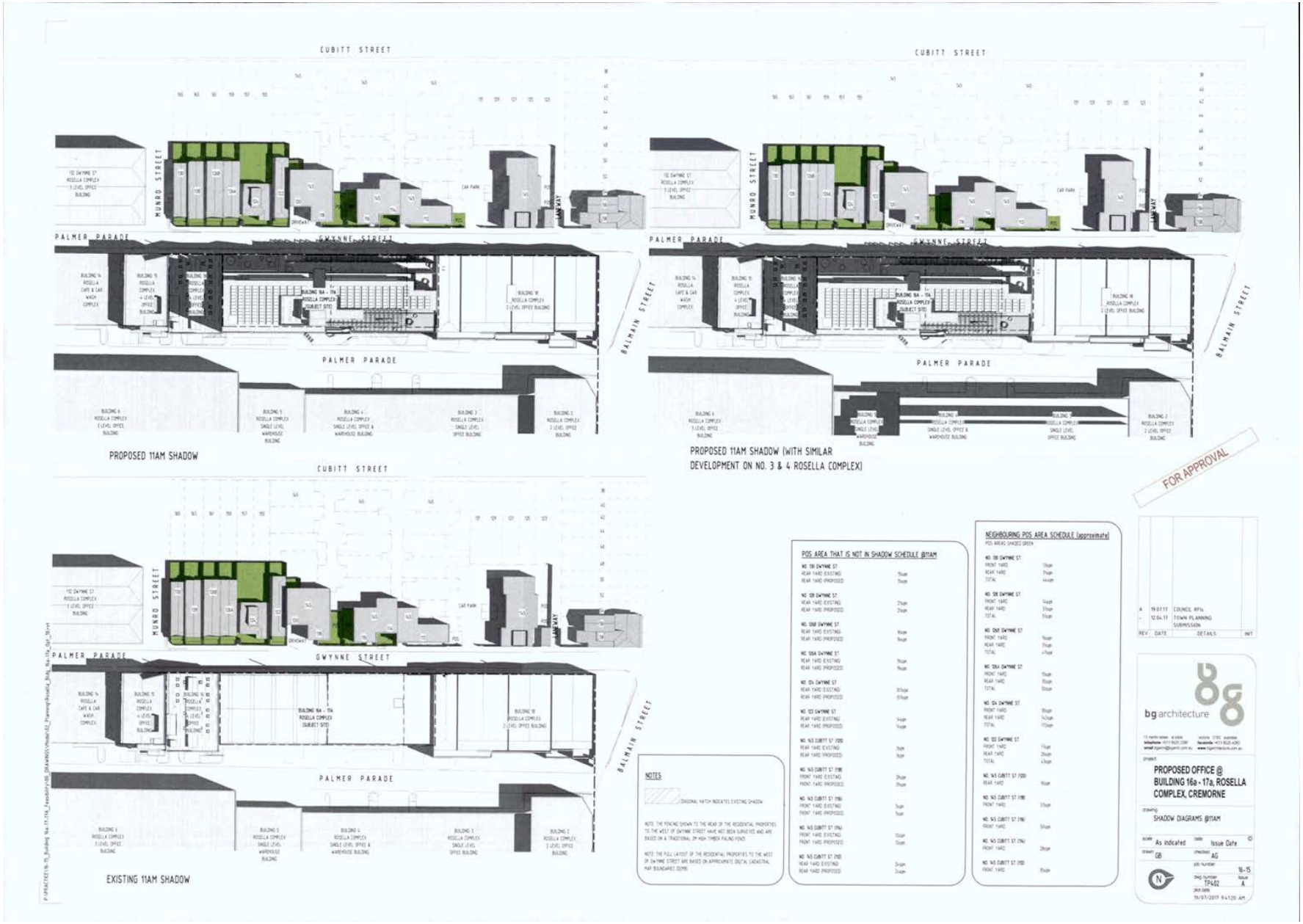

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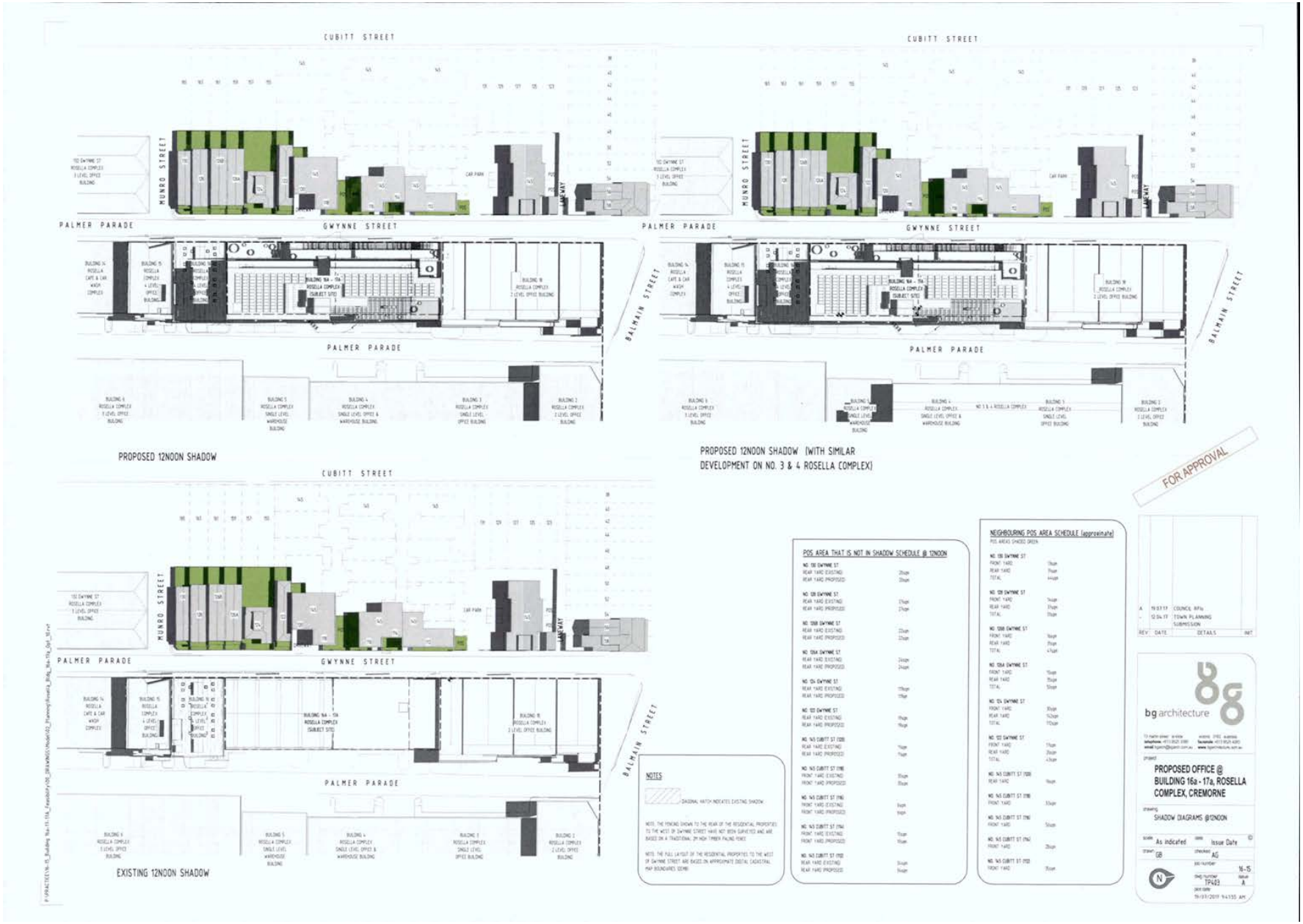

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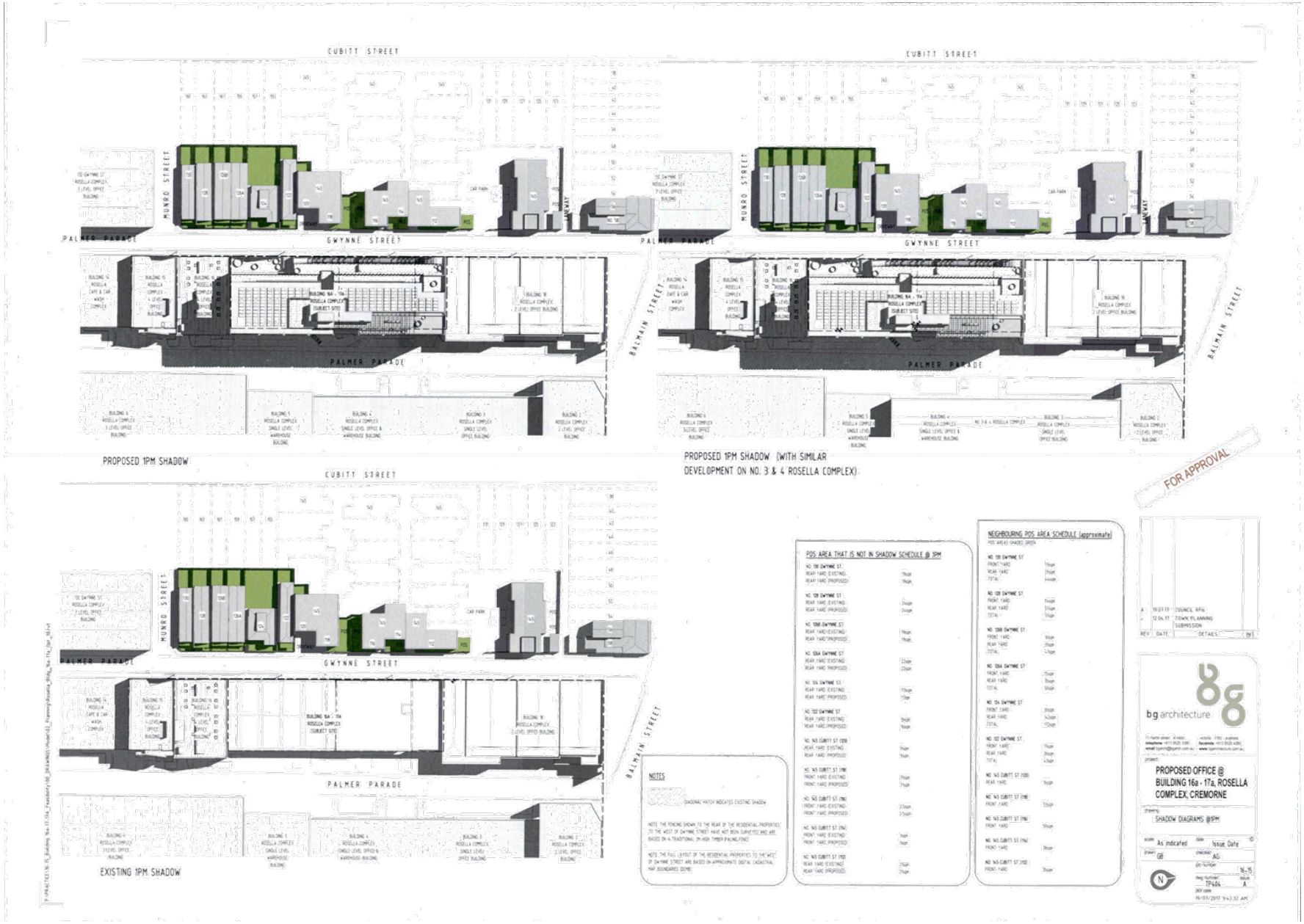

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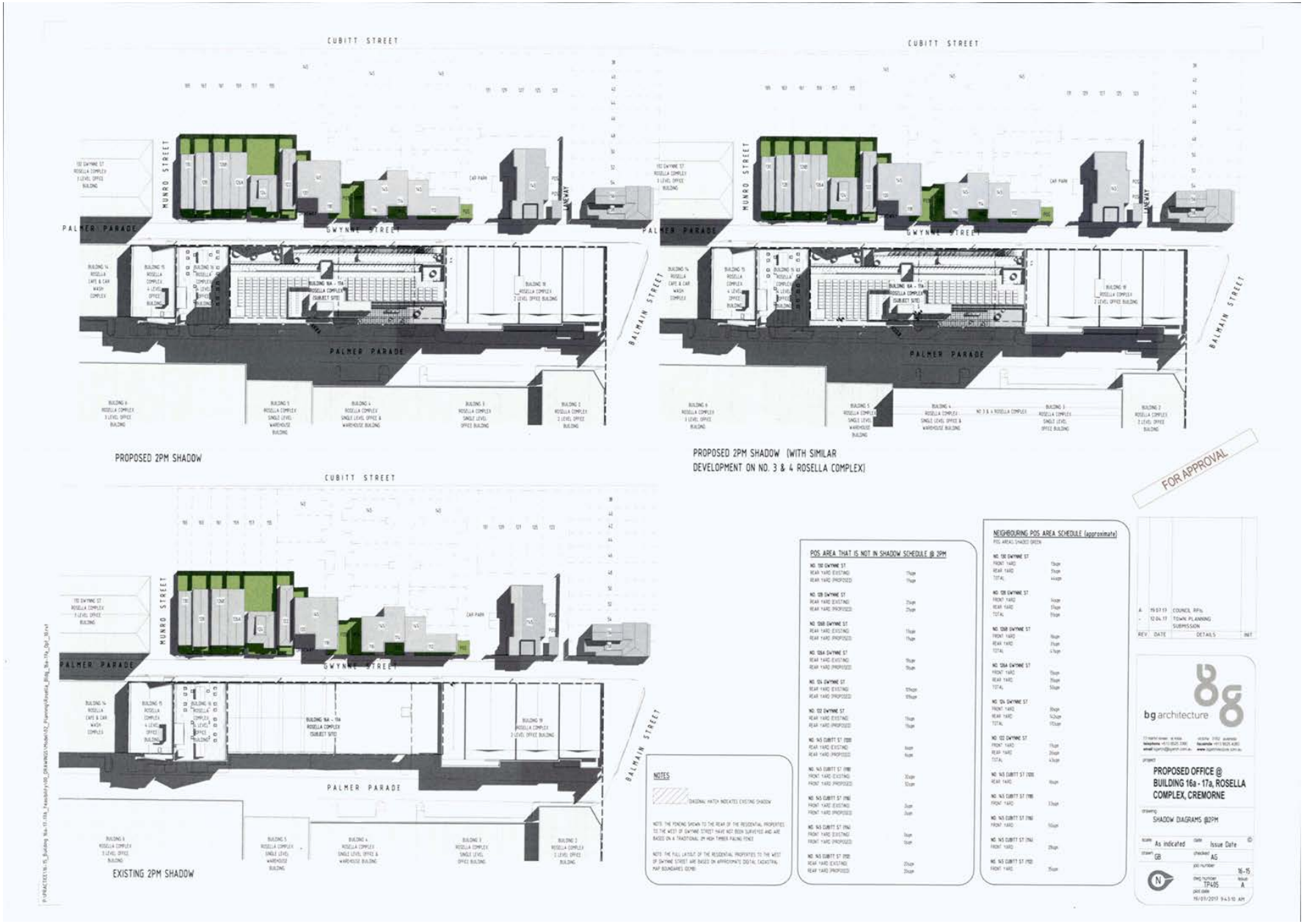

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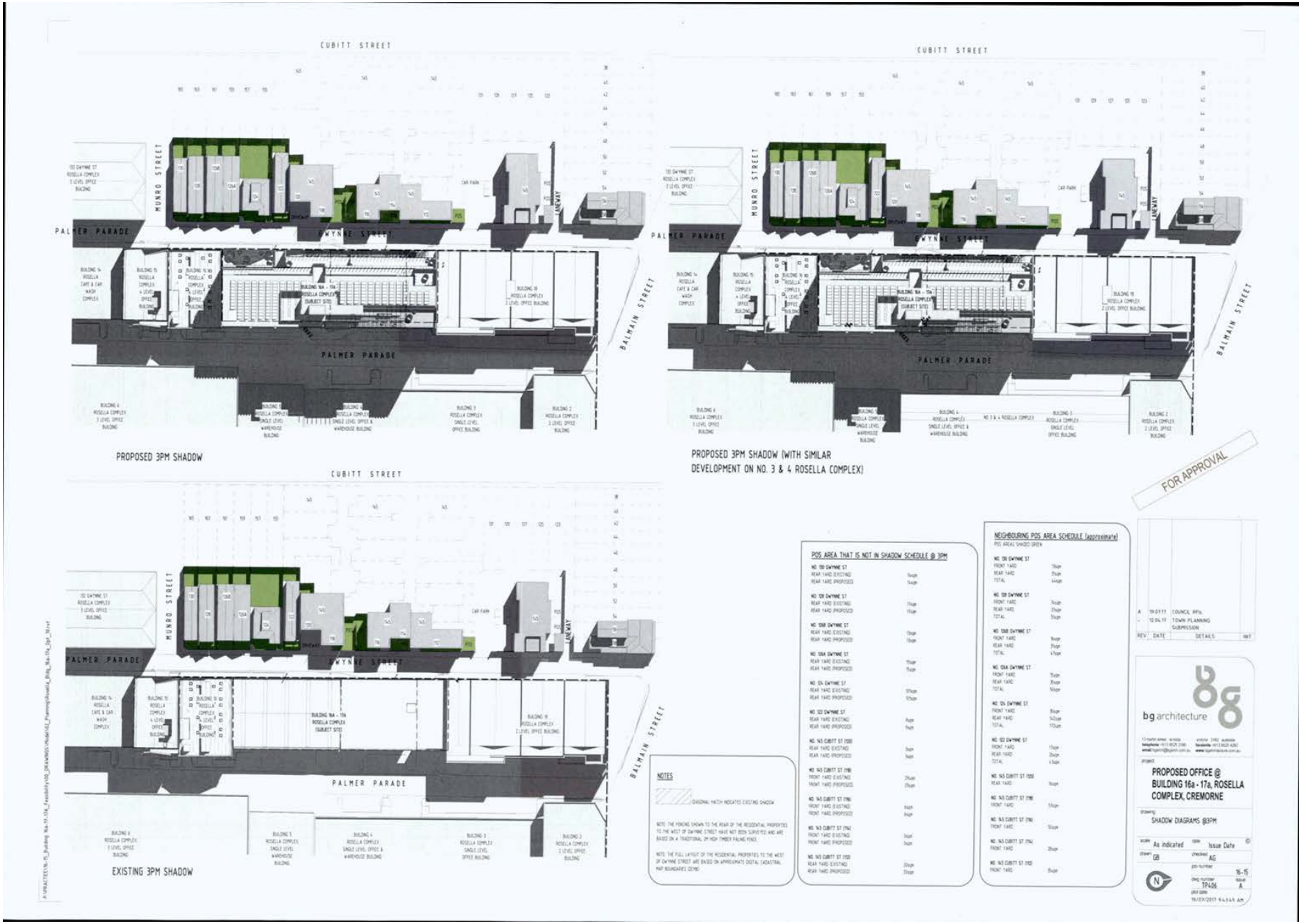

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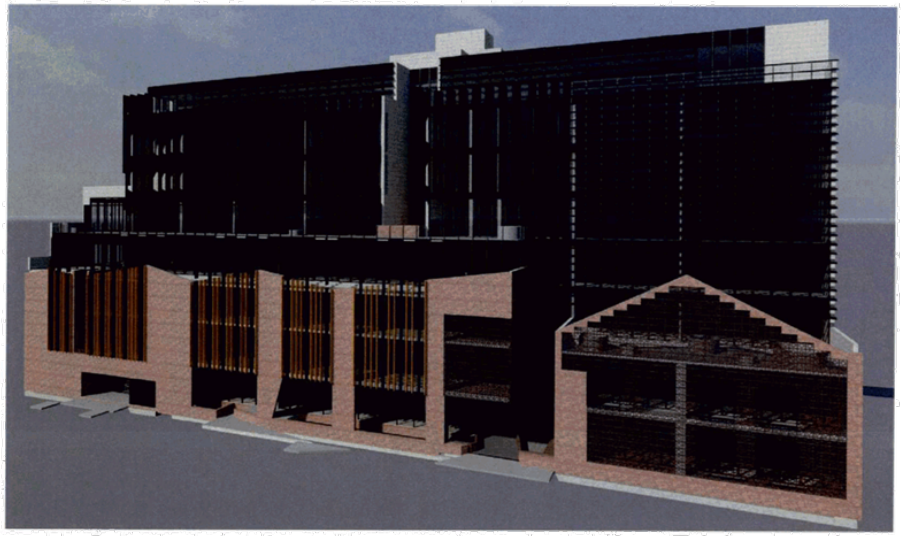


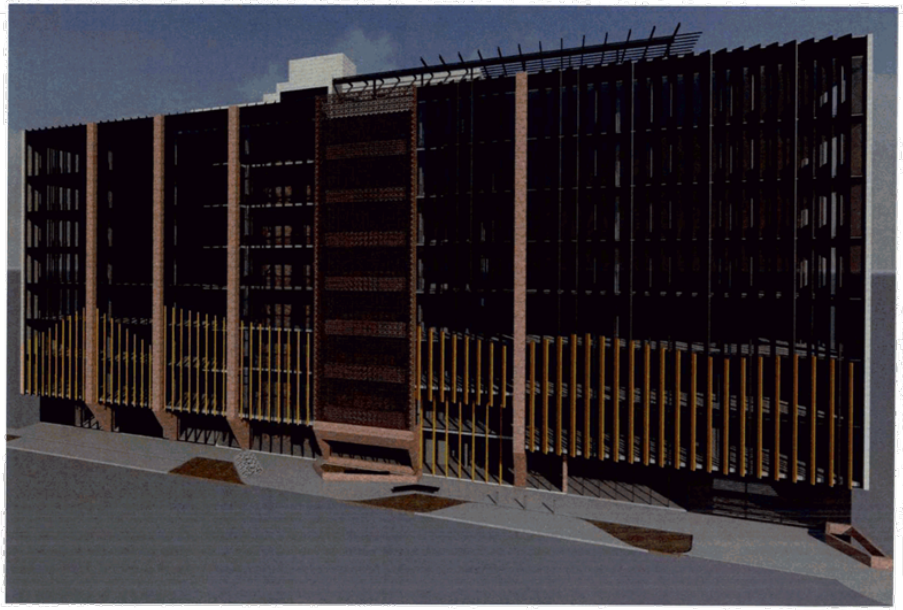
PC1 POWDERCOAT FINISH
INTERPON SABLE BASE

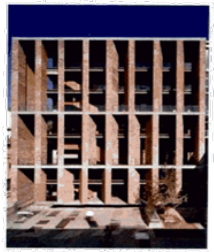
PC2 POWDERCOAT FINISH
DULUX GOLD PEARL

FOR APPROVAL

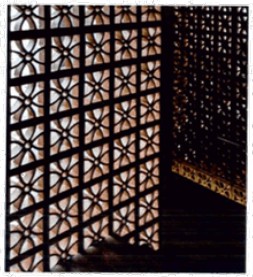
CP1 PRECAST CONCRETE PANELS - NATURAL FINISH
NOTE: CP2 WILL BE THE SAME AS CP1 BUT WILL HAVE A DULUX BLACK STAIN PAINT FINISH

DATE	REV	DETAILS	INIT
10.07.17	-	COUNCIL RFIs	





FB FACE BRICKWORK



BW FACE BRICK BREEZEWALL

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PROJECT
PROPOSED OFFICE @ BUILDING 16a - 17a, ROSELLA COMPLEX, CREMORNE

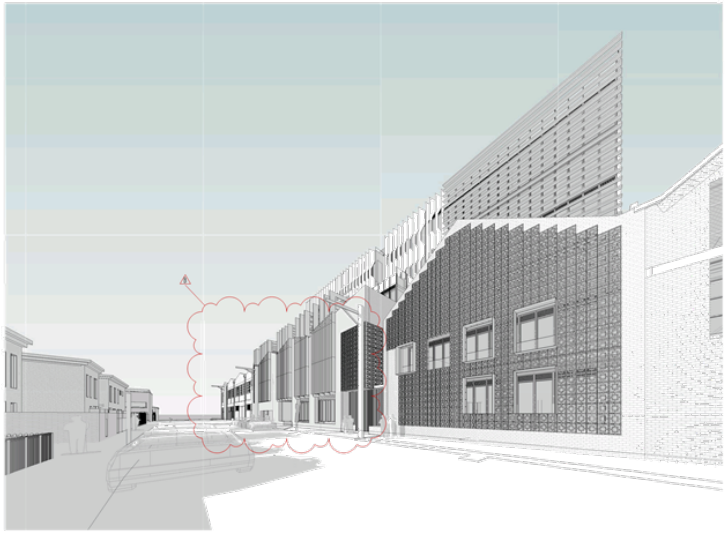
DRAWING
EXTERNAL FINISHES BOARD

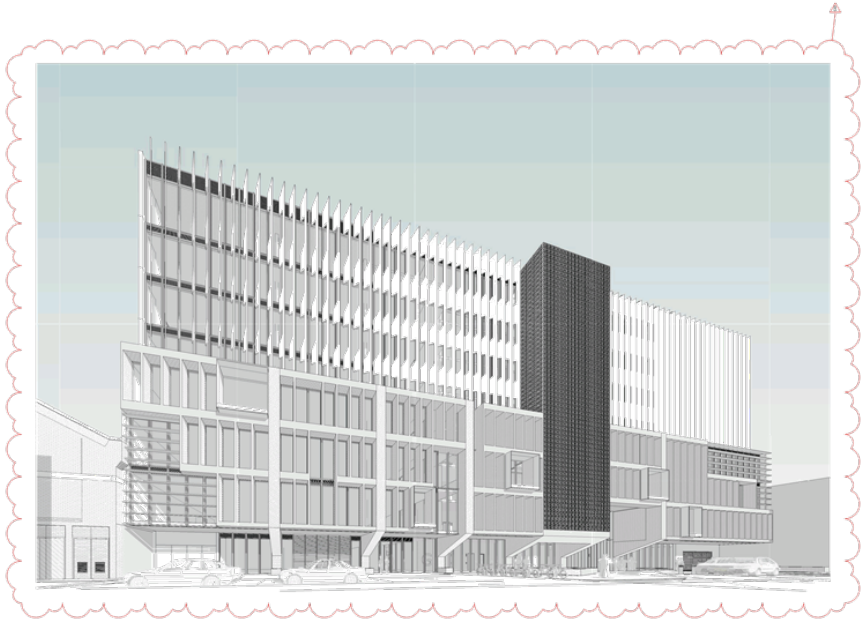
SCALE	1 : 1 (A3)	DATE	Issue Date
DRAWN	GB	CHECKED	AG
JOB NUMBER	16-15		
DWG NUMBER	TP 600	ISSUE	-

PLOT DATE 10/07/2017 12:28:54 PM

©

Attachment 2 - PLN17/0389-04: PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Sketch plans





DRAWING LIST - PLANNING		
SHEET NUMBER	SHEET NAME	REV.
TP000	TITLE PAGE	B
TP001	SITE ANALYSIS	A
TP002	DESIGN RESPONSE	B
TP100	BASEMENT FLOOR PLANS	B
TP101	GROUND FLOOR PLAN	B
TP102	LEVEL 1 FLOOR PLAN	B
TP103	LEVEL 2 FLOOR PLAN	B
TP104	LEVEL 3 FLOOR PLAN	B
TP105	LEVEL 4 FLOOR PLAN	B
TP106	LEVEL 5 FLOOR PLAN	B
TP107	LEVEL 6 FLOOR PLAN	B
TP108	LEVEL 7 FLOOR PLAN	B
TP109	ROOF PLAN	B
TP200	WEST ELEVATION	B
TP201	WEST ELEVATION - COLOURED	B
TP202	EAST ELEVATION	B
TP203	EAST ELEVATIONS (COLOURED)	B
TP204	NORTH & SOUTH ELEVATIONS	B
TP205	NORTH & SOUTH ELEVATIONS - COLOURED	B
TP300	SECTIONS	B
TP301	SECTIONS	-
TP400	SHADOW DIAGRAMS @9AM	B
TP401	SHADOW DIAGRAMS @10AM	B
TP402	SHADOW DIAGRAMS @11AM	B
TP403	SHADOW DIAGRAMS @12NOON	B
TP404	SHADOW DIAGRAMS @1PM	B
TP405	SHADOW DIAGRAMS @2PM	B
TP406	SHADOW DIAGRAMS @3PM	B
TP500	3D RENDERS - GWYNNE ST	-
TP501	3D RENDER - GWYNNE ST ENTRY	-
TP502	3D RENDER - PALMER PDE	A
TP503	3D RENDERS - PALMER PDE	A
TP504	3D RENDER - PALMER PDE ENTRY	A
TP505	3D RENDER - PALMER PDE ELEVATION	A
TP506	3D RENDER - LIFT LOBBIES	-
TP 600	EXTERNAL FINISHES BOARD	-
TP 700	PALMER PDE RENDER	
TP 701	PALMER PDE RENDER	
TP 702	PALMER PDE RENDER	-
TP 703	OBLIQUE VIEWS ON GWYNNE ST	-
TP 704	OBLIQUE VIEWS ON GWYNNE ST	-
TP 705	OBLIQUE VIEWS ON PALMER PDE	-
TP 706	OBLIQUE VIEWS ON PALMER PDE	-
TP 707	PALMER PDE RENDER	-
TP 708	PALMER PDE RENDER	-
TP 709	PALMER PDE RENDER	-

ROOM SCHEDULE - BASEMENTS

UNIT NUMBER	AREA	Name
	4565 m²	
	4565 m²	

ROOM SCHEDULE - COMMON

UNIT NUMBER	AREA	Name
GROUND	234 m²	COMMON
LEVEL 1	199 m²	COMMON
LEVEL 2	162 m²	COMMON
LEVEL 3	162 m²	COMMON
LEVEL 4	193 m²	COMMON
LEVEL 5	170 m²	COMMON
LEVEL 6	170 m²	COMMON
LEVEL 7	145 m²	COMMON
	1416 m²	

ROOM SCHEDULE - NSA

UNIT NUMBER	AREA	Name
	134 m²	
GROUND	913 m²	
LEVEL 1	1493 m²	
LEVEL 2	1419 m²	
LEVEL 3	1303 m²	
LEVEL 4	1063 m²	
LEVEL 5	1023 m²	
LEVEL 6	1023 m²	
LEVEL 7	905 m²	
	9274 m²	

ROOM SCHEDULE - TERRACES

UNIT NUMBER	AREA	Name
	230 m²	ROOF TERRACE
GROUND	22 m²	TERRACE
LEVEL 1	30 m²	TERRACE
LEVEL 2	107 m²	TERRACE
LEVEL 3	85 m²	TERRACE
LEVEL 4	199 m²	TERRACE
LEVEL 5	39 m²	TERRACE
LEVEL 6	0 m²	TERRACE
LEVEL 7	144 m²	TERRACE
	853 m²	

WITHOUT PREJUDICE

REV	DATE	DETAILS	INIT
B	23.11.17	WITHOUT PREJUDICE	
A	19.07.17	COUNCIL RFIs	
-	12.04.17	TOWN PLANNING SUBMISSION	

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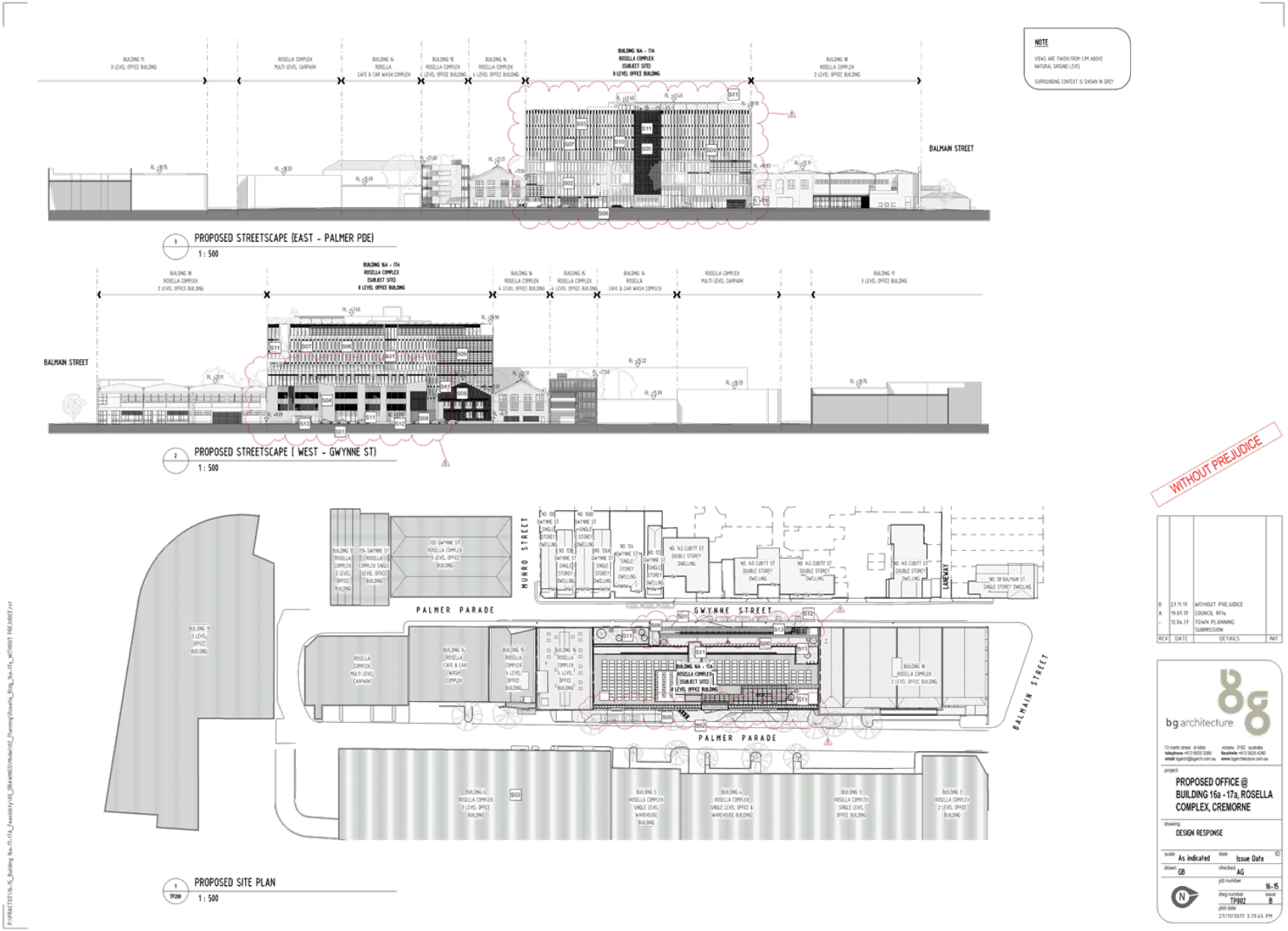
project
PROPOSED OFFICE @ BUILDING 16a - 17a, ROSELLA COMPLEX, CREMORNE

drawing
TITLE PAGE

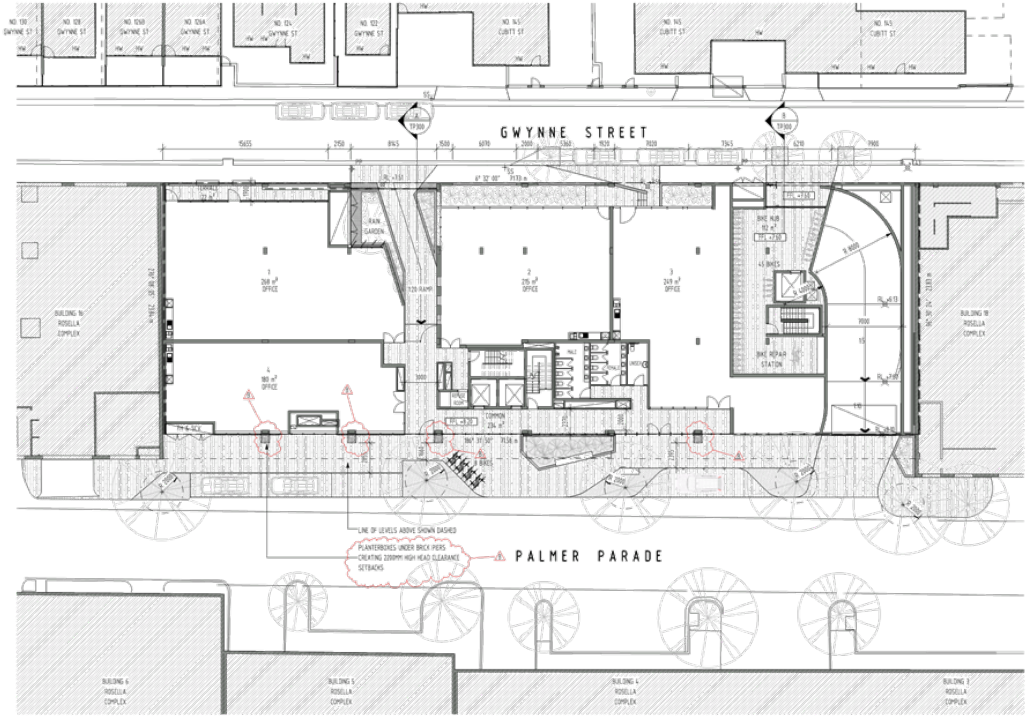
scale | date Issue Date | ©
drawn GB | checked AG
job number 16-15
dwg number TP000 | issue B
plot date 27/11/2017 3:38:02 PM

P:\PROJECTS\16-15_Building 16a-17a_Feasibility\01_DRAWINGS\Models\02_Planning\Rosella_RFIs_16a-17a_WITHOUT PREJUDICE.rvt

Attachment 2 - PLN17/0389-04: PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Sketch plans



Attachment 2 - PLN17/0389-04: PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Sketch plans



GND FLOOR
1 : 200

NOTE: ONE THIRD OF GLAZING WILL BE OPERABLE IN ACCORDANCE WITH THE SUSTAINABLE MANAGEMENT PLAN AND ESD ADVICE

WITHOUT PREJUDICE

REV	DATE	DETAILS	INIT
B	23.11.17	WITHOUT PREJUDICE	
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-	12.04.17	TOWN PLANNING SUBMISSION	

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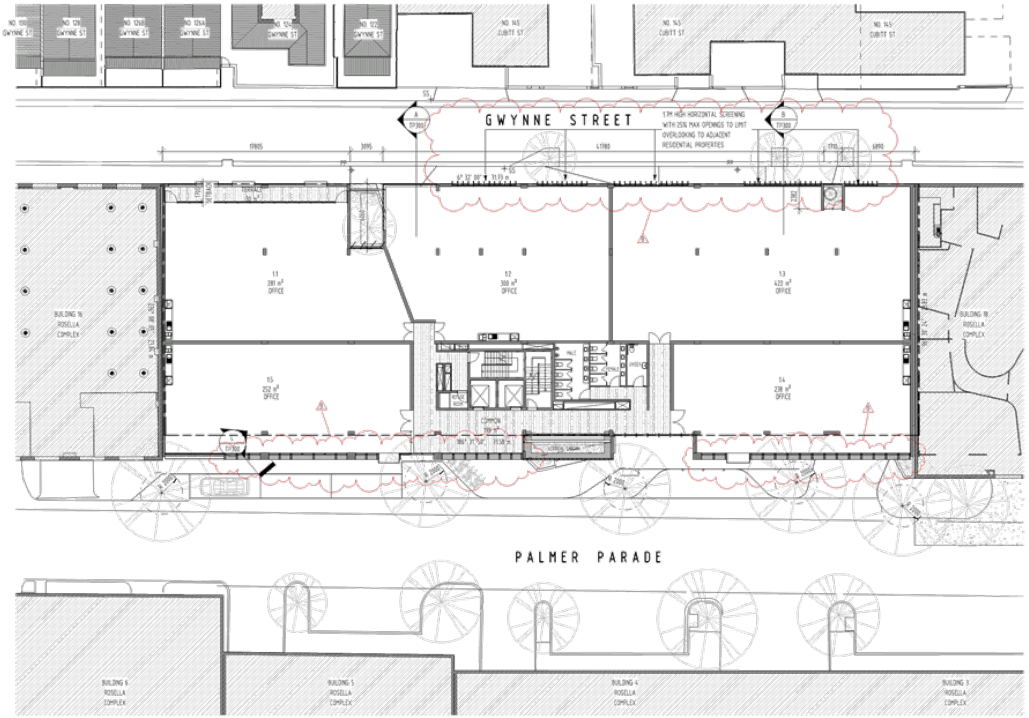
project
PROPOSED OFFICE @ BUILDING 16a - 17a, ROSELLA COMPLEX, CREMORNE

drawing
GROUND FLOOR PLAN

scale As indicated date Issue Date
drawn GB checked AG
job number 16-15
dwg number TP101 issue B
plot date 27/11/2017 3:40:56 PM

Attachment 2 - PLN17/0389-04: PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Sketch plans



1 TP200 LEVEL 1
1 : 200

WITHOUT PREJUDICE

REV	DATE	DETAILS	INIT
B	23.11.17	WITHOUT PREJUDICE	
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project
PROPOSED OFFICE @ BUILDING 16a - 17a, ROSELLA COMPLEX, CREMORNE

drawing
LEVEL 1 FLOOR PLAN

scale	As indicated	date	Issue Date
drawn	GB	checked	AG
		job number	16-15
		dwg number	TP102
		issue	B
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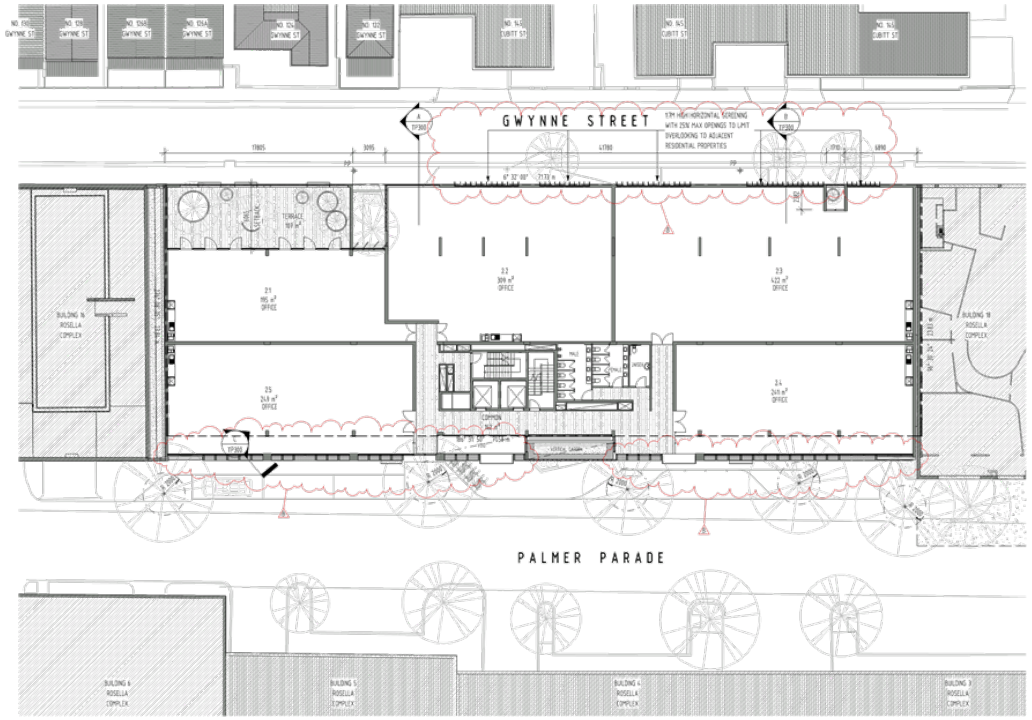
Attachment 2 - PLN17/0389-04: PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Sketch plans



LEVEL 2
1 : 200

NOTE: ONE THIRD OF GLAZING WILL BE OPERABLE IN ACCORDANCE WITH THE SUSTAINABLE MANAGEMENT PLAN AND ESD ADVICE

WITHOUT PREJUDICE

REV	DATE	DETAILS	INIT
B	23.11.17	WITHOUT PREJUDICE	
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project
PROPOSED OFFICE @ BUILDING 16a - 17a, ROSELLA COMPLEX, CREMORNE

drawing
LEVEL 2 FLOOR PLAN

scale	As indicated	date	Issue Date
drawn	GB	checked	AG
		job number	16-15
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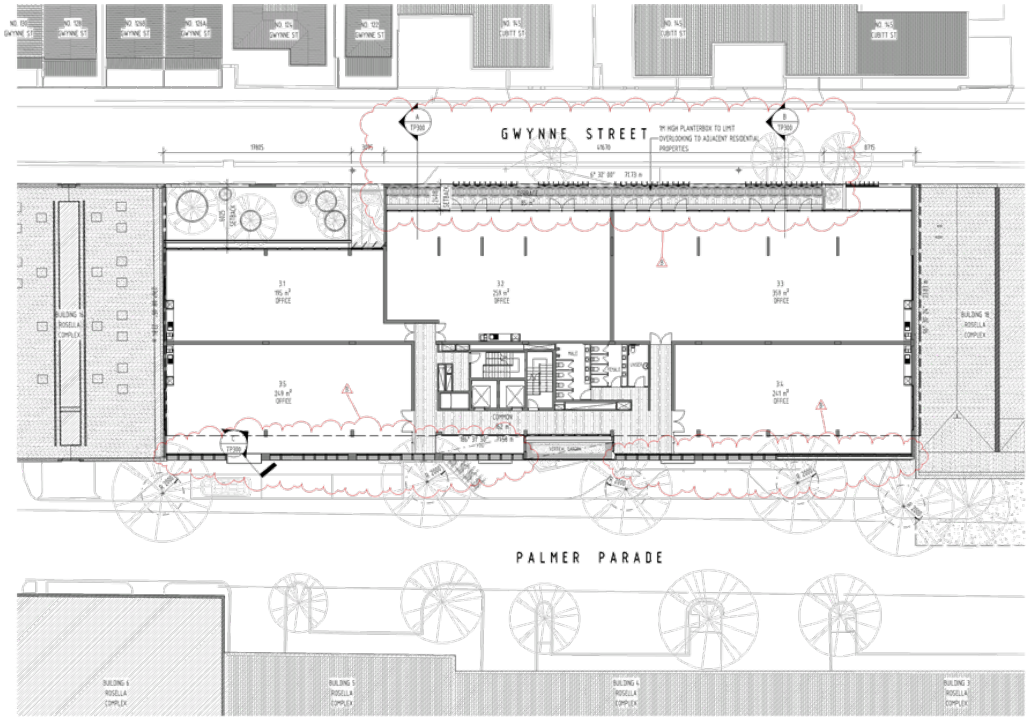

LEVEL 3
1 : 200

NOTE: ONE THIRD OF GLAZING WILL BE OPERABLE IN ACCORDANCE WITH THE SUSTAINABLE MANAGEMENT PLAN AND ESD ADVICE

WITHOUT PREJUDICE

REV	DATE	DETAILS	INIT
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-	12.04.17	TOWN PLANNING SUBMISSION	

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project
PROPOSED OFFICE @ BUILDING 16a - 17a, ROSELLA COMPLEX, CREMORNE

drawing
LEVEL 3 FLOOR PLAN

scale As indicated date Issue Date
drawn GB checked AG
job number 16-15
dwg number TP184 issue B
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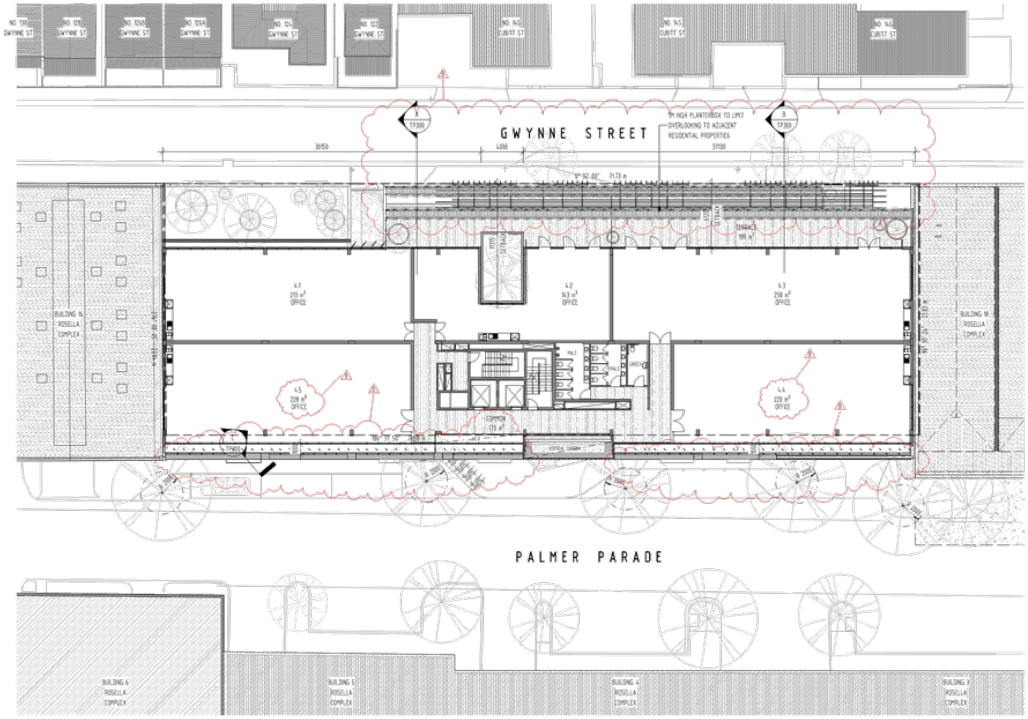
Attachment 2 - PLN17/0389-04: PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Sketch plans



1 TP200 LEVEL 4
1 : 200

WITHOUT PREJUDICE

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B	23.11.17	WITHOUT PREJUDICE	
A	19.07.17	COUNCIL RFIs	
-	12.04.17	TOWN PLANNING SUBMISSION	

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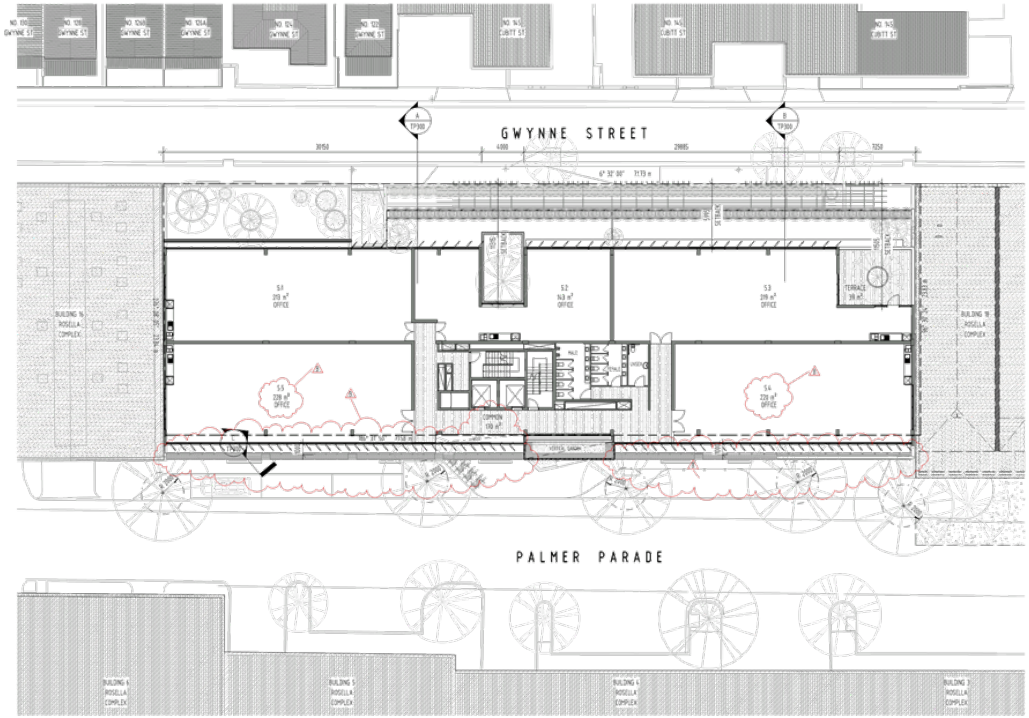
project
PROPOSED OFFICE @ BUILDING 16a - 17a, ROSELLA COMPLEX, CREMORNE

drawing
LEVEL 4 FLOOR PLAN

scale	As indicated	date	Issue Date
drawn	GB	checked	AG
		job number	16-15
		dwg number	TP105
		issue	B
		plot date	27/11/2017 3:42:46 PM

Attachment 2 - PLN17/0389-04: PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Sketch plans



LEVEL 5
1 : 200

NOTE: ONE THIRD OF GLAZING WILL BE OPERABLE IN ACCORDANCE WITH THE SUSTAINABLE MANAGEMENT PLAN AND ESD ADVICE

WITHOUT PREJUDICE

REV	DATE	DETAILS	INIT
B	23.11.17	WITHOUT PREJUDICE	
A	19.07.17	COUNCIL RFIs	
-	12.04.17	TOWN PLANNING SUBMISSION	

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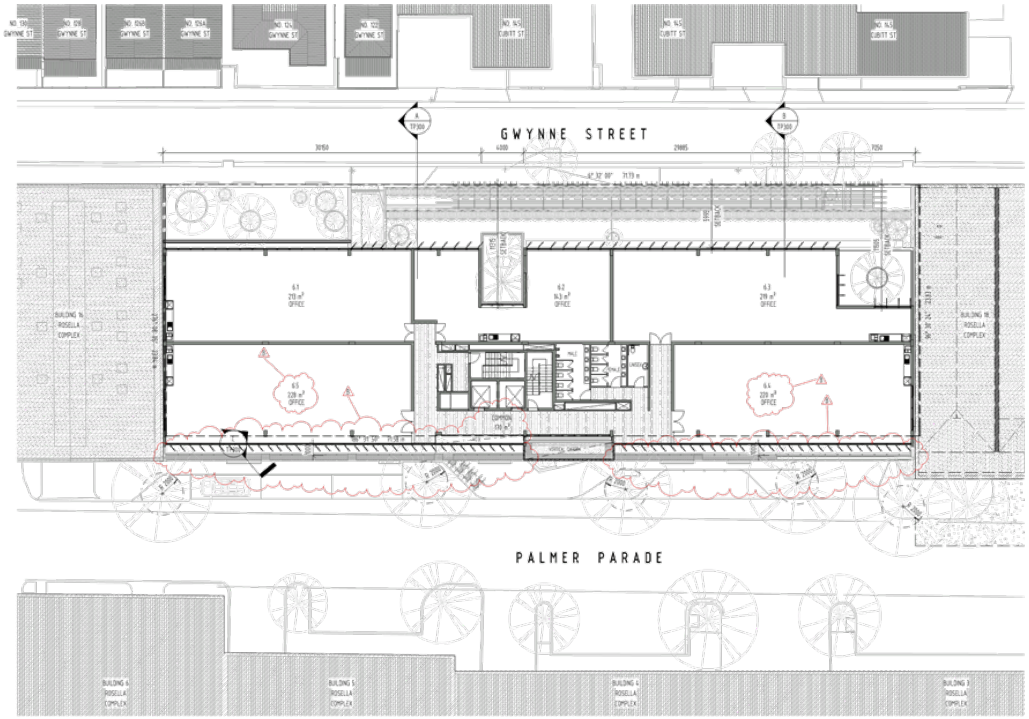
drawing
LEVEL 5 FLOOR PLAN

scale As indicated | date Issue Date | ©
drawn GB | checked AG
job number 16-15
dwg number TP106 | issue B
plot date 27/11/2017 3:43:06 PM

Attachment 2 - PLN17/0389-04: PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Sketch plans



LEVEL 6
1 : 200

NOTE: ONE THIRD OF GLAZING WILL BE OPERABLE IN ACCORDANCE WITH THE SUSTAINABLE MANAGEMENT PLAN AND ESD ADVICE

WITHOUT PREJUDICE

REV	DATE	DETAILS	INIT
B	23.11.17	WITHOUT PREJUDICE	
A	19.07.17	COUNCIL RFIs	
-	12.04.17	TOWN PLANNING SUBMISSION	

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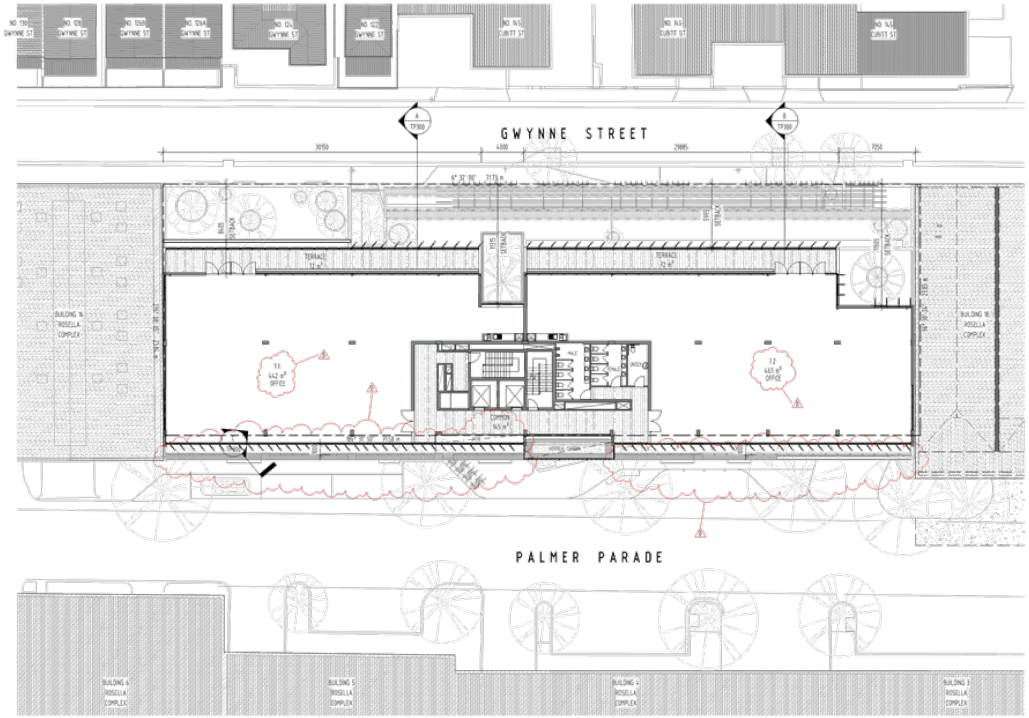
drawing
LEVEL 6 FLOOR PLAN

scale	As indicated	date	Issue Date
drawn	GB	checked	AG
		job number	16-15
		dwg number	TP1107
		issue	B
		plot date	27/11/2017 3:43:35 PM

Attachment 2 - PLN17/0389-04: PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Sketch plans



1 TP200 LEVEL 7
1 : 200

NOTE: ONE THIRD OF GLAZING WILL BE OPERABLE IN ACCORDANCE WITH THE SUSTAINABLE MANAGEMENT PLAN AND ESD ADVICE

WITHOUT PREJUDICE

REV	DATE	DETAILS	INIT
B	23.11.17	WITHOUT PREJUDICE	
A	19.07.17	COUNCIL RFIs	
-	12.04.17	TOWN PLANNING SUBMISSION	

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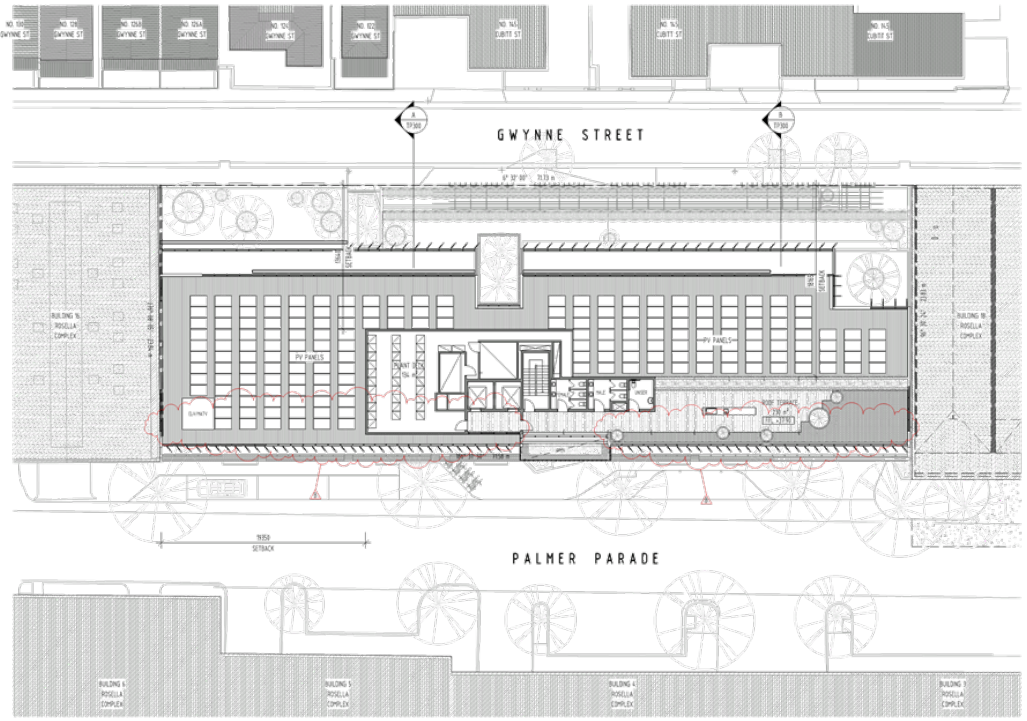
drawing
LEVEL 7 FLOOR PLAN

scale	As indicated	date	Issue Date
drawn	GB	checked	AG
		job number	16-15
		dwg number	TP108
		issue	B
		plot date	27/11/2017 3:44:05 PM

Attachment 2 - PLN17/0389-04: PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Sketch plans



1 TP206 ROOF PLAN
1 : 200

WITHOUT PREJUDICE

REV	DATE	DETAILS	INIT
B	23.11.17	WITHOUT PREJUDICE	
A	19.07.17	COUNCIL RFIs	
-	12.04.17	TOWN PLANNING SUBMISSION	

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project
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drawing
ROOF PLAN

scale	1 : 200	date	Issue Date
drawn	GB	checked	AG
		job number	16-15
		dwg number	TP109
		issue	B
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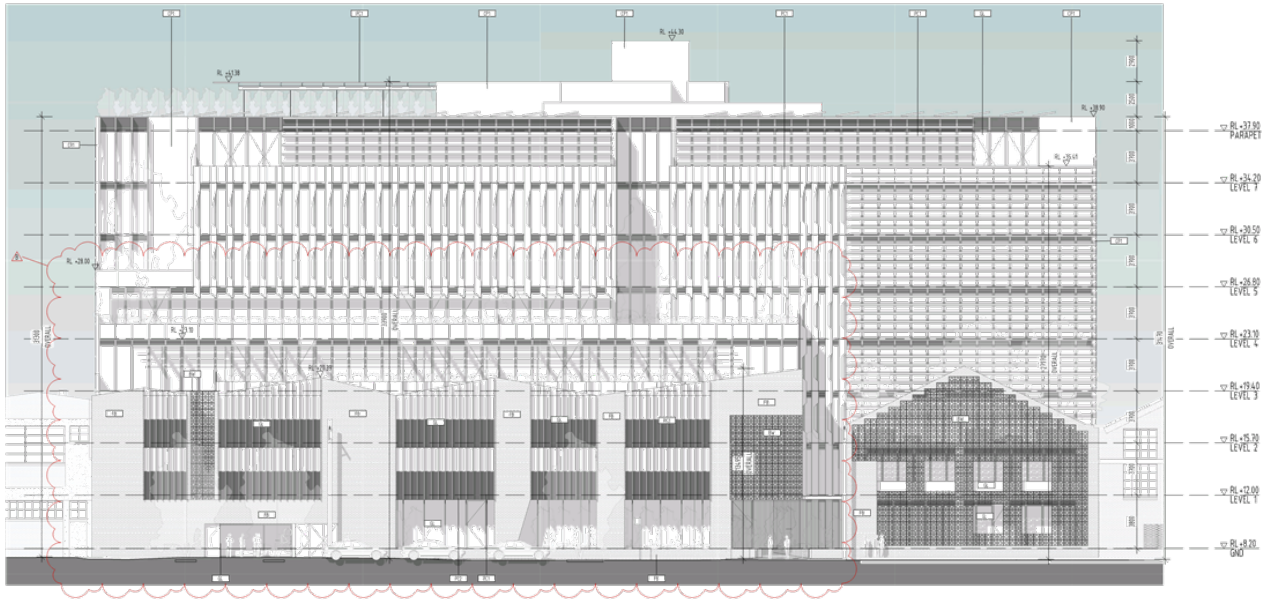
Attachment 2 - PLN17/0389-04: PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Sketch plans



2 PROPOSED WEST ELEVATION
1 : 150

EXTERNAL FINISHES LEGEND

CP1	PRECAST CONCRETE PANELS - NATURAL FINISH
CP2	PRECAST CONCRETE PANELS - PAINT FINISH
FB	FACE BRICKWORK
BW	FACE BRICK BREEZEWALL
PC1	POWDERCOAT FINISH
PC2	POWDERCOAT FINISH
GL	CLEAR GLAZING

WITHOUT PREJUDICE

REV	DATE	DETAILS	INIT
B	23.11.17	WITHOUT PREJUDICE	
A	19.07.17	COUNCIL RFIs	
-	12.04.17	TOWN PLANNING SUBMISSION	

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drawing
WEST ELEVATION

scale	As indicated	date	Issue Date
drawn	GB	checked	AG
		job number	16-15
		dwg number	TP200
		issue	B
		plot date	27/11/2017 3:45:17 PM

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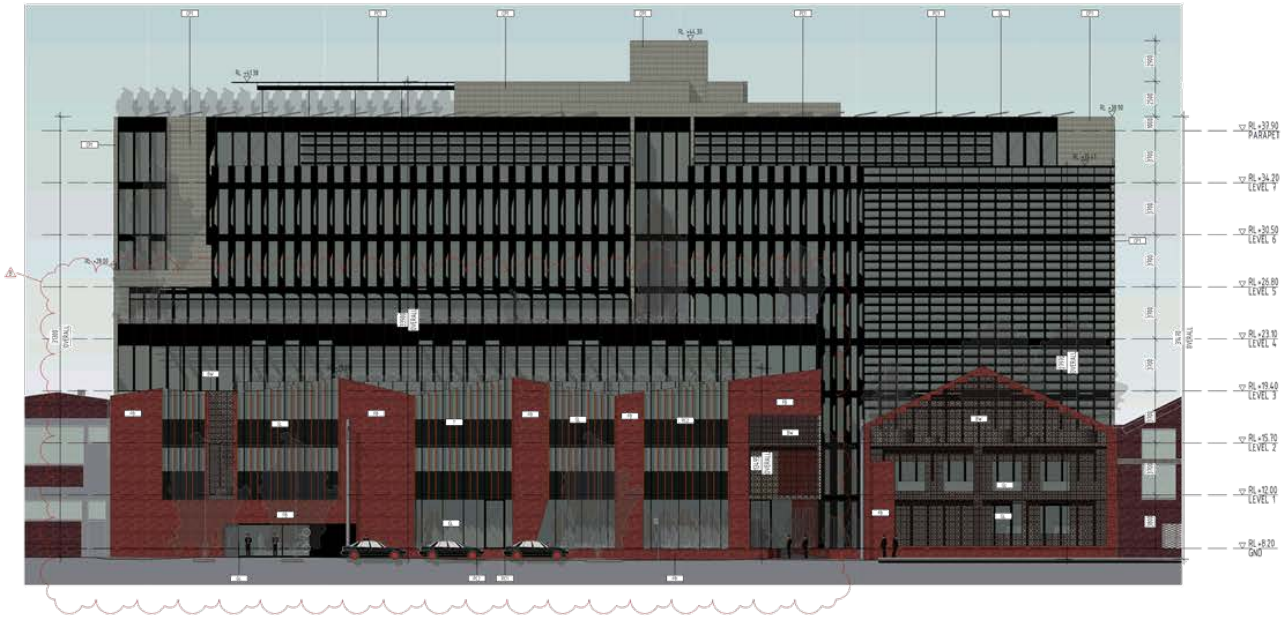
Attachment 2 - PLN17/0389-04: PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Sketch plans



1 PROPOSED WEST ELEVATION - COLOURED.
1 : 150

EXTERNAL FINISHES LEGEND

CP1	PRECAST CONCRETE PANELS - NATURAL FINISH
CP2	PRECAST CONCRETE PANELS - PAINT FINISH
FB	FACE BRICKWORK
BW	FACE BRICK BREEZEWALL
PC1	POWDERCOAT FINISH
PC2	POWDERCOAT FINISH
GL	CLEAR GLAZING

WITHOUT PREJUDICE

REV	DATE	DETAILS	INIT
B	23.11.17	WITHOUT PREJUDICE	
A	19.07.17	COUNCIL RFIs	
-	12.04.17	TOWN PLANNING SUBMISSION	

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project
PROPOSED OFFICE @ BUILDING 16a - 17a, ROSELLA COMPLEX, CREMORNE

drawing
WEST ELEVATION - COLOURED

scale	As indicated	date	Issue Date
drawn	GB	checked	AG
		job number	16-15
		dwg number	TP201
		issue	B
		plot date	23/11/2017 3:46:00 PM

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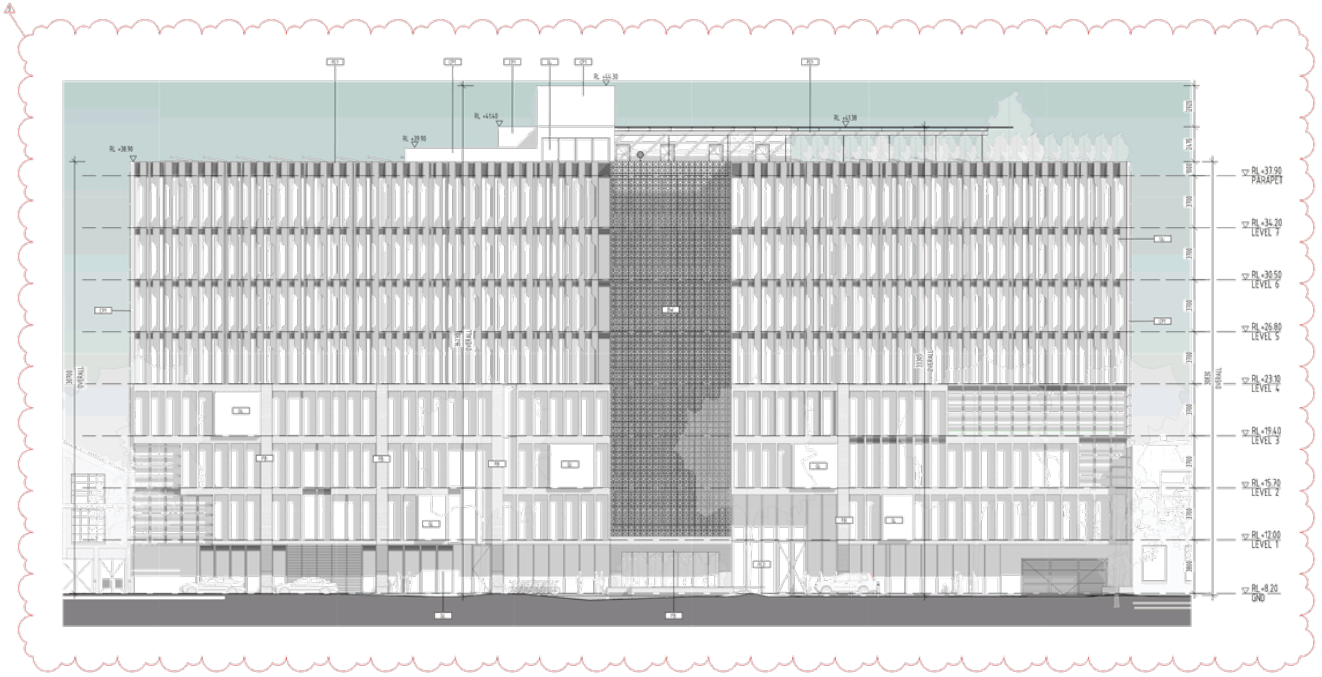
Attachment 2 - PLN17/0389-04: PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Sketch plans

EXTERNAL FINISHES LEGEND

CP1	PRECAST CONCRETE PANELS – NATURAL FINISH
CP2	PRECAST CONCRETE PANELS – PAINT FINISH
FB	FACE BRICKWORK
BW	FACE BRICK BREEZEWALL
PC1	POWDERCOAT FINISH
PC2	POWDERCOAT FINISH
GL	CLEAR GLAZING



1 PROPOSED EAST ELEVATION
1 : 150

WITHOUT PREJUDICE

REV	DATE	DETAILS	INIT
B	23.11.17	WITHOUT PREJUDICE	
A	19.07.17	COUNCIL RFIs	
-	12.04.17	TOWN PLANNING SUBMISSION	

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project
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drawing
EAST ELEVATION

scale	As indicated	date	Issue Date
drawn	GB	checked	AG
		job number	16-15
		dwg number	TP202
		issue	B
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©

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Attachment 2 - PLN17/0389-04: PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Sketch plans

EXTERNAL FINISHES LEGEND

CP1	PRECAST CONCRETE PANELS – NATURAL FINISH
CP2	PRECAST CONCRETE PANELS – PAINT FINISH
FB	FACE BRICKWORK
BW	FACE BRICK BREEZEWALL
PC1	POWDERCOAT FINISH
PC2	POWDERCOAT FINISH
GL	CLEAR GLAZING

1 PROPOSED EAST ELEVATION - COLOURED
1 : 150

WITHOUT PREJUDICE

REV	DATE	DETAILS	INIT
B	27.11.17	WITHOUT PREJUDICE	
A	19.07.17	COUNCIL RFIs	
-	12.04.17	TOWN PLANNING SUBMISSION	

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project
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drawing
EAST ELEVATIONS (COLOURED)

scale	As indicated	date	Issue Date
drawn	GB	checked	AG
		job number	16-15
		dwg number	TP283
		issue	B
		plot date	27/11/2017 3:48:01 PM

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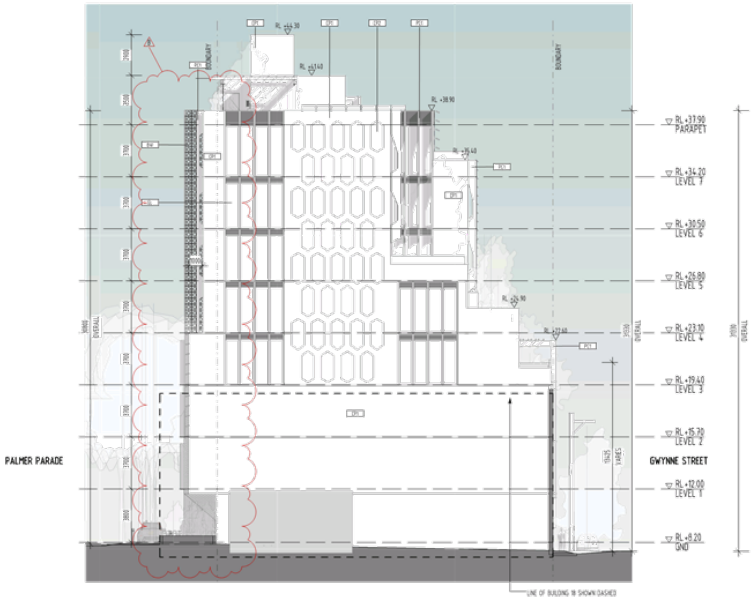
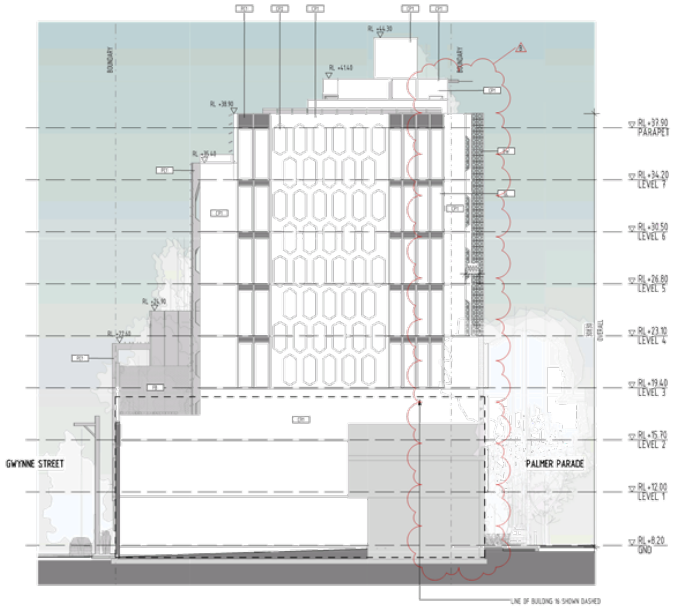
Attachment 2 - PLN17/0389-04: PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Sketch plans

EXTERNAL FINISHES LEGEND

CP1	PRECAST CONCRETE PANELS - NATURAL FINISH
CP2	PRECAST CONCRETE PANELS - PAINT FINISH
FB	FACE BRICKWORK
BW	FACE BRICK BREEZEWALL
PC1	POWDERCOAT FINISH
PC2	POWDERCOAT FINISH
GL	CLEAR GLAZING



2 PROPOSED NORTH ELEVATION
1 : 150



1 PROPOSED SOUTH ELEVATION
1 : 150

WITHOUT PREJUDICE

REV	DATE	DETAILS	INIT
B	23.11.17	WITHOUT PREJUDICE	
A	19.07.17	COUNCIL RFIs	
-	12.04.17	TOWN PLANNING SUBMISSION	

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project
PROPOSED OFFICE @ BUILDING 16a - 17a, ROSELLA COMPLEX, CREMORNE

drawing
NORTH & SOUTH ELEVATIONS

scale	As indicated	date	Issue Date
drawn	GB	checked	AG
		job number	16-15
		dwg number	TP204
		issue	B
		plot date	27/11/2017 3:49:13 PM

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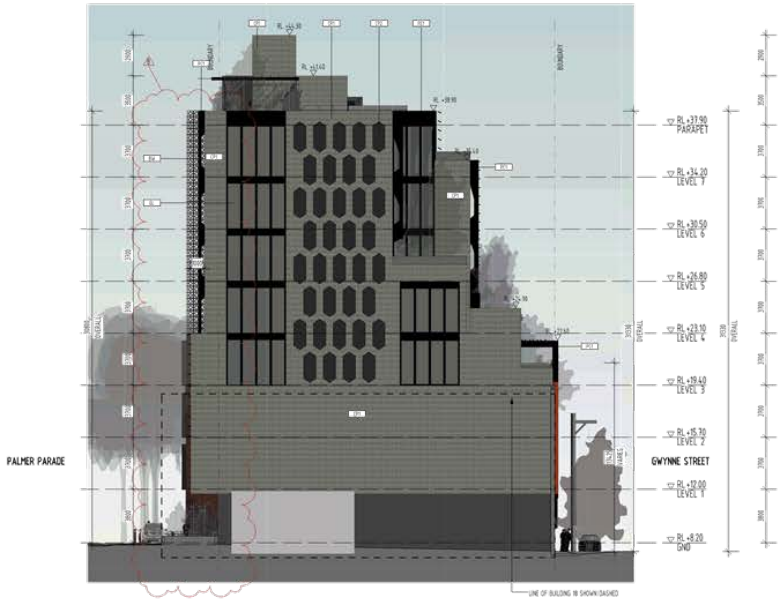
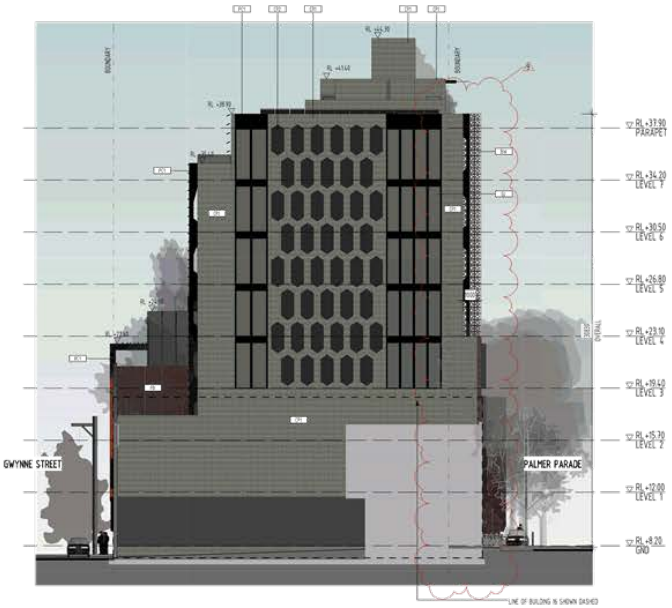
Attachment 2 - PLN17/0389-04: PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Sketch plans

EXTERNAL FINISHES LEGEND

CP1	PRECAST CONCRETE PANELS – NATURAL FINISH
CP2	PRECAST CONCRETE PANELS – PAINT FINISH
FB	FACE BRICKWORK
BW	FACE BRICK BRESZEWALL
PC1	POWDERCOAT FINISH
PC2	POWDERCOAT FINISH
GL	CLEAR GLAZING



1 PROPOSED NORTH ELEVATION - COLOURED
1 : 150



2 PROPOSED SOUTH ELEVATION - COLOURED
1 : 150

WITHOUT PREJUDICE

REV	DATE	DETAILS	INIT
B	23.11.17	WITHOUT PREJUDICE	
A	19.07.17	COUNCIL RFIs	
-	12.04.17	TOWN PLANNING SUBMISSION	

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project
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drawing
NORTH & SOUTH ELEVATIONS - COLOURED

scale	As indicated	date	Issue Date
drawn	GB	checked	AG
		job number	16-15
		dwg number	TP205
		issue	B
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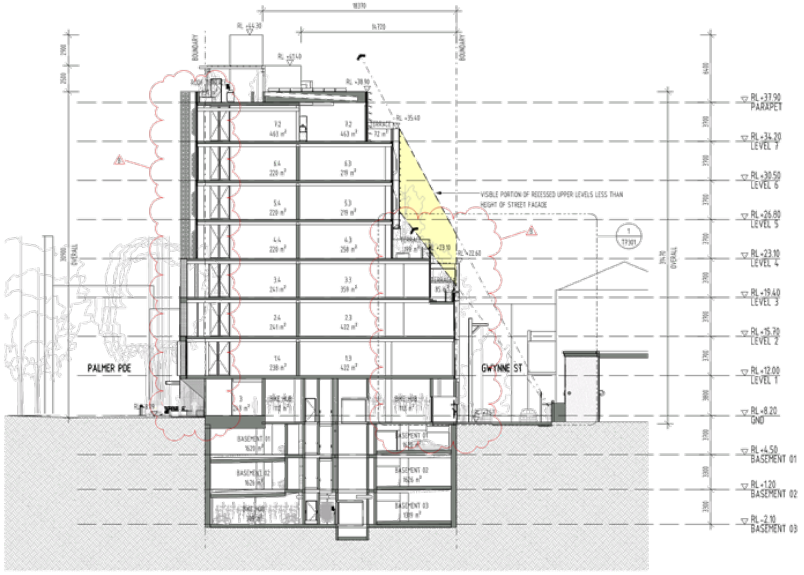
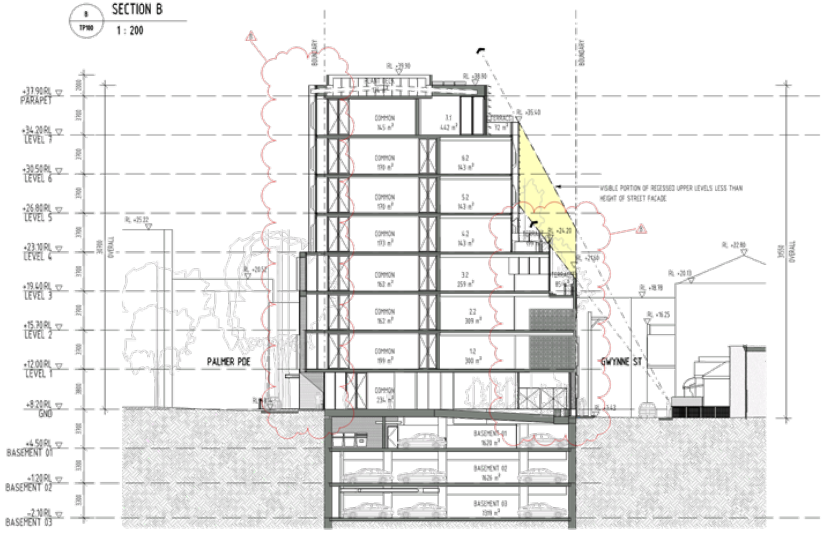
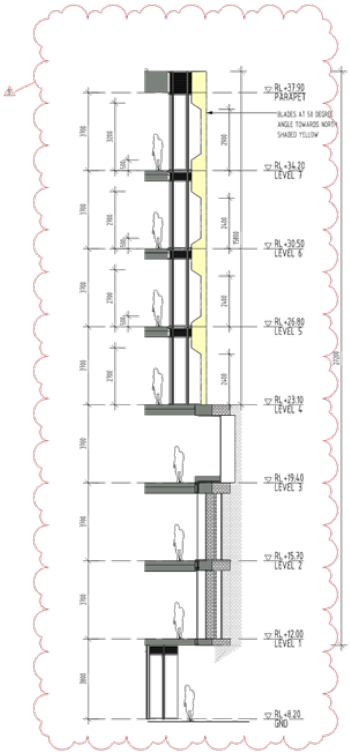
Attachment 2 - PLN17/0389-04: PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Sketch plans



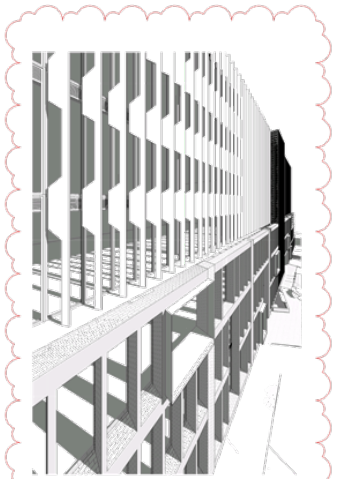
SECTION B
1 : 200



SECTION A
1 : 200



SECTION C - THROUGH EAST SCREEN
1 : 100



EAST SCREEN DETAIL

WITHOUT PREJUDICE

REV	DATE	DETAILS	INIT
B	23.11.17	WITHOUT PREJUDICE	
A	19.07.17	COUNCIL RFIs	
-	12.04.17	TOWN PLANNING SUBMISSION	

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drawing
SECTIONS

scale	As indicated	date	Issue Date
drawn	GB	checked	AG
		job number	16-15
		dwg number	TP300
		issue	B
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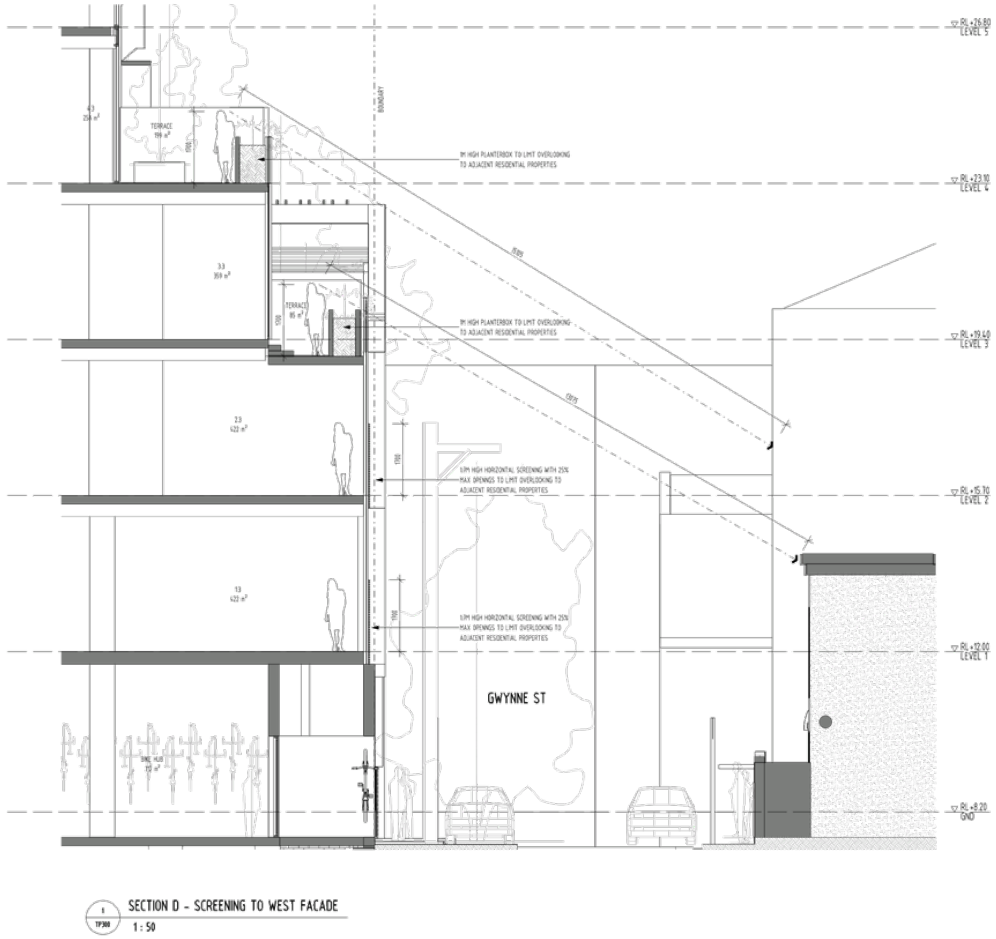
Attachment 2 - PLN17/0389-04: PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Sketch plans



SECTION D - SCREENING TO WEST FACADE
1 : 50

WITHOUT PREJUDICE

REV	DATE	DETAILS	INIT
-	23.11.17	WITHOUT PREJUDICE	

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drawing
SECTIONS

scale	1 : 50	date	Issue Date
drawn	GB	checked	AG
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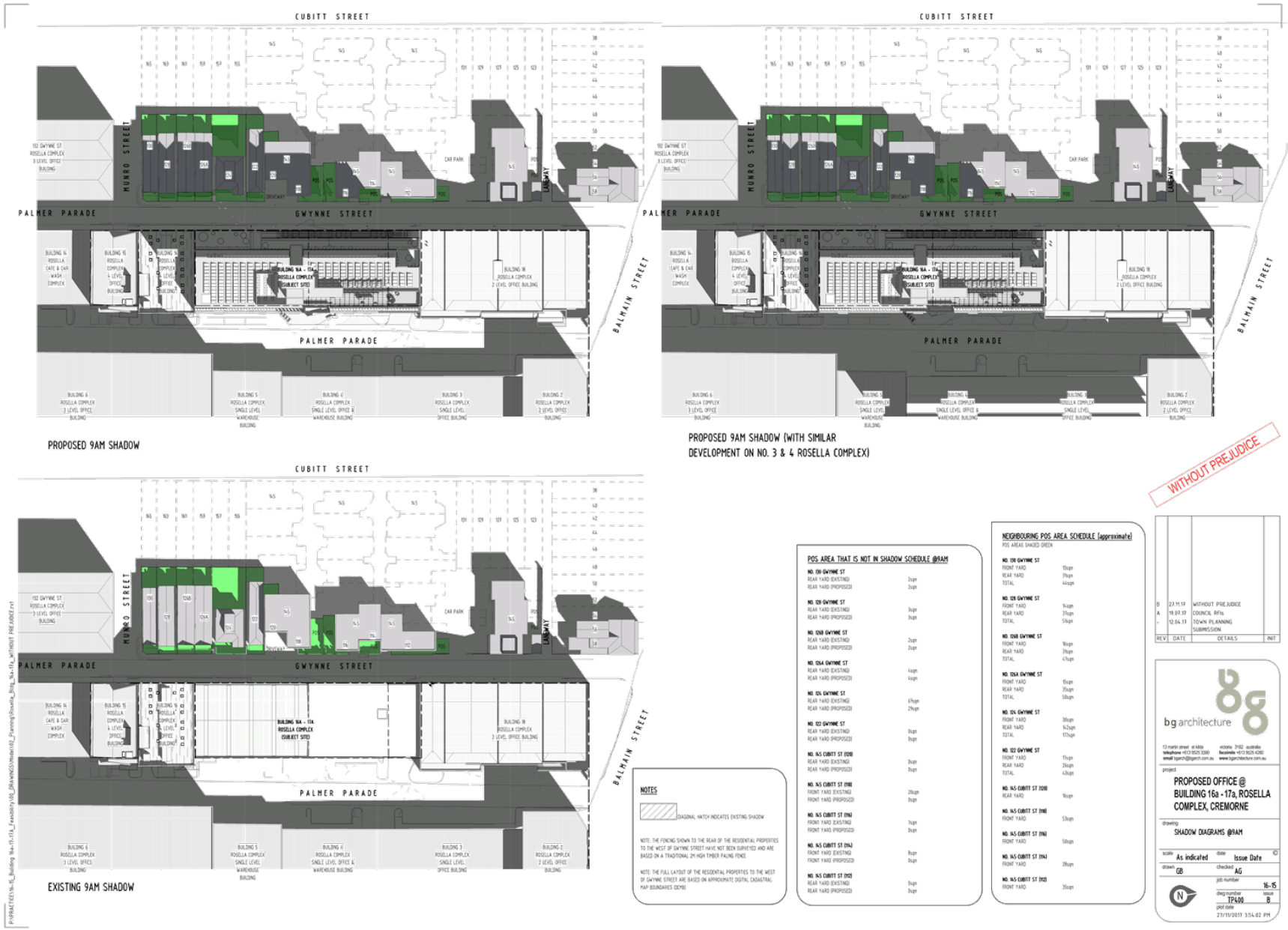
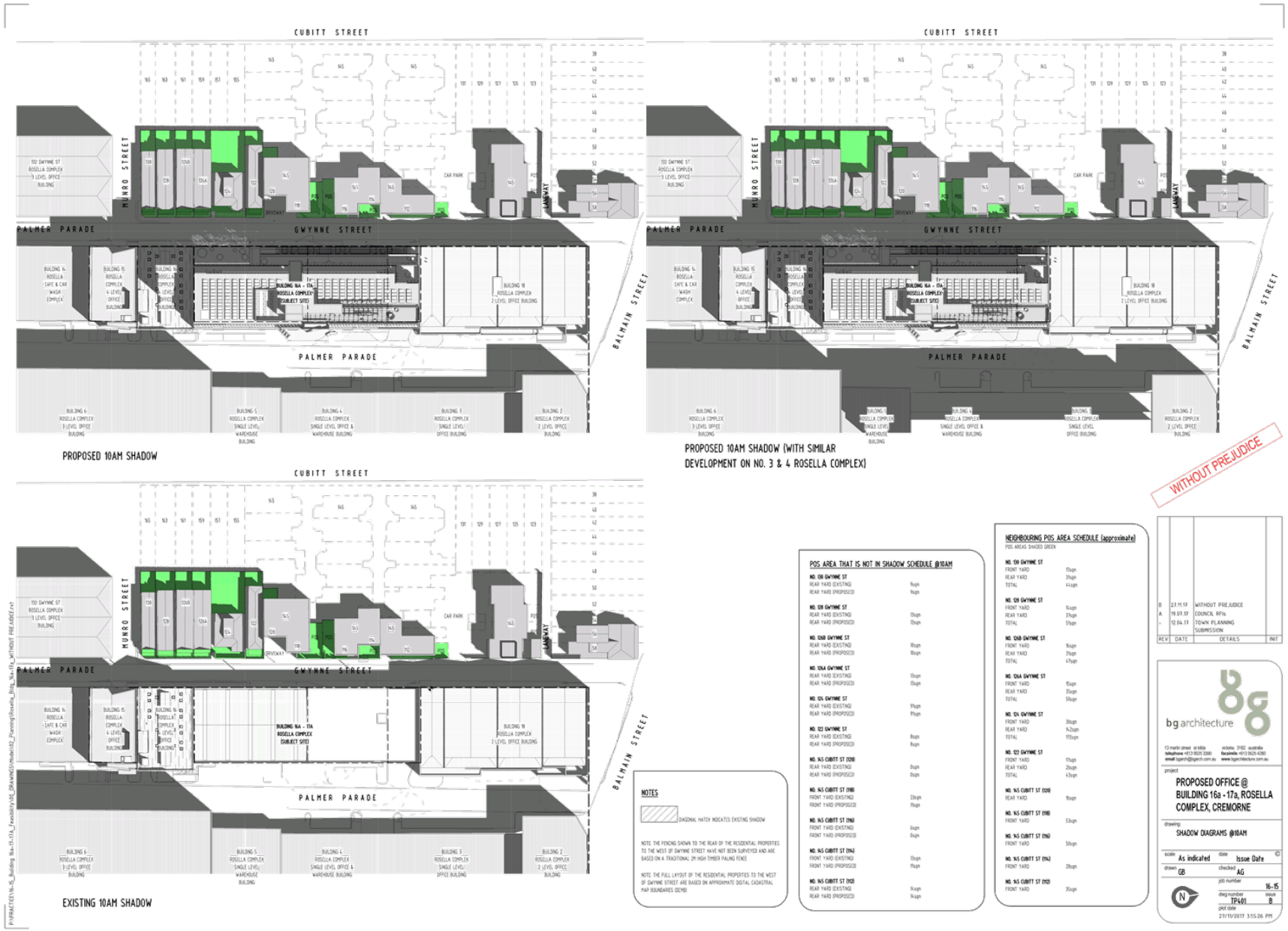
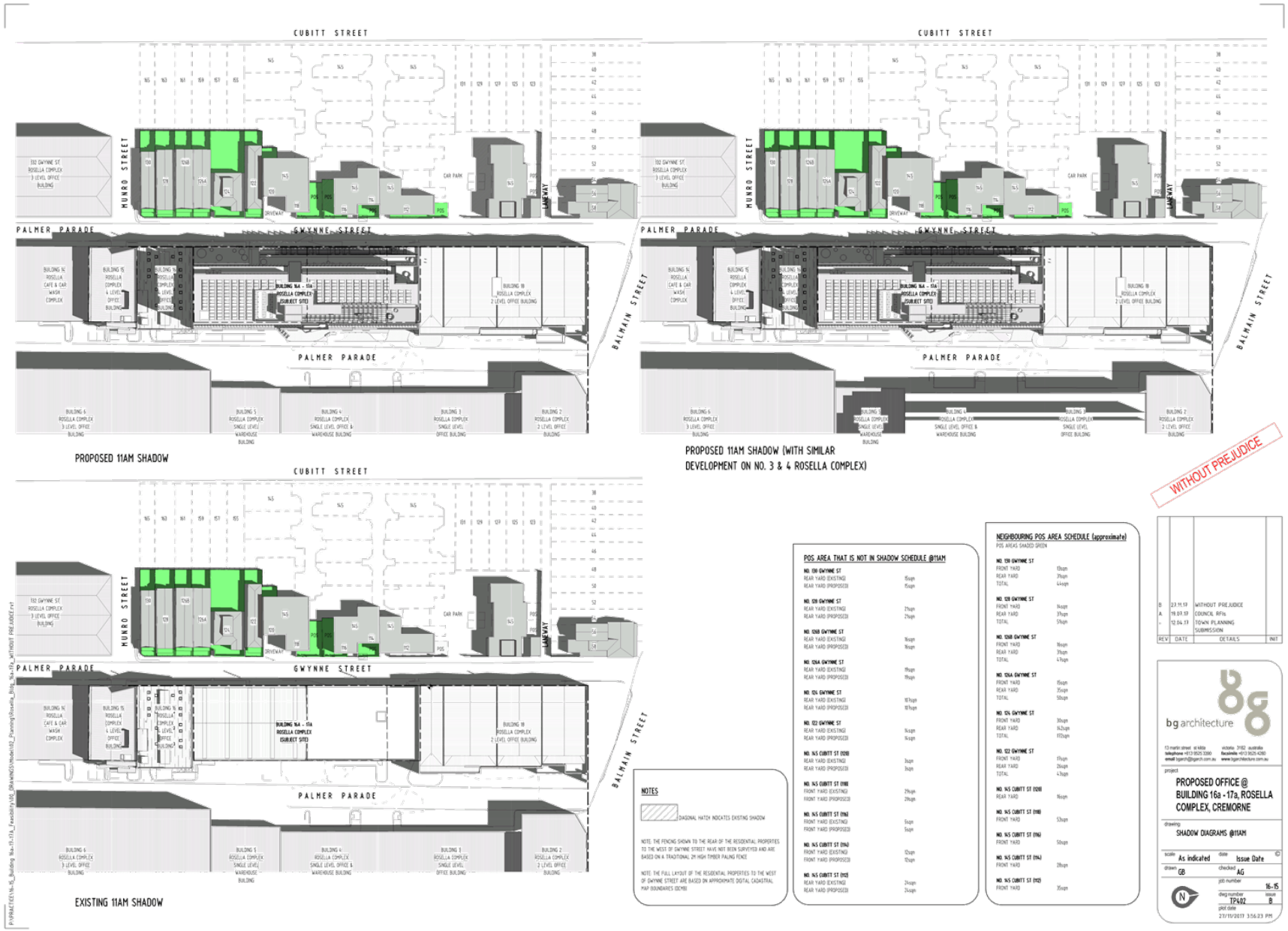
Attachment 2 - PLN17/0389-04: PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Sketch plans



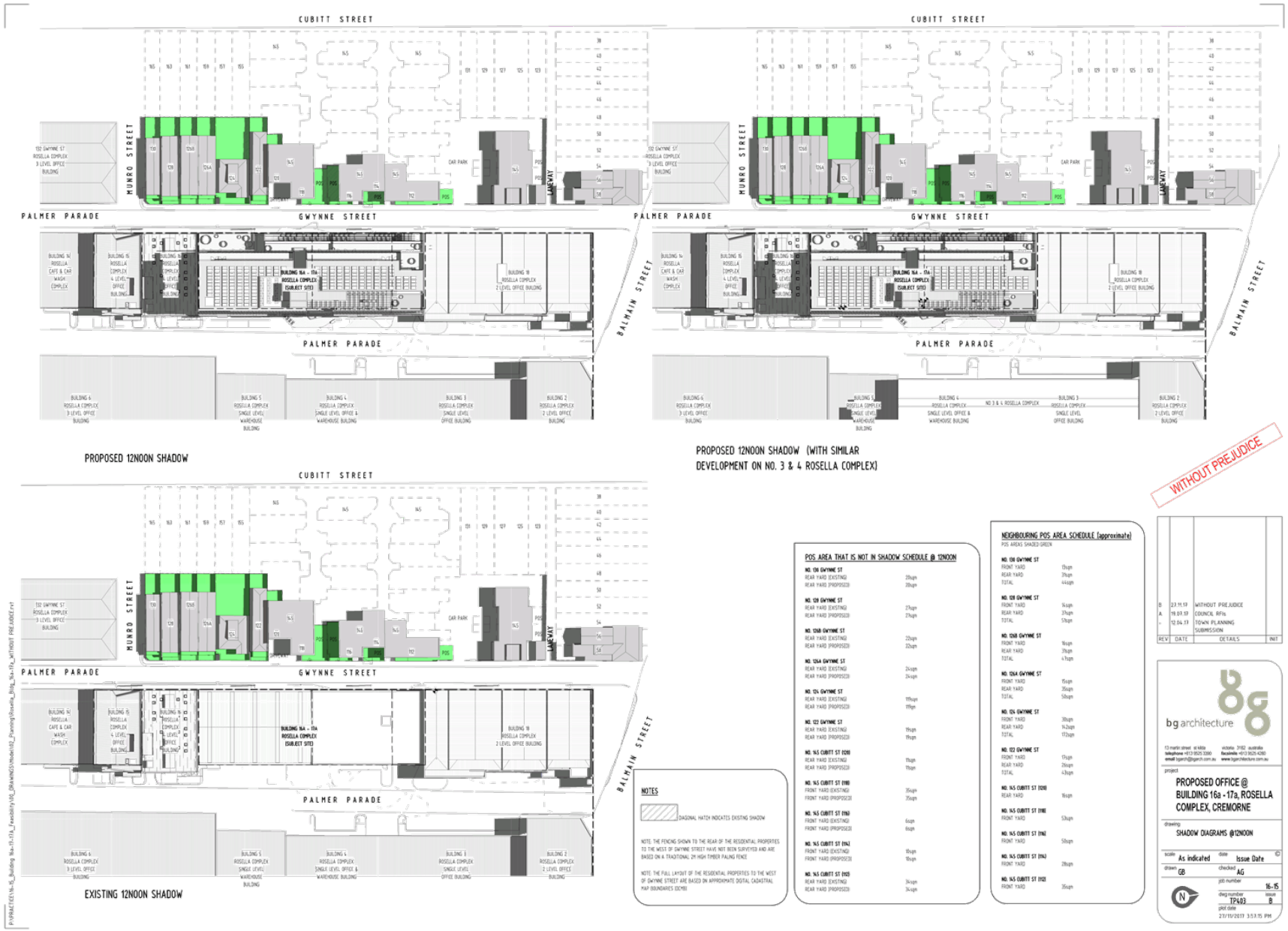
Attachment 2 - PLN17/0389-04: PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Sketch plans



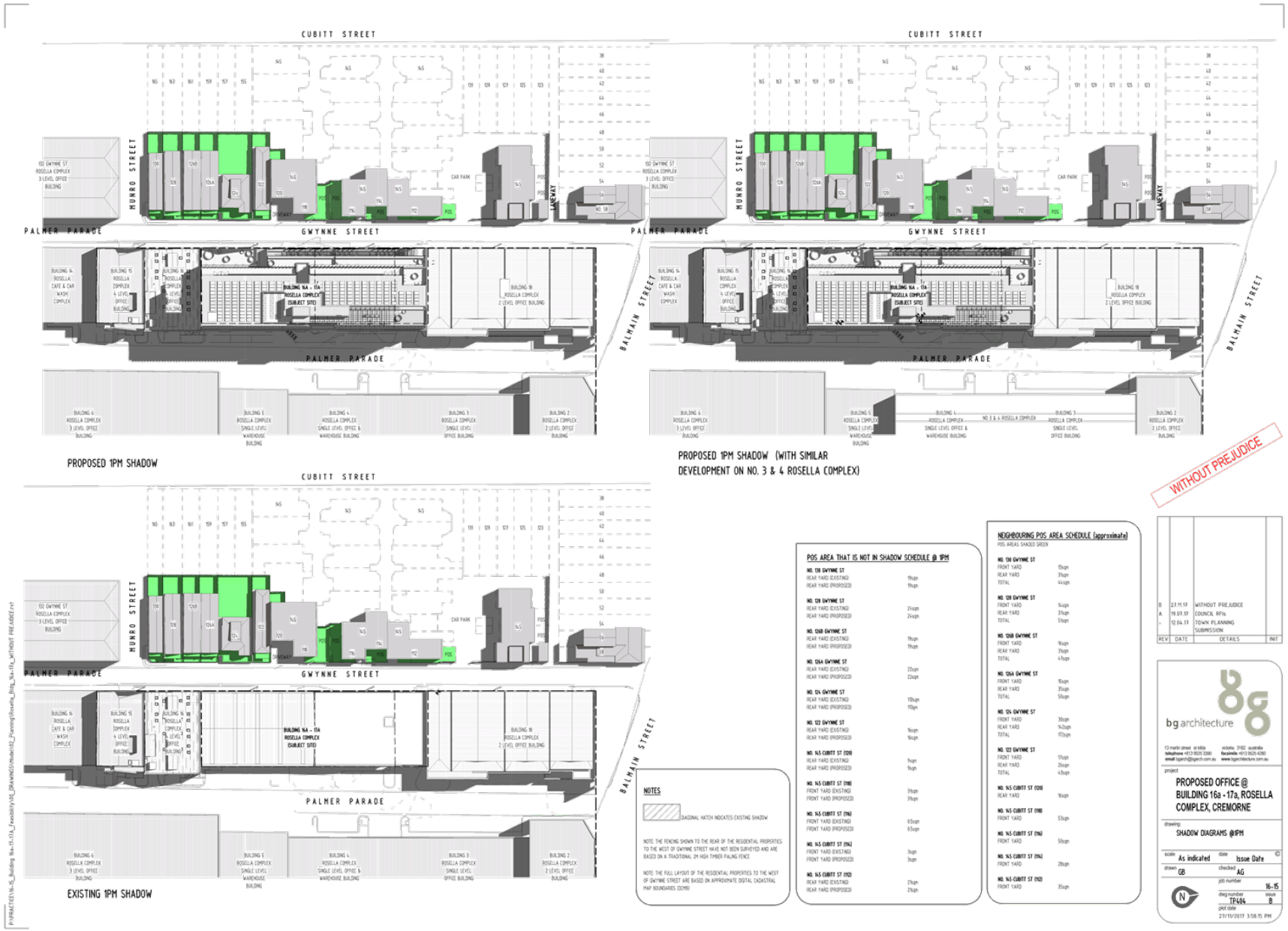
Attachment 2 - PLN17/0389-04: PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Sketch plans



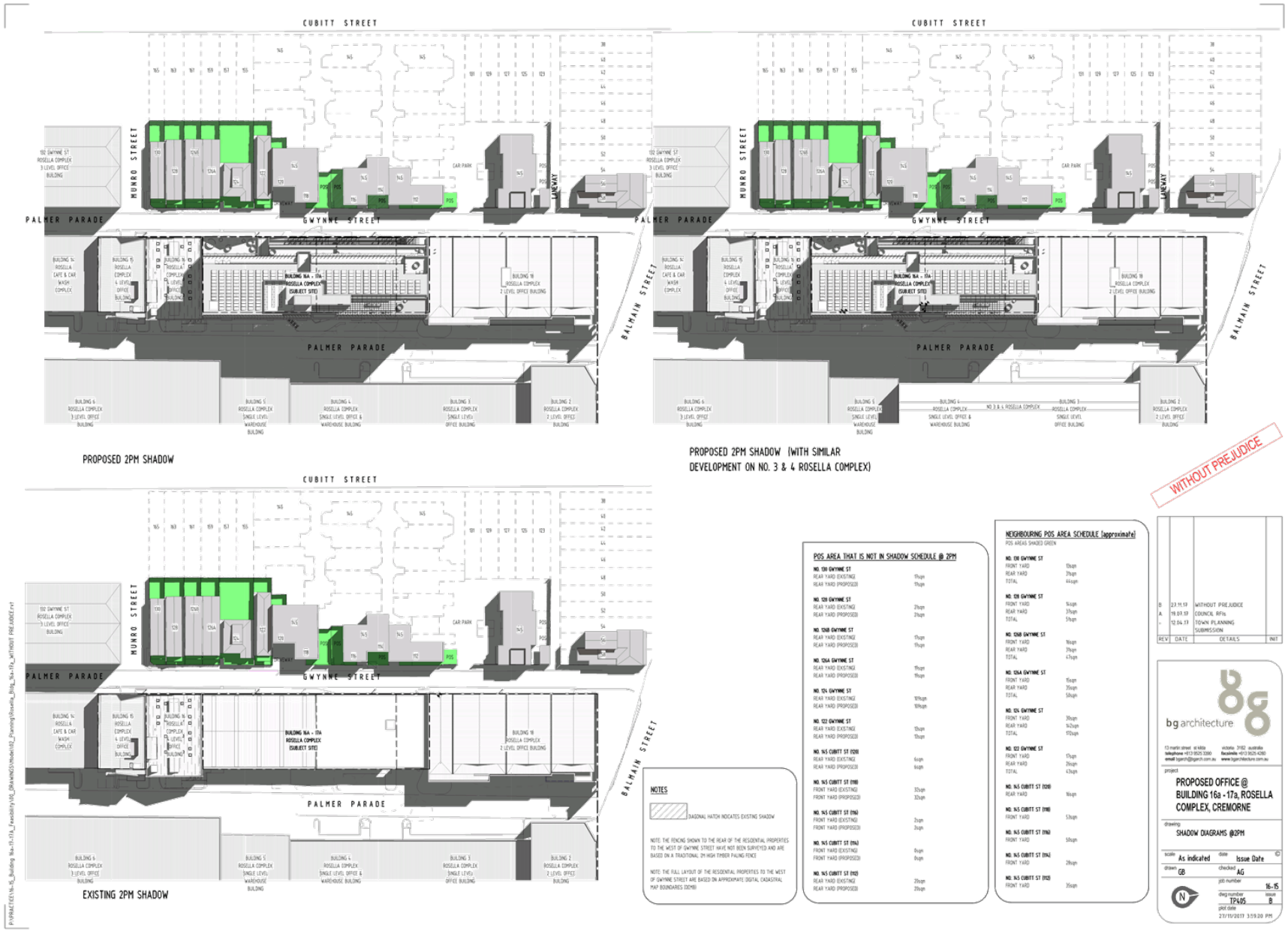
Attachment 2 - PLN17/0389-04: PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Sketch plans



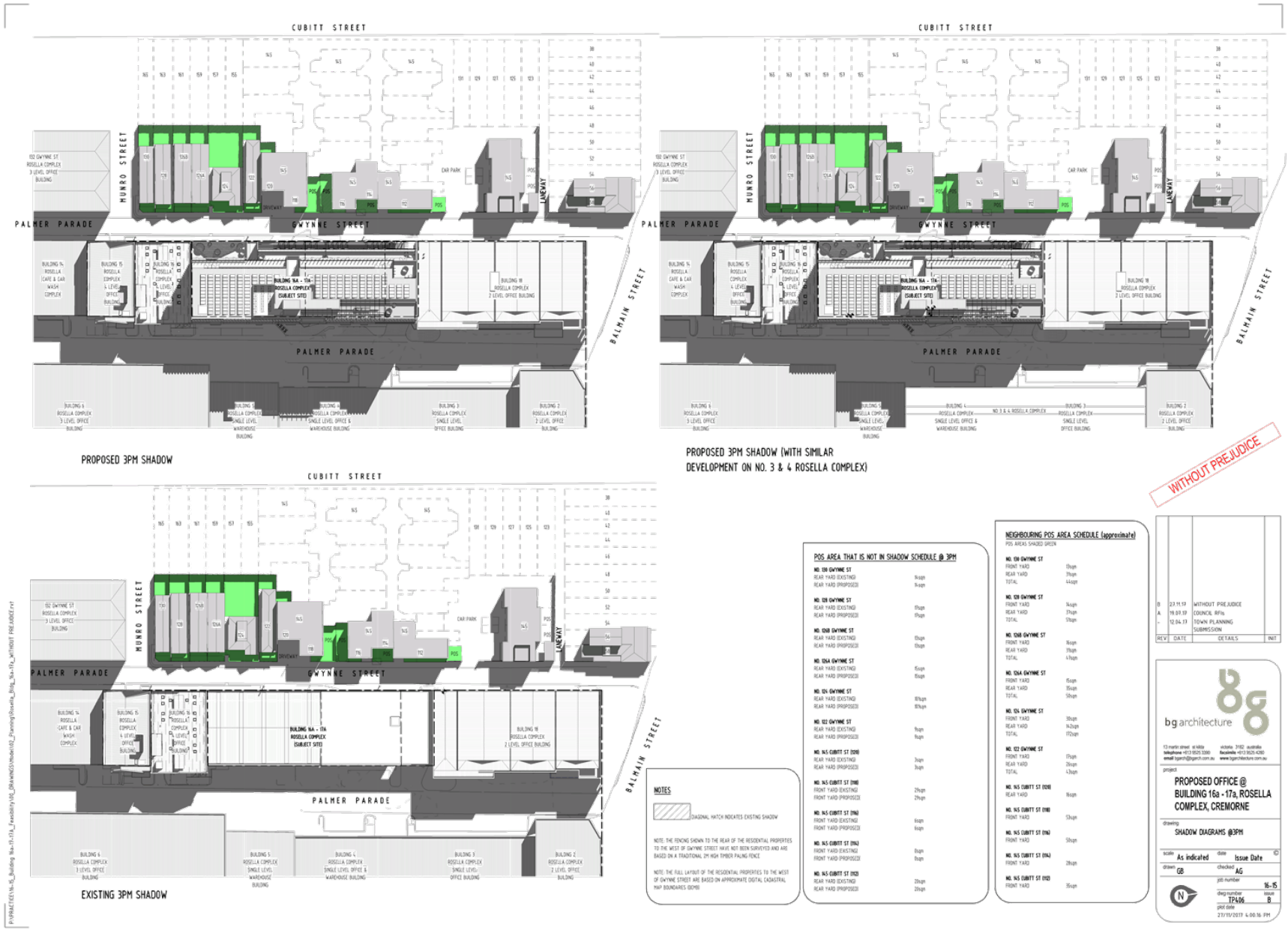
Attachment 2 - PLN17/0389-04: PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Sketch plans



Attachment 2 - PLN17/0389-04: PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Sketch plans



Attachment 2 - PLN17/0389-04: PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Sketch plans



Attachment 3 - PLN17/0389-04: PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - sketch plan renders

WITHOUT PREJUDICE

DATE	REV	DETAILS	INIT

NOTE

EXISTING AND PROPOSED LANDSCAPING NOT SHOWN FOR CLARITY

bg architecture

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

PROJECT
PROPOSED OFFICE @ BUILDING 16a - 17a, ROSELLA COMPLEX, CREMORNE

DRAWING
GWYNNE ST FACADE

SCALE	As indicated	DATE	Issue Date
DRAWN	(A3) GB	CHECKED	AG
JOB NUMBER	16-15		
DWG NUMBER	TP 710	ISSUE	
PLOT DATE	28/11/2017 12:13:30 PM		

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WITHOUT PREJUDICE

DATE	REV	DETAILS	INIT

NOTE

EXISTING AND PROPOSED LANDSCAPING NOT SHOWN FOR CLARITY

bg architecture

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telephone +613 9525 3390 facsimile +613 9525 4280
email bgarch@bgarch.com.au www.bgarchitecture.com.au

PROJECT

PROPOSED OFFICE @ BUILDING 16a - 17a, ROSELLA COMPLEX, CREMORNE

DRAWING

GWYNNE ST - BREEZEWALL DETAIL

SCALE	As indicated (A3)	DATE	Issue Date
DRAWN	GB	CHECKED	AG
JOB NUMBER	16-15		
DWG NUMBER	TP 711	ISSUE	
PLOT DATE	28/11/2017 12:13:33 PM		

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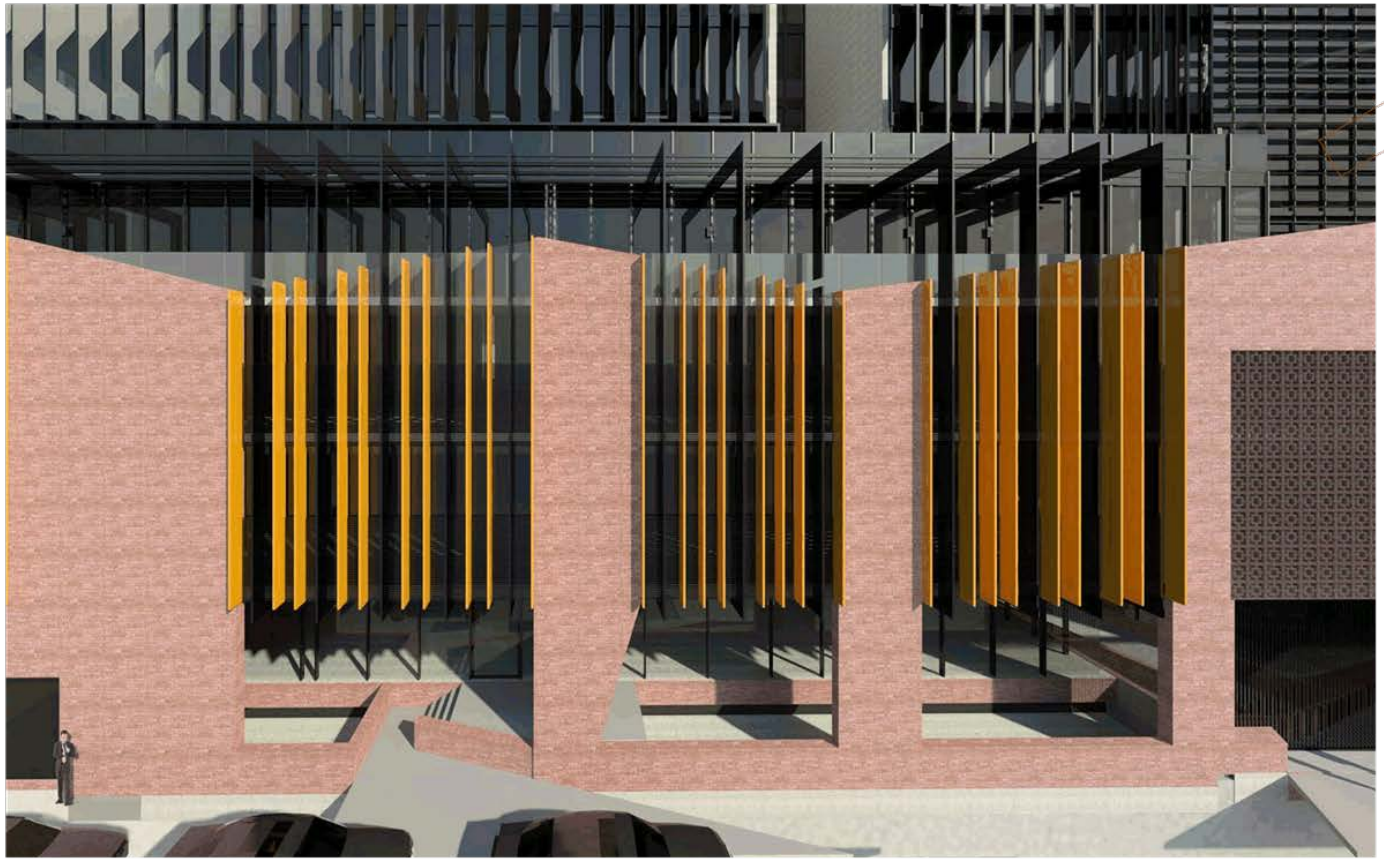
Attachment 3 - PLN17/0389-04: PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - sketch plan renders



WITHOUT PREJUDICE

DATE	REV	DETAILS	INIT

NOTE

EXISTING AND PROPOSED LANDSCAPING NOT SHOWN FOR CLARITY

bg architecture

13 martin street st kilda victoria 3182 australia
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email bgarch@bgarch.com.au www.bgarchitecture.com.au

PROJECT

PROPOSED OFFICE @ BUILDING 16a - 17a, ROSELLA COMPLEX, CREMORNE

DRAWING

GWYNNE ST - BLADE DETAIL

SCALE	As indicated (A3)	DATE	Issue Date
DRAWN	GB	CHECKED	AG
JOB NUMBER	16-15		
DWG NUMBER	TP 712	ISSUE	
PLOT DATE	28/11/2017 12:13:34 PM		

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WITHOUT PREJUDICE

DATE	REV	DETAILS	INIT

NOTE

EXISTING AND PROPOSED LANDSCAPING NOT SHOWN FOR CLARITY

bg architecture

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telephone +613 9525 3390 facsimile +613 9525 4280
email bgarch@bgarch.com.au www.bgarchitecture.com.au

PROJECT

PROPOSED OFFICE @ BUILDING 16a - 17a, ROSELLA COMPLEX, CREMORNE

DRAWING

PALMER PDE FACADE

SCALE	As indicated (A3)	DATE	Issue Date
DRAWN	GB	CHECKED	AG
JOB NUMBER	16-15		
DWG NUMBER	TP 713	ISSUE	
PLOT DATE	28/11/2017 12:13:35 PM		

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Attachment 3 - PLN17/0389-04: PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - sketch plan renders

WITHOUT PREJUDICE

DATE	REV	DETAILS	INIT

NOTE

EXISTING AND PROPOSED LANDSCAPING NOT SHOWN FOR CLARITY

bg architecture

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

PROJECT
PROPOSED OFFICE @ BUILDING 16a - 17a, ROSELLA COMPLEX, CREMORNE

DRAWING
PALMER PDE FACADE

SCALE As indicated (A3) DATE Issue Date

DRAWN GB CHECKED AG

JOB NUMBER 16-15

DWG NUMBER TP 714 ISSUE

PLOT DATE 28/11/2017 12:13:36 PM

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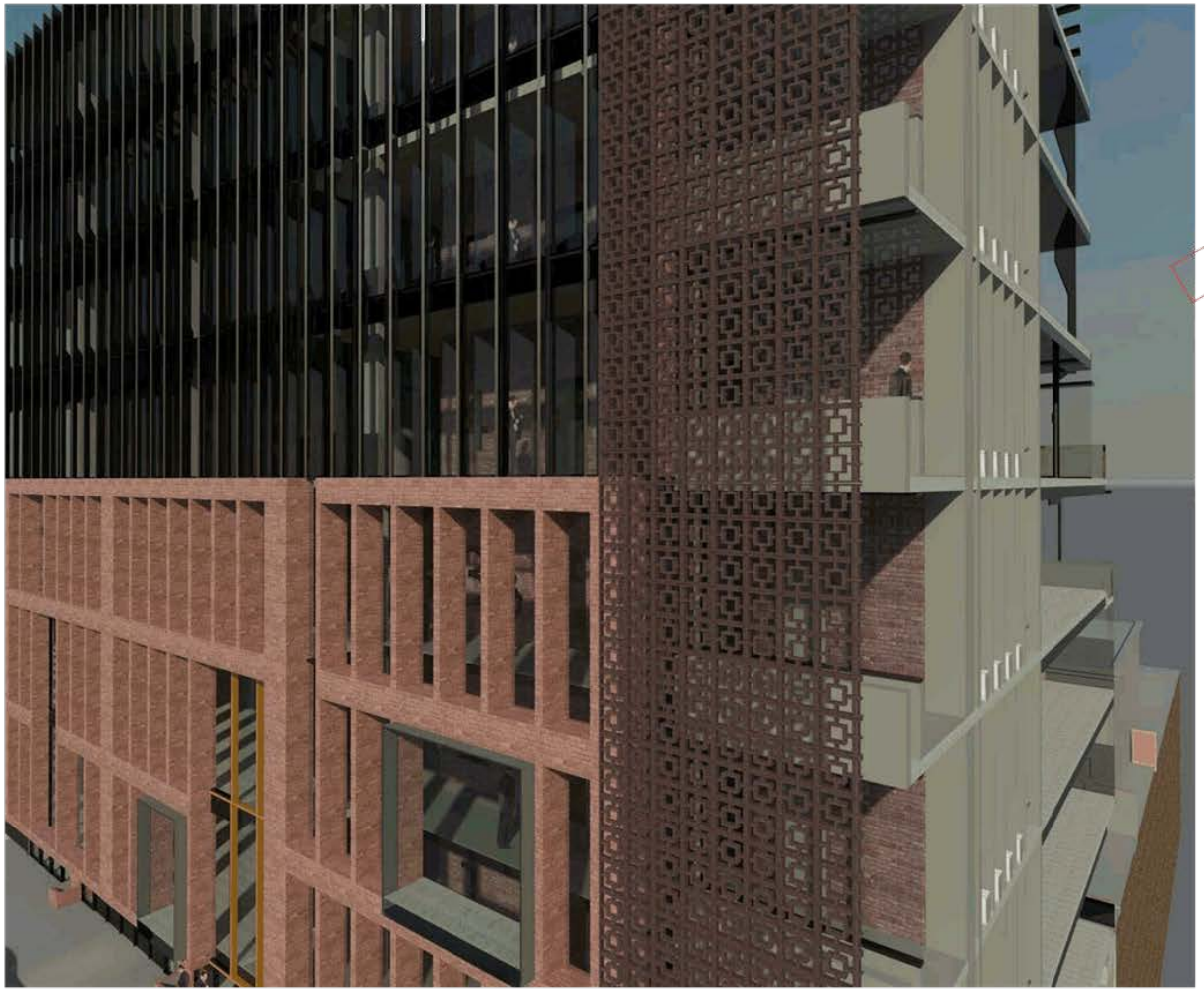
Attachment 3 - PLN17/0389-04: PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - sketch plan renders



WITHOUT PREJUDICE

DATE	REV	DETAILS	INIT

NOTE

EXISTING AND PROPOSED LANDSCAPING NOT SHOWN FOR CLARITY

bg architecture

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telephone +613 9525 3390 facsimile +613 9525 4280
email bgarch@bgarch.com.au www.bgarchitecture.com.au

PROJECT

PROPOSED OFFICE @ BUILDING 16a - 17a, ROSELLA COMPLEX, CREMORNE

DRAWING

PALMER PDE - BREEZEWALL DETAIL

SCALE	As indicated (A3)	DATE	Issue Date
DRAWN	GB	CHECKED	AG
JOB NUMBER	16-15		
DWG NUMBER	TP 715	ISSUE	
PLOT DATE	28/11/2017 12:13:37 PM		

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Attachment 3 - PLN17/0389-04: PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - sketch plan renders

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DATE	REV	DETAILS	INIT

NOTE

EXISTING AND PROPOSED LANDSCAPING NOT SHOWN FOR CLARITY

bg architecture

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telephone +613 9525 3390 facsimile +613 9525 4280
email bgarch@bgarch.com.au www.bgarchitecture.com.au

PROJECT

PROPOSED OFFICE @ BUILDING 16a - 17a, ROSELLA COMPLEX, CREMORNE

DRAWING

PALMER PDE - STREET LEVEL

SCALE	As indicated (A3)	DATE	Issue Date
DRAWN	GB	CHECKED	AG
JOB NUMBER	16-15		

DWG NUMBER TP 716 ISSUE

PLOT DATE 28/11/2017 12:13:37 PM ©

Sustainable Management Plan (SMP)

Referral Response by Yarra City Council

ESD in the Planning Permit Application Process

Yarra City Council's planning permit application process includes Environmentally Sustainable Development (ESD) considerations. This is now supported by the ESD Local Policy Clause 22.17 of the Yarra Planning Scheme, entitled *Environmentally Sustainable Development.*

The Clause 22.17 requires all eligible applications to demonstrate best practice in ESD, supported by the Built Environment Sustainability Scorecard (BESS) web-based application tool, which is based on the Sustainable Design Assessment in the Planning Process (SDAPP) program.

As detailed in Clause 22.17, this application is a 'large' planning application as it meets the category *Non-residential - 1,000m^2 floor area or greater.*

What is a Sustainable Management Plan (SMP)?
An SMP is a detailed sustainability assessment of a proposed design at the planning stage. An SMP demonstrates best practice in the 10 Key Sustainable Building Categories and;

- Provides a detailed assessment of the development. It may use relevant tools such as BESS and STORM or an alternative assessment approach to the satisfaction of the responsible authority; and
- Identifies achievable environmental performance outcomes having regard to the objectives of Clause 22.17 (as appropriate); and
- Demonstrates that the building has the design potential to achieve the relevant environmental performance outcomes, having regard to the site's opportunities and constraints; and
- Documents the means by which the performance outcomes can be achieved.

An SMP identifies beneficial, easy to implement, best practice initiatives. The nature of larger developments provides the opportunity for increased environmental benefits and the opportunity for major resource savings. Hence, greater rigour in investigation is justified. It may be necessary to engage a sustainability consultant to prepare an SMP.

Assessment Process:

The applicant's town planning drawings provide the basis for Council's ESD assessment. Through the provided drawings and the SMP, Council requires the applicant to demonstrate best practice.
The following comments are based on the review of the architectural drawings, prepared by *bg architecture (advertised set)* and the accompanying SMP, prepared by *GIW Environmental Solutions (prepared 11.04.2017).*

Sustainable Management Plan (SMP)
Referral Response by Yarra City Council

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Sustainable Management Plan (SMP)
Referral Response by Yarra City Council

Assessment Summary:

Responsible Planner:		Sarah Thomas	
ESD Advisor:		Euan Williamson	
Date:	15.09.2017	Planning Application No:	PLN17/0389
Subject Site:		16A-17A Balmain Street, Cremorne, VIC	
Site Area:	Approx. 1,710m^2	Site Coverage:	100%
Project Description:		Eight storey office building.	
Pre-application meeting(s):		None.	

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

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

(1) Applicant ESD Commitments:
- Energy efficiency to exceed NCC requirements by at least 10% and a greenhouse gas reduction of at least 30%
- Mixed-mode ventilation will include automated operable windows to all tenancies.
- High efficiency VRV with automated mixed mode HVAC.
- Good access to daylight with at least 40% of the floor area reaching a daylight factor of 2%.
- Glazing specification and shade fins will assist in glare control.
- A 44.5 kWp solar PV array to contribute to electricity consumption.
- Energy storage batteries.
- A STORM report (119% score) demonstrating best practice in stormwater management has been provided that relies on a minimum of 955m^2 of roof connected to a 35,000 litre tank for toilet flushing and irrigation, and a further 194m^2 of balconies connected to a 4m^2 raingarden for filtering.
- 116 plus 41 bicycle spaces for staff of 9441m^2 of office and end-of-trip facilities, plus an additional 8 visitor bike spaces.
- Electric vehicle charging facilities
- Energy efficient lighting system zoned and with sensor controls.
- Water efficient fixtures and taps.
- Sub-metering of water and energy for each floor with a display screen.
- Water efficient irrigation from rainwater tank with drip irrigation and moisture sensors.

(2) Application ESD Deficiencies:
There are no outstanding ESD Deficiencies identified at this time.

(3) Outstanding Information:
- Please note operable glazing on the architectural drawings.
- Please submit the completed energy efficiency JV3 model, confirming the proposed performance targets have been met, prior to commencement of works.
- Please state the expected system capacity (kWh) of the energy storage battery, and note approximate size and location on plans.

- SMP states the rainwater tank is on Basement 03, but the plans show it is on Basement 01. Please update to be consistent.

(4) ESD Improvement Opportunities

- Consider more extensive landscaping and ecological creation to enhance the ecological value of this site.

Further Recommendations:

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

1. Indoor Environment Quality (IEQ)

Objectives:

- to achieve a healthy indoor environment quality for the wellbeing of building occupants.
- to provide a naturally comfortable indoor environment will lower the need for building services, such as artificial lighting, mechanical ventilation and cooling and heating devices.

Issues	Applicant's Design Responses	Council Comments	CAR*
Natural Ventilation and Night Purging	Mixed-mode ventilation will include automated operable windows to all tenancies.	Please note operable glazing on the architectural drawings	3
Daylight & Solar Access	Good access to daylight with at least 40% of the floor area reaching a daylight factor of 2%.	-	1
Glare	Glazing specification and shade fins will assist in glare control.	-	1
Hazardous Materials and VOC	All paints, adhesives, sealants, floor and wall coverings to be low VOC type, and all engineered timber contain no/low formaldehyde.	-	1
Thermal Comfort	Good thermal comfort is determined through a combination of good access to ventilation, balanced passive heat gains and high levels of insulation. The application proposes for the office areas: - Access to natural ventilation, mixed mode HVAC. - Shading, façade & glazing to manage heat gains - Good thermal efficiency standards.	Please refer to section on, *NCC Energy Efficiency Requirements Exceeded* and *Effective Shading*	1

*** Council Assessment Ratings:**

1 – Design Response is SATISFACTORY; 2 – Design Response is NOT SATISFACTORY
3 – MORE INFORMATION is required; 4 – ESD IMPROVEMENT OPPORTUNITIES

References and useful information:
SDAPP Fact Sheet: 1. Indoor Environment Quality
Good Environmental Choice Australia Standards www.geca.org.au
Australian Green Procurement www.greenprocurement.org
Residential Flat Design Code www.planning.nsw.gov.au
Your Home www.yourhome.gov.au

2. Energy Efficiency

Objectives:

- to ensure the efficient use of energy
- to reduce total operating greenhouse emissions
- to reduce energy peak demand
- to minimize associated energy costs.

Issues	Applicant's Design Responses	Council Comments	CAR*
NCC Energy Efficiency Requirements Exceeded	Energy efficiency to exceed NCC requirements by at least 10% and a greenhouse gas reduction of at least 30%	Please submit the completed JV3 model, confirming these performance targets have been met, prior to commencement of works.	3
Hot Water System	Efficient gas hot water systems.	-	1
Peak Energy Demand	Peak demand reduced through various initiatives.	-	1
Effective Shading	Glazing specification and shade fins and overhangs to reduce solar heat gain.	-	1
Efficient HVAC system	High efficiency VRV with automated mixed mode HVAC.	-	1
Efficient Lighting	Energy efficient lighting system zoned and with sensor controls.	-	1
Electricity Generation	A 44.5 kWp solar PV array to contribute to electricity consumption.	-	1
Energy storage	Energy storage batteries.	Please state the expected system capacity (kWh), and approximate size and location.	3

*** Council Assessment Ratings:**

1 – Design Response is SATISFACTORY; 2 – Design Response is NOT SATISFACTORY
3 – MORE INFORMATION is required; 4 – ESD IMPROVEMENT OPPORTUNITIES

References and useful information:
SDAPP Fact Sheet: 2. Energy Efficiency
House Energy Rating www.makeyourhomegreen.vic.gov.au
Building Code Australia www.abcb.gov.au
Window Efficiency Rating Scheme (WERS) www.wers.net
Minimum Energy Performance Standards (MEPS) www.energyrating.gov.au
Energy Efficiency www.resourcesmart.vic.gov.au

3. Water Efficiency

Objectives:

- to ensure the efficient use of water
- to reduce total operating potable water use
- to encourage the collection and reuse of rainwater and stormwater
- to encourage the appropriate use of alternative water sources (e.g. grey water)
- to minimise associated water costs.

Issues	Applicant's Design Responses	Council Comments	CAR*
Minimising Amenity Water Demand	Water efficient taps and fittings with the following WELS ratings/flow rates: - 3 Star WELS 6.0 litre/min shower heads - 6 Star WELS rated tapware - 4 Star WELS rated toilets	-	1
Water for Toilet Flushing	A 35,000 rainwater tank will be provided connected to ground and level 1 toilets.	SMP states the tank is on Basement 03, but the plans show it is on Basement 01. Please update to be consistent.	3
Water Meter	Sub-metering of water and energy for each floor with a display screen.	-	1
Landscape Irrigation	Water efficient irrigation from rainwater tank with drip irrigation and moisture sensors.	-	1
Other	-	-	-

*** Council Assessment Ratings:**

1 – Design Response is SATISFACTORY; 2 – Design Response is NOT SATISFACTORY
3 – MORE INFORMATION is required; 4 – ESD IMPROVEMENT OPPORTUNITIES

References and useful information:
SDAPP Fact Sheet: 3. Water Efficiency
Water Efficient Labelling Scheme (WELS) www.waterrating.gov.au
Water Services Association of Australia www.wsaa.asn.au
Water Tank Requirement www.makeyourhomegreen.vic.gov.au
Melbourne Water STORM calculator www.storm.melbournewater.com.au
Sustainable Landscaping www.ourwater.vic.gov.au

4. Stormwater Management

Objectives:

- to reduce the impact of stormwater runoff
- to improve the water quality of stormwater runoff
- to achieve best practice stormwater quality outcomes
- to incorporate Water Sensitive Urban Design principles.

Issues	Applicant's Design Responses	Council Comments	CAR*
STORM Rating	A STORM report (119% score) demonstrating best practice in stormwater management has been provided that relies on a minimum of 955m^2 of roof connected to a 35,000 litre tank for toilet flushing and irrigation, and a further 194m^2 of balconies connected to a 4m^2 raingarden for filtering.	-	1
Discharge to Sewer	-	-	-
Stormwater Diversion	-	-	-
Stormwater Detention	-	-	-
Stormwater Treatment	-	-	-
Others	-	-	-

*** Council Assessment Ratings:**

1 – Design Response is SATISFACTORY; 2 – Design Response is NOT SATISFACTORY
3 – MORE INFORMATION is required; 4 – ESD IMPROVEMENT OPPORTUNITIES

References and useful information:
SDAPP Fact Sheet: 4. Stormwater Management
Melbourne Water STORM calculator www.storm.melbournewater.com.au
Water Sensitive Urban Design Principles www.melbournewater.com.au
Environmental Protection Authority Victoria www.epa.vic.gov.au
Water Services Association of Australia www.wsaa.asn.au
Sustainable Landscaping www.ourwater.vic.gov.au

5. Building Materials

Objectives:

- to minimise the environmental impact of materials used by encouraging the use of materials with a favourable lifecycle assessment.

Issues	Applicant's Design Responses	Council Comments	CAR*
Reuse of Recycled Materials	6% of materials will meet the transparency and sustainability requirements of stated programs in the SMP.	-	1
Embodied Energy of Concrete and Steel	Portland cement content reduced by 30% of mass across all concrete mixes.	-	1
Sustainable Timber	All timbers will be FSC or PEFC certified as sustainable.	-	1
Design for Disassembly	No information has been provided.	Consider a small pallet of materials and construction techniques that can assist in disassembly.	4
PVC	All pipes, flooring and blinds to meet the GBCA PVC Best practice Guidelines.	-	-

*** Council Assessment Ratings:**

1 – Design Response is SATISFACTORY; 2 – Design Response is NOT SATISFACTORY
3 – MORE INFORMATION is required; 4 – ESD IMPROVEMENT OPPORTUNITIES

References and useful information:
SDAPP Fact Sheet: 5. Building Materials
Building Materials, Technical Manuals www.yourhome.gov.au
Embodied Energy Technical Manual www.yourhome.gov.au
Good Environmental Choice Australia Standards www.geca.org.au
Forest Stewardship Council Certification Scheme www.fsc.org
Australian Green Procurement www.greenprocurement.org

6. Transport

Objectives:

- to minimise car dependency
- to ensure that the built environment is designed to promote the use of public transport, walking and cycling.

Issues	Applicant's Design Responses	Council Comments	CAR*
Minimising the Provision of Car Parks	Car parking in basement levels.	-	1
Bike Parking Spaces	116 plus 41 bicycle spaces for staff of 9441m^2 of office, plus an additional 8 visitor bike spaces.	-	1
End of Trip Facilities	End of trip facilities include showers and lockers.	-	1
Car Share Facilities	No information has been provided.	-	1
Electric vehicle charging	Electric vehicle charging facilities	-	1

*** Council Assessment Ratings:**

1 – Design Response is SATISFACTORY; 2 – Design Response is NOT SATISFACTORY
3 – MORE INFORMATION is required; 4 – ESD IMPROVEMENT OPPORTUNITIES

References and useful information:
SDAPP Fact Sheet: 6. Transport
Off-setting Car Emissions Options www.greenfleet.com.au
Sustainable Transport www.transport.vic.gov.au/doi/internet/icy.nsf
Car share options www.yarracity.vic.gov.au/Parking-roads-and-transport/Transport-Services/Carsharing/
Bicycle Victoria www.bv.com.au

7. Waste Management

Objectives:

- to ensure waste avoidance, reuse and recycling during the design, construction and operation stages of development
- to ensure long term reusability of building materials.
- to meet Councils' requirement that all multi-unit developments must provide a Waste Management Plan in accordance with the *Guide to Best Practice for Waste Management in Multi-unit Developments 2010*, published by Sustainability Victoria.

Issues	Applicant's Design Responses	Council Comments	CAR*
Construction Waste Management	90% recycling/reuse of construction and demolition waste.	-	1
Operational Waste Management	Separate waste streams collected across the building will include general waste, cardboard, glass, plastics, metals and organics.	-	1
Storage Spaces for Recycling and Green Waste	Area for separate recycling and general waste bins cannot be identified on the plans.	Please show area for waste and recycling streams on plans.	3
Others	-	-	-

*** Council Assessment Ratings:**

1 – Design Response is SATISFACTORY; 2 – Design Response is NOT SATISFACTORY
3 – MORE INFORMATION is required; 4 – ESD IMPROVEMENT OPPORTUNITIES

References and useful information:
SDAPP Fact Sheet: 7. Waste Management
Construction and Waste Management www.sustainability.vic.gov.au
Preparing a WMP www.epa.vic.gov.au
Waste and Recycling www.resourcesmart.vic.gov.au
Better Practice Guide for Waste Management in Multi-Unit Dwellings (2002)
www.environment.nsw.gov.au
Waste reduction in office buildings (2002) www.environment.nsw.gov.au

8. Urban Ecology

Objectives:

- to protect and enhance biodiversity
- to provide sustainable landscaping
- to protect and manage all remnant indigenous plant communities
- to encourage the planting of indigenous vegetation.

Issues	Applicant's Design Responses	Council Comments	CAR*
On Site Topsoil Retention	There is no productive topsoil on this site.	-	NA
Maintaining / Enhancing Ecological Value	Landscaping and planter boxes will marginally improve the ecological value of the site.	Consider more extensive landscaping and ecological creation to enhance the ecological value of this site.	1
Heat Island Effect	No information has been provided.	-	1
Communal Spaces	Communal spaces provided.	-	1

*** Council Assessment Ratings:**

1 – Design Response is SATISFACTORY; 2 – Design Response is NOT SATISFACTORY
3 – MORE INFORMATION is required; 4 – ESD IMPROVEMENT OPPORTUNITIES

References and useful information:
SDAPP Fact Sheet: 8. Urban Ecology
Department of Sustainability and Environment www.dse.vic.gov.au
Australian Research Centre for Urban Ecology www.arcue.botany.unimelb.edu.au
Greening Australia www.greeningaustralia.org.au
Green Roof Technical Manual www.yourhome.gov.au

9. Innovation

Objective:

- to encourage innovative technology, design and processes in all development, which positively influence the sustainability of buildings.

Issues	Applicant's Design Responses	Council Comments	CAR*
Significant Enhancement to the Environmental Performance	-	-	-
Innovative Social Improvements	-	-	-
New Technology	-	-	-
New Design Approach	-	-	-
Others	-	-	-

*** Council Assessment Ratings:**

1 – Design Response is SATISFACTORY; 2 – Design Response is NOT SATISFACTORY
3 – MORE INFORMATION is required; 4 – ESD IMPROVEMENT OPPORTUNITIES

References and useful information:
SDAPP Fact Sheet: 9. Innovation
Green Building Council Australia www.gbca.org.au
Victorian Eco Innovation lab www.ecoinnovationlab.com
Business Victoria www.business.vic.gov.au
Environment Design Guide www.environmentdesignguide.com.au

10. Construction and Building Management

Objective:

- to encourage a holistic and integrated design and construction process and ongoing high performance

Issues	Applicant's Design Responses	Council Comments	CAR*
Building Tuning	Comprehensive commissioning and tuning to all building services.	-	1
Building Users Guide	A building users' manual explaining optimal usage of sustainability features within the development including rainwater tanks, energy systems, etc.	-	1
Contractor has Valid ISO14001 Accreditation	Selection of a construction contractor with an ISO 14001 is to be highly weighed in the assessment criteria.	-	1
Construction Management Plan	An Environmental Management Plan will be developed by the building contractor to monitor and control activities undertaken during construction.	-	1
Others	-	-	-

*** Council Assessment Ratings:**

1 – Design Response is SATISFACTORY; 2 – Design Response is NOT SATISFACTORY
3 – MORE INFORMATION is required; 4 – ESD IMPROVEMENT OPPORTUNITIES

References and useful information:
SDAPP Fact Sheet: 10. Construction and Building Management
ASHRAE and CIBSE Commissioning handbooks
International Organization for standardization – ISO14001 – Environmental Management Systems
Keeping Our Stormwater Clean – A Builder's Guide www.melbournewater.com.au

Sustainable Management Plan (SMP)
for planning applications being considered by Yarra Council

Applicant Response Guidelines

Project Information:

Applicants should state the property address and the proposed development's use and extent. They should describe neighbouring buildings that impact on or may be impacted by the development. It is required to outline relevant areas, such as site permeability, water capture areas and gross floor area of different building uses. Applicants should describe the development's sustainable design approach and summarise the project's key ESD objectives.

Environmental Categories:

Each criterion is one of the 10 Key Sustainable Building Categories. The applicant is required to address each criterion and demonstrate how the design meets its objectives.

Objectives:

Within this section the general intent, the aims and the purposes of the category are explained.

Issues:

This section comprises a list of topics that might be relevant within the environmental category. As each application responds to different opportunities and constraints, it is not required to address all issues. The list is non-exhaustive and topics can be added to tailor to specific application needs.

Assessment Method Description:

Where applicable, the Applicant needs to explain what standards have been used to assess the applicable issues.

Benchmarks Description:

The applicant is required to briefly explain the benchmark applied as outlined within the chosen standard. A benchmark description is required for each environmental issue that has been identified as relevant.

How does the proposal comply with the benchmarks?

The applicant should show how the proposed design meets the benchmarks of the chosen standard through making references to the design brief, drawings, specifications, consultant reports or other evidence that proves compliance with the chosen benchmark.

ESD Matters on Architectural Drawings:

Architectural drawings should reflect all relevant ESD matters where feasible. As an example, window attributes, sun shading and materials should be noted on elevations and finishes schedules, water tanks and renewable energy devices should be shown on plans. The site's permeability should be clearly noted. It is also recommended to indicate water catchment areas on roof- or site plans to confirm water re-use calculations.

Attachment 5 - PLN17/0389 - 16A - 17A 64 Balmain Street Cremorne - Engineering comments

CITY OF YaRRA

MEMO

To:	**Sarah Thomas**	
From:	**Mark Pisani**	
Date:	**6 October 2017**	
Subject:	**Application No:**	**PLN17/0389**
	Description:	**Office Development**
	Site Address:	**16A-17A/64 Balmain Street, Cremorne**

I refer to the above Planning Application received on 29 August 2017 and the accompanying report prepared by Cardno in relation to the proposed development at 16A-17A/64 Balmain Street, Cremorne. Council's Engineering Services unit provides the following information:

CAR PARKING PROVISION

Proposed Development

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

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Office	9,108 m^2	3.5 spaces per 100 m^2 of net floor area	318	112

The development would have a parking shortfall of 206 office car parking spaces. 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:

- *Availability of Public Transport in the Locality of the Land*. The site is within walking distance of tram services operating along Church Street. The Richmond and East Richmond railway stations and tram services operating along Swan Street are also within walking distance of the site. Buses operating along Punt Road can also be reached on foot.
- *Multi-Purpose Trips within the Area.* Clients and customers to the site who choose to drive might combine their visit by engaging in other business or activities whilst in the area.
- *Convenience of Pedestrian and Cyclist Access*. The site has very good walking accessibility to public transport nodes. The site also has good connectivity to the on-road bicycle network.
- *Parking Demand for Office Use*. Parking associated with office type developments is generally long-stay parking for employees and short term parking (say up to two hours' duration) for customers and clients. The actual parking demand generated by the office is expected to be lower than the statutory parking rate of 3.5 spaces per 100 square metres of floor space, since the area has very good access to public transport services.

Attachment 5 - PLN17/0389 - 16A - 17A 64 Balmain Street Cremorne - Engineering comments

The proposed office would have a car parking provision rate of 1.23 spaces per 100 square metres (112 on-site spaces for 9,108 square metres of floor area). In Cremorne, a number of developments have been approved with reduced office rates, as shown in the following table:

Development Site	Approved Office Parking Rate
9-11 Cremorne Street PLN16/0171 (Amended) issued 13 June 2017	0.85 spaces per 100 m^2 (20 on-site spaces, 2,329 m^2)
33 Balmain Street PLN15/0309 issued 21 October 2015	0.78 spaces per 100 m^2 (14 on-site spaces, 1788.1 m^2)
13 Cubitt Street PLN16/1022 issued 20 December 2016	0.41 spaces per 100 m^2 (3 on-site spaces, 726.25 m^2)

The proposed on-site office parking rate of 1.23 spaces is considered appropriate for the Cremorne area, having regarding to the site's excellent accessibility to public transport services and proximity to Melbourne.

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*. Cardno had conducted an on-street parking occupancy survey of the surrounding area on Wednesday 29 March 2017 at 9:30am. The survey information is incomplete. GRA Consultants had conducted an on-street parking survey of the surrounding area for the development application for 57 Balmain Street on Tuesday 29 November 2016 from 10:00am to 5:00pm. The results of this survey indicate that the peak parking occupancy had occurred at 3:00pm with no on-street parking vacancies available. The streets in Cremorne cannot practically accommodate long-stay parking demands for office employees.
- *Relevant Local Policy or Incorporated Document*. The proposed development is considered to be in line with the objectives contained in Council's *Strategic Transport Statement*. The site is ideally located with regard to sustainable transport alternatives and the reduced provision of on-site car parking would potentially discourage private motor vehicle ownership and use.

Adequacy of Car Parking

From a traffic engineering perspective, the waiver of 206 office parking spaces is considered appropriate in the context of the development and the surrounding area. The on-street parking demand in the Cremorne area is very high and close to saturation point – unsuitable for accommodating long-stay office parking demands. The reduced on-site parking provision is not dissimilar to those approved for nearby office developments.

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

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TRAFFIC GENERATION

The traffic generation for the site adopted by Cardno is as follows:

Proposed Use	Adopted Traffic Generation Rate	Daily Traffic	Peak Hour	
			AM	PM
Office	0.50 trips per space - AM peak hour 0.40 trips per PM peak hour 3.50 vehicle trips per space per day	392	56	45

The traffic generation rates adopted by Cardno are considered reasonable.

Traffic Impact Assessment

The turning movement count of the Balmain Street-Stephenson Street-Balmain Street intersection and the tube counts for Palmer Parade and Gwynne Street were conducted back in 2012. This traffic count data is considered outdated.

Up to date traffic data is required for the traffic impact assessment of the development. The applicant is to conduct the necessary traffic counts and resubmit the traffic impact assessment to Council.

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DEVELOPMENT LAYOUT DESIGN
Layout Design Assessment

Item	Assessment
Access Arrangements	
Development Entrance	The development entrance has a width of 7.0 metres and satisfies *Design standard 1 – Accessways* of Clause 52.06-9.
Visibility	The north edge of the vehicle crossing is aligned at an oblique angle, which would provide a sight line for exiting motorists. The plantations within the garden bed adjacent to the north edge of the crossing should be maintained at a height of no more than 900 mm.
Headroom Clearance	Not dimensioned on the drawings.
Internal Ramped Accessways	The internal ramps have minimum wall-to wall widths of 7.0 metres and satisfy *Design standard 1*.
Vehicle Passing Movements – Internal Ramped Accessways	Swept path diagrams for vehicle passing movements within curved internal ramps not provided.
Car Parking Modules	
At-grade Parking Spaces	The dimensions of the at-grade parking spaces (4.9 metres by 2.6 metres) satisfy *Design standard 2: Car parking spaces*.
Numbering of Spaces	Not provided; making space identification difficult.
Accessible Parking Space	With the exception of the lengths (which satisfy *Design standard 2*), the accessible parking spaces and shared areas satisfy the Australia/New Zealand Standard AS/NZS 2890.6:2009.
Tandem Parking Sets	The tandem parking sets with 10.3 metre lengths satisfy *Design standard 2: Car parking spaces*.
Aisles	The 6.4 metre aisles satisfy the requirements of *Table 2: Minimum dimensions of car parking spaces and accessways* of Clause 52.06-9.
Column Depths and Setbacks	Column depths and setbacks satisfy *Diagram 1 Clearance to car parking spaces* of Clause 52.06-9.
Clearances to Walls	Clearances of no less than 400 mm have been provided.
Spaces abutting NBN Room	These spaces have not been provided with 300 mm clearances.
Vehicle Exit Movements – Blind Aisle Ends	Swept path diagrams for a B85 design vehicle exiting the spaces adjacent to the blind aisle ends are considered satisfactory.
Gradients	
Ramp Grade for First 5.0 metres inside Property	The ramp grade for the first 5.0 metres inside the building line is 1 in 10 and satisfies *Design standard 3: Gradients*.
Ramp Grades and Changes of Grade	The ramp grades and the changes of grade for the ramped accessway and the internal ramps satisfy *Design standard 3*.
Ground Clearance Check – Internal Ramps	Not provided for internal ramps.

Attachment 5 - PLN17/0389 - 16A - 17A 64 Balmain Street Cremorne - Engineering comments

Item	Assessment
Other Items	
Undersized Tandem Parking Sets	On each basement level, one tandem parking set has a length of 10.02 metres. Since these parking tandem sets do not satisfy Design standard 2, consideration should be given to designating them as Small Car Spaces.
Small Rigid Vehicle Manoeuvring	The swept path diagrams provided for a 6.4 metre Small Rigid Vehicle adequately demonstrate entry and exit movements into and out of the indented parking space on the west side of Palmer Parade.

Design Items to be Addressed

Item	Details
Headroom Clearance	To be dimensioned at the development entrance and for the basement car parks and ramps.
Vehicle Passing Movements – Internal Ramped Accessways	Swept path diagrams for a B99 design vehicle and an oncoming B85 design vehicle are to be provided for vehicle passing movements within the curved internal ramps.
Accessible Parking Space	The clearance height above the accessible parking spaces must be 2.5 metres as required by AS/NZS 2890.6:2009 - *Figure 2.7 Headroom required above Car Spaces for People with Disabilities*.
Numbering of Spaces	Spaces should be numbered on the drawings.
Spaces abutting NBN Room	The spaces abutting the NBN room should be provided with 300 mm clearances or be converted to Small Car Spaces.
Ramp Grades	Ramp grade sections are to be dimensioned on the drawings.
Ground Clearance Check – Internal Ramps	The applicant is to provide ground clearance checks along the inside radii of the curved ramps using the B99 design vehicle. The ground clearance checks must provide the ramp grades and lengths of each ramp grade section.
Service Cabinet Doors	All service cabinet doors that swing outwards on footpaths and walkways should be able to swing 180 degrees and be latched to the walls of the building.

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

Attachment 5 - PLN17/0389 - 16A - 17A 64 Balmain Street Cremorne - Engineering comments

the site has a high level of serviceability for residents, employees, visitors and other users of the site.

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The footpath and kerb and channel along the development's Gwynne Street frontage require reconstruction once all works have been completed. Invariably, footpaths and kerbing outside development sites would be trenched and cut open for utility service connections and tappings. More often than not, the footpath and kerb and channel would be damaged during development works.

ENGINEERING CONDITIONS
Civil Works

Upon the completion of all building works and connections for underground utility services,

- The kerb and channel along the property's Gwynne Street road frontage must be reconstructed to Council's satisfaction and at the Permit Holder's cost.
- The footpath along the property's Gwynne Street road frontage must be reconstructed to Council's satisfaction and at the Permit Holder's cost. The footpath must have a cross-fall of 1 in 40 or unless otherwise specified by Council.
- Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any area/s of any damage caused by the development works and associated utility service trenching in relation to the development along Gwynne Street must be re-sheeted for the full width (with any areas of pavement failure as a consequence of construction traffic must be reinstated with full depth pavement):
    - at the permit holder's cost; and
    - to the satisfaction of the Responsible Authority.

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.

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.

Discharge of Water from Development

- Only roof runoff, surface water and clean groundwater seepage from above the water table can be discharged into Council drains.
- Contaminated ground water seepage into basements from above the water table must be discharged to the sewer system through a trade waste agreement with the relevant authority or in accordance with EPA guidelines.

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- Contaminated groundwater from below the water table must be discharged to the sewer system through a trade waste agreement from the relevant sewer authority.
- Council will not permit clean groundwater from below the groundwater table to be discharged into Council's drainage system. Basements that extend into the groundwater table must be waterproofed/tanked.

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.

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.

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

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

Mark Pisani
Senior Development Engineer
Engineering Services Unit

Attachment 6 - PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Heritage advice

City of Yarra
Heritage Advice

Application No.: PLN17/0389

Address of Property: 16A, 17, 17A, 64 Balmain Street, Cremorne

Planner: Sarah Thomas

Yarra Planning Scheme References: Clauses 43.01, 21.05, 22.02 and 22.10. External paint controls apply.

Heritage Overlay No. Not covered by a heritage Overlay but abuts HO 349 Rosella Factory Complex.

Level of significance The part of the Rosella Complex which is the subject of this application is Buildings 16A, 17 and 17A, (as shown on TP001 and TP002) No. 64 Balmain Street, Cremorne, Rosella Preserving Company factory complex & signs. The development site is located between Building 16 (to the south), constructed 1928 and Building 18 (to the north) constructed 1928-1960. Both are listed as being Contributory in Appendix 8, *City of Yarra Review of Heritage Overlay Areas 2007* (Revised May, 2017).

I note that in the Table the date of construction for Building 18 is 1928 – 1960 but in the citation it is 1924 – 1960.

The existing conditions plans show that the subject site is occupied by Buildings 16A, 17 and 17A (TP001). However the Design Response (TP002) shows the subject site as being 16A and 17A only and with Building 17 not being shown.

I also note that the Lovell Chen report states that the development site is located between Buildings 15 and 18 and refers also to Building 15 elsewhere in the report where the building description fits with Building 16.

Despite this confusion it is clear where the actual site is.

Level of significance

Building 16 is not included in the citation(s) for the Rosella complex. The relevant part of the Rosella Complex citation reads:

> Area components
> Address:57 & 64 Balmain Street
> Buildings or element
> 1, 2 (facade & 8 m depth), **18 (facade & 7.5 m depth)**; Individual 6, 7, 12, 13, 15
> Building or element group
> - Building 1: 57 Balmain St (property number 162540)
> - Building 2: 64 Balmain St, property number 162270 (8m depth)
> Statement of Significance
>
> **What is significant?**
>
> The Rosella complex was established on the site of the former Cremorne Gardens at Balmain Street, Cremorne, in 1905. The Rosella Preserving Company, formed in 1895, was already well established when, in 1904, it acquired land once used for parking and stabling for the Cremorne Gardens for a new factory at Balmain Street. In 1902 the Company, operating from Kings Buildings Errol Street North Melbourne had won the

only Gold medal presented at the Victorian Golden Jubilee Exhibition. As well as manufacturing the famous tomato sauce, many varieties of jams, canned fruits, sauces, chutney and candied peels under the 'Rosella' and Waratah' brands, the Company held agencies for Vinegar, Burns Cream, Gloss for Boots, Mortien, Phenole, Lanoline, Eagle Brand Blacking and matches.(105)

The new Rosella factory, designed by architect J.E. Burke and built in 1905 by the well known local builder Clements Langford. (106), had front walls of brick, factory of galvanised iron, iron chimney stack and brick floors grounded in cement. It was considered 'probably the largest factory of its kind in the Commonwealth'. The building is illustrated in a company letter head from the 1900s. 1920 saw the erection of a 3-storey building at the rear of the main factory (assumed Building No. 6), a new engineers shop, and a building for the lacquering of tin plate erected in the yard. Building 7 followed in 1922 and Building 2 rebuilt in c1924, Building 13 built in 1928, buildings 15 & part 18 soon after in 1928, Building 12 in 1935, and Building 1 in c1936-7. Most of Building 18 is thought to have been built c1960. Most of the extant buildings were built in the 1920s and 1930s. The complex was closed around the early 1980s and in 1983 the present refurbishment and reconstruction works were commenced, involving the extension of Palmer Parade north to Balmain Street.

Main development era

The main development era is the inter-war period.

Contributory elements

The contributory elements in the complex include (but not exclusively): a group of buildings 1, 2 (facade & 8 m depth) and **18 (facade & 7.5 m depth),** plus individual buildings 6, 7, 12, 13, and 15 (refer to Figure 1). The characteristics of these contributory elements that give significance to the heritage overlay area are typically:

- Face red brick walls, some with pilasters with corbelled cornices;
- Simple rectangular, one, two and three storey building forms but typically two storey scale originally;
- Parapeted rooflines with pitched roofs visible behind, some roofs being saw-tooth in profile;
- Punched window and door openings, with expressed rendered lintels, formerly with multi-paned glazing, some timber-framed, some steel framed;
- Use of significant parapet entablature Rosella business signs, in bas-relief;
- High streetscape qualities in Balmain St of the group, being buildings 1, 2 and 18, as enhanced by the visual relationship between these buildings, the street alignment and the railway bridge and elevated railway.

Buildings or elements

The following section provides the significant original aspects of each building that should be conserved. Known changes to the buildings are listed where visually related change may be possible in future development.

Building 18 Finished Goods Warehouse and Tomato Preparation etc. c1924 (part Building 2), c1960-

Original or early contributory fabric:

- Large, two-storey form,
- Expressed concrete frame,
- Pressed red brick cladding, with stucco trim,

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- A plain parapet to Balmain street and a shallow pitched gabled parapet on the west side,
- A narrow brick wall-bay at the east end of the north facade, as the original west end of the north facade of building 2 (now across Palmer Parade) with a cantilevered cement-rendered and gabled porch over a doorway, and the letters `Estb. 1895' in raised cement letters above the porch, a brick infilled panel above this, and a Rosella medallion on the parapet.

The north elevation of this building did not have a Balmain Street address at the time of its construction but in its present form, the building has a strong visual relationship with buildings 1 and 2, adding to the sense of unity within the former Rosella complex. [Emphasis added.]

Changes:

- The east side of the building has been altered and over-painted, as has the ground level north elevation; and
- Recent windows on the west side and new openings and windows on the north side.

How is it significant?

This group of buildings has historic, aesthetic and social significance to the City of Yarra (NER criteria A4, E1, G1).

Why is it significant?

The former Rosella complex is significant:

- For the long association with, and evocation of, the Rosella company and brand name, as celebrated on the buildings of the complex in words and pictures. The Rosella name and parrot symbol is demonstrably home-grown and sits with examples such as Swallow and Arial, Arnott's Biscuits, Vegemite, IXL Jam, Aeroplane Jelly, and the Akubra hat, in the pantheon of Australian brands that have been household names throughout most of the twentieth century. This significance is demonstrated both by the extent of the building complex and the signage which resonates in the minds of shoppers today, denoting a familiar manufacturer of food products for over a century, and tells us 'this was the home of Rosella when it was at its peak;

- As part of an iconic group of local industrial complexes, including Bryant and May, the Union Brewery and the Cremorne Brewery, that collectively established the historic identity of Richmond and, in this case, the Cremorne area, as a nineteenth and early twentieth century industrial working class suburb.

- As an example of use of raised cement ornamental parapet signs to promote the presence of industries in their locale, a past practice, made virtually obsolete by the Second World War and typically replaced today by illuminated signs. The Rosella complex makes a key contribution to Richmond's collection of significant industrial signs which includes signs at Bryant & May, AKM, Kayser and Pelaco;

- As a demonstration of the contemporary approach to the location of industrial development in the inner suburbs where successful manufacturing was dependent on workers residing locally or on tram and rail access routes for employees, materials and markets;

Attachment 6 - PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Heritage advice

- For the distinctive juxtaposition of the buildings, especially in Balmain Street and along the multiple track railway, between Richmond and South Yarra (raised in 1899), evoking rapidly vanishing images of nineteenth and early twentieth century industry in the metropolis;

- For the key visual relationship between Buildings 1, 2 and 18, the curving form of Balmain St and the railway bridge across Balmain Street, as especially critical to the resultant space defined by the Rosella complex, together with the distant glimpses of other industrial premises including the Bryant and May tower.

It is clear from the above that Building No. 1 is more of historical significance as part of the Rosella complex, rather than having any individual aesthetic significance, and within the broader industrial context of Cremorne. Being a former Garage and Store (Boiler House), it was an utilitarian building, notwithstanding the decorative parapet which was more the trademark of the Rosella Company than any individual embellishment of this building.

Proposal

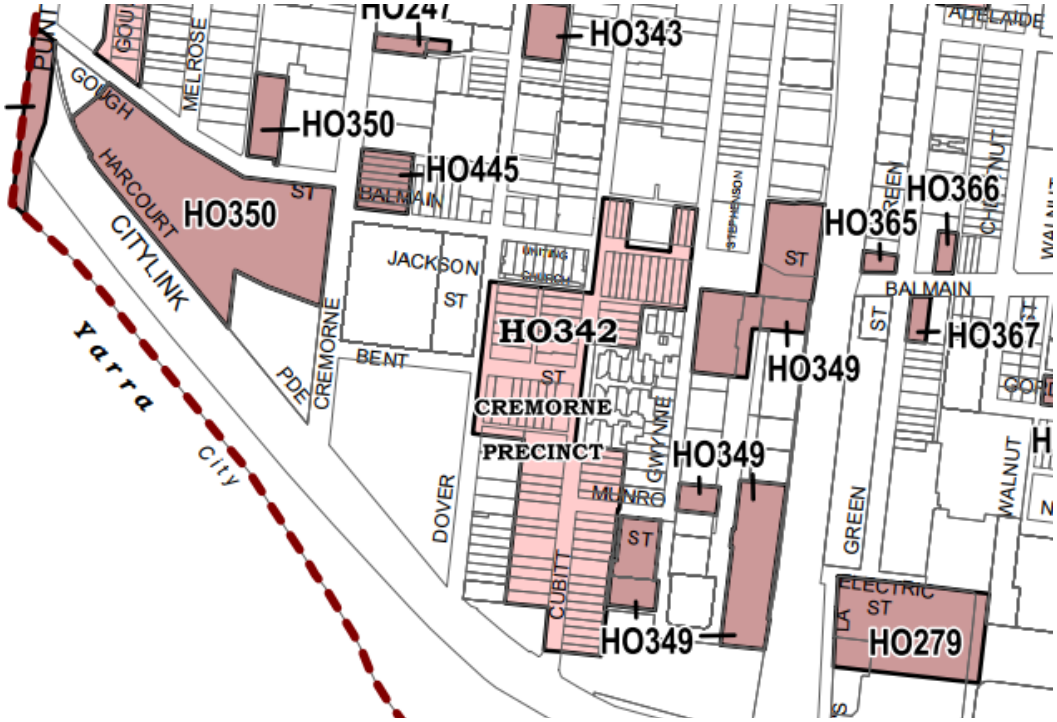
To demolish the existing building and and to construct 8 levels above a 3 level basement.

Drawing Numbers

28 pages of architectural drawings and images, prepared by BG Architecture, with Council date stamp 23 Aug 2017 or no date stamp.

Letter regarding heritage issues, prepared by Lovell Chen dated 17 August, 2017 with Council date stamp 23 Aug 2017.

Context Description



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The general area is mixed with pockets of Heritage Overlay Areas juxtaposed with other non-heritage sites, including industrial/warehouse type buildings, some of recent origins and some of contemporary design.

There is limited visual connection between HO 342 and HO 349 (Rosella) so the scope for innovative and contemporary architecture on several sites is perhaps wider than might typically be the case. Nevertheless any new built form needs to display design excellence to complement the heritage place.

Palmer Parade, other than for No. 6 i.e. Rosella Building 6 is devoid of any significance or interest.

Gwynne Street has a mixed character and this part is dominated by the high blank rear wall of the subject site. The only element of significance in the vicinity is Rosella Building 16 and the only other elements of interest are some single-storey cottages opposite the subject site.

Rosella Buildings 16 and 18 are robust gabled buildings which present a typical industrial appearance which is of little individual aesthetic merit

Assessment of Proposed Works

Demolition

There is no demolition plan.

The existing single storey building is a concrete slab warehouse of no significance or even interest. Demolition of this building raises no heritage issue.

Proposed works

Built form (height/setbacks)

Noting that the Rosella complex is significant for its industrial past and details which identify that and some specific relationships between buildings and elements which are not affected by this application; there is considerable scope to introduce contemporary design, moreover given that none of the Rosella buildings, and certainly not abutting the development site, have been individually identified as having any aesthetic qualities other than for “Rosella” parapets.

In this case assessing what is proposed it is not simply a matter of considering height and setbacks in a formulaic fashion. Rather it is a matter of how any proposed building fits into its specific context.

The height of 30.7 metres on the east elevation and 31.3 metres on the west elevation, both street frontages, is acceptable from a heritage perspective in this context.

The setbacks from Palmer Parade are minimal and from Gwynne Street they are minimal or zero at the Ground level. Setbacks at the upper levels along Palmer parade are also zero. Along Gwynne Street they are zero but in some areas there are terraces behind balustrades which are on the boundary. This is acceptable.

However, the east and west façades are long and situated in narrow streets. As drawn and illustrated these façades are unnecessarily busy and dark. While the use of red face brick elements is a reference to the industrial buildings, they are out-of-place here and do nothing architecturally – they are clumsy. Similarly the gabled element, obviously a reference to the abutting building, does nothing to link them together – rather it appears an unhappy

pastiche. The vertical ribs present as a cage-like appearance and where this has been constructed elsewhere in Yarra (Smith Street), and other examples elsewhere, the unfortunate effect indicated on the drawings has eventuated. All this leads to a dominant and overbearing presentation which will detract from the heritage building nearby i.e. Rosella complex. There is scope for good contemporary design which complements rather than competes with or detracts from the character and characteristics of the Rosella buildings – they should remain the most visually solid and dark (red brick) buildings with new buildings being a lighter contrast. The design needs to be lightened in colour and simplified in materiality, and generally toned down to be quieter while being a worthy contribution to the streetscape.

That said, I note that the under the heading "Setbacks & Building Height" (Cl. 22.10-3.3) in the Built Form and Design Policy (Cl. 22.10) the Design Guidelines for land abutting a Heritage Overlay require that:

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

However, given the nature of the heritage place, and the unlikely result of any improved outcome by compliance with this policy, in this circumstance I would not be of the view that these requirements are necessary here. Rather it is my opinion that the façade design should be guided more by the Urban form and character Design Objectives (Cl. 22.10-3.2), the relevant ones being:

> To retain and extend the City's fine grain of street pattern and urban form.
>
> To ensure that developments contribute positively to the urban fabric and public realm.

A redesigns of the external design should respond to these objectives.

Colours and materials

Discussed above.

Interpretation

I note that in an application for 57 Balmain Street, which is also part of the Rosella complex, the proposition of an interpretative trail including sites such as Rosella, Bryant and May and the like formed part of the proposal. I expressed a view that interpretation would be a key element in relation to any approval of that application given the discussion held at the meeting with Council and the client group. I also noted that this would be supported in principle is perhaps a first for Yarra and this precinct and also that interpretation should be seen against building design, given that rather bold contemporary design is increasingly forming major components of applications in the Cremorne industrial area. This needs to be balanced so as not to take away from the industrial heritage of the Rosella, ot other significant heritage site such as Bryant and May or the Richmond Maltings sites and also to add to the industrial heritage of the area in a positive and meaningful way.

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I see nothing different in this regard to my previous comments and would expect that the interpretation of this part of the Rosella site would be part of a broader interpretation of Cremorne's industrial heritage and that this should be a condition on any permit.

Recommendation / Comments:

Not approved in its current form.

The setbacks and height are acceptable but the external design needs to be reconsidered as indicated above.

This part of the Rosella site should be part of a broader interpretation of Cremorne's industrial heritage and that this should be a condition on any permit. A detailed interpretation plan is to be provided to the satisfaction of the Responsible Authority before any permit is issued for this and the other Rosella and industrial sites. It is expected that this will include a trail and otherwise be as commented upon previously in relation to 57 Balmain Street. No painted external walls of buildings should be contemplated as this is counter to the plain robust industrial character of these buildings. As stated previously, apart from other factors, such as graffiti and vandalism, how would they be maintained in the future?

Signed:

Robyn Riddett

Director – Anthemion Consultancies

Date: 31 October, 2017

Attachment 7 - PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Construction managment unit comments

Hi Sarah,
As discussed, please find additional comments below from Construction Management regarding the submitted plans for PLN170389 - 16A - 17A, 64 Balmain Street Cremorne.

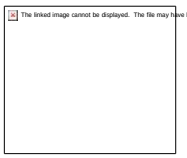
PLN170389 - 16A - 17A, 64 Balmain Street Cremorne – Construction Management comments

Gwynne St frontage

- Construction management are not in favour of proposed bicycle crossover on Gwynne St. Crossover is not required for vehicle entry to site and will reduce on street parking.
- Construction management are not in favour of the mixed materials and angled alignment of feature paving for Gwynne St footpath.
    - The differing rate of settlement of different materials is likely to create tripping hazards.
- Redundant pits/services to be removed and council assets to be reinstated.
- Redundant legal points of discharge to be removed and council assets to be reinstated.

Kind regards,

Ciaran Maher



Construction Management
City of Yarra
PO Box 168 Richmond 3121
T: 03 9205 5585

CITY OF YARRA

MeMO

TO:	Sarah Thomas (Statutory Planning)
FROM:	Hayley McNicol (Urban Design)
DATE:	2 October 2017
SUBJECT:	16A-17A / 64 Balmain Street, Cremorne 3121
APPLICATION NO:	PLN17/0389
DESCRIPTION:	Nine storey office building

Urban Design comments have been sought on the above application, in particular on the height, massing, design detailing and public realm aspects of the proposed new building. Comments are provided below and are based on the drawings received 19 April 2017.

Built form and massing

- The site is located in Cremorne, within a pocket of industrial buildings which range between one and three storeys in height (about four contemporary storeys). This sits directly next to a low-rise residential neighbourhood to the west, and an elevated railway line to the east. The site is not located in a Heritage Overlay, but sits amongst a number of heritage buildings which are part of the historic Rosella complex (HO349).

- The Swan Street Structure Plan identifies the site as being part of the Rosella complex, which sits within the 'River Edge Precinct'. It states that *"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"*. The Structure Plan does not give specific recommendations in relation to the height and form of any new development within the Rosella complex, but identifies it as a 'Further Investigation Area' needing further masterplanning work.

- The 'Built Form and Design Policy' under Clause 22.10-3.3 seeks to *"ensure that the setbacks of new development complement the desired neighbourhood character of the area"* and *"ensure that the height of new development is appropriate to the context of the area … and respects the prevailing pattern of heights of the area where this is a positive contribution to neighbourhood character"*. The Decision Guidelines states that *"the height of new development abutting land in a Heritage Overlay should:*

- *adopt a façade height to the street frontage which is no higher than the adjacent building within the Heritage Overlay;*
- *design and site taller structures so that they do not visually dominate surrounding heritage places; and*
- *match the floor levels of the adjacent heritage building".*

- The proposed building would be nine storeys in height in total. Although the wider area has examples of some taller buildings (such as the area west of Dover Street), it is noted that the more immediate environment is lower in scale. The surrounding buildings within the complex are up to three storeys in height (four contemporary storeys), and many of these heritage buildings are part of the Rosella complex which positively contribute to the character of the area. The residential neighbourhood directly to the west of the site is characterised by predominantly double storey buildings. Considering the character of the local area and the scale of the Rosella buildings (which are a valued part of the area), in our view the proposed nine storey building is excessive in height and does not meet Clause 22.10-3.3. Whilst we expect that any development on the site has the potential to taller than the surrounding buildings, these should not be too contrasting in scale.

- Along Gwynne Street, the street wall height of the proposed development is similar to the adjoining heritage buildings to the north and south, which is an appropriate response to reinforce this strong street wall along Gwynne Street. The upper floors are in general are set back about six metres which are acceptable in our view as it provides a good distinction between the street wall and the upper levels, and helps to reinforce the street wall as the more dominant element in the street.

- Along Palmer Parade:
  - We note that although this is a private road it services a number of properties, with the properties on the east side having their sole access from Palmer Parade. Therefore in our view the character an amenity of the street should be protected and enhanced, which includes ensuring that new development respects the scale and form of the Rosella complex buildings. It is also noted that the sites on both sides of Palmer Parade are in the same zone and are generally larger in size, which presents an opportunity for a complementary and relatively consistent built form on both sides of the street. The street is over 200 metres long and is fairly narrow (about 12 metres), therefore the built form along both sides of the street should not be too tall or create a canyon effect. There should be a good sense of enclosure and more of a pedestrian scale along the street.
  - The proposed building is eight storeys in height directly to the front boundary along Palmer Parade. Considering the above points, we do not support this scale and form of building along this eastern part of the site, as it does not provide a pedestrian scale to the street, would overwhelm the Rosella complex heritage buildings along Palmer Parade and would set a negative precedent for future developments along this street. Furthermore the building does not provide any breaks or building separation along the length of the site (which is over 70 metres) or any upper floor setbacks, which makes the development even more prominent.
  - To address this, we recommend that the development should provide a lower street wall of about four storeys, using the three storey Rosella building (about four contemporary storeys) to the south-east as a reference, as this building provides a good scale to the street and contributes positively to the character of the area. The upper floors should be set back a few metres at least, to reinforce the street wall as the more dominant element in the street and ensure that the street does not feel too enclosed (or like a canyon).

- In addition to the above points, it would be more appropriate to have a four storey wall going straight up, rather than have the overhang which is proposed, as it creates a set of alcoves along the site frontage, and is not necessarily a characteristic of the area.

Design detailing

- Along Gwynne Street, in general the street wall façade provides a decent interpretation of the surrounding heritage buildings, including the proportion of solid and void, use of materials and the alignment/detail of the parapet, which provides a positive streetscape response. However the upper floors appear quite busy and heavy on the drawings with lots of different details/elements. This might to an extent be the way it is shown on the elevation drawings, and because the coloured images are very dark and hard to read. We understand that there may be some additional features required on the western elevation to provide protection from the sun, but we recommend that this could be given a more simplified and lightweight appearance.

- Along Palmer Parade, the development in terms of its façade design, proportion of solid and void and materials does not reference anything at all in the street and is not supported. In addition to the built form changes noted above, we recommend that the street wall should be a more solid appearance to complement the industrial character of the area (using the Rosella buildings as a reference). The upper form could be slightly different but should relate to the overall design of the building.

- Along Palmer Parade at ground floor level, the angled brick piers (which link the ground floor to the first floor overhang) are not supported, as they will restrict pedestrian movement (as the head clearance would not be adequate along the footpath close to the building line), particularly for people with visual impairments.

Public realm

- The public realm improvements are welcomed, however we have a number of comments below to be considered, mainly to improve the useability of the space, and create greater consistency in the design and layout which is more closely aligned with Yarra's Public Domain Manual.

- Will the link between Gwynne and Palmer be open during the day? It would be good for this to feel as open as possible to encourage people to use it as a cut through. With that in mind is it possible to widen the opening at both sides?

- Along Gwynne Street, we recommend that the paving materials are simplified to sawn bluestone paving, which is set out in Yarra's Public Domain Manual.

- We recognise that Palmer Parade is a private road, however make the following suggestions to improve the useability and consistency of the of the space:
  - A number of elements restrict access (e.g. angled columns with inadequate head clearance, raised planter beds and cycle parking) – these should be looked at to ensure that a clear and continuous path is provided
  - The upgraded materials are welcomed and will enhance the amenity of the space. Consider the future potential for adjacent buildings along Palmer Parade to be developed in future, it is worth choosing materials and detailing that is consistent along the whole street so that it is not done in an ad hoc manner. Therefore we consider that the Public

Domain Manual is a useful starting point to look at, as well as other examples of spaces in the surrounding area such as the Balmain Street public space close by. If the applicant is proposing a higher quality paving material, we suggest that sawn bluestone paving could be used.

- At southern end of site, we suggest splaying the end of the last parking bay to provide more space for pedestrians.
- There is a raised planter bed with a seat near the building entrance. We suggest that this is moved to the kerb edge, to provide a sunnier spot for the seat and plants and a clearer pedestrian path along the building edge.

Attachment 9 - PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Review of Wind Environment Statement (ViPac)

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City of Yarra

333 Bridge Road

Richmond, Victoria, 3121, Australia

2017-09-13

Ref: 30N-17-0170-TNT-632484-0

Attention: Sarah Thomas

Dear Sarah Thomas,

16A-17A, 64 Balmain St, Cremorne - Peer Review

This peer review of the WINDTECH Consultants Pty Ltd Pedestrian Wind Environment Assessment (WD814-01F02(REV1) - WS REPORT) is based on Vipac's experience as a wind-engineering consultancy. No wind tunnel studies have been undertaken to support this review.

We have read the assessment report and the drawings of the proposed development provided in Aug 2017 listed in the attachment. Our comments are as follows:

- The WINDTECH Wind Environment Assessment has been prepared based on consultancy experience and no wind tunnel testing has been carried out to support their assessment. We have no issue with this method for a desktop study as this is a common approach to provide architects, developers and responsible authorities advice on the wind impact of the proposed design.
- We have no issue with the description of the proposed development and surrounds, regional wind climate analysis, wind effects on people, wind environment review in the report. WINDTECH Consultants has clearly identified the process for the desktop assessment and this is similar to the approach that Vipac would take to prepare a desktop wind effect statement. A clear description of the proposed development has been provided in Section 1 along with the drawings received July 2017 mentioned in the executive summary of the report.
- In Section 4, the report analysed wind effects on the ground floor and open terraces at different levels. Some in principle wind control measures were then provided for the ground level and open roof terraces, as specified in Figures 2 to 7.
- Vipac supports the recommended wind control measures for the ground level, which have been already incorporated into the proposed design. The report specifies these recommendations in more detail from wind point of view.
- For the open terraces, the recommendations of impermeable balustrade and impermeable blade walls are applicable. Vipac supports the recommended wind control measures. Porous windbreaks (about 50% of porosity) could also be considered as they generally are more efficient at reducing high winds, rather than deflecting these issues elsewhere.

Attachment 9 - PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Review of Wind Environment Statement (ViPac)

- Furthermore, as a general advice, Vipac recommends that the occupants should be advised to not leave any loose items (especially lightweight furniture) unsecured in their balconies/open terraces before leaving.

In conclusion, the WINDTECH Consultants Pty Ltd Pedestrian Wind Environment Assessment used the proper analysis methodology, analysed the wind effects on the pedestrian level by the proposed development in detail.

Although the maximum height of the proposed development is about 33 m which is less than the trigger height of 40m for the wind tunnel testing in Melbourne CBD, Vipac still supports the recommendation of a wind tunnel test be conducted in the detailed design stage because wind tunnel testing can always provide more accurate assessment and optimal wind control measures can be investigated.

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Yours sincerely,

Vipac Engineers & Scientists Ltd

Zhuyun Xu
Senior Wind Engineer

Sophie Lamande
Wind Group Leader

Attachments:

Name	Date modified
Plans_Part1	29/08/2017 4:41 PM
Plans_Part2	29/08/2017 4:41 PM
Plans_Part3	29/08/2017 4:41 PM
Wind Impact Assessment (1)	29/08/2017 4:41 PM

Attachment 10 - PLN17-0389 - 16A-17A 64 Balmain Street Cremorne - Strategic Transport Comments

CITY OF YaRRA

MEMO

To:	Sarah Thomas
From:	Julian Wearne
Date:	21/11/2017
Subject:	Strategic Transport Comments
Application No:	PLN17/0389
Description:	Development of the land for the construction of an 9 storey building (plus basement levels), reduction in the car parking requirement associated with an office and waiver of the loading bay requirement.
Site Address	16A-17A / 64 Balmain Street, Cremorne

I refer to the above Planning Application referred on 17/11/2017, and the accompanying Traffic report prepared by Cardno in relation to the proposed development at 16A-17A / 64 Balmain Street, Cremorne. Council's Strategic Transport unit provides the following information:

Bicycle Parking Provision

Statutory Requirement

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

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Office (other than specified in the table)	10814 sqm	1 employee space to each 300 sqm of net floor area if the net floor area exceeds 1000 sqm	36 employee spaces	165 employee spaces
		1 visitor space to each 1000 sqm of net floor area if the net floor area exceeds 1000 sqm	11 visitor spaces.	8 visitor spaces
Showers / Change rooms		1 to the first 5 employee spaces and 1 to each additional 10 employee spaces	**4 showers / change rooms**	**13 showers / change rooms**

The development provides a total of 129 additional employee spaces, but provides 3 less visitor spaces below, what is required by the planning scheme.

Adequacy of visitor spaces

No spaces are designated as visitor spaces, however, 8 spaces are provided within the eastern setback which are suitable for visitor use. The applicant has indicated the other 45 spaces at ground-floor would likely be inaccessible to visitors due to security requirements. The following considerations apply:

- The proposed development does not meet the statutory requirement for 11 visitor spaces. An additional 3 spaces should be provided which are easily accessible to visitors of the site. These spaces should be horizontal spaces.

Adequacy of employee spaces

Number of spaces

Attachment 10 - PLN17-0389 - 16A-17A 64 Balmain Street Cremorne - Strategic Transport Comments

Whilst the proposal includes a surplus of 129 employee spaces above the requirements of the planning scheme, it is noted:

- A reduction of 206 car parking spaces is sought (65% of the statutory requirement);
- the subject site is located in an inner-urban area with already high cycling-to-work demand, and trends indicate demand will continue to increase; and
- both local and state planning policies include objectives to promote sustainable transport modes, including cycling.
- Given the above, best-practice requires a rate of 1 space to each 100sqm of office floor space[1]. Therefore it is recommended a minimum of 109 employee spaces be provided.
- The proposed number of spaces is above best practice and is acceptable.

Design and location of employee spaces and facilities
Employee and resident spaces are adequately located and designed for the following reasons:

- Resident/employee bicycle parking is provided at ground-floor and basement 3. The basement 3 level spaces are accessed via the lift-shaft, which is directly accessible from the ground-floor bike hub. This will ensure riders can easily move from one space to the other if the ground-floor hub is full, or if riders want to use a horizontal bike space.
- End of trip facilities appear to be easily accessible from the secure facility and are adequate.
- Most walkways appear to provide adequate space for riders to walk their bikes to the respected facilities; however if the 'hanging' space closest to the lift-shaft in the Basement 3 facilities is occupied, it appears the effective walkway width would be reduced to 0.7m.
    - This space should be deleted from the plans to ensure adequate clearance.
    - Given the number of spaces provided is well in excess of the requirements; the space does not need to be relocated.

Site access

From a sustainable and strategic transport perspective, the site has reasonable access to the surrounding cycling, pedestrian and public transport networks and is supported.

Green Travel Plan

It is noted most required information regarding travel options is provided within the Traffic Impact Assessment, however no Green Travel Plan (GTP) has been provided. Given the development has a total non-residential floor area of more than 1,000sqm, pursuant to Clause 22.17-4 a GTP must be provided. The following should be provided within the GTP:

(a) a description of the location in the context of alternative modes of transport;
(b) employee welcome packs (e.g. provision of Myki/transport ticketing);
(c) the provision of real time passenger information displays for nearby stops within each lobby;
(d) sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes;
(e) a designated 'manager' or 'champion' responsible for coordination and implementation;
(f) details of bicycle parking and bicycle routes;
(g) details of GTP funding and management responsibilities;
(h) the types of bicycle storage devices proposed to be used for employee, and visitor spaces (i.e. hanging or floor mounted spaces);

[1] *Category 6 of the Built Environment Sustainability Scorecard (BESS) offers the following best-practice guidance for bicycle parking rates: 'Non-residential buildings should provide spaces for at least 10% of building occupants.' Assuming a floor-space occupancy of 1 staff member to 10sqm (which is the maximum rate allowed under the National Construction Code for fire safety), providing bicycle spaces for 10% of occupants results in a rate of 1 space per 100sqm of floor area*

Attachment 10 - PLN17-0389 - 16A-17A 64 Balmain Street Cremorne - Strategic Transport Comments

(i) the types of lockers proposed within the change-room facilities, with at least 50% of lockers providing hanging storage space;
(j) security arrangements to access the employee bicycle storage spaces; and
(k) signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;
(l) provisions for the Green Travel Plan to be updated not less than every 5 years.

Recommendations

The following recommendations are made from a strategic transport perspective.

1. 3 additional bicycle spaces be provided with easy access for visitors to the site.
2. The hanging space closest to the lift-shaft in the 'Bike Hub' at basement 3 be deleted.
3. A Green Travel Plan, including the information outlined previously be submitted.

Regards

Julian Wearne
Sustainable Transport Officer
Strategic Transport Unit

Attachment 11 - PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Open space unit advice

Memo

To: Sarah Thomas

Cc: Carrie Lindsay, Clare Lee

From: Fiona O'Byrne

Date: 11/09/17

Subject: 16a-17a/64 Balmain St, Cremorne. Comments on landscape design

diverse

vibrant

exciting

inclusive

Dear Sarah,

Thank you for the opportunity to provide comment on the public realm and landscape works proposed for 16a-17a/64 Balmain St, Cremorne. Below are Open Space comments in relation to the public realm and landscaping on site.

General Comments:

A landscape planting plan should be provided showing;

- Species proposed and location
- Plant schedule indicating pot size, quantity, mature height and spread of all proposed planting
- Details of raised garden beds and rooftop planting, including proposed planting media, irrigation and drainage.
- It is presumed that all vegetation within the subject site boundary would be maintained by the property owner.

Further detail on the proposed rain garden adjacent to Gwynne Street is required (this should include sections, proposed planting media, drainage).

The plans refer to 'feature paving (eg. unit paving) or exposed aggregate concrete'. We recommend that the palette of materials on the footpath is simplified to sawn bluestone paving and asphalt.

Streetscape comments:

Gwynne St roadside trees

Three roadside trees positioned between parking bays are supported for Gwynne Street. The planting of three trees will result in the loss of one parking space, however, local residents have been requesting tree planting along Gwynne Street, therefore the tree planting should be well received. Council's preferred tree and parking layout is shown below- to maximise car parking spaces, distribute the trees as evenly as possible across the

Attachment 11 - PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Open space unit advice

site frontage and to maintain clearance from street lighting. The tree cut out sizes should each be 2m length x 1.5m, with parking bays of 6.1m length.

Council's preferred tree species for Gwynne St is Brachychiton 'Bella Pink'. The developer is required to reimburse Council for the cost of supply, planting and establishment maintenance of the street trees to the value of $4,165. Trees would be sourced and planted by Council's tree planting contractor on completion of construction works. The breakdown of costs is as follows:

- Tree supply (100L tree stock) $600
- Planting $3,091
- Establishment maintenance $474

The parking spaces on the east side of Gwynne Street are line marked at 6.1m lengths and have underground parking sensors installed. The tree planting will require adjustments to line marking of parking bays along the Gwynne St frontage of the site. Council's Parking Management Unit should be consulted regarding the proposed change to parking and the necessary removal of parking sensors prior to works commencing. The developer would be required to reimburse Council for any works associated with parking sensor removal, reinstallation and associated line marking changes.

Palmer Parade

- It may be difficult to establish plants at the base of the existing Plane trees.
- Construction of concrete seating beneath an established Plane tree could disturb the root system and endanger the health of the tree. It is recommended that seating is moved further away from the base of the tree.
- It is recommended that the proposed new kerb extensions with trees and low planting should allow for irrigation
- Kerb extension detail drawings should be supplied for approval by Council's Asset Drainage Engineer. Allowance should be made for overland water flow.

Please don't hesitate to contact me if you have any questions or need anything further.

Kind regards,

Fiona O'Byrne
Open Space Planning & Design

Attachment 12 - PLN17/0389 - 16A - 17A / 64 Balmain Street Cremorne - Services contract unit advice

Hi Sarah

The Waste Management Plan prepared by Cardno dated 30th March 2017 for Lot 16A-17A Balmain Street Cremorne is satisfactory from the City Works Branch's perspective. If you have any queries please give me a call.

Kind Regards

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

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

6 *Please consider the environment before you print this email!*

1.4 PLN17/0278 - 506 & 508 - 510 Church Street Cremorne - Use and development of the land for the construction of an 11 storey building (plus roof terrace and three basement levels) for offices and three food and premises (no permit required for office use), reduction in car parking requirement, and alteration of access and building and works to a Road Zone Category 1 Road.

Executive Summary

Purpose

1. This report provides Council with an assessment of planning permit application No. PLN17/0278 which affects land at 506 & 508 – 510 Church Street, Cremorne.

Key Planning Considerations

2. Key planning considerations include:
   (a) Use (Clauses 34.02-7);
   (b) Interfaces uses policy (Clause 22.05);
   (c) Built form (Clauses 15.01, 21.05, 22.10, 34.02-7, 36.04, 43.02 and 52.29); and
   (d) Car Parking, Bicycle Provision and Loading Bay (Clauses 52.06, 52.07 and 52.34) of the Yarra Planning Scheme.

Key Issues

3. The key issues for Council in considering the proposal relate to:
   (a) Policy and physical context;
   (b) Use;
   (c) Built form;
   (d) Environmentally Sustainable Development (ESD);
   (e) Off-site amenity impacts;
   (f) Car parking, traffic, loading, access and bicycle provision;
   (g) Waste management; and
   (h) Objector concerns.

Objector Concerns

4. Eleven objections were received to the application, these can be summarised as:
   (a) The proposal is an overdevelopment and is not responsive to neighbourhood character;
   (b) Excessive height and scale;
   (c) Design and glare from materials;
   (d) Amenity impacts (overlooking/overshadowing/daylight to existing windows/noise);
   (e) Increased traffic - less car parking spaces should be provided
   (f) Inadequate car parking and loading of vehicles and bicycle facilities (including visitor parking);
   (g) Cumulative traffic/parking impacts of other approvals;
   (h) Lack of equitable development opportunities;
   (i) Construction issues (disruption, early starts, traffic and noise).

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: **Coordinator Statutory Planning**
TEL: **92055124**

1.4 PLN17/0278 - 506 & 508 - 510 Church Street Cremorne - Use and development of the land for the construction of an 11 storey building (plus roof terrace and three basement levels) for offices and three food and premises (no permit required for office use), reduction in car parking requirement, and alteration of access and building and works to a Road Zone Category 1 Road.

Trim Record Number: D17/184390
Responsible Officer: Manager Statutory Planning

Proposal:	Use and development of the land for the construction of an 11 storey building (plus roof terrace and three basement levels) for offices and three food and premises (no permit required for office use), reduction in car parking requirement, and alteration of access and building and works to a Road Zone Category 1 Road.
Existing use:	Furniture Showroom and Australia Post delivery centre
Applicant:	Urbis Pty Ltd c/o 510 Church Street Pty Ltd
Zoning / Overlays:	Commercial 2 Zone/Design and Development Overlay (Schedule 2) and (Schedule 5)/City Link Project Overlay (CLPO)
Date of Application:	7 April 2017
Application Number:	PLN17/0278

Planning History

1. Planning Permit 4803 was issued on 29 March 1989 for the purpose of constructing a second floor addition to an existing building and use of the building as two separate offices with accompanying on-site car parking facilities at No. 506 Church Street, Richmond.

2. Planning Permit 5348 was issued on 5 March 1990 to construct alterations to the existing premises at No. 506 Church Street, Richmond.

3. Planning Permit 5933 was issued on 9 April 1991 for the purposes of part change of use from warehouse to office and manufacturing sales at No. 506 Church Street, Richmond.

4. Planning Permit PL02/0368 was issued on 18 July 2002 for buildings and works to No. 508 – 510 Church Street, Richmond.

5. Planning Permit PL05/0118 was issued on 28 June 2005 for use of the land for the purpose of car sales exceeding 19sqm in floor area and a waiver of loading bay and car parking requirements at No. 506 Church Street, Richmond.

Background

6. The application was lodged on 7 April 2017 and further information subsequently requested in May 2017. The information was received on 15 June 2017 and the application was then advertised with 11 objections being received. A Consultation Meeting was held on 10 October 2017, where the key issues raised in the objections were discussed with the Permit Applicant, Objectors and Planning Officers present.

7. Whilst this process was occurring, Council had sought and received advice from an Acoustic Consultant, Urban Design Consultant, Wind Consultant as well as Council internal units including Urban Design, Waste Management, Engineering, Open Space Unit, Strategic Transport and Environmental Sustainable Development (ESD). Referral advice is an attachment to this report.

8. In response to objections received and concerns raised in referrals advice, the applicant submitted the following additional information on 21 September 2017:

   (a) Sketch plans and written response (changes outlined below) to respond to objections and urban design comments;
   (b) CityLink Exhaust Stack Dispersion Assessment;
   (c) Wind tunnel model study;
   (d) amended assessment of the impact on CityLink tunnels; and
   (e) an amended Waste Management Plan (WMP).

9. The WMP and CityLink Exhaust Stack Dispersion Assessment reports were re-referred to the relevant parties and found satisfactory with minor additional matters needing to be addressed (which can be addressed via conditions), should a permit be issued. VicRoads in conjunction with CityLink originally objected to the proposal, however subject to the amened assessment of the impact on the CityLink tunnels, have now confirmed they no longer object, subject to conditions. The wind tunnel model study was not re-referred. This will be discussed further in this report.

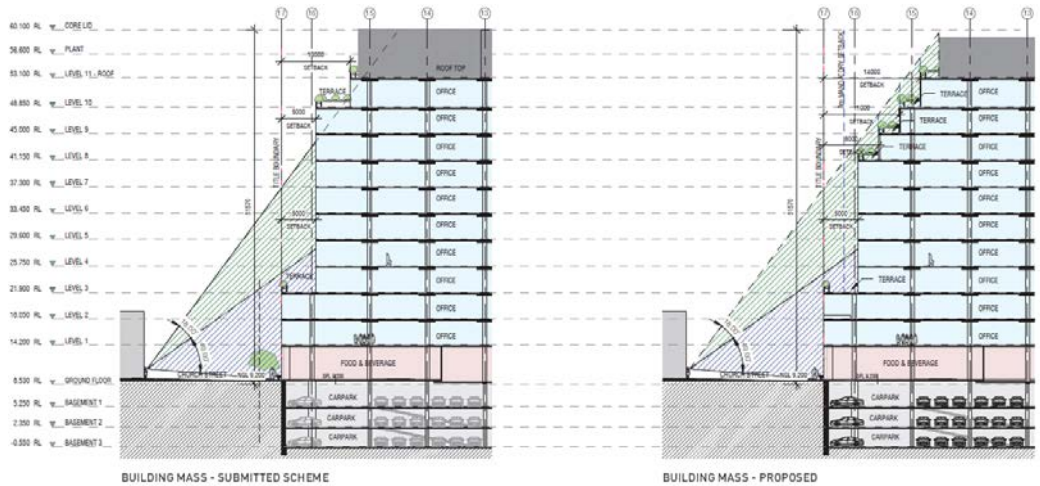
10. The sketch plans submitted on 21 September 2017 showed the following changes:

    (a) Additional overlooking screening (perforated metal screening between 1.5m and 1.9m in height above the finished floor level) for the north and west-facing elevations of the podium.
    (b) Reduction in width of the protruding fins to no more than 300mm (previously between 600mm and 1200mm) outside of title boundaries.

11. The written response by the applicant submitted on 21 September 2017 also included images which propose two changes to the development:

    (a) a terracing of the upper levels to respond to Council's concerns regarding height. The images within the report showed an increase in the 5m setbacks of the upper three levels from Church Street with the eighth floor increasing to 8m, the ninth floor to 11m and the tenth floor to 14m. The setback of the plant and equipment is increasing from 14m to 17m; and
    (b) a reduction in the horizontal banding adjacent to the central indentation to provide a more streamlined design.

12. The images below are an exert from the written material which show the proposed terracing:



Source: Cox Architects

13. The image below shows the proposed changes in the horizontal fins with the top image on the top showing the original design and the image below it showing the reduction in the horizontal banding adjacent to the central indentation:

14. The sketch plans do not form part of the decision plans. Council does not agree with the proposed terracing of the front of the building and this will be discussed further in the report. All other changes will form part of condition 1 requirements.

Streetscape works/Widening of Hutchings Street

15. As part of the application, the proposal includes a widening of Hutchings Street to enable two-way traffic up until the entry to the basement. This would be facilitated through an increased setback of the ground floor from its northern title boundary. The applicant originally submitted a ground floor landscape plan with showed a portion of a new proposed footpath within the subject site's title boundaries.

16. Following the receipt of referral comments and further discussions with Council's internal units (Open Space, Urban Design, Engineering and Construction Management) the applicant acknowledged in a letter to Council dated 21 September 2017 that a shared zone is required due to footpath and legal requirements. The applicant confirmed that they anticipated that the area within the subject site will be managed by the land owner and confirmed by way of a Section 173 Agreement.

17. Following this, the applicant submitted an amended streetscape works plan (which showed Hutchings Street as a Shared Zone) on 6 October 2017. This was then re-referred to these internal units with additional issues being raised.

18. A meeting was held with the applicant, Council's planning officer and both the Engineering and Construction Management Units on 14 November 2017. Following this meeting an amended Hutchings Streetscape Works sketch plan was submitted on 15 November 2017. Two additional detail section plans were also submitted as part of this package (titled - Hutchings Street detail section and Hutchings Streetscape detail section) which showed additional Hutching Street dimensions, setbacks and clearance heights being annotated. These plans are similar to those provided on 21 September 2017 albeit show the aforementioned additional information. A condition can require this information to be provided as part of the Hutchings Streetscape Works plan.

19. At the meeting all parties in attendance agreed to scale back the detail in the streetscape works plan to ensure all the dimensions are correct and that the Shared Zone can logistically work. It was agreed at the meeting that further design detail will come through as part of permit conditions and that a civil works plan will also be required as part of a permit condition.

20. All the aforementioned units were satisfied with the Hutchings Streetscape Works sketch plan provided on 15 November 2017 subject to conditions requiring the applicant to address the following matters:

    (a) Hutching Street dimensions, setbacks and clearance heights as per the Hutchings Street and Hutchings Streetscape detail sections provided on 15 November 2017;
    (b) tree planting/traffic calming measures (including the provision of swept path diagrams for vehicles);
    (c) consideration of public seating;
    (d) measures to provide DDA access;
    (e) the location of tables and chairs;
    (f) the location of bike parking (including the provision of additional bike parking on Church Street);
    (g) materials to be of a City of Yarra Standard;
    (h) the location of all Shared Zone signage to be shown in the context of other street furniture and trees;
    (i) 'matching in works' for the sites to the north (to the concrete crossovers/paving on the northern side of Hutchings Street);
    (j) the deletion of all references to One-Way traffic operation of Hutchings Street in the western end; and
    (k) the clear delineation of the site's title boundaries along Hutchins Street and Church Street (Brass discs or a similar type method for delineating the title boundaries could be considered).

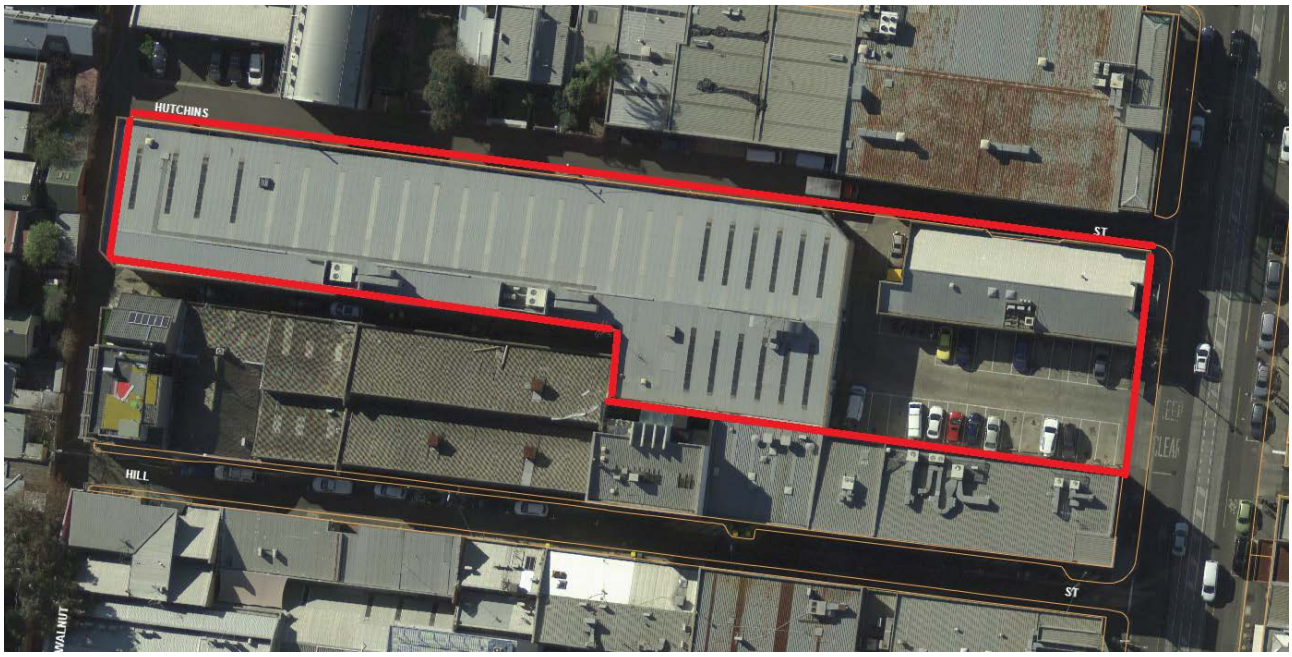
21. These can be required by way of condition, should a permit be issued.

Existing Conditions

Subject Site

22. The subject site is located on the western side of Church Street, Cremorne, on the southern side of Hutchings Street and the eastern side of Walnut Street. There is a Right of Way along part of its southern boundary.

23. The site has a frontage to Church Street of 27.85m, a length of 131.13m and a width of between 12.34m and 18.63m along the western boundary to Walnut Street (associated with a dog-leg type boundary edge which is not clearly shown below but is on the decision plans). The subject site is wider in its eastern half than its western half as can be seen below:



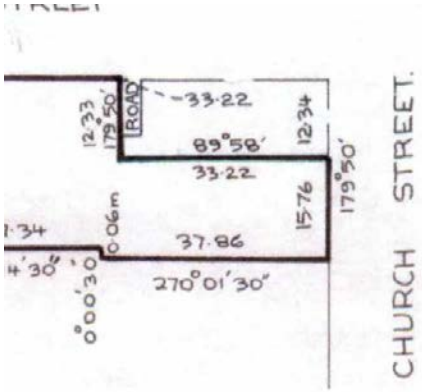
24. The subject site is made up of two sites, No. 506 Church Street which is used as a furniture show room in the north-eastern corner of the site and No. 508 – 510 Church Street which is occupied by Australia Post and is one of their delivery centres.

25. A single storey building and an at-grade car parking area face Church Street. The northern boundary of the subject site presents as high blank brick walls with minimal openings associated with the Australia Post warehouse. The rear of the site, facing Walnut Street is a high single storey brick wall with a roller door facing the street.

Title

26. No restrictive covenants apply to the land according to the Certificate of Titles submitted with the application.

27. Title plan No. TP879027M provided with the application showed a 'road' to the west of No. 506 Church Street:



28. The applicant provided Council's planning officer with a letter confirming that the process of discontinuance and purchasing of this road from Council has begun. A condition can require this to be finalised prior to the commencement of any works.

Surrounding Land

29. The subject land is located within a Commercial 2 Zone, and the existing development in the wider area is mixed consisting of residential, commercial and industrial uses resulting in diverse built form. Land zoned Neighbourhood Residential (Schedule 1) is located to the west of the subject site, beyond Walnut Street and fronting onto Chestnut Street. The surrounding area is shown below:

South

30. The western half of the subject site has a 3m wide laneway along its boundary. The eastern half has direct abuttal to a large double storey high building used as a stone and tile commercial premises at No. 516 Church Street which has frontages to Church Street and Hill Street to the south.

31. The full length of Hill Street (from Walnut Street to the west to Church Street to the east) is occupied by commercial premises (warehouses, offices etc) with high site coverage by built form (generally one to three storeys in height). This is with the exception of No. 13 Hill Street which has two voids abutting the northern boundary). A search of Council records shows that the site received a building permit in 1998 for an office and caretakers dwelling.

North

32. To the north of the subject site is Hutchings Street which is a 5m to 6m wide road with an approximately 0.7m wide footpath along its southern side. There is no signage indicating that it is one-way. The northern interface of Hutchings Street is one of the rear of properties facing Chapel Street to the north and Chapel Street to the east.

33. At the intersection of Hutchings and Church Streets is the large, double storey building occupied by a furniture showroom 'Coco Republic' which spans the width of the block up to Chapel Street. This building wraps around and runs along Hutchings Street. To the west of 'Coco Republic' are three warehouses at Nos. 20 – 24 Chapel Street which are built to their side boundaries and have car park access and parking areas at their rear fronting Hutchings Street. Between Nos. 12 and 18 Chapel Street are single storey, attached dwellings with car park access and private open space at their rear, accessed via roller doors onto Hutchings Street.

No. 14 Chapel Street has constructed first floor additions in the central portion of the site and had established existing use rights as a dwelling at the time of its permit being issued (PLN14/0087, granted 23 July 2014). No. 16 Chapel Street is similar, however the extension was for the ground floor only (PL05/0314, granted 25 August 2005). A search of Council's records has not found any other confirmations of existing use rights for use as a dwelling.

34. The use of No. 10 Chapel Street is unknown as it has the appearance of a warehouse to Chapel Street (single storey) however aerial imagery shows there is a very large rear yard (including a grassed area) with car parking access from Hutchings Street. Aerial imagery shows the area at the rear of the site is regularly used for car parking. Plans associated with a building permit No. 12575 were approved on 15 July 1986 which shows a ground floor kitchen, studio and bathroom with a bedroom on a mezzanine floor. The built form shown on this plan appears to match that which is on-site. Planning Permit 7055 was issued on 25 August 1993 for the purpose of constructing a ground and first floor addition at the rear of the existing attached house. Aerial imagery confirms this was not constructed. A search of Council records has not found a confirmation of existing use rights for use as a dwelling.

35. To the west of these are the rear at-grade car parking spaces and double storey on-boundary walls of the offices at Nos. 2-8 Chapel Street.

West

36. Walnut Street is approximately 4.5m in width with the western side of Walnut Street having a laneway-scape as it mainly consists of the rear of properties facing Chestnut Street with numerous rear fences, sheds/outbuildings and roller doors. These properties all have high site coverage. The majority of these present as single storey to Chestnut Street however some have rear double storey extensions. There are also dwellings fronting onto Walnut Street further to the north.

37. Nos. 29 to 33 Chestnut Street are directly to the west of the subject site, across Walnut Street. No. 29 Chestnut Street is a single storey dwelling with private open space at its rear and a high rear boundary fence. No. 31 Chestnut Street presents as single storey to the primary street frontage, however has a first floor addition with a roof deck above the ground floor. It also has a double storey garage and studio located at the rear of the site with its private open space to the west. No. 33 Chestnut Street is a single storey dwelling with private open space at the rear and a single storey garage fronting onto Walnut Street.

38. Further to the north, No. 27 Chestnut Street is a single storey dwelling with private open space at the rear and a single storey garage. No. 25 Chestnut Street had a double storey extension at the rear which includes double storey on-boundary walls along the shared boundary with No. 29 Chestnut Street and also facing Walnut Street.

39. Further south at No. 35 Chestnut Street is a single storey dwelling with a double storey extension at the rear and private open space. It includes a high fence fronting Walnut Street.

East

40. To the east of the subject site is Church Street which is a Category 1, Road Zone (under VicRoads authority) with a tram route running north to south and parking either side, effectively resulting in it generally being a single lane road in either direction. On the opposite side of the street are other large single and double storey commercial buildings.

General

41. In the wider area are showrooms, warehouses and offices generally constructed to the boundary with high site coverage. An emerging furniture retailing theme is evident in the area.

42. Further to the north, are the East Richmond Train Station and Swan Street Major Activity Centre (MAC) which includes various commercial uses and also the Richmond Train Station.

43. In a westerly direction is the residential pocket (both in built form typology and also zoning) of Cremorne with dwellings generally on narrow lots, built to their side boundaries and with small private open spaces.

44. The Cremorne area is currently going through a period of transition from lower scale buildings to higher density development. Whilst the tallest buildings close to the site are five to seven storeys, there have been a number of approvals within this eastern side of Cremorne and also the western part of Cremorne for larger scale developments. Recent approved developments which are currently under construction or have progressed beyond the planning permit stage and are within proximity to the site are as follows:

    (a) 17 William Street, Cremorne (6 Storeys – 130m south of the subject site)
    (b) 19 William Street, Cremorne (7 storeys – 130m south of the subject site)
    (c) 'X' Building, Church Street (7 storeys - 150m south of the subject site)
    (d) 561-563 Church Street, Richmond (6 storeys **-** 350m south of the subject site)

45. Further afield there have been numerous planning permit approvals in the western section of Cremorne:

    (a) 69 - 77 Stpehenson Street – (7 storeys)
    (b) 9 - 11 Cremorne Street– (8 storeys)
    (c) 10 Dover Street - (6 storeys)
    (d) 7 - 11 Dover Street – (7 storeys)
    (e) 13 Cremorne Street – (7 storeys)
    (f) 16 Dover Street Cremorne – (5 storeys plus roof terrace)
    (g) 165 Cremorne Street – (10 storeys)
    (h) 2 Gough Street - Stage 1 – (15 storeys)
    (i) 17 – 21 Harcourt Parade – (9 storeys)

46. Council also has many current planning applications for large scale Cremorne developments such as:

    (a) PLN17/0456 – 594 – 612 Church Street – 8 storeys
    (b) PLN17/0177 – 57 Balmain Street – 7 storeys
    (c) PLN17/0626 – 60 – 88 Cremorne Street – 7 storeys
    (d) PLN15/0146 – 167 Cremorne Street – 12 storeys
    (e) PLN17/0389 – 16A – 17A/64 Balmain Street – 9 storeys
    (f) PLN15/1176 - 2 Gough Street – Stage 2 – (17 storeys)

47. No decision had been made at the time of writing this report for the above applications.

48. The above approved/under construction developments and current planning applications show there is an increasing trend in Cremorne for larger scale built form then what currently exists.

The Proposal

49. The proposal is for the construction of an eleven storey (plus roof terrace) office building, with a three level podium to Church Street (wrapping around for a portion of Hutchings Street), with seven levels above (setback 5m) and an additional level plus a roof top garden and plant equipment setback a further 5m (total of 10m).

50. The building will largely be built to the northern boundary in its western end with an indentation in the central area. The western side of the building terraces away from the rear boundary with a diagonal edge from the third floor and above. The terracing occurs every two floors. These terraced areas are outdoor spaces for the office occupants.

51. The proposal also includes the widening of Hutchings Street through a setback of the ground floor between1m and 4m. Through sketch plans provided on 15 November 2017, the widening will facilitate a Shared Zone along Hutchings Street. This will result in a total street width of between 6.1m and 8m.

Demolition

(a) All structures on site and existing crossovers (no planning permit required).

Use

(b) Three food and drinks premises (1,211sqm in net floor area). The applicant has confirmed these will be cafes .The cafés are proposed to have hours of 7am to 11pm, seven days per week. This will form conditions on the permit. The three Food and Drinks premises will also be required to be numbered Tenancy 1 to 3 on the ground floor plan with Tenancy 1 fronting Church Street, Tenancy 2 being the central tenancy and Tenancy 3 facing Hutchings Street. This will form a condition of the permit.

(c) The applicant also confirmed the following maximum number of patrons for each tenancy as follows with this forming a condition of the permit:

(a) Tenancy 1 - 350
(b) Tenancy 2 - 150
(c) Tenancy 3 - 100

(d) The office space has a net floor area of 20,952sqm (no planning permit required for the use).

Construction

(e) Three levels of basement built to full title boundaries with services and 236 car parking spaces (inclusive of 3 x DDA spaces, 3 x small car spaces and 12 x electric charging bays).

(f) End-of-trip facilities are located in Basement Level 1 with 169 bike spaces, a cool down area, lockers and showers. This area is accessed directly from the ground floor via a separate bike ramp.

(g) The ground floor is setback in the north-eastern corner of the site and for the northern extent. The setback ranges between 1m to 4m.

(h) Three food and drinks premises - two having a frontage to Hutchings Street and a third fronting Church Street. Low level seating and planting is proposed fronting Church Street. A large lobby space is located centrally along Hutchings Street providing access to the offices above.

(i) The western end pf the ground floor will be used for services (loading dock, waste room, substation, switch room etc) as well as providing access to the basement via a vehicular entrance in the western end and a central pedestrian lobby from Hutchings Street.

(j) The first and second floors are built to the full title boundaries with the exception of a setback of between 4m and 5.5m in the central indentation and a shallower setback at the north-eastern corner of the site.

(k) At third floor, the building steps away from the Church Street podium with a setback of 5m, and a setback of 2.4m from Hutchings Street to the east of the indentation.

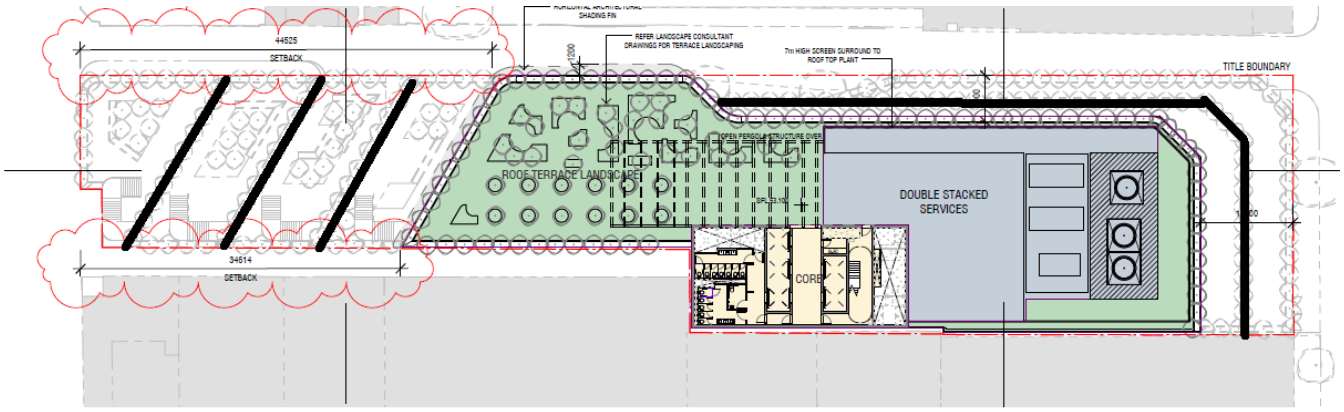
(l) The terracing of the development from the western boundary begins at the third floor with the diagonal setback of between 2.3m and 14.5m to the western boundary. There is an outdoor open space area within this setback, built to the title boundaries. There is no built form above this setback. This increases at the following points (with typically a 10m wide outdoor deck area within these setbacks):

(i) Fifth floor - between 12.5m and 24.5m;
(ii) Seventh floor - between 22m and 34.5m; and
(iii) Ninth floor - between 31.5m and 44.5m.

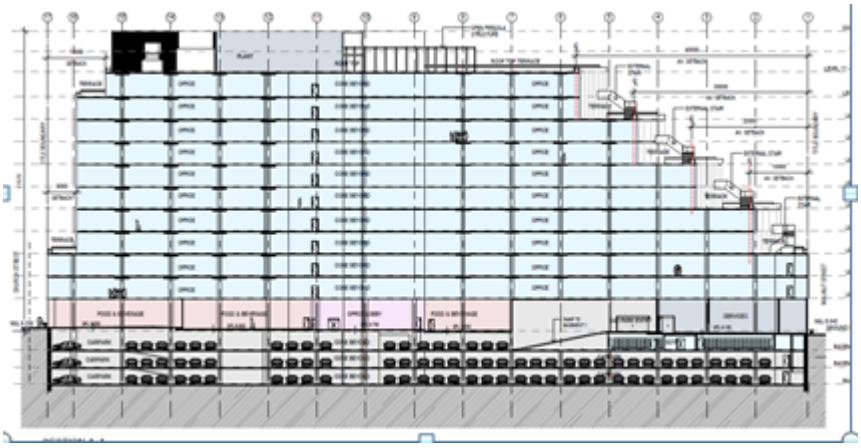
(m) At the tenth floor, an east-facing terrace is included with the east-facing wall of the building. The building itself is setback 10m from the boundary.

(n) The eleventh floor includes a landscaped roof top terrace and double stacked services setback 14m from Church Street.

(o) The image below shows the roof plan with the setback areas delineated:



(p) The image below is a section of the development:



(q) The proposal will be constructed using silver tinted glazing, silver colourback glazing, clear glazing, precast concrete, stainless steel, copper perforated metal blades and metal screening (50 percent transparency).

(r) It has a maximum building height of approximately 44.57m and an additional 7m for the services screening (total of 51.57m).

(s) The proposal includes architectural shading fins with protrude from the podium up to 1.2m along both Hutchings and Church Streets with this decreasing to 600mm from the fourth floor and above along Hutchings Street only.

ESD features

(t) 5 Star Green Star rating;
(u) 4.5 Star NABERS Energy Office;
(v) Approximately 3,000m2 of roof and terrace will be collected and directed to 75 kL of rainwater tanks for re-use.

Planning Scheme Provisions

Zoning

Commercial 2 Zone

52. Pursuant to clause 34.02-1 of the Yarra Planning Scheme, use of the land as an office does not require a planning permit.

53. A 'Food and Drinks Premises' is a Section 1 – no permit required use unless the leasable floor area would exceed 100m^2. The proposed tenancies have a total floor area of 1,211sqm and therefore trigger a permit under the zone.

54. The applicant has shown the three tenancies as food and drinks premises on the plans but has confirmed they will operate as café's and this can be required by way of condition. The proposed hours of operation are 7am to 11pm, 7 days. This will also be included as a condition on any permit to be issued. The three Food and Drinks premises will also be required to be numbered Tenancy 1 to 3 with Tenancy 1 fronting Church Street, Tenancy 2 being the central tenancy and Tenancy 3 facing Hutchings Street. This will form a condition of the permit. The applicant also confirmed the following maximum number of patrons for each tenancy as follows with this forming a condition of the permit:

(a) Tenancy 1 - 350
(b) Tenancy 2 - 150
(c) Tenancy 3 - 100

55. Pursuant to clause 34.02-4 of the Yarra Planning Scheme, a planning permit is required to construct a building or construct or carry out works.

Road Zone

56. The proposal includes the removal of the existing crossover along Church Street, the reinstatement of the footpath and construction of a canopy over Church Street. Church Street is categorised as a Road Zone, Category 1. Pursuant to Clause 36.04-2, a planning permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 36.04-1. The proposed uses are not listed in Section 1 or 3 and are therefore a Section 2 use (permit required). The views of the relevant road authority are part of the decision guidelines for this zone.

57. It should be noted that when the proposal was advertised, the permit preamble should have included 'building and works to a Road Zone Category 1 Road'. These buildings and works relate to the construction of a canopy to Church Street which is a Category 1 Road Zone. At the time of advertising, the permit preamble read:

(a) "Use and development of the land for the construction of an 11 storey building (plus roof terrace and three basement levels) for offices and three food and premises (no permit required for office use), reduction in car parking requirement, and alteration of access to a Road Zone Category 1 Road."

58. It should have read:

(a) "Use and development of the land for the construction of an 11 storey building (plus roof terrace and three basement levels) for offices and three food and premises (no permit required for office use), reduction in car parking requirement, and alteration of access and building and works to a Road Zone Category 1 Road."

[Emphasis Added]

59. The amended permit preamble received an exemption from advertising at the Development Assessment Panel on 28 November 2017 as the proposed canopy will not cause material detriment to any person as it faces the street, the plans clearly showed the canopy and VicRoads who are the referral authority had in any event provided written advice regarding the canopy protrusion.

Overlays

Design and Development Overlay – Schedule 2 – Main Roads and Boulevards

60. Under clause 43.02-2 of the Scheme, a permit is required to construct a building or construct or carry out works.

61. Schedule 2 to the DDO outlines the following design objectives:

(a) *To recognise the importance of main roads to the image of the City.*
(b) *To retain existing streetscapes and places of cultural heritage significance and encourage retention of historic buildings and features which contribute to their identity.*
(c) *To reinforce and enhance the distinctive heritage qualities of main roads and boulevards.*
(d) *To recognise and reinforce the pattern of development and the character of the street, including traditional lot width, in building design.*
(e) *To encourage high quality contemporary architecture.*
(f) *To encourage urban design that provides for a high level of community safety and comfort.*
(g) *To limit visual clutter.*
(h) *To maintain and where needed, create, a high level of amenity to adjacent residential uses through the design, height and form of proposed development.*

62. Decision guidelines include:

(a) *The contribution of the proposal to the streetscape.*
(b) *The design, height and visual bulk of the development in relation to surrounding land uses and developments.*
(c) *The design, height and form of the development in relation to the built form character of the street.*

Design and Development Overlay Schedule 5 (DDO5) City Link Exhaust Stack

63. Pursuant to clause 43.02-2 of the Scheme a permit is not required to construct a building or to construct and carry out works.

64. Schedule 5 (City Link Exhaust Stack Environs) specifically exempts buildings and works from requiring a planning permit. Pursuant to clause 43.02 of the Scheme, 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* to the person or body specified as a person or body to be notified in clause 66.06 or a schedule to that clause. Notice of the application must therefore be given to the Environment Protection Authority, Transurban City Link Limited and the Roads Corporation (VicRoads). Their comments are provided in the *Referrals* section of this report.

City Link Project Overlay (CLPO)

65. Pursuant to clause 45.07-1 of the Scheme, a permit is required to develop land, given that the development is not part of the Melbourne City Link Project or the Exhibition Street Extension Project. Pursuant to clause 45.07-6 of the Scheme, the Roads Corporation (VicRoads) is listed as being a section 55 referral authority.

Particular Provisions

Clause 52.06 – Car Parking

66. Clause 52.06-1 requires that a new use must not commence or the floor area of an existing use must not be increased until the required car spaces have been provided on the land.

67. A permit is required to reduce (including reduce to zero) the requirement to provide the number of car parking spaces required under this clause.

68. The table below outlines the car parking requirements for the office and food and drinks premises tenancies of the development and the allocation of car parking which would be provided in association with each use. Within Clause 52.06-5 policy states that if in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number.

69. Under clause 52.06-5, the following parking rates are required:

Use	Area	Rate	No. required	No. proposed	Reduction sought
Office	20,952sqm	3.5 car spaces to each 100sqm of net floor area	733	226	507
Food and drinks premises	1,211sqm	4 per 100sqm	48	10	38
Total			**781**	**236**	**545**

70. As 236 car spaces are being provided, a total of 545 car spaces are required to be reduced.

Clause 52.07 – Loading and unloading of vehicles

71. Clause 52.07 requires that "*no buildings or works may be constructed for the manufacture, servicing, storage or sale or goods or materials*" unless space is provided for loading and unloading in accordance with specified requirements. As an office does not include manufacturing, servicing, storage or sale or goods or materials, this clause is not applicable.

72. In the case of the proposed development, a loading area of 27.4sqm is required for the food and drinks premises to satisfy the requirement of Clause 52.07 as well as a height clearance of 4m.

73. An on-site loading area will be provided, accessed via Hutchings Street. The loading area will be able to accommodate vehicles of a size up to and including 6.4m small rigid vehicles (SRV). The trucks will reverse into the loading area and will exit in a forward direction. The loading area has a height clearance of 5.5m as detailed in the WMP. The proposed loading area satisfies this requirement.

Clause 52.29 – Land Adjacent to a Road Zone, Category 1 or a Public Acquisition Overlay for a Category 1 Road.

74. The purpose of this clause is to ensure appropriate access to identified roads and to ensure appropriate subdivision of land adjacent to identified roads.

75. Pursuant to Clause 52.29 a permit is required to create or alter access to a road in a Road Zone, Category 1.

76. Church Street is a Road Zone, Category 1 and the application proposes to remove the existing crossover located along it. Therefore, a planning permit is required for the works.

77. An application to create or alter access to, or to subdivide land adjacent to, a road declared as a freeway or arterial road under the Road Management Act 2004, land owned by the Roads Corporation for the purpose of a road, or land in a Public Acquisition Overlay if the Roads Corporation is the authority responsible for acquiring the land, must be referred to the Roads Corporation under Section 55 of the Act.

78. The decision guidelines for this clause are:

(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

79. Pursuant to clause 52.34, a new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.

80. The purpose of the policy is to encourage cycling as a mode of transport and to provide secure, accessible and convenient bicycle parking spaces. A new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.

Land Use	Units/Area proposed	Rate for staff	Rate for visitors shoppers	No. required	No. proposed	Reduction sought
Office	20,952sqm	1 to each 300sqm of net floor area if the net floor area exceeds 1000sqm	1 to each 1000sqm of net floor area if the net floor area exceeds 1000sqm	70 staff 21 visitor	169 staff 28 visitor	0
Retail	1,211sqm	1 to each	1 to each	4 staff		

(Food and drinks premises)		300sqm of leasable floor area	500sqm of leasable floor area	2 visitor		
Total				**74 staff 22 visitor**	**197**	**0**

81. Pursuant to clause 52.34-3, eight showers and eight change rooms are required on site. The development includes 25 change rooms and 25 showers on Basement Level 1 as well as lockers. This requirement is met.

82. Clause 52.34-4 provides design standard for bicycle spaces and signage.

General Provisions

83. 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 in further in this report.

State Planning Policy Framework (SPPF)

84. Clause 11 'Settlement' - *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

85. *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.*

86. Clause 11.02 'Urban growth' aims *to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.*

87. This clause includes several strategies to achieve this objective, including;

(a) Opportunities for the consolidation, redevelopment and intensification of existing urban areas.
(b) Neighbourhood character and landscape considerations.

Clause 11.02-3 'Planning for growth areas'

88. The objective is: *to locate urban growth close to transport corridors and services and provide efficient and effective infrastructure to create benefits for sustainability while protecting primary production, major sources of raw materials and valued environmental areas*.

89. The clause includes several strategies to achieve this objective.

Clause 11.03-2 (Activity centre planning)

90. The objective is:

    (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.*

Clause 11.06-1 (Jobs and investment)

91. The relevant objective of this clause is '*to create a city structure that drives productivity, attracts investment, supports innovation and creates jobs*.'

92. Relevant strategies include:

    (a) Improve access to jobs across Melbourne and closer to where people live.
    (b) Support the continued growth and diversification of activity centres to give communities access to a wide range of goods and services, provide local employment and support local economies.
    (c) Plan for new development and investment opportunities on the existing and planned transport network

Clause 11.06-4 (Place and identify)

93. The relevant objective of this clause is '*to create a distinctive and liveable city with quality design and amenity*.'

94. Relevant strategies include:

    (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.
    (c) 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.

Clause 13.04-1 (Noise abatement)

95. The objective is:

    (a) To assist the control of noise effects on sensitive land uses.

96. Noise abatement issues are measured against relevant State Environmental Protection Policy (SEPP) and other Environmental Protection Authority (EPA) regulations.

Clause 15.01-1 – Urban design

97. 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

98. This Clause directs that the following design principles be applied to development proposals for non-residential development.

99. The relevant design principles are as follows:

(a) Context

(i) Development must take into account the natural, cultural and strategic context of its location.
(ii) Planning authorities should emphasise urban design policies and frameworks for key locations or precincts.
(iii) A comprehensive site analysis should be the starting point of the design process and form the basis for consideration of height, scale and massing of new development.

(b) The public realm

(i) The public realm, which includes main pedestrian spaces, streets, squares, parks and walkways, should be protected and enhanced.

(c) Safety

(i) New development should create urban environments that enhance personal safety and property security and where people feel safe to live, work and move in at any time.

(d) Landmarks, views and vistas

(i) Landmarks, views and vistas should be protected and enhanced or, where appropriate, created by new additions to the built environment.

(e) Pedestrian spaces

(i) Design of interfaces between buildings and public spaces, including the arrangement of adjoining activities, entrances, windows, and architectural detailing, should enhance the visual and social experience of the user.

(f) Consolidation of sites and empty sites

(i) New development should contribute to the complexity and diversity of the built environment.
(ii) Site consolidation should not result in street frontages that are out of keeping with the complexity and rhythm of existing streetscapes.
(iii) The development process should be managed so that sites are not in an unattractive, neglected state for excessive periods and the impacts from vacant sites are minimised.

(g) Light and shade

(i) Enjoyment of the public realm should be enhanced by a desirable balance of sunlight and shade.
(ii) This balance should not be compromised by undesirable overshadowing or exposure to the sun.

(h) Energy and resource efficiency

(i) All building, subdivision and engineering works should include efficient use of resources and energy efficiency.

(i) Architectural quality

(i) New development should achieve high standards in architecture and urban design.
(ii) Any rooftop plant, lift over-runs, service entries, communication devices, and other technical attachment should be treated as part of the overall design.

(j) Landscape architecture

(i) Recognition should be given to the setting in which buildings are designed and the integrating role of landscape architecture.

Clause 15.01-4 – Design for safety

100. 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

101. The objective of this clause is:

(a) To recognise and protect cultural identity, neighbourhood character and sense of place.

102. Relevant strategies to achieve this objective include:

(a) Ensure development responds and contributes to existing sense of place and cultural identity.
(b) Ensure development recognises distinctive urban forms and layout and their relationship to landscape and vegetation.
(b) *Ensure development responds to its context and reinforces special characteristics of local environment and place by emphasising:*
i *The heritage values and built form that reflect community identity.*
ii *The values, needs and aspirations of the community.*

Clause 15.02-1 – Energy and resource efficiency

103. 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..*

104. Relevant strategies to achieve this objective include:

(a) Ensure that buildings and subdivision design improves efficiency in energy use.
(b) Promote consolidation of urban development and integration of land use and transport.
(c) Improve efficiency in energy use through greater use of renewable energy.
(d) Support low energy forms of transport such as walking and cycling.

Clause 17.01-1 – Business

105. 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 18.01-1 – Land use and transport planning

106. The objective of this clause is:

(a) To create a safe and sustainable transport system by integrating land-use and transport.

107. Relevant strategies to achieve this objective include:

(a) Develop transport networks to support employment corridors that allow circumferential and radial movements.

(b) 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) Connecting activity centres, job rich areas and outer suburban areas through the Principal Public Transport Network.*
- *(iv) Providing for bus routes and stops and public transport interchanges in new development areas.*
- *(v) Providing safe, convenient and direct pedestrian and cycling access to job rich areas, public transport interchanges and urban renewal precincts.*
- *(vi) Promote walking and cycling when planning for new suburbs, urban renewal precincts, greyfield redevelopment areas and transit-oriented development areas (such as railway stations).*

(c) Integrate public transport services and infrastructure into new development.

Clause 18.02-1 – Sustainable personal transport

108. The objective of this clause is:

(a) To promote the use of sustainable personal transport.

Local Planning Policy Framework (LPPF)

109. The relevant policies in the Local Planning Policy Framework (LPPF) can be described as follows:

Municipal Strategic Statement (MSS)

110. Relevant clauses are as follows:

Clause 21.04-3 Industry, office and commercial

111. The objective of this clause is:

(a) To increase the number and diversity of local employment opportunities.

Clause 21.05-2 – Urban design

112. The relevant objectives 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 19 To create an inner city environment with landscaped beauty;*
(e) *Objective 20 - To ensure that new development contributes positively to Yarra's urban fabric;*
(f) *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; and*
(ii) *Strategy 21.3 Support new development that contributes to the consolidation and viability of existing activity centres.*

Clause 21.05-3 – Built form character

113. The general objective of this clause is:

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

114. The subject site is located within a non-residential area, where the built form objective is to *"improve the interface of development with the street"*.

115. The strategies to achieve the objective are to:

(a) Allow flexibility in built form in areas with a coarse urban grain (larger lots, fewer streets and lanes).
(b) Require new development to integrate with the public street system.

Clause 21.06 – Transport

116. This policy recognises that Yarra needs to reduce car dependence by promoting walking, cycling and public transport use as viable and preferable alternatives. Relevant objectives and strategies of this Clause are as follows:

(a) Objective 30 – To provide safe and convenient pedestrian and bicycle environments.
(i) Strategy 30.2 – Minimise vehicle crossovers on street frontages.
(ii) Strategy 30.3 – Use rear laneway access to reduce vehicle crossovers.
(b) Objective 31 – To facilitate public transport usage.
(c) Objective 32 – To reduce the reliance on the private motor car.
(d) 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 network.

Clause 21.07-1 – Ecologically sustainable development

117. The relevant objectives and strategies of this clause are:

(a) Objective 34 – To promote ecologically sustainable development.

(i) Strategy 34.1 – Encourage new development to incorporate environmentally sustainable design measures in the areas of 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.

Clause 21.08-2 Neighbourhoods (Burnley-Cremorne- South Richmond)

118. This clause describes the area in the following way (as relevant):

(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) 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.

(b) …

(c) Along Church Street is an activity centre based on furniture and homewares, professional and business services and hospitality. There is an opportunity to enhance this activity centre with consistent active frontages.

119. Figure 8 shows the subject site is partly within the '*Main Roads'* area and partly within the '*non-residential areas'.* Therefore, built form character objectives are to mainly the hard edge of the strip and to improve the interface of development with the street.

120. *The implementation of land use strategies in clause 21.04 includes:*

(a) Supporting the mixed use nature of development in the Cremorne area.
(b) Supporting offices and showrooms fronting Church Street south of Swan Street
(c) Supporting a monetary contribution in preference to land contribution in Cremorne, and a land contribution in preference to a monetary contribution in the remaining areas of this neighbourhood, for open space when residential subdivision occurs.

121. *The implementation of built form strategies in clause 21.05 includes:*
(a) Supporting development that maintains and strengthens the preferred character of the relevant Built Form Character type.
(b) Creating a more active street frontage along Church Street

Relevant Local Policies

Clause 22.05 – Interfaces Uses Policy

122. This policy applies to applications within the Commercial Zones (among others), and aims to reduce conflict between commercial, industrial and residential activities. The policy acknowledges that the mix of land uses and development that typifies inner city areas can result in conflict at the interface between uses.

123. The relevant objective is:

(a) To ensure that residential uses located within or near commercial centres or near industrial uses enjoy a reasonable level of amenity.

124. It is policy that:

(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.

125. A number of decision guidelines for non-residential use and development within the business zones are outlined, including the extent to which the proposal may cause overlooking, overshadowing, noise, fumes and air emissions, light spillage, waste management and other operational disturbances that may cause unreasonable detriment to the residential amenity of nearby residential properties.

Clause 22.10 – Built form and design policy

126. This policy applies to all new development not included in a Heritage Overlay. The relevant objectives of this policy are to:

(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.

127. The Clause includes various design objectives and guidelines that can be implemented to achieve the above objectives. The design elements relevant to this application relate to:

(a) urban form and character;
(b) setbacks and building height;
(c) street and public space quality;
(d) environmental sustainability;
(e) site coverage;
(f) on-site amenity;
(g) off-site amenity;
(h) landscaping and fencing;
(i) parking, traffic and access; and
(j) service infrastructure.

Clause 22.16 Stormwater Management (Water Sensitive Urban Design)

128. Clause 22.16-3 requires the use of measures to *"improve the quality and reduce the flow of water discharge to waterways"*, manage the flow of litter from the site in stormwater and encourage green roofs, walls and facades in buildings where practicable.

Clause 22.17 – Environmentally Sustainable Design

129. This policy was introduced into the Scheme on 19 November 2015 and applies to residential development with more than one dwelling. The overarching objective is that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation.

The considerations are energy performance, water resources, indoor environment quality, storm water management, transport, waste management and urban ecology.

Relevant Local Policies

Cremorne and Church Street Precinct Urban Design Framework

130. The *Cremorne and Church Street Precinct Urban Design Framework* [UDF] was adopted by Council at its meeting in September 2007. The intent of the UDF was to support redevelopment that contributes to Cremorne as a mixed-use area, while supporting strategic aims to develop employment opportunities in the area. The site is located within the Church Street Sub Precinct:

Built Form - Aims

(a) Encourage redevelopment that consolidates Church Street's role as a focus of office and showroom retail activities with a mixture of complementary activities that support these dominant uses and add to the amenity and activation of the public realm. Encourage high quality new buildings of a scale complementary to the Bryant & May factory while ensuring transitions to protect the amenity of lowrise development away from Church Street on side streets and ensuring a sense of pedestrian scale in the streetscape.

Built Form – recommendations

(b) B*uild to the street frontage with no front or side setbacks unless creating an open space that invites and supports public access and activity, that offers genuine environmental amenity for its users, and that contributes to the quality of the surrounding public domain.*
(c) Require the provision of active frontages along Church Street in all new development unless this conflicts with heritage conservation objectives.
(d) Encourage the provision of awnings over footpaths to create weather protection for pedestrians, especially near tram stops.
(e) Investigate the potential for public access to the Bryant & May tennis courts and enhanced utilisation of the clubroom facilities as part of any new development within the site. New development on this site will be guided by the heritage overlay controls and the overall building heights and setbacks specified for this part of Church St sub-precinct
(f) Minimise the number of vehicular crossovers affecting pedestrian amenity in Church Street. Discourage vehicular entry to properties from Church Street where there are options for access via side streets and rear laneways.
(g) Ensure that new buildings sit comfortably within their immediate built form context, and where appropriate allow relatively higher built form elements, especially along Church Street with the proviso that taller new buildings grade down to create appropriate transitions to adjoining heritage buildings, and adjoining low-rise residential development to the east and west of Church Street to protect their amenity. A street frontage height of three to four storeys (max 14m) along Church Street, depending on adjoining buildings, and three storeys (max 11m) along side streets should be maintained and any additional height set back so as to be hidden from and to avoid additional overshadowing of nearby streets and public spaces.
(h) Encourage a maximum height limit of four to five-storeys along Church Street north of William Street, and most properties on the east side of Church Street. This aims to continue and maintain the fine grain and low scale character of the heritage buildings north of the station and provide a responsive design outcome. Buildings south of Williams Street, in particular the west side of Church St, may accommodate another level given their relatively larger sites, if development proposals demonstrate design excellence and make tangible contributions to the public domain.

(i) Create a sense of pedestrian scale and interest using building articulation and detailing of facades, especially at ground and first floor levels.

Public Realm Recommendations

(j) Consider the establishment of Shared Zones in all streets and lanes that are too narrow for DDA-compliant footpaths and where multiple driveways erode the integrity of the footpaths.
(k) Develop and implement a public lighting strategy. Suspend street lights from buildings wherever possible to enable removal of poles from footpaths.
(l) Explore opportunities for undertaking aerial bundling of cables or place power lines underground, especially in connection with the redevelopment of any of the major sites in the precinct.
(m) Rationalise poles and signs to reduce obstacles in footpaths
(n) Prepare a streetscape precinct plan, setting out paving materials, identifying improvements for disabled access, including improved alignment of kerb ramps and installation of tactile pavers, and identifying locations for tree planting (e.g. within localised kerb outstands, pocket parks, building setbacks, etc.). Implement the plan through a combination of Council capital works budget and developer contributions for frontages adjoining their sites.

131. Council prepared Amendment C97 to the Scheme which proposed to rezone the study area from Business 3 Zone to Business 2 Zone, in order to provide for some residential development in the precinct. The Amendment was abandoned by Council at its February 2010 meeting, however the UDF remains as an adopted document.

Swan Street Structure Plan

132. The SSSP was adopted by Council at its meeting on 17 December 2013 and is relevant to the site.

133. The site is located within the 'Church Street' Precinct of the Plan's study area. The Structure Plan prepared for the Swan Street Major Activity Centre [MAC] was in response to the State Government sustainable growth policy, *Melbourne 2030*; a plan for the growth and development of the Melbourne metropolitan area. One of the principal aims of the policy was to provide a network of activity centres throughout Melbourne, with these centres providing a focus for development and urban expansion in areas well serviced by public transport, existing infrastructure and community services. The Swan Street Structure Plan aims to manage this growth within the Swan Street MAC and the surrounding area.

134. Of relevance to this application are proposed revisions to the built form guidelines that will provide guidance on future built form and how that would be in keeping with the longer term vision for Swan Street and surrounds, along with guidance on urban intensification within the precinct. The plan provides guidance on maximum building heights within each precinct, with 5-6 storeys the suggested height for this area within the Church Street neighbourhood.

135. The SSSP acknowledges that the area is functioning well and provides significant employment opportunities and that with the right support, these activities are likely to continue. It also acknowledges that the current zoning does not allow residential development.

136. Whilst adopted, the SSSP has yet to progress to the formal amendment stage and technically has limited statutory weight.

Advertising

137. The application was advertised in accordance with Section 52 of the *Planning and Environment Act* 1987 [**the Act**] by way of 337 letters sent to the surrounding property

owners/occupiers and by five signs, two signs facing both Hutchings Street and Church Streets and a fifth facing Walnut Street.

138. Eleven objections were received to the application, these can be summarised as:

    (a) The proposal is an overdevelopment and is not responsive to neighbourhood character;
    (b) Excessive height and scale;
    (c) Design and glare from materials;
    (d) Amenity impacts (overlooking/overshadowing/daylight to existing windows/noise);
    (e) Increased traffic - less car parking spaces should be provided;
    (f) Inadequate car parking and loading of vehicles and bicycle facilities (including visitor parking);
    (g) Cumulative traffic/parking impacts of other approvals;
    (h) Lack of equitable development opportunities;
    (i) Construction issues (disruption, early starts, traffic and noise).

139. The grounds of objections raised will be considered and addressed where relevant throughout the following assessment.

140. A Consultation Meeting was held on 10 October 2017, where the key issues raised in the objections were discussed with the Permit Applicant, Objectors and Planning Officers present.

Referrals

141. External Referrals

    (a) Public Transport Victoria;
    (b) VicRoads;
    (c) CityLink;
    (d) EPA;

142. Internal departments

    (a) Urban Design;
    (b) Engineering Services Unit;
    (c) Strategic Transport;
    (d) Open Space;
    (e) Waste Services;
    (f) ESD Advisor;

143. External consultants

    (a) Urban Design (David Lock Associates);
    (b) Acoustic (SLR Consulting); and
    (c) Wind (ViPac Consultants).

144. Referral comments are attachments to this report.

OFFICER ASSESSMENT

145. The following key issues and policies will be used to frame the assessment of this planning permit application:

    (a) Policy and physical context;
    (b) Use;
    (c) Built form;

(d) Environmentally Sustainable Development (ESD);
(e) Off-site amenity impacts;
(f) Car parking, traffic, loading, access and bicycle provision;
(g) Waste management; and
(h) Objector concerns.

Policy and physical context

146. In relation to the SPPF and LPPF it is considered that the proposed development achieves the various land use and development objectives outlined earlier in this report and achieves a sound level of compliance with the relevant policies, subject to conditions.

147. The subject site and the surrounding area are located within a Commercial 2 Zone which has the purpose of encouraging the integrated development of offices and manufacturing industries and associated commercial and industrial uses. The proposal complies with this strategic direction by continuing the industrial/commercial use of the site in a more intensive form to facilitate greater employment opportunities in the area.

148. The site is well connected to the public transport systems and road network supporting both cars, walking and cycling. State policy encourages the intensification of employment generating uses in areas with these locational characteristics close to where people live (clause 11.04).

149. Similarly, local planning policy identifies the vibrant and mixed use nature of activity centres as an important attribute of the municipality and seeks to encourage their long term viability through development and land uses that contributes to the adaptation, redevelopment and economic growth. Clause 21.04-3 also seeks to increase the number and diversity of employment opportunities, specifically identifying service industries as an area where opportunities have been created by declines in traditional manufacturing businesses. The proposal complies with this policy and achieves these goals.

150. Considering all of this, the site is located within an area where higher intensity industrial and commercial uses have been directed to be located by both local and state policy. In the Tribunal decision *WAF Construction Pty Ltd v Yarra CC [2003] VCAT 1122 (29 August 2003),* the following comments were made in relation to a Business 3 Zones (now Commercial 2 Zone) in Cremorne :

> [33] The site's location in an identified commercial/industrial area, together with its proximity to an extensive public transport network and an Activity Centre, are factors supporting a higher density commercial development.
>
> [34] [Commercial 2 Zones] seek to facilitate development of the service sector, allow for more efficient utilisation of business premises and encourage the development of employment areas that are serviced by public transport and bicycle and pedestrian networks.

151. The proposed density of the development is consistent with both State and Local Policies such as clauses 15.02-1, 17.01-1, 18.01-1 which encourages concentration of development and employment opportunities in and around activity centres and intensifying development on sites well connected to public transport. This ensures efficient use of existing infrastructure. Furthermore, considering this site is generally surrounded by similar uses, any off-site amenity impacts would be minimised (the sites to the north and west will be discussed within the *Off-site Amenity* section of this report).

152. Furthermore Council's local Neighbourhood's policy at Clause 21.08-2 recognises this as an area where the industrial character should be retained and offices located within. The proposal is also in-line with Council's adopted Urban Design Framework (UDF) for Cremorne. The UDF includes built form aims to consolidate Church Street's role as a focus of office actives with a mixture of complimentary activities that will add to the amenity and activation of the public realm.

153. The proposal includes substantial contribution via streetscape improvements through the inclusion of a proposed streetscape works sketch plan provided on 15 November 2017 which shows a widened and completely re-developed Hutchins Street to facilitate a 'Shared Zone'. A condition can require these works to be completed to the satisfaction of the Responsible Authority and with all works to be at the permit holder's expense.

154. Having regard to the above, the proposed re-development of the site for a mixed use building of this scale is considered to have strategic planning support.

Use

155. The proposed food and drinks premises tenancies trigger a planning permit under the Commercial 2 Zone on the basis of the floor area exceeding 100sqm. In respect of the appropriateness of the use, it is considered that there is support for it at the ground floor where it can be demonstrated that the scale of operation would not result in unreasonable impacts to the surrounding area or erosion of the primary purpose of the Commercial 2 Zone.
156. This consideration is relevant in terms of the objective of the Commercial 2 Zone: *to encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.*

157. The site is located within an employment cluster which is of importance not only to the municipality, but also to the broader metropolitan region given its capacity for change and connections to other Activity Centres, residential areas and transport. The area supports a growing employment base, and the proposed food and drinks premises will support this by providing a venue where the local workers can obtain food and drinks as well as local residents. The food and drinks premises will contribute to the mixed use nature of the location which includes other commercial entities. On weekends, there is an expectation that buildings are active and provide for visitors and local residents alike.

    Again, the food and drinks premises use will play a legitimate role in meeting the needs of the area in this respect and providing seven days a week activation of the area whereas offices are generally closed and can lead to inactivity of an area.

158. The Commercial 2 Zone also required consideration of the following matters (as relevant) at clause 34.02-7, each with a response provided below:

    (a) The effect of existing uses on the proposed use – existing uses are residential (to the west in the residential zone) and commercial/industrial in nature and are not expected to have an adverse impact on the proposed use;
    (b) The drainage of the land – the land is not located in an area with any specific drainage requirement under the Scheme and would have adequate ability to connect to relevant drainage networks;
    (c) The availability and connection to services – the site is in an existing built up urban area with easy connection to all necessary services;
    (d) The effect of traffic to be generated – this is discussed in detail later in this report;

159. In respect of amenity impacts, Clause 22.05 seeks to ensure that new non-residential uses do not unreasonably impact dwellings including through noise, light spill, emissions and rubbish.

160. The closest residentially zoned land is to the west of Walnut Street and is separated by the nearest proposed food and drink tenancy by approximately 54m. The applicant has proposed the food and drinks premises tenancies are open from 7am to 11pm. There is limited guidance in the Scheme as to what appropriate opening hours are in the Commercial 2 Zone. These are typical food and drinks premises hours and similar to or less than others located on Church Street. This use is not expected to have unreasonable impacts on these dwellings and could be managed with appropriate conditions.

161. In terms of the numbers of patrons, the applicant is proposing a total of 600 across the three tenancies. These will be split within the overall area of 1,211sqm which a quite significant area. The larger tenancy (No. 1) will have a maximum of 350 patrons, the central tenancy (No. 2) will have 150 and the smaller (No. 3) will have 100. As these are located further away from residences and towards Church Street (which has other similar uses) the impacts will be minimised and they are acceptable. It is most likely that patrons will access each tenancy either from the office lobby or from Church Street. This will reduce impacts on the surrounding residences.

162. Rubbish would be adequately concealed within the building and any emissions would have an adequate dispersal distance from the dwellings. Conditions can be included to ensure the amenity of the area is not unreasonably compromised due to the proposed food and drinks premises use. These would normally include restrictions on hours of operation, noise, waste disposal, deliveries and emission including light spill.

Built form

163. The following is a detailed assessment of the proposal against the design objectives of Clause 22.10 – Built Form and Design Policy and Schedule 2 of the Design and Development Overlay. The assessment will also consider the decision guidelines of the Commercial 2 Zone, and the urban design principles articulated at Clause 15.01-2. In the interests of providing a concise assessment and avoiding repetition between State and local design principles, the following assessment will group similar themes where applicable.

Urban form, character and context

164. As discussed in the policy section above, the proposal is an appropriate response to the site's strategic context and makes efficient use of relatively under-utilised land. Strategically, the subject site is appropriately located for a higher-density development, being located within proximity to an Activity Centre, within a commercial zone with excellent access to public transport, services and facilities and with limited sensitive, residential interfaces. Three boundaries have at least the width of a street to provide a buffer from amenity impacts. It would be a reasonable expectation that this site (as those surrounding it are currently doing) would experience intensification in use and development.

165. The provisions of the Scheme relevant to design and built form are contained at clause 15 (Built Environment and Heritage), clause 21.05 (Built Form), clause 22.10 (Design and Built Form) and Schedule 2 of the Design and Development Overlay. All of the provisions and guidelines support development that responds to the existing or preferred neighbourhood character.

166. The subject site is not located within a heritage overlay, however the sites to the west along Chestnut Street are. The proposal will not impact these as they will still be able to be read from their principal frontages along Chestnut Street.

Character

167. The surrounding existing neighbourhood character is a mixture of older single and double storey buildings both commercial and residential in style with some modern developments also. More recently constructed buildings are at least five storeys in height. The built form of the wider surrounding area is dominated by its location within a commercial zone and its proximity to the Swan Street Major Activity Centre (MAC). This mixture in built form types and heights is typical of the Cremorne area as discussed within the Clause 21.08-2 description. These areas have and will continue to experience an intensification of use and development.

168. Considering the recent approvals of larger scale developments, the street's proximity to the Swan Street MAC, convenient access to a train station and that the majority of sites are not located within a heritage overlay to restrict development, it would be a reasonable expectation that this site and others in the street, would experience further intensification in use and development. Whilst not a document which Council relies on, the SSSP has designated this area as having developments of between five and six levels. This highlights that Council has earmarked this area for higher development than the current form which exists.

169. In terms of more specific street interfaces, the proposed works are an improvement on the existing streetscape interface through the demolition of out-dated buildings and the removal of at-grade car parking spaces which do not activate the street frontage for the construction of a modern building. The majority of buildings are constructed in a rectilinear form with windows and balconies facing the street and mainly flat roofs although there is a mixture of construction eras and styles.
170. As previously discussed, there is a consistent character of boundary-to-boundary development with all of the abutting sites having close to 100 percent site coverage and high walls along the front boundaries with minimal openings. The proposal is continuing the character of high site coverage with improved visual permeability.

Church Street

171. The proposal incorporates a three storey street wall built to its side boundaries along Church Street with the ground floor corner eroded from its intersection with Hutchings Street. Council's external Urban Designer confirmed that the construction of the podium to the side boundaries is acceptable.

This is also in-line with the Cremorne UDF which recommends that buildings are built to the street frontage "*with no front or side setbacks unless creating an open space that invites and supports public access and activity, that offers genuine environmental amenity for its users, and that contributes to the quality of the surrounding public domain."* This is the case in this instance through the provision of low level planting and seating at the intersection of Church and Hutchings Street.

172. The image below shows the development as it presents to Church Street.

173. Whilst the three-storey podium is higher than the two abutting buildings, it is similar to other street wall heights along the street. Council's external Urban Designer confirmed that "*the height of the street wall is also generally consistent with the emerging developments in this part of Church Street (such as 480 Church Street and 511-521 Church Street)"*. They also confirmed that the "*5m setback of the upper form will lessen its visual presence and distinguish between the upper form and street wall*." They stated that this will ensure that "*the street wall will be the visually dominant element within the streetscape."* Council planning officers submit that the street wall height is acceptable and will fit in with the surrounding street wall character.

174. The proposal also constitutes a significant improvement as it will fill-in an area within the streetscape which is currently used for at-grade car parking access for Australia Post. This creates a void in the streetscape where active frontage should be and does not contribute to the streetscape character of Church Street. It is a substantial positive of the proposal for new built form to be constructed in this location and the car parking access removed.

Hutchings Street

175. As previously outlined, the character of Hutchings Street is one of sideages and the rear of properties fronting Chapel Street to the north. The proposal will create an entirely new streetscape along Hutchings Street both due to the proposal built form and also the works associated with the Shared Zone. This constitutes a significant improvement compared to existing conditions.

176. The proposal will include active frontages in the eastern half of the site along Hutchings Street with the entrances for the food and drinks premises and the office lobby. Services are located in the western end. Whilst not idea, this is unavoidable as areas such as loading bays, vehicular access and the bike ramp amongst others all need a frontage and both the Walnut and Church Street frontages are unsuitable. The proposal presents as a three storey podium in the eastern end and at its intersection with Walnut Street, with a 2.4m setback for a central indentation. Above this, the building is setback at least 2.4m from Hutchings Street in the eastern half with the western end being built along the northern boundary but having increased setbacks from Walnut Street (as already described in the *Proposals* section).

177. For the western end of the proposal, the terracing results in a varied street wall height along Hutchings Street with a three, five, seven, nine and eleven storey street wall as one travels from the west towards the central indentation. Both Council planning officers and the external Urban Designer agree that a 2.4m wide setback should be incorporated into the entire northern elevation from the third floor and above. This can be included as a condition on any permit granted.

178. Whilst DLA suggested this for equitable development reasons (equitable development will be discussed within the *Off-site amenity* section of this report), Council's planning officers have included this as a way to reduce the extent of sheer wall along the street (which at some points is eleven storeys high). By providing a setback above the podium, this ensures that the proposal does not result in an enclosed streetscape character along Hutchings Street.

179. As a result of concerns raised by Council's planning officer, external Urban Designer and internal units, the sketch plans provided on 21 September 2017 show the protrusion of the fins as being reduced to a maximum of 300mm outside of the northern title boundary (except at the ground floor to Church Street where it acts as a canopy and is setback 0.75m from the kerb). This will be required by way of condition. This reduces the impact of the proposal on Hutchings Street whereby previously the fins protruded up to 1.2m outside of title boundaries. This was detrimental to the streetscape and exacerbated the enclosed feeling.

Walnut Street

180. The proposal will present as a three storey boundary wall along Walnut Street which fits in with the existing laneway character of the street where similar heights are evident. The existing building includes a very high on-boundary wall. The proposed three-storey street wall is acceptable and similar to the height of other walls along the eastern side of Walnut Street. The proposal will have a ground floor wall constructed of red bricks (similar to existing) with the two upper levels constructed of silver tinted and silver colourback glazing. Both are typical construction materials already evident in the street. Above this the proposal steps away in a terraced form as already described.

181. To improve the building's ground floor presentation to Walnut Street and to avoid the appearance of a blank wall, the applicant has agreed to provide public artwork to the west-facing ground floor wall. A condition can ensure that this is maintained to Council's satisfaction.

Architectural quality

182. The development is considered of high architectural quality and in that regard responds to the design objectives clauses 15.01-2 and 22.10-3.4 as well as Schedule 2 of the Design and Development Overlay. The contemporary design is appropriate and responds well to this part of Cremorne.

183. The proposal is constructed primarily of glazing with high sheer walls and a unique pattern of terracing at the rear. The proposed materials are perforated metal blades in a copper colour, glazing (silver tinted, silver colourback and clear) and pre-cast concrete. Whilst objections were received regarding glare from the glazing, the applicant provided Council with a materials sample board. This clearly shows that the glazing is not reflective. The use of glass as an external material is typical.

184. The applicant has provided interest to these façades (which can often be difficult in office developments where large floor plates are typical) through the inclusion of architectural fins and protrusions as well as a central indentation in the northern façade which is quite long. The fins are both horizontal and diagonal in direction. In totality, this creates variation and interest and demonstrates the development has been considered in the round. Through the sketch plans provided on 21 September 2017, that applicant has streamlined the fin design adjacent to the indentation. Within the decision plans, the fins crossover, whilst in the sketch plans, this is limited. A condition can require this to be shown in-line with the sketch plans.

185. The eastern setback of the southern elevation is constructed of precast concrete and although the plans and renders show some patterning, it is unclear how this will appear. The western end of the southern elevation is to be constructed of silver tinted glazing. Although it is acknowledged that over time it is likely that the sites to the south will also be developed, it is important that the proposal presents an articulated façade along this elevation as it is quite visible form the public realm.

186. Council's external Urban Designer recommended "*that additional detail be sought from the applicant in relation to the treatment of the blank wall treatment on the southern boundary, given that it will be visually prominent until such time as the neighbouring property is developed*." A condition can require that the southern boundary wall is articulated using materials and/or finishes.

Height and Massing

187. The proposed building will extend to a maximum height of 11 storeys which equates to approximately 44.57m with an additional 7m in height for the services screening. Whilst it is acknowledged that the building will be taller than adjoining developments, there are recent approvals for higher developments in this area, with some having already been constructed. This proposal is certainly in-line with the emerging character of the area and generally consistent with local and state policy.

188. Council's external Urban Designer agreed that "*Church Street is likely to see significant change to its character area given its proximity to public transport, shops and services and generally underutilised nature".* However they stated that "*although the subject site is well serviced with regard to public transport and other services, it is not located within an activity centre*" and that "*given that the area of the subject site and the width of this part of Church Street, it is considered that the site can sustain a scale of 8 storeys, with appropriate setbacks*."

189. Council's external Urban Designer had also recommended a 2.4m setback above the podium along Hutchings Street which has already been discussed.

190. The basis for the reduction in height (in addition to the proposal being located outside of an activity centre) is that "*it would also result in a relatively 'enclosed' streetscape character if repeatedly generally along both sides of Church Street*." It should be noted that the SSSP was also acknowledged within their advice however Council's planning officer does not rely on this due to its limited statutory weight.

191. As has already been extensively discussed within this report, there is strategic policy support for increased development on this site however it is not to say that any increase is therefore acceptable. Council planning officers agree with this recommendation and that a reduction in height is warranted in this instance. The potential for an overbearing form in both Hutchings and Church Streets is quite evident in the image below (which also includes the additional setback recommended above the podium along Hutchings Street):

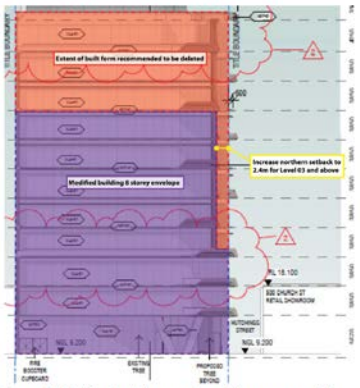


Figure 3 - Modified building envelope with recommended 2.4m setback

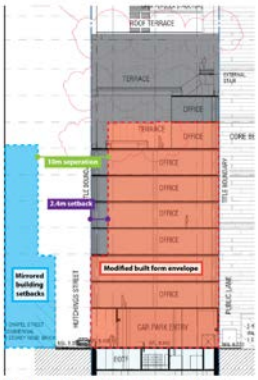
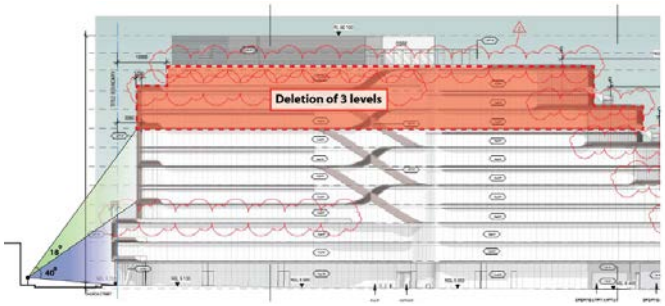


Figure 4 - Mirrored condition to achieve 10m tower separation

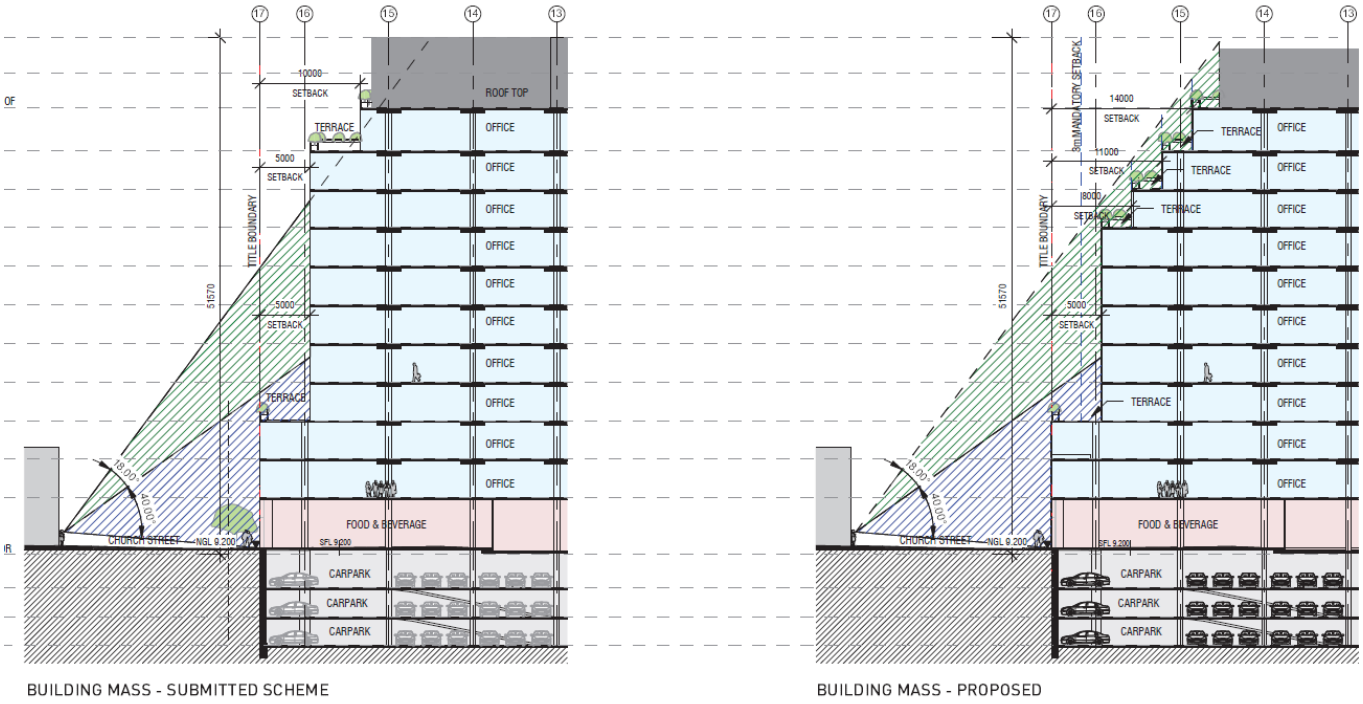


192. Whilst Council planning officers believe that a reduction in height is required, and that the reduced eight storey form is more appropriate, it is submitted that a recessed ninth floor could be included within the proposal. With a sufficient setback, it would not have a dominating impact on either the Church Street or Hutchings Street streetscapes. Therefore, Council recommends a height of eight storeys with a recessed ninth floor to act as a 'cap'.

193. This will be an improvement in the proportions of the development which currently appear too dominating (three level podium with a tower of seven storeys above).

This condition (resulting in a three level podium with a tower of five storeys above), in conjunction with the additional setback from Hutchings Street already outlined will substantially reduce the visual dominance of the proposal.

194. The applicant has provided sketch plans which show a terracing of the upper levels from the proposed 5m setback with the eighth floor increasing to 8m, ninth floor to 11m and the tenth floor to 14m. The setback of the plant and equipment is increasing from 14m to 17m. The image below shows the proposed front setbacks as per the sketch plans submitted on 21 September 2017:



BUILDING MASS - SUBMITTED SCHEME

BUILDING MASS - PROPOSED

195. Council does not support this as a solution as the rear is already terraced. By providing the same response to each frontage, Council believe this is an unacceptable as it erodes the hard-edged built form preferred in these commercial areas. Whilst this is acceptable in the western end to respond to the residentially zoned land, Council submits that it is not appropriate for Church Street. Therefore, the proposed height reduction will be included as a condition rather than the additional terracing.

196. A further issue identified by Council's planning officer is the height (7m) and limited front setback (14m) of the plant and equipment on the roof. This is excessive and results in an additional height the equivalent of two levels. This will clearly be visible from oblique angles and will attract viewer's eyes up to this upper-most section, further adding to the visual bulk of the proposal. Whilst the 17m setback shown in the sketch plans is an improvement, it is unclear how this will appear subject to the proposed height reduction, however it will form a recommendation that the height of the plant equipment is reduced and the setback from Church Street increased.

197. Returning to the issue of the ninth floor cap, whilst Council does not support the terracing, the above image clearly shows that a ninth floor would only be marginally visible if it had sufficient street setbacks. Therefore, a condition can require the ninth floor to be setback 10m from Church Street. A further condition can require the applicant to provide plans which show the plant and equipment screening obscured from views at oblique angles from the north-east and southern-east along Church Street, to the satisfaction of the Responsible Authority. These conditions will ensure that the proposal does not dominate Church Street or Hutchings Street and will reduce its visual impact.

198. Whilst it is acknowledged that the proposed building will be amongst the tallest structures within the immediate surrounds, the height of the development is considered to be acceptable (subject to a reduction in height and increased setbacks) due to its location in an industrial area, lack of sensitive interfaces, the emerging character of the area and strategic redevelopment potential.

199. As previously stated, the site is located within an area undergoing transition which has resulted in a mixture of heights approved ranging from three storeys to seven in the immediate surrounds. As such, Council's recommended height of eight storeys with a recessed ninth floor cap is compliant with policy at clauses 15.01-1, 15.01-2 and 22.10-3.3. The height is appropriate within the context of the area in accordance with objectives at clause 22.10-3.3. Due to the lack of heritage development restrictions in the street and the sites proximity to the Swan Street MAC, it is expected that as time goes on, the area will increasingly become developed with multi-level commercial buildings contributing to the economic viability of the centre.

200. Within a previous Tribunal decision, *WAF Constructions Pty Ltd v Yarra CC [2003] VCAT 1122 (29 August 2003)*, regarding a multi-level office building in Cremorne the following statement was made:

> [36] I appreciate that the buildings in the immediate vicinity of the subject site have a relatively low scale. However, there is consensus that this is an area in transition. As described by Mr Tweedie, it is an area "*crying out for redevelopment and renewal*" given the state of the building stock and its convenient location. I consider it is appropriate to consider the likely future built form in the area. It does not amount to "crystal ball gazing" to predict that many other properties in the area will be redeveloped or extended. Much higher buildings are likely to be the norm, especially as policies support change and sites are not constrained by heritage considerations or residential amenity considerations.
>
> [Emphasis Added]

The Member goes on to state:

> [40] There are no height controls or express policies in the Planning Scheme which suggest what height is acceptable. The idea of a transition in height, usually invoked when considering residential development, is not necessarily applicable.

201. By acknowledging its existing context and the agreed aspirations for the future development of the area, the proposal has complied with policies within clauses 15.01-1, 15.01-2 and 22.10-3.3. Overall, the development is in an area where it is appropriate and practicable to provide a building of this height in order to achieve planning objectives, with the scale of the building aligning with all relevant policies and objectives.

Public Realm

202. This principle requires the design of interfaces between buildings and public spaces to enhance the visual and social experience of the user. In this respect, the proposal represents a significant improvement in streetscape, public space quality and perceived safety. The existing façades of the buildings are industrial in nature and do not encourage passive surveillance to the streets as is typical of former industrial areas. The existing built form's presentation to the street is not part of the future preferred character envisioned by Council's local policy. Additionally there are a number of at-grade car parking areas fronting both Church and Hutchings Street which would be discouraged if they were proposed now.

203. The construction of a modern building with large glazed ground floor lobbies, active tenancies and outdoor spaces is a significant improvement to the streetscape. Through the activation of the ground floor, the building will provide interaction at street level where there currently is none. This satisfies public realm, pedestrian spaces and street and public space quality policies at clauses 15.01-2, 21.04-2, 22.10-3.2 and 22.10-3.4.

204. The proposal has been designed to have active and attractive frontages and has provided street interaction in its interface design. It is unavoidable to have areas where services are located, however the proposal has located these in the western section of Hutchings Street and the rear laneway, away from main thoroughfares. This applicant has also agreed to provide for public artwork to the west-facing ground floor wall. This will improve its presentation to Walnut Street. Additionally, the proposal includes low level planting and seating at the intersection of Hutchings and Church Streets which will add to the vitality of the street, compared to the existing conditions which offer minimal similar opportunities.

205. In terms of light and shade to the public realm, due to the orientation of the site, shadows fall over the footpath only in the afternoon from approximately 1.30pm onwards. As Council only considers until 3pm, this is not considered an unreasonable amount of time. Additionally, with the proposed height reduction, this will likely further reduce.

206. As already repeatedly acknowledged, the proposal includes the widening of Hutchings Street with the sketch plan submitted on 15 November 2017 showing a Shared Zone. As part of the proposed Shared Zone works, the applicant will be carrying out many streetscape improvement works, including the provision of street trees, public lighting, converting overhead power lines to underground, removal of crossovers and resurfacing the newly widened Hutchings Street (some of these will form part of the civil works drawing requirements which is discussed below).

207. As already outlined, a meeting was held with the applicant, Council's planner and the Engineering and Construction Management Units on 14 November 2017 which resulted in the amended streetscape works plan submitted on 15 November 2017. At the meeting all parties in attendance agreed to scale back the detail in the streetscape works plan to ensure all the dimensions are correct and that the Shared Zone can logistically work. It was agreed at the meeting that further design detail will come through as part of permit conditions and that a civil works plan will also be required as part of a permit condition. Additionally, this was agreed that this was the most appropriate approach as there will be greater certainty surrounding the proposal and this will provide the applicant with sufficient time to consult their traffic engineers and a DDA compliance consultant. The applicant has agreed to this.

208. Council's planning officer and internal units are satisfied with the Hutchings Streetscape Works sketch plan submitted on 15 November 2017 subject to conditions requiring the applicant to address the following matters:

    (a) Hutching Street dimensions, setbacks and clearance heights as per the Hutchings Street and Hutchings Streetscape detail sections provided on 15 November 2017;
    (b) tree planting/traffic calming measures (including the provision of swept path diagrams for vehicles);
    (c) consideration of public seating;
    (d) measures to provide DDA access;
    (e) the location of tables and chairs;
    (f) the location of bike parking (including the provision of additional bike parking on Church Street);
    (g) materials to be of a City of Yarra Standard;
    (h) the location of all Shared Zone signage to be shown in the context of other street furniture and trees;
    (i) 'matching in works' for the sites to the north (to the concrete crossovers/paving on the northern side of Hutchings Street);
    (j) the deletion of all references to One-Way traffic operation of Hutchings Street in the western end; and
    (k) the clear delineation of the site's title boundaries along Hutchins Street and Church Street (Brass discs or a similar type method for delineating the title boundaries could be considered).

209. The applicant has also agreed that drainage matters, public liability, construction details and DDA compliance will all be part of further design detail and an additional civil works drawing required as permit conditions, should a permit be granted. The applicant has agreed to this.

210. The works shown in the Hutchings Streetscape Works sketch plan and additional requirements listed above have several benefits including providing an enhanced pedestrian experience, improved safety, additional public seating and areas for planting. This contributes to improving amenity as it transitions to a revitalised area which will see an increase in foot traffic. They will provide benefits to all users of the public realm and not only those occupying the development.

    The proposed public realm improvements can be required by condition and is considered a very significant and positive contribution to the public realm and the amenity of this changing part of Cremorne.

211. Council's internal urban design unit had some remaining concerns with regards to the public realm improvements and they are detailed below:

    (a) Some public seating should be provided along Hutchings Street.

    Seating will be addressed at a later stage as part of a Hutchings Streetscape Works permit condition.

    (b) The overhang along the eastern end of Hutchings Street is very deep (about 4 metres), and should be pulled back so that it is only 2.5 metres deep.

    The overhang will be slightly reduced as a condition is requiring all fins to not protrude more than 300mm outside of title boundaries. This is sufficient.

    (c) The position of the overhang and cycle parking at the office entrance does not provide a refuge or protected space for people coming in and out of the office, and needs review.

    The setback of the overhang is part of the overall central indentation design response.

    (d) The overhang at the western end of Hutchings Street only covers a narrow strip of the footpath, and needs improvement (by pulling the building line back, or providing an awning).

    The western end is not seen to be a major pedestrian thoroughfare and the proposed overhang is an improvement on existing conditions.

    (e) The applicant should consider placing the trees within the carriageway along Hutchings Street to avoid the basement/overhang, allow for more substantial sized trees and provide traffic calming along the street.

    Tree plantings will be addressed at a later stage as part of a Hutchings Streetscape Works permit condition.

    (f) Two-way cyclist access should be looked at for the western end of Hutchings Street.

    This will be addressed at a later stage as part of a Hutchings Streetscape Works permit condition

    (g) It appears that more cycle parking has been provided along Hutchings Street. Consider whether some of this can be moved away from the office entrance to provide more space here for pedestrians. Also consider opportunities for cycle parking on Church Street.

The location of bicycle parking will be addressed at a later stage as part of a Hutchings Streetscape Works permit condition

212. The provision of a Shared Zone is a public realm recommendation within Council's UDF for streets such as Hutchings Street which are too narrow for DDA-complaint footpaths. As is the conversion of overhead cables to underground.

213. With regards to the above public realm improvements which are within the title boundaries of the site, these will remain as private title with the construction and on-going management/maintenance of the public realm improvements being required as per the endorsed plans and to the satisfaction of Council. This can be dealt with by way of condition on a permit. The applicant has agreed to this.

Site Coverage

214. The level of site coverage proposed is 100 percent and obviously well above the maximum of 80 percent as directed by clause 22.10-3.6. However as the existing level of site coverage in the surrounding (and immediate) area is similar, it is acceptable. Commercial buildings in this precinct traditionally have high levels of site coverage with this characteristic being evident throughout Cremorne.

Landscape architecture

215. Landscaping is not a typical feature of commercial buildings in Cremorne, however the proposal include landscaping to each terrace and also will include some as part of traffic calming measures in the proposed shared zone. This is an improvement compared to existing conditions. Council's Open Space Unit provided comments in relation to the landscaping of the terraces, and these can be incorporated as conditions on any permit to be issued.

216. A condition can require a landscape plan to show all plantings. This satisfies objectives at clauses 22.10-3.2 and 22.10-3.9.

Environmentally Sustainable Development (ESD)

217. Redevelopment of the site located in an existing built up area would make efficient use of existing infrastructure and services, and the proximity of the subject site to numerous public transport modes which reduce employees and visitors from relying on private vehicles. Policy at clauses 15.02-1, 21.07, 22.16 and 22.17 of the Scheme, encourage ecologically sustainable development, with regard to water and energy efficiency, building construction and ongoing management.

218. Council's ESD Advisor confirmed that the proposed ESD standard for this development is high, above Council's best practice standard, and which could be considered as "excellence" in ESD based on the Green Building Council of Australia definitions.

219. There are areas of identified outstanding information or improvement opportunities:

(a) *The proposed stormwater management system is likely to meet best practice urban stormwater quality standards. Please supply stormwater modelling outputs to confirm that the proposed system meets best practice stormwater standards. Please mark the rainwater tank volume(s) on plans.*
(b) *Project 'aims to substitute regular manufactured wood products with products that contain lower formaldehyde content'. The commitment to low formaldehyde products is unclear, recommend a clear commitment to low or zero formaldehyde content timber products.*

(c) Consider a solar PV array to contribute to electricity consumption.
(d) Low VOC adhesives and finishes. Recommend low VOC carpets, sealants, finishes and paints also.

220. These matters are all considered reasonable and conditions can require these to be be included in an amended SMP and annotated on the plans (where relevant).

221. It is considered that the proposal will achieve a high level of environmentally sustainable design and greater internal amenity for future occupants. This satisfies a number of clauses including 15.02-1, 18.02-1, 21.06 and 21.07.

Off-site amenity impacts

222. The policy framework for amenity considerations is contained within clause 22.05 (Interface uses policy). Clause 55 of the Scheme provides some guidance on these matters (although not strictly applicable).

223. Design objectives at *clause 22.10-3.8* aim to limit the impact of new development on the amenity of surrounding land, particularly residential land, by ensuring that development does not prejudice the rights of adjoining land users. These objectives are largely designed to reduce off-site amenity impacts to land where they interface between land uses. This can include limiting off-site amenity impacts on residential land as well as ensuring that new non-residential use and development within Commercial and Mixed Use and Industrial Zones are designed to minimise noise and visual amenity impacts upon nearby, existing residential properties. Therefore this application must consider both the off-site amenity impacts for residential land as well as any potential impacts to existing commercial/industrial uses.

224. Having regard to amenity impacts on nearby existing residences, policy within clause 22.05 acknowledges that in order to maintain the viability of industrial and business areas, residences which abut business areas should not have unrealistic expectations of the level of amenity which can be achieved. The appropriateness of amenity impacts including setbacks, walls on boundaries, shadowing and overlooking need to be considered within their strategic context, with the site being located within a Commercial 2 Use Zone. In addition, the local character shows a high level of site coverage and boundary-to-boundary development within the subject site and those surrounding it.

225. As previously outlined, the subject site does not directly abut any sensitive uses and is located in a zone which prohibits dwellings and where commercial and industrial uses are desired. To the north are a mixture of commercial uses and dwellings (some with existing use rights, some with an unknown status), to the south and east are other commercial uses, and to the west, across Walnut Street are the rear of properties facing Chestnut Street.

226. This off-site amenity assessment will have regard to the following:

(a) Dwellings within the Commercial 2 Zone;
(b) Dwellings within the Residential Zone to the west; and
(c) Commercial businesses.

227. It should be noted that equitable development opportunities, noise and light spill and wind impacts will be considered separately.

Dwellings within the Commercial 2 Zone;

228. This is an area where commercial and light industrial uses (and hence this type of built form) is directed to be located. Hence, even if existing use rights were able to be established for the dwelling-type buildings along Chapel Street (or the caretaker's dwelling at No. 13 Hill Street), these dwellings do not have the same level of amenity protection as dwellings within a residential area.

Neither the zone purpose nor the decision guidelines indicate an intention that residential amenity impacts associated with development should be an issue in this zone, or residential standards of amenity applied within it. The purpose does however state "that uses do not affect the safety and amenity of adjacent, more sensitive uses".

229. This issue has been discussed in many Tribunal decisions within Commercial 2 Zones (formally Business 3 Zones) including:

W Huczek & D Starkiewicz v Yarra CC [1999] VCAT 45 (31 August 1999)

> [97] Neither the zone purpose, nor the decision guidelines, indicate an intention that residential amenity should be an issue in this zone, or residential standards of amenity applied within it. …..
>
> [108] It is not for the Tribunal to refuse a commercial development which complies with the zone requirements in a *"Business"* zone on the basis that if residential standards of amenity are applied, it would have an adverse impact on a non-conforming residential use. Such assertions would render the planning controls unwieldily, cumbersome and unpredictable, and would lead to a reduction in confidence in those particular planning controls.

Burrett v Yarra CC [2005] VCAT 978 (24 May 2005)

> [23] I am not suggesting that residential amenity considerations are irrelevant; however, expectations need to be tempered against the purpose of the Business 3 zone which does not include providing for residential use. On the contrary residential use is "prohibited", with caretaker's house being the exception. If the protection of the residential amenity of caretaker's houses is elevated to a matter of primary or significant importance in this type of zone, this could stifle the proper development of the area for its primary purpose.
>
> [24] The policy at Clause 22.05 referred to by Ms Miles deals with the amenity impacts at interface locations. Whilst this site is located at the interface between the Business 3 and Residential 1 zones, the proper application of the policy is with respect to with interface issues between properties within different zones, not within the same zone. Further, the site is not located in an area where a mix of residential and commercial/industrial activity is encouraged and the potential for amenity conflicts needs to be carefully managed.

230. It must be noted that each of these Tribunal cases are referring to legitimised dwellings within Commercial 2 Zones where existing use rights had been established.

231. Non-conforming residential uses cannot expect the same level of amenity as a dwelling within a residential area. Application of policies to protect their amenity to a standard associated with residential areas would result in an unreasonable limitation of the development potential of the subject site. The vision for the area under the current zoning is for increased development to contribute to accommodating employment growth supporting the economic viability and enhancing the industrial precinct.

232. The sites to the north are separated by the 5m wide Hutchings Street. As the subject site is located to the south of these, it will not result in any shadowing impacts to their private open spaces. The buildings are generally setback an additional 5m, which results in a 10m separation from the development. As already discussed, a condition can be included which ensures that the proposal is setback at least 2.4m from its northern boundary, above the podium. These existing setbacks in addition to the increase proposed, will ensure there is sufficient separation of the upper levels for daylight access and for outlook. These impacts are acceptable considering the zoning of the land. It is considered a three-storey podium is an acceptable street wall height considering the zoning of the land.

233. Therefore, while the building will be clearly visible from neighbouring residential properties, the proposed built form is consistent with the purpose of the zone and resultant built form outcomes and is therefore deemed acceptable.

It should also be noted that the streetscape of Hutchings Street will be significantly improved due to the public realm works the applicant is proposing. These dwellings will also benefit from that as well as improved safety.

234. It should be noted that the site at No. 13 Hill Street appears to have been established as a caretaker's dwelling originally. The building includes a void abutting the northern boundary and landscaping can be seen in this area on aerial imagery. This void currently faces a high on-boundary wall with the proposal increasing this. Considering that the provision of substantial setbacks from side boundaries is not typical in commercial areas and there is an expectation of high on-boundary walls, this is acceptable.

Additionally, those residing in caretaker's dwellings do so on the understanding that their amenity expectations must be lower as they are choosing to reside in commercial and industrial areas. This is an acceptable response.

Dwellings within the Residential Zone to the west

235. As already stated, there are dwellings located to the west of the site. The proposal has responded to these dwellings by terracing the building from the third floor and above with increased setbacks every two floors. The setbacks have previously been listed in the *Proposal* section of the report with the image below depicting this:

236. As already outlined, a three storey street wall is typical in height of the area and is acceptable in terms of visual bulk from the rear private open spaces. It would be similar to existing conditions. It should be noted that Nos. 27, 31 and 33 Chestnut Street all have outbuildings/sheds at their rear which would partially obscure some views and create a further distance from the proposal. No. 31 Chestnut Street also has a roof deck as an additional outdoor area and this provides opportunities to other outlooks, away from the proposal, therefore reducing visual bulk impacts. For the properties which do not have rear outbuildings, any views would be over high fences and roller doors and also partially obscured by the proposal street wall.

237. In terms of the levels above the podium, and their impact on these properties, views to the proposal in its entirety would be restricted due to their limited rear setbacks and the orientation of the subject site. Therefore, views would only possible from a greater distance, and over built form, further reducing any potential visual bulk impacts. Council's external Urban Designer recommended that the proposal adopt setback distances in accordance with Standard B17 (Side and Rear Setbacks) of Clause 55 (Rescode). Council submits this is an onerous recommendation and not warranted considering the zoning of the subject site which does not require developments to comply with the more stringent policy associated with residentially zoned land.

238. Council also submits that the rear setbacks proposed are substantial and consistent with the purpose of the zone and resultant built form outcomes and is therefore deemed acceptable. Additionally, those which reside in residential zoned land which backs onto a commercial/industrial area must have an expectation that there will be greater built form in these areas compared to if it faced residential land.

239. The proposal has limited overlooking opportunities, as typically even the more stringent Recode requirements only consider potential views within 9m. Within commercially zoned land for non-residential development, it is encouraged within policy that they are designed to minimise the potential for unreasonable overlooking. With Walnut Street being 4m in width, only the podium level and third floor terrace are within the 9m distance. Following Council's external Urban Designer raising concerns with overlooking, the applicant provided sketch plans on 21 September 2017 showing perforated metal screening to the western facades of the first and second floors up to 1.7m. This will prevent unreasonable overlooking to the residences to the west. There is no potential for overlooking at ground floor. Overlooking potential from the third floor terrace is limited due to the 1m wide planter boxes along the boundary which ensures that any future employees would be set off the boundary. Any downward views would be largely obstructed by the built form below and also the planter box. A stair is located in the south-western corner of the terrace which limits views in that direction. Overlooking from stairs is not considered as this is a transient area rather than one where people stay for extended periods of time.

240. The proposed terracing of the rear reduces overshadowing and daylight impacts to the properties to the west. Council's external Urban Designer raised concerns that the shadow diagrams, prepared by the applicant, indicate that the development will cast additional overshadowing on the secluded private open space areas of the neighbouring residential properties at 10am. Council's external Urban Designer did not support this additional overshadowing as this is a residentially zoned property. Council's external Urban Designer suggested that through the reduction in height of the proposal to 8 storeys, shadows may be reduced with no additional overshadowing cast on the west neighbouring properties.

241. Council planning officers conducted a review of the shadow diagrams provided and have confirmed that overshadowing to these areas is limited to between 9am and 10.30am and from 11am onwards shadows fall over commercially zoned land where such amenity impacts are less relevant.

242. At 9am, shadows fall over the built form and private open spaces at Nos. 31 to 45 Chestnut Street, by 10am, this is reduced to Nos. 31 to 41 Chestnut Street and by 10.30am, only Nos. 31 to 37 Chestnut Street.

243. Due to the high site coverage of the sites to the west and subsequent existing overshadowing, the proposal will only result in additional shadows to private open spaces at 9am to Nos. 33-37 and No. 45 Chestnut Street and at 10am, only Nos. 33-37 Chestnut Street will be impacted.

244. The proposed reduction in height will result in a reduction in shadows to No. 45 Chestnut Street at 9am resulting in it not being affected by this proposal in terms of overshadowing.

245. At the request of Council's planning officer, the applicant provided a 10.30am shadow diagram on 24 November 2017. This showed that at 10.30am, only a small portion of the rear private open space of Nos. 35 and 37 Chestnut Street are impacted by the proposal, with the majority of their private open space receiving sunlight and unaffected by the proposal.

246. By 11am, none of these properties is impacted by the proposal.

247. Considering the limited extent of time of additional overshadowing for the majority of these properties and keeping in mind that dwellings which abut Commercial 2 Zoned land must temper their expectations of amenity, this is considered to be an acceptable outcome. The additional hour of shadowing (for the majority) will not change how their open space is used and is not considered unreasonable.

248. Turning to Nos. 33 and 35 Chestnut Street whilst they are impacted for two hours, at least some of their rear private open space will receive sunlight by 10am and the majority by 10.30am.

    On balance, considering this and that these are transitional sites where there is already some expectation of shading (which both of these sites currently experience) and that by 10am, they have some sunlight, it is therefore deemed acceptable.

249. Finally, addressing daylight impacts to windows, the proposal is separated by over 10m from the nearest east-facing window. This distance is sufficient to allow daylight access to continue to reach these windows, particularly as the proposal is significantly further setback as it increases in height.

    Commercial businesses.

250. In terms of off-site amenity impacts to local businesses, amenity impacts are limited as these are not considered to be sensitive uses.

    Equitable development

251. The proposal provides a largely blank wall along its southern boundary to No. 516 Church Street, which ensures that any further development on that site can construct along the boundary.

252. With regards to the laneway to the south, the proposal will be built sheer along that boundary with two tilt doors providing access. The laneway is only 3m in width and is unlikely to be used as any kind of frontage for future developments. Whilst the development includes ground floor brick walls with glazing above facing onto the laneway and has not provided a setback, this is acceptable as the development receives sufficient daylight through its northern elevation. Therefore, any developments which may occur on the Hill Street properties will not be inhibited. Sheer walls such as this are typically discouraged however considering the limited use of the laneway and that over time, this wall will not be visible, this is acceptable. Additionally, considering Council's planning officer proposes to include a condition requiring a setback from the north, it would be unreasonable to require one from the south as well, particularly as this section of the site is narrow, this is a service lane only and there will be an overall height reduction.

253. Through the inclusion of a 2.4m setback from the northern boundary above the podium, the proposal will also ensure that any developments to occur on the sites to the north have sufficient building separation for adequate daylight access.

254. The sites to the west have sufficient setbacks from the development to ensure any development potential is not limited. It should be noted that those sites are currently within a more restrictive zone which has a height restriction of two storeys.

    Noise and light spill

255. Policy at Clause 22.05 of the Scheme seeks to ensure new commercial development is adequately managed having regard to its proximity to residential uses.

256. The proposal is unlikely to result in unacceptable noise emissions to the nearby residential properties given the majority of the building would be used for offices. Due to the nature of the office use there will be minimal noise generated by pedestrian activity, with this activity largely limited to Hutchings and Church Streets and not considered to be detrimental to the amenity of the adjacent properties. The use also ensures that deliveries to the site will be kept to a minimum. The majority of the office space is enclosed and the use conducted indoors (with the exception of the outdoor terraces). As the office use does not require a planning permit, there is no further control that can be applied in regards to the use of offices.

257. The proposed food and drinks premises are located further to the east of the residential properties and also primarily indoors, hence their impacts will be further diminished. As already acknowledged, any non-conforming uses within the Commercial 2 Zone must temper their amenity expectations regarding noise and light spill with regards to the preferred uses in the zone.

258. Light spill will also be limited due to the use primarily operating during the day. Again, this is another area where residents must temper their expectations when they face a zone where these types of uses are encouraged. Whilst the proposed food and drinks premises will also operate at night, these are separated from the residential areas by built form.

259. The applicant submitted an acoustic report which was peer reviewed by Council's acoustic consultant, SLR Consulting who confirmed that the report generally addresses the acoustic issues related to the proposal however they suggested the following matters be addressed further:

    (a) *Single figure background noise levels are presented in the report however the derivation of these levels is not explained. This information should be provided for transparency.*

    (b) *Our main reservation with the assessment is in regard to the unofficial dwellings, particularly at 12-16 Chapel Street, to the north of the subject site. ALC do not mention these dwellings, however the advice provided in the report generally addresses impacts to these premises. Our recommendation would be that either the design targets are confirmed for these receivers, or that the planning permit specifically require the acoustic recommendations in the report to be implemented (i.e. not subject to further review).*

    (c) *A large amount of mechanical plant is likely to be required for this project. We recommend that this equipment is reviewed during the detailed design to ensure that SEPP N-1 noise limits are met.*

260. In further correspondence dated 28 November 2017, SLR Consulting confirmed that they did not require the derivation of the background levels as part of permit conditions. They also confirmed that by including a requirement for an additional acoutsic report within three months of the occupation of the building to confirm complaince with SEPP N-1, these issues would be resolved. This can be addressed by way of condition.

261. SLR Consulting also raised concerns with the proposed hours of the tenancies and suggested their hours be restricted to 7am to 7pm. This restriction is not appropriate within this commercial/industrial zone and is similar to the hours of 8am to 8pm suggested within Council's local policy regarding uses within residential zones.

262. Looking specifically at the noise sources, the location of services/plant equipment (plus screening) is shown on the roof which is a typical and acceptable location within a commercial area and responds to policy at clause 22.10-3.8. A condition would also require that the noise and emissions from plant equipment must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N1).

263. In respect of car noise, the car park entry and exit are located to the south of Nos.8 and 10 Chapel Street. No. 8 Chapel Street is used for commercial purposes whilst No. 10 Chapel Street is unknown. Nevertheless, any potential noise and light spill would be limited as these areas are separated from more sensitive uses by reasonable distances and other built form. Conditions can ensure it is constructed and maintained to limit noise impacts as required by State regulations.

Wind

264. The applicant's wind consultant (MEL Consultants) carried out a desktop assessment with Council's wind consultant (ViPAC) confirming that they agreed with the analysis approach, assessment criteria, wind environment and exposure estimate. The report analysed wind effects on the streetscapes and reported the potentially critical wind effect areas. Council's Wind Consultant provided the following referral advice on each of the areas identified by MEL Consultants:

    (a) *North Face (Hutchings Street): Vipac agrees with Mel consultant's assessment for the northerly wind effects: the northeast corner (I,e. Hutchings and Church Streets) would be expected to be on the criterion for walking comfort and improve towards the middle of the north face. If the proposed activation along the eastern end of Hutchings Street in intended to be for outdoor dining/seating, then wind conditions would need to achieve the criterion for long term stationary activities. Vipac also agrees the northerly wind effects analysis on the other areas of the footpath and the recessed main entrance.*
    (b) *East Face (Church Street): Vipac agrees with Mel consultants' comments: the wind conditions along Church Street for the easterly wind direction would be expected to be within the criterion for walking comfort.*
    (c) *West Face (Walnut Street): Vipac agrees with Mel consultants' comments — the wind conditions along Walnut Street for the westerly wind directions would be expected to be within the criterion for walking comfort.*
    (d) *South Face: Vipac agrees with Mel consultants' comments — the wind conditions around the proposed development for the southerly wind directions would be expected to be within the criterion for walking comfort.*
    (e) *Outdoor terraces: Vipac agrees with Mel consultants' comments on the wind conditions at elevated terraces as well as general advice for these areas — any objects to be left permanently on the terraces should be tethered, paving tiles fastened down, and the mechanical fixings/tethers inspected regularly for corrosion and damage. The wind conditions on these terraces would be expected to improve with increased balustrade heights (along the north side) and addition of pergolas/local wind-break screens.*

265. Council's Wind Consultant agreed with the methodology used and the assessment conclusions as well as the general advice for the elevated terraces and the more stringent comfort criterion for potential outdoor seating areas at ground level along the eastern end of Hutchings Street. However, based on the development height of 51.6 m (higher than the trigger height of 40 m for wind tunnel testing in Melbourne CBD area) and potential outdoor seating design mentioned in the report, Council's Wind Consultant recommended a scaled wind tunnel test be conducted in the detailed design stage.

266. The applicant provided a wind tunnel test on 21 September 2017. This has not been re-referred to Council's Wind Consultant, nevertheless, considering the conditions proposed (height reduction and increased setbacks), a condition can require an amended report be provided.

<u>Car parking, traffic, loading, access and bicycle provision</u>

267. Under clause 52.06 of the Scheme, the applicant is seeking a parking reduction of total of 545 spaces (507 office spaces and 38 spaces associated with the food and drinks premises), as outlined within the table included in the *Particular Provisions* section earlier in the report.

268. A recent Red Dot VCAT decision (*Ronge v Moreland CC [2017]* VCAT 550) made numerous statements with regards to car parking reductions. The Member clearly advocated for a reduction in the statutory car parking provision in inner-city sites such as this. Whilst this decision pertains to a site in Brunswick, the context is similar, being located within proximity to train stations and tram routes. In this instance, the subject site is closer to public transport opportunities and the Melbourne CBD than the review site.

269. Throughout the decision there are numerous relevant statements in support of the reduction and also regarding the limited importance that should be placed on car parking demand assessments. Relevant statements within the summary of this decision are applicable to this application, as follows;

    (a) State and local planning policies are already acknowledging the change that is required in the way in which people travel with Plan Melbourne 2017-2050 and State policies referring to 20-minute neighbourhoods and greater reliance on walking and cycling.

    (b) Our roads are already congested and will be unimaginably so if a 'business-as-usual' approach is accepted through until 2050. The stark reality is that the way people move around Melbourne will have to radically change, particularly in suburbs so well served by different modes of public transport and where cycling and walking are practical alternatives to car based travel.

    (c) A car parking demand assessment is called for by Clause 52.06-6 when there is an intention to provide less car parking than that required by Clause 52.06-5.

    (d) However, discussion around existing patterns of car parking is considered to be of marginal value given the strong policy imperatives about relying less on motor vehicles and more on public transport, walking and cycling. Census data from 2011 or 2016 is simply a snapshot in time, a base point, but such data should not be given much weight in determining what number of car spaces should be provided in future, for dwellings with different bedroom numbers.

    (e) Policy tells us the future must be different.

    (f) Oversupplying parking, whether or not to comply with Clause 52.06, has the real potential to undermine the encouragement being given to reduce car based travel in favour of public transport, walking and cycling.

    (g) One of the significant benefits of providing less car parking is a lower volume of vehicle movements and hence a reduced increase in traffic movements on the road network.

270. Given the location of the site within proximity to the Swan Street MAC and Church Street, along with direct access to public transport opportunities to access additional services and facilities, the site is considered to be an excellent candidate for the reduction in car parking being sought.

Parking Availability

271. The applicant's traffic engineers conducted an on-street parking occupancy survey in the surrounding area on Thursday 23 February 2017 from 10:00am to 5:00pm. The survey area encompassed sections of Church Street, Brighton Street, Albert Street, Shamrock Street, Adelaide Street, Chestnut Street, Dunn Street, Adolph Street, Pearson Street, Hutchins Street, Hill Street and William Street. Council's Senior Traffic Engineer confirmed that the times and extent of the survey are acceptable.

272. The parking survey found that an inventory of up to 274 publicly available spaces was identified and within this amount, a minimum of 31 vacant spaces within the study area was recorded at 10:00am. The surveys confirm that the on-street parking occupancy in the area is very high and that short-stay parking opportunities are limited.

Parking Demand

273. For the food and drinks premises component, the applicant's traffic engineers (GTA Consultants) have stated that in an unconstrained car-based travel environment, the expected generation of peak customer car parking demand would be 38 car spaces and a staff car parking demand of 10 car spaces. The applicant has provided 10 staff car parking spaces and the remainder of other spaces relying on on-street parking.

274. Turning to the proposed office use, Council's Senior Traffic Engineer confirmed parking associated with such developments is generally long-stay parking for employees and short-stay parking (say up to two hours' duration) for customers and clients. Council's Senior Traffic Engineer confirmed that the actual parking demand generated by the office is expected to be lower than the statutory parking rate of 3.5 spaces per 100sqm of floor space, since the area has very good access to public transport services.

275. The applicant's traffic engineers have referred to the State Government's travel mode study, VISTA09 (Victorian Integrated Survey of Travel and Activity 2009), and have indicated that some 48% of employees who work in Richmond travel to work each day by car (as a driver).

276. By adopting the 48% modal split, the applicant's traffic engineers have adopted a parking rate of 2.07 spaces per 100sqm and by applying this to the proposed development, would yield 429 spaces.

277. Looking at the empirical parking demand for offices, the proposed office would have a car parking provision rate of 1.09 spaces per 100 square metres (226 on-site spaces for 20,744 square metres of floor area). By comparison, the development at No. 33 Balmain Street, Cremorne, was approved with an on-site car parking provision of 0.78 spaces per 100 square metres with an office floor area of 1,788.1 square metres with 14 on-site car parking spaces (Planning Permit PLN15/0309 issued on 21 October 2015). Council's Senior Traffic Engineer is satisfied that the office parking rate of 1.09 spaces per 100 sqm for the proposed development is appropriate given the site's excellent accessibility to public transport services. It should be noted that the net floor area of the site is 20,952sqm, whereas the previously noted area of 20,744sqm is the net leasable floor area which does not include the office lobby. When this rate is adjusted, the parking rate is 1.08 spaces per 100sq. This is still acceptable.

278. Within a recent Tribunal decision (*Grocon (Northumberland St) Developer Pty Ltd v Yarra CC* [2017] VCAT 753) regarding an office development in Collingwood, the Tribunal Member also supported a reduced car parking rate and made the following comments:

> [54] We have concluded that the reduced car parking provision is justified in the circumstances of this application. In doing so, we have had regard to the location within an inner city environment that is earmarked as an employment precinct, with convenient access to a range of alternative transport modes and a constrained supply of on-street parking. We consider that the reduced parking provision will not compromise the viability of the development or precinct, nor will it result in an unacceptable demand for on-street parking, given the saturated conditions that are presently experienced.
>
> [55] We agree that employees who are not allocated a car space will utilise alternative transport modes rather than attempt to seek out long term parking in the surrounding street network. This may well include walking to the site for persons who reside in the nearby residential and mixed-use areas. To constrain development of the land for a purpose that is in accordance with the zone purpose on the basis of car parking provision would not be consistent with the policy framework when read as a whole. This includes policies aimed at fostering economic development, employment and environmental sustainability. We reach this conclusion mindful of the site's strategic and physical context and its accessibility by a range of transport modes. In a different context without the level of policy support and more remote from alternative transport modes, there may be less justification for a reduction of the magnitude proposed here.

279. Accordingly, the reduction being sought by the proposal is supported by the following:

(a) Objective 32 of Council's MSS facilitates parking reductions by advocating reduced reliance on private motor vehicles.

(b) The site has excellent access to the public transport network, bicycle facilities and a wide range of retail, dining and commercial services within the Swan Street MAC and along Church Street, which in turn will reduce the dependence on private vehicle ownership by future employees;

(c) The proposal includes secure bicycle parking spaces well in excess of rates specified within the Scheme. The development also has excellent end of trip facilities which will further encourage the use of bicycles. Future employees would be able to take advantage of the bike lanes along the Yarra River;

(d) Occupant or visitor parking permits will not be issued for the development, which will discourage people from driving to the site given the high utilisation of existing on-street car parking, this is a welcomed sustainable option in lieu of on-site car parking and consistent with Clauses 18.02-1 and 21.06-1 of the Scheme;

(e) The office land use is particularly conducive to encouraging those without a car to not drive given trips are made in peak public transport availability periods, trips are known and planned in advance, on-site parking availability is known in advance, surrounding parking conditions are known in advance and do not accommodate long term daytime parking associated with an office use. These factors encourage and help facilitate those without a car to use other modes of transport.

(f) Visitors would also be aware of the car parking constraints in the area which would discourage driving for alternative modes such as public transport, cycling or taxis;

(g) The food and drinks premises would heavily rely on walk-up trade for its primary source of customers. It is highly likely that it would attract employees from nearby businesses as well as local residents; and

(h) The location of the proposal encourages multi-purpose trips to the area.

280. From a traffic engineering perspective, the reduction in car parking spaces is considered appropriate in the context of the development and the surrounding area. The site is very well positioned in terms of public transport services. Engineering Services has no objection to the proposed reduction in the car parking requirement.

Traffic

281. In terms of existing conditions, part of the site currently operates as an Australia Post delivery centre.

282. The applicant's traffic engineers adopted the following traffic generation for the site:

Proposed Use	Adopted Traffic Generation Rate	Daily Traffic Volume	Peak Hour	
			AM	PM
Office	Daily Traffic: 3.25 trips per space per day AM Peak: 0.52 trips/space; PM Peak: 0.50 trips/space	735	129	113
Food and Drink	AM Peak:1.0 trip/space (inbound) PM Peak: 1.0 trip/space (outbound)	40	10	10
	Total trips	775	139	123

283. Council's Senior Traffic Engineer confirmed that the traffic distribution assumption that 90% of development traffic would enter and exit via Hutchins Street at the Church Street end is considered reasonable, as the site has very good access to the Arterial Road network.

284. The proposed widening of Hutchins Street (once the development is operation) would be classified as an Access Street – Level 1 under the provisions of Standard C21, Clause 56.06 of the Yarra Planning Scheme. According to the applicant's traffic engineers, Hutchins Street currently carries a daily traffic volume of around 200 vehicles per day. Under post-development conditions, Hutchins Street would experience a daily traffic volume of around 975 vehicles per day. This traffic would be within the environmental capacity of an Access Street – Level 1, which is 1,000 to 2,000 vehicles per day.

285. The traffic impact of the intersections of Church Street/Hutchins Street and Church Street/Hill Street was assessed by the applicant's traffic engineers using the SIDRA program, which measures intersection performance. Council's Senior Traffic Engineer stated that SIDRA modelling works well under free flowing traffic conditions and may have limitations, such as queuing of downstream traffic. According to the applicant's traffic engineers, the results of the intersection modelling suggest that the intersections have capacity to accommodate peak hour development traffic. The AM peak hour queue length of north approach of Church Street (at the intersection with Hutchins Street) is expected to increase by 16 metres, whereas during the PM peak hour the increase of the queue length of the Church Street approach is expected to be negligible. Council's Senior Traffic Engineer raised no issues with this and confirmed that the operation of the site should not adversely impact on the surrounding road network.

286. With regards to the cumulative impact of other developments, the area has repeatedly been acknowledged as being quite constrained. In the recent Red Dot Tribunal decision regarding Stage 1 of the Nylex development (*Caydon Cremorne No.1 Development Pty Ltd v Yarra CC* (Red Dot) [2016] VCAT 423), the Member acknowledged that the issue of congestion is one for Council and VicRoads rather than the applicant. This development has limited the number of car spaces it has provided which is all it can do. The issue of traffic congestion is bigger than this application and is a Metropolitan Melbourne wide issue. Additionally, it should be noted that the site also currently operates as an Australia Post delivery centre which also results in vehicles entering and exiting the site.

Access and layout

287. The development incudes 236 on-site spaces over three basement levels accessed via a roller door existing and entering via Hutchings Street. It should be noted there are not any car stackers within this development. Council's Senior Traffic Engineer assessed the access arrangements, the car parking modules, gradients and the loading and waste collection. The majority of matters were satisfactory, however the following design items need to be shown:

    (a) Dimensions of the Development entrance, headroom clearance at the entrance, Internal Ramped Accessways, Accessible Parking Spaces, Column Depths and Setbacks, Clearances to Walls and the loading bay;
    (b) A detailed and dimensioned cross section drawing of the entrance from Hutchins Street to the top of the ramp. The applicant must provide a ground clearance check using the B99 design vehicle, demonstrating access;
    (c) Numbering of car parking spaces for easy identification;
    (d) Dimensions of blind aisle extensions as well as swept paths for reversing movements out of end bays using the B85 design vehicle are to be submitted.
    (e) Dimensions of the headroom clearances at critical points along the ramped accessways and within the basement car parks;
    (f) Dimensions of ramp grade lengths and transitional grades; and
    (g) A headroom clearance of no less than 4.7m from the new carriageway of Hutchings Street to the underside of Level 1.

288. All of these can be required by way of condition should a permit be granted.

Bicycle parking and facilities

289. As outlined earlier in the report the development is required to provide a total of 74 staff and 22 visitor bicycle spaces under clause 52.34 of the Scheme. The development provides 196 bike racks in Basement Level 1 as well as end-of-trip facilities and a bike workshop at ground floor. Through the provision of these spaces, the applicant has responded to the importance that State and Local policies place on encouraging low energy forms of transport such as clause 15.02-3, 18.02-1, 18.02-2 and 21.06.

290. Council's Strategic Transport Unit confirmed the number, style and location of these spaces are more than satisfactory and well thought out.

291. A Green Travel Plan can also be required by way of condition. This satisfies the requirements of clause 52.34 of the Yarra Planning Scheme.

Loading

292. It should be noted that the loading requirement is due to the proposed café use and not the office use. An on-site loading bay has been provided within the ground floor area accessed via Hutchings Street. The proposed loading area has been designed to accommodate vehicles of a size up to and including 6.4m long trucks. Whilst not annotated on the plans, the applicant's traffic report confirms the size of the loading bay. A condition can require the dimensions to be annotated on plans. The proposed loading area meets the requirements of Clause 52.07 in terms of overall size, dimensions and height.

293. The applicant provided swept path diagrams for the loading facility with Council's Senior Traffic Engineer confirming that the vehicles proposed can satisfactorily service and access the site.

Other

294. It should be noted that Council's Senior Traffic Engineer has recommended the inclusion of a number of conditions relating to civil works to, road protection, impacts on assets, vehicle crossings and drainage. Many of these have either been included as notes on the permit or can be required by way of condition.

295. The following matters have arisen from the required external referrals:

(a) VicRoads in conjunction with CityLink no longer object to the proposal and has considered the basement, building projections and the Shared Zone. They support the proposal subject to conditions;

(b) The EPA no longer has concerns with Council issuing a planning permit; and

(c) Public Transport Victoria does not object to the granting of a planning permit subject to a condition to ensure that disruption to tram operation along Church Street is kept to a minimum during the construction of the development.

<u>Waste Management</u>

296. The applicant's Waste Management Plan (WMP) amended on 20 September 2017 has been found to be satisfactory by Council's Waste Management Unit subject to a condition that waste collection be restricted to a start time of 7am instead of the proposed 6am. The WMP confirms that:

(a) Waste shall be stored within the development (hidden from external view).

(b) Users shall sort their waste, and dispose garbage and recyclables into bins in each office area with cleaning staff disposing of it into larger bins in the waste room at ground floor. The food and drinks tenancies will store their bin within a back of house area with tenants transferring this into the waste room.
(c) Collections will occur daily.
(d) All collections are to be performed by a private contractor.

Objector concerns

297. The majority of the issues which have been raised by the objectors have been addressed within this report.

(a) The proposal is an overdevelopment and is not responsive to neighbourhood character; (paragraphs 126-201)
(b) Excessive height and scale; (paragraphs 187-201)
(c) Design; (paragraphs 182-201)
(d) Glare from materials (paragraph 183)
(e) Amenity impacts (overlooking/overshadowing/daylight to existing windows/noise); (paragraphs 222-266)
(f) Inadequate car parking and loading of vehicles and bicycle facilities (including visitor parking); (paragraphs 267-293)
(g) Cumulative traffic/parking impacts of other approvals; (paragraph 286)
(h) Lack of equitable development opportunities; (paragraphs 251-254)

298. Outstanding concerns will be discussed below, and relate to:

(a) Increased traffic - less car parking spaces should be provided

The applicant has proposed to provide 236 car parking spaces in total which is already a reduction in the car parking requirements.

(b) Construction issues (disruption, early starts, traffic and noise).

This will be dealt with at the Building Permit stage. A Construction Management Plan (CMP) will be required by way of condition and will manage impacts during the construction stage. This will be further considered during the building stage also.

Conclusion

299. The proposed development is considered to demonstrate a high level of compliance with policy objectives contained within the State and Local Planning Policy Framework. Notably, the proposal achieves the State Government's urban consolidation objectives, Council's preference to direct higher density commercial development in commercial precincts and aligns with the State Policy as well as the direction given by the Tribunal.

300. The proposal, subject to the conditions recommended, is an acceptable planning outcome that demonstrates clear compliance with the relevant Council policies. Additionally, the proposal will result in a significant improvement to Hutchings and Church Streets and will make a substantial contribution to the streetscape.

RECOMMENDATION

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN17/0278 for use and development of the land for the construction of a mixed use building (permit required for food and drinks (café)), reduction in car parking requirements, and alteration of access and building and works to a Road Zone Category 1 Road at 506 & 508 – 510 Church Street, Cremorne, subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans by COX Architecture received by Council on 15 June 2017 but modified to show:

   (a) a 2.4m setback from the northern boundary from the third floor and above;
   (b) the three Food and drinks premises to be labelled as Food and Drinks Premises (café) and to be numbered Tenancy 1 to 3 with Tenancy 1 fronting Church Street, Tenancy 2 being the central tenancy and Tenancy 3 facing Hutchings Street;
   (c) the horizontal fins protruding no more than 300mm outside of title boundaries (except at the ground floor to Church Street where it acts as a canopy and is setback 0.75m from the kerb) as per the sketch plans provided on 21 September 2017;
   (d) a streamlining of the architectural fins as per the images provided on 21 September 2017;
   (e) perforated metal screening to the western facade of the podium levels (with a minimum height of 1.7m above the finished floor level) as per the sketch plans provided on 21 September 2017;
   (f) perforated metal screening to the northern facade as per the sketch plans provided on 21 September 2017;
   (g) the southern boundary wall further articulated using materials and/or finishes;
   (h) a reduction in the overall height by two floors resulting in a presentation to Church Street of eight storeys with a ninth floor 'cap' setback at least 10m from Church Street;
   (i) the plant and equipment screening obscured from views at oblique angles from the north-east and southern-east along Church Street looking towards the development;
   (j) dimensions of the development entrance, headroom clearance at the entrance, internal ramped accessways, accessible parking spaces, column depths and setbacks, clearances to walls and the loading bay (including the height of the loading bay);
   (k) a detailed and dimensioned cross section drawing of the entrance from Hutchins Street to the top of the ramp with a ground clearance check using the B99 design vehicle demonstrating access;
   (l) numbering of car parking spaces;
   (m) dimensions of blind aisle extensions;
   (n) swept paths for reversing movements out of end bays using the B85 design vehicle;
   (o) dimensions of the headroom clearances at critical points along the ramped accessways and within the basement car parks;
   (p) dimensions of ramp grade lengths and transitional grades;
   (q) a headroom clearance of no less than 4.7m from the new carriageway of Hutchings Street to the underside of Level 1;
   (r) any service cabinet or meter room doors that open outwards as able to swing 180 degrees and be latched to the building when opened or serviced;
   (s) any requirement of the endorsed Sustainable Management Plan (condition 7) (where relevant to show on plans);
   (t) any requirement of the endorsed Waste Management Plan (condition 9) (where relevant to show on plans);
   (u) any requirement of the endorsed acoustic report (condition 12) (where relevant to show on plans.;
   (v) any requirement of the endorsed landscape plan report (condition 15) (where relevant to show on plans.; and
   (w) any requirement of the endorsed wind report (condition 17) (where relevant to show on plans).

2. The use and 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. As part of the ongoing consultant team, COX Architecture 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.

4. Prior to the commencement of works the 'road' as shown on Title plan No. TP879027M must be discontinued and form part of the subject site.

Food and Drinks Premises (café)

5. Except with the prior written consent of the Responsible Authority, the café uses authorised by this permit may only operate between the hours of 7am and 11pm, seven days per week.

6. Except with the prior written consent of the Responsible Authority, no more than the following maximum number patrons are permitted on the land at any one time:

    (a) Tenancy 1 - 350
    (b) Tenancy 2 - 150
    (c) Tenancy 3 - 100

Sustainable Management Plan

7. 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 WSP Parsons Brinckerhoff (prepared on 4 April 2017), but modified to include or show:

    (a) stormwater modelling outputs to confirm that the proposed system meets best practice stormwater standards with the rainwater tank volume(s) on plans;

    (b) a clear commitment to low or zero formaldehyde content timber products;

    (c) solar PV array to contribute to electricity consumption; and

    (d) the use of low VOC carpets, sealants, finishes and paints.

8. 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

9. 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 Waste Tech Services (amended 20 September 2017), but modified to include:

    (a) waste collection be restricted to a start time of 7am instead of the proposed 6am.

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

11. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

Acoustic report

12. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

13. Within 3 months of the occupation of the building, updated post-occupation Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be generally in accordance with the Acoustic Logic Consultancy report dated 9 June 2017. The report must be submitted to and approved by the Responsible Authority. When approved, the updated post-commencement Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must (assess) address the following:

    (a) Confirm that the recommendations of the endorsed acoustic report required as part of Condition 12 have been implemented;

    (b) Assess mechanical plant noise to SEPP N-1; and

    (c) If non-compliance with Condition 13b is measured, additional acoustic measures as recommended by the amended post-occupation acoustic report are to be implemented within one month of the date of the amended acoustic report.

14. The provisions, recommendations and requirements of the endorsed post-occupation Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscape Plan

15. 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 the materiality of the proposed spaces;

    (c) detail the design (including the provision of sections) and layout of the common area, planters and ground level planting areas;

    (d) provide a specification of works to be undertaken prior to planting;

    (e) further detail on any sustainable treatments and water harvesting methods ;and

    (f) detail plant/planting maintenance schedules and requirements.

    to the satisfaction of the Responsible Authority.

16. 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:

    (d) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;

    (e) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and

(f) replacing any dead, diseased, dying or damaged plants,

to the satisfaction of the Responsible Authority.

Wind

17. Before the development commences, 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 MEL Consultants and received by Council on 15 June 2017, but modified to include (or show):

    (a) Wind tunnel model measurements undertaken to verify the findings of the desktop study.

18. The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Integrated Art Plan

19. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, details of the public artwork along the western wall to be provided in the locations shown on the endorsed plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the details of the public artwork will be endorsed and will then form part of the permit. The cost of the public artwork is to be borne by the owner or occupier of the land. The public artwork must be installed before any part of the development is occupied except with the prior written consent of the Responsible Authority all the satisfaction of the Responsible Authority. The public artwork as approved must then maintained to the satisfaction of the Responsible Authority.

Hutchings Streetscape Works (Shared Zone)

20. Before the development commences, or by such later date as approved in writing by the Responsible Authority, an amended Hutchings Streetscape Works plan (inclusive of the widening of Hutchings Street and the creation of a Shared Zone) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Hutchings Streetscape Works plan will be endorsed and will form part of this permit. The amended Hutchings Streetscape Works plan must be generally in accordance with the Hutchings Streetscape Works sketch plan (inclusive of the Hutchings Street and Hutchings Streetscape detail sections) prepared by COX Architecture on 15 November 2017, but modified to include (or show, or address):

    (a) Hutching Street dimensions, setbacks and clearance heights as per the Hutchings Street and Hutchings Streetscape detail sections provided on 15 November 2017;
    (b) tree planting/traffic calming measures (including the provision of swept path diagrams for vehicles);
    (c) consideration of public seating;
    (d) measures to provide DDA access;
    (e) the location of tables and chairs;
    (f) the location of bike parking (including the provision of additional bike parking on Church Street);
    (g) materials to be of a City of Yarra Standard;
    (h) the location of all Shared Zone signage to be shown in the context of other street furniture and trees;
    (i) ‘matching in works’ for the sites to the north (to the concrete crossovers/paving on the

northern side of Hutchings Street);
(j) the deletion of all references to One-Way traffic operation of Hutchings Street in the western end;
(k) the clear delineation of the site's title boundaries along Hutchins Street and Church Street (Brass discs or a similar type method for delineating the title boundaries could be considered).

Civil Works

21. Before the development commences, the applicant must undertake a drainage catchment analysis (to the satisfaction of the Responsible Authority and approved by the Responsible Authority) of the surrounding local area and provide a drainage design scheme for the new design of Hutchins Street to ensure that stormwater run-off is adequately drained. Stormwater drainage infrastructure in Hutchins Street must be located within Council assets and outside of the site's title boundaries.

22. Before the development commences, the owner of the site must submit detailed civil works drawings associated with the Hutchings Streetscape works (inclusive of the widening of Hutchings Street and the creation of a Shared Zone) to the satisfaction of the Responsible Authority and approved by the Responsible Authority and at the full cost of the owner and include (but not be limited to):

    (a) the provision of the lighting level for public lights in the Shared Zone of Hutchins Street to satisfy level P3 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) the existing power lines within Hutchins Street relocated, reconfigured or undergrounded;
    (c) the existing upstand fire hydrant converted to an in-ground hydrant that is flush with the finished surface of Hutchins Street;
    (d) drainage matters; and.
    (e) The provision of public lighting.

23. All works associated with the Hutchings Streetscape Works as shown on the endorsed plans and within the Hutchings Streetscape Works and the Civil Works drawings (referred to in Conditions 20 and 22) must be carried out, at the permit holder's cost and to the satisfaction of the Responsible Authority.

Timing of works

24. Before the building is occupied, all works associated with the Hutchings Streetscape Works as shown on the endorsed plans and within the Hutchings Streetscape Works and the Civil Works drawings (referred to in Conditions 20 and 22) must be fully constructed and completed by the owner to the satisfaction of the Responsible Authority.

Section 173 Agreement (Widened Hutchings Street)

25. Within six months of the commencement of works, 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) The Owner must provide unfettered 24 hour public access over that part of the land to be used for the widened Hutchings Street;

(b) The owner is responsible for maintaining at all times the areas that are private land open to the public described in condition 25(a) at the cost of the owners of the site and to the satisfaction of the Yarra City Council;

(c) The owner(s) must obtain and maintain insurance, approved by Yarra City Council, for the public liability and indemnify Yarra City Council against all claims resulting from any damage, loss, death or injury in connection with the public accessing the land described in condition 25 (a).

26. 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 reasonable costs borne by the Responsible Authority.

Public Transport Victoria Condition (No 27)

27. The permit holder must take all reasonable steps to ensure that disruption to tram operation along Church Street is kept to a minimum during the construction of the development. Foreseen disruptions to tram operations during construction and mitigation measures met be communicated to Yarra Trams and Public transport Victoria fourteen (14) days 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 Conditions (Nos. 28 to 32)

28. Before the use approved by this permit commences the following roadworks on Church Street, Cremorne must be completed at no cost to and to the satisfaction of the Roads Corporation:

(a) Removal of the existing “Keep Clear” line marking on the Church Street frontage.
(b) Provision of “Keep Clear” line marking at the intersection of Church Street and Hutchings Street
(c) Removal of a total of four existing car parking spaces along the east (southbound) side of Church Street opposite the property frontage (affecting two car spaces on either side of the crossover opposite the Hutchings Street/Church Street intersection) and installation of "No Stopping" signs.

29. 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 prior to the occupation of the building hereby approved.

30. 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 (DELWP) 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 Church Street boundary (i.e., the canopies, fixed shading devices, architectural features, balcony framing), to indemnify the Crown in relation to any claim or liability arising from the projections within the Church Street road reserve. This condition does not apply where written confirmation is obtained from DELWP that the above agreement is not required.

31. Prior to the endorsement of any development plans, excluding demolition works, an Engineering report from a suitably qualified Engineer outlining the design, management and construction techniques to be implement prior, during and following excavation to prevent any impact on the City Link/Burnley Tunnel is to be submitted to VicRoads for approval. Once approved, the Engineering Report will form part of the planning permit. Without limiting the scope of the report, it must consider all relevant structural and geotechnical issues, including, but not limited to, demonstrating:

(a) That the development will not compromise the structural integrity of the City Link/Burnley Tunnel;

(b) What is the load applied to the ground by the development;

(c) That the development will not cause changes to groundwater conditions that will result in adverse effect on the tunnel

(d) Any holding points requiring VicRoads inspection and approval prior to releasing the hold points.

32. Permit holder to bear all costs associated with CityLink undertaking dilapidation surveys before and after the development of the relevant extents for both the egress and Burnley tunnels, including crack mapping and installing crack pins to allow crack opening to be accurately measured. The intention of these surveys is to allow adverse impacts on the tunnel to be identified.

Road Infrastructure

33. Before the development commences, or by such later date as approved in writing by the Responsible Authority, 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 new Hutchins Street road profile (from the northern edge 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 applicant must demonstrate by way of a ground clearance check using the B99 design vehicle that cars can traverse the new vehicle crossing 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.

34. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:

(a) in accordance with any requirements or conditions imposed by Council;
(b) at the permit holder's cost; and
(c) to the satisfaction of the Responsible Authority.

35. 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 (unless associated with the Shared Zone):

(a) at the permit holder's cost; and
(b) to the satisfaction of the Responsible Authority.

36. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 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:

(a) at the permit holder's cost; and
(b) to the satisfaction of the Responsible Authority.

37. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the footpath immediately outside the property's Church Street road frontage must be re-constructed:

(a) at the permit holder's cost; and
(b) to the satisfaction of the Responsible Authority.

38. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the kerb and channel immediately outside the property's Church Street road frontage must be profiled and re-sheeted:

    (a) able to drain during a storm event;
    (b) at the permit holder's cost; and
    (c) to the satisfaction of the Responsible Authority.

39. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the Right of Way abutting the southern boundary of the site must be re-constructed:

    (a) at the permit holder's cost; and
    (b) to the satisfaction of the Responsible Authority.

40. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the full width road pavement of Walnut Street along the site's western boundary must be profiled and re-sheeted:

    (a) at the permit holder's cost; and
    (b) to the satisfaction of the Responsible Authority.

41. Before the building 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.

Car parking

42. Before the development commences, 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) the number of car parking spaces allocated to each tenancy and that each space is allocated;
    (b) details of way-finding, cleaning and security of end of trip bicycle facilities;
    (c) policing arrangements and formal agreements;
    (d) 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;
    (e) 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 9; and
    (f) details regarding the management of loading and unloading of goods and materials.

43. 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.

44. Before the building 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;

to the satisfaction of the Responsible Authority.

45. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, a notice showing the location of car parking must be placed in a clearly visible position near the entry to the land. The notice must be maintained thereafter to the satisfaction of the Responsible Authority.

Green Travel Plan

46. Before the development commences, 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 lobby;
(c) employee 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.

47. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Lighting

48. Prior to the occupation of the building, an additional public light (including supply and installation of the light and associated pole and hardware) is to be installed at the intersection of Walnut Street and Hutchins Street:

(a) at the permit holder's cost; and
(b) to the satisfaction of the relevant power authority and the Responsible Authority.

49. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the pedestrian and vehicular entrances and internal laneway must be provided on the subject site. Lighting must be:
(a) located;
(b) directed;
(c) shielded; and
(d) of limited intensity,

to the satisfaction of the Responsible Authority.

General

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

51. The amenity of the area must not be detrimentally affected by the use, 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.

52. 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).

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

54. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.

55. 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.

56. 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.

Construction Management

57. 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
(q) any site-specific requirements.

During the construction:

(r) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
(s) 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;
(t) vehicle borne material must not accumulate on the roads abutting the land;
(u) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
(v) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

Time expiry

58. 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
(c) the use has 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:

A building permit maybe required before development is commenced. Please contact Council's Building Services on 9205 5095 to confirm.

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.

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.

Measures must be taken to ensure that rainfall run-off from Hutchins Street does not enter the development's car park entrance and truck turning area

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.

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

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

Only roof runoff, surface water and clean groundwater seepage from above the water table can be discharged into Council drains.

Contaminated ground water seepage into basements from above the water table must be discharged to the sewer system through a trade waste agreement with the relevant authority or in accordance with EPA guidelines.

Contaminated groundwater from below the water table must be discharged to the sewer system through a trade waste agreement from the relevant sewer authority.

Council will not permit clean groundwater from below the groundwater table to be discharged into Council's drainage system. Basements that extend into the groundwater table must be waterproofed/tanked.

No parking restriction signs are to be removed, adjusted, changed or relocated without approval or authorisation from Council Parking Management unit and Construction Management branch.

Any on-street parking reinstated as a result of development works must be approved by Council's Parking Management unit.

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 10.0 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.

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.

The applicant will need to consider the loading of vehicles on the widened section of Hutchins Street and the impact these loadings would have on the basement structure.

VicRoads Notes

Separate consent for works within the road reserve and the specifications of these works is required under the Road Management Act 2004. For the purposes of this application the works will include provision of:

(a) Keep Clear linemarking

(b) No stopping signs and removal of on street car spaces along Church Street (total of four car spaces along the east (southbound) side of Church Street on the opposite side of the property frontage.

(c) 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 (Church Street). Please contact VicRoads prior to commencing any works.

(d) 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.

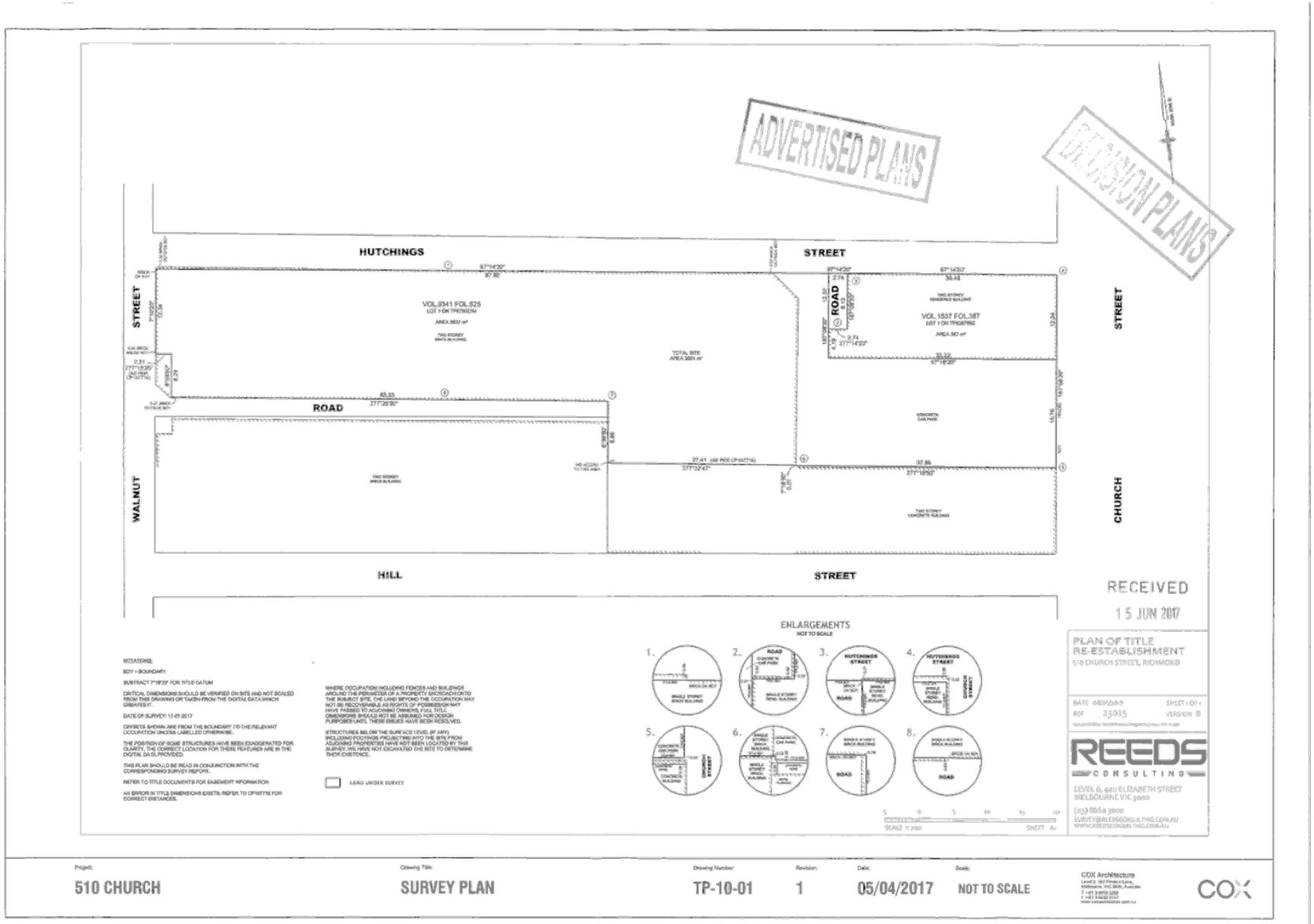
VicRoads provides its "in principle support" for Council to convert Hutchings Street into a "shared zone", provided the necessary consent is provided via a Memorandum of Authorisation (MOA) approval process.

CONTACT OFFICER: **Vicky Grillakis**
TITLE: **Coordinator Statutory Planning**
TEL: **92055124**

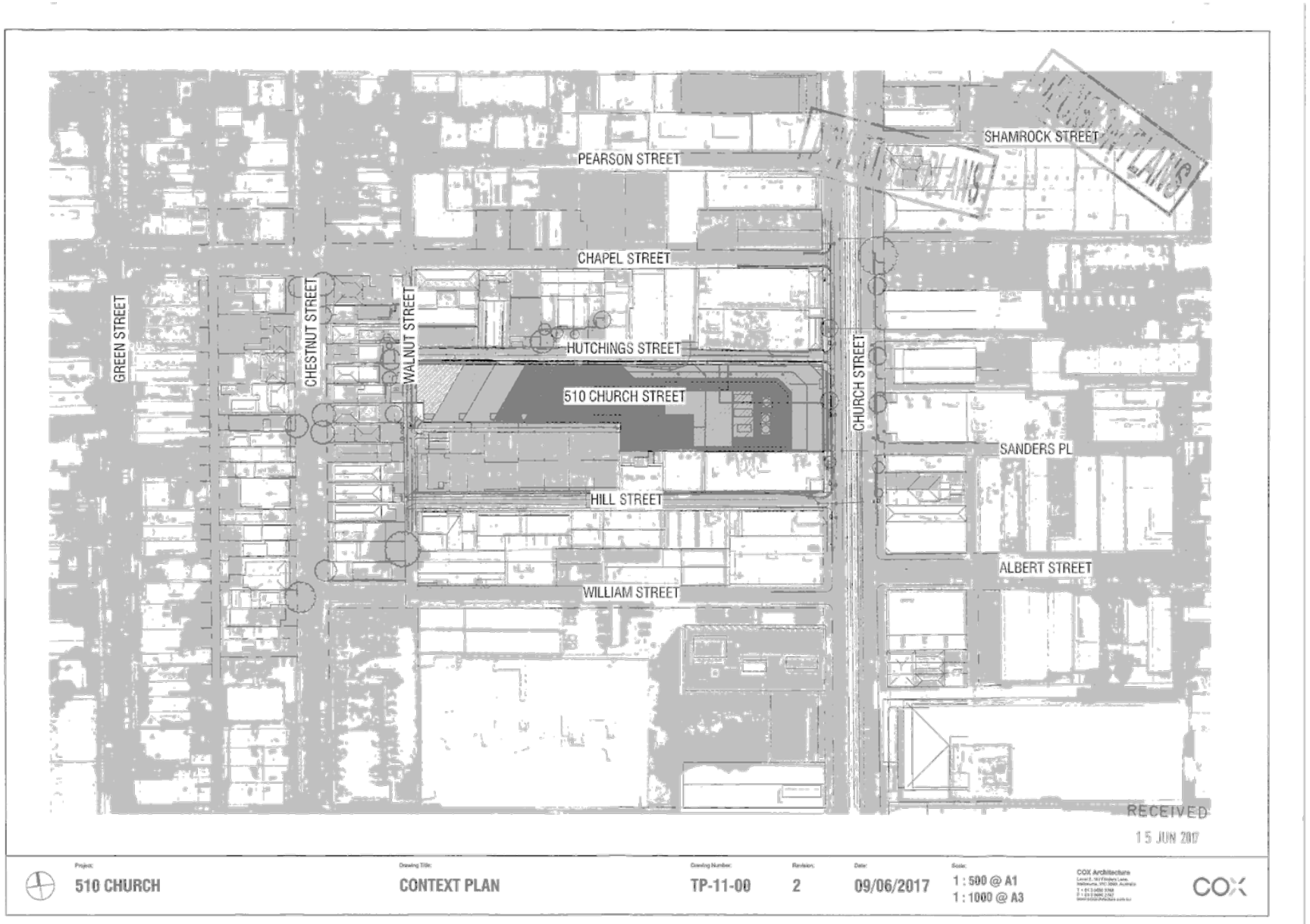
Attachments

1 PLN17/0278-06 - 506 & 508 - 510 Church Street Cremorne - decision plans - idac attachment
2 PLN17/0278-06 - 506 & 508 - 510 Church Street Cremorne - streetscape works - idac attachment
3 PLN17/0278-06 - 506 & 508 - 510 Church Street Cremorne - 10.30 am shadow plan - idac attachment
4 PLN17/0278-06 - 506 & 508 - 510 Church Street Cremorne - sketch plans - 21 September 2017 - idac attachment
5 PLN17/0278-06 - 506 & 508 - 510 Church Street Cremorne - streetscape works & detail sections sketch plans 15 November 2017 - idac attachment
6 PLN17/0278-06 - 506 & 508 - 510 Church Street Cremorne - referrals - idac attachment

Attachment 1 - PLN17/0278-06 - 506 & 508 - 510 Church Street Cremorne - decision plans - idac attachment



Attachment 1 - PLN17/0278-06 - 506 & 508 - 510 Church Street Cremorne - decision plans - idac attachment



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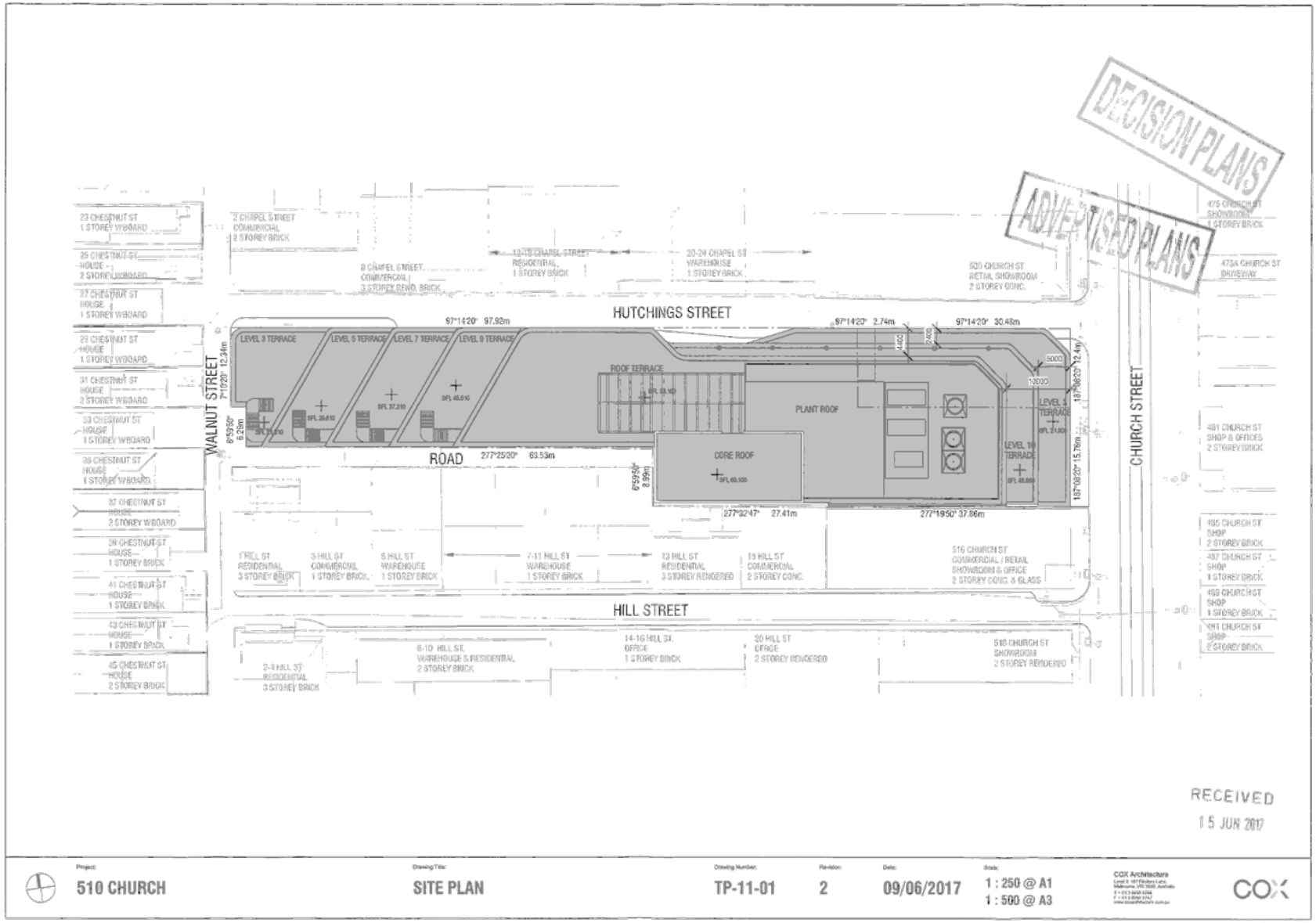

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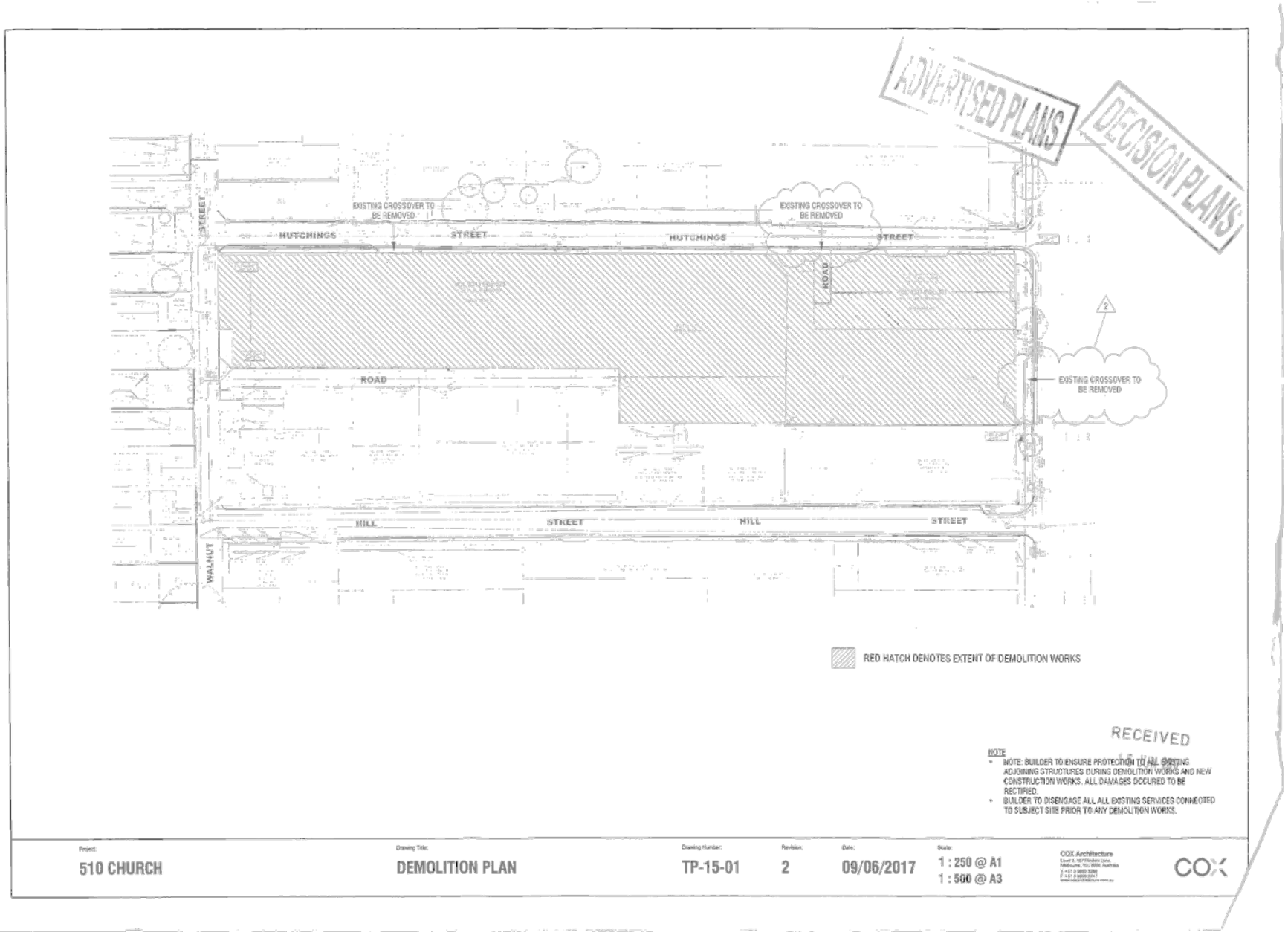

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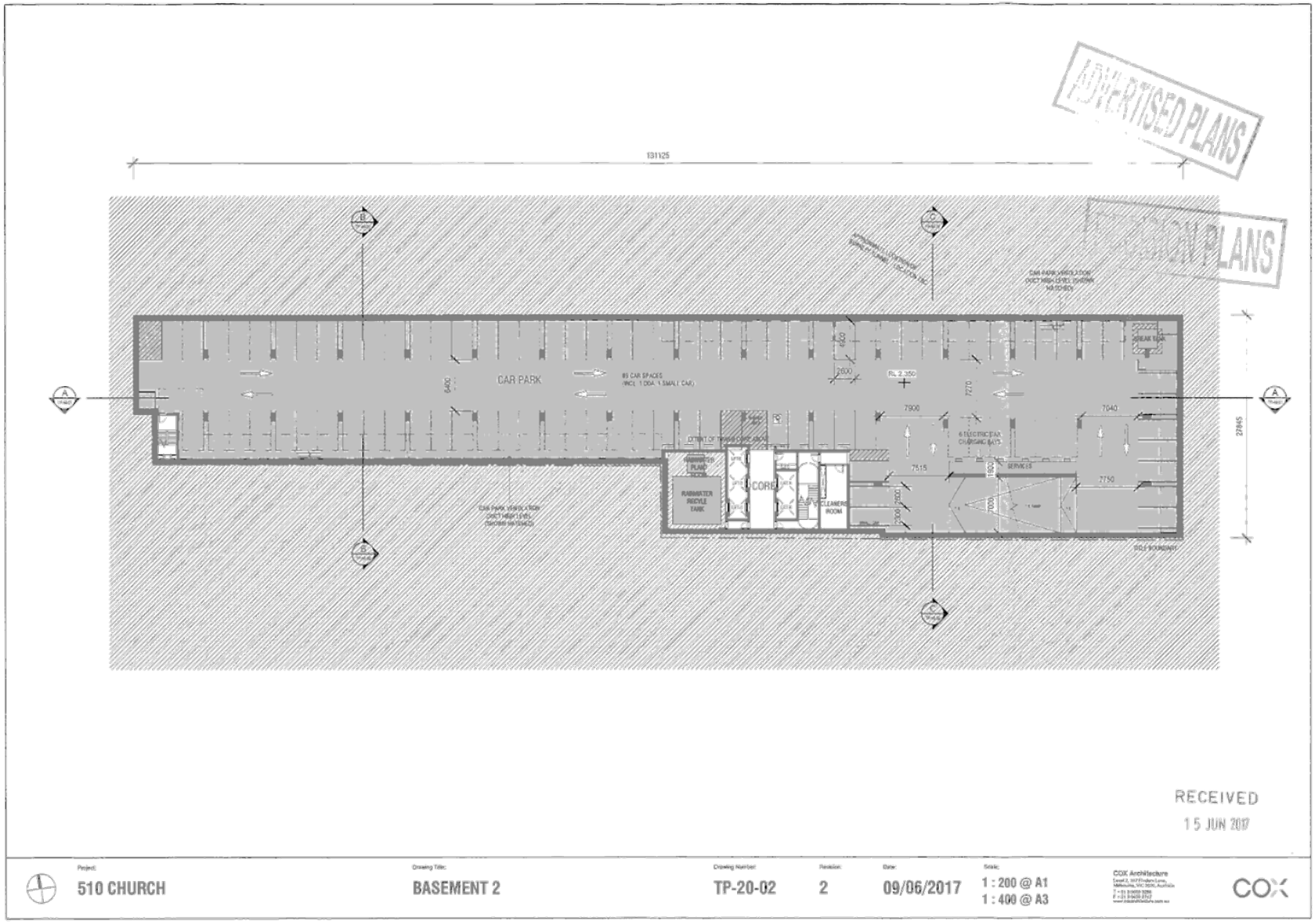

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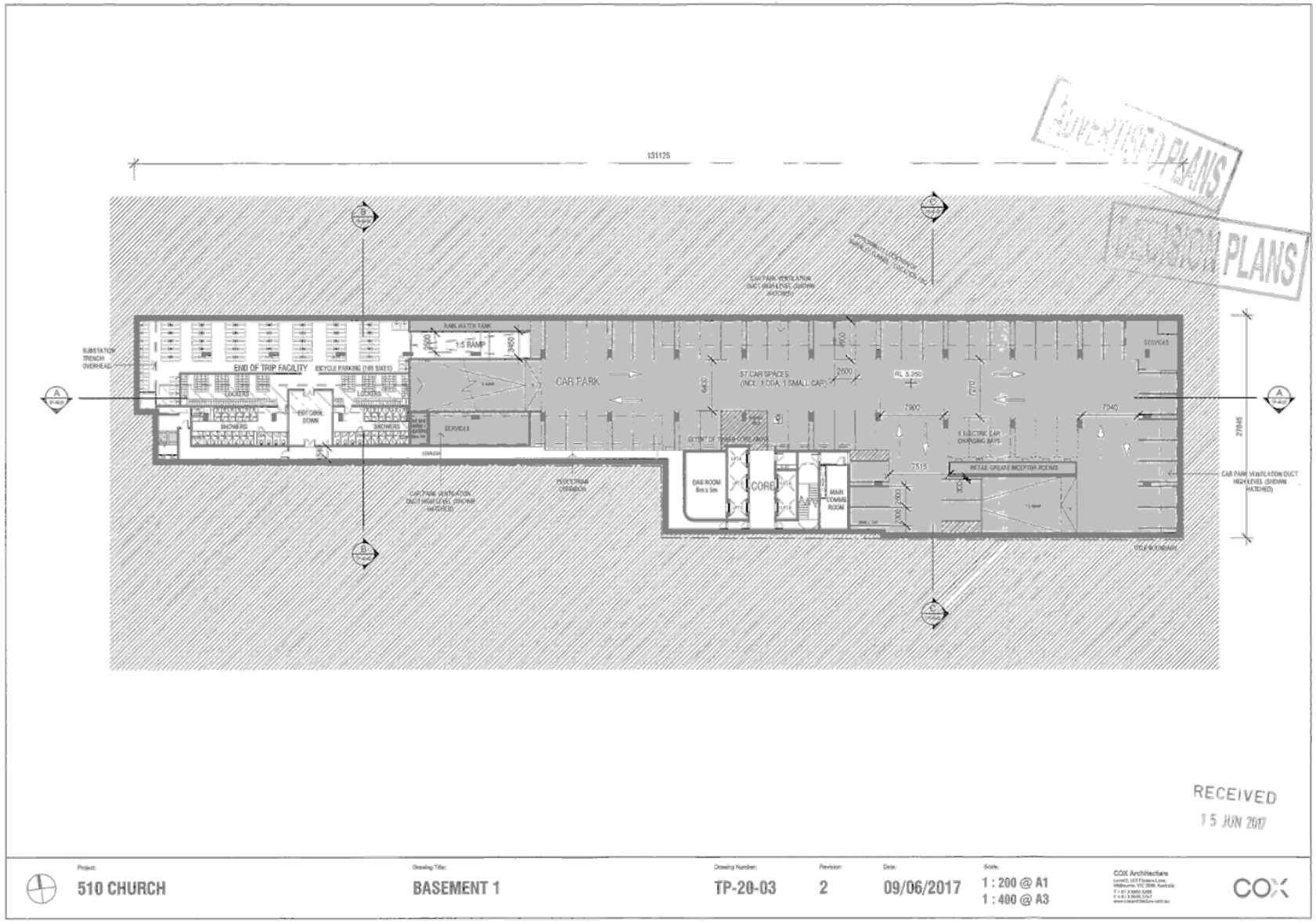

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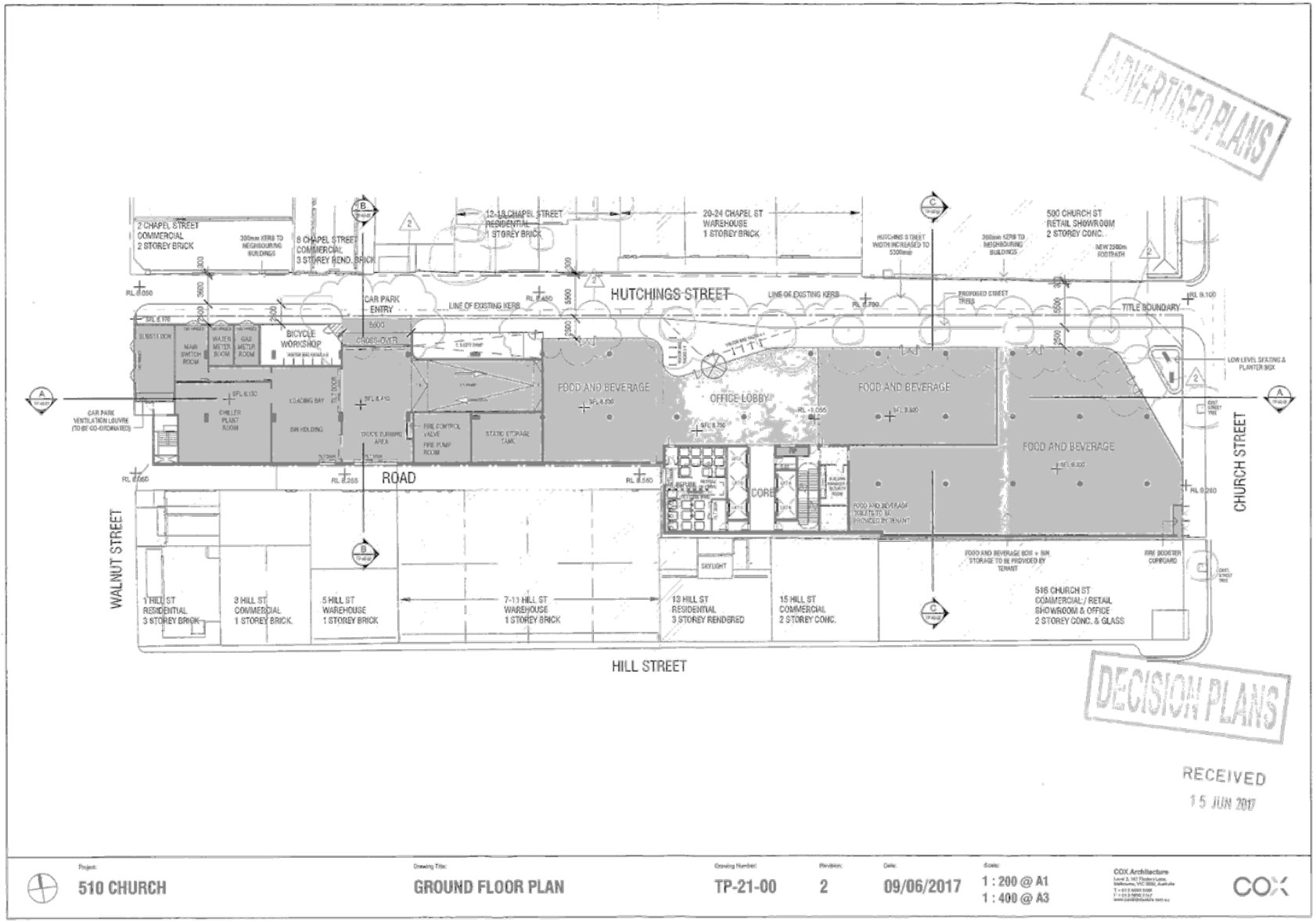

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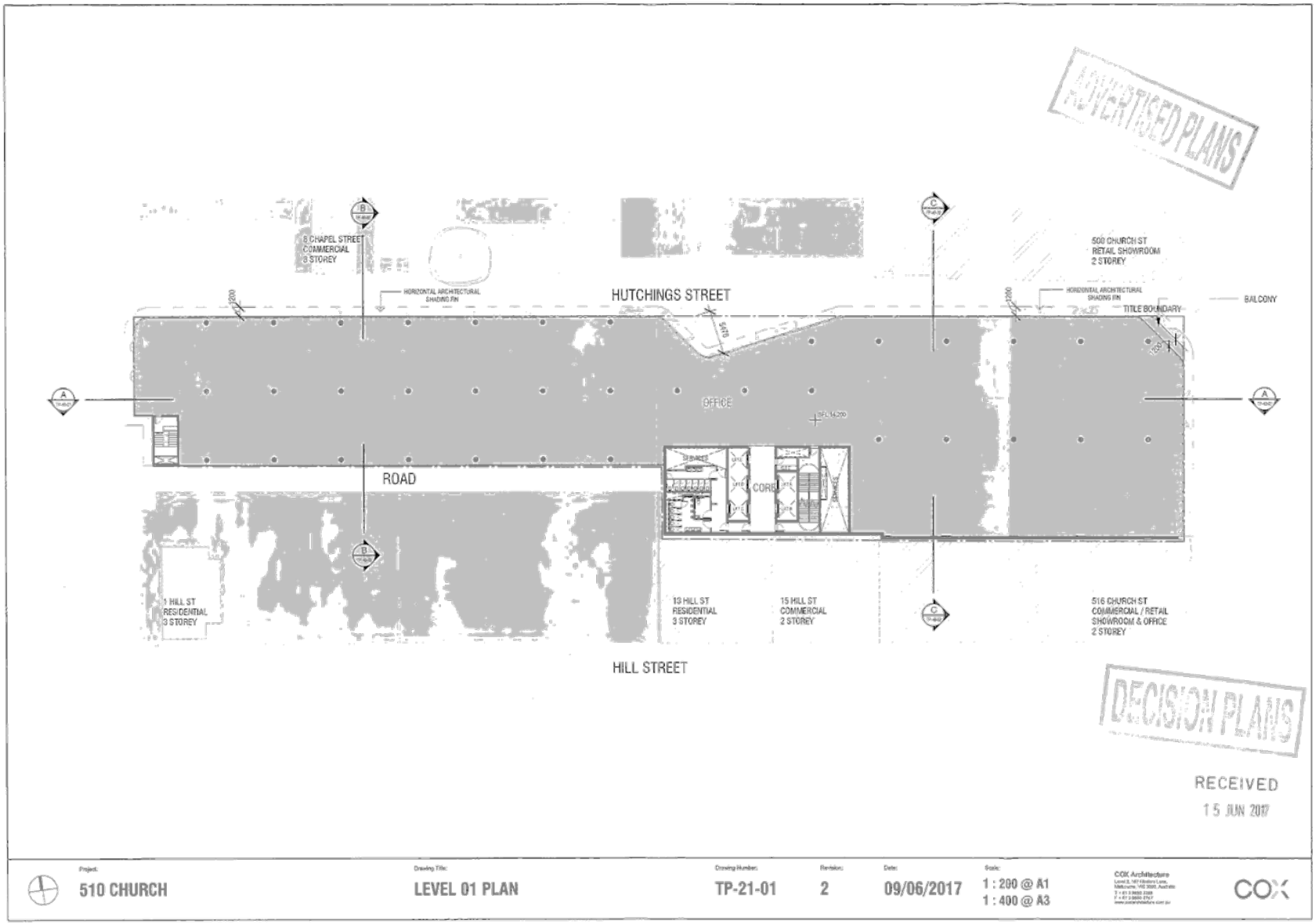

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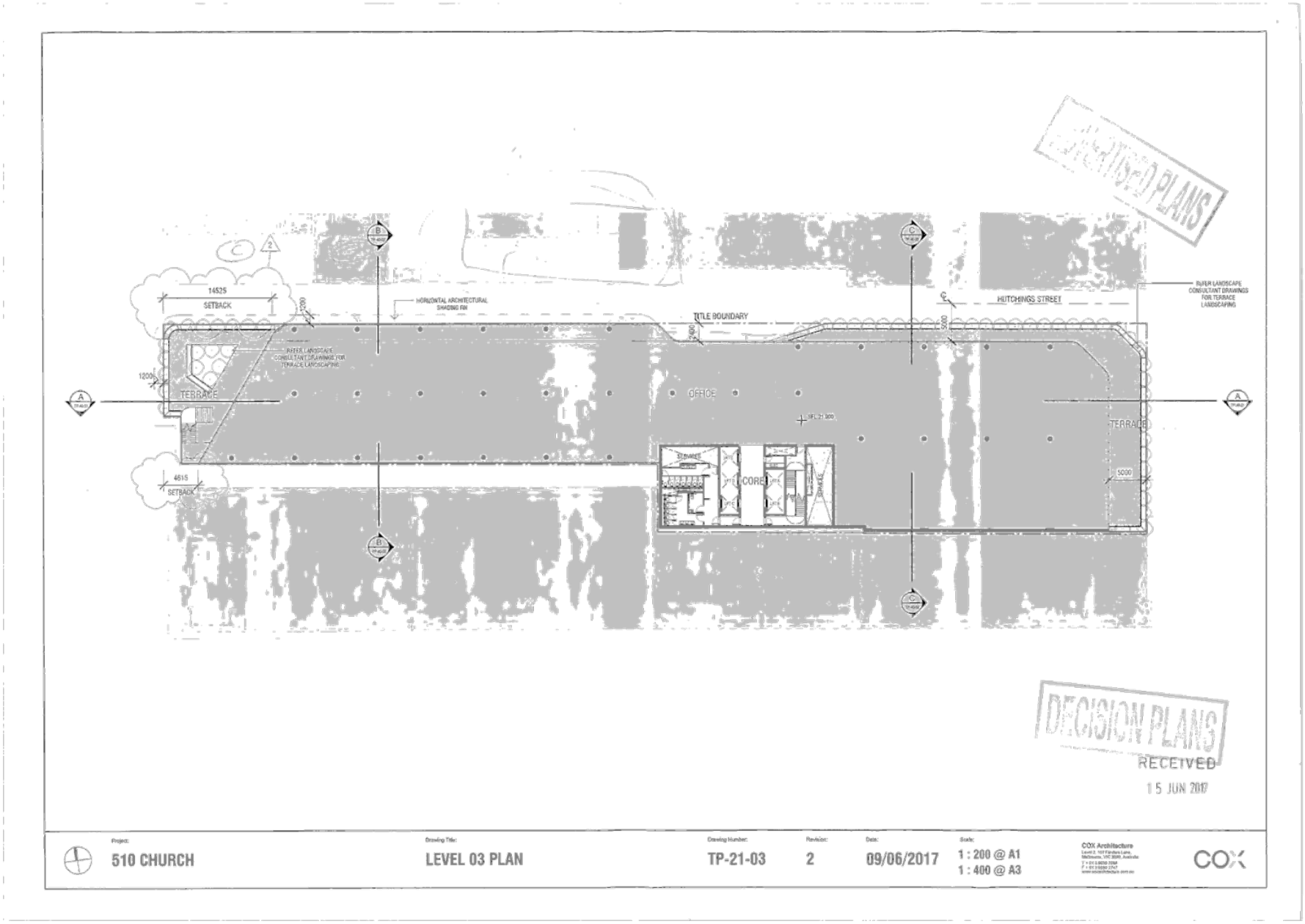

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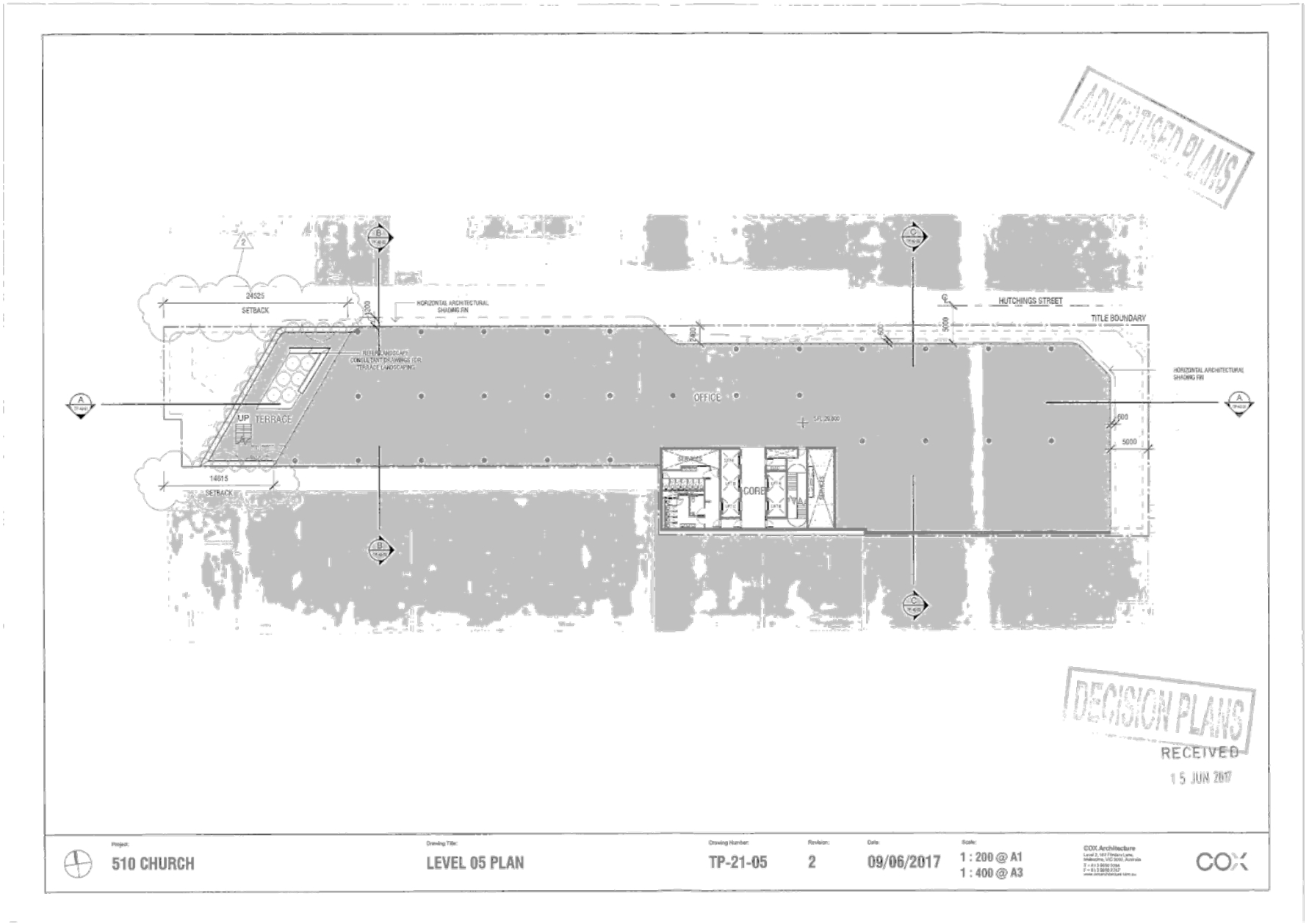

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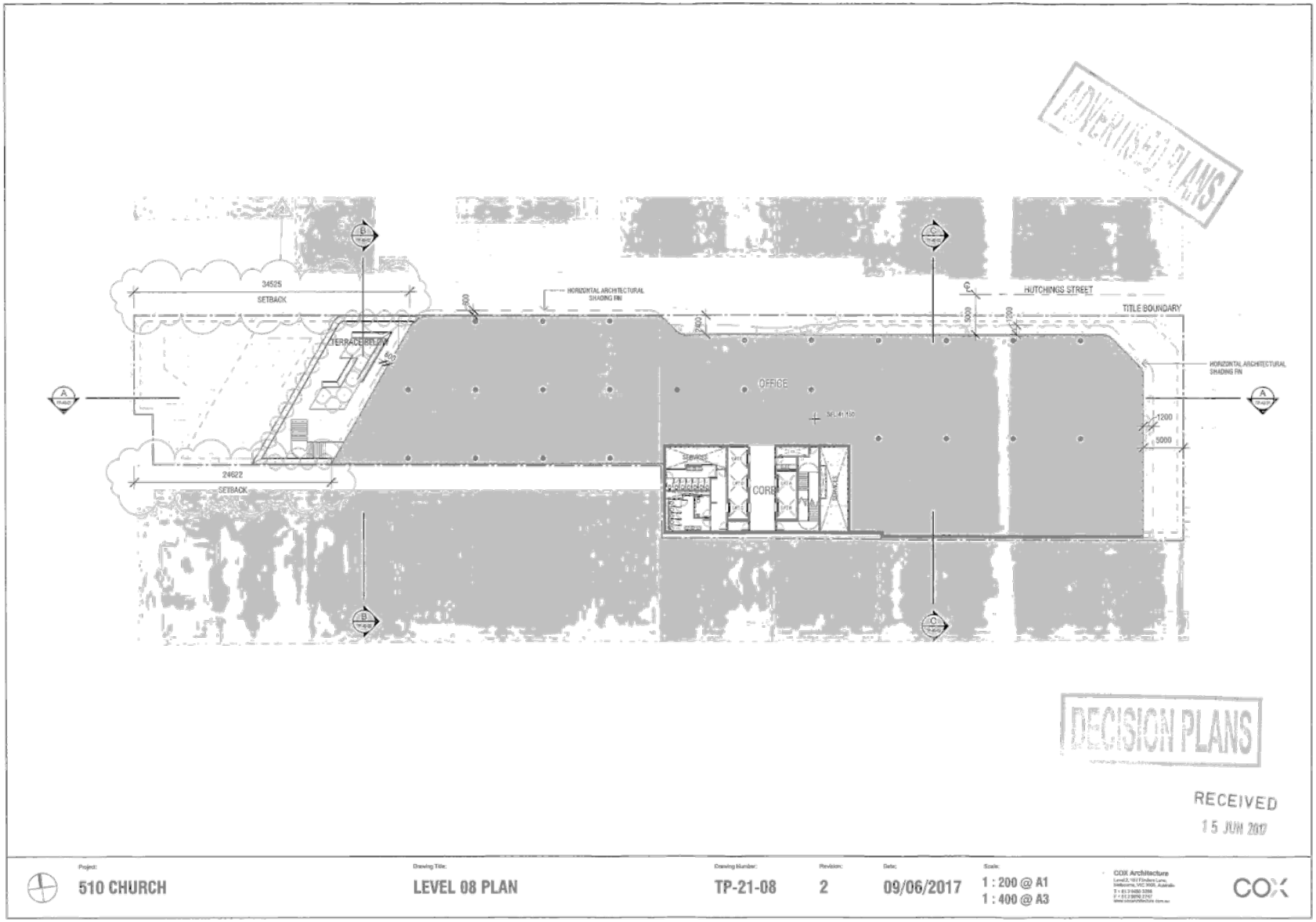

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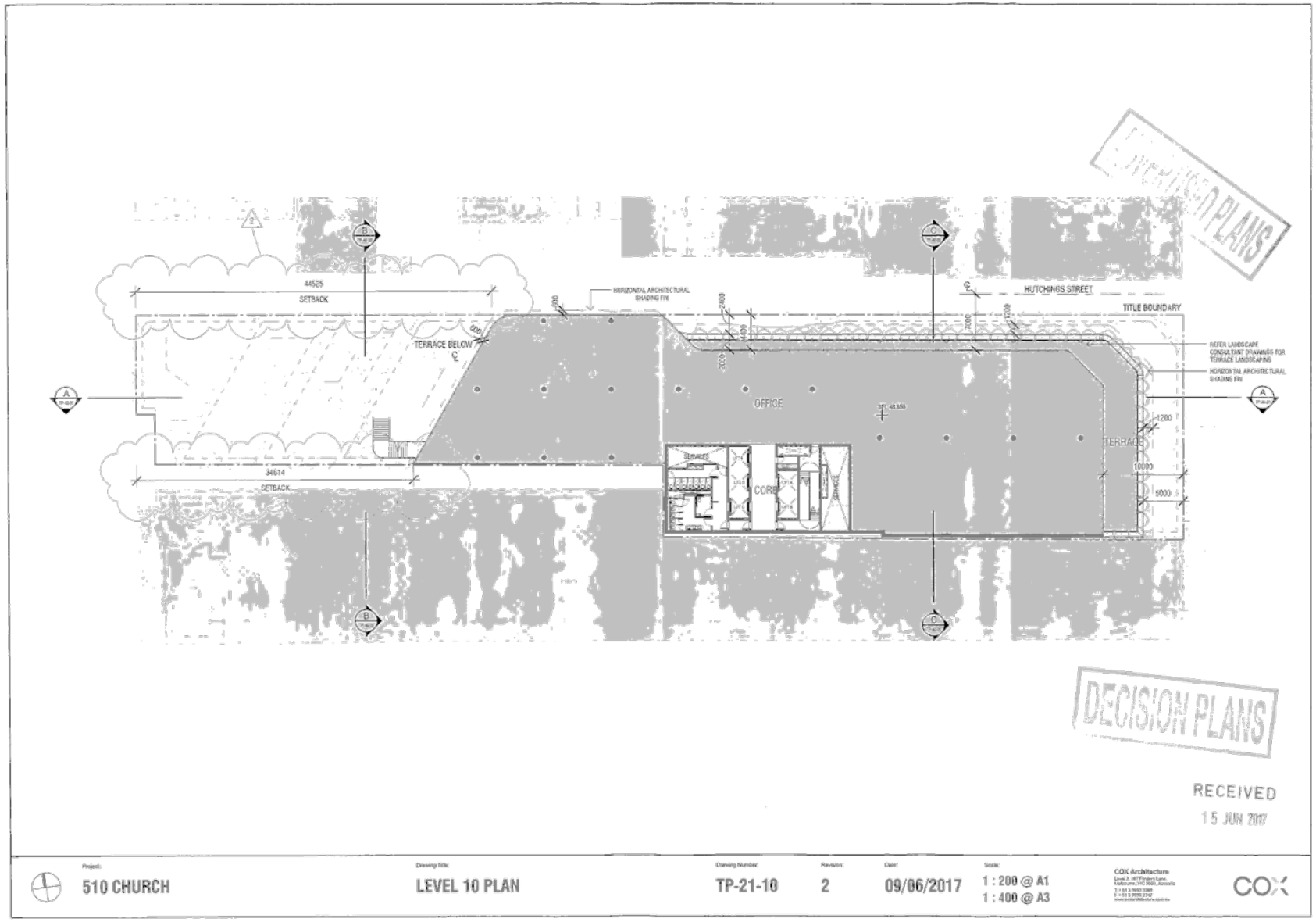

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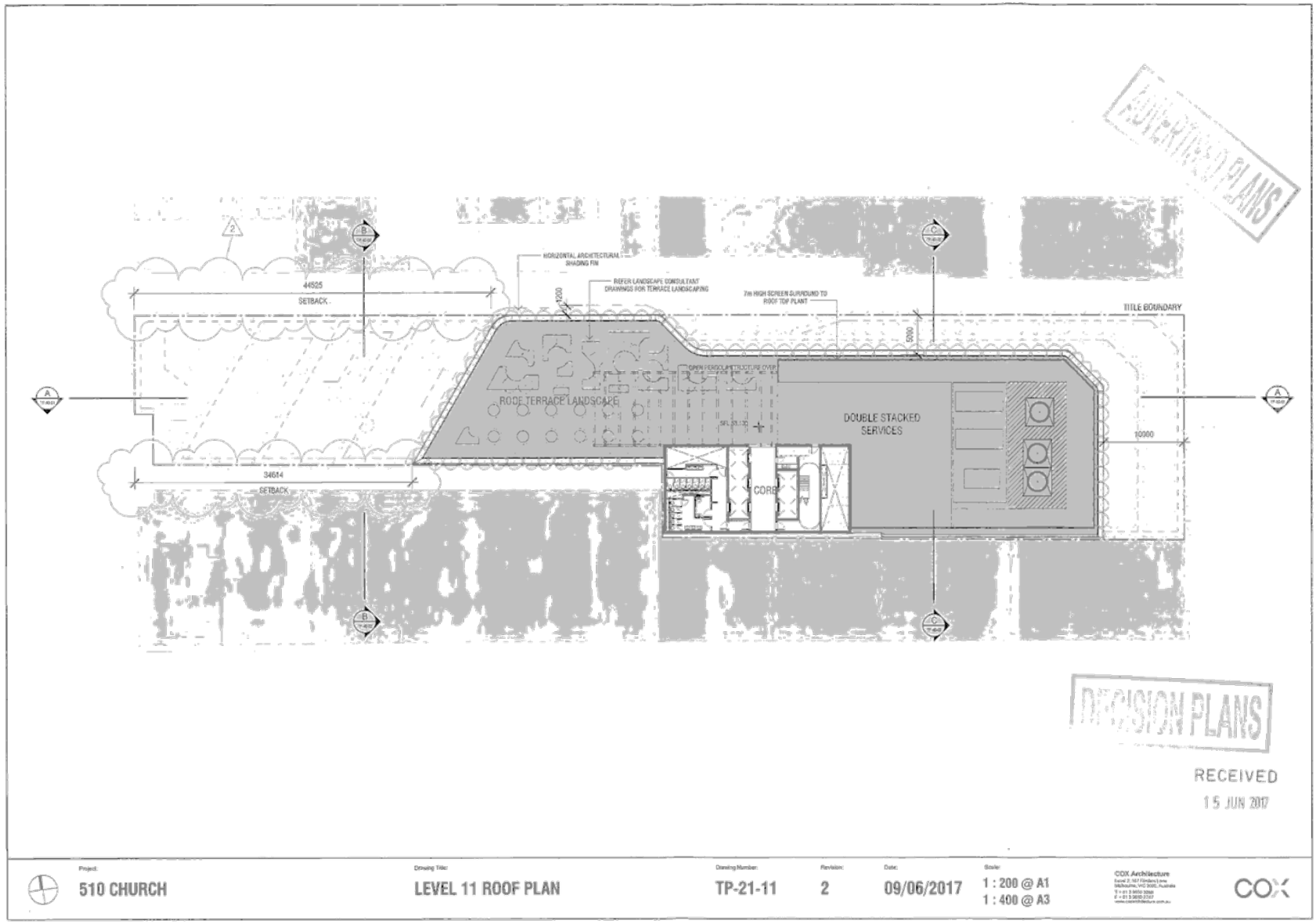

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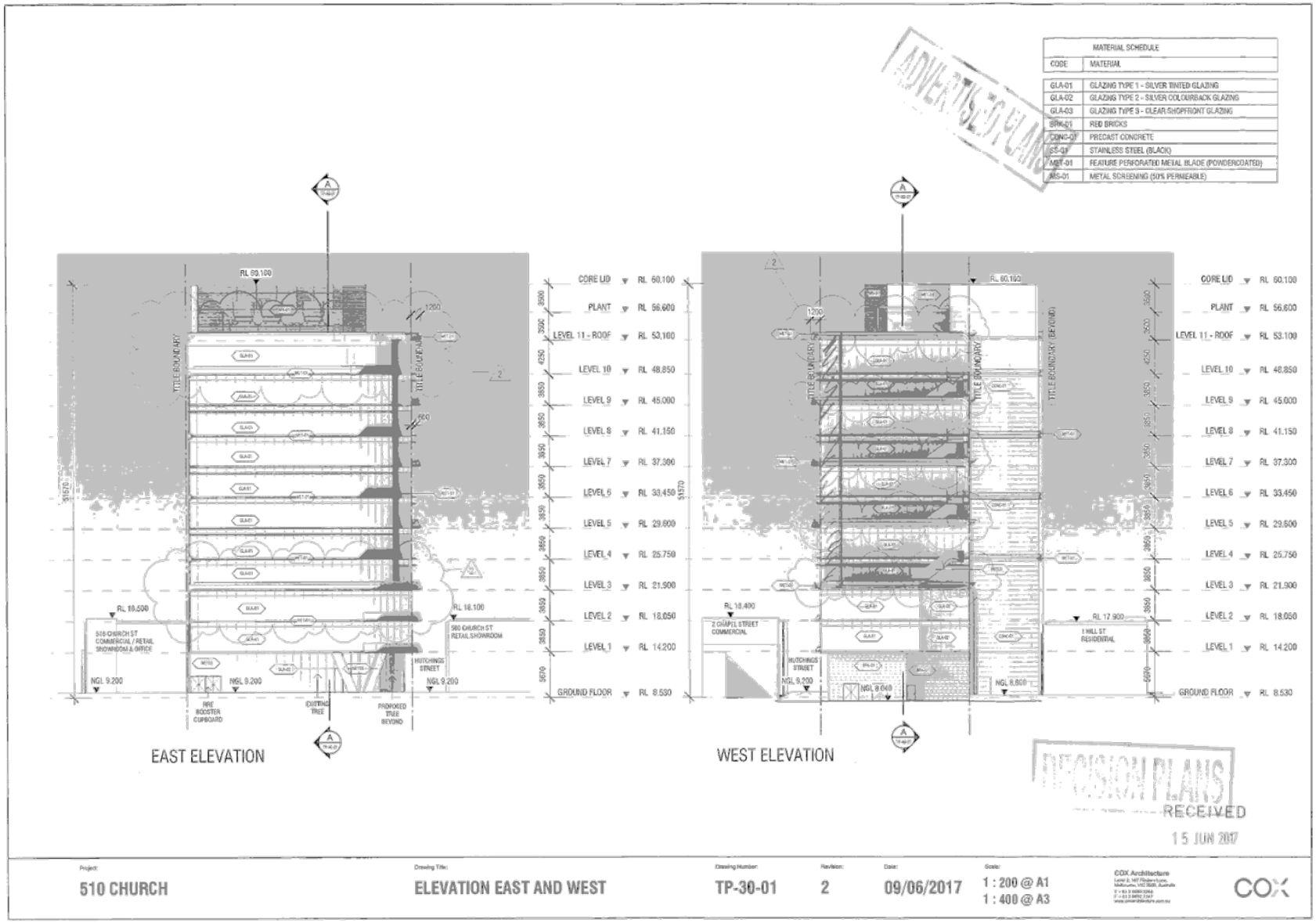

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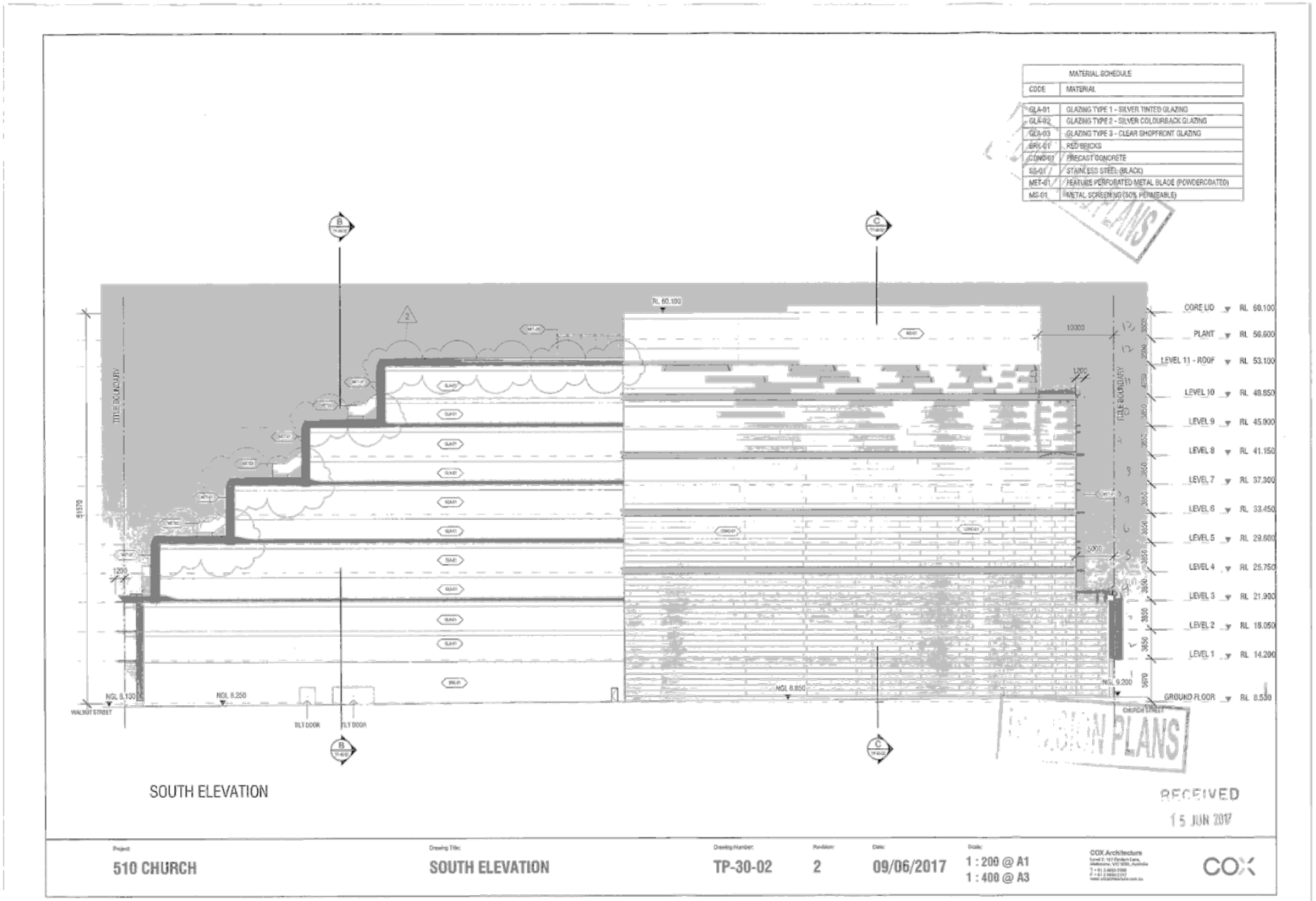

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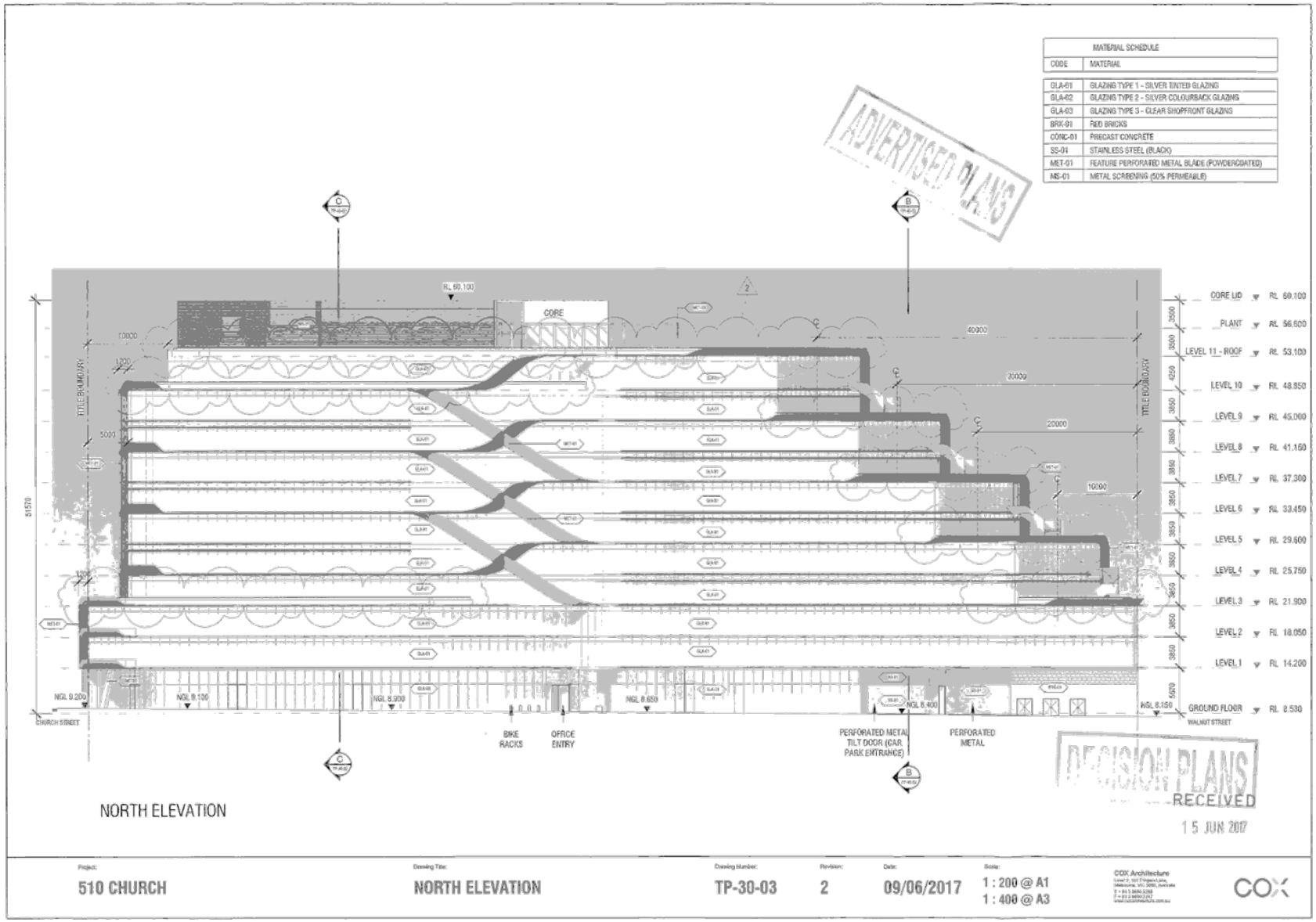

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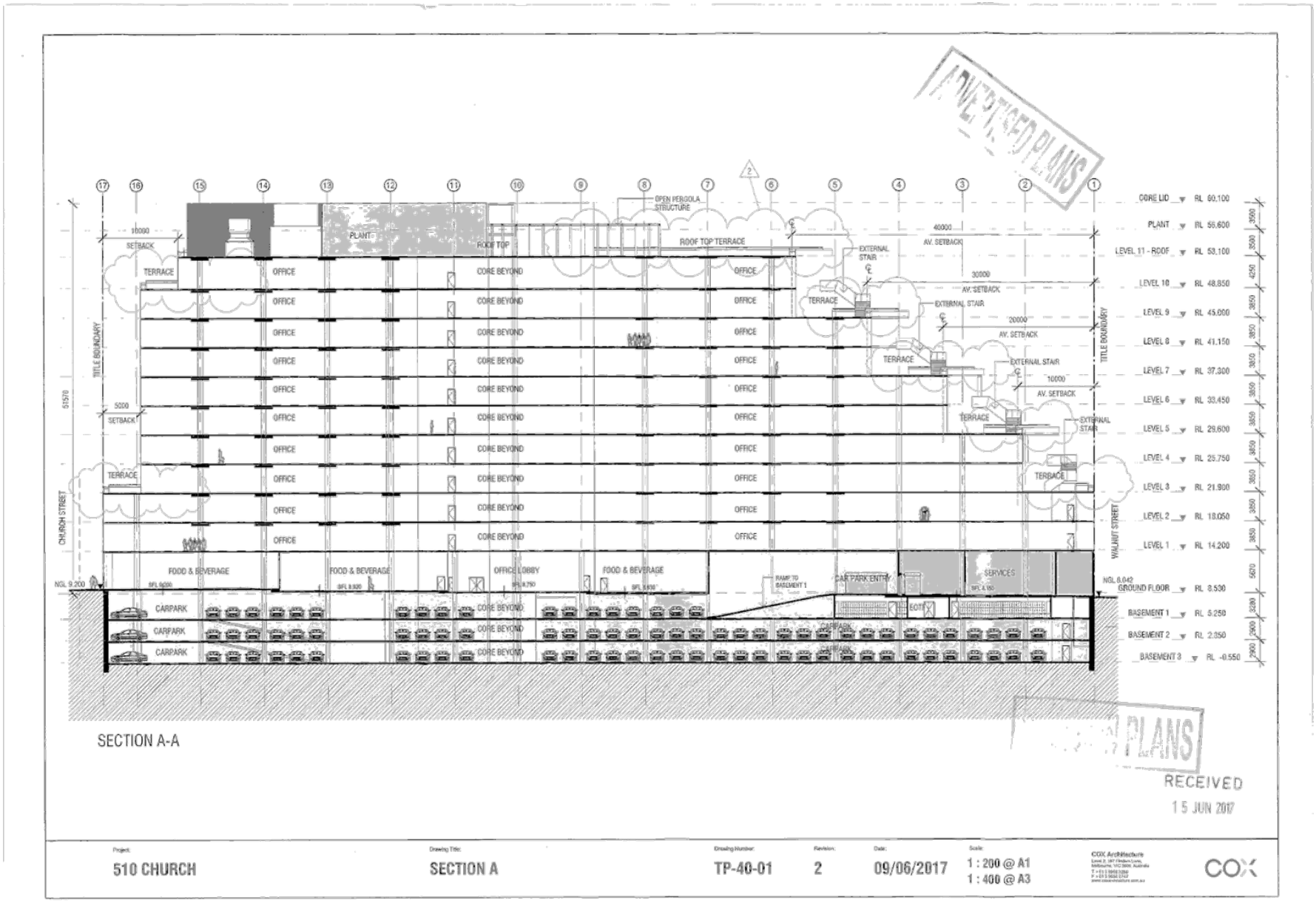

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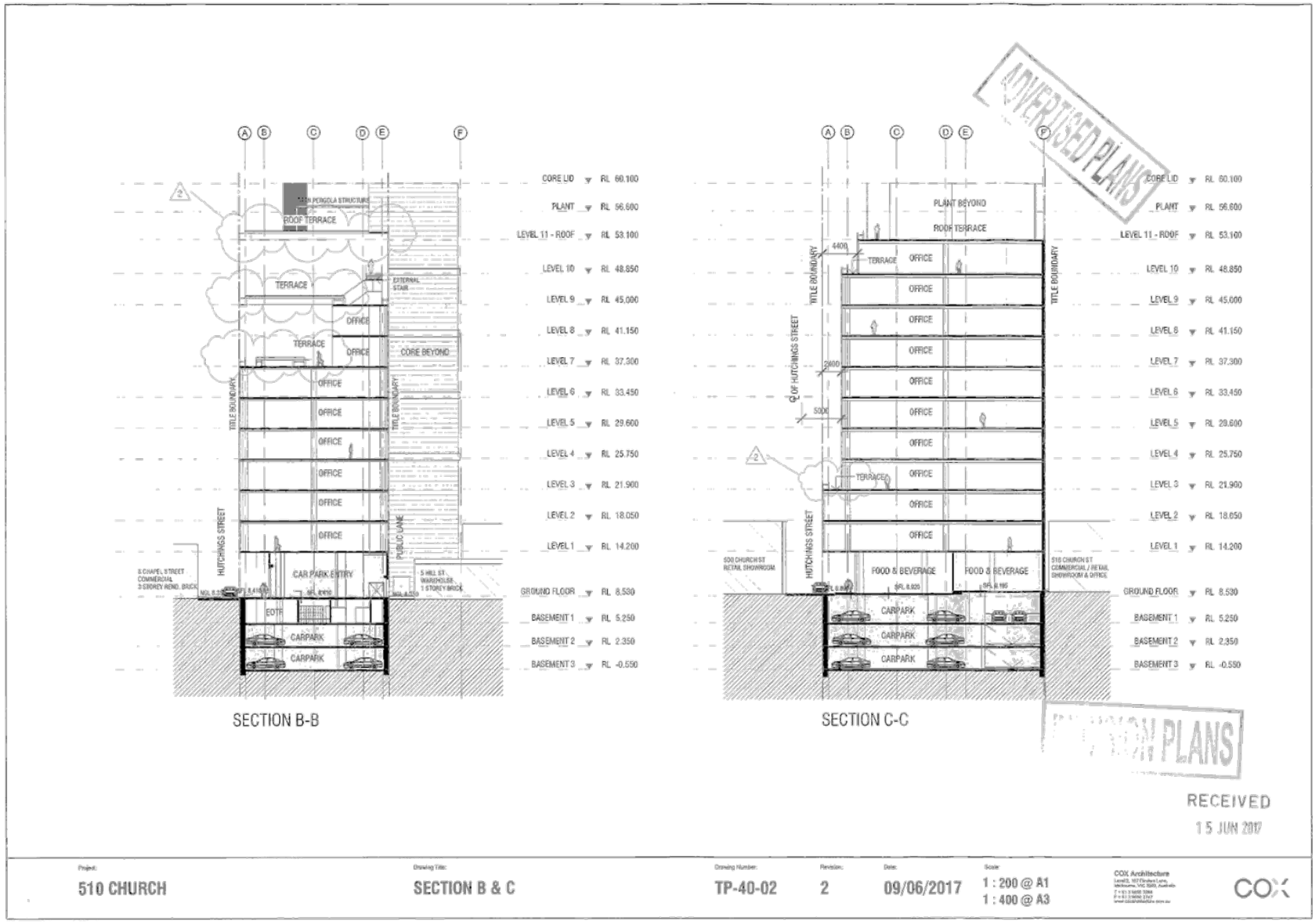

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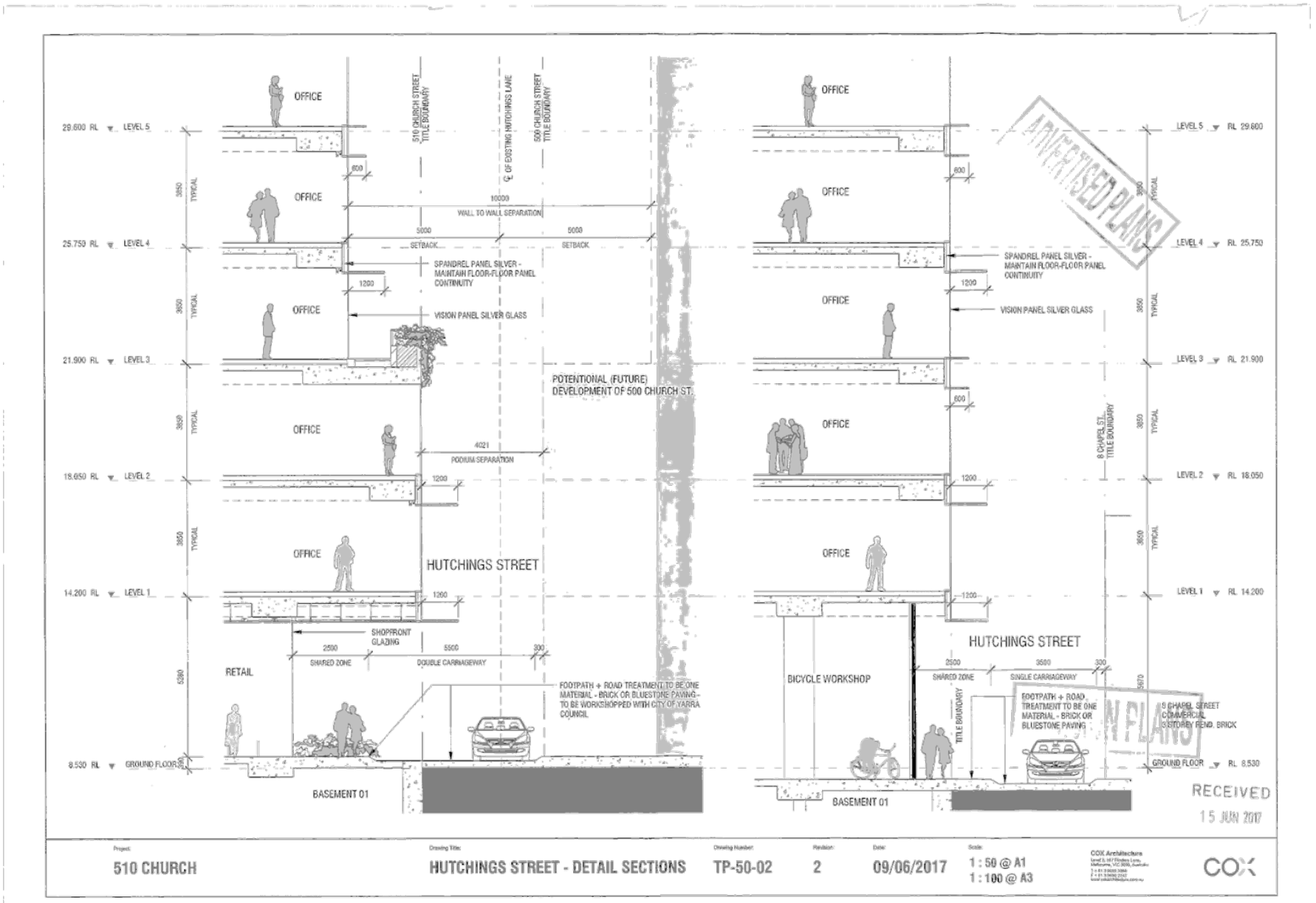

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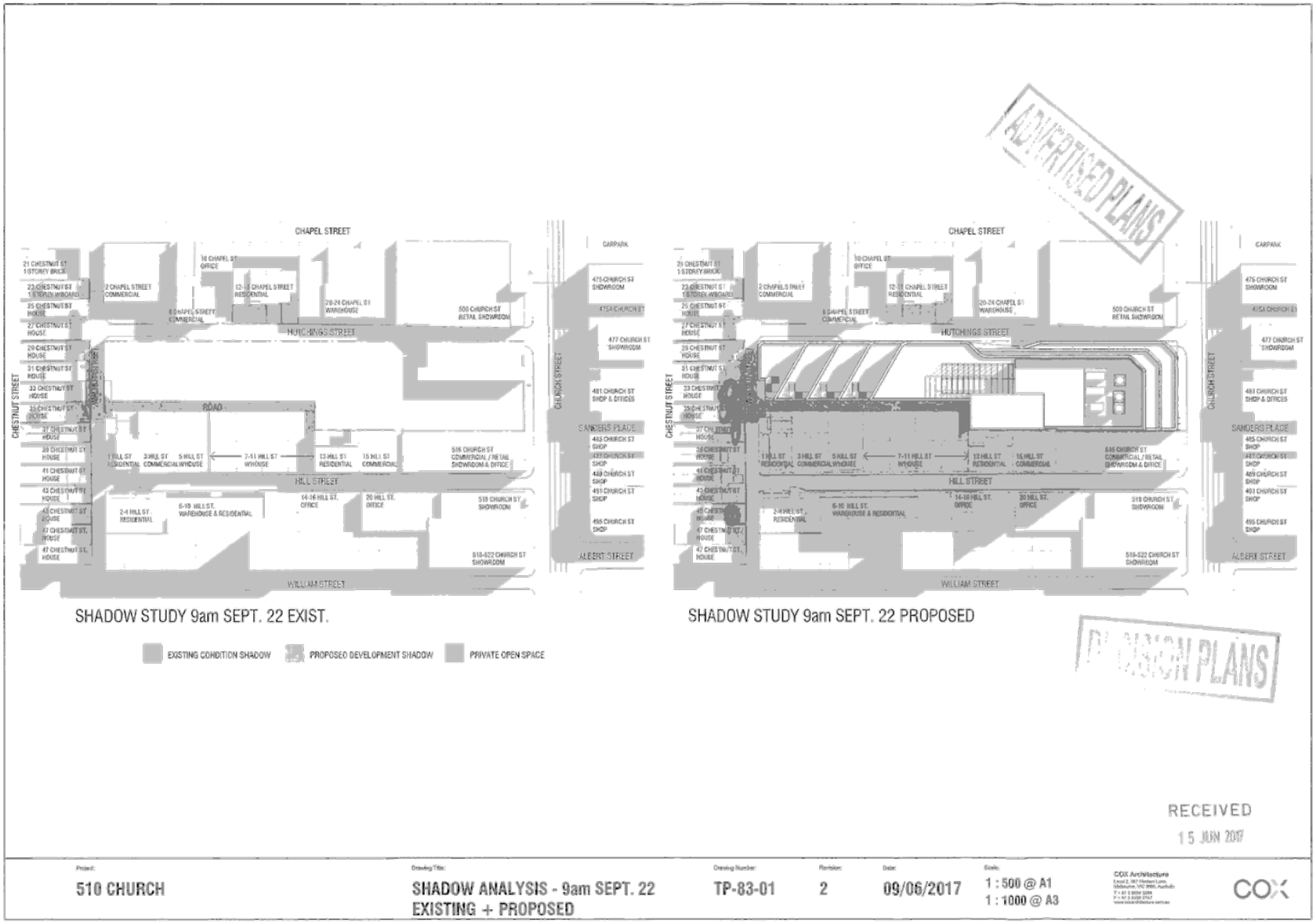

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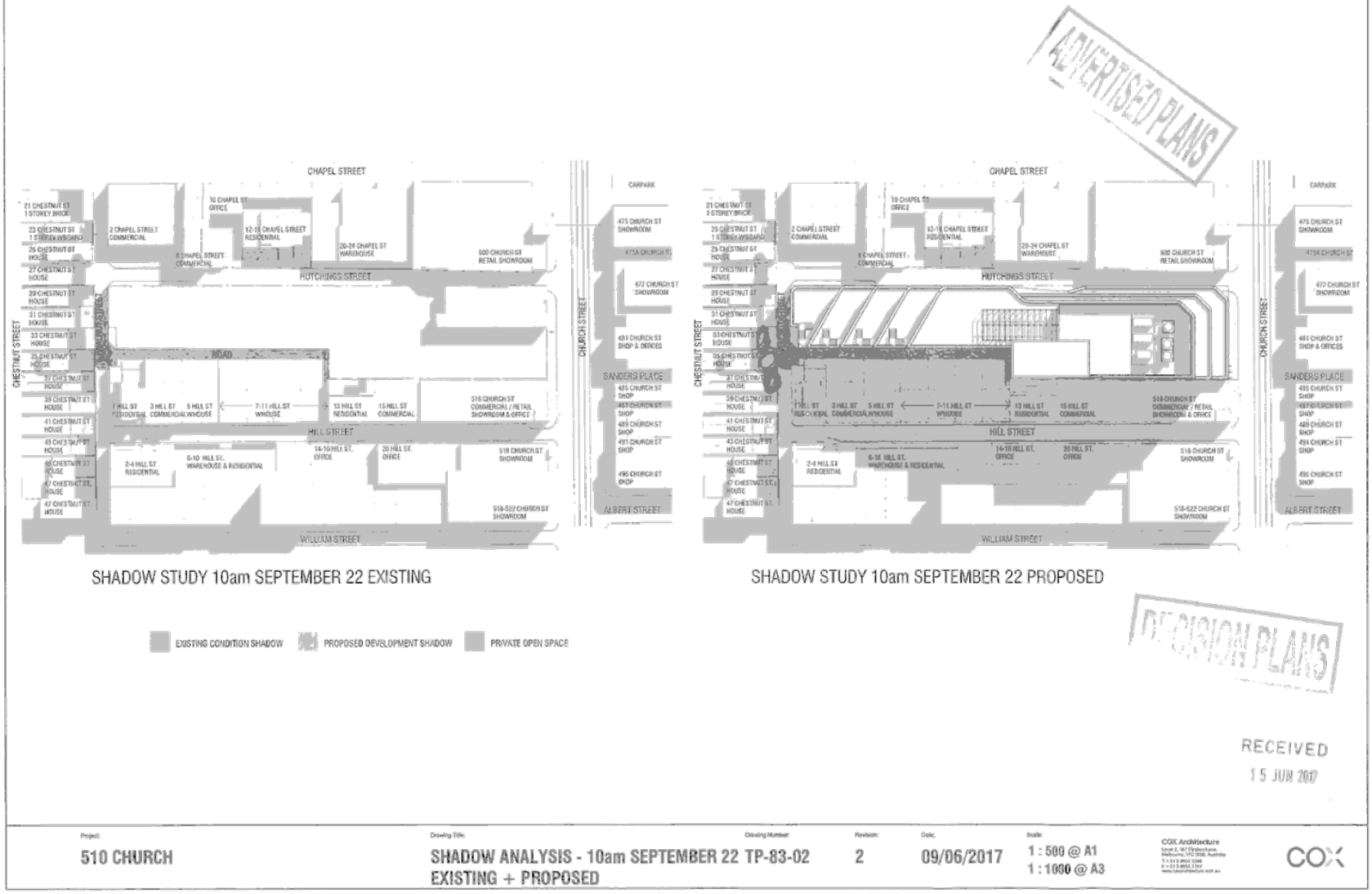

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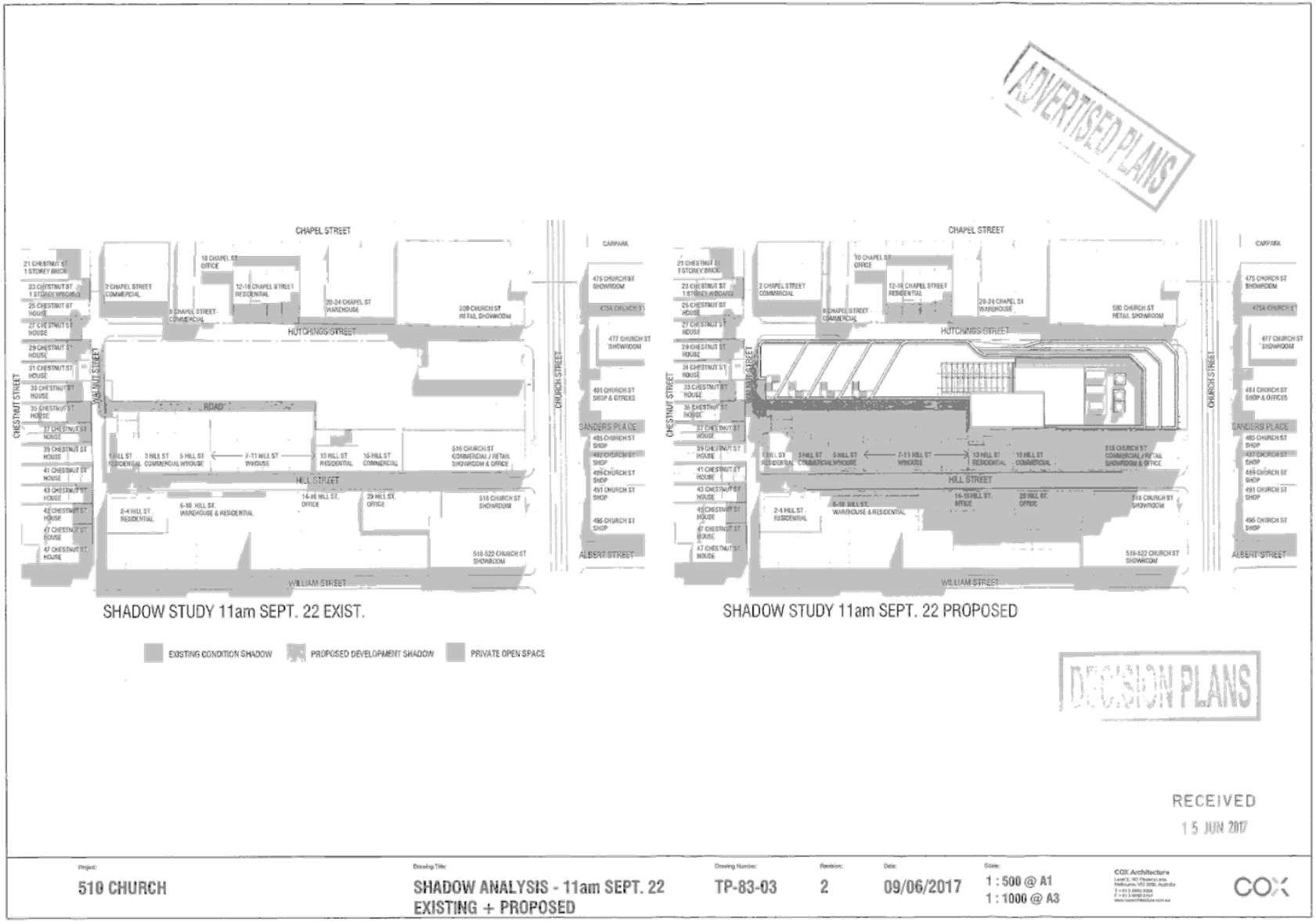
ADVERTISED PLANS



DECISION PLANS

RECEIVED
15 JUN 2017

Project:	Drawing Title:	Drawing Number:	Revision:	Date:	Scale:	
510 CHURCH	SHADOW ANALYSIS - 11am SEPT. 22 EXISTING + PROPOSED	TP-83-03	2	09/06/2017	1 : 500 @ A1 1 : 1000 @ A3	COX Architecture COX

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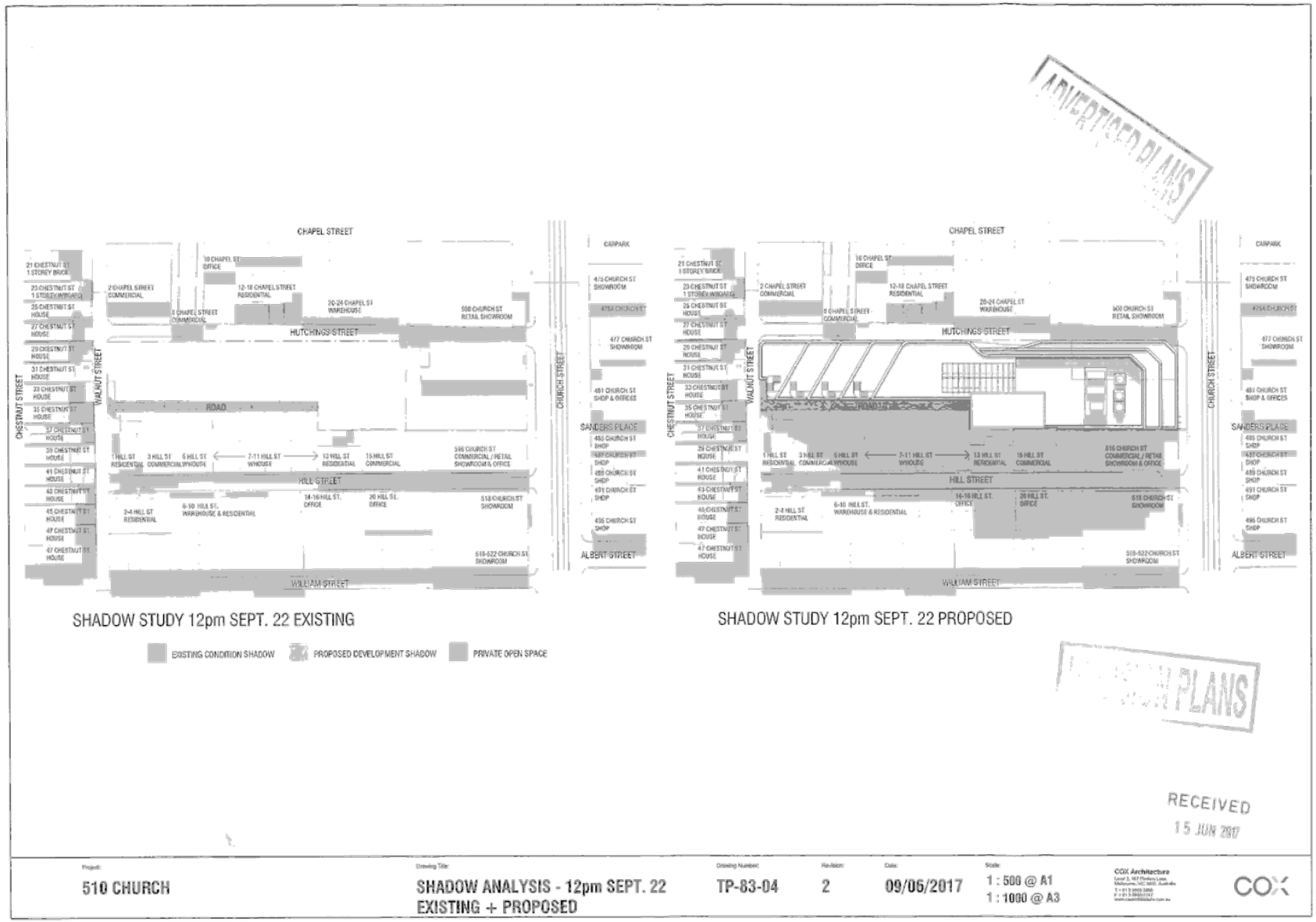

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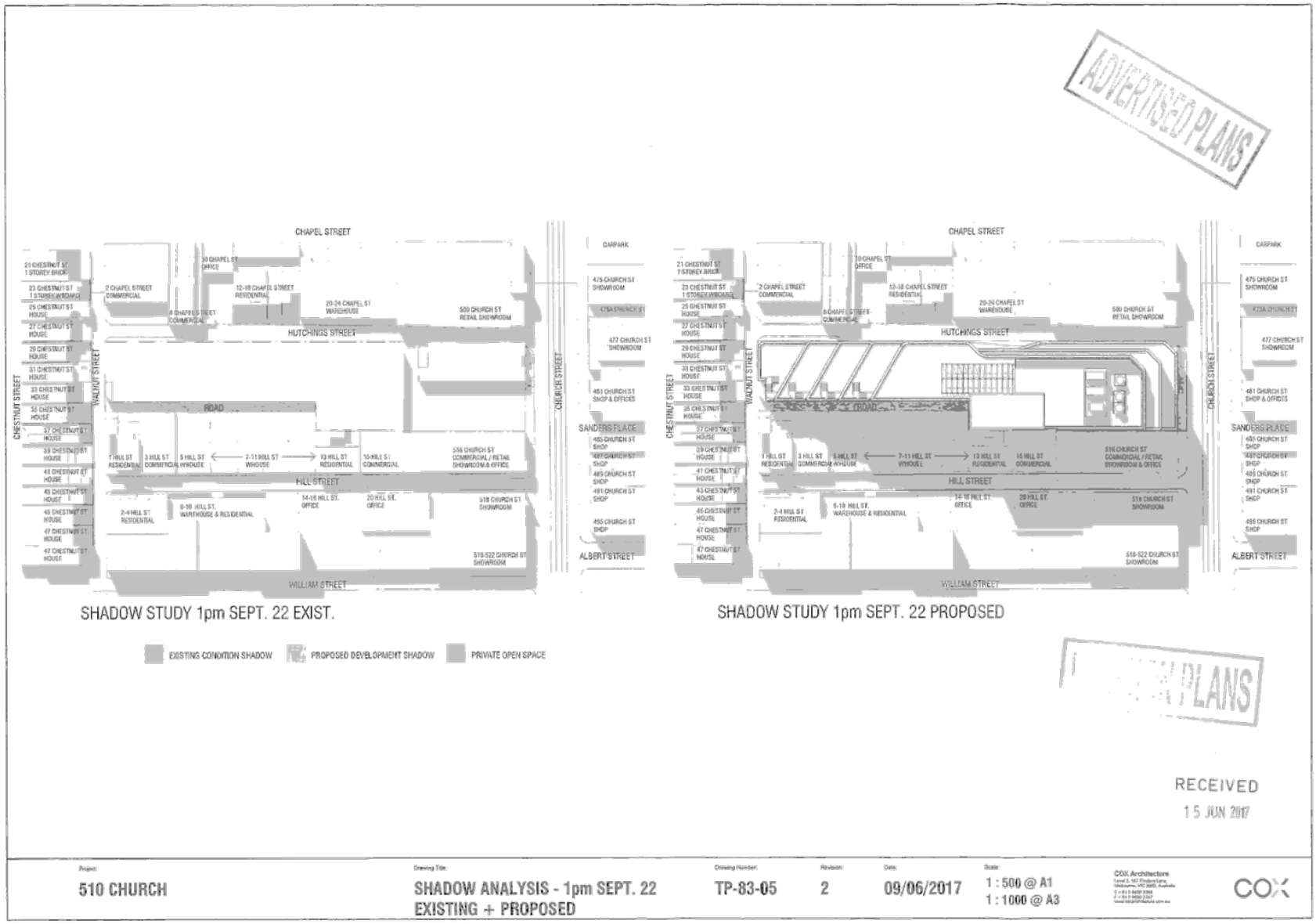

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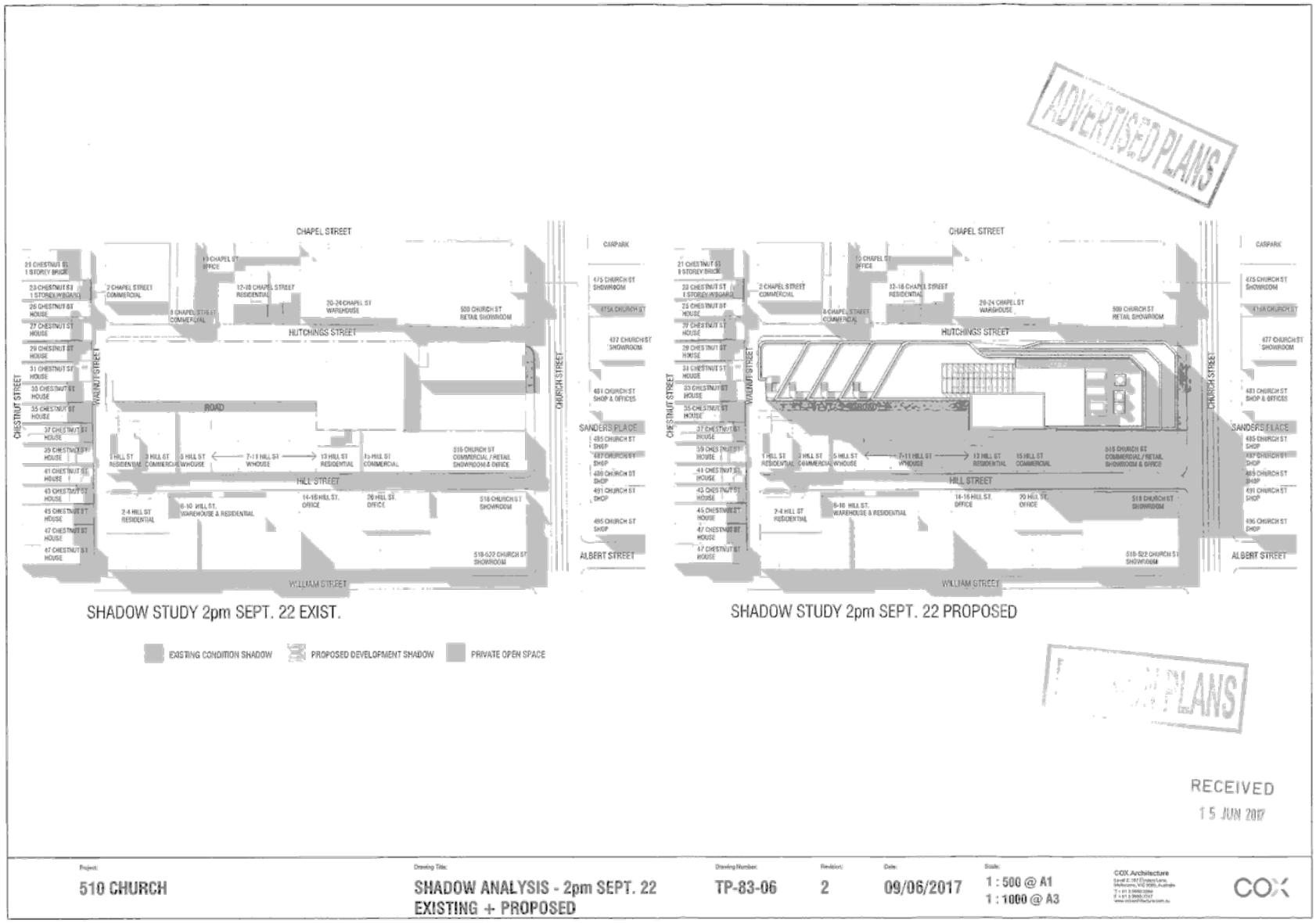

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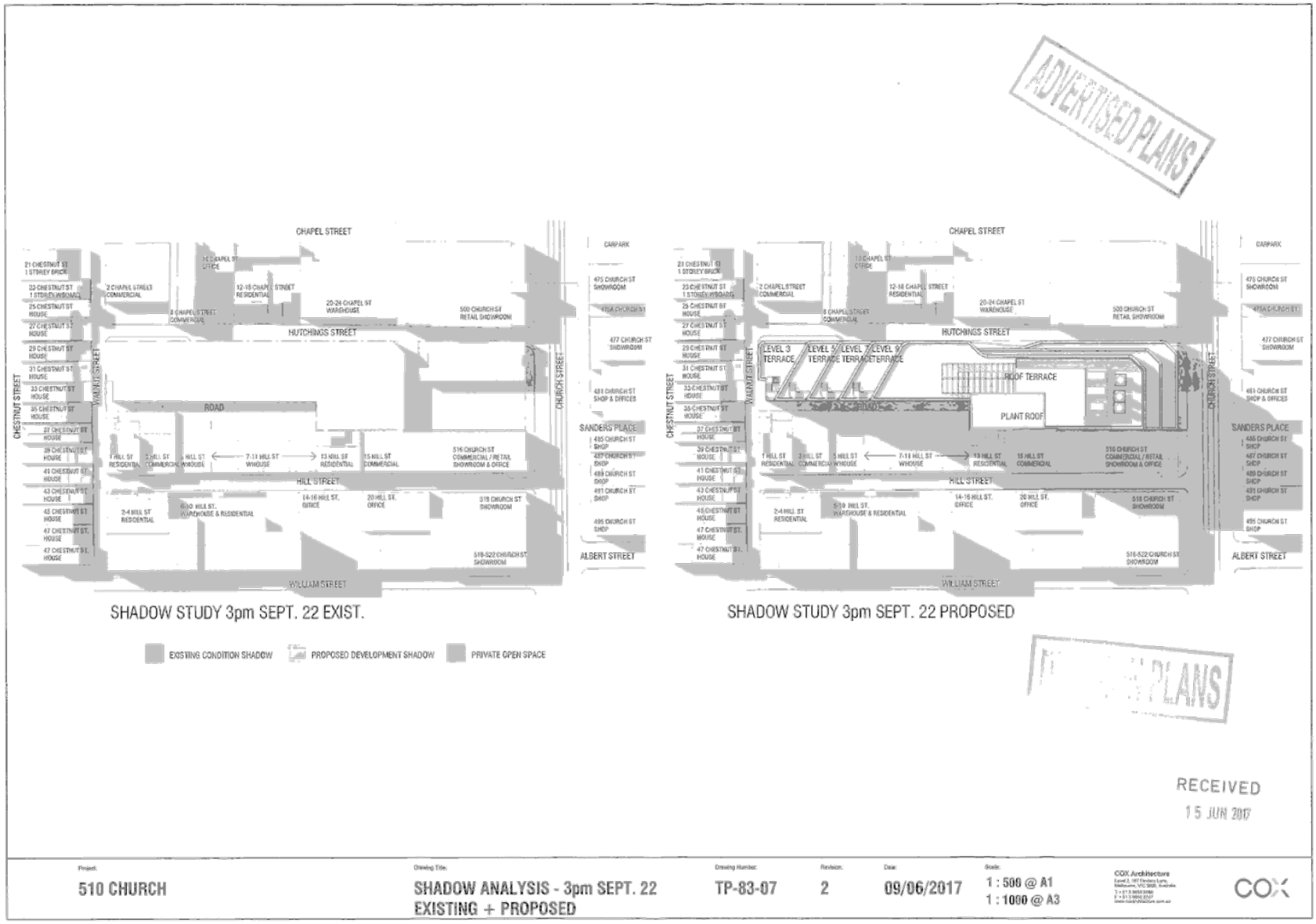
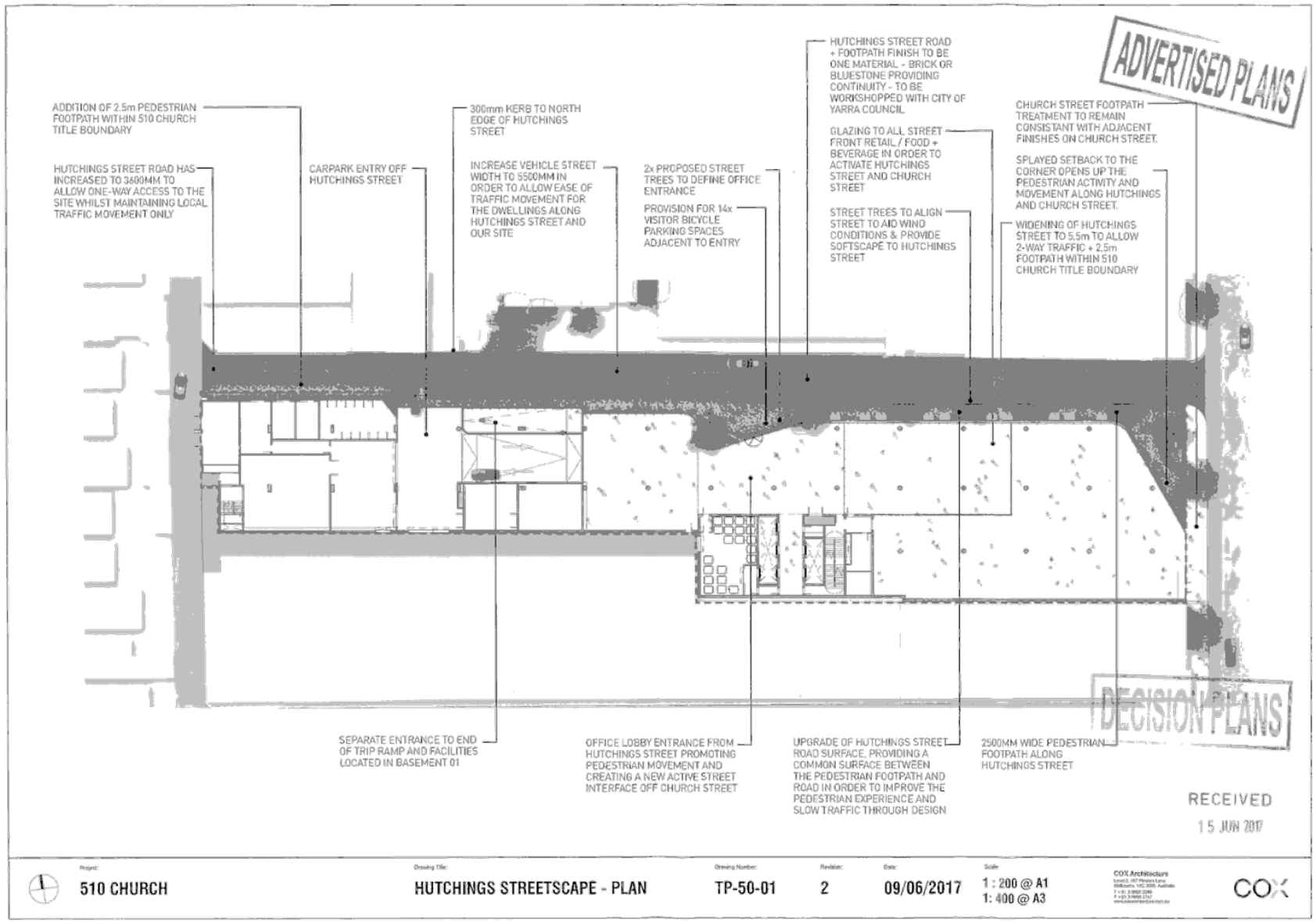


Attachment 2 - PLN17/0278-06 - 506 & 508 - 510 Church Street Cremorne - streetscape works - idac attachment



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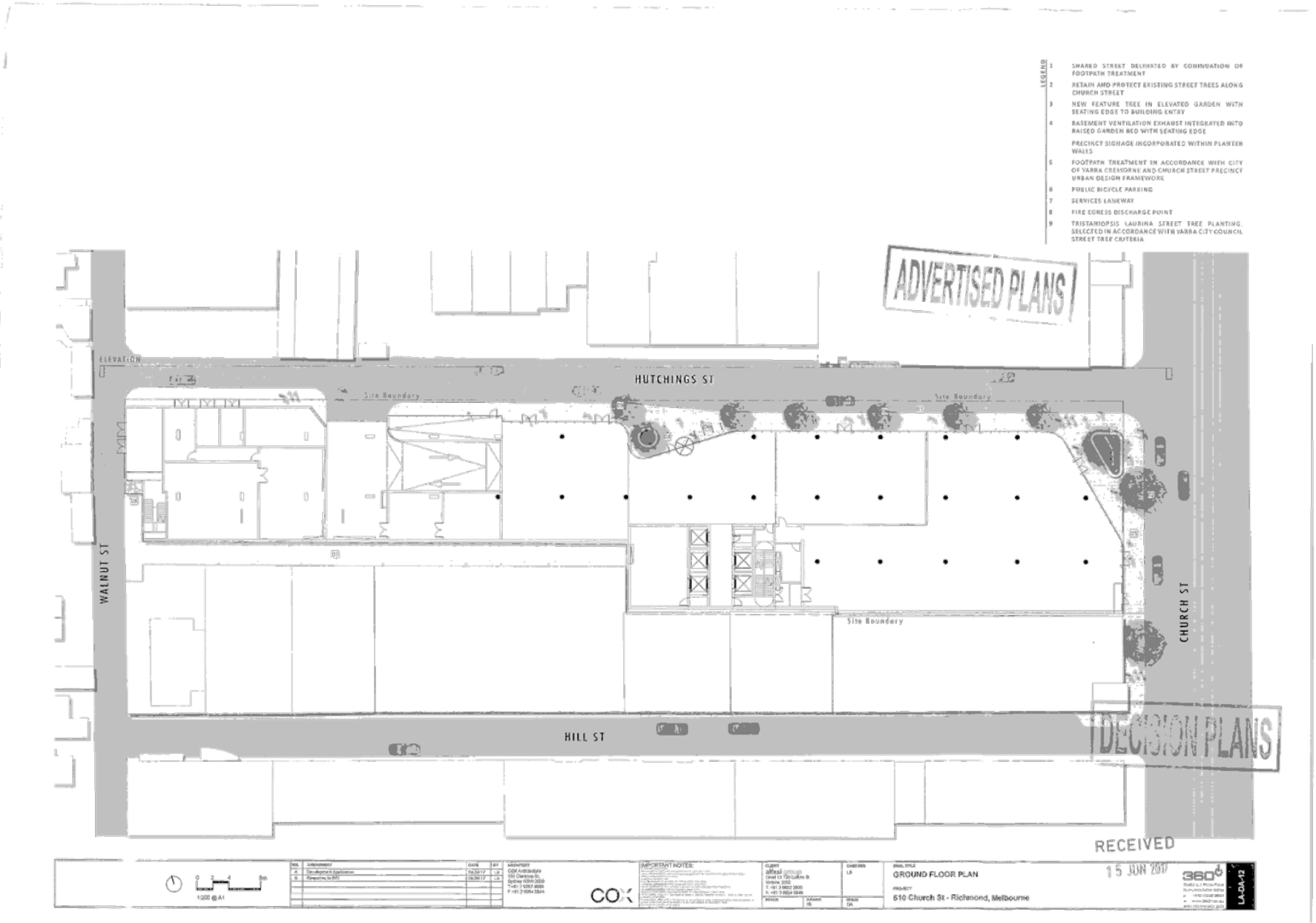
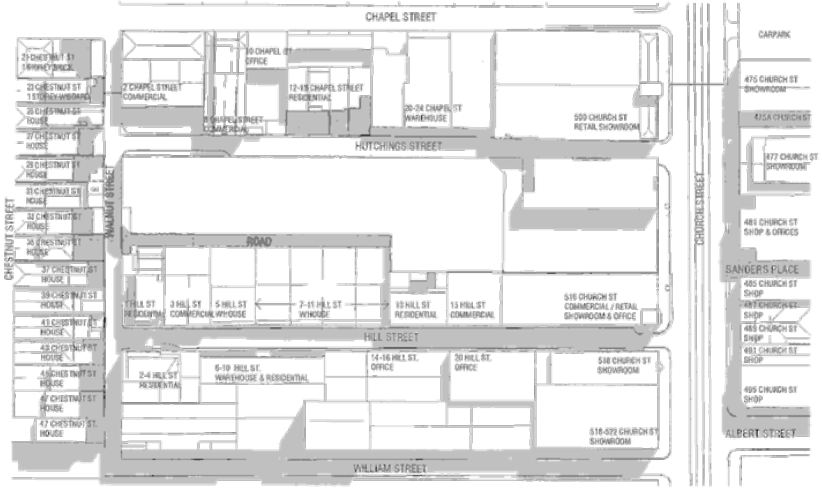
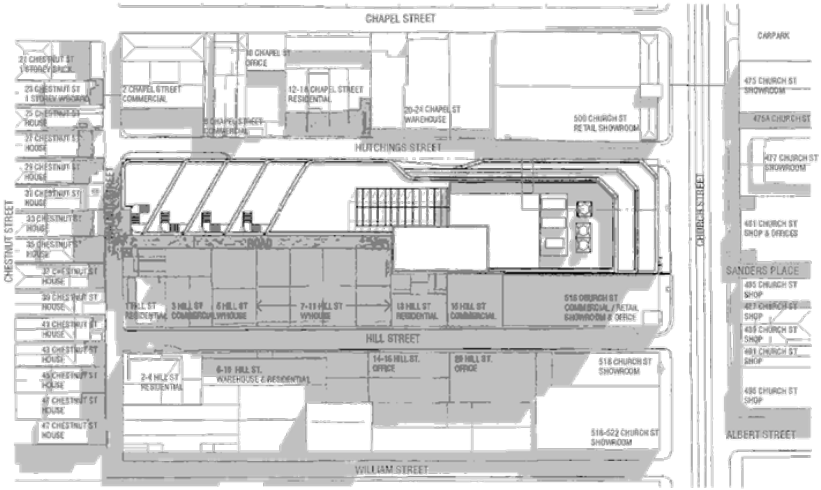


Attachment 3 - PLN17/0278-06 - 506 & 508 - 510 Church Street Cremorne - 10.30 am shadow plan - idac attachment

sketch plan.



SHADOW STUDY 10.30am SEPTEMBER 22 EXISTING



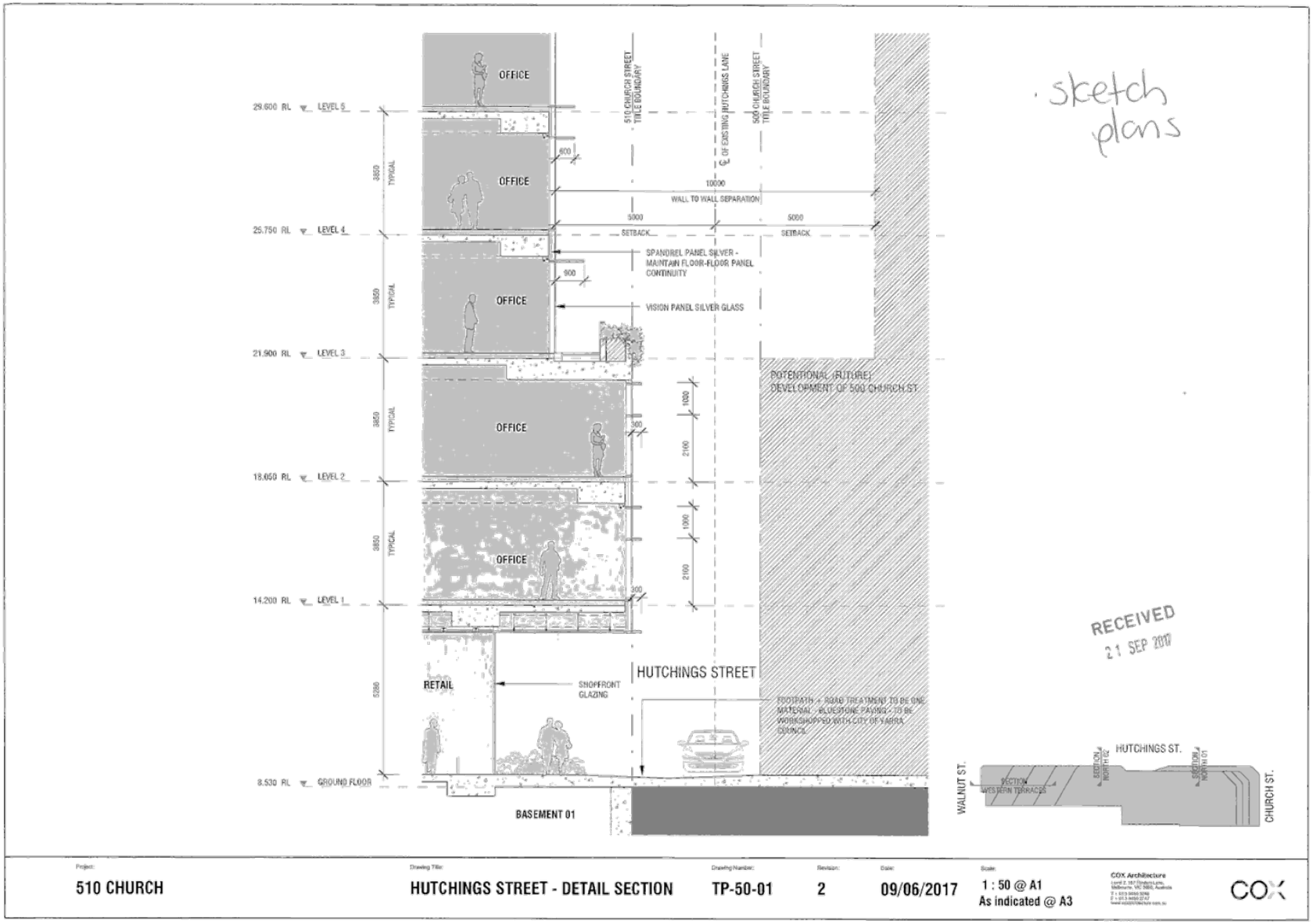
SHADOW STUDY 10.30am SEPTEMBER 22 PROPOSED

EXISTING CONDITION SHADOW PROPOSED DEVELOPMENT SHADOW PRIVATE OPEN SPACE

RECEIVED
24 NOV 2017

Project:	Drawing Title:	Drawing Number:	Revision:	Date:	Scale:	
510 CHURCH	SHADOW ANALYSIS - 10.30am SEPT. 22 EXISTING + PROPOSED	TP-83-02A	3	24/11/2017	1 : 1000 @ A3	COX Architecture

Attachment 4 - PLN17/0278-06 - 506 & 508 - 510 Church Street Cremorne - sketch plans - 21 September 2017 - idac attachment



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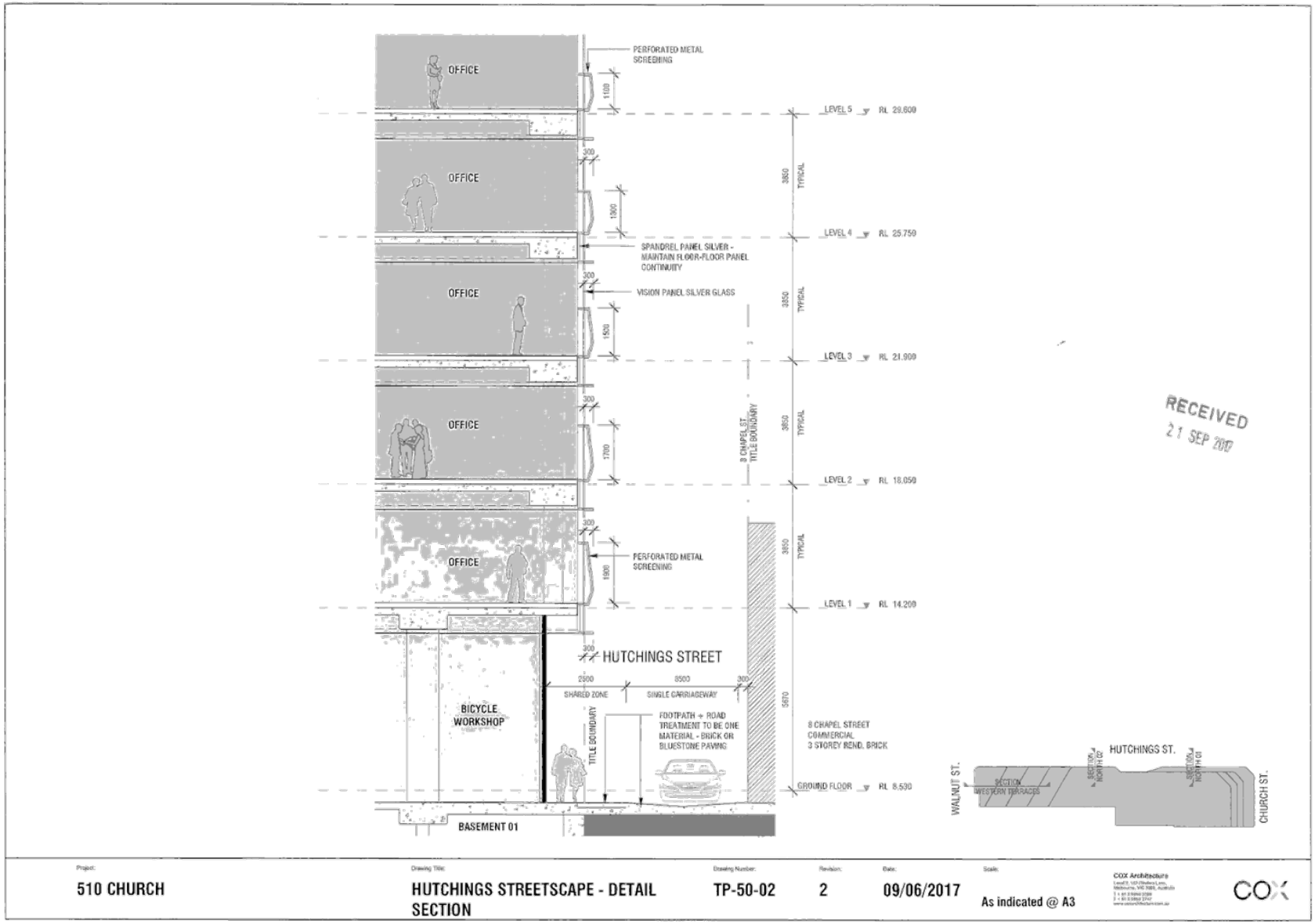

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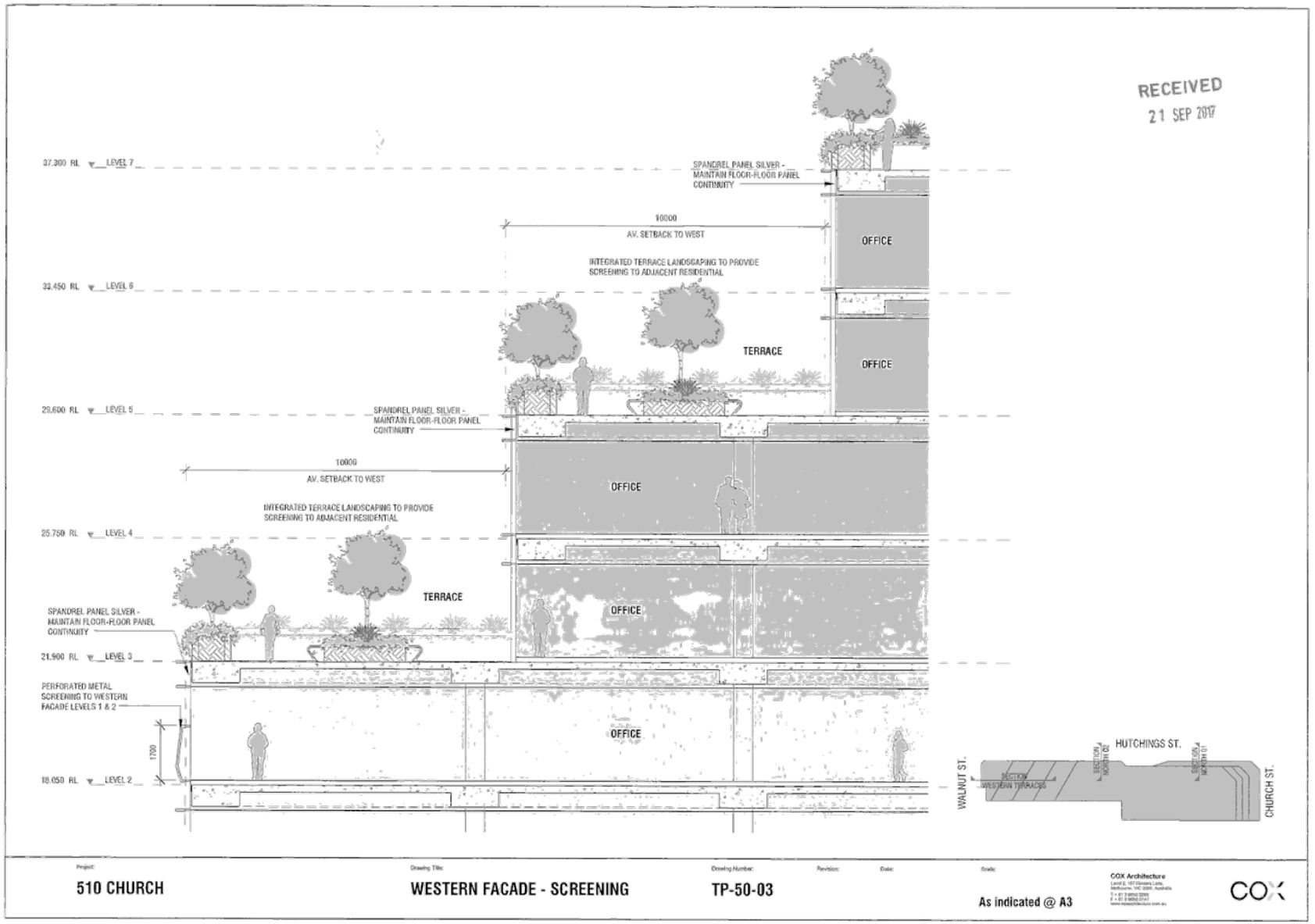
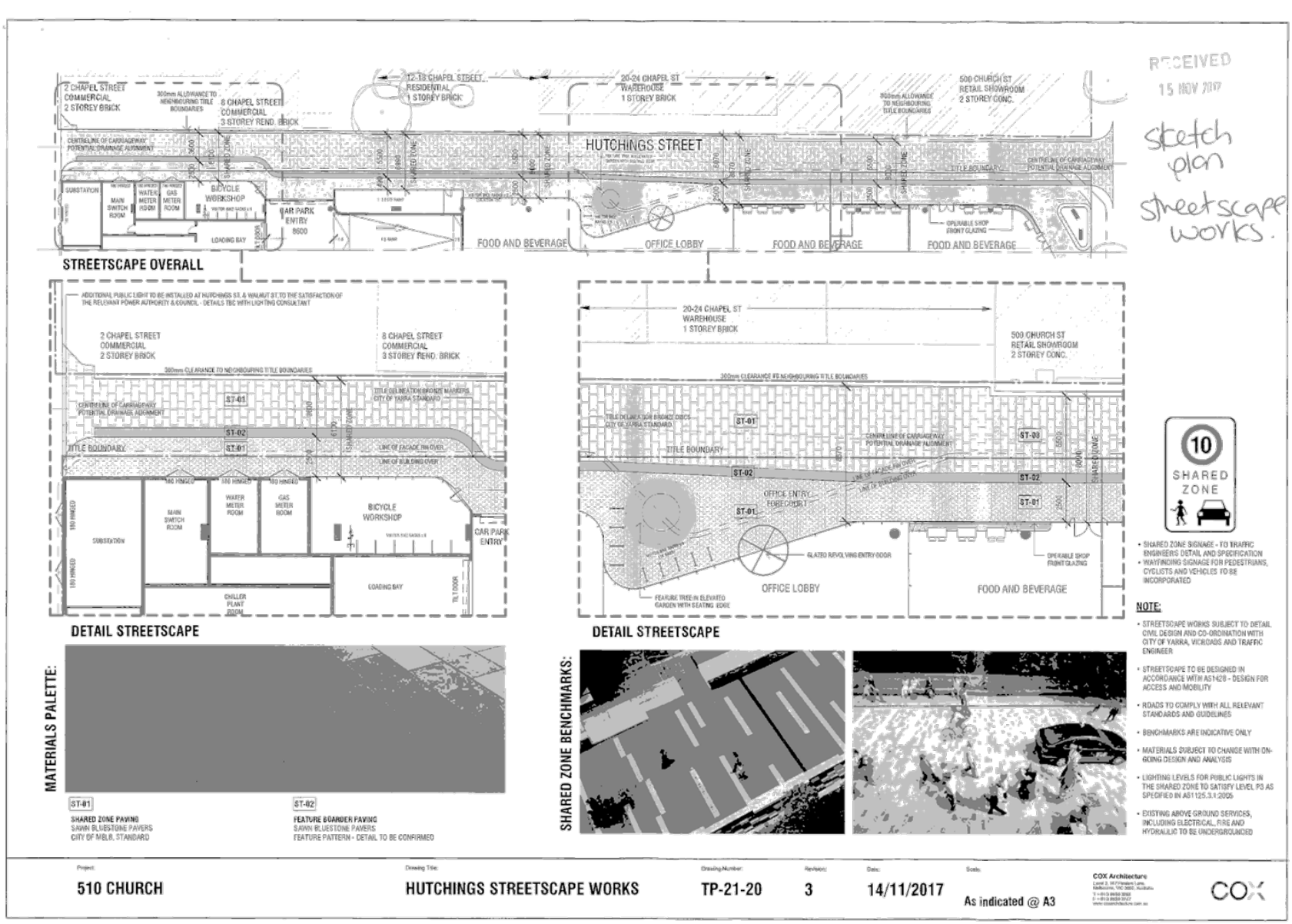


Attachment 5 - PLN17/0278-06 - 506 & 508 - 510 Church Street Cremorne - streetscape works & detail sections sketch plans 15 November 2017 - idac attachment



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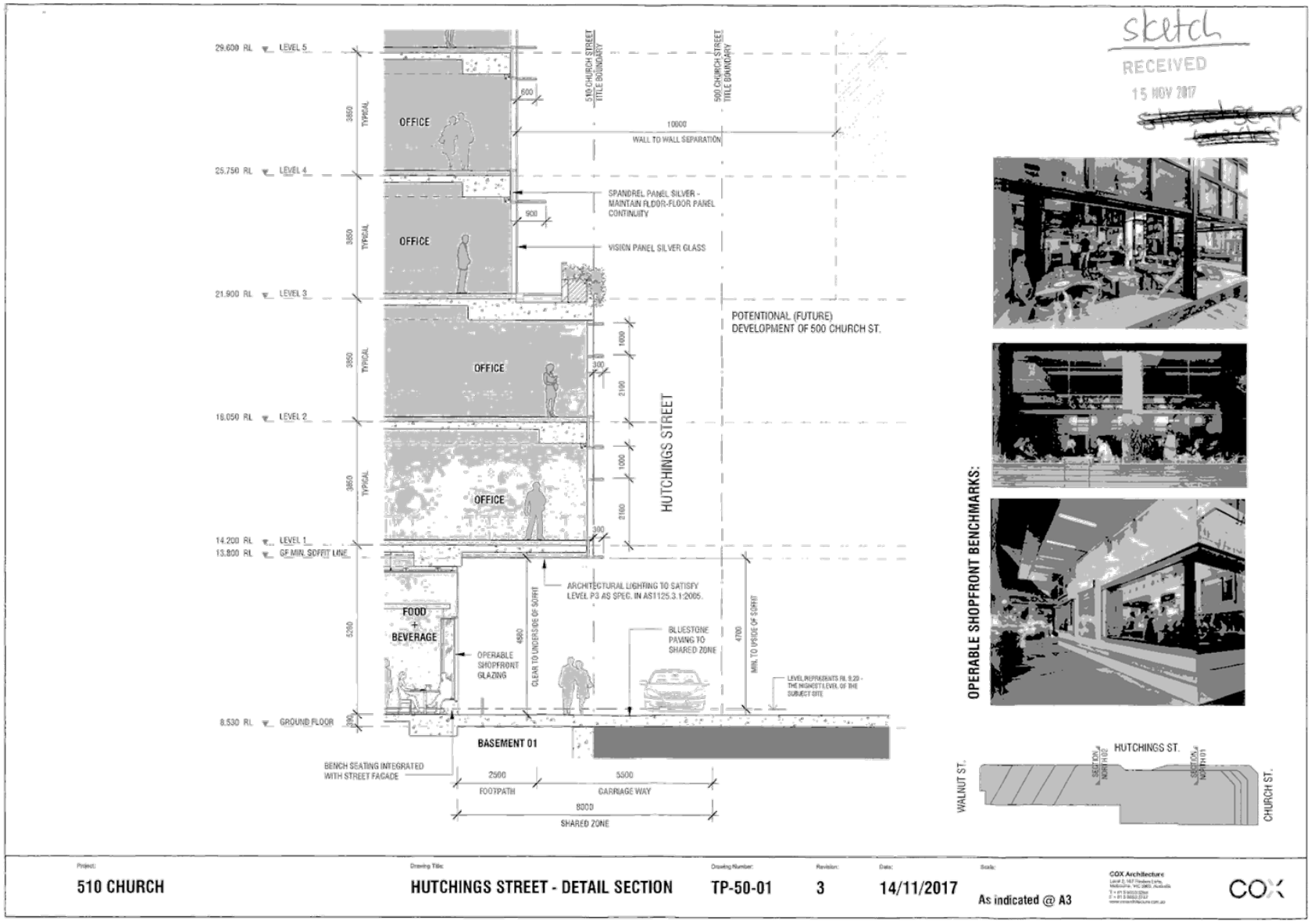

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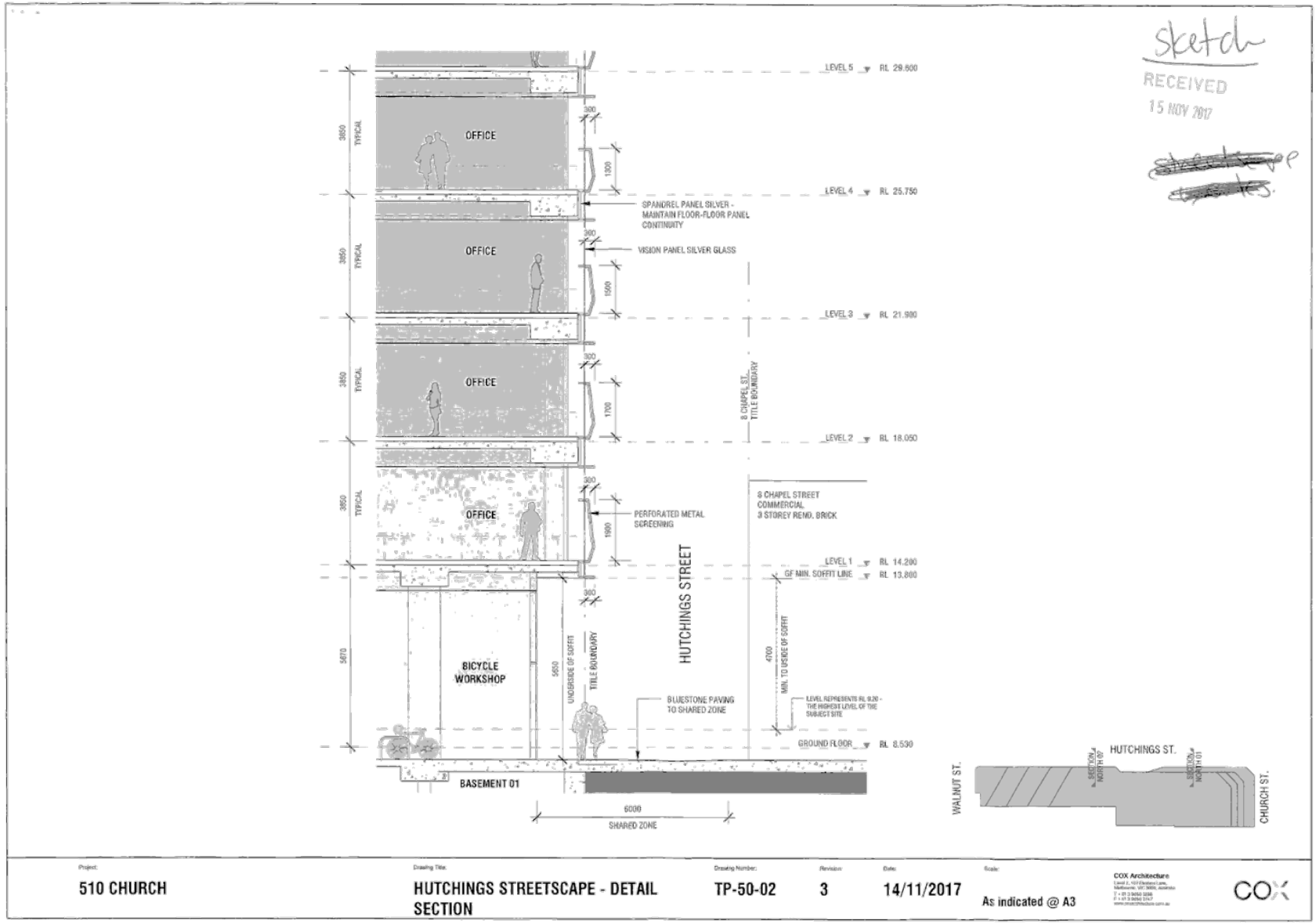


Attachment 6 - PLN17/0278-06 - 506 & 508 - 510 Church Street Cremorne - referrals - idac attachment

Referrals

External Referrals

Public Transport Victoria

Public Transport Victoria pursuant to Section 56(1) of the Planning an 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 Church Street is kept to a minimum during the construction of the development. Foreseen disruptions to tram operations during construction and mitigation measures met be communicated to Yarra Trams and Public transport Victoria fourteen (14) days 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/CityLink

Comments on the original plans

CityLink Tunnels

VicRoads in consultation with CityLink has assessed the application and considers the safety and operational implications associated with the impact of the development on the Burnley Tunnel and Emergency Egress Tunnel as unsatisfactory.

Accordingly, VicRoads and CityLink objects to the development in its current form on the following ground:

The proposed use and development may adversely affect the safety and operation of the Burnley Tunnel, Emergency Egress Tunnel and associated infrastructure.

In relation to point numbered 1 above, VicRoads and CityLink may be prepared to withdraw their objection upon receipt of satisfactory geotechnical engineering documentation which demonstrates to VicRoads and CityLink's satisfaction that the development does not adversely affect the operation of the CityLink tunnels and associated infrastructure.

If Council decides to make their decision without the above additional information and/ or modifications, this letter should be regarded as an objection to the issue of a planning permit.

Notwithstanding the above, VicRoads have considered the development's vehicular access (i.e. the widening of Hutchings Street where it intersects with Church Street) and the air right projections within the Church Street road reserve having regard to its compatibility with the operation of Church Street and public safety.

Traffic Access and Building Projections

Insofar as traffic access and air right projections are concerned 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:

Attachment 6 - PLN17/0278-06 - 506 & 508 - 510 Church Street Cremorne - referrals - idac attachment

1. *Before the use approved by this permit commences the following roadworks on Church Street, Cremorne must be completed at no cost to and to the satisfaction of the Roads Corporation:*

   a) *Removal of the existing "Keep Clear" line marking on the Church Street frontage.*
   b) *Provision of \\Keep Clear" line marking at the intersection of Church Street and Hutchings Street*
   c) *Removal of a total of four existing car parking spaces along the east (southbound) side of Church Street opposite the property frontage (affecting two car spaces on either side of the crossover opposite the Hutchings Street/Church Street intersection) and installation of "No Stopping" signs.*

2. *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 prior to the occupation of the building hereby approved.*

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 Church Street boundary (i.e., the canopies, fixed shading devices, architectural features, balcony framing), to indemnify the Crown in relation to any claim or liability arising from the projections within the Church Street road reserve.*

Note:

a) *Separate consent for works within the road reserve and the specifications of these works is required under the Road Management Act. For the purposes of this application the works will include provision of:*

   (i) *Keep Clear linemarking*
   (ii) *No stopping signs and removal of on street car spaces along Church Street (total of four car spaces along the east (southbound) side of Church Street on the opposite side of the property frontage.*
   (iii) *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 (Church Street). Please contact VicRoads prior to commencing any works.*
   (iv) *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.*

Condition I(c) above has been included due to the traffic demands generated by the development, including (but not limited to) the impact on traffic flow, safe operation to road users (trams and vehicle traffic) and movements in and out of the site on Church Street. The removal of the four car spaces opposite the intersection of Church Street and Hutchings Street will not avoid delaying trams, however it will assist to reduce the queue of vehicles in front of the tram stuck behind a right turning vehicle into Hutchings Street and minimise delays to trams. This will allow all traffic to bypass the stationery right turn vehicles improving traffic flow.

VicRoads provides its "in principle support" for Council to convert Hutchings Street into a "shared zone", provided the necessary consent is provided via a Memorandum of Authorisation (MOA) approval process.

Attachment 6 - PLN17/0278-06 - 506 & 508 - 510 Church Street Cremorne - referrals - idac attachment

The applicant subsequently submitted an amended assessment of the impact on CityLink tunnels on 21 September 2017 with the following updated comments being made on 24 November 2017:

Section 55 – No objection subject to conditions

Thank you for referring the above application to the Roads Corporation (VicRoads) pursuant to Sections 52 & 55 of the Planning and Environment Act 1987.

Further to our previous correspondence dated 23 August 2017 (copy attached) and subsequent negotiations between CityLink and the permit applicant, VicRoad advises it does not object to the development.

The application is for use and development of the land for the construction of an 11 storey building (plus roof terrace and three basement levels) for offices and three food and premises (no permit required for office use), reduction in car parking requirement and carrying out works and alteration of access to a Road Zone Category 1 Road.

If Council regards the proposed development favourably, VicRoads and CityLink would require that the following conditions be included in any Notice of Decision to issue a Planning Permit or Planning Permit:

1. *Before the use approved by this permit commences the following roadworks on Church Street, Cremorne must be completed at no cost to and to the satisfaction of the Roads Corporation:*

    a. *Removal of the existing "Keep Clear" line marking on the Church Street frontage.*
    b. *Provision of "Keep Clear" line marking at the intersection of Church Street and Hutchings Street*
    c. *Removal of a total of four existing car parking spaces along the east (southbound) side of Church Street opposite the property frontage (affecting two car spaces on either side of the crossover opposite the Hutchings Street/Church Street intersection) and installation of "No Stopping" signs.*

2. *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 prior to the occupation of the building hereby approved.*

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 (DELWP) 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 Church Street boundary (i.e., the canopies, fixed shading devices, architectural features, balcony framing), to indemnify the Crown in relation to any claim or liability arising from the projections within the Church Street road reserve. This condition does not apply where written confirmation is obtained from DELWP that the above agreement is not required.*

4. *Prior to the endorsement of any development plans, excluding demolition works, an Engineering report from a suitably qualified Engineer outlining the design, management*

and construction techniques to be implement prior, during and following excavation to prevent any impact on the City Link/Burnley Tunnel is to be submitted to VicRoads for approval. Once approved, the Engineering Report will form part of the planning permit. Without limiting the scope of the report, it must consider all relevant structural and geotechnical issues, including, but not limited to, demonstrating:

(a) That the development will not compromise the structural integrity of the City Link/Burnley Tunnel;

(b) What is the load applied to the ground by the development;

(c) That the development will not cause changes to groundwater conditions that will result in adverse effect on the tunnel

(d) Any holding points requiring VicRoads inspection and approval prior to releasing the hold points.

5. Permit holder to bear all costs associated with CityLink undertaking dilapidation surveys before and after the development of the relevant extents for both the egress and Burnley tunnels, including crack mapping and installing crack pins to allow crack opening to be accurately measured. The intention of these surveys is to allow adverse impacts on the tunnel to be identified.

Note:

a) Separate consent for works within the road reserve and the specifications of these works is required under the Road Management Act 2004. For the purposes of this application the works will include provision of:

i) Keep Clear linemarking

ii) No stopping signs and removal of on street car spaces along Church Street (total of four car spaces along the east (southbound) side of Church Street on the opposite side of the property frontage.

iii) 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 (Church Street). Please contact VicRoads prior to commencing any works.

v) 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.

Condition 1(c) above has been included due to the traffic demands generated by the development, including (but not limited to) the impact on traffic flow, safe operation to road users (trams and vehicle traffic) and movements in and out of the site on Church Street. The removal of the four car spaces opposite the intersection of Church Street and Hutchings Street will not avoid delaying trams, however it will assist to reduce the queue of vehicles infront of the tram stuck behind a right turning vehicle into Hutchings Street and minimise

delays to trams. This will allow all traffic to bypass the stationery right turn vehicles improving traffic flow.

VicRoads provides its "in principle support" for Council to convert Hutchings Street into a "shared zone", provided the necessary consent is provided via a Memorandum of Authorisation (MOA) approval process.

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.

Environment Protection Agency (EPA)

EPA is not a statutory referral Authority under Section 55 of the Planning and Environment Act 1987, since this proposal:

(a) does not require a licence or works approval or amendment to a licence or works approval;
(b) is not proposed to be used for an industry or warehouse for a purpose listed in the table to Clause 52.10 shown with Note 1 or for which the threshold distance cannot be met; and
(c) is not a proposed extractive industry intended to be used at a later date for landfill.

EPA does not support Council issuing a planning permit for the above application, given the following considerations:

Due to insufficient information, EPA is unable to provide aassessment. EPA requires an Air Quality Report detailing if the proposal likely to adversely impact the operation of the City Link exhaust stack or not. Additionally, whether the City Link exhaust stack will adversely impact the occupants of the building. The modelling report for the whole development must demonstrate compliance with the State Environment Protection Policy (Air Quality Management) with conversion of results into appropriate units (i.e mg/m3).

The assessment must be carried out using the license limit discharges. The report may be referred to EPA for assessment once available.

The applicant subsequently submitted a CityLink Exhaust Stack Dispersion Assessment on 21 September 2017 with the following updated comments being made on 9 October 2017:

EPA has reviewed the CityLink Exhaust Stack Dispersion Assessment prepared by MEL Consultants dated August 2017 and advises that EPA has no concerns with Council issuing a planning permit for this application, based on air quality impacts. This position supersedes EPA's letter dated 11/07/2017 (EPA Reference 5007674).

Internal departments

Urban Design

Urban Design comments have been sought on the above application, in particular on the streetscape proposal on Hutchings Street and Church Street, along the front and side of the site. In summary, the proposed streetscape improvements are welcomed however the following changes are required:

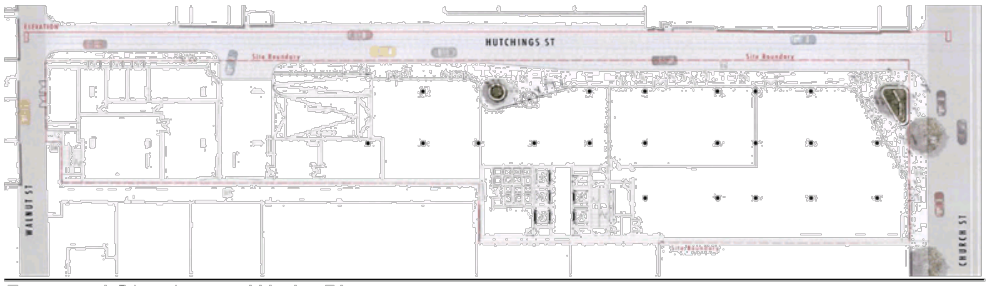
- *The footpath should not be marked as a shared zone, and cyclists should use the carriageway rather than the footpath.*
- *An agreement is needed between the owner and the Council to ensure continued and unobstructed access along the footpath which is in private ownership. This should also clarify that further consent from the Council is required for any footpath trading to ensure that this is appropriately managed.*
- *Openable or bi-fold floor windows at the ground floor are worth looking at to further enhance the ground floor frontage with the street.*
- *Some public seating should be provided along Hutchings Street.*
- *The 'Proposed Streetscape Works Plan' should be corrected to show doors opening inward.*
- *The overhang along the eastern end of Hutchings Street is very deep (about 4 metres), and should be pulled back so that it is only 2.5 metres deep.*
- *The position of the overhang and cycle parking at the office entrance does not provide a refuge or protected space for people coming in and out of the office, and needs review.*
- *The overhang at the western end of Hutchings Street only covers a narrow strip of the footpath, and needs improvement (by pulling the building line back, or providing an awning).*
- *The applicant should consider placing the trees within the carriageway along Hutchings Street to avoid the basement/overhang, allow for more substantial sized trees and provide traffic calming along the street.*
- *The repaving along Hutchings Street should use bluestone rather than brick.*
- *The western end of Hutchings Street should be two-way for cyclists to improve connections to the wider cycling network.*
- *Further opportunities for more cycle parking should be explored, including along Hutchings Street and Church Street.*

Proposal (refer to application drawings received on 26 July 2017)

This application proposes a new 11 storey building (plus roof terrace and basement levels), accommodating offices and three food and drink premises. As part of the development, changes are proposed on Hutchings Street and Church Street along the site frontages. This includes:

- *Repaving of the road and footpath along Hutchings Street in a similar material (brick or bluestone), to give the feeling of a shared street.*

- *Widening of Hutchings Street so that the eastern end operates as a two way street and the western end is one way with a widened footpath. Most of the footpath and some of the carriageway will be within the site boundary (as shown on the images below).*



Proposed Streetscape Works Plan

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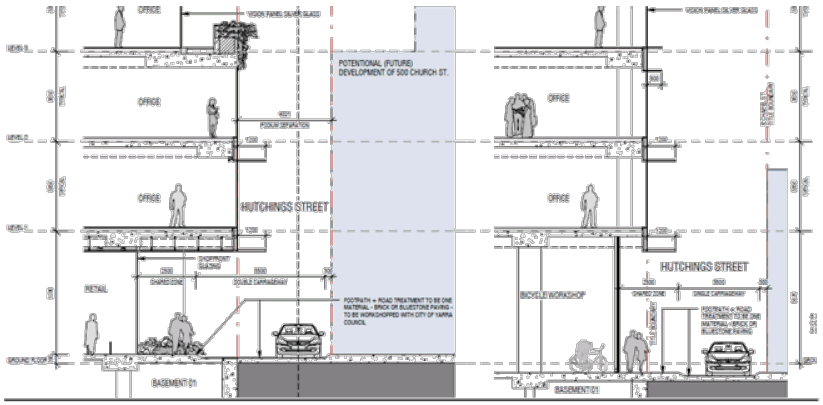

Proposed sections of Hutchings Street (two-way section on left image, and one-way section on right image)

Urban Design feedback

We have reviewed the streetscape proposal and welcome the applicant's intention to improve the environment along Hutchings Street, which is currently a very narrow laneway with no pedestrian footpath. However we consider that changes to the design are required, as explained below.

Footpath environment

- *The sections on the previous page show the new footpath as a 'shared zone'. It is not entirely clear what this means, however we note that the footpath should be purely for access by pedestrians and should not be for cyclist access. Cyclists should be able to use the carriageway along with vehicles, and it is recommended that the western end of Hutchings Street is made two way for cyclists (this is also mentioned in the 'Cyclist access and parking' section below).*
- *Given the increased number of pedestrians, cyclists and vehicles using Hutchings Street to access the development, it is important that the footpath is maintained, and kept unobstructed and accessible at all times. Can this be secured through an agreement between the Council and the site owner / developer?*
- *The perspective images show café seating along the south side of Hutchings Street, but this is not shown on the plans. Although café seating can help to further activate Hutchings Street, we are not sure how this can be managed and enforced given that it is a footpath within a private property. If there is an agreement in place about continued access (as mentioned above), can this include any enforceable rules about café seating in the space and requirements for minimum width of unobstructed path for pedestrians (or make clear that there should be no café seating unless further agreed to by the Council)?*
- *The development has three food/beverage units and the office lobby fronting Hutchings and Church Streets, which creates an active and engaging environment. To improve the interaction between the ground floor units and the footpath, it is suggested that some of the windows could be openable or bi-fold windows.*
- *Apart from the planter seat at the corner of Hutchings and Church Streets, there is no public seating provided. We recommend that some public seating is provided along Hutchings Street to encourage more people to use the space.*
- *The 'Proposed Streetscape Works Plan' shows a number of doors open outward onto the footpath along Hutchings Street and Church Street – these doors should open inwards (this may be a mistake on the drawing).*

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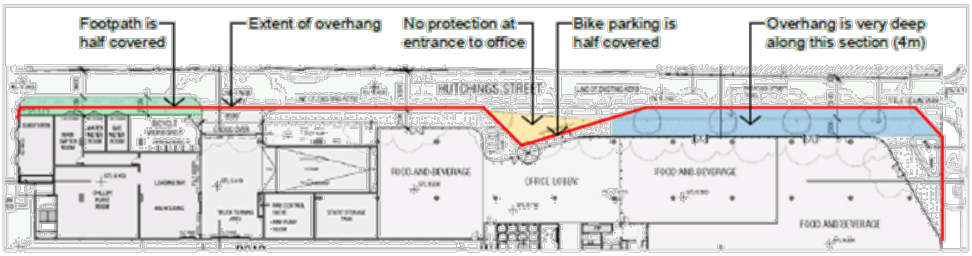
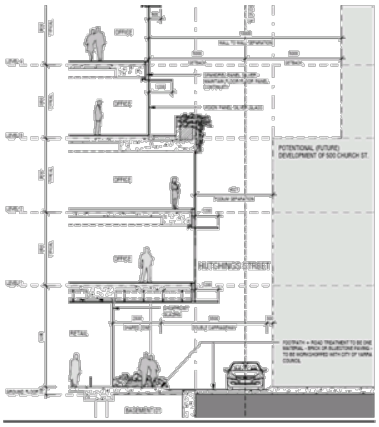
Overhang

The proposed building would overhang the footpath along the Hutchings Street frontage and at the corner of Hutchings and Church Streets. We consider that there are a number of issues with the overhang, which are discussed below along with recommendations.

- *A section of the overhang at the eastern end of Hutchings Street is very deep (4 metres), which would limit access to daylight/sunlight and create a more confined pedestrian environment (particularly as the road itself is so narrow). We recommended that the overhang is pulled back so that it is 2.5 metres deep and aligns with the kerb (see marked up section below).*
- *The lower overhang does not cover the entrance point to the office, and a higher overhang is provided at the third story. Some of the lower overhang is located near the entrance but is taken up by cycle parking, so does not provide any refuge or protected area for people coming in and out of the building. The overhang configuration should be reviewed (along with the cycle parking arrangement) to provide some protected areas near the entrance along with the higher overhang to maintain access to sunlight.*
- *Half the footpath at the western end of Hutchings Street is covered by the overhang and is very shallow (only about 1 metre deep). We recommend the building line is pulled back to provide some additional covered space, or an awning is provided so that the majority of the footpath is covered (if practical).*



Issues with overhang



Recommendations to pull back the overhang so that it is only 2.5 metres deep

Trees

The 'Proposed Streetscape Works Plan' shows a number of trees along Hutchings Street. There is limited opportunity to provide any substantial sized tree along the footpath due to the location of the basement underneath and the overhang above. It is suggested that the applicant consider placing the trees within the carriageway to allow for a more substantial sized tree and to provide traffic calming along the street.

Materials

- *The proposed renders show Hutchings Street to be paved in red brick, and the application material notes that the material is to be brick or bluestone. Although brick is a well-used material used for buildings in the local area, it is not a common material for roads and footpaths. We recommend that bluestone is used as this is a more commonly used material for roads in Yarra.*
- *Sawn bluestone pavers can be used for the footpath, and sawn bluestone pitchers can be used for required sections of the carriageway. The arrangement for bluestone pitchers should consider cyclist access along the road.*

Cycle access and parking

As mentioned above, cyclists should be able to use the carriageway with vehicles, and it is recommended that the western end of Hutchings Street is made two-way for cyclists to improve connections to the wider cycling network.

Further opportunities for more cycle parking should be explored, including along Hutchings Street and Church Street.

Following the receipt of an amended streetscape works plan on 6 October 2017, the following comments were made:

Previous summary comments	Updated text based on latest information provided
The footpath should not be marked as a shared zone, and cyclists should use the carriageway rather than the footpath.	The section no longer shows cyclists on the footpath which is good. I understand that the shared zone will need approval from Traffic/Engineering, however we add the following points to be considered: • Following a chat with the Strategic Transport team, not sure that the bicycle markings are needed on the carriageway as the feature border paving may be enough, but happy for the Traffic team to advise on this too. • Signage for the shared zone should be marked on the plans. This signage should make this clear for everyone that they are entering a shared zone and stipulate the speed limit. If two-way cyclist movement is permitted at the western end the signage should make this clear too.
An agreement is needed between the owner and the Council to ensure	Not yet addressed.

continued and unobstructed access along the footpath which is in private ownership. This should also clarify that further consent from the Council is required for any footpath trading to ensure that this is appropriately managed.	
Openable or bi-fold floor windows at the ground floor are worth looking at to further enhance the ground floor frontage with the street.	This appears to be addressed.
Some public seating should be provided along Hutchings Street.	Not yet addressed.
The 'Proposed Streetscape Works Plan' should be corrected to show doors opening inward.	This appears to be addressed.
The overhang along the eastern end of Hutchings Street is very deep (about 4 metres), and should be pulled back so that it is only 2.5 metres deep.	Not yet addressed.
The position of the overhang and cycle parking at the office entrance does not provide a refuge or protected space for people coming in and out of the office, and needs review.	Not yet addressed. Can the bike spaces be moved slightly (e.g. along some of the border paving) to provide more space around the entrance for pedestrians?
The overhang at the western end of Hutchings Street only covers a narrow strip of the footpath, and needs improvement (by pulling the building line back, or providing an awning).	Not yet addressed.
The applicant should consider placing the trees within the carriageway along Hutchings Street to avoid the basement/overhang, allow for more substantial sized trees and provide traffic calming along the street.	Not yet addressed. Trees have been shown on the plan but appear to be underneath the overhang and directly over the basement, which will not accommodate more substantial trees or provide the opportunity for traffic calming along the street.
The repaving along Hutchings	Bluestone is now proposed which is supported

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Street should use bluestone rather than brick.	from an urban design perspective. Following a conversation with Strategic Transport, need to consider use of pitcher paving in terms of providing a comfortable (and not too bumpy) surface for cyclists. Traffic/Engineering can also consider this as part of their review of the shared zone.
The western end of Hutchings Street should be two-way for cyclists to improve connections to the wider cycling network.	The email from the applicant suggests that 2-way cyclist movement could be accommodated at the western end. This should be marked on the drawings and the Traffic/Engineering team can consider this as part of their overall review of the shared zone.
Further opportunities for more cycle parking should be explored, including along Hutchings Street and Church Street.	It appears that more cycle parking has been provided along Hutchings Street. Consider whether some of this can be moved away from the office entrance to provide more space here for pedestrians. Also consider opportunities for cycle parking on Church Street.
New comments	The section and plans should clearly show the amount of footpath between the outdoor tables and chairs and the border paving. As per the footpath trading policy it is generally required to have 1.5 metres unobstructed footpath width (for footpaths under 3.5 metres in width), but not sure how this works for a shared zone. It would be useful to get comments from Compliance about the tables and chairs on private land where they are providing a new footpath.
	There is a note on the streetscape plan that is a bit unclear: 'WAYFINDING SIGNAGE FOR VEHICLES, CYCLISTS & PEDESTRIANS' – is this just referring to the on-street markings or is signage proposed too?

Following the receipt of an amended streetscape works plan on 15 November 2017, the following comments were made on 27 November 2017:

1. *When the tree planting options are looked at, it would be useful for the drawings to include swept paths to understand how the vehicles move around the trees and any further measures that might be required to protect the southern pathway for pedestrians.*
2. *The Materials Palette shows the sawn bluestone pavers being City of Melbourne standard – should be changed to City of Yarra standard.*

3. *Can they provide some cycle parking on Church Street?*
4. *The shared zone sign type has been shown, but I can't see the location of the signs on the drawing. Can this be included as a condition so that the location of this sign can be assessed in the context of other street furniture and trees.*
5. *The banding along the edge (between the car space and pedestrian space) stops slightly short of the western and eastern ends. I assume that this detail of this will be looked at when the next set of drawings.*
6. *Two-way cyclist access should be looked at for the western end of Hutchings Street.*
7. *Has the agreement for public access along the southern footpath been sorted out?*

Engineering Services Unit

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 Office Use. Parking associated with office type developments is generally long-stay parking for employees and short term parking (say up to two hours' duration) for customers and clients. The actual parking demand generated by the office is expected to be lower than the statutory parking rate of 3.5 spaces per 100 square metres of floor space, since the area has very good access to public transport services.*

  GTA Consultants have referred to the State Government's travel mode study, VISTA09 (Victorian Integrated Survey of Travel and Activity 2009), and have indicated that some 48% of employees who work in Richmond travel to work each day by car (as a driver). Reference has also been made to the Inner Municipalities Parking Study (conducted prior to 2005) which identified an average peak parking rate of 4.31 spaces per 100 square metres of net floor area (quite high by current standards).By adopting the 48% modal split, GTA Consultants had adopted a parking rate of 2.07 spaces per 100 square metres. Applying this to the proposed development would yield 429 spaces.

  The proposed office would have a car parking provision rate of 1.09 spaces per 100 square metres (226 on-site spaces for 20,744 square metres of floor area). By comparison, the development at 33 Balmain Street, Cremorne, was approved with an on-site car parking provision of 0.78 spaces per 100 square metres with an office floor area of 1,788.1 square metres with 14 on-site car parking spaces (Planning Permit PLN15/0309 issued on 21 October 2015). We are satisfied that the office parking rate of 1.09 spaces per 100 square metres for the proposed development is appropriate given the site's excellent accessibility to public transport services.

- *Car Parking Demand for Food and Drink Use. For the food and drink use of the site, a rate of 3.0 spaces per 100 square metres of floor space could be adopted. This would equate to a parking demand of 36 spaces. The 10 on-site spaces would most likely be reserved for employees and the balance of the parking demand would be patron parking (26 spaces) accommodated off-site.*
- *Availability of Public Transport in the Locality of the Land. The site is within walking distance of tram services operating along Church Street and Swan Street. Rail services can be accessed from East Richmond railway station.*
- *Multi-Purpose Trips within the Area. Customers, clients and patrons might combine their visits to the development by engaging in other activities or business whilst in the area.*

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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. GTA Consultants had conducted an on-street parking occupancy survey in the surrounding area on Thursday 23 February 2017 from 10:00am to 5:00pm. The survey area encompassed sections of Church Street, Brighton Street, Albert Street, Shamrock Street, Adelaide Street, Chestnut Street, Dunn Street, Adolph Street, Pearson Street, Hutchins Street, Hill Street and William Street. The times and extent of the survey are considered appropriate. An inventory of up to 274 publicly available spaces was identified. A minimum of 31 vacant spaces within the study area was recorded at 10:00am. The surveys confirm that the on-street parking occupancy in the area is very high. Short-stay parking opportunities are limited.*
- *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 amount of on-site car parking could potentially discourage private motor vehicle use.*
- *Car Parking Deficiency associated with Existing Land Use. The current site is occupied by a number of commercial uses, including retail. The property would generate an off-site short-stay customer parking demand, which is most likely accommodated on-street nearby. Any short-stay parking deficiencies could be transferrable to the new site.*
- *Other Relevant Considerations. The food and drink uses would heavily rely on walk-up trade from people who work or reside locally. We would expect the actual parking demand for the food and drink uses to be lower than the rate of 3.0 spaces per 100 square metres we adopted in the Car Parking Demand Assessment.*

Adequacy of Car Parking

From a traffic engineering perspective, the waiver of parking for office and food and drink uses is considered appropriate in the context of the development and the surrounding area. The very high on-street parking occupancy in the Cremorne area would potentially be a disincentive for employees or visitors to drive. The provision of office customer parking would also assist in limiting the short stay parking demand of the site being accommodated on-street.

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

TRAFFIC GENERATION

Trip Generation of Site

The traffic generation for the site adopted by GTA Consultants is as follows:

Proposed Use	Adopted Traffic Generation Rate	Daily Traffic Volume	Peak Hour	
			AM	PM
Office	Daily Traffic: 3.25 trips per space per day	735	129	113

	AM Peak: 0.52 trips/space; PM Peak: 0.50 trips/space			
Food and Drink	AM Peak:1.0 trip/space (inbound) PM Peak: 1.0 trip/space (outbound)	40	10	10
	Total trips	775	139	123

The traffic distribution assumption that 90% of development traffic would enter and exit via Hutchins Street (Church Street end) is considered reasonable, as the site has very good access to the Arterial Road network.

Post Development Traffic of Hutchins Street

The proposed widening of Hutchins Street once the development is operation would be classified as an Access Street – Level 1 under the provisions of Clause 56.06 Standard C21 of the Yarra Planning Scheme. According to GTA Consultants, Hutchins Street carries a daily traffic volume of around 200 vehicles per day. Under post-development conditions, Hutchins Street would experience a daily traffic volume of around 975 vehicles per day. This traffic would be within the environmental capacity of an Access Street – Level 1, which is 1,000 to 2,000 vehicles per day.

Intersection Analysis

The traffic impact of the intersections of Church Street/Hutchins Street and Church Street/Hill Street was assessed using the SIDRA program, which measures intersection performance. SIDRA modelling works well under free flowing traffic conditions and may have limitations, such as queuing of downstream traffic. According to GTA Consultants, the results of the intersection modelling suggest that the intersections have capacity to accommodate peak hour development traffic. The AM peak hour queue length of north approach of Church Street (at the intersection with Hutchins Street) is expected to increase by 16 metres, whereas during the PM peak hour the increase of the queue length of the Church Street approach is expected to be negligible.

The operation of the site should not adversely impact on the surrounding road network.

DEVELOPMENT LAYOUT DESIGN

Layout Design Assessment

Item	Assessment
Access Arrangements	
Development Entrance	The doorway servicing the development entrance has not been dimensioned. A check using the Trapeze plan management tool indicates that the doorway has a width of

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	approximately 7.25 metres and satisfies Design standard 1 – Accessways of Clause 52.06-8.
Visibility	*A sight triangle has been provided for the exit lane of the entrance at Hutchins Street. The sight triangle has not been dimensioned.*
Headroom Clearance	*Not dimensioned on the drawings.*
Internal Ramped Accessways	*Widths have not been dimensioned on the drawings.*
Vehicle Passing Movements – Main Ramped Accessway	*The swept paths for a B99 design vehicle and an oncoming B85 design vehicle demonstrate satisfactory vehicle passing movements at the top of the main ramp and into and out of Hutchins Street.*
Car Parking Modules	
Parking Space Identification	*Parking spaces have not been numbered, making space identification difficult.*
At-grade Car Parking Spaces	*The dimensions of the regular car parking spaces satisfy Design standard 2: Car parking spaces.*
Accessible Parking Spaces	*Not dimensioned on the drawings. On each level, an obstruction protrudes into the front of each accessible parking space and does not satisfy Diagram 1 Clearance to car parking spaces in Clause 52.06-8.*
Small Car Spaces	*With the exception of the lengths (which satisfy Design standard 2), the Small Car Spaces comply with the Australian/New Zealand Standard AS/NZS 2890.1:2004.*
Aisles	*Aisle widths range from 6.4 metres to 7.515 metres and satisfy Design standard 2)*
Column Depths and Setbacks	*Column depths and setbacks from the aisles have not been dimensioned.*
Clearances to Walls	*Not dimensioned on the drawings.*
Blind Aisle Extensions	*The blind aisle extension at the western end of each parking level has not been dimensioned. No swept paths have been provided for vehicles exiting the space nearest each blind aisle end.*
Blind Aisle Extension – South east Corner – Basement 3	*Not dimensioned and appears to be much less than 1.0 metre in length.* *Swept path diagrams for the end spaces have not been provided.*
Headroom Clearances – Basement Level Car Parks	*Not dimensioned on the drawings.*
Vehicle Passing Movements	*The swept paths for a B99 design vehicle and an oncoming B85 design vehicle demonstrate satisfactory vehicle passing movements between the internal ramped*

	accessways and the car park aisles on each basement level.

Item	*Assessment*
Gradients	
Ramp Grade for the first 5.0 metres inside the Property	*The gradient profile from Hutchins Street to a point 5.0 metres inside the property is not known. The design level of Hutchins Street at the development entrance has not been indicated on the Ground Floor Plan.*
Ramp Grades and Changes of Grade	*Ramp grade sections have not been dimensioned on the drawings. The changes of grade satisfy Design standard 3: Gradients.*
Loading and Waste Collection	
Loading Bay	*Not dimensioned on the drawings.*
Commercial Vehicle Access	*The swept paths diagrams for a 6.4 metre small rigid vehicle and a 6.34 metre long Hino Wast Wise garbage collection vehicle demonstrate that these vehicles can satisfactory service and access the site.*
Headroom Clearance of Underside of Level 1 of Building	*Headroom clearance of underside of Level above the proposed carriageway of Hutchins Street had not been detailed.*

Design Items to be Addressed

Item	*Details*
Development Entrance	*To be dimensioned on the drawings.*
Entrance Sight Triangle	*To be dimensioned on the drawings.*
Headroom Clearance at Entrance	*To be dimensioned on the drawings.*
Development Entrance Profile	*The applicant should provide a detailed and dimensioned cross section drawing of the entrance from Hutchins Street to the top of the ramp. The applicant must provide a ground clearance check using the B99 design vehicle, demonstrating access.*
Internal Ramped Accessways	*To be dimensioned on the drawings.*
Parking Space Identification	*Parking spaces should be numbered for easy identification.*
Accessible Parking Spaces	*To be dimensioned on the drawings.*

Column Depths and Setbacks	*To be dimensioned on the drawings.*
Clearances to Walls	*To be dimensioned on the drawings.*
Blind Aisle Extensions	*To be dimensioned on the drawings. Swept paths for reversing movements out of end bays using the B85 design vehicle are to be submitted.*
Headroom Clearances – Basement Level Car Parks	*Headroom clearances at critical points along the ramped accessways and within the basement car parks are to be dimensioned.*
Ramp Grades	*Ramp grade lengths and transition grades are to be dimensioned.*
Loading Bay	*To be dimensioned on the drawings.*
Headroom Clearance of Underside of Level 1 of Building	*It is recommended that a headroom clearance from the new carriageway of Hutchins Street to the underside of Level 1 be no less than 4.7 metres.*

ENGINEERING CONDITIONS

Civil Works – Church Street Frontage

Upon the completion of all building works and connections for underground utility services,

- *The footpath immediately outside the property's Church Street road frontage must be reconstructed to Council's satisfaction and at the Permit Holder's expense.*
- *The kerb and channel along the Church Street frontage of the property must be reconstructed to Council's satisfaction and at the Permit Holder's expense.*
- *The redundant vehicle crossing must be demolished and reinstated to Council's satisfaction and at the Permit Holder's cost.*

Hutchins Street – Shared Zone and Associated Civil Works

- *The design of the Shared Zone for the length of Hutchins Street must be prepared by an independent and suitably qualified professional to the satisfaction of the Responsible Authority and in consultation with the Responsible Authority. The design must be submitted to and approved by the Responsible Authority. The design of the Shared Zone and widening of Hutchins Street must provide details including pavement widths, surface treatment, road infrastructure items, landscaping, trees, drainage and methods of traffic management to control traffic and speed to allow for safe pedestrian movement.*
- *The Shared Zone must have VicRoads approval and satisfy VicRoads requirements.*
- *Before the uses at the site commence, all works associated with the provision of the Shared Zone must be undertaken and completed at the cost of the Permit Holder and to the satisfaction of the Council.*
- *The applicant must undertake a drainage catchment analysis of the surrounding local area and provide a drainage design scheme for the new design of Hutchins Street to ensure that stormwater run-off is adequately drained. Stormwater drainage infrastructure in Hutchins Street must be located within Council assets and outside of the site's title boundaries.*

- *Measures must be taken to ensure that rainfall run-off from Hutchins Street does not enter the development's car park entrance and truck turning area.*
- *All redundant vehicle crossings along the property's Hutchins Street frontage must be demolished and reinstated to Council's satisfaction and at the Permit Holder's cost.*
- *The existing upstand fire hydrant must be converted to an in-ground hydrant that is flush with the finished surface of Hutchins Street. The cost of these works shall be borne by the Permit Holder.*
- *The applicant must clearly delineate site's title boundaries along Hutchins Street and Church Street to the satisfaction of Council. Brass discs or a similar type method for delineating the title boundaries could be considered.*
- *Any service cabinet or meter room doors that open outwards must be able to swing 180 degrees and be latched to the building when opened or serviced.*
- *All references and annotations showing the One-Way traffic operation of Hutchins Street at its western end must be deleted from the drawings.*

Public Lighting (On Roads)

- *The lighting level for public lights in the Shared Zone of Hutchins Street is to satisfy level P3 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.*
- *An additional public light is to be installed at the intersection of Walnut Street and Hutchins Street to the satisfaction of the relevant power authority and Council. The supply and installation of the light and associated pole and hardware must be at the Permit Holder's cost.*

Miscellaneous Infrastructure Works along Development's Road Frontages

- *The Right of Way abutting the southern boundary of the site must be reconstructed to Council's satisfaction and at the Permit Holder's cost. The Right of Way must be able to drain during a storm event.*
- *The existing power lines within Hutchins Street must be relocated, reconfigured or undergrounded to the satisfaction of the relevant power authority and Council.*
- *Before the building is occupied, the full width road pavement of Walnut Street along the property's western boundary must be profiled and re-sheeted 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.*

Discharge of Water from Development

- *Only roof runoff, surface water and clean groundwater seepage from above the water table can be discharged into Council drains.*
- *Contaminated ground water seepage into basements from above the water table must be discharged to the sewer system through a trade waste agreement with the relevant authority or in accordance with EPA guidelines.*
- *Contaminated groundwater from below the water table must be discharged to the sewer system through a trade waste agreement from the relevant sewer authority.*
- *Council will not permit clean groundwater from below the groundwater table to be discharged into Council's drainage system. Basements that extend into the groundwater table must be waterproofed/tanked.*

Removal, Adjustment, Changing or Relocation of Parking Restriction Signs

- *No parking restriction signs or line-marked on-street parking bays are to be removed, adjusted, changed or relocated without approval or authorisation from Council's Parking Management unit and Construction Management branch.*
- *Any on-street parking reinstated as a result of development works must be approved by Council's Parking Management unit.*

Section 173 Agreement

- *The applicant is to prepare a Section 173 Agreement in relation to the widening and maintenance of Hutchins Street.*

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 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 new Hutchins Street road profile (from the northern edge 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 applicant must demonstrate by way of a ground clearance check using the B99 design vehicle that cars can traverse the new vehicle crossing 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 10.0 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.

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.

Design of Basement underneath Widened Section of Hutchins Street

The applicant will need to consider the loading of vehicles on the widened section of Hutchins Street and the impact these loadings would have on the basement structure.

Following the receipt of an amended streetscape works plan on 6 October 2017, the following comments were made:

Overall, there is no objection to the proposal.

The Engineering unit confirmed in an email on 27 November 2017, that they were satisfied with the Hutchings Streetscape works sketch provided on 15 November 2017 subject to the following matters being required by way of condition:

The following matters will be addressed via condition:

- *tree planting/traffic calming measures (including the provision of swept path diagrams for vehicles);*
- *consideration of public seating;*
- *measures to provide DDA access;*
- *the location of tables and chairs;*
- *the location of bike parking (including the provision of additional bike parking on Church Street);*
- *materials to be of a City of Yarra Standard;*
- *the location of all Shared Zone signage to be shown in the context of other street furniture and trees;*
- *'matching in works' for the sites to the north (to the concrete crossovers/paving on the northern side of Hutchings Street);*
- *the deletion of all references to One-Way traffic operation of Hutchings Street in the western end;*
- *the clear delineation of the site's title boundaries along Hutchins Street and Church Street (Brass discs or a similar type method for delineating the title boundaries could be considered).*

Strategic Transport

In relation to the proposed bicycle parking as per the plans pp. TP20-03 & TP21-00.

1. *The number, style and location of the bicycle parking is more than satisfactory and well thought out.*
2. *The number, style and location of the visitor bicycle spaces is more than satisfactory and well thought out.*
3. *Strategic Transport advises the following elements be considered in location and style of bicycle parking to be provided:*
    a. *Easily accessible*
    b. *Secure*
    c. *Well-lit*
    d. *Undercover*
    e. *A mixture of on-ground and hanging style bike racks with the majority (more than 75%) to be provided as on-ground.*

Open Space

Original comments

More details need to be provided for us to provide any feedback. This includes:

- *Details on the specific plant selection and species proposed on each level. Please include quantities and height at maturity.*
- *Details on the materiality of the proposed spaces.*
- *Sections and details through significant landscape features on each level including pergolas, planter boxes etc.*
- *Further detail on any sustainable treatments and water harvesting methods discussed in the introduction.*

The introduction has listed this site as 2 Figtree Drive, Sydney Olympic Park. Whilst we appreciate efficiency in the production of these packages, future submissions should only

refer to this proposal and the information provided should reflect a level of accuracy specific to the proposed site.

The 'Streetscape' Unit within Open Space also provided comments regarding the Hutchings Streetscape works sketch provided on 15 November 2017. In an email dated 21 November 2017, it was confirmed that subject to the following matters being required by way of condition, the unit was satisfied:

The following matters will be addressed via condition:

- *tree planting/traffic calming measures (including the provision of swept path diagrams for vehicles);*
- *consideration of public seating;*
- *measures to provide DDA access;*
- *the location of tables and chairs;*
- *the location of bike parking (including the provision of additional bike parking on Church Street);*
- *materials to be of a City of Yarra Standard;*
- *the location of all Shared Zone signage to be shown in the context of other street furniture and trees;*
- *'matching in works' for the sites to the north (to the concrete crossovers/paving on the northern side of Hutchings Street);*
- *the deletion of all references to One-Way traffic operation of Hutchings Street in the western end;*
- *the clear delineation of the site's title boundaries along Hutchins Street and Church Street (Brass discs or a similar type method for delineating the title boundaries could be considered).*

Waste Services

Advertised

The Waste Management Plan prepared by WASTE TECH dated 5th April 2017 for 510 Church Street Richmond is unsatisfactory from the City Works Branch's perspective. The issues with the WMP include but may not be limited to:

- *Page 5, section 1.2.1 dot points 4&5 need to be deleted as this will be a private collection not a Council collection*
- *The footprint for the waste and recycling bins does not leave space in the bin room for rotation of full bins and empty bins. The WMP needs to stipulate how this will be achieved with the space available*
- *The bin room is not an adequate size to accommodate the volume of bins*
- *The restaurant/café waste needs to be separated from the office waste due to the nature of the restaurant/café waste streams*
- *Page 19, section 8, dot point 4 – the bin wash area needs to be in the bin room; otherwise the bin room still requires washing equipment and a drain to sewer. This point needs to be clarified.*
- *If the bin washing area is separate from the bin room this needs to be specified within the WMP*
- *Page 19, section 8, dot point 5 – The storage area for hard waste should be located within the bin room. A 1 M^2 footprint for hard waste is not adequate; this should be 4 M^2. The collection point for the hard waste needs to be identified within the WMP*

The applicant subsequently submitted an amended Waste Management Plan on 21 September 2017 with the following updated comments being made on 16 October 2017:

The Waste Management Plan prepared by WASTE TECH dated 5th April for 510 Church Street Richmond is satisfactory from the City work's Branch's perspective. This is conditional on changes to section 8.1 on page 19. The first dot point under section 8.1 must be amended to read "Collections occurring once a week should be restricted to the hours of 7.00am-6.00pm Monday to Saturday"

ESD Advisor

Applicant ESD Commitments:

- *Commitment to achieve a 5 Star Green Star rating.*
- *Commitment to achieve a 4.5 Star NABERS Energy and 3.5 Star NABERS Water Rating in operation.*
- *NCC energy efficiency requirements exceeded by at least 10%. High performance glazing <2.5 W/m2K, SHGC <0.25, VLT >45%. 4.5 Star NABERS Energy rating.*
- *No MUSIC model has been completed, however approximately 3,000m2 of roof and terrace will be collected and directed to 75 kL of rainwater tanks for re-use.*
- *Mechanical ventilation systems with fresh air supply rates 50% greater thanAS1668.2:2012. ACE of >1.0 between supply and return air.*
- *Good access to daylight throughout offices with 50% of NLA achieving a daylight factor of 2.0%.*
- *Glazing and façade design to manage glare. 60% of office areas have direct external view.*
- *Peak demand reduced through various initiatives, peak cooling load <140W/m2*
- *Northern, eastern and western horizontal shading with at least 1200mm projection.*
- *Low temperature variable refrigerant volume HVAC system.*
- *75kL of rainwater tanks will be utilised for toilet flushing and irrigation (fit for purpose).*
- *20% improvement on NCC lighting power density.*
- *Water efficient fixtures and taps.*
- *Material Life Cycle Analysis (LCA) will be undertaken to ensure that no impact increases by more than 10%.*
- *169 bicycle spaces provided on Basement One, plus 6 visitor parking spaces in the Bicycle*
- *Workshop and another 8 visitor racks by Hutchings Street entrance.*
- *End of trip facilities provided including showers, lockers, change facilities and a bicycle workshop.*
- *12 electric vehicle charging facilities are noted on plans.*
- *Extensive landscaping on terraces and rooftop will improve the ecological value of the site.*

Application ESD Deficiencies:
There are no deficiencies associated with ESD that have been identified at the present time.

Outstanding Information:

- *The proposed stormwater management system is likely to meet best practice urban stormwater quality standards. Please supply stormwater modelling outputs to confirm that the proposed system meets best practice stormwater standards. Please mark the rainwater tank volume(s) on plans.*
- *Project 'aims to substitute regular manufactured wood products with products that contain lower formaldehyde content'. The commitment to low formaldehyde products is unclear, recommend a clear commitment to low or zero formaldehyde content timber products.*

Attachment 6 - PLN17/0278-06 - 506 & 508 - 510 Church Street Cremorne - referrals - idac attachment

ESD Improvement Opportunities

- *Consider a solar PV array to contribute to electricity consumption.*
- *Low VOC adhesives and finishes. Recommend low VOC carpets, sealants, finishes and paints also.*

External consultants

Urban Design (David Lock Associates)

CHARACTER

Context

The site is close to East Richmond Station, tram services along Church Street and the Swan Street Major Activity Centre (MAC). The existing character consists of a range of commercial buildings predominantly 1-2 storeys high with some 3 storey office buildings. There are also a number of newer developments with greater heights, for example:

- *534-544 Church Street, two separated towers that are 3 and 7 storeys;*
- *511-521 Church Street, comprising a 4-storey building; and*
- *480 Church Street, comprising a 5-storey building.*

There is substantial policy at both State and local levels which advocates for infill development to support increased employment opportunities in appropriate locations (refer to Clauses 11, 11.06, 17.01 and 21.04). However, this policy must be considered alongside other State and local planning policies requiring development to respond to its urban character and context (refer to Clauses 11.01, 16.01, 21.05 and 22.10).

Clause 21.05-2 and Clause 22.10-3.3 also specify that development outside activity centres should reflect the low-rise urban form, unless a distinctly different new character is sought in order to achieve planning objectives. In this context, the Swan Street Structure Plan ('SSSP') places the site within Precinct 9 (Church Street) which generally seeks a low-scale (12m-14m high) street wall, and an overall height of 5-6 storeys (19m) for this area. It is acknowledged that the SSSP pre-dates Plan Melbourne and has not been formally implemented into the Yarra Planning Scheme, but it remains an adopted Council document.

Church Street is likely to see significant change to its character area given its proximity to public transport, shops and services and generally underutilised nature. The site is a relatively typical infill site, particular in terms of its width. Therefore it is important that development of this site contributes to an appropriate future character for Church Street.
The proposal reaches 11 storeys (approx. 44.57m) in height. Although the subject site is well serviced with regard to public transport and other services, it is not located within an activity centre. Therefore, we consider that the proposal exceeds the expectation of the Planning Scheme and the Swan Street Structure Plan. It would also result in a relatively 'enclosed' streetscape character if repeatedly generally along both sides of Church Street.
Given that the area of the subject site and the width of this part of Church Street, it is considered that the site can sustain a scale of 8 storeys, with appropriate setbacks.

Therefore, it is recommended that the proposal be reduced to a maximum of 8 storeys with appropriate setbacks, as illustrated within Figure 1 below.

Attachment 6 - PLN17/0278-06 - 506 & 508 - 510 Church Street Cremorne - referrals - idac attachment

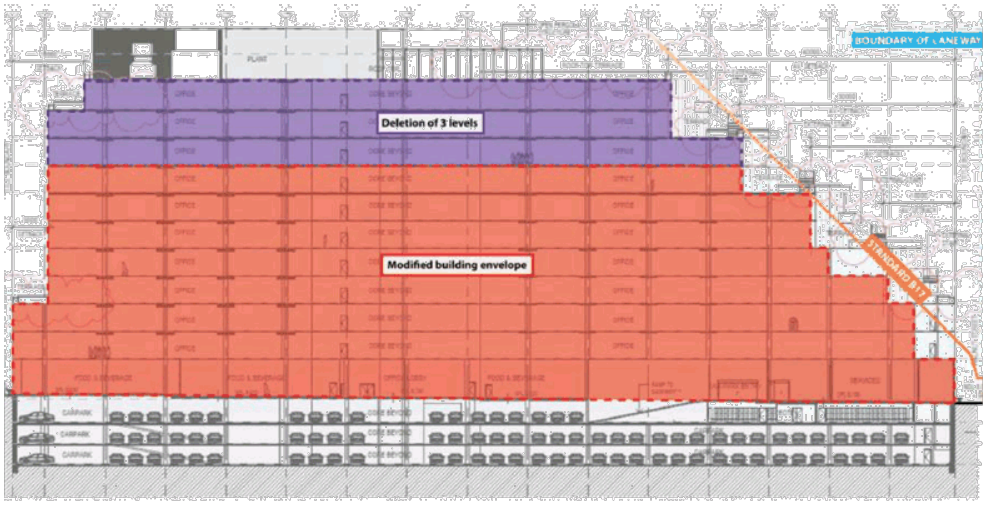


Figure 1 - Modified Building Envelope

This will maintain a relatively open character within Church Street, as the height will approximately match the distance of the upper form from a matching development across the street.

Street wall

The proposed development has a 3-storey (approx. 13.37m) high street wall. The proposal generally has a zero setback to Church Street except where it is 'eroded' from the street corner to create a small plaza at Ground Floor. It is also setback from Hutchings Street at Ground Floor to enable the widening of the road. The upper levels of the street wall (Level 01 and Level 02) are built to the east and north boundary. This is considered appropriate and will reinforce the 'hard-edge' character of the built form in Church Street.

The height of the street wall is also generally consistent with the emerging developments in this part of Church Street (such as 480 Church Street and 511-521 Church Street). The 5m setback of the upper form will lessen its visual presence and distinguish between the upper form and street wall, as depicted within Figure 2 below. Subject to the building being reduced to no more than 8 storeys, the street wall will be the visually dominant element within the streetscape.

It is also noted that the 3-storey street wall is also generally consistent with the preferred outcomes sought by the SSSP, which seeks 'low-scale' street walls in the order of 12m-14m.

Attachment 6 - PLN17/0278-06 - 506 & 508 - 510 Church Street Cremorne - referrals - idac attachment

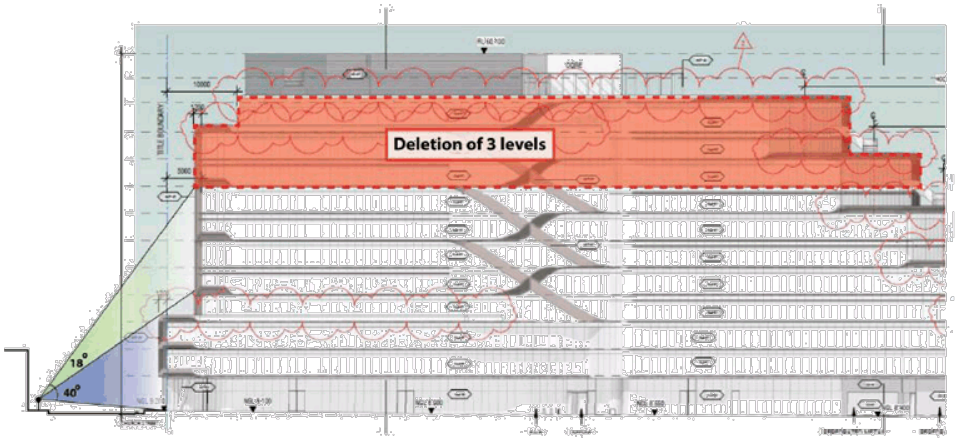


Figure 2 - Subject to a reduction in building height, the street wall will be the visually dominant part of the proposal within the streetscape

OFF-SITE AMENITY IMPACTS

Clause 22.10-3.3 and Clause 34.02 seek to protect the amenity of adjoining sensitive uses and to ensure that new development that abuts a laneway should be no more than 2-storeys high and should not affect the amenity of the neighbouring residential land. Given the neighbouring properties are zoned NRZ, neighbours can expect reasonable amenity protection.

Visual Bulk

Whilst the SSSP sets an expectation of a maximum of 3-storeys (10m) with setbacks above at a 1:1 ratio (or 45 degrees), this has not been independently tested. Therefore, we have also considered ResCode Standard B17 at the rear boundary of the residential properties. The development does not comply with either the SSSP or this application of the requirements of Standard B17, and has multiple encroachments into the preferred setbacks, as depicted within Figure 1 above.

We consider that this will result in unreasonable visual bulk to the western neighbouring properties. Whilst the reduction of the development to 8 storeys (as discussed above) will ameliorate some visual bulk, it is considered that the proposal requires increased setbacks from the rear boundary. In particular, the building should be setback from the western boundary to accord more closely with Standard B17.

Overlooking

The Urban Context Report and plans provided by the Applicant do not appear to explore the development's potential for overlooking to the neighbouring properties to the west. We have concerns that the development has the potential to overlook the neighbouring properties, particularly from the terrace located on Level 03.

Overshadowing

The shadow diagrams, prepared by the Applicant, indicate that the development will cast additional overshadowing on the SPOS areas of the neighbouring residential property at 10am. As this is a residentially zoned property, this level of additional overshadowing is not

supported. However, a reduction in height of the proposal to 8 storeys may reduce the overshadowing and ensure that there is no additional overshadowing cast on the west neighbouring properties.

EQUITABLE DEVELOPMENT

It is reasonable to expect that the adjacent property to the north (496 Church Street) and the abutting property to the south (516 Church Street) will be redeveloped, given their physical context and policy setting to the subject site. Therefore, consideration should be given to equitable development.

Northern Interface

The property to the north at 496 Church Street and the subject site are separated by a laneway. The plans show that at Level 03 and above, it is proposed to provide a 2.4m setback from the northern boundary for the eastern 'half' of the building before diminishing to 0m towards the rear. The 2.4m setback equates to a 5m setback from the mid-point of the laneway. If this is 'mirrored' by the property to the north, then it will achieve a minimum 10m separation between future buildings. We recommend that the proposal adopt a 2.4m northern setback for whole of the building to ensure that a clear 10m separation to future development is achieved (Refer to Figure 3 and Figure 4 below).

Southern Interface

The building is proposed to be built to the common boundary with 516 Church Street, where it will present a blank wall. This will maximise the development potential of the neighbouring properties. However, the plans do not clearly detail the proposed blank wall, other an annotation which specifies "CONC-01 precast concrete."

It is recommended that additional detail be sought from the applicant in relation to the treatment of the blank wall treatment on the southern boundary, given that it will be visually prominent until such time as the neighbouring property is developed.

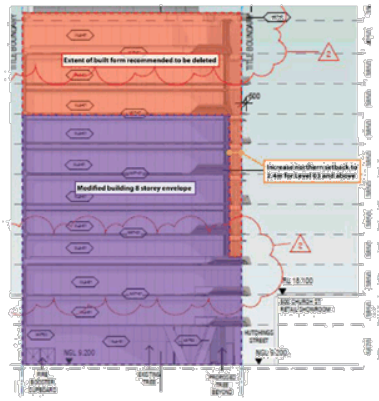


Figure 3 - Modified building envelope with recommended 2.4m setback

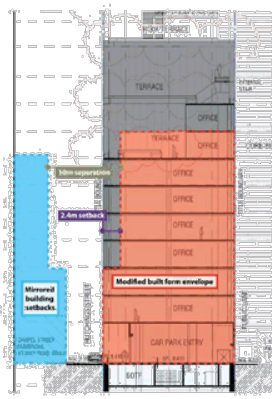


Figure 4 - Mirrored condition to achieve 10m tower separation

DETAILED DESIGN

Architectural Fins

The plans show that 1.2m architectural 'fins' are proposed that 'wraps' around the building. At Ground Floor, the fin is proposed to act as a canopy over Church Street and Hutching Street.

Whilst the principle of a canopy to Church Street is supported for the purposes of weather protection within the public realm, we note that the 1.2m width of the canopy will not provide any meaningful contribution to the public realm in terms of weather protection. Therefore, at Ground Floor, we recommend that the architectural fin be extended over Church Street to a setback of 0.75m from the kerb.

Along Hutchings Street, we are concerned that 1.2m width of the fin has the potential to create further enclosure and reductions of daylight in what is already a very narrow lane. Therefore, it is recommended that the architectural fins be reduced to protrude no more than 0.3m beyond the Hutchings Street boundary.

Services Location, Vehicle Access and Parking

The plans show that a booster cabinet is proposed to be located in the south-east corner at ground floor and does not occupy a substantial amount of the frontage to Church Street. It is also noted that the location of vehicle access and other services (largely located on Hutchings Street and Walnut Street) is designed to minimise their impact on the public realm, which is supported.

SUMMARY

There are many aspects of the subject site that support a more intensive built form outcome, given its proximity to the East Richmond Station, tram services along Church Street and proximity to the Swan Street MAC. However, the subject site is not located within a MAC and future development on this land needs to respond to its urban character and context.

Therefore, we recommend the following design changes be made from an urban design perspective:

- *Reduce the overall height of the proposal to a maximum of eight storeys (approximately 33m);*
- *Increase the western setbacks of the proposal to accord more closely with ResCode Standard B17;*
- *Clarify whether the development will overlook the neighbouring properties to west, particularly from the terrace located at Level 03;*
- *Eliminate additional overshadowing to the neighbouring residential properties to the west at 10am;*
- *Provide a 2.4m setback from the northern boundary for the entire length of the building at Level 03 and above;*
- *Further clarification be provided regarding the blank wall treatment of the southern elevation;*
- *The width of the architectural fin above Ground Floor be extended over Church Street to a setback of 0.75m from the kerb; and*
- *The architectural fins be reduced in width to protrude no more than 0.3m beyond the Hutchings Street boundary.*

Acoustic (SLR Consulting)

A review of the acoustic report prepared for the office development proposed for 506 and 508 Church Street, Cremorne is provided above. The report generally addresses the acoustic issues related to the proposal. A summary of the issues we recommend are addressed in further detail are provided below.

1. *Single figure background noise levels are presented in the report however the derivation of these levels is not explained. This information should be provided for transparency.*
2. *Our main reservation with the assessment is in regard to the unofficial dwellings, particularly at 12-16 Chapel Street, to the north of the subject site. ALC do not mention these dwellings, however the advice provided in the report generally addresses impacts to these premises. Our recommendation would be that either the design targets are confirmed for these receivers, or that the planning permit specifically require the acoustic recommendations in the report to be implemented (i.e. not subject to further review).*
3. *We recommend that the hours of operation for the smaller food and beverage tenancies fronting Hutchings Street be restricted (to, say 7 am to 7 pm), unless a specific acoustic report is prepared to address noise impacts to sensitive receivers to the north.*
4. *A large amount of mechanical plant is likely to be required for this project. We recommend that this equipment is reviewed during the detailed design to ensure that SEPP N-1 noise limits are met.*

Wind (ViPac Consultants)

The Mel Consultants environment wind assessment has been prepared base on consultancy experience and no wind tunnel testing has been carried out to support their assessment. We have no issues with this method for a desktop study as this is a common approach to provide architects, developers and responsible authorities advice on the wind impact of the proposed design.

We have no issues with the analysis approach, assessment criteria, wind environment and exposure estimate. Mel Consultants has clearly identified the process for the desktop assessment and this is consistent with the approach that Vipac would take to prepare a desktop wind effect statement.

The report analysed wind effects on the streetscapes and reported the potentially critical wind effect areas. These areas include the following:

- *North Face (Hutchings Street): Vipac agrees with Mel consultant's assessment for the northerly wind effects: the northeast corner (I,e. Hutchings and Church Streets) would be expected to be on the criterion for walking comfort and improve towards the middle of the north face. If the proposed activation along the eastern end of Hutchings Street in intended to be for outdoor dining/seating, then wind conditions would need to achieve the criterion for long term stationary activities. Vipac also agrees the northerly wind effects analysis on the other areas of the footpath and the recessed main entrance.*

- *East Face (Church Street): Vipac agrees Mel consultants' comments: the wind conditions along Church Street for the easterly wind direction would be expected to be within the criterion for walking comfort.*

- *West Face (Walnut Street): Vi pac agrees Mel consultants' comments - the wind conditions along Walnut Street for the westerly wind directions would be expected to be within the criterion for walking comfort.*

- *South Face: Vipac agrees Mel consultants' comments - the wind conditions around the proposed development for the southerly wind directions would be expected to be within the criterion for walking comfort.*

- *Outdoor terraces: Vipac agrees with Mel consultants' comments on the wind conditions at elevated terraces as well as general advice for these areas - any objects to be left permanently on the terraces should be tethered, paving tiles fastened down, and the mechanical fixings/tethers inspected regularly for corrosion and damage. The wind conditions on these terraces would be expected to improve with increased balustrade heights (along the north side) and addition of pergolas/local wind-break screens.*

In conclusion, the Mel Consultants' environment wind assessment analysed the wind effects on the ground floor, the outdoor terraces of the proposed development at 510 Church Street and made some general recommendations accordingly. Vipac agrees with the methodology used and the assessment conclusions as well as the general advices for the elevated terraces and the more stringent comfort criterion for potential outdoor seating areas at ground level along the eastern end of Hutchings Street.

However, based on the development height of 51.6 m (higher than the trigger height of 40 m for wind tunnel testing in Melbourne CBD area) and potential outdoor seating design mentioned in the report, Vipac recommends a scaled wind tunnel test be conducted in the detailed design stage.

The applicant subsequently submitted a wind tunnel model study on 21 September 2017. No further comments were sought and will be required by way of condition.

1.5 86 Fergie Street, Fitzroy North - Planning Permit Application No. PLN17/0005 - Part demolition to allow for the construction of a basement and a double-storey extension to the existing dwelling.

Executive Summary

Purpose

1. This report provides Council with an assessment of planning application PLN17/0005 at No. 86 Fergie Street, 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 – Developments abutting Laneways;
   (c) Clause 43.01- Heritage Overlay; and
   (d) Clause 54 – One dwelling on a lot (Rescode).

Key Issues

3. The key issues for Council in considering the proposal relate to:
   (a) Heritage;
   (b) Clause 54; and
   (c) Objector concerns.

Objector Concerns

4. Eight (8) objections were received to the application, these can be summarised as:

   (a) Amenity impacts including daylight/solar access, overshadowing; overlooking; visual bulk;
   (b) Impact on laneway including vehicle/pedestrian access;
   (c) Heritage impact;
   (d) Proposed first floor terrace not directly accessed from the living room;
   (e) Loss of views to the sky;
   (f) Plan discrepancies; and
   (g) Planning process issues.

5. At the time of writing this report, 11 letters of support had been received.

Conclusion

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

CONTACT OFFICER: **Tamina Loan Vy**
TITLE: **Statutory Planner**
TEL: **92055104**

1.5 86 Fergie Street, Fitzroy North - Planning Permit Application No. PLN17/0005 - Part demolition to allow for the construction of a basement and a double-storey extension to the existing dwelling.

Trim Record Number: D17/190907
Responsible Officer: Senior Coordinator Statutory Planning

Proposal:	Part demolition to allow for the construction of a basement and a double-storey extension to the existing dwelling.
Existing use:	Dwelling
Applicant:	PHOOEY Architects Pty Ltd
Zoning / Overlays:	Neighbourhood Residential Zone – Schedule 1; Heritage Overlay - North Fitzroy Precinct - Schedule HO327
Date of Application:	05/01/2017
Application Number:	PLN17/0005

Planning History

1. The site has the following planning history:
   (a) TPY/01/12581 – Planning permit No. 3028 was issued on 29 August 1994 to construct a picket front fence.

   (b) PL07/1197 was approved on 18 June 2008 for 'develop the land for a single storey extension to the existing dwelling including partial demolition'.

   (c) PLN16/0697 was approved on 18 August 2016 for the 'construction of side and rear fences, including part demolition'.

Background

2. The following are matters of process which are important to this application:

   Lodgement of S57A plans

3. In response to objections (and to issues raised by the planning officer), the applicant submitted amended plans under Section 57A on the 18th July 2017. These plans made the following changes (in summary);
   (a) Drawing revisions (re-labelled as 'town planning' instead of 'preliminary'; labels removed/clarified);
   (b) Adjacent property details amended;
   (c) Habitable room windows clarified;
   (d) Increased setbacks (first floor setback 1m from the eastern boundary, and first floor southern wall increased setback);
   (e) Deletion of rainwater tank in front yard and changes to stormwater treatments;
   (f) Additional shadow diagrams provided at 1pm and 2pm;
   (g) Screening notation added; and
   (h) Internal alterations.

4. The plans were not re-advertised as the changes clarified details and are a reduction in built form.

5. Further changes were made under Section 57A to these plans on the 21st September 2017. The only additional change was to reduce the basement level from 1.65m high to 1.2m.

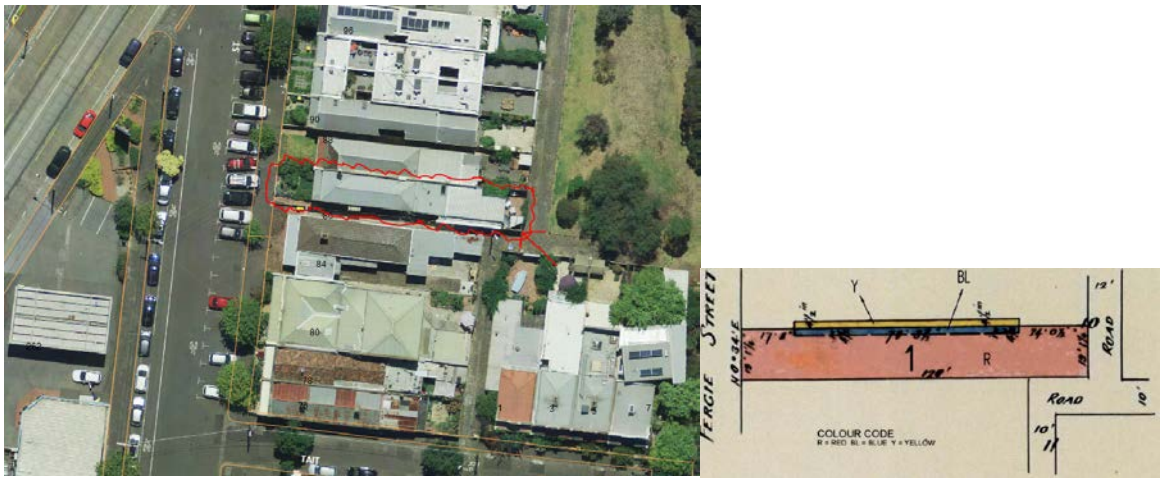
These plans (which included the earlier changes) were emailed to all objectors on 16th November 2017 (after the consultation meeting at which hard copies of the plans were provided).

6. The preamble of the proposal was also amended for a basement and double-storey extension to the existing dwelling (instead of a part two and three-storey extension).

Existing Conditions

Subject Site

7. The subject site is located on the eastern side of Fergie Street 32m north of Tait Street in Fitzroy North. The subject site is regular in shape, with a frontage of 5.8m, a depth of 36.5m, with a total site area of 212sqm. Developed on site is a single-storey, weatherboard, Victorian-era dwelling, setback 5.85m from the front boundary and 1.17m from the southern boundary (apart from a rear section which is constructed on the boundary) and largely constructed on the northern boundary. A pergola is also constructed to the northern boundary with private open space located to the east. A shed is located in the south-east corner of the site. A laneway abuts to the east and wrap around the south-east corner of the subject site.



Subject site (*Council GIS aerial February 2017*)

Title

8. The title submitted with the application does not show any covenants. There is a party wall easement located along the northern boundary of the site (not affected by proposal).

Surrounding Land

9. The subject site is located in an area which is predominately residential to the north, south and south-east of the site, and also interfaces with a petrol station to the west and Linear Park to the east.

10. The existing dwellings are predominately of Victorian-era single storey dwellings, some with two-storey extensions, such as No's 72, 80, 92-96, 100-102 Fergie Streets; and No. 7 Tait Street. Currently existing are also a modern part three and four-storey mixed commercial and residential building located further north on the corner of St George's Road and Fergie Street.

11. Attached to the north of the site is a single-storey, weatherboard, Victorian-era dwelling constructed on the common boundary for the full length of the dwelling. Private open space is located at the rear of the dwelling orientated to the east and north.

12. To the south of the site is a modified single-storey, Victorian-era dwelling which slightly protrudes forward of the subject dwelling towards Fergie Street. The dwelling has a hipped roof over the main portion of the dwelling and flat roofs over later extensions towards the east and south sides of the dwelling. There are five, north-facing windows (1 is non-habitable) facing the subject site, which are setback between 1.3m – 1.4m from the common boundary. An open carport with a metal roof is located on the northern and eastern boundary. Private open space is on the southern side of the dwelling.

13. Abutting on the east side of the dwelling is a bluestone laneway which runs north-south, and then doglegs to the east and west, where it wraps around the rear boundaries of the dwellings facing Fergie and Tait Streets. This laneway can be accessed from Tait Street (south) and St Georges Road (further north).

14. To the east of the laneway is Linear Park, which is triangular shaped and extends from the rear of the subject site further north towards St George's Road. Further east of the park is Apperley Street, where this section of the street are characterised by rear boundaries of dwellings facing Eastham Street.

15. Abutting to the south of the laneway/Linear Park are the rear boundary fences/ private open spaces associated with dwellings facing Tait Street (south-east of the subject site).

16. To the west of Fergie Street is a petrol station directly opposite the subject site, with further commercial buildings abutting to its south.

Subject site and context

The Proposal

17. The application is for part demolition and construction of a basement and a double-storey extension to the existing dwelling. Further details of the proposal are as follows:

Demolition

(a) Retention of the three bedrooms, bathroom, kitchen and most of the living room of the existing dwelling; and removal of the roof commencing from above the third bedroom towards the rear of the dwelling; including the north-and east walls of the living room;
(b) Demolish the shed in the south-east corner of the site;
(c) Demolish the pergola and fencing along the north, south and eastern boundaries;
(d) Demolish/removal of the west-facing door to the living room;
(e) Removal of a section of roof behind the front bedroom (abutting the northern boundary).

(f) Construct an extension generally within the existing building footprint, extending 3.2m further along the south boundary and 3.8m along the eastern boundary to accommodate a basement, ground and first floors as follows:

Basement

(g) The basement would have a maximum height of 1.2m above ground level to store bicycles, firewood, and a 2,200L rainwater tank;

Ground floor

(h) Construct a ground floor extension, extending 3.2m to the east of the existing dwelling to accommodate stairs and a living room with access to a 13.5sqm north and east-facing private open space.

First floor

(i) Construction of a first floor setback 10.2m from the front wall of the dwelling and 17.2m from Fergie Street;
(j) The first floor would be constructed 12m along the northern boundary and 5.6m on the southern boundary;
(k) This level is also setback 2m for a length of 7.35m (opposite private open to the north) and setback between 1.95m and 2.75m from the southern boundary (opposite existing windows to the south);
(l) A 9sqm roof terrace with a pergola above is provided to the north-west of the extension, with direct access from the family room, attic storage (within the existing roof); and a bathroom, laundry, and study towards the rear of the site.
(m) A 1m wide rain garden is provided in the setback of the first floor from the laneway/Linear Park;
(n) A 1.7m high fixed privacy screen (no more than 25% transparency) is provided on the south side of the roof terrace.

General

(o) Proposed maximum building height is 7.77m above natural ground level;
(p) Proposed design is modern, with flat roof forms; and incorporates metal cladding (painted white and Zincalume finish); brick walls (red and white); gold coloured framed windows; gold coloured lacework.

Planning Scheme Provisions

Zoning

Neighborhood Residential Zone 1 [**NRZ1**]

18. The subject site is in the Neighbourhood Residential Zone Schedule 1. The following provisions apply:

(a) Pursuant to clause 32.09-5 of the Scheme, a permit is required to extend one dwelling on a lot less than 500m². A development must meet the requirements of clause 54.
(b) Pursuant to clause 32.09-9 of the Scheme, the maximum height of a building used for a dwelling or residential building must not exceed 9m and must contain no more than 2 storeys at any point.

Overlays

19. The subject site is affected by the Heritage Overlay (Schedule HO327). Pursuant to Clause 43.01-1, a planning permit is required to:
(a) Demolish or remove a building;
(b) Construct a building or construct or carry out works.

Particular Provisions

20. Pursuant to Clause 54 of the Scheme, the requirements of Clause 54, a development:

(a) Must meet all of the objectives of this clause.
(b) Should meet all of the standards of this clause

General Provisions

21. 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.

State Planning Policy Framework (SPPF)

Clause 15.01-1 – Urban design

22. 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

23. 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 15.01-5 - Cultural identity and neighbourhood character

24. The objective of this clause is:
(a) To recognise and protect cultural identity, neighbourhood character and sense of place.

Clause 15.02-1 - Energy and resource efficiency

25. The relevant 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 – Heritage

26. The objective of this clause is:
(a) To ensure the conservation of places of heritage significance

Local Planning Policy Framework (LPPF)

Clause 21.05-1 Heritage

27. The objective of this clause is:
(a) *To protect and enhance Yarra's heritage places*;

Clause 21.05-2 - Urban Design

28. The relevant objectives of this clause are:
(a) Objective 16 – *To reinforce the existing urban framework of Yarra*.
(b) Objective 20 – *To ensure that new development contributes positively to Yarra's urban fabric.*

Clause 21.08-8 - North Fitzroy (neighbourhoods)

29. The subject site is located within the North Fitzroy neighbourhood *"known for the beautiful Edinburgh Gardens which combine open space, sportsgrounds, barbecue area, gardens with long-established European elm trees, skate bowl, tennis and basketball courts, bandstand, bowling greens and bocce links, remnants of the old Melbourne rail loop, and a heritage listed grandstand. The neighbourhood is largely residential. The northern part of North Fitzroy has a low density residential character consisting of late Victorian and early Edwardian double fronted dwellings. Further south dwellings are more likely to be single fronted and one or two storeys".*

30. Figure 20, the built form character map, shows the subject site covered by a Heritage Overlay. The objective is to *"ensure that development does not adversely affect the significance of the heritage place".*

Relevant Local Policies

Clause 22.02 – Development Guidelines for sites subject to the Heritage Overlay

31. Clause 22.02 of the Scheme applies to land within a Heritage Overlay.

Clause 22.02-5.1 – Demolition

32. The policy under this clause (Removal of Part of a Heritage Place or Contributory Elements) states:

(a) Generally discourage the demolition of part of an individually significant or contributory building or removal of contributory elements unless:
(i) For a contributory building:
- *that part is not visible from the street frontage (other than a laneway), abutting park or public open space, and the main building form including roof form is maintained; or*
- *the removal of the part would not adversely affect the contribution of the building to the heritage place.*

33. Appendix 8 to the City of Yarra Review of Heritage Areas, 2007 identifies this site as being contributory.

Clause 22.02-5.7 – New Development, Alterations and Additions

34. *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 contributory element.
(h) 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.
(i) 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.

35. *Discourage elements which detract from the heritage fabric or are not contemporary with the era of the building such as unroofed or open upper level decks or balconies, reflective glass, glass balustrades and pedestrian entrance canopies.*

36. 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)) offers the following relevant policy guidance:

    Residential Upper Storey Additions

    (a) Encourage new upper storey additions to residential heritage places or contributory elements to heritage places to:
    (b) Preserve the existing roof line, chimney(s) and contributory architectural features that are essential components of the architectural character of the heritage place or contributory elements to the heritage place. Respect the scale and form of the heritage place or contributory elements in the heritage place by stepping down in height and setting back from the lower built forms.
    (c) Sightlines should be provided to indicate the 'envelope' from the street of proposed upper storey additions (refer to the sightline diagrams in 22.02-5.7.1).

Clause 22.07 – Development Abutting Laneways

37. This policy applies to development that is accessed from a laneway or has laneway abuttal. The relevant 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.

Clause 22.16 – Stormwater Management (Water Sensitive Urban Design)

38. This policy applies to applications for development/extensions greater than 50sqm which can result in greater hard surface area and changes to the volume, velocity and quality of stormwater drainage into natural waterways.

Advertising

39. The application was advertised in accordance with Section 52 of the *Planning and Environment Act (*1987) by way of 11 letters sent to surrounding property owners and occupiers and the display of a sign to Fergie Street and one to the park.

40. At the time of writing this report 11 letters of support had been received.

41. Eight (8) objections were also received, and raised the following concerns:

    (a) Amenity impacts including daylight/solar access, overshadowing; overlooking; visual bulk;
    (b) Impact on laneway including vehicle/pedestrian access;
    (c) Heritage impact;
    (d) Proposed first floor terrace not directly accessed from the living room;
    (e) Loss of views to the sky;
    (f) Plan discrepancies; and
    (g) Planning process issues.

42. In response to objections (and to issues raised by the planning officer), the applicant submitted amended plans on the 18th July 2017 pursuant to Section 57A of the Act. These plans made the following changes (in summary);

(a) Drawing revisions (re-labelled as 'town planning' instead of 'preliminary'; labels removed/clarified);

(b) Adjacent property details amended;

(c) Habitable room windows clarified;

(d) Deletion of rainwater tank in front yard and changes to stormwater treatments;

(e) Increased setbacks (first floor setback 1m from the eastern boundary, and first floor southern wall increased setback);

(f) Additional shadow diagrams provided at 1pm and 2pm;

(g) Screening notation added; and

(h) Internal alterations.

43. The application was not re-advertised as the amendments were granted a discretionary exemption at Council's Development Assessment Panel meeting held on 25 July 2017 as the changes would not cause material detrimental (only clarified details and reduced built form).

44. A further change was made to these plans on the 21st September 2017. The only additional change was to reduce the basement level height from 1.65m to 1.2m and sink the basement slightly below ground level. These plans (which included the earlier changes) were emailed to objectors on 16th November 2017 (after the consultation meeting at which hard copies of the plans were provided).

45. The reduced height of the basement level was made due to amendment VC110 to the Yarra Planning Scheme, which required development under the zone to be no more than 9m high and 2 storeys. This resulted in the description of the proposal being altered from a part two and three storey extension to construct a basement and a double storey extension to the existing dwelling.

46. At the consultation meeting, a site survey was requested from objectors, to confirm the proposed heights referenced in the plans as the Australia Height Datum (AHD). The Applicant provided a site survey (by *Charter Keck Cramer)* which was forwarded to objectors on 28 November 2017. It became apparent the levels shown in the application plans are the relative levels (taken on the footpath at the front of the dwelling), which is shown as RL 10.00 and not the AHD level.

47. The revised survey shows the level taken in the same location on the footpath at the front of the dwelling as 33.47AHD, which is the same as the RL 10.00 shown in the application plans. Therefore the site levels on the site remains the same, and does not increase the overall height of the extension, which remains as 7.7m above ground level.

48. A review of the levels in the survey plan show there is a change in a level in the laneway, (RL33.52) of a 50mm drop to the previous site survey. The applicant was advised by *Charter Keck Cramer* that this was due to uneven levels between the bluestones within the laneway. However, this does not change the overall height of the development.

49. To avoid confusion, and as the site not in a Special Building Overlay (areas prone to flooding) a condition will require references of 'AHD' to be replaced with "RL" or correct AHD levels shown on plans.

Referrals

External

50. The application was not required to be referred to any external authorities.

Internal

(a) The application was informally discussed with Council's Heritage Advisor, who did not raise concerns from a heritage perspective, given the extension is designed to meet clause 22.02 with a generous front setback, and low floor-to-ceiling height at first floor.

OFFICER ASSESSMENT

51. The considerations for this application are:

(a) Clause 54 (Rescode);
(b) Heritage;
(c) Objector concerns; and
(d) Other matters

Clause 54 (Rescode)

52. This particular provision comprises 19 design objectives and standards to guide the assessment of new residential development. Given the site's location within a built up inner city residential area, strict application of the standard is not always appropriate, whether the proposal meets the objective is the relevant test. Where relevant, assessment will also be made in this section against Clause 22.07 (Development Abutting Laneways).

53. The following objectives are not relevant to this application:

(a) Integration with the street objective (no change);
(b) Street setback objective (no change);
(c) Significant trees objective (none on-site);
(d) Solar access (not applicable to extensions);
(e) Front fences objective (no change)

Neighbourhood character and design detail objectives

54. As identified earlier, there are two-storey extensions which exists within the immediate context of the site, and they are located no's. 72, 80, 94-96, 98, and no.102 Fergie Street: and no.72 Tait Street. Further north of the subject site, located on the corner of Fergie Street and St Georges Road is a part three and four-storey building, which is constructed on the laneway boundary overlooking Linear Park.

55. The first floor extension towards the front of the dwelling 6.7m and is setback 10.2m from the front wall of the existing dwelling and 17.2m from Fergie Street. These setbacks are greater than most first floor extensions along Fergie Street.

56. The first floor would be appropriately constructed to abut the existing roof and is setback from the private open space on the property to the north. The first floor south wall is appropriately designed to be raked to reduce impacts on existing solar access to existing habitable room windows on the property to the south.

57. The extension incorporates a flat roof and metal cladding (white and Zincalume), with raked walls to the south. Metal external screens (painted gold) are acceptable materials for a contemporary extension, as it is adequately separated from the heritage dwelling.

58. The proposed extension is also appropriate towards the rear as it would be constructed partly on the eastern and southern boundaries, where it would abut the laneway and is appropriately setback from private open spaces located to the south-east of the site to minimise off-site amenity impacts. The proposed interface of the extension with Linear Park is acceptable in terms of height and scale (there are higher built forms further north which front the park) and the use of vertical metal cladding relates to rear fencing/ roller doors.

59. The built form of a two-storey extension would be constructed to the laneway boundary, and would not have amenity impacts on existing private open spaces associated with dwellings facing Fergie Street.

60. The proposed built form on the laneway is acceptable, as it is not unusual for built forms such as garages, carports and sheds to be constructed abutting the laneway (i.e. No.84, 86 and 88 Fergie Streets; and no.280 St Georges Road, No.7 Tait Street).

61. The location of the two-storey built form is acceptable, as it has 3 laneway interfaces east and south-east of the site, compared to the Fergie Street dwellings further north (between Tait Street and no.280 St Georges Road), which only have one laneway interface to their east.

62. The properties to the north of the site have similar building footprints and their private open space abuts the laneway, which is the only laneway abuttal (unlike the 3 laneway interfaces for the subject site). Given this pattern of open space, any additions at the rear would have amenity impacts as there is adjacent open space on both sides but more especially to the south. The proposal on the subject site does not have this sensitive interface to the south given the existence of the abutting laneways.

63. The subject site is longer than the four properties located to the south of the site, and therefore these private open spaces would not be as impacted by the proposal as these private open spaces do not directly align with the private open spaces of the dwellings located further north of the subject site. The proposal has designed the two storey component to take advantage of the surrounding laneways as well as the development along the adjacent boundary to the south to limit amenity impacts.

64. The interface with private open spaces associated with dwellings facing Tait Street is also acceptable, given it is separated by the laneway, to reduce visual bulk impact, with minimal increased shadows, where most of the shadows would remain as per existing. This will be discussed later in the report.

65. Overall, the proposed scale, form, setback and design of the extension respects the existing neighbourhood character.

Building height objective

66. The maximum height of the extension is 7.7m, above natural ground level; complying with the 9m specified under the zone. The proposed height is consistent with other first floor extensions to the mentioned dwellings along Fergie Street (and Tait Street), and will not have an impact on the existing streetscape. The proposal would not cause visual impact on the adjacent private open space to the north given the setback from the private open space. In relation to other dwellings, this would similarly have limited impact given the extension abuts laneways to the east and south of the site which provides separation between the extension and the private open spaces associated with dwellings facing Tait Street. Setbacks will be discussed later in the report.

Site coverage and permeability objectives

67. The proposed site coverage is 67% (increased from 61%) as a result of the 12.16sqm extension at the rear of the existing dwelling. Whilst this exceeds the standard's 60%, it is considered the higher site coverage is acceptable, and is consistent with the higher than 60% site overage within the street (e.g. No's 3 and 5 Tait Streets; No's 78; 80; 90-98 Fergie Streets). The proposal will not cause visual bulk impact when viewed from the adjacent private open spaces due to appropriate setbacks.

Site coverage within in the context of subject site

68. The proposed site permeability is 19% which is 1% less than the standard's 20%. This marginal variation is acceptable, as it is not reducing from the existing condition. However, the plans do not clearly delineate which area is permeable therefore a condition will require this to be shown on plans.

69. An updated STORM rating report was submitted, which showed a 2,200L rain water tank at the rear of the site (achieving 100% STORM rating) and would assist with on-site stormwater filtration, and would also reduce the stormwater run-off on the drainage system.

Energy efficiency protection objectives

70. The west-east orientation of the dwelling will remain unchanged. The proposed layout is designed to improve and maximise solar access via north-facing habitable room widows to the living and study area, and private open space at the ground and first floor roof terrace to be orientated to the north and east. The north-facing windows are provided with external louvres to provide shading to the living room/study. Numerous skylights are proposed to ground level and numerous operable windows to access ample daylight and cross-ventilation.

71. The proposal will not unreasonably reduce energy efficiency (sunlight and solar access) on the property to the south, and south-east of the site (Nos.84 Fergie Street and 1 and 3 Tait Street). In terms of sunlight impact, the majority of shadows would be largely contained within existing shadows (shown in the proposed shadow plans). However, shadows will be discussed later in the report.

72. In terms of solar access to existing north-facing habitable room windows on the property to the south, there would be limited impact due to the raked south wall which provides the required setback from these windows, as per the north-facing setback standard. This will be discussed in more detail later in the report.

Side and rear setbacks objective

73. The objective is to ensure that the height and setback of a building limits the amenity impact on existing dwellings and respects neighbourhood character. The following table sets out the walls to be assessed under this objective and whether they comply.

Proposed wall	Proposed wall height	Required setback	Proposed setback	Complies?
Ground floor north wall	4.47m	1.26m	2m	Complies

to living room				
First floor south wall of first floor roof terrace	6.87m	1.98m	3.8m	Yes
First floor raked south wall to family room	3.9m-6.55m	1.09m – 1.89m	1.17m – 2.75m	Yes
First floor south wall to stairs	3.9m – 7.1m	1.09m – 2.19m	1.95m	Variation of 0.24m
First floor east wall to study	6.87m	1.98m	1m	Variation of 0.98m
First floor north wall to study	7.7m	2.79m	2m	Variation of 0.79m

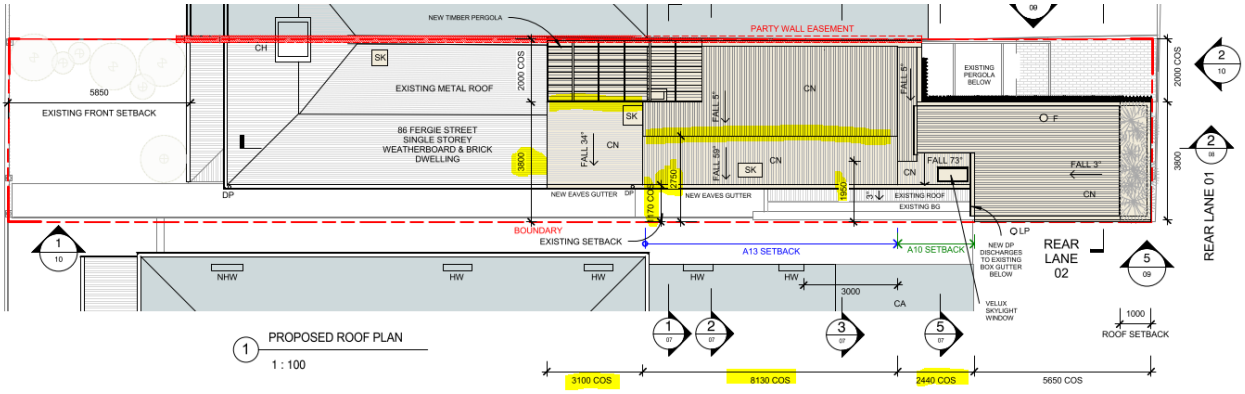
74. The above table shows the proposal complies with the setbacks from the southern boundary (excepting th

75. The variation of the setback from the eastern boundary is acceptable, given the wall abuts the side and re

perceptible from the park.

76. The variation of 0.79m to the study is acceptable, given the proposed wall is located to the south of the private open space that is located to the north; therefore has no impact on sunlight access.

77. The variation of 0.24m to the stairs is also acceptable, given it interfaces with the side setback of the dwelling and the open sided carport on the property to the south rather than private open space or habitable room windows.



Proposed setback from southern boundary

Walls on boundaries objectives

78. The standard requires:
    (a) The total length of new walls along the north and south boundaries should not exceed 16.62m (10m plus 25% of the remaining length); and
    (b) The maximum height of all on-boundary walls should not exceed an average height of 3.2m, with no part higher than 3.6m, unless abutting a higher or simultaneously constructed wall on an adjoining lot.

79. The southern on-boundary wall is extended in length from 9.4m to 12.7m long, which complies with the length under the standard.

80. In terms of the height, it will be increased from 3m to a maximum 7.7m. However, the wall would directly abut the laneway to the south (i.e. not private open space). The width of the laneway to the south is approximately 3.1m wide, and therefore provides sufficient setback of the wall from private open space further south; and would exceed a required setback of 2.79m for a 7.7m high wall.

81. The on-boundary north wall maintains the existing length, however the height will be increased to a maximum of 7.7m.The proposed height is acceptable as it abuts the existing roof on the dwelling to the north therefore no amenity impacts.

Daylight to existing windows and north-facing windows objectives

82. The standard states:
    (a) *Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.*
    (b) *Walls or carports more than 3 metres 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 if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.*

Daylight to existing window objective

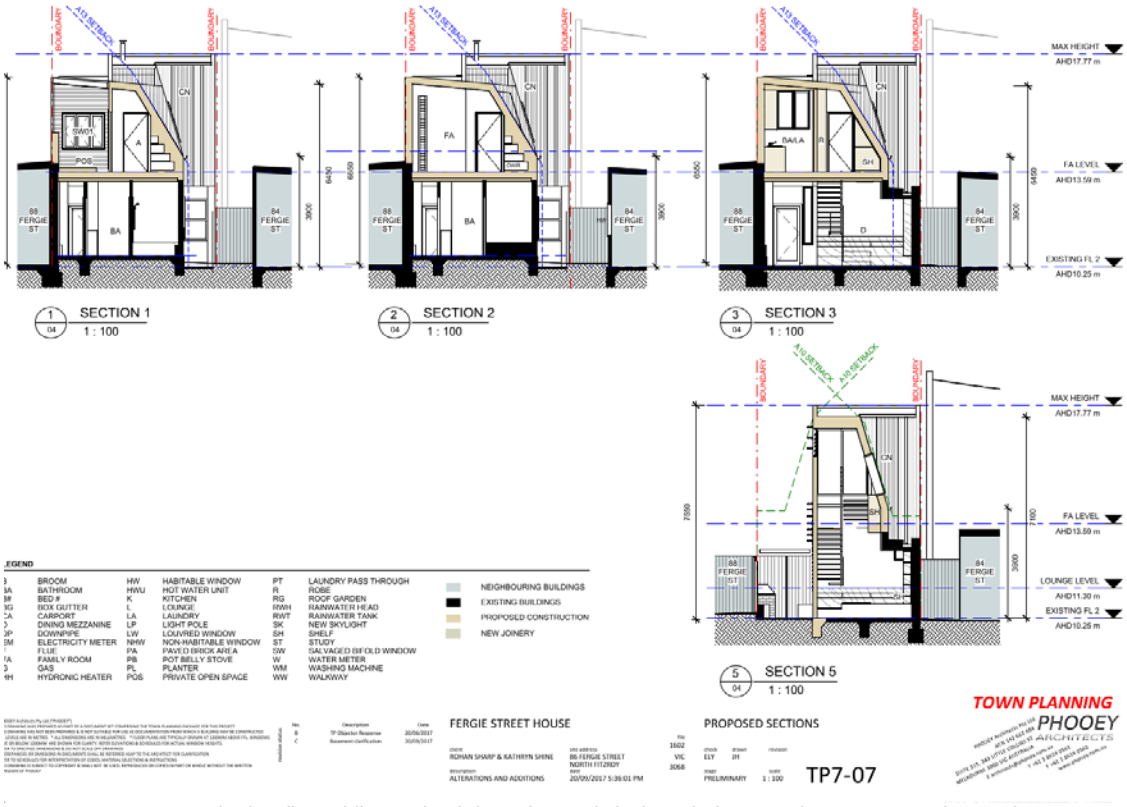
83. The proposal will not impact existing daylight access on the property to the south which has 4 habitable room windows; of which the two westernmost windows towards the front of the dwelling will not be affected as no built form is proposed opposite.

84. The two remaining habitable room windows would be opposite the first level extension. These windows are setback between 1.3m – 1.4m from their northern boundary and combined with the proposed setback between 2.5m – 5m (shown as A10 setback in the diagrams below) these windows would receive adequate daylight as per the standard, exceeding the standard's minimum dimensions of 3sqm.

North-facing window objective

85. The standard states:
    (a) If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metre for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window.

86. The proposal will not unreasonably impact solar access for existing north-facing habitable windows as the first floor south wall is raked. With a minimum wall height of 3.9m and a maximum height of 6.55m, this requires a setback of 1.18m – 2.77m. The proposed setbacks of 1.17m and 2.75m whilst having a shortfall of 0.01m and 0.02m would generally accord with the relevant cross-sections 1, 2, and 3 below, and would meet the north-facing windows objective which is "*To allow adequate solar access to existing north-facing habitable room windows".*



Raked wall providing setback from the north-facing windows on the property to the south

Overshadowing open space objective

87. The proposed shadows (on 22 September Equinox) cast by the extension would largely be within the existing shadows cast by the existing dwelling/carport and boundary fences, however shadows will fall over the rear laneway, over roof form and rear corners of the rear private open spaces of no's 1 and 3 Tait Streets. In the table below, the proposed shadow would not unreasonable overshadowing existing secluded private open spaces,

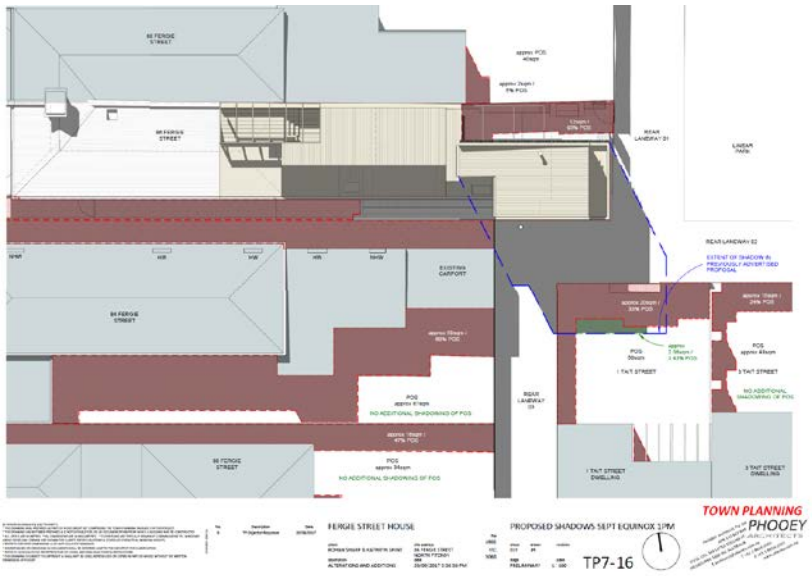
Proposed shadows	**No.84 Fergie Street**	**No.1 Tait Street**	**No. 3 Tait Street**
9am	No shadows (previously 1.7sqm)	No shadows	No shadows
10am	0.09sqm (previously 0.5sqm)	No shadows	No shadows
11am	No shadows	No shadows (reduced from 0.6sqm)	No shadows
12pm	No shadows	1.78sqm (reduced from 2.7sqm)	No shadows
1pm	No shadows	2.06sqm (reduced from 2.4sqm)	No shadows
2pm	No shadows	1.78sqm (reduced from 1.9sqm)	No shadows
3pm	No shadows	No increased shadows	0.2sqm (reduced from 0.6sqm)

No.84 Fergie Street

88. The private open space of No.84 Fergie Street is approximately 87sqm, which is largely shadowed by the existing dwelling and carport on the site, as built form is located to the north. The proposed shadow would mostly fall within existing shadows, over roofs or the laneway. The proposed increased shadows are less than 0.09sqm at 10am only, and will not adversely reduce the existing sunlight access. There is no increased impact for other hours between 9am – 3pm, and therefore is acceptable.

No.1 Tait Street

89. The private open space of No.1 Tait Street is approximately 60sqm, which is partially shadowed by existing boundary fences. The table above shows at 12pm, 1pm and 2pm increased shadows impact an area of between 1.7m – 2.06sqm (confined towards the rear), where an area between 37.3sqm and 37.94sqm would receive sunlight. The proposed shadows are not unreasonable, and are considered to be minimally increased. Proposed shadows are largely located next to existing shadows and the private open space area would continue to receive adequate sunlight.



Proposed 1pm shadows

No.3 Tait Street

90. The private open space of No.3 Tait Street is approximately 48sqm with increased shadows of 0.2sqm limited to 3pm only, with no increased impact hours between 9am – 2pm. The increased shadow is minimal, therefore the proposal is considered to not unreasonably overshadow these secluded private open spaces.

Overlooking objective

91. The first floor roof terrace incorporates 1.7m high fixed screening with no more than 25% transparency. However, as no design and materials of screening have been provided, this will be required by condition.

92. The north-facing windows of the living and study have sill heights above 1.7m above finished floor level, complying with the overlooking standard. Similarly the north-facing study window also has obscured glass below a 1.7m high sill (with clear glazing above this height) which complies with the standard.

93. The east-facing windows of the living and study would have views towards the laneway, Linear Park and the rear corner of private open spaces of No.1 and 3 Tait Streets. However, there will be no overlooking into these POS (within 9m radius) as the overlooking plans and section below (TP7-11), which demonstrates views within 9m radius are obscured by rear boundary fencing.

94. There will be no overlooking from the south-facing window to the study given it has obscure glass below 1.7m above finished floor level, however this has not been shown as fixed. A condition will require this to be shown. The south-facing skylight to the stair/hallway is not a habitable room and therefore is not required to be screened.

Daylight to new windows objective

95. The ground floor open plan extension is provided with ample daylight access and cross-ventilation via sliding doors and skylights. The first floor rooms will have ample daylight access via north, west and east-facing windows.

Private open space and solar access to open space objectives

96. At ground floor, 13.5sqm secluded private open space would be provided in the north-east corner of the site and will be directly accessed from the open plan dining and living area. In addition, the first floor roof deck (9sqm) would be accessed from the family room. While the proposal does not provide the recommended 20%, secluded private open space is currently not directly accessed from the living room. The proposed layout ensures the private open space is directly and conveniently accessed from the open living area.

Heritage

97. Heritage considerations for this application relate to whether compliance is achieved with Clause 43.01-4 (Heritage Overlay: Decision guidelines) and Clause 22.02 (Development Guidelines for Sites Subject to the Heritage Overlay) of the Scheme.

Demolition

98. The extent of demolition associated with the roof commences behind the front two rooms and is acceptable as the two front rooms, roof and chimney are retained to ensure its contribution to the heritage precinct. The demolition at the rear of the dwelling and boundary fences are later extensions and are not visible from the street, and therefore demolition is acceptable.

99. While the existing elevations clearly show the extent of fence along the north, south and east elevations to be demolished (retaining 2m of gate and fence along the eastern boundary), this is not clearly shown on the demolition floor plan. This will be required by a condition.

Proposed works

100. The submitted sightline demonstrates the extension within the envelope for an upper floor extension for a contributory dwelling as set out under Clause 22.02 of the Scheme. The proposed first floor extension and roof deck are considered to be acceptable within this streetscape context, due to the limited height in the middle of the site and the generous front setback. The first floor would be setback 10.2m from the front wall of the dwelling and 17.2m from Fergie Street, with a building height of 6.7m and would not visually dominate the existing dwelling.

101. The extent of visibility from the street is acceptable, and the proposed raked southern wall also reduces visibility of the extension. The proposed white metal cladding (white and Zincalume) is also acceptable, as it integrates with the existing roof material/finish.

102. Due to the height and setback the proposed extension and roof terrace is acceptable, as they are visually recessive and will not dominate the existing dwellings or streetscape.

Clause 22.07 Development Abutting Laneways

103. The existing character of the laneway at the rear of the site consists of rear boundary fences/roller doors/sheds and the side wall associated with the rear of dwellings facing Fergie Street and Tait Street.

104. This laneway located at the rear of the site is atypical in that it faces a park and is not bounded by built forms/boundary fencing structures on either side, which is typical of most laneways within the municipality. However, due its interface with Linear Park due consideration of the extension is appropriate.

105. The design of the extension incorporates a flat roof, and wall cladding of alternating vertical metal cladding and Zincalume, which reflects the vertical fencing structure and roller doors along the laneway. The upper floor windows incorporating external metal screens (on the north windows) and the recessed roof appropriately address the interface to the park. Views from the east-facing windows towards the park are not required to be screened as it is not a habitable area, and provides passive surveillance opportunities thereby improving the public realm and perceived safety, as per local policy (including clause 22.07).

106. The extension would be constructed 5.6m along the southern boundary and 3.8m along the eastern boundary. The northern portion of the existing eastern boundary fence and gate, appears to be 100mm – 200mm outside the eastern title boundary, however, this section is shown to be retained (as per existing and proposed east elevations), with the extension (north and south walls of the living room and study) shown within title boundaries. Due to the portion of the existing fence and gate not changing, and no new built form encroaching into the laneway, it will not have an impact on existing vehicle and pedestrian access.

107. The proposal would not impact an on existing pedestrian and vehicle access as the extension would be constructed in the location of existing boundary fences on the south-eastern corner of the site, and would be contained within the title boundaries of the subject site, and therefore is appropriate.

108. Overall the design, scale and form respect the laneway character.

Indicative persepctive of the proposal from the park

Objector concerns

Amenity impacts including daylight/solar access, overshadowing; overlooking; visual bulk, site coverage

109. Daylight and solar access has been addressed in paragraphs 70-77; 82-86.

Overshadowing

110. This has been addressed in paragraph 87-89.

Overlooking

111. This has been addressed in paragraph 91-94 and condition 1(b).

Visual bulk

112. This has been addressed in paragraphs 54-65, 73-81.

Site coverage

113. This has been addressed in paragraphs 67.

Impact on laneway including vehicle/pedestrian access

114. This has been addressed in paragraphs 103-108.

Proposed first floor terrace not directly accessed from the living room

115. This has been addressed in paragraph 96.

Heritage impact

116. This has been addressed in paragraphs 97-104.

Other matters

Southern boundary fence approved under previous planning permit (PLN16/0697)

117. The southern boundary fence was approved under a separate planning process and does not form part of this application. Pedestrian and vehicle access are addressed in paragraph 103-108.

Loss of views to the sky

118. Consideration of views to the sky is not a matter required to be assessed under the Yarra Planning Scheme.

Plan discrepancies

119. The plan discrepancies identified by objectors relating to habitable room windows and boundary fencing heights have been addressed via amended plans, and the open side of the carport has been considered as such (i.e. not enclosed).

120. Relative heights shown on plans have also been considered.

Planning process issues

121. The issues raised relate to the public notification process and the lack of consultation meeting. In response, the application was advertised on 6th April 2017, and the statutory declaration received on 8th May 2017 confirmed the yellow advertising sign was displayed for 15 days. The consultation meeting was held on 14 November 2017.

Conclusion

122. Based on the above report, the proposal is considered to comply with the relevant Planning Scheme provisions and planning policy and therefore should be supported subject to conditions.

RECOMMENDATION

That a Notice of Decision to Grant a Planning Permit PLN17/005 be issued for part demolition and construction of a double-storey extension to the existing dwelling at 86 Fergie Street, Fitzroy North generally in accordance with the plans noted previously as the “decision plans” dated 21 September 2017 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 decision plans but modified to show:

(a) Demolition floor plan to show all demolition, including demolition of boundary fences (to match elevations);
(b) Details of the screen associated with the upper floor roof deck to comply with the objective of clause 54.04-6 (Overlooking objective) of the Yarra Planning Scheme and the south-facing study window shown as fixed below 1.7m:
(c) Proposed permeable surfaces clearly delineated on the ground floor plan and consistent with the proposed percentage (i.e. 19%);
(d) 'AHD' levels on plans to be replaced with "RL"; or true AHD levels to be shown on plans and elevations.

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. 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.

4. Before the building 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.

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

6. 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.

7. This permit will expire if:

   (a) the development is not commenced within two years of the date of this permit; or
   (b) the development is not completed within four years of the date of this permit.

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

Notes:

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

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.

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: **Tamina Loan Vy**
TITLE: **Statutory Planner**
TEL: **92055104**

Attachments

1 PLN17/0005 86 Fergie Stret Fitzroy North. site and context
2 PLN17/0005 - 86 Fergie Street Fitzroy North. Land Survey
3 PLN17/0005 - 86 Fergie Street, Fitzroy North. Revised section 57A plans. DECISION PLANS

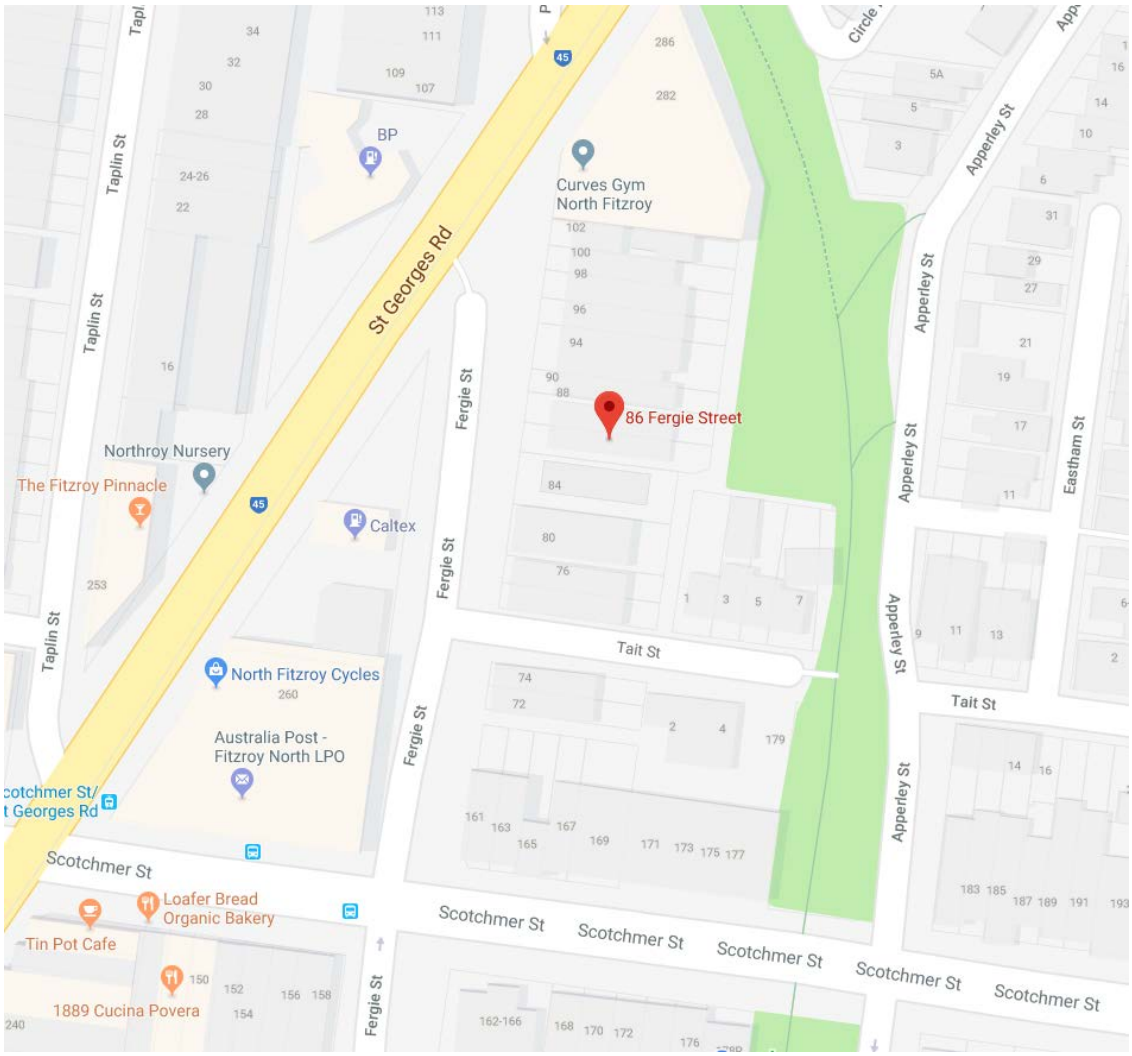
Attachment 1 - PLN17/0005 86 Fergie Stret Fitzroy North. site and context

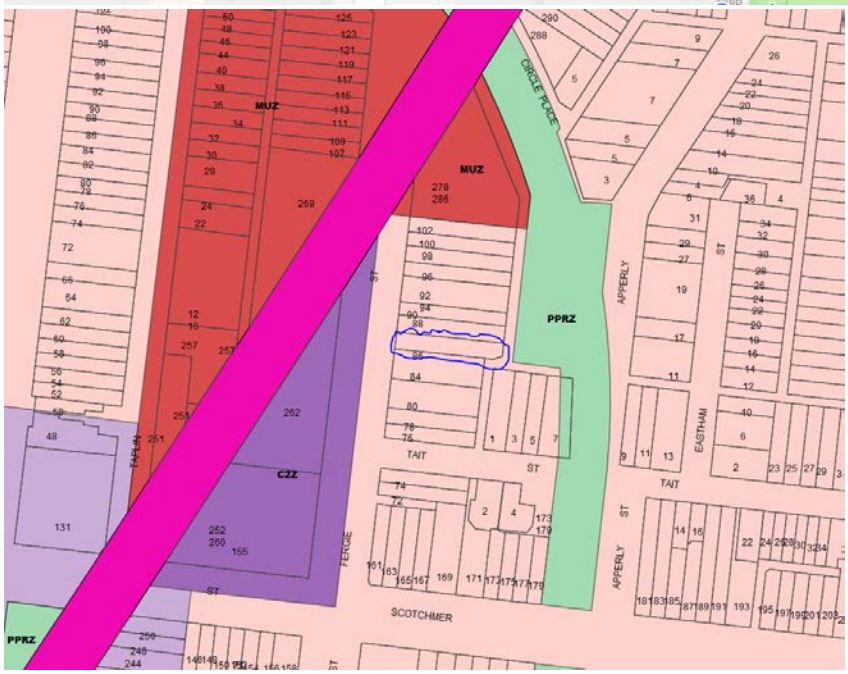
PLN17/0005 - 86 Fergie Street Fitzroy North

Subject site and context

Heritage Overlay – Fitzroy North Precinct HO327 (contributory)

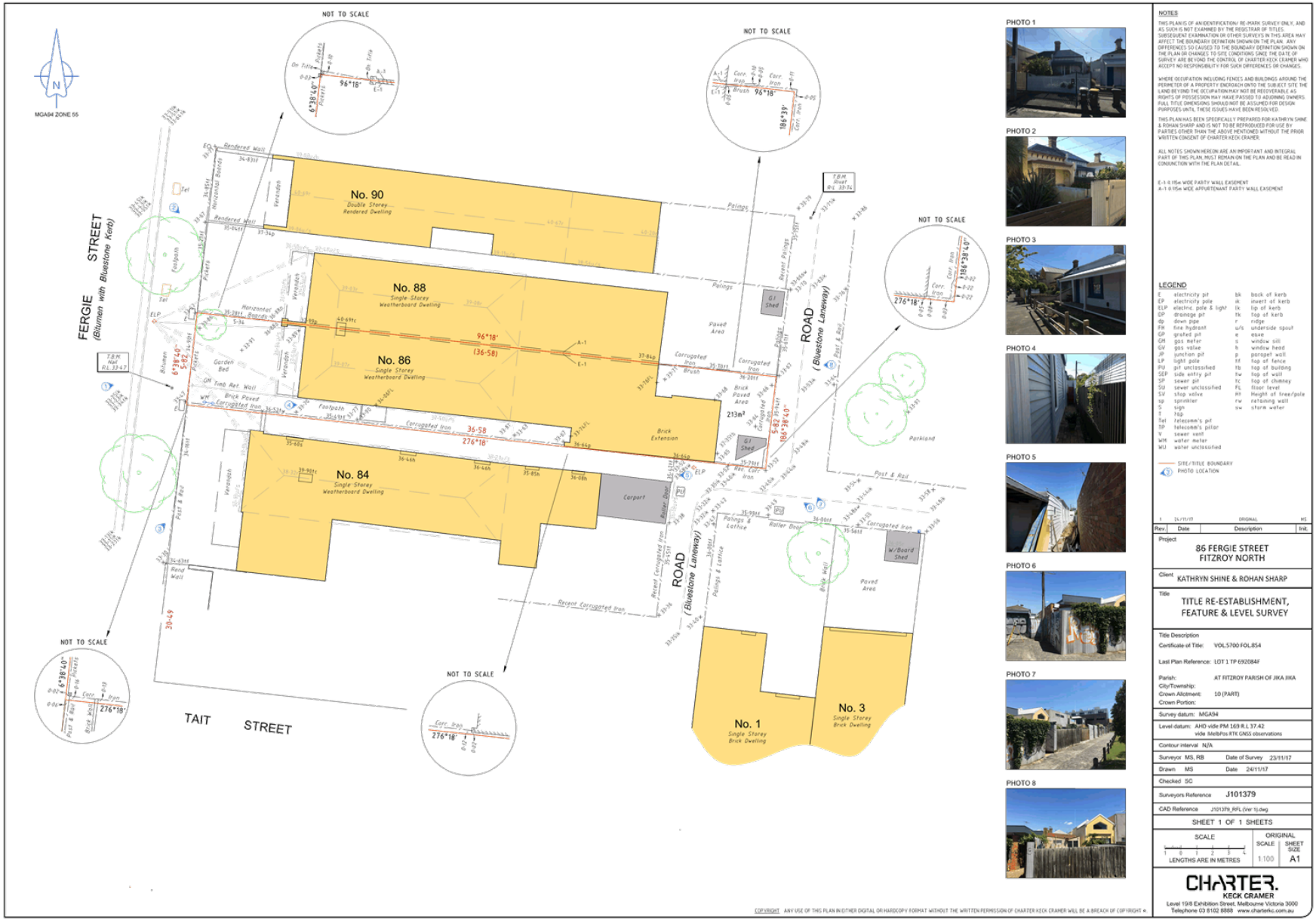
Attachment 1 - PLN17/0005 86 Fergie Stret Fitzroy North. site and context





Neighbourhood Residential Zone – Schedule 1

Attachment 2 - PLN17/0005 - 86 Fergie Street Fitzroy North. Land Survey



Attachment 3 - PLN17/0005 - 86 Fergie Street, Fitzroy North. Revised section 57A plans. DECISION PLANS

FERGIE STREET HOUSE: ALTERATIONS & ADDITIONS
TOWN PLANNING 7 (TP7) SET

DRAWING SCHEDULE			
STAGE	**SHEET NO.**	**SHEET TITLE**	**SCALE**
TP7	01	COVER SHEET & DRAWING SCHEDULE	1:2000
TP7	02	DEMOLITION & SALVAGE PLANS	1:100
TP7	03	DEMOLITION & SALVAGE ELEVATIONS	1:100
TP7	04	PROPOSED GROUND FLOOR PLANS	1:100
TP7	05	PROPOSED UPPER FLOOR PLANS	1:100
TP7	06	PROPOSED ROOF PLAN	1:100
TP7	07	PROPOSED SECTIONS	1:100
TP7	08	PROPOSED SECTIONS	1:100
TP7	09	PROPOSED ELEVATIONS	1:100
TP7	10	PROPOSED ELEVATIONS	1:100, 1:500
TP7	11	OVERLOOKING DETAILS	1:100
TP7	12	PROPOSED SHADOWS SEPT EQUINOX 9AM	1:100
TP7	13	PROPOSED SHADOWS SEPT EQUINOX 10AM	1:100
TP7	14	PROPOSED SHADOWS SEPT EQUINOX 11AM	1:100
TP7	15	PROPOSED SHADOWS SEPT EQUINOX 12PM	1:100
TP7	16	PROPOSED SHADOWS SEPT EQUINOX 1PM	1:100
TP7	17	PROPOSED SHADOWS SEPT EQUINOX 2PM	1:100
TP7	18	PROPOSED SHADOWS SEPT EQUINOX 3PM	1:100

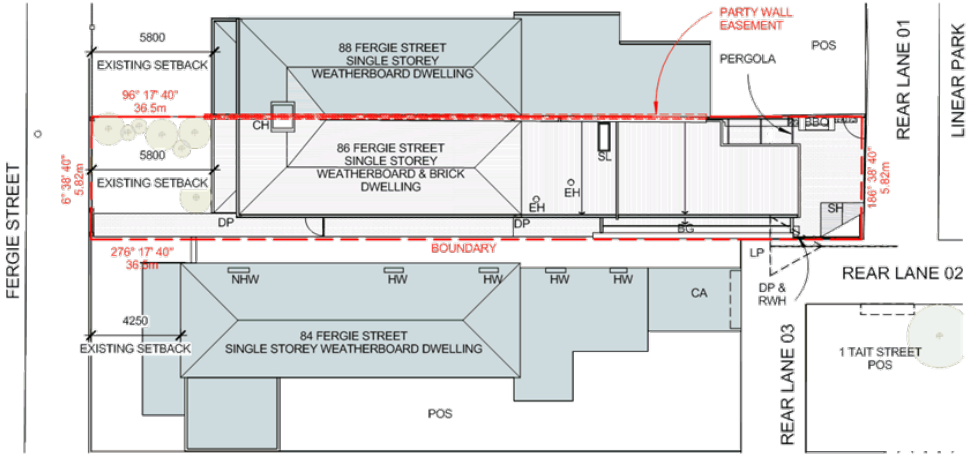
LEGEND

BG	BOX GUTTER
CH	CHIMNEY
CA	CARPORT
DP	DOWNPIPE
EH	RH & BA EXHAUST
HW	HABITABLE WINDOW
NHW	NON-HABITABLE WINDOW
LP	LIGHT POLE
RWH	RAINWATER HEAD
POS	PRIVATE OPEN SPACE
SH	SHED
SL	SKY LIGHT

SITE 1:1000 SITE LOCATION

EXISTING REAR LANE 01 VIEW

EXISTING STREET VIEW



0m 2m 4m 6m 8m 10m

1 EXISTING SITE PLAN
1 : 200

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* ALL LEVELS ARE IN METRES * ALL DIMENSIONS ARE IN MILLIMETRES * FLOOR PLANS ARE TYPICAL; HYDRAWN AT 1200MM ABOVE FFL. WINDOWS ABOVE OR BELOW 1200MM (BR) SHOWN FOR CLARITY. REFER ELEVATIONS & SCHEDULES FOR ACTUAL WINDOW HEIGHTS.
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* REFER TO SCHEDULES FOR INTERPRETATION OF CODES, MATERIAL SELECTIONS & INSTRUCTIONS
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No.	Description	Date
B	TP Objector Response	20/06/2017

FERGIE STREET HOUSE

client: ROHAN SHARP & KATHRYN SHINE
site address: 86 FERGIE STREET NORTH FITZROY
description: ALTERATIONS AND ADDITIONS
date: 20/09/2017 5:35:36 PM

COVER SHEET & DRAWING SCHEDULE

file: 1602 VIC 3068
check: ELY drawn: KF revision:
stage: PRELIMINARY scale: 1:1000, 1:200

TP7-01

TOWN PLANNING

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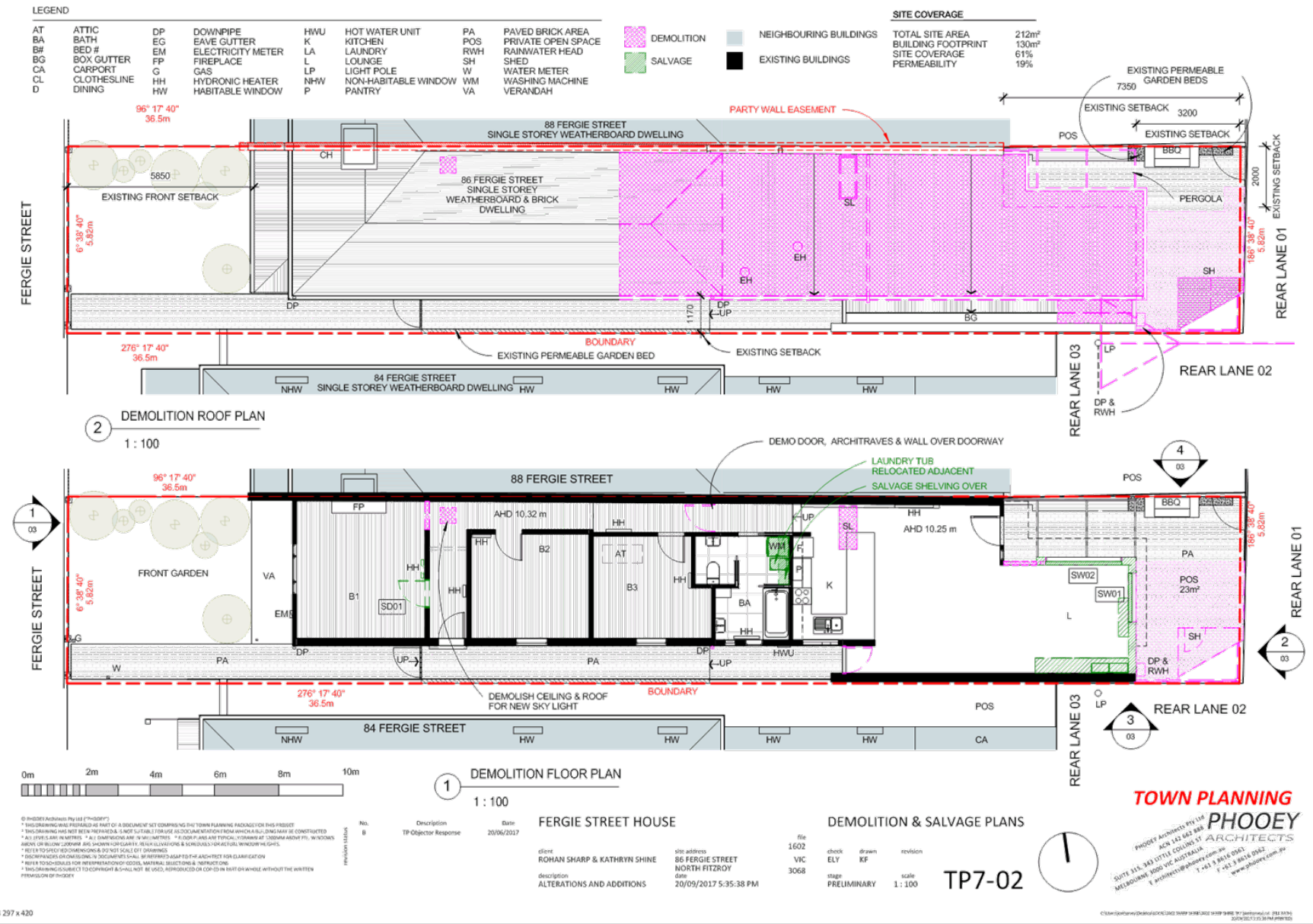
A3 297 x 420

Attachment 3 - PLN17/0005 - 86 Fergie Street, Fitzroy North. Revised section 57A plans. DECISION PLANS



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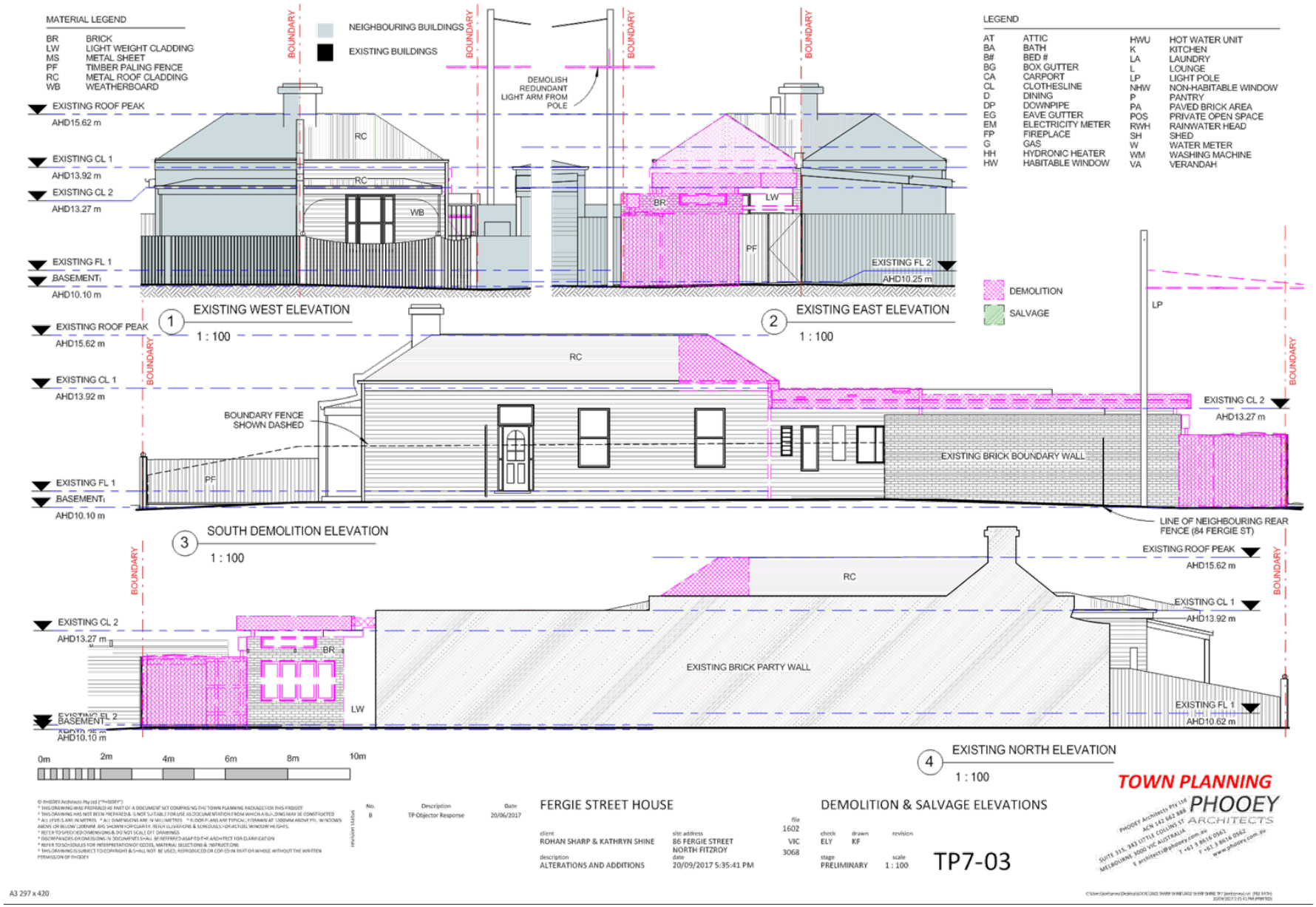

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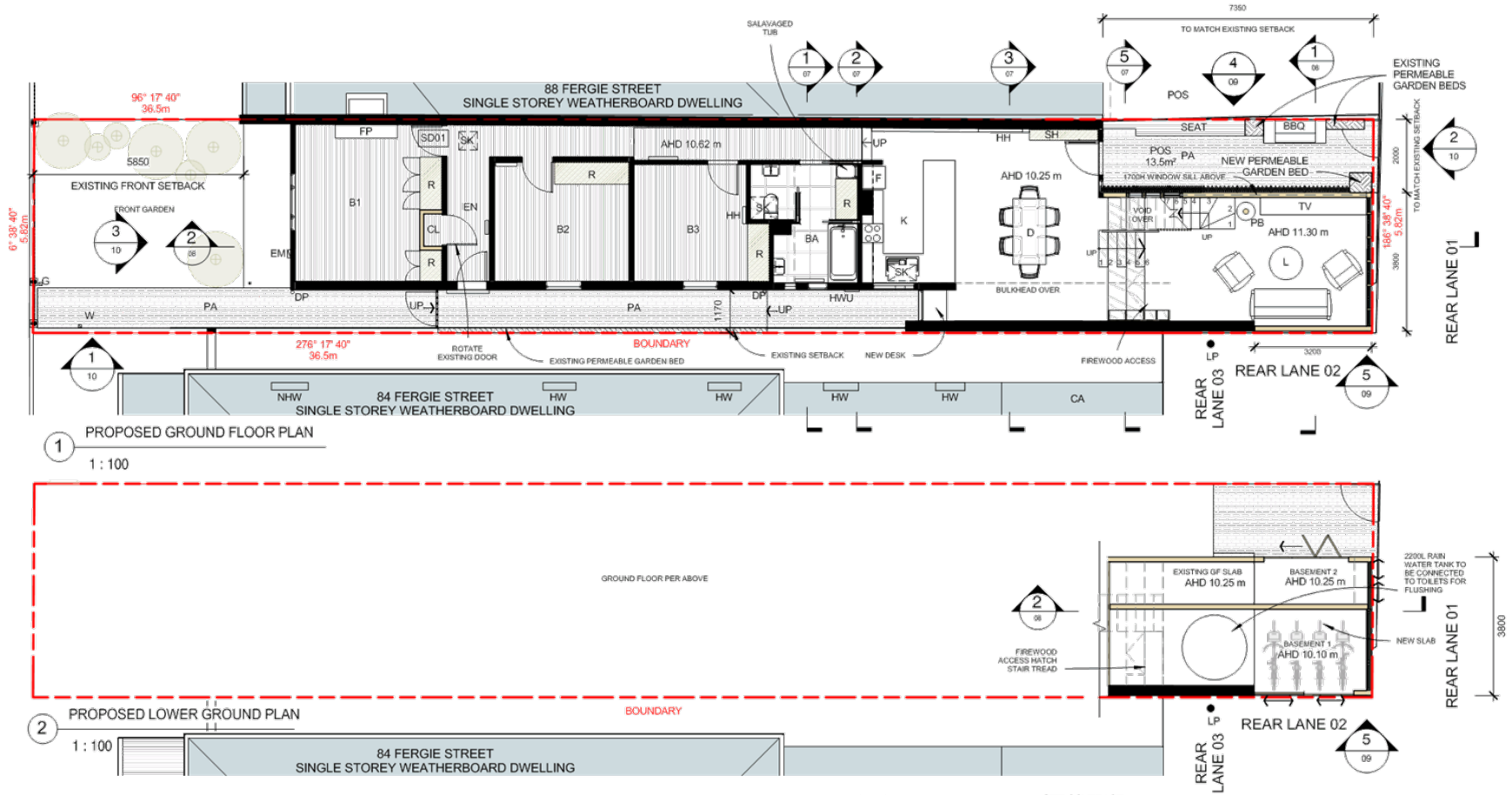


1 PROPOSED GROUND FLOOR PLAN
1 : 100

2 PROPOSED LOWER GROUND PLAN
1 : 100

LEGEND

B	BROOM	HW	HABITABLE WINDOW	PT	LAUNDRY PASS THROUGH		NEIGHBOURING BUILDINGS
BA	BATHROOM	HWU	HOT WATER UNIT	R	ROBE		EXISTING BUILDINGS
B#	BED #	K	KITCHEN	RG	ROOF GARDEN		PROPOSED CONSTRUCTION
BG	BOX GUTTER	L	LOUNGE	RWH	RAINWATER HEAD		NEW JOINERY
CA	CARPORT	LA	LAUNDRY	RWT	RAINWATER TANK		
D	DINING MEZZANINE	LP	LIGHT POLE	SK	NEW SKYLIGHT		
DP	DOWNPIPE	LW	LOUVRED WINDOW	SH	SHELF		
EM	ELECTRICITY METER	NHW	NON-HABITABLE WINDOW	ST	STUDY		
F	FLUE	PA	PAVED BRICK AREA	SW	SALVAGED BIFOLD WINDOW		
FA	FAMILY ROOM	PB	POT BELLY STOVE	W	WATER METER		
G	GAS	PL	PLANTER	WM	WASHING MACHINE		
HH	HYDRONIC HEATER	POS	PRIVATE OPEN SPACE	WW	WALKWAY		

AREA TOTALS

INTERIOR ALTERATIONS	11m²
NEW GROUND LEVEL ADDITIONS	12m²
NEW UPPER LEVEL ADDITIONS (inc. STAIRS)	58m²
NEW UPPER DECK	9m²
TOTAL	90m²

SITE COVERAGE

EXISTING TOTAL SITE AREA	212m²	POS	
EXISTING BUILDING FOOTPRINT	130m²		
EXISTING SITE COVERAGE	61%	EXISTING POS	23m²
EXISTING PERMEABILITY	19%	PROPOSED COMBINED POS	22.5m²
PROPOSED BUILDING FOOTPRINT	143m²		
PROPOSED SITE COVERAGE	67%		
PROPOSED PERMEABILITY	19%		

No.	Description	Date
B	TP Objector Response	20/06/2017
C	Basement clarification	20/09/2017

FERGIE STREET HOUSE

client: ROHAN SHARP & KATHRYN SHINE
site address: 86 FERGIE STREET NORTH FITZROY
description: ALTERATIONS AND ADDITIONS
date: 20/09/2017 5:35:46 PM

PROPOSED GROUND FLOOR PLANS

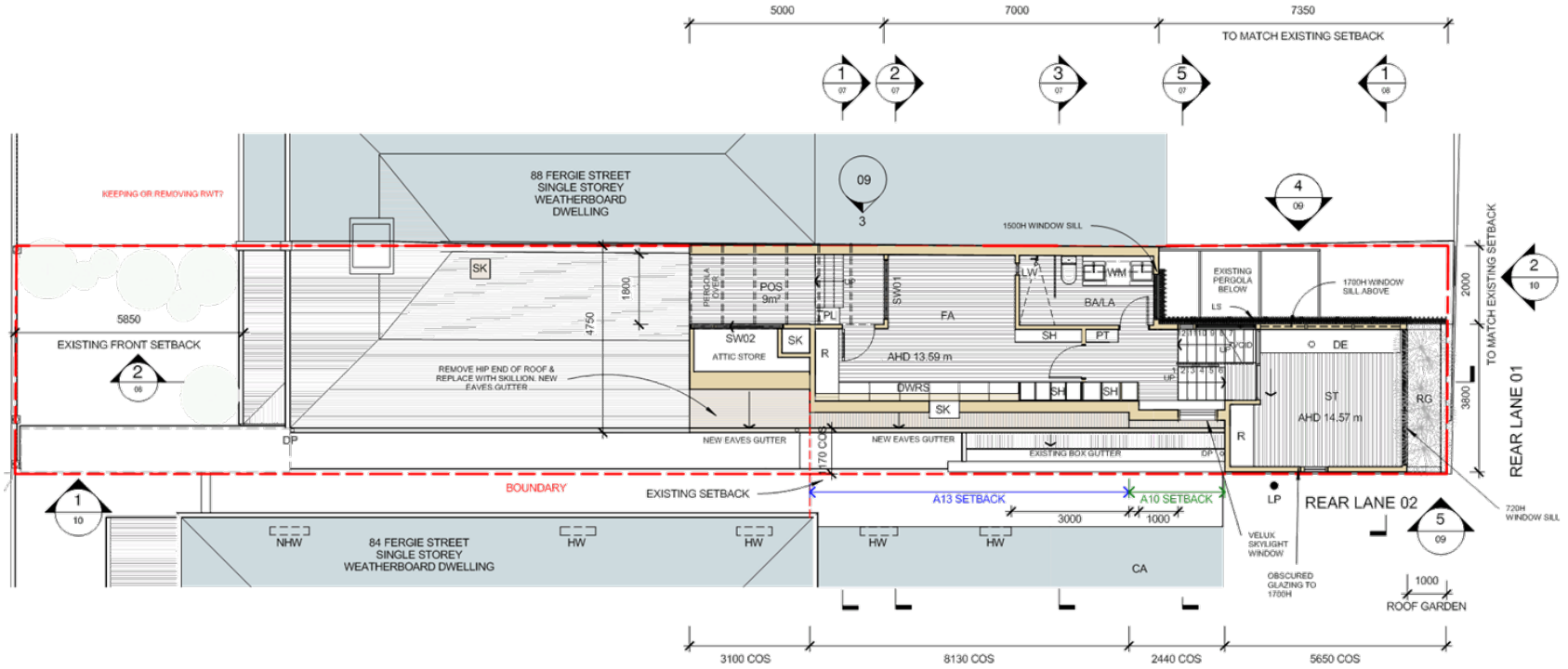
file: 1602
check: ELY
drawn: AM
revision: VIC 3068
stage: PRELIMINARY
scale: 1 : 100

TP7-04

TOWN PLANNING
PHOOEY ARCHITECTS

A3 297 x 420

Attachment 3 - PLN17/0005 - 86 Fergie Street, Fitzroy North. Revised section 57A plans. DECISION PLANS



LEGEND

B	BROOM	HW	HABITABLE WINDOW	PT	LAUNDRY PASS THROUGH		
BA	BATHROOM	HWU	HOT WATER UNIT	R	ROBE		NEIGHBOURING BUILDINGS
B#	BED #	K	KITCHEN	RG	ROOF GARDEN		EXISTING BUILDINGS
BG	BOX GUTTER	L	LOUNGE	RWH	RAINWATER HEAD		PROPOSED CONSTRUCTION
CA	CARPORT	LA	LAUNDRY	RWT	RAINWATER TANK		NEW JOINERY
D	DINING MEZZANINE	LP	LIGHT POLE	SK	NEW SKYLIGHT		
DP	DOWNPIPE	LW	LOUVRED WINDOW	SH	SHELF		
EM	ELECTRICITY METER	NHW	NON-HABITABLE WINDOW	ST	STUDY		
F	FLUE	PA	PAVED BRICK AREA	SW	SALVAGED BIFOLD WINDOW		
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No.	Description	Date
B	TP Objector Response	20/06/2017

FERGIE STREET HOUSE

client: ROHAN SHARP & KATHRYN SHINE
site address: 86 FERGIE STREET NORTH FITZROY 3068
description: ALTERATIONS AND ADDITIONS
date: 20/09/2017 5:35:52 PM

PROPOSED UPPER FLOOR PLANS

file: 1602 VIC
check: ELY
drawn: JH
revision:
stage: PRELIMINARY
scale: 1 : 100

TP7-05

TOWN PLANNING
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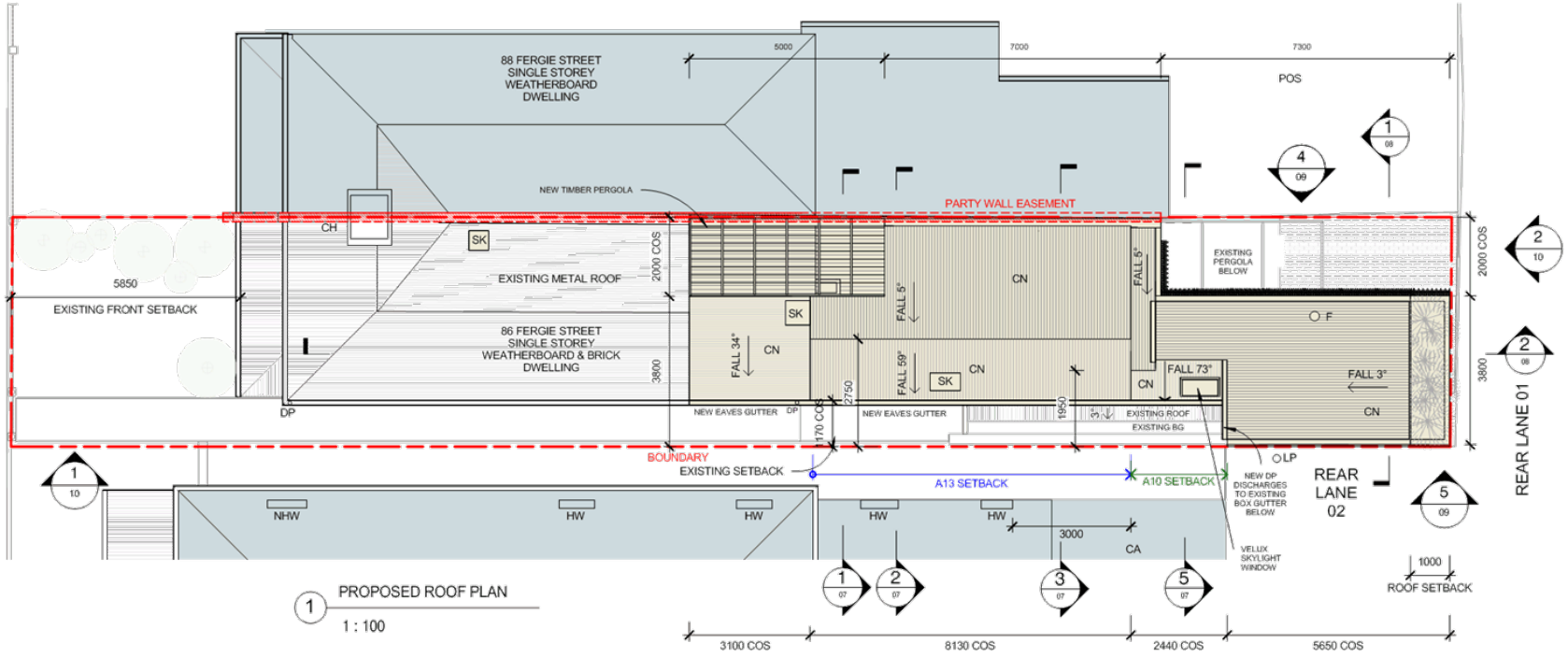
F +61 3 8614 0562 www.phooey.com.au

A3 297 x 420

Attachment 3 - PLN17/0005 - 86 Fergie Street, Fitzroy North. Revised section 57A plans. DECISION PLANS



1 PROPOSED ROOF PLAN
1 : 100

LEGEND

B	BROOM	HW	HABITABLE WINDOW	PT	LAUNDRY PASS THROUGH
BA	BATHROOM	HWU	HOT WATER UNIT	R	ROBE
B#	BED #	K	KITCHEN	RG	ROOF GARDEN
BG	BOX GUTTER	L	LOUNGE	RWH	RAINWATER HEAD
CA	CARPORT	LA	LAUNDRY	RWT	RAINWATER TANK
D	DINING MEZZANINE	LP	LIGHT POLE	SK	NEW SKYLIGHT
DP	DOWNPIPE	LW	LOUVRED WINDOW	SH	SHELF
EM	ELECTRICITY METER	NHW	NON-HABITABLE WINDOW	ST	STUDY
F	FLUE	PA	PAVED BRICK AREA	SW	SALVAGED BIFOLD WINDOW
FA	FAMILY ROOM	PB	POT BELLY STOVE	W	WATER METER
G	GAS	PL	PLANTER	WM	WASHING MACHINE
HH	HYDRONIC HEATER	POS	PRIVATE OPEN SPACE	WW	WALKWAY

NEIGHBOURING BUILDINGS
EXISTING BUILDINGS
PROPOSED CONSTRUCTION
NEW JOINERY

MATERIAL LEGEND

BRN	MASONRY (RED AND WHITE COLOR)
CN	METAL CLADDING (WHITE COLOR)
CS	METAL CLADDING (ZINCALUME)
LS	LACEWORK (GOLD COLOR)
GL	GLAZED WINDOW (GOLD COLOR FRAME)

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No.	Description	Date
B	TP Objector Response	20/06/2017

FERGIE STREET HOUSE

client: ROHAN SHARP & KATHRYN SHINE
site address: 86 FERGIE STREET NORTH FITZROY
description: ALTERATIONS AND ADDITIONS
date: 20/09/2017 5:35:59 PM

PROPOSED ROOF PLAN

file: 1602 VIC 3068
check: ELY
drawn: AM
revision:
stage: PRELIMINARY
scale: 1 : 100

TP7-06

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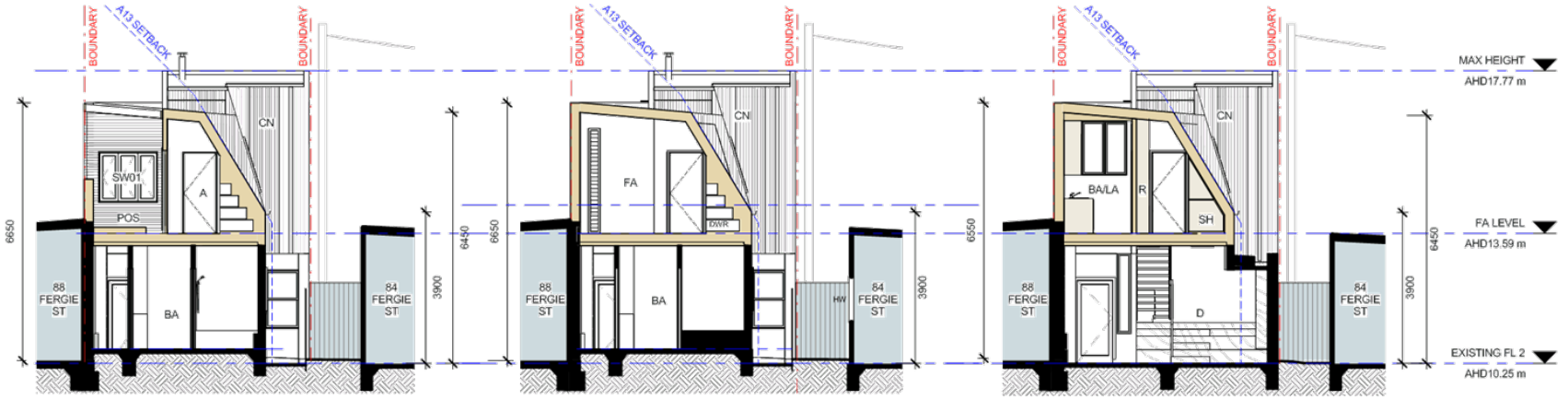
A3 297 x 420

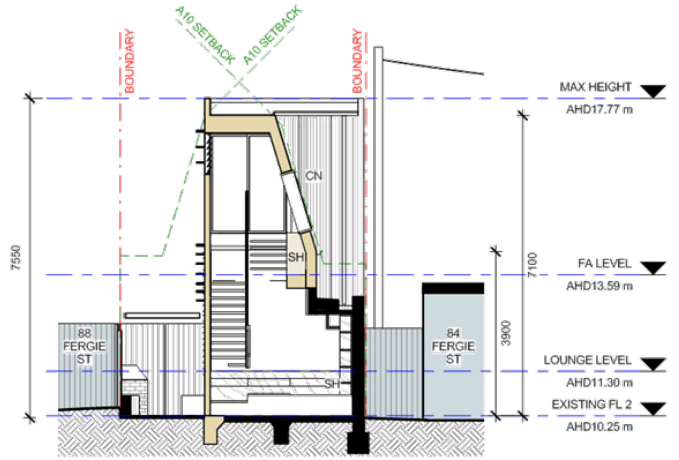
Attachment 3 - PLN17/0005 - 86 Fergie Street, Fitzroy North. Revised section 57A plans. DECISION PLANS



1/04 SECTION 1 — 1 : 100

2/04 SECTION 2 — 1 : 100

3/04 SECTION 3 — 1 : 100



5/04 SECTION 5 — 1 : 100

LEGEND

B	BROOM	HW	HABITABLE WINDOW	PT	LAUNDRY PASS THROUGH
BA	BATHROOM	HWU	HOT WATER UNIT	R	ROBE
B#	BED #	K	KITCHEN	RG	ROOF GARDEN
BG	BOX GUTTER	L	LOUNGE	RWH	RAINWATER HEAD
CA	CARPORT	LA	LAUNDRY	RWT	RAINWATER TANK
D	DINING MEZZANINE	LP	LIGHT POLE	SK	NEW SKYLIGHT
DP	DOWNPIPE	LW	LOUVRED WINDOW	SH	SHELF
EM	ELECTRICITY METER	NHW	NON-HABITABLE WINDOW	ST	STUDY
F	FLUE	PA	PAVED BRICK AREA	SW	SALVAGED BIFOLD WINDOW
FA	FAMILY ROOM	PB	POT BELLY STOVE	W	WATER METER
G	GAS	PL	PLANTER	WM	WASHING MACHINE
HH	HYDRONIC HEATER	POS	PRIVATE OPEN SPACE	WW	WALKWAY

NEIGHBOURING BUILDINGS
EXISTING BUILDINGS
PROPOSED CONSTRUCTION
NEW JOINERY

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revision status	No.	Description	Date
	B	TP Objector Response	20/06/2017
	C	Basement clarification	20/09/2017

FERGIE STREET HOUSE

client: ROHAN SHARP & KATHRYN SHINE

site address: 86 FERGIE STREET NORTH FITZROY

description: ALTERATIONS AND ADDITIONS

date: 20/09/2017 5:36:01 PM

PROPOSED SECTIONS

file: 1602 VIC 3068

check: ELY drawn: JH

stage: PRELIMINARY scale: 1 : 100

TP7-07

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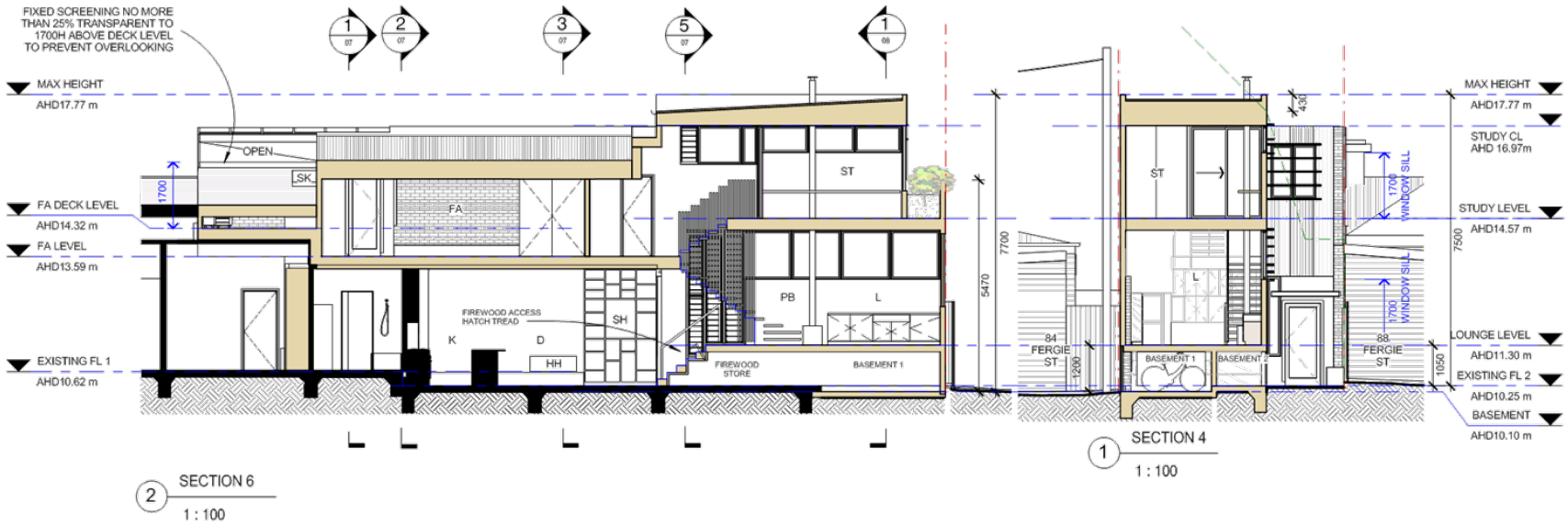
A3 297 x 420

Attachment 3 - PLN17/0005 - 86 Fergie Street, Fitzroy North. Revised section 57A plans. DECISION PLANS



No.	Description	Date
B	TP Objector Response	20/06/2017
C	Basement clarification	20/09/2017

FERGIE STREET HOUSE

client: ROHAN SHARP & KATHRYN SHINE
site address: 86 FERGIE STREET NORTH FITZROY
description: ALTERATIONS AND ADDITIONS
date: 20/09/2017 5:36:04 PM
file: 1602 VIC 3068
check: ELY/PH drawn: JH revision:
stage: PRELIMINARY scale: 1 : 100

PROPOSED SECTIONS

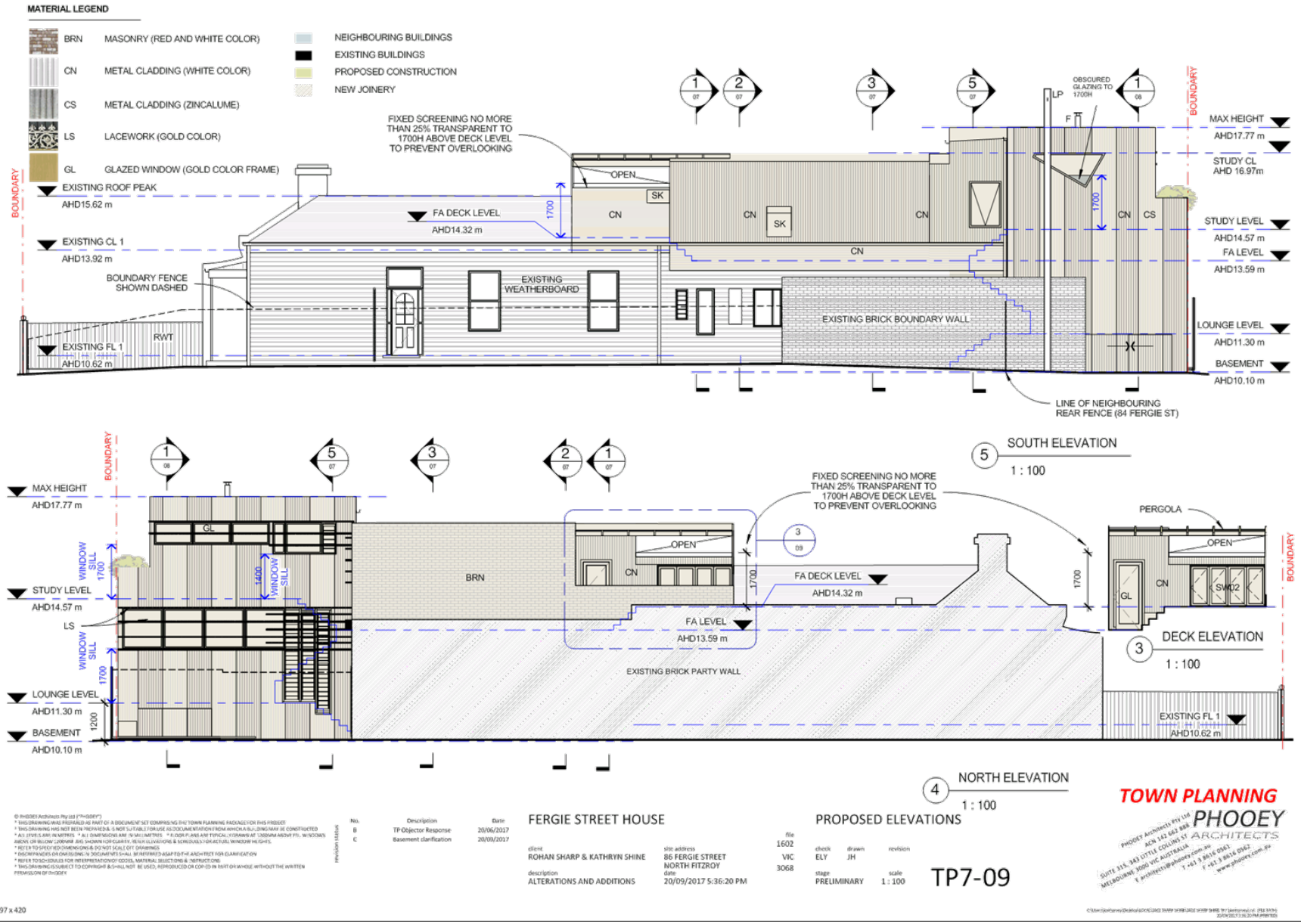
TP7-08

A3 297 x 420

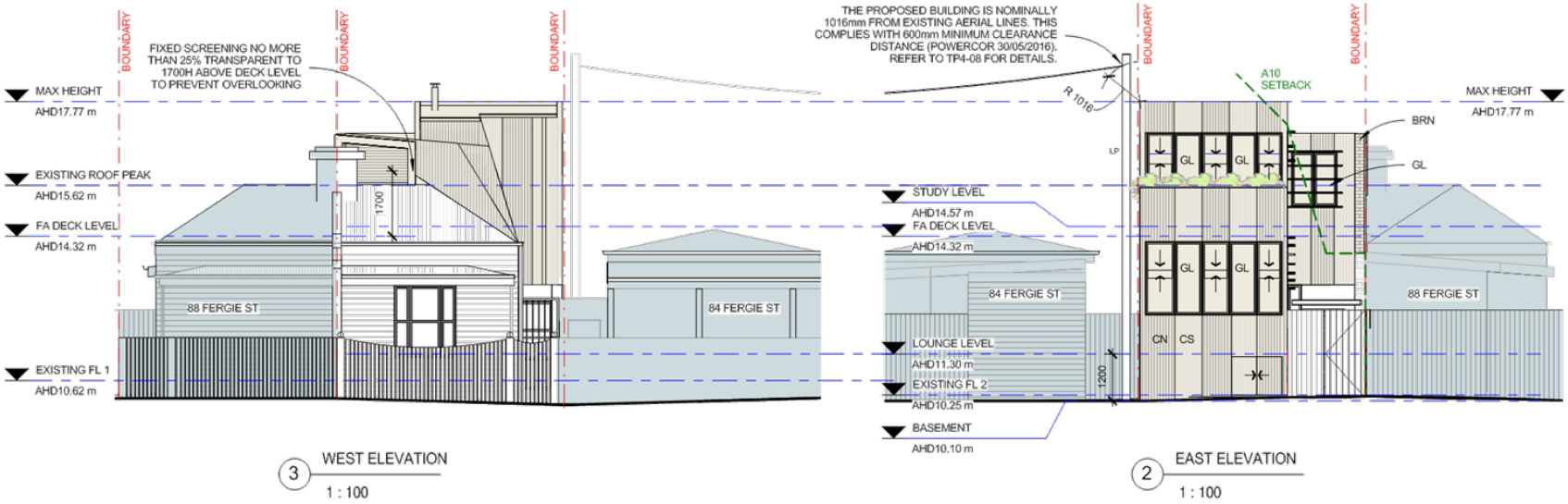
TOWN PLANNING

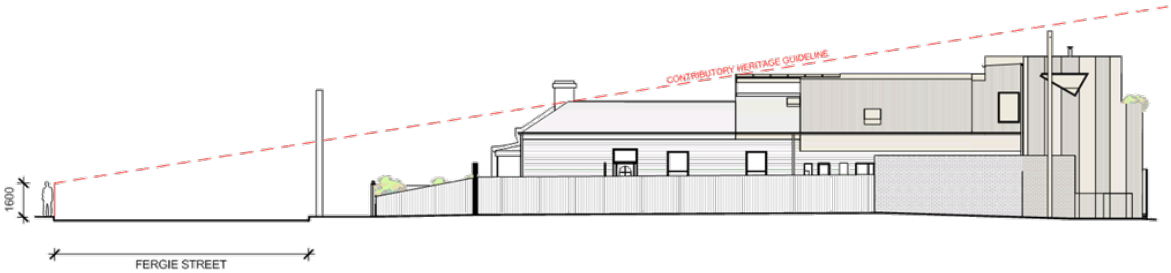
PHOOEY ARCHITECTS

Attachment 3 - PLN17/0005 - 86 Fergie Street, Fitzroy North. Revised section 57A plans. DECISION PLANS



Attachment 3 - PLN17/0005 - 86 Fergie Street, Fitzroy North. Revised section 57A plans. DECISION PLANS





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revision status	No.	Description	Date
	B	TP Objector Response	20/06/2017
	C	Basement clarification	20/09/2017

FERGIE STREET HOUSE

client: ROHAN SHARP & KATHRYN SHINE
site address: 86 FERGIE STREET NORTH FITZROY
description: ALTERATIONS AND ADDITIONS
date: 20/09/2017 5:36:25 PM

PROPOSED ELEVATIONS

file: 1602 VIC 3068
check: ELY/PH drawn: JH
revision:
stage: PRELIMINARY
scale: As indicated

TP7-10

A3 297 x 420

TOWN PLANNING

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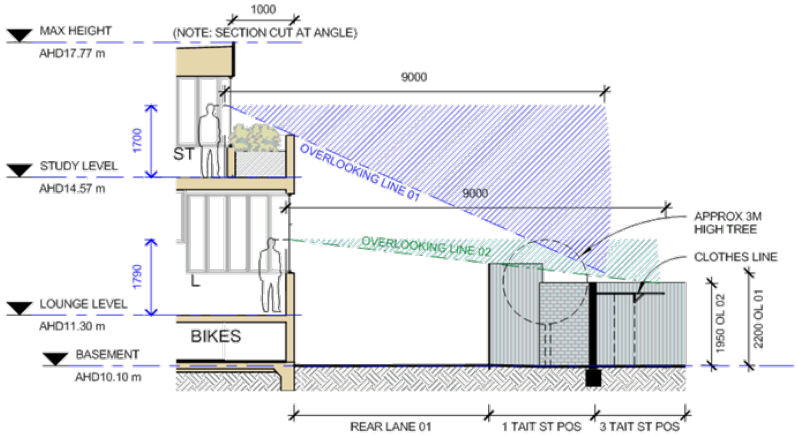
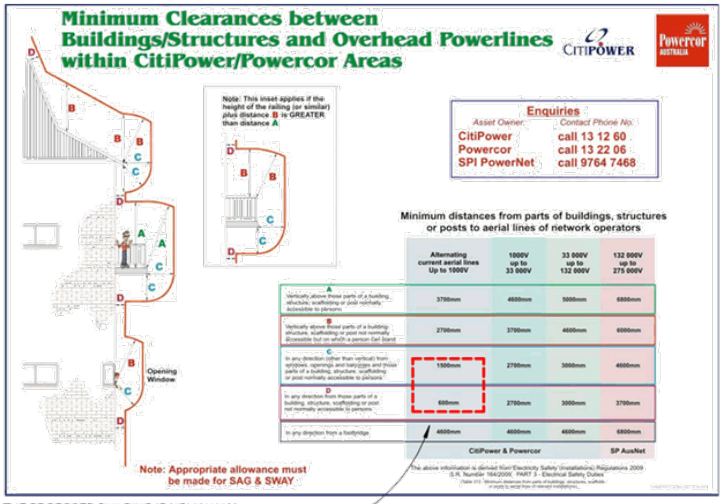
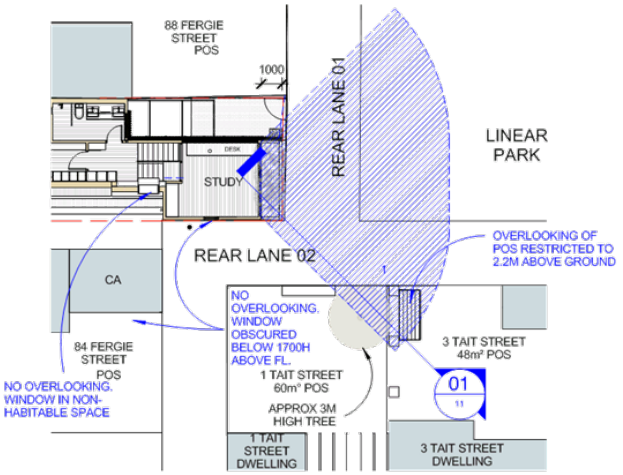
Attachment 3 - PLN17/0005 - 86 Fergie Street, Fitzroy North. Revised section 57A plans. DECISION PLANS



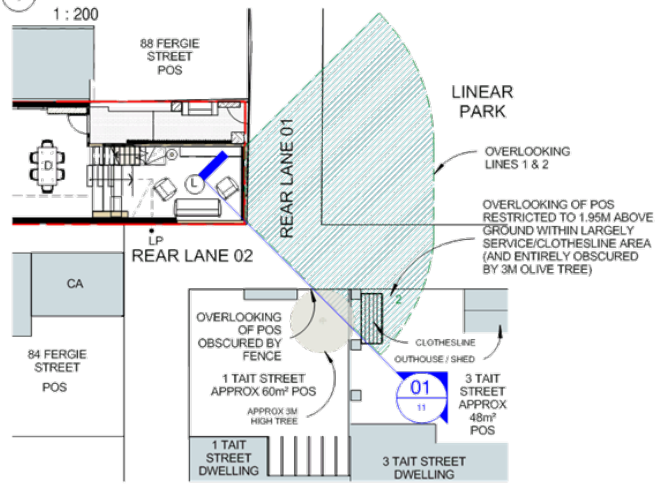
01/11 OVERLOOKING SECTION 1
1 : 100



THE PROPOSED BUILDING IS NOMINALLY 1016mm FROM EXISTING AERIAL LINES. THIS COMPLIES WITH 600mm MINIMUM CLEARANCE DISTANCE (POWERCOR 30/05/2016). REFER TO TP4-07 FOR DETAILS.



1 FIRST FLOOR OVERLOOKING
1 : 200



3 GROUND FLOOR OVERLOOKING PLAN
1 : 200

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No.	Description	Date
B	TP Objector Response	20/06/2017
C	Basement clarification	20/09/2017

FERGIE STREET HOUSE

client: ROHAN SHARP & KATHRYN SHINE
site address: 86 FERGIE STREET NORTH FITZROY
description: ALTERATIONS AND ADDITIONS
date: 20/09/2017 5:36:30 PM

file: 1602 VIC 3068
check: ELY/PH
drawn: AM
revision:
stage: PRELIMINARY
scale: As indicated

OVERLOOKING DETAILS

TP7-11

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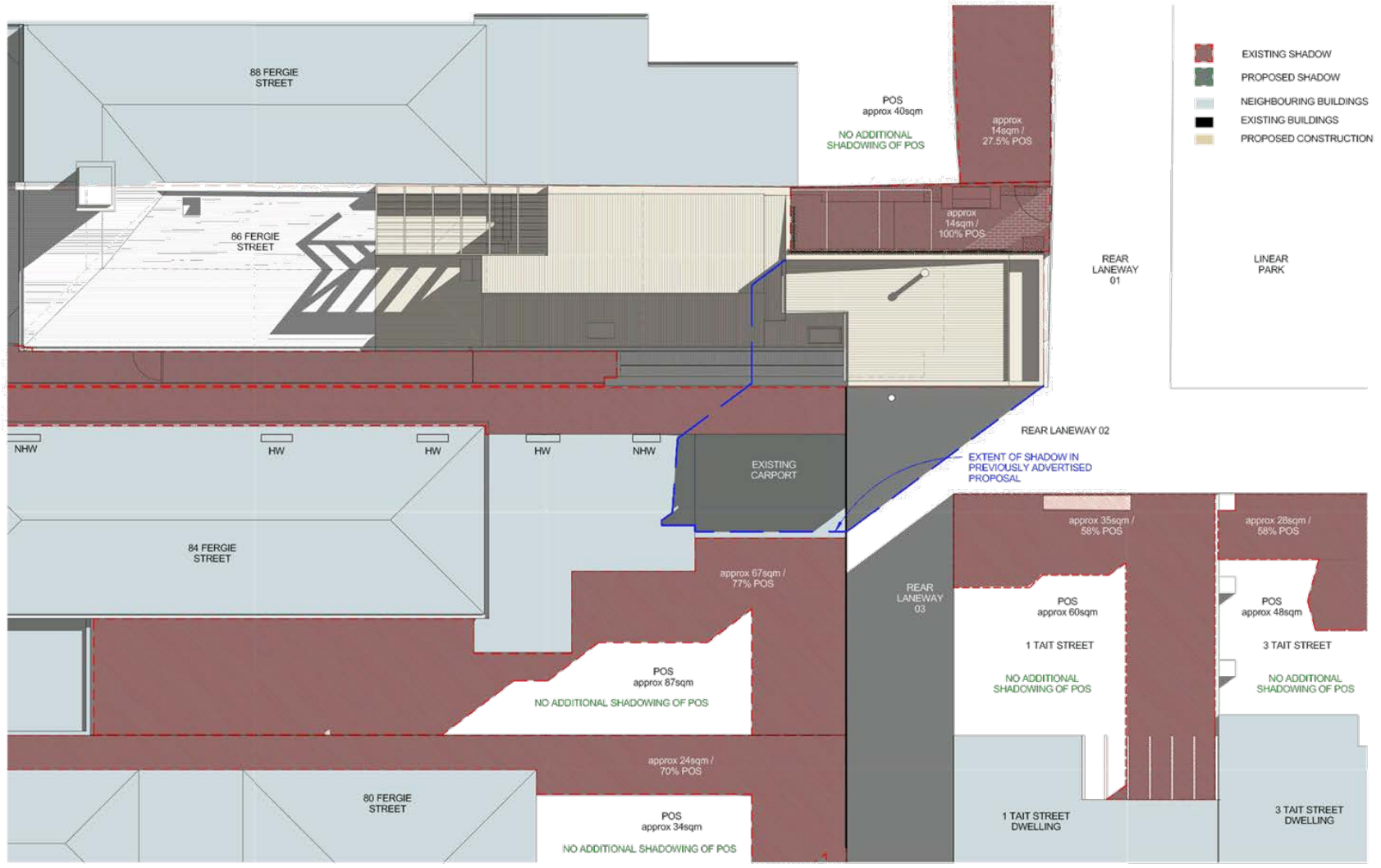
A3 297 x 420

Attachment 3 - PLN17/0005 - 86 Fergie Street, Fitzroy North. Revised section 57A plans. DECISION PLANS



TOWN PLANNING

PHOOEY ARCHITECTS

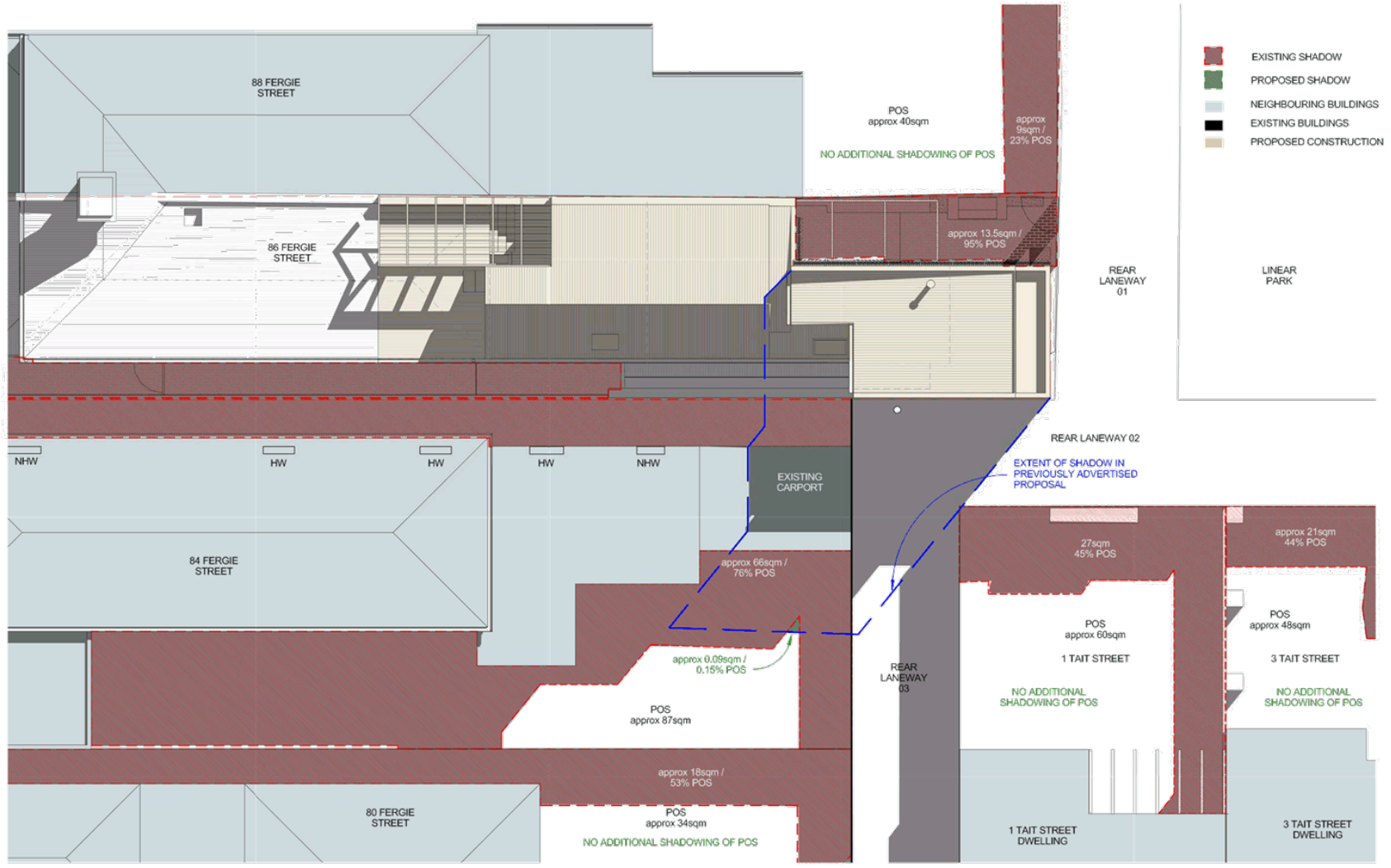
FERGIE STREET HOUSE

PROPOSED SHADOWS SEPT EQUINOX 9AM

TP7-12

A3 297 x 420

Attachment 3 - PLN17/0005 - 86 Fergie Street, Fitzroy North. Revised section 57A plans. DECISION PLANS



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No.	Description	Date
B	TP Objector Response	20/06/2017

FERGIE STREET HOUSE

client: ROHAN SHARP & KATHRYN SHINE
site address: 86 FERGIE STREET NORTH FITZROY
description: ALTERATIONS AND ADDITIONS
date: 20/09/2017 5:36:41 PM

file: 1602 VIC 3068
check: ELY
drawn: JH
revision:
stage: PRELIMINARY
scale: 1 : 100

PROPOSED SHADOWS SEPT EQUINOX 10AM

TP7-13

TOWN PLANNING

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E architects@phooey.com.au
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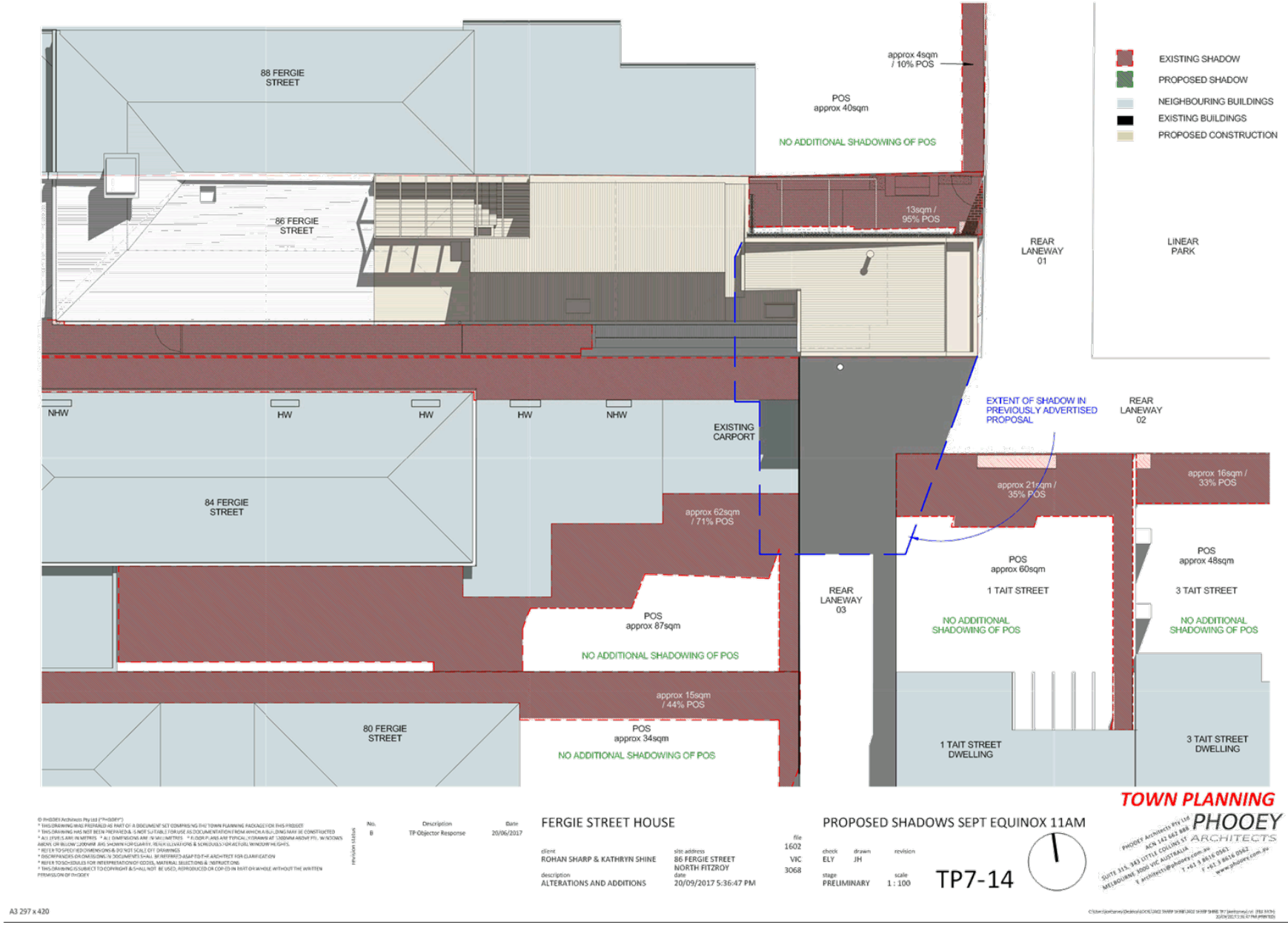
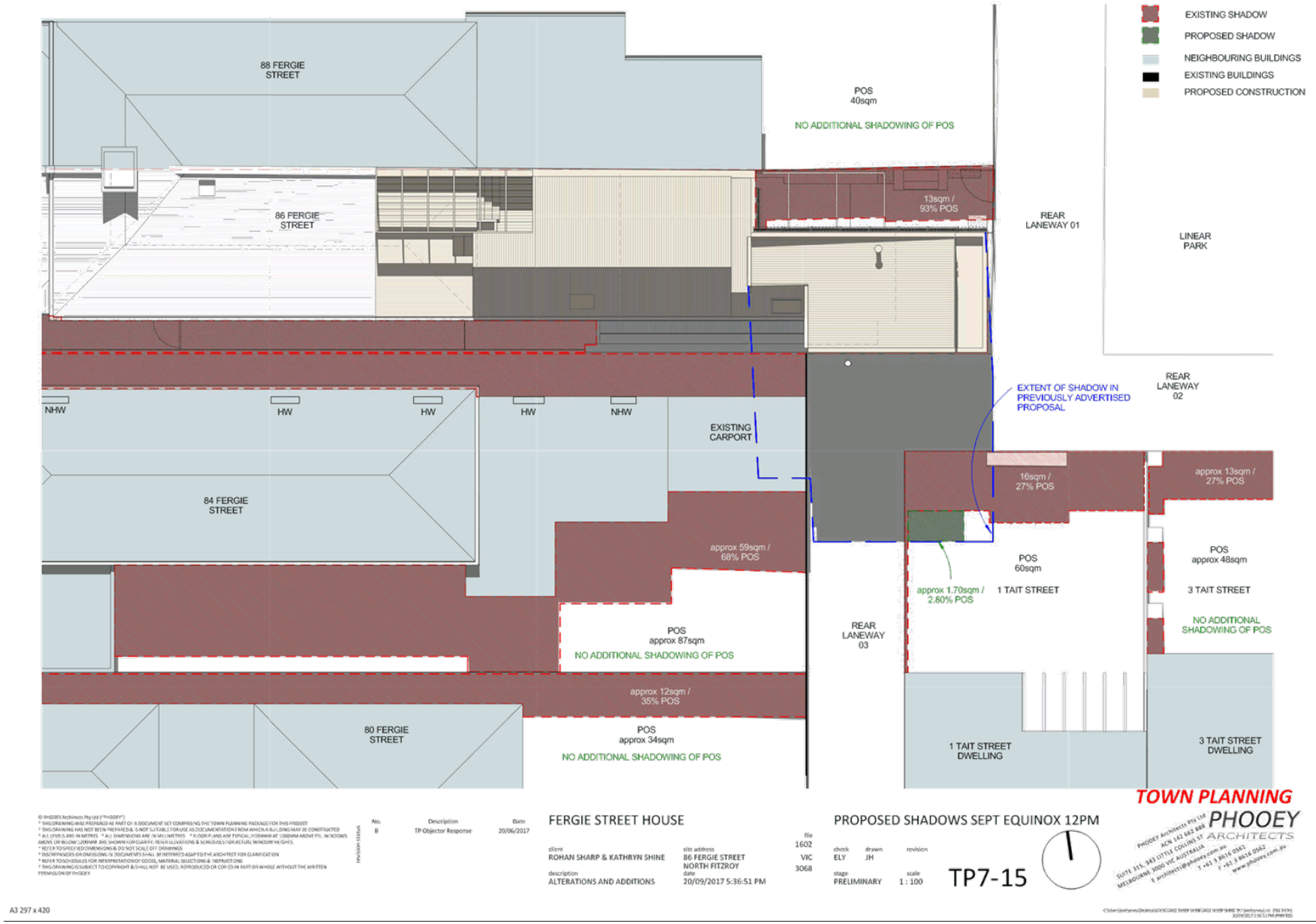
A3 297 x 420

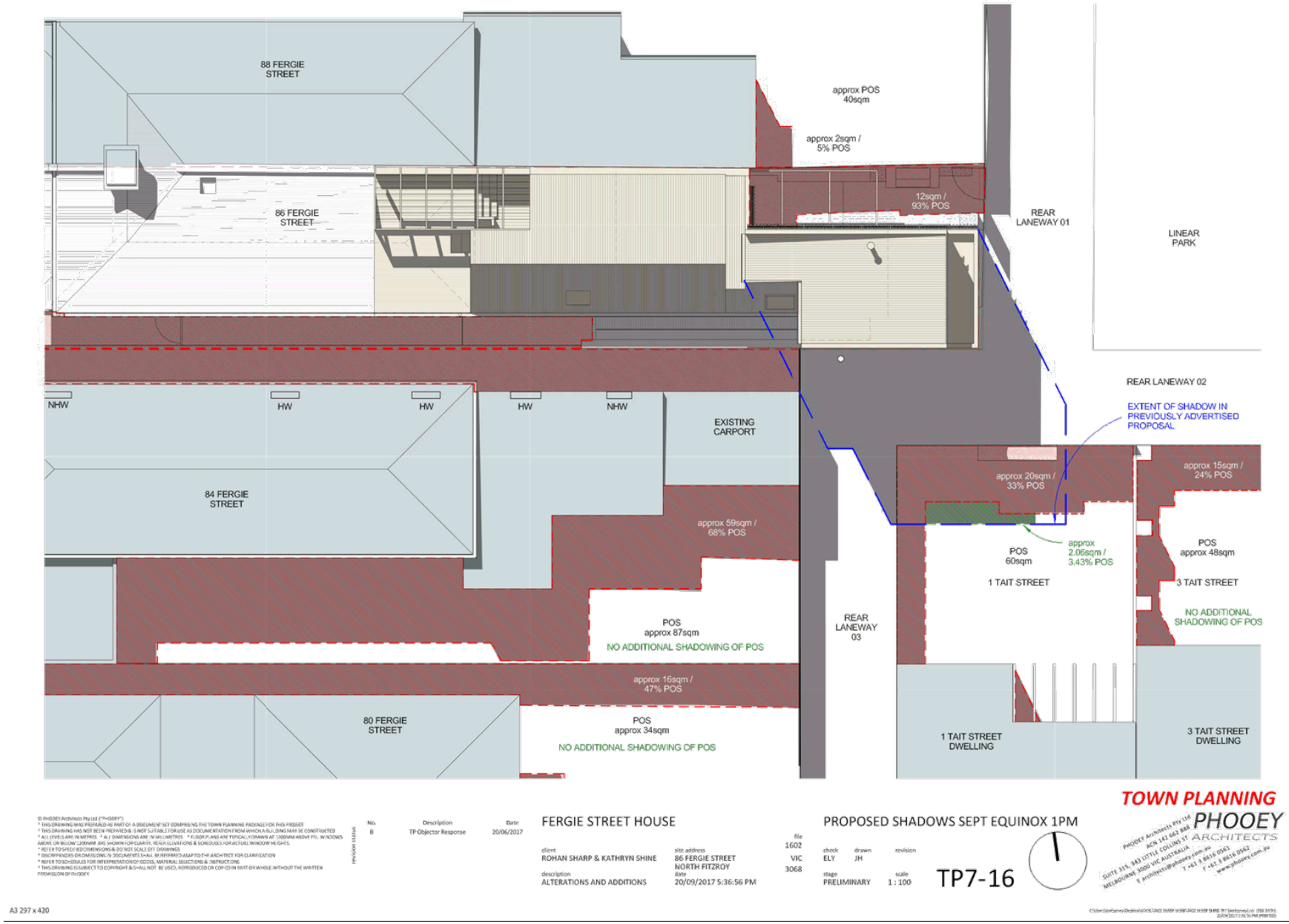
Attachment 3 - PLN17/0005 - 86 Fergie Street, Fitzroy North. Revised section 57A plans. DECISION PLANS



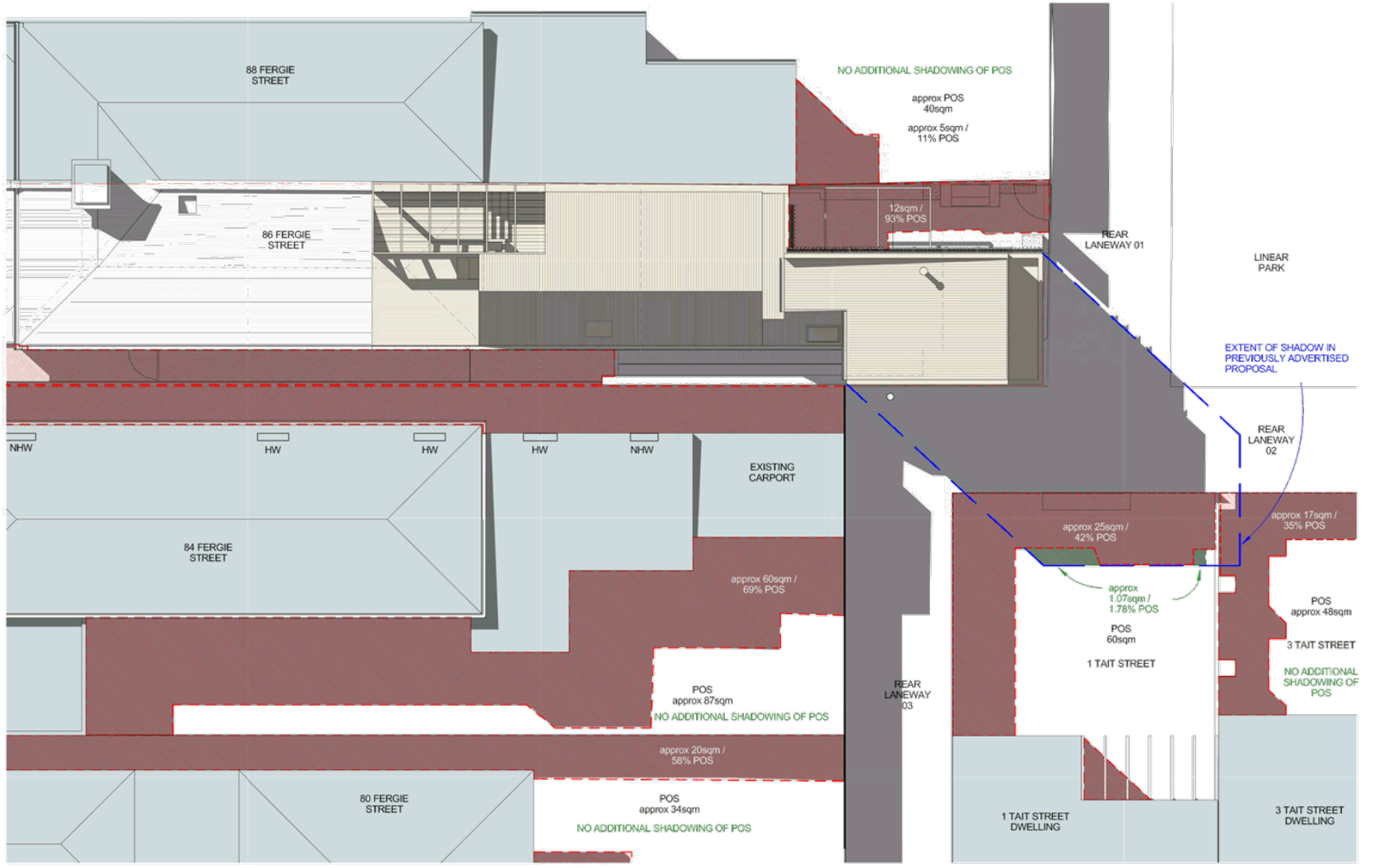
Attachment 3 - PLN17/0005 - 86 Fergie Street, Fitzroy North. Revised section 57A plans. DECISION PLANS



Attachment 3 - PLN17/0005 - 86 Fergie Street, Fitzroy North. Revised section 57A plans. DECISION PLANS



Attachment 3 - PLN17/0005 - 86 Fergie Street, Fitzroy North. Revised section 57A plans. DECISION PLANS



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No.	Description	Date
B	TP Objector Response	20/06/2017

FERGIE STREET HOUSE

client: ROHAN SHARP & KATHRYN SHINE

site address: 86 FERGIE STREET NORTH FITZROY

description: ALTERATIONS AND ADDITIONS

date: 20/09/2017 5:37:01 PM

file: 1602 VIC 3068

check: ELY drawn: JH revision:

stage: PRELIMINARY scale: 1 : 100

PROPOSED SHADOWS SEPT EQUINOX 2PM

TP7-17

A3 297 x 420

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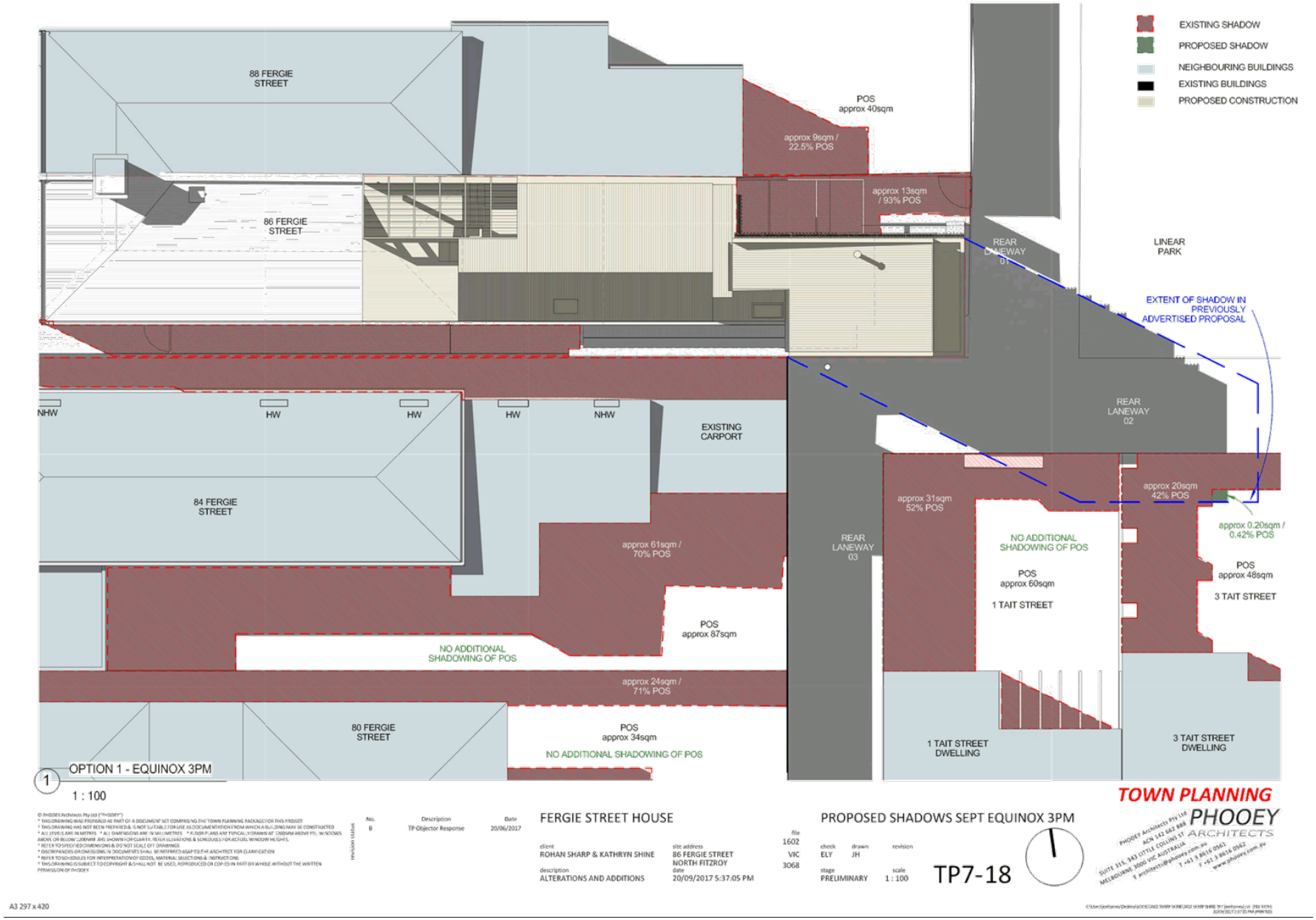
Attachment 3 - PLN17/0005 - 86 Fergie Street, Fitzroy North. Revised section 57A plans. DECISION PLANS



Attachment 3 - PLN17/0005 - 86 Fergie Street, Fitzroy North. Revised section 57A plans. DECISION PLANS

EXISTING CONDITIONS - LINEAR PARK RESERVE

PROPOSED CONDITIONS - LINEAR PARK RESERVE

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revision status	No.	Description	Date
	B	TP Objector Response	20/06/2017

FERGIE STREET HOUSE

client: ROHAN SHARP & KATHRYN SHINE

site address: 86 FERGIE STREET NORTH FITZROY

description: ALTERATIONS AND ADDITIONS

date: 20/09/2017 5:37:10 PM

file: 1602 VIC 3068

check: ELY drawn: JH

revision

stage: PRELIMINARY scale

PERSPECTIVE FROM LINEAR PARK RESERVE

TP7-19

A3 297 x 420

TOWN PLANNING
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