YARRA CITY COUNCIL

Internal Development Approvals Committee

Agenda

to be held on Wednesday 24 July 2019 at 6.30pm in Meeting Rooms 1 & 2 at the Richmond Town Hall

Rostered Councillor membership

Councillor Amanda Stone
Councillor Jackie Fristacky
Councillor Mi Lin Chen Yi Mei

I. ATTENDANCE
Nish Goonetilleke (Senior Planner)
Sarah Griffiths (Acting Manager Statutory Planning)
Cindi Johnston (Governance Officer)

II. DECLARATIONS OF PECUNIARY INTEREST AND CONFLICT OF INTEREST

III. CONFIRMATION OF MINUTES

IV. COMMITTEE BUSINESS REPORTS

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

Guidelines for public participation at Internal Development Approval Committee meetings

POLiCY

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

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

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

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

Governance Branch
2008

1. Committee business reports

Item		Page	Rec. Page
1.1	PLN18/0829 - 26 Grant Street, Fitzroy North - Full demolition of the existing dwelling and the construction of a double-storey dwelling and reduction in car parking requirements.	5	25
1.2	PLN16/0471.01 - 344 Johnston Street, Abbotsford - Section 72 amended to the permit preamble to delete reference to dwellings, a reduction in car parking, external alterations including increasing the overall height, alterations to the front and rear setbacks, changes in materials and internal reconfigurations	62	89
1.3	48 - 50 Lithgow Street Abbotsford - PLN19/0011 - (Use of the land for office and food and drinks premises (cafe), buildings and works and a reduction in the car parking and bicycle parking requirements.)	141	154

1.1 PLN18/0829 - 26 Grant Street, Fitzroy North - Full demolition of the existing dwelling and the construction of a double-storey dwelling and reduction in car parking requirements.

Executive Summary

Purpose

1. This report provides Council with an assessment of a planning permit application submitted for No. 26 Grant Street, Fitzroy North VIC 3068, which seeks approval for full demolition of the existing dwelling and the construction of a double-storey dwelling and reduction in car parking requirements. The report recommends approval, subject to conditions.

Key Planning Considerations

2. Key planning considerations include:

   (a) Clause 22.02 – Development guidelines for sites subject to the heritage overlay;
   (b) Clause 22.07 – Development abutting laneways;
   (c) Clause 22.16 – Stormwater management (Water Sensitive Urban Design);
   (d) Clause 32.09 – Neighbourhood Residential Zone (Schedule 1);
   (e) Clause 43.01 – Heritage Overlay; and
   (f) Clause 54 – One dwelling on a lot (Rescode).

Key Issues

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

   (a) Clause 54 (Rescode);
   (b) Heritage;
   (c) Car parking; and
   (d) Objector concerns.

Submissions Received

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

   (a) Impact on heritage streetscape and loss of heritage dwelling;
   (b) Built form (setbacks, heights, material colours, overdevelopment);
   (c) Amenity impacts (visual bulk, loss of privacy and daylight);
   (d) Health impacts from proposed fireplace/chimney; and
   (e) Potential for graffiti.

5. Seventeen letters of support were received to the application.

Conclusion

6. Based on the following report, the proposal is considered to comply with the relevant planning policy and should therefore be supported subject to the following key recommendations:

   (a) Ground floor study deleted or setback in line with the principle façade, including removal of associated roofing;

   (b) Front fence extended to entire width of the Grant Street frontage; and

   (c) Hit-and-miss brick fence along Alfred Crescent reduced in height to no greater than the ground floor wall height.

CONTACT OFFICER: **Emily Zeng**
TITLE: **Statutory Planner**
TEL: **03 9205 5363**

1.1 PLN18/0829 - 26 Grant Street, Fitzroy North - Full demolition of the existing dwelling and the construction of a double-storey dwelling and reduction in car parking requirements.

Trim Record Number: D19/75888
Responsible Officer: Senior Coordinator Statutory Planning

Proposal:	Full demolition of the existing dwelling and the construction of a double-storey dwelling and reduction in car parking requirements.
Existing use:	Dwelling
Applicant:	Matt Gibson Architecture and Design
Zoning / Overlays:	Neighbourhood Residential Zone (Schedule 1) Heritage Overlay (Schedule 327)
Date of Application:	2 November 2018
Application Number:	PLN18/0829

Planning History

7. No previous planning applications have been lodged with Council for the subject site.

Background

8. The subject site is situated on an irregular-shaped allotment and is orientated in a south-west and north-east direction. For ease of the report, the Grant Street frontage will be referred to as west; the Alfred Crescent frontage will be referred to as north, the laneway interface as east and remaining boundary as south.

9. Councillor Coleman requested this application be determined at the Internal Development Approvals Committee (IDAC) dated 24 July 2019.

The Proposal

10. The proposal is for full demolition of the existing dwelling and the construction of a double-storey dwelling. The proposal is summarised as follows:

Demolition

11. Full demolition of existing single-storey dwelling, including existing vegetation (no permit required) and fencing.

Construction - Ground Floor

12. Construction of a double-storey dwelling. The ground floor will contain a study, powder room, master bedroom with associated ensuite and wardrobe, laundry/pantry, open plan kitchen and dining area and a living area. Private open space (POS) is provided within the northern portion of the site and includes decking, swimming pool and garden area. A carport is located within the south-eastern portion of the site and provides on-site car parking for one vehicle and is accessible from the eastern laneway via a sliding gate. Beneath the proposed carport will be an underground rainwater tank with a capacity of 5000L which will be connected to toilets for flushing.

13. The ground floor will be built to the southern boundary for a length of 21.945 with the inclusion of a 3.575m long courtyard which will mirror the adjoining courtyard at No. 24 Grant Street to the south. The boundary wall will have a minimum height of 2.965m and maximum height of 6.98m associated with the proposed living room roofing.

14. The dwelling will be setback between 1.35m and 2.8m from the south-western (front) boundary. The front setback will include a garden bordered by a 1m high steel rod fence for a length of 6m with the remainder of the Grant Street frontage unfenced.

15. From the north-western boundary the dwelling is setback between 1.45m and 11.5m. Along this boundary would be a 1.9m high white painted brick boundary fence which extends for 6.4m before transitioning into a hit-and-miss boundary fence which slopes from 1.9m to 6.71m in height.

16. Along the north-eastern boundary, the proposed carport will abut the boundary for a length of 6.095m at a maximum height of 3.08m with a 1.9m high timber batten sliding gate. The remaining length of eastern boundary will incorporate 1.9m high white painted brick fencing.

Construction - First Floor

17. The first floor will contain three bedrooms, bathroom, powder room and a rumpus room. The first floor will be built to abut the southern boundary for a length of 8.3m at a maximum height of 6.18m above natural ground level before a setback of between 2m and 3.53m.

18. The first floor will be setback 2.79m from Grant Street. From the south-west and north-west boundaries, the first floor (rumpus and bathroom) will be built in line with the proposed ground floor laundry/pantry area and open plan kitchen and dining area. The proposed sloping hit-and-miss fence will provide a screen to the northern windows of the rumpus. The hit-and-miss fence will also incorporate a white metal frame with wires to allow for creeper vegetation.

19. The first floor will be setback between 10.1m and 10.2m from the north-east boundary with a maximum overall height of 8.005m above NGL.

Materials/Finishes

20. Walls – white painted bricks;

21. Roofing – white painted brick tiles, terracotta tiles and shingle cladding;

22. Windows – dark and white metal window trims, hoods and shrouds;

23. Fencing – white painted steel and white bricks;

24. Decking – timber; and

25. Canopies - concrete

Existing Conditions

Subject Site

26. For ease of reference (given the irregular orientation of the site), the site will be described as Grant Street to the west, Alfred Crescent to the north, and a laneway to the east. The subject is located on the east side of Grant Street, between Alfred Crescent to the north and McKean Street to the south, in Fitzroy North. The site is situated on a corner lot with a residential property bordering the southern boundary and a 3m wide bluestone laneway abutting the eastern boundary.

27. The site is irregular in shape with a street frontage of 10.05m to Grant Street, a frontage of 19.51m to Alfred Crescent and a length of 21.54m along the laneway. The site has an overall area of 348sqm.

28. Occupying the site is a three-bedroom, single-storey Victorian-era dwelling with a hipped terracotta tiled roof and a skillion front verandah. The dwelling has a setback of approximately 1.3m from Grant Street which is bordered by an existing 0.86m high brick fence and metal gate. The existing brick fence wraps around the Alfred Crescent façade before increasing to a height of 1.9m.

The dwelling is built along the southern boundary for a length of 26.1m and along the eastern boundary for a length of 7.5m before a setback of between approximately 2.4m and 5.4m. The dwelling is also setback from the northern boundary (Alfred Crescent) by between 0.2m and 6.7m. Private open space (POS) is located to the north and east (rear) of the site and is provided with vegetated and paved areas. There is an existing garage providing one car parking space on site with access from the laneway.

29. The Victorian Heritage Database notes that the building was constructed between 1870 and 1890, and is graded 'not-contributory' to the North Fitzroy Heritage Overlay (HO327).

Surrounding Land

30. The area immediately surrounding the subject site comprises an established residential area characterised by single and double-storey heritage dwellings with a number of contemporary ground and first floor extensions, as well as a number of modern in-fill developments.

31. To the north across Alfred Crescent is Edinburgh Gardens.

32. To the east across the bluestone laneway is a single-storey, double-fronted, Victorian-era dwelling with a hipped tiled roof and metal skillion and cast-iron decorated front verandah. The dwelling is built to the western boundary directly abutting the bluestone laneway and is provided with POS within the rear of the site. The on-boundary wall incorporates two habitable room windows as well as a rear roller door providing vehicle access from the laneway.

33. To the south is a single-storey, Victorian-era dwelling which forms one of a row of six similar heritage buildings. The adjoining dwelling has a ground and first floor extension located at the rear of the dwelling which is visible from Alfred Crescent. The heritage dwelling includes a gable roof concealed behind a front parapet with a skillion front verandah. The dwelling is setback 1.35m from Grant Street with a front garden bordered by rendered and brick piers with cast-iron pickets. The dwelling is built along the common boundary with the subject site for a length of approximately 21.8m with the inclusion of an internal northern courtyard. POS is located at the rear of the dwelling.

34. To the west across Grant Street is a double-storey Victorian-era dwelling located on the adjacent corner. The dwelling includes a decorative cast-iron first floor verandah and a low, bluestone front fence.

Planning Scheme Provisions

Zoning

Clause 32.09 Neighbourhood Residential Zone (Schedule 1)

35. Pursuant to the mandatory provisions within *Clause 32.09-4* of the Yarra Planning Scheme (the Scheme), an application to construct or extend a dwelling or residential building on a lot between 400 -500sqm must provide a minimum garden area of 25%. The subject site has an overall area of 348sqm; therefore does not require a minimum garden area of 25%.

36. Pursuant to *Clause 32.09-5* of the Scheme, a planning permit is required to construct or extend one dwelling on a lot less than 500sqm. As the subject is 348sqm, a planning permit is required and must meet the requirements of *Clause 54 (Rescode)*.

37. Pursuant to *Clause 32.09-10* of the Scheme, a building must not exceed nine metres and must not contain more than two storeys at any point. The proposed development will have two storeys with a maximum height of 8.215m and therefore complies with the maximum building height.

Overlays

Heritage Overlay (Schedule 327 – North Fitzroy Precinct)

38. 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, including fences.

Particular Provisions
Clause 52.06 Car parking

39. Pursuant to *Clause 52.06-2* of the Scheme, the required car parking spaces must be provided on the land as the proposed construction of one dwelling on a lot triggers the need for a permit under the Neighbourhood Residential Zone. The following table identifies the car parking requirement under Clause 52.06-5, the provision on site, and the subsequent reduction below the statutory requirement:

Use	No. of Bedrooms	Statutory Requirement	Spaces Required	On-site Provision	Reduction sought
Dwelling	4	2 cars o each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms)	2	1	1

40. One (1) car parking space is proposed to be provided on-site in association with the proposed four-bedroom, double-storey dwelling and therefore a reduction of one (1) space is proposed.

Clause 54 – One dwelling on a lot

41. Pursuant to *Clause 54* of the Scheme, the provisions apply to construct or carry out works associated with one dwelling on a lot under 500sqm in a Neighbourhood Residential Zone.

General Provisions
Clause 65 – Decision Guidelines

42. 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 provisions.

Planning Policy Framework (PPF)
Clause 15.01-1 – Urban design

43. The objectives of this clause are:
    (a) To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity; and
    (b) To create a distinctive and liveable city with quality design and amenity.

Clause 15.01-2 – Building design

44. The objective of this clause is:

    (a) To achieve building design outcomes that contribute positively to the local context and enhance the public realm.

Clause 15.01-5 –Neighbourhood character

45. The objective of this clause is:

    (a) To recognise, support and protect neighbourhood character, cultural identity, and sense of place.

Clause 15.02-1 – Energy and resource efficiency

46. The objective of this clause is:

    (a) To encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions.

Clause 15.03 – Heritage

47. 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

48. The relevant objective of this clause is:

    (a) Objective 14 – To protect and enhance Yarra's heritage places.

Clause 21.05-2 – Urban design

49. 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

50. The subject site is located within the North Fitzroy neighbourhood which is "*known for the beautiful Edinburgh Gardens which combine open space, sportsgrounds, barbecue area, gardens with long-established European elm trees, skate bowl, tennis and basketball courts, bandstand, bowling greens.*

    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."

51. Figure 19, 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

52. This policy refers to an incorporated document "City of Yarra Review of Heritage Overlay Areas 2007", which identifies the level of significance of all buildings/sites within the Heritage Overlay. Specifically, the subject site is identified as 'not-contributory' to the North Fitzroy Heritage Precinct.

Clause 22.02-5.1 – Demolition

Full demolition or removal of a building
53. *Generally encourage the retention of a building in a heritage place, unless*
    (a) The building is identified as being not contributory.

Clause 22.02-5.7 – New Development, Alterations or Additions

54. The relevant policies of Clause 22.02-5.7.1 of the Scheme encourages the design of new development to a heritage place or a contributory element 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.

    Clause 22.02-5.7.1 of the Scheme also seeks to:
    (a) *Encourage setbacks from the principle street frontage to be similar to those of adjoining contributory buildings where there are differing adjoining setbacks, the greater setback will apply.*
    (b) *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.*

    Clause 22.02-5.7.2 – Specific Requirements (where there is conflict or inconsistency between the general and specific requirements, the specific requirements prevail)

55. *Corner site and sites with dual frontages*

    (a) Encourage new building and additions on a site with frontage to two streets, being either a corner site or a site with dual street frontages, to respect the built from and character of the heritage place and adjoining or adjacent contributory elements to the heritage place.
    (b) Encourage new buildings on corner sites to reflect the setbacks of buildings that occupy other corners of the intersection.

56. *Front fences and gates*

    Encourage front fences and gates to be designed to (as relevant)*:*

    (a) Be a maximum of 1.2 metres high if solid or 1.5 metres if more than 50% transparent (excluding fence posts).

    Clause 22.07 – Development abutting laneways

57. *Clause 22.07* of the Scheme applies to applications for development that is accessed from a laneway or has laneway abuttal. The relevant objectives of the policy include:
    (a) To provide an environment which has a feeling of safety for users of the laneway.
    (b) To ensure that development along a laneway acknowledges the unique character of the laneway.
    (c) To ensure that where development is accessed off a laneway, all services can be provided to the development
    (d) To ensure that development along a laneway is provided with safe pedestrian and vehicular access.

    Clause 22.16 – Stormwater management (Water Sensitive Urban Design)
58. *Clause 22.16* of the Scheme applies to applications for new buildings. The relevant objective of the policy is:

(a) To promote the use of water sensitive urban design, including stormwater re-use.

Advertising

59. The application was advertised in accordance with Section 52 of the *Planning and Environment Act 1987*, by way of 28 letters sent to surrounding property owners and occupiers and the display of two signs on-site (along Grant Street and Alfred Crescent).

60. Thirteen objections were received, and raised the following concerns:

    (a) Impact on heritage streetscape and loss of heritage dwelling;
    (b) Built form (setbacks, heights, material colours, overdevelopment);
    (c) Amenity impacts (visual bulk, privacy, daylight);
    (d) Health impacts from proposed fireplace/chimney; and
    (e) Potential for graffiti.

61. Seventeen letters of support were received to the application.

62. A planning consultation meeting was held on 26 February 2019 and attended by objectors, the applicant, and Council planning officers to discuss issues raised in the letters of objection. The applicant did not make any commitments to make changes, therefore the proposal as originally submitted to Council forms the basis of assessment and decision.

63. The proposed reduction of one car parking space for the four-bedroom dwelling received an exemption from advertising at Council's Development Assessment Panel.

Referrals

External Referrals

64. The application was not required to be referred to any external authorities under the Scheme.

Internal Referrals

65. The application was referred to Council's Heritage Advisor. The comments are located in the Appendix to this report.

66. The application was referred to Council's Engineering Unit. The comments are located in the Appendix to this report.

OFFICER ASSESSMENT

67. The primary considerations for this application are as follows:
    (a) Clause 54 (Rescode);
    (b) Heritage;
    (c) Car Parking; and
    (d) Objector concerns.

Clause 54 – (Rescode)

68. The 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) and Clause 22.16 (Stormwater Management).

Standard A1 – Neighbourhood Character

69. The neighbourhood character is characterised by a mixture of substantially intact single and double-storey Victorian-era dwellings with several ground and first floor extensions located at the rear. Directly adjacent to the subject site and further south along Grant Street are a row of six single-storey Victorian-era dwellings which incorporate front verandahs and parapets and a low front fence. Along Alfred Crescent, the immediate streetscape varies between double-storey Victorian-era dwellings and single-storey, double-fronted Victorian-era dwellings.

70. The proposed double-storey dwelling will front Grant Street with a secondary frontage to Alfred Crescent and Edinburgh Gardens. The dwelling will be built within the south-western corner of the irregular lot with POS located within the north-eastern corner. The uniform built form and single-storey façade representation along the eastern side of Grant Street provides a consistent character to the immediate streetscape, however double-storey dwellings exist further to the east along Alfred Crescent, west on the opposite corner and contemporary extensions at the rear of heritage dwellings, can be found within the surrounding neighbourhood.

71. While "heritage" will be considered separately later in the report, the neighbourhood character is largely defined by heritage fabric. The proposed front façade of the dwelling has drawn upon the existing built form and contributory elements of the adjoining row of heritage dwellings including retaining a consistent street setback, built form including a front verandah and façade fenestration, as well as a low metal rod front fence. The proposal references the verandah and parapet heights of the single storey dwellings to the south; before transitioning to the double storey height to the northern corner. Corner sites were traditionally developed by taller elements and this is evident by the double-storey dwelling on the opposite corner.

72. In this context, the inclusion of a contemporary double-storey building on the corner allotment will maintain a similar front setback as adjacent dwellings along the eastern side of Grant Street and a similar side setback as the double-storey dwelling on the opposite corner. The proposal is considered to be an acceptable response to the neighbourhood subject to further consideration of setbacks and simplification of forms.

73. However, the proposed hit-and-miss northern boundary fence with a maximum height of 6.675m will dominate both streets and does not contribute to the existing neighbourhood character. As further discussed in the heritage assessment later in the report, the fence will appear to Alfred Crescent as more of a wall than a fence and is to be conditioned to be reduced to no greater than the ground floor wall height.

74. The overall design of the dwelling is contemporary and unobtrusive to the surrounding neighbourhood with regards to form, materials and finishes (including white painted masonry and referencing window proportions in the street).

Standard A2 - Integration with the street

75. The proposed double-storey dwelling is oriented to directly face Grant Street, with a 6m long portion of 1m high steel rod fencing. The transparent design of the fence and low height will provide direct views to the dwelling's facade, with the orientation of the facade to Grant Street in accordance with dwellings further to the south.

76. The northern boundary of the subject directly abuts Alfred Crescent and provides the dwelling with a 19.51m long secondary frontage to Alfred Crescent. This treatment (i.e. side walls and fences to Alfred Crescent) is reflective of the two-storey dwelling on the opposite corner. The proposed north-facing windows at both ground and first floor behind the proposed hit-and-miss brick fence have been designed to allow views out into the abutting street and the abutting public open space being Edinburgh Gardens. The hit-and-miss fence itself will be discussed further in the report.

Standard A3 – Street setback

77. The subject site is located on a corner allotment with Grant Street to the west, Alfred Crescent to the north and a bluestone laneway to the east. To the immediate south of the subject site is a single-storey dwelling with a rear double-storey extension setback 1.35m from Grant Street which includes a front garden.

78. Table A1 (Street setback) at Clause 54.03-1 specifies that if the site is on a corner and there is an existing building on the abutting allotment facing the front street, the minimum setback from the front street is to be the same distance as the setback of the front wall of the existing building on the abutting allotment or 9 metres, whichever is the lesser.

79. The proposed development will have a front setback of 1.35m from Grant Street which also incorporates a front verandah with an overall setback of 2.79m which is in line with the abutting building to the south. However the study at ground floor protrudes beyond the front façade and will be in line with the verandah. Subject to the study being setback in line with the dwelling, the setbacks would comply with the standard.

80. Table A1 (Street setbacks) at Clause 54.03-1 also specifies that if the site is on a corner, the dwelling should be the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or two metres, whichever is the lesser.

81. Given an existing bluestone laneway abuts the eastern boundary (and not a building), the minimum setback of two metres would apply. The proposal will be setback between a minimum of 1.45m and a maximum of 13.5m from Alfred Crescent.

82. Although the minimum setback of 1.45m does not comply with the 2m requirement of the standard, the proposal is considered to meet the objective as the setback reflects the existing setback of the subject site of between approximately 0.1m and 6.6m. In addition, the setbacks reflect the property located on the opposite corner which provides a principle façade to Grant Street, a double-storey wall on-boundary to Alfred Crescent, and an unfenced area of vegetation. Furthermore at the intersection of Grant Street and McKean Street to the south, all corner allotments have zero setbacks from the secondary street frontage with single and double-storey high boundary walls. Therefore, the proposed setback of 1.45m is considered acceptable as it appropriately references the layout of existing dwellings in the area where secondary frontages are present. On this basis the objectives are met.

Standard A4 – Building height

83. The maximum height of the double-storey dwelling with be 8.235m which is below the maximum height of 9m allowed by the zone; Neighbourhood Residential Zone (Schedule 1).

Standard A5 – Site coverage

84. The standard for site coverage states that the coverage should not exceed 60%. The proposal reduces site coverage from 67% (234sqm) to 55% (192sqm) which complies with the standard.

Standard A6 – Permeability

85. The standard for permeability states that the site area covered by pervious surfaces should be at least 20% of the site. Permeable surfaces will be provided within the front garden setback and within the rear POS by vegetated areas, lawn and uncovered areas of decking. The proposal increases site permeability from 23% (80sqm) to 33% (115sqm) which complies with the standard.

86. Clause 22.16 (Stormwater Management (Water Sensitive Urban Design) of the Scheme applies to this application as a new dwelling is proposed. The proposed ground floor plan indicates that there will be a 5000L rainwater tank beneath the carport along the eastern boundary which will be utilised for sanitary purposes. However, the STORM report provided indicates the installation of a 4800L rainwater tank which will achieve a STORM rating of 100% for the site. Although there is inconsistency between the plans and STORM rating report, given the 4800L rainwater tank achieves a STORM rating of 100%, the 5000L tank will result in an improved STORM rating which is appropriate.

Standard A7 – Energy efficiency protection

87. The standard for energy efficiency aims to achieve and protect energy efficient dwellings and to ensure the orientation and layout of developments reduces fossil fuel energy usage and makes appropriate use of daylight and solar energy.

88. The layout of the dwelling utilises the northern aspect of the site by locating the living areas to the north, with the POS also being located to the north. These areas will be provided with 5.7m (kitchen and dining) and 5.5m (living) wide glazed, sliding doors which will provide adequate amounts of natural daylight and ventilation into the habitable rooms. Canopies above those windows will provide protection from hot summer sun which will reduce reliance on artificial cooling. Furthermore, the kitchen and dining area will be provided additional light from the north-facing window and the living area will be provided additional light from the skylight located in the south-western corner of the roof.

89. The ground floor master bedroom will be provided with a 1.9m wide, fixed and operable, west-facing window overlooking Grant Street which will provide acceptable amounts of natural daylight and ventilation. Given the ensuite will include a door into the southern boundary courtyard, this will provide the master bedroom with a breeze path of approximately 9m.

90. All habitable room windows at first floor will be provided with north and east-facing windows which will provide adequate amounts of natural daylight and ventilation into the bedrooms and rumpus room.

91. With regards to existing rooftop solar energy facilities, there are six existing solar panels located on the first floor, north-facing roof of No. 24 Grant Street to the south (adjacent to the proposed ground floor living area). According to the standard, *buildings should be sited and design to ensure that the performance of existing rooftop solar energy facilities on dwelling on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced*.

92. The adjoining dwelling (No. 24 Grant Street) has a northern boundary wall with a height of approximately 6.8m which will directly abut the proposed double-storey high boundary wall with maximum height of 6.98m. As such, the proposed wall will protrude beyond the height of the existing boundary wall by 0.5m. However, given the orientation of the site and the location of the double-storey component to the south-west of the adjacent first floor addition, the majority of shadows will fall over Alfred Crescent, the subject site and Grant Street. As shown on the shadow diagrams, the proposed development will not overshadow the existing north-facing solar panels which will continue to receive full solar access during the day. Therefore, it is considered that the energy efficiency of adjoining dwellings will not be significantly affected as a result of this proposal.

Standard A8 – Significant trees

93. There are no significant trees on the site that will be affected by the proposed development.

Standard A10 – Side and rear setbacks

94. The standard requires a building not on or within 200mm of a boundary to be setback from the side or rear boundaries 1m, plus 0.3m for every metre of height over 3.6m up to 6.9m, plus 1m for every metre of height over 6.9m.

95. As shown in the table below, the proposed setbacks from the northern walls of the development will comply with the requirements of the standard however, the setbacks from the northern walls of the first floor bathroom and rumpus do not comply.

	Setback Provided	Wall Height	Setback Required	Complies?
Ground floor- northern wall of study/powder room	3.2m to 4.5m	3.8m	1.06m	Yes
Ground floor – northern wall of living room	4.8m to 10.5m	3.08m	1m	Yes
First floor – northern wall of bathroom	3.9m to 4.6m	8.08m	3.17m	Yes
First floor – northern wall of rumpus area	1.45m	6.48m to 7.3m	1.864m to 2.39m	No
Ground floor – eastern wall of living area.	2.24m	3.08m	1m	Yes
Ground floor – eastern wall of kitchen	11.7m	3.58m	1m	Yes
First floor – eastern wall of Bed 2	10.2m	6.4m	5.29m	Yes
First floor – eastern wall of Rumpus	10.1m	6.4m	5.19m	Yes
Ground floor – southern wall of courtyard	1.598m	2.8m	1m	Yes
First floor – southern wall of Bed 2	1.5m to 3.53m	6.2m	1.78m	Partly

96. The setback of the northern wall of the rumpus fails to meet the required setbacks by between 0.414m and 0.94m. Although this wall does not comply with the requirements of the standard, the wall will not be opposite any adjoining dwellings as the walls will directly face onto Alfred Crescent and Edinburgh Gardens. As such, the walls will not create any unreasonable amenity and visual bulk impacts to any adjoining habitable room windows or areas of secluded private open space. The northern bathroom wall will not be visible when viewed from Alfred Crescent as the rumpus room which will be constructed higher and will conceal the bathroom when viewed from the north and east. With regards to the northern wall of the rumpus, as discussed within standard A3 (street setback), the variation to the required setback is considered acceptable as it reflects the prevailing character of minimal side setbacks from secondary frontages as evident on the opposite corner.

97. The setback of the southern wall of the first floor Bed 2 partially fails to meet the required setback by 0.2m. Whilst this portion of wall does not comply with the requirements of the standard, it is directly opposite a proposed double-storey, on-boundary wall with a maximum height of 6.18m which will screen the wall of Bed 2. Although there is a west-facing habitable room window of a first floor bedroom at No. 24 Grant Street located approximately 5m from the wall, the variation in the setback will not result in unreasonable visual bulk and amenity impacts given the bedroom has dual aspect and is provided east-facing glazing out to the first floor balcony (see figure 2 below).

Standard A11 – Walls on boundaries

98. The standard for walls on boundaries states that the permissible length of walls along the southern boundary must not exceed a total length of 14.3575m (for a title length of 27.43m), unless abutting a simultaneously constructed wall. In terms of height, the proposed wall must not exceed an average of 3.2m and a maximum of 3.6m unless abutting a higher or simultaneously constructed wall on an adjoining lot.

99. The total length of wall along the southern boundary will be 21.945m (including a 3.575m long courtyard) with a maximum height of 6.98m above NGL which does not comply with the length or height requirements of the standard.

100. In terms of length, the wall will be constructed to directly abut the existing northern boundary walls of the adjoining property to the south (No. 24 Grant Street). The proposed courtyard measuring 3.575m long will mirror the existing courtyard of the adjoining property to the south; with the new ground floor wall adjacent the courtyard being reduced in height from existing conditions. As such, the length of the proposed boundary walls will not protrude beyond any existing boundary walls which may create amenity and visual bulk impacts to areas of private open space and/or habitable room windows.

101. In terms of height, two sections of boundary wall (as shown below in blue) associated with the ground floor living area and first floor Bed 3 extend beyond the existing height of the northern boundary wall of No. 24 Grant Street (shown hatched).

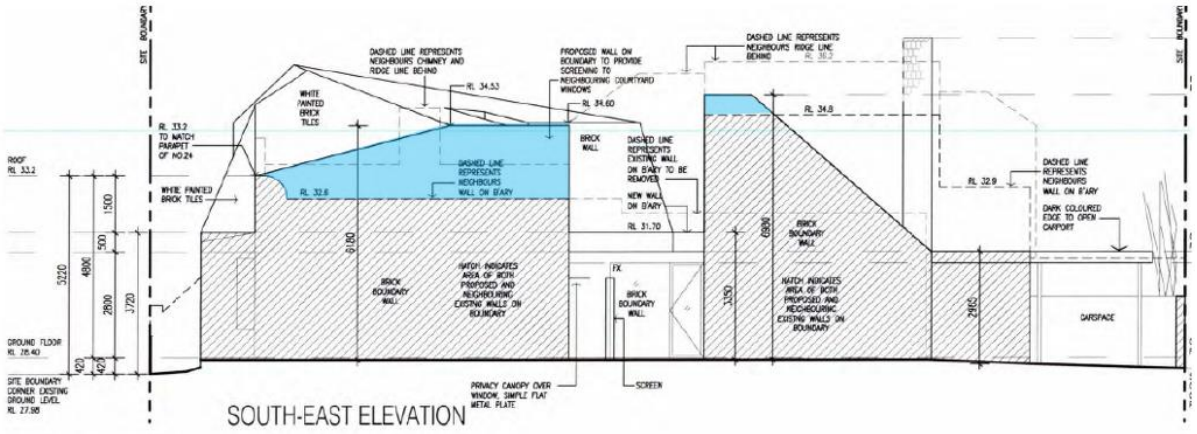

Figure 1: Proposed southern boundary walls (Applicant submission)

102. The double-storey wall associated with Bed 3 at first floor will extend between approximately 0.7m and 1.9m beyond the existing height of the boundary wall of No. 24 Grant Street. Although the wall exceeds the maximum height allowed by the standard, the wall is considered acceptable and will not result in unreasonable amenity impacts as it will directly face the adjoining roof and will not extend beyond the existing courtyard of No. 24 Grant Street.

103. The proposed boundary wall with a maximum height of 6.98m associated with living area will extend 0.5 beyond the height of the existing double-storey high boundary wall of No. 24 Grant Street for a length of 1.8m. Although the wall will be marginally higher than that of the existing wall on boundary, the proposed wall will not create any unreasonable amenity impacts as the additional wall height would face the roof of the neighbouring property and as discussed previously will not impact the existing solar panel facility on the adjoining roof.

104. The proposed boundary wall to be built between the existing courtyard at No. 24 Grant Street and the proposed mirrored courtyard on the subject site measures 3.35m in height which is less than existing conditions. The adjoining courtyard provides daylight to two existing habitable room windows (east-facing bedroom window and west-facing kitchen window). The proposed wall fails to meet the required average of 3.2m above NGL by 0.15m however it would not unreasonably reduce the amenity to the habitable rooms.

The kitchen is located within a dual aspect, open floor plan which provides the primary source of daylight from the east-facing glazing. As such, the wall will not unreasonably decrease daylight into the room. The bedroom will continue to be provided a light court which will allow adequate amounts of daylight. Additionally, the proposed wall is a reduction in height from the existing wall on boundary which measured between 3.8m and 4.2m in height. The reduced wall height is considered an improvement to the existing conditions and would improve visual bulk impacts and increase daylight access into the existing courtyard and the associated habitable room windows of No. 24 Grant Street to the south.

105. The on-boundary wall within the courtyard is not accurately shown on the proposed south-east elevation. The elevation should show the on-boundary wall in its entirety without the light court detailing. Therefore, a condition will require the proposed ground level on-boundary wall shown on the south-east elevation, separate to the internal elevation.

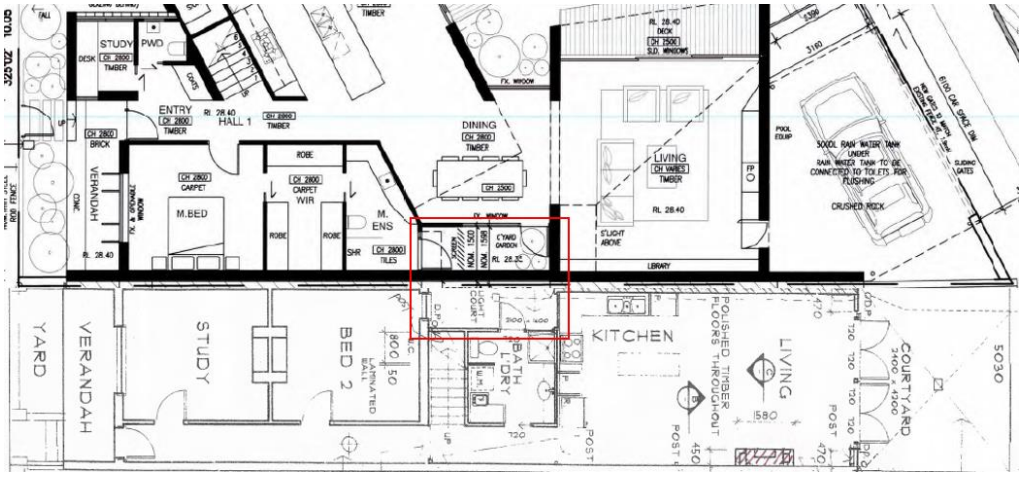

Figure 2: Ground floor plan of No. 24 Grant Street and proposed ground floor plan of subject site – light court boxed in red (Planning Permit No. PLN12/1037 & Applicant Submission)

Standard A12 – Daylight to existing windows

106. Given the site interfaces with Grant Street to the west, Alfred Crescent to the north and a laneway to the east, the only adjacent dwelling is located to the south. All the existing habitable room windows within the adjoining dwelling (No. 24 Grant Street) will continue to be provided with a light court with a minimum area of 3sqm and a minimum dimension of 1m clear to the sky.

Standard A13 – North-facing windows

107. The standard identifies a north-facing window as *a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.*

108. The adjoining dwelling to the south (No. 24 Grant Street) has a ground floor bedroom within its courtyard which incorporates a north-east facing window. As notated on the submitted plans, the window is not a north-facing window as it is not a *window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.*

Standard A14 – Overshadowing open space

109. The standard for overshadowing states *where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75%, or 40sqm with minimum dimension of 3m, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9am and 3pm on 22 September.*

110. The subject site is orientated in a south-west and north-east direction and as such, causes shadows over Alfred Crescent and Grant Street in the morning, and over No. 24 Grant Street in the afternoon. The standard protects only secluded private open space (SPOS) from shadows.
111. The only dwelling impacted by additional shadowing as a result of the proposed development is No. 24 Grant Street. The shadow diagrams submitted by the applicant include the northern boundary courtyard, first floor balcony and the rear private open space in their shadow calculations. As such, the overall area of SPOS for No. 24 Grant Street will be 25.3sqm. However it should be noted that the balcony is not considered to be SPOS as it accessed from the first floor bedroom and not a living room as shown below.

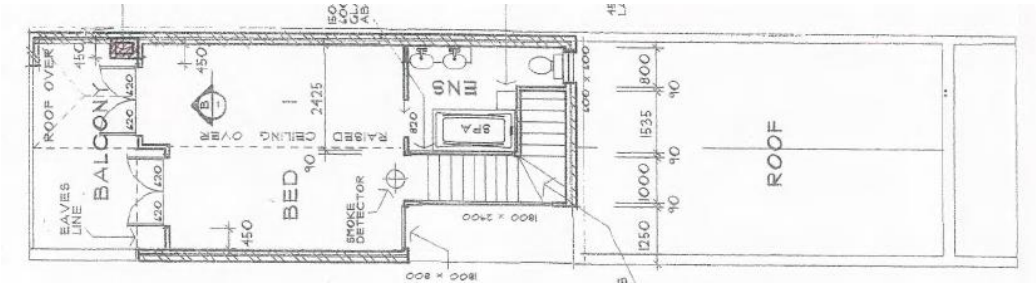

Figure 3: First floor plan of No. 24 Grant Street showing balcony with access from a bedroom (Planning Permit No. PLN12/1037)

Time	Shadowed (Existing)	Additional Shadow	Shadowed (Proposed)
9am	24.3sqm (96%)	0sqm	Per existing
10am	20.3sqm (80.2%)	0sqm	Per existing
11am	17.3sqm (68.3%)	0sqm	Per existing
12pm	15.8sqm (62.4%)	0sqm	Per existing
1pm	15.2sqm (60%)	0sqm	Per existing
2pm	15.7sqm (62%)	0sqm	Per existing
3pm	21.12sqm (83.4%)	0.67sqm	21.79sqm (86.1%)

112. From the table above, no areas of SPOS will be affected by the proposed development between the hours of 9am and 2pm as shadows will fall over the subject site itself and over existing shadows and built form of No. 24 Grant Street.

113. As discussed previously, the balcony at first floor is not an area of SPOS as it is not accessible from a living room and therefore, the extent shadowing cannot be assessed under this standard. The SPOS at ground floor which is provided convenient access from a living room will not be impacted by the proposed development and will continue to receive direct solar access between 9am and 2pm as per existing conditions.

Standard A15 – Overlooking

114. The standard for overlooking requires a habitable room window, balcony, terrace, deck or patio to be located and designed to avoid direct views within 9m and a 45 degree arc into the secluded private open space (SPOS) and habitable room windows of an existing dwelling.

115. At ground level, the majority of all habitable room windows proposed will provide an outlook towards Grant Street, Alfred Crescent and POS with 1.9m high brick fences along the boundaries. The south-facing dining room windows towards No. 24 Grant Street will not result in any overlooking as a result of the proposed 3.35m high wall between the existing and proposed light courts. The ground floor ensuite windows are not habitable room windows and are not required to be screened by the standard. Nonetheless, the ensuite window will incorporate a privacy canopy measuring 0.5m long and 1m wide above the glazing.

116. The height of the deck located to the south of the swimming pool is not notated on the plans, therefore it is unclear if the deck will allow overlooking opportunities over the proposed 1.9m high brick fence to the south-west facing habitable room windows of No. 123 Alfred Crescent.

    Therefore a condition will require the pool and decking levels to be shown on relevant elevations and to demonstrate compliance with Clause 54.04-6 (overlooking objectives) of the Yarra Planning Scheme

117. At first floor, views from the north-facing windows of the rumpus area will only provide an outlook towards Alfred Crescent and Edinburgh Gardens. The east-facing windows of the rumpus area, Bed 1 and 2 will not provide any overlooking opportunities as no adjoining areas of SPOS or habitable room windows will be located within a 45 degree angle from the plane of the window at a distance of 9m. The east-facing window of Bed 3 incorporates privacy screening to prevent overlooking opportunities to adjoining habitable room windows to the south. Given the plans do not provide details of the height and transparency of the screening, it appears there will be some overlooking. A condition will require the first floor Bed 3 to be screened in compliance with Clause 54.04-6 (overlooking objectives) of the Yarra Planning Scheme.

Standard A16 – Daylight to new windows

118. The standard for daylight to new windows requires new habitable room windows to receive adequate amounts of daylight access. Under the proposed development, there are three habitable room windows at ground floor which will not be provided an outdoor space clear to the sky as a result of built form protruding over the windows.

119. The west-facing habitable room window within the master bedroom will have a 1.44m wide front verandah roof cantilevering over at a height of 2.8m above finished floor level (FFL). The proposed front verandah roof will not significantly reduce the amount of daylight into the habitable room as it will remain open along the western portion (facing Grant Street) allowing daylight to filter through, similar to other dwellings in the street.

120. The east-facing sliding doors within the open plan kitchen area will have a 1m wide and approximately 6.2 long canopy cantilevering over at a height of 2.5m above FFL. The proposed canopy will not significantly reduce the amount of daylight into the 5.7m wide sliding doors as the canopy will remain open along the northern, eastern and southern portions and the orientation of the windows to the north-east will adequately allow adequate amounts of daylight, including sunlight to filter into the habitable room. Combined with the north-facing windows to the meals area there will be excellent daylight access.

121. The north-facing sliding doors within the living area will have roofing extending over the windows by between 0.9m and 1.6m, at a length of 5.5m and a height of 2.8m above FFL. Although the extended roofing reduces the amount of daylight access into the space, given the glazing is north-facing and is floor-to-ceiling in height, the amount of daylight will not be significantly reduced. The living room will also be provided with a skylight within the south-western corner which will provide additional daylight into the habitable room.

122. All other new windows associated with the proposed dwelling will be clear to the sky and will receive adequate daylight and thereby comply with the requirements of this standard.

Standard A17 – Private open space

123. The standard for private open space (POS) states that a dwelling should have POS consisting of an area of 80sqm or 20% of the area of the lot, whichever is the lesser, but not less than 40sqm with a minimum of 25sqm of secluded private open space. Private open space is provided within the north-eastern portion of the site and would comprise approximately 35% (123sqm) which exceeds the requirement of the standard.

124. The POS has access from two sets of sliding doors within the open plan kitchen and dining area and living area at ground floor. The use of the sliding doors allows for the consolidation of both living and private open space, resulting in flexible use and functional space.

Standard A18 – Solar access to open space

125. The principal area of private open space is located on the northern side of the dwelling, thereby achieving compliance with this standard and ensuring direct solar access will be available.

Standard A19 – Design detail

126. The standard for design detail encourages development to be designed to respect the existing or preferred neighbourhood character including, façade articulation, window and door proportions, roof form and verandah, eaves and parapets.

127. The material palette proposed for the double-storey dwelling is simple and does not contain a large number of materials, with white painted brick and brick tiles being the predominant component, as well as terracotta tiles/shingles to the ground floor living area towards the rear of the site. Other materials such as black and white window trimmings, white painted steel front fence and concrete feature elements complement and provide contrast to the brick and shingle built form.

128. The design of the dwelling is contemporary in nature whilst referencing components of built form existing on adjacent sites. The dwelling respectfully integrates the single and double-storey characteristics of the Victorian-era dwellings along both Grant Street and Alfred Crescent with regards to building heights, setbacks, fenestrations and materiality.

129. The carport will be located at the rear of the site approximately 13.5m from Alfred Crescent and is only accessible from the eastern laneway. The proposed carport is typical of laneway development (being fences, roller doors/gates and sides of buildings) and will not detract from the neighbourhood character.

130. Overall, it is considered that the dwelling provides an appropriate built form replacement.

Standard A20 – Front fences

131. The standard encourages front fences within 3m of a street to respect the existing or preferred neighbourhood character and have a maximum height of 1.5m.

132. The proposed front fence along Grant Street will have a height of 1m which complies with the requirements of the standard. The fence is proposed to extend 6m along Grant Street before a section of unfenced garden which is an anomaly along the eastern side of Grant Street where properties are entirely fenced. Considering the surrounding neighbourhood character, the fence should extend the entire street frontage to reflect the existing fencing styles along the street. A further assessment will be made within the heritage assessment component of the report.

<u>Heritage</u>

133. The decision guidelines from Clause 43.01-4 (Heritage Overlay) and policy from Clause 22.02 (Development Guidelines for Sites Subject to the Heritage Overlay) of the Scheme are used to assess the proposed works, in-order to ensure that there is consistency achieved with the heritage values of the surrounding area.

Demolition

134. Clause 22.02-5.1 of the Scheme generally encourages the retention of a building in a heritage place unless the building is identified as being 'not contributory'. The subject site of No. 26 Grant Street is identified as 'not contributory' to the North Fitzroy Precinct, as such, demolition would not remove any heritage fabric and its demolition would have no detrimental impact on the heritage precinct. Council's Heritage Advisor is supportive of full demolition of the existing building, subject to appropriate replacement.

Proposed Works

135. Clause 22.02-5.7 of the Scheme seeks to ensure that new development respects the pattern, rhythm, fenestration, roof form, materials and heritage character of the surrounding streetscape, and is articulated and massed to correspond with the prevailing built form of the heritage place. The key consideration for assessing the application is whether the new dwelling will adversely affect the significance, character or appearance of the broader heritage precinct.

136. The proposed scale and height of the development is considered to be acceptable as it respects the varying single and double-storey building heights of dwellings within the immediate area. The proposed façade which varies between 5.2m and 8.065m high will transition from the height of the single-storey parapets of dwellings along Grant Street to the heights of the double-storey dwellings along Alfred Crescent (further to the east and on the opposite corner). Council's Heritage Advisor considered the proposed building scale and transition in building heights to be a contemporary but acceptable approach.

137. The development proposes to incorporate a front façade which draws upon the contributory features of adjoining single-storey Victorian-era dwellings along Grant Street. The works to the front façade constructed of a white painted brick will incorporate a front verandah, parapet, low front fencing, and fenestration (i.e. singular window and entrance doorway). Contemporary elements such as large glazing, built form design located towards the rear of the site with the exception of the arch window located along the Grant Street façade with a white metal shroud. With regards to materials, the dwelling does not contain a large number of materials, with white painted brick and brick tiles being the predominant component, as well as terracotta tiles/shingle cladding and white painted brick tiles for roofing. Other materials such as black and white window trimmings, white painted steel front fence and concrete feature elements complement and provide contrast to the brick dwelling.

138. The dwelling is located on a corner site and is provided two frontages along Grant Street and Alfred Crescent. Clause 22.02-5.7.2 of the Scheme seeks to encourage new buildings and additions on a site with frontages to two streets to respect the built form and character of the heritage place and adjoining or adjacent contributory elements to the heritage place; and to encourage new buildings on corner sites to reflect the setbacks of buildings that occupy other corners of the intersection.

139. With regards to setbacks from Grant Street, the proposed development will be setback between 1.35m and 2.79m (including the verandah) which will be generally in keeping with the façades of the adjoining row of Victorian-era terraces to the east along Grant Street (as shown below). However, the proposed study at ground floor will project beyond the principal façade and will be in line with the front verandah. As assessed by Council's Heritage Advisor, *'given the consistency of this setback* (1.35m and 2.79m)*, it is strongly considered that the projecting study should be setback in line with the principal façade'.* Furthermore, the roofing over the proposed projecting study was considered to be '*particularly distracting'* by Council's Heritage Advisor as it introduces complex roof forms within the principle frontage along Grant Street which will not respect heritage character of the surrounding area as encouraged under Clause 22.02-5.7.1. Therefore in order to respect the existing heritage character of the ground level façades along Grant Street, a condition will require the removal or setting back of the projecting study in line with the principal façade, including the removal of complex roofing above.

Figure 4: View south along Grant Street (Officer Photo)

140. With regards to setbacks from Alfred Crescent, the double-storey development will be setback a minimum of 1.45m from the northern boundary. Although a majority of properties to the north-east with principal façades fronting Alfred Crescent incorporate garden setbacks between 4.8m and 6m, the subject site itself presents as a side elevation to Alfred Crescent. The heritage comments stated that the two corner sites fronting Grant Street (subject site and opposite site at No. 27 Grant Street) have historically been presented as side elevations to Alfred Crescent. The proposed setback of 1.45m from the northern boundary is considered to be consistent with the existing setback and form of No. 27 Grant Street which also incorporates a double-storey high wall facing Alfred Crescent. Council's Heritage Advisor also pointed out that the proposed setback appears to be the average of the two closest points of the existing building as shown in the diagram below.

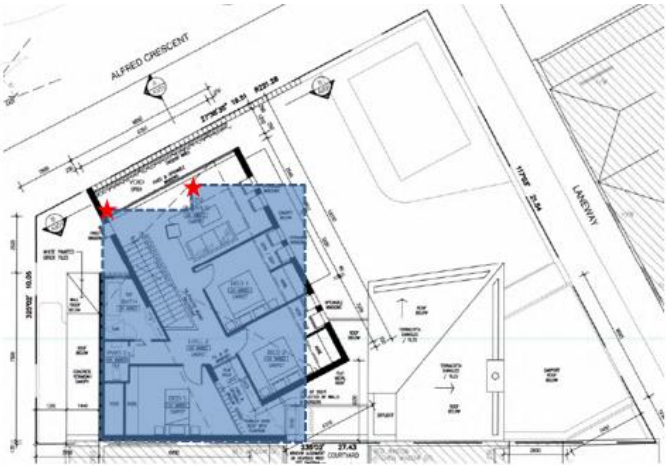

Figure 5: Existing building footprint overlaid on proposed new building showing existing setback points from Alfred Crescent (Heritage referral comments)

141. The substantial setback of the double-storey building, combined with the laneway to the east further reinforces the Alfred Crescent treatment as separate to the remainder of build form along this street. However, the hit-and-miss brick wall is an alien form which does not relate to the area. While the proposed brick fence along the northern (Alfred Crescent) boundary is supported by Council's Heritage Advisor, the proposed hit-and-miss brick fence which extends to a maximum height of 6.675m is not supported as the fence will appear more as a wall to the streetscape and does not reflect and respect the existing character of boundary fencing within the heritage precinct. The height of the wall will dominate the surrounding heritage precinct and will not be visually recessive along Alfred Crescent which incorporates numerous contributory and individually significant heritage buildings. As stated by Council's Heritage Advisor, *traditional fencing at the rear of properties is generally capped to around 2m*.

Given that the fence increases in height as it approaches Grant Street, to ensure the boundary fence is a recessive element to the proposed contemporary dwelling and to the wider heritage precinct, the maximum height of the fence should be no greater than the wall height of the proposed ground level.

142. Clause 22.02-5.7.2 (Front fence and gates) encourages front fences to be consistent with the architectural period of the heritage place or contributory element to the heritage place. The contemporary double-storey dwelling will incorporate a 1m high steel rod fence for a length of 6m before a section of unfenced garden measuring 2m in length and 2.5m in length along the northern return. The proposed front fence style is supported by Council's Heritage Advisor as it is considered to be a contemporary and sympathetic interpretation of a palisade fence. However, the fence should extend the entire street frontage and along the northern returns in order to retain a tradition vista along the eastern side of Grant where properties are entirely fenced (no with sections of the allotment exposed). Therefore, a condition will require that the proposed front fence along Grant Street must be extended to the entire width of the street frontage and along northern return.

143. Overall, the proposed contemporary dwelling is considered acceptable and will not adversely impact the wider heritage precinct. The proposal appropriate responds to the surrounding heritage streetscape in terms of façade fenestrations and contributory elements along the Grant Street frontage and appropriate transitions in building heights to respect the varying heights along both Grant Street and Alfred Crescent. With regards to materials, the dwelling does not contain a large number of materials, with white painted brick and brick tiles being the predominant component, as well as terracotta tiles/shingles to the ground floor living area towards the rear of the site. Other materials such as black and white window trimmings, white painted steel front fence and concrete feature elements complement and provide contrast to the brick and shingle built form.

144. On this bases, the proposal appropriately responds to the particular requirements within Clause 22.02 and Clause 43.01 of the Scheme, and therefore is considered acceptable in relation to the heritage context of the street.

Car Parking

145. Under Clause 52.06, the proposed construction of a four bedroom dwelling requires the provision of two (2) car parking spaces on the site.

146. In exercising its discretion to reduce the requirements of Clause 52.06, Council must consider a number of relevant decision guidelines, including the car parking demand likely to be generated, and whether it is appropriate to allow fewer spaces to be provided given the site context. An assessment of the car parking demand and proposed reduction is provided below.

147. The subject site enjoys excellent access to public transport, including Queens Parade tram route No. 86 and bus route No. 546 both located approximately 200m to the south of the subject site. Pedestrian and cyclist access to the site is highly convenient; with dedicated bicycle lanes throughout the Edinburgh Gardens and along Alfred Crescent, Grant Street and McKean Street. With the site located within an inner city area where walking and cycling are popular modes of travel.

148. The existing site contains a single brick garage accessible via the laneway along the eastern boundary for a three bedroom dwelling. The proposed development will continue to provide a single car park on site accessible via the laneway, therefore there will be no change to the area as the dwelling has provided only one car space. The application still provides adequate on-site parking which is considered to be acceptable given the nature of dwellings within an inner city location. It is also noted that the surrounding street network contains on-street short terms car parking spaces.

It is considered that visitors choosing to drive to the dwelling should be able to find a park within easy walking distance of the site and residents could utilise resident parking areas.

149. Although the internal dimension of the carport which measures between 5.6m and 6.1m long, and 2.39m and 5.5m wide do not fully comply with the design standard 2 – car parking spaces at Clause 52.06-9, Council's Engineering Unit have considered the proposed carport satisfactory to accommodate a B85 design vehicle. However, Council's Engineering Unit requires the vehicle template to demonstrate it is for a B85 vehicle only. This will be conditioned.

Objector Concerns

150. The majority of issues associated with the objector concerns have been discussed throughout this report; the remaining objection topics which have yet to be assessed are discussed below.

151. *Impact on heritage streetscape and loss of heritage dwelling.*

Issues associated with heritage streetscape and loss of heritage dwelling have been discussed earlier within this report (paragraphs 69-74, 134-135).

152. *Built form (setbacks, heights, material colours, overdevelopment).*
Issues associated with built form have been discussed earlier within this report (paragraphs 77-83, 94-97, 127-131, 138, 144).

153. *Amenity impacts (visual bulk, privacy, daylight).*
Issues associated with amenity impacts have been discussed earlier within this report (paragraphs 94-118).

154. *Health impacts from proposed fireplace/chimney.*
The dwelling use is "as-of-right" in the zone, and therefore the use of the dwelling/fireplace/chimney cannot be assessed under Yarra Planning Scheme.

155. *Potential for graffiti.*
Graffiti on boundary walls and fences cannot be assessed under the Yarra Planning Scheme.

Conclusion

156. The proposal demonstrates an acceptable level of compliance with the policy requirements outlined in the Yarra Planning Scheme. Based on the report, the proposal is considered to generally comply with the relevant policies of the Yarra Planning Scheme and is recommended for approval subject to conditions.

RECOMMENDATION

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN18/0829 for full demolition of the existing dwelling and the construction of a double-storey dwelling and reduction in car parking requirements at 26 Grant Street, Fitzroy North VIC 3068, in accordance with the plans and reports received by Council (on 18 December 2018) 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) Ground floor study deleted, or setback in line with the principle façade, including removal of associated roofing;

(b) Hit-and-miss brick fence along Alfred Crescent reduced in height to no greater than the ground floor wall height;

(c) Front fence extended to entire frontage of Grant Street;

(d) Pool and decking levels on relevant elevations and demonstrate compliance with Clause 54.04-6 (overlooking objectives) of the Yarra Planning Scheme;

(e) First floor Bed 3 to be screened in compliance with Clause 54.04-6 (overlooking objectives) of the Yarra Planning Scheme;

(f) Proposed ground level on-boundary wall shown on south-east elevation, separate to the internal south-east elevation; and

(g) The B85 vehicle turning template.

2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

3. Within 2 months of the works being completed, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:

(a) at the permit holder's cost; and
(b) to the satisfaction of the Responsible Authority.

4. Within 2 months of the works being completed, 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.

5. Within 2 months of the works being completed, 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.

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:

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

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

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

CONTACT OFFICER: **Emily Zeng**
TITLE: **Statutory Planner**
TEL: **03 9205 5363**

Attachments

1 PLN18/0829 - 26 Grant Street Fitzroy North - Subject Land
2 PLN18/0829 - 26 Grant Street Fitzroy North - Decision Plans Part 1
3 PLN18/0829 - 26 Grant Street Fitzroy North - Decision Plans Part 2
4 PLN18 0829 - 26 Grant Street Fitzroy North - Heritage comments
5 PLN18 0829 - 26 Grant Street Fitzroy North - Engineering comments

Attachment 1 - PLN18/0829 - 26 Grant Street Fitzroy North - Subject Land

SUBJECT SITE

26 GRANT STREET, FIZTROY NORTH VIC 3068

SUBJECT SITE

NORTH

Attachment 2 - PLN18/0829 - 26 Grant Street Fitzroy North - Decision Plans Part 1

PL ISSUE - 26 GRANT ST, FITZROY NORTH

DRAWING LIST

SHEET	TITLE	SCALE (A3)	REV.
SCHEDULES			
A-000	DRAWING SCHEDULE	NTS	A
PLANS			
A-101	EXISTING CONDITIONS - SITE PLAN	1 : 200	
A-102	PROPOSED - SITE PLAN	1 : 200	
A-103	EXISTING CONDITIONS - DEMOLITION PLAN	1 : 100	
A-104	PROPOSED GROUND FLOOR PLAN	1 : 100	A
A-105	PROPOSED FIRST FLOOR PLAN	1 : 100	A
A-106	PROPOSED ROOF PLAN	1 : 100	
ELEVATIONS			
A-201	PROPOSED STREETSCAPE ELEVATIONS (NW + SW)	1 : 100	A
A-202	PROPOSED SIDE ELEVATIONS (NE + SE)	1 : 100	A
SECTIONS			
A-301	PROPOSED SECTIONS	1 : 100	A
DIAGRAMS			
A-701	EXISTING IMAGERY - STREETSCAPE & CONTEXT	N.T.S	
A-702	EXISTING IMAGERY - SUBJECT SITE	N.T.S	
A-703	PROPOSED IMAGERY	N.T.S	A
A-704	SHADOW DIAGRAM PLANS - 9AM	1 : 200	A
A-705	SHADOW DIAGRAM PLANS - 10AM	1 : 200	A
A-706	SHADOW DIAGRAM PLANS - 11AM	1 : 200	A
A-707	SHADOW DIAGRAM PLANS - 12PM	1 : 200	A
A-708	SHADOW DIAGRAM PLANS - 1PM	1 : 200	A
A-709	SHADOW DIAGRAM PLANS - 2PM	1 : 200	A
A-710	SHADOW DIAGRAM PLANS - 3PM	1 : 200	A
REQUESTED DRAWINGS			
A-801	EXISTING CONDITIONS GROUND FLOOR PLAN	1 : 100	A
A-802	SWEPT PATH DIAGRAM	1 : 100	A

PL ISSUE

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Rev.	Date	Note	By
	26.10.18	PLANNING PERMIT ISSUE	CS
A	12.12.18	PLANNING RFI ISSUE	CS

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Project: PROPOSED ALTERATIONS & ADDITIONS AT 26 GRANT STREET, FITZROY NORTH 3068

Client: KANE & ALICIA LOXLEY

North

Scale NTS @A3

Date 12.12.18

Dwg. Title: DRAWING SCHEDULE

Dwg. by CS

Check MG

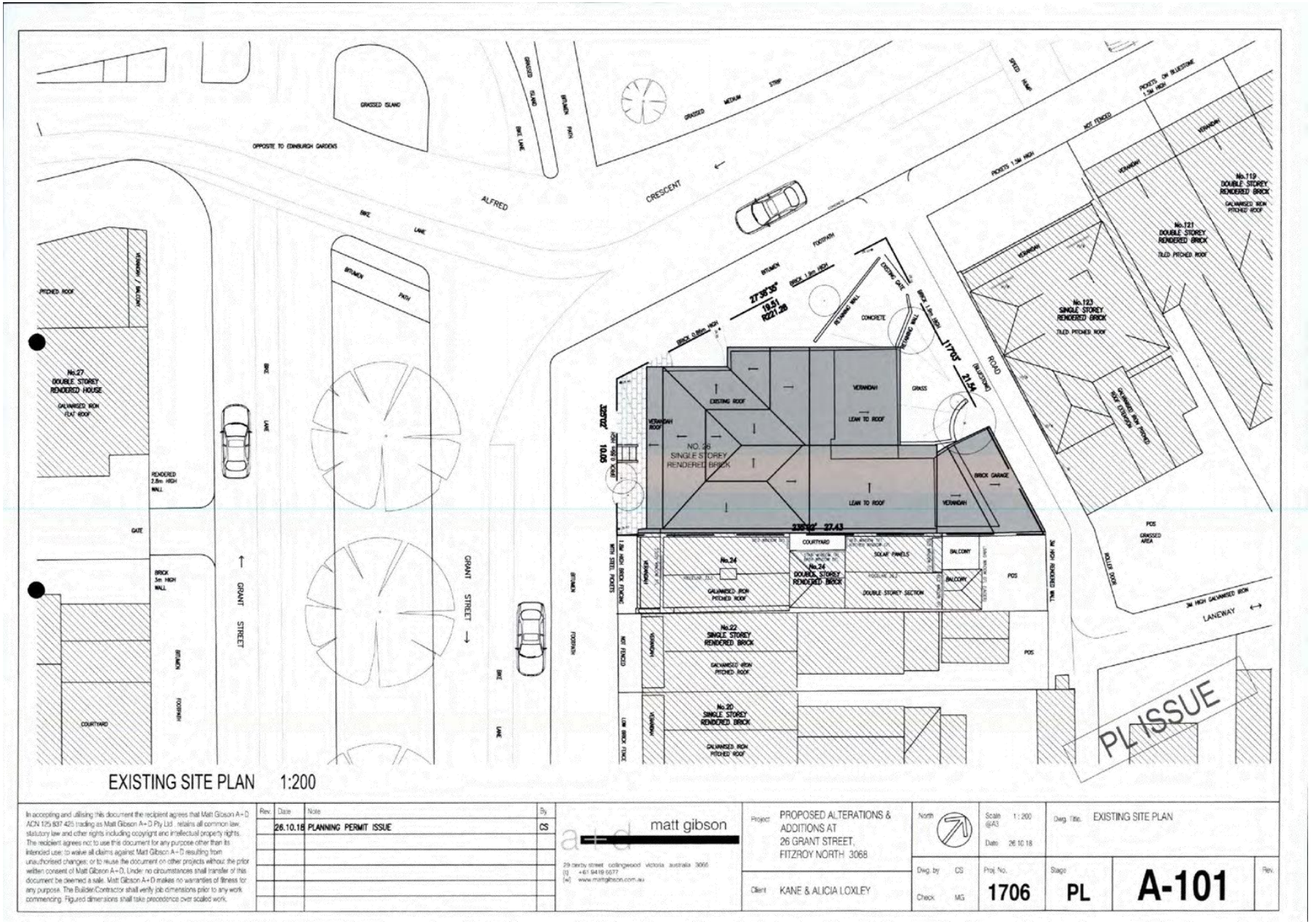
Proj. No. 1706

Stage PL

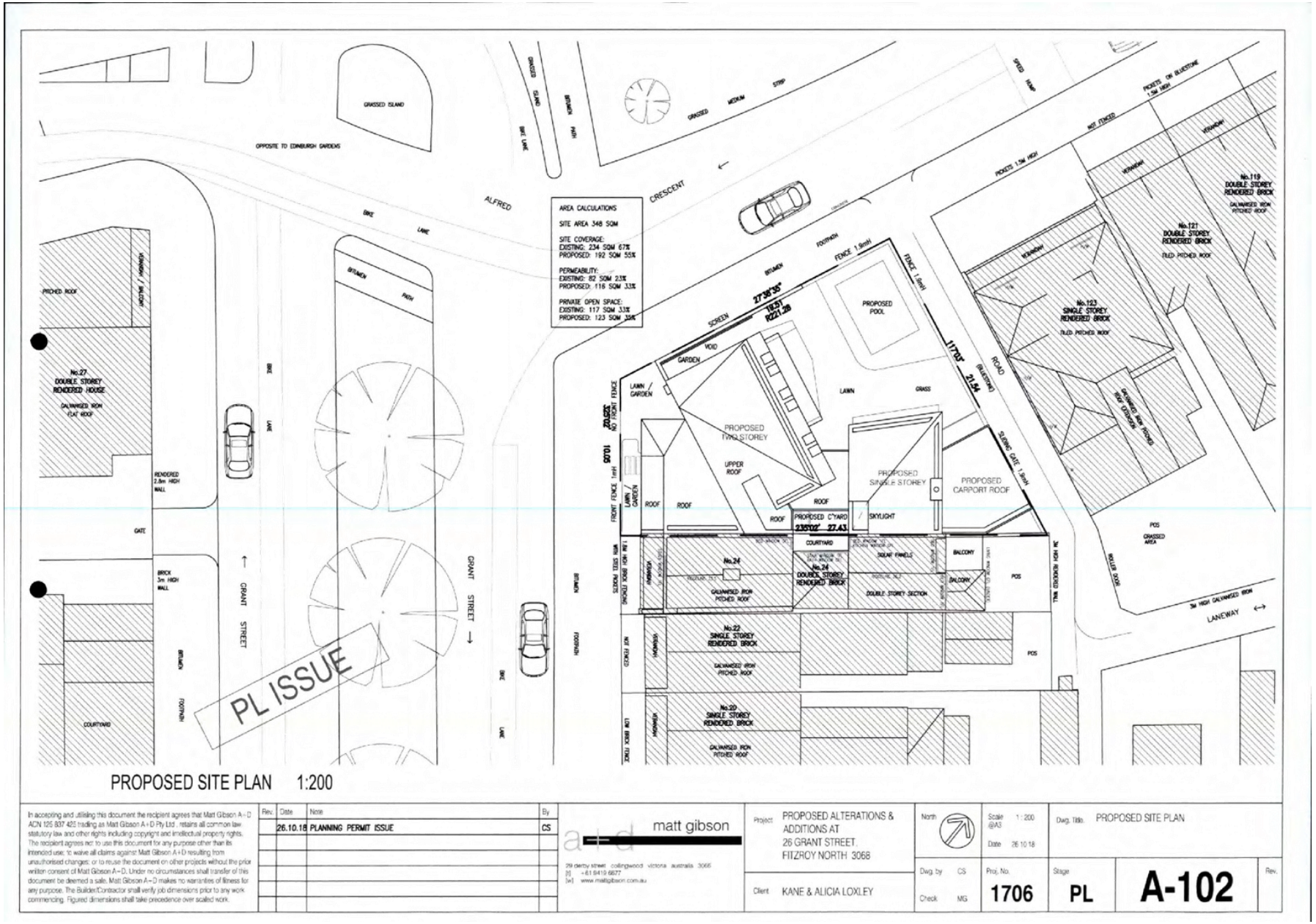
A-000

Rev A

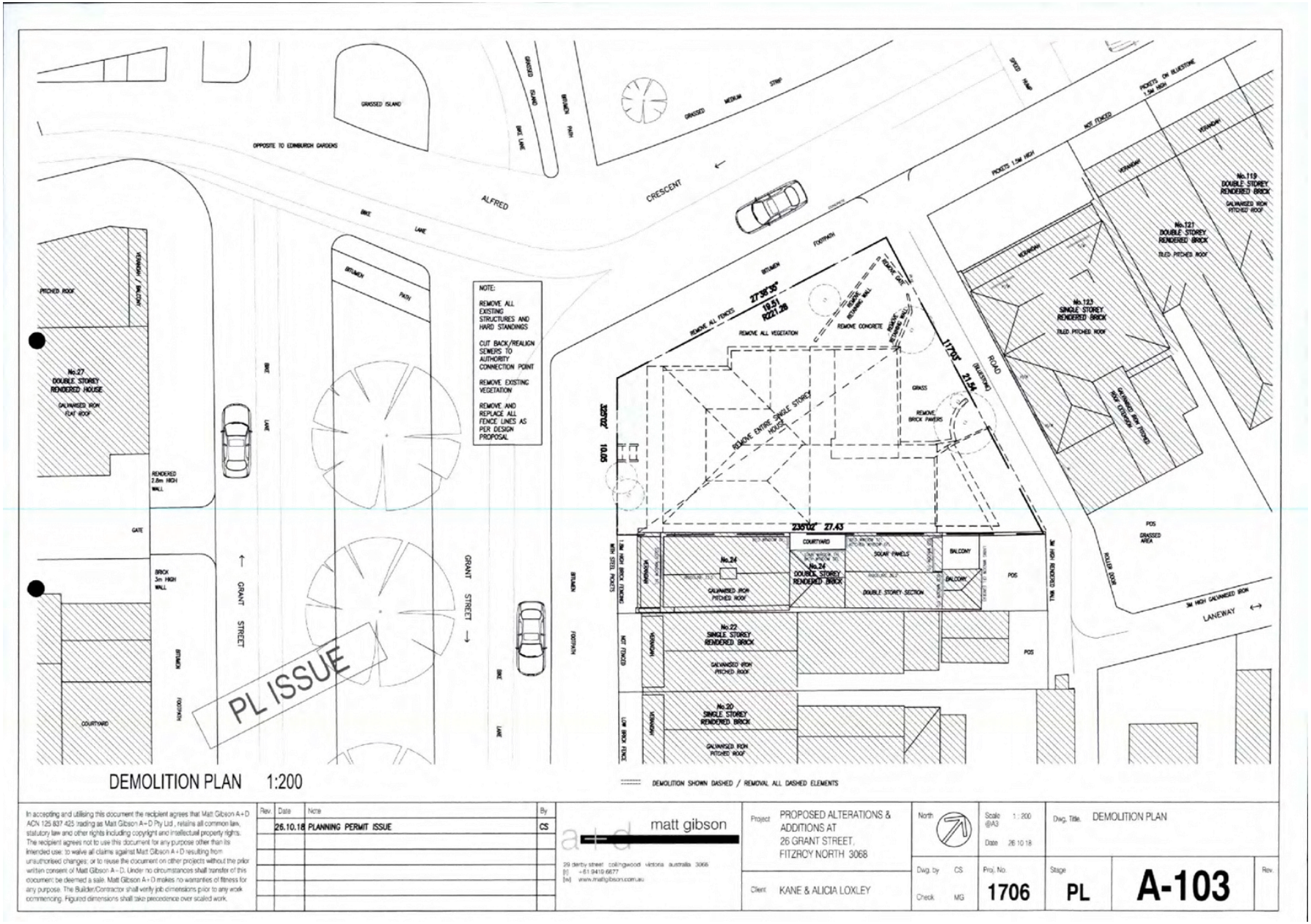
Attachment 2 - PLN18/0829 - 26 Grant Street Fitzroy North - Decision Plans Part 1



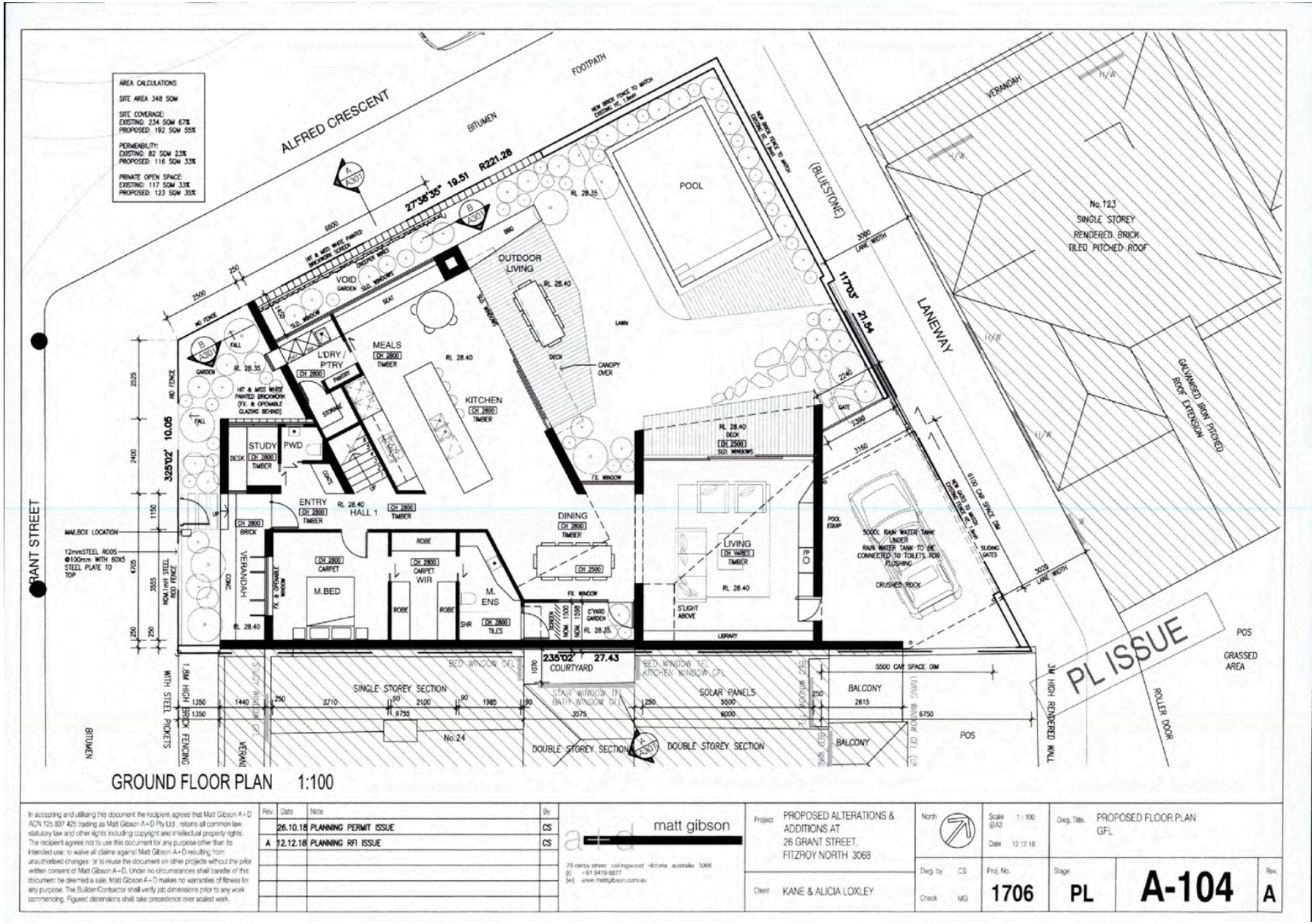
Attachment 2 - PLN18/0829 - 26 Grant Street Fitzroy North - Decision Plans Part 1



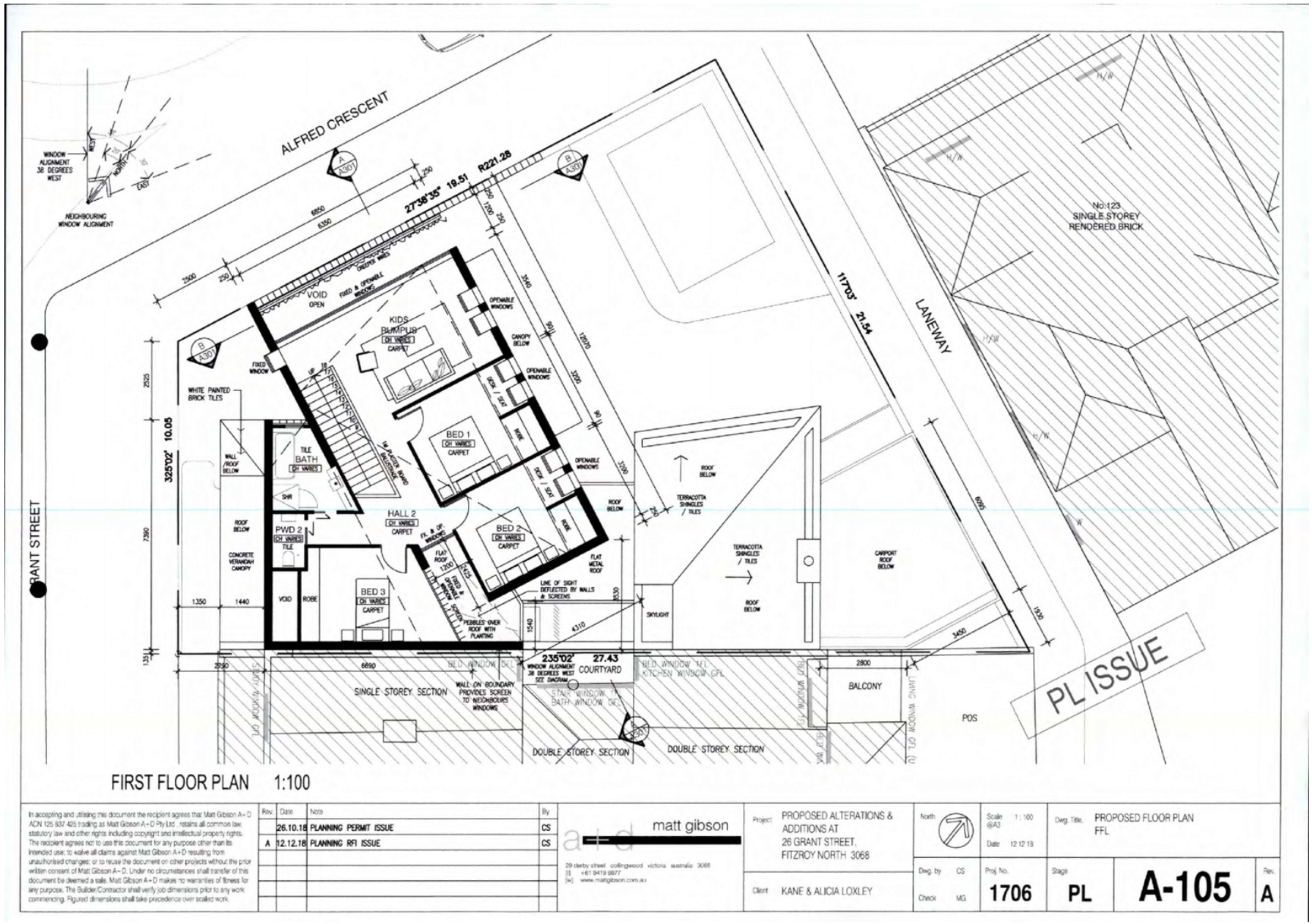
Attachment 2 - PLN18/0829 - 26 Grant Street Fitzroy North - Decision Plans Part 1



Attachment 2 - PLN18/0829 - 26 Grant Street Fitzroy North - Decision Plans Part 1



Attachment 2 - PLN18/0829 - 26 Grant Street Fitzroy North - Decision Plans Part 1



FIRST FLOOR PLAN 1:100

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Project: PROPOSED ALTERATIONS & ADDITIONS AT 26 GRANT STREET, FITZROY NORTH 3068

Client: KANE & ALICIA LOXLEY

North

Scale @A3: 1:100

Date: 12.12.18

Dwg. Title: PROPOSED FLOOR PLAN FFL

Dwg. by: CS

Check: MG

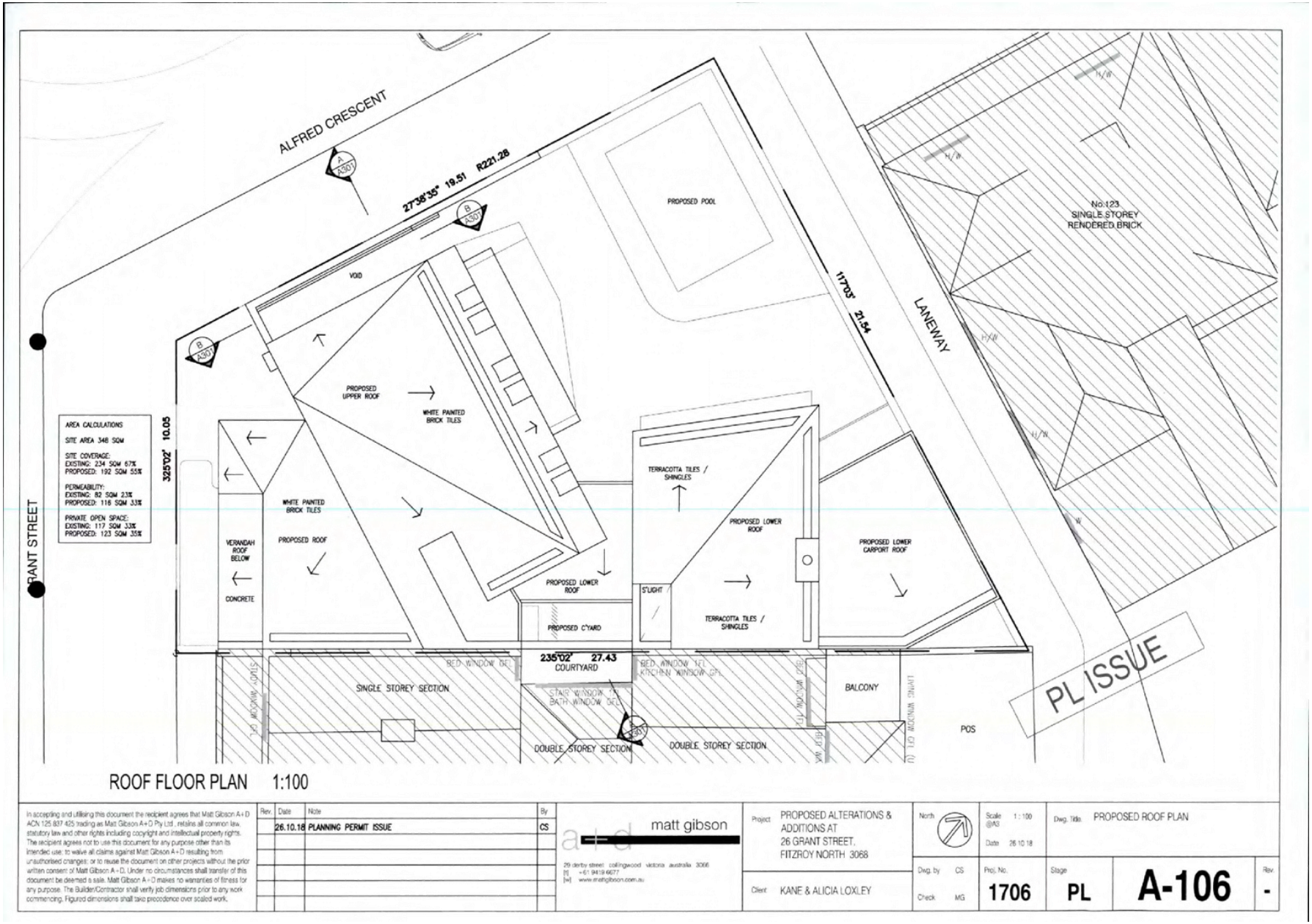
Proj. No.: 1706

Stage: PL

A-105

Rev.: A

Attachment 2 - PLN18/0829 - 26 Grant Street Fitzroy North - Decision Plans Part 1



ROOF FLOOR PLAN 1:100

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Project: PROPOSED ALTERATIONS & ADDITIONS AT 26 GRANT STREET, FITZROY NORTH 3068

Client: KANE & ALICIA LOXLEY

North

Scale: 1:100 @A3

Date: 26.10.18

Dwg. Title: PROPOSED ROOF PLAN

Dwg. by: CS

Check: MG

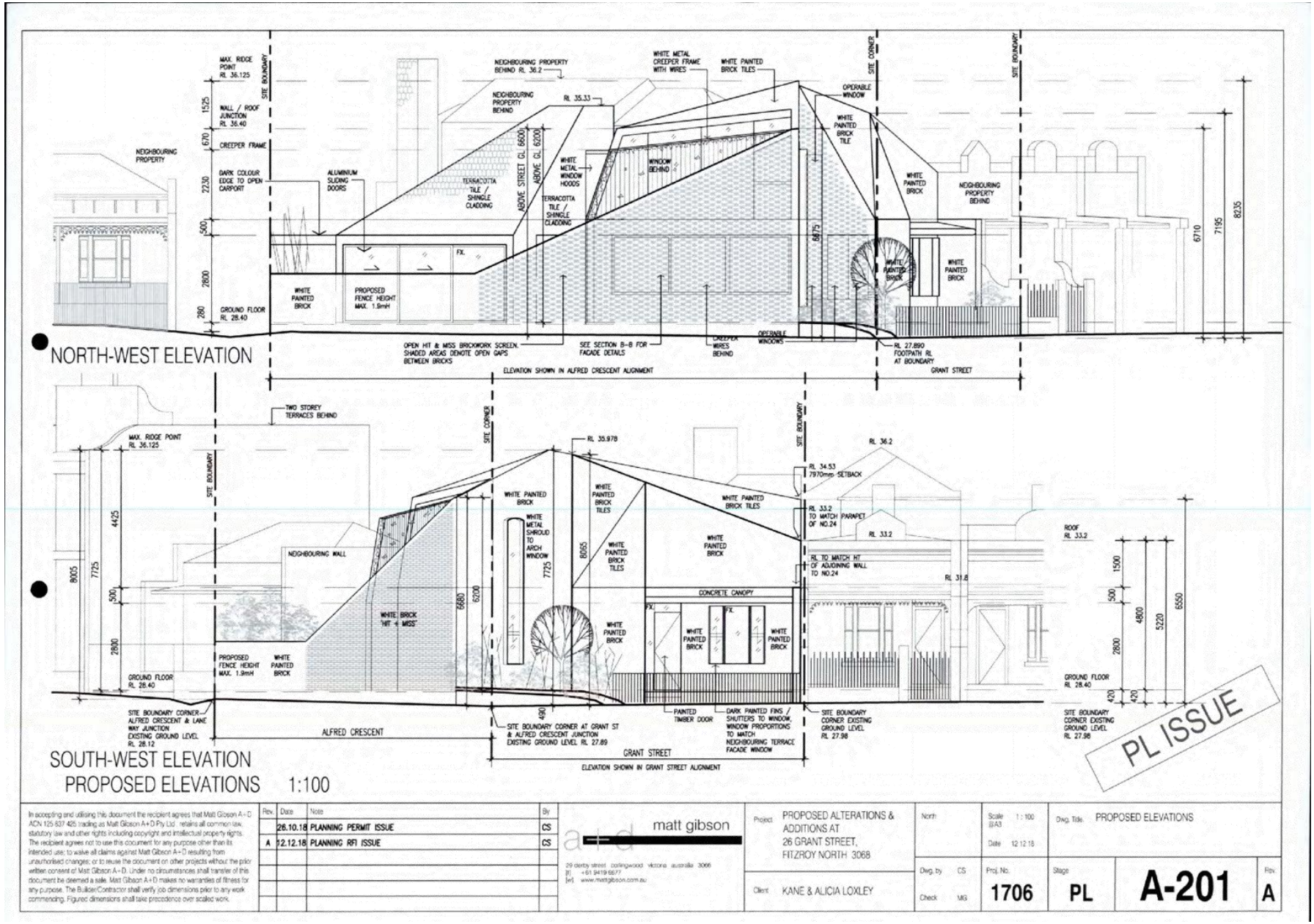
Proj. No.: 1706

Stage: PL

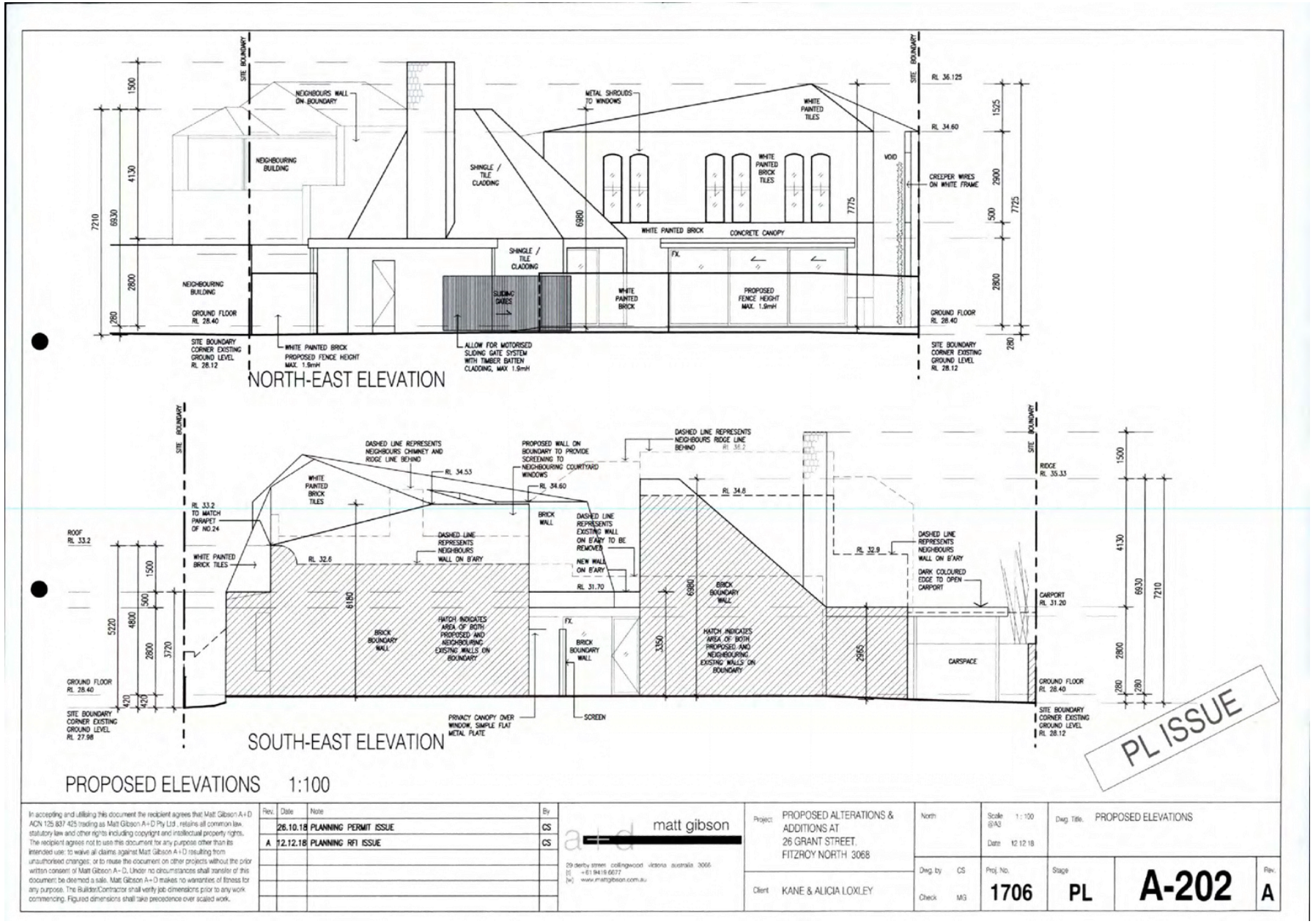
A-106

Rev.: -

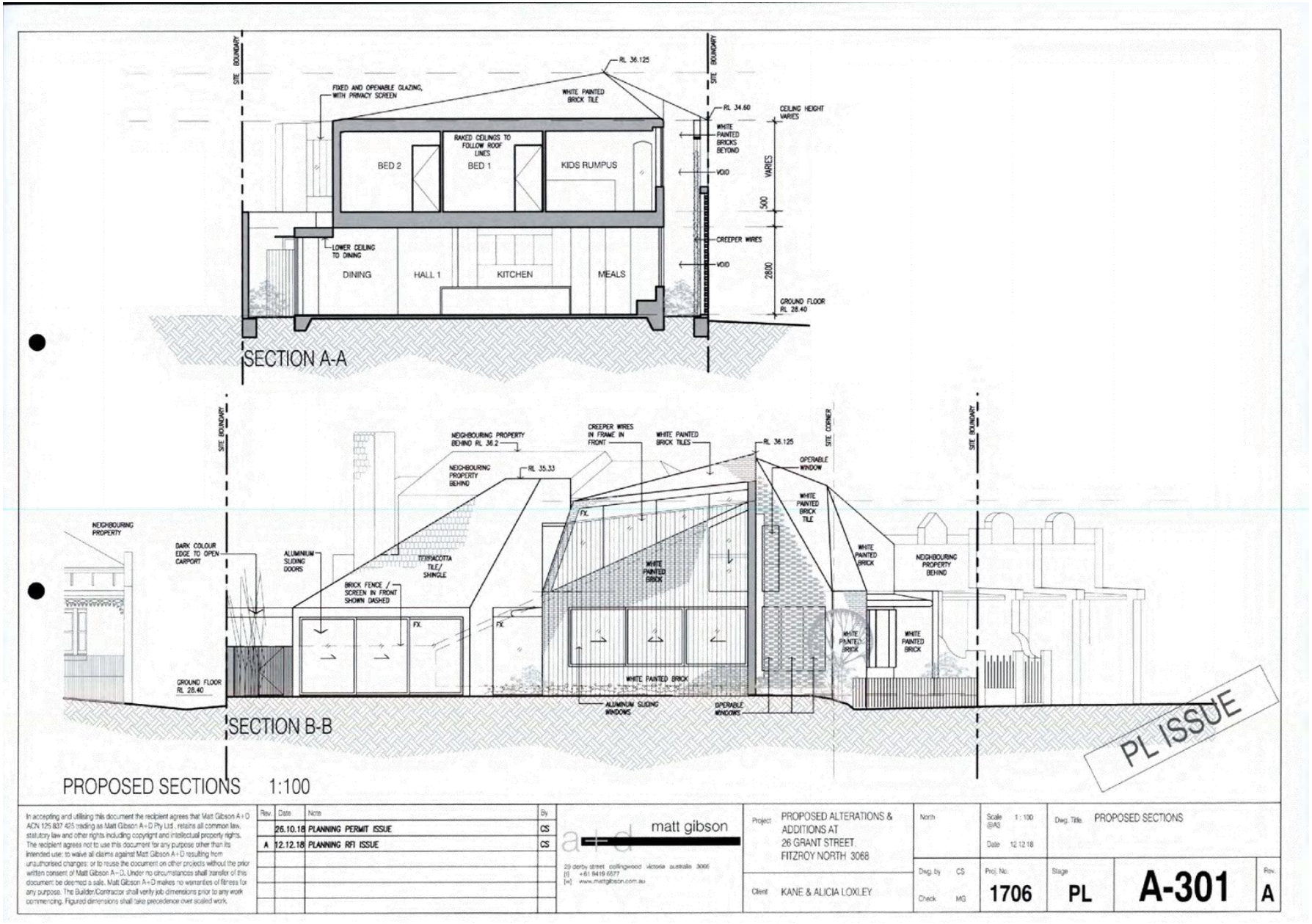
Attachment 2 - PLN18/0829 - 26 Grant Street Fitzroy North - Decision Plans Part 1



Attachment 2 - PLN18/0829 - 26 Grant Street Fitzroy North - Decision Plans Part 1



Attachment 2 - PLN18/0829 - 26 Grant Street Fitzroy North - Decision Plans Part 1



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Project: PROPOSED ALTERATIONS & ADDITIONS AT 26 GRANT STREET. FITZROY NORTH 3068

Client: KANE & ALICIA LOXLEY

North

Scale @A3: 1 : 100

Date: 12.12.18

Dwg. Title: PROPOSED SECTIONS

Dwg. by: CS

Check: MG

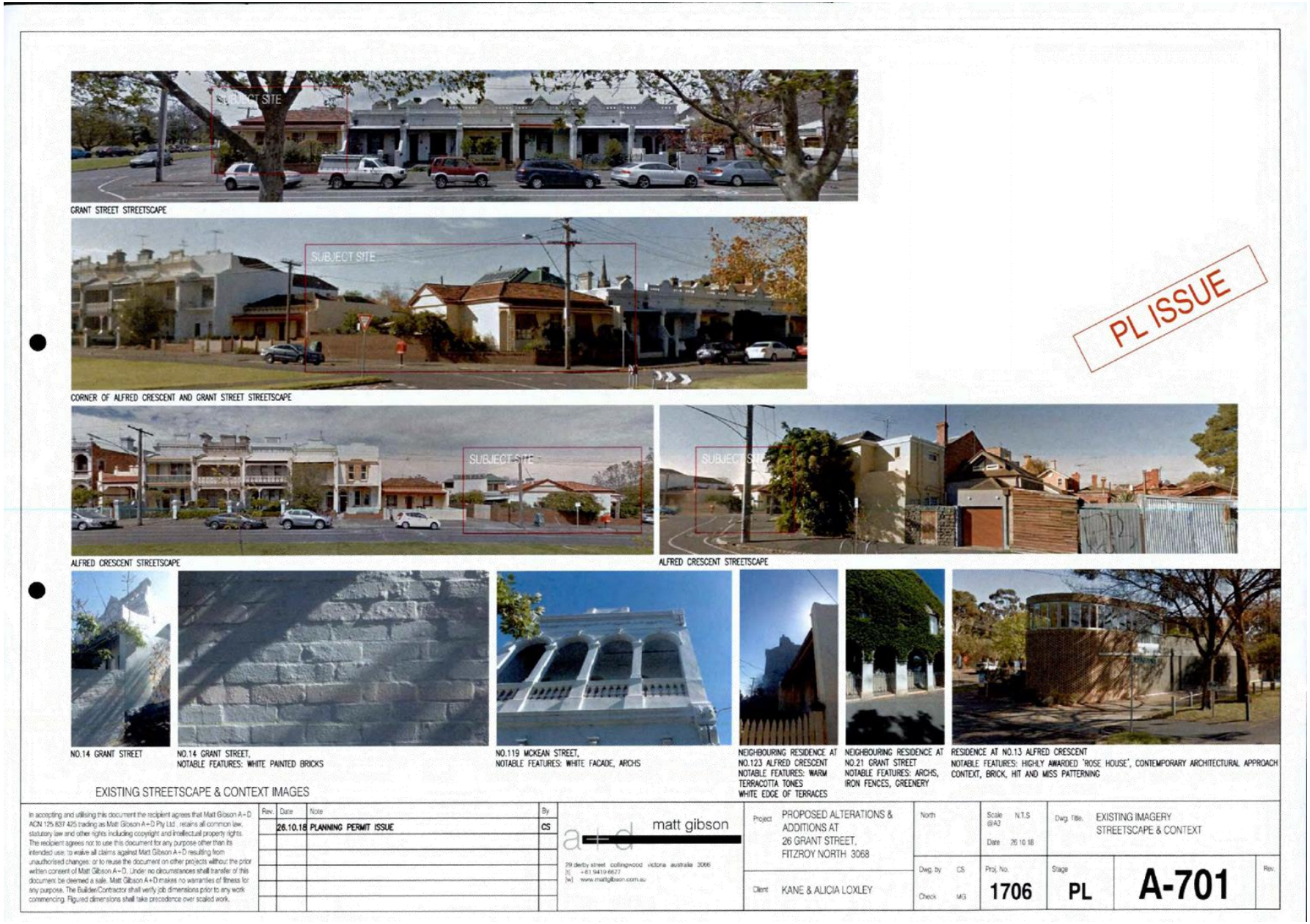
Proj. No.: 1706

Stage: PL

A-301

Rev. A

Attachment 2 - PLN18/0829 - 26 Grant Street Fitzroy North - Decision Plans Part 1

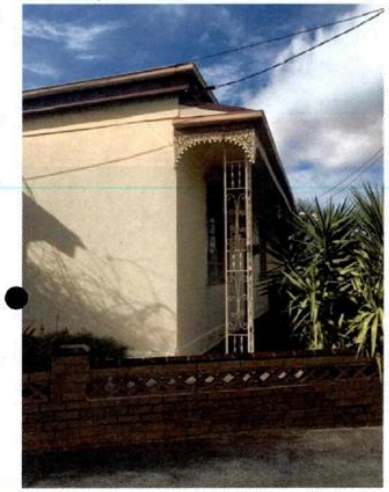


Attachment 2 - PLN18/0829 - 26 Grant Street Fitzroy North - Decision Plans Part 1

EXISTING ALFRED CRESCENT STREET VIEW

VIEW FROM SIDE LANE – SUBJECT SITE ON LEFT

EXISTING HOUSE – VIEW FROM REAR GARDEN



EXISTING HOUSE AT FRONT CORNER OF SITE

EXISTING GRANT STREET FACADE

EXISTING HOUSE – FACADE

EXISTING HOUSE – INTERNAL

PL ISSUE

EXISTING BUILDING IMAGES

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Rev.	Date	Note	By
	26.10.18	PLANNING PERMIT ISSUE	CS

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Project: PROPOSED ALTERATIONS & ADDITIONS AT 26 GRANT STREET, FITZROY NORTH 3068

Client: KANE & ALICIA LOXLEY

North

Scale: N.T.S @A3

Date: 26.10.18

Dwg. by: CS

Check: MG

Proj. No.: 1706

Stage: PL

Dwg. Title: EXISTING IMAGES SUBJECT SITE

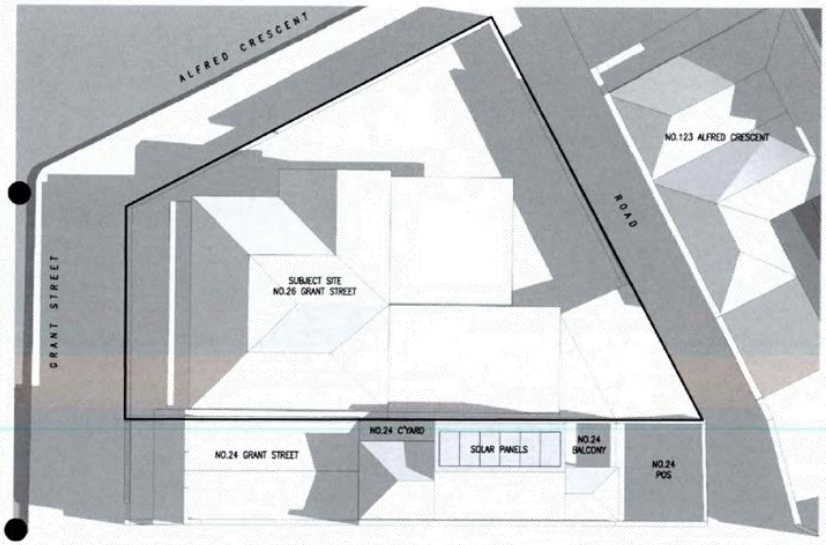
Dwg. No.: A-702

Rev.

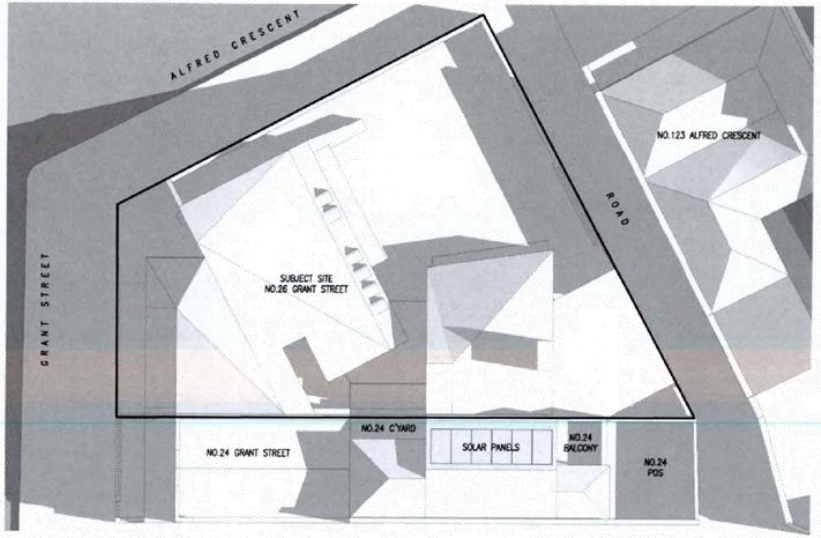
Attachment 3 - PLN18/0829 - 26 Grant Street Fitzroy North - Decision Plans Part 2

Attachment 3 - PLN18/0829 - 26 Grant Street Fitzroy North - Decision Plans Part 2

9AM SHADOW AREA ANALYSIS:	REAR AREA	COURTYARD	BALCONY	TOTAL
EXISTING SECLUDED PRIVATE OPEN SPACE:	17sqm	3.9sqm	4.4sqm	25.3sqm
EXISTING AREA OF SHADOW CAST ON SECLUDED PRIVATE OPEN SPACE:	17sqm	3.9sqm	3.4sqm	24.3sqm
ADDITIONAL SHADOW CAST ON SECLUDED PRIVATE OPEN SPACE BY THE PROPOSAL:	NIL	NIL	NIL	NIL
REMAINING SECLUDED POS NOT IN SHADE:	NIL	NIL	1sqm	1sqm



EXISTING - 9AM 1:200



PROPOSED - 9AM 1:200

PL ISSUE

SHADOW DIAGRAMS 1:200

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Rev.	Date	Note	By
	26.10.18	PLANNING PERMIT ISSUE	CS
A	12.12.18	PLANNING RFI ISSUE	CS

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Project: PROPOSED ALTERATIONS & ADDITIONS AT 26 GRANT STREET, FITZROY NORTH 3068

Client: KANE & ALICIA LOXLEY

North

Scale @A3: 1:200

Date: 12.12.18

Dwg. Title: PROPOSED SHADOW DIAGRAMS 22 SEPT EQUINOX

Dwg. by: CS

Check: MG

Proj. No.: 1706

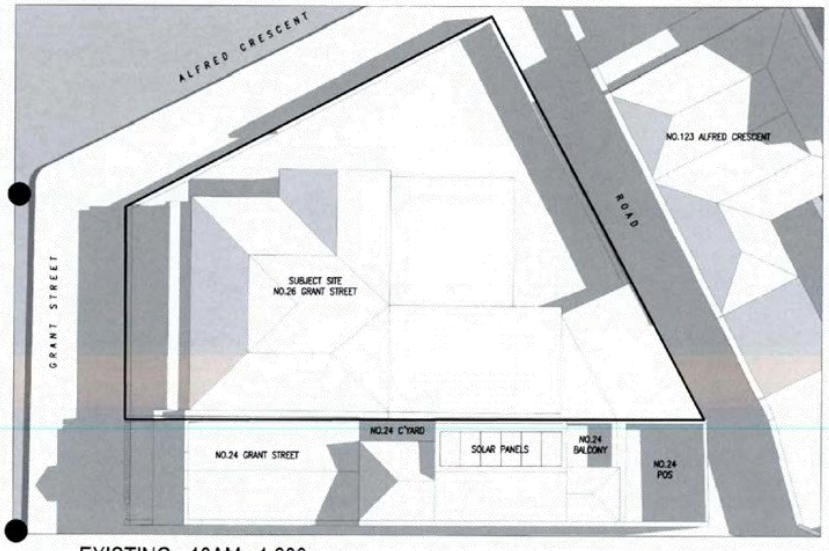
Stage: PL

A-704

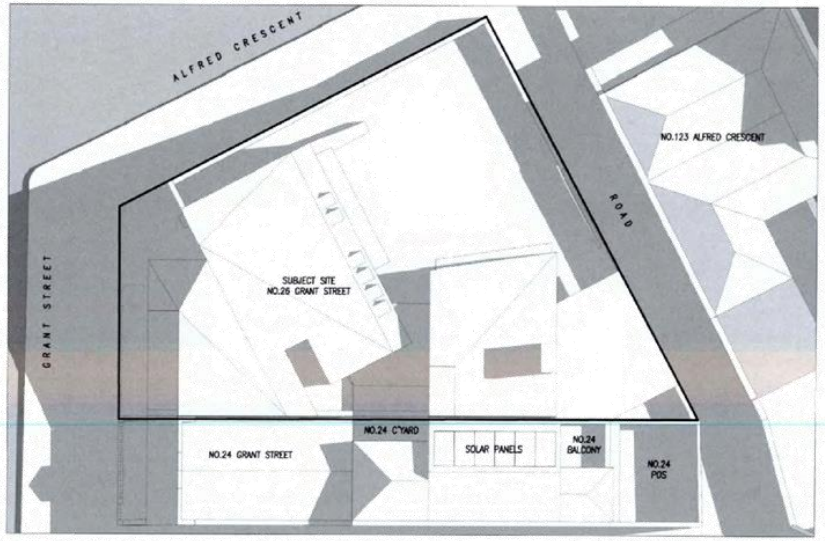
Rev. A

Attachment 3 - PLN18/0829 - 26 Grant Street Fitzroy North - Decision Plans Part 2

10AM SHADOW AREA ANALYSIS:	REAR AREA	COURTYARD	BALCONY	TOTAL
EXISTING SECLUDED PRIVATE OPEN SPACE:	17sqm	3.9sqm	4.4sqm	25.3sqm
EXISTING AREA OF SHADOW CAST ON SECLUDED PRIVATE OPEN SPACE:	14sqm	3.9sqm	2.4sqm	20.3sqm
ADDITIONAL SHADOW CAST ON SECLUDED PRIVATE OPEN SPACE BY THE PROPOSAL:	NIL	NIL	NIL	NIL
REMAINING SECLUDED POS NOT IN SHADE:	3sqm	NIL	2sqm	5sqm



EXISTING - 10AM 1:200



PROPOSED - 10AM 1:200

PL ISSUE

SHADOW DIAGRAMS 1:200

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Project: PROPOSED ALTERATIONS & ADDITIONS AT 26 GRANT STREET, FITZROY NORTH 3068

Client: KANE & ALICIA LOXLEY

North

Scale @A3: 1:200

Date: 12.12.18

Dwg. Title: PROPOSED SHADOW DIAGRAMS 22 SEPT EQUINOX

Dwg. by: CS

Check: MG

Proj. No.: 1706

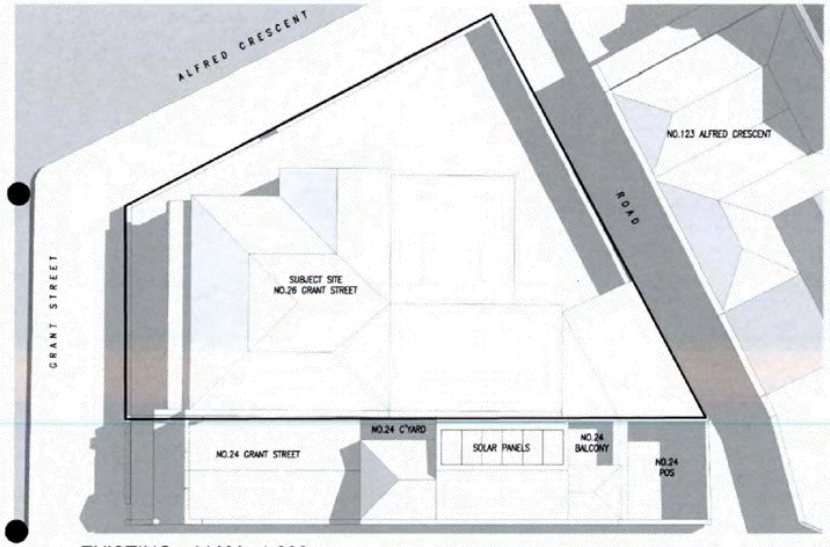
Stage: PL

A-705

Rev. A

Attachment 3 - PLN18/0829 - 26 Grant Street Fitzroy North - Decision Plans Part 2

11AM SHADOW AREA ANALYSIS:	REAR AREA	COURTYARD	BALCONY	TOTAL
EXISTING SECLUDED PRIVATE OPEN SPACE:	17sqm	3.9sqm	4.4sqm	25.3sqm
EXISTING AREA OF SHADOW CAST ON SECLUDED PRIVATE OPEN SPACE:	11.3sqm	3.9sqm	2.1sqm	17.3sqm
ADDITIONAL SHADOW CAST ON SECLUDED PRIVATE OPEN SPACE BY THE PROPOSAL:	NIL	NIL	NIL	NIL
REMAINING SECLUDED POS NOT IN SHADE:	5.7sqm	NIL	2.3sqm	8sqm



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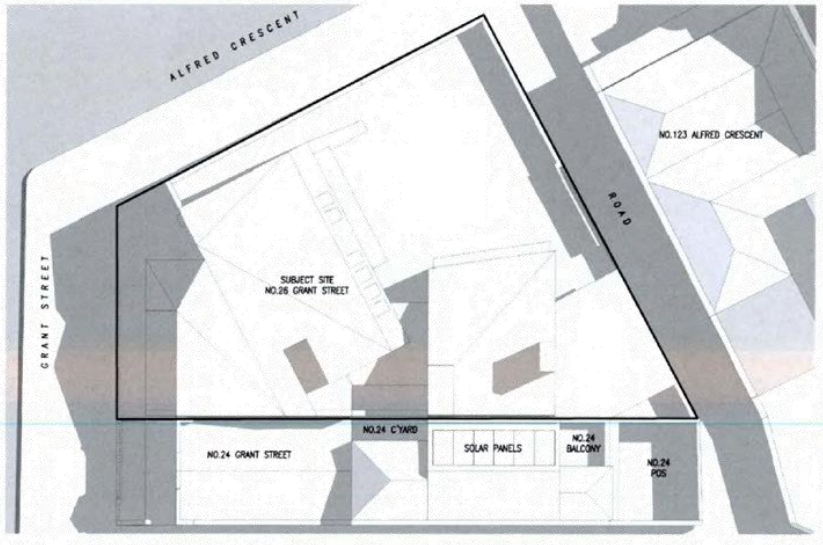

PROPOSED - 11AM 1:200

PL ISSUE

SHADOW DIAGRAMS 1:200

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Rev.	Date	Note	By
	26.10.18	PLANNING PERMIT ISSUE	CS
A	12.12.18	PLANNING RFI ISSUE	CS

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Project: PROPOSED ALTERATIONS & ADDITIONS AT 26 GRANT STREET, FITZROY NORTH 3068

Client: KANE & ALICIA LOXLEY

North

Scale 1 : 200 @A3

Date 12.12.18

Dwg. Title: PROPOSED SHADOW DIAGRAMS 22 SEPT EQUINOX

Dwg. by CS

Check MG

Proj. No. 1706

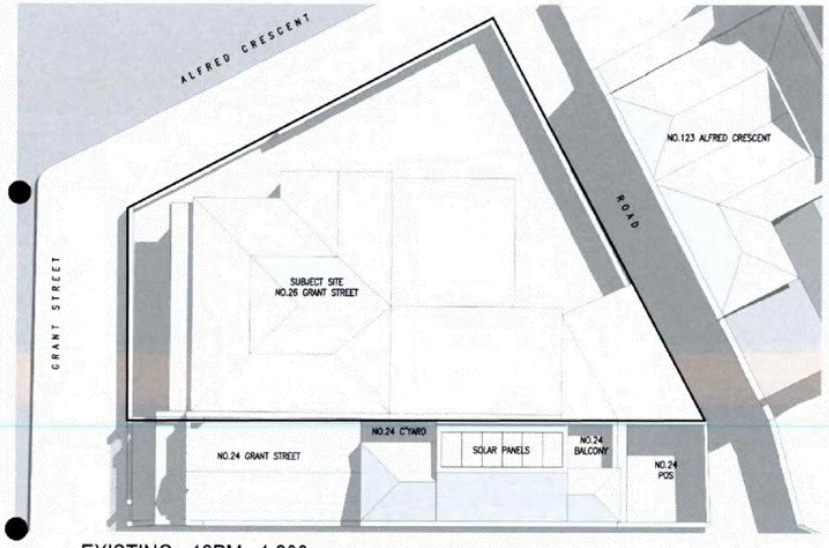
Stage PL

A-706

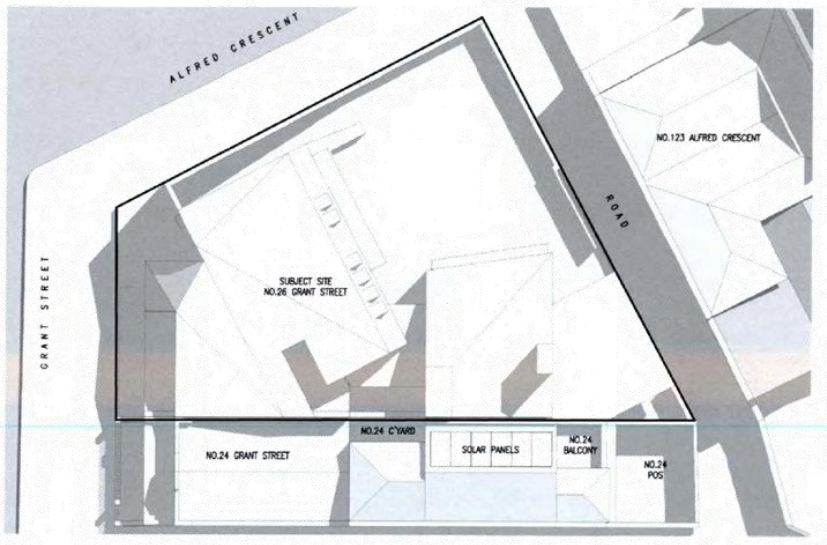
Rev. A

Attachment 3 - PLN18/0829 - 26 Grant Street Fitzroy North - Decision Plans Part 2

12PM SHADOW AREA ANALYSIS:	REAR AREA	COURTYARD	BALCONY	TOTAL
EXISTING SECLUDED PRIVATE OPEN SPACE:	17sqm	3.9sqm	4.4sqm	25.3sqm
EXISTING AREA OF SHADOW CAST ON SECLUDED PRIVATE OPEN SPACE:	10sqm	3.9sqm	1.9sqm	15.8sqm
ADDITIONAL SHADOW CAST ON SECLUDED PRIVATE OPEN SPACE BY THE PROPOSAL:	NIL	NIL	NIL	NIL
REMAINING SECLUDED POS NOT IN SHADE:	7sqm	NIL	2.5sqm	9.5sqm



EXISTING - 12PM 1:200



PROPOSED - 12PM 1:200

PL ISSUE

SHADOW DIAGRAMS 1:200

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Rev.	Date	Note	By
	26.10.18	PLANNING PERMIT ISSUE	CS
A	12.12.18	PLANNING RFI ISSUE	CS

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Project: PROPOSED ALTERATIONS & ADDITIONS AT 26 GRANT STREET, FITZROY NORTH 3068

Client: KANE & ALICIA LOXLEY

North

Scale: 1:200 @A3

Date: 12.12.18

Dwg. Title: PROPOSED SHADOW DIAGRAMS 22 SEPT EQUINOX

Dwg. by: CS

Check: MG

Proj. No.: 1706

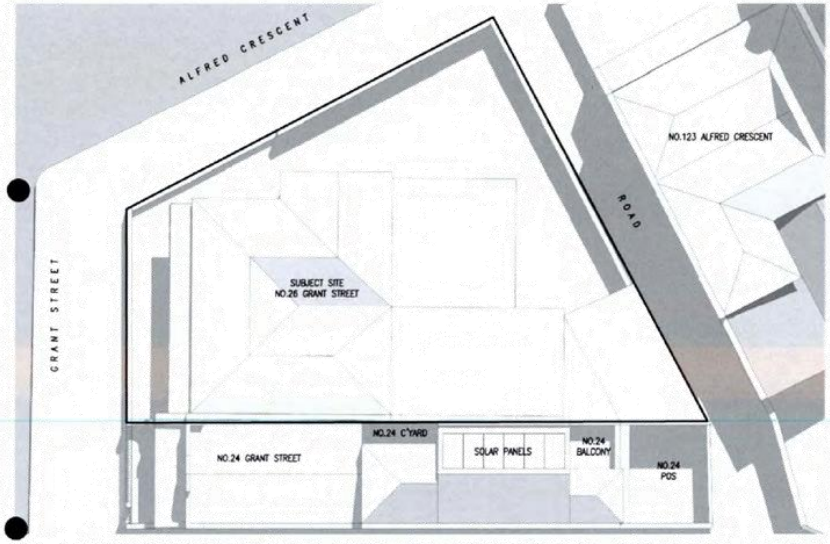
Stage: PL

A-707

Rev. A

Attachment 3 - PLN18/0829 - 26 Grant Street Fitzroy North - Decision Plans Part 2

1PM SHADOW AREA ANALYSIS:	REAR AREA	COURTYARD	BALCONY	TOTAL
EXISTING SECLUDED PRIVATE OPEN SPACE:	17sqm	3.9sqm	4.4sqm	25.3sqm
EXISTING AREA OF SHADOW CAST ON SECLUDED PRIVATE OPEN SPACE:	9.4sqm	3.9sqm	1.9sqm	15.2sqm
ADDITIONAL SHADOW CAST ON SECLUDED PRIVATE OPEN SPACE BY THE PROPOSAL:	NIL	NIL	NIL	NIL
REMAINING SECLUDED POS NOT IN SHADE:	7.6sqm	NIL	2.5sqm	10.1sqm



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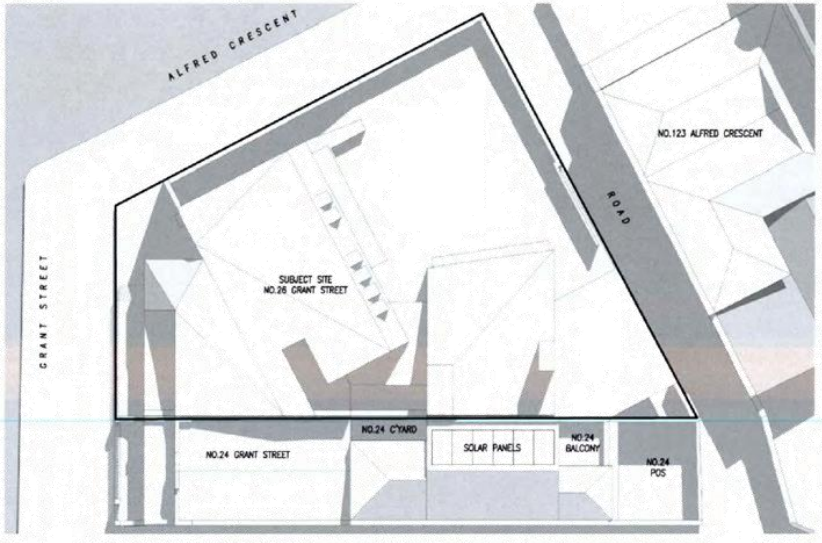

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SHADOW DIAGRAMS 1:200

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Project: PROPOSED ALTERATIONS & ADDITIONS AT 26 GRANT STREET, FITZROY NORTH 3068

Client: KANE & ALICIA LOXLEY

North

Scale: 1:200 @A3

Date: 12.12.18

Dwg. Title: PROPOSED SHADOW DIAGRAMS 22 SEPT EQUINOX

Dwg. By: CS

Check: MG

Proj. No.: 1706

Stage: PL

A-708

Rev.: A

Attachment 3 - PLN18/0829 - 26 Grant Street Fitzroy North - Decision Plans Part 2

2PM SHADOW AREA ANALYSIS:	REAR AREA	COURTYARD	BALCONY	TOTAL
EXISTING SECLUDED PRIVATE OPEN SPACE:	17sqm	3.9sqm	4.4sqm	25.3sqm
EXISTING AREA OF SHADOW CAST ON SECLUDED PRIVATE OPEN SPACE:	9.7sqm	3.9sqm	2.1sqm	15.7sqm
ADDITIONAL SHADOW CAST ON SECLUDED PRIVATE OPEN SPACE BY THE PROPOSAL:	NIL	NIL	NIL	NIL
REMAINING SECLUDED POS NOT IN SHADE:	7.3sqm	NIL	2.3sqm	9.6sqm

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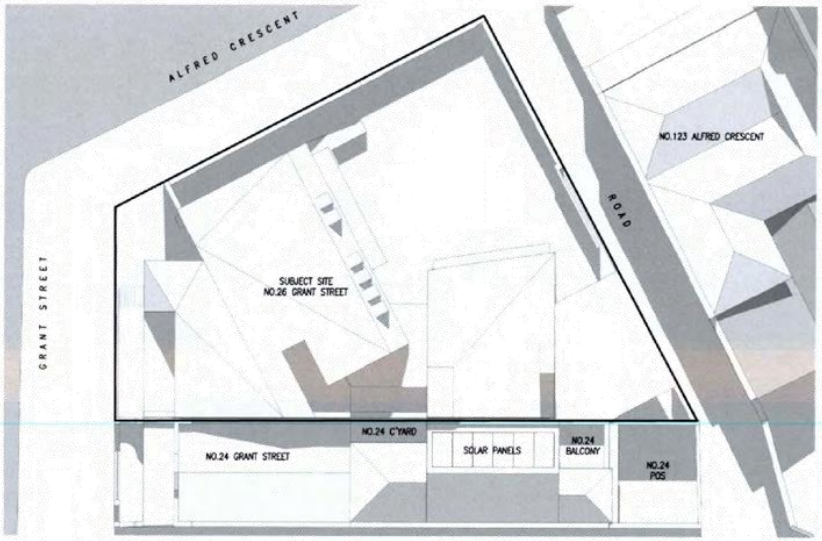

PROPOSED - 2PM 1:200

PL ISSUE

SHADOW DIAGRAMS 1:200

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Project: PROPOSED ALTERATIONS & ADDITIONS AT 26 GRANT STREET, FITZROY NORTH 3068

Client: KANE & ALICIA LOXLEY

North

Scale @A3: 1:200

Date: 12.12.18

Dwg. Title: PROPOSED SHADOW DIAGRAMS 22 SEPT EQUINOX

Dwg. by: CS

Check: MG

Proj. No.: 1706

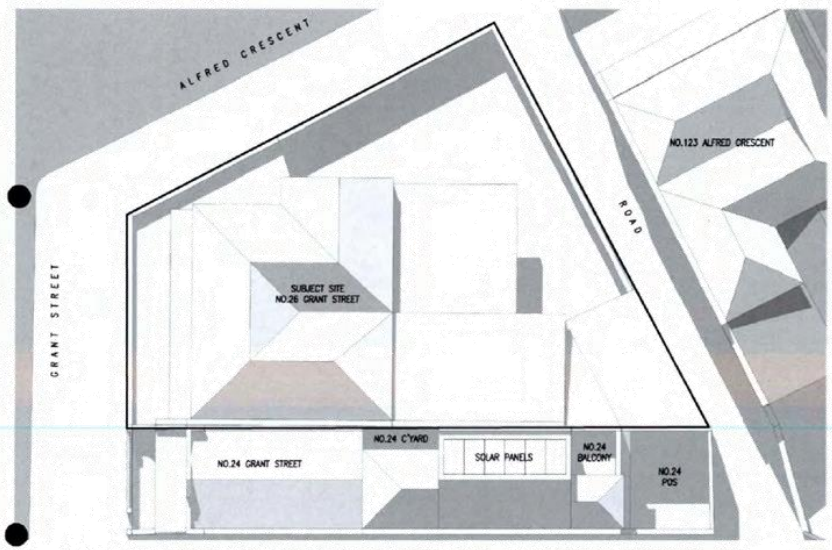
Stage: PL

A-709

Rev. A

Attachment 3 - PLN18/0829 - 26 Grant Street Fitzroy North - Decision Plans Part 2

3PM SHADOW AREA ANALYSIS:	REAR AREA	COURTYARD	BALCONY	TOTAL
EXISTING SECLUDED PRIVATE OPEN SPACE:	17sqm	3.9sqm	4.4sqm	25.3sqm
EXISTING AREA OF SHADOW CAST ON SECLUDED PRIVATE OPEN SPACE:	14sqm	3.9sqm	3.22sqm	21.12sqm
ADDITIONAL SHADOW CAST ON SECLUDED PRIVATE OPEN SPACE BY THE PROPOSAL:	NIL	NIL	.67sqm	.67sqm
REMAINING SECLUDED POS NOT IN SHADE:	3sqm	NIL	.51sqm	3.51sqm



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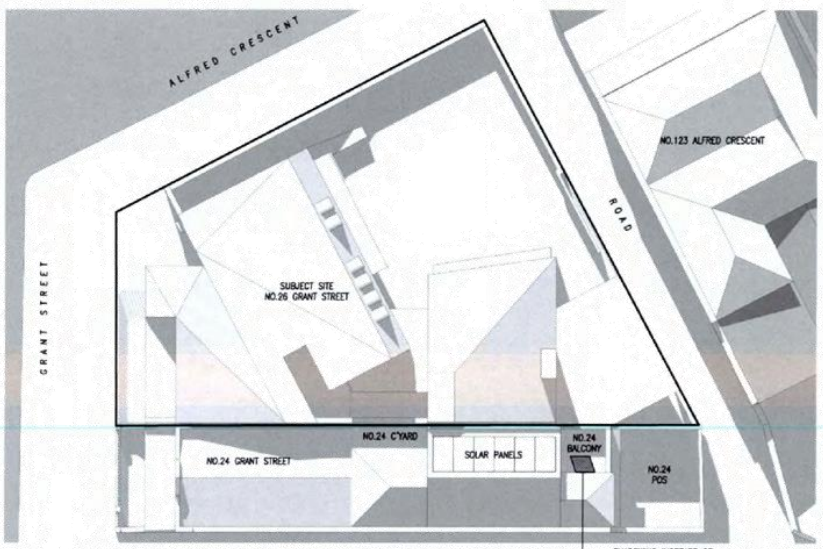

PROPOSED - 3PM 1:200

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Project: PROPOSED ALTERATIONS & ADDITIONS AT 26 GRANT STREET, FITZROY NORTH 3068

Client: KANE & ALICIA LOXLEY

North

Scale: 1:200 @A3

Date: 12.12.18

Dwg. Title: PROPOSED SHADOW DIAGRAMS 22 SEPT EQUINOX

Dwg. by: CS

Check: MG

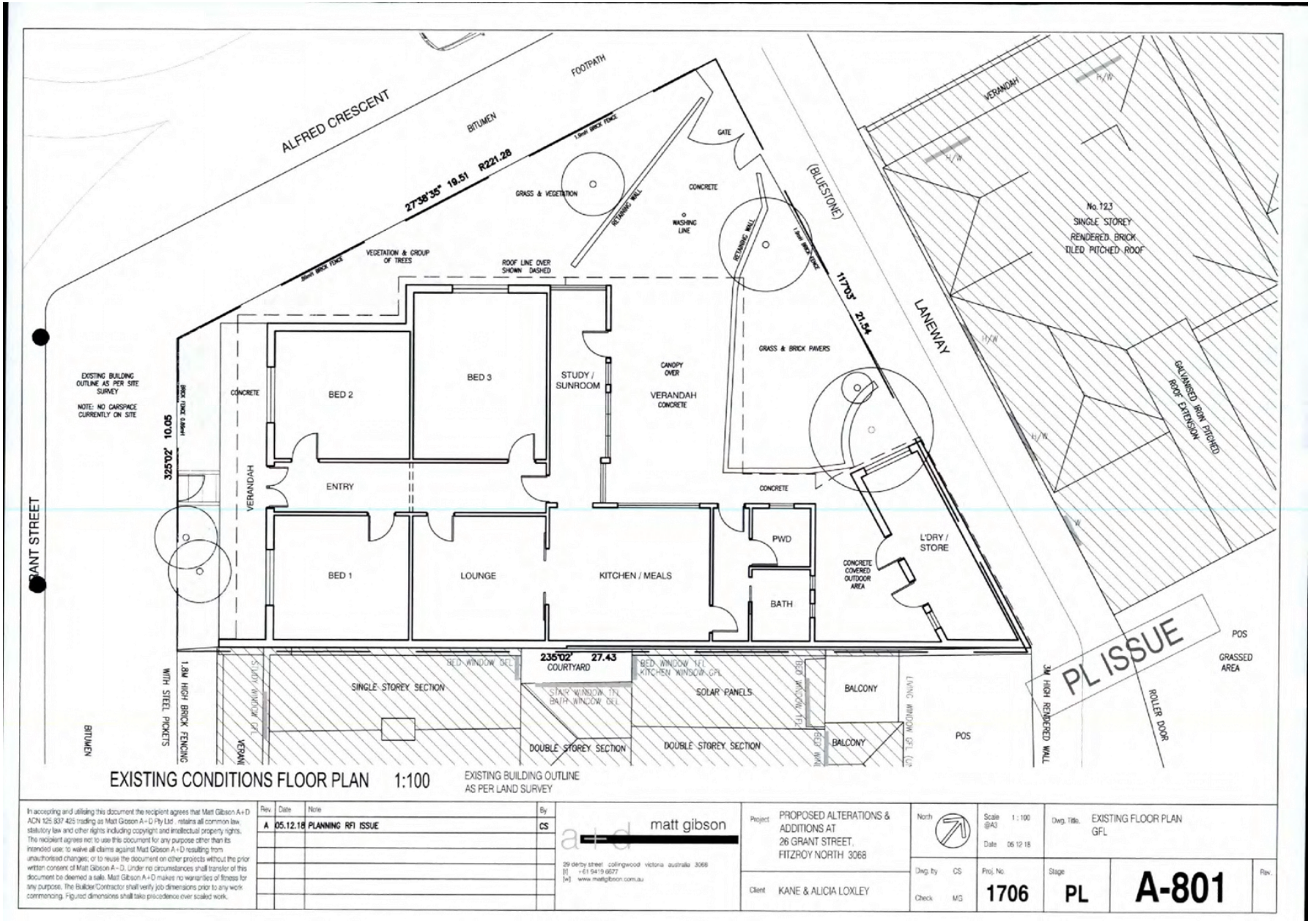
Proj. No.: 1706

Stage: PL

A-710

Rev. A

Attachment 3 - PLN18/0829 - 26 Grant Street Fitzroy North - Decision Plans Part 2



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Project: PROPOSED ALTERATIONS & ADDITIONS AT 26 GRANT STREET, FITZROY NORTH 3068

Client: KANE & ALICIA LOXLEY

North

Scale 1 : 100 @A3

Date 06.12.18

Dwg. Title: EXISTING FLOOR PLAN GFL

Dwg. by CS

Check MG

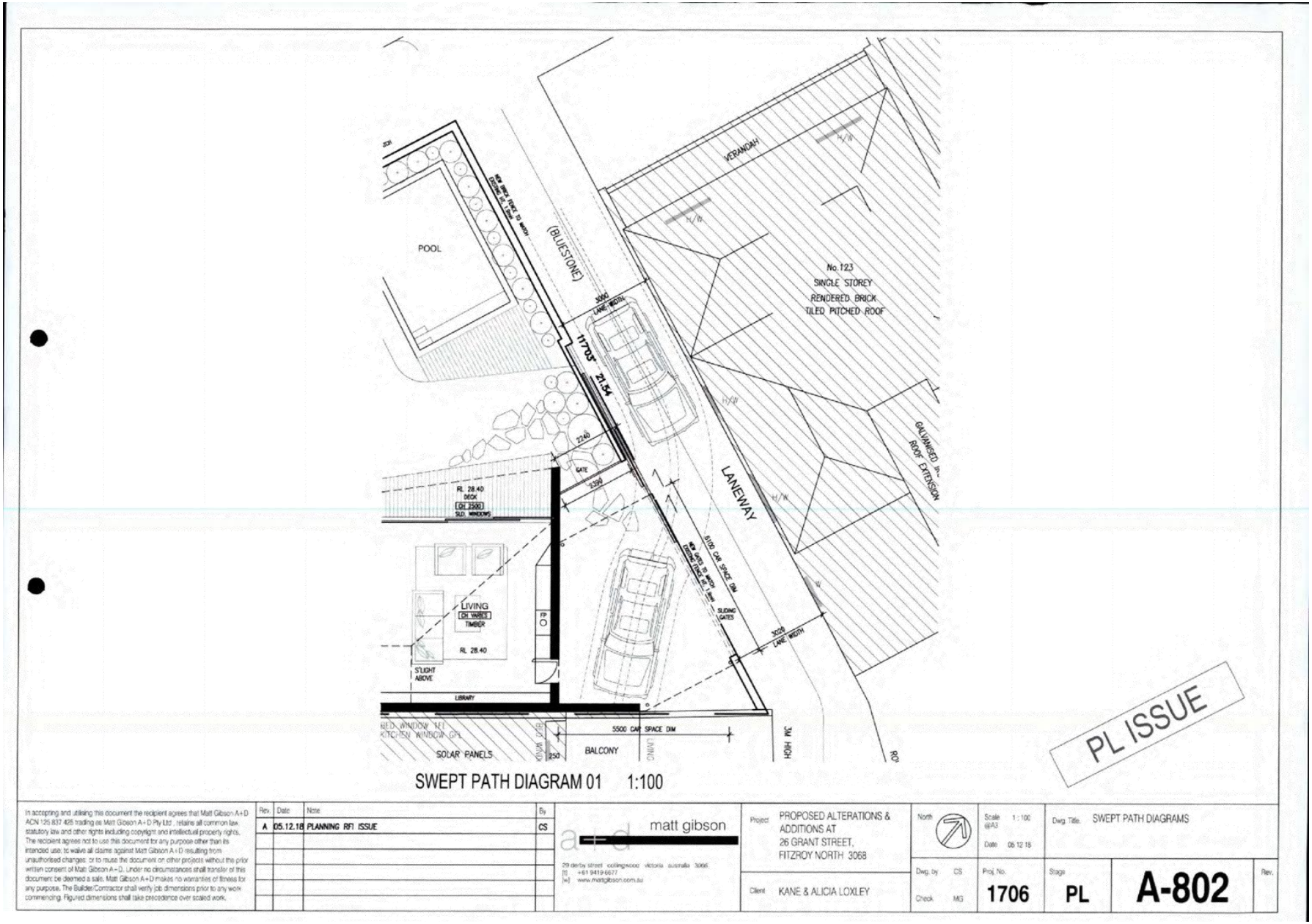
Proj. No. 1706

Stage PL

A-801

Rev.

Attachment 3 - PLN18/0829 - 26 Grant Street Fitzroy North - Decision Plans Part 2



SWEPT PATH DIAGRAM 01 1:100

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Project: PROPOSED ALTERATIONS & ADDITIONS AT 26 GRANT STREET, FITZROY NORTH 3068

Client: KANE & ALICIA LOXLEY

North

Scale 1 : 100 @A3

Date 05 12 18

Dwg. Title: SWEPT PATH DIAGRAMS

Dwg. by CS

Check MG

Proj. No. 1706

Stage PL

A-802

Rev.

Attachment 4 - PLN18 0829 - 26 Grant Street Fitzroy North - Heritage comments

City of Yarra
Heritage Advice

Application No.:	*PLN18/0829*
Address of Property:	***26 Grant Street, Fitzroy North***
Planner:	*Emily Zeng*
Yarra Planning Scheme References:	*STATE POLICY:* • *Clause 15.03 Heritage* *LOCAL POLICY:* • *Clause 21.05-1 Built Form (Heritage)* • *Clause 43.01 Heritage Overlay* • *Clause 22.02 Development Guidelines for sites subject to the Heritage Overlay*
Heritage Overlay No. & Precinct:	*HO-327 North Fitzroy Precinct (Sub precinct A)*
Level of significance:	*Non-Contributory (Appendix 8, City of Yarra Review of Heritage Overlay Areas 2007- updated Feb 2017)* *Constructed c.1897 (Source: HIS by RBA Architects, 2018)*
General description:	*Full demolition of existing building and construction of a new two-storey building.*
Drawing Nos.:	*Set of 22 x A3 drawings prepared by Matt Gibson Architects, "PL Issue".* *Heritage Impact Statement (HIS) by Roger Beeston Architects, Dated October 2018*

CONTEXT DESCRIPTION:

The subject site is an irregular allotment with principal frontage to Grant Street, side frontage to Alfred Crescent and rear access via a bluestone laneway. The site is located on the eastern side of the street, between Alfred Crescent to the north and McKean Street to the south. To the north of the subject site is Edinburgh Gardens, making it a prominent and highly visible corner.

The existing building is a double fronted masonry structure with a hipped roof. The dwelling was originally constructed in the late 19th century, the layout of which is evident on the MMBW plan from 1901. However at some point, post War, the dwelling was significantly altered and no longer exhibits Victorian-era features. The existing building no longer contributes architecturally to the HO precinct and is considered to be non-contributory.

The subject site is located in one of the most ornate and historically intact areas within the City of Yarra. To the south-east of the site is a row of single storey, attached Victorian-era terraces. To the north-east of the site is a single storey masonry dwelling, then a row of two-storey attached Victorian-era terraces. The immediate area is characterised by mostly ornate, individually significant and contributory, single and two-storey dwellings. However, there are also a small number of non-contributory dwellings.

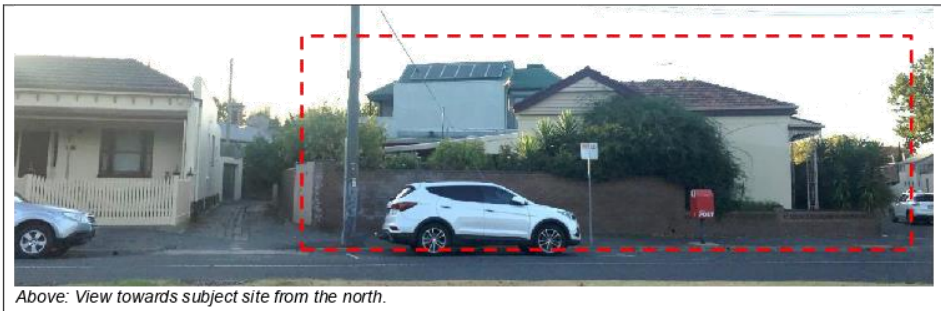
Attachment 4 - PLN18 0829 - 26 Grant Street Fitzroy North - Heritage comments

Above: Current aerial of the subject site and surrounds.

Above: Extract from Yarra GIS showing individually significant (pink), contributory (cream) and non-contributory (green) sites within the immediate area of subject site (arrowed).

Above: View towards subject site from across Grant Street.

Attachment 4 - PLN18 0829 - 26 Grant Street Fitzroy North - Heritage comments



Above: View towards subject site from the north.

Above: View towards subject site from the north-east.

ASSESSMENT OF PROPOSED WORKS:

Comments regarding proposed demolition:

The extent of demolition proposed by this application includes full demolition of the subject site.

Clause 22.02-5.1 of the Yarra Planning Scheme generally encourages the retention of a building in a heritage place, unless:

- The building is identified as being not contributory.
- The building is identified as a contributory building, and
  - new evidence has become available to demonstrate that the building does not possess the level of heritage significance attributed to it in the incorporated document, City of Yarra Review of Heritage Areas 2007 Appendix 8, revised September 2015 and the building does not form part of a group of similar buildings.

Note: The poor condition of a heritage place should not, in itself, be a reason for permitting demolition.

The subject site is non-contributory, which has been confirmed by additional research carried out by a suitably qualified heritage consultant as part of this application (see HIS).

Full demolition of the dwelling is supported only in conjunction with a suitable proposal for a new development.

Comments regarding new development:

The extent of new works proposed by this application includes development of a two-storey dwelling.

The key consideration for assessing this aspect of the works is whether the proposed development will:

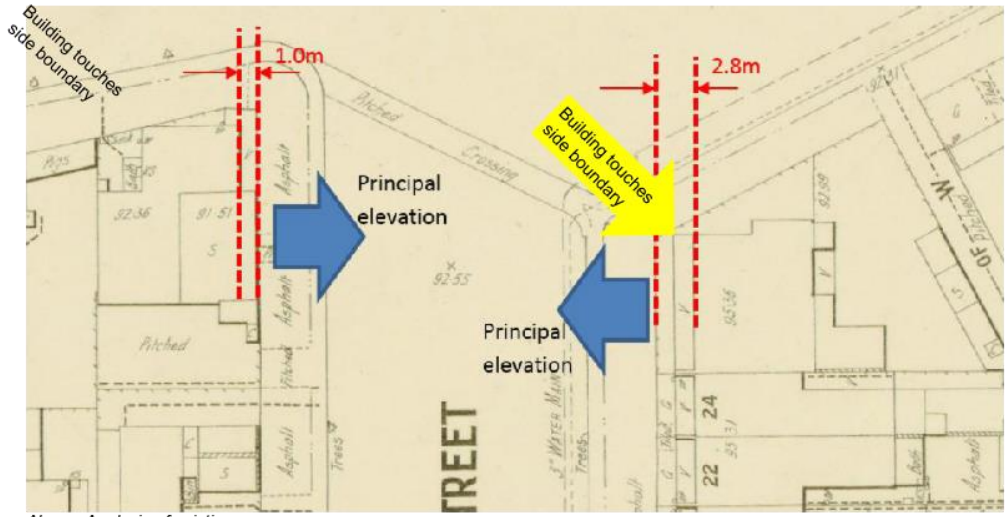
- Be in keeping with the character or appearance of the nearby contributory heritage buildings; and
- Not adversely affect the significance of the broader heritage precinct.

Attachment 4 - PLN18 0829 - 26 Grant Street Fitzroy North - Heritage comments

Analysis of site context:

Above: Aerial of the opposite corners of the intersection

Above: Street view showing opposite corners of the intersection



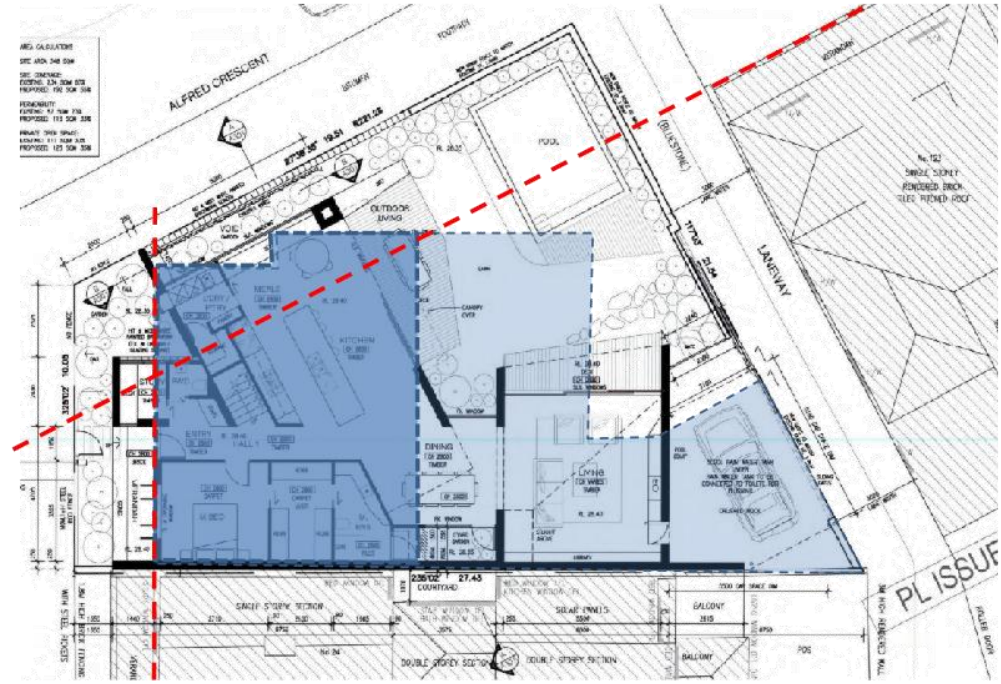
Above: Analysis of existing corners

Above: Analysis of nearby building setbacks and scale

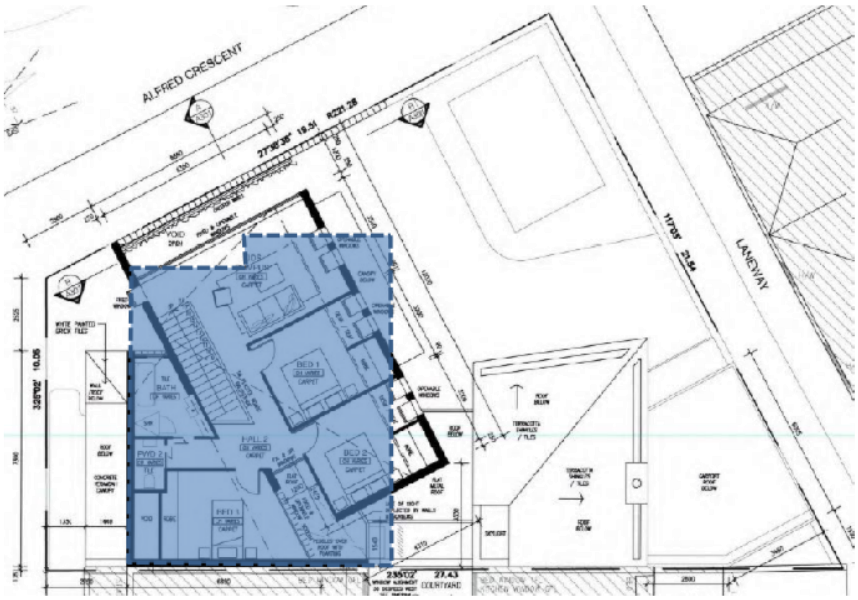
Setbacks:

In regard to corner sites Clause 22.02-5.7.2 specifically states that it is policy to:

- Encourage new building and additions on a site with frontages to two streets, being either a corner site or a site with dual street frontages, to respect the built form and character of the heritage place and adjoining or adjacent contributory elements to the heritage place.
- Encourage new buildings on corner sites to reflect the setbacks of buildings that occupy other corners of the intersection.



Above: Proposed ground floor plan overlaid with existing building footprint in blue



Above: Proposed ground floor plan overlaid with existing building footprint, showing existing setback points from Alfred Crescent

Setbacks from Grant Street:

The established front setback of the adjoining facades along this part of Grant Street is about 2.8m from the street boundary.

The setback of the proposed front wall of the new development will vary between 1.3metres and 2.8metres. Apart from the projecting study, the principal façade will be generally in keeping with the façades of the adjacent terraces along Grant Street. Given the consistency of this setback, it is strongly considered that the projecting study should be setback in line with the principal façade.

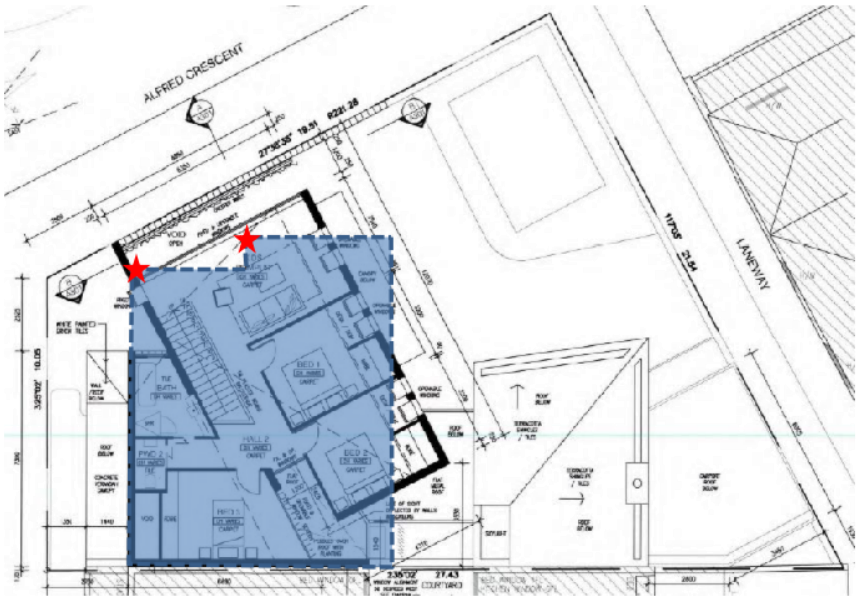
At the upper floor level the front setback will match the ground level, except for the projecting study. This setback will create a two-storey building form which will be generally consistent with the form of the two-storey building on the opposite corner (no. 27 Grant Street). In this regard, it is considered that the proposed setback of the upper floor level is acceptable.

Setbacks from Alfred Crescent:

The proposed development will have a 1.2metre setback from the Alfred Crescent boundary. A majority of adjoining properties to the north-east along Alfred Crescent have front setbacks of 6 metres with garden depths of approximately 2.9metres. The subject site presents as a side elevation to Alfred Crescent and is separated from the adjacent properties by a laneway.

Historically both corner properties fronting Grant Street have presented as side elevations to Alfred Crescent. The proposed side setback of 1.2metres appears to be the average of the two closest points of the existing building (refer to the diagram below). The proposed side setback of 1.2 metres will apply at both ground and first floor level, which is consistent with the side form of no. 27 Grant Street on the opposite street corner.

Attachment 4 - PLN18 0829 - 26 Grant Street Fitzroy North - Heritage comments



Above: Existing building footprint overlaid on proposed new building showing existing setback points from Alfred Crescent.

Scale/height:

The proposed facade height for the new development will be between 5.2metres and 7.7metres. Adjacent properties along Grant Street are typically 4.8metres tall with parapet heights up to 5.2metres, whilst properties on Alfred Crescent are typically around 9metres tall. The proposed transition between the single-storey scale of no. 24 Grant Street and the new building is considered a contemporary approach but never-the-less acceptable.

The overall height of the development is supported.

Roof form:

The proposed roof form for the new development is a combination of contemporary pitched roofs. The roof forms of immediately adjoining properties are a mix of traditional hips, gables and roofs concealed by parapets. Contemporary roof forms are not unacceptable, provided that adequate measures are taken to ensure the roofs are designed to correspond with the surrounding roofs and don't visually dominate the streetscape.

The roof element associated with the projecting study is considered particularly distracting. On the basis that the projecting study has already been identified as an element that needs to be removed (or setback) then it is considered that the distracting roof element associated with the study will also be removed.

Appearance:

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

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

A contemporary design approach has been adopted for the proposed new building. This approach is not unacceptable provided that adequate respect is given to the heritage character of the surrounding area through details such as roof forms, external materials, proportions and fenestration.

For the most part it is considered that the proposed fenestrations reference the traditional openings of the adjoining properties. There is one tall vertical rectangular window which will not overly detract from the significance of the area. The proposed window and door openings are supported.

The proposed external materials for the new development will be: white bricks, white brick tiles, concrete (porch only) and terracotta tiles (at the rear). The proposed material palette is a contemporary interpretation of masonry and other high quality traditional materials seen within the immediate area. The proposed material palette is considered acceptable subject to the modifications discussed above.

Fences

The proposal seeks to construct a 1metre high steel rod fence across half of the Grant Street frontage, and a contemporary hit and miss brick wall along the Alfred Crescent frontage.

The style of the proposed Grant Street fence is supported as it will be a contemporary and sympathetic interpretation of a palisade fence. It is however considered that the fence should extend the entire street frontage, to retain a tradition vista within the street where properties are entirely fences (not with sections of the allotment exposed).

The proposed brick fence fronting Alfred Crescent is supported as being a sympathetic material to surrounding contributory building. At a height of up to 6.8metres, it is however considered that the proposed fence will present to Alfred Crescent as more of a wall than a fence. Traditional fencing at the rear of properties is generally capped to around 2metres. Given that the proposed wall will increase in height as it approaches Grant Street, the maximum height of this wall should be no greater than the wall height of the proposed ground level.

RECOMMENDATIONS:

The proposed development is considered to be a high quality design which, with modifications, will contribute to the quality of the area without detracting from the prominence and character of the adjoining and nearby heritage properties.

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

1. That the Grant Street setbacks must be modified by removing the projecting study or setting it back in line with the principal façade;
2. That the atypical and visually distracting roof form associated with the projecting front study of the proposed new building must be deleted;
3. That the proposed front fence along Grant Street must be extended to entire width of the street frontage;
4. That the proposed brick side fence fronting Alfred Crescent must be reduced to no greater than the ground floor wall height.

SIGNED:

Diahnn McIntosh

DATED: 13 March 2019

Attachment 5 - PLN18 0829 - 26 Grant Street Fitzroy North - Engineering comments

MEMO

To:	**Nikolas Muhllechner**	
From:	**Artemis Bacani**	
Date:	**14 January 2019**	
Subject:	**Application No:**	**PLN18/0829**
	Description:	**Construction of a Double-Storey Dwelling**
	Site Address:	**26 Grant Street, Fitzroy North**

I refer to the above Planning Application received on 19 December 2018 in relation to the proposed development at 26 Grant Street, Fitzroy North. Council's Civil Engineering unit provides the following information:

DEVELOPMENT LAYOUT DESIGN
Layout Design Assessment

Matt Gibson Drawing No. A-104 Revision A dated 12 December 2018

Item	Assessment
Access Arrangements	
Width of Right of Way	According to the submitted drawings, the Right of Way along the northern boundary of the site has a carriageway width of 3.0 metres.
Development's Entrance	Not dimensioned on the drawings. Using Trapeze, the width of the carport entrance is approximately 7.0 metres in width.
Car Parking Modules	
Dimensions of Carport	The internal dimensions of the carport measures between 2.39 metres and 5.5 metres wide, and between 5.6 metres and 6.1 metres long. Although the dimensions of the carport does not fully comply with *Design standard 2 – Car parking spaces*, the proposed dimensions are considered satisfactory to accommodate a B85 design vehicle.
Vehicle Turning Movements – Car Spaces	The applicant must indicate on the drawings the vehicle template used for the swept path diagram.

Attachment 5 - PLN18 0829 - 26 Grant Street Fitzroy North - Engineering comments

Design Items to be Addressed

Item	Details
Entrance Width of Carport	To be dimensioned on the drawings.
Swept Path Template	The applicant is to indicate on the swept path diagram the vehicle template used for the vehicle turning movements check.

ENGINEERING CONDITIONS

Civil Works

Upon the completion of all building works and connections for underground utility services,

- The footpath along the property's Grant Street and Alfred Crescent road frontages must be stripped and re-sheeted 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.

Road Asset Protection

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

Impact of Assets on Proposed Development

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

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.

Attachment 5 - PLN18 0829 - 26 Grant Street Fitzroy North - Engineering comments

NON-PLANNING ADVICE FOR THE APPLICANT

Legal Point of Discharge

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

Clearances from Electrical Assets

Overhead power lines run along the east side of Grant Street and south side of Alfred Crescent, close to the property boundary.

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

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1.2 PLN16/0471.01 - 344 Johnston Street, Abbotsford - Section 72 amended to the permit preamble to delete reference to dwellings, a reduction in car parking, external alterations including increasing the overall height, alterations to the front and rear setbacks, changes in materials and internal reconfigurations

Executive Summary

Purpose

1. This report provides Council with an assessment of planning permit PLN16/0471.01 and recommends approval, subject to conditions. As this is a Section 72 amendment proposal, this report will focus on the changes to the built form approved under the original planning permit.

Key Planning Considerations

2. Key planning considerations include the following:
   (a) Built form (Clauses 15.01, 21.05, 22.10, 34.01 and 43.02)
   (b) Off-site amenity impacts (Clauses 15.01 and 22.10)
   (c) Internal amenity (Clauses 22.05 and 22.10)
   (d) Car parking provision 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 the following:
   (a) Strategic justification.
   (b) Built form and design.
   (c) Off-site amenity impacts.
   (d) Equitable development.
   (e) Internal amenity.
   (f) Sustainable design.
   (g) Car and bicycle parking.
   (h) Traffic and vehicle access.
   (i) Objector concerns.

Submissions Received

4. Eight objections were received to the application, raising the following issues (summarised):
   (a) Building design
   (b) Non-compliant with the Johnston Design and Development Overlay (DDO)
   (c) Overlooking
   (d) Overshadowing
   (e) Loss of light
   (f) Wind impacts
   (g) Traffic and car parking
   (h) Loss of views
   (i) Impact on adjoining building foundations

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: **Gary O'Reilly**
TITLE: **Senior Statutory Planner**
TEL: **9205 5040**

1.2 PLN16/0471.01 - 344 Johnston Street, Abbotsford - Section 72 amended to the permit preamble to delete reference to dwellings, a reduction in car parking, external alterations including increasing the overall height, alterations to the front and rear setbacks, changes in materials and internal reconfigurations

Trim Record Number: D19/111340
Responsible Officer: Senior Co-ordinator Statutory Planning

Proposal:	Section 72 amendment to planning permit PLN16/0471 issued on 28 April 2017 by: • rewording the permit preamble (and deleting reference to 'dwellings') within the development; • increasing the approved car parking reduction associated with increased office floor space; • increasing the overall height of the building from 46.85m to 48.07m; • reducing the approved Johnston Street setbacks (at levels 4, 5 and 6); • deleting the approved terraces fronting Johnston Street (at levels 5 and 6); • reducing the approved terrace size and setback to Little Turner Street (Level 4); • changing the approved materials; • internal reconfiguration including lobby area and common area (on all floors) and revising the layout of the ground floor shop, storage and bicycle parking spaces; • increasing the size of the plant area and lift overrun (roof level); • amending the approved car stacker system by reducing the lengths of the car spaces and by increasing the depth of the stacker pit from a depth of 17.55m to a depth of 17.2m; and • revising the design of the approved ground floor pedestrian facade/entry.
Existing use:	Warehouse
Applicant:	Tract Consulting
Zoning / Overlays:	Commercial 1 Zone Environment Audit Overlay Design and Development Overlay (Schedule 15)
Date of Application:	21 December 2018
Application Number:	PLN16/0471.01

Planning History

1. Planning Permit PLN16/0471 was issued on 28 April 2017 for *the construction of a seven storey building plus basement and roof top plant containing a shop, office and dwellings, a reduction of the car parking requirement and a waiver of the loading bay requirement*.

Background

2. The application was lodged with Council 21 December 2018. A further information letter was sent to the permit applicant on 18 January 2019 with a response received on the by 20 February 2019.

The letter included concerns regarding the upper floor setbacks, ground floor street activation, overshadowing, use of materials and the score rating within the BESS report.

3. The application was advertised in February 2019 and 8 objections were received.
4. A consultation meeting was held on 21 May 2019 and was attended by the permit applicant, and Council officers. No objectors attended the meeting.
5. During the application process, Council has sought internal referral comments from the Traffic Engineering Services Unit, Strategic Planning Unit, Strategic Transport Unit, ESD Advisor and Waste Management Unit.

Planning Scheme Amendments

Amendment VC148

6. Since the original permit was issued on 31 July 2018, Planning Scheme Amendment VC148 was gazetted by the Minister for Planning. Amongst other changes the amendment has deleted the State Planning Policy Framework (SPPF) and has replaced it with a new integrated Planning Policy Framework (PPF) in Clauses 10 to 19 of the Scheme.
7. The introduction of VC148 amended Clause 52.06 (Car parking) so that the car parking rates of Column B applies if any part of the subject site is identified as being within the Principal Public Transport Network Area (PPTN).
8. The subject site is located within the PPTN Area and therefore the Column B car parking rates apply to this planning permit application. This means that there is a reduced rate of car parking for the office and shop uses approved within the building.

Amendment C220

9. The amendment proposes to implement the built form principles and objectives of the Johnston Street Local Area Plan, principally through the introduction of Design & Development Overlay Schedule 15 (DDO15) on a permanent basis.
10. The amendment has been exhibited and was referred to a Planning Panel on 21 August 2018. A hearing was held over 9 days (between 16 and 26 October 2018) and Council received the panel report on 25 February 2019. Council considered the findings and recommendations of the panel report at its meeting on 14 May 2019 and adopted amendment C220.
11. The amendment is currently with the Minister for Planning for approval.

Amendment C237

12. While amendment C220 was being processed, Council requested that the Minister for Planning introduce identical controls on an interim basis under Amendment C237.
13. Amendment C237 was approved by the Minister for Planning on 2 March 2018 and introduced interim built form controls in the form of Design and Development Overlay 15 (DDO15) into the Scheme.

The Proposal

14. The application proposes to amend the permit (both the permit and endorsed plans).

Permit

15. Amend the permit preamble by deleting reference to ‘dwellings’.

The current permit preamble reads as follows:

The construction of a seven storey building plus basement and roof top plant containing a shop, office and dwellings, a reduction of the car parking requirement and a waiver of the loading bay requirement.

The proposed permit preamble will read as follows:

The construction of a seven storey building plus basement and roof top plant containing a shop, office ~~and dwellings~~, a reduction of the car parking requirement and a waiver of the loading bay requirement.

Endorsed plans

16. The proposal seeks to make the following changes to the endorsed plans:

(a) Basement

(i) Relocation of the rainwater tank from a central location, approximately 1.6m from the south-west corner of the batter zone within the car stacker to adjacent to the western boundary, approximately 9m from the front boundary.

(ii) Amend the car stacker system (by reducing the length of the car spaces by 0.1m and increasing the depth of the stacker pit from a depth of 17.55m to a depth of 17.2m). The provision of 18 on site car parking spaces remains unchanged and all are to be allocated to the offices.

(b) Ground floor

(i) Redesign the car stacker system by deleting two pedestrian doors, and reduce the lengths of the individual stackers by 100mm.

(ii) Relocate the booster / HYD sprinklers, gas services and entry to commercial/retail tenancy and office entry along front façade.

(iii) Relocate water metres, and mains/electricity cabinet (lobby).

(iv) Reduce the area of the commercial/retail by 4sqm from 50sqm to 46sqm.

(v) Delete the storage cages, which were allocated to the apartments. The cages have not been relocated and have been deleted entirely from the development as there is no requirement for offices to have cages/storage space.

(vi) Decrease the number of approved bicycle spaces by 4 from 22 to 18 and revise the access to them via the commercial lobby.

(vii) Revise the approve bin storage area, through its relocation adjacent to the central stairwell and incorporation of 11 x 240 litre bins, bin wash and hard waste area in lieu of the approved 6 x 660 litre & 1 x 240 litre bins, bin wash and hard waste area.

(viii) Delete residential lobby and consolidate with the commercial lobby (adjacent to lifts).

(ix) Delete stairwell access via the commercial lobby.

(c) 1st, 2nd and 3rd floors

(i) Revise the common area and bathroom layout.

(ii) Remove 16 bicycle racks (within the office area).

(d) 4th floor

(i) Deletion of two dwellings (apartments) and provision of office space (244sqm) instead.

(ii) Reduced widths of terraces (and sizes) to Johnston Street (1.65m width in lieu of the approved 3.2m) and to Little Turner Street (1.47m width in lieu of the approved 3.2m), resulting in reduced façade setback to the front and rear boundaries, from 4.5m to 3.13m (Johnston Street) and 7.2m from to 5.475m (Little Turner Street).

(iii) Deletion of lightwell along the western boundary.

(iv) Revised common area and bathroom layout.

(e) 5th floor

(i) Deletion of two dwellings (apartments) and provision of office space (232sqm) instead.

(ii) Deletion of 1.7m wide terrace to Johnston Street, resulting in reduced façade setback of 2.9m to the front boundary in lieu of the approved 4.4m.

(iii) Deletion of lightwell along the western boundary.

(iv) Revised common area and bathroom layout.

(f) 6th floor

(i) Deletion of two dwellings (apartments) and provision of office space (232sqm) instead.

(ii) Deletion of 1.7m wide terrace to Johnston Street, resulting in reduced façade setback of 2.9m to the front boundary in lieu of the approved 4.4m

(iii) Deletion of lightwell along the western boundary.

(iv) Revised common area and bathroom layout.

(g) Roof

(i) Installation of a second lift overrun.

(ii) Revised plant area.

(iii) Installation of solar panels.

(iv) Deletion of openable skylights.

(h) Elevations/general

(i) Increased overall building height by 1.2m from the approved 46.85m to 48.07m.

(ii) Installation of lightweight roof structure in lieu of the approved concrete.

(iii) Installation of glass balustrade to terraces at levels 4, 5 and 6 (north elevation) in lieu of the approved copper coloured laser etched aluminium.

(iv) Alteration of boundary wall finishes (east and west elevations) through the deletion of rough cast concrete finish white and bright concrete mix clear sealed, flat concrete finish white and bright concrete mix clear sealed w/cast sawtooth patterning, flat concrete finish charcoal concrete colour clear sealed w/brass centre inlay and preplacement with painted finishes in a white, dark grey and brass finish.

(v) Installation of gas and booster systems (ground floor).

(vi) Deletion of metal louvers balustrade to south-facing terraces along levels 5 and 6 and with replacement of glazed balustrades.

Existing Conditions

Subject Site

17. The subject site is located on the northern side of Johnston Street, approximately 18m from the junction of Johnston Street and Rich Street in Abbotsford. The subject site is rectangular in shape with a frontage to Johnston Street to the south and a frontage to Little Turner Street to the north. The subject site has a frontage of 10.05m to Johnston Street and a maximum depth of 40.23m, equating to an overall site area of 404sqm.

18. The subject site is currently developed with a double-storey commercial building presenting to Johnston Street which steps down to single-storey at the rear (laneway abuttal). The building has a front setback of approximately 5.4m (which is paved and provides two car parking spaces) and is constructed to all other site boundaries.

Vehicle access is gained via a crossover from Johnston Street as well as through a garage roller door from the rear laneway.

19. The subject site is not affected by any restrictive covenants or easements.

Surrounding Land

20. Since the granting of the original permit there has been no significant change in the surrounding area or site context. The following description is therefore from the officer's report for the original permit:

21. The immediately surrounding area is characterised by commercial uses to the east, southwest and west, all located within the Commercial 1 Zone. Low-rise residential development is located to the north across Little Turner Street within the Neighbourhood Residential Zone 1, while land to the south-east on the southern side of Johnston Street is located within the General Residential Zone 2. Abbotsford in general is a highly varied neighbourhood with a substantial number of industrial and commercial buildings of various types and eras.

22. The locality is well serviced by various modes of public transport, with bus routes travelling along Johnston Street and the Victoria Park train station located approximately 270 metres to the west. The site is located within the Johnston Street Neighbourhood Activity Centre, which is characterised by commercial uses and varied built form.

23. To the immediate west of the site, at No. 340-342 Johnston Street, is a single storey commercial building constructed to all boundaries, currently occupied by a clothes retailer. Further west is a double storey commercial building that was most recently used for furniture retailing.

24. Further west, at No. 328-334 Johnston Street, is a three storey building with commercial uses and car parking at ground floor level and dwellings on the upper two levels. There are dwellings within the building that are orientated with a primary outlook to the side boundaries, including the eastern side boundary towards the proposed development.

25. To the immediate south, Johnston Street has a width of approximately 20 metres and carries five lanes of traffic. The Road Zone, Category 1 applies to Johnston Street. On the southern side of Johnston Street, opposite the subject site, is a pair of double storey terraces constructed to the street boundary with commercial uses at ground floor and residential above. To the west of the terraces are two single storey commercial premises constructed to the front boundary, while to the east are two single storey attached dwellings with front verandahs extending to the street boundary

26. To the east of the site on the north-west corner of Johnston Street and Rich Street, is a single storey commercial building constructed to all boundaries, currently occupied by a signage company.

27. The subject site has a rear abuttal to Little Turner Street to the immediate north. Little Turner Street is a 6 metre wide bluestone laneway that connects with Lulie Street to the west and Rich Street to the east. On the northern side of Little Turner Street is the side boundary of a property with frontage to Rich Street to the east.

28. Directly opposite the subject site, is the rear yard of the dwelling at No. 1 Rich Street. This dwelling has both ground and first floor habitable room windows facing the laneway and the subject site. To the north-west is an outbuilding constructed to the laneway associated with a single storey dwelling at No. 37 Turner Street.

29. Little Turner Street is characterised by the commercial properties that back on to the southern side of the laneway and residential properties to the north, some of which have been developed with double storey dwellings that front Little Turner Street, including developments at Nos. 32 and 34 Little Turner Street, as well as a development currently under construction at No. 31 Turner Street.

30. The Victoria Park community hub and recreation facility is also a significant feature of the area and is located 70 metres north of the site.

Planning Scheme Provisions

Zoning

Clause 34.01 – Commercial 1 Zone

31. Pursuant to Clause 34.01-1 of the Yarra Planning Scheme (the Scheme), both a 'shop' and an 'office' are section 1 – as of right (no permit required) uses.

32. Under Clause 34.01-4 of the Scheme a permit is required for buildings and works.

Overlays

Clause 45.03 – Environmental Audit Overlay

33. Pursuant to Clause 45.03-1 of the Scheme, before a sensitive use (residential use, child care centre, pre-school centre or primary school) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, either:

    (a) A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970, or

    (b) An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.

34. This proposal deletes the dwellings from the approved building which are a 'sensitive use' and as such deletes the requirements of the Environmental Audit Overlay. The original permit does not include any specific conditions relating to the Environmental Audit Overlay and therefore no changes to the original permit are required in this regard. The permit did however include a note informing the permit holder that the subject site is within an Environmental Audit Overlay and advising them that the above requirements must be met prior to the commencement of the development.

Clause 43.02 – Design and Development Overlay (Schedule 15)

35. Pursuant to Clause 43.02-2 of the Scheme, a permit is required to construct a building or construct or carry out works.

36. The Design & Development Overlay (DDO) incorporates the following design requirements and it separates properties along Johnston Street into precincts with specific built form controls.

37. The subject site is located within precinct 2D of the DDO.

38. The schedule has the following design objectives:

    (a) To preserve the valued heritage character of the streetscape and ensure that the predominantly two storey Victorian and Edwardian-era heritage street-wall remains the visually prominent built form of Johnston Street west of the railway line bridge.

    (b) To ensure that the overall scale and form of new buildings is mid-rise (5 to 12 storeys) and provides a suitable transition to low scale residential areas, protecting surrounding residential properties from unreasonable loss of amenity through visual bulk, overlooking and overshadowing.

    (c) To ensure that new development does not compromise the operation of the state significant Collingwood Arts Precinct from unreasonable loss of amenity through visual bulk, overlooking, overshadowing and vehicle access.

    (d) To activate the street edge, provide passive surveillance opportunities and accommodate commercial activity at the lower levels of new development and enhance the public realm through high quality buildings public spaces on the southern side of Johnston Street from loss of amenity from overshadowing.

    (e) To provide for equitable development outcomes through built form design that responds to the development opportunities of neighbouring properties, and through the consolidation of finer grain sites.

39. To achieve the above design objectives, the following design requirements are relevant to this proposal:

40. Building Heights and Setbacks (including street-wall height and rear interface height)

(a) The building height and setback requirements (as set out at Table 1 of the schedule).

	Preferred maximum building height	Mandatory maximum building height	Preferred street-wall height	Mandatory maximum street-wall height	Preferred minimum setback (for upper levels from street wall façade)	Mandatory minimum setback (for upper levels from street wall façade)	Preferred maximum rear interface height (on boundary)
Precinct 2D	24m	31m	15m (max)	18m	3m	N/A	11m

(b) A permit must not be granted or amended (unless the amendment would not increase the extent of non-compliance) for buildings and works which exceed the mandatory maximum building height, mandatory maximum street wall height or are less than the minimum upper level setback for a relevant sub-precinct specified in the Table 1 to this Schedule.

(c) A permit may be granted to exceed the preferred maximum height specified in Table 1 if the following criteria are met to the satisfaction of the Responsible Authority:

(d) The built form outcome as a result of the proposed variation satisfies the objectives of Clause 1.0 and the provisions of Clause 21.12-1 are satisfied.

(e) The proposed building height is consistent with the preferred mid-rise character for Johnston Street of generally 5 to 12 storeys.

(f) The proposal will achieve each of the following:

(i) housing for diverse households types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations;

(ii) universal access, and communal and/or private open space provision that exceeds the minimum standards in Clauses 55.07 and 58;

(iii) excellence for environmental sustainable design measured as a minimum BESS project score of 70% or 5 Star Green Standard;

(iv) minimal additional amenity impacts to residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height;

(v) for Contributory or Individually Significant buildings under the Heritage Overlay, the proposed development enhances the heritage fabric of the building (primarily through full restoration of the front façade and external features visible from the street).

(g) A permit may be granted to vary the preferred maximum street wall height and preferred minimum setbacks requirements in Table 1 if the development meets the Design Objectives to the satisfaction of the Responsible Authority.

(h) In addition to the overall building height requirements specified in Table 1 and Map 1, development above 18m (5 storeys) must be on a site, consisting of one or more titles, that has the following parameters:

(i) A minimum lot depth of 20m

(ii) A minimum street frontage width of 10m

(i) In addition to the setbacks required by Table 1, new development on sites with a north-south orientation fronting either Johnston or Sackville Street, should be setback within a 45-degree envelope measured from above the street-wall height and the rear interface height to the maximum overall height as shown in Figure 1. This does not apply to development in sub-precincts 1A, 1B, 2A and 2C (for the site on the northern side of Johnston Street), where new development should be setback within a 45-degree envelope from the primary street frontage only.

(j) In sub-precincts 1A, 1B and 2B, the rear interface of new development should be designed to enable daylight and/or solar access to primary outlooks for existing or potential future residential development and to consider future development opportunities on neighbouring sites.

(k) Development should avoid repetitive stepped form within the 45-degree envelope.

41. Building separation

(a) Development should be setback from common side boundaries to provide separation between buildings at the upper levels to avoid a "wall" of development above the street-wall when viewed from the opposite side of Johnston Street and Sackville Street.

(i) a minimum of 4.5m from the side boundary where a habitable room window is proposed.

(ii) a minimum of 3m from the side boundary where a non-habitable room window or commercial window is proposed.

(b) Where the common side boundary is a laneway, the setback is measured from the centre of the laneway.

42. Overshadowing and solar access

(a) New development must not overshadow the southern footpath of Johnston Street, measured as 3.0m from the boundary of Johnston Street, between 10am and 2pm at September 22.

43. Street frontage

(a) New development should:

(i) be built to the front property boundary on in-fill sites along Johnston Street;

(ii) address the primary street frontage and, where heritage elements are not a constraint, incorporate design elements that contribute to the provision of a continuous, visible and active frontage at ground level;

(iii) provide passive surveillance from upper levels;

(iv) be designed to allow for commercial activity at the lowest two levels (as a minimum) incorporating commercial floor to floor heights of at least 4m, where heritage elements are not a constraint;

(v) be designed to locate service entries/access doors away from the primary street frontage, or where not possible, be sensitively designed to integrate into the façade of the building.

44. Upper level development

(a) Within areas, and on individual properties covered by the Heritage Overlay, upper level development should:

(i) ensure that heritage facades remain the visually prominent feature within the streetscape when viewed from ground level;

(ii) be visually recessive in mass, scale and materiality, incorporating materials and finishes that are sympathetic and in keeping with the character of the heritage streetscape.

(b) Upper level development should be designed so that side walls are articulated and read as part of the overall building design not detract from the streetscape when viewed from direct and oblique views along the streetscape.

45. Vehicle access and car parking

(a) New development should be designed to:

(i) avoid providing vehicle access from Johnston Street and provide access from a side street or laneway where practical;

(ii) conceal the provision of car parking within the building or by providing basement car parking;

(iii) avoid providing recessed parking spaces at the ground floor level of buildings and onsite parking spaces at the front of properties.

46. This proposal does not include any transitional provision whereby any application lodged before the gazetted date would not be subject to the above requirements. As such, the above requirements are applicable to this application.

Particular Provisions

Clause 52.06 – Car Parking

47. Pursuant to Clause 52.06-2 of the Scheme, 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 requirement to provide the number of car parking spaces required under this clause.

48. This proposal deletes the approved 6 dwellings (apartments) and replaces them with 702sqm of office floor space. The car parking requirement for the approved development and for the amended layout for this proposal (as per the table at Clause 52.06-5 of the Scheme) are summarised in the tables below:

49. Approved development planning permit PLN16/0471 (issued 28 April 2017)

Use	Size / no. of apartments	Statutory parking rate	Parking requirement	Parking provision	Reduction sought
2 Bed Apts.	4	1 per Apt.	4	4	-
3 Bed Apts.	2	2 per Apt.	4	2	2
Visitor	Not specified	1 per 5 dwellings	1	0	1
Office	879m²	3 per 100m²	26	12	14
Retail	50m²	Not specified	Not specified	0	Not specified
Total	**-**	**-**	**35**	**18**	**17**

50. Current proposal

Use	Size / no. of apartments	Statutory parking rate	Parking requirement	Parking provision	Reduction sought
Office	1,581m²	3 per 100m²	47	18	29
Retail	46m²	Not specified	Not specified	0	Not specified
Total	**-**	**-**	**47**	**18**	**29**

51. As shown in the tables above, the car parking requirement of the Scheme has increased by 12 spaces, from 35 spaces to 47 spaces. This excludes the retail space which has no rate specified in the table at Clause 52.06.

52. The car parking provision for the development remains as approved, with a total of 18 car parking spaces provided in the form of car stackers, albeit they are now allocated to offices instead of to both the apartments and offices. This is a shortfall of 29 car parking spaces from the Scheme's requirements. While the original permit approves a reduction in the car parking requirement, this application seeks an additional reduction (of 12 spaces) to the car parking requirement.

53. The introduction of planning scheme amendment VC148 amended Clause 52.06 (Car parking) so that the car parking rates of Column B applies if any part of the subject site is identified as being within the Principal Public Transport Network Area (PPTN).

54. The subject site is located within the PPTN Area and therefore, the Column B car parking rates apply to this application. This means that there is a reduced rate of car parking for the office and shop uses within the approved building.

Clause 52.34 – Bicycle Facilities

55. 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. Bicycle parking requirements in the table at Clause 52.34-3 of the Scheme are summarised in the table below:

Use	Size / no. of apartments	Bicycle parking rate	Parking requirement	Parking provision	Reduction sought
Office	1,581m²	1 to each 300m² of Leasable Floor Area (employee)	5	Not specified	0
		1 to each 1,000m² of LFA if the LFA exceeds 1,000m²	2	Not specified	0
Retail	50m²	1 to each 300m² of Leasable Floor Area (employee)	0	0	0
		1 to each 500m² of LFA	0	0	
Total	**-**	**-**	**7**	**18**	**0**

56. The original proposal provides 22 space and this proposal provides 18 bicycle spaces. From the above table, there is therefore a surplus of 11 bicycle parking spaces.

General Provisions

Clause 65 – Decision Guidelines

57. The decision guidelines 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.

Planning Policy Framework (PPF)

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

Clause 11.01 – Activity Centres

59. The relevant objectives of this clause include:

(a) To build up activity centres as a focus for high-quality development, activity and living for the whole community by developing a network of activity centres.

(b) 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 11.04 – Metropolitan Melbourne

60. The relevant objectives of this clause include:

(a) To provide a diversity of housing in defined locations that cater for different households and are close to jobs and services.

(b) To create healthy and active neighbourhoods and maintain Melbourne's identity as one of the world's most liveable cities.

Clause 13.04- noise and Air

61. The relevant objective of this clause is:

(a) To assist the control of noise effects on sensitive land uses.

Clause 15.01 – Urban Environment

62. 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.

(b) 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.

(c) To improve community safety and encourage neighbourhood design that makes people feel safe.

Clause 15.02 – Sustainable Development

63. 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 17.01 – Commercial

64. 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 – Intergraded Transport

65. 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

66. 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 Statements (MSS)

Clause 21.04 – Land Use

67. The relevant objectives of this clause are:

(a) To accommodate forecast increases in population.

(b) To retain a diverse population and household structure.

(c) To reduce potential amenity conflicts between residential and other uses.

(d) To maintain the long term viability of activity centres.

(e) To increase the number and diversity of local employment opportunities.

Clause 21.05 – Built Form

68. 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 5-6 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 retain, enhance and extend Yarra's fine grain street pattern.

(d) To ensure that new development contributes positively to Yarra's urban fabric.

(e) To enhance the built form character of Yarra's activity centres.

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 21.08-1 describes the Abbotsford area in the following way:

    (a) Abbotsford is a highly varied neighbourhood with a substantial number of industrial and commercial buildings of various types and eras. The residential precincts are surrounded by industrial development located in the vicinity of Hoddle Street and the Yarra River.

    (b) Victoria Park is a major cultural and recreational asset of Yarra. Surrounding Victoria Park is a residential area which is Victorian in origin. To the south of Johnston Street residential areas consist of Victorian and Edwardian streetscapes with a substantial amount of weatherboard housing. These residential neighbourhoods have a consistent character which must be protected.

72. Within Figure 5 of Clause 21.08-1, the subject site is identified as being within the Johnson Street Neighbourhood Activity Centre. Figure 6 of Clause 21.08-1 shows the site as being partly within a main road area where the objectives include to 'maintain the hard urban edge of development along main roads' and 'reflect the fine grain of the subdivision pattern in building design where this exists along main roads'.

    Relevant Local Policies

    Clause 22.05 – Interface Uses Policy

73. This policy applies to applications for use or development within Commercial 1 Zones (amongst others). The relevant objective of this clause is to enable the development of new residential uses within and close to activity centres, near industrial areas and in mixed use areas while not impeding the growth and operation of these areas as service, economic and employment nodes.

    Clause 22.08 – Development Abutting Laneways

74. 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

75. 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)

76. This policy applies to application for new buildings. The applicant provided a sustainable management plan (SMP) which includes a STORM rating report regarding water re-use. The SMP states that a 10,000 litre water tank will be used for commercial area toilets on the first and second floors, as well as for bin washout.

    Clause 22.17 – Environmental Sustainable Development

77. This policy applies to residential development with more than one dwelling. The overarching objective is that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation.

The considerations are energy performance, water resources, indoor environment quality, storm water management, transport, waste management and urban ecology.

Advertising

78. The application was advertised in accordance with Section 52 of the *Planning and Environment Act 1987* (the Act) with 214 letters sent to surrounding property owners/occupiers, all objectors to the original permit application and with two signs erected on site (one facing Little Turner Street and one facing Johnston Street).

79. Council received 8 objections to the application, the grounds of which are summarised as follows:

    (a) Design (excessive height and scale, out of character with locality).

    (b) Non-compliant with the Johnston Street Design and Development Overlay (DDO).

    (c) Amenity impacts (off-site, on-site, overlooking, overshadowing, loss of light, wind impacts, loss of views, impact on adjoining buildings foundations).

    (d) Traffic and car parking.

80. A consultation meeting was held on 21 May 2019 and attended by the applicant and Council Officers who discussed the issues and concerns raised in the letters of objection and Council's. No objectors attended the consultation meeting.

81. Following the consultation meeting the applicant made a commitment (in an email to Council) to amend the proposal to address concerns of both Council and objectors. While no amended plans have been submitted to Council, the commitments included the following:

    (a) Extend the canopy at street level back to the previous approved depth of 750mm from the back of the kerb.

    (b) Add 2 more bike hoops on the footpath in front of the building.

    (c) Replace the glass balustrade with aluminium (to match that on the lower levels of the building (north elevation, Little Turner St) at level 3.

    (d) Delete the balconies from levels 5 and 6 on the north elevation (Little Turner Street) to satisfy overlooking concerns. The facades (glazing) to be constructed in line with where the balustrades were located.

    (e) Add balconies to levels 5 and 6 to the south elevation (Johnston Street) to address setback concerns.

Referrals

82. The referral comments are based on the advertised plans (decision plans), revisions 12 and 13.

External Referrals

83. The application was not required to be externally referred.

Internal Referrals

84. During the application process, Council sought internal referral comments from the Traffic Engineering Services Unit, Strategic Planning Unit, Strategic Transport Unit, ESD Advisor and Waste Management Unit.

85. Referral comments are all included as attachments to this report and will be summarised throughout the assessment of the proposal.

OFFICER ASSESSMENT

86. The primary considerations for this application are:

    (a) policy and strategic support;

    (b) built form and urban design;

(c) equitable development;

(d) on-site amenity & environmental sustainability;

(e) car parking / traffic; and

(f) objector concerns;

Policy and Strategic Support

87. The proposal remains consistent with the various development objectives outlined in State (PPF) and Local Planning Policy Frameworks, by providing an acceptable level of compliance with the relevant policies within the Scheme. It is considered to continue to provide a positive strategic opportunity for development within a well-resourced, inner urban environment.

88. The subject site is located within a Commercial 1 Zone (C1Z) and within the Johnston Street Neighbourhood Activity Centre, located within a commercial strip along Johnston Street which extends along both sites of Johnston Street. The subject site is within easy walking distance to public transport, services and jobs.

89. Policy encourages the urban consolidation/higher densities developments within and in close proximity to activity centre locations. Policy encourages the concentration of such developments in established areas and supports proposals which achieve the urban growth objectives at clauses 11.01 and 11.02 of the Scheme, through the development on land close to existing transport corridors and services.

90. The proposal is consistent with the purpose of the C1Z, which seeks "*to create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses*". The commercial growth encouraged under the C1Z combined with the close proximity to existing infrastructure is a key driver of change within the surrounding area.

91. It is an objective of Clause 17.02-1S (Business) to "*encourage development that meet the communities' needs for retail, entertainment, office and other commercial services".* It is also a strategy within this clause to "*ensure commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure*". It is considered that the proposed intensification of the office use will provide a use to the existing commercial uses and add/increase to the area's diversity as well as to the surrounding activity centre. The development will also be providing a business that will create employment within the municipality.

92. The proposal continues to have strong strategic support at both State and Local levels given that it is located in an area where change is anticipated and encouraged.

Built form and urban design

93. 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 22.07 (Development Abutting Laneways), Clause 22.10 (Design and Built Form) and Clause 43.02 (Design and Development Overlay.

94. The above provisions in the Scheme 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.

95. As this is a Section 72 amendment proposal, this report will be focused on the alterations to the built form which form part of this application. The following areas are of most relevance:

Building height

96. The proposal retains the overall seven storey built form approved under the original permit, but seeks to increase the approved building height by 1.1m from 44.45m RL to 45.55m RL.

The building height excludes the lift overrun and plan equipment at roof level as per the building height definition under the DDO which increases from 46.85m to 48.07m, an increase of 1.2m.

97. The proposed increase in building height is primarily as a result of increased floor to ceiling heights at the upper levels of the building needed for the office use in lieu of the deleted dwellings (apartments) approved.

98. Johnston Street is characterised by one to three storey hard edged built form and this height reduces towards the north, along Turner Street, where it varies between one and two storey dwellings in line with the residential zoning. Recent infill development has occurred along Johnston Street in the form of five storey (436-438 Johnston Street) and six storey (370 Johnston Street) developments. Further approvals have been issued for eight storey (288-298 Johnston Street) and seven storey (247-259 Johnston Street) developments. The development No. 288-298 Johnston Street was issued on the 27 November 2013. The permit is still valid with the most recent extension of time approved until November 2019 (commencement of the development). The development at No. 247-259 Johnston Street is currently under construction and has recently been granted a permit for a 12 storey building.

99. Since the granting of the original permit, an interim DDO has been placed on Johnston Street and it affects the subject site. The DDO prescribes both a preferred and mandatory maximum building height for the subject site (a preferred height of 24m and a mandatory maximum height of 31m).

100. This proposal seeks to increase the approved building height by 1.1m to a maximum of 26.06m. This exceeds the preferred height of the DDO by 2.06m but it is 4.9m below the mandatory maximum height allowed under the DDO.

101. The subject site has a preferred maximum height of 24m and a mandatory maximum height of 31m. The precinct has two heights identified, with the 24m height being the preferred height Council seeks for this section of Johnston Street. The mandatory height comes from built form analysis (taking into account the mandatory/preferred setbacks), which identified that in general if a building height goes above 31m, it begins to impact on the amenity of the adjoining properties and overshadow the opposite side of Johnston Street.

102. The subject site is located within an activity centre where there is strong strategic justification and guidance through the DDO which encourages higher densities and built forms. Examples of higher density developments can be seen through the approvals for 12 and eight storey building at 247-259 Johnston Street (39m) & 288 Johnston Street (29m). Both development exceed the preferred height requirements of the DDO but not he mandatory heights (where relevant). Given the site's location on the northern side of Johnston Street, there are limited impacts to the adjoining residential zone along Little Turner Street in terms off-site amenity impacts, which is located to the north. The off-site amenity impacts being for example no overshadowing. The proposed development also incorporates upper floor setbacks to reduce the visual bulk to Little Turner Street. Given the above it is considered that a height of 26m is not unreasonable taking into account the surrounding context, zoning/overlays and limited off-site amenity impacts.

103. Furthermore, the section of the building with the maximum height/built form is the lift/stairwell overrun component along the roof, which has a maximum height of 28.4m. This area is centrally located and setback 17.3m from Johnston Street and 18.3m residential properties to the north along Little Turner Street. The setbacks ensure that the uppermost component of the development will not be visible or create any additional overshadowing along Johnston Street or Little Turner Street. The lift shaft will be constructed along the eastern boundary, (which is to be expected within an activity centre) which adjoins a non-sensitive commercial roof associated with No. 346 Johnston Street. The building also incorporates upper floor setbacks, combined with added articulation through balconies. The use of glazed and metal screening/balustrades to the front and rear facades provides some visual interest and articulation.

Street wall

104. The DDO prescribes a preferred street wall height of 15m to Johnston Street and a mandatory maximum wall height of 18m. The endorsed plans for the original permit show a 13.5m street wall height and this proposal will maintain the approved 13.5m street wall height noting that this is 1.5m below the preferred street wall height currently allowed under the DDO. The street wall also incorporates a glazed ground floor commercial interface to Johnston Street, ensuring an active street frontage.

    The first and second floors also provide activation through the use of a glazed frontage and recessed façade in the form of a stepped concrete feature. As such, is considered an acceptable design response.

105. Towards the rear of the building and its interface with the laneway it is proposed to increase the height of the approved boundary by 0.4m, from 9.9m to 10.3m. This wall height is still below the DDO's preferred maximum wall height of 11m. This change is supported given the compliance with the DDO requirement, the width of Little Turner Street providing separation and a buffer to the adjoining properties located within the Neighbourhood Residential Zone, the location of the site on the southern side of Little Turner Street (ensuring no overshadowing) and the relatively minor height increase proposed.

    Upper level setback

    Johnston Street interface

106. The current DDO specifies a mandatory maximum street wall height of 18m. The DDO requires any built from constructed above the 18m street wall to be setback at a 45 degree angle to the street wall.

107. The endorsed plans for the original permit show a setback of between 1.4m (level 3) to 2.9m (levels 4, 5 and 6) measured from the side boundary walls. The endorsed plans show articulation to these levels provided by terraces.

108. This proposal will retain the approved setbacks from the side boundary walls to Johnston Street. However, the approved terrace depth at level 4 is proposed to be reduced by 1.5m from 3.2m to 1.65m and both of the approved terraces at levels 5 and 6 of the building will be deleted resulting in the glazed façade being pushed closer to Johnston Street, which will reduce the building's articulation and introduce a glazed frontage at levels 5 and 6.

109. The deletion of the approved terraces will affect the built form as it presents to Johnston Street, resulting in a loss of articulation and a more visually dominant upper level built form in the streetscape. This is of particular concern given that the development does not comply with upper floor setback requirement (i.e. the prescribed 45 degree angel above the street wall) of the DDO. To address this, a condition on any amended permit issued will require all terraces at levels 4, 5 and 6 to be retained and not deleted from the proposal. This will assist in limiting visual bulk to Johnston Street and will maintain the level of articulation originally approved. This will result in the proposed terraces having the depth of the terraces increased as per the original approval.

    Little Turner Street interface

110. Towards the rear of the site and its interface with the laneway, the proposal will retain the overall built form approved but will increase the approved wall height by 0.4m from 9.9m to 10.3m. As with the Johnston Street interface, the DDO stipulates that the built form above the boundary wall should be set back at a 45 degree angle. An assessment has identified that the proposed development will not comply with the stipulated upper floor setbacks.

111. With regard to the required 45 degree setback to the upper levels, while the setbacks will remain unchanged by this proposal, they do not meet the required setbacks specified under the DDO. The DDO requires that any built form should be setback at a 45 degree angle above the 11m wall height. This translate to setting back part of the fourth storey and a significant portion of the 5th, 6th and 7th storeys.

112. Subject to a condition requiring the retention of the terrace along level 04 sufficient articulation will be provided to this interface to assist in softening this presentation to Little Turner Street. In other words, while the approved wall height will be increased by 0.4m from 9.9m to 10.3m, and the prescribed 45 degree setback is not achieved. This is however considered an acceptable design response as visual bulk is alleviated by the setback provided, depth of the terraces (providing articulation) and use of materials.

113. Although it is acknowledged that setback requirements now form part of the decision guidelines under the DDO, it is considered unreasonable to require these setbacks to be incorporated to a development which was found otherwise acceptable in the original assessment. In addition, this requirement is not mandatory, with the Responsible Authority able to vary the upper floor setback requirements. For the reasons outlined above, it is considered that the upper floor setbacks are acceptable in this instance.

Street level interface

114. The proposal will alter the approved ground floor interface to Johnston Street by increasing the approved office entry setback to 1.3m from the front boundary, incorporating a booster cabinet adjacent to the entry and a gas cabinet in lieu of the approved HYD sprinklers cabinet. The entry to the retail premises will remain as approved (centrally located).

115. The endorsed plans for the original permit show an HYD sprinkler cabinet within the south-west corner extending for a width of 2.1m and extend from the floor to the ceiling. This proposal seeks to reduce the height of this cabinet to a maximum 1.4m and allows for more glazing above. The booster cabinet will be identical in dimensions to that approved.

116. Although there will be an increase in infrastructure along the street frontage, the proposal will still maintain an active frontage to Johnston Street, achieved by maintaining the glazed retail/office entries and by restricting the height of the cabinets to 1.4m with a glazed interface above. The building will also maintain street activity through the glazing provided to the offices above.

117. Finally, with regard to the awning, the proposal seeks to reduce the width of it from 1.6m approved to 1m. This reduces the usefulness of the awning for pedestrian moving along Johnston Street in terms of shelter and protection. As such a condition on any amended permit issued will require the awning width to be increased to 1.6m, as per the approved awning as shown on the endorsed plans.

Architectural quality

118. The proposal maintains a high quality architectural finish, consistent with that approved by the original permit. The main alterations which will be noticeable as part of this proposal is the removal of the upper level terraces to Johnston Street, alterations to the terrace balustrades along the rear interface and alterations to the boundary wall finishes.

119. With regard to the terraces fronting Johnston Street, this is discussed at paragraph 108 and it is considered reasonable and appropriate not to support the deletion of them but instead for a condition on any amended permit issued to require their retention. This will ultimately reduce the visual dominance of the building and retain the articulated façade, as approved.

120. With regard to the rear interface the proposal seeks to remove the approved aluminium balustrade to levels 4, 5 and 6 and replace them with a glazed finish. As per the referral advice from Council's Urban Design Unit, glass balustrades are discouraged as they can make balconies appear cluttered when balconies are used for storage. While it is acknowledged that glazing is a lighter weight material that can in some instance reduce visual bulk, a condition will be included on any amended permit issued requiring the balustrades to have an aluminium finish, as per the endorsed plans.

121. The final aspect to this proposal are alterations to the boundary wall finishes which include the removal of rough cast concrete and flat concrete with either saw tooth or brass centre inlay. The proposal seeks to replace these finishes with off-form concrete in a natural finish and painted finishes.

122. Both boundary walls will maintain a painted textured pattern however will lose the rough cast, saw tooth patterning brass central inlay that was approved. It is considered that the retention of the painted patterns will still maintain an appropriate level of visual interest and as such the loss of the textured finishes is supported. Furthermore, given the location of the subject site within an activity centre it would be expected that the abutting site would be developed to a similar scale at some future point. The painted patterns would therefore not be visible.

Equitable development

123. In terms of equitable development, the main alterations are the loss of the lightcourt to levels 5, 6 and 7 along the western boundary (2m by 4.2m) and increase in the boundary wall height from 27.1m to 28.48m. As discussed earlier in this report, the subject site is located within an activity centre where higher density built forms are encouraged. In addition, the site has a duel aspect to both Johnston Street and Little Turner Street.

124. There is no major concern for equitable development of the site to the east (no. 346 Johnston Street), given its location on a corner site, where it can avail of daylight access from the side street.

125. With regards to the western interface, it must be taken into account that this site and the subject site have duel frontages which both provide daylight access. The zoning/overlay of the site which encourages higher densities. And the lightcourt which are to be removed are located along the upper levels, with the lower levels not provided a lightcourt.

126. Given the above elements, it is considered that if the adjoining property can be developed as it can benefit from its duel frontage and would be able to provide a lightcourt on either side similar to the current endorsed plans for the subject site.

Off-site amenity impacts

127. The subject site is located within the Commercial 1 Zone (C1Z) and a neighbourhood activity centre and is affected by a DDO. The abutting sites to the east, west and south of Johnston Street are all also within the C1Z and DDO. The policy framework for amenity considerations is contained within Clause 22.05 (Interface Uses Policy) and decision guidelines of the C1Z.

128. As has been identified in the Officer's report for the original permit, "*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 1 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*".

129. The appropriateness of the setbacks and walls on boundaries provided in this instance need to be considered within their strategic context, being located within a Commercial 1 Zone and in a neighbourhood activity centre location. 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 higher density developments.

130. Expectations of those residing in a Commercial 1 Zone must also be tempered with the purpose of these zones to provide for residential uses at densities complementary to the role and scale of the commercial centre. Residents in these zones should not expect wide setbacks particularly if the surrounding area is already characterised with minimal front and side setbacks, which is the case here. Clause 34.01-8 of the Scheme protects 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."

131. The proposal will retain the approved seven storey built form, but increase the building height by 1.1m to a maximum of 26.06m. This height is still below the 31m mandatory height requirement of the DDO and hence within the emerging character of Johnston Street in terms of built form outcomes. Examples of which can be seen at 247-259 Johnston Street (39m) & 288 Johnston Street (29m).

132. The street wall heights are still within the mandatory requirements of the DDO to both Johnston Street and Little Turner Street. As discussed earlier in this report, this proposal will only increase the rear street wall to Little Turner Street height by 0.4m. The upper floor levels will not be accordance with the preferred setbacks (i.e. 45 degree angle above the street wall heights to both Johnston Street and Little Turner Street). However this was deemed acceptable given the zoning of the site which encourages higher densities and built forms, setbacks provided along the upper levels to the front and rear boundaries, the approved planning permit which permits the current setbacks and the articulation provided through the depth of the balconies.

133. The approved development will be visible from properties to the north and was supported on the basis that the encroachment of the upper levels into the recommended setbacks identified by the Urban Design referral advice was acceptable based on the sightlines provided with the application which demonstrated that the visual impact of the building was negligible from the ground and first floor bedroom windows of the dwellings to the north.

134. The 0.4m increased wall height to the rear laneway and the increased building height of 1.1m are both considered acceptable given that the separation provided to the residential zone by Little Turner Street (a 6m wide road), the north-south orientation of the site (which will not result in any additional overshadowing) and the relatively minor increase in heights when taking the into account the overall approval of a seven storey building.

135. With regard to overshadowing, the submitted shadow diagrams do not identify any secluded private open spaces affected by the proposal. In addition, the shadows cast will not affect the opposite side of Johnston Street, which is in line with the requirements of the DDO.

136. With regard to overlooking, the nearest residential properties are to the north of the subject site along Rich Street and Turner Street. These properties are separated from the subject site by Little Turner Street (which is 6m wide). The approved screening at a height of 1.7m is to be maintained along levels 1, 2 and 3 of the building, which therefore eliminates overlooking within a 9m radius. The approved development does not screen windows at the upper floors (levels 4 to 6) given the separation provided by the laneway and height above the NGL. This would create a separation distance in excess of 9m, which was deemed acceptable as an industry ‘standard’.

137. The proposal will maintain the approved screening along the lower levels of the building, providing screening to residents to the north at No. 3 Rich Street and No. 37 Turner Street. These properties have south-facing habitable room windows and secluded private open space within the rear setback, located along the opposite side of Little Turner Street (which is 6m in width). The upper floors will maintain the lower balustrade approved for the residential use albeit now for the proposed office use. An office use as opposed to the approved dwelling use is considered to be less intrusive in that typical office hours will fall outside of when the areas of secluded private open spaces of adjoining dwellings are being most used (i.e. evenings and weekends). As such, it is considered that use of the balconies for offices in lieu of the apartments will reduce potential overlooking into the adjoining residential properties as office hours are typically not when the open spaces are in use.

138. There are no adjoining habitable room windows identified to the east or west given the commercial use. Furthermore, Johnston Street has a width in excess of 9m and therefore no overlooking is possible. As discussed above, the lower levels will be screened to prevent overlooking into Rich Street and Turner Street open spaces/habitable room windows.

139. In relation to wind, taller buildings invariably create altered wind conditions, in particular at street level, which can include down drafts and wind tunnel effects.

140. To limit wind impacts the proposal incorporates a stepped built form and articulation which is designed to reduce wind turbulence at ground level (i.e. Johnston Street) and the awning will further limit adverse wind impacts. A condition will require the awning to maintain the approved width to Johnston Street, which was supported and deemed acceptable in terms of wind impacts in the original approval.

141. As discussed earlier in this report, the built form changes will be primarily limited to an increase in the overall height and Little Turner Street wall height. Conditions will be include for the retention of the terraces along the upper levels to Johnston Street. As such, the development will remain largely unchanged with no drastic changes. Therefore it was deemed that a revised wind assessment was not required.

142. To limit wind impacts the laneway, the articulation of the building and the setbacks at the upper levels assists with the minimising any adverse wind impacts.

On-site amenity and environmental sustainability

143. Policy for the assessment of on-site amenity for offices is under decision guidelines within Clause 22.10-3.7 and Element 4: Circulation and Services, Element 5: Building Layout and Design and Clause 22.17 (Environmentally Sustainable Development).

144. The proposal was referred to Council's ESD Advisor who raised several areas of concern. These will each be discussed in turn.

Ventilation

145. Council's ESD Advisor raises concern with regard to the lack of identifiable openable windows. Their referral comments state, "*the window sashes shown are too few in number and located at a height likely to cause nuisance drafts to desk-based occupants, and therefore – be less likely to be utilised for natural ventilation. Additional higher-level sashes are sought that resist showers, and can be locked ajar. A nominal spacing of operable sashes of every second bay is sought*".

146. The assessment of this proposal is however limited to the changes proposed to the development already approved under the permit. The ventilation concern can therefore only consider the deletion of the two south-facing terraces along at levels 5 and 6 which is proposed under this amendment as this removes the doors leading out onto the terraces. As discussed earlier in this report, the removal of these terraces is not supported and a condition will be included on any amended permit issued to show the retention of them. In retaining them, openable terraces doors will be provided which will therefore allow ventilation to these areas. On this basis, the concerns of Council's ESD Advisor will be addressed.

147. Ventilation at the lower levels of the building was assessed and approved as part of the original permit. Given that this proposal does not seek any design changes to the lower levels that would affect ventilation, it would be unreasonable to revisit ventilation in areas of the building which has been approved and remains unchanged by this proposal. While the proposal does include a number of internal reconfiguration, these are primarily related to the central core and do not affect the operability and location of openings remains as approved.

Shade

148. The proposal includes reducing the width of the south-facing terraces along level 4 from 3.2m to 1.4m by reducing the glazed façade setback to the southern boundary. As a result, the glazed façade is now located in line with the balustrade of level 5. Council's ESD Officer is not supportive of this design change as, "*the current approved terrace depth gives good sun-protection of this full-height northern glazing, and moving the wall outward would leave it unprotected from summer sun, decrease thermal comfort and increase peak energy demand*".

149. Given this concern, the design change is not supported and a condition on any amended permit issued will require that the level 4 terrace be 3.2m as originally approved. This will provide sufficient solar protection, increase thermal comfort and decrease peak energy demand. On this basis, the concerns of Council's ESD Advisor will be addressed. The setbacks or terrace depths to levels 5 and 6 are to remain unchanged from what was previously approved.

Daylight

150. All offices throughout the building will receive daylight from north and south facing windows which are all floor to ceiling in height and will therefore provide sufficient daylight access to all floors.

151. Council's ESD Advisor recommends that skylights be incorporated along level 6 of the building to provide daylight to the bathroom, toilet and kitchenette facilities. Given that these rooms are for offices and are non-habitable and sufficient daylight will be provided to the office space from the northern and southern building facades, skylights are not considered necessary.

Bicycle spaces

152. Pursuant to Clause 52.34 (Bicycle Facilities) of the Scheme a total of 7 spaces are required to be provided on site. With the provision of 18 spaces there is a surplus of 11 bicycle spaces. That said the applicant has agreed to provide an additional two bicycle hoops along Johnston Street. This will result in 18 spaces located within the building for employees and 2 non-secure spaces along Johnston Street, resulting in a total of 20 spaces and a technical surplus to the Scheme's requirements of 13 spaces.

153. Council's Strategic Transport Unit recommend that 16 spaces be provided for employees and 3 visitor spaces be provided. This equates to 19 bicycle spaces which is in excess of the requirements of Clause 52.34 by 12 spaces. It is not considered reasonable to require additional bicycle spaces in excess of the statutory requirement especially in light of the fact that two additional bicycle hoops will be provided on Johnston Street.

154. A condition will be included for the bicycle hoops to be installed along Johnston Street, to the satisfaction of the Responsibility Authority and at cost of the permit holder.

155. Both Council's ESD and Strategic Transport Unit raise concern in relation to the access design for the bicycle storage area given that cyclists have to enter the storage area via two doors off the lobby, making the route cumbersome for bike movements. Officers agree with this concern and as such a condition will be included on any amended permit issued requiring a revised entry for the bicycle storage area to allow for more easy access. This is likely to be achieved through the provision of sliding doors, automatic hinged doors or a single access via the commercial lobby, all of which are supported in principle.

156. Concerns have been raised by Strategic Transport Unit with regard to the provision of bicycle wall racks. If each rack accommodates two bicycles a minimum clearance of 800mm is required. The proposed racks only have a clearance of 650mm. Given the 6.9m width of the bicycle storage area it can easily accommodate the required 800mm width. As such a condition will be placed on any amended permit issued to require the racks to be widened from 650mm to 800mm so that each rack is capable of accommodating two bicycles.

157. A further condition has been recommended requiring a minimum 40A single phase electrical sub circuit to be installed to the car park areas for future EV charging provision. Given that there are no significant alterations to the car stacker system as part of this amendment and vehicles will be parked within a moving car stacker system, it is most likely not feasible to install an EV charging point. As such, this recommendation will not be included as a condition on any amended permit issued.

Green Travel Plan

158. Pursuant to Clause 22.17-4 of the Scheme, for a non-residential development greater than 1,000sqm in area a green travel plan is required. Given that the proposal seeks to increase the approved offices floor space to 1,581sqm. A condition will require a green travel plan to be submitted for endorsement.

159. A green travel plan will likely include details of alternative modes of transport, employee welcome pack with provision for ticketing, sustainable transport goals, designated coordinator responsible to implement goals, funding details, bicycle routes, use of the bicycle racks, end of trip facilities, security arrangements and signage. All of the above requirements should assist in promoting alternative modes of transport and less reliance on private vehicles.

Storage cages

160. It is proposed to remove the six, 4m³ storage cages within the ground floor. These cages were associated with the apartments, which are proposed to be deleted as part of this amendment. There is no requirements for offices to have storage cages. As such, there deletion is inconsequential.

Car parking

161. The proposal will comprise 1,581sqm of office space and 46sqm of retail/commercial space at ground floor. A total of 18 on-site car parking spaces will be provided in the form of a car stacker system accessed via Little Turner Street at the rear of the site.

This is as approved by the original permit and remains unchanged. The design standards relating to access and manoverability have therefore been approved.

162. Pursuant to Clause 52.06 of the Scheme, a car parking reduction of 29 car parking spaces is being sought based on the amount of office floor space now proposed (in lieu of the approved dwellings). This is outlined within the Particular Provisions section of this report.

163. Clause 52.06 of the Scheme has no specific car parking rate for a 'retail' premises and car parking must therefore be provided to the satisfaction of the Responsible Authority.

164. The ground floor commercial unit is identified as a 'retail' unit. Pursuant to Clause 52.06, a retail unit has no car parking rate specified and therefore the car parking rate is to the satisfaction of the Responsible Authority. For the purpose of this assessment the car parking rate will be assessed as a 'shop' which has a car parking rate of 3.5 spaces per 100sqm of leasable floor space.

165. With a total floor area of 50sqm, the space triggers 1 car parking space. This bring the total reduction for Council to consider to 30 car parking spaces (i.e. the shop and the offices combined).

166. Overall, this is an increase reduction of 13 spaces when compared with the previously approved permit which supported and approved a reduction of 17 car parking spaces.

167. The following table provides a breakdown of the car parking requirements:

Use	Size / no. of apartments	Statutory parking rate	Parking requirement	Parking provision	Reduction sought
Office	1,581m²	3 per 100m²	47	18	29
Retail	46m²	3.5 per 100m²	1	0	2
Total	**-**	**-**	**47**	**18**	**30**

168. Council's Traffic engineers have determined that 18 on-site car parking spaces equates to a car parking demand of 1.14 spaces for the office component. In their referral comments they provide examples of approved car parking rates for other nearby office development. This is provided as follows:

Development site	Approved office parking rate
71-93 Gipps Street, Collingwood	0.96 spaces per 100sqm
2-16 Northumberland Street, Collingwood	0.89 spaces per 100sqm

As identified in the table above, a reduction in car parking for the office and full waiver for the shop is considered acceptable in this instance for the following reasons:

(a) The subject site is in close proximity to public transport with convenient alternative modes of transport to staff and clients/visitors which is expected to somewhat reduce the overall impact on the local car parking conditions. Public transport options include:

(i) Victoria Park Train Station located 230m to the north-west;

(ii) two bus operating along Johnston Street (200 & 207); and

(iii) multiple bus routes operating along Hoddle Street located 330m to the west (246, 684, 302-4-9 and 905 to 907). At peak times the following buses operate (303, 305, 318 and 908).

(b) A total of 18 bicycle spaces are provided on-site. An additional two spaces are to be installed along Johnston Street. The allocation of these is unknown but likely to be used by the office staff. A condition will be included requiring the allocation of bicycle spaces to be provided to the office use.

(c) As evident in the above table, reductions in car parking of lower rates have been approved in previous applications. This is in line with Council policy under Clause 21.06 which seeks to reduce the reliance on the private motor car. This is also in line with State policy, with Clause 18.02 seeking to promote the use of sustainable transport.

(d) Traffic Group Consultants conducted a car parking survey of the surrounding area and this was submitted for the original application in 2016. The survey found a total of 327-328 parking spaces within the surrounding area, with a peak occupancy rate of 79% (257 occupied & 70 vacant). All of the above spaces are restricted between 1P and 4P and can adequately cater for the short term requirements of visitors to the site. The conditions in the surrounding have not dramatically altered since that time and as such the 2016 survey was found acceptable.

(e) The surrounding street network has short-term time restricted car parking available and staff will be aware of this. Staff without a designated on-site car space are likely to use alternative, more sustainable transport modes.

(f) The site's close proximately to public transport and the on-road bicycle network and the provision of on-site bicycle parking will support the use of alternative sustainable transport modes.

(g) Clients/visitors to the site who choose to drive might combine their visit by engaging in other business or activities while in the area. On this basis, the overall demand for parking would be less than the sum of individual demands for each premises in the area.

(h) Council's Engineering Unit support the on-site car parking provision and the car parking reduction as it will encourage a modal shift from a private vehicle to commuting using more sustainable forms of transport.

169. Overall, and as supported by Council's Engineering Unit, the car parking provision and the reduction in car parking for the site is considered appropriate for the locality, and is acceptable when considered against the relevant Clause 52.06-7 considerations and is consistent with the purpose of Clause 52.06 of the Scheme.

Traffic generation

170. Council's Traffic Engineers have identified a traffic generate rate of 0.5 trips per space in each hour which equates to 90 daily movements. These traffic volumes generated by the development as a whole are not considered to be unduly high and will not adversely impact on the surrounding road network.

171. Furthermore, the vehicle access arrangement via Little Turner Street will remain as approved and will not be altered by this proposal. While the proposal seeks to delete the 6 approved dwellings and provide additional office floor space the onsite car parking provision (18 spaces in the form of car stackers) will remain as approved.

172. The deletion of the apartments will also limit traffic movements and the use of the laneway to office hours. This has benefits which include reducing the use of the laneway outside of office hours and reducing the off-site amenity impacts to the adjoining residents (i.e. noise of vehicles entering and exiting the site outside of office hours).

Objector concerns

173. The majority of the issues raised by objectors have been addressed within this report, as follows:

(a) Building design (paragraphs 87 to 122)

(b) Non-compliant with the Johnston Street Design and Development Overlay (DDO) (paragraphs 93-122)

(c) Overlooking (paragraphs 136-138)

(d) Overshadowing (paragraph 101)

(e) Loss of light (paragraph 138)

(f) Wind impacts (paragraph 139-142)

(g) Traffic and car parking (paragraphs 161 to 172)

174. Outstanding concerns raised by objectors are discussed below:

(a) Loss of views

While the Victorian Civil and Administrative Tribunal (VCAT) recognise 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 in the Scheme in relation to views and view loss. The only applicable policy within the Scheme relates to views to landmarks. However this policy is not applicable in this instance as the subject sit is not with proximity to any landmark buildings.

In this site context, it is not considered that the extent of loss of view in this case along Johnston Street is unreasonable, particularly considering the built form expectations envisaged in the Design and Development Overlay and the location of the subject site within an activity centre. The proposal changes the appearance of the building approved under the original permit by 0.4m to the laneway and 1.6m additional height to the building. It is not considered reasonable to re-visit the issue of view loss as a result of the changes sought under this proposal.

(b) Impact on adjoining building foundations

The potential implications to adjoining building foundations is not a decision guideline at the planning permit stage, moreover potential impacts would be addressed at the building permit stage of the development.

Conclusion

175. The proposal continues to demonstrate a high level of compliance with all relevant policy objectives contained within the Planning Policy Framework and Municipal Strategic Statement in the Scheme.

176. The proposal, subject to the conditions recommended throughout the report, is considered to be an acceptable and appropriate planning outcome for the site context that demonstrates compliance with the relevant policies in the Scheme.

177. The Recommendation outlined below shows:

(a) existing (and unchanged) conditions of the original permit in normal font;

(b) new conditions to the original permit in **bold**;

(c) amended conditions to the original permit in **bold and underline**; and

(d) redundant conditions of the original permit as ~~deleted~~.

RECOMMENDATION

That having considered all relevant matters, the Committee resolves to issue a Notice of Decision to Amend Planning Permit PLN16/0471 for land at 344 Johnston Street, Abbotsford and subject to the following conditions:

1. Before the use and 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 CHT Architects and received by Council on ~~4 November 2016~~ **20 February 2019**, but modified to show the following:
   (a) Changes shown in the revised plans prepared by CHT Architects, received by Council on 3 February 2017.
   (b) Increased setbacks to the interface with the laneway/northern boundary.
   (c) Different surface finishes to the exposed walls to the side boundaries to provide visual interest.
   (d) An increase in the number of bicycle parking spaces to 16.
   (e) The deletion of one storey and the overall height reduced to seven storeys (plus the roof top plant).
   (f) The third, fourth and fifth floors set back from the Johnston Street kerb line the same distance as each floors' setback from the northern boundary.
   (g) A minimum of 15 employee bicycle parking spaces for the office space with showers and change rooms provided to meet the requirements of Clause 52.34-3 for 15 employee bicycle spaces.
   (h) The provision of a clear glazed security door to the residential entrance within 1 metre of the front property boundary.
   (i) Operable windows in all habitable rooms clearly shown.
   (j) A minimum of 20 per cent of bicycle parking spaces must be ground level bicycle hoops, with a maximum of 80 per cent Ned Kelly style hanging hoops.
   (k) Overlooking measures to ensure no unreasonable overlooking between habitable rooms within the light courts on the side boundaries in accordance with Clause 55.04-6 of the Yarra Planning Scheme.
   (l) All glazing installed in accordance with the acoustic report prepared by Marshall Day Acoustics and date 27 October 2016.
   (m) Any changes recommended in the amended acoustic report required by condition 5 of this planning permit.
   (n) The provision of south-facing terraces to levels 5 and 6, with a minimum depth of 1.7 metres (7.2 metres from the kerb line).
   (o) The south-facing terrace along level 4 to have a minimum depth of 3.2 metres (7.2 metres from the kerb line).
   (p) The awning above Johnston Street to extend further along the street, with a setback of 760mm to the kerb.
   (q) The north-facing, glazed balustrade along levels 4, 5 and 6 to be replaced with balustrade BAL 02 (terrace privacy screen colour brass).
   (r) The north-facing terrace along level 4 to have a minimum depth of 3.2m (7.2 metres from the rear boundary).
   (s) A revised entry for the bike store from the commercial lobby to allow for more easy access.
   (t) The spacing between bicycle racks to increase to a minimum of 800mm.
   (u) Accessway and bicycle storage space designed to comply with AS2890.3.

(v) The provision of two bicycle hoops along Johnston Street.
(w) All on-site bicycle spaces to be allocated to the office use.

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.

Sustainable Management Plan

3. Prior to the endorsement of plans, 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 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 dated 28 October 2016, but modified to include or show:
   (a) the provision of 2 bicycle parking spaces along Johnston Street.

4. 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

5. Prior to the endorsement of plans, 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 Marshall Day Acoustics and dated 27 October 2016, but modified to include (or show, or address) the following:
   (a) Car stacker noise assessed to the first floor window of 1 Rich Street. A SEPP N-1 and Lmax assessment should be undertaken.
   (b) The detail of any shielding between the car stacker and the dwelling included in the acoustic report (for example, if the car park entrance door is to be a solid type without gaps, this should be clearly noted).
   (c) A maximum allowable noise level for the car stacker (both Leq and Lmax) included in the report as a clear specification. Car stackers that produce higher levels of noise should not be installed on the project, given the proximity of noise sensitive receivers.
   (d) A maximum noise level at 1 metre be specified for the carpark entrance door, such that SEPP N-1 and sleep disturbance targets will be met at 1 Rich Street.

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

Waste Management Plan

7. The provisions, recommendations and requirements of the endorsed waste management plan prepared by Leigh Design and dated 19 December 2018 must be implemented and complied with to the satisfaction of the Responsible Authority.

Car Parking

8. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the approved car stackers must be installed in accordance with the manufacturer's specifications by a suitably qualified person. The car stackers must be maintained thereafter to the satisfaction of the Responsible Authority.

General

9. The amenity of the area must not, to the satisfaction of the Responsible Authority, 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.
   (d) The presence of vermin.

10. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to limit 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 retained and maintained to the satisfaction of the Responsible Authority.

11. 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.

12. 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.

13. 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.

14. 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.

15. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

16. 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.

Construction Management Plan

17. Before the use and/or 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.

18. 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.

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

Green Travel Plan

20. Before the building is occupied 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) Sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes.
(d) A designated 'manager' or 'champion' responsible for coordination and implementation.
(e) Details of bicycle parking and bicycle routes.
(f) Details of GTP funding and management responsibilities.
(g) The types of bicycle storage devices proposed to be used for employee, and visitor spaces (i.e. hanging of floor mounted spaces).
(h) The types of lockers proposed within the change-room facilities, with at least 50% of lockers providing hanging storage space.
(i) Security arrangements to access the employee bicycle storage spaces; and
(j) Signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3.
(k) Reference to EV charging facilities (if proposed).

(l) Provisions for the Green Travel Plan to be updated not less than every 5 years.

Permit Expiry

21. 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 may be required before development is commenced. Please contact Council's building services on 9205 5585 to confirm.

A vehicle crossing permit is required for the construction of any 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 residents and occupiers residing within the development approved under this permit will not be permitted to obtain resident, employee or visitor car parking permits.

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

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 street trees in Johnston Street.

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

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.

For the replacement of the public light in Johnston Street, all public lighting works must be undertaken by CitiPower and comply with CitiPower standard requirements and regulations.

Date of amendment	**Brief description of amendment**

24 July 2019	Pursuant to section 74 of the *Planning and Environment Act (1987)* the planning permit (permit and plans) has been amended as follows:
	• Deletion of apartments along levels 4, 5 and 6 and replacement with office space.
	• Increased overall building height.
	• Alterations to front façade and reduction in retail/commercial premises area.
	• Alterations to both side boundary wall finishes.
	• Internal alterations to ground floor commercial lobby. Retail premises, bicycle store and bin store.
	• Internal alterations to centrally located circulation areas, bathrooms and kitchenettes.
	• New condition 1(n) to 1(u) requiring:
	  ○ retention of north-facing terraces along levels 5 and 6;
	  ○ increased widths to the north and south-facing terraces along level 4;
	  ○ alterations to south-facing balustrade, levels 4, 5 and 6.
	• New condition 20 for the submission of a Green Travel Plan.

CONTACT OFFICER: **Gary O'Reilly**
TITLE: **Senior Statutory Planner**
TEL: **9205 5040**

Attachments

1 PLN16/0471.01 - 344 Johnston Street Abbotsford - S52 Advertising Plans Part 1
2 PLN16/0471.01 - 344 Johnston Street Abbotsford - S52 Advertising Plans Part 2
3 PLN16/0471.01 - 344 Johnston Street Abbotsford - S52 Advertising Plans Part 3
4 PLN16/0471.01 - 344 Johnston Street Abbotsford - S52 Advertising Plans Part 4
5 PLN16/0471.01 - 344 Johnston Street Abbotsford - S52 Advertising Plans Part 5
6 PLN16/0471.01 - 344 Johnston Street Abbotsford - S52 Advertising Plans Part 6
7 PLN16/0471.01-344 Johnston Street, Abbotsford - WMP Referral
8 PLN16/0471.01 - 344 Johnston Street, Abbotsford - ESD Referral
9 PLN16/04741.01 - 344 Johnston Street, Abbotsford - Engineering referral
10 PLN16/0471.01 - 344 Johnston Street - Urban Design Ref
11 PLN16/0471.01 - 344 Johnston Street, Abbotsford - Strategic Planning Referral
12 PLN16/0471.01 - 344 Johnston Street, Abbotsford - Strategic Transport

Attachment 1 - PLN16/0471.01 - 344 Johnston Street Abbotsford - S52 Advertising Plans Part 1

TOWN PLANNING DRAWING LIST

NO.	SHEET NAME	REV.
TP00	LOCATION PLAN	12
TP01	SITE PLAN	11
TP10	GROUND FLOOR PLAN	12
TP11	1ST & 2ND FLOOR PLAN	13
TP12	3RD & 4TH FLOOR PLAN	13
TP13	5TH & 6TH FLOOR PLAN	13
TP14	ROOF PLAN	13
TP20	SECTION A-A	13
TP21	SECTION B-B & C-C	12
TP22	ADJACENT SIGHT LINES	12
TP30	ELEVATION	13
TP31	ELEVATION	13
TP40	BALCONY DETAILS	12
TP41	GARAGE DETAILS	12
TP42	BALUSTRADE AND COLUMN DETAILS	12
TP50	SOLAR STUDY - 9AM	13
TP51	SOLAR STUDY - 10AM	13
TP52	SOLAR STUDY - 11AM	13
TP53	SOLAR STUDY - 12PM	13
TP54	SOLAR STUDY - 1PM	13
TP55	SOLAR STUDY - 2PM	13
TP56	SOLAR STUDY - 3PM	13

NOTE: ALL GLAZING TO COMPLY WITH ACOUSTIC REPORT PREPARED BY MARSHALL DAY ACOUSTICS 27/10/2016 (REFER PLANNING PERMIT CONDITION ITEM 1.I)

LOCATION PLAN

ADVERTISED PLANS

CHT ARCHITECTS

CHT Architects Pty Ltd ABN 29 108 000 519 — Architecture, Interior Design, Urban Design

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Collingwood VIC 3066
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Telephone 03 9417 1944
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Do not scale drawings. Use given dimensions only.

Any discrepancy in drawings or specifications shall be referred to CHT Architects Pty Ltd.

Project: MIXED USE DEVELOPMENT
344 JOHNSTON STREET, ABBOTSFORD

Client: JOHNSTON STREET PROJECTS PTY LTD

Amendments

No.	Date	Notes
A	19/03/15	TOWN PLANNING RFI ISSUE
B	19/05/15	TOWN PLANNING RFI ISSUE
C	19/06/15	TOWN PLANNING RFI ISSUE
D	29/06/15	TOWN PLANNING RFI ISSUE
E	29/07/15	TOWN PLANNING RFI ISSUE
F	29/08/15	TOWN PLANNING RFI ISSUE
G	29/09/15	TOWN PLANNING RFI ISSUE
H	29/10/15	TOWN PLANNING RFI ISSUE
I	29/11/15	TOWN PLANNING RFI ISSUE
J	29/12/15	TOWN PLANNING RFI ISSUE
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L	29/02/16	TOWN PLANNING RFI ISSUE
M	29/03/16	TOWN PLANNING RFI ISSUE
N	29/04/16	TOWN PLANNING RFI ISSUE
O	29/05/16	TOWN PLANNING RFI ISSUE
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Q	29/07/16	TOWN PLANNING RFI ISSUE
R	29/08/16	TOWN PLANNING RFI ISSUE
S	29/09/16	TOWN PLANNING RFI ISSUE
T	29/10/16	TOWN PLANNING RFI ISSUE
U	29/11/16	TOWN PLANNING RFI ISSUE
V	29/12/16	TOWN PLANNING RFI ISSUE
W	29/01/17	TOWN PLANNING RFI ISSUE
X	29/02/17	TOWN PLANNING RFI ISSUE
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Z	29/04/17	TOWN PLANNING RFI ISSUE
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AB	29/06/17	TOWN PLANNING RFI ISSUE
AC	29/07/17	TOWN PLANNING RFI ISSUE
AD	29/08/17	TOWN PLANNING RFI ISSUE
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AF	29/10/17	TOWN PLANNING RFI ISSUE
AG	29/11/17	TOWN PLANNING RFI ISSUE
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AO	29/07/18	TOWN PLANNING RFI ISSUE
AP	29/08/18	TOWN PLANNING RFI ISSUE
AQ	29/09/18	TOWN PLANNING RFI ISSUE
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OJ	29/06/48	TOWN PLANNING RFI ISSUE
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ON	29/10/48	TOWN PLANNING RFI ISSUE
OO	29/11/48	TOWN PLANNING RFI ISSUE
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OU	29/05/49	TOWN PLANNING RFI ISSUE
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PR	29/04/51	TOWN PLANNING RFI ISSUE
PS	29/05/51	TOWN PLANNING RFI ISSUE
PT	29/06/51	TOWN PLANNING RFI ISSUE
PU	29/07/51	TOWN PLANNING RFI ISSUE
PV	29/08/51	TOWN PLANNING RFI ISSUE
PW	29/09/51	TOWN PLANNING RFI ISSUE
PX	29/10/51	TOWN PLANNING RFI ISSUE
PY	29/11/51	TOWN PLANNING RFI ISSUE
PZ	29/12/51	TOWN PLANNING RFI ISSUE
QA	29/01/52	TOWN PLANNING RFI ISSUE
QB	29/02/52	TOWN PLANNING RFI ISSUE
QC	29/03/52	TOWN PLANNING RFI ISSUE
QD	29/04/52	TOWN PLANNING RFI ISSUE
QE	29/05/52	TOWN PLANNING RFI ISSUE
QF	29/06/52	TOWN PLANNING RFI ISSUE
QG	29/07/52	TOWN PLANNING RFI ISSUE
QH	29/08/52	TOWN PLANNING RFI ISSUE
QI	29/09/52	TOWN PLANNING RFI ISSUE
QJ	29/10/52	TOWN PLANNING RFI ISSUE
QK	29/11/52	TOWN PLANNING RFI ISSUE
QL	29/12/52	TOWN PLANNING RFI ISSUE
QM	29/01/53	TOWN PLANNING RFI ISSUE
QN	29/02/53	TOWN PLANNING RFI ISSUE
QO	29/03/53	TOWN PLANNING RFI ISSUE
QP	29/04/53	TOWN PLANNING RFI ISSUE
QQ	29/05/53	TOWN PLANNING RFI ISSUE
QR	29/06/53	TOWN PLANNING RFI ISSUE
QS	29/07/53	TOWN PLANNING RFI ISSUE
QT	29/08/53	TOWN PLANNING RFI ISSUE
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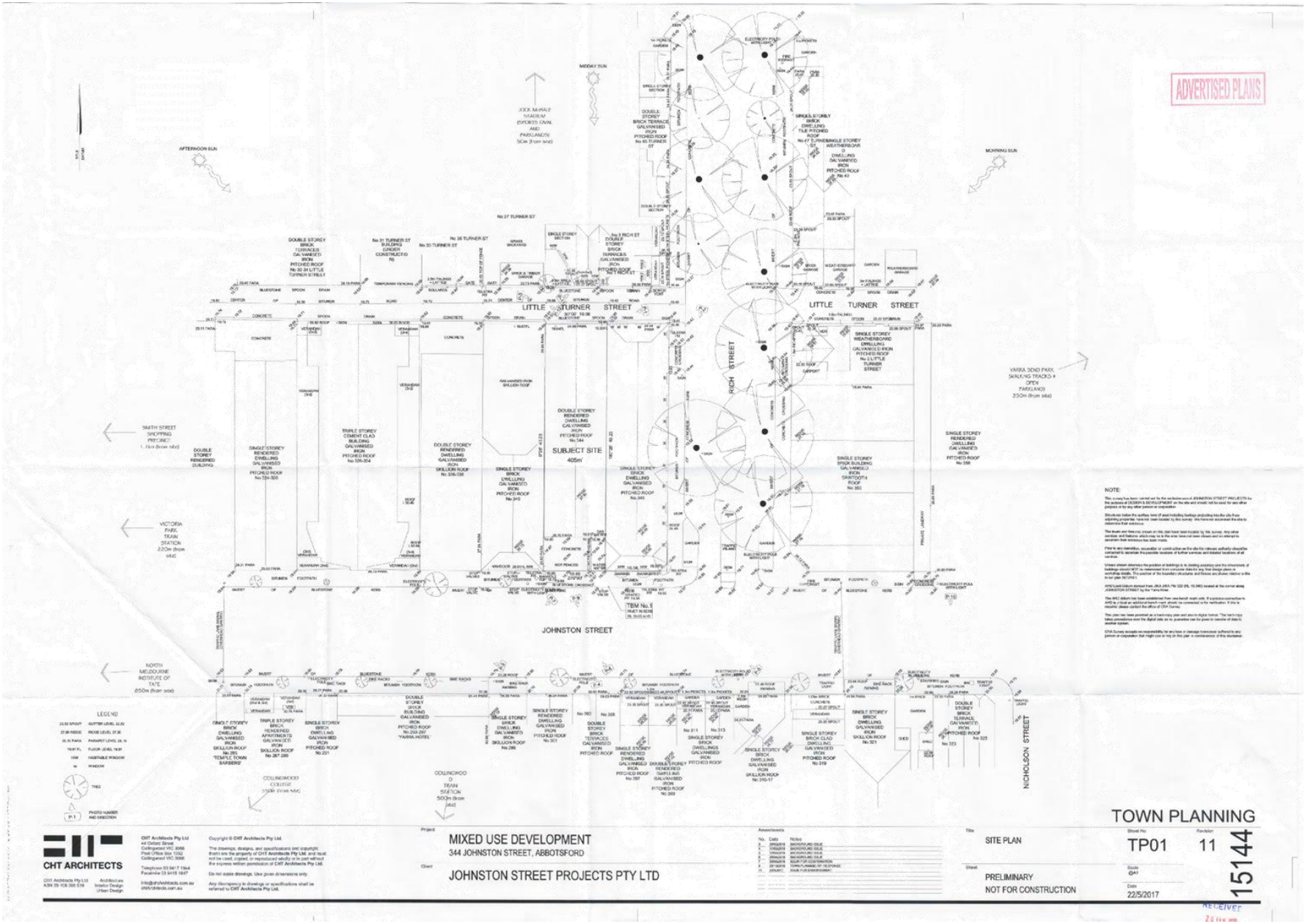
QV	29/10/53	TOWN PLANNING RFI ISSUE
QW	29/11/53	TOWN PLANNING RFI ISSUE
QX	29/12/53	TOWN PLANNING RFI ISSUE
QY	29/01/54	TOWN PLANNING RFI ISSUE
QZ	29/02/54	TOWN PLANNING RFI ISSUE
RA	29/03/54	TOWN PLANNING RFI ISSUE
RB	29/04/54	TOWN PLANNING RFI ISSUE
RC	29/05/54	TOWN PLANNING RFI ISSUE
RD	29

Attachment 1 - PLN16/0471.01 - 344 Johnston Street Abbotsford - S52 Advertising Plans Part 1



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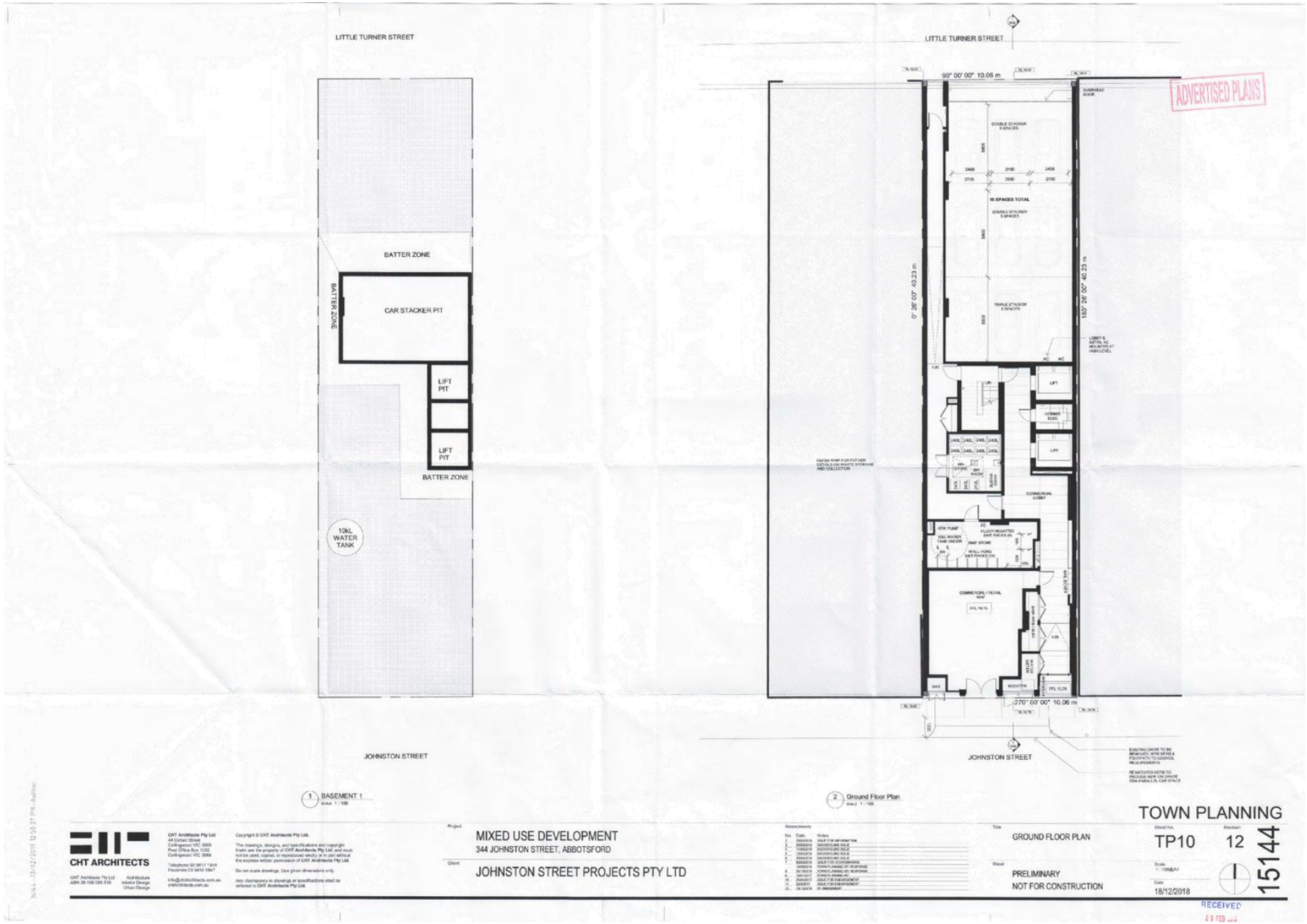

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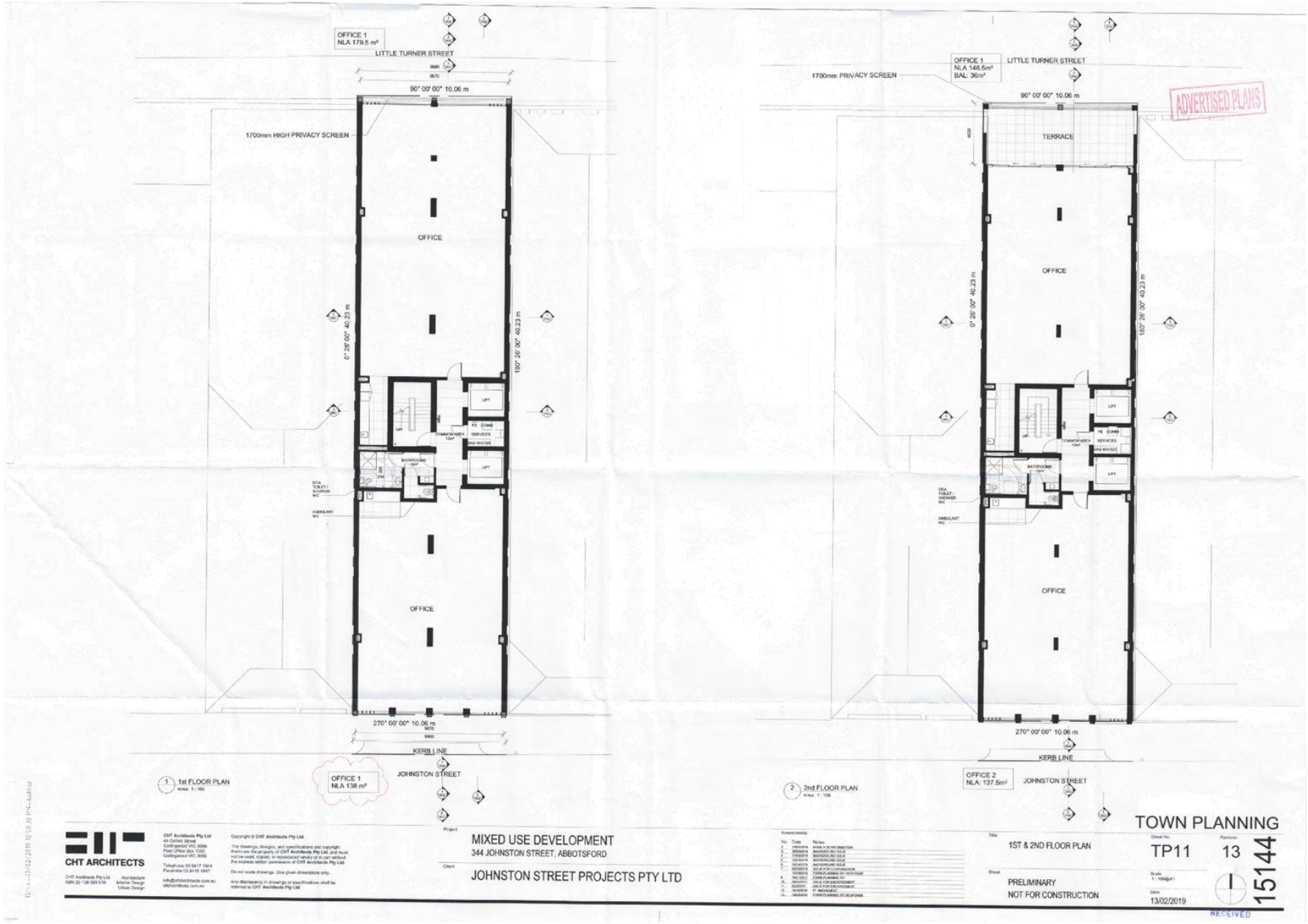

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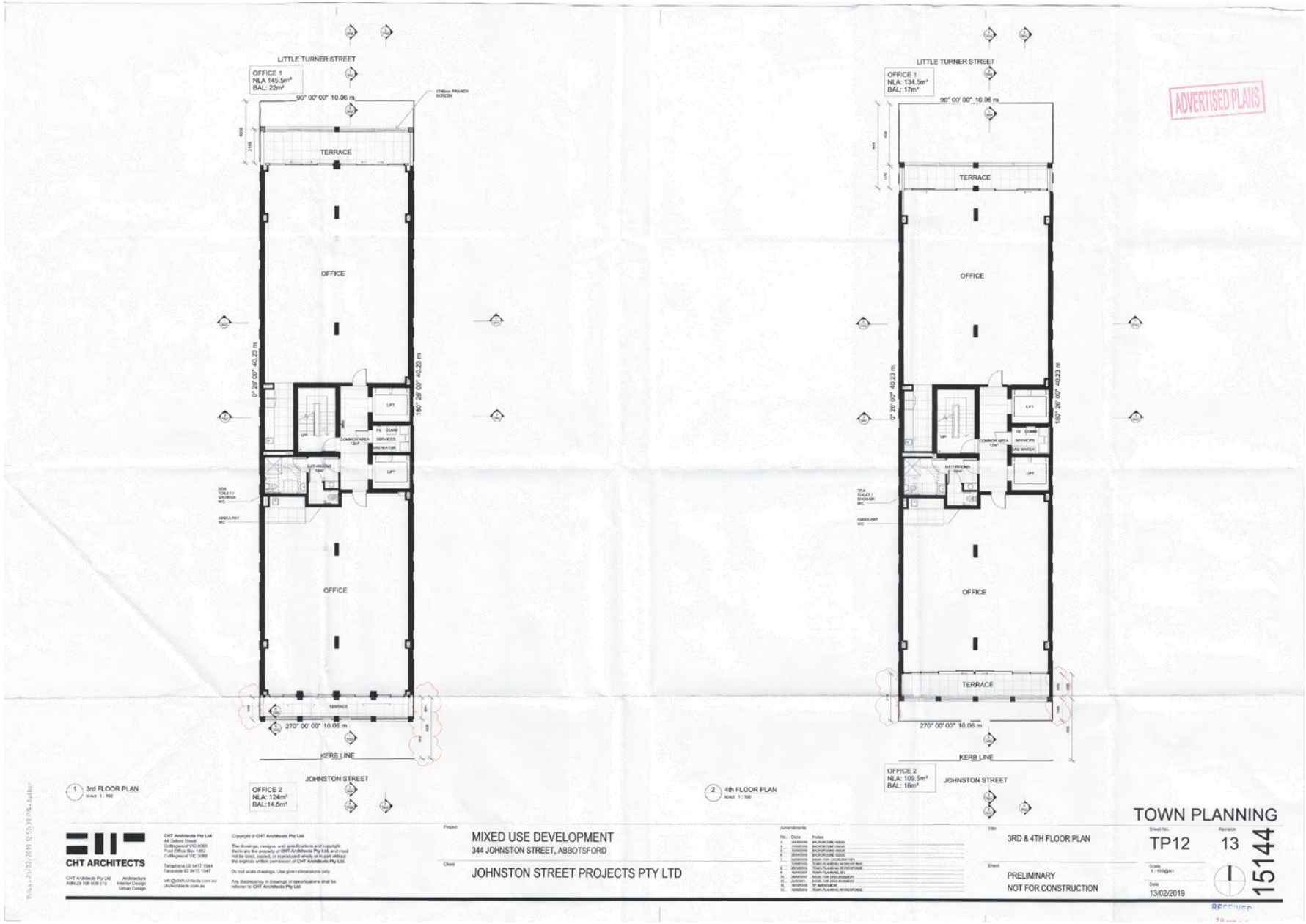

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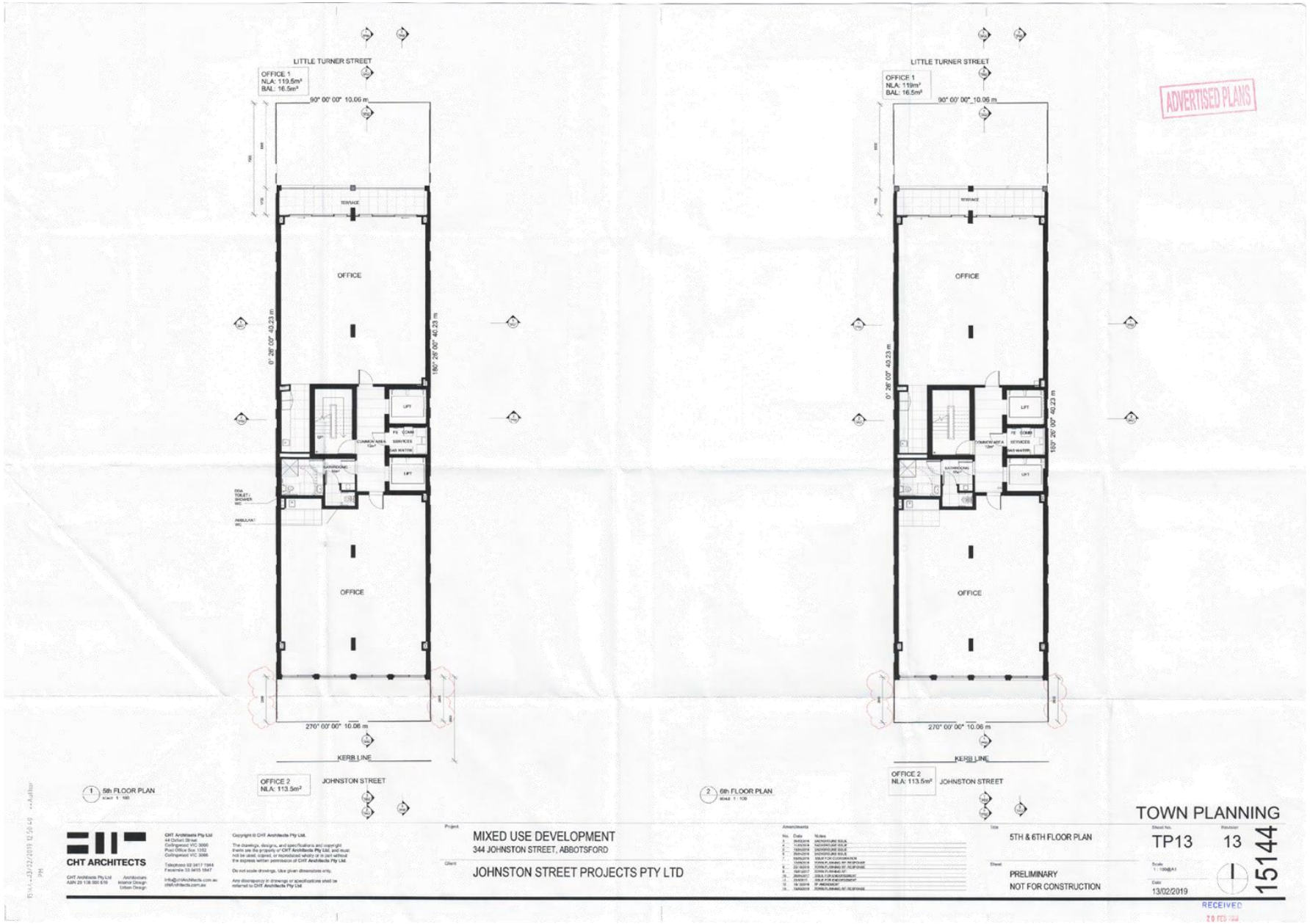

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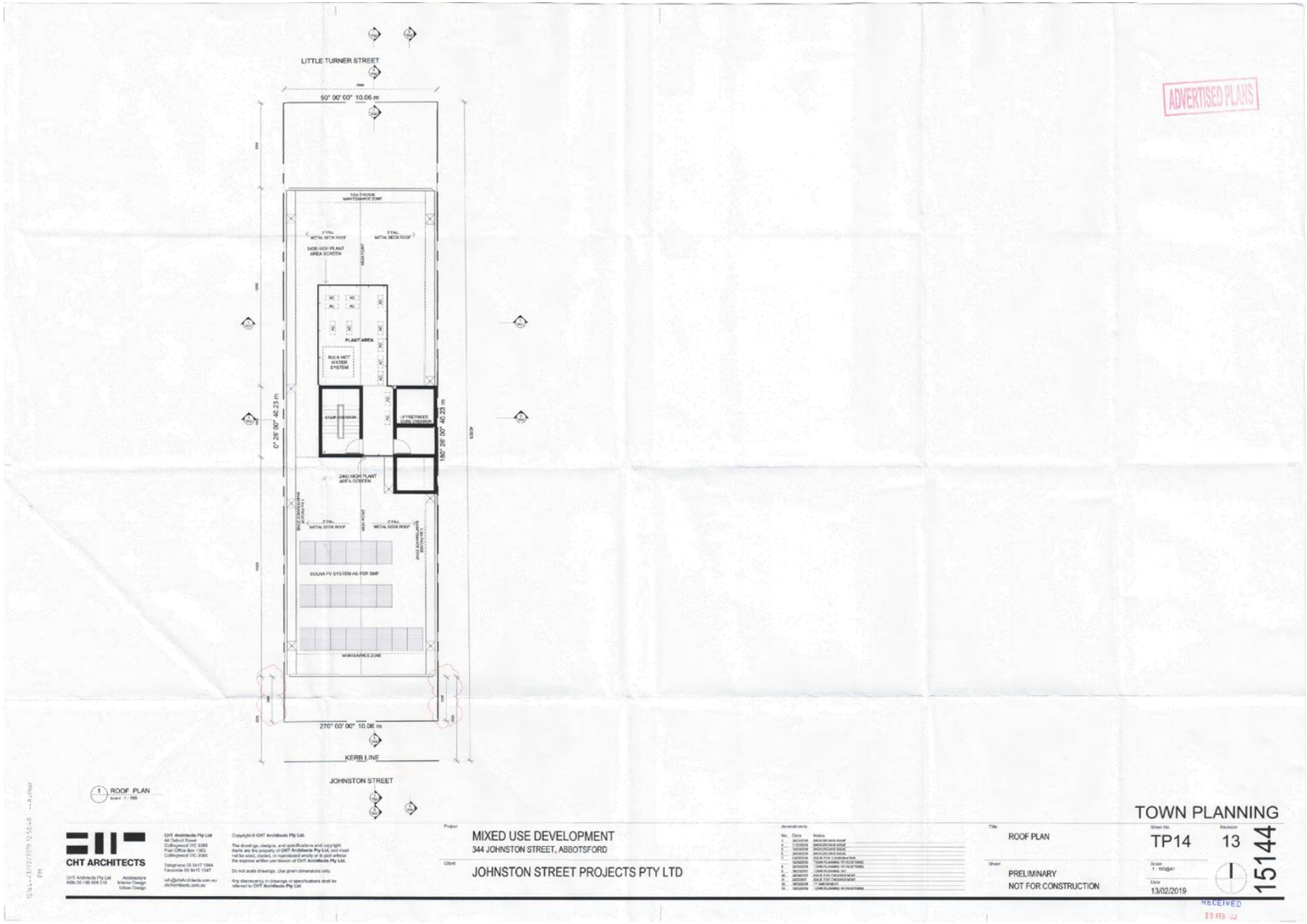

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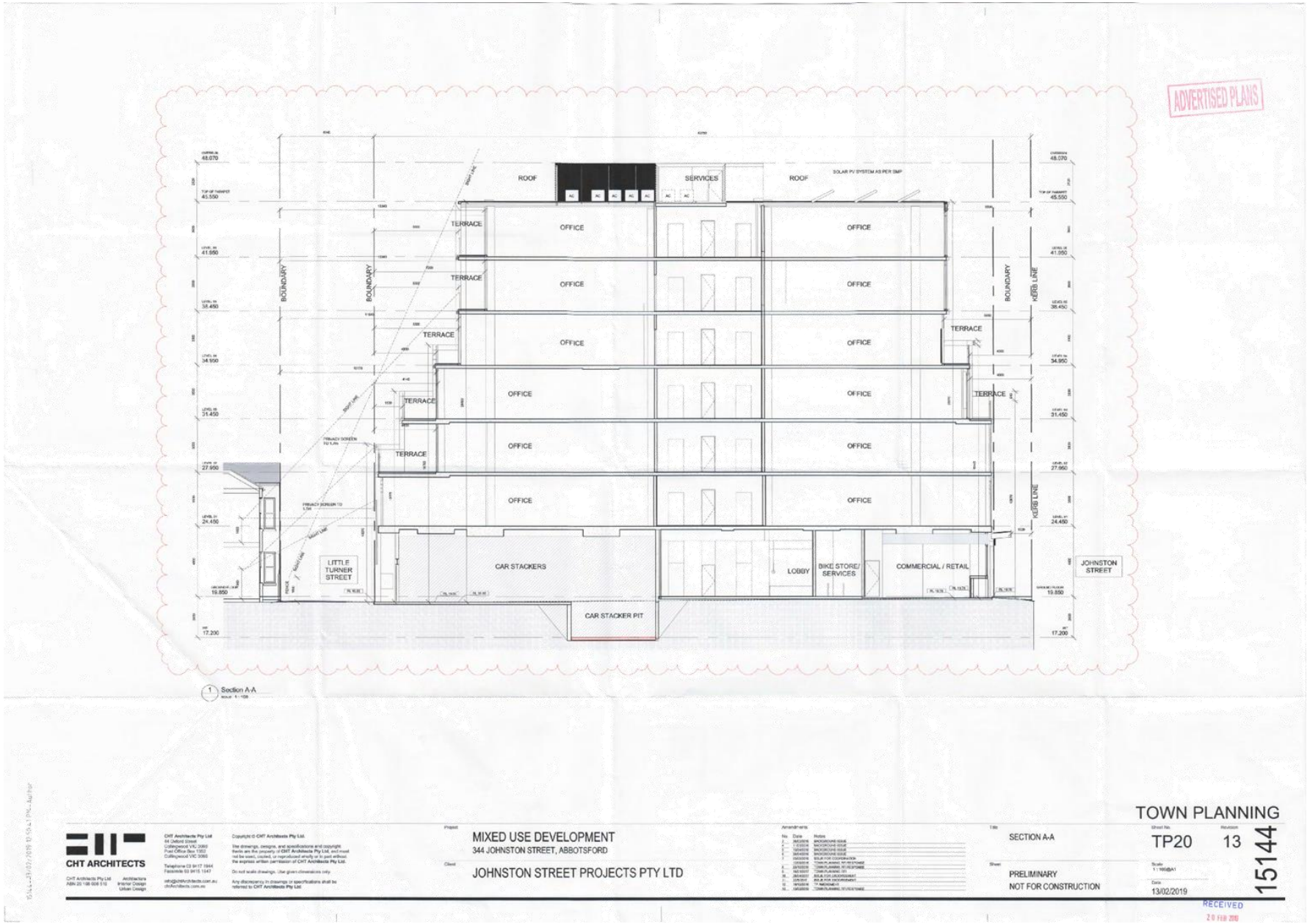

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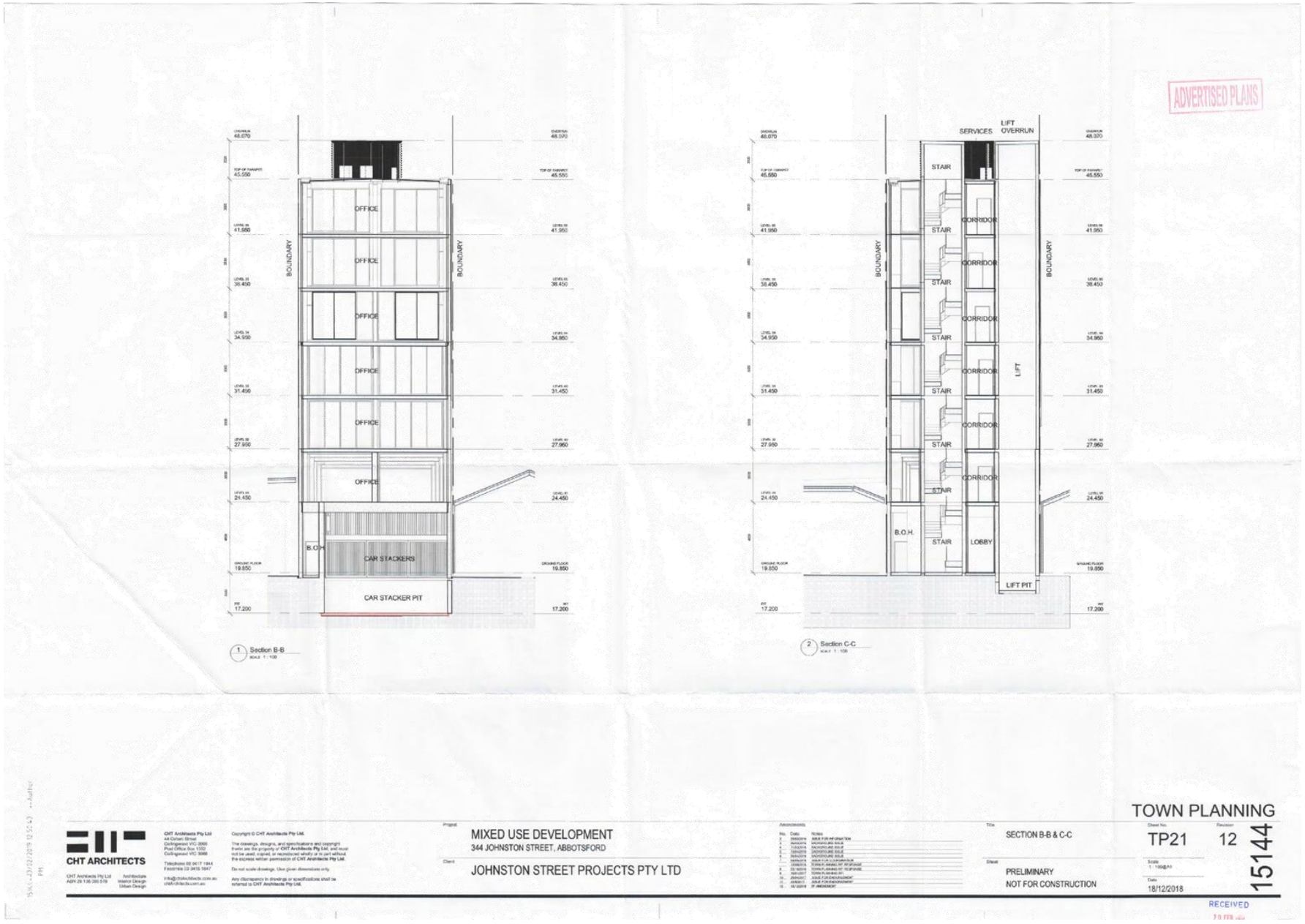

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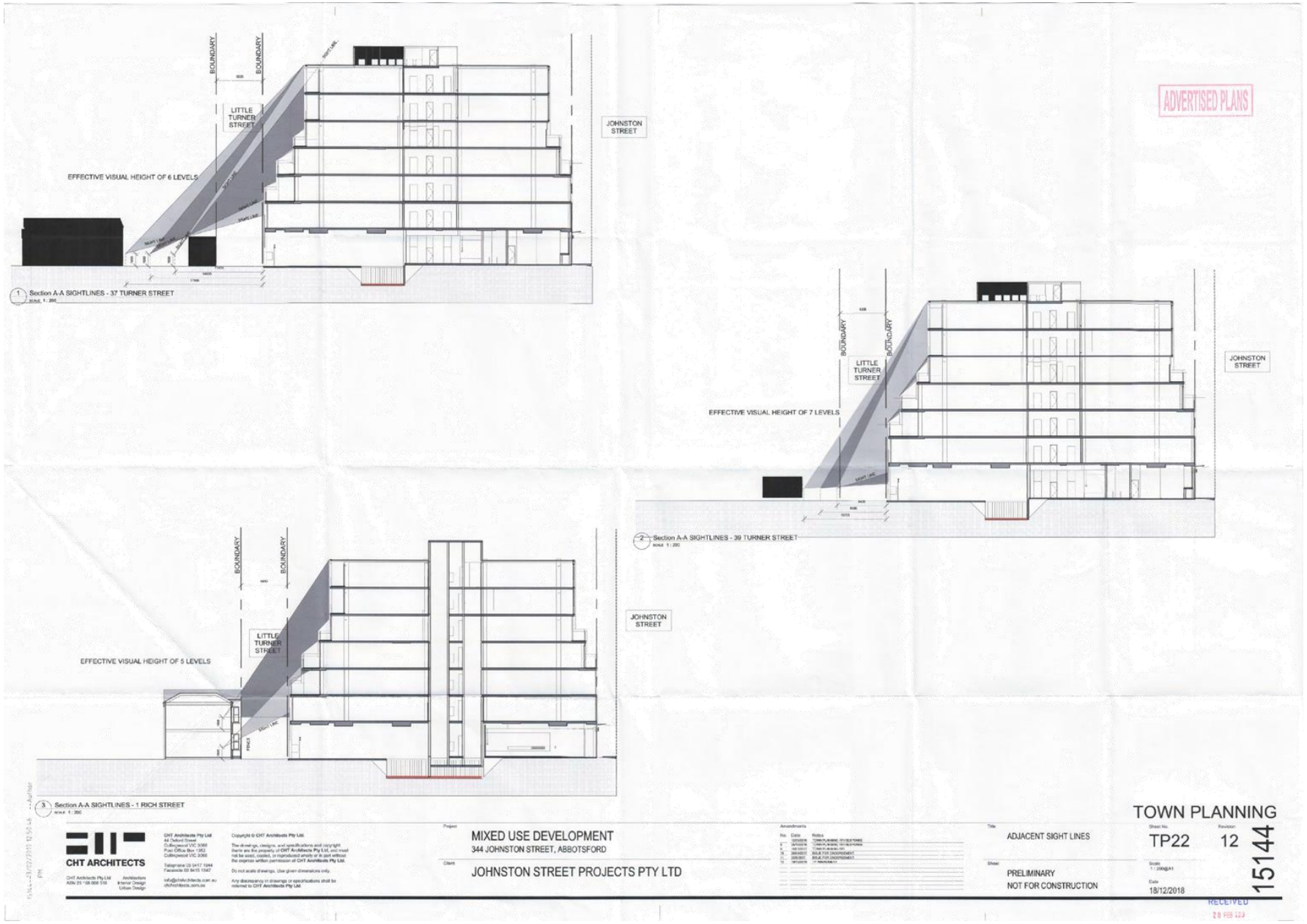

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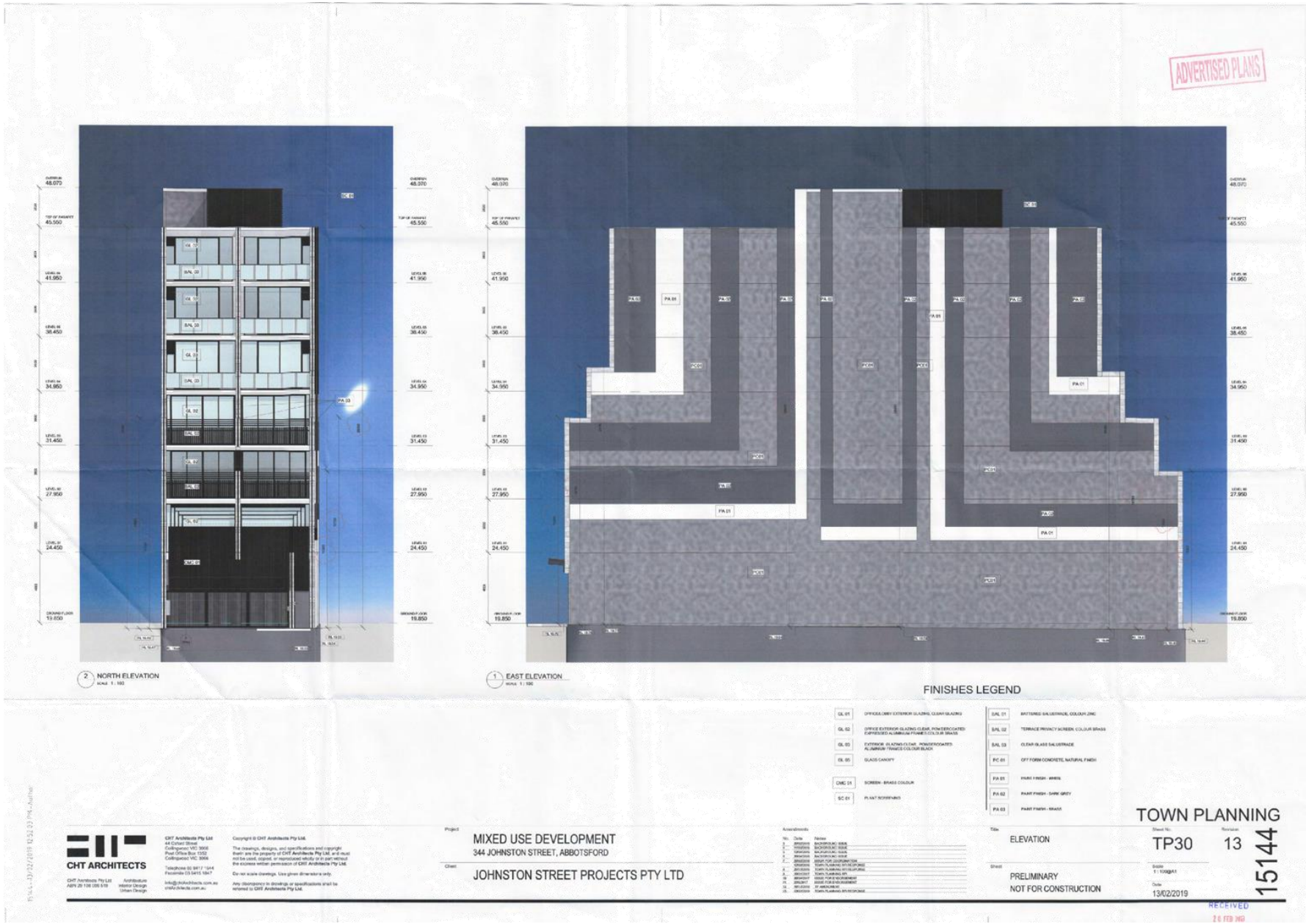

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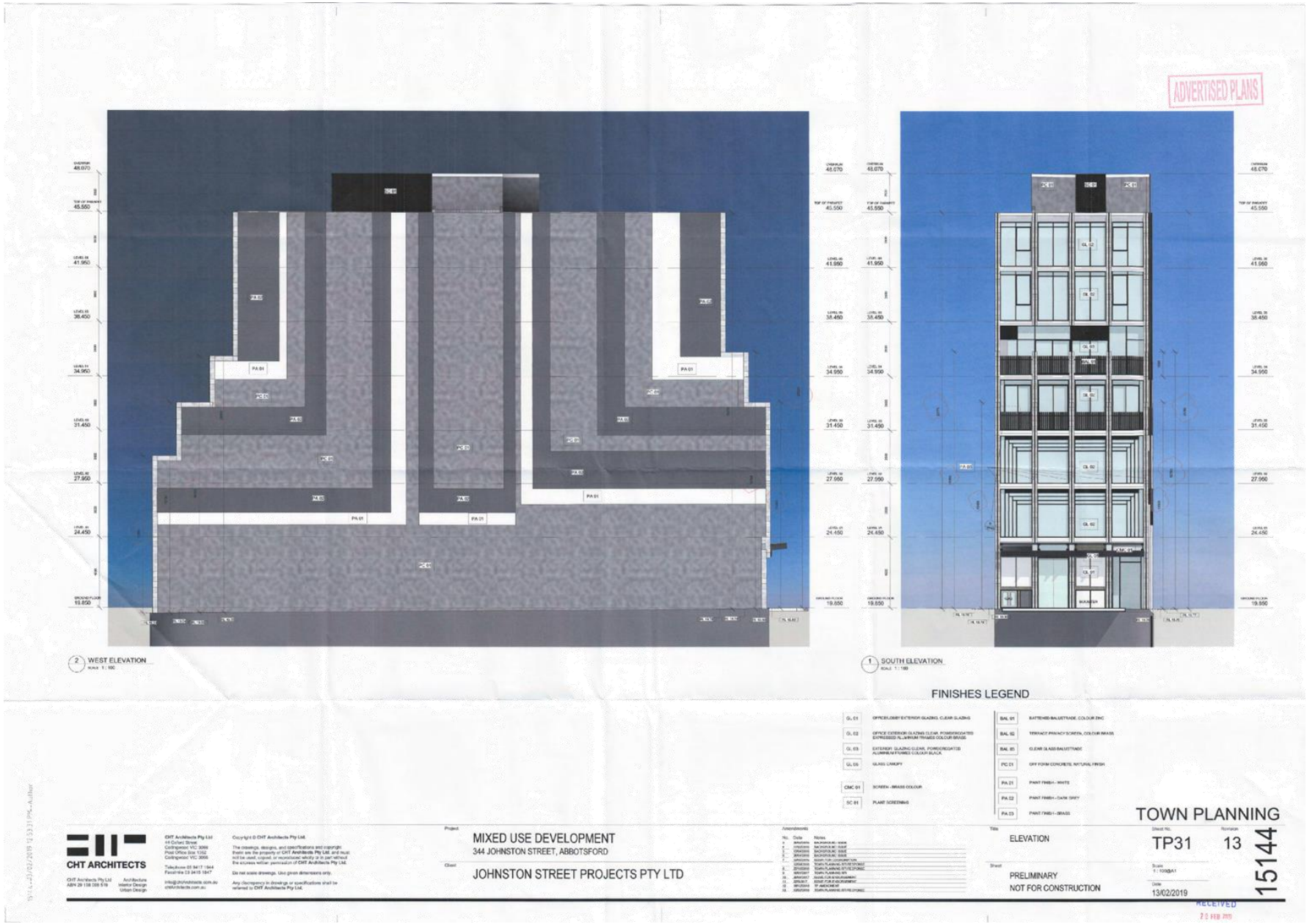

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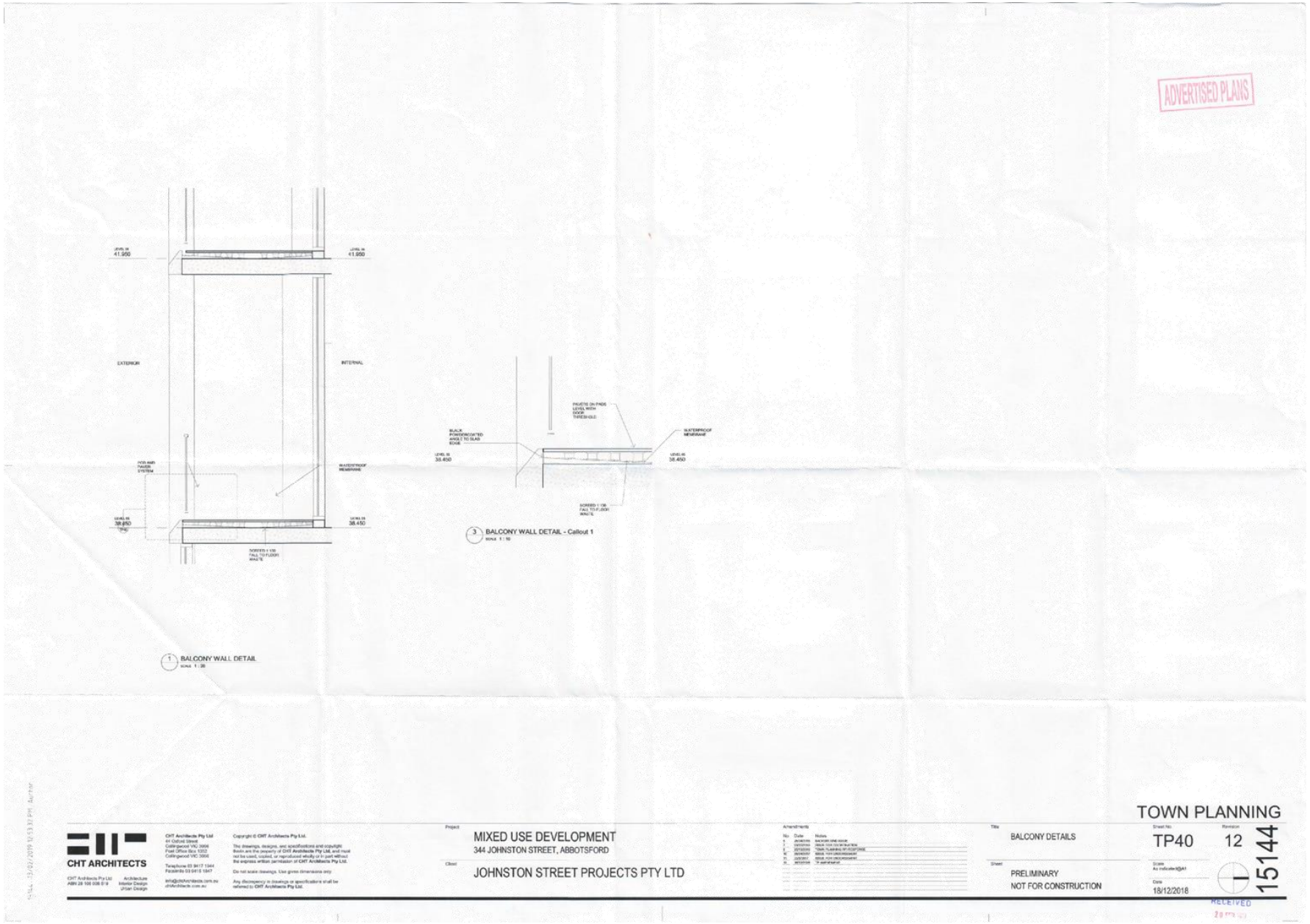

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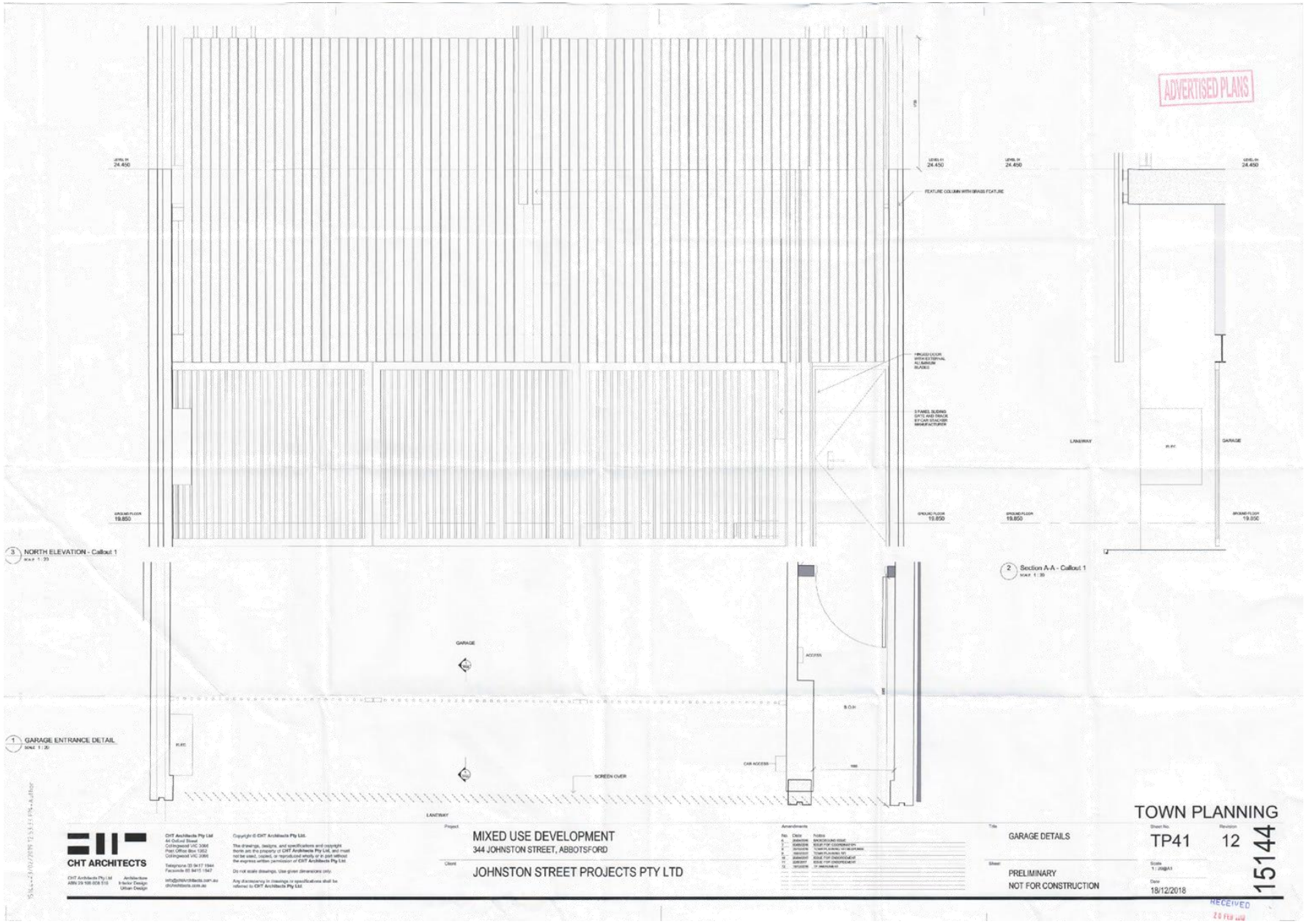

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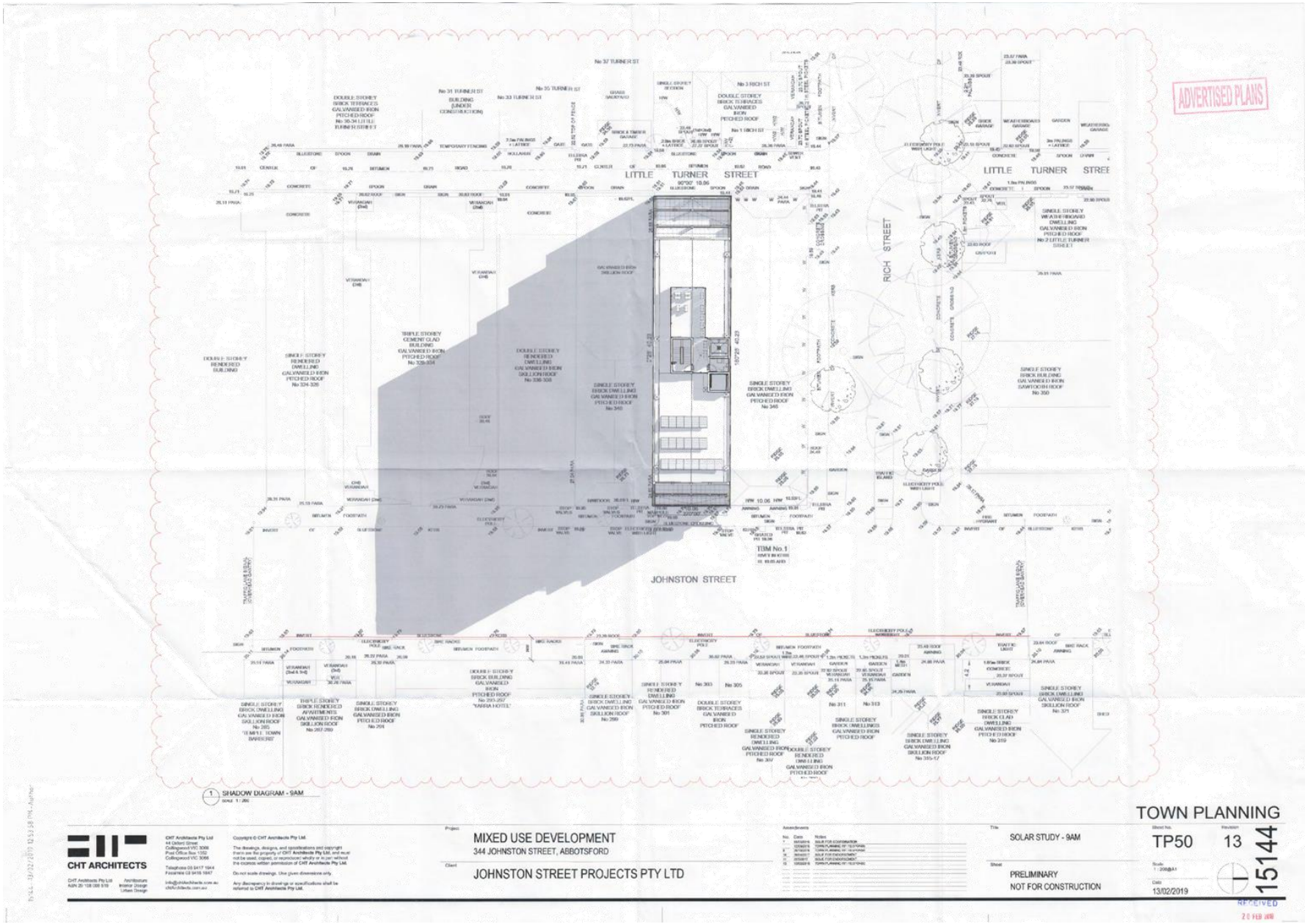

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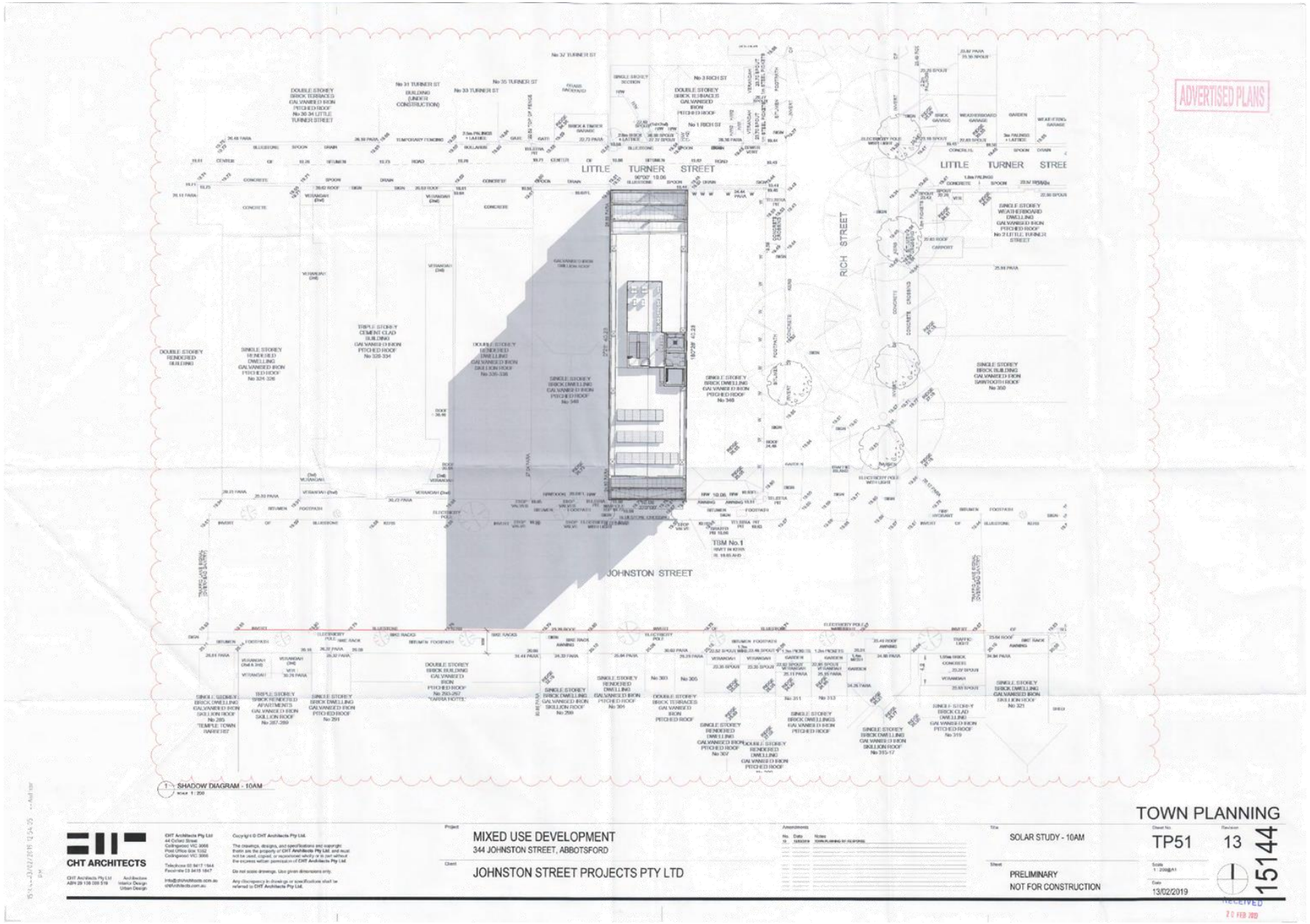

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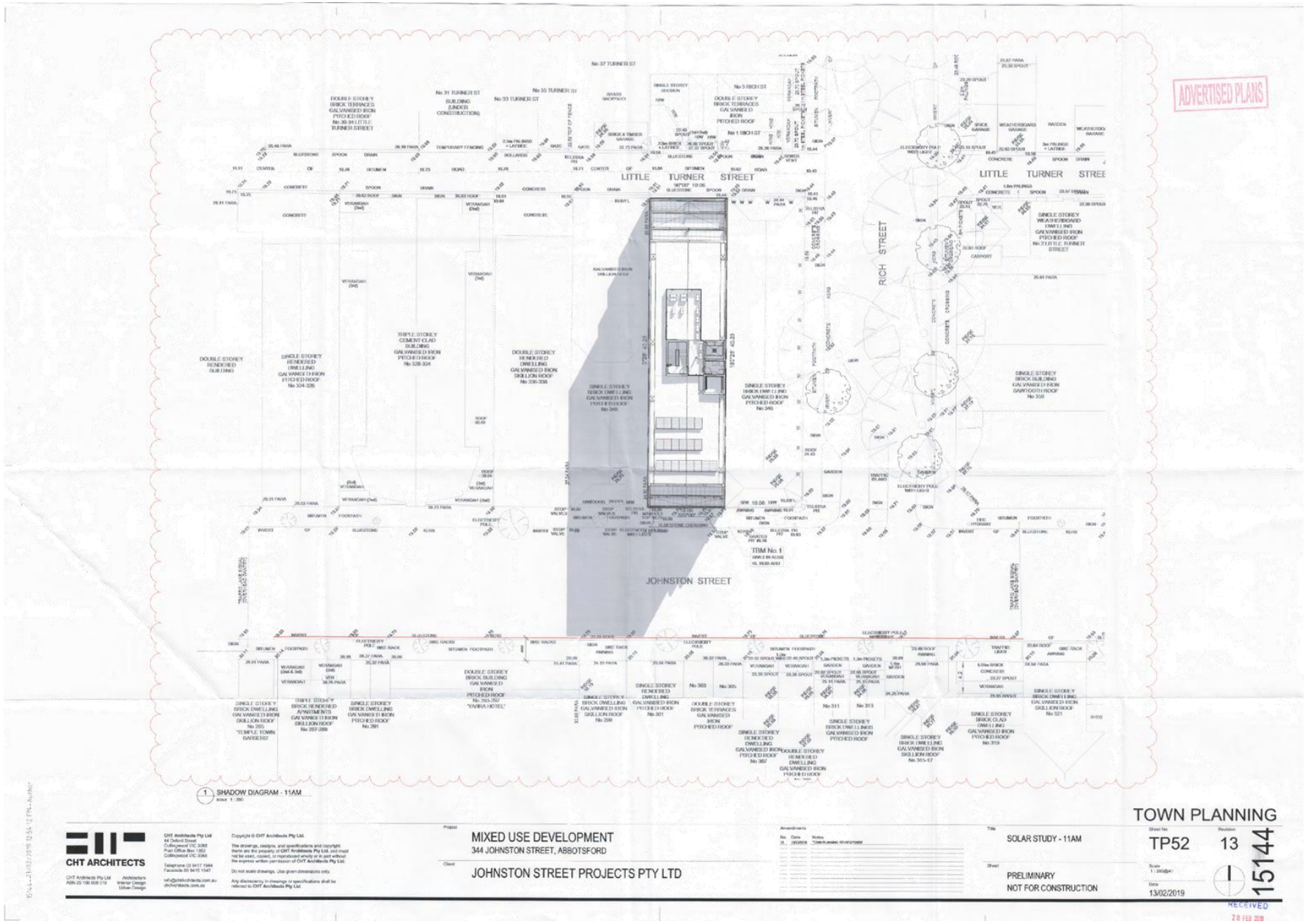

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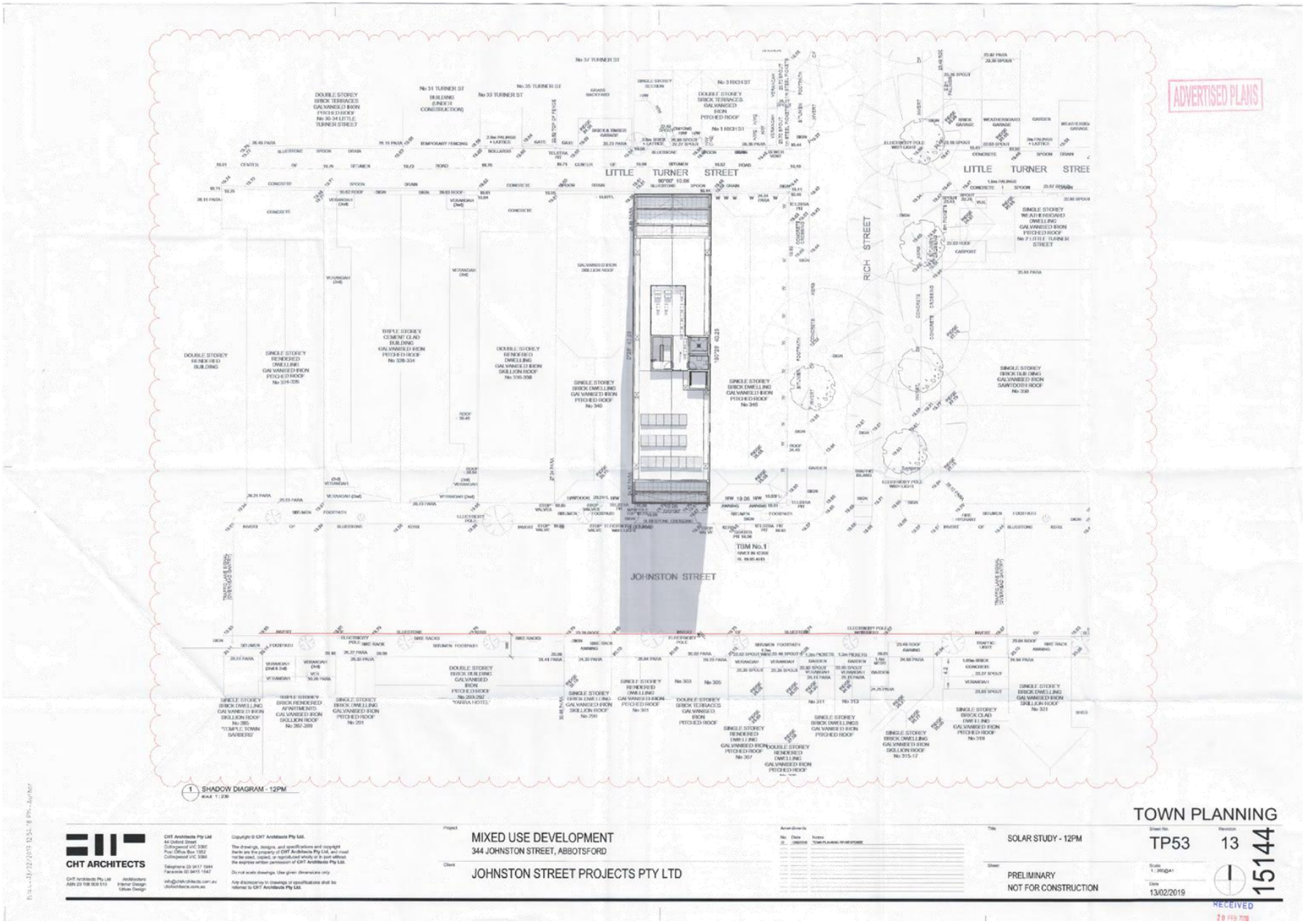

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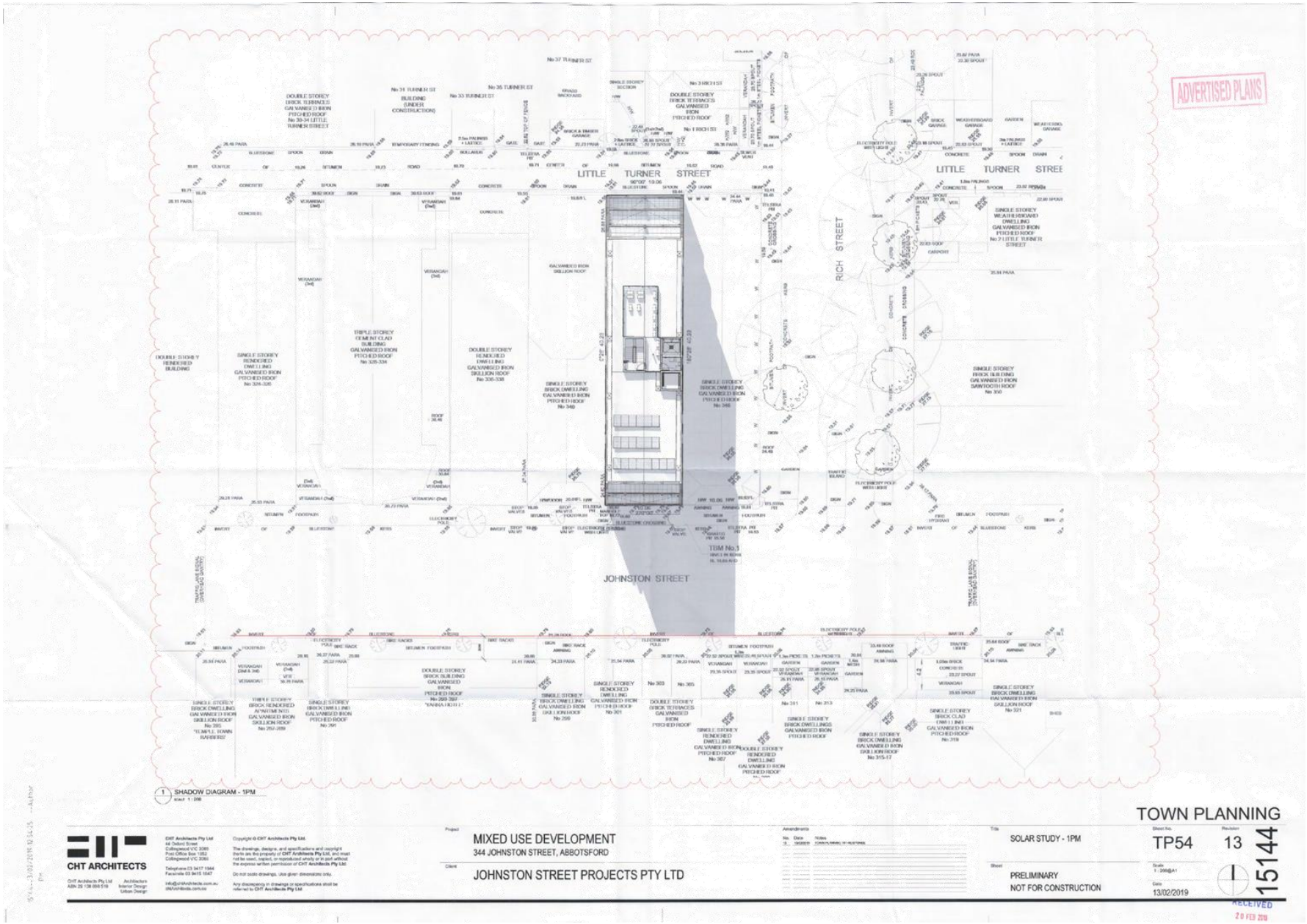

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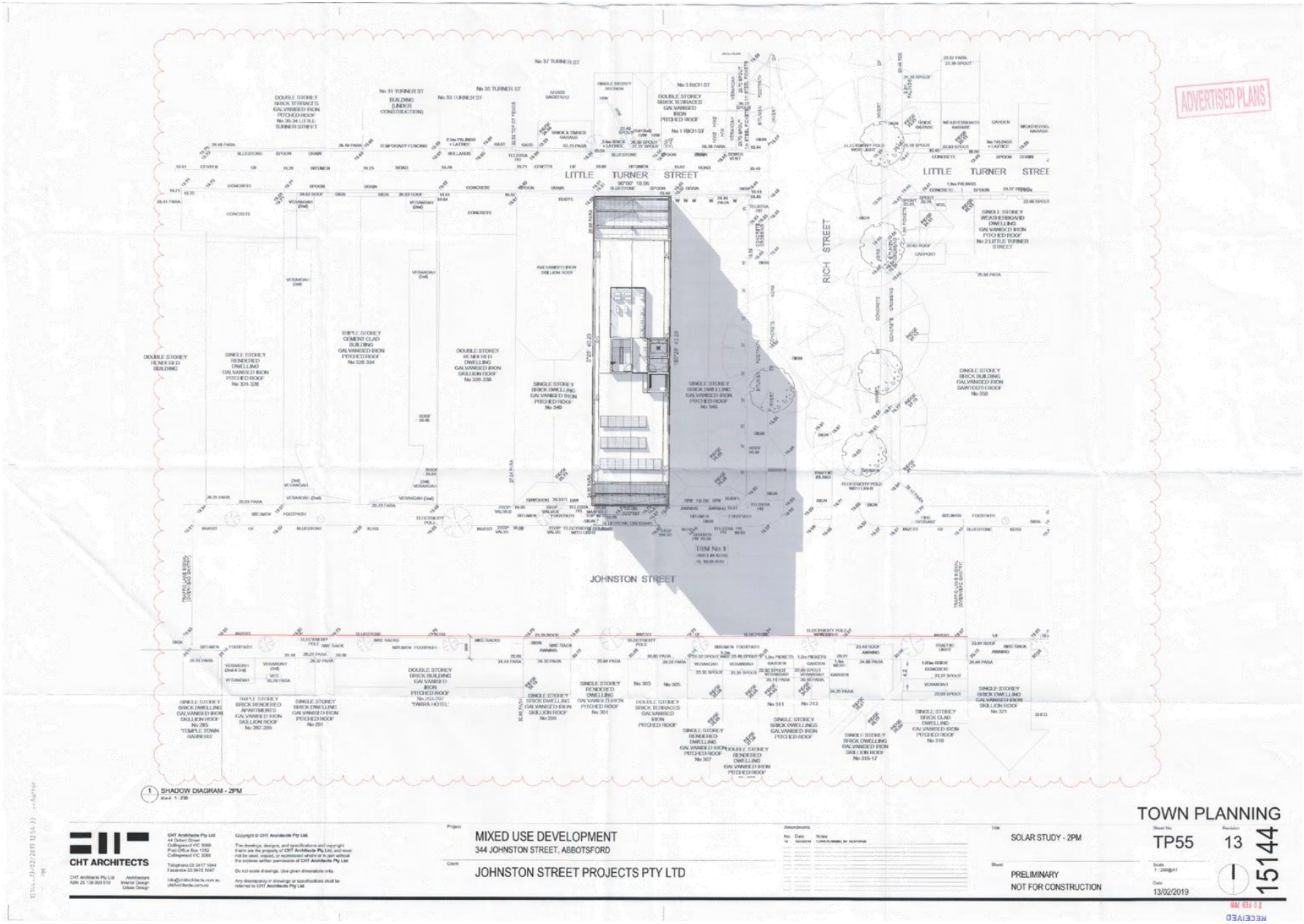

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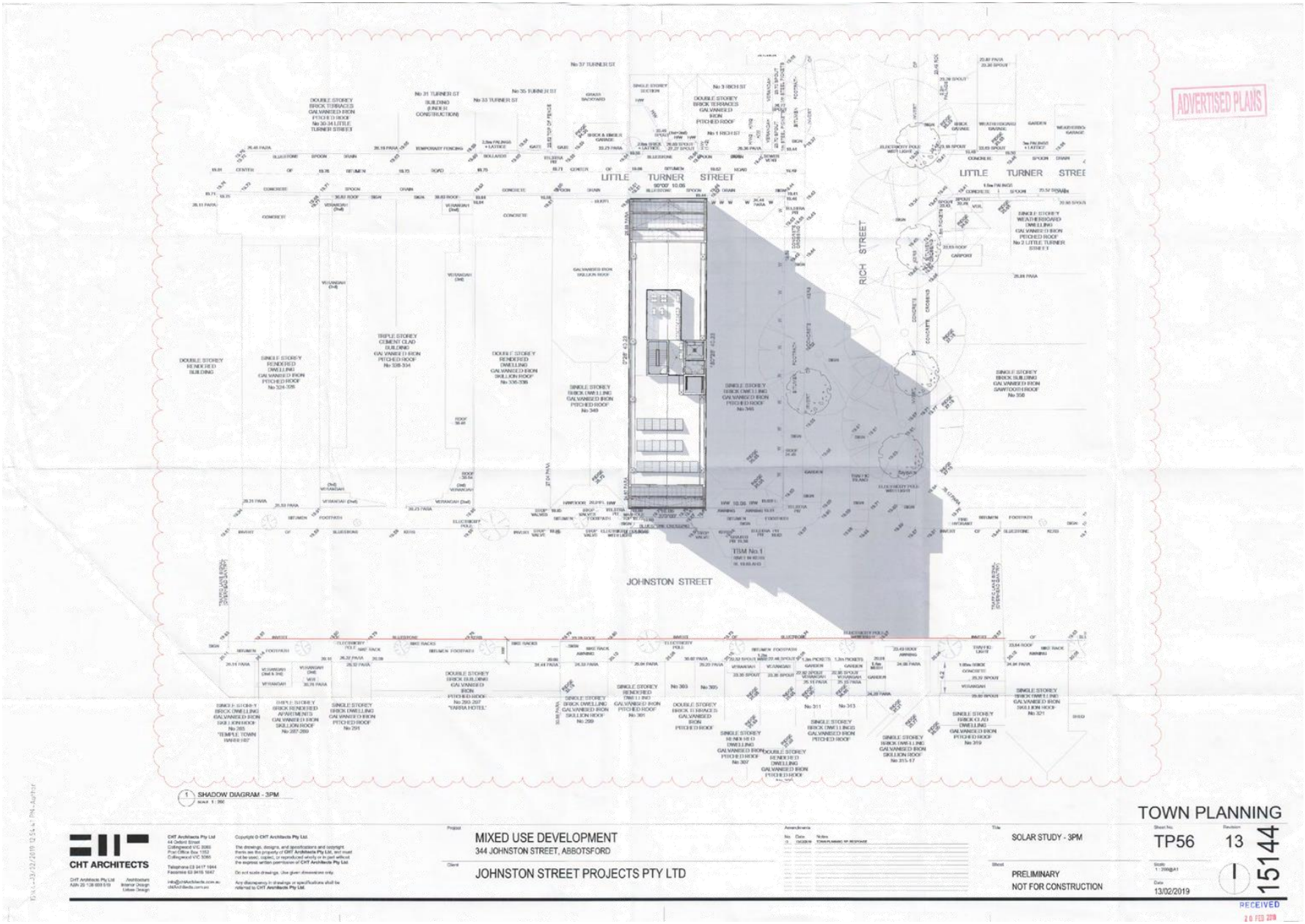


Attachment 7 - PLN16/0471.01-344 Johnston Street, Abbotsford - WMP Referral

O'Reilly, Gary

From: Orr, Patrick
Sent: Monday, 15 April 2019 11:58 AM
To: O'Reilly, Gary
Cc: Athanasi, Atha
Subject: RE: 344 Johnston Street, Abbotsford - PLN16/0471.01

Hi Gary,

The waste management plan for 344 Johnston St Abbotsford authored by Leigh Design and dated 19/12/19 is satisfactory from a City Works branch's perspective.

Regards,

Patrick Orr
`cting Services Contracts Coordinator
City Works
Yarra Operations Depot, Clifton Hill

City of Yarra PO Box 168 Richmond 3121
T:(03) 9205 5554 **F:**(03) 8417 6666
E: patrick.orr@yarracity.vic.gov.au

Please consider the environment before you print this email!

:om: O'Reilly, Gary
Sent: Friday, 12 April 2019 10:58 AM
To: Orr, Patrick <Patrick.Orr@yarracity.vic.gov.au>
Subject: 344 Johnston Street, Abbotsford - PLN16/0471.01

Hi Patrick,

Referral request for the above application proposing alterations to approved multi-storey building.

The plans and supporting documents can be viewed at the following link:

https://www.yarracity.vic.gov.au/services/planning-and-development/planning-applications/advertised-planning-applications/2019/03/01/pln16047101

Endorsed documents can be found on Content Manager at the following locations:

Attachment 7 - PLN16/0471.01-344 Johnston Street, Abbotsford - WMP Referral

D17/70161	PLN16/0471 - 344 Johnston Street Abbotsford - Endorsed Waste Management Plan (scanned)
D17/70158	PLN16/0471 - 344 Johnston Street Abbotsford - Endorsed Accoustic Report (scanned)
D17/70152	PLN16/0471 - 344 Johnston Street Abbotsford - Endorsed Sustainable Management Plan (scanned)
D17/70147	PLN16/0471 - 344 Johnston Street Abbotsford - Endorsed plans (scanned)

Regards

Gary O'Reilly
Senior Statutory Planner
City of Yarra PO Box 168 Richmond VIC 3121
T: (03)9205 5040 **F:** (03) 8417 6666
E: gary.oreilly@yarracity.vic.gov.au
W: www.yarracity.vic.gov.au

bess

BESS is now live!
If you're applying for a planning permit, use the Built Environment Sustainability Scorecard to prepare your sustainable design assessment.

Visit www.bess.net.au to get started.

Attachment 8 - PLN16/0471.01 - 344 Johnston Street, Abbotsford - ESD Referral

CITY OF YARRA

MeMO

To:	Gary O'Reilly	Date: 11/6/19
Cc:		
From:	Scott W	
File:	PLN16/0471.01	
Subject Site:	344 Johnston Street, Abbotsford	
Subject:	Review of revised document submitted for an amendment to an existing permit	

Gary

Please find review comments below. Please let me know if you wish to discuss the proposal.

Regards,

Scott Willey

Environmental Sustainable Development Advisor

Assessment

The following documents were reviewed against the existing endorsed documents and policies that relate to ESD:

- Architectural drawings – endorsed drawings, prepared by CHT Architects, endorsed 1/6/17
- Architectural drawings – revised drawings issued for 'TP Amendment, and Town Planning RFI Response, prepared by CHT Architects, dated 18/12/18 and 13/2/19
- Sustainable Management Plan – endorsed SMP prepared by GIW Environmental Solutions, dated 18/5/17
- Sustainable Management Plan – revised SMP prepared by GIW Environmental Solutions, dated 19/12/18

The changes proposed appear appropriate given the existing approved ESD if the points below are attended.

Comment on proposed revised documents

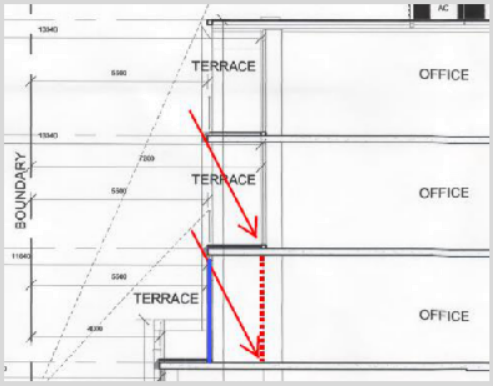
Items sought to be amended:

- Alter the permit preamble from the use of dwellings (levels 4-6) to offices, including a shop at ground floor (no permit required for uses)
  - *No comment*
- Additional reduction in the car parking requirements associated with the offices
  - *No comment*
- Increase the overall height
  - *No comment*

- Reduction to the Johnston Street setbacks (levels 4, 5 and 6)
  - *Change sought - The window sashes shown are too few in number and located at a height likely to cause nuisance drafts to desk-based occupants, and therefore – be less likely to be utilised for natural ventilation. Additional higher-level sashes are sought that resist showers, and can be locked ajar. A nominal spacing of operable sashes of every second bay is sought.*
- Deletion of terraces fronting Johnston Street (levels 5 and 6)
  - *Change sought - See note above about appropriate openings for natural ventilation.*
- Reduction in terrace size and reduced setback to Little Turner Street (Level 4)
  - *Not supported – The current approved terrace depth gives good sun-protection of this full-height northern glazing, and moving the wall outward would leave it unprotected from summer sun, decrease thermal comfort and increase peak energy demand (see image below).*

Section through Northern façade

- Existing Level 4 terrace depth provides protection from northern summer sun (red dashed line)
- Moving this wall out would result in unshaded glazing and high solar-heat loads (blue line)



- Change materials and internal reconfigurations
  - *Change sought – Given the internal layout changes proposed, skylights are sought to the bathroom, toilet, anti-room and kitchenettes on the 6th floor to increase daylight and minimise use of artificial lighting.*
- Increased plant area and lift overrun to roof
  - *No comment*
- Amended car stacker system
  - *No comment*
- Revised ground floor facade/entry
  - *No comment*
- Revised shop layout, storage layout and bicycle parking spaces to ground floor
  - *Change sought – Centrally locating bicycles on the ground floor is an improvement which avoids occupants need to transport bicycles to office levels via the lifts. However, the proposed configuration adds an additional door to the access route from Johnston Street, with the direction of swing of these doors being cumbersome for bike movement. Revision to door format for the Bike Store is sought, to replace the swung door with a sliding door.*
- Revised lift lobby area and common area (all floors)
  - *No comment beyond the addition of skylights noted above.*

Attachment 9 - PLN16/04741.01 - 344 Johnston Street, Abbotsford - Engineering referral

CITY OF YARRA

MEMO

To:	**Gary O'Reilly**	
From:	**Mark Pisani**	
Date:	**13 May 2019**	
Subject:	**Application No:**	**PLN16/0471.01**
	Description:	**Section 72 Amendment**
	Site Address:	**344 Johnston Street, Abbotsford**

I refer to the above Planning Application received on 12 April 2019 and the accompanying report prepared by Traffix Group in relation to the proposed development at 344 Johnston Street, Abbotsford. Council's Civil Engineering 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	1,581 m²	3.0 spaces per 100 m² of net floor area	47	18
Retail	46 m²	3.5 spaces per 100 m² of leasable floor area	1	0
		Total	**48 Spaces**	**18Spaces**

* Since the site is located within the Principal Public Transport Network Area, the parking rates in Column B of Clause 52.06-5 now apply.

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 Demand for Office Use*. The office component of the development would be providing 18 on-site parking spaces, which equates to a rate of 1.14 spaces per 100 square metres of floor area. Throughout the municipality, a number of developments have been approved with reduced office rates, as shown in the following table:

Development Site	Approved Office Parking Rate
Collingwood	
71-93 Gipps Street PLN16/1150 issued 30 August 2017	0.96 spaces per 100 m^2 (86 on-site spaces; 8,923 m^2)
2-16 Northumberland Street PLN16/1150 issued 14 June 2017	0.89 spaces per 100 m^2 (135 on-site spaces; 15,300 m^2)

The proposed on-site office parking rate of 1.14 spaces is considered appropriate, having regarding to the site's good accessibility to public transport services and proximity to Melbourne.

- *Parking Demand for Retail Use*. The car parking demand of one space would most likely be generated by staff of the retail use. The lack of available long-stay on-street parking would be a disincentive for employees to commute to and from the site by private motor vehicle.
- *Availability of Public Transport in the Locality of the Land*. The site is within walking distance of bus services operating long Johnston Street and Hoddle Street. Rail services can be obtained from Victoria Park railway station.
- *Multi-Purpose Trips within the Area*. Clients and customers to the office and shop might combine their visit to the site by engaging in other business or activities 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*. Traffix Group had conducted on-street parking occupancy surveys back in February 2016. The data from these surveys would be considered outdated. Although on-street parking demand in the area is high, the short-stay parking overflow from the site could be accommodated on-street.
- *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 waiving of parking associated with the office and retail uses is considered appropriate in the context of the development and the surrounding area. Short-stay parking overflow from the site (clients and customers) can be accommodated on-street.

The Civil Engineering unit has no objection to the reduction in the car parking requirement for this site.

TRAFFIC GENERATION

The traffic generation for the site adopted by Traffix Group is as follows:

Proposed Use	Adopted Traffic Generation Rate	Daily Traffic	Peak Hour	
			AM	PM
Office (18 on-site spaces)	0.5 trips per space in each peak hour	90	9	9

The traffic volumes generated by the development are not unduly high and it is agreed that these volumes should not adversely impact on the surrounding road network.

DEVELOPMENT LAYOUT DESIGN

CHT Architects — Drawing No. TP10 Revision 12 dated 18 December 2018
Traffix Group *Traffic Engineering Assessment* report — Reference 26065L#1 dated 18 December 2018

Layout Design Assessment

Item	Assessment
Access Arrangements and Mechanical Parking	
Stacker Devices	The parking configuration and layout of the stackers and access arrangements are consistent with the endorsed drawings (dated 1 June 2017). The stacker platforms in the amended proposal retain the same platform widths, whereas the platform lengths have slightly increased. The proposed access and parking layout of the amended proposal are considered satisfactory.

Attachment 10 - PLN16/0471.01 - 344 Johnston Street - Urban Design Ref

CITY OF YARRA

MeMO

TO:	Gary O'Reilly (Statutory Planning)
FROM	Hayley McNicol (Urban Design)
DATE:	17 May 2018
SUBJECT:	344 Johnston Street Abbotsford
APPLICATION NO:	PLN16/0471.01
DESCRIPTION:	S72 Amendment to Planning Permit PLN16/0471 to: Alter the permit preamble from the use of dwellings (levels 4-6) to offices, including a shop at ground floor (no permit required for uses); • additional reduction in the car parking requirements associated with the offices; • increase the overall height; • reduction to the Johnston Street setbacks (levels 4, 5 and 6); • deletion of terraces fronting Johnston Street (levels 5 and 6); • reduction in terrace size and reduced setback to Little Turner Street (Level 4); • change materials and internal reconfigurations; • increased plant area and lift overrun to roof; • amended car stacker system; • revised ground floor facade/entry; • revised shop layout, storage layout and bicycle parking spaces to ground floor; and • revised lift lobby area and common area (all floors).

COMMENTS SOUGHT

Urban Design comments have been sought on the proposed changes to the approved development at the above address, including the following matters:

- Increased overall height;
- Revised setbacks to building's façade;
- Changes to materials;
- Any other relevant matter.

Comments are provided below, based on the plans received 20 February 2019.

COMMENTS SUMMARY

The proposal is not supported in its current form. In summary, the following changes are recommended to make the proposal more acceptable from an urban design perspective. The rationale behind these changes is explained in more detail below.

- Reduce height to meet the preferred maximum height of 24 metres as set out in the Design and Development Overlay 15 (DDO15), or a maximum of 24.7 metres as previously approved, and to reduce the proposal's non-compliance with the upper level setbacks set out in DDO15.
- Reinstate the balconies at Levels 05 and 06 facing Johnston Street.
- Reduce the size of the lift overrun / plant room and move further away from Johnston Street.
- Change the glass balustrades at Levels 04-06 facing Little Turner Street to be consistent with Levels 02 and 03.
- Review materials along the eastern and western shear walls to provide a more textured appearance.
- Ensure the design detail of the façade glazing and framing is adequately shown (dimensioned and annotated) so that this detail is carried through to construction.
- Increase the awning width to make it more usable for people moving along the Johnston Street footpath.

DEVELOPMENT PROPOSAL

The development proposes to alter a previously approved seven storey building (with an additional lift overrun). The new building will remain seven storeys however there are some changes to the heights, balconies and front/rear/side elevation treatments.

URBAN DESIGN FEEDBACK

Changes to height and front/rear setbacks

Comments are provided below from an urban design perspective. Please refer to comments from Strategic Planning which will cover the proposal's response to the Interim and Council adopted versions of DDO15.

- The previous approved scheme has a height of 24.7 metres (as shown on the endorsed plans and excluding the lift overrun). The proposed overall height is 25.7 metres (excluding the lift overrun), which exceeds the preferred maximum height of 24 metres, as set out in the Interim DDO15 and Council adopted DDO15. The increase in height would have the following adverse impacts:
    - The increase in floor to floor heights at the upper floor levels will make the upper form more visually dominant in the streetscape. It will also exacerbate the proposal's non-compliance with DDO15 upper floor setbacks (interim and approved).

- It would increase the amount of shear walls, and make them more visually dominant from surrounding streets and properties.
- As the site is very narrow, no side setbacks have been provided to allow for some building separation. There are a number of other adjacent narrow sites – if these were to develop in the same manner this would result in a wall of taller form.

The proposed increase in height is not therefore not supported. It is recommended that height is reduced to meet the preferred maximum height of 24 metres as set out in the DDO15, or a maximum of 24.7 metres as previously approved.

- There are some changes to the design which will impact the overall massing of the development and how the setbacks are viewed from the street. In particular:
  - The inset balconies at Levels 05 and 06 (facing Johnston Street) have been removed and glazing along the front façade is proposed instead. This change makes the upper form appear more dominant in the streetscape, therefore it is recommended that the inset balconies are reinstated, to appear more recessive.
  - The lift overrun has increased in size (as viewed on side elevations) and will be closer to Johnston Street, which will make the overrun and side walls appear more prominent from along Johnston Street. The size and position of the lift overrun and plant room should be reviewed.

Changes to materials

The following urban design comments are made about the change in materials, particularly those viewed from the Johnston Street streetscape.

- The shear walls previously comprised rough cast concrete, and flat concrete with a either saw tooth patterning or brass centre inlay. The patterning and texture of the material itself helped to provide a more articulated side wall when viewed from the street and surrounding properties.

  In the new proposal, some of the more textured/patterned materials would be changed to ‘off-form concrete, natural finish’ and ‘paint finish’. There is a concern that the textured and patterned finishes of the concrete have been lost and the shear walls will now appear more flat, which will worsen their appearance from surrounding streets and properties. It is recommended that the proposal reverts to the previous materials.

- The south facing balconies at Levels 05 and 06 have been removed. The previous scheme with balconies is preferred as it provided a more consistent upper level treatment, as well as reducing the dominance of the upper levels as mentioned above.

- The rear balustrades have been changed to glass. The glass balustrades are discouraged as they would make the balconies appear more cluttered, as everything stored within the balcony space can be viewed from the street. Furthermore the windows can be difficult to clean and maintain. It is suggested to change the balcony treatments to be consistent with BAL02 on Levels 02 and 03.

- It is not clear how some of the design details of the Johnston Street façade (in particular the proposed glazing at Levels 01 and 02 and the framing on all levels) will appear and how much depth and articulation it would provide. It is recommended that the plans and elevations are appropriately dimensioned and annotated to ensure that this detail is not lost through the design and construction process. This level of detail should also be provided for the rear elevation.

Other matters

The awing on Johnston Street has been reduced in width – from about 1.6 metres to 1 metre. The reduction in width will make the awning less useful for pedestrians moving along Johnston Street, therefore should be made wider

Attachment 11 - PLN16/0471.01 - 344 Johnston Street, Abbotsford - Strategic Planning Referral

PLANNING APPLICATION REFERRAL TO STRATEGIC PLANNING

Property address	**344 Johnston St Abbotsford VIC 3067**
Application number	**PLN16/0471.01**
Description	S72 Amendment to Planning Permit PLN16/0471 to: • Alter the permit preamble from the use of dwellings (levels 4-6) to offices, including a shop at ground floor (no permit required for uses); • additional reduction in the car parking requirements associated with the offices; • increase the overall height; • reduction to the Johnston Street setbacks (levels 4, 5 and 6); • deletion of terraces fronting Johnston Street (levels 5 and 6); • reduction in terrace size and reduced setback to Little Turner Street (Level 4); • change materials and internal reconfigurations; • increased plant area and lift overrun to roof; • amended car stacker system; • revised ground floor facade/entry; • revised shop layout, storage layout and bicycle parking spaces to ground floor; and • revised lift lobby area and common area (all floors).
Date of referral	15 May 2019
Status of application	Advertised (28 May 2018)
Relevant amendment & status	**Permanent controls** In March 2017, Council sought authorisation from the Minister to prepare Amendment C220. The Amendment proposes to implement the built form principles and objectives of the Johnston Street Local Area Plan, principally through the introduction of DDO15 on a permanent basis. The Amendment was referred to a Planning Panel in 2018 and Council has received the Report on 25 February 2019. Council will be considering the findings and recommendations at its meeting on 14 May 2019, with the purpose of adopting the amendment with or without changes. **Interim controls** In February 2018, Council also requested that the Minister for Planning introduce identical controls on an interim basis (Amendment C237). The Minister for Planning has approved the interim controls and are now in the scheme.
Existing and proposed controls	DDO15 – Sub-precinct 2D (interim) Environmental Audit Overlay

Attachment 11 - PLN16/0471.01 - 344 Johnston Street, Abbotsford - Strategic Planning Referral

Strategic Planning comments - Summary

I understand that the applicant has requested that the planning permit PLN16/0471 be amended under Section 72 of the *Planning and Environment Act 1987*. They have also argued that as the application is an amendment to an existing permit discretion should be given in recommending changes to the building form. I have regardless assessed the planning permit against the interim DDO15.

The proposal (at 25.7m or 28.22m including services) exceeds the preferred height in DDO15 by 4.22m.
The proposal **does not meet** the criteria set out in the DDO on the following criteria: DDO objectives, ESD and Building separation
It is considered that the building's height would undermine key objectives and requirements set out in DDO and **should not exceed the preferred height** of the DDO.

The proposal **does not comply** with key requirements of DDO15 in terms of the *Setbacks*. (see below)
In the plans there is an absence of a comparison of the proposed against the recommended upper level setbacks. However after reviewing the plans, it is evident that the proposal will result in a built form that will be dominant from both Johnston Street and Little Turner Street.

The outcome at the ground level of Johnston Street is not ideal. The proportion of space dedicated to services compared to the proposed retail/commercial space is a concern. It is likely this will jeopardise the proposals ability to achieve the desired outcomes of the DDO.

There are concerns with how the proposal responds to the *Upper Level Development* section of the DDO. (see below at other comments)

The building complies with the following requirements:

- Rear interface height
- Street wall height
- Overshadowing
- Building separation.

Objective Analysis

Objective	**Planning Application Analysis**
To preserve the valued heritage character of the streetscape and ensure that the predominantly two storey Victorian and Edwardian-era heritage street-wall remains the visually prominent built form of Johnston Street west of the railway line bridge.	The proposal is located in the area of Johnston Street which is expected to experience greater change, when compared to Precinct 1 which exhibits a strong heritage streetscape form. This objective is not applicable to the proposal.

To ensure that the overall scale and form of new buildings is mid-rise (5 to 12 storeys) and provides a suitable transition to low scale residential areas, protecting surrounding residential properties from unreasonable loss of amenity through visual bulk, overlooking and overshadowing.	While the proposal does meet the requirements for rear interface, street wall and overshadowing, the proposal is clearly not contained within the prescribed building envelope. This will result in a dominant built form outcome for both from Johnston Street and Littler Turner. The proposed development does not provide a suitable transition to the low scale heritage properties to the north of the site.
To ensure that new development does not compromise the operation of the state significant Collingwood Arts Precinct from unreasonable loss of amenity through visual bulk, overlooking, overshadowing and vehicle access.	This objective is not applicable to the proposal. The Collingwood Arts Precinct is located in Precinct 1, the proposal is located in Precinct 2.
To activate the street edge, provide passive surveillance opportunities and accommodate commercial activity at the lower levels of new development and enhance the public realm through high quality buildings public spaces on the southern side of Johnston Street from loss of amenity from overshadowing.	The proposal proposes a commercial/retail premise at ground floor which will assist in activating Johnston Street. Along Johnston Street a large portion of street frontage is dedicated to services relative to the commercial/retail premise. It is considered that this will result in a poor outcome along Johnston Street. It would be ideal if the proportion space allocated to services along Johnston Street be reduced. The outcome on Little Turner Street does not meet this objective. Almost the entirety of the street frontage is dedicated to a garage entrance. It is acknowledged that the DDO directs vehicle access to side streets or laneways. This may be a necessary outcome.
To provide for equitable development outcomes through built form design that responds to the development opportunities of neighbouring properties, and through the consolidation of finer grain sites.	The design of the building provides a blank wall to the neighbouring properties to allow for future development. While the current proposal does allow for development to occur on either side, it does project beyond the building envelope which is likely to impact oblique view lines along Johnston Street.

Compliance with proposed amendment:

Strategic Planning comments are provided below, and are based on the application drawings dated XX XX 2018.

Built form requirements	Amendment C237	Planning Application	Assessment of proposal

Attachment 11 - PLN16/0471.01 - 344 Johnston Street, Abbotsford - Strategic Planning Referral

Building height	**Mandatory:** 31m **Preferred:** 24m development above 18m (5 storeys) must be on a site, consisting of one or more titles, that has the following parameters: – A minimum lot depth of 20m – A minimum street frontage width of 10m • The proposal achieves each of the following: – greater building separation than the minimum requirements – housing for diverse households types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations. – universal access, and communal and/or private open space provision that exceeds the minimum standards in Clauses 55.07 and 58. – excellence for environmentally sustainable design measured as a minimum BESS project score of 70%. no additional amenity impacts to residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height	25.7m – top of the parapet 28.22m – Total (including services)	The proposed development sits at 25.7m which is above the preferred height of 24m by 1.7m. The proposed height is below the mandatory controls of 31m. The site parameters **allow** for a development taller than 18m. The proposed height complies with the DDO on the condition that they meet the criteria set out in the DDO. **Criteria Analysis:** **Does the built form outcome satisfy the objectives in the DDO?** No, please see above objective analysis. **Is the height consistent with the midrise vision (5-12 storeys)?** Yes. **Greater Building Separation:** There is no separation of the side boundaries and does not meet this criterion. **Housing Diversity:** Does not apply - office development. **Universal Access** Universal access and communal/private open space do not apply to this development as it is an office development. **ESD** The Bess reports notes that the Bess score 53%, this does not meet the criteria set out in the DDO. ***Officer View:*** While the proposed development fits within the prescribed mandatory height, the development does not meet the criteria to allow it to exceed the preferred height.

Attachment 11 - PLN16/0471.01 - 344 Johnston Street, Abbotsford - Strategic Planning Referral

			In conclusion the application does not meet the requirements within the DDO thus should not exceed the preferred building height.
Street wall	**Mandatory:** 18m **Preferred:** 15m	11.6m – level 3 (setback 1.4) 15.1m – Level 4 (setback 3.1)	Both the third and fourth levels meet the preferred street wall height set out in the DDO. ***Officer view:*** The proposed application meets the street wall height requirement. However, a better outcome would be the removal of the fourth floor terrace and extend the office floor space in line with the third floor. This would provide a consistent street wall in line with the preferred street wall height set out in the DDO. .

Attachment 11 - PLN16/0471.01 - 344 Johnston Street, Abbotsford - Strategic Planning Referral

Upper level setbacks	**Preferred:** 3m setback within a 45-degree envelope measured from above the street-wall height and the rear interface height to the maximum overall height Development should avoid repetitive stepped form within the 45-degree envelope. **<u>Adopted DDO15 Change</u>** Mid-level setback: 6m above street wall to Johnston Street Front upper level setbacks: 45 degrees above 18m Front rear level setbacks: 45 degrees above 11m *upper level setback should aim for a 2 storey incremental setback	The site is 11mx40m approx. 2.98m setback **Rear** 4m at 2 level (terrace) 1.815m (4m terrace) 3 level 4m at level 4 5.5m at level 5 and above	The proposal **does not comply with the requirements in DDO15**. While no 45 degree setback analysis is provided it is clear that the upper level developments are not setback within the 45 degree building envelope. The DDO states: "*Development should avoid repetitive stepped form within the 45-degree envelope*." The current proposal exhibits a form that is clearly stepped from both Little Turner and Johnston Streets. The adopted DDO15 (which is now seriously entertained) version encourages development to: "*provide incremental setbacks of at least two storeys*". The current proposal does not meet this strategy within the DDO.
Building separation	Development should be setback from common side boundaries to provide separation between buildings at the upper levels to avoid a "wall" of development above the street wall when viewed from the opposite side of Johnston Street and Sackville Street:	Development does not set back at side boundaries. No windows on either side	The development complies with the DDO.

Attachment 11 - PLN16/0471.01 - 344 Johnston Street, Abbotsford - Strategic Planning Referral

	a minimum of 4.5m from the side boundary where a habitable room window is proposed **a minimum of 3m from the side boundary where a non-habitable room window or commercial window is proposed.** Where the common side boundary is a laneway, the setback is measured from the centre of the laneway		
Overshadowing	New development must not overshadow the southern footpath of Johnston Street, measured as 3.0m from the boundary of Johnston Street, between 10am and 2pm at September 22.	The proposed development does not overshadow the southern footpath.	The proposal **complies with the requirement for Johnston Street** and does not overshadow the southern side footpath of Johnston Street between 10am and 2pm on 22 September.
Rear Interface Height	11m	10.26m – level 1 plus privacy screen 13.73m – level 2 plus balustrade	The rear interface height complies with the DDO. While the rear interface height meets the requirements set out in the DDO, the setback from Littler Turner Street are minimal and will have a negative impact on overlooking and visual bulk to residents north of the development.

Attachment 11 - PLN16/0471.01 - 344 Johnston Street, Abbotsford - Strategic Planning Referral

Other comments:

Upper Level Development

Upper level development should be designed so that side walls are articulated and read as part of the overall building design not detract from the streetscape when viewed from direct and oblique views along the streetscape.

The side walls to the development are blank and are not read as part of the overall design. Considering the development encroaches beyond the 45 degree setback, these blank walls are likely to be seen once neighbouring developments are built. This built form outcome will likely have a negative outcome on the oblique views from Johnston Street.

Vehicle Access

The proposal provides vehicle access to the rear side street, conceals the parking within the building and does not provide recessed parking spaces. The proposal aligns with the vehicle and car parking provision of the DDO.

Street Frontages

- The building is built to the front property boundary.
- As a result of the high proportion of street frontage dedicated to services, it is considered that the development will not contribute to the provision of a continuous, visible and active frontage at ground level.
- The upper levels above the ground floor are open glass windows and should provide passive surveillance.
- The application proposes a wholly commercial development and both ground and first floor incorporate commercial floor heights.
- The services are located on the primary street frontage, which does not align with the DDO. They take up a consideration proportion of the street frontage relative to commercial tenancy. This is not seen as an optimal outcome.

Name: Kyle Everett

Date: 13 May 2019

Attachment 12 - PLN16/0471.01 - 344 Johnston Street, Abbotsford - Strategic Transport

Planning Referral

To:	Gary O'Reilly
From:	Chloe Wright
Date:	02/05/2019
Subject:	Strategic Transport Comments
Application No:	PLN16/0471.01
Description:	Section 72 Amendment to Planning Permit PLN16/0471 to: alter the permit preamble from the use of dwellings (levels 4-6) to offices, including a shop at ground floor.
Site Address	344 Johnston Street Abbotsford 3067

I refer to the above Section 72 Amendment referred on 12/04/2019, in relation to the proposed development at 344 Johnston Street Abbotsford. Council's Strategic Transport unit provides the following information:

Access and Safety

The following access concern should be addressed:

Access to bike storage room

The proposed access to the bike storage room is via the lobby area from Johnston Street or via a ramp from Little Turner Street. The previous endorsed plans proposed access from the lobby to the bike room via one doorway. The new layout of two doorways from the lobby is less conducive for employees to easily access the bike room. It is recommended that the bike room layout be amended to have one doorway from the lobby area to provide more direct access, or at minimum reconfigure the bike room door to open to the left to improve circulation between the two doorways.

The access way via the ramp from Little Turner Street appears to be 1m wide. It is preferable for the ramp to be 1.5m wide to allow bi-directional travel (and meet the relevant requirement of AS2890.3), however it is noted that the proposed width is consistent with the previously endorsed plans.

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)	1581sqm	1 employee space to each 300 sqm of net floor area if the net floor area exceeds 1000 sqm	5 employee spaces	
		1visitor space to each 1000 sqm of net floor area if the net floor area exceeds 1000 sqm	2 visitor spaces	
Retail premises	46sqm	1 employee space to each 300 sqm of leasable floor area	0 employee spaces	

(other than specified in this table)		1visitor space to each 500 sqm of leasable floor area	0 visitor spaces.	
Bicycle Parking Spaces Total			**5 resident / employee spaces**	**18 resident / employee spaces**
			2 visitor spaces	**0 visitor spaces**
Showers / Change rooms		1 to the first 5 employee spaces and 1 to each additional 10 employee spaces	**1 showers / change rooms**	**6 showers / change rooms**

Adequacy of visitor spaces

No spaces are specifically noted as visitor bicycle parking spaces. The provision of visitor spaces is inadequate for the following reasons:

- The spaces within the development are unsuitable for visitor use as they are located in a secure environment that visitors will not be able to easily access. Visitor spaces should not be collocated with employee spaces because of the different access and security requirements;
- Due to the lack of accessible spaces, visitors will be forced to park informally, as there are no other publically available bike hoops within the immediate vicinity of the site;
- Given the above, Council's best-practice rate should be adopted, which recommends 1 visitor space to each 500sqm of office floor space[1]. This generates a recommended rate of 3 visitor spaces;
- All visitor spaces must be provided as a horizontal bicycle rail;
- It is recommended that visitor spaces be located at the Johnston Street footpath where the existing drive way is to be removed and new kerb and footpath will be constructed;
- Visitor bicycle spaces and access ways must be in accordance with the clearance requirements of AS2890.3.

Adequacy of employee spaces

Number of spaces

Clarification is required regarding the total number of employee bicycle spaces proposed. The Ground Floor Plan specifies 14 wall rack spaces and 4 horizontal spaces, however the Traffic Impact Assessment prepared by Traffix Group outlines differing information: page 15 notes a total of 11 bicycle parking spaces and page 14 notes a total of 18 bicycle parking spaces.

The 7 wall racks shown on the Ground Floor Plan indicate these spaces are to be double-sided (2 bike) spaces as the plan notes 14 spaces will be provided as wall racks. Typically the Ned Kelly bike racks only hold a single bike.

If the applicant is planning to use a storage device which allows for double-sided hanging, a minimum 800mm clearance is required between racks. Otherwise, if it is proposed to provide 7 spaces as wall racks and 4 spaces as horizontal racks, an additional 5 spaces will be required to meet Council's Best Practice rate (16 spaces[2]).

Design and location of employee spaces and facilities

- As noted above, clarification is required regarding the wall bicycle spaces;

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[1] *Category 6 of the BESS offers this advice.*

[2] *Category 6 of the BESS offers the following for best-practice guidance for employee office 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*

- As noted under Access and Safety, it is recommended that the layout of the bike room be amended to have direct access from the lobby area, or reconfigure the door to the bike room to open to the left;
- Clearances between bike spaces and nearby walls must comply with Australian Standard AS2890.3.

The following aspects of the employee bicycle storage appears satisfactory:

- All employee bicycle storage is provided at ground-floor with easy access to building lifts and end-of-trip facilities;
- All employee bicycle storage is provided within what appears to be a secure compound;
- 14 (77%) employee bicycle storage spaces appear to be provided as vertical hanging spaces and 4 spaces (22%) are horizontal at ground-level spaces, which is pursuant with AS2890.3 requirement for at least 20% of bicycle storage spaces in any facility should be provided as horizontal at ground-level spaces.

Electric vehicles / share cars / other relevant topics

Council's BESS guidelines encourage the use of fuel efficient and electric vehicles (EV). Provision of EV charging points, or electrical wiring to allow easy retrofitting of EV charging capacity should be provided throughout the development. A minimum 40A single phase electrical sub circuit should be installed for this purpose.

Green Travel Plan

Given the development has a total non-residential floor area of more than 1,000sqm, pursuant to Clause 22.17-4 a Green Travel Plan (GTP) must be provided. The following information should be included:

(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) Sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes;
(d) A designated 'manager' or 'champion' responsible for coordination and implementation;
(e) Details of bicycle parking and bicycle routes;
(f) Details of GTP funding and management responsibilities;
(g) The types of bicycle storage devices proposed to be used for employee, and visitor spaces (i.e. hanging of floor mounted spaces);
(h) The types of lockers proposed within the change-room facilities, with at least 50% of lockers providing hanging storage space;
(i) Security arrangements to access the employee bicycle storage spaces; and
(j) Signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;
(k) Reference to EV charging facilities (if proposed);
(l) Provisions for the Green Travel Plan to be updated not less than every 5 years.

Recommendations

The following should be shown on the plans before endorsement:

(a) A minimum of 16 employee spaces and 3 visitor spaces be provided. At least 20% of employee spaces must be provided as horizontal spaces and all visitor spaces must be horizontal spaces.
(b) Access ways and storage spaces should be designed to comply with AS2890.3.
(c) A minimum 40A single phase electrical sub circuit should be installed to the car park areas for future EV charging provision.

(d) Access to the bike storage room from the lobby should be improved, by either amending the layout to have one doorway from the lobby area or reconfiguring the bike room door to open to the left.

A Green Travel Plan should be provided with the information outlined previously.

Regards

Chloe Wright

Sustainable Transport Officer
Strategic Transport Unit

1.3 48 - 50 Lithgow Street Abbotsford - PLN19/0011 - (Use of the land for office and food and drinks premises (cafe), buildings and works and a reduction in the car parking and bicycle parking requirements.)

Executive Summary

Purpose

1. This report provides Council with an assessment of planning application PLN19/0011 at No. 48-50 Lithgow Street, Abbotsford for use of the land for office and food and drinks premises (café), buildings and works and a reduction in the car parking and bicycle parking requirements; and recommends approval subject to conditions.

Key Planning Considerations

2. Key planning considerations include:
   (a) Clause 13.05-1S – Noise abatement;
   (b) Clause 21.04 – Land Use;
   (c) Clause 22.05 – Interface Uses Policy;
   (d) Clause 22.10 - Built Form and Design Policy; and
   (e) Clause 52.06 – Car Parking

Key Issues

3. The key issues for Council in considering the proposal relate to:
   (a) Use and strategic justification;
   (b) Buildings and works;
   (c) Environmentally sustainable development;
   (d) Car parking;
   (e) Bicycle parking and;
   (f) Objector concerns.

Submissions Received

4. Seven objections were received to the application, these can be summarised as:
   (a) Noise impacts;
   (b) Inappropriate location for café use;
   (c) Car parking and traffic concerns;
   (d) Waste and construction impacts, and;
   (e) Light spill.

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

   (a) Requirement for a Waste Management Plan;
   (b) Requirement for a revised Acoustic Report in accordance with the recommendations by the independent acoustic peer review, and;
   (c) Deletion of the southernmost car space.

CONTACT OFFICER: **Chris Stathis**
TITLE: **Senior Statutory Planner**
TEL: **9205 5352**

1.3 48 - 50 Lithgow Street Abbotsford - PLN19/0011 - (Use of the land for office and food and drinks premises (cafe), buildings and works and a reduction in the car parking and bicycle parking requirements.)

Trim Record Number: D19/111355
Responsible Officer: Senior Coordinator Statutory Planning

Proposal:	Use of the land for office and food and drinks premises (café), buildings and works and a reduction in the car and bicycle parking requirements.
Existing use:	Office and Warehouse
Applicant:	Peter Ling of Abacus Pty Ltd
Zoning / Overlays:	Industrial 3 Zone No overlays
Date of Application:	10 January 2019
Application Number:	PLN19/0011

Planning History

1. The subject site has the following planning history:
   (a) Planning application PL07/0721 for buildings and works was withdrawn by the applicant on 15 April 2008.
   (b) Planning Permit PL10/0011 was issued on 10 December 2010 for the *use and development of the land to create two tenancies (one office and one warehouse) including extension to the existing building and a reduction in the standard car parking requirements.*
   (c) Planning application PLN12/0869 for the construction of two gates was closed by Council on 13 November 2012 given that a planning permit was not required at the time.

Background

Aboriginal Cultural Heritage Significance

2. The subject site is located within an area of Aboriginal Cultural Heritage Significance. A Cultural Heritage Management Plan is not required for the proposed works because they constitute *alterations of buildings* and *demolition* pursuant to regulations 14 and 16 (respectively) of the *Aboriginal Heritage Regulations 2018.*

Description of Buildings at the Subject Site

3. The subject site features two buildings – a brick warehouse fronting Lithgow Street and a double-storey office building fronting Albert Street. For ease of reference, the report will refer to the former as the 'warehouse building' and to the latter as the 'Albert Street building.'

Bicycle Parking Requirement

4. While ten bicycle spaces are being provided on site, they are not accessible from the food and drinks premises which requires 1 bicycle space. The preamble has thus been amended to include a reduction in the bicycle parking requirements.

The Proposal

5. The application is for use of the land for office and food and drinks premises (café), buildings and works and a reduction in the car parking requirements. Further details of the application are as follows:

Use

(a) Use of part of the land for office (a total net floor area of 678sqm), this constitutes an increase of 363sqm from the existing office use which has a net floor area of 315sqm. The proposed office will be spread out across both floors and both buildings at the site, including part of the proposed mezzanine level (first floor) within the warehouse building. Pedestrian entries to the office use will be provided at both the Lithgow and Albert Street frontages. The applicant's acoustic report states that the office use would operate Monday – Friday between 8.00am – 6.00pm.

(b) Use of part of the land for a food and drinks premises (café) with a total leasable floor area of 174sqm. The café will take up the majority of the Lithgow Street frontage at ground floor. At first floor, the café will occupy part of the proposed mezzanine level of the warehouse building, commensurate with the proposed extent of the café at ground floor. The proposed café will have operating hours of 7.00am – 5.00pm, 7 days a week.

Development

(c) Construction of an extension to the existing mezzanine level of the warehouse building to accommodate an additional 248sqm (approximately) of gross floor area, including an open plan office, a meeting room and amenities associated with the proposed office and an area associated with the proposed café. The new mezzanine will extend across the majority of the warehouse building, save for a north-south linear void along the Lithgow Street boundary. The proposed mezzanine extension is wholly internal to the existing warehouse building.

(d) Internal reconfigurations at both ground and first floor to allow for the western section of the warehouse building to be allocated for the proposed food and drinks premises (café) and for the provision of a revised office layout including new meeting rooms, amenities and open plan office areas. The southern section of the Lithgow Street frontage will be dedicated to a pedestrian entrance for the office use.

(e) Removal of the three roller doors fronting Lithgow Street (no permit required) to allow for two new glazed access doors at ground floor and new windows across the ground and first floor Lithgow Street façade of the warehouse building. At ground floor, one of the window openings is rectangular, approximately 7m long. Within this opening, bi-fold, operable windows are proposed above a concrete base.

(f) New windows to the southern façade of the warehouse building and new glazed door to the southern façade of the Albert Street building (at ground floor only).

(g) New windows to the northern façade of the warehouse building (at both ground and first floor).

(h) New gate to the entrance of the southern carriage way easement (this does not require a planning permit).

(i) Alterations to the roof of the warehouse building to allow for eleven new skylights – two to the southern roof pitch and nine to the northern roof pitch.

Car and Bicycle Parking

(j) A total of three car spaces are proposed to be accessed off Albert Street from the existing crossover.

(k) Ten bicycle spaces (i.e. five horizontal hoops) are proposed to be located within the southern setback of the Albert Street building.

(l) Provision of shower facilities within the proposed floor layout.

Existing Conditions

Subject Site

6. The subject site is located between Lithgow Street to the west and Albert Street to the east in Abbotsford. Victoria Crescent is to the north and Victoria Street to the south. The site comprises a dual frontage with a 23.93m frontage to Lithgow Street and a 13.16m frontage to Albert Street. The maximum depth of the lot is 43.1m and the land comprises a site area of approx. 770sqm. The land has no appreciable fall and is not affected by restrictions or restrictive covenants. However a 3.2m and 2.44m wide carriageway easement are located along part of the northern and southern boundaries respectively at the Lithgow Street frontage.

7. The site currently contains a vacant building but has recently been used as an office/ warehouse for a fashion business with 315sqm net floor area associated with office and 387sqm net floor area associated with warehouse.

8. The building fronting Albert Street is a double-storey, concrete brick building with a post-war appearance. The building has a street setback from Albert Street of 2.8m. The southern part of the building is set back 7.3m from Albert Street and accommodates an unmarked car parking area (previously approved for 2 car parking spaces) accessed via a crossover with a width of approximately 4m.

Figure 1: The subject site – Albert Street frontage (Planning Officer, May 2019)

9. The Lithgow Street building is a brick warehouse which is constructed flush to the northern, southern and western boundaries and presents to the street with three roller doors. The majority of the Lithgow Street frontage is provided with one long vehicle crossover that is commensurate with the total width of the roller doors.

Figure 2: The subject site - Lithgow Street frontage (Planning Officer, May 2019)

Surrounding Land

10. The immediate area can be described as mixed, with single and double storey dwellings and single storey and multi-level commercial and warehouse buildings. The site is located at the interface of an industrial/commercial precinct to the north and residential land to the south. This pattern of land use is evident in the zoning context of the surrounding land (refer to figure 3 below).

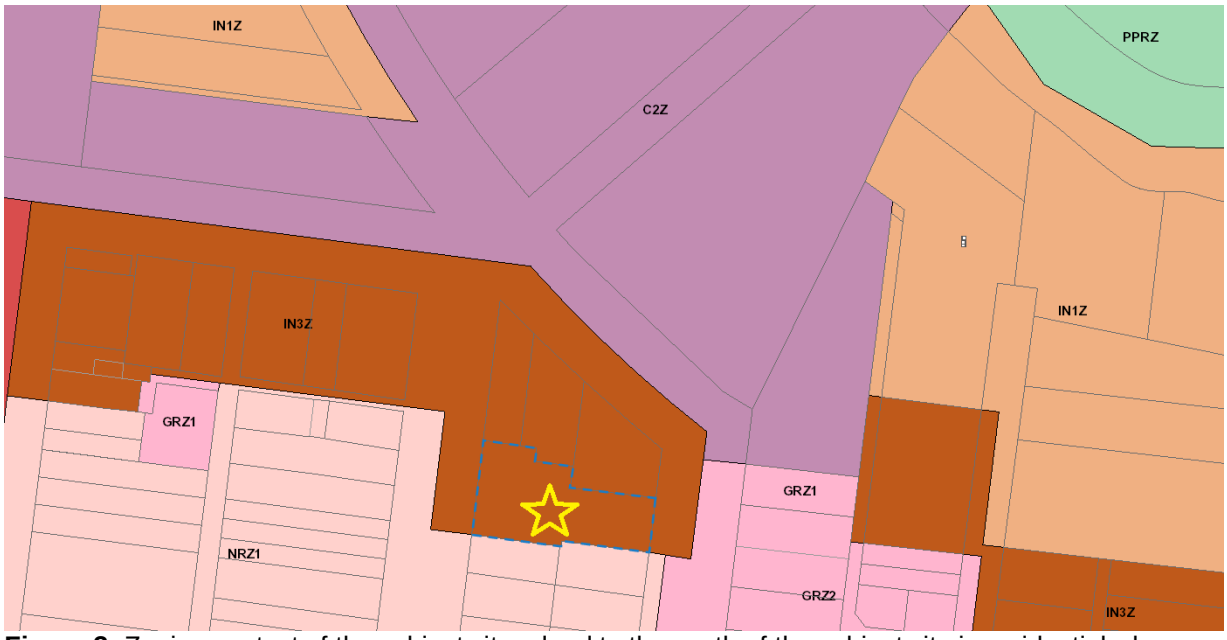

Figure 3: Zoning context of the subject site – land to the south of the subject site is residential whereas land to the north is a mix of the Commercial 2, Industrial 1 and Industrial 3 Zones.

11. Abutting the property to the north are three properties with a north-south orientation. The western-most property (No. 6 Victoria Crescent) comprises a single storey Edwardian-era dwelling with a double-storey, contemporary extension which is built flush to the northern edge of the carriageway easement to the north of the subject site. The dwelling features two areas of secluded private open space (SPOS); at ground floor along its eastern boundary and a large terrace at first floor located along the site's western boundary. The dwelling is located in the Industrial 3 Zone.

12. The middle property (No. 2 Victoria Crescent) is a vacant lot that is used as a car parking area for the building at No. 47 Albert Street.

13. The eastern-most property (No. 47 Albert Street) comprises a large warehouse building, constructed to its eastern and western boundaries and the common boundary with the subject site and is used as an office for a fashion retailer.

14. Two dwellings are located to the south of the site. No. 42 Lithgow Street is a single-storey, inter-war dwelling located in the Neighbourhood Residential Zone. The dwelling is separated from the subject site by the carriageway easement (to the south of the subject site). The dwelling features one habitable room window facing the subject site and has its SPOS located towards the rear of its lot. This site has approval for full demolition of the existing dwelling and the construction of three new dwellings on the lot under Planning Permit PLN14/0530 which was issued on 22 September 2015. Works have not yet commenced. The permit is still valid; Council issued the most recent extension of time approval to the expiry of the permit on 21 December 2018, which allows for a permit expiry of 22 September 2019 for commencement of works.

15. No. 41 Albert Street is a single-storey Victorian-era dwelling located in the Neighbourhood Residential Zone. The dwelling features one habitable room window opposite the subject site and its area of SPOS is located towards the rear of its lot.

16. To the west of the subject site (opposite side of Lithgow Street) are a number of dwellings that make up the western side of Lithgow Street, all of which are located in the Neighbourhood Residential Zone. These dwellings are two-storey (opposite the subject site), with dwellings further south being a mix of single and double storey.

17. To the north-west (No. 37 Mollison Street) is a two-storey commercial building located in the Industrial 3 Zone.

Figure 4: The subject site and surrounding area (Council GIS, December 2019)

Planning Scheme Provisions

Zoning

18. The subject site is located within the Industrial 3 Zone. The following provisions apply:
    (a) Pursuant to Clause 33.03-1, a planning permit is required to use the land for Office. The leasable floor area must not exceed the amount specified in the schedule to this zone. The schedule does not provide a maximum leasable floor area for Office, therefore the use does not have any restrictions beyond being a permit-required use.

    (b) Pursuant to Clause 33.03-1, a planning permit is required to use the land for a Food and Drinks Premises.

    (c) Pursuant to Clause 33.03-4, a planning permit is required to construct a building or to construct or carry out works.

Overlays

19. The subject site is not affected by any planning overlays.

Particular Provisions

Clause 52.06 – Car Parking

20. Pursuant to Clause 52.06-2, before the floor area of an existing use is increased or a new use commences, the required car parking spaces must be provided on the land. The following tables identify the car parking requirement under Clause 52.06-5, the reduction below the statutory requirement for the existing conditions at the subject site and the proposed conditions.

Existing Conditions

Use	Rate	Statutory Requirement	Reduction
Office (315sqm)	3 spaces per 100sqm net floor area	9.45	9
Warehouse (387sqm)	2 spaces plus 1 space per 100sqm net floor area	5.87	5
Car Space Provision			(2)
Existing Shortfall			**12**

Proposed Conditions

Use	Rate	Statutory Requirement	Reduction
Office (678sqm)	3 spaces per 100sqm net floor area	20.34	20
Food and Drinks Premises (174sqm)	3.5 spaces per 100sqm leasable floor area	6.09	6
Car Space Provision			(2)*
Proposed Reduction			**24**

**this number reflects the recommended condition for deletion of the southernmost car space as detailed in the relevant assessment section of this report.*

21. In light of proposed conditions table above, and pursuant to Clause 52.06-3, a planning permit is required for a reduction in the car parking requirements.

Clause 52.34 – Bicycle Facilities

22. Pursuant to table 1 at Clause 52.34-5, this provision only applies to the Food and Drinks Premises use given that bicycle requirements only apply to office uses if the net floor area exceeds 1000sqm (the application proposes only 678sqm). The Food and Drinks Premises use is assessed in the table below:

Use	Rate (Employee)	Requirement (Employee)	Rate (Visitor)	Requirement (Visitor)
Food and Drinks Premises (174sqm)	1 space to each 300sqm leasable floor area	0.58 spaces (rounds up to 1 space)	1 space to each 500sqm leasable floor area	0.35 spaces (rounds down to 0 spaces)
Total requirement				1 space
Provision				0 spaces
Reduction				1 space

23. Given that the proposal does not propose any car spaces associated with the food and drinks premises, a planning permit is required for a reduction in the bicycle parking requirements.

General Provisions

24. Clause 65 – Decision Guidelines

Planning Policy Framework (PPF)

25. Clause 13.05-1S – Noise Abatement
26. Clause 15.01-1S – Urban Design

27. Clause 17.02-1S – Business
28. Clause 17.03-1S – Industrial land Supply

Local Planning Policy Framework (LPPF)

29. Clause 21.04 - Land Use
30. Clause 21.06 - Transport
31. Clause 21.08-1 - Neighbourhoods (Abbotsford)

Relevant Local Policies

32. Clause 22.05 - Interfaces Use Policy
33. Clause 22.10 - Built Form and Design Policy
34. Clause 22.16 - Stormwater Management
35. Clause 22.17 - Environmentally Sustainable Development

Advertising

36. The application was advertised under the provisions of Section 52 of the *Planning and Environment Act (1987)* by 66 letters sent to surrounding owners and occupiers and by two signs displayed on site. Council received 7 objections a the grounds of which are summarised as follows:

    (a) Noise impacts;
    (b) Inappropriate location for café use;
    (c) Car parking and traffic concerns;
    (d) Waste and construction impacts, and;
    (e) Light spill

37. A planning consultation meeting was held on 21 May 2019 and attended by three objectors, the applicant and Council planning officers to discuss all issues and concerns raised in the letters of objection. The applicant did not make any commitments to make changes, therefore the proposal as submitted to Council, forms the basis of assessment and decision.

Referrals

38. The proposal was referred to the following external and internal parties:

External Referrals

39. The application was not required to be referred externally under the Yarra Planning Scheme. The application, however, was referred externally to SLR Consulting for the purposes of peer-reviewing the applicant's acoustic report.

40. Referral comments have been included as attachments to this report.

Internal Referrals

41. The application was referred to the following units within Council:
    (a) Engineering Services Unit
    (b) Strategic Transport Unit

42. Referral comments have been included as attachments to this report.

OFFICER ASSESSMENT

43. The primary considerations for this application are as follows:
    (a) Use and strategic justification;
    (b) Buildings and works;
    (c) Car parking;
    (d) Bicycle parking;
    (e) Objector concerns, and;
    (f) Other Matters.

Use and strategic justification

44. The proposed uses are both supported by planning policy. Clause 17.03-1S (Industrial land supply) recommended the avoidance of *approving non-industrial land uses that will prejudice the availability of land in identified industrial areas for future industrial use.* Whilst both uses are non-industrial, neither the food and drinks premises nor the office use are considered to be sensitive uses with high amenity expectations. As such, they would not prejudice the uses operating within this industrial / commercial precinct of Abbotsford.

45. Local policy at Clause 21.04-3 highlights that *commercial and industrial sectors underpin a sustainable economy and provide employment* and goes on to state that *Yarra plans to foster a diverse and viable economic base.* Both uses proposed will contribute to this diversity of economic output. Clause 21.04-2 calls for commercial uses to be focused within activity centers. Whilst the site does not form part of an activity centre, it does form part of an established commercial and industrial precinct, making it an appropriate location for the proposed uses. Further the proposed office use is strongly supported by local policy at Clause 21.08-1 which states:

> *There is a large industrial precinct centred around Carlton United Beverages. Due to requirements under SEPP N-1 the viability of this industrial precinct has the potential of being undermined by new residential development located too close. The introduction of offices does not present a similar threat and would aid the development of underutilised land to the west of Victoria Crescent south of Gipps Street.*

46. Both uses are also considered to satisfy the land zoning. A key purpose of the Industrial 3 Zone is to *to provide a buffer between the Industrial 1 Zone or Industrial 2 Zone and local communities, which allows for industries and associated uses compatible with the nearby community.* The site is located along the southern extent of the Industrial 3 Zone with residentially-zoned land to the east, west and south. To the north of the subject site, industrial and commercial uses prevail as exemplified by the zoning context of the surrounding area (refer to figure 3 earlier within this report). It is considered that the proposed office and food and drinks premises uses (both of which are non-industrial) will offer a compatible buffer to the more sensitive residential land located south, east and west of the site and will generally protect this land from more intensive industrial uses encouraged in the zone. In doing so, the proposal will support the availability of land to the north for future industrial capacity, in accordance with the decision guidelines of Clause 33.03-2 and relevant strategy at Clause 17.03-1S which seeks the protection of *existing industrial areas to, where possible, facilitate further industrial development.*

47. The proposed food and drinks premises seeks a maximum of 100 patrons with operating hours ranging from 7am – 5pm, 7 days a week. Given the high number of patrons, a detailed assessment of potential amenity impacts is warranted. A critical impact is that of noise. The applicant's acoustic report identified the most sensitive noise receivers as being the dwellings located at No. 6 Victoria Crescent, No. 41 Albert Street, No. 42 Lithgow Street and Nos. 53-65 Lithgow Street. The report outlined that the potential noise impacts from the proposal would be from mechanical services, patron noise and music noise from the food and drinks premises. The report found that there would not be any unreasonable noise impacts to these properties on the condition that the following recommendations are implemented:

    (a) Selection of mechanical services (and their locations) must be reviewed by an acoustic consultant to confirm their compliance with relevant EPA requirements.
    (b) Proposed bi-fold glazing component at Lithgow Street façade must either remain closed or opened to a maximum of 10% of the bi-fold window area.
    (c) Minimum specifications for the fixed glazing sections.

(d) Minimum specifications for the double access door proposed to the south-western corner of the café and a recommendation that the door be fitted with an automatic closing mechanism to ensure that the door will be closed at all times except for patron entry and exit.
(e) Installation of sound-absorbing materials to a minimum of 60% of the ceilings associated with the food and drinks premises use (both at ground floor and mezzanine level).
(f) Music speakers to be located only within the food and drinks premises section of the warehouse building and to be located a minimum of 3m from the bi-fold windows and doors of the western façade.
(g) Specification of maximum noise levels for the playing of music within the food and drinks premises.
(h) Waste collection must occur in accordance with the relevant EPA requirements.

48. The acoustic report was then peer reviewed by SLR Consulting, an independent acoustic engineering firm. The peer review found that the acoustic report had identified and assessed potential noise issues appropriately. The only recommendation made by the peer review was that the acoustic report be updated so that all recommendations in the report are not described as tentative, so as to ensure that they will be implemented. A condition is therefore recommended for an amended acoustic report to be provided to remove reference to the recommendations as being tentative and ensure they are annotated on the plans.

49. In addition to the above considerations, standard permit conditions will be placed on the permit for the purposes of regulating and minimising noise impacts, including:

(a) Requirements for both uses to comply with the relevant EPA noise regulations;
(b) Music must be provided at a background level only;
(c) Disposal of glass into bins must only occur between the hours of 7am to 10pm; and
(d) Requirement for the delivery and collection of good to only occur within 7am and 10pm on any day.

50. Other than noise impacts, waste impacts associated with the proposed uses also warrant a close assessment. The plans do not provide any detail on the location of a waste room and the application does not detail any proposed waste management practices. The scale of the proposed food and drinks premises is not insignificant at 100 patrons to the cafe. Further the site will also retain and expand on the existing office use at the site. To ensure that waste-related impacts are minimised, a condition is recommended for a Waste Management Plan to be provided to the satisfaction of Council. The plan must designate a waste storage area (or areas) and clarify how waste associated with both uses on the site will be managed. A further condition will require that the development plans are updated to show the waste storage area(s) in accordance with the endorsed Waste Management Plan.

51. The proposed office hours (Monday to Friday 8:00am - 6:00pm) are considered to be typical hours associated with an office and are unlikely to unreasonably impact the nearby residential uses, particularly as the use will not operate during weekends or night-time periods. These limited operating hours are therefore considered to be in accordance with local policy at Clause 22.05 which calls for *commercial and industrial activities to be well managed having regard to their proximity to residential uses.* The operating hours of the office are also in accordance with the relevant decision guidelines of the Industrial 3 Zone which requires consideration be given to the effect of the use on nearby residential uses.

52. In summary, the proposed uses enjoy strategic support and accord with the purpose of the Industrial 3 Zone as they will form a buffer between residential land to the south, east and west and more intensive commercial and industrial land to the north. The proposed café use has been closely assessed for potential noise impacts and the requirement for an amended acoustic report will ensure that no unreasonable noise impacts result.

A Waste Management Plan has also been recommended to ensure that waste generated by both uses is managed appropriately.

Buildings and Works

53. This section of the report is guided by the decision guidelines of the Industrial 3 Zone at Clause 33.03-4 and local planning policy at Clauses 22.05 (Interface Uses Policy) and 22.10 (Built Form and Design Policy). The proposed buildings and works primarily relate to façade alterations and the extension of the existing mezzanine level to the warehouse building on the site.

54. The proposed works would retain the existing red-brick warehouse (as well as the building fronting Albert Street) on site and will therefore respond to the dominant industrial streetscape character of the area that is evident to the north of the subject site in accordance with the decision guidelines at Clause The proposed works will not result in any increase to the overall height of the existing buildings and will therefore respond to the prevailing pattern for low-rise built form – this is true of both the industrial/commercial land to the north and the residential land to the east, south and west.

55. The proposed works also represent an urban design improvement to the Lithgow Street frontage. The existing roller doors will be removed and replaced by glazed doors and windows and the existing crossovers along Lithgow Street will be reinstated as footpaths. These changes will provide a positive interface at ground floor, enabling passive surveillance opportunities, an enhanced pedestrian experience and a greater connection to Lithgow Street, as encouraged by local policy at Clause 22.10-3.4.

56. The proposed works will not result in any unreasonable amenity impacts to nearby residential uses given the following:

    (a) The works will not result in any increase to the existing building height or external building footprint. As such, the works will not result in any unreasonable visual bulk or overshadowing impacts to nearby dwellings. The roof plan shows a lift overrun located on the southern boundary, however the elevations confirm that the lift structure will be housed within the existing roofline of the building.

    (b) The southern façade of the warehouse building will not have any glazed elements at first floor. This will ensure that no overlooking results to the residential dwellings to the south (given the ground floor windows will look directly onto the fence to the south).

    (c) The northern façade of the warehouse building will be provided with new glazing at first floor. This will not result in any unreasonable overlooking impacts to the residential dwelling located at No. 6 Victoria Crescent given the dwelling has a double-storey extension with a blank wall presenting to the subject site. This is considered to reasonably protect the dwelling's areas of SPOS from overlooking. The dwelling in question is also a non-conforming residential use located in the Industrial 3 Zone and therefore does not have the same amenity expectations as a dwelling located in a residential zone.

    (d) Unreasonable light spill is not anticipated to result from the proposed windows. The new windows to the southern façade of the warehouse building would be located at ground floor and will therefore be obscured by the fencing located along the northern boundary of No. 42 Lithgow Street. There are new, first floor windows proposed to the northern façade, however this would not unreasonably affect the dwelling at No. 6 Victoria Crescent given the dwelling has a double-storey blank wall opposite the windows in question. Further, the proposed food and drinks premises would not operate beyond 5pm and the office not beyond 6pm.

(e) Finally, Council's Engineering Services Unit highlighted that the pedestrian emergency exit doors on the northern and southern boundaries of the site open onto the carriageway easements. While the Unit has recommended that the doors be recessed into the building, these are existing conditions which are not being altered.

57. In light of the above amenity considerations, the proposed works are not anticipated to result in unreasonable amenity impacts to nearby residential uses as encouraged by the decision guidelines of the Industrial 3 Zone at Clause 33.03-4 and local planning policy at Clauses 22.05 and 22.10.

58. Finally, Council's Engineering Services Unit highlighted that the pedestrian emergency exit doors on the northern and southern boundaries of the site open onto the carriageway easements to the north and south of the site. The Unit recommended that the doors be revised so as to be recessed inside the building (i.e. open internally rather than externally). However, these are existing conditions and not being altered by the proposal. This recommendation thus does not need to be pursued.

59. In summary, the proposed works (subject to conditions) are supported by local planning policy, respectful of the surrounding context, will not result in unreasonable amenity impacts to sensitive interfaces and will provide an improved urban design response to Lithgow Street.

Environmentally Sustainable Development

60. The proposed works constitute an extension of greater than 100sqm in gross floor area (via the proposed extension to the mezzanine level). As such, local policy at Clause 22.16 (Stormwater Management) and Clause 22.17 (Environmentally Sustainable Development) are applicable to the proposal. A condition will require that a Sustainable Design Assessment is submitted and endorsed to the satisfaction of Council prior to the commencement of works. A further condition is recommended for the development plans to be updated to show the commitments listed on the endorsed Sustainable Design Assessment. This will ensure that the development provides an appropriate response to Clause 22.17, however it is acknowledged that as the existing building is being retained, there is likely limited works that can be done.

61. A STORM Report has been submitted with the application and shows that a STORM score of 88% will be achieved through the installation of one 5000L rainwater tank. Whilst not achieving the prescribed 100% score, the response is considered appropriate in this instance given the high site coverage of the buildings under existing conditions and that the application does not seek to increase the roof area of the existing buildings (and therefore will not generate any additional pressure on the surrounding stormwater network). The tank, however, has not been shown on the plans. A condition is therefore recommended for the plans to be updated to show the location and capacity of the proposed rainwater tank as well as a notation to clarify the use of the collected rainwater for the flushing of toilets.

Car Parking

62. The applications seeks a reduction of 23 spaces pursuant to the prescribed car parking rates at Clause 52.06 (or 24 spaces when factoring in conditions recommended in this report). This is considered appropriate for the following reasons:

(a) The access to public transport, including tram services on Victoria Street (270m south), North Richmond Railway Station (600m southwest) and Collingwood Railway Station (650m northwest). Both patrons to the café and employees of the office will thus be encouraged to utilise public transport rather than private vehicles.

(b) The immediate vicinity is defined by a mix of office and industrial businesses. The site is also proximate to the retail and hospitality offerings of Victoria Street Activity Centre. This will encourage multi-purpose trips for patrons to the proposed café use and for customers/clients of the proposed office use (for those who arrive by private vehicle).

(c) The access to bicycle infrastructure, including the dedicated bike lanes on Nicholson Street (250m west) which forms a highly-utilised north-south bicycle route connecting the site to Richmond via Lennox Street and further north within Abbotsford to Johnston Street. The Main Yarra Trail is also within close proximity to the site (280m north). Together with the proposed bicycle storage on-site and shower facilities, these will encourage patrons to the café and employees of the office to arrive via bicycle.

(d) The existing office and warehouse uses have a shortfall of 12 spaces. These are considered to be transferable to the subject application, minimising the net impact of the proposed car parking reduction.

(e) The on-street parking in the surrounding area has a mix of restrictions and includes 1-hour, 2-hour, 4-hour, permit and spaces reserved for loading areas. The 1 and 2-hour spaces are considered to be usable for patrons of the café (which generates a short-term parking demand). The permit-restrictions are located on the western side of Lithgow Street and are in effect at all times excluding 7:30am-5:30pm weekdays when they are 1-hour spaces. This will ensure that the spaces are reserved for residents outside business hours, which is when resident car parking demand is at its peak. The on street spaces reserved for loading areas will ensure that the access required by existing businesses in the surrounding area is protected.

(f) The applicant's traffic survey found that the peak parking occupancy was at 1pm (on the surveyed weekday) with 88% of spaces in the surrounding area occupied. Council's Engineering Services Unit reviewed the survey and found the testing methods and data appropriate, agreeing that the proposed reduction is appropriate as the high occupancy rate will further encourage patrons/ employees to arrive via non-vehicular means.

(g) Through the proposed removal of the existing roller doors along the Lithgow Street frontage and the reinstatement of footpath, the application will provide an opportunity for on-street car spaces to be provided across the frontage of the subject site. Assuming that 90 degree spaces are provided, this would represent up to 4 on-street car spaces being introduced to Lithgow Street.

63. The application seeks to provide three car spaces within the existing front setback to Albert Street via the existing crossover. Council's Engineering Services Unit was not supportive of this given that the existing crossover is not wide enough to provide for three spaces. Council's Engineering Services Unit recommended that the existing crossover be widened to accommodate the southernmost car space. The unit also highlighted that this widening would require the relocation of the existing side entry pit.

64. Given that Council's Strategic Transport Unit has recommended that the southernmost car space be deleted (to ensure employees arriving by bicycle can appropriately access the bicycle parking area), the widening of the existing crossover does not need to be pursued. A condition is therefore recommended for the deletion of the southern-most car space (this would also reflect the previous approval on site). As a result, the recommendations made by Council's Engineering Services Unit do not need to be pursued as the existing crossover will not need to be widened and as a result, the existing side entry pit will not be affected.

Bicycle Parking

65. Council's Strategic Transport Unit were supportive of the proposed bicycle parking arrangement on the condition that the southern-most car parking space be removed so as to allow for employees / visitors arriving by bike to have clear access to the gate adjacent to the bicycle parking area. The unit also recommended that two hoop spaces be installed on the reinstated footpath to encourage patrons to the food and drinks premises to arrive via bicycle. The recommendations made by the unit have been included as conditions.

Objector Concerns

66. The majority of objector concerns have been addressed throughout the report:
    (a) Noise impacts have been addressed at paragraphs 47 – 49;
    (b) The location of the proposed café has been addressed at paragraphs 44 – 46;
    (c) Car parking concerns have been addressed at paragraph 62;
    (d) Waste concerns have been addressed at paragraph 50, and;
    (e) Light spill has been addressed at paragraph 56(d).

67. The predominant outstanding matter is that of impacts associated with the construction stage of the proposed works. Matters relating to the construction stage are not planning matters, however the standard condition for regulating construction hours has been recommended.

Other Matters

68. The decision plans have a number of errors and omissions or matters that need to be resolved.

69. Firstly, a new gate is proposed to the entrance of the southern carriageway easement. Pursuant to Clause 62.02-2 of the Yarra Planning Scheme, a gate does not require a planning permit. As such, a permit condition is recommended for its deletion. The construction of the gate can be resolved as a civil matter.

70. Second, the proposed north elevation is incorrectly labelled as the 'south' elevation. A condition will resolve this error.

71. Third, the materials and colours schedule have been provided on the cover sheet rather than with the proposed elevations. A condition will address this matter.

Conclusion

72. Based on the above report, the proposal (subject to conditions) is considered to substantially comply with the relevant planning policy and therefore should be supported.

RECOMMENDATION

That a Notice of Decision to Grant a Permit be issued for Planning Application PLN19/0011 for use of the land for office and food and drinks premises (café), buildings and works and a reduction in the car parking and bicycle requirements at 48-50 Lithgow Street, Abbotsford, generally in accordance with the plans noted previously as the 'decision plans' and subject to the following conditions:

1. Before the development starts, 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) Any changes required by the satisfactory Waste Management Plan required at condition 7;
    (b) Any changes required by the satisfactory Sustainable Development Assessment required at condition 5;
    (c) All works required by the amended acoustic report at condition 3;
    (d) Location and capacity of the proposed rainwater tank in accordance with the submitted STORM Report with a notation confirming the rainwater tank will be connected to toilets for flushing;
    (e) Deletion of the southern-most car space fronting Albert Street;
    (f) Provision of two horizontal hoops for bicycle storage on the Lithgow Street footpath to the satisfaction of the Responsible Authority;

(g) Deletion of the proposed gate to the entrance of the southern carriageway easement;
(h) Proposed 'South' elevation shown on drawing A3.02 correctly labelled as the north elevation; and
(i) Colour and materials schedule provided on the proposed elevations.

2. The uses 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. Before the use and 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 Watson Moss Growcott and dated 14 February 2019 but modified to state that all recommendations will be implemented.

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 uses and development commence, a Sustainable Design Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Sustainable Design Assessment will be endorsed and will form part of this permit.

6. The provisions, recommendations and requirements of the endorsed Sustainable Design Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

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

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

9. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:

    (a) at the permit holder's cost; and
    (b) to the satisfaction of the Responsible Authority.

10. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:

    (a) in accordance with any requirements or conditions imposed by Council;
    (b) at the permit holder's cost; and
    (c) to the satisfaction of the Responsible Authority.

11. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, two (2) bicycle racks must be installed on Lithgow Street:

    (a) at the permit holder's cost; and
    (b) in a location and manner,

to the satisfaction of the Responsible Authority.

12. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, 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.

Uses

11. No more than 100 patrons are permitted on the land at any one time for the Food and Drinks Premises (Café) use.

12. Except with the prior written consent of the Responsible Authority, the Food and Drinks Premises (Café) use authorised by this permit may only operate between the hours of 7am – 5pm, 7 days a week.

13. Except with the prior written consent of the Responsible Authority, the Office use authorised by this permit may only operate Monday to Friday between 8.00am – 6.00pm.

14. 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.

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

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

17. The provision of music and entertainment on the land must be at a background noise level.

18. Speakers external to the building must not be erected or used.

19. Emptying of bottles and cans into bins may only occur between 7am and 10pm on any day.

20. Except with the prior written consent of the Responsible Authority, delivery and collection of goods to and from the land may only occur between 7am and 10pm on any day.

21. This permit will expire if:

    (a) the use or development is not commenced within two years from the date of this permit; or
    (b) the development is not completed within four years from the date of this permit; or
    (c) The use is discontinued for a period of two years.

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

NOTES

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

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5428 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 5428 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: **Chris Stathis**
TITLE: **Senior Statutory Planner**
TEL: **9205 5352**

Attachments

1 PLN19/0011 - 48 - 50 Lithgow Street Abbotsford - Locality Plan
2 PLN19/0011 - 48 - 50 Lithgow Street Abbotsford - Advertising Plans
3 PLN19/0011 - 48 - 50 Lithgow Street Abbotsford - Traffic Report
4 PLN19/0011 - 48 - 50 Lithgow Street Abbotsford - STORM Rating Report
5 PLN19/0011 - 48 - 50 Lithgow Street Abbotsford - Acoustic Report
6 PLN19/0011 - 48 - 50 Lithgow Street Abbotsford - Acoustic Peer Review
7 PLN19/0011 - 48 - 50 Lithgow Street Abbotsford - Engineering comments
8 PLN19/0011 - 48 - 50 Lithgow Street Abbotsford - File Note (Strategic Transport Comments)

Attachment 1 - PLN19/0011 - 48 - 50 Lithgow Street Abbotsford - Locality Plan

ATTACHMENT 1

SUBJECT LAND: 48 – 50 Lithgow Street, Abbotsford

North

Subject Site

Attachment 2 - PLN19/0011 - 48 - 50 Lithgow Street Abbotsford - Advertising Plans

PROPOSED MIXED DEVELOPMENT

48-50 LITHGOW STREET, ABBOTSFORD VIC. 3067

TOWN PLANNING DESIGN

FACADE FINISHES:

EB	EXISTING BRICKWORK TO REMAIN. PATCH/MAKE GOOD AS IS REQUIRED TO SUIT NEW WORK
AW	METAL FRAMED WINDOWS/DOORS - COMMERCIAL GRADE FRAMED - COLOUR COLORBOND 'NIGHT SKY' (BLACK).
CF	OFF FORM NATURAL CONCRETE FINISH. TIMBER SAWN PATTERN.
MC-1	METAL CLADDING - FOLDED AND PROFILED CLADDING WITH FOLDED JOINTS AS INDICATED ON DRAWINGS. COLOUR COLORBOND 'NIGHT SKY' (BLACK).

DRAWING LIST

A1.01	EXISTING SITE PLAN
A1.02	EXISTING GROUND FLOOR PLAN
A1.03	EXISTING FIRST FLOOR PLAN
A1.04	EXISTING ROOF PLAN
A1.05	EXISTING ELEVATIONS
A1.06	EXISTING ELEVATIONS
A2.01	PROPOSED SITE PLAN
A2.02	PROPOSED GROUND FLOOR PLAN
A2.03	PROPOSED FIRST FLOOR PLAN
A2.04	PROPOSED ROOF PLAN
A3.01	PROPOSED ELEVATIONS
A3.02	PROPOSED ELEVATIONS
A4.01	EXISTING AREA SCHEDULE
A4.02	PROPOSED AREA SCHEDULE

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CONTRACTOR SHALL BE RESPONSIBLE FOR CHECKING AND VERIFYING ALL DIMENSIONS AND LEVELS ON SITE PRIOR TO THE COMMENCEMENT OF ANY WORKS OR OF ORDERING MATERIALS.

THESE DRAWINGS ARE FOR OWNER BUILDER PURPOSES, AND BUILDING APPROVAL ONLY - THE SELECTED CONTRACTOR IS RESPONSIBLE FOR THE PRODUCTION OF THEIR OWN SHOP DRAWINGS IF REQUIRED FOR CONSTRUCTION PURPOSES.

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MATERIALS AND EQUIPMENT USED IN THE BUILDING WORKS SHALL BE OF AUSTRALIAN MANUFACTURE UNLESS OTHERWISE SPECIFIED.

ALL WORKS SHALL COMPLY WITH RELEVANT LOCAL HEALTH AND COUNCIL REQUIREMENTS, LOCAL BUILDING REGULATIONS AND RELEVANT A.S CODES.

Date	Issue	Rev
04.12.18	TOWN PLANNING DESIGN	B
12.02.19	TOWN PLANNING DESIGN	C

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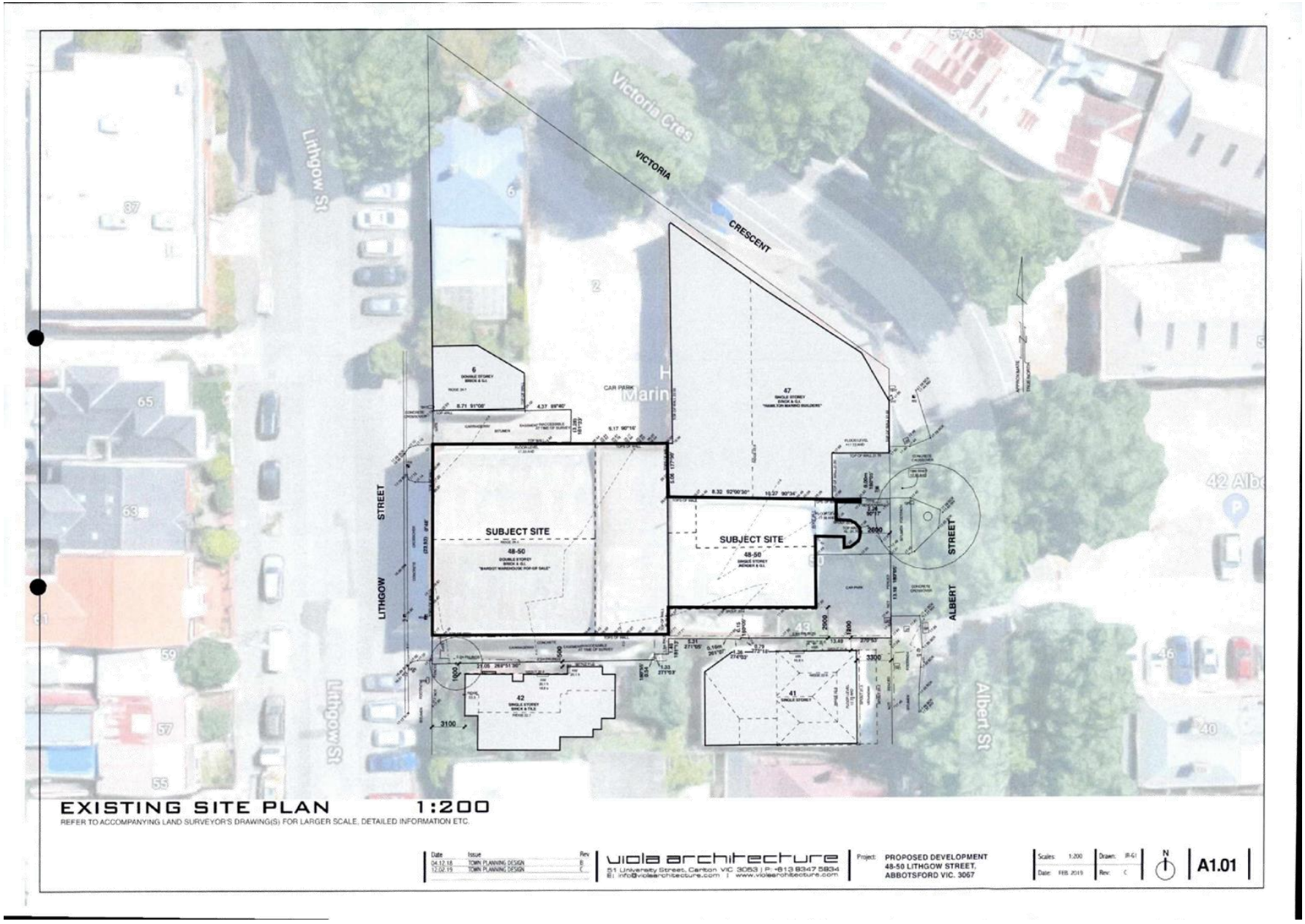
Project: PROPOSED DEVELOPMENT
48-50 LITHGOW STREET,
ABBOTSFORD VIC. 3067

Scales:
Date: FEB 2019
Drawn: JR-GI
Rev: C

A0.00

Attachment 2 - PLN19/0011 - 48 - 50 Lithgow Street Abbotsford - Advertising Plans



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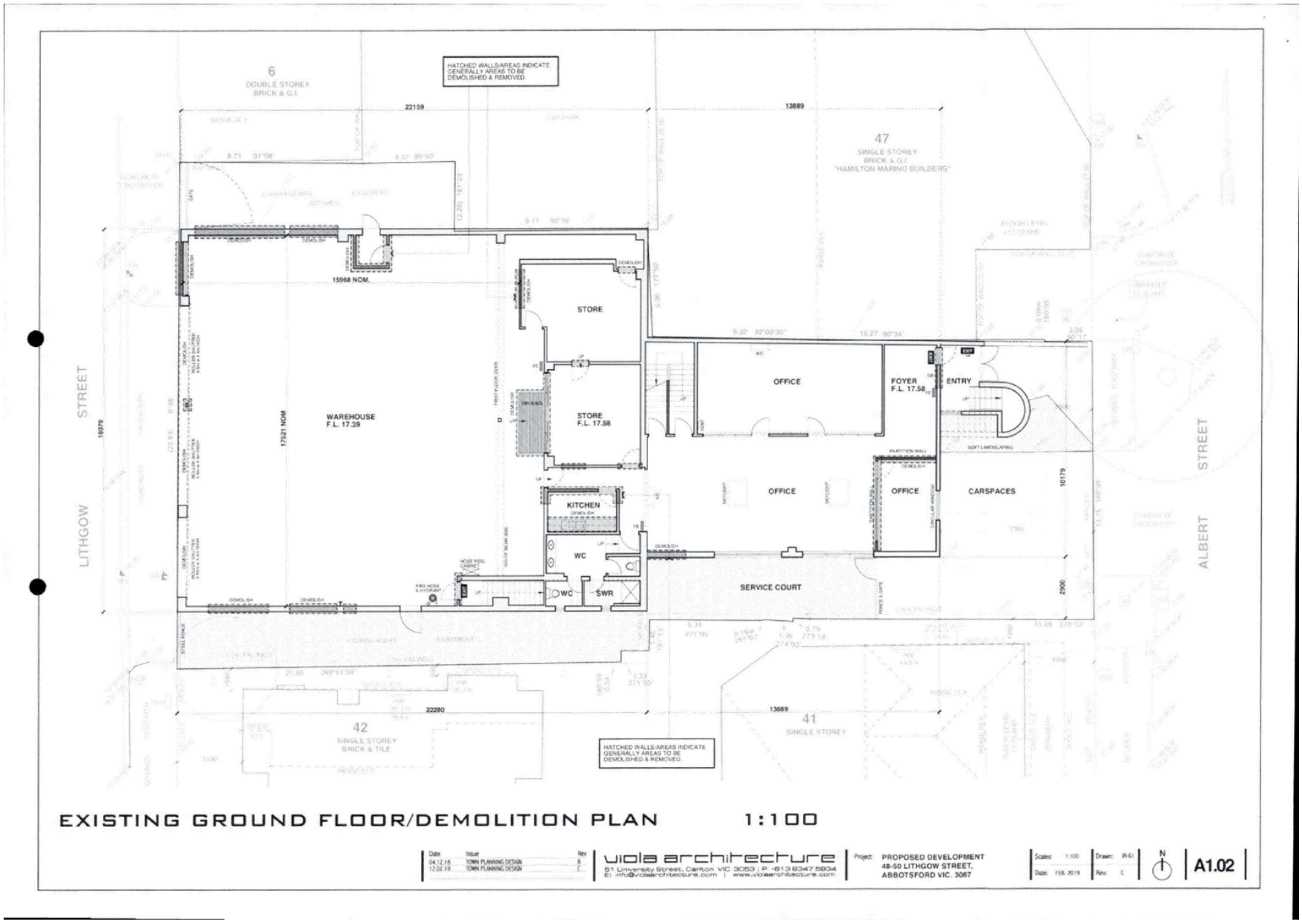

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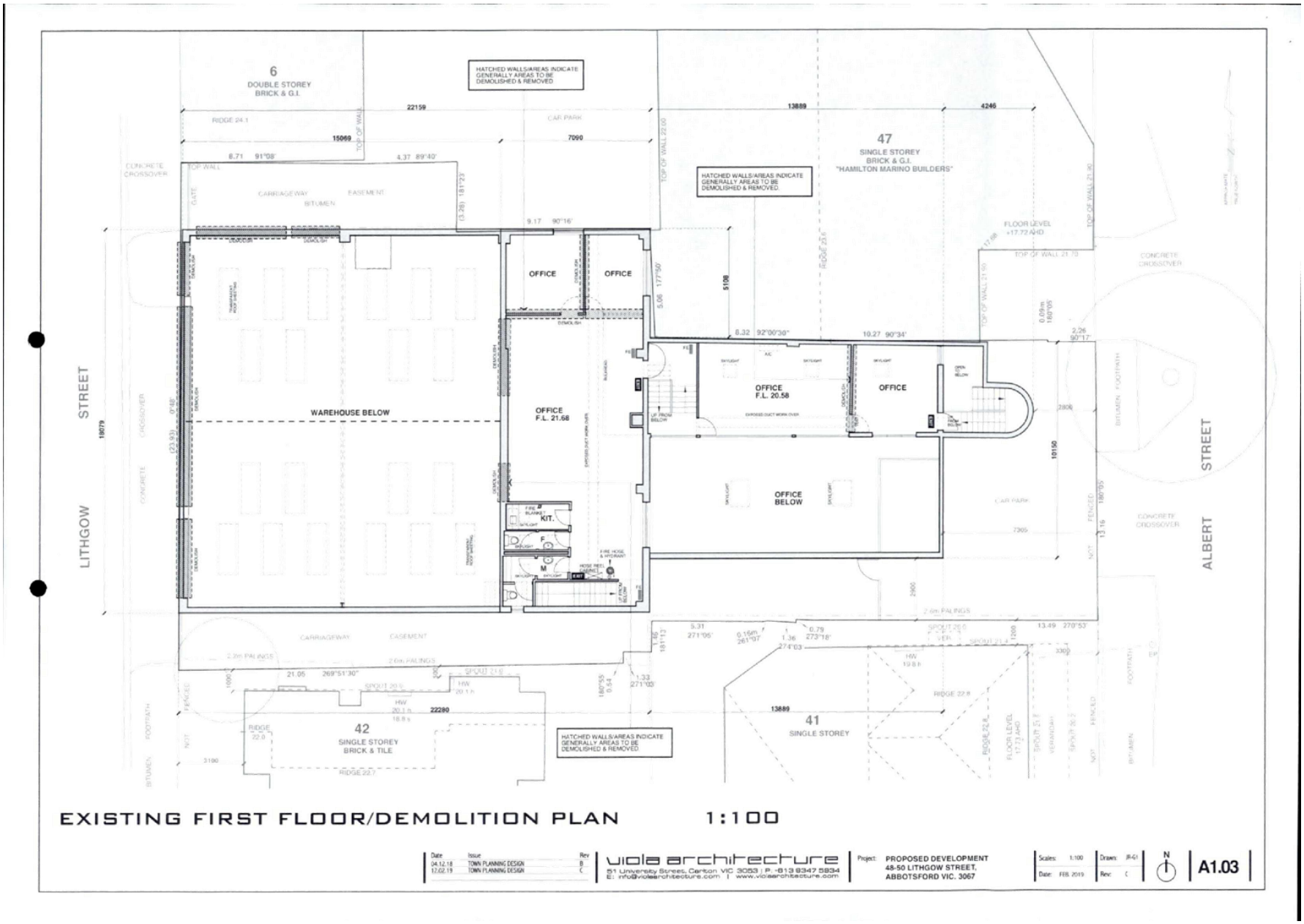

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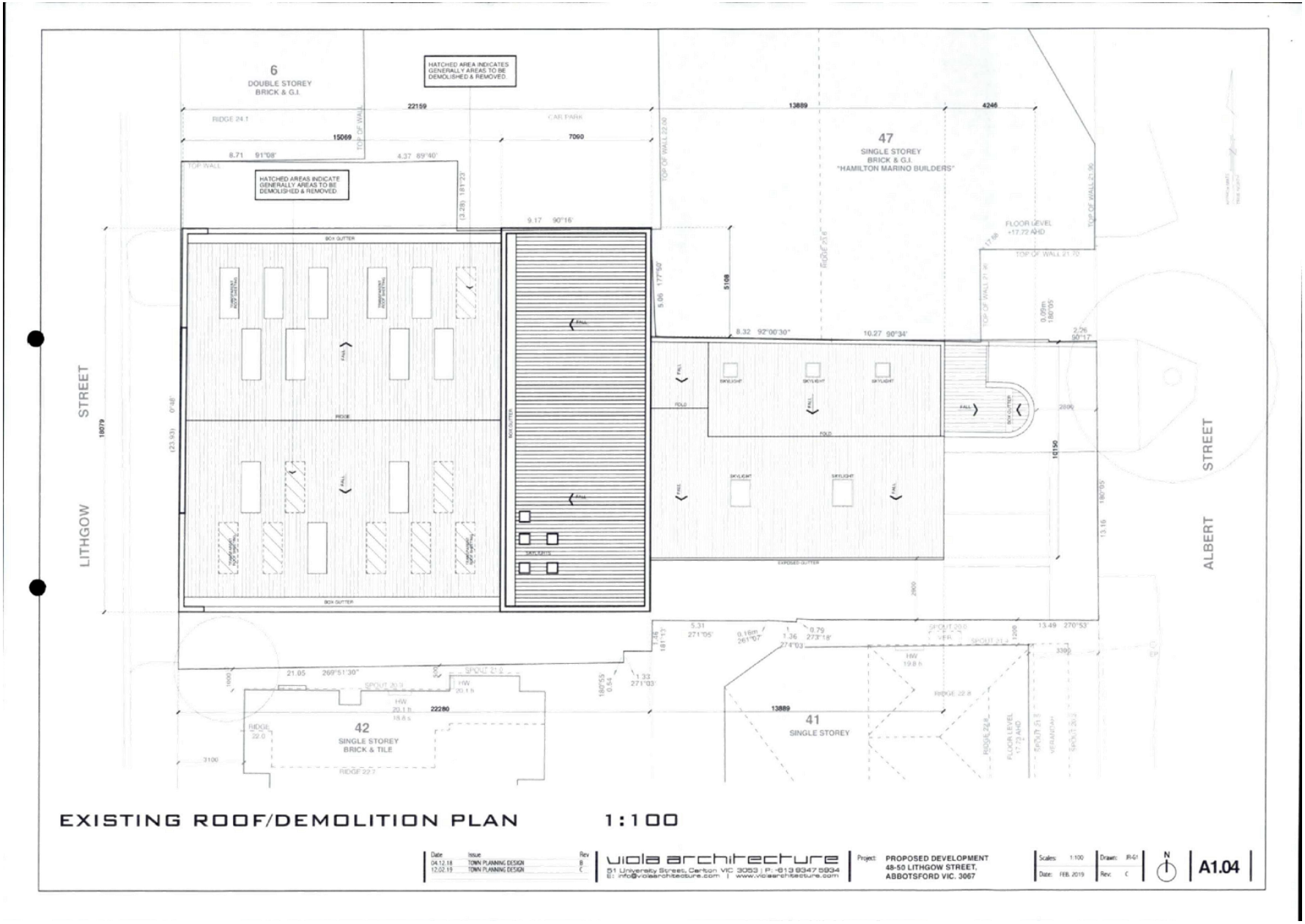

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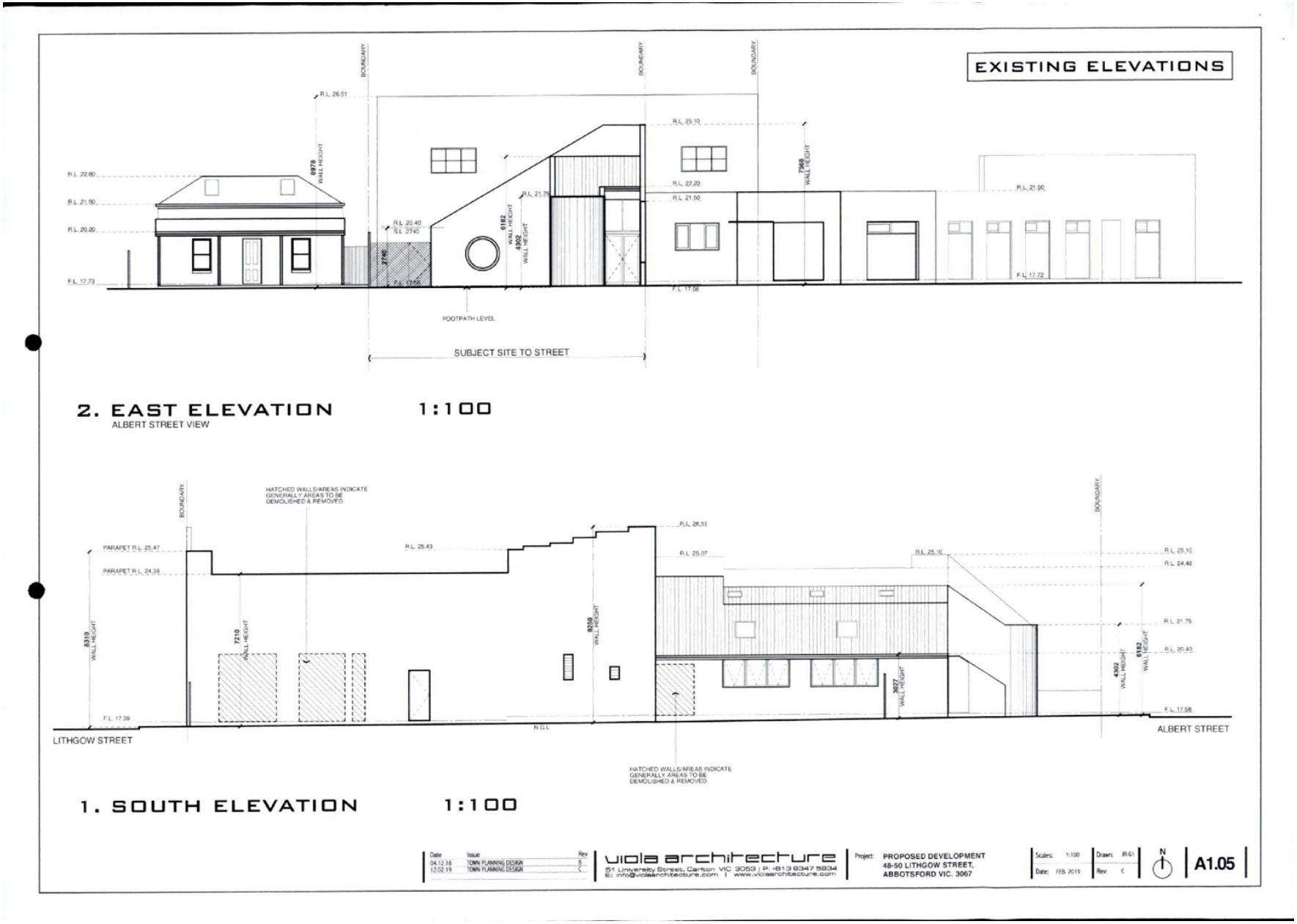
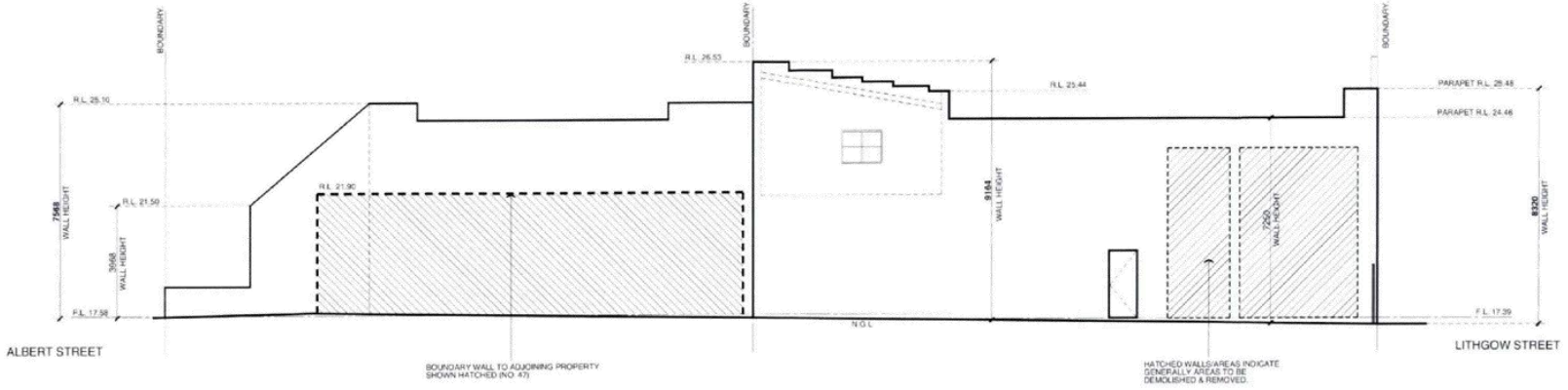


Attachment 2 - PLN19/0011 - 48 - 50 Lithgow Street Abbotsford - Advertising Plans

EXISTING ELEVATIONS



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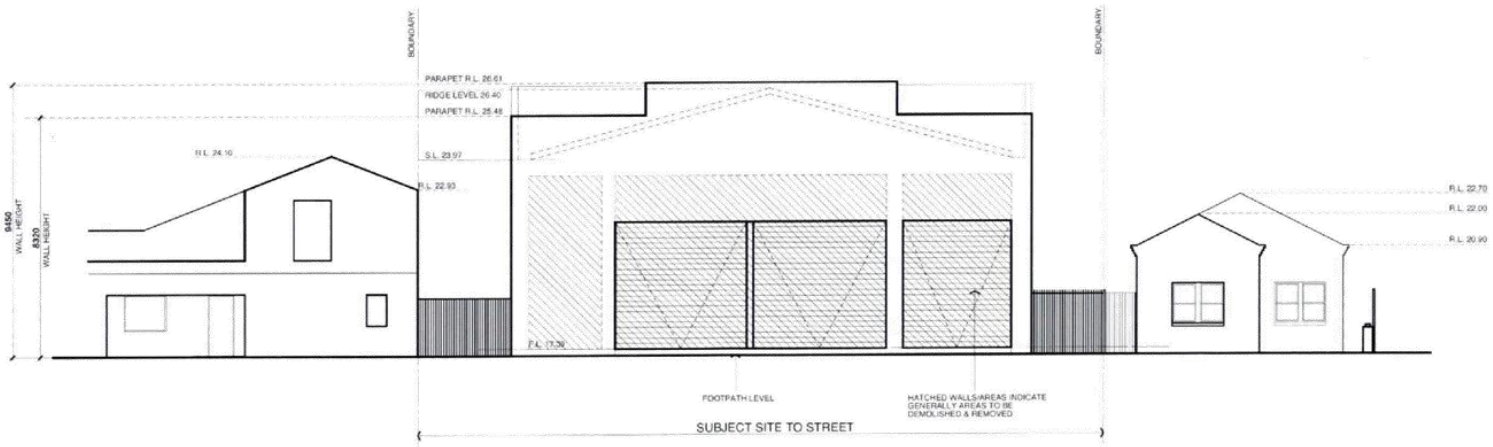

1. WEST ELEVATION 1:100

LITHGOW STREET VIEW

Date	Issue	Rev
04.12.18	TOWN PLANNING DESIGN	B
12.02.19	TOWN PLANNING DESIGN	C

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Project: PROPOSED DEVELOPMENT
48-50 LITHGOW STREET,
ABBOTSFORD VIC. 3067

Scales: 1:100 | Drawn: JR/GT
Date: FEB 2019 | Rev: C

N

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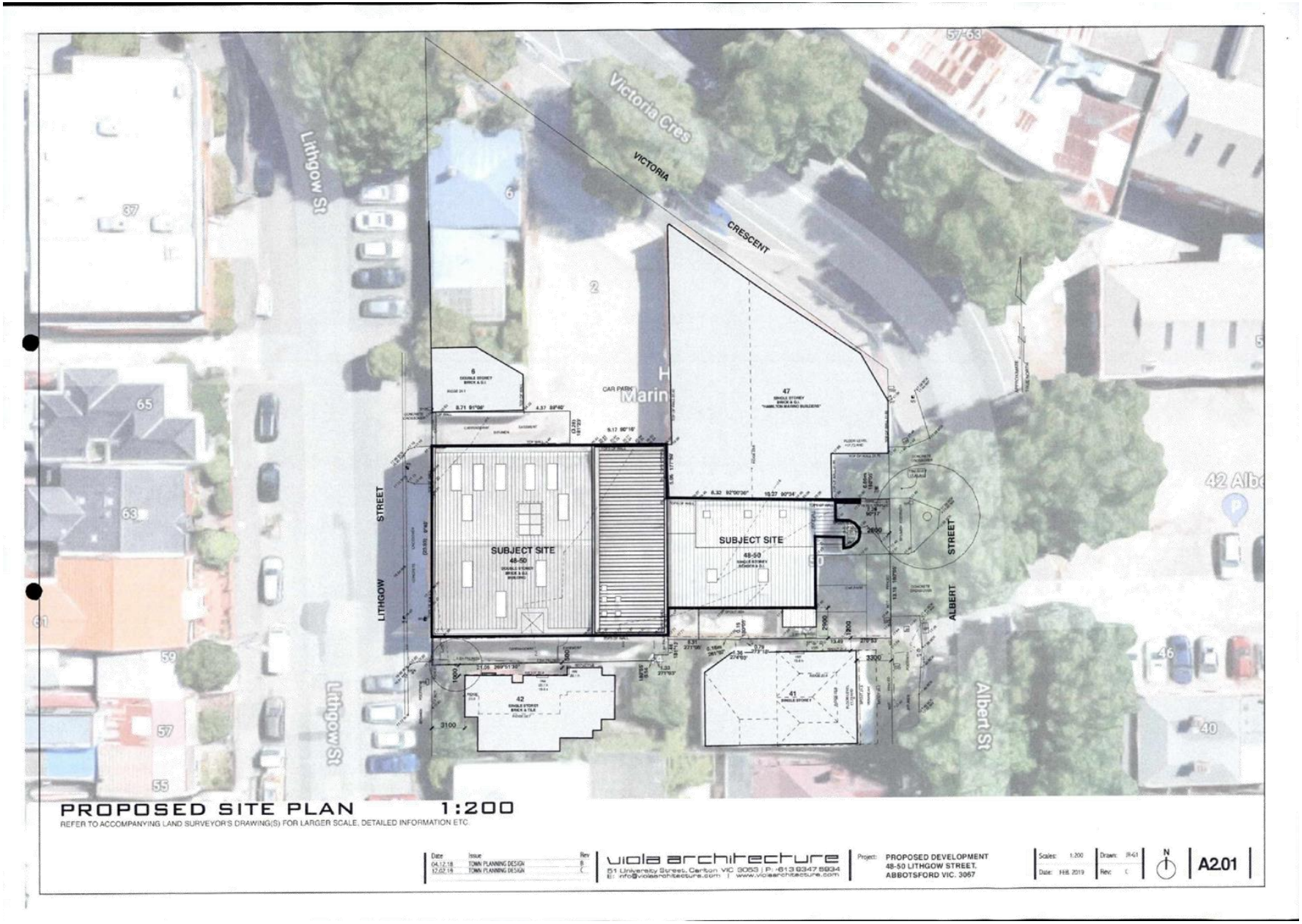
Attachment 2 - PLN19/0011 - 48 - 50 Lithgow Street Abbotsford - Advertising Plans



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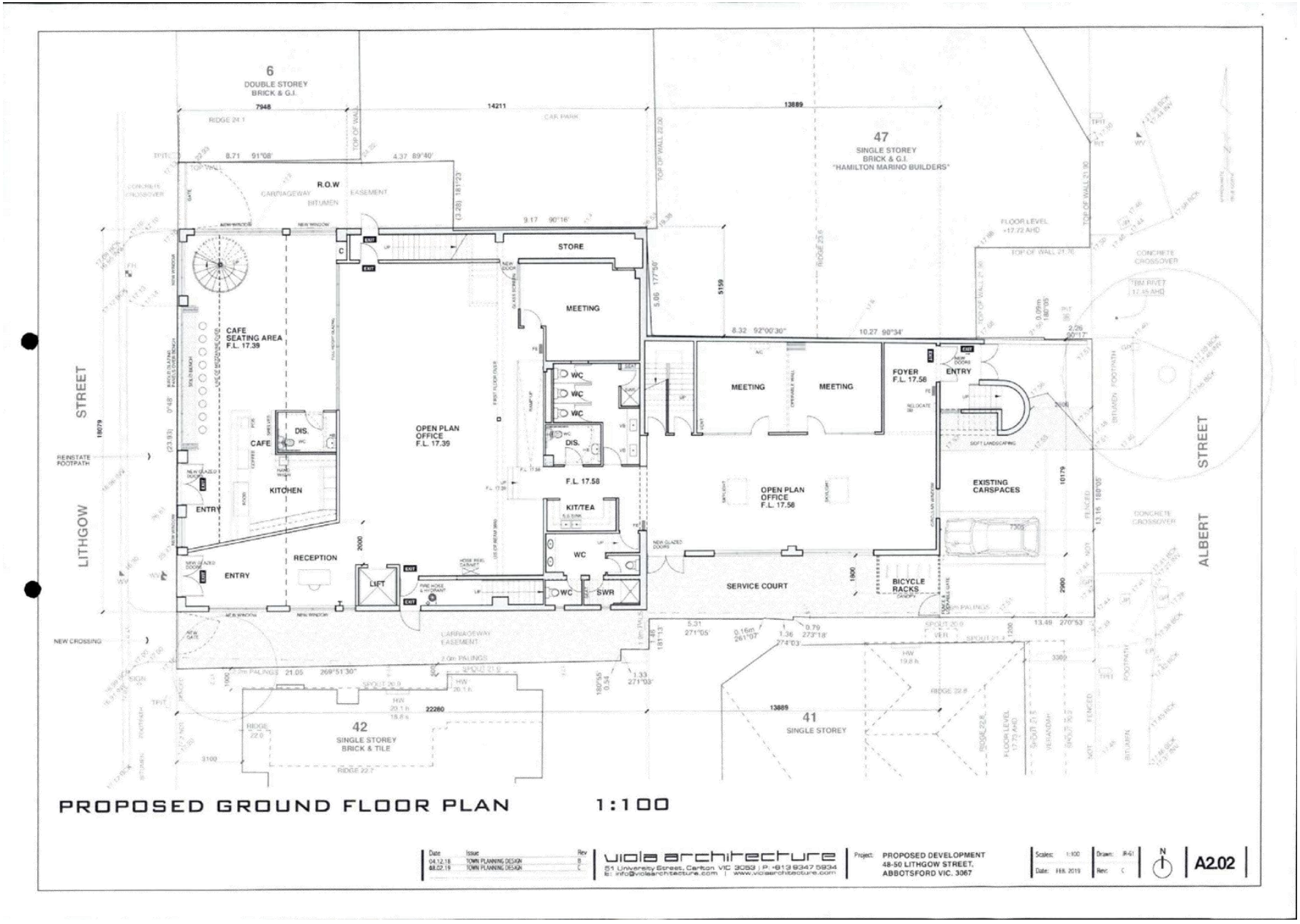

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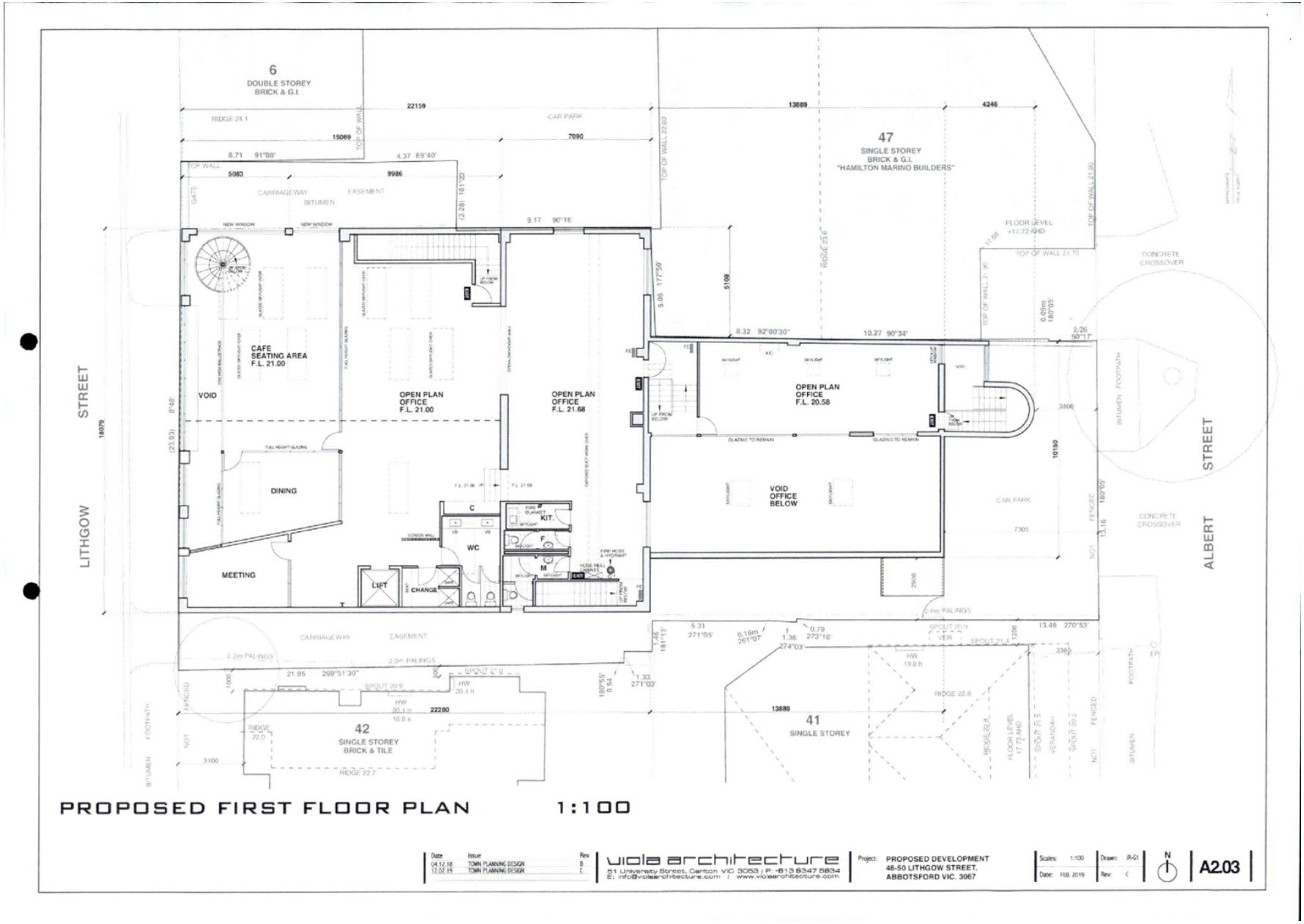

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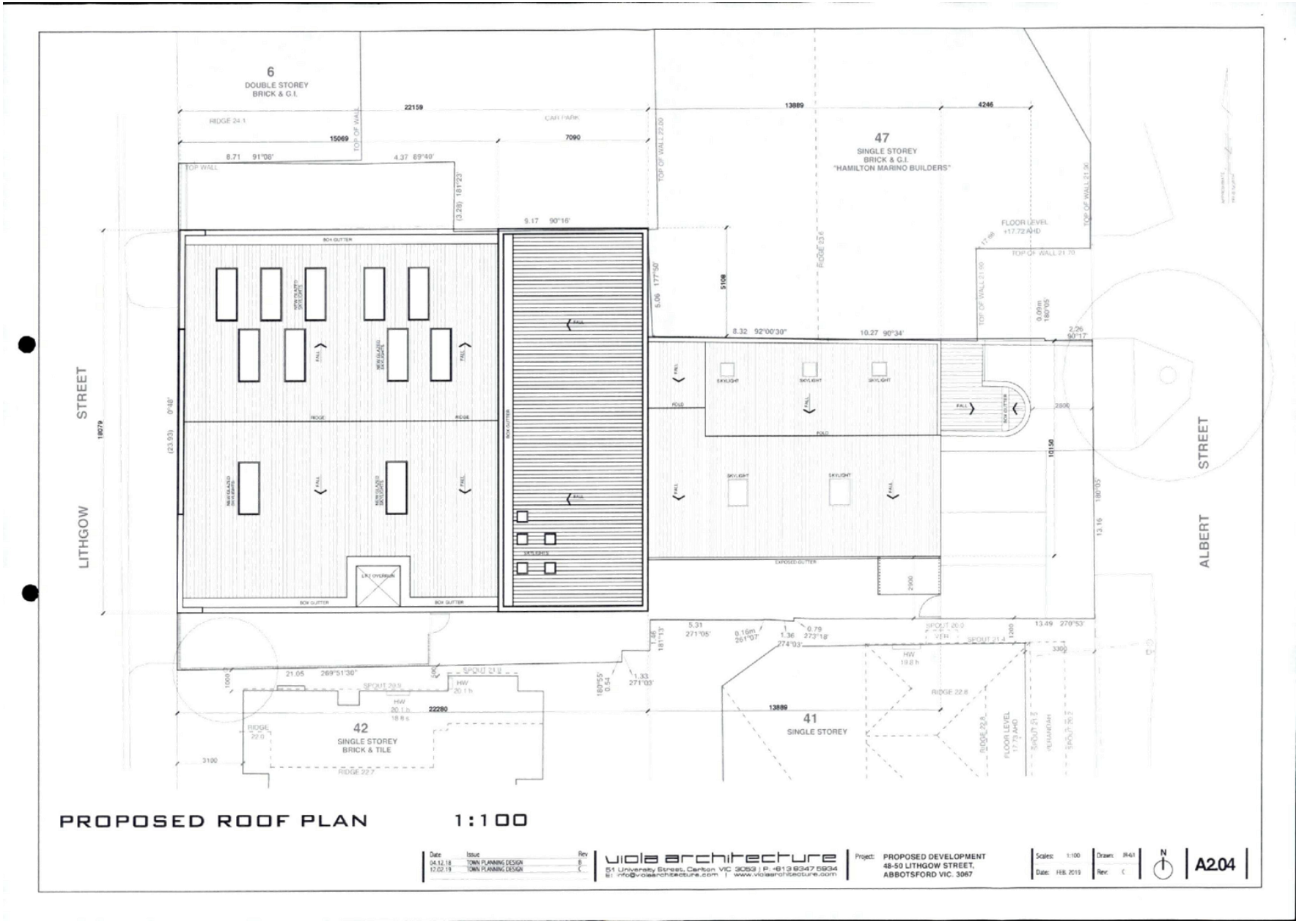

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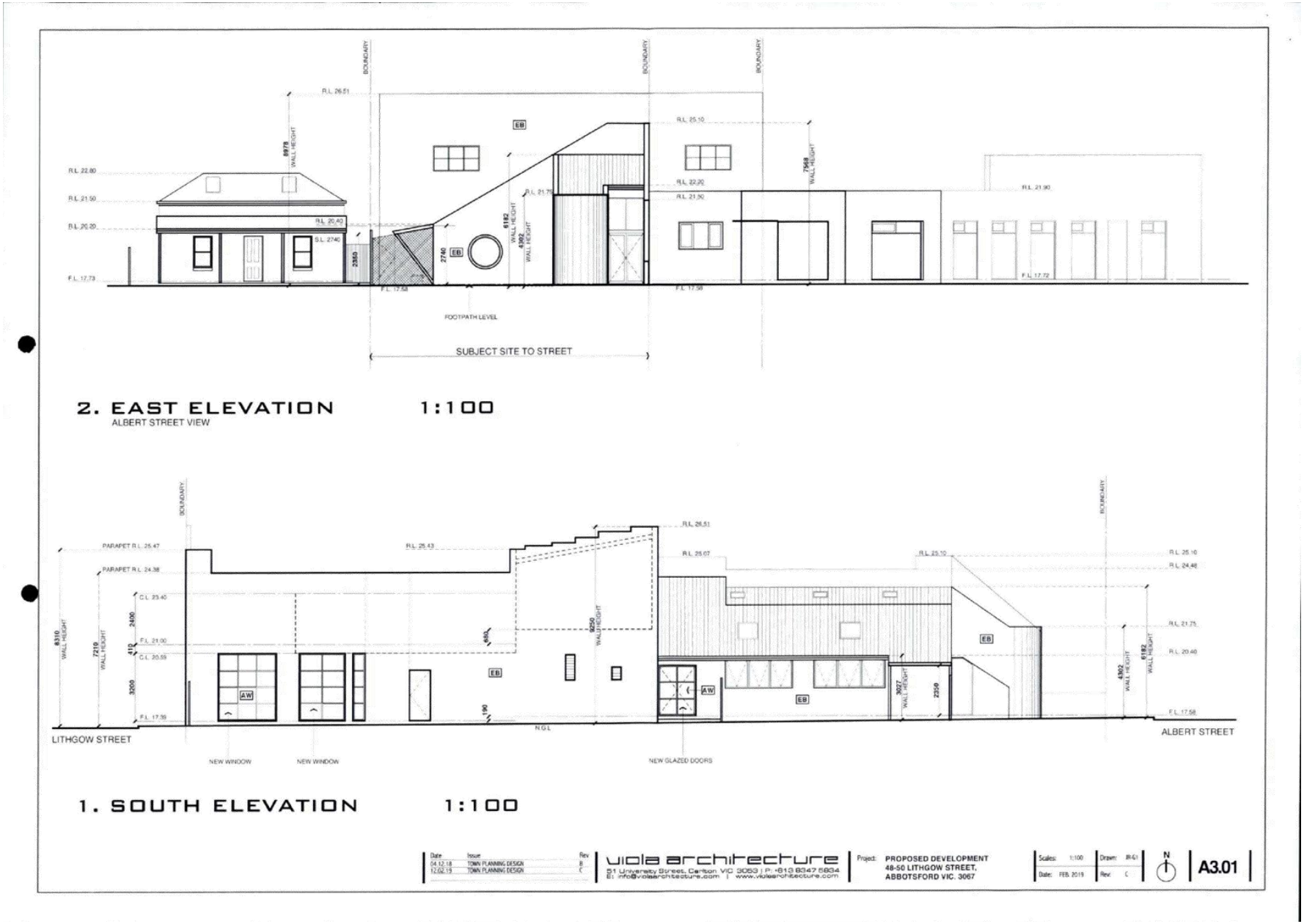

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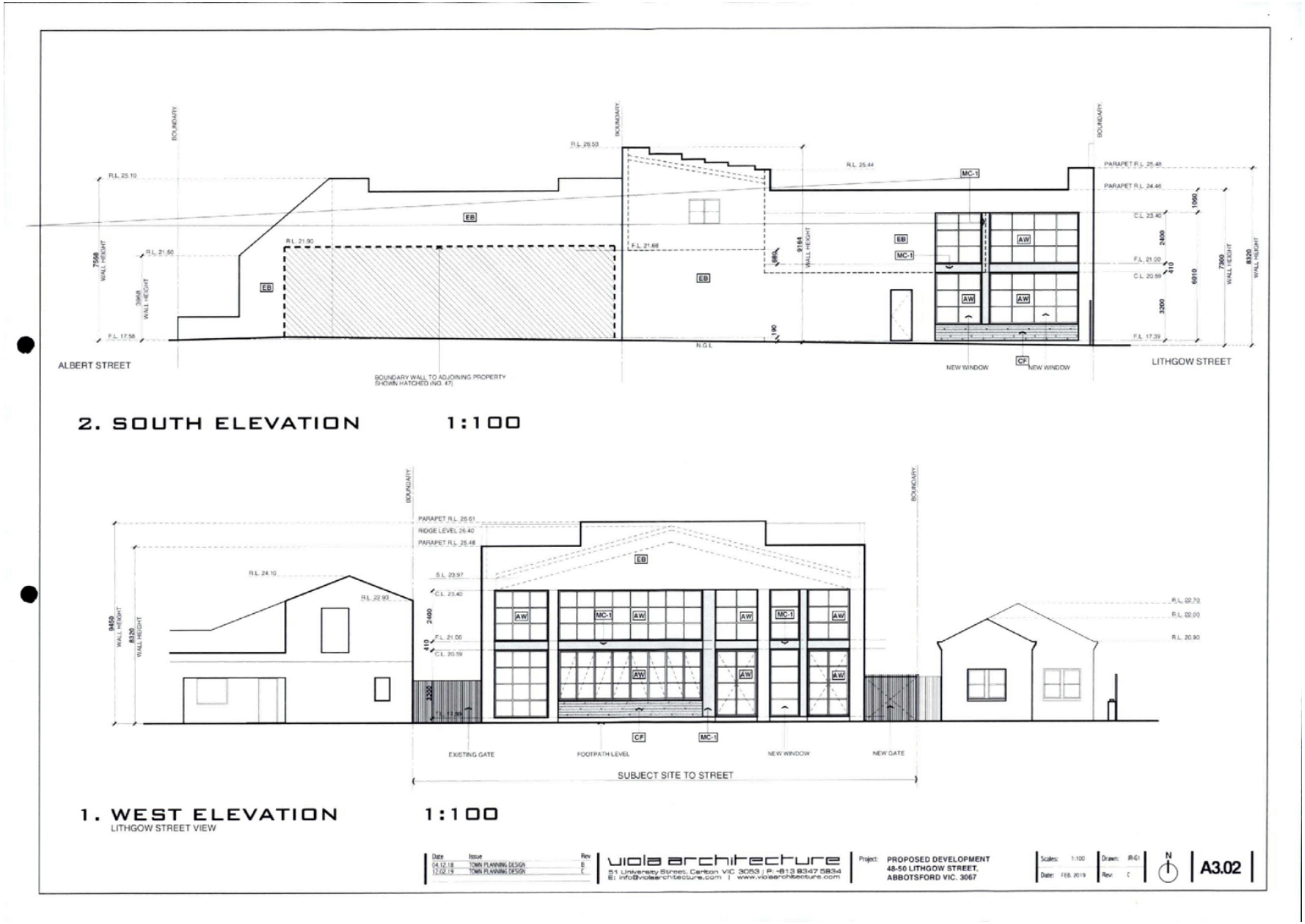

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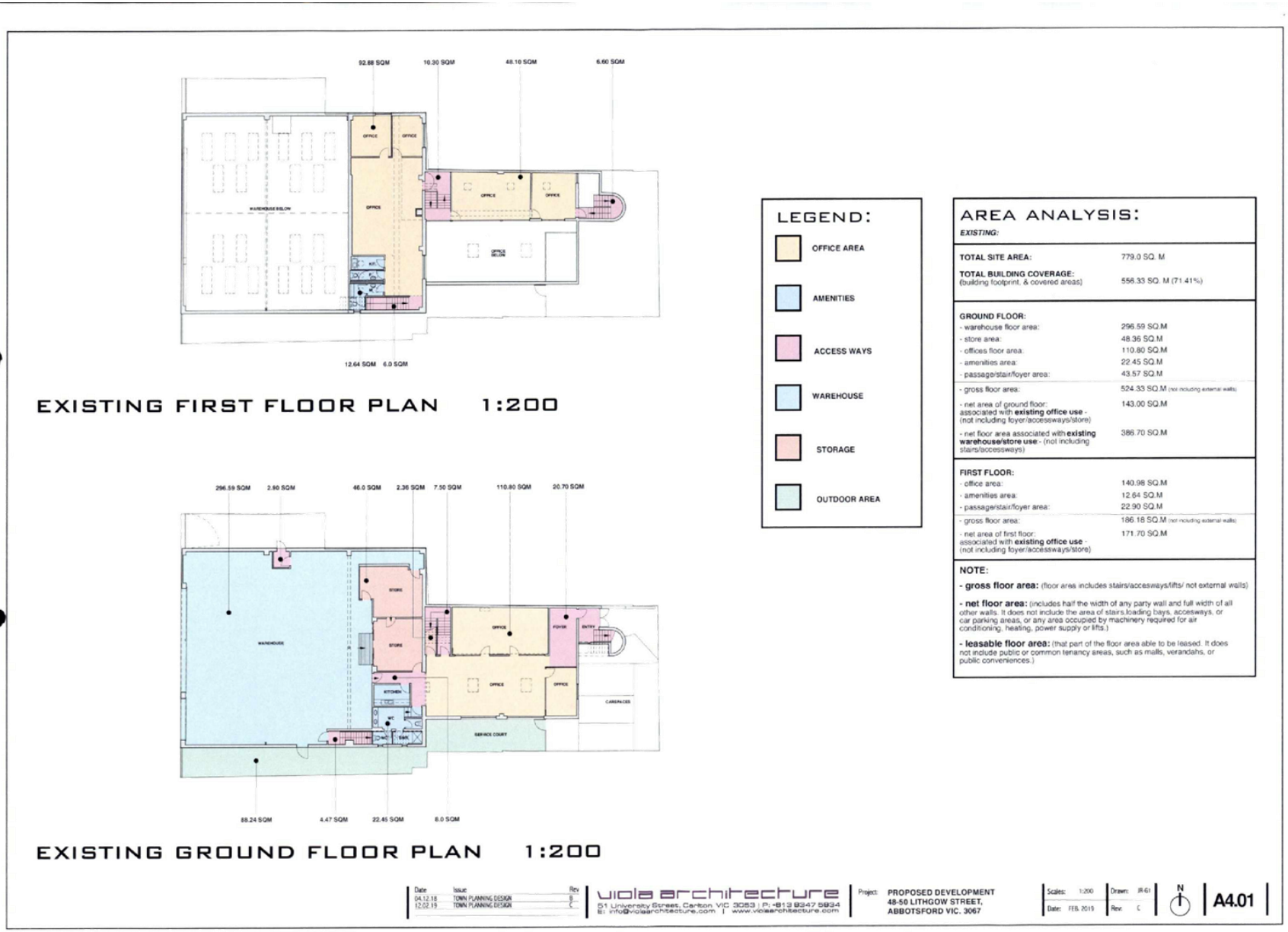

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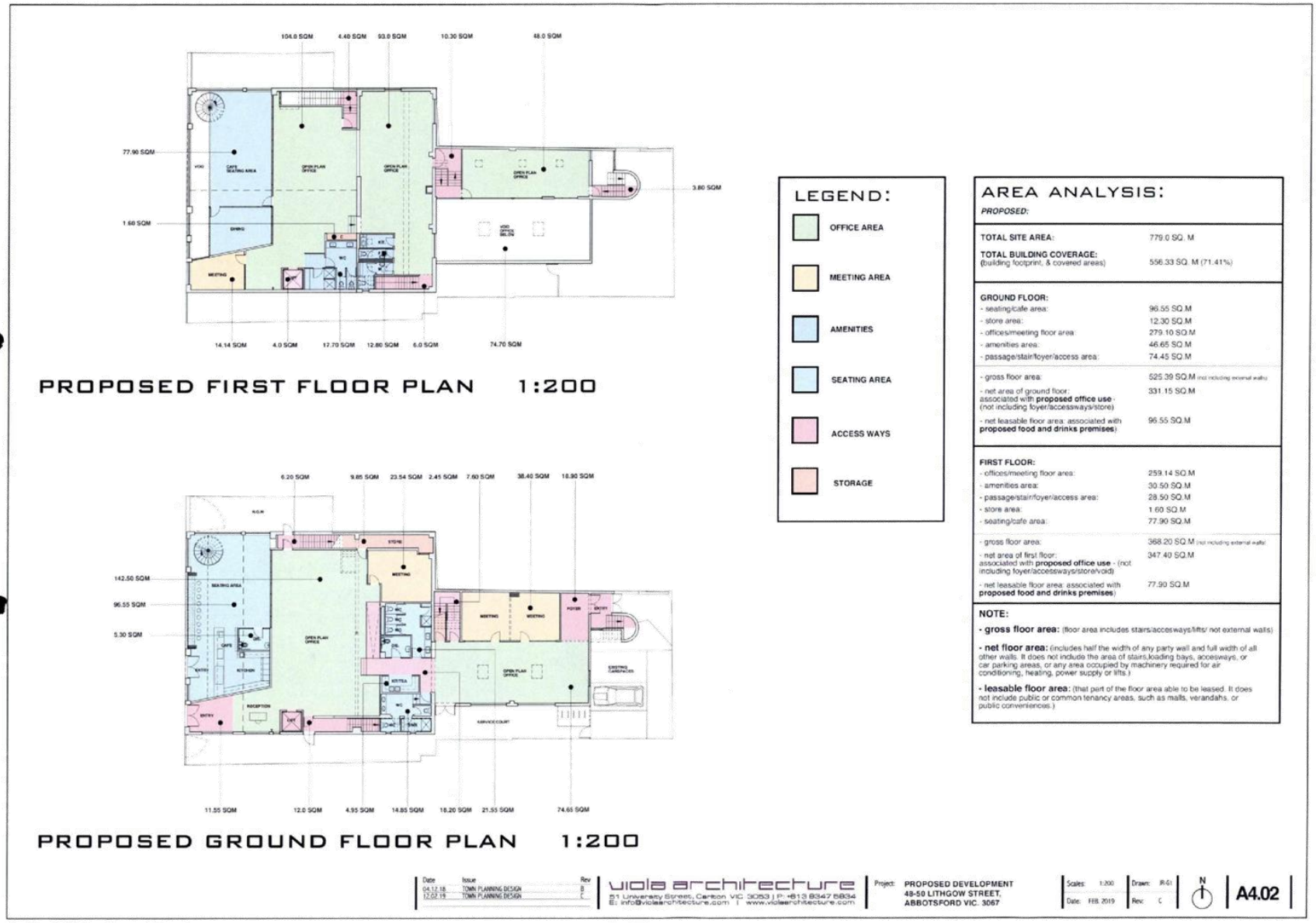

Attachment 3 - PLN19/0011 - 48 - 50 Lithgow Street Abbotsford - Traffic Report

ratio:

Report
Prepared for
Abacus PTY LTD

Proposed Mixed Use Development

48 -50 Lithgow Street, Abbotsford

February 2019

Traffic impact

r:

Attachment 3 - PLN19/0011 - 48 - 50 Lithgow Street Abbotsford - Traffic Report

ratio:consultants

8 Gwynn Street
Cremorne VIC 3121
ABN 93 983 380 225

Prepared for:

'Abacus PTY LTD'
Our reference 15661T REPD01

Version	Date	Reason for Issue	Prepare By	Check By
02	12/02/18	Final	D Anskaitis	B Young

Directory Path	Y:\15501-16000\15661T - 48-50 Lithgow Street, Abbotsford\Work\Reports\15661T REPD02.docx

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Appendix A Parking Surveys

Appendix B Bicycle Parking

1 Introduction :

Ratio Consultants Pty Ltd was commissioned by Abacus Pty Ltd to assess the traffic and parking implications of the proposed mixed-use development at 48-50 Lithgow Street, Abbotsford.

It is proposed to repurpose the existing warehouse building on the site to incorporate an office and café use. Specifically, the proposal has:

- 174.45 sqm leasable floor area of café (Food and drink premises);
- 678.55 sqm net floor area of Office space;
- 3 car parking spaces retained at the rear of the site;
- 10 bicycle spaces; and
- Changeroom and shower facilities.

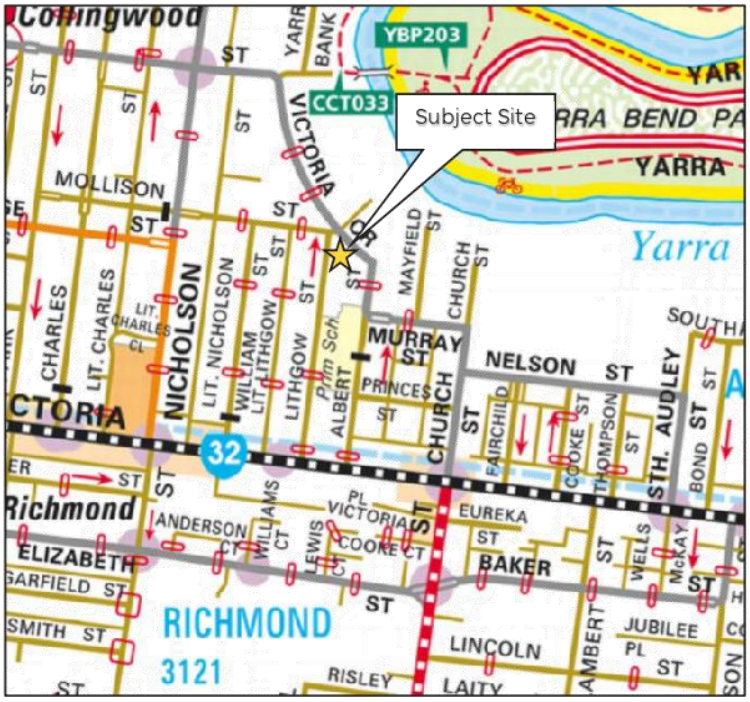
This report has been prepared to address the traffic and parking needs of the proposed change of use and is based on observations in the vicinity of the site and on previous studies of similar developments elsewhere in Melbourne.

2 Existing Conditions:

2.1 Location and Environment

The subject site is addressed as 48-50 Lithgow Street, Abbotsford. The subject site is located on the east side of Lithgow Street near the corner of Lithgow Street and Mollison Street shown in Figure 2.1

Figure 2.1 Site Location



Source: Melways

The site is irregular in shape with a frontage to Lithgow Street of 22.8 metres and frontage to Albert Street of 13.3 metres. The subject site has a depth of 43 metres, with an overall site area of approximately 768 square metres.

Some key land uses within the vicinity of the site include:

- Abbotsford Primary School 100m south of the subject site.
- Victoria Street shopping strip, 300m south of the subject site.
- Victoria Gardens Shopping Centre is located 1.5km east of the subject site.

The site is currently occupied by a two-storey warehouse building, previously occupied by Range Engineering and Delivery. Vehicular access is provided via a 17m wide crossover from Lithgow Street and a double width crossover to/from Albert Street at the rear of the site which provides access to three existing on-site car spaces.

Figure 2.1 provides an aerial photograph of the site and its surrounds.

Figure 2.2: Aerial Photograph

Source: Nearmaps

2.2 Surrounding Road Network

Lithgow Street operates in a north-south direction between Victoria Street and Mollison Street. Vehicular entry movements from Mollison Street to Lithgow Street are not permitted at the northern end, allowing for departing movements only.

Lithgow Street is a Local Road under the care and management of Yarra City Council. It has an approximate overall carriageway width of 13.7 metres, accommodating one trafficable lane in each direction. It operates with the default speed limit applicable to a built-up area of 50km/h.

In the vicinity of the site, Lithgow Street permits time-restricted (5 min, 1P and 4P) parallel parking on the west side of the street and time-restricted (1P and 2P) 90-degree angled parking on the east side of street. Figure 2.3 shows Lithgow Street in the vicinity of the subject site.

Figure 2.3 Lithgow Street facing north

Albert Street is a local road that runs in a north-south alignment between Victoria Street and Victoria Crescent. Victoria street has an approximate carriageway width of 14.5m, accommodating one traffic lane in each direction, kerb side parallel parking lanes, dedicated bicycle lane in both directions and a midblock speed hump.

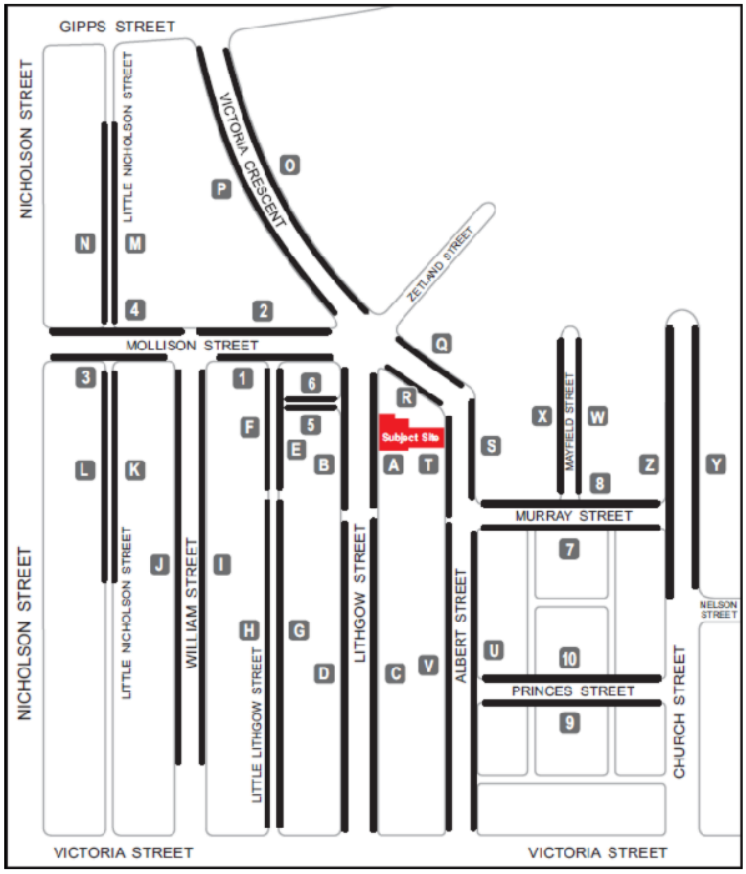
Time restricted parking is permitted on both sides of the street (1/2P, 1P and 2P). Albert Street operates at a default speed limit of 50 km/hr.

Figure 2.4 Albert Street facing north

2.3 Parking Conditions

Ratio Consultants commissioned surveys of parking supply and demand on Thursday 6 September 2018 between 8:00am and 10:00pm. The extent of the survey area is outlined in Figure 2.5 below, with detailed results presented in Table A1 Appendix A.

Figure 2.5 Parking Survey Area



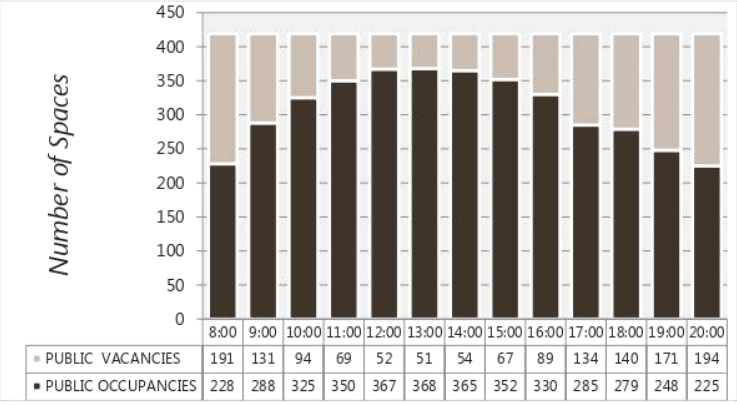
The parking inventory reveals the supply of parking in the precinct is typically subject to short to medium term restrictions, with permit zone restrictions applying in the surrounding residential streets.
In summary, the survey results showed:

Thursday 6 September 2018

- There was observed to be a total of 419 parking spaces within the survey area.
- The demand for parking was moderate to high during the survey period with observed parking occupancies ranging between 54% and 88%.
- The peak period occurred at 1:00pm, when a total of 368 publicly available car parking spaces were recorded occupied out of an available supply of 419 spaces, representing a parking occupancy of 88%. There was a minimum of 51 publicly available spaces at these times.

Figure 2.5 provides a graphical representation of the Thursday parking demands.

Figure 2.6 Parking demand survey results - Thursday 6 September 2018



	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00
PUBLIC VACANCIES	191	131	94	69	52	51	54	67	89	134	140	171	194
PUBLIC OCCUPANCIES	228	288	325	350	367	368	365	352	330	285	279	248	225

Overall, the survey results demonstrate that there is a reasonably strong demand for parking within the vicinity of the site, particularly during weekday business hours. Whilst there is some public parking available within the vicinity of the site, it is largely subject to time restrictions and not suitable for longer term staff parking, but is suitable for short-term visitor and customer parking.

2.4 Sustainable Transport

The subject site is located within the Principal Public Transport Network Area (PPTN Area) as shown in Figure 2.7 below

Figure 2.7 PPTN area

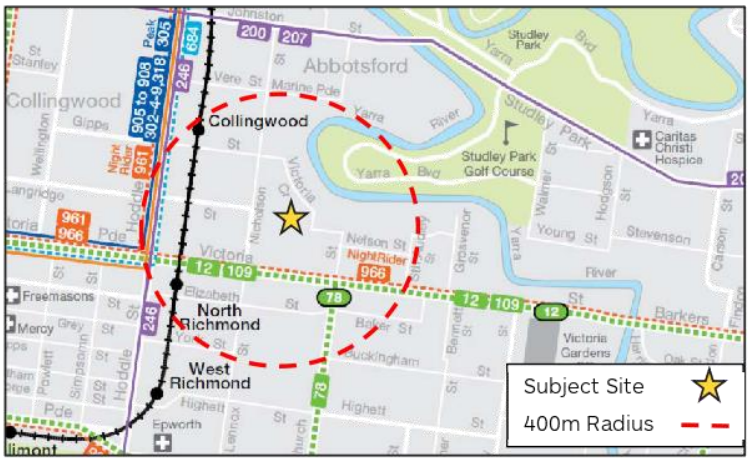
Public Transport

The subject site has excellent access to the public transport network, being within walking distance to a large number of tram and bus routes as well as North Richmond Railway Station. The public transport services operating near the site are detailed in Table 2.1 and illustrated in Figure 2.8.

Table 2.1 Public Transport Services

Service	Route No	Route	Nearest Stop	Walking Distance
Bus	246	Elsternwick - Clifton Hill via St Kilda	Langridge Street/Hoddle Street	750 metres (8-10 minutes)
	302	City - Box Hill via Belmore Rd and Eastern Fwy		
	303	City - Ringwood North via Park Rd		
	304	City - Doncaster SC via Belmore Rd and Eastern Fwy		
	305	City - The Pines SC via Eastern Fwy		
	309	City - Donvale via Reynolds Rd		
	318	City - Deep Creek		
	350	City - La Trobe University via Eastern Fwy		
	905	City - The Pines SC via Eastern Fwy, Templestowe (SMARTBUS Service)		
	906	City - Warrandyte via The Pines SC (SMARTBUS service)		
	907	City - Mitcham via Doncaster Rd (SMARTBUS service)		
	908	City - The Pines SC via Eastern Fwy (SMARTBUS Service)		
Train	Hurstbridge Line, Mernda Line		North Richmond Station	750m (9-10 mins)
	Hurstbridge Line, Mernda Line		Collinwood Station	800m
Tram	12	Victoria Gardens - St Kilda	Victoria Street/Lennox Street	450m (5-6 mins)
	109	Box Hill - Port Melbourne		450m (5-6 mins)

Figure 2.8: Public Transport Map

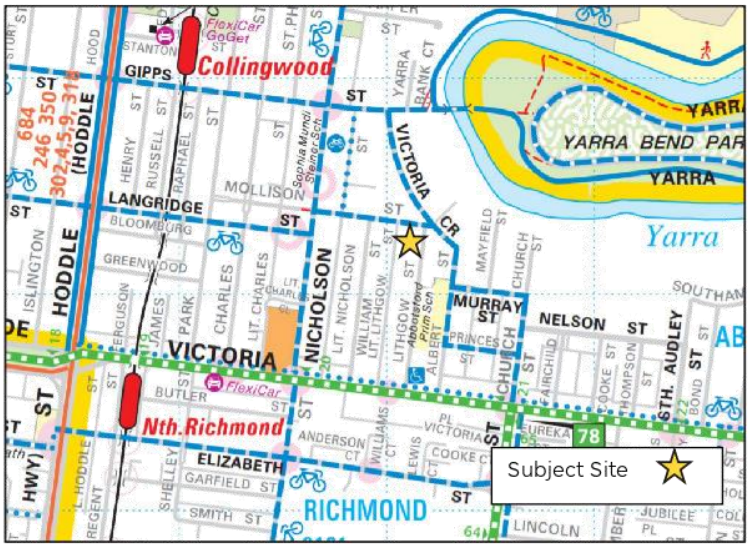


Bicycle Network

The site also has very good access to the surrounding bicycle network, with on-road bicycle lanes along Nicholson Street, Gipps Street, and Langridge Street.

A map of the sustainable transport services including the bicycle network within close proximity of the site is show in Figure 2.6 below.

Figure 2.9 Bicycle Network Map



Car Share

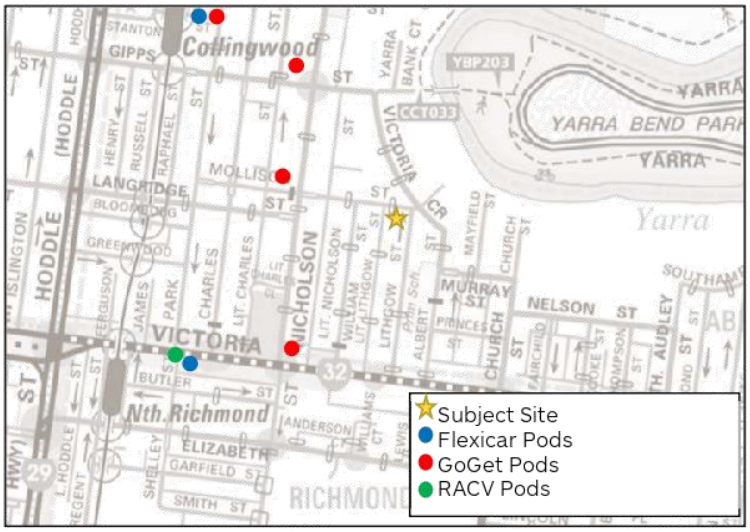
Car share provides vehicles to its members on an hourly basis for those who do not own a car or who only need a need a vehicle on a limited basis. It promotes the sharing of resources and makes non-car ownership more viable

GoGet, Flexicar and RACV provide a number of pods within the vicinity of the subject site, as shown in Figure 2.10. The most convenient car share pods for each of the service providers are detailed below:

- Flexicar – Gipps Street / Lenox Street – 400m walking distance.
- GoGet – Mollison Street / Nicholson Street– 250 metres walking distance (~ 3 minute)
- RACV – North Richmond Station - 750 metres walking distance (~8-10 minutes)

The availability of car share opportunities in the area may be attractive to staff who require the use of a vehicle from time to time.

Figure 2.10: Car Share Locations



3 The Proposal:

It is proposed to repurpose the existing warehouse building on the site to incorporate an office and café use. Specifically, the proposal has:

- 174.45 square metres of café (Food and drink premises);
- 678.55 sqm of office space over two levels;
- 3 car parking spaces retained at the rear of the site;
- 10 bicycle spaces; and
- Changeroom and shower facilities.

Vehicle access to the site is proposed to continue via the existing Albert street crossover where the three existing car spaces remain. The redundant 17m crossover to Lithgow Street is to be reduced in width to maintain access to the carriageway easement at the south of the site, with the kerb and channel reinstated to the satisfaction of the Responsible Authority.

4 Car Parking Assessment:

4.1 Parking Provision

Clause 52.06 – Parking Assessment

Amendment VC148 was incorporated into the Yarra Planning Scheme on the 1st August 2018.

The Amendment changed Clause 52.06 of the Planning Scheme which relates to car park provision, amongst other changes.

Amendment VC148 has changed the parking provision criteria applicable to the subject site since the planning application was lodged.

Parking requirements for a range of development are set out under Clause 52.06 of the Yarra Planning Scheme.

The number of car parking spaces required for the specified uses is listed under Table 1 of Clause 52.06-5. Table 1 includes two sets of parking rates listed as Column A and Column B. Column A rates are to apply unless the Column B rates are applicable. Column B rates are to be used under the following circumstances:

Any part of the land is identified as being within the Principal Public Transport Network Area as shown on the *Principal Public Transport Network Area Maps* (State Government of Victoria, 2018); or

A schedule to the Parking Overlay on another provision of the planning scheme specifies that Column B applies.

The relevant Column B rates applied to the proposed development (due to its location with the PPTN Area) are shown in Table 4.1.

Table 4.1 Car Parking Assessment

Land Use	Size / Number	Parking Rate	Statutory Parking Rate
Office	678.45sqm	3.0 spaces per 100 sq m of net floor area.	20 spaces
Café (Food and drink premises)	174.45 sqm	3.5 spaces per 100 sq m of leasable floor area.	6 spaces
TOTAL			26 spaces

Application of these rates equates to a statutory car parking provision of 26 spaces. Given that the proposal provides 3 on-site spaces, a reduction in parking of 23 car parking spaces is sought.

An application to reduce the number of car parking spaces required under Clause 52.06-5 must be accompanied by a Car Parking Demand Assessment. A Car Parking Demand Assessment and the appropriateness of allowing a reduction of on-site parking for the proposed development are discussed below:

4.2 Car Parking Demand Assessment

In accordance with Clause 52.06-6 of the Planning Scheme, an assessment of car parking demand likely to be generated by the use must have regard to a number of factors, including:

— The likelihood of multi-purpose trips within the locality

- The short-stay and long-stay car parking demand likely to be generated by the proposed use.
- The variation of car parking demand likely to be generated by the proposed use.
- The availability of public transport in the locality.
- The convenience of pedestrian and cyclist access to the site.
- The provision of bicycle parking and end of trip facilities for cyclists.
- The car parking demand likely to be generated by the proposed use.
- The anticipated car ownership rates of likely or proposed visitor to or occupants (resident or employees) of the land

An assessment of the key relevant factors has been given due consideration in the assessment of car parking demands for the proposal, as set out below.

The likelihood of multi-purpose trips within the locality

It can be expected that customers to the café will make multipurpose trips. The café onsite will likely support office occupants and the surrounding activity centre with many customers likely to be people already working or living in the area.

Public Transport in the Locality

The site has excellent access to a range of public transport services with train, tram and bus services operating in close proximity to the subject site. In particular, the site has convenient access to North Richmond Railway Station, which is located approximately 750 metres from the subject site (eight-minute walk). A tram route operates along Victoria Street which is approximated 450m (5-minute walk). These services are outlined in more detail in Section 2.4.

Given the excellent access to sustainable transport options, staff and customers are able to travel to and from the subject site without relying on the use of a private motor vehicle.

The Convenience of Pedestrian and Cyclist Access to the Site

Footpaths are provided on both sides of all roads within the vicinity of the site, which provides a link to the nearby public transport services.

In addition, the site has excellent access to nearby bicycle facilities, including several on road dedicated bike lanes including Albert Street fronting the subject site and the nearby capital city trail.

These facilities provide a viable means of alternative sustainable transport that will reduce future reliance on private motor vehicles.

The Provision of Bicycle Parking and End of Trip Facilities for Cyclists

The proposal includes a generous provision of 10 bicycle spaces with showers, changerooms and lockers also provided. These facilities will help to encourage staff to ride to/from the site and will reduce the dependence on the private motor vehicle.

Access to Car Share Facilities

As discussed in Section 2.4, there are a number of car share pods located within close proximity to the subject site, which can be utilised by staff

who do not drive to work, for day-to-day errands such as attending meetings.

Office Car Parking Demand

The parking surveys suggest a lack of long-term parking available on the streets surrounding the site, due to extensive parking restrictions that have been installed by Council.

Accordingly, it is unlikely that staff will choose to drive to the site unless they choose to pay to park in the limited paid parking that is available in Abbotsford. The parking controls will act to discourage staff from driving to the site and will encourage staff to instead use alternative transport means such as cycling and public transport.

Café Car Parking Demand

A small café premises is likely to draw most of its trade from walk-up customers associated with visitors to the activity centre, nearby residents and staff of the surrounding businesses. Therefore, the demand for parking is expected to be minimal.

Staff of the café would be expected to either cycle, walk or take public transport, given the lack of long-term on-street parking in the area.

Allowing Fewer Spaces to be provided

Clause 52.06-6 sets out the factors to be considered when determining the appropriateness of allowing fewer car parking spaces to be provided. Some of the relevant factors for this case are listed below:

- The Car Parking Demand Assessment.
- Any relevant local planning policy or incorporated plan
- The availability of car parking.
- Access to or provision of alternative transport modes to and from the land.
- Any car parking deficiency associated with the existing use of the land.
- The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.

Those factors relevant to this assessment are discussed in more detail below:

Relevant Local Policy

Clause 21.06 City of the Yarra Planning seeks to reduce car dependence by promoting walking, cycling and public transport. It includes a number of strategies, including:

- *Improve pedestrian and cycling links in association with new development where possible.*
- *Require new development that generates high numbers of trips to be easily accessible by public transport.*
- *Provide efficient shared parking facilities in activity centres.*
- *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.*
- *Ensure access arrangements maintain the safety and efficiency of the arterial and local road networks.*

The proposal is in-line with the strategic intent of Clause 21.06 and the broader aims of the City of Yarra's Strategic Transport Statement (2006) based on the following:

— The proposal is located close to numerous sustainable transport alternatives;
— There is a generous provision of on-site bicycle parking; and

The reduced provision of on-site parking will discourage private motor vehicle use

Availability of Car Parking

As outlined in Section 2.3, the availability and nature of the on-street parking in the vicinity of the site that could potentially be utilised by employees of the development is highly constrained given that the majority of on-street parking is either time restricted or subject to very high occupancy during weekday business hours. This results in a strong disincentive for future employees without an on-site car space to travel to work via a private motor vehicle and will encourage alternative modes of transport.

Conversely, the short-term parking restrictions will ensure any short-term visitors / customers to the area are able to find a parking space within close proximity to the subject site even during periods of peak activity. The parking surveys demonstrate that there was a minimum of 44 short-term parking spaces available for use by visitors / customers of the proposed development. Accordingly, it is considered that any short-term users of the development can be accommodated in suitable off-site parking locations within convenient proximity of the site without adversely impacting on current parking conditions in the precinct (noting that the car parking demand generated by short-term users will be minimal).

Any car parking deficiency associated with the existing use of the land

Using Column B rates, the existing warehouse with ancillary office has a parking requirement as per Table 4.2:

Table 4.2 Car Parking Assessment for Existing Use

Land Use	Size / Number	Parking Rate	Statutory Parking Rate
Warehouse	386.70 sqm	2 spaces to each premises + 1 space per 100 sq m	5 spaces
Office	283.98 sqm	3 spaces per 100 sq m of net floor area	8 spaces
TOTAL			13 Spaces*

**Rounded down in accordance with clause 52.06*

With a total of three spaces on site, the existing use has a deficiency of nine spaces associated with the existing use. Accordingly, the proposal seeks a reduction of 17 spaces from the existing use.

Practicality of Providing More Parking On-site

It is proposed that the existing building footprint will remain the same, given this, it is not practical to provide more than the 3 spaces currently proposed.

Other Relevant Considerations

The reduction of the redundant 17m crossover fronting Lithgow Street will provide additional on-street parking space outside the proposed development. This will further aid in providing parking for any short-term users of the site.

4.3 Adequacy of Parking Provision

On the basis of the above, it is considered that the proposed provision of parking is acceptable for the following reasons.

- The site is well located to take advantage of access to sustainable transport alternatives, such as nearby public transport services, on and off-road bicycle lanes, and the pedestrian footpath network.
- The proposal includes a generous provision of bicycle parking which will encourage staff towards an alternative method of transport to/from the site.
- Given the site's location and accessibility by alternative modes of transport the car parking demand generated by the office is expected to result in a car parking demand less than the Yarra Planning Scheme rate.
- On-street parking spaces in the vicinity of the site are sufficiently protected by parking restrictions and very high occupancy levels during weekday business hours to discourage staff of the proposed development from choosing private motor vehicles for travel to and from the site. Suitable short-term car parking is available within close proximity of the subject site for visitors of the office.
- The small café is not expected to generate a significant demand for car parking, with the majority of customers expected to be walk-up customers from the surrounding area. Notwithstanding this, the parking surveys demonstrate that there is spare capacity within the on-street parking within the vicinity of the site to accommodate an increase in short term parking. Staff can make use of alternative transport modes such as public transport, walking or cycling.
- The removal of the redundant crossover fronting Lithgow Street will provide additional on-street parking spaces outside the proposed development.
- The development helps to achieve the objectives sought by Local Policy by reducing the dependence on private motor vehicles.
- Car share vehicles are provided within the vicinity of the site which can be utilised by staff who do not drive to work, for day-to-day errands such as attending meetings.

On the basis of the reasons discussed above, it is considered that the proposed level of car parking is suitable for the nature and scale of the proposed development.

4.4 Statutory Bicycle Parking Requirements

The provisions set out under Clause 52.34-3 of the Yarra Planning Scheme require that bicycle parking be provided at the following rates:

- Office: *1 employee space to each 300sqm of net floor area if the net floor area exceeds 1,000sqm, and 1 visitor space to each 1,000sqm of net floor area if the net floor area exceeds 1,000sqm.*
- Retail Premises other that listed in Clause 52.34 of the Yarra Planning Scheme: *1 space to each 300sqm of leasable floor area for employees and 1 space to each 500sqm of leasable floor area for visitors.*

As the office does not exceed 1000 sqm there is no requirement to provide bicycle parking for the office use. Notwithstanding application of the above rates is provided within the following table as a guideline.

Table 4.3: Bicycle Parking Rates – Clause 52.34

Land Use		Size / Number	Parking Rate	Bicycle Parking Requirement
Office	Staff	678.55sqm	1 to each 300 sqm of net floor area if the net floor area exceeds 1000 sqm	2 spaces
	Visitor		1 to each 1000 sqm of net floor area if the net floor area exceeds 1000 sqm	0 space
Cafe	Staff	174.45 sqm	1 to each 300 sqm of leasable floor area	1 space
	Visitor		1 to each 500 sqm of leasable floor area	0 spaces
TOTAL				3 spaces

On the basis of the above, the development's proposal to provide 10 bicycle spaces is appropriate.

4.5 Bicycle Parking Design Assessment

The 10 bicycle parking spaces proposed are provided within a secure shelter in the form of horizontal hoops such as the 'Arc de Triomphe' rail.

The bicycle parking spaces have been designed in accordance with the requirements of AS 2890.3:2015. Accordingly, it is considered the design of the bicycle parking spaces is satisfactory.

Refer to Appendix B for the bicycle parking specifications.

5 Waste Assessments:

5.1 Waste Management

Waste is proposed to be stored within the Bin and Recyclables Areas provided within the Ground Level of the development.

It is understood that waste is proposed to be collected kerbside by Council.

This is considered to be an appropriate arrangement from a traffic engineering perspective.

6 Loading Assessment:

6.1 Loading and Unloading Arrangements

Clause 65.01 'Decision Guidelines' of the Yarra Planning Scheme outlines the provision of loading requirements, and states the following:

"Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

— *The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts."*

Given the nature of the use, it is not anticipated that service vehicles will regularly seek to access the site for loading. Some vans / small trucks may access the site for the loading / unloading for deliveries to café and office uses. This can appropriately be undertaken within the surrounding on-street parking.

7 Traffic Considerations:

7.1 Traffic Generation

The proposed office and café are expected to generate limited traffic given the small number of parking spaces maintained on-site.

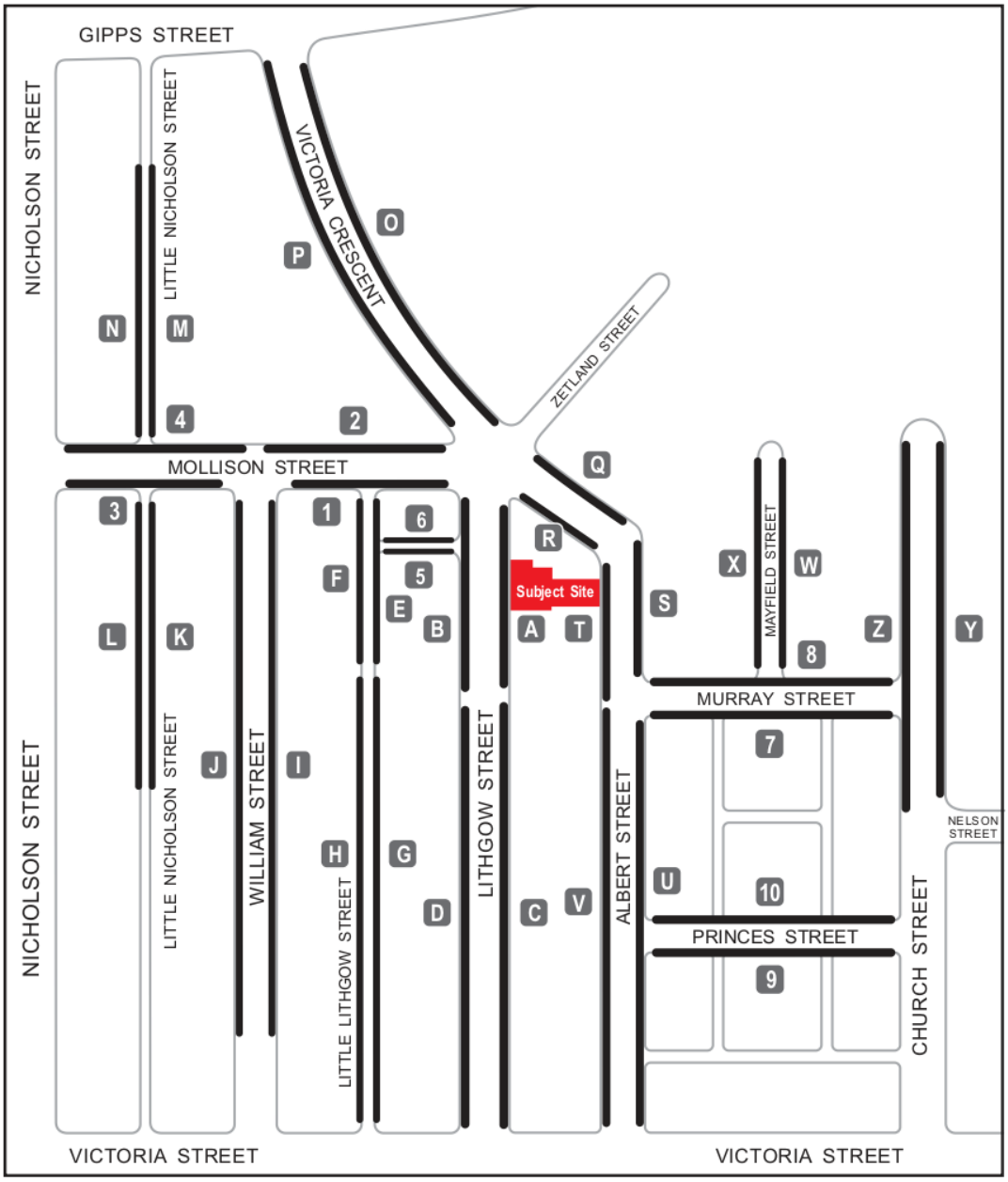
8 Conclusion:

It is proposed to repurpose the existing building warehouse/office development at 48-50 Lithgow Street, Abbotsford into a café and office. Based on the foregoing assessment, the following conclusions have been made:

- The site is well located to take advantage of access to sustainable transport alternatives, such as nearby public transport services, on and off-road bicycle lanes, and the pedestrian footpath network.
- The proposal includes a generous provision of bicycle parking which will encourage staff towards an alternative method of transport to/from the site.
- Given the site's location and accessibility by alternative modes of transport the car parking demand generated by the office is expected to result in a car parking demand less than the Yarra Planning Scheme rate.
- On-street parking spaces in the vicinity of the site are sufficiently protected by parking restrictions and high occupancy levels during weekday business hours to discourage staff of the proposed development from choosing private motor vehicles for travel to and from the site. Suitable short-term car parking is available within close proximity of the subject site for visitors of the office.
- The small café is not expected to generate a significant demand for car parking, with the majority of customers expected to be walk-up customers from the surrounding area. Notwithstanding this, the parking surveys demonstrate that there is spare capacity within the on-street parking within the vicinity of the site to accommodate an increase in short term parking. Staff can make use of alternative transport modes such as public transport, walking or cycling.
- The reduction of the redundant crossover fronting Lithgow Street will provide additional on-street parking spaces outside the proposed development.
- The development helps to achieve the objectives sought by Local Policy by reducing the dependence on private motor vehicles.
- Car share vehicles are provided within the vicinity of the site which can be utilised by staff who do not drive to work, for day-to-day errands such as attending meetings.

- The proposed car park and access arrangements are proposed not to change.

Overall, the proposed development is suitably designed and is not expected to create adverse traffic or parking impacts in the precinct.



Project : 15561T December 2018

FIGURE 3.4
PARKING SURVEY AREAS

Attachment 3 - PLN19/0011 - 48 - 50 Lithgow Street Abbotsford - Traffic Report

Parking 48-50 Lithgow Street, Abbottsford

TRANS TRAFFIC SURVEY
trafficsurvey.com.au

Parking Occupancy Survey

Date:	Thursday, 6 September 2018
Location:	48-50 Lithgow Street, Abbottsford
Weather:	Fine
Customer:	Ratio

Public Parking (1/0)	Map Ref	Street	Section	Side	Restriction	Clear Way	Capacity	Parking Occupancy											
								8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00
1	A	Lithgow St	From #38 To Mollison St	E	2P 7:30am-5:30pm, Permit Zone Other Times		7	4	5	6	7	7	7	7	6	6	5	5	4	3
1					2P 7:30am-5:30pm		5	3	4	5	5	5	5	5	5	5	4	4	4	4
1	B			W	1P 7:30am-5:30pm Mon-Fri, Permit Zone Other Times		8	4	5	6	6	7	8	8	8	8	7	6	4	4
1					4P 7am-7pm Mon-Fri		2	0	1	2	2	1	0	1	2	1	0	1	2	0
1	C	Lithgow St	From Victoria St To #38	E	2P 7:30am-5:30pm		10	6	7	8	8	9	9	9	10	8	7	5	3	3
1					4P 7:30am-5:30pm Mon-Fri		18	12	17	16	18	18	18	16	18	13	11	9	6	6
1					P 5mins 8:30am-9:30am,3pm-4pm School Days, 1P 9:30am-3pm,4pm-5:30pm Mon-Fri		11	8	10	6	7	8	9	8	11	6	5	8	11	11
1					4P 7:30am-5:30pm		3	0	2	3	3	3	3	3	3	3	3	3	3	3
1					Permit Zone		15	9	10	11	11	13	14	14	15	13	11	9	7	6
1					1P Ticket 7:30am-5:30pm Mon-Fri, 7:30am-12:30pm Sat		4	2	2	3	3	4	4	4	4	4	3	3	3	0
1	D			W	1/4P 7:30am-5:30pm Mon-Fri, 7:30am-12:30pm Sat		1	0	1	1	1	1	0	0	0	1	1	1	1	1
1					4P 7:30am-5:30pm Mon-Fri		9	8	9	8	9	9	9	9	9	8	7	8	9	9
1					P 5mins 8:30am-9:30am,3pm-4pm Mon-Fri		1	1	1	1	0	0	0	0	0	1	1	1	1	0
1					Loading Zone 7:30am-4:30pm Mon-Fri, 7:30am-12:30pm Sat		4	2	0	0	0	1	2	3	3	3	2	3	3	3
0	E	Little Lithgow St	From Mollison St To Row	E	No Stopping		0	0	0	0	0	0	0	0	0	0	0	0	0	0
0	F			W	No Stopping		0	0	0	0	0	0	0	0	0	0	0	0	0	0
0	G		From Row To Victoria St	E	No Stopping		0	0	0	0	0	0	0	0	0	0	0	0	0	0
0	H			W	No Stopping		0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	I	William St	From Mollison St To Blockage	E	1P 7:30am-5:30pm Mon-Fri, 7:30am-12:30pm Sat		4	2	3	4	4	4	4	4	4	4	4	3	2	1
1					2P 7:30am-5:30pm Mon-Fri, 7:30am-12:30pm Sat		57	33	47	52	57	57	57	56	55	52	48	44	40	41
1	J			W	Permit Zone		23	9	10	12	13	15	17	17	17	16	15	17	19	16
1					P Disabled		1	0	0	0	0	0	0	0	0	1	1	1	1	1
1					4P 7:30am-5:30pm Mon-Fri, 7:30am-12:30pm Sat		3	0	0	1	2	3	3	3	3	3	3	2	0	2
1					Works Zone 7am-6pm Mon-Fri, 9am-3pm Sat		3	1	0	0	0	0	0	2	3	3	2	2	2	1
1					1P 7:30am-5:30pm Mon-Fri, 7:30am-12:30pm Sat		2	0	2	2	1	1	0	1	2	2	2	2	1	0
0	K	Little Nicholson St	From Mollison St To Row	E	No Stopping		0	0	0	0	0	0	0	0	0	0	0	0	0	0
0	L			W	No Stopping		0	0	0	0	0	0	0	0	0	0	0	0	0	0
0	M	Little Nicholson St	From Mollison St To Row	E	No Stopping		0	0	0	0	0	0	0	0	0	0	0	0	0	0

Attachment 3 - PLN19/0011 - 48 - 50 Lithgow Street Abbotsford - Traffic Report

Parking 48-50 Lithgow Street, Abbottsford

0	N			W	No Stopping		0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	O	Victoria Cres	From Mollison St To Gipps St	E	1P 7:30am-5:30pm Mon-Fri, 7:30am-12:30pm Sat		12	9	10	9	10	11	12	11	12	10	9	6	3	0
1					4P 7am-6pm Mon-Fri		7	5	7	6	7	7	7	7	7	7	6	4	1	2
1					4P 9:15am-3pm Mon-Fri	No Stopping 8am-9:15am, 3pm-4pm Mon-Fri	2	0	0	1	2	2	1	2	0	1	0	1	1	0
1	P			W	Loading Zone 7:30am-7:30pm Mon-Fri, 7:30am-12:30pm Sat		2	0	2	1	0	1	2	2	2	2	2	2	1	2
1					4P 7am-6pm Mon-Fri		10	7	9	10	10	10	10	10	9	9	8	5	2	0
1					2P Disabled 8am-5pm Mon-Fri		1	1	1	1	0	1	1	1	0	0	0	1	1	0
1					1/4P 7:30am-5:30pm Mon-Fri		1	0	1	1	0	0	0	0	0	0	0	0	0	1
1					1P 7:30am-5:30pm Mon-Fri, 7:30am-12:30pm Sat		4	4	4	4	4	4	4	4	4	4	4	4	3	3
1	Q	Victoria Cres	From Albert St To Mollison St	E	4P 7am-6pm Mon-Fri		2	0	0	1	2	1	0	0	0	0	0	1	1	0
1					1/4P 7:30am-5:30pm Mon-Fri, 7:30am-12:30pm Sat		2	0	0	1	1	2	2	2	1	1	0	1	2	2
1					P Disabled 7am-6pm Mon-Fri		1	1	0	1	1	1	1	1	0	1	1	1	0	0
0	R			W	No Stopping		0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	S	Albert St	From Murray St To Victoria Cres	E	4P 7:30am-5:30pm Mon-Fri		4	2	3	2	1	2	2	1	0	1	1	1	0	0
1	T			W	4P 7:30am-5:30pm Mon-Fri		4	2	3	4	4	4	4	4	3	3	2	3	3	3
1					P Disabled		1	0	1	1	1	1	1	1	1	1	0	0	0	1
1	U		From Victoria St To Murray St	E	4P 7:30am-5:30pm Mon-Fri		10	6	7	9	10	10	10	10	9	8	7	8	9	8
1					1P 7:30am-5:30pm, Permit Zone 5:30pm-11:30pm		5	1	1	1	1	1	1	1	0	1	2	1	0	0
1					1/4P 7am-7pm		1	0	0	0	0	0	0	0	0	0	0	1	1	0
1	V			W	1P Ticket 7:30am-5:30pm Mon-Fri, 7:30am-12:30pm Sat		6	0	1	1	1	3	4	4	4	4	3	4	5	4
1					1P 7:30am-5:30pm Mon-Fri, Permit Zone Other Times		10	3	4	5	6	7	7	7	7	7	6	6	5	4
1					4P 7:30am-5:30pm Mon-Fri		29	20	23	26	29	29	29	28	27	23	19	16	13	14
1	W			E	Unrestricted		5	3	4	5	5	5	5	5	4	4	3	3	3	3
1	X	Mayfield St	From Murray St To End	W	Unrestricted		8	5	6	7	8	8	8	8	7	7	6	6	6	6
1	Y	Church St	From Nelson St To End	E	Unrestricted		15	9	11	13	15	15	15	14	13	12	10	12	14	12
1	Z			W	4P 7:30am-5:30pm Mon-Fri		8	6	7	8	8	8	8	8	8	7	6	6	6	6
1					1P 7:30am-5:30pm Mon-Fri		9	6	7	8	9	9	9	8	7	6	5	5	5	5
1	1	Mollison St	From Victoria Cres To William St	S	Unrestricted		2	0	0	1	2	2	1	1	0	1	2	1	0	0
1					Loading Zone 7:30am-5:30pm Mon-Fri, 7:30am-12:30pm Sat		2	0	0	1	2	2	2	1	0	0	0	0	0	0
1	2			N	Unrestricted		14	9	10	12	14	14	14	14	13	12	10	9	7	7
1	3		From William St To Nicholson St	S	2P 7am-7pm Mon-Sat		11	7	9	10	11	11	11	10	9	9	8	6	3	3
1	4			N	1P 7:30am-5:30pm Mon-Fri, 7:30am-12:30pm Sat		4	0	2	2	2	1	0	1	1	1	0	2	4	4
1					Unrestricted		5	3	4	5	5	5	5	5	5	5	4	4	3	3
0	5	Laneway	From Little Lithgow St To Lithgow St	S	No Stopping		0	0	0	0	0	0	0	0	0	0	0	0	0	0
0	6			N	No Stopping		0	0	0	0	0	0	0	0	0	0	0	0	0	0
0	7	Murray St	From Church St To Albert St	S	No Stopping		0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	8			N	2P 7:30am-5:30pm Mon-Fri, 7:30am-12:30pm Sat		7	4	5	6	7	7	7	7	6	6	5	4	3	3

Attachment 3 - PLN19/0011 - 48 - 50 Lithgow Street Abbotsford - Traffic Report

Parking 48-50 Lithgow Street, Abbottsford

1					1/4P 7am-4pm Mon-Sat		1	0	0	1	1	1	1	1	0	0	0	1	1	0
1	9	Princes St	From Albert St To Church St	S	2P 7am-11pm		6	4	5	6	6	6	6	6	5	5	5	6	6	5
1					1P 7:30am-5:30pm Mon-Fri, Permit Zone Other Times		4	3	0	1	1	1	0	1	2	3	3	2	0	0
1	10			N	2P 7am-11pm		6	2	3	4	4	5	5	5	4	4	3	4	4	4
1					2P 7:30am-5:30pm Mon-Fri, Permit Zone Other Times		7	2	2	3	3	4	4	4	4	4	3	5	6	5
	PUBLIC CAPACITY							**419**	**419**	**419**	**419**	**419**	**419**	**419**	**419**	**419**	**419**	**419**	**419**	**419**
	PUBLIC OCCUPANCIES							**228**	**288**	**325**	**350**	**367**	**368**	**365**	**352**	**330**	**285**	**279**	**248**	**225**
	PUBLIC VACANCIES							**191**	**131**	**94**	**69**	**52**	**51**	**54**	**67**	**89**	**134**	**140**	**171**	**194**
	PUBLIC % OCCUPANCIES							**54%**	**69%**	**78%**	**84%**	**88%**	**88%**	**87%**	**84%**	**79%**	**68%**	**67%**	**59%**	**54%**

not available for public parking

Appendix B Bicycle Parking

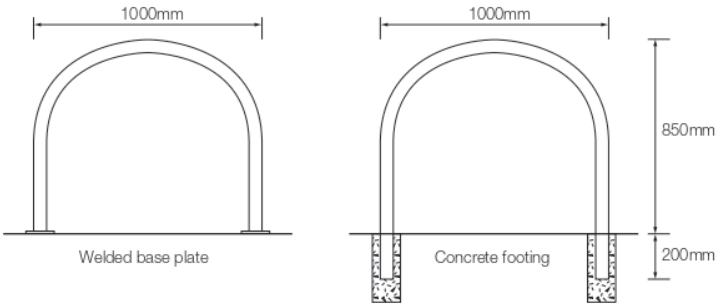
Arc de Triomphe™

Galvanised finish / Stainless Steel finish

Features

- Each rail supports two adult bikes in an upright position
- Can be either bolted to a concrete slab or concreted in situ
- Available in stainless steel or galvanised steel
- Provides the ability to lock both wheels and frame
- Suitable for foyers and entry areas

Dimensions



Specifications

Material options

- Galvanised (Duragal)
- 316 Marine grade stainless steel

Fixing options

- Welded flange - Bolt on
- In situ

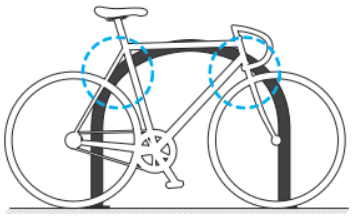
Recommended fasteners

- Galvanised Dynabolts (M10 x 65mm)
- Stainless Dynabolts (M10 x 65mm)
- Shear Nut security fasteners

Dimensions

1000mm [w] x 850mm [h]

Locking Points



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BICYCLE NETWORK BIKE PARKING

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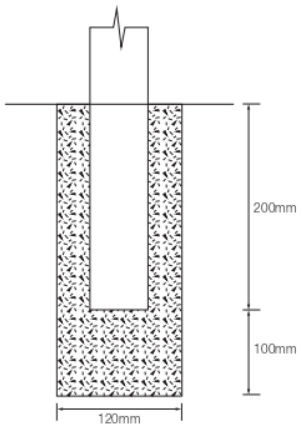
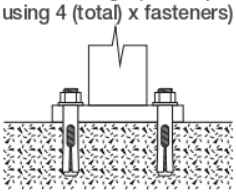
p. 1300 727 563 e. parking@bicyclenetwork.com.au bikeparking.com.au
VIC Level 4, 246 Bourke Street, Melbourne VIC 3000 NSW 234 Crown Street, Darlinghurst NSW 2010
TAS 210 Collins Street, Hobart TAS 7000 NT Suite 5, 18-20 Cavenagh Street, Darwin 0800

Fixing options

In situ (Concrete footing)

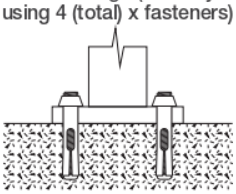


Welded flange (Bolt on)
using 4 (total) x fasteners)



Shown with M10 x 65mm fastener

Welded flange (Security heads)
using 4 (total) x fasteners

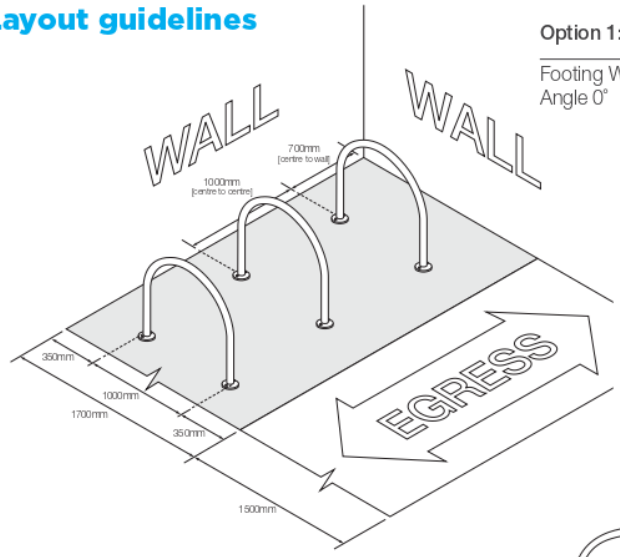


Shown with M10 x 65mm Shear Nuts

Layout guidelines

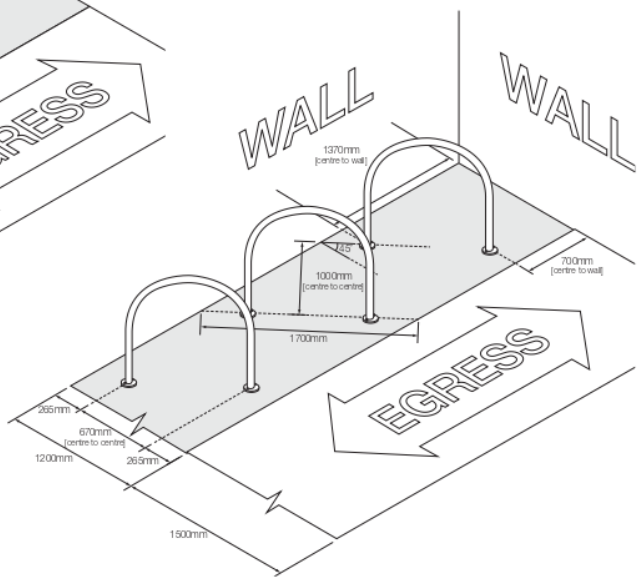
Option 1:

Footing Width 1700mm
Angle 0°



Option 2:

Footing Width 1200mm
Angle 45°



Typical Bicycle Length

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BICYCLE NETWORK BIKE PARKING

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TAS 210 Collins Street, Hobart TAS 7000 NT Suite 5, 18-20 Cavenagh Street, Darwin 0800

Attachment 4 - PLN19/0011 - 48 - 50 Lithgow Street Abbotsford - STORM Rating Report

Melbourne Water

STORM Rating Report

TransactionID: 728925
Municipality: YARRA
Rainfall Station: YARRA
Address: 48-50 Lithgow Street
Abbotsford
VIC 3067
Assessor: Claire Whelan
Development Type: Commercial/Retail
Allotment Site (m2): 779.00
STORM Rating %: 88

Description	Impervious Area (m2)	Treatment Type	Treatment Area/Volume (m2 or L)	Occupants / Number Of Bedrooms	Treatment %	Tank Water Supply Reliability (%)
Building roof	556.00	Rainwater Tank	5,000.00	100	123.00	58.00
Outdoor hard surface	223.00	None	0.00	0	0.00	0.00

Date Generated: 14-Feb-2019 Program Version: 1.0.0

Attachment 5 - PLN19/0011 - 48 - 50 Lithgow Street Abbotsford - Acoustic Report

WatsonMossGrowcott Acoustics

CONSULTANTS: ACOUSTICS, NOISE & VIBRATION CONTROL

A.C.N. 005 446 579
ABN 44 445 257 249

WATSON MOSS GROWCOTT acoustics pty ltd
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PO BOX 201, KEW EAST, 3102

PROPOSED COMMERCIAL VENUE

48-50 LITHGOW STREET ABBOTSFORD

Town Planning Application
Acoustic Report

Acoustic Report Prepared for:

Crystal Palace Catering
3602/8 Franklin Street
Melbourne
Victoria 3000

Ref. 12330-2.1jg
14th February 2019

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AUSTRALIAN ACOUSTICAL CONSULTANTS

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WatsonMossGrowcott Acoustics

CONSULTANTS: ACOUSTICS, NOISE & VIBRATION CONTROL

A.C.N. 005 446 579
ABN 44 445 257 249

1. INTRODUCTION

The subject site is located at 48-50 Lithgow Street, Abbotsford.

The site is currently occupied by an existing warehouse and multi-level building which will remain as part of the proposal.

The proposal includes the re-configuration of internal areas associated with the existing site to allow for the following:

- Operation of a commercial café venue within the existing warehouse building located on the western portion of the subject site land.
- Provision of commercial office spaces extending over two levels within the existing multi-level buildings located at the site.

As part of town planning application **PLN19/0011**, the City of Yarra has requested further information relating to potential noise emissions associated with the proposed operations at the subject site.

The relevant request is identified as item 5 and is described below.

5. *An acoustic report produced by a suitably qualified acoustic engineer that provides an assessment of the levels of noise pollution associated with the proposed food and drinks premises (café) use. Special attention must be paid to residential uses within the immediate vicinity.*

In response to the request, Watson Moss Growcott Acoustics (WMG) has been engaged to consider noise emissions associated with the proposed operations and assess the noise emissions in accordance with relevant EPA noise legislation.

Based on previous experience with similar types of applications, the relevant legislation/guideline documentation applicable for the proposed operations at the subject site are shown below in Table 1.

Table 1: Assessment Methodology

Noise Source	Assessment Methodology
Mechanical Services Noise	State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1
Patron Noise	State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1
Music Noise	State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2

This report presents an assessment of the potential noise emissions associated with the proposed operations and provides noise control recommendations to achieve compliance with relevant legislation/guideline documentation where applicable.

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2. NOISE ASSESSMENT TERMINOLOGY

Common terminology used within this noise assessment report is described in Table 2 below.

Table 2: Description of Noise Assessment Terminology

Reference	Description
dB(A)	Decibels recorded on a sound level meter, which has had its frequency response modified electronically to an international standard, to quantify the average human loudness response to sounds of different character.
L_{eq}	The equivalent continuous level that would have the same total acoustic energy over the measurement period as the actual varying noise level under consideration. It is the noise measure defined by the EPA as the measure of the noise to use in assessing compliance with noise limits.
L_{90}	The level exceeded for 90% of the measurement period, which is representative of the typical lower levels in a varying noise environment. It is the noise measure defined by the EPA as the measure of the background noise level to use in determining noise limits.
L_{10}	Commonly described as the average of the higher levels of a range of noise levels. It is the value of a range of values exceeded for 10% of the observation period, *i.e.* the level exceeded for 6 minutes for every 60 minutes of observation.

3. MEASUREMENT EQUIPMENT

As part of the assessment works, WMG used the equipment described in Table 3 below:

Table 3: Measurement Equipment List

Equipment Designation	Use of Equipment
Rion NA27 Precision Sound Level Meter	Handheld Noise Measurements
Ngara Real Time Sound Acquisition System	Fixed Position Noise Logging Measurements

The field calibration of the measurement equipment was checked with a Bruel & Kjaer Type 4230 Sound Level Calibrator at the commencement and completion of the noise measurements and found to be within the correct calibration range.

4. PROPOSED SITE LAYOUT AND OPERATIONS

The site is currently occupied by an existing warehouse and multi-level building which will remain as part of the proposal.

The existing multi-level building located on the eastern portion of the site will generally remain unchanged externally. Internally, partitions will be re-configured to allow for an increased number of private spaces at ground level, and a more open plan arrangement at first floor level.

The main works will be associated with the warehouse building located on the western portion of the site whereby the space will be converted into a hospitality space operated as a café combined with commercial office tenancy spaces.

The main focus of the assessment is the potential for noise emissions associated with the proposed café space to impact on off-site noise sensitive residential receptors located nearby to the site.

The proposed café will include internal seating areas constructed over two levels including a ground and mezzanine level. The described spaces will be connected via a common void section located adjacent to the western façade of the warehouse base building.

The internal seating areas will include an openable glazed façade section at ground level which will open onto Lithgow Street to the west. Fixed glazed sections will be also be included within the western and northern facades of the space.

It has been indicated that the number of patrons which will occupy the tenancy will be 100.

The operating hours of the building will be as shown below in Table 4.

Table 4: Proposed Operating Hours

Relevant Operations	Adopted Operating Times
Proposed Café Space	7:00am to 5:00pm Monday to Sunday
Commercial Office Building	8:00am to 6:00pm Monday to Friday

The proposed ground and first level floor plans are shown below in Figure 1 and Figure 2.

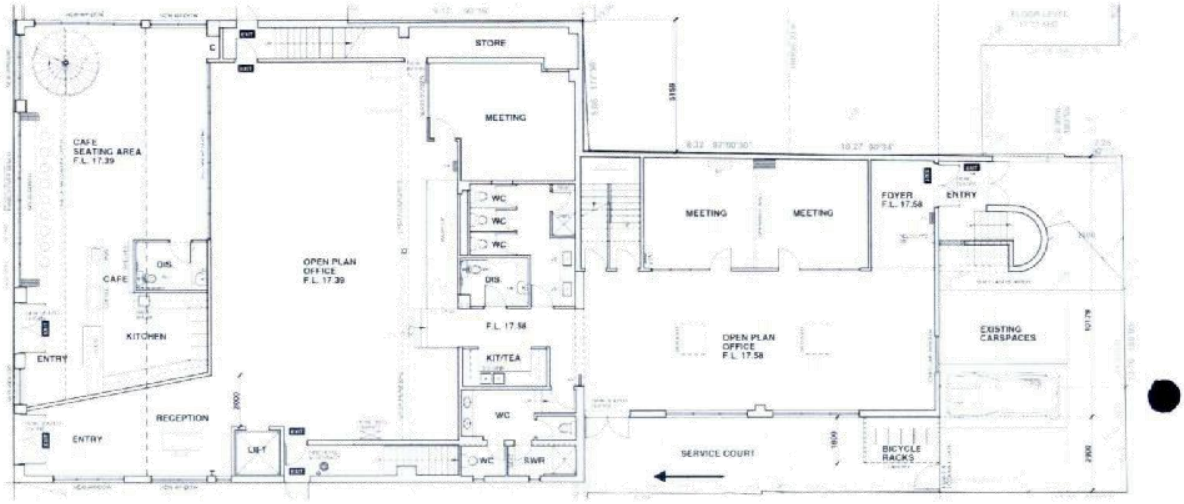

Figure 1: Proposed Ground Floor Plan

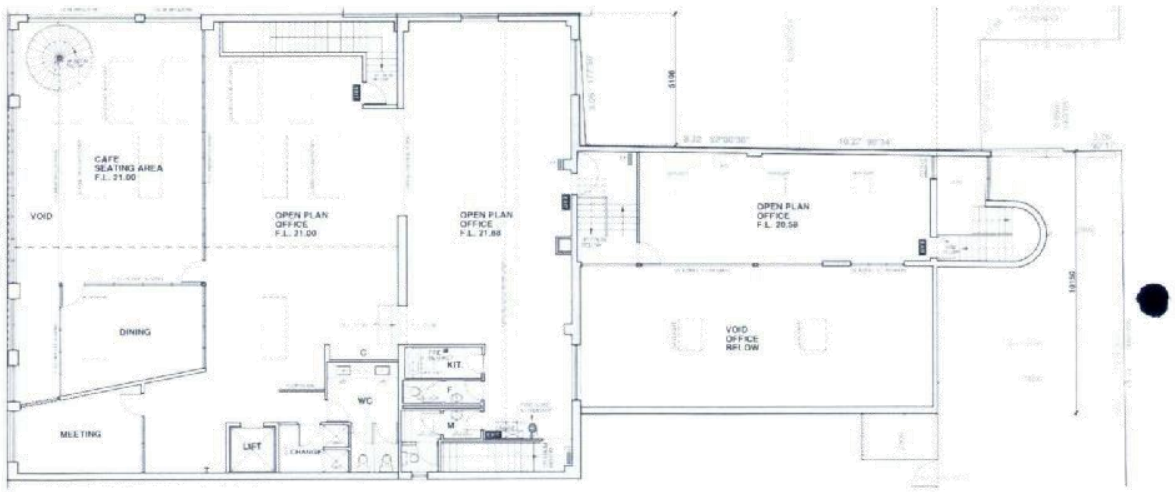

Figure 2: Proposed First Floor Plan

5. SITE AND NEARBY ENVIRONMENT

The subject site is located at the land described as 48-50 Lithgow Street, Abbotsford.

The site abuts Lithgow Street to the west, Albert Street to the east, and existing residential dwellings to the north and south.

The site is occupied by an existing warehouse and multi-level building which will remain as part of the proposal.

Noise emissions associated with the proposed operations will require consideration at residential receptors surrounding the subject site.

Based on the distance separation between the subject site and the nearby residential receptors, the most relevant receptors will be as follows:

- 6 Victoria Crescent located to the north of the site.
- 42 Lithgow Street located to the south of the site.
- 41 Albert Street located to the south of the site.
- 53-65 Lithgow Street located to the west of the site.

An aerial photograph identifying the subject site and surrounds is shown below in Figure 3.

Figure 3: Aerial Photo of Subject Site and Surrounds

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6. ATTENDED AND UNATTENDED NOISE MONITORING AT SUBJECT SITE

As part of the assessment works for the proposal, WMG has carried out attended and unattended noise monitoring at and around the subject site.

Attended and unattended noise monitoring were carried out during the following dates and times:

- Attended site surveys during the period 7:45am to 8:30am on Sunday 21st October 2018.
- Unattended noise monitoring during the period Monday 22nd to Monday 29th October 2018.

The purpose of the noise monitoring was to determine the existing acoustic environment at the site to form a basis in determining the following:

- Noise limits in accordance with State and Environment Protection Policy N-1.
- Noise limits in accordance with State Environment Protection Policy N-2.

An aerial photograph identifying the attended noise measurement locations is shown below in Figure 4.

Figure 4: Aerial Photograph identifying Noise Measurement Locations

Based on observations during the early morning site survey, and analysis of audio files recorded by the unattended noise logger, the acoustic environment at the subject site and surrounding areas is primarily due to noise associated with vehicle movements along nearby and distant roads.

During the early morning period, traffic flows along local roads were very limited, therefore the ambient acoustic environment was primarily due to vehicle movements along Victoria Street located in the order of 250 metres to the south of the subject site.

7. ASSESSMENT METHODOLOGY AND DESIGN OBJECTIVES FOR CONSIDERATION OF EXTERNAL NOISE EMISSIONS

Noise emissions associated with the proposal have been considered in accordance with relevant legislation/guideline documentation shown below in Table 5.

Table 5: Assessment Methodology

Noise Source	Assessment Methodology
Mechanical Services Noise	State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1
Patron Noise	State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1
Music Noise	State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2

7.1 MECHANICAL SERVICES NOISE – STATE ENVIRONMENT PROTECTION POLICY N-1

Commercial premises noise, including noise associated with the mechanical services equipment forming part of the facility operations must comply with limits determined according to State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1 (SEPP N-1) when assessed at residential premises.

Using SEPP N-1 methodology, the noise limits are calculated values determined using the areas of differing land zoning surrounding the relevant residences as described in Schedule 2 of SEPP N-1. Noise limits will vary depending on the time of the day, evening or night, with the highest permitted values during week daytimes.

These periods are defined within several documents provided by the EPA including SEPP N-1, and EPA Noise Control Guidelines Publication 1254. The EPA day, evening and night periods are defined below in Table 6.

Table 6: Details of EPA Assessment Periods

EPA Assessment Period	Relevant Days	Relevant Time Periods
Day	Monday to Friday	7:00am to 6:00pm
	Saturday	7:00am to 1:00pm
Evening	All Days	6:00pm to 10:00pm
	Saturday	1:00pm to 6:00pm
	Sunday, Public Holidays	7:00am to 6:00pm
Night	All Days	10:00pm to 7:00am

Based on the proposed operating hours of the facility, noise emissions during the day and evening periods will require consideration.

The calculated zoning levels will apply when the ambient background noise level falls within the range considered 'neutral'. The 'neutral' range represents a background noise level which is considered typical for the surrounding land zoning.

Adjusted values will apply where the measured values of the existing ambient background noise are above or below the noise level range deemed neutral.

7.2 Commercial Patron Noise – State Environment Protection Policy N-1

There is currently no regulated noise assessment procedure for considering the noise that occurs from patrons gathered in indoor/outdoor areas at licenced venues.

In the opinion of the writer, patron noise from indoor/outdoor areas can be assessed like other noise sources ie. the acceptability or otherwise of patron noise will rely on a comparison of the patron noise levels with the ambient noise occurring at residential locations at noise sensitive times.

The writer's firm has considered possible criteria and believes, by observation, that the noise emitted from groups of patrons in indoor/outdoor areas of licensed venues will be relatively constant in level and be observed as "babble" by offsite listeners rather than individual voices.

Further, if the individual voices can be identified within a patron group then the number of patrons will be very small (likely to be less than ten). The overall patron noise levels for such small groups will be measurably lower than for larger patron groups expected at the proposed venue.

Hence, the effective noise of a small patron group, ie. lower absolute noise level plus individual voice character, is expected to have similar noise impact than a larger group with the more constant babble noise character.

WMG adopts State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1(SEPP N-1) as the most reasonable assessment criteria.

This statement is made in the knowledge that SEPP N-1 explanatory notes indicate that the EPA did not intend at the time of development, to use the policy for assessing individual voices or the noise from (sporting) crowds.

The SEPP N-1 methodology provides the following suitable attributes for assessing patron noise:

- It has been a good predictor for many years of the subjective response from residential communities exposed to noise sources of many differing characters, and in the opinion of the writer, noise sources with the character of groups of socialising club or hotel patrons.
- It provides the ability to determine different noise limits for day, evening and night periods.
- Night-time noise limits have as a prime consideration the protection of residential locations especially those used for sleeping.

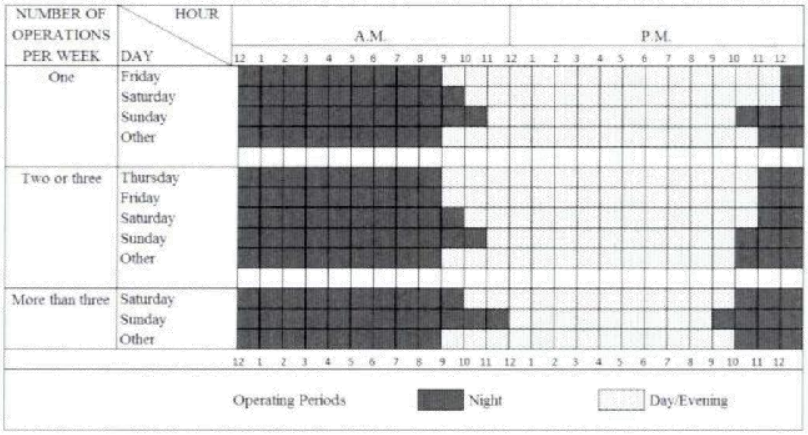
7.3 Commercial Music Noise – State Environment Protection Policy N-2

Music noise emissions from the venue must comply with limits determined in accordance with State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2 (SEPP N-2).

SEPP N-2 requires compliance with two noise criteria conditions. These include a daytime/early evening criterion and a late evening/night time criterion.

Table 7 below defines for time for the daytime/early evening, and night time periods.

Table 7: SEPP N-2 Assessment Periods



A summary of the requirements during each of the relevant periods is shown below in Table 8 and 9.

Table 8: Daytime/Early Evening Assessment Methodology

Daytime/Early Evening
The higher peaks of music noise do not exceed the lower lulls of the ambient noise by more than 5 dB(A), *i.e.*: Music dB(A) L_{eq} ≤ Background dB(A) L_{90} + 5 dB(A)

Table 9: Late Evening/Night Time Assessment Methodology

Late evening/Night Time
The higher peaks of music (measured in octave bands) measured inside or outside a room used for sleeping must not exceed the lulls of the ambient noise (also measured in octave bands) by more than 8 decibels, *i.e.*: Music dB L_{10} (octave 63 - 4 kHz) ≤ Background dB L_{90} (octave 63 - 4 kHz) + 8 dB

Based on the proposed operating hours of the facility as shown in Table 4, consideration to noise emissions during the daytime/early evening period and the late evening/night time period will be required.

7.4 Measured Ambient Background Noise Levels and Calculated SEPP N-1 and SEPP N-2 Noise Limits for the Proposed Operations

Ambient background noise levels refer to the acoustic environment of an area in the absence of noise intrusion associated with any commercial/industrial operations nearby.

Ambient background noise levels are typically controlled by noise associated with vehicle movements on nearby and distant roads.

Noise measurements of the ambient background noise level are described as the dB(A) L_{90}. The dB(A) L_{90} refers to the level exceeded for 90% of the measurement period.

This value is considered representative of the typical lower levels in a varying noise environment and is the noise measure defined by the EPA as the measure of the background noise level to use in determining the relevant SEPP N-1 and SEPP N-2 noise limits.

In order to determine the existing ambient background noise environment at the subject site, WMG carried out attended noise monitoring as described in Section 6 of this report.

7.4.1 Relevant Assessment Periods for Proposed Operating Hours

Based on the proposed operating hours associated with the tenancy, a summary of the relevant assessment periods for SEPP N-1 and SEPP N-2 methodology is shown below in Table 10.

Table 10: Relevant Assessment Periods for SEPP N-1 and SEPP N-2 Compliance

Day	Operating Hours	Relevant SEPP N-1 Assessment Period	Relevant SEPP N-2 Assessment Period
Monday to Friday	7:00am to 9:00am	Day	Late Evening/Night
	9:00am to 5:00pm	Day	Day/Early Evening
Saturday	7:00am to 10:00am	Day	Late Evening/Night
	10:00am to 1:00pm	Day	Day/Early Evening
	1:00pm to 5:00pm	Evening	Day/Early Evening
Sunday	7:00am to 12:00pm	Evening	Late Evening/Night
	12:00pm to 5:00pm	Evening	Day/Early Evening

Based on previous experience with ambient background noise levels in Melbourne suburban areas, the limiting criterion will be provided by the early morning periods on Saturday and Sunday.

The described periods are typically when the lowest ambient noise levels will occur and will therefore be subject to the lowest noise limits.

Compliance with SEPP N-1 and SEPP N-2 noise limits at these times will result in compliance at all other times.

7.4.2 State Environment Protection Policy N-1 Noise Limits

A summary of the adopted ambient background noise levels, and corresponding SEPP N-1 noise limits for the off-site noise sensitive receptors is shown below in Table 11.

Table 11: Calculated SEPP N-1 External Noise Limits

EPA-defined Assessment Period	Day	Relevant Time Period	Adopted Ambient Background Noise Levels		Calculated SEPP N-1 Noise Limits
			Measured Value	Measured Value Relative to Neutral Range	
Day	Monday to Friday	7:00am to 5:00pm	45 dB(A) L_{90}	Neutral	57 dB(A) Leq
	Saturday	7:00am to 1:00pm	43 dB(A) L_{90}	Low	55 dB(A) Leq
Evening	Saturday	1:00pm to 5:00pm	44 dB(A) L_{90}	Neutral	51 dB(A) Leq
	Sunday	7:00am to 5:00pm	41 dB(A) L_{90}	Low	49 dB(A) Leq

7.4.3 State Environment Protection Policy N-2 Noise Limits

A summary of the measured ambient background noise levels and corresponding external SEPP N-2 noise limits during the day/early evening, and late evening/night periods are shown below in Table 12 and Table 13.

Table 12: Calculated SEPP N-2 External Music Noise Limits (Day/Early Evening)

Day/Early Evening	Relevant SEPP N-2 Noise Limit
Measured ambient background noise level – 41 dB(A) L_{90}	46 dB(A) Leq

Table 13: SEPP N-2 External Music Noise Limits Late Evening/Night (Early Morning) Assessment Period

Late Evening/Night Time	Noise Levels dB Octave Band Centre Frequency, Hz						
	63	125	250	500	1k	2k	4k
Background noise during early morning weekend (Sunday)	44	41	36	33	32	28	21
EPA adjustment to determine SEPP N-2 limits	+8	+8	+8	+8	+8	+8	+8
EPA SEPP N-2 Noise Limits for early morning weekend (Sunday)	52	49	44	41	40	36	29

8. NOISE EMISSIONS ASSESSMENT

8.1 Noise Associated with Mechanical Services Equipment

8.1.1 Proposed New Mechanical Services Equipment

Given the early stages of the proposal, the mechanical services equipment design has not been completed. Based on the proposed operations, the types of equipment which will form part of the proposal will likely include the following:

- Outdoor air conditioning condenser units.
- Outdoor refrigeration plant.
- Kitchen exhaust fan.
- Toilet exhaust fans.

As is typical for these types of scenarios, WMG recommend that during detailed design for the project, equipment selections and locations are reviewed by an acoustic consultant to ensure that compliance with SEPP N-1 noise limits are achieved at all relevant residential receptors surrounding the subject site.

8.1.2 Existing Mechanical Services Equipment

It is noted that there are two small outdoor air conditioning condenser units located above the roof of the existing office building, as well as a third wall mounted outdoor air conditioning condenser unit located centrally adjacent to the southern boundary of the subject site.

Figure 5 below presents an aerial photograph of the subject site and includes the locations of the relevant existing equipment.

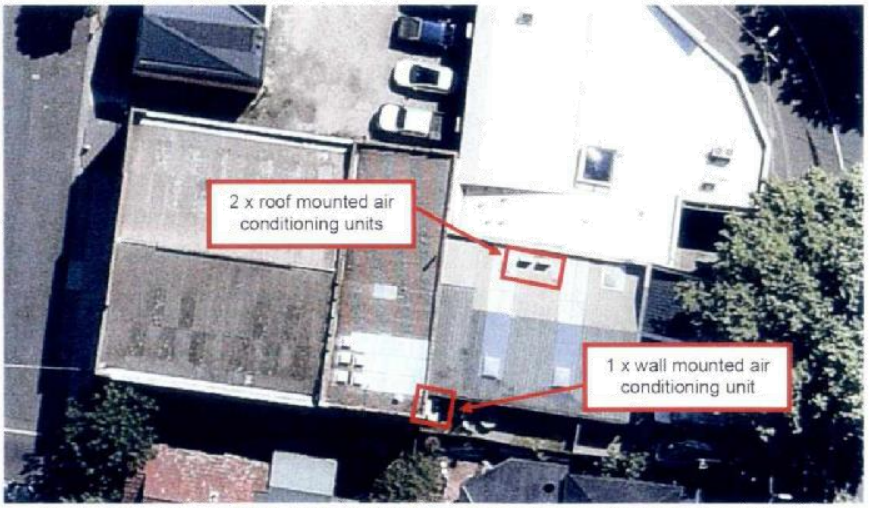


Figure 5: Aerial Photograph Identifying Existing Mechanical Services Equipment

During each of the site inspections WMG could not observe or measure noise emissions associated with the identified units.

Based on the size of the units, and the location of the units relative to the nearby noise sensitive receptors, WMG has concluded that compliance with SEPP N-1 noise limits will be achieved during the relevant EPA periods.

8.2 Noise Emissions Associated with Patrons Located at the Venue

8.2.1 Patron Source Noise Levels

The proposal allows for the venue to include a maximum of 100 patrons at any stage during the proposed operating hours.

Based on observations and measurements of noise from patrons in smoking and alcohol consumption areas at different venues by members of this firm and others, the following source levels have been adopted for calculation purposes.

The source levels are based on a formula derived by the writer's firm from site measurements by this firm.

Patron Noise dB(A) Leq = 20 log (patron Numbers) + 43 dB(A)
(measured in the area 2-3 metres above an area enclosing a group of hotel patrons).

The further refinement of this formula is that once patron numbers exceed nominally 100, then the noise per unit area will be relatively constant.

In consideration of the above, the adopted noise level associated with the patrons located within the internal and external areas associated with the venue will be as shown below in Table 14.

Table 14: Adopted Patron Noise Levels

Relevant Area	Approximate Number of Patrons	Adopted Source Noise Level
Within Internal Seating Area	100	83-85 dB(A) Leq

8.2.2 Noise Emission Assessment

Patron noise from the internal areas associated with the venue will be reduced by the base building external envelope construction combined with the distance separation between the base building external facades and the off-site noise sensitive receptors.

The external facades of the existing warehouse building include brickwork walls and metal deck roofing. The proposal includes the introduction of glazed sections to the western external facades overlooking Lithgow Street, as well as fixed glazed sections along the western and northern façades of the space.

The external façade brickwork will provide significant noise control for patron noise located in the internal areas within the warehouse space. The metal deck roofing of the warehouse space will be significantly higher than the height of the nearby noise sensitive receptors.

As a result, noise transfer via the roofing will receive significant off axis attenuation in the direction of the nearby noise sensitive receptors.

In consideration of the above, the dominant noise transmission path from within the warehouse space to the nearby noise sensitive receptors will be the proposed external façade glazed sections.

Based on the location of the openable external façade sections of the building, the critical residential receptors will be as follows:

- 6 Victoria Crescent.
- 53-65 Lithgow Street.

All other nearby receptors will be exposed to equivalent or lesser patron noise impacts than the critical dwellings.

In consideration of the above, a summary of the calculations to predict noise levels impacts on the described noise sensitive receptors is shown below in Table 15 and Table 16.

Table 15: External Assessment 6 Victoria Crescent

External Assessment to 6 Victoria Crescent	
Adopted Patron Noise Level within main internal seating area (including sound absorption to internal surfaces)	83 dB(A)
Noise reduction provided base building construction including fixed glazing.	30 dB(A)
Distance Attenuation and Off Axis Attenuation to Nearest Noise Sensitive Receptors	8 dB(A)
Predicted residual noise level outside noise sensitive receptors	45 dB(A)
SEPP N-1 External Noise Limit (critical Sunday period)	49 dB(A)
SEPP N-1 Compliance	YES

Table 16: External Assessment 53-65 Lithgow Street

External Assessment to 53-65 Lithgow Street	
Adopted Patron Noise Level within main internal seating area (including sound absorption to internal surfaces)	83 dB(A)
Noise reduction provided by partially open external facades (sufficient for ventilation)	15 dB(A)
Distance Attenuation and Off Axis Attenuation to Nearest Noise Sensitive Receptors	19 dB(A)
Predicted residual noise level outside noise sensitive receptors	49 dB(A)
SEPP N-1 External Noise Limit (critical Sunday period)	49 dB(A)
SEPP N-1 Compliance	YES

The predicted values comply with the relevant SEPP N-1 noise limits at the most noise sensitive residential receptors and will therefore comply at all other noise sensitive receptors.

8.3 Noise Emissions Associated with Music Being Played at the Venue

Music noise associated with the operation of the venue will be played through an in-house system within the internal seating area.

Music from the internal seating area will be reduced by the base building external envelope construction combined with the distance separation between the base building external facades and the off-site noise sensitive receptors.

As is discussed in Section 8.2.2 above, the dominant noise transmission path from within the internal seating area to the nearby noise sensitive receptors will be the proposed external façade glazed sections and access doors.

Due to the location of the glazed sections relative to off-site receptors, the critical receptors will be the dwellings located opposite the western facades of the base building at 53-65 Lithgow Street, and the multi-level residential dwelling located at 6 Victoria Crescent. All other nearby receptors will be exposed to equivalent or lesser patron and music noise impacts than the critical dwellings.

A summary of the maximum allowable internal music noise levels within the main internal seating warehouse area is shown below in Table 17 and Table 18.

Table 17: Allowable Internal Music Noise Levels – 53-65 Lithgow St (Bi-fold Windows Partially Open)

Noise Sensitive Receptors: 53-65 Lithgow St	Noise Levels dB Octave Band Centre Frequency, Hz							
	63	125	250	500	1k	2k	4k	dB(A)
Adopted background noise level with main warehouse internal seating area dBL_{10}	79	77	74	75	73	68	60	77
Noise Reduction from within the venue to 1 metre external to the building by the proposed partially open glazed sections	8	10	12	15	15	15	15	N/A
Noise Reduction due to off axis propagation between external building elements and the nearby noise sensitive receptors	19	18	18	19	18	17	16	N/A
Predicted residual music noise level outside nearest relevant residential façade	52	49	44	41	40	36	29	N/A
EPA SEPP N-2 Noise Limits	52	49	44	41	40	36	29	N/A

Table 18: Allowable Internal Music Noise Levels – 6 Victoria Crescent

Noise Sensitive Receptor: 6 Victoria Crescent	Noise Levels dB Octave Band Centre Frequency, Hz							
	63	125	250	500	1k	2k	4k	dB(A)
Adopted background noise level with main warehouse internal seating area dBL_{10}	79	77	74	75	73	68	60	77
Noise reduction provided by proposed fixed glazing and acoustically sealed solid core door sections	20	23	25	30	34	35	37	N/A
Noise Reduction due to off axis propagation between external building elements and the nearby noise sensitive receptors	10	9	9	9	8	8	8	N/A
Predicted residual music noise level outside nearest relevant residential façade	49	45	40	36	31	25	15	N/A
EPA SEPP N-2 Noise Limits	52	49	44	41	40	36	29	N/A

In consideration of the values described in Table 17 and Table 18, music noise emissions associated with the proposed operations will comply with the SEPP N-2 music noise limits.

The described values are consistent with background music which will still enable occupiers of the space to communicate with relative ease.

9. NOISE CONTROL RECOMMENDATIONS

Noise control recommendations for the project only consider noise impacts on nearby noise sensitive residential receptors.

The treatments described within this report are tentative in nature. Should other initiatives or provisions be incorporated within the development which ensure that the relevant noise limits are met, the treatments herein may be amended at the approval of a qualified acoustic consultant.

9.1 New Mechanical Services Equipment

Given the early stages of the proposal, the mechanical services equipment design has not been completed.

WMG recommend that during detailed design for the project, equipment selections and locations are reviewed by an acoustic consultant to ensure that compliance with SEPP N-1 noise limits are achieved at all relevant residential receptors surrounding the subject site.

9.2 Internal Seating Areas

9.2.1 External Façade Glazing

The proposal includes bi-fold windows installed in the western façade of the warehouse building overlooking Lithgow Street. In addition, there will be fixed glazed sections along the western and northern façade of the base building.

Noise emission calculations indicate that the proposed bi-fold windows cannot be completely open, and instead must be either completely closed or partially open to comply with SEPP N-1 noise limits at surrounding residential receptors.

Partially open will be an open are equal to approximately 10% of the proposed open area (approx. 1m^2). The described open area will likely allow for some minor ventilation into the warehouse space if required.

The glazing treatments for the fixed glazed sections will be 10.38mm single glazing or 6/12/10.38mm double glazing. The nominated glazing system must have a minimum weighted sound reduction index (Rw) value of 33.

Commercial suppliers of noise rated window or sliding door glazed systems are readily available, such as Australian Aluminium, Capral and G James.

Any systems offered to the project should include Australian based noise reduction test data or demonstrate on site to be capable of achieving the required noise reduction performance. The systems and seals installed on the project must be guaranteed to be the same as the tested systems.

For the bi-fold sections the glazing can be 6mm standard building glazing or 6/12/6 double glazing fitted with perimeter acoustic seals.

9.2.2 Access Doors

The proposal includes a double access door in the south western corner of the café space.

The double access door must be 40mm solid core timber or 10.38mm laminated glass fitted with effective perimeter seals.

Suitable seals will be as follows:

- Raven RP10 (tops and sides of doors);
- Raven RP38 (threshold of doors);
- Raven RP16 (between double doors).

The access doors must be kept closed with the exception of short periods during times when patrons are entering/exiting the venue. It is recommended that the access doors are fitted with automatic closing mechanisms to ensure that this occurs.

9.2.3 Internal Sound Absorption

In order to control build-up of noise within the main warehouse building, it is recommended that sound absorption be included within the design.

The recommended treatment will be as follows:

- Install sound absorbing materials to an area equivalent to 60% of the ceiling area of the designated space. This will include both the mezzanine ceiling and the underside of the mezzanine floor within the ground level area.
- The proposed materials must achieve a minimum Noise Reduction Coefficient (NRC) of 0.7, with a minimum performance of 0.7 at 500 Hz and 1000Hz.
- The materials must be installed uniformly throughout the relevant space.

The described performance will be achieved by a 25mm thick x 32kg/m^3 fibreglass fibrous insulation panel faced with perforated metal or wrapped in open weave fabric.

An open weave fabric will be any fabric that can be blown through with little resistance. Melded Fabrics "Front Runner" fabric is a modestly priced, tough fabric which has often been used for the purpose and is available in many colours.

Suitable manufacturers of pre-fabricated sound absorbing panels which will achieve the performance specification are listed below.

- Total Noise Control: (03) 9786 6088
- Laine: (03) 9720 6566
- Europanel: (02) 8284 6410
- Atkar Industries: (03) 9796 3333
- Soundblock Solutions (02) 9327 7410
- Megasorber Pty Ltd (03) 9077 2918

It is recommended that once a product is selected, WMG review the product to ensure it is suitable for the application.

9.3 Patron and Music Allowances

Based on noise level calculations, the following limitations will be incorporated into the operations of the facility:

- Maximum of 100 patrons located within main warehouse internal area at any time.
- Music speakers **only** to be located within main warehouse internal area and a minimum of 3 metres from the proposed western façade openable sections, including the access doors.
- Music noise levels to be limited to the following:

	Noise Levels dB Octave Band Centre Frequency, Hz							
	63	125	250	500	1k	2k	4k	dB(A)
Measured music noise levels within studio space dBL_{10}	79	77	74	75	73	68	60	77

The documented noise levels are to be measured at 3 metres from the speaker locations within the space and must be run through the in-house music system which will include spectrum shaping capabilities.

Calibration of the in-house sound system to achieve music noise levels consistent with background music can be carried out by Watson Moss Growcott Acoustics or other acoustic consultancy firm.

9.4 WASTE COLLECTION

Waste collection associated with the proposed facility should be limited in accordance with the Environmental Protection Authority (EPA) noise control guidelines regarding 'industrial waste collection'.

These are provided within Victorian *EPA Noise Control Guidelines Publication 1254 (October 2008)*.

An extract from the guidelines is described below:

> Where a residential area is impacted by noise from the collection of refuse, then collections should be restricted to the times contained within the schedule.
>
> The scheduled times are as follows:
>
> **One Collection Per Week**
> 6:30am – 8pm Monday to Saturday
> 9am – 8pm Sunday and public holidays
>
> **Two or More Collections Per Week**
> 7am – 8pm Monday to Saturday
> 9am – 8pm Sunday and public holidays
>
> - Refuse bins should be located at sites that provide minimal annoyance to residential premises.
> - Compaction should be carried out while the vehicle is moving.
> - Bottles should not be broken up at collection site.
> - Routes which service predominantly residential areas should be altered regularly to reduce early morning disturbances.
> - Noisy verbal communication between operators should be avoided where possible.

9.5 OPERATIONAL NOISE IMPACT ASSESSMENT

Once the facility is operational, it is suggested that an assessment is carried out by an acoustic consultant at each of the off-site noise sensitive receptors to ensure that compliance with the relevant SEPP N-1 and SEPP N-2 noise limits is achieved.

10. OVERVIEW

Watson Moss Growcott Acoustics (WMG) has carried out an acoustic assessment for the proposed operations at the site described as 48-50 Lithgow Street, Abbotsford.

The proposal includes the following:

- Operation of a commercial café venue within the existing warehouse building located on the western portion of the subject site land.
- Provision of commercial office spaces extending over two levels within the existing multi-level buildings located at the site.

As part of the assessment works, WMG has considered potential noise emissions associated with the proposed operations in accordance with legislation/guideline documentation shown below in Table 19.

Table 19: Assessment Methodology

Noise Source	Assessment Methodology
Mechanical Services Noise	State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1
Patron Noise	State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1
Music Noise	State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2

Based on the assessment, WMG has concluded that in the absence of noise control treatments, noise emissions associated with the proposed operations will have the potential to impact on surrounding noise sensitive residential receptors.

WMG has developed a package of noise control recommendations which will result in compliance with the relevant legislation/guideline documentation including the following:

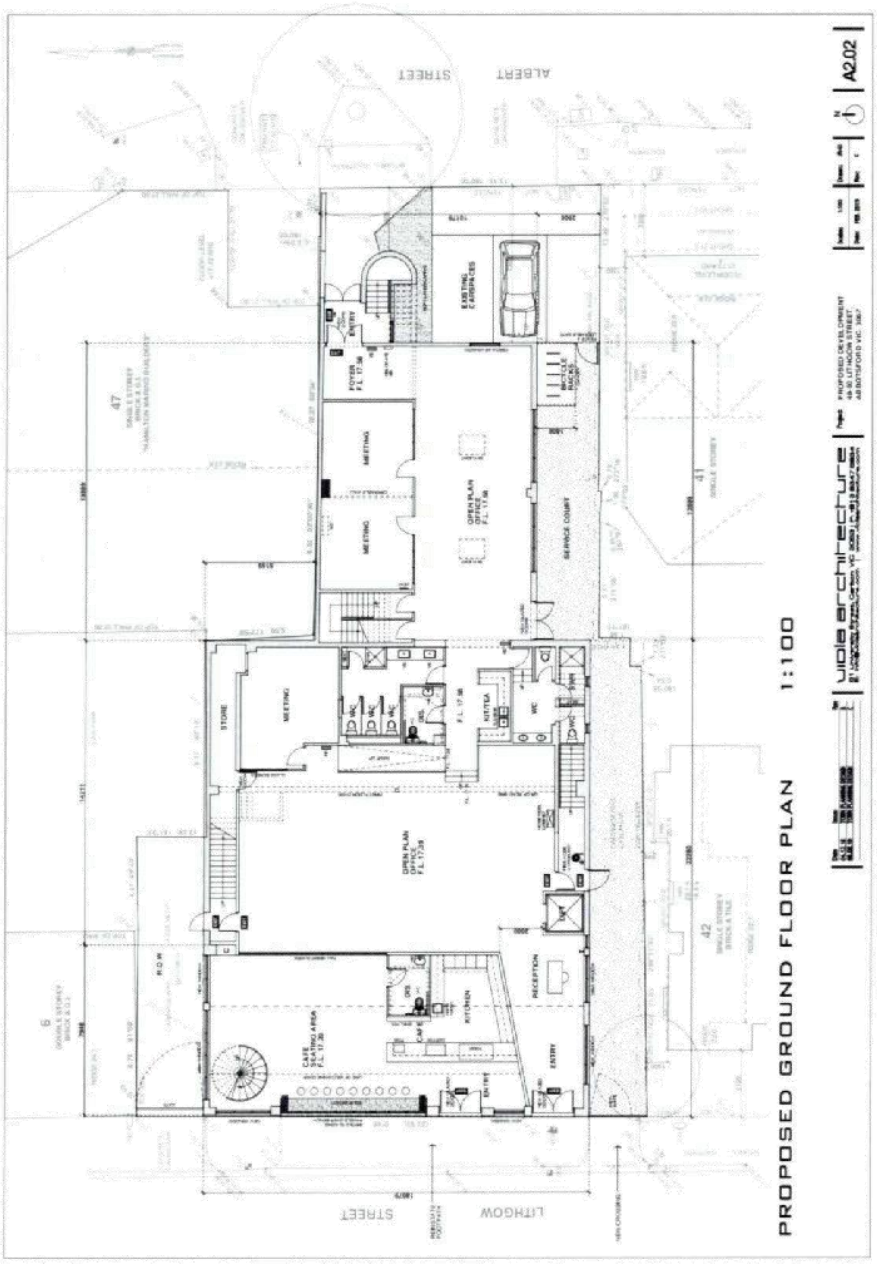
- Patron and music limitations.
- Treatments to warehouse space access doors/glazing.
- Sound absorption within the main warehouse space.
- Detailed review of mechanical services equipment during detailed design for the proposal.

The relevant noise control recommendations are detailed in Section 9 of this report.

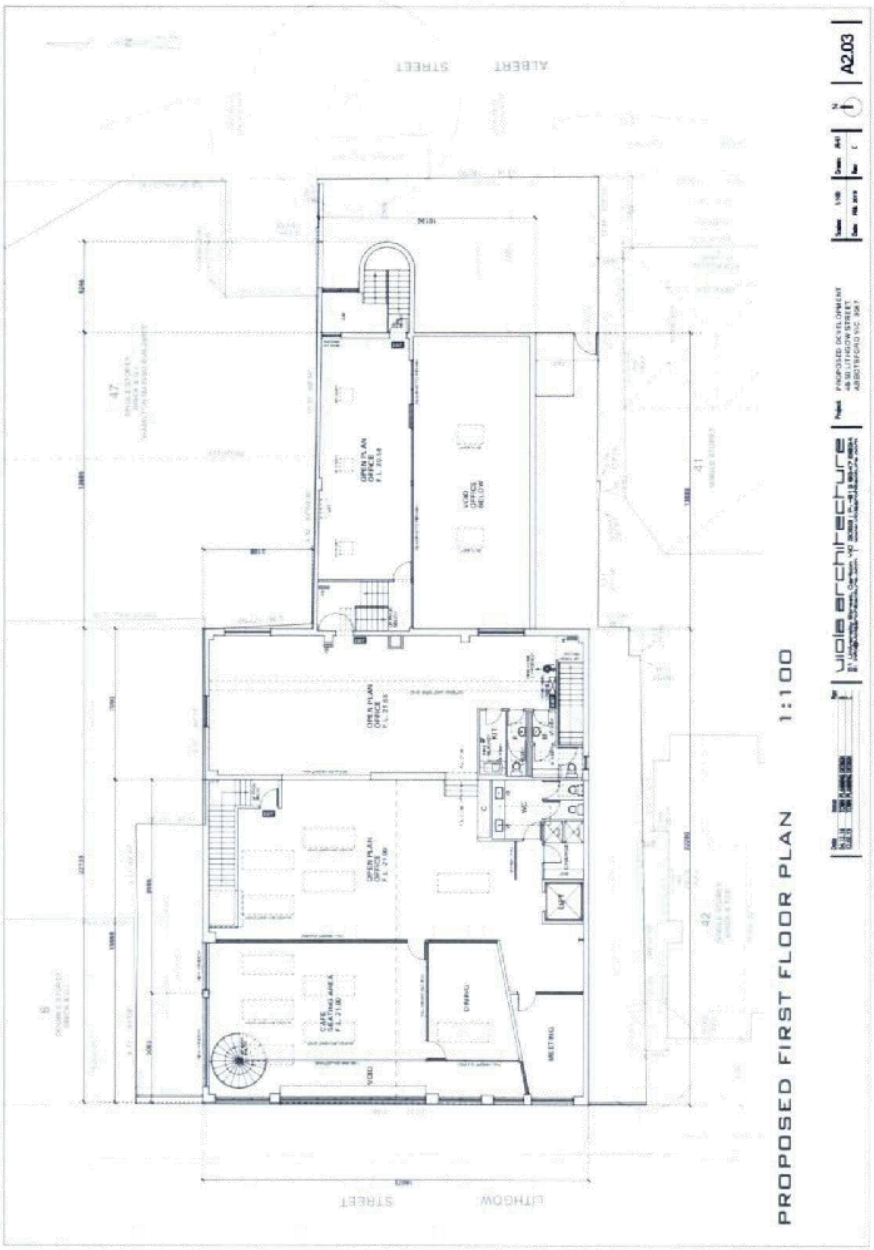
JORDAN GROWCOTT
WATSON MOSS GROWCOTT
acoustics pty ltd

11. APPENDICES

11.1 PROPOSED GROUND LEVEL FLOOR PLAN

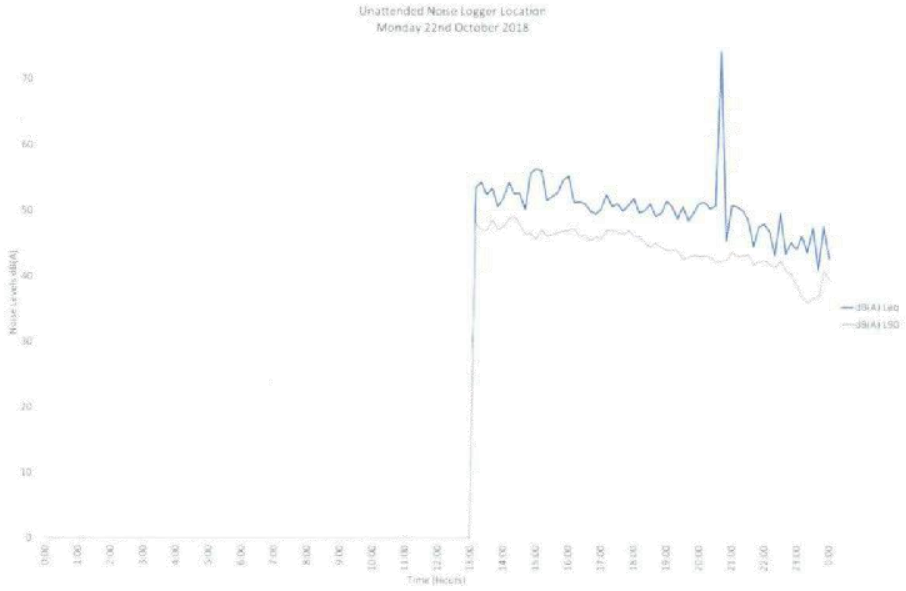


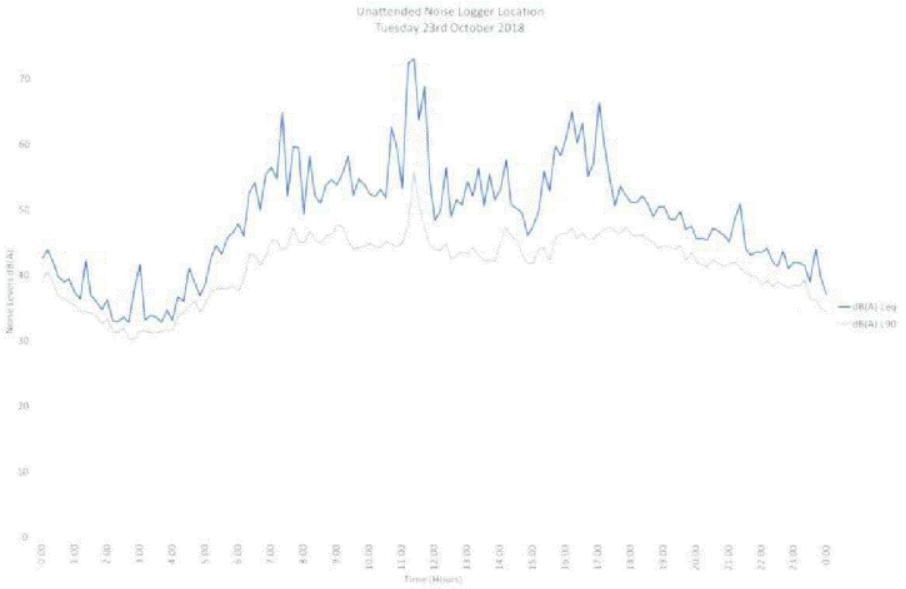
11.2 Proposed First Level Floor Plan

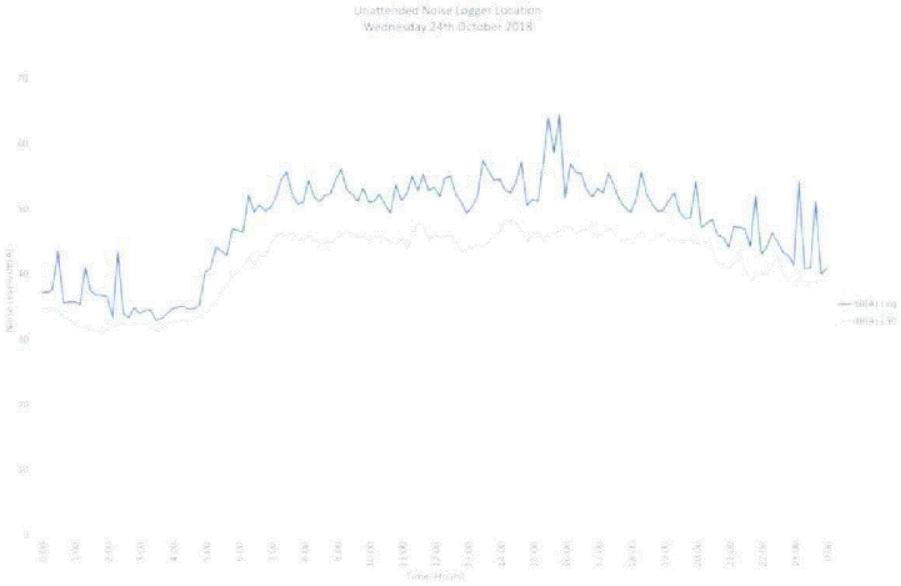


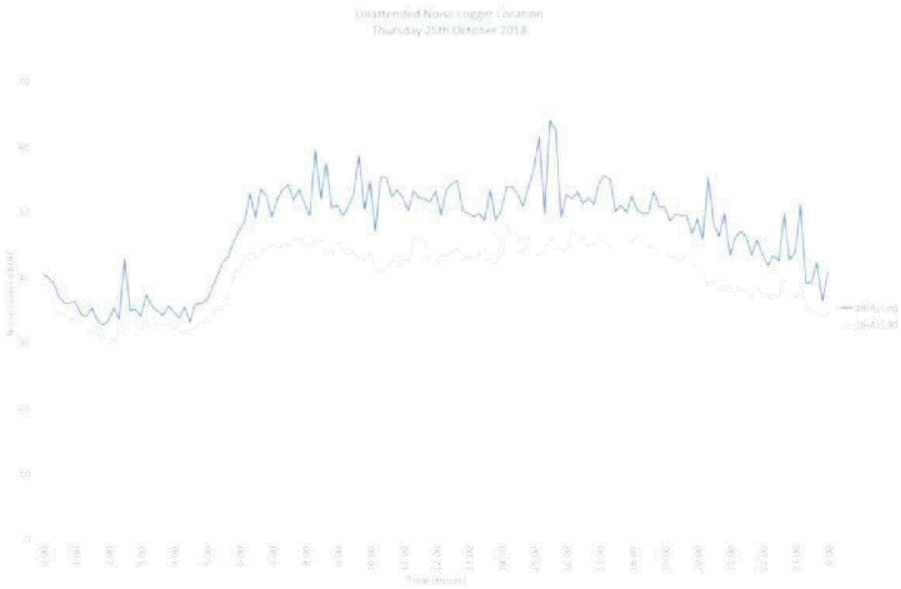
Attachment 5 - PLN19/0011 - 48 - 50 Lithgow Street Abbotsford - Acoustic Report

11.3 UNATTENDED NOISE MONITORING DATA



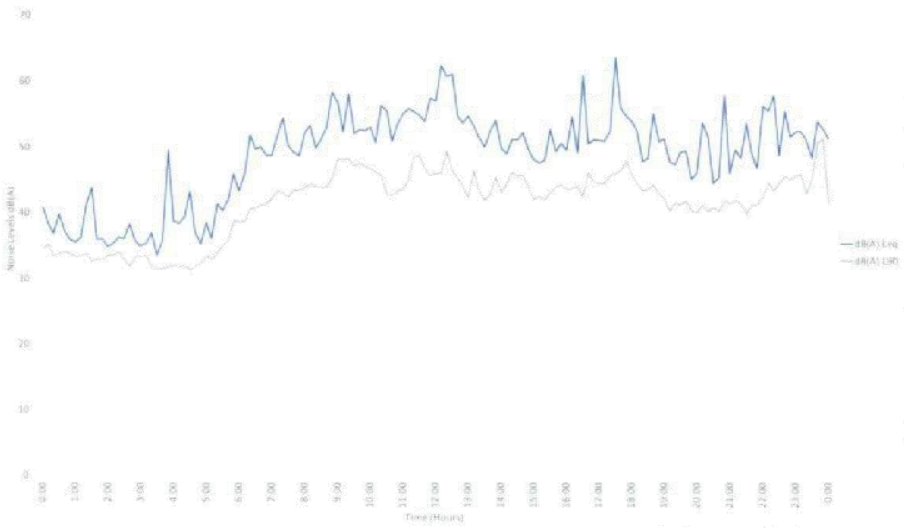




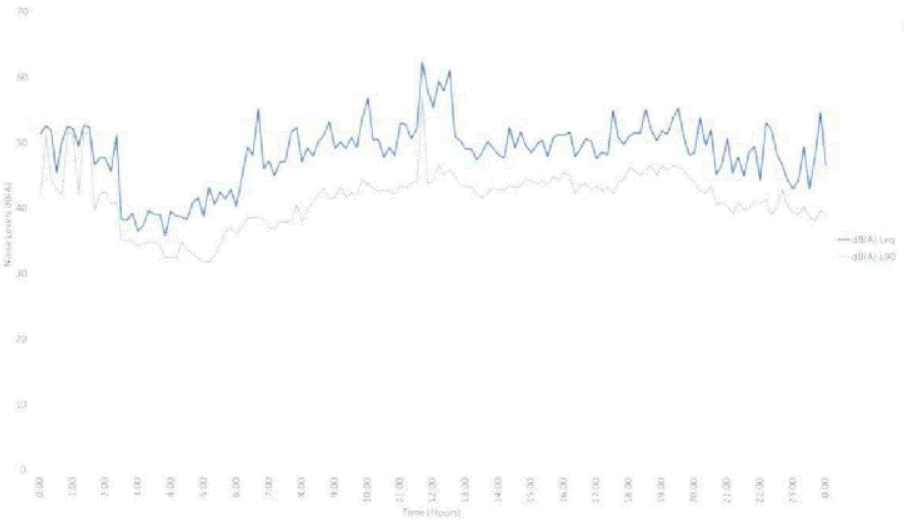


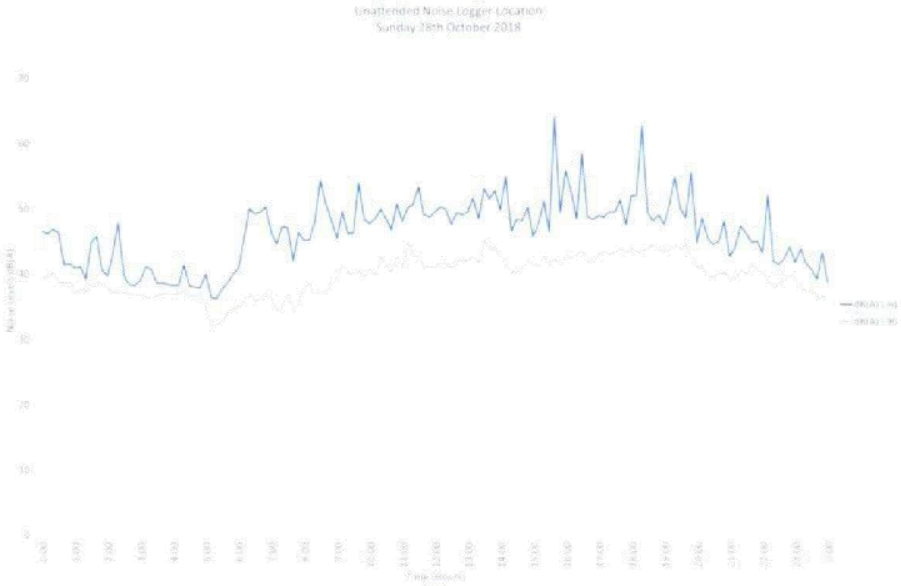
Attachment 5 - PLN19/0011 - 48 - 50 Lithgow Street Abbotsford - Acoustic Report

Unattended Noise Logger Location
Friday 26th October 2018



Unattended Noise Logger Location
Saturday 27th October 2018




Unattended Noise Logger Location
Sunday 28th October 2018

26 March 2019

640.10090.05850 48-50 Lithgow St Abbotsford.docx

Yarra City Council
PO Box 168
RICHMOND 3121

Attention: Chris Stathis

Dear Chris

48-50 Lithgow Street, Abbotsford
Development Application Acoustic Review
PLN 19/0011

SLR Consulting Pty Ltd (SLR) has been retained by the City of Yarra to provide a review of the acoustic assessment report for the mixed use development proposed for 48-50 Lithgow Street, Abbotsford.

Details of the report are as follows.

- Title: Proposed Commercial Venue, 48-50 Lithgow Street, Abbotsford, town Planning Application Acoustic Report
- Reference: 12330-2.1jg
- Date: 14 February 2019
- Prepared for: Crystal Palace Catering
- Prepared by: Watson Moss Growcott Acoustics Pty Ltd (WMG)

The report has been prepared to address *Item 5 of the City of Yarra RFI for the project. Item 5 is reproduced below.*

> 5. *An acoustic report produced by a suitably qualified acoustic engineer that provides an assessment of the levels of noise pollution associated with the proposed food and drinks premises (café) use. Special attention must be paid to residential uses within the immediate vicinity.*

1 Background Information

(Sections 1, 4 and 5 of the acoustic report)

The project is the fitout of an existing warehouse building. The fitout is proposed to comprise:

- Commercial café spread over two levels, with a capacity for up to 100 patrons. The café is proposed to have a glazed openable façade onto Lithgow Street, and direct (single door) access to the open plan offices within the building.

SLR Consulting Australia Pty Ltd Suite 2, 2 Domville Avenue Hawthorn VIC 3122 Australia
T: +61 3 9249 9400 E: melbourne@slrconsulting.com
www.slrconsulting.com ABN 29 001 584 612

- Offices over two levels

Potential noise impacts from the subject development are identified as:

- Mechanical plant
- Patron noise from the cafe
- Music noise from the cafe

Noise sensitive receivers are identified as:

- 6 Victoria Crescent, north of the site (two storey detached house)
- 42 Lithgow Street, south of the site (single level detached house)
- 41 Albert Street, south of the site (single level detached house)
- 53-65 Lithgow Street, west of the site (two storey dwellings)

The proposed operating hours are:

- Café: 7 am to 5 pm 7 days a week
- Offices: 8 am to 6 pm Monday to Friday

SLR Comments: *The proposal and potential noise impacts and the nearest noise sensitive receivers have been identified. Pavement dining is not discussed in the report and we assume it is not proposed.*

2 Background Noise Levels

(Section 6 of the report)

Attended and unattended measurements of background noise have been undertaken to quantify the ambient noise environment. This information is used to set environmental noise limits. The monitoring locations are shown in Figure 4 of the report.

- Attended monitoring was undertaken between 7:45 to 8:30 am Sunday 21 October 2018.
- Unattended monitoring was undertaken from Monday 22 October to Monday 29 October 2018.

The primary source of ambient noise was noted to be road traffic, with distant traffic i.e. vehicles on Victoria Street, dominating during the Sunday morning measurement, and local traffic dominating at busier times of the day and week.

Graphical data for the week long monitoring period is attached to the acoustic report. The average background noise levels for various times are presented in Section 7.4.2 of the acoustic report. These levels are understood to be the arithmetic averages of the hourly data for the relevant time periods.

The Sunday morning measurement results appear to be included in Table 13.

SLR Comments: *The background noise monitoring was undertaken at appropriate locations and times, and is generally clearly presented.*

3 SEPP N-1 Noise Limits

(Section 7.4.2 of the report)

The SEPP N-1 noise limits are calculated from the measured background noise levels and the land use zoning. The identified limits are presented in Table 11 of the report.

SLR Comments: *Our calculations of the SEPP N-1 noise limits, taking into consideration the WMG logging data, agree with WMGs.*

4 Music Noise

4.1 Music Noise Criteria

(Section 7.3 of the report)

Music noise is proposed to be assessed to SEPP N-2. The SEPP N-2 day/evening limit is equal to the background noise level + 5 dB. The identified limit is 46 dBA, based on the average measured background noise level for Sunday of 41 dBA L_{90}.

The SEPP N-2 night noise limit applies during some parts of the morning. For venues that operate more than 3 days week, the SEPP N-2 night period includes:

- Weekdays up to 9 am
- Saturdays up to 10 am
- Sundays up to midday

The noise limits for these times have been calculated from the Sunday morning background octave band background noise measurement, and are presented in Table 13.

SLR Comments: *Our calculations of the SEPP N-2 noise limits agree with WMG's.*

4.2 Music Noise Controls and Assessment

(Sections 9.2.1 and 9.3 of the report)

The following advice is provided with respect to music in the café:

- Loudspeakers are only to be located inside the building, and must be at least 3 m from the western façade and openable windows and doors.
- Music is to be no louder than 77 dBA L_{10}, with the allowable octave band spectrum provided in the report.
- The documented music levels are to be measured no more than 3 m from speaker locations.
- The sound system is to include spectrum shaping capabilities and is to be calibrated by a suitably qualified acoustical consultant.
- The operable wall is to be partly open only. In Section 9.2.1 this is defined as approximately 10% of the open area or approximately 1 m^2.
- Glazing advice is provided.

With the above noise controls in place WMG predict that music will comply with the SEPP N-2 night noise limits at all residential receivers.

SLR Comments: *Our indicative calculations suggest that the SEPP N-2 night noise limits (which apply during the early morning period) will be met with the above controls in place.*

Separate consideration is not provided in the report for compliance during the SEPP N-2 day/evening period. From our understanding of the report and the music noise limits, the requirement to keep the operable wall almost fully closed will apply unless music is played at lower levels than those identified in the report.

5 Patron Noise

5.1 Patron Noise Criteria

(Section 7.2 of the report)

Patron noise is proposed to be assessed to SEPP N-1 limits.

SLR Comments: *Agreed.*

5.2 Patron Noise Controls and Assessment

(Sections 8.2 of the report)

Patron noise has been predicted based on the following assumptions:

- Up to 100 patrons in the café, and a reverberant patron noise level of 83-85 dBA L_{eq}.
- Absorptive treatments are to be installed within the café. This treatment is used to justify using 83 dBA L_{eq} (i.e. the lower end of the predicted range for patron noise), in calculations to residential receivers.
- Glazing, including the openable windows and doors onto Lithgow Street, will be the dominant source of noise.
- The operable wall is to be partly open only. In Table 16 of the report the open area is defined as being 'sufficient for ventilation' and is further defined in Section 9.2.1 as being approximately 10% of the open area or 1 m².

With the above noise controls in place WMG predict that patron noise will comply with the SEPP N-1 Sunday noise limit, which is the most onerous limit, at all residential receivers.

SLR Comments: *Our indicative calculations agree with WMG's.*

Less onerous operating restrictions could apply during the SEPP N-1 defined 'day' period, provided that the music noise limits will also be met at this time.

6 Mechanical Plant

(Sections 7.1 and 8.1 of the report)

Project mechanical plant is proposed to be assessed to SEPP N-1. WMG state that the following items of equipment are likely to be installed:

- Outdoor AC condenser units
- Outdoor refrigeration plant
- Kitchen exhaust fan
- Toilet exhaust fans

WMG recommend that an acoustic review of the proposed plant be undertaken during the detailed design.

Existing project mechanical plant is identified in the report, and WMG state that, given the location and size of the equipment, noise from its operation is likely to comply with SEPP N-1.

SLR Comments: *The assessment of commercial noise provided in the report is reasonable for the planning stage. We agree that a more detailed review should be undertaken during the detailed design.*

7 Recommendations

(Section 9 of the report)

All recommendations for noise control are fully detailed in this section of the report, and include:

- Recommendation for a full review of noise from mechanical plant once the details become available.
- Requirement to keep 90% of the operable glazed façade closed during café operation.
- Specification for glazing and door seals.
- Recommendation for internal sound absorption over 60% of the ceiling space.
- Allowable music levels within the café and a specification of where these levels are to be met (within 3 m of any speaker).
- Recommendation that the music system incorporate spectrum shaping capabilities, and that the music levels be calibrated by a suitably qualified acoustical consultant.
- EPA Schedule for managing noise from waste collection.
- Recommendation for noise assessments to be conducted following commissioning, to ensure that the identified noise limits are met.

WMG include the statement that the treatments described in the report are tentative, and may be amended at the approval of a qualified acoustical consultant.

SLR Comments: *The advice for noise control is clearly documented and can be expected to manage noise impacts from the proposed use.*

We note that the 'recommendations' in the report are indicated as tentative.

8 Summary

A review of the acoustic report prepared for the proposed cafe and office development at 48-50 Lithgow Street is provided above. The report addresses all noise impacts from the proposed use in so far as they can be addressed during the design stage of the development.

A number of the recommendations provided in the report are expressed as tentative. We suggest these are implemented unless alternative solutions are documented by a suitably qualified acoustical consultant, and the documentation is submitted to, and approved by, the Responsible Authority.

Regards,

Dianne Williams
Associate – Acoustics

Checked/
Authorised by: JA

Attachment 7 - PLN19/0011 - 48 - 50 Lithgow Street Abbotsford - Engineering comments

CITY OF YARRA

MEMO

To:	**Chris Stathis**	
From:	**Artemis Bacani**	
Date:	**1 April 2019**	
Subject:	**Application No:**	**PLN19/0011**
	Description:	**Major Development**
	Site Address:	**48-50 Lithgow Street, Abbotsford**

I refer to the above Planning Application received on 12 March 2019 and the accompanying *Traffic Impact* report (Version 02 dated 12 February 2019) prepared by Impact Consultants in relation to the proposed development at 48-50 Lithgow Street, Abbotsford. Council's Civil Engineering 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	678 m²	3 spaces per 100 m² of net floor area	20	3
Food and Drink (café)	174 m²	3.5 spaces per 100 m² of leasable floor area	6	
		Total	**26 Spaces**	**3 Spaces**

* Since the site is located within the Principal Public Transport Network Area, the parking rates in Column B of Clause 52.06-5 now apply.

The site would have a parking shortfall of 23 car 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 the Food and Drink Uses*.
  The parking demand associated with the food and drink use would be staff parking and a rate of 1.0 space per 100 square metres of floor space is considered reasonable. Applying this rate to the food and drink use would equate to one space.

- *Parking Demand for the 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 proposed office use for the development would have an on-site car parking provision of 0.44 spaces per 100 square metres of floor area. Throughout the municipality, Council has, in recent times, approved small scale office developments with little or no on-site car parking. The following table lists some sites that have been approved with reduced on-site car parking:

Development Site	Approved Office Parking Rate
Richmond	
314-329 Swan Street and 236 Coppin Street PLN16/0034 (Corrected) issued 6 July 2017	2.23 spaces per 100 m^2 123 on-site spaces, 5,605 m^2)
Cremorne	
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; 1,788 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)
506 & 508-510 Church Street PLN17/0278 issued 11 January 2018	1.09 spaces per 100 m^2 (226 on-site spaces; 20,744 m^2)

  The proposed on-site office parking rate of 0.44 spaces is considered appropriate, having regarding to the site's good accessibility to public transport services and proximity to Melbourne.

- *Availability of Public Transport in the Locality of the Land.*
  The site is within walking distance of tram services operating along Victoria Street. Rail services can be accessed from Collingwood and North Richmond railway stations.

- *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.

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.*
  Ratio Consultants had commissioned on-street parking occupancy surveys of the surrounding area on Thursday 6 September 2018 from 8:00am to 10:00pm. The survey area sections of Mollison Street, Murray Street, Princes Street, Little Nicholson Street, William Street, Little Lithgow Street, Lithgow Street, Albert Street, Victoria Crescent, Mayfield Street, and Church Street. The times and extent of the survey are considered appropriate. An inventory of 419 publicly available parking spaces were identified. The results of the survey indicate that the peak parking occupancy in the study area had occurred at 1:00pm with 88 % of spaces occupied or 51 vacant spaces. The parking demand declined during the afternoon and into the evening with an occupancy of 46 % at 8:00pm. The very limited opportunity to park on-street would encourage both employees and visitors to use more sustainable forms for transportation to commute to and from the site.

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.

- *Access to or Provision of Alternative Transport Modes.*
The site has very good accessibility to public transport and connectivity to the on-road bicycle network. The site is also in proximity to on-street car share pods. GoGet car share pods are available in Nicholson Street and Victoria Street which are both approximately within 320 metres of the site.

- *Car Parking Deficiency associated with Existing Land Use*.
The existing site had accommodated a warehouse with a floor area of 386.7 m^2 and an office with a floor area of 283.98 m^2. The site had three on-site car spaces. The site would have had a statutory parking requirement of 13 spaces. The property would have a parking deficiency of 10 spaces. This parking deficiency could be potentially transferrable to the new development.

Adequacy of Car Parking
From a traffic engineering perspective, the waiver of parking associated with the development is considered appropriate in the context of the development and the surrounding area. The area's high parking demand and lack of long-stay parking would be disincentives for staff and patrons to commute to the site by car.

The Civil Engineering unit has no objection to the reduction in the car parking requirement for this site.

DEVELOPMENT LAYOUT DESIGN
Viola Architecture Drawing Nos. A2.02 and A3.02 Revision C dated February 2019

Layout Design Assessment

Item	Assessment
Access Arrangements	
Vehicle Crossing – Albert Street	The applicant has proposed to utilise the existing vehicle crossing to access the on-site car spaces off Albert Street.

Design Items to be Addressed

Item	Details
Vehicle Crossing – Albert Street	The existing vehicle crossing currently spans the width of two car spaces. The vehicle crossing must be widened to span the width of all car spaces.
Side Entry Pit – Albert Street	The widening of the vehicle crossing would impact on the function of the grated side entry pit. The existing grated side entry pit has a larger inlet capacity than a single grated pit; therefore, a grated pit and a separate side entry pit with heavy duty cover must be constructed to maintain the inlet capacity. Prior to the application of a vehicle crossing permit, a detailed design of the pits must be submitted to Council for assessment and approval.

Design Items to be Addressed

Item	Details
Side Entry Pit – Albert Street (cont.)	All works must be to Council's Standards - Council's Standard Drawings can be accessed on the following link: https://www.yarracity.vic.gov.au/services/roads-and-traffic/yarra-standard-drawings
Emergency Exit Doors	The pedestrian emergency exit door on the northern and southern boundary of the site opens immediately out onto a road easement. The doors are to be recessed inside the building.

ENGINEERING CONDITIONS
Civil Works

Upon the completion of all building works and connections for underground utility services,

- The redundant vehicle crossing along the Lithgow Street frontage is to be demolished and reinstated with paving, and kerb and channel to Council's satisfaction and at the Permit Holder's cost. The footpath must have a cross-fall of 1 in 40or unless otherwise specified by Council.
- The vehicle crossing that services the road easement off Lithgow Street is to be demolished and reconstructed to Council's satisfaction and standards. The Permit Holder is responsible for the cost of the works. The vehicle crossing must satisfy the ground clearance requirements for a B99 design vehicle.
- The vehicle crossing along the Albert Street frontage must be demolished and reconstructed to in accordance with Council's Standard Drawings, Council's *Infrastructure Road Materials Policy* and engineering requirements. The vehicle crossing must satisfy the ground clearance requirements for a B99 design vehicle.

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.

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.

Attachment 7 - PLN19/0011 - 48 - 50 Lithgow Street Abbotsford - Engineering comments

ADDITIONAL ENGINEERING ADVICE FOR THE APPLICANT

Item	Details
Legal Point of Discharge	The applicant must apply for a Legal Point of Discharge under Regulation 133 – Stormwater Drainage of the *Building Regulations* 2018 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 133.

Attachment 8 - PLN19/0011 - 48 - 50 Lithgow Street Abbotsford - File Note (Strategic Transport Comments)

CITY OF YARRA

URBAN PLANNING FILE NOTE

Date:	16 April 2019
Property Address:	48-50 Lithgow Street, Abbotsford
Application No:	PLN19/0011
Officer:	Chris Stathis
Subject:	Bicycle Parking Assessment
Attendees:	Chris Stathis / Julian Wearne

COMMENTS:

- Bicycle provision exceeds the requirements of Clause 52.34 (1 space for the food and drinks premises).
- The location of the bicycle spaces will be functional for office employees; appropriate dimensions have been provided. However the southern-most car space on site will block access for cyclists. This needs to be addressed to enable satisfactory access.
- The location of the bicycle spaces will make them unlikely to be used by patrons of the food and drinks premises. So it is recommended to provide at least 2 horizontal hoop spaces at the reinstated footpath along Lithgow Street.

Chris Stathis
Senior Statutory Planner

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1.4 Heritage Victoria Referral - Permit amendment application for Richmond Maltings, 2 and 15 Gough Street, Cremorne (H2050).

Executive Summary

Purpose

Council has received a referral under Section 105(4) (b) of the *Heritage Act 2017*, in relation to an application made to Heritage Victoria by Lovell Chen on behalf of Cayden for an amendment to Heritage Victoria Permit P25508 which applies to Stage 2 of the Nylex Silos Site redevelopment.

This report provides Council with information regarding the proposal and makes recommendations for a response to the Heritage Victoria Referral.

Officers need to provide a Council position to Heritage Victoria by end of business on 28 July 2019.

Key Issues

As this report results from a Heritage Victoria referral, consideration in this referral request is limited to heritage matters and thus only the Heritage Overlay and heritage policies contained within Council's Municipal Strategic Statement and local section of the Planning Scheme are relevant. Other land use and development aspects will be determined by the Planning Permit amendment application currently lodged with Council.

Financial Implications

There are no financial implications associated with this heritage referral response.

PROPOSAL

The proposal seeks an amendment to the existing Heritage Victoria Permit for Stage 2 facilitating the development of the fire damaged Building B6.

1.4 Heritage Victoria Referral - Permit amendment application for Richmond Maltings, 2 and 15 Gough Street, Cremorne (H2050).

Reference: D19/125819
Authoriser: Senior Co-ordinator Statutory Planning

Purpose

1. Council has received a referral under Section 105(4) (b) of the *Heritage Act* 2017, in relation to an application made to Heritage Victoria by Lovell Chen on behalf of Cayden for a new development outcome for Building B6 on the Nylex Silos Site being the building which was significantly damaged by fire in late 2017. The application also seeks to amend a number of permit conditions.

2. This report provides Council with information about the proposal and makes recommendations for a response to the Heritage Victoria referral.

Background

3. The subject site known as 2 and 15 Gough Street, Cremorne has a long planning history and for the purposes of this report, only the relevant Heritage Victoria process will be discussed in detail.

4. Council received the original referral from Heritage Victoria on 12 December 2016 which sought approval for the development of both stages 1 and 2.

5. External heritage advice was obtained from Trethowan Architecture Interiors Heritage and concurrent Urban Design advice from MGS Architect who both raised concerns with the application.

6. Council formally objected to the applications 17 January 2017 (letter incorrectly dated the letter 2016) on the following grounds:

   (a) The extent of demolition would significantly impact upon the cultural heritage significance of the Richmond Maltings Site and the Nylex Plastics Sign (being Victorian Heritage Registration Reference HO2050 and HO2049 and affected Heritage Overlay HO350 under the Yarra Planning Scheme.

   (b) The proposal fails to conserve or enhance those elements which contribute to the significance of the heritage place.

   (c) The scale, bulk, height and massing of the proposed development would significantly impact upon the cultural heritage significance of the Richmond Maltings site and would unreasonably dominate the heritage place;

   (d) The proposal fails to conserve or enhance the key heritage features of the site which depict the various stages of the malting process since the late 19th century;

   (e) The scale, bulk, height and massing of the proposed development would unreasonably impact upon the views to and the prominence of the Nylex Plastics Sign;

   (f) The proposal would not provide reasonable opportunities for interpretation or appreciation of the cultural heritage attributes of the site;

   (g) The proposal would not retain the visual prominence or landmark qualities of the Nylex Plastics Sign and the 1960's silos which supports this heritage feature;

   (h) The proposal would not reinforce the landmark qualities or heritage attributes of the site in the design of the new buildings and works.

7. In addition to the objection grounds, Council also raised the following issues with the application:

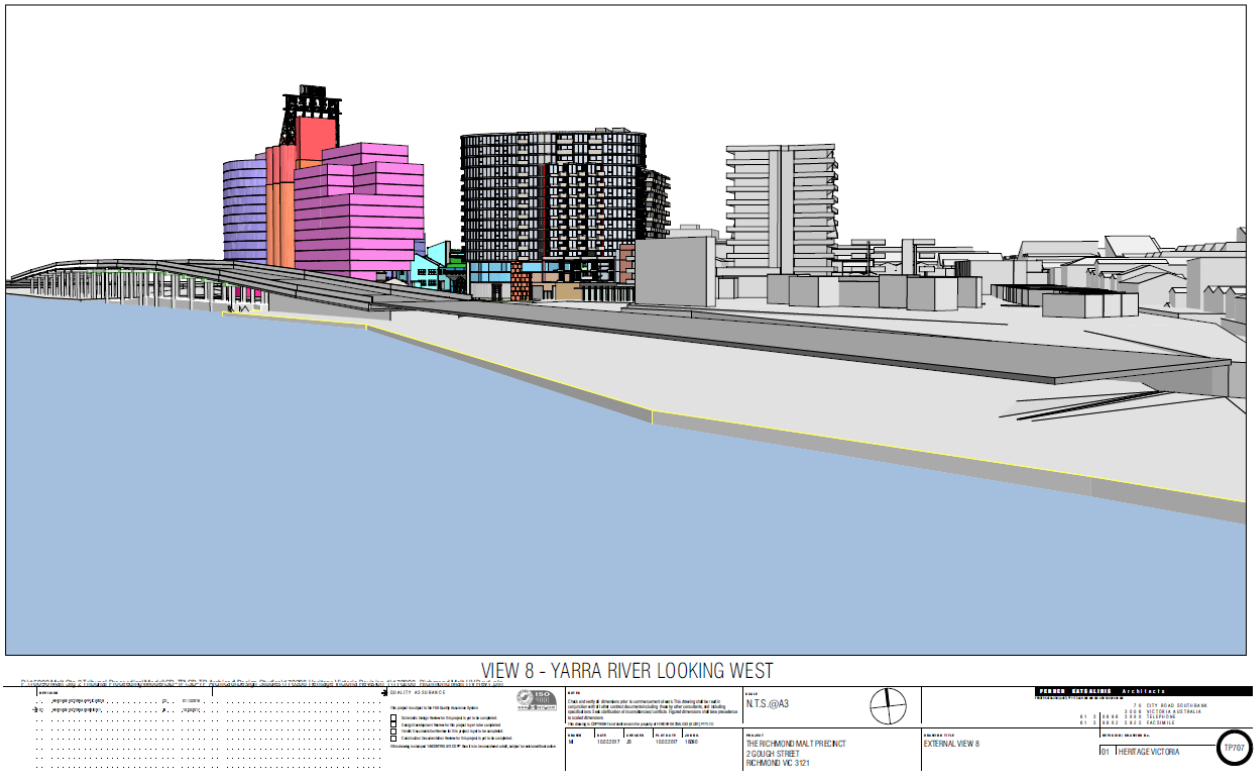
   (a) *There was also insufficient information to undertake a full heritage assessment. The following items are requested:*

      (i) A clear demolition plan of all demolition works to occur across the site (on one plan);
      (ii) A development summary, listing dwelling numbers, dwelling configurations, car parking spaces, commercial floor areas, all proposed land uses;
      (iii) Fully dimensioned, coloured elevations;
      (iv) Dimensions on floor plans/layouts, including setback and wall lengths;
      (v) Elevations (for stage 2, basic massing diagrams have only been provided); and
      (vi) View lines from key vantage points around the site (including from the east along Balmain Street) to the Nylex Sign and Richmond Maltings heritage building stock.

8. The image below details the limited information included within the original referral with only massing diagrams provided for Stage 2.

Please Note: **Highlighted in yellow is Building B6 which is the applicable building relevant to the current referral.**

9. Council was advised on 5 July 2017 that Heritage Victoria had approved the permits for both Stage 1 and 2 referencing plans dating 10 February 2017 (see relevant image below) which provided limited detail on the actual built form outcome approved for the site.

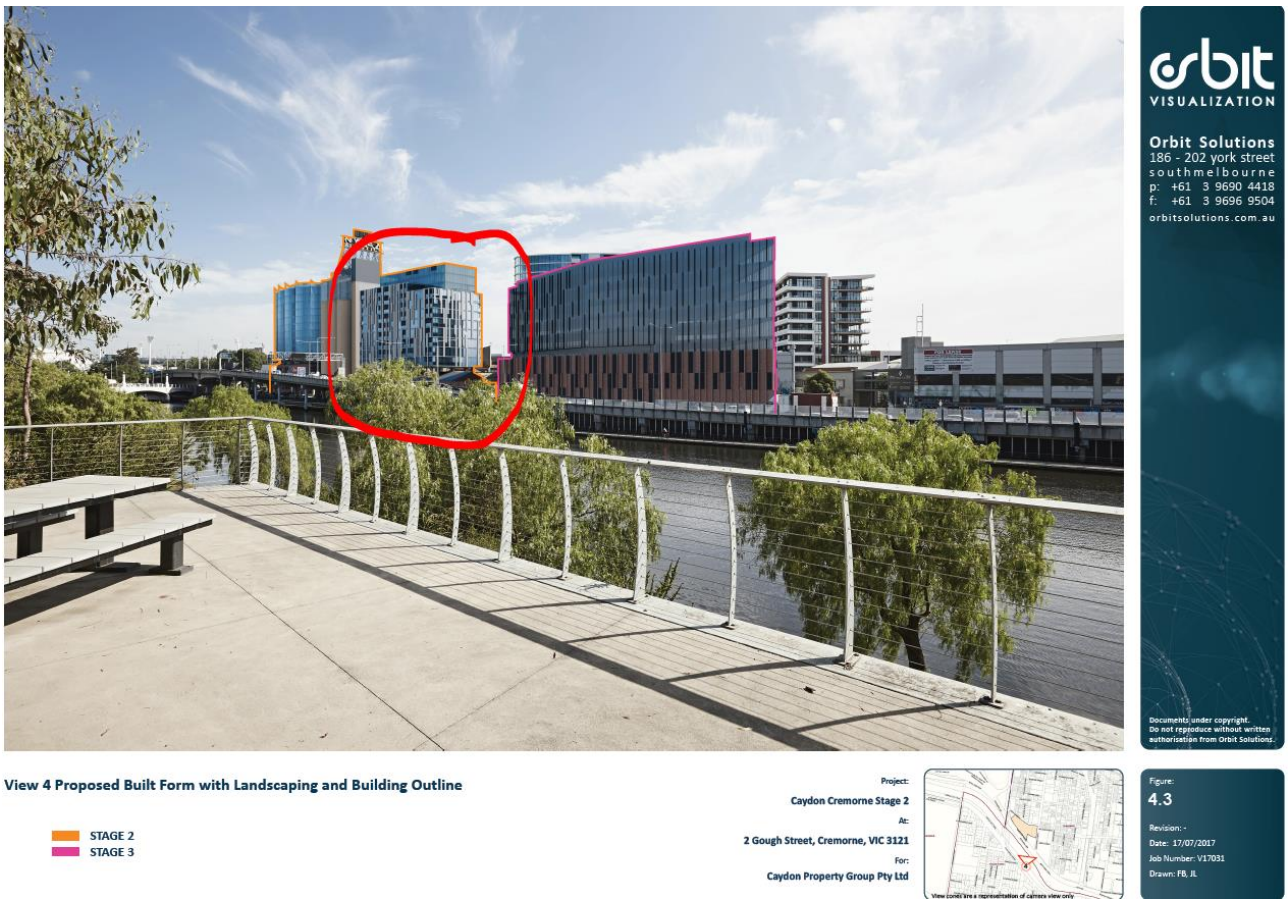


Please Note: **Building in pink is the proposed approved envelope for Building B6 which is the applicable building relevant to the current referral.**

10. Heritage Victoria Permit P25508 was amended on 28 August 2017, the amendment related to the removal of hazardous materials and wording changes to a number of conditions clarifying the timing for various approvals to enable works to proceed in stages.

11. Planning Permit PLN15/1176 (Stage 2) was issued at the direction of the Victorian Civil and Administrative Tribunal (**VCAT**) on 22 January 2018 and subsequently corrected on 4 April 2018.

12. The planning permit allowed a built form outcome which was depicted in the renders tabled at the hearing with some design modification required as conditions of the permit:



Please Note: **Building outlined in red is the proposed approved envelope for Building B6 permitted under the planning permit which is the applicable building relevant to the current referral.**

13. Council received the written referral and architectural plans from Heritage Victoria on 15 July 2019 as the subject site is included on the State Heritage Register. Advice was subsequently sought from Council's Heritage Advisor and was received on 23 July 2019. This advice is included within the assessment section of this report.

14. For the purpose of this report, Council's role is limited to providing comments on the proposal. Heritage Victoria will ultimately decide on the merits of the application.

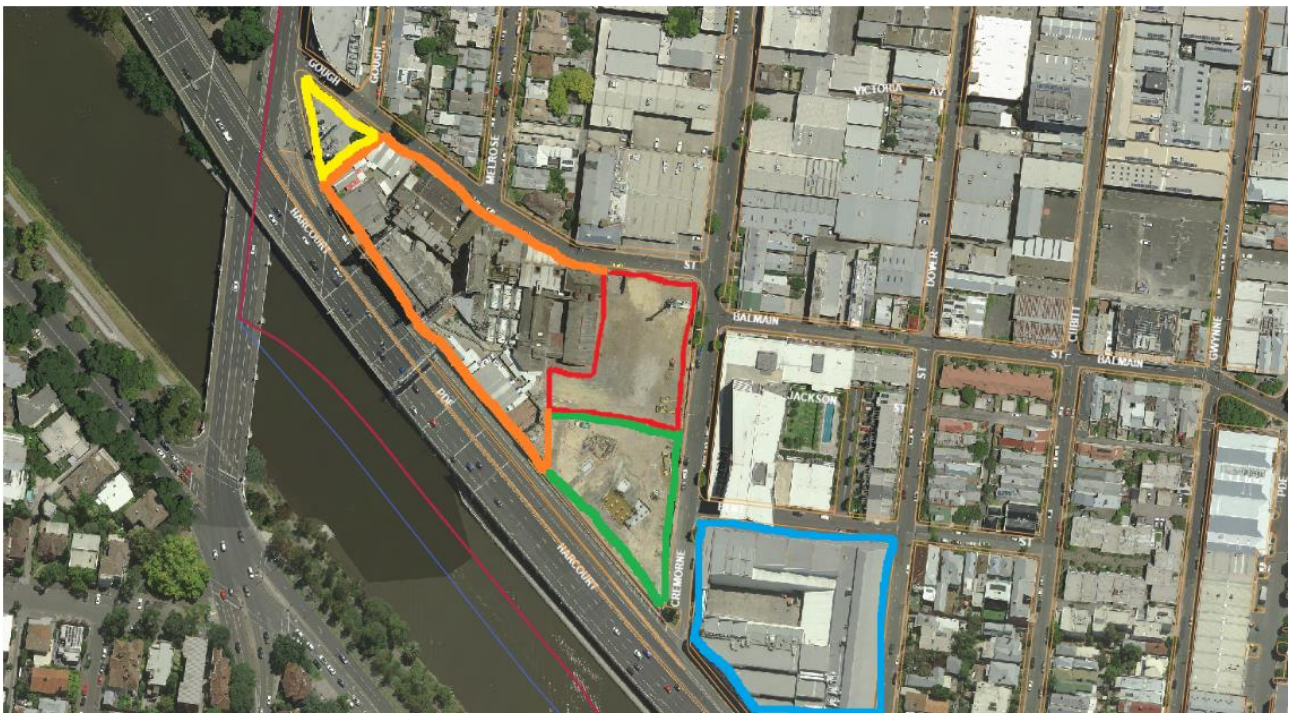
15. Currently an amendment to Planning Permit PLN15/1176 is being advertised and amongst other things seeks changes to the built form of Building B6 commensurate with those being sought by the Heritage Victoria amendment.

Existing Conditions

Subject Site

16. The subject site is located on the south-west corner of the intersection of Gough and Cremorne Streets in Cremorne. Broadly speaking, the site is located in the south-west corner of Cremorne, adjacent to the City Link, Yarra River and Hoddle Street.

17. The site has approvals for a two stage development (see image below) the area in red forms part of Stage 1 and the orange area is Stage 2.



18. The entire site inclusive of the both Stages 1 & 2 are included on the Heritage Register (two listings – the sign specifically and the site as a whole).

19. The two Heritage Victoria registrations for the site are:

    (a) H2049 – Nylex Sign – The sign is identified as a double sided sky-sign mounted on a cross braced steel frame on top of silos. The sign is of social and historical significance to the state of Victoria. The sign is said to signalise the industrial base of the former City of Richmond. Further, the sign is of social significance for its landmark qualities, forming an unofficial gateway to Melbourne. It is noted that the silos supporting the sign are not referenced in the registration and are not of heritage significance.

    (b) H2050 – Richmond Malting's – The site was the Barrett Burston Richmond Malting's, initially developed in the 1850s – 1860s. The site is historically, scientifically (technologically), aesthetically, socially and archaeologically significant to the State of Victoria.

Surrounding Land

20. The surrounding context of the site is one of change. Existing built form varies from single storey dwellings and former industrial buildings to 10 storey mixed use (predominantly residential) development.

21. The immediate context of the site will notably change over the next 5 – 10 years as the broader Nylex site is fully developed and surrounding developments commence and or complete construction.

22. In the image above shown in red (Stage 1) has a planning permit for a mixed use development including buildings up to 15 storeys in height. Uses across the site include residential, office, supermarket and a gym with basement car parking with the site currently under construction.

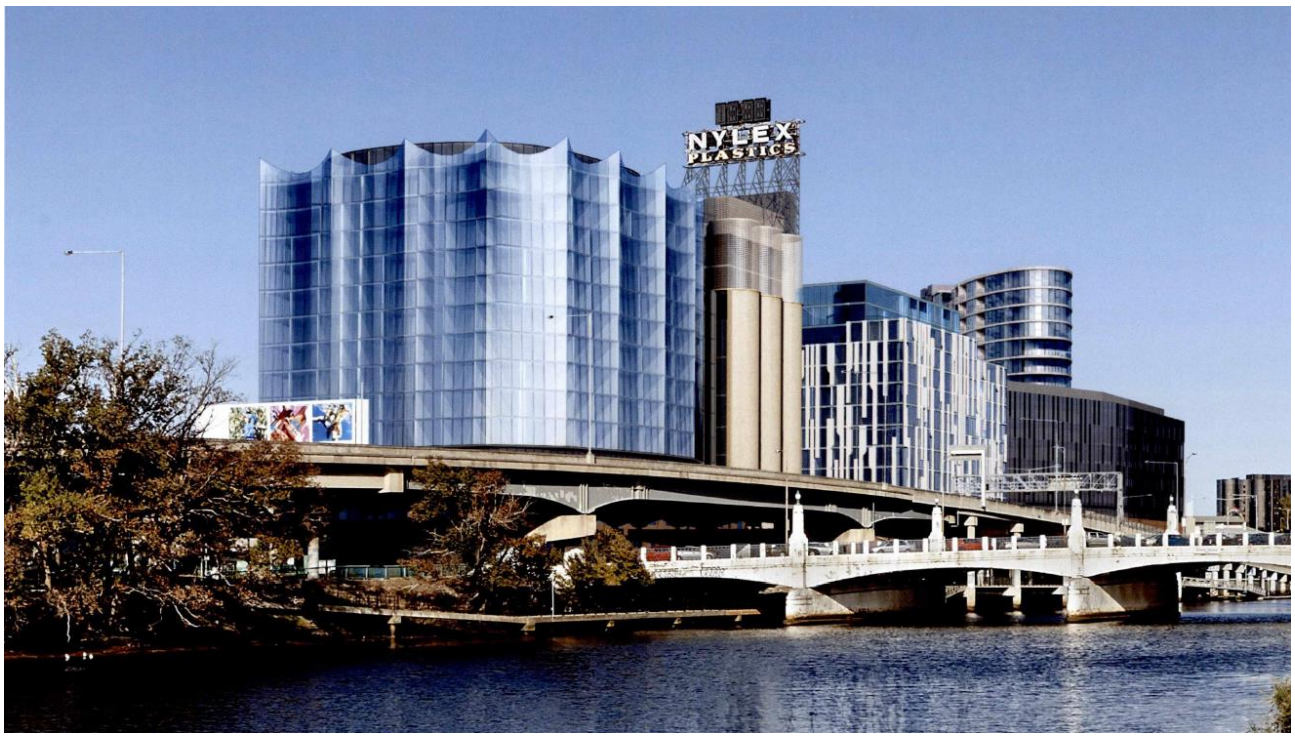
23. Stage 2 of the development of the broader site (shown in orange) and the subject of the Heritage Victoria referral has approval under planning permit PLN15/1176 a number of buildings rising to 15 storeys in height. Uses include residential, office, hotel, cafes and restaurants, galleries and the like with basement car parking.

24. A current amendment to the permit has been lodged with Council and is currently being advertised.

25. The site at 17 – 21 Harcourt Parade (shown in green) is known as Stage 3. Planning permit PL08/0921 approves a commercial office building of up to 9 storeys in height. Construction has commenced on the site.

26. Two amendment are currently with Council, one seeking to introduce a commercial car park on the site. This application at the time of writing this report was currently on advertising. A second amendment to the endorsed construction management plan has recently been received and is yet to be reviewed.

27. The image below is an indicative representation when all 3 stages are completed.



28. In yellow is 1 - 3 Harcourt Parade, Cremorne, a planning permit application has been lodged with Council (PLN18/0002) which seeks approval for 'Development of the land for the construction of a 10 storey building (plus plant deck), use of the land as a residential hotel (104 rooms), construction and display of major promotional electronic signage and removal of covenant 1818808 from lot 1 on plan of subdivision 408289Y', the application has been advertised and Council will be assessing the application shortly.

29. In blue is the former ‘Stitches’ site at 167 – 169 Cremorne Street, Cremorne. A combined rezoning and planning permit application is lodged with Council, however it is unclear if this application will proceed.

The Proposal

30. The proposal is in effect the same proposal currently lodged with Council with respect to the changes proposed to the heritage registered building.

31. In more detail, as relevant to this heritage referral and as described by the permit applicant:

    (a) Reconstruction works including;

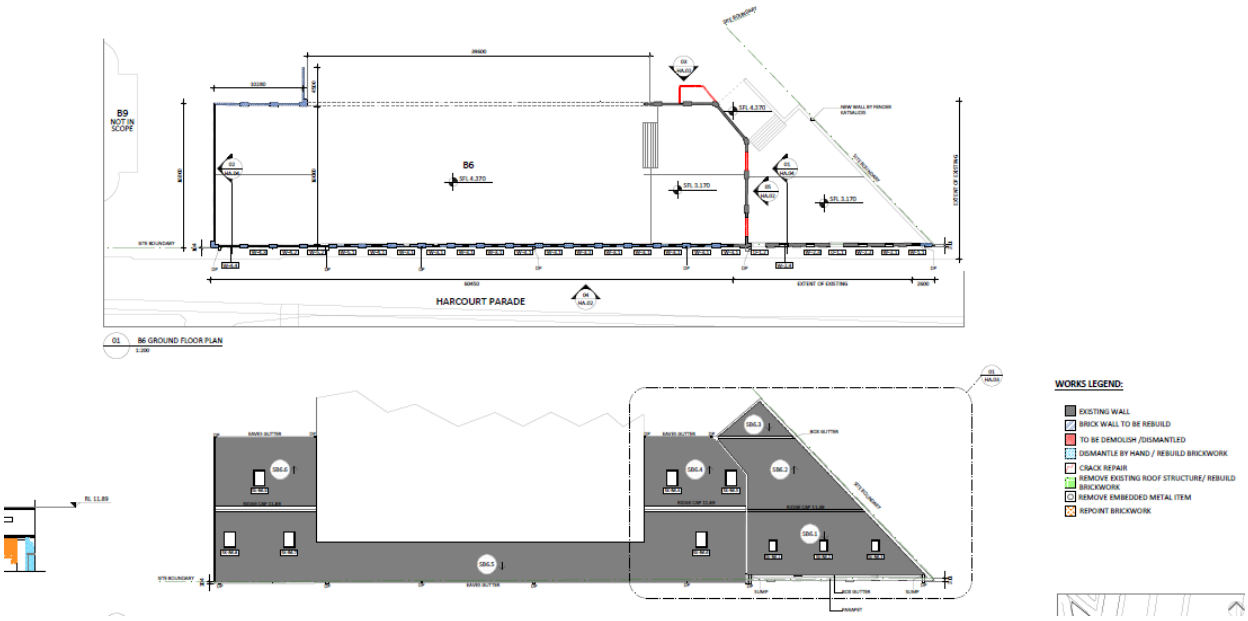
        (i) Original extent of southern wall (Harcourt Parade) to be joined to remnant wall;

        (ii) Western wall reconstructed;

        (iii) South west corner reconstructed to original alignment (not chamfered)

        (iv) Western end of north wall and its return; and

        (v) Reconstruction of the roof to match original profile except for northern and central section’s where the tower is proposed.



(b) Conservation works;

(i) Crack repair to remnant north and east walls;

(ii) Repoint section of brick work to north elevation.

(c) New works;

(i) Central section of the northern wall is not proposed to be reconstructed with a larger area proposed to be used as the hotel lobby and associated uses;

(ii) Height of the overall building reduced in line with the conditions of the permit;

(iii) Façade design to include light and dark blue glazing with concrete elements articulating the façade. (Please note, the permit issued by Heritage Victoria never included detailed floor plans and elevations).

(d) Amendment to the Permit;

(i) Amendment to permit to allow for commencement of early works demolition for Stage 2 prior to the fulfilment of condition 1 and conditions 8 – 12 as they relate to Stage 2 (Please note condition 8 – 12 relate to:

- Condition 8 – New Buildings Detail Design
- Condition 9 – Conservation Adaptation works
- Condition 10 – Heritage Management Plan
- Condition 11 – Interpretation and
- Condition 12 - Landscape

32. The proposal is described in more detail in the plans and reports prepared by Lovell Chen and Caydon which are provided at Attachment 1.

Planning Provisions

33. The subject site is contained within the Comprehensive Development Zone – Schedule 3 and is also affected by the Heritage Overlay, City link Project Overlay, Environmental Audit Overlay and Land Subject to Inundation Overlay.

Zoning

Comprehensive Development Zone – Schedule 3 (Richmond Maltings, 2 Gough Street, Cremorne)

34. The purpose of this zone is:

    (a) To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

    (b) To provide for a range of uses and the development of land in accordance with a comprehensive development plan incorporated in this scheme.

35. The purpose of schedule 3 is:

    (a) *To allow a comprehensively staged, mixed use development on the site which will create activity during the day and evening and generate local employment opportunities.*

    (b) *To conserve and enhance key heritage buildings through refurbishment and reuse.*

    (c) *To allow the continuation of limited major advertising in the precinct.*

    (d) *To ensure that development on the site will complement and enhance the Yarra River environs.*

    (e) *To ensure the combination of uses, their density and the scale and character of development does not prejudice the amenity of the surrounding area.*

    (f) *To retain the visual dominance and preservation of views of the landmark Nylex sign and associated silos through the sensitive siting of new building envelopes on the site.*

    (g) *To provide a well-designed, attractive open plaza space within the development which is accessible to the surrounding community.*

    (h) *To ensure a high quality architectural response to the site that acknowledges and is respectful of the scale and form of buildings within the site and its immediate environs.*

36. Under schedule 3, the use of the site for offices does not require a planning permit. However, the use of the site as dwellings, hotel), shops, cafes, restaurants require a planning permit.

37. Section 2 of schedule 3 states that:

    (a) *Use of land must be in accordance with the Table of uses to this Clause and the comprehensive development plan: "Planning and Design Principles for the Richmond Maltings Site, Cremorne – November 2007".* [**Design Principles**]

    (b) *A use must not detrimentally affect the amenity of the neighbourhood, including through the:*

        (i) *Transport of materials, goods or commodities to or from the land.*

        (ii) *Appearance of any building, works or materials.*

(iii) *Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.*

38. Under section 4 of schedule 3, a planning permit is required for the proposed buildings and works as the proposal is not generally in accordance with the Planning or Design Principles.

39. Decision guidelines when considering the proposed buildings and works are (as relevant):

(a) *Consistency with the building envelopes and design principles detailed on the comprehensive development plan: "Planning and Design Principles for the Richmond Maltings Site, Cremorne – November 2007".*

(b) *Streetscape character.*

(c) *Built form.*

(d) *Interface with nearby areas.*

(e) *Parking and site access.*

(f) *The preservation of the amenity of nearby residents.*

(g) *The orderly management of vehicular and pedestrian traffic.*

(h) *The visual impact of the building or works on the impact of the area.*

40. The Design Principles offer the following guidance when assessing built form (the full list has been included here, where some items may relate to the balance of the site, any development ion this section must ensure it does not undermine the broader objectives of the site):

(a) *Facilitate safe, convenient and legible public access into and through the site.*

(b) *Provide tall development at the eastern end of the site consistent with the built forms adjacent to the east.*

(c) *Retain the visual prominence and landmark qualities of the Nylex sign and clock and the 1960's silos which support this heritage feature.*

(d) *Provide opportunities for pedestrian access through the site to Harcourt Parade to the south and the Punt Road Bridge. Options for any future potential pedestrian access across or along Harcourt Parade are to be the subject of full discussion and negotiation between VicRoads, City Link, Council and the land owner.*

<u>Overlays</u>

City Link Project Overlay

41. This overlay exempts use and development in association with the City Link Project area if the use or development is part of the Melbourne City Link Project (as relevant). The only permit triggers of this overlay relate to signage (none is proposed as part of this application).

Environmental Audit Overlay

42. Clause 45.03-1 of the Scheme states that before a sensitive use (residential use, child care centre, pre-school centre or primary school) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, either:

    (a) *A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970, or*

    (b) *An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.*

43. This requirement is already conveyed to the Applicant in the form of a notation on the permit.

    Heritage Overlay (HO350 – 2 Gough Street [Nylex Plastics sign] and 2 and 15 Gough Street [Richmond Maltings], both on the Victorian Heritage Register [H2049 and H2050])

44. Clause 43.01-2 of the Scheme states that no permit is required under this overlay to develop a heritage place which is included on the Victorian Heritage Register.

45. It is noted however, that the CDZ3 Design Principles note the following objectives:

    (a) *Conserve and enhance the key heritage features of the site which depict the various stages of the malting process since the late 19th Century.*

    (b) *Provide opportunities for interpretation and appreciation of the cultural heritage attributes of the site which are to be retained.*

Land Subject to Inundation Overlay

46. A planning permit is required to construct a building or to construct or carry out works pursuant to clause 44.04-2 and the application must be referred to Melbourne Water for comment.

    Other

47. In terms of the Municipal Strategic Statement and Local Planning Policies, Clauses 21.05-1 and 22.02 provide general guidance on the development of heritage places.

Assessment

48. The application was referred to Council's Heritage Advisor who was generally comfortable with the proposed works but suggested some changes. The following recommendations were made in response to the design for Building B6:

    (a) As no sample of the blue glass has been submitted a more neutral grey or transparent material should be used:
    (b) Delete the concrete strips proposed to articulate the building.

49. In response to the proposed amendments to the permit, no objection to the proposed changes to facilitate early works was offered.

Conclusion

In accordance with the guidance from Council's heritage advisor, the proposal from a heritage point of view is acceptable, subject to conditions.

RECOMMENDATION

1. That Council:

    (a) Authorise officers to write to Heritage Victoria advising the subject to the following conditions:

(i) deletion of the proposed blue glass and replacement with a more neutral grey or transparent material;

(ii) deletion of the concrete strips proposed to articulate the building

that Council does not objection to the proposed amendment:

CONTACT OFFICER: **Mary Osman**
TITLE: **Manager Statutory Planning**
TEL: **92055334**

Attachments

1 Heritage Victoria Referral letter to council - 2 Gough Street
2 Heritage Victoria Referral - Applicant Heritage Report
3 Heritage Victoria Referral - Applicant cover letter
4 Heritage Victoria Referral - Plans Part 1
5 Heritage Victoria Referral - Plans Part 2
6 Heritage Victoria Referral - Plans Part 3
7 Heritage Referral - Stage 2 Heritage Victoria Amendment Cremorne, 2 and 15 Gough Street, Cremorne
8 Copy of Amended Heritage Victoria Permit - Stage 2

Attachment 1 - Heritage Victoria Referral letter to council - 2 Gough Street

Department of Environment, Land, Water & Planning

Level 7, 8 Nicholson Street
East Melbourne Victoria 3002
Telephone: 03 9938 6894
www.delwp.vic.gov.au
DX210098

Permit Application No: P25508
File No: HE/10/3115

14 Jul 2019

Chief Executive Officer
P.O. Box 168
RICHMOND VIC 3121

cc. The Manager Statutory Planning

E: info@yarracity.vic.gov.au

Dear Sir/Madam

RE: PERMIT AMENDMENT APPLICATION FOR RICHMOND MALTINGS, 2 and 15 GOUGH STREET CREMORNE (H2050)

I am writing to you in accordance with s.105(4)(b) of the *Heritage Act 2017* to inform you that the holder of the permit in relation to the above place has requested an amendment to the permit. I must agree or refuse a request to amend the permit within 28 days of receiving the request.

I enclose a copy of the request for amendment made by the permit holder.

I will not be making a decision on this request before 28 July 2019.

Please forward any comments you have to Joyce MacLennan at heritage.permits@delwp.vic.gov.au or post to PO Box 500 Melbourne, VIC 8002. If you do not make a submission within 14 days of the date of this letter and you have not otherwise sought an extension of time, I will assume you have no further submission to make in relation to the amendment application.

Please contact Statutory Support on (03) 9938 6893 if you would like to discuss the amendment requested by the permit holder.

Yours sincerely

For **- Steven Avery**
Executive Director
Heritage Victoria

Encl

Privacy Statement

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VICTORIA State Government

Attachment 2 - Heritage Victoria Referral - Applicant Heritage Report

Richmond Maltings (H2050)

Permit Amendment Request - P25508

2 and 15 Gough Street, Cremorne

July 2019

Prepared by

LOVELL CHEN

Prepared for

Caydon

Attachment 2 - Heritage Victoria Referral - Applicant Heritage Report

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Attachment 2 - Heritage Victoria Referral - Applicant Heritage Report

1.0 Introduction

This report has been prepared to accompany a permit amendment application to Heritage Victoria with regard to heritage permit P25508. The permit amendment relates to a change in scope for works at Building B6 as a result of a fire which occurred in 2017.

It is also requested that the permit be amended to allow for the commence of Stage 2 demolition works prior to the fulfillment of Condition 1, and Conditions 8 to 12 as they relate to Stage 2. Further it is requested that Condition 7 be amended to allow for the staged delivery of a construction management plan for the Stage 2 works.

The following documents are submitted with this amendment:

- Architectural drawings for Building B6 prepared by Caydon, dated 18 April 2019 and numbered TP-004, TP-100, TP130 to TP143, TP231 and TP-301 (all rev B)
- B6 reconstruction and conservation drawings prepared by Lovell Chen, dated February 2019 and numbered HA.00 to HA.04
- Stage 2 demolition package prepared by Caydon, dated 26 March 2019

1.1 Permit background

Heritage permit P25508, issued on 27 March 2017, allows for the redevelopment of the site and conservation and interpretation works generally in accordance with the drawings prepared by Fender Katsalidis Architects lodged with Heritage Victoria on 10 February 2017. The permit was amended on 28 August 2017 to allow for the removal of hazardous materials, and the wording of certain conditions changed to clarify timing for approvals in accordance with the staging of the project.

Subsequently all conditions required to commence Stage 1 works were satisfied and works commenced on this stage of the project in September 2018.

1.2 B6 fire

In late 2017 a fire occurred at B6, which destroyed much of the building. Following the fire an Emergency Order was issued by the City of Yara which required a large proportion of the building fabric which had survived the fire to be demolished due to the unsafe condition of this fabric. Note that although this work was carried out under an Emergency Order, Heritage Victoria were kept informed during the process and were aware of the required demolition and make safe works which took place at the site.

Following the fire, only the eastern most portion of the southern façade along Harcourt Parade, the western wall which divided this section of the building from the west, and a small return of the northern wall remained (Figure 1 and Figure 2).

Figure 1 Aerial photograph showing the extent of B6 prior to the fire (indicated by red line)
Source: Nearmap

Figure 2 Extent of B6 following the fire
Source: Nearmap

2.0 Building B6

2.1 History

The 2005 CMP identified B6 as being of primary significance, with historical, architectural and technological (scientific) significance.

Prior to the fire, B6 was described as follows:

> B6 is a 1920 floor malt house, with additions to the west and east ends, the latter dating from 1928. The building is a long rectilinear double-storey face brick building, with a hipped roof clad in corrugated galvanised steel, and with roof lights. It incorporates a germinating floor at ground floor level, with a 'spoon' profile, regular grid of steel stanchions supporting steel girders, and low floor to ceiling height; and storage, baggage and steeping areas at first floor, which is a large open-plan space with timber floorboards, and a raked timber-lined ceiling with exposed timber roof trusses. A centrally located tower addition to the roof, clad in asbestos cement sheeting, accommodates plant. The long south elevation to Harcourt Parade is substantially intact, albeit with some changes to openings, and is divided into bays by wide brick piers with each bay containing a segmental arched window at ground floor level. These retain timber louvres and shutters/security screens or grilles. Other openings have variously been bricked up or rebuilt with horizontal concrete lintels and modern steel-framed sash windows. The north, west and east elevations are partially or completely obscured by additions or later buildings. The north elevation is of similar form to the south elevation, with more or less identical fenestration, but has been more significantly modified and also partly over-painted.

2.2 Approved B6 works (P25508)

As part of the permit application for the redevelopment of the Richmond Maltings site the following works were proposed to Building B6:

The approved works to Building B6 involved the construction of an apartment tower set within and above the existing structure. The retained and reconstructed ground and first floors of the building were noted as being likely to be adapted for part commercial use with an emphasis on the interpretation of the original floor maltings.

The following description of the works was included in the HIS which accompanied the original application:

Proposed external works:

- A combination of demolition and retention is proposed for this building, including dismantling of the centre of the building, including the central section of the north wall to enable construction of the new residential tower. On completion of the tower the north wall and roof structure will be rebuilt.
- South elevation: retention of the long elevation to Harcourt Parade, including the eastern section associated with the later addition. The existing wall will be conserved including restoration and reconstruction of the timber louvred openings.
- North elevation: removal of non-original annex at the east end. Repair and reconstruction of the retained east and west ends.
- East elevation: Infill of non-original opening.

Proposed internal works:

- The original fabric to the east and west ends will be retained and conserved. The internal fabric removed to enable the tower construction will be reconstructed as modified to accommodate a new commercial use.

Proposed new works:

- Construction of a new tower set over B6 rising to a maximum height of RL48.75 or (RL42.42).
- The new building will be accessed via lift and stair core located on the north face of the existing structure. On Level 1 the northern roof slope of B6 will be reconstructed in front of the south side core.

The following works are also proposed:

- Conservation works including repairs, paint removal, repointing and reinstating/rebuilding brickwork, replacement of glazing, and replacement of damaged timber elements.
- Removal of extraneous external items such as modern services, pipe work, steelwork, conveyors and the like.
- Salvage and reuse of fabric dismantled to enable construction of the proposed tower.

Permit P22580 approved the above works, although condition 1 required the removal of 1 level from the new building over B6 as follows:

> A tender ready set of revised drawings for Stage 2 is to be submitted to the Executive Director for written approval prior to undertaking any works within Stage 2. The revised design drawings are to be broadly in accordance with the amended drawing set dated 10 February 2017, with the following changes:
>
> - Removal of 1 level from new building over B6 (consistent with the removal of 1 level of the proposed additions above B9 and to maintain the dominance of the Nylex sign)

2.3 Permit amendment

As a result of the fire the proposed works at B6 have altered. For the most part the amendments relate to the requirement to reconstruct the destroyed sections of B6 and the relationship between the reconstructed fabric and the new tower element. The proposed tower retains the general form and massing as approved by permit P22508.

The proposed amended works at B6 include:

Reconstruction works

The proposed reconstruction works include:

- Original extent of southern wall to Harcourt Parade, to be joined into remnant wall fabric to the east
- Western wall reconstructed, noting that the original wall had been altered following the demolition of the former kiln structures and the construction of B9
- South-west corner reconstructed as the original corner arrangement rather than chamfered
- Reconstruction of a 10.28 metre section of the western end of the north wall plus 4.5 metre return
- Reconstruction of the roof to match the original profile, with the exception of the north and central sections where the new tower is proposed

Conservation works

Conservation works are proposed to the remaining sections of brick wall including:

- Crack repair to remnant north and east walls
- Repoint section of brick work to north elevation

New works

New north wall/entry arrangement

While the eastern and western sections of the north wall are proposed to be reconstructed, the central section and the associated main entry into the building, is proposed to be constructed adopting a cranked arrangement. In particular the new wall will splay away from B5 to the north. The entry will be clad in clear glazing, with concrete columns supporting the soffit of the tower above.

Ground and first floor layouts

As originally approved, B6 was proposed to be adapted into a residential tower, with the HIS which accompanied the application noting that:

> The retained and reconstructed ground and first floors of the building are likely to be adapted for part commercial use with an emphasis on the interpretation of the original floor maltings.

It is now proposed that the approved tower be constructed as a hotel tower with the reconstructed ground and first floors incorporating a number of support facilities for the hotel and a small co-working office space on level 1.

The eastern end of B6 will be reconstructed as a double height space, with remnant first floor beams which survived the fire also retained in the northern section of this space. The original eastern end wall, which was obscured by the c. 1928 addition and was one of the few parts of the building to survive the fire, will be retained and imported into the reconstructed building. This section of the building is proposed to be used as a café/bar area and will incorporate interpretative elements as appropriate.

New tower

The new tower adopts the same footprint as the tower approved as part of heritage permit P25508, with the exception of a reduction in height as required by condition 1 of the permit. The proposed RL of the top level will be RL 46.87 in comparison with the submitted set of RL 48.75.

It is now proposed that the tower will predominantly accommodate a hotel (rather than residential), with commercial floors on levels 2 and 3.

The tower will be clad in a combination of glazed spandrel panels with light concrete elements providing articulation to the façade. The main bulk of the tower will be clad in light blue glazing, with the upper levels in a darker blue and the level between the roof of B6 and the tower will be in dark grey or similar.

2.4 Assessment of heritage impact

2.4.1 External reconstruction and new works

The extent of reconstruction of the mostly destroyed building has been driven by the remnant extant fabric and has also been informed by the approved adaptation of the building. Consideration has been given to the policies of the Conservation Management Plan (CMP), acknowledging that this document does not contemplate the complexities associated with reconstruction following significant damage to a building as has occurred at B6.

The extent of damage at B6 is such that the building will have to be almost entirely rebuilt, with little or no original fabric remaining extant. This includes all of the significant internal fabric, including associated plant and machinery. The amended proposal for B6 has been designed in this context, which differs greatly from the considerations which faced the redevelopment of B6 when the original application was lodged.

The key issue in considering the amended works to B6 is the extent of reconstruction works to occur. This reconstruction will occur in a different context to the reconstruction envisaged in the original permit approval which involved the salvage and reuse of the dismantled fabric. Following the fire, there was little to no fabric surviving from B6 which was able to be salvaged or which was in a condition to allow its use in any reconstruction activities. To the extent possible, the reconstructed sections of the external building (i.e. the brick walls) will utilise bricks salvaged from other buildings on the site including B1, B2 and B11, however the reality is that the reconstructed sections of B6 will clearly read as fabric which has been introduced to B6, even if it is salvaged from the broader site. The balance of reconstruction and new design to the external shell has been informed by these considerations, amongst others.

While the CMP identified all of the remnant exterior and interior fabric as being of significance, it acknowledged that the south façade was the most intact and was also highly visible from the adjacent freeway.[1] The eastern end of the Harcourt Parade elevation (mostly the section associated with the 1928 addition) is one of the few remaining sections of wall to survive the fire, along with the original eastern end of the shed (which became an internal wall following the 1928 addition). Under the approved plans the eastern addition was proposed to be partially demolished and to serve as an external courtyard space to B6, with the Harcourt Parade wall to remain. Given that this is the only section of the Harcourt Parade wall to survive, it is proposed to fully restore this section of the building, including the reconstruction of the eastern wall and the roof.

The remnant fabric of the wall will be incorporated into a fully reconstructed wall along Harcourt Parade, which, as noted above, is the key visible element of the B6 building, particularly from external vantage points. The full reconstruction of this wall, along with the associated roof and eastern and western end walls, will recreate a three-dimensional built form which reflects the original arrangement across this highly visible elevation. The previously altered window openings (now destroyed) will be reconstructed to match the original arched presentation with associated timber louvres.

The northern wall was originally proposed to be dismantled to allow for the construction of the new tower element above the building, with the wall then rebuilt to match the original presentation. The key change between the approved scheme and the amendment is the change from the reconstruction of this wall to the proposed contemporary entry arrangement.

The new entry arrangement corresponds with the extent of north wall originally approved to be dismantled, however it is now not proposed to rebuild this section of wall. This amendment reflects the destruction of this fabric and acknowledgment of the new intervention in the fabric. Whereas formerly this section of wall would have been the only section of reconstructed external fabric, it would now form part of an almost completely reconstructed building. In this context, it is considered that the contemporary expression of this elevation is an appropriate response to the reconstructed building, the overall adaptation of B6 and the redevelopment of the site more broadly.

The splayed entry arrangement provides additional breathing room to building B5 located to the north, which is a building of primary significance and is currently highly constrained on the site. The opportunity that the new entry arrangement presents to draw B6 away from this building is a positive one.

2.4.2 Internal works

Internally the reconstructed building will include a range of services to support the office and hotel use. It is not intended to full reconstruct the interior of the building to reflect the original maltings arrangement. This reflects the fact that the majority of the interior has been destroyed.

---

1 Lovell Chen, *Richmond Maltings Conservation Management Plan*, 2005, p. 86.

On the ground floor, the eastern end of the building, where the original eastern end wall remains extant, along with some remnant beams and structure, will be reconstructed as a double height space. A void to the reconstructed truss roof and retained floor beams will be included in this area. The original lower floor level of the building will be retained in this section of the building, where as the central and western sections of the building will have a raised floor level to address regulations regarding flood mitigation. This approach reflects the intention to focus interpretation of the original maltings function in the eastern end of the building. It is proposed to adapt these spaces as hospitality areas (bar/lounge and café/restaurant) which will be open to members of the public. It is anticipated that this area will be a key space for interpretation within the building and that the double height space, with remnant floor beams above, will allow for an understanding of the original arrangement of the building and the operation of the floor maltings. The adaptation of the eastern end of the building into a hospitality venue will support visitation and encourage engagement with interpretative elements within this space.

Level 1 will include support services for the hotel, including a function and conference room, and a co-working space to the west. Storage will be located along the southern edge of the floor (and to the north of the west end) to accommodate the low floor height associated with the reconstruction of the roof with the original pitch. As noted, the eastern end will be open as a double height space.

The proposed internal reconstruction and adaptation works balance the retention of the remnant fabric, reconstruction of the overall building envelope and the adaptation of the building into a hotel/commercial building as part of the overall development of the Richmond Maltings site.

2.4.3 Tower

There are minimal modifications to the proposed tower as approved by P25508. The impact of the proposed tower was assessed as part of the considerations with regard to the original permit application and was approved subject to the removal of one level. The amended plans show the required change.

It is not considered that any of the details of the proposed tower element are subject to the amendment request and that the form, mass and external appearance of the tower will be managed as part of the submission of documentation under condition 1 and 8 of the permit.

2.5 Conclusion

The proposed amended works to the B6 building at the Richmond Maltings complex reflects the reality of the damage caused by the fire which occurred in late 2017. The proposed partial reconstruction of B6 responds to the remnant fabric which survived the fire and the key public view associated with the building (i.e. from the freeway and Harcourt Parade). The contemporary response to the north entry is an appropriate approach in the context of the mostly destroyed building, as is the intention to focus interpretation and reconstruction in the eastern end of the building, where the most fabric survives from the fire. The proposed tower to be constructed above B6 aligns with that previously approved, with the exception of a level removed to reflect the conditions of permit P25508.

The amended works have no additional heritage impact beyond what has been approved by permit P25508, acknowledging that the majority of the original fabric of the building has been destroyed. The proposed amendment achieves a balanced outcome whereby the destroyed fabric is in part reconstructed and in part interpreted in the redeveloped structure.

3.0 Early works demolition

3.1 Proposed amendment

It is further requested that the permit is amended to allow for the commencement of early works demolition for Stage 2 prior to the fulfillment of Conditions 1, and Conditions 8 to 12 (particularly 9 and 12) as related to Stage 2. These conditions relate to the lodgement of detailed documentation with the Executive Director prior to the commencement of works.

A full construction/tender set of drawings for Stage 2 is still in development and it is anticipated that these would not be ready until 2020. As part of the overall development of the site it is proposed to undertake an early works package of demolition to the area covered by the 'Stage 2' development. The demolition would align with the extent of demolition approved by P25508 and would not include any additional demolition beyond what has previously been approved.

The undertaking of an early works demolition package is a common practice on large development sites. The commencement of demolition allows works to commence on site while full tender documents for the new build are in development. This accordingly means that once the tender has been awarded that new building work can commence much more quickly as the site is already cleared.

It is considered reasonable that Conditions 2 to 7 would be required to be satisfied prior to any works commencing on Stage 2, however it is requested that Condition 7 is amended to allow for a construction management plan to be lodged for the early works demolition package only, with a plan for the full Stage 2 construction to be lodged as timing allows.

A copy of the permit with the suggested amendments (in red) is attached to this application.

3.2 Assessment of heritage impact

It is understood that Heritage Victoria may have concerns with regard to allowing demolition to occur in anticipation of all of the pre-start conditions on P25508 being approved. It is submitted that the requirement to fulfil Conditions 2 to 7 will provide sufficient protection to the heritage values of the site and ensure that the early works demolition does not result in any additional adverse impacts on the heritage values of the place beyond what has been approved by P25508. In particular, the requirement to fulfil Condition 5 (financial security) will provide a guarantee that the conservation, adaptation and new works (including landscaping) will be completed as per the approved permit. The construction management plan required by Condition 7 will also ensure that protection measures are in place where the works intersect with heritage fabric.

Items identified as to be retained in the machinery audit lodged under Condition 4 of the permit will be salvaged and retained on site.

The conditions that are proposed to be amended relate to detailed documentation only and the requirement to fulfil these conditions prior to the commencement of works for Stage 2 (as shown in the enclosed demolition package) will delay the overall building project

With regard to conditions 2 to 7 the following is noted regarding their current status:

Condition	Note
Condition 2 – Conservation Architect	Satisfied
Condition 3 – Archival Recording	Satisfied
Condition 4 – Machinery Audit	Satisfied (Stages 1 and 2)
Condition 5 – Financial Security	Stage 1 satisfied

Condition	Note
Condition 6 – Archaeology	Archaeological Assessment and Research Design in preparation for Stage 2 – permits will be applied for as required. Note early works demolition is to ground only and no below ground excavation will occur at this stage. Any sub-surface disturbance would be the subject of a separate approval process.
Condition 7 – Construction Management Plan	Stage 1 satisfied Amendment request to allow for Stage 2 plans to be provided as per the staging of works

3.3 A note on archaeology

It is noted that an Archaeological Assessment and Research Design (AARD) for the stage 2 works has been prepared by Extent Heritage. This report identifies six areas for potential test trenches, including two (potentially three) which are in areas currently occupied by buildings approved for demolition. The proposed early works demolition will allow for the archaeological testing in these areas to commence well in anticipation of construction beginning in this section of the site.

The AARD will be submitted to Heritage Victoria in support of a permit application for the proposed archaeological testing in due course.

3.4 Conclusion

The requested amendment to allow for a package of early works demolition to occur will allow for works to commence on Stage 2 prior to the finalisation of tender ready documentation. The conditions on the permit which relate to the recording and protection of heritage fabric will still be required to be satisfied prior to any works commencing.

Attachment 3 - Heritage Victoria Referral - Applicant cover letter

LOVELL CHEN

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enquiry@lovellchen.com.au
www.lovellchen.com.au

ABN 20 005 803 494
ARBV C50004

Attention: Jean Chen, Heritage Officer
Mr Steven Avery
Executive Director
Heritage Victoria
Level 7, 8 Nicholson Street
East Melbourne VIC 3002

8 July 2019

Dear Mr Avery

Re: P25508 – Permit Amendment Application, Richmond Maltings (H2050)

I refer to the above-mentioned heritage place and a request to amend heritage permit P25508. In support of the permit application amendment, and on behalf of our client, Caydon Pty Ltd, please see enclosed the following documents:

- Heritage impact statement prepared by Lovell Chen, dated July 2019 & marked up permit (P22508)
- Architectural drawings prepared by Caydon (Richmond Malt Stage 2), dated 18 April 2019
- Demolition Package prepared by Caydon dated 26 March 2019
- Conservation works drawings prepared by Lovell Chen, dated February 2019
- Signed permit application form

I note that the associated permit amendment application fee of $12,763.65 has also been paid. This fee was paid in two instalments of $12,453.38 (receipt: 20020038913) and of $327.27 (receipt number: F907082154842). The associated payment receipts are also enclosed with the application.

I trust sufficient information has been provided to allow for the consideration of the proposed amendment to permit P25508, however should further detail be required please contact the undersigned on 9667 0819 or via email at mbashta@lovellchen.com.au.

Yours sincerely
Lovell Chen

Michelle Bashta
Associate

cc: Mr Peter Smith, Caydon

Attachment 4 - Heritage Victoria Referral - Plans Part 1

RICHMOND MALTINGS B6 WORKS
CREMORNE STREET, CREMORNE 3121

01 LOCATION PLAN
NTS

DRAWING REGISTER:

HA.00	LOCATION PLAN & DRAWING REGISTER
HA.01	SITE PLAN
HA.02	B6 GROUND / LOOR, B6 ROOF PLAN AND B6 ELEVATIONS
HA.03	B6 REFLECTED ROOF PLAN AND TYPES OF TRUSSES
HA.04	B6 SECTIONS

NOT FOR CONSTRUCTION

NO.	DATE	REVISION
HV-01	05/08/19	SUBJECT

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CONSULTANT: DRIVING CONSULT

CONSULTANT: FANNER KATSALIDIS

CLIENT: CAYDON

LOVELL CHEN

PROJECT: RICHMOND MALTINGS REDEVELOPMENT STAGE 2

DRAWING TITLE: LOCATION PLAN AND DRAWING REISTER

DRAWN	CHECKED	PROJECT NO.	DATE
KE	DB	7945	FEBRUARY 2019

ISSUE	SCALE	DRAWING NO.	REVISION
HERITAGE VICTORIA	N1S@A1	HA.00	HV-01

Attachment 4 - Heritage Victoria Referral - Plans Part 1

01 SITE PLAN
1:500

NOT FOR CONSTRUCTION

CAYDON

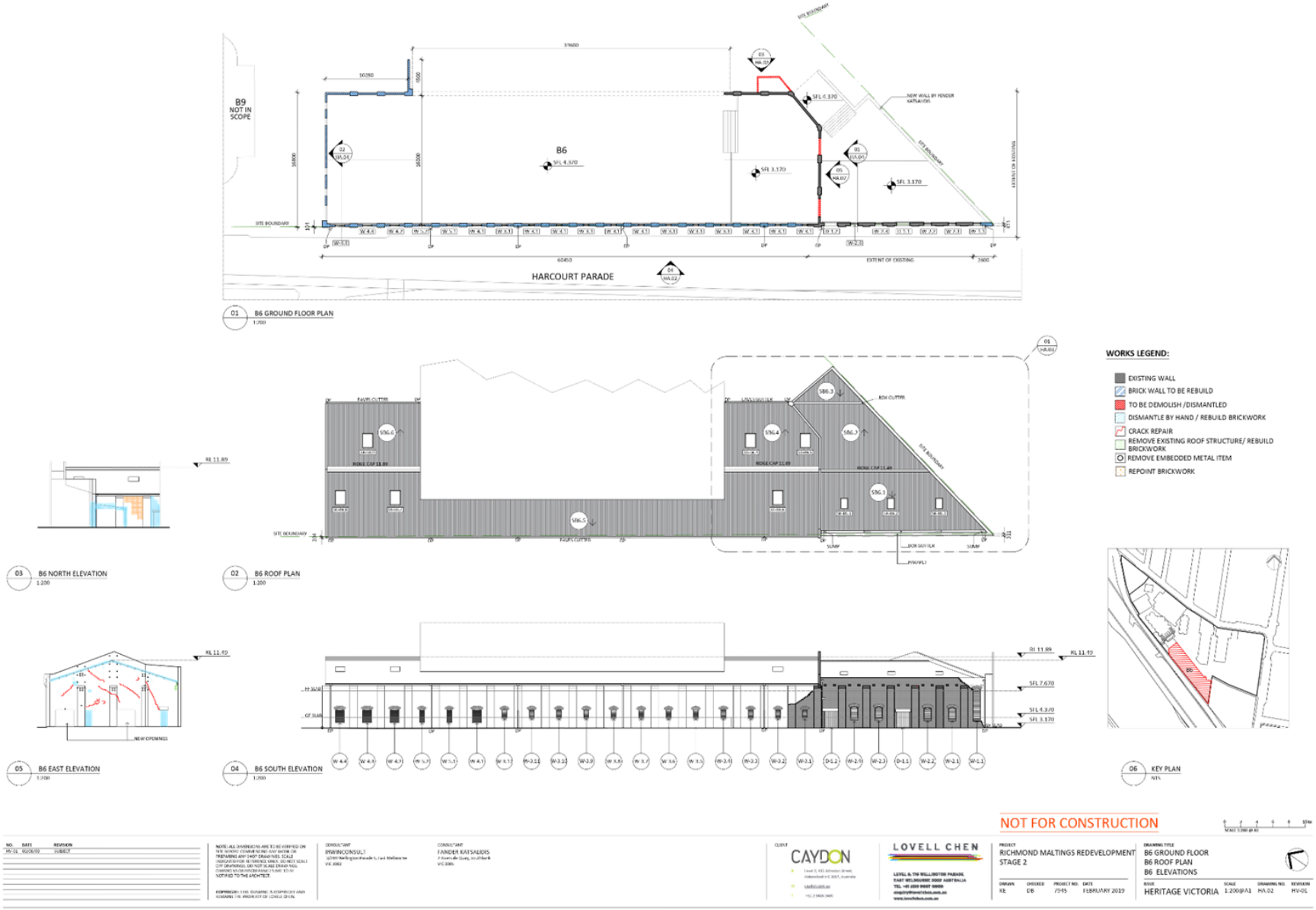
LOVELL CHEN

RICHMOND MALTINGS REDEVELOPMENT
STAGE 2

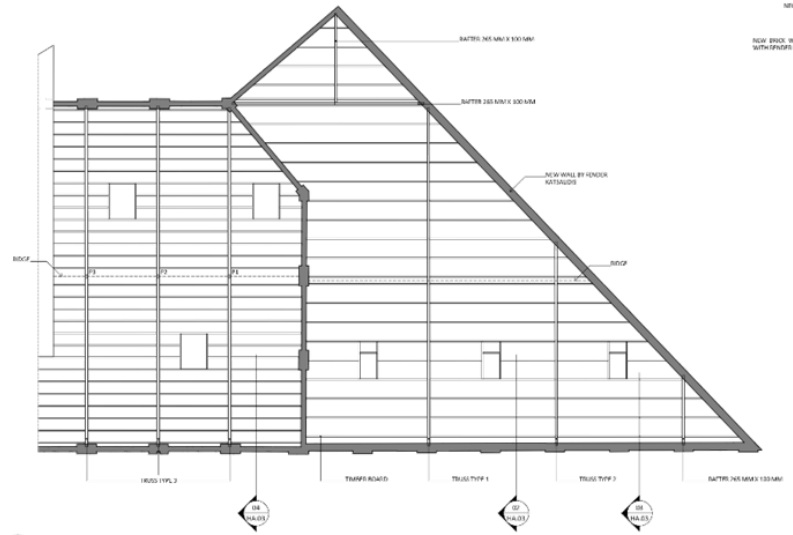
SITE PLAN

HERITAGE VICTORIA

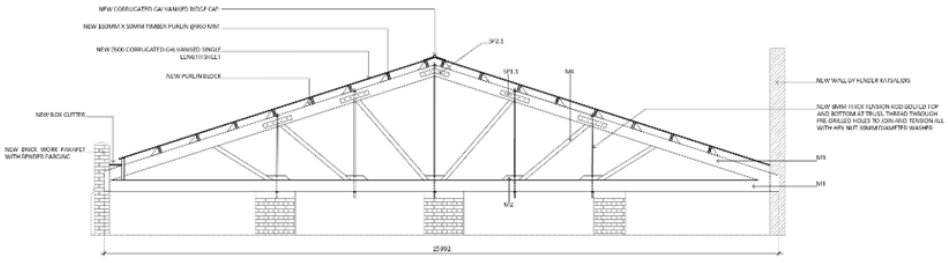
Attachment 4 - Heritage Victoria Referral - Plans Part 1



Attachment 4 - Heritage Victoria Referral - Plans Part 1



01 B6 REFLECTED ROOF PLAN
1:100



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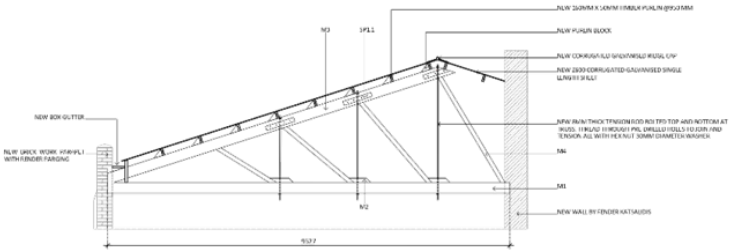

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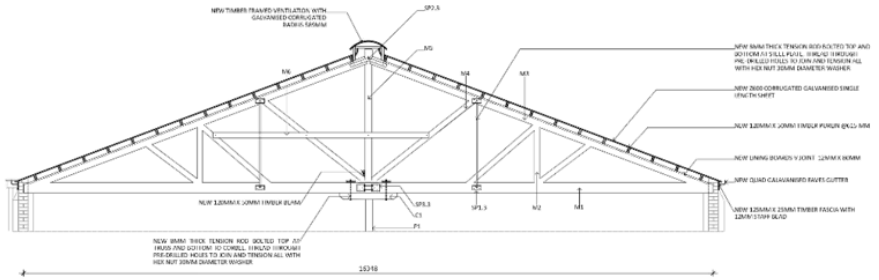


04 B6 TRUSS TYPE 3
1:50

B6 TRUSS TYPE 1

ITEM	ELEMENT	DIMENSIONS	NOTES
M1	BOTTOM CHORD / TIE BEAM	240 MM X 130 MM	• ALL TIMBER IS TO BE SUPPLIED IN NEAREST SIZED DIMENSION AND CUT DOWN TO IMPERIAL SIZES AS NOTED. • ALL TIMBER TO TRUSSES TO BE SEASONED OREGON F7 MIN.
M2	TIMBER BLOCKING	130 MM X 130 MM	
M3	PRINCIPAL RAFTER	260 MM X 130 MM	
M4	STRUTS	90 MM X 130 MM	
SPL1	STEEL PLATE 1	REFER TO HA.06	
SPL2	STEEL PLATE 2	REFER TO HA.05	

B6 TRUSS TYPE 2

ITEM	ELEMENT	DIMENSIONS	NOTES
M1	BOTTOM CHORD / TIE BEAM	260 MM X 100 MM	• ALL TIMBER IS TO BE SUPPLIED IN NEAREST SIZED DIMENSION AND CUT DOWN TO IMPERIAL SIZES AS NOTED. • ALL TIMBER TO TRUSSES TO BE SEASONED OREGON F7 MIN.
M2	TIMBER BLOCKING	100 MM X 100 MM	
M3	PRINCIPAL RAFTER	260 MM X 100 MM	
M4	STRUTS	90 MM X 100 MM	
SPL1	STEEL PLATE 1	REFER TO HA.06	

B6 TRUSS TYPE 3

ITEM	ELEMENT	DIMENSIONS	NOTES
M1	BOTTOM CHORD / TIE BEAM	240 MM X 180 MM	• ALL TIMBER IS TO BE SUPPLIED IN NEAREST SIZED DIMENSION AND CUT DOWN TO IMPERIAL SIZES AS NOTED. • ALL TIMBER TO TRUSSES TO BE SEASONED OREGON F7 MIN.
M2	POST TO PR	180 MM X 180 MM	
M3	PRINCIPAL RAFTER (PR)	180 MM X 180 MM	
M4	STRUTS	170 MM X 180 MM	
M5	KING POST	150 MM X 180 MM	
M6	SAGGING BEAM	180 MM X 120 MM	
C1	COMBS	170 MM X 120 MM	
PC	POST TO CORBEL	320 MM X 120 MM	
SPL1	STEEL PLATE 1	REFER TO HA.05	
SPL2	STEEL PLATE 2	REFER TO HA.05	
SPL3	STEEL PLATE 3	REFER TO HA.05	

NOT FOR CONSTRUCTION

NO.	DATE	REVISION
HV-01	30/08/19	SUBJECT

CONSULTANT
DRAWING CONSULT

CONSULTANT
FAENDER KATSALIDIS

CLIENT
CAYDON

LOVELL CHEN

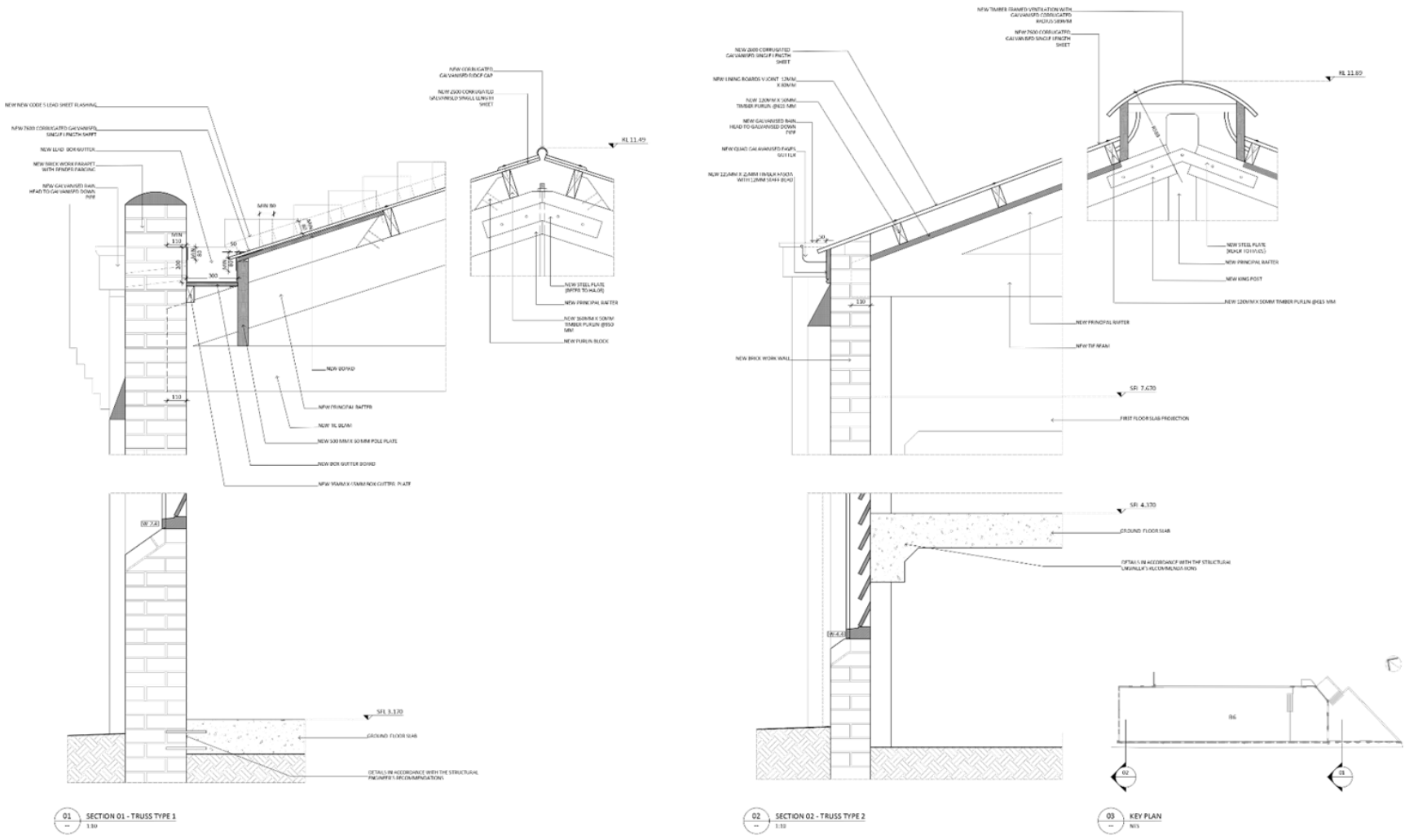
PROJECT
RICHMOND MALTINGS REDEVELOPMENT
STAGE 2

DRAWN	CHECKED	PROJECT NO.	DATE
KE	DB	7945	FEBRUARY 2019

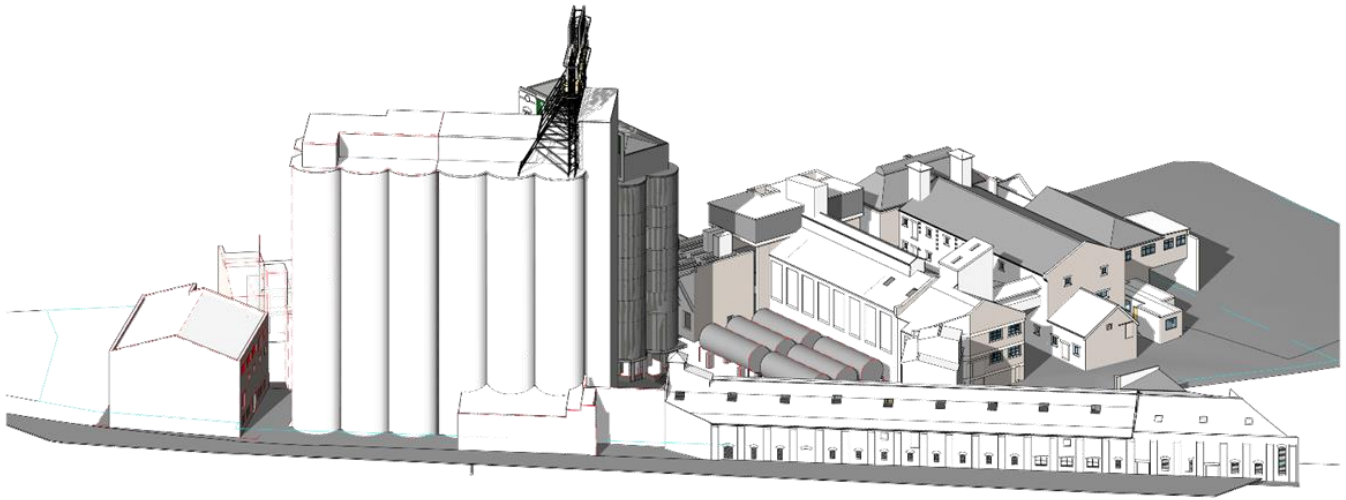
DRAWING TITLE
REFLECTED ROOF PLAN
B6 TYPES OF TRUSSES

ISSUE	SCALE	DRAWING NO.	REVISION
HERITAGE VICTORIA	1:100@A1 1:50@A1	HA.05	HV-01

Attachment 4 - Heritage Victoria Referral - Plans Part 1

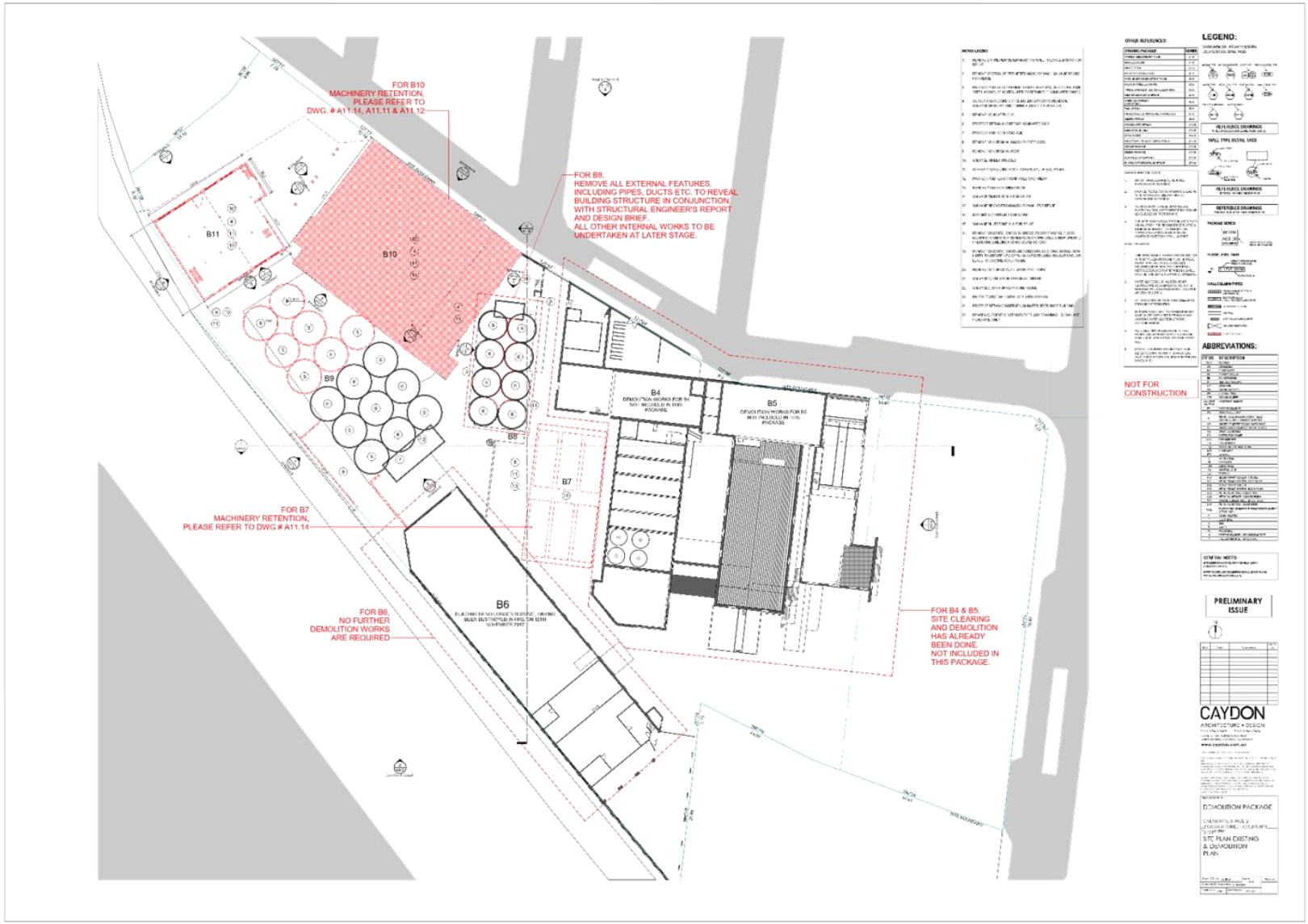


Attachment 5 - Heritage Victoria Referral - Plans Part 2



PROJECT	JOB NO.	DATE
DEMOLITION PACKAGE CREMORNE STAGE 2 2 GOUGH STREET, CREMORNE, 3121	256	26.03.2019

Attachment 5 - Heritage Victoria Referral - Plans Part 2



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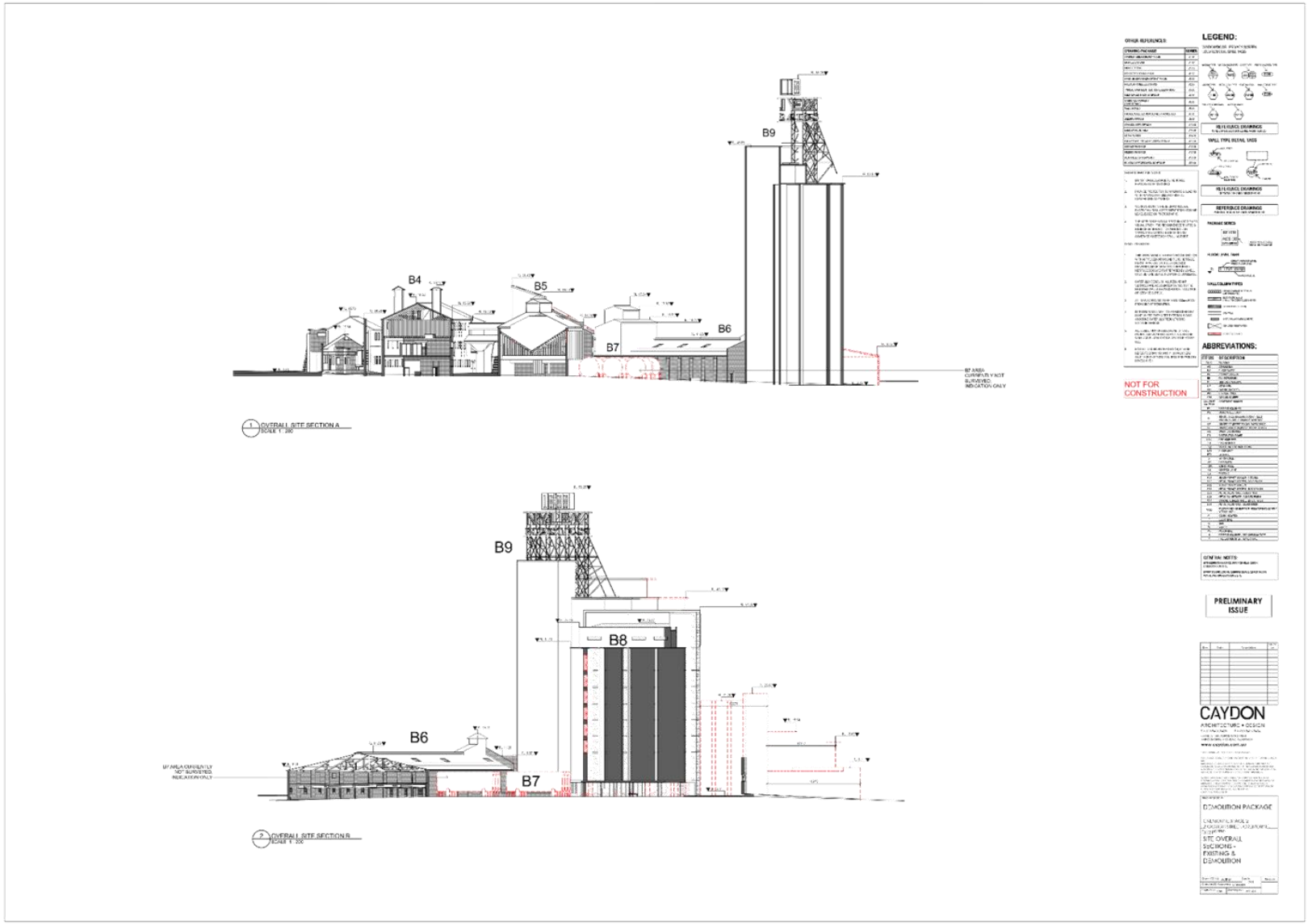

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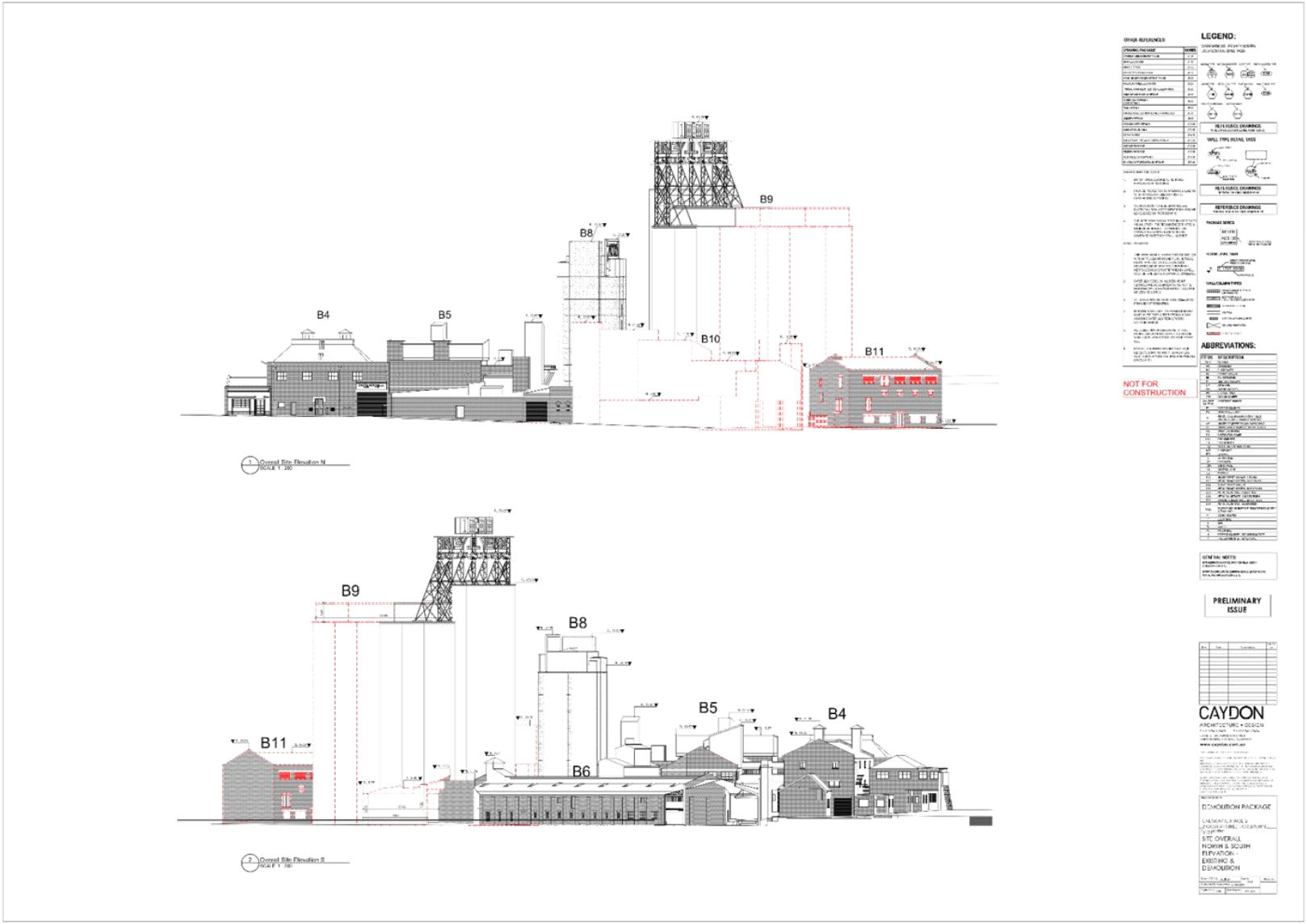

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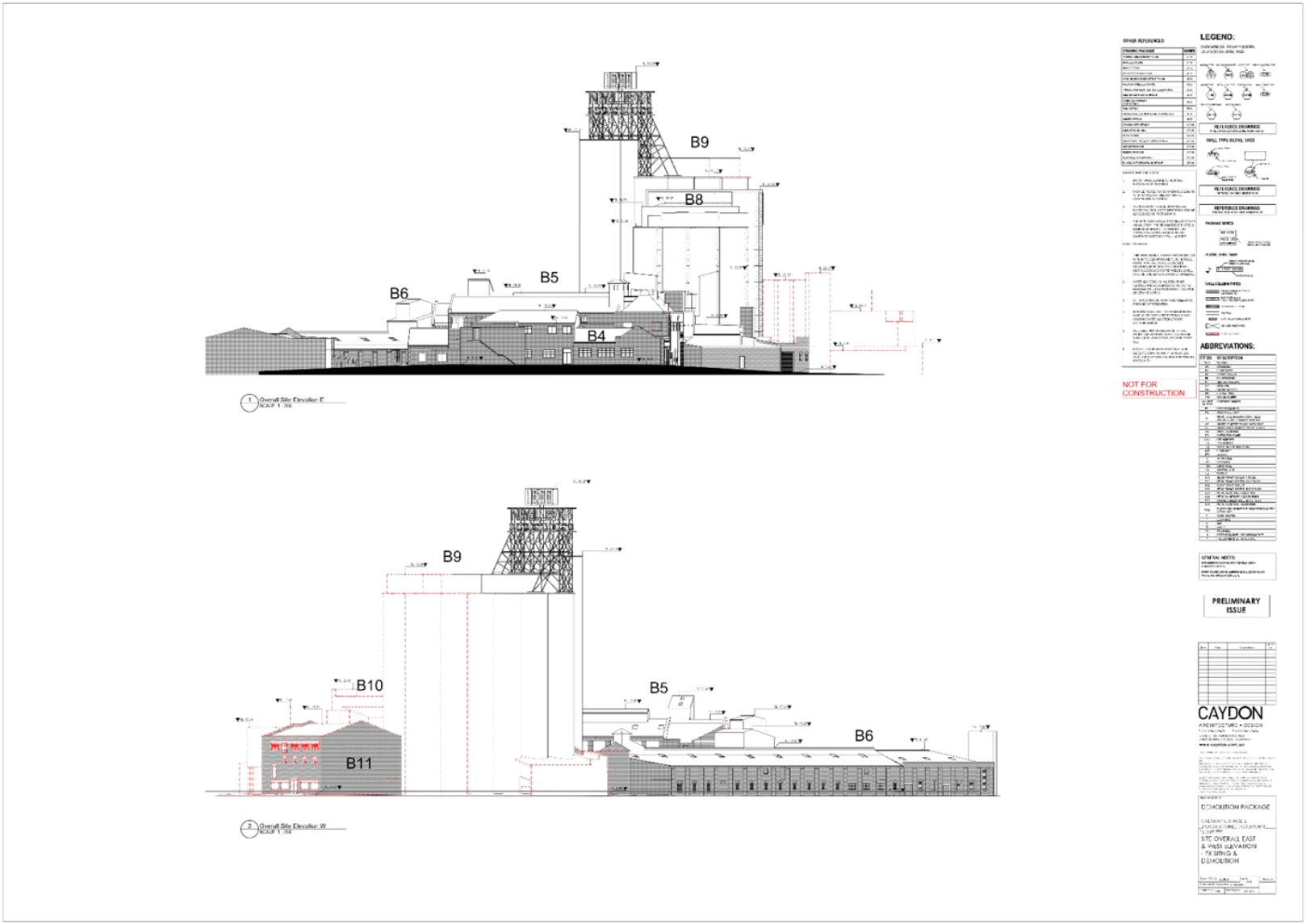

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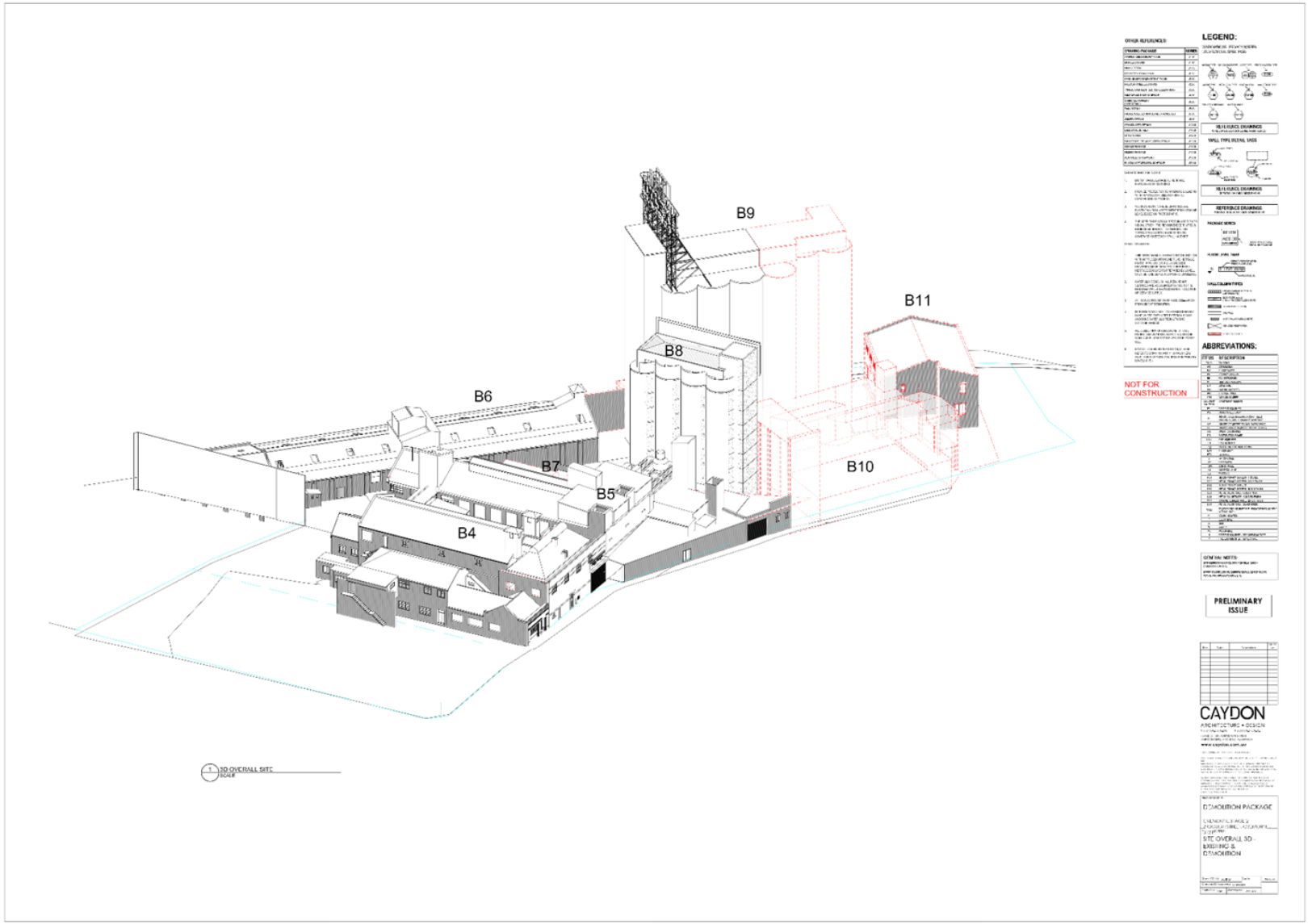

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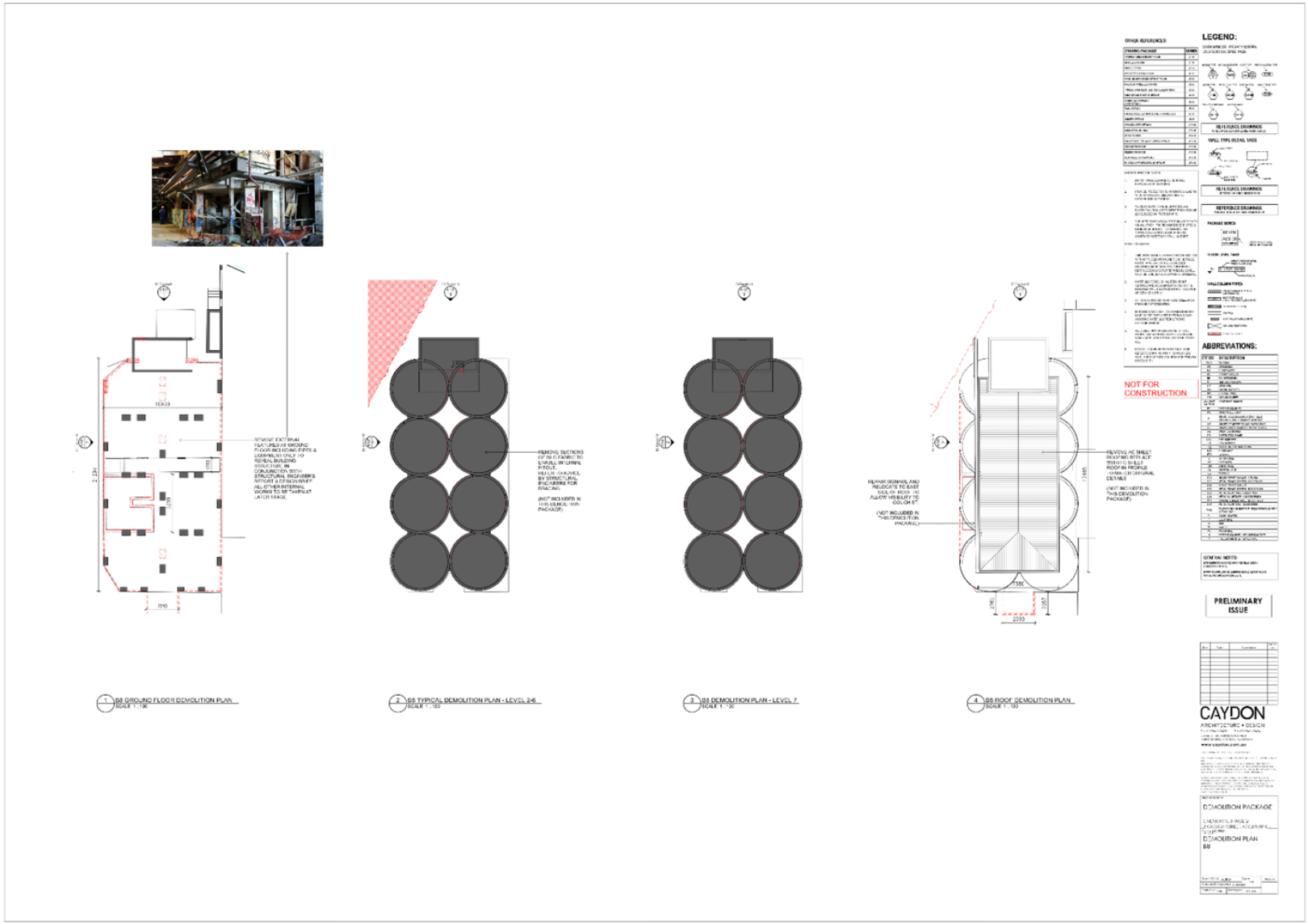

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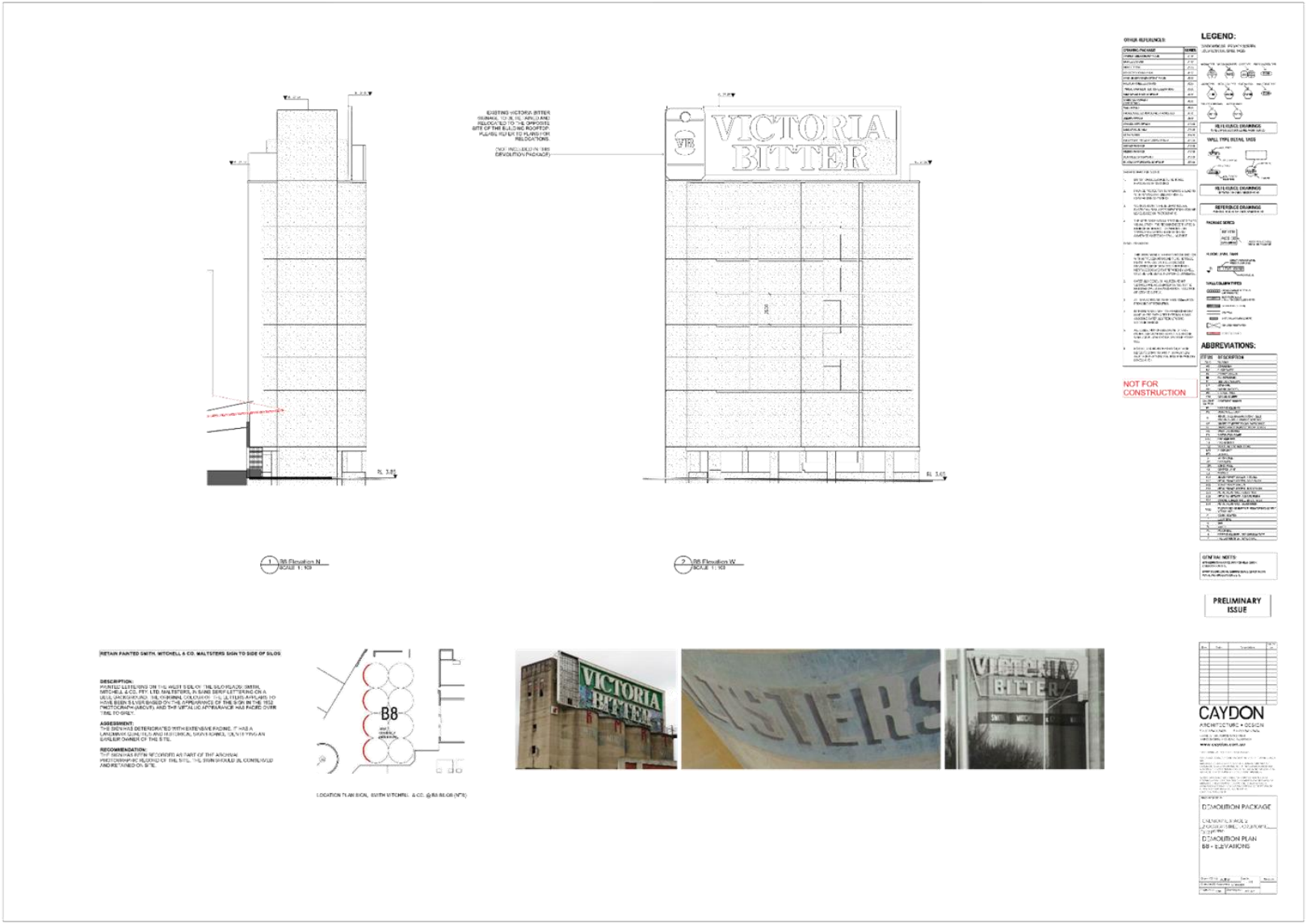

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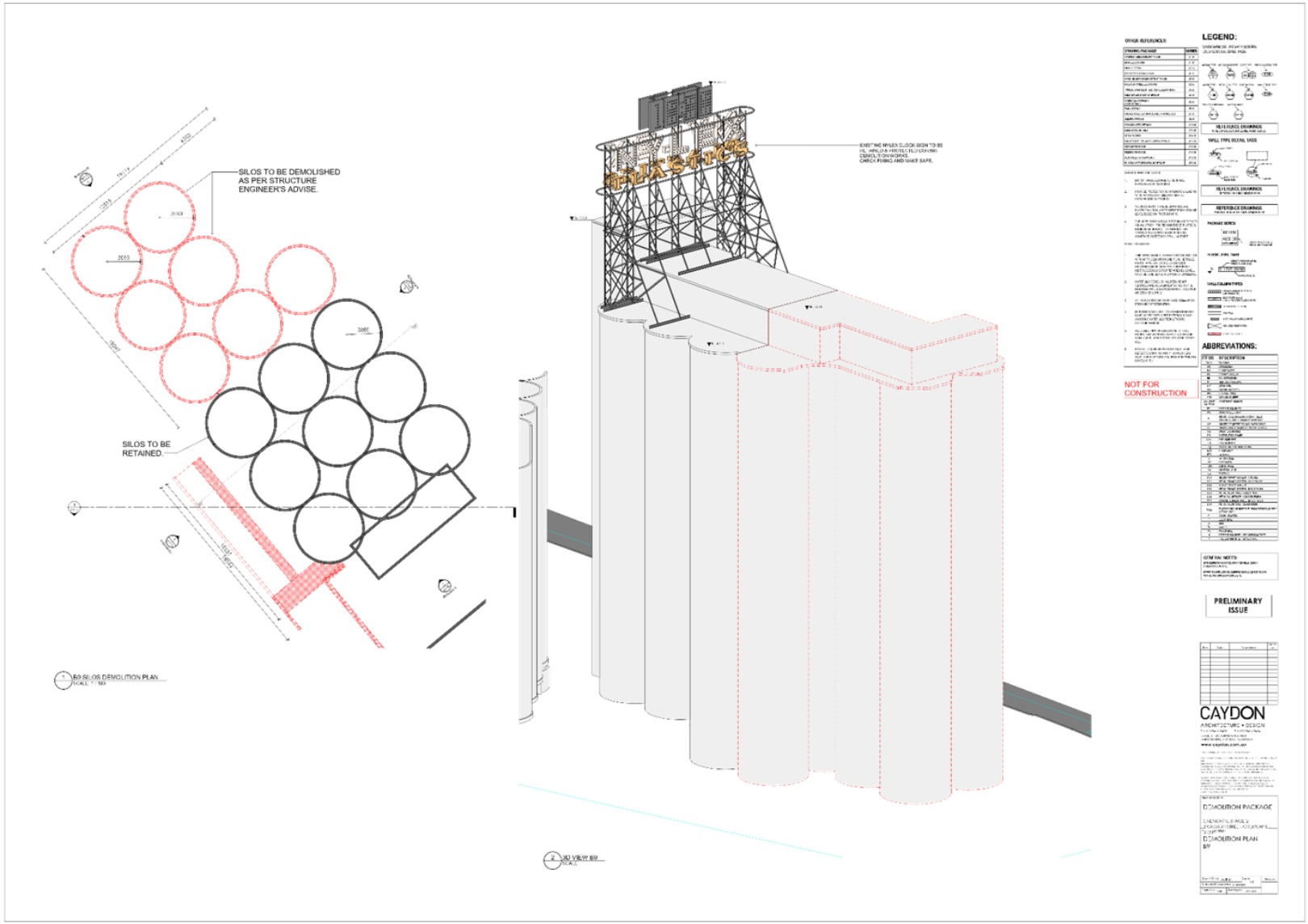

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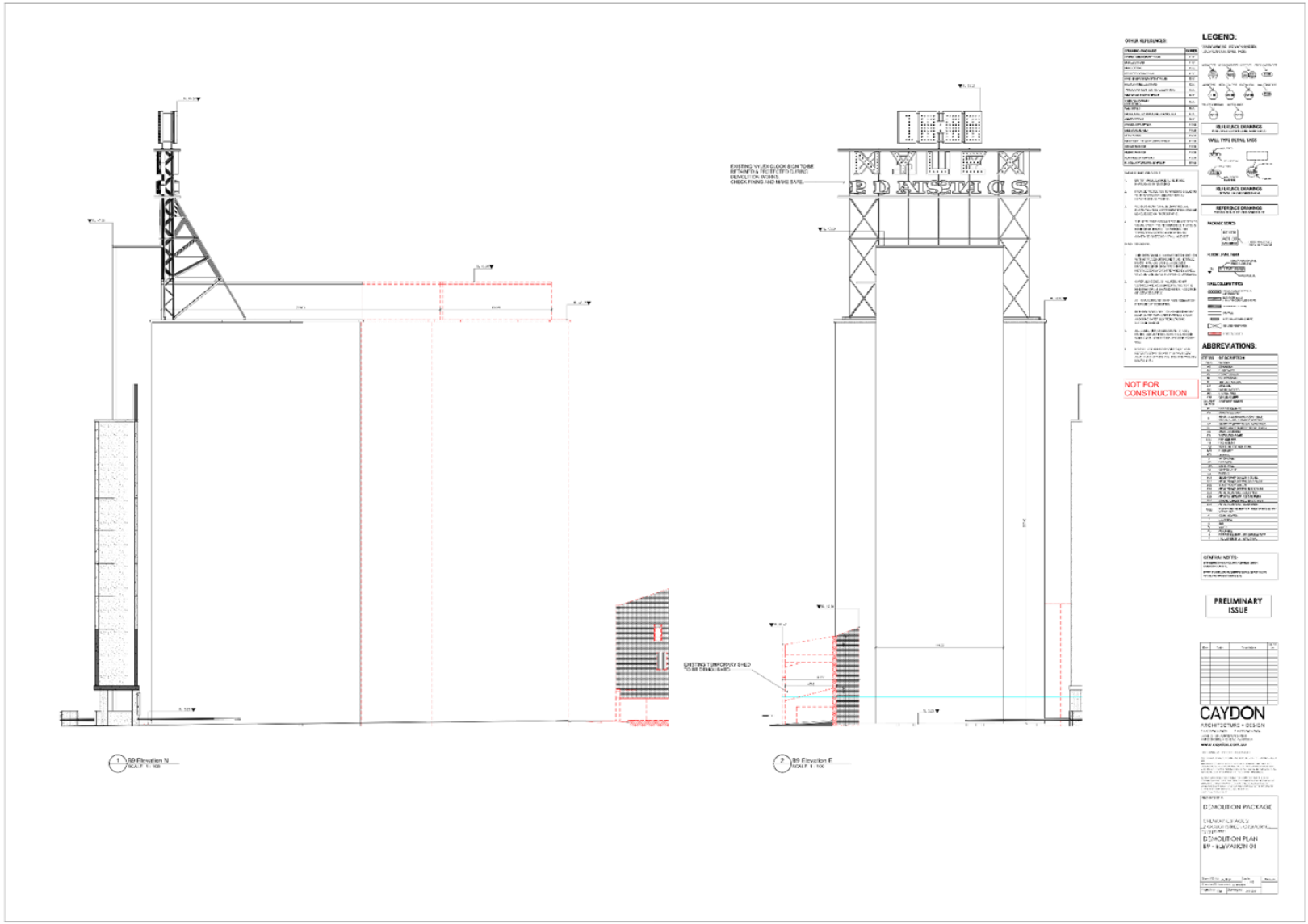

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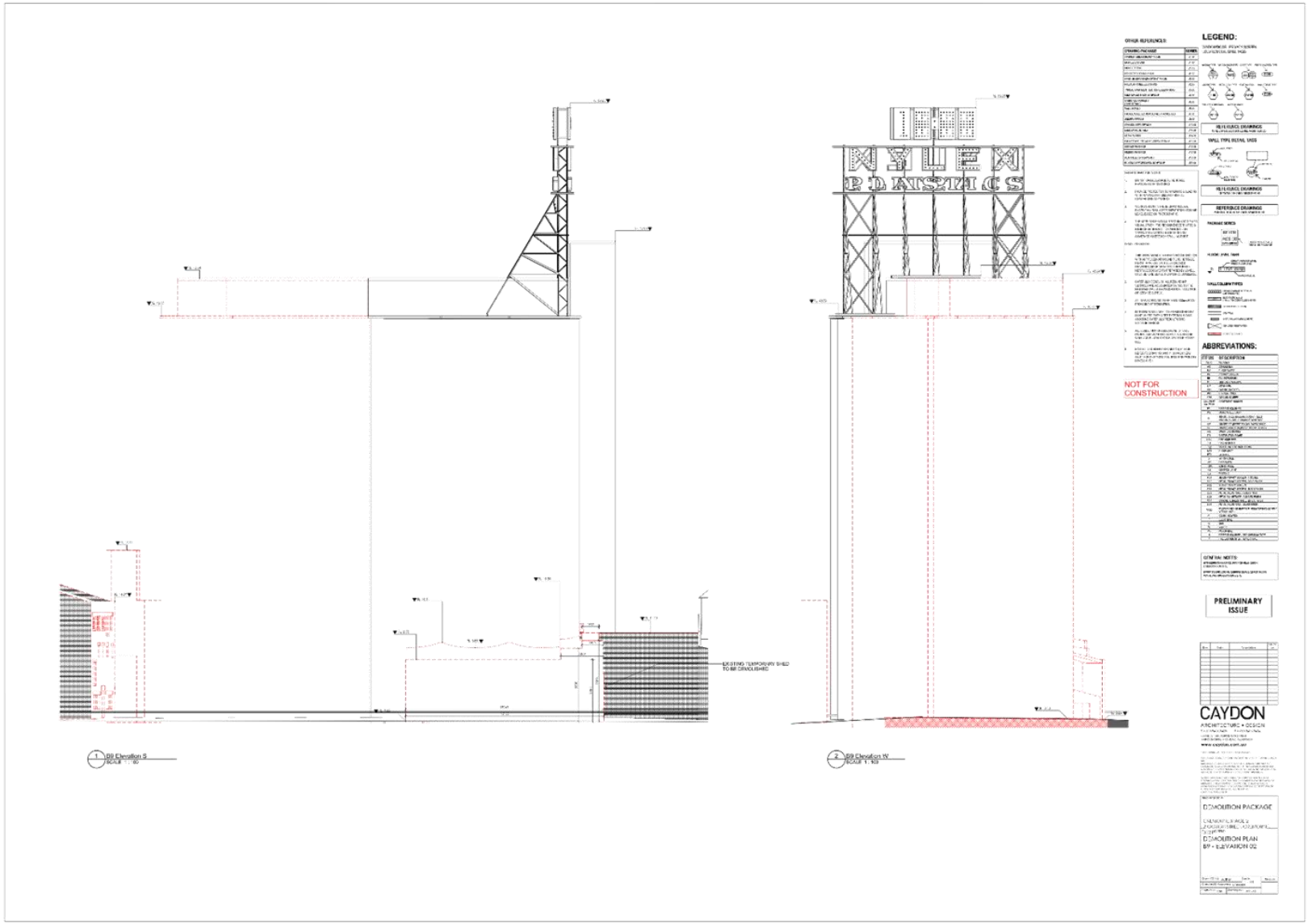

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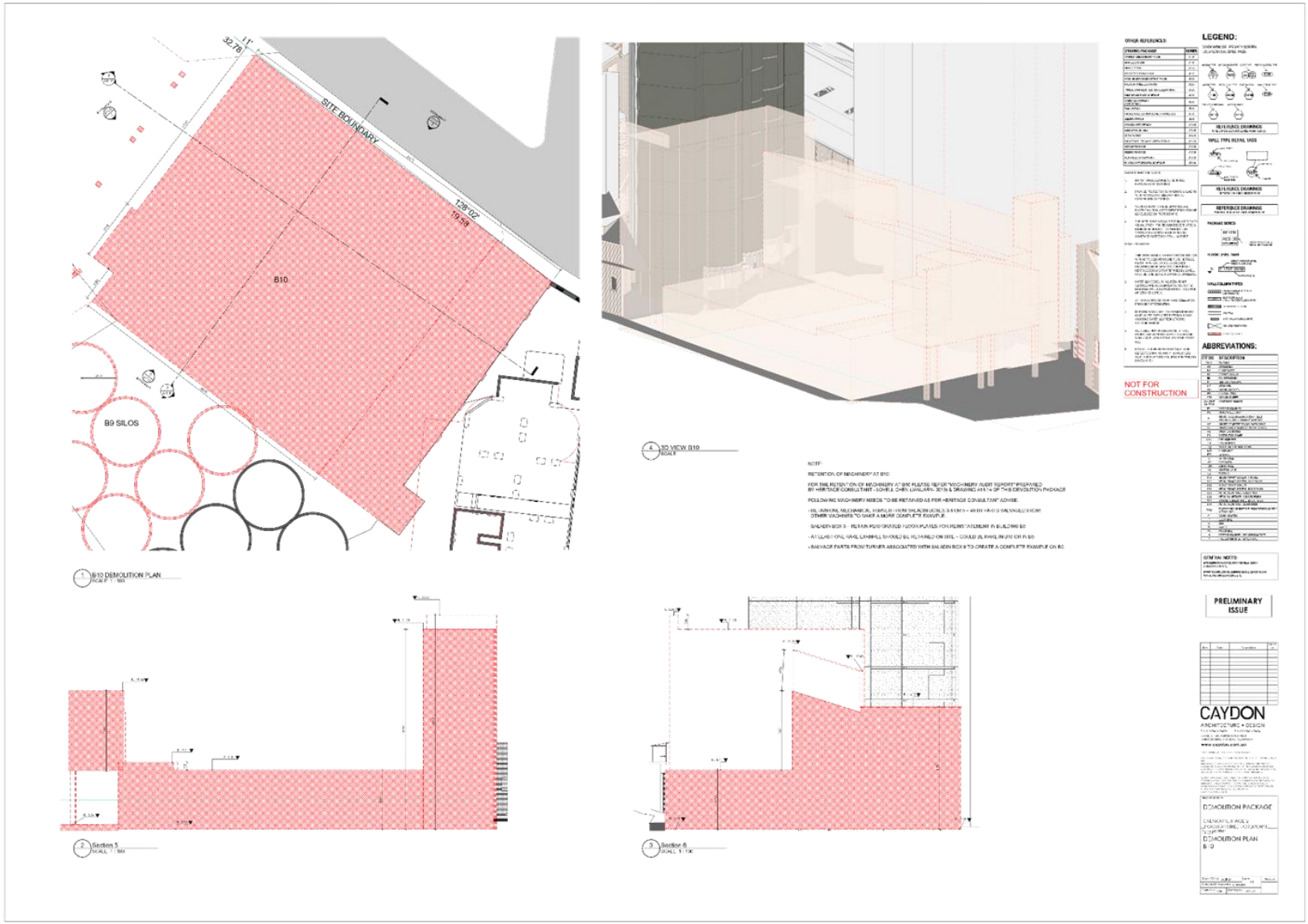

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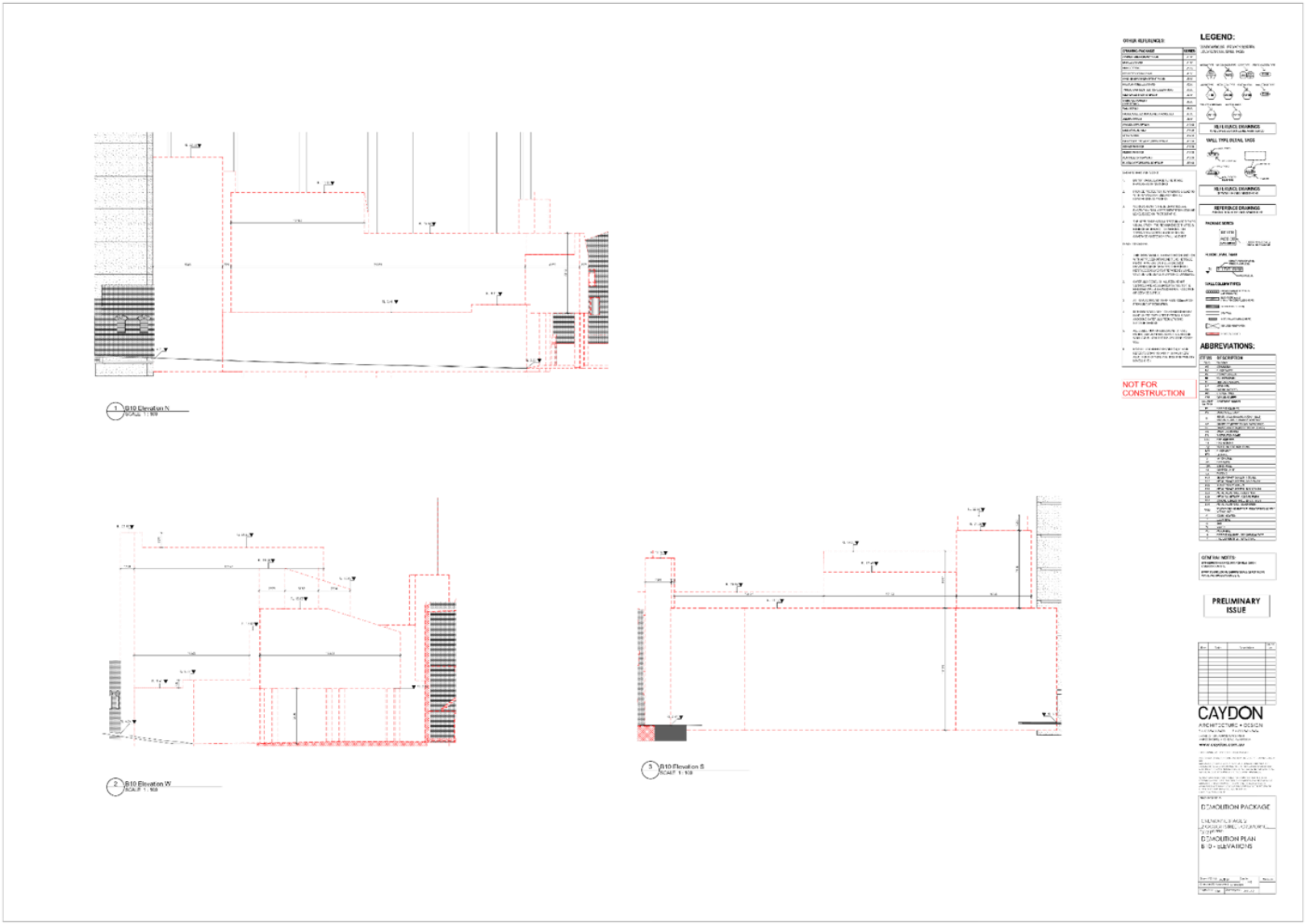

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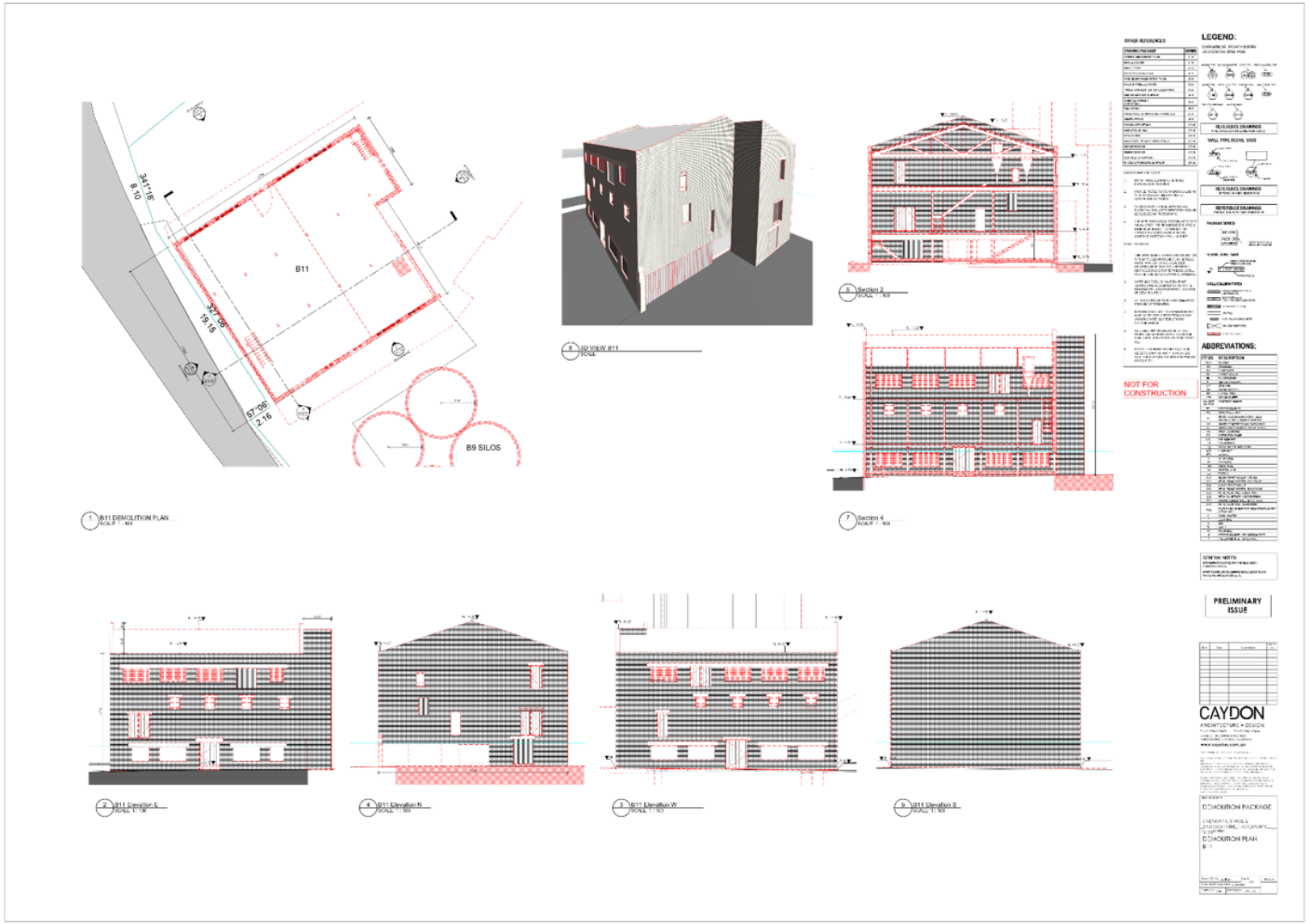

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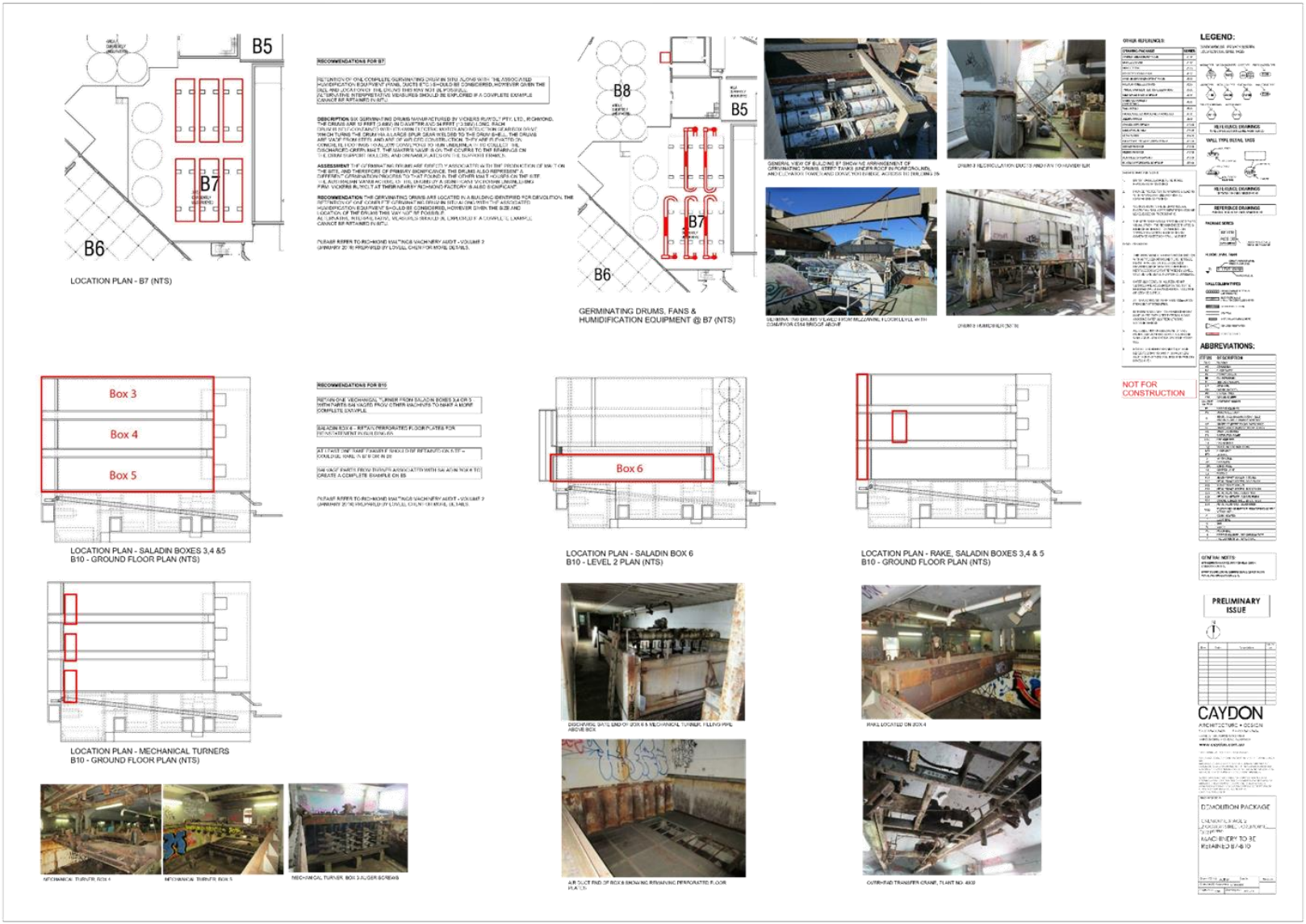

Attachment 6 - Heritage Victoria Referral - Plans Part 3

RICHMOND MALT - STAGE 2

2 GOUGH ST, CREMORNE 3121

CAYDON

HERITAGE VICTORIA SUBMISSION

SET ISSUE: 1

DRAWING REGISTER

DRAWING TITLE	DWG NO.	SET	DWG REV.	DRAWING TITLE	DWG NO.	SET	DWG REV.	DRAWING TITLE	DWG NO.	SET	DWG REV.
Project Area Summary - B6 Building	TP-004	2	B								
Overall Ground Floor Plan	TP-100	2	B								
B6 Ground Floor Plan	TP-130	2	B								
B6 Level 1	TP-131	2	B								
B6 Level 2	TP-132	2	B								
B6 Level 3	TP-133	2	B								
B6 Level 4	TP-134	2	B								
B6 Level 5	TP-135	2	B								
B6 Level 6	TP-136	2	B								
B6 Level 7	TP-137	2	B								
B6 Level 8	TP-138	2	B								
B6 Level 9	TP-139	2	B								
B6 Level 10	TP-140	2	B								
B6 Level 11	TP-141	2	B								
B6 Level 12	TP-142	2	B								
B6 Level 13	TP-143	2	B								
B6 Elevations	TP-231	2	B								
Overall Section AA	TP-301	2	B								

DWG REV.	DESCRIPTION	DATE
A		
B		

IMPORTANT NOTICE

PROJECT NO. 256 | ADDRESS 2 GOUGH ST, CREMORNE 3121 (STAGE 2)

CHECKED BY GDS | DRAWN BY IC | SET ISSUE DATE 01/02/2019 | REVISION 2

DWG NO TP-000 | DRAWING TITLE COVER PAGE

SCALE -

CAYDON Property Group

Attachment 6 - Heritage Victoria Referral - Plans Part 3

CREMORNE STAGE 2 - B6 HOTEL & OFFFICE

REVISION: E (LAST UPDATE: 14 DEC 2018)

OVERALL SITE AREA (STAGE 2)	5567.00
TOTAL NET SELLABLE AREA (NSA)	
TOTAL NET LETTABLE AREA (NLA)	8568.04
TOTAL GROSS FLOOR AREA (GFA)	11701.66

DEVELOPMENT SUMMARY PROPOSED SCHEME

LEVELS	B6 HOTEL GUESTROOM & OFFICE MATRIX								B6 HOTEL & OFFICE DEVELOPMENT SUMMARY						
	OFFICE / CO-WORKING	KING STANDARD ROOM (KEYS)	DELUXE STANDARD ROOM (KEYS)	DDA DELUXE STANDARD ROOM (KEYS)	1 BEDROOM SUITE (KEYS)	DELUXE 1 BEDROOM SUITE (KEYS)	TOTAL NUMBER OF OFFICE	TOTAL NUMBER OF HOTEL ROOMS (KEYS)	NET LEASEABLE AREA (m^2)	UNIT AREA (EXTERNAL - TERRACE) (m^2)	UNIT AREA (INTERNAL) NSA (m^2)	TOTAL UNIT AREA (m^2)	BUILDING FLOOR GFA (m^2)	TOTAL GFA (m^2)	EFFICIENCY
GROUND FLOOR	0	0	0	0	0	0			1120.59	110.00		1230.6		1461.95	77%
LEVEL 1	1	0	0	0	0	0	1		708.32	0.00		708.3		876.48	81%
LEVEL 2	1	0	0	0	0	0	1		486.43	0.00		486.4		573.33	85%
LEVEL 3	1	0	0	0	0	0	1		787.7	0.00		787.7		886.99	89%
LEVEL 4	0	21	1	1	0	0		23	634	0.00		634.0		886.99	72%
LEVEL 5	0	21	1	1	0	0		23	634	0.00		634.0		886.99	72%
LEVEL 6	0	21	1	1	0	0		23	634	0.00		634.0		886.99	72%
LEVEL 7	0	21	1	1	0	0		23	634	0.00		634.0		886.99	72%
LEVEL 8	0	21	1	1	0	0		23	634	0.00		634.0		886.99	72%
LEVEL 9	0	21	1	1	0	0		23	634	0.00		634.0		886.99	72%
LEVEL 10	0	21	1	1	0	0		23	634	0.00		634.0		886.99	72%
LEVEL 11	0	13	1	1	3	0		18	489	150.00		639.0		734.72	87%
LEVEL 12	0	9	0	0	3	0		12	312	181.00		493.0		547.10	97%
LEVEL 13	0	7	0	0	2	0		9	226	118.00		344.0		412.16	93%
ROOF															
TOTAL															
TOTAL NUMBER OF KEYS	3	176	8	8	8	0	3	200	8568.04	559.00	0.00	9127.0	==>	11701.66	78%

CREMORNE STAGE 2 - B6 HOTEL & OFFICE

REVISION: B (LAST UPDATE: 7 NOV 2018)

B6 HOTEL & OFFICE - PROGRAM AREA CALCULATION

DESCRIPTION	FLOOR NUMBER	AREA (m^2)
PUBLIC AREA		
HOTEL - LOBBY	GROUND	146
OFFICE - LOBBY	GROUND	104
HOTEL - LIFT LOBBY AREA	GROUND	24
HOTEL - LIFT LOBBY AREA	LEVEL 1	45
TOTAL PUBLIC AREA (m^2):		**319**
OFFICE AREA		
OFFICE / CO-WORKING TENANCY UNIT	LEVEL 1	233
OFFICE / CO-WORKING TENANCY UNIT	LEVEL 2	485
OFFICE / CO-WORKING TENANCY UNIT	LEVEL 3	774
TOTAL OFFICE AREA (m^2):		**1492**
GUESTROOM AREA		
KING STANDARD	LEVEL 4 - 13	4762
DELUXE STANDARD	LEVEL 4 - 10	245
DDA DELUXE STANDARD	LEVEL 4 - 11	210
1 BEDROOM SUITE	LEVEL 11 - 13	145
DELUXE 1 BEDROOM SUITE		
GUESTROOM AREA BOH	LEVEL 4 - 13	126
TOTAL GUESTROOM AREA (m^2):		**5488**
FOOD & BEVERAGE		
RESTAURANT / CAFÉ	GROUND	224
BAR + LOUNGE - INDOOR SITTING AREA	GROUND	180
OUTDOOR TERRACE / CAFÉ	GROUND	110
OUTDOOR TERRACE	LEVEL 12	181
TOTAL FOOD & BEVERAGE AREA (m^2):		**695**

DESCRIPTION	FLOOR NUMBER	AREA (m^2)
RECREATION FACILITIES		
FITNESS CENTRE / GYM	LEVEL 12	36
TOTAL RECREATION FACILITIES (m^2):		**36**
FUNCTION & MEETING		
PRE FUNCTION AREA	LEVEL 1	57
MULTI-FUNCTION ROOM	LEVEL 1	131
BREAK OUT AREA / EXHIBITION	LEVEL 1	48
CONFERENCE ROOM	LEVEL 1	45
TOTAL FUNCTION & MEETING (m^2):		**281**
BACK OF HOUSE (BOH)		
EMPLOYEE FACILITIES		
RECEPTION OFFICE	GROUND	31
BOH - OFFICES & ETC	GROUND	181
LUGGAGE STORE	GROUND	9
GENERAL SERVICES AREAS		
LINEN COLLECTION ROOM	GROUND	20
RUBBISH COLLECTION ROOM	GROUND	23
PLANT ROOM	LEVEL 13	118
F&B KITCHEN	GROUND	98
F&B DRY STORAGE	GROUND	11
F&B COLD STORAGE	GROUND	16
BACK OF HOUSE CORRIDOR	GROUND	54
SERVERY	LEVEL 1	19
TOILETS	GROUND	45
TOILETS	LEVEL 1	29
STORAGE / OFFICE WASTE ROOM	LEVEL 1	36
TOTAL BACK OF HOUSE (m^2):		**690**

DWG KEY	DESCRIPTION	DATE
A	Re-planned Levels 04/05	01/02/2019
E	Heritage submission incl. HIA/EIA	14/12/2018

IMPORTANT NOTICE

Do not scale from drawing.
All dimensions in mm unless otherwise stated.
Use figured dimensions only.

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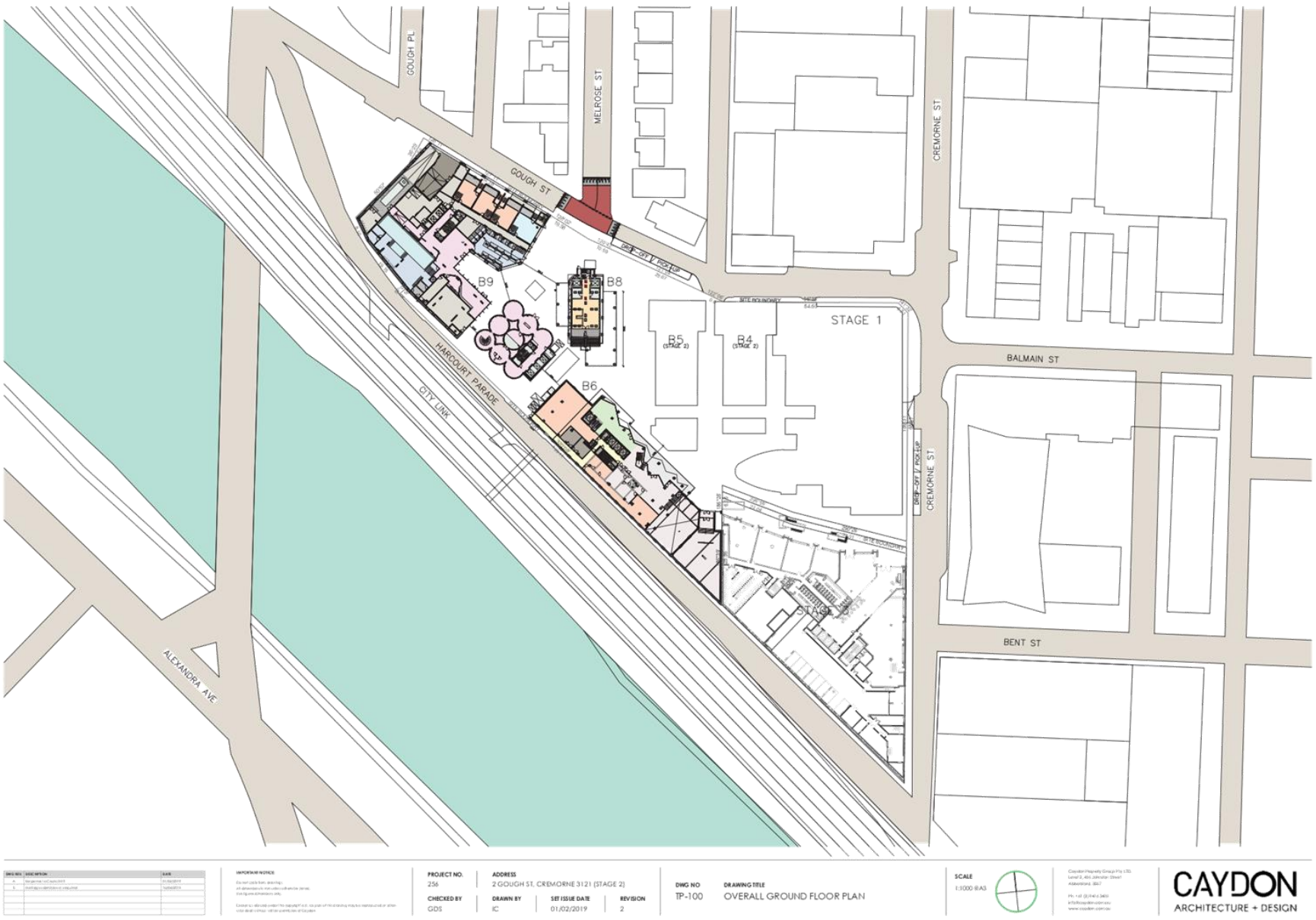
PROJECT NO. 256
ADDRESS 2 GOUGH ST, CREMORNE 3121 (STAGE 2)
CHECKED BY GDS
DRAWN BY IC
SET ISSUE DATE 01/02/2019
REVISION 2
DWG NO TP-004
DRAWING TITLE PROJECT AREA SUMMARY - B6 BUILDING
SCALE -

Caydon Property Group Pty Ltd.
Level 2, 464 Johnston Street
Abbotsford, 3067
Ph: +61 (0)3 9416 3400
info@caydon.com.au
www.caydon.com.au

CAYDON
ARCHITECTURE + DESIGN

Attachment 6 - Heritage Victoria Referral - Plans Part 3



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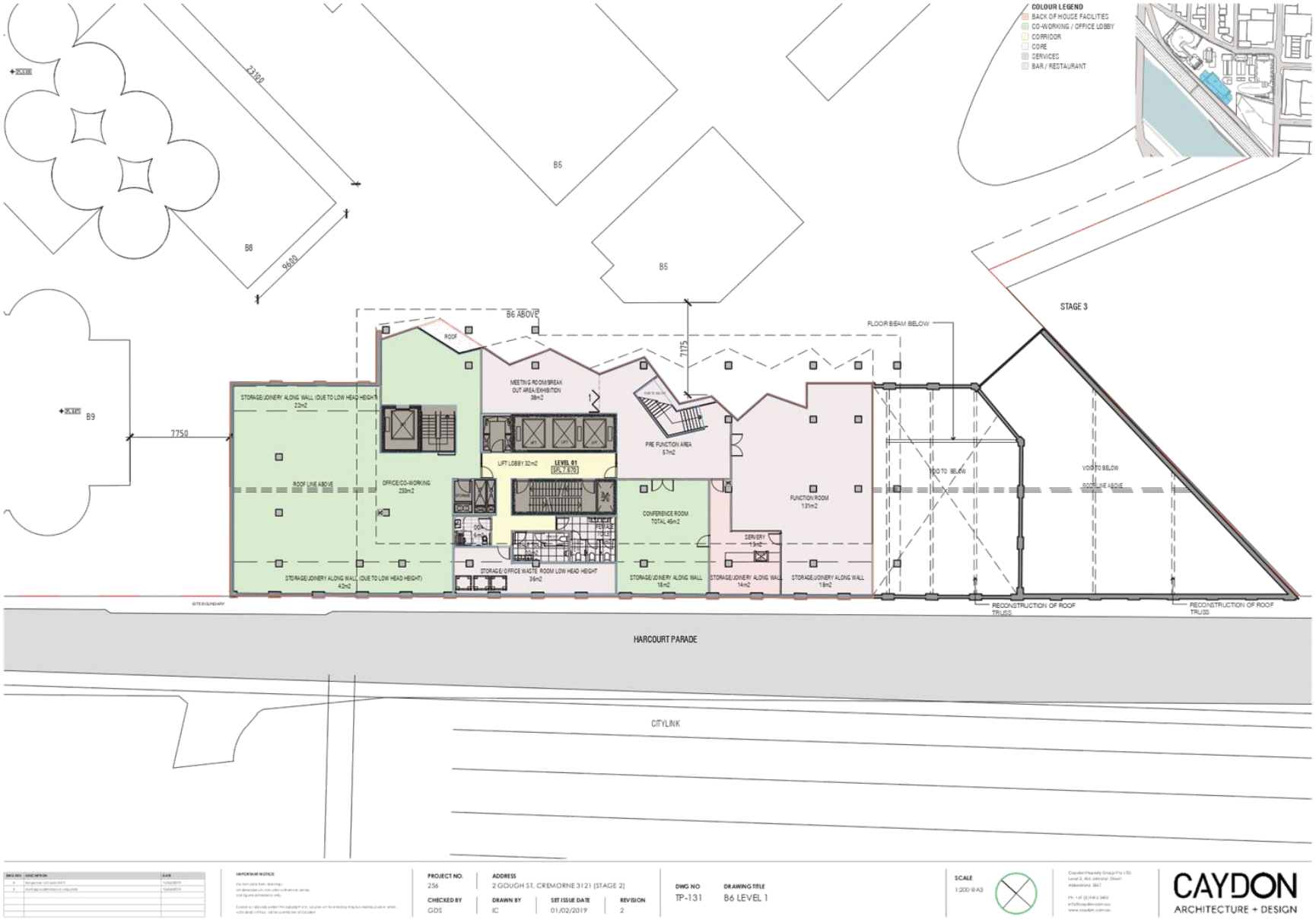

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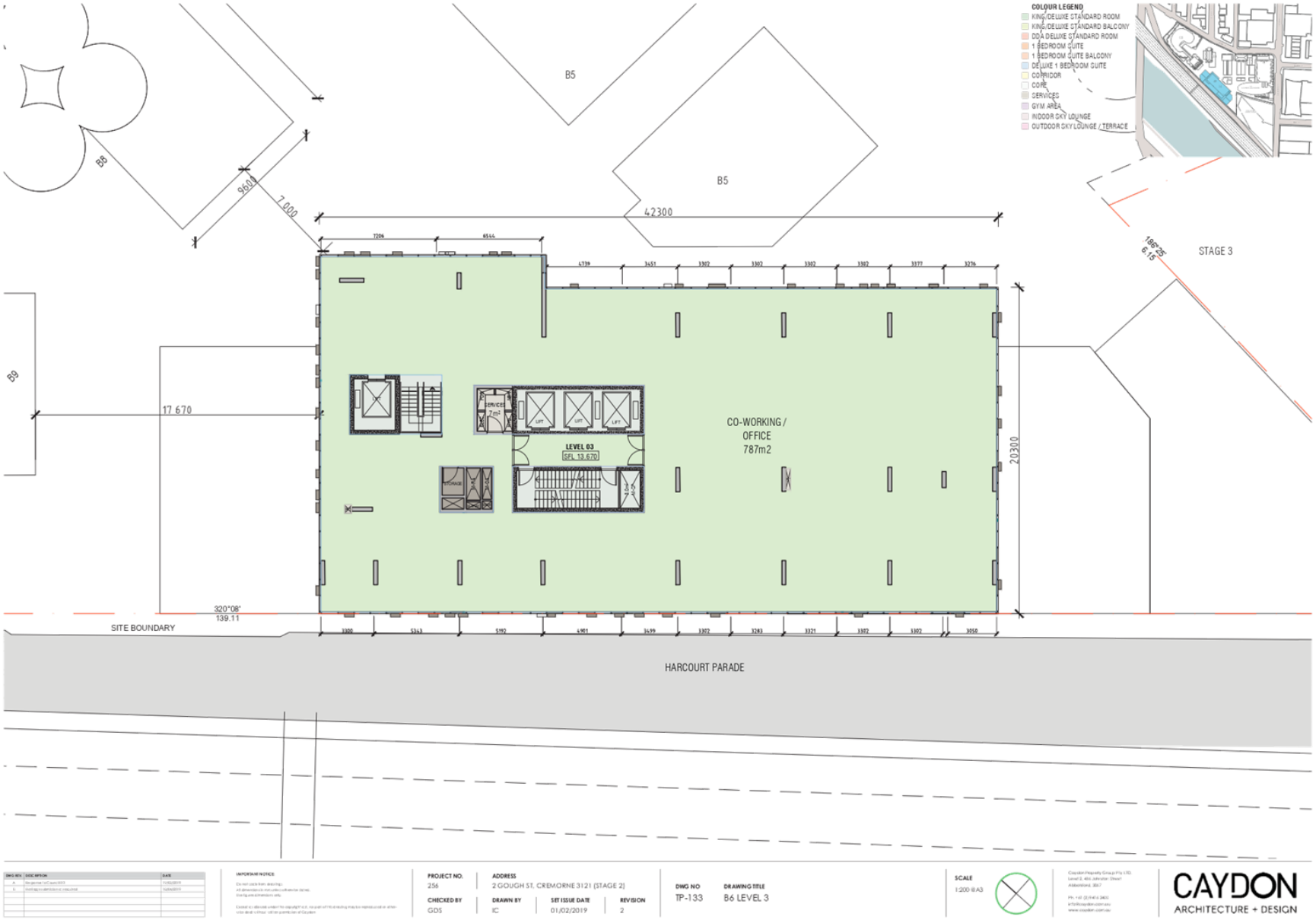

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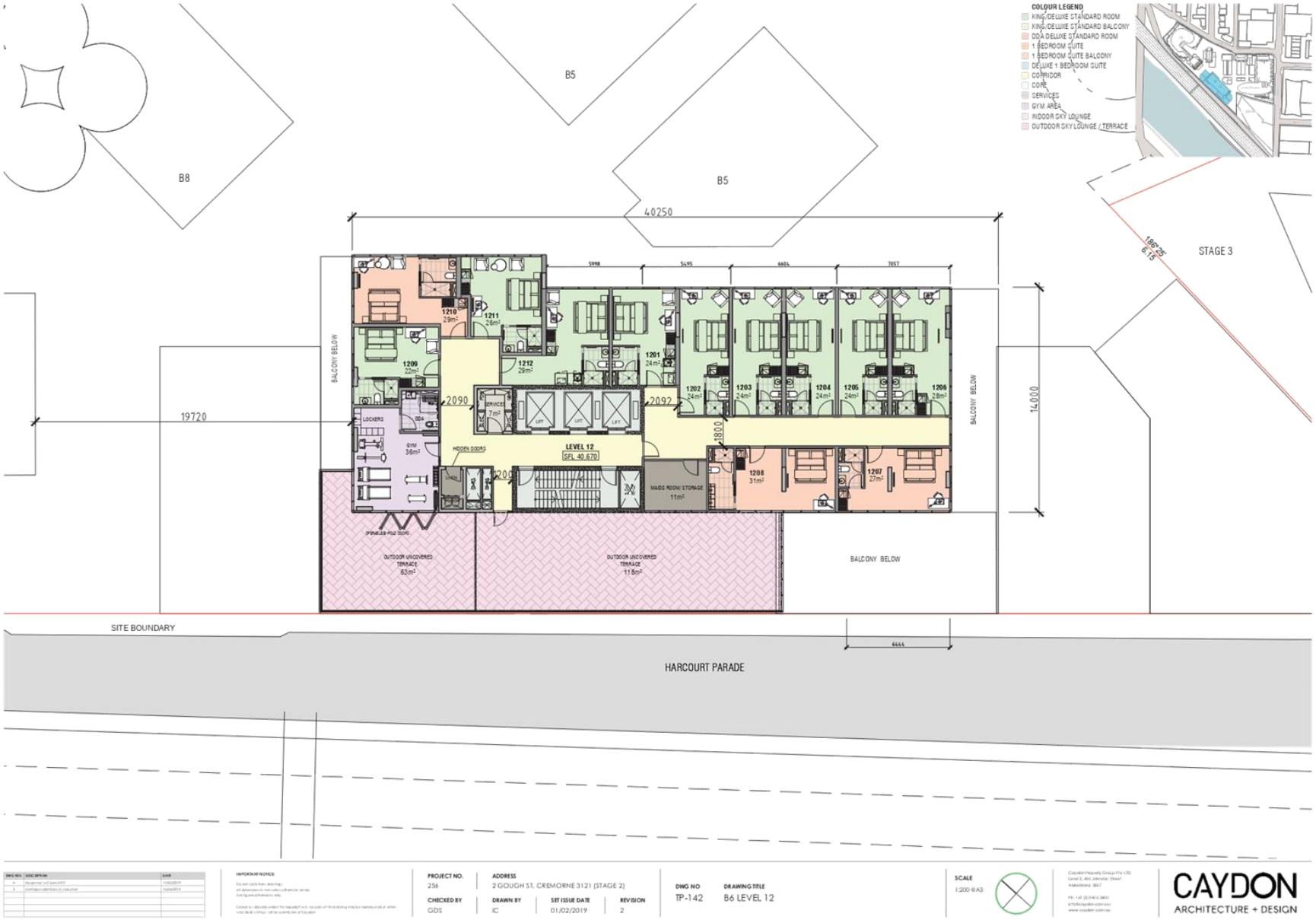

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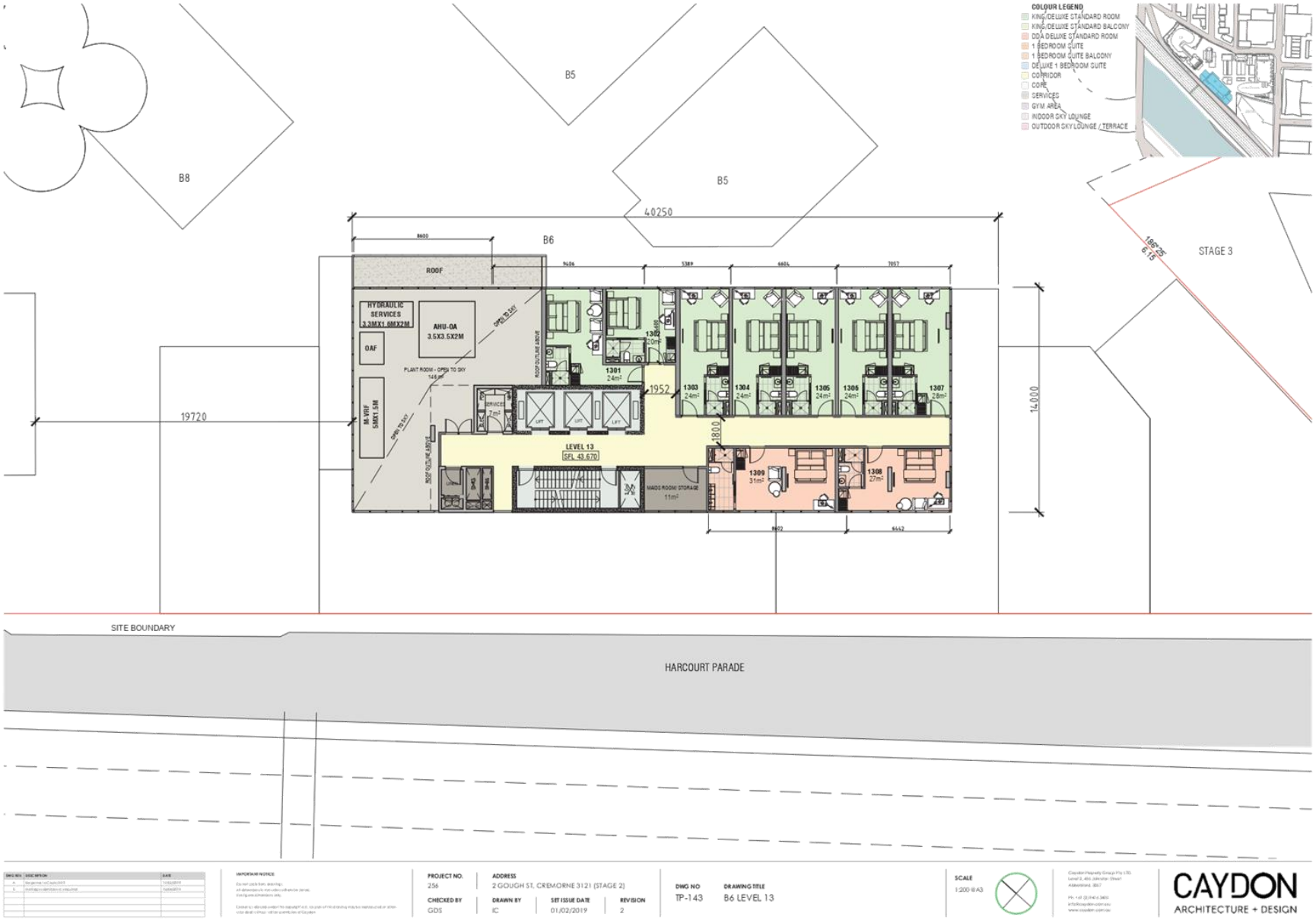

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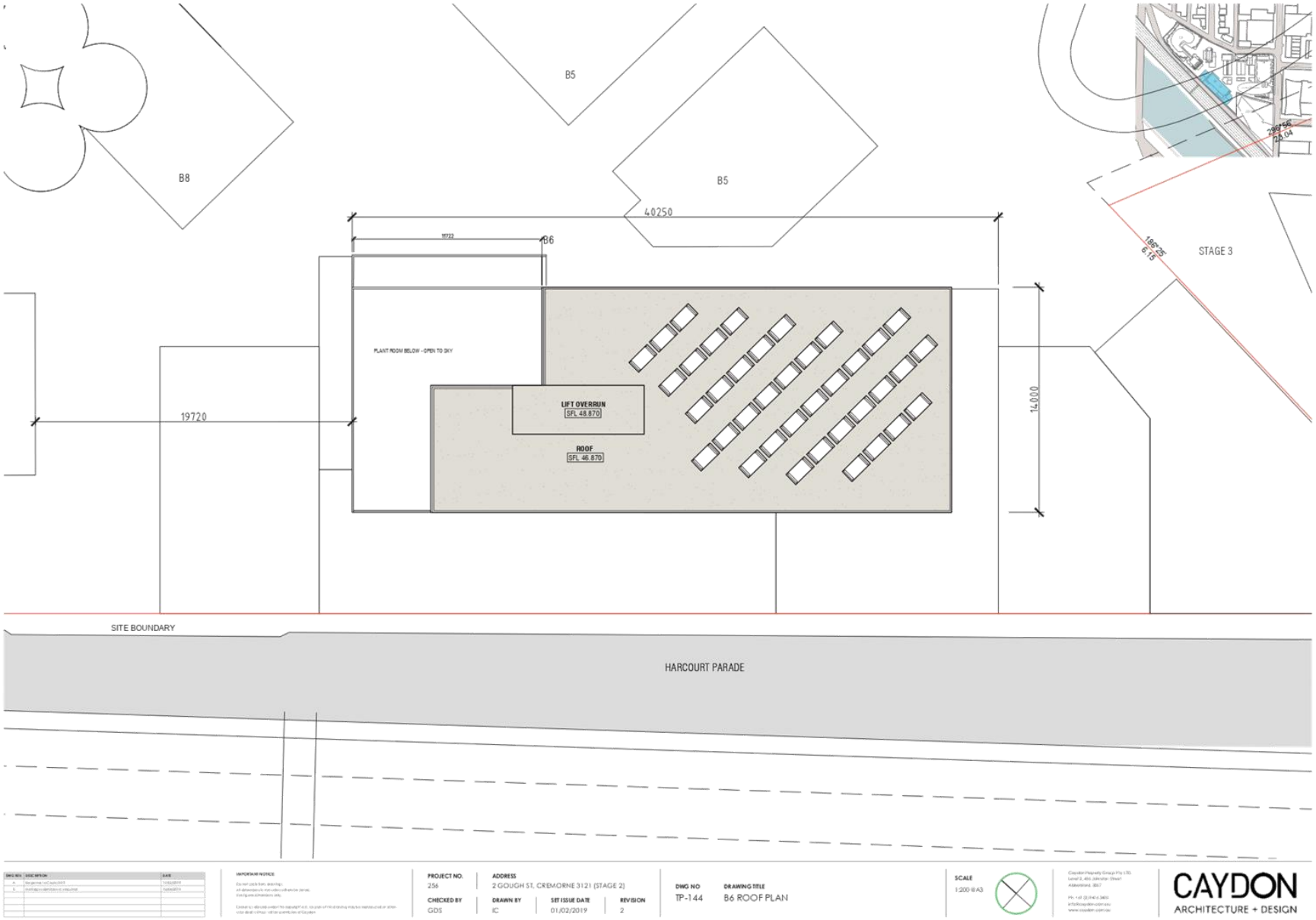
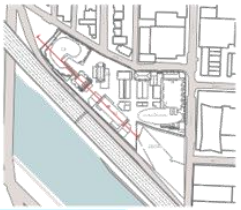


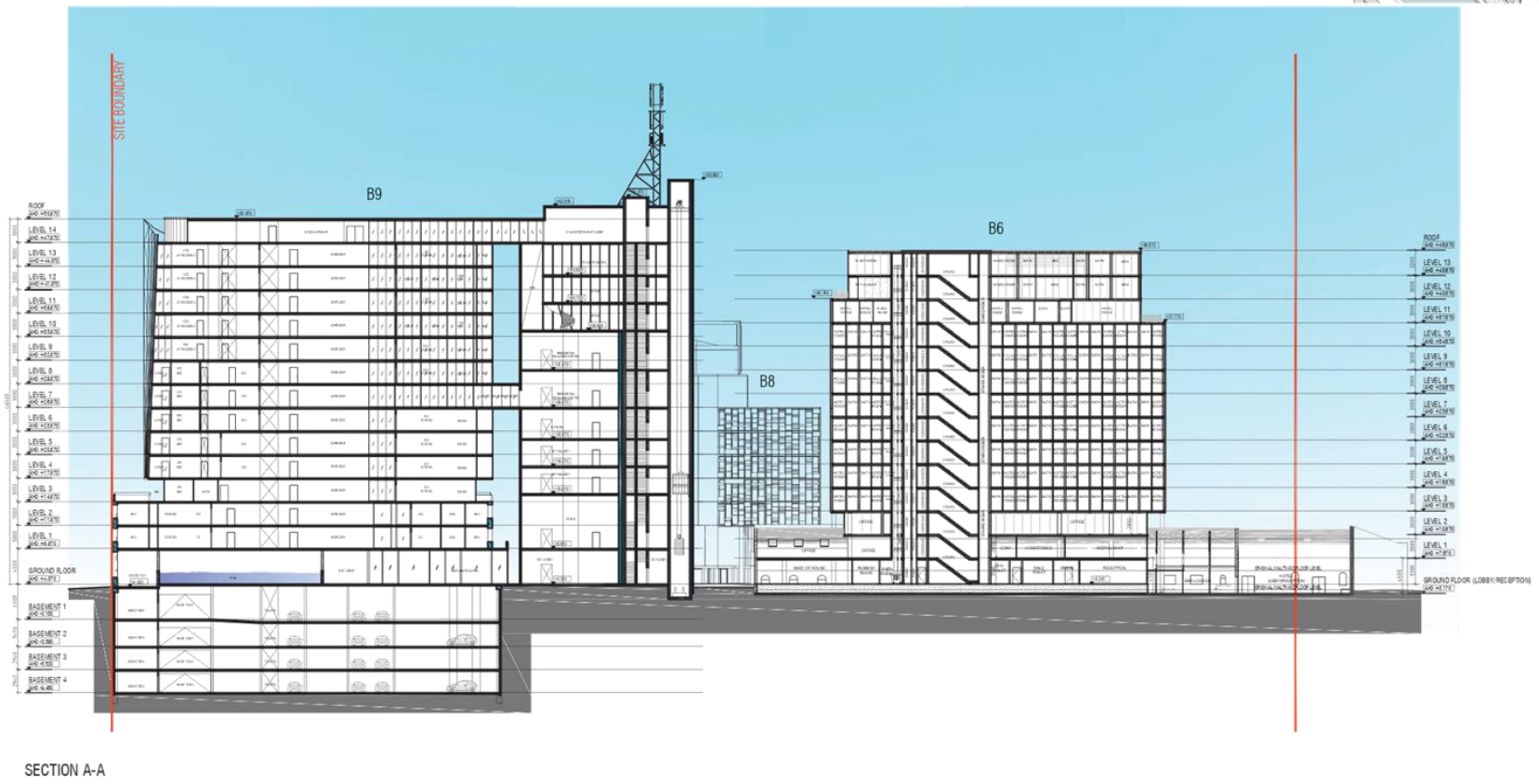
Attachment 6 - Heritage Victoria Referral - Plans Part 3

PROJECT NO.	ADDRESS			DWG NO	DRAWING TITLE	SCALE
256	2 GOUGH ST, CREMORNE 3121 (STAGE 2)			TP-231	B6 ELEVATIONS	1:500 @ A3
CHECKED BY	DRAWN BY	SET ISSUE DATE	REVISION			
GDS	IC	01/02/2019	2			

CAYDON
ARCHITECTURE + DESIGN

Attachment 6 - Heritage Victoria Referral - Plans Part 3





SECTION A-A

PROJECT NO.	ADDRESS	DWG NO	DRAWING TITLE	SCALE
256	2 GOUGH ST, CREMORNE 3121 (STAGE 2)	TP-301	OVERALL SECTION AA	1:500 @ A3

CHECKED BY	DRAWN BY	SET ISSUE DATE	REVISION
GDS	IC	01/02/2019	2

CAYDON
ARCHITECTURE + DESIGN

Attachment 7 - Heritage Referral - Stage 2 Heritage Victoria Amendment Cremorne, 2 and 15 Gough Street, Cremorne

City of Yarra
Heritage Advice

Application No.: HV Referral P25508

Address of Property: Richmond Maltings, 9 and 15 Gough Street, Cremorne.

Planner: Mary Osman

Yarra Planning Scheme References: Clauses 43.01 and 22.02

Heritage Overlay No. HO 359 Individual listing: 2 Gough Street, Crmeorne [Sic. i.e. Cremorne]

Precinct: N/A

Level of significance:

Included on the *Victorian Heritage Register* as H2049

Proposal:

Detailing of Building 6 and Early Works Package.

Drawing Numbers:

Letter from Heritage Victoria, dated 14 July, 2019.

40 pages of architectural drawings "Richmond Malt – Stage 2 (D19/121450)

Permit Amendment Request from Lovell Chen dated July, 2019.

Recommendation / Comments:

Building 6 Detailing

The currently proposed tower is to be clad in light blue gazing and with similar spandrel panels at the floor plates. Over the glazing it is proposed to install vertical strip concrete panels to be finished as concrete, a concrete look or painted. Without having a sample of the blue glazing it is difficult to ascertain the probable final appearance but it should be pale and neutral so as to neutralise the visibility of the hotel tower as far as possible. There are numerous examples of glazed buildings, including the nearby highly reflective pinkish/brown building on the corner of Alexandra Avenue and Chapel Street (Stonnington) where the glazing is distracting, dominant, attention-grabbing and out-of-keeping. On the Maltings site, importantly the tower will be highly visible from Alexandra Avenue, Punt Road and from vantage points from the east and west. In views particularly from the south, a neutral colour would provide a more harmonious and sympathetic foil to the retained brick façade below and would be architecturally polite i.e. subservient in terms of colours in this case. It would also be a polite response to the plain grey concrete silos.

In summary, without actually sighting the proposed blue glass, rather than a distinct contrast in colour between the brick wall and the glazing, a more neutral grey or transparent or plain

reflective glazing (an example is behind St Paul's Cathedral and also in St Kilda Road opposite the Synagogue) would be more appropriate so as to blend in and be architecturally polite in the context of the heritage elements i.e. the silos and the retained brick wall.

The concrete strip panels appear to be a response to the rhythm of the brick piers in the retained façade below. There does not appear to be any obvious rationale to their jagged and irregular shapes. Their effect is to strengthen the façade rather than make it light and a less solid and visually strong element in comparison to the silos. It would be more acceptable if they were deleted. Further, it is proposed that they have a concrete or concrete look finish. Based on other examples in Yarra of exposed concrete they are likely to weather and lose any original pristine appearance that they might have had. An alternative approach is to paint them but no colour has been specified. In any event, future maintenance is likely to be problematic due to difficulty of access, particularly to the south elevation.

In summary, the concrete strips should be deleted.

Early Works Package

The Lovell Chen report dated July, 2019 states that the "early works package of demolition to the area covered by 'Stage 2' development … would align with the extent of demolition approved by P25508 and would not include any additional demolition beyond what has previously been approved" (p. 8)

The justification for an early works package is set out in the report and I agree with that. I note that Condition 5 provides for financial security, presumably a bank guarantee, and that Condition 7 requires a construction management plan. Given these two conditions and the fact that all works are subject to a permit and any enforcement procedures which might arise, in my opinion an early works package is acceptable.

Signed: Robyn Riddett

Director – Anthemion Consultancies

Date: 23 July, 2019

Attachment 8 - Copy of Amended Heritage Victoria Permit - Stage 2

Department of Environment, Land, Water & Planning

CITY OF YARRA
- 4 SEP 2017
RECEIVED - CRU

Level 7, 8 Nicholson Street
East Melbourne Victoria 3002
Telephone: 03 9938 6894
www.delwp.vic.gov.au
DX210098

Permit Application No: P25508
File No: FOL/14/63753

Mr Peter Lovell
Lovell Chen Architects & Heritage Consultants
Level 5, 176 Wellington Parade
EAST MELBOURNE VIC 3002

Dear Mr Lovell

RE: REQUEST FOR AMENDMENT TO PERMIT P25508 - RICHMOND MALTINGS, 2 and 15 GOUGH STREET CREMORNE (H2050)

Thank you for your request dated 30 May 2017, seeking an amendment to permit P25508.

I have assessed your request and have determined to amend the permit as follows:

- A Condition clause added to address removal of hazardous materials,
- Wording changes to Conditions 4, 10, 11 and 12 to clarify timing for various approvals to enable works to proceed in stages.

Please note, the changes made to the conditions in the permit have been underlined for ease of identification. The amended permit is enclosed.

If you have any queries please contact the Permits Co-ordinator on (03) 9938 6891 or email heritage.permits@delwp.vic.gov.au .

Yours sincerely

Steven Avery
Executive Director
Heritage Victoria
30/8/17.

Cc: Manager Statutory Planning, Local Government Authority

Privacy Statement

Any personal information about you or a third party in your correspondence will be protected under the provisions of the Privacy and Data Protection Act 2014. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to the Privacy Coordinator, Department of Environment, Land, Water & Planning, PO Box 500, East Melbourne, VIC 8002. Notwithstanding the above, please note that information provided to enable the administration of the Heritage Act 1995 may be disclosed to persons with an interest in the heritage place or object particularly, and information provided as part of a permit application may be made available on-line where the application has been publicly advertised under section 68 of the Heritage Act 1995.

State Government Victoria

Attachment 8 - Copy of Amended Heritage Victoria Permit - Stage 2

Heritage Act 1995

HERITAGE PERMIT GRANTED UNDER SECTION 74 OF THE HERITAGE ACT 1995

Permit No.: P25508 AS AMENDED

Owner/s: Mr Joe Russo
Caydon Cremorne Developments Pty Ltd
Level 2, 436 Johnston Street
ABBOTSFORD VIC 3067

NAME OF PLACE/OBJECT: **RICHMOND MALTINGS**

HERITAGE REGISTER NUMBER: **H2050**

LOCATION OF PLACE/OBJECT: 2 and 15 GOUGH STREET CREMORNE

THE PERMIT ALLOWS: ***Redevelopment of the site and conservation and interpretation works generally in accordance with the drawings prepared by Fender Katsilidis Architects lodged with Heritage Victoria on 10 February 2017.***

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:
For the purposes of these Conditions, Stage1 shall comprise all works to any of Buildings B1, B2, B3, B4 and B5 and any new construction works on that part of the site included as part of Stage 1 as shown on the revised design drawings to be submitted under Condition 1.

Stage 2 shall comprise works to retained heritage buildings and all new works on that part of the site that is outside of Stage 1.

The removal of hazardous materials including underground tanks, asbestos and unsafe structures, may be undertaken prior to satisfying conditions 1-12, but excluding condition 5 provided the details are submitted to and endorsed by the Executive Director prior to undertaking these works. Such works shall not result in the loss of heritage fabric which contributes to the significance of the registered place.

1. **REVISED DESIGN**
A tender ready set of revised design drawings for Stage 1 is to be submitted to the Executive Director for written approval prior to undertaking any works within Stage 1. The revised design drawings are to be broadly in accordance with the amended drawing set dated 10 February 2017, with the following changes:
   a. Retention and conservation of part of B1 and B2.

   A tender ready set of revised drawings for Stage 2 is to be submitted to the Executive Director for written approval prior to undertaking any works within Stage 2. The revised design drawings are to be broadly in accordance with the amended drawing set dated 10 February 2017, with the following changes:

   a. Removal of the equivalent of 1 level of the proposed additions above B9 (the silo extrusion to retain the dominance of the original 1962 silos fabric in proportion to the silo additions,
   b. Removal of 1 level from new building over B6 (consistent with the removal of 1 level of the proposed additions above B9 and to maintain the dominance of the Nylex sign),

Privacy Statement

Any personal information about you or a third party in your correspondence will be protected under the provisions of the Privacy and Data Protection Act 2014. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to the Privacy Coordinator, Department of Environment, Land, Water & Planning, PO Box 500, East Melbourne, VIC 8002. Notwithstanding the above, please note that information provided to enable the administration of the Heritage Act 1995 may be disclosed to persons with an interest in the heritage place or object particularly, and information provided as part of a permit application may be made available on-line where the application has been publicly advertised under section 68 of the Heritage Act 1995.

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c. Removal of 1 level of new building at west end (consistent with the removal of 1 level of the proposed additions above B9 and to maintain the dominance of the Nylex sign),
d. Further consideration to be given to the external treatment, diametrical dimensions and materials for the silo additions over B9 (to ensure that the additions read as a separate element to the original 1962 silos).

CONDITIONS 2 TO 7 INCLUSIVE ARE TO BE SATISFIED PRIOR TO ANY WORK COMMENCING ON SITE

2. CONSERVATION ARCHITECT

An experienced Conservation Architect is to be nominated in writing for approval by the Executive Director, Heritage Victoria. Once approved, the Conservation Architect shall be engaged by the permit holder to assist with the preparation of the documentation required in Conditions 3, 4, 7, 9, 10, 13 and 14.

3. ARCHIVAL RECORDING

An archival quality photographic survey is to be prepared to record the exterior of all structures on the site (excluding B12) and the interior of all buildings on the site (excluding B1, B2 B7 and B12). The survey is to be prepared in accordance with the Heritage Council/Heritage Victoria Technical Note entitled "Photographic Recording for Heritage Places and Objects" (available on the Heritage Council website);

Three-dimensional (3-D) virtual modelling of the site (excluding B12 and L2) is to be undertaken;

Two copies of the completed photographic survey and 3-D virtual modelling is to be produced with one copy of each submitted to the Executive Director, Heritage Victoria for approval in writing;

On approval the second copy of each is to be lodged with the La Trobe Picture Collection, State Library of Victoria; the lodgement receipt or a copy thereof is then to be provided to the Executive Director, Heritage Victoria.

In respect of:

- B1, B2 and B3, the archival record must be undertaken prior to the undertaking of works in Stage 1;
- B4 & B5, the archival record must be undertaken prior to the occupation of any part of Stage 1 or prior to the undertaking of any works to B4 or B5, whichever is the sooner;
- B6, B7, B8 and B9, the archival record must be undertaken prior to undertaking any works on Stage 2
- The Three-dimensional (3-D) virtual modelling must be undertaken prior to the commencement of any of the works approved by this permit

4. MACHINERY, SIGNAGE & FITTINGS AUDIT

An audit of all extant machinery, signage and fittings associated with the operation, occupation and use of the site as an industrial complex shall be undertaken by a specialist industrial heritage consultant/conservator for the written approval of the Executive Director. The audit of buildings B4 and B5 is to be completed and approved prior to the commencement of Stage 1 works and the audit for the remainder of the site is to be completed and approved within the following six months. The audit should not only consider remnant equipment and evidence of any process associated with manufacturing or the operation of the site but should also consider any evidence of the social occupation of the site including posters, decorations or signage relating to life on the site. The audit should consider the significance of the objects and recommend their recording. The audit must also

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identify a representative scope of the machinery and equipment that must be retained on site (preferably utilised in the Interpretation Strategy as required by Condition 10) to ensure that the site can demonstrate the full range of malting processes that occurred on this industrial site.

5. **FINANCIAL SECURITY**

Prior to undertaking any works on Stage 1

- An unconditional Bank Guarantee in favour of the Heritage Council of Victoria (ABN 87 967 501 331) or other such form of security as approved by the Executive Director is to be lodged with the Executive Director. The amount guaranteed shall be Two Million Five Hundred Thousand Dollars ($2,500,000). The Bank Guarantee is to be unconditional including unspecified expiry date. The Bank Guarantee is a Completion Bond to ensure completion of conservation and interpretation works to the place required by Conditions 9, 10 and 11.
- The Bank Guarantee shall be released on written application to the Executive Director, subject to completion of all of the approved works to his satisfaction as required in relation to the heritage place.
- The Bank Guarantee shall be forfeit to the Heritage Council of Victoria if the conservation and interpretation works are not completed to the satisfaction of the Executive Director by the expiration of this permit or as otherwise agreed in writing by the Executive Director.

Prior to undertaking any works on Stage 2

- An unconditional Bank Guarantee in favour of the Heritage Council of Victoria (ABN 87 967 501 331) or other such form of security as approved by the Executive Director is to be lodged with the Executive Director. The amount guaranteed shall be Two Million Five Hundred Thousand Dollars ($2,500,000). The Bank Guarantee is to be unconditional including unspecified expiry date. The Bank Guarantee is a Completion Bond to ensure completion of conservation and interpretation works to the place required to that part of the heritage place comprised on Stage 2 of the site as required by conditions 9,10 and 11.
- The Bank Guarantee shall be released on written application to the Executive Director, subject to completion of all of the approved works to his satisfaction as required in relation to the heritage place within Stage 2.
- The Bank Guarantee shall be forfeit to the Heritage Council of Victoria if the conservation and interpretation works are not completed to the satisfaction of the Executive Director by the expiration of this permit or as otherwise agreed in writing by the Executive Director.

6. **ARCHAEOLOGY**

Prior to the commencement of any sub-surface works an historical archaeological assessment report which identifies whether the works may impact any potentially significant historical archaeological remains must be prepared and submitted for endorsement by the Executive Director Heritage Victoria. If the report identifies the potential for impact on significant historical archaeological remains, a program of archaeological investigations and/or monitoring will be required, to the satisfaction of the Executive Director.

Consent under the *Heritage Act 1995* must be obtained prior to any ground disturbance occurring on the registered land in relation to the works approved by this permit.

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7. **CONSTRUCTION MANAGEMENT PLAN**

Prior to the commencement of the works and or activities to the heritage place in respect of Stage 1 and Stage 2, a Construction Management Plan for the relevant stage must be submitted to the Executive Director for approval in writing. The Construction Management Plan must include:

- a structural engineers report detailing the measures being employed to ensure that all historic features of the heritage place are adequately protected during carrying out the works and or activities, in particular works associated with footings and basement construction,
- detailed methodology (and drawings if required) to fully document the extent of demolition, dismantling, adaptation and reconstruction works proposed to B6.

CONDITIONS 8 TO 12 INCLUSIVE (EXCLUDING CONDITION 11a) ARE TO BE SATISFIED PRIOR TO ANY NEW CONSTRUCTION WORKS COMMENCING ON SITE AND IF THE WORKS ON SITE ARE UNDERTAKEN IN STAGES I.E STAGES 1 AND 2 AS DEFINED ABOVE, THE CONDITIONS ARE TO BE SATISIFED PRIOR TO COMMENCEMENT OF CONSTRUCTION WORKS AS THEY RELATE TO THE PARTICULAR STAGE.

8. **NEW BUILDINGS DETAILED DESIGN DOCUMENTATION**

Executive Director is to be informed when the approved works have been completed.
A set of detailed design drawings for the new tower buildings (east end, west end and over B6) are to be submitted to the Executive Director for written approval. The submitted detailed design drawings (including finishes schedules) will be referred to the City of Yarra Council for comment prior to approval.

9. **CONSERVATION AND ADAPTATION WORKS**

Detailed documentation of a schedule of Conservation and Adaptation works proposed for Buildings B1, B2, B3, B4, B5, B6, B8, and B9 as prepared by an experienced Conservation Architect is to be submitted to the Executive Director, Heritage Victoria for written approval. Once endorsed by the Executive Director the works become part of the permit and must be carried out within the period of validity of the permit.

10. **HERITAGE MANAGEMENT PLAN**

a) A Draft Heritage Management Plan for all remaining registered buildings and fabric is to be prepared which:
   - provides for cyclical building maintenance works over one, five and ten year cycles to ensure the building fabric is kept in good condition;
   - ensures maintenance and future management of the buildings continues to reflect the significant heritage values of the place;
   - identifies a mechanism by which building maintenance is to be undertaken
   - and provides for a regular (minimum 5 year) reporting mechanism to the Executive Director with information on the condition and heritage values of the buildings.

   The plan is to be administered by any Owners Corporation/s formed to oversee the management of the registered buildings.

b) On completion of works for any stage of the project, and prior to occupation of the buildings, a Final Heritage Management Plan is to be submitted to the Executive Director for approval in writing.

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11. INTERPRETATION

a) An Interpretation Strategy for the whole of the registered place shall be prepared by a suitably qualified and experienced practitioner. The Interpretation Strategy shall have regard for the recommendations made in the Machinery, Signage & Fittings Audit (Condition 4) and include proposals for the appropriate interpretation of the history of the whole site. The Interpretation Strategy is to be submitted to the Executive Director for approval in writing within six months of the commencement of any approved stage of works.

b) An Interpretation Plan is to be designed and documented by a suitably qualified and experienced practitioner and submitted to the Executive Director for approval in writing.

c) Following written approval of the Interpretation Plan documentation, the works are to be implemented. The interpretation practitioner is to provide written confirmation that the works have been implemented in accordance with the approved documentation, to the Executive Director, prior to occupation of the new mixed-use multi-storey buildings.

12. LANDSCAPE

A whole of site Concept Plan and Stage 1 Detailed documentation including drawings and a planting schedule describing the extent and nature of the landscaping shall be required to be submitted for the endorsement of the Executive Director prior to the commencement of Stage 1 new works. Detailed documentation including drawings and a planting schedule (in accordance with the whole of site Concept Plan) is to be submitted for the endorsement of the Executive Director prior to the commencement of Stage 2 new works. The landscaping should maintain the industrial context and understanding of the place.

A detailed management scheme shall be submitted describing how the landscaping will be managed into the future for the written approval of the Executive Director and will provide for a regular (minimum 5 year) reporting mechanism to the Executive Director with information on the condition of the landscape.

GENERAL CONDITIONS

13. HERITAGE REGISTER

Within 12 months of completion of the works approved by this permit an application for amendment to the Heritage Register to reflect the changes to the registered place is to be lodged with the Executive Director, Heritage Victoria. The application is to include an updated Statement of Significance, Permit Policy and Permit Exemptions for the place.

14. CONSERVATION MANAGEMENT PLAN

The Conservation Management Plan (CMP) of October 2005 prepared by Lovell Chen, is to be updated to take account of the works approved with this permit. A copy of the revised CMP is to be provided to the Executive Director, Heritage Victoria in electronic form within 12 months of completion of the works approved by this permit.

15. SIGNAGE

Prior to the installation of any permanent signage associated with the works approved in this permit, a Signage Plan containing all proposed way-finding, commercial and building identification signage for the newly developed area is to be submitted to the Executive Director, Heritage Victoria for approval.

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16. TIME LIMIT

a) The Executive Director is to be given five working days notice of the intention to commence the approved works.

b) This permit shall expire if the permitted works have not commenced within two (3) years of the date of issue of this permit, or are not completed within seven (7) years of the date of issue of this permit unless otherwise agreed in writing by the Executive Director, Heritage Victoria.

17. OTHER

- Approved works or activities are to be planned and carried out in a manner which prevents damage to the registered place / object. However, if other previously hidden original or inaccessible details of the object or place are uncovered, any works that may affect such items shall immediately cease. The Executive Director shall be notified of the details immediately to enable Heritage Victoria representatives to inspect and record the items, and for discussion to take place on the possible retention of the items, or the issue of a modified approval.
- All works must cease and this office be contacted if historical archaeological artefacts or deposits are discovered during any excavation or subsurface works. Should any munitions or other potentially explosive artefacts be discovered, Victoria Police is to be immediately alerted whilst the site is cleared of all personnel.
- The Executive Director is to be informed when the approved works have been completed.
- The development approved by this permit is to be carried out in accordance with the endorsed drawings, unless otherwise agreed in writing by the Executive Director, Heritage Victoria.

NOTE THAT PERMISSION HAS BEEN GIVEN FOR INSPECTIONS OF THE PLACE OR OBJECT TO BE UNDERTAKEN DURING THE CARRYING OUT OF WORKS, AND WITHIN SIX (6) MONTHS OF NOTIFICATION OF THEIR COMPLETION.

TAKE NOTICE THAT ANY NATURAL PERSON WHO CARRIES OUT WORKS OR ACTIVITIES NOT IN ACCORDANCE WITH THE PERMIT OR CONDITIONS IS GUILTY OF AN OFFENCE AND LIABLE TO A PENALTY OF UP TO 2,400 PENALTY UNITS ($346,464) OR 5 YEARS IMPRISONMENT OR BOTH, OR IN THE CASE OF A BODY CORPORATE 4800 PENALTY UNITS ($692,928).

THE ATTENTION OF THE OWNER AND/OR APPLICANT IS DRAWN TO THE NEED TO OBTAIN ALL OTHER RELEVANT PERMITS PRIOR TO THE COMMENCEMENT OF WORKS.

Issued: 27 March 2017 **Amended: 28 August 2017**	**Signed on behalf of the Executive Director, Heritage Victoria:**	HERITAGE VICTORIA HERITAGE VICTORIA HERITAGE VICTORIA

Date of amendment	Brief description of amendment

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28 August 2017	Condition statement added to address the removal of hazardous materials. Conditions 4, 10, 11 and 12 wording changed (shown underlined) to clarify timing for approvals in accordance with the staging of the project.

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Heritage Act 1995

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Executive Director has issued a permit under section 74 of the ***Heritage Act 1995***.

WHEN DOES THE PERMIT BEGIN?

The permit operates from a day specified in the permit.

WHEN DOES A PERMIT EXPIRE?

A permit expires if -

* the development or any stage of it does not start within the time specified in the permit; or
* the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit.

The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT APPEALS?

The applicant or the owner of a registered place or registered object may appeal to the Heritage Council against any condition of a permit imposed by the Executive Director on a permit issued under Section 74 of the Heritage Act.

An appeal must -

* be in writing; and.
* be lodged within 6o days after the permit is issued.

Appeal forms can be downloaded at:
http://heritagecouncil.vic.gov.au/hearings-appeals/permit-appeals/permit-appeals-explained/