YARRA CITY COUNCIL

Internal Development Approvals Committee

Agenda

to be held on Wednesday 21 August 2019 at 6.30pm in Meeting Rooms 1 & 2 at the Richmond Town Hall

Rostered Councillor membership

Councillor Danae Bosler
Councillor Daniel Nguyen
Councillor Stephen Jolly (substitute for Cr Misha Coleman)

I. ATTENDANCE
Danielle Connell (Senior Co-ordinator Statutory Planning)
Vicky Grillakis (Co-ordinator 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	PLN18/0643 - 60 – 62 Langridge Street & 23 – 45 Waterloo Road, Collingwood - Use and development of the land for the construction of a nine storey residential hotel (187 rooms – 24 hour operation), a ground floor food and drinks premises, and a reduction in the car parking and bicycle requirements.	5	60
1.2	PLN18/0844 - 60 - 88 Langridge Street and 23 - 45 Waterloo Road, Collingwood - Use and development of the land for the construction of two office buildings (seven and nine storeys plus basement levels) with two, ground floor restaurants and a restricted recreation facility (gymnasium), sale and consumption of liquor and a reduction in the car parking requirements.	154	223
1.3	PLN18/0880 - 42 Bell Street, Fitzroy-Construction of a double storey studio at 42 Bell Street and over a carriageway easement of 40-48 Bell Street and 27-31 John Street, Fitzroy.	314	333

1.1 PLN18/0643 - 60 – 62 Langridge Street & 23 – 45 Waterloo Road, Collingwood - Use and development of the land for the construction of a nine storey residential hotel (187 rooms – 24 hour operation), a ground floor food and drinks premises, and a reduction in the car parking and bicycle requirements.

Executive Summary

Purpose

1. This report provides Council with an assessment of planning application PLN18/0643 which affects land at 60 – 62 Langridge Street and 23 – 45 Waterloo Road, Collingwood for the use and development of the land for the construction of a nine storey residential hotel (187 rooms – 24 hour operation), a ground floor food and drinks premises, and a reduction in the car parking and bicycle requirements.

Key Planning Considerations

2. Key planning considerations include:

   (a) Use (Clause 34.02-1)
   (b) Built form (Clauses 15, 21.05, 22.10, 34.02-7 and 43.02);
   (c) Interfaces uses policy (Clause 22.05); and
   (d) Car Parking and Bicycle Provision (Clauses 52.06 and 52.34) of the Yarra Planning Scheme.

Key Issues

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

   (a) Policy and physical context;
   (b) Uses;
   (c) Built form;
   (d) Environmentally Sustainable Development (ESD);
   (e) Off-site amenity impacts;
   (f) On-site amenity;
   (g) Car parking and bicycle provision;
   (h) Waste management; and
   (i) Objector concerns.

Submissions Received

4. A total of 15 objections were received to the application, these can be summarised as:

   (a) Traffic, safety and lack of parking – impact on Waterloo Road Shared Zone;
   (b) Should provide for additional bike spaces;
   (c) Amenity Impacts (overlooking, loss of views, noise, loss of daylight to windows, overshadowing);
   (d) Construction issues (damage cobblestone, impact on adjoining businesses);
   (e) Neighbourhood character/Heritage;
   (f) Height/Massing/Scale;
   (g) Impact on heritage building; and
   (h) Amplified music and patron noise from restaurants.

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 the following key recommendations:

   (a) Increase in setbacks from the southern boundary of the upper level (to a minimum of 7m) to reduce overshadowing to the Langridge Street footpath;

(b) Provision of an indent in the centre of the tower form (1.3m deep and 5.8m wide) facing Langridge Street;
(c) Reduced extend of services to Langridge Street and increased ground floor glazing to the north, south and east;
(d) Minimisation of the substation length along Langridge Street, or if not approved by the power authority, provision of a green wall along the services area;
(e) Inclusion of a partial 1m wide ground floor setback from the eastern boundary, adjacent to Langridge Street;
(f) Sculptural lighting applied to the external stairwells;
(g) Additional windows to the east and western side elevations from the first floor and above;
(h) A random selection of the northern and southern window shrouds to be a lighter colour to add variation to the façades;
(i) Security lighting provided to the residential hotel entry, northern laneway pedestrian entry and internally within the bicycle parking area;
(j) Deletion of the proposed kerb outstand;
(k) A green roof above the reception area and the inclusion of vertical greening (either via climbing plants or planter boxes) for the upper levels;

CONTACT OFFICER: **Vicky Grillakis**
TITLE: **Coordinator Statutory Planning**
TEL: **92055124**

1.1 PLN18/0643 - 60 – 62 Langridge Street & 23 – 45 Waterloo Road, Collingwood - Use and development of the land for the construction of a nine storey residential hotel (187 rooms – 24 hour operation), a ground floor food and drinks premises, and a reduction in the car parking and bicycle requirements.

Reference: D19/118958
Authoriser: Acting Director Planning and Place Making

Proposal:	Use and development of the land for the construction of a nine storey residential hotel (187 rooms – 24 hour operation), a ground floor food and drinks premises, and a reduction in the car parking and bicycle requirements.
Existing use:	Part car park and part warehouse
Applicant:	60 Langridge Street Pty Ltd c/o Human Habitats
Zoning / Overlays:	Commercial 2 Zone/Design and Development Overlay (Schedule 11)
Date of Application:	27 August 2018
Application Number:	PLN18/0643
Ward	Langridge

Planning History

6. Planning permit PL07/0046 was issued on 1 May 2007, allowing buildings and works to the existing warehouse structure and formalisation of the car parking area at No. 60-88 Langridge Street Collingwood.

7. Planning permit PL03/1191 was issued on 16 February 2004, allowing a change of use of ground floor to six (6) warehouses including partial waiver of associated car parking requirements and construction of buildings and works at No. 60-88 Langridge Street Collingwood. This permit was not acted upon and has since expired.

8. Planning permit PL03/1190 was issued on 24 March 2004 for the installations of six (6) business identification signs at No. 60-88 Langridge Street Collingwood.

9. Planning permit application PL02/0879 was refused by Council on 3 October 2003 for a change of use to shops with partial waiver of associated car parking requirements works at No. 60-88 Langridge Street Collingwood. The proposed use was deemed a prohibited use, and Council's refusal was not appealed.

10. Planning permit PL02/0880 was issued on the 15 May 2003 for buildings and works to the existing building including refurbishment of the building and associated car parking at No. 60-88 Langridge Street Collingwood. This permit was not acted upon and has since expired.

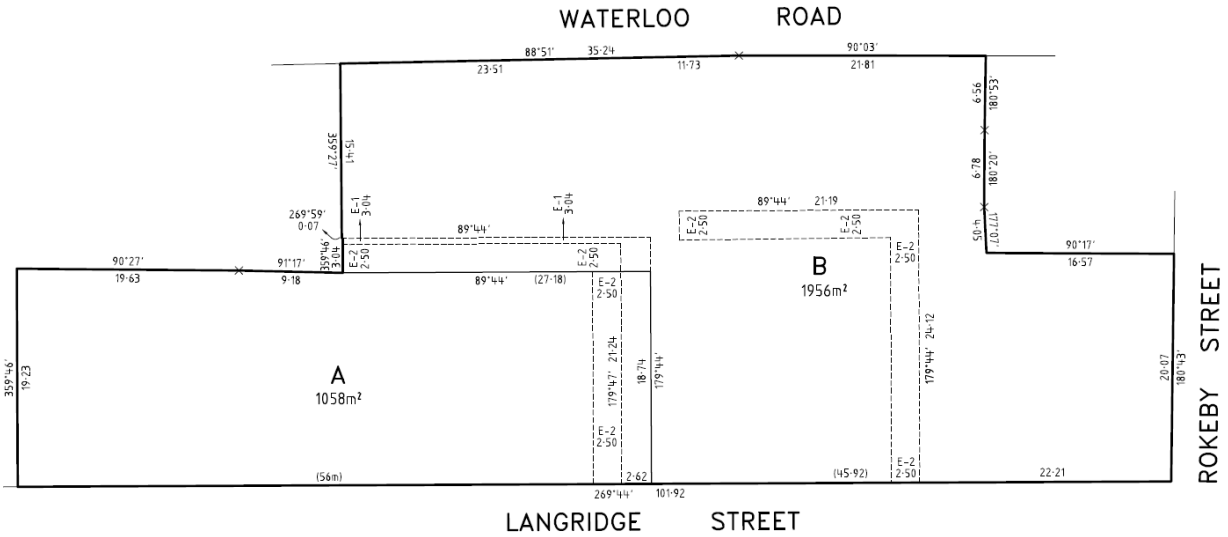
Background

<u>Subdivision of the subject site and name change</u>

11. While this application was under assessment by Council planning officers, Subdivision Permit SP18/0014 was issued on 29 October 2018 for a two lot subdivision on the land known as 60-72 Langridge Street and 23-45 Waterloo Road Collingwood. This land encompasses the subject site and the land to its east as shown in the image below.

12. Prior to the issuing of the subdivision permit, the subdivision application was advertised under the provisions of Section 52 of the *Planning and Environment Act* (1987) by letters sent to adjoining and surrounding owners and occupiers and by four signs displayed on site: two facing Langridge Street, one facing Waterloo Road and one facing Rokeby Street.

13. The subdivision permit subdivided the aforementioned land into two lots, Lots A and B, in accordance with the title plan submitted, PS 818670S (see figure below – with the subject site being associated with Lot A in the image below).



14. The subdivision also includes a light and air easement as seen in the dotted lines surrounding Lot A. The dotted lines shown within Lot B are not relevant to this planning application.

15. Following the granting of the permit, the subdivision was registered at the Titles Office on 26 June 2019. These lots have now formally changed their addresses to:

    (a) Lot A - No. 60-72 Langridge Street (the subject site); and

    (b) Lot B - No. 23-45 Waterloo Road.

16. For the purposes of this report, the subject site will now be referred to as No. 60-72 Langridge Street (the subject site) and the site to the east associated with Planning Permit Application PLN18/0844 (Lot B) will be referred to as No. 23-45 Waterloo Road.

17. As part of the aforementioned subdivision permit process for the subject site and the land to the east, Council raised concerns regarding the vehicle access arrangements. Specifically, there was a concern that the existing building on the land will no longer have access to the car park on site, which is to be contained entirely outside the subject site (new address of No. 23-45 Waterloo Road) but is accessed via the subject site (new address of No. 60-72 Langridge Street). Additionally, the car park is shown on the endorsed plans of planning permit PL07/0046 as being associated with the warehouse on the subject site. To resolve these matters, a requirement for a Section 173 Agreement was placed on the subdivision permit which required the following:

    (a) Existing car parking arrangements must be maintained for the existing commercial uses in Lot A until such time as Lot A or Lot B is developed.

    (b) If Lot B is developed before Lot A and existing car parking is removed as part of that development, any existing commercial use in Lot A must cease or otherwise alternative car parking must provide to the satisfaction of Council to enable that use to continue.

    (c) Existing access arrangements through Lot A must be maintained for Lot B until such time as Lot B is developed and no longer utilises Lot A for access purposes.

18. This has now been carried out and the Section 173 Agreement has been registered with the Titles office.

Application process

19. The application was lodged on 27 August 2018, and further information subsequently requested in September 2018. At the time of the original application, the proposal was for a 12 storey residential hotel (225 rooms). Council officers raised the excessive height of the proposal as a preliminary concern (amongst others) within the further information request.

20. The applicant submitted the further information on 20 December 2018 and reduced the overall height of the building by three storeys, to the current proposal of nine storeys.

21. The application was then advertised with 1931 letters being sent and 15 objections received. A Consultation Meeting was held on 18 June 2019, where the key issues raised in the objections were discussed with the Permit Applicant, Objectors and Planning Officers present.

22. Whilst this process was occurring, Council had sought and received advice from various consultants in the fields of Acoustics, Wind and Urban Design, as well as Council internal units including Waste Management, Urban Design, Engineering, Open Space, Strategic Transport, Streetscapes and Natural Values and Environmental Sustainable Development (ESD). Council also sought and received advice from the Head of Transport for Victoria. Referral advice is an attachment to this report.

Lodgment of sketch plans

23. In response to objections received and concerns raised in referral advice, the applicant submitted the following additional information on 11 July 2019:

    (a) Sketch plans and a written submission;
    (b) Advise prepared by WSP (service engineers) regarding space allocation for services; and
    (c) Response to acoustic referral comments by the Applicant's Acoustic Engineer, Cundall.

24. The sketch plans submitted on 11 July 2019 showed the following changes:

    (a) Reduction in the extent of services and increased clear glazing by 2.4m in length along the Langridge Street frontage;

    (b) Inclusion of a partial 1m wide ground floor setback from the eastern boundary, adjacent to Langridge Street (with subsequent internal reconfiguration);

    (c) Additional glazing and material changes to the northern laneway and to adjacent proposed pedestrian laneways (north and east) associated with the application to the east (PLN18/0844);

    (d) Provision of a central break in the tower form (1.3m deep and 5.8m wide) facing Langridge Street and the replacement of the exposed concrete material with metal cladding;

    (e) Additional windows and material changes to the east and western side elevations;

    (f) A reduction in the height of the southern-most edge of the tower façade by 0.8m by setting back the parapet from the boundary; and

    (g) Subsequent internal ground floor changes.

25. The sketch plans do not form the decision plans. These plans will form part of Council's assessment and will be each discussed in turn in the body of the report. Some changes will form part of condition 1 requirements.

The Proposal

26. The proposal is rectilinear in form, with a ground floor podium, and eight levels above constructed to the width of the site, with setbacks from the south and the north.

27. The proposal is separated by a central lift core providing a visual break (using concrete) for the two massing's either side, constructed in a modulated grid pattern with protruding window shrouds of varying depths. These are flanked either side by perforated metal stairwells for the full height of the building.

28. The two images below show the proposal from Langridge Street, looking from the east and the west respectively:

29. The image below is the southern elevation:

Demolition

30. All structures on site and three existing crossovers (no planning permit required);

Use

31. A ground floor, food and drinks premises fronting Langridge Street – 96 patrons – 24 hours a day - with an open dining area, bar seating, lounge area, informal dining area and private function dining room predominantly serving hotel patrons. The ground floor, food and drinks premises does not function as a café or a restaurant, rather as a hybrid that operates in an ancillary nature to the residential hotel;

32. Residential hotel with 187 rooms with up to 40 staff – 24 hours a day - total of 17 on-site for a morning shift, nine staff for the afternoon shift and one staff member for the overnight shift. Hotel rooms are all one-bedroom with a bathroom and no cooking facilities;

Construction

Ground floor

33. The ground floor is constructed to full title boundaries with the exception of a setback area (up to 2m in depth) adjacent to the hotel entry from Langridge Street and another setback area (1.6m in depth) facing the northern laneway which provides access to the end of trip facilities and back of house areas;

34. The ground floor includes services in the western portion (substation, storage tank, pump room, bin room etc), with a central reception and entry area leading from Langridge Street with hotel back of house sitting behind. In the eastern portion is the food and drinks premises including open area dining (with skylights above) facing Langridge Street with a private dining room behind and kitchen with back of house area.

35. There are stair access points in the two ends of the site, one providing access to the northern laneway, the other being accessed via the site to the east. These stairs provide access to the upper levels also. Ingress/egress to/from the stair well from another site is not acceptable. The sketch plans provided rectify this issue by containing the ingress/egress wholly within the subject site. This can be required by way of condition, should a permit be issued;

36. Bicycle parking (17 spaces) is accessed via roller doors from the rear laneway;

First floor

37. The first floor is constructed to the eastern and western side boundaries for lengths of 8.1m and 7.4m respectively associated with the stairwells. Aside from this on-boundary construction, the remainder of the first floor is setback from all sides, with setbacks of 5m from Langridge Street and between 1.45m and 3.795m from the northern laneway. Within these setbacks, the development includes pop-out window shrouds for each hotel room window (one per room) with alternating depths of between 0.2m and 0.465m;

38. Either side of the stairwell, the proposal is setback 2.77m and 2.775m from the eastern and western boundaries, respectively.

39. Above the ground floor open dining area are a row of skylights with alternating beams;

40. This floor contains hotel rooms, a DDA compliant room, housekeeping, staff room (including lockers) and two offices. These are provided in two rows with a centrally located lift and a 1.6m wide corridor;

Second to Eighth floors

41. These floors are constructed similarly to the first floor, albeit with reduced eastern and western on-boundary wall lengths of 5.15m with no staff rooms or offices;

42. The depth of the window shrouds have increased to between 0.3m and 0.6m;

Roof plan

43. Solar panels, lift overrun and screened plant and equipment;

General

44. The ground floor will be constructed using a mixture of natural and sealed fluted concrete panels adjacent to the reception and dining areas, with the western services being covered by black metal cladding and the eastern end of the dining area having a combination of wide and thin, ribbed, charcoal metal cladding. Clear glazing is used throughout. The eastern, western and northern sides of the ground floor are predominantly natural, sealed fluted concrete panels;

45. Above this, the proposal will be constructed using natural, sealed concrete with black metal cladding for the shrouds and external walls with grey tinted glazing. The stairwells are constructed using perforated metal;

46. It has a maximum building height of approximately 29.54m, with the stairwell and lift overrun protruding an additional 1m to 30.54m.

Existing Conditions

Subject Site

47. The subject land is located on the northern side of Langridge Street in Collingwood. The site is rectangular in shape with a 56m southern boundary to Langridge Street and a depth of 18.74m, resulting in a total site area of 1,058sqm. A 29.4m long portion of the site faces the laneway to the north.

48. The subject site is partly occupied by a double storey warehouse in the western end, with the crossover providing access to the car parking spaces further to the east, along its eastern side. This crossover is also used for access into the warehouse building, where a roller door is located in the side wall. There are three crossovers along the southern boundary.

49. Below is an aerial of the subject site:

Surrounding Land

50. The surrounding area comprises a mix of built form and land uses. The site is located approximately 335m east of Smith Street which is a designated Major Activity Centre (MAC) with a tram route to the CBD and Bundoora. The MAC has a local and regional role, including retail, entertainment and service functions.
The MAC and its broader context is undergoing substantial change with new higher density residential developments being constructed. The subject site is 360m to the west of Hoddle Street which is a major arterial road (45m in width, property boundary to property boundary). It is a Category 1 Road Zone which has five lanes in either direction and provides a connection between the northern and south-eastern suburbs of Melbourne.

51. The surrounding area is shown below with the subject site outlined in red:

52. Generally speaking, the immediately surrounding area is historically focused around manufacturing, warehouse and light industry. This is depicted within the zoning of the land, between Smith Street to the west and Hoddle Street to the east, which includes Commercial 1 and Mixed Use Zones. The immediate surrounding area is zoned Commercial 2.

53. The area between Smith Street and the western side of Wellington Street has experienced substantial growth and a shift toward a more residential focus, encouraged by the Mixed Use Zone. One and two storey buildings are being replaced with 6 to 13 storey buildings. While the area has been subject to substantial redevelopment, it continues to present a hard edge character to the street with rectilinear forms and robust materials.

54. The east side of Wellington Street is beginning to experience a similar extent of change towards higher density development as the Commercial 2 Zoning is enticing office developments to the area. A significant re-development in this part of surrounding area is the Yorkshire Brewery at No.1-21 Robert Street which is to the north of the subject site and comprises of four main buildings, with the tallest rising to a maximum 17 storeys high. This site is within a pocket of Mixed Use Zone land and is included on the State heritage register.

In terms of the Commercial 2 Zoned land, a 13 storey office development approved at No. 2 – 16 Northumberland Street, Collingwood, located 17m to the south is currently under construction. An 11 storey office building at No. 51 Langridge Street to the south-west of the subject site is also currently under construction.

55. Built form character within the Commercial 2 Zone land is currently between one and four storey and generally built to all boundaries with large car parking areas. The area typically has high site coverage, high on-boundary walls and low levels of permeable surfaces.

    However, this will change in the near future as other similar developments are approved and constructed. The following planning permits have been approved to the east of Wellington Street:

    (a) PLN16/1150 – 71 – 93 Gipps Street, Collingwood – 11 storeys – office – approved
    (b) PLN17/0540 – 61 – 75 Langridge Street and 16 Glasgow Street, Collingwood –7 storeys - office building – approved

56. Along Victoria Parade to the south, land is zoned Commercial 1 and includes a mixture of uses including offices, residences and food and drinks premises.

57. In terms of traffic flow, Wellington Street and Langridge Street are identified as major municipal roads and carry the majority of the commuter traffic. Wellington Street has also been fitted with 'Copenhagen' bicycle lanes, which carry high volumes of cyclists which feed into streets such as Langridge and Gipps Street that also have bike dedicated lanes.

58. The site is proximate to a variety of public transport connections including tram routes along Smith Street and Victoria Parade and bus routes along Hoddle and Johnston Streets. North Richmond and Collingwood train stations are located approximately 600m and 560m north-east and south-east of the site respectively.

59. Aside from the services and amenities within Smith Street, the site is 355m east of the Gertrude Street Neighbourhood Activity Centre (NAC) and 785m south of the Johnston Street NAC.

60. Looking specifically at each direct interface with the subject site, the following apply:

    North

61. To the north of the site is a 3m wide laneway which provides access from a laneway further to the east via Langridge Street and Waterloo Road. Also to the north of the site is the north-west portion of the land now known as No. 23 - 45 Waterloo Road (formally known as No. 60 – 88 Langridge Street and 23 - 45 Waterloo Road). This land has a current planning application (PLN18/0844) for the 'use and development of the land for the construction of two office buildings (seven and nine storeys plus basement levels) with two, ground floor restaurants and a restricted recreation facility (gymnasium), sale and consumption of liquor and a reduction in the car parking requirements'. In terms of its interfaces with the subject site as part of the planning application, there is a proposed 3m wide pedestrian walkway to its north and east with two office buildings (seven and nine storeys in height respectively).

62. No decision has been made at the time of this report. This land is also to the east of the subject site. Below is a render image of the proposal as seen from Langridge Street, looking from the west:

63. Beyond the laneway are a row of commercial buildings ranging between two to four storeys in height facing Waterloo Road, used as offices. The buildings are built hard edge to the front and side boundaries and upper level frontages, with most providing ground level front setbacks to facilitate vehicular access and upper level balconies. Building materials include face brick, render, high gloss tiles and natural concrete, with panel lift vehicular entrance doors. No. 9 Waterloo Road was issued planning permit PLN13/0102 on 29 August 2013 for the use of part of the first floor as a caretaker's residence.

64. Waterloo Road is to the north of these buildings and is a 4.5m wide road that functions as a shared zone with part of it cobblestoned and the other paved with bitumen. It is one way, accessed from Wellington Street and terminating at Rokeby Street.

65. Along the northern interface of Waterloo Road is the Yorkshire Brewery re-development which presents as a lower scale brown brick building to Waterloo Road with taller built form behind. The development presents as four to five storeys (new form above the retained heritage fabric) along Waterloo Road with habitable room windows and balconies facing south-ward. Above this, development is setback at least 9m from the southern boundary to Waterloo Road. Below is the southern elevation of the Yorkshire development as it faces Waterloo Road:

66. To its east are single storey warehouses and offices which have at-grade car parking spaces within setback areas and roller doors providing internal access.

67. Further north, are a mixture of single and double storey commercial buildings, typically built along the street frontage with glazing at ground level. Some also have vehicular access.

South

68. To the south of the site, Langridge Street operates with one lane for vehicles and another for bikes in each direction with parking and large street trees on both sides of the street.

69. Directly to the south is No. 61 – 75 Langridge Street which is occupied by a single-storey warehouse currently used as car park which covers the majority of the land, with the exception of an at-grade, open air car park to its west. Vehicle access to the car park is provided via a single crossover on Langridge Street, with an additional vehicle crossing providing access to an opening within the building façade. A large roller door is also located within the rear (southern) wall of the building, providing access from Glasgow Street.

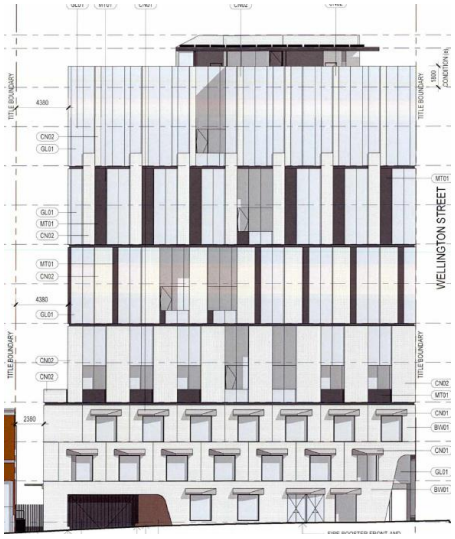
70. As previously discussed, a recent planning permit (PLN17/0540) has been issued on 20 May 2019 at No. 61 – 75 Langridge Street and 16 Glasgow Street, Collingwood for a seven storey office development. Below is an elevation of the proposal as viewed from Langridge Street:

71. To the east of this, is a double storey warehouse building (No. 77-83 Langridge Street), named, 'Langridge Street lofts', built to all boundaries with a glazed frontage. A mixture of offices and fashion wholesalers occupy the building. It has vehicle access from its east along Silver Street.

72. Beyond Silver Street is No. 87 Langridge Street which is occupied by a double storey shop fitting store, built to all boundaries with glazing facing the street. Further to the east, beyond Rokeby Street are a mixture of buildings, mainly consisting of single and double storey commercial buildings, generally built to their full title boundaries except whether there is car parking provision.

73. Turning in the other direction, to the west of No. 61 – 75 Langridge Street is the double storey, red brick former boot factory which is 'dog leg' in shape and has two components, one facing Langridge Street and a second wrapping around another site, facing onto Wellington Street. The building is known as No. 64 Wellington Street and is in its own site specific heritage overlay HO420. It is built to the street frontage with large windows and is currently occupied by 'Redbox Studios' which is a co-working artist space. There are two car parking areas, one accessed from Langridge Street and another from Glasgow Street.

74. To the south-west of the subject site, at the intersection of Wellington and Langridge Street is No. 51 Langridge Street which is occupied by an 11 storey office building currently under construction. Below is an image of the proposal as it presents to Langridge Street:



75. Further south, beyond No. 64 Wellington Street is Glasgow Street which has a laneway-style appearance dominated by the large blank walls which are the rear and side walls of warehouses, car parking areas and roller doors. A number of these buildings face Wellington, Langridge or Rokeby Streets. This is with the exception of Nos. 14 and 16 Glasgow Street which both front onto the street. No. 14 Glasgow Street is a brick warehouse building with windows and doors fronting onto the street and No. 16 Glasgow Street is a purpose built dwelling (which now forms part of Planning Permit PLN17/0540).

76. Beyond Glasgow Street is No. 2-16 Northumberland Street which is currently occupied by a Telstra Exchange building as well as two buildings currently under construction, a six-storey building along Wellington Street and a 13-storey building setback further to the east. Below are render images of the proposal:

77. Further south are the former silos at No. 21 Northumberland Street which are associated with the former distillery at No. 26 Wellington Street. Both of these sites were redeveloped in 1996 and 1997. To Northumberland Street, this site presents as two red brick buildings between one and two storeys in height, with the 11-storey silos setback from the street and a six storey red brick tower directly behind the single storey form. There are also some single storey buildings along Wellington Street.

West

78. To the west of the subject site, is a two storey showroom with a single storey substation to its west. Beyond this is a north-south laneway with a five storey office located at the north-east intersection of Langridge and Wellington Streets. The north-south laneway provides access to Waterloo Road and the east-west laneway which interfaces with the rear of Waterloo Road and Langridge Street properties.

79. Wellington Street is to the west and along its eastern side are buildings built to all boundaries ranging in height from single to five storey, with taller built forms visible in the distance. As previously stated a number of recent approvals have been granted for high density buildings along the west side of Wellington Street, ranging up to 13 storeys – many of which are currently under construction or recently completed. Further to the west are a mixture of fine grain and hard edge buildings associated with the Mixed Use Zone land separating the subject site and Smith Street. As previously outlined, this area is experiencing significant redevelopment. A Design and Development Overlay (Schedule 23) now generally covers all of the Mixed Use Zoned land in Collingwood South.

East

80. As previously outlined, to the east is the development at No. 23 – 45 Waterloo Road. Beyond this, on the western side of Rokeby Street are Nos 79 and 81 Rokeby Street. No. 79 Rokeby Street is a three storey office and showroom with ground floor car park access. To the north is No. 81 Rokeby Street which is a double storey townhouse used for a brothel, Le Boudoir.

81. Rokeby Street is a one way street, from north to south. Along the eastern side of Rokeby Street are mixture of single to triple storey commercial buildings, typically built along the street frontage with glazing at ground level and vehicular access. At the north-eastern intersection of Rokeby and Langridge Streets, is a three storey commercial building which also includes a number of caretaker's dwellings and studios.

82. Further to the east, beyond Rokeby Street, along the northern side of Langridge Street, are a mixture of commercial buildings, typically built along the street frontage with glazing at ground level, generally between single to four storeys in height. Some also have vehicular access.

Planning Scheme Provisions

Zoning

Clause 34.02 – Commercial 2 Zone

83. The site is located within the Commercial 2 Zone (C2Z). The purpose of the C2Z is as follows;

(a) *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
(b) *To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.*
(c) *To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.*

84. Pursuant to this clause, a planning permit is not required for a 'food and drink premises' if the leasable floor area does not exceed 100sqm. The proposed food and drink premises has a total floor area of 390sqm and therefore triggers a permit under the zone. It is proposed to have a maximum of 96 patrons and is open 24 hours.

85. Pursuant to clause 34.02-1, 'residential hotel' is a Section 2 –permit required use and therefore require a planning permit. The hours proposed are 24 hours a day.

86. Pursuant to Clause 34.02-4, a planning permit is required to construct a building or construct or carry out works.

Overlays

Clause 43.02 – Design and Development Overlay (Schedule 11 Gipps Precinct)

87. Schedule 11 to the DDO outlines the following preferred future charachter:

(a) A built form business and commercial environment which builds on the existing fine grain industrial nature of the area that allows for innovation and interest.
(b) A vibrant and safe street environment due to an increasing amount of street oriented development, particularly on Gipps and Langridge Street.
(c) A consistent streetscape with active street-frontages and well articulated buildings with street facades built to a height of up to 3-4 storeys. Taller built form will be set back from property boundaries and spaced to create new interest and variety in building forms.

88. The design objectives are:

(a) To recognise the Precinct as a vibrant commercial precinct with a narrow street network.
(b) To provide a pedestrian friendly environment along all street frontages.
(c) To ensure building design responds to the inherent industrial character of the Precinct.
(d) To ensure building design will protect the amenity of existing pockets of residential development.
(e) To encourage improvements to the public domain, including the provision of public open space.
(f) To ensure that new development does not adversely impact on pedestrian, cycling and vehicular accessibility.
(g) To ensure a high standard of architectural design.

89. The following requirements are also outlined:

Building heights and setbacks

(a) Taller built form may be appropriate on larger sites able to provide adequate setbacks that respect the narrow streetscape character of the Precinct and avoid overshadowing of neighbouring properties.

(b) Development above 4 storeys should:
- *(i) Demonstrate a high standard of architectural design*
- *(ii) Minimise overshadowing of adjoining streets, public spaces or private properties*
- *(iii) Be set back from along the northern side of the following streets:*
  - *(1) Gipps Street*
  - *(2) Langridge Street*

Building design

(c) Development should be designed to:
- *(i) have active and attractive frontages.*
- *(ii) address street activity in its interface design, avoiding recessed car parking at street level.*
- *(iii) be well articulated and modulated.*
- *(iv) use materials and finishes which complement adjacent development and enhance the appearance of the narrow street network.*

Traffic and access

(d) For any development:
- *(i) the number of vehicular access points to a site should be limited and where possible, consolidated and shared with adjoining sites.*
- *(ii) multiple garages in a continuous row along the street frontage will not be supported and recessed parking spaces at the ground level of buildings will be discouraged.*
- *(iii) the impact of traffic and parking generated by the proposal on the local road network must be considered.*

Permeability and public spaces

(e) Any new public open space should have a street frontage.
(f) New development should explore opportunities to create pedestrian connections and through links where the property is accessible from at least two streets.

Amenity

(g) The design and construction of buildings should minimise potential off-site impacts (including noise, light, odour and 24 hour traffic movements).

Landscaping

(h) Landscaping should be considered as a means of providing attractive street frontages.
(i) Public and private open space and other public realm areas should be appropriately landscaped.

90. The following decision guidelines are outlined:

(a) The impact of traffic generated by the proposal and whether it is likely to require additional traffic management control works in the neighbourhood.
(b) How the design, height and form of development responds to the preferred built form character of the Precinct.
(c) How the design, height and visual bulk of building/s on the site address potential negative amenity impacts on surrounding development.
(d) How the proposal improves the street environment for pedestrians along street frontages.
(e) The location of, and access to, parking facilities and their effect on the local road network.

Particular Provisions

Clause 52.06 – Car Parking

91. Clause 52.06-1 requires that a new use must not commence until the required car spaces have been provided on the land. A permit is required to reduce (including reduce to zero) the requirement to provide the number of car parking spaces required under this clause.

92. Under clause 52.06-5, the following parking rates are required:

Proposed Use	***Quantity/ Size***	***Statutory Parking Rate****	***No. of Spaces Required***	***No. of Spaces Allocated***
Residential Hotel	*187*	*Rated not specified in Clause 52.06-5*	*To the satisfaction of the Responsible Authority*	*0*
Food and Drink	*390 m^2*	*3.5 spaces per 100 m^2 of leasable floor area*	*13*	*0*
Total			*13 Spaces + Parking for Residential Hotel*	*0 Spaces*

93. As no on-site car parking spaces are to be provided as part of this proposal, a planning permit for the full reduction of 13 car parking spaces associated with the food and drinks premises is required. There is no statutory requirement within clause 52.06-5 for residential hotel with parking to be provided to the satisfaction of the Responsible Authority.

Clause 52.34 – Bicycle Facilities

94. Pursuant to clause 52.34, a new use must not commence until the required bicycle facilities and associated signage has been provided on the land. The purpose of the policy is to encourage cycling as a mode of transport and to provide secure, accessible and convenient bicycle parking spaces

95. Under the provisions of Clause 52.34-3 of the 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***
Retail premises	*390 sqm*	*1 employee space to each 300 sqm of leasable floor area*	*1 employee spaces*	

(other than specified in this table)		*1 visitor space to each 500 sqm of leasable floor area*	*1 visitor spaces.*	
Residential building (other than specified in this table)	*187 rooms*	*In developments of four or more storeys, 1 to each 10 lodging rooms*	*19 employee spaces*	
		In developments of four or more storeys, 1 to each 10 lodging rooms	*19 visitor spaces*	
		Bicycle Parking Spaces Total	*20 employee spaces*	*17 resident / employee spaces*
			20 visitor spaces	*12 visitor spaces*
	Showers / Change rooms	*1 to the first 5 employee spaces and 1 to each additional 10 employee spaces*	*3 showers / change rooms*	*3 showers / change rooms*

96. The development proposes a shortfall of 3 employee spaces and 8 visitor spaces than required by the planning scheme.

97. Pursuant to clause 52.34-3, the rate for the provision of showers/change rooms is 1 to the first 5 employee spaces and 1 to each additional 10 employee spaces. Therefore, 3 showers and 3 change rooms are required. These facilitates have been provided.

98. Clause 52.34-4 provides design standard for bicycle spaces and signage.

General Provisions

99. 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 Municipal Planning Strategy and the Planning Policy Framework., as well as the purpose of the zone, overlay or any other provision. An assessment of the application against the relevant sections of the Scheme is offered in further in this report

Planning Policy Framework (PPF)

100. Relevant clauses are as follows:

Clause 11.02 (Managing Growth)

Clause 11.02-1S (Supply of Urban Land)

101. The objective is:

(a) To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.

Clause 11.03 (Planning for Places)

Clause 11.03-1S (Activity Centres)

102. The relevant objectives of this clause include:

(a) To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.

Clause 11.03-1R (Activity centres – Metropolitan Melbourne)

103. Relevant strategies are:

(a) Support the development and growth of Metropolitan Activity Centres by ensuring they:

(i) Are able to accommodate significant growth for a broad range of land uses.
(ii) Are supported with appropriate infrastructure.
(iii) Are hubs for public transport services.
(iv) Offer good connectivity for a regional catchment.
(v) Provide high levels of amenity

Clause 13.05-1S (Noise abatement)

104. The relevant objective of this clause is:

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

105. Noise abatement issues are measured against relevant State Environmental Protection Policy (SEPP) and other Environmental Protection Authority (EPA) regulations.

Clause 13.07 (Amenity)

Clause 13.07-1S (Land use compatibility)

106. The objective of this clause is:

(a) To safeguard community amenity while facilitating appropriate commercial, industrial or other uses with potential off-site effects.

Clause 15.01 (Built Environment and Heritage)

Clause 15.01-1S (Urban design)

107. The relevant objective of this clause is:

(a) To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

Clause 15.01-1R (Urban design - Metropolitan Melbourne)

108. The objective is:

(a) To create distinctive and liveable city with quality design and amenity.

Clause 15.01-2S (Building design)

109. The relevant objective of this clause is:

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

110. Relevant strategies of this clause are:

(a) Require a comprehensive site analysis as the starting point of the design process.
(b) Ensure the site analysis provides the basis for the consideration of height, scale and massing of new development.
(c) Ensure development responds and contributes to the strategic and cultural context of its location.
(d) Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.
(e) Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.
(f) Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.
(g) Ensure development is designed to protect and enhance valued landmarks, views and vistas.
(h) Ensure development provides safe access and egress for pedestrians, cyclists and vehicles.
(i) Ensure development provides landscaping that responds to its site context, enhances the built form and creates safe and attractive spaces.
(j) Encourage development to retain existing vegetation.

111. This clause also states that planning must consider as relevant:

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

Clause 15.01-4S (Healthy neighbourhoods)

112. The objective is:

(a) To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.

Clause 15.01-4R (Healthy neighbourhoods - Metropolitan Melbourne)

113. The strategy is:

(a) Create a city of 20 minute neighbourhoods, that give people the ability to meet most of their everyday needs within a 20 minute walk, cycle or local public transport trip from their home.

Clause 15.01-5S (Neighbourhood character)

114. The relevant objective of this clause is:

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

Clause 15.02 (Sustainable Development)

Clause 15.02-1S (Energy Efficiency)

115. 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 17.01 – (Employment)

Clause 17.01-1S – (Diversified economy)

116. The objective of this clause is:

    (a) To strengthen and diversify the economy.

117. The relevant strategies of this clause are:

    (a) Protect and strengthen existing and planned employment areas and plan for new employment areas.
    (b) Facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on the emerging and existing strengths of each region.
    (c) Improve access to jobs closer to where people live.

Clause 17.02 – (Commercial)

Clause 17.02-1S – (Business)

118. The relevant objective of this clause is:

    (a) To encourage development that meets the communities' needs for retail, entertainment, office and other commercial services.

119. The relevant strategies of this clause is:

    (a) Plan for an adequate supply of commercial land in appropriate locations.
    (b) Ensure commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure.
    (c) Locate commercial facilities in existing or planned activity centres.

Clause 17.04-1S – (Facilitating Tourism)

120. The relevant objective of this clause is:

    (a) To encourage tourism development to maximise the economic, social and cultural benefits of developing the state as a competitive domestic and international tourist destination.

121. The relevant strategy of this clause is:

    (a) Maintain Metropolitan Melbourne's position as a global, national and local destination in its own right and as a gateway to regional Victoria by:
        (i) Developing city precincts and promenades.
        (ii) Revitalising the retail core of the Central City.
        (iii) Supporting artistic and cultural life.
        (iv) Improving public facilities, amenities and access.
        (v) Maintaining city safety.
        (vi) Providing information and leisure services.
        (vii) Improving transport infrastructure.

Clause 18.01 (Integrated Transport)

Clause 18.01-1S – (Land use and transport planning)

122. The objective of this clause is:

(a) To create a safe and sustainable transport system by integrating land use and transport.

123. Relevant strategies to achieve this objective include:

(a) Develop transport networks to support employment corridors that allow circumferential and radial movements.

(b) Plan urban development to make jobs and community services more accessible by (as relevant):

(i) Ensuring access is provided to developments in accordance with forecast demand, taking advantage of all available modes of transport and to minimise adverse impacts on existing transport networks and the amenity of surrounding areas.
(ii) Coordinating improvements to public transport, walking and cycling networks with the ongoing development and redevelopment of urban areas.
(iii) Requiring integrated transport plans to be prepared for all new major residential, commercial and industrial developments.

(c) Integrate public transport services and infrastructure into new development.

Clause 18.02 (Movement Networks)

Clause 18.02-1S – (Sustainable personal transport)

124. The relevant objectives of this clause is:

(a) To promote the use of sustainable personal transport.

125. Relevant strategies of this policy are:

(a) Encourage the use of walking and cycling by creating environments that are safe and attractive.
(b) Develop high quality pedestrian environments that are accessible to footpath-bound vehicles such as wheelchairs, prams and scooters.
(c) Ensure cycling routes and infrastructure are constructed early in new developments.
(d) Provide direct and connected pedestrian and bicycle infrastructure to and between key destinations including activity centres, public transport interchanges, employment areas, urban renewal precincts and major attractions.
(e) Ensure cycling infrastructure (on-road bicycle lanes and off-road bicycle paths) is planned to provide the most direct route practical and to separate cyclists from other road users, particularly motor vehicles.
(f) Require the provision of adequate bicycle parking and related facilities to meet demand at education, recreation, transport, shopping and community facilities and other major attractions when issuing planning approvals.
(g) Provide improved facilities, particularly storage, for cyclists at public transport interchanges, rail stations and major attractions.
(h) Ensure provision of bicycle end-of-trip facilities in commercial buildings

Clause 18.02-1R – (Sustainable personal transport- Metropolitan Melbourne)

126. Strategies of this policy are:

(a) Improve local travel options for walking and cycling to support 20 minute neighbourhoods.

(b) Develop local cycling networks and new cycling facilities that support the development of 20-minute neighbourhoods and that link to and complement the metropolitan-wide network of bicycle routes - the Principal Bicycle Network

Clause 18.02-2S (Public Transport)

127. The objective of this clause is:

(a) To facilitate greater use of public transport and promote increased development close to high-quality public transport routes.

Clause 18.02-2R (Principal Public Transport Network)

128. A relevant strategy of this clause is to:

(a) Maximise the use of existing infrastructure and increase the diversity and density of development along the Principal Public Transport Network, particularly at interchanges, activity centres and where principal public transport routes intersect.

Clause 18.02-4S – (Car Parking)

129. The objective of this clause is:

(a) To ensure an adequate supply of car parking that is appropriately designed and located.

130. A relevant strategy is:

(a) Protect the amenity of residential precincts from the effects of road congestion created by on-street parking.

Municipal Strategic Statement

131. The relevant policies in the Municipal Strategic Statement can be described as follows:

Municipal Strategic Statement (MSS)

132. Relevant clauses are as follows:

Clause 21.04-2 (Activity Centres)

133. The relevant objectives of this clause are:

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

134. Relevant strategies to achieve this objective include:

(a) Strategy 5.2 - Support land use change and development that contributes to the adaptation, redevelopment and economic growth of existing activity centres.
(b) Strategy 5.3 - Discourage uses at street level in activity centres which create dead frontages during the day.

Clause 21.04-3 (Industry, office and commercial)

135. The objective of this clause is:

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

Clause 21.05-2 – (Urban design)

136. The relevant objectives of this Clause are:

(a) Objective 16 - To reinforce the existing urban framework of Yarra;

(b) Objective 17 - To retain Yarra's identity as a low-rise urban form with pockets of higher development:

(i) Strategy 17.2 Development on strategic redevelopment sites or within activity centres should generally be no more than 5-6 storeys unless it can be demonstrated that the proposal can achieve specific benefits such as:
1. Significant upper level setbacks
2. Architectural design excellence
3. Best practice environmental sustainability objectives in design and construction
4. High quality restoration and adaptive re-use of heritage buildings
5. Positive contribution to the enhancement of the public domain
6. Provision of affordable housing.

(c) Objective 18 - To retain, enhance and extend Yarra's fine grain street pattern;
(d) Objective 19 To create an inner city environment with landscaped beauty;
(e) Objective 20 - To ensure that new development contributes positively to Yarra's urban fabric;
(i) Strategy 20.1 Ensure development is designed having particular regard to its urban context and specifically designed following a thorough analysis of the site, the neighbouring properties and its environs.
(ii) Strategy 20.2 Require development of Strategic Redevelopment Sites to take into account the opportunities for development on adjoining land.
(iii) Strategy 20.3 Reflect the fine grain of the subdivision pattern in building design where this is part of the original character of the area.
(iv) Strategy 20.4 Apply the Built Form and Design policy at clause 22.10.

(f) Objective 21 - To enhance the built form character of Yarra's activity centres;

(i) Strategy 21.1 Require development within Yarra's activity centres to respect and not dominate existing built form; and

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

Clause 21.05-3 – (Built form character)

137. The general objective of this clause is:

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

138. The subject site is located within a non-residential area, where the built form objective is to *"improve the interface of development with the street"*.

139. The strategies to achieve the objective are to:

(a) Strategy 27.1 - Allow flexibility in built form in areas with a coarse urban grain (larger lots, fewer streets and lanes).
(b) Strategy 27.2 - Require new development to integrate with the public street system.

Clause 21.05-4 (Public environment)

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

(a) Objective 28 - To a provide a public environment that encourages community interaction and activity:

(i) Strategy 28.1 - Encourage universal access to all new public spaces and buildings
(ii) Strategy 28.2 - Ensure that buildings have a human scale at street level.
(iii) Strategy 28.3 - Require buildings and public spaces to provide a safe and attractive public environment.
(iv) Strategy 28.5 - Require new development to make a clear distinction between public and private spaces.
(v) Strategy 28.8 - Encourage public art in new development.

Clause 21.06 – (Transport)

141. This policy recognises that Yarra needs to reduce car dependence by promoting walking, cycling and public transport use as viable and preferable alternatives. Relevant objectives and strategies of this Clause are as follows:

(a) Objective 30 – To provide safe and convenient pedestrian and bicycle environments.
(i) Strategy 30.2 – Minimise vehicle crossovers on street frontages.
(ii) Strategy 30.3 – Use rear laneway access to reduce vehicle crossovers.

(b) Objective 31 – To facilitate public transport usage.

(c) Objective 32 – To reduce the reliance on the private motor car.

(d) Objective 33 To reduce the impact of traffic.
(i) Strategy 33.1 Ensure access arrangements maintain the safety and efficiency of the arterial and local road network.

Clause 21.07-1 – Ecologically sustainable development

142. The relevant objectives and strategies of this clause are:

(a) Objective 34 – To promote ecologically sustainable development.

(i) Strategy 34.1 – Encourage new development to incorporate environmentally sustainable design measures in the areas of energy and water efficiency, greenhouse gas emissions, passive solar design, natural ventilation, stormwater reduction and management, solar access, orientation and layout of development, building materials and waste minimisation.

Clause 21.08-5 Neighbourhoods (Collingwood)

143. This clause outlines the Collingwood neighbourhood as follows;

(a) Much of Collingwood is industrial in character with the residential precincts surrounded by or interspersed with industrial buildings.

(b) The Gipps Street industrial precinct is characterized by traditional manufacturing, service activities and a considerable portion of activity related to the textile, clothing and footwear sector. The precinct provides the opportunity for a wide range of small to medium businesses to operate in a location that is relatively unconstrained by sensitive uses. To allow flexibility for large sites which may have difficulty in finding new industrial tenants, rezoning to Business 3 will be supported. This will enable the area to retain an industrial character but evolve to provide a wider range of employment opportunities including service business and offices uses. Any change of use should consider opportunities for improvement to the public domain.

144. Within Figure 13 of Clause 21.08-5, the subject site is identified as being within the Gipps Street Precinct which was supported as being rezoned to Business 3 Zone. This occurred and has since been rezoned to Commercial 2 (formally Business 3 Zone).

145. Figure 14 of Clause 21.08-5, shows the subject site as being within a non-residential built form character area where the objective is to improve the interface of development with the street. The site is also located within a portion of Collingwood where the objective is to improve on street pedestrian and cycle links to open space.

146. The only relevant strategies are to support the rezoning of the Gipps Street industrial precinct to the Business 3 Zone, which as previously stated has been completed.

Relevant Local Policies

Clause 22.05 – Interfaces Uses Policy

147. This policy applies to applications within the Commercial Zones (among others), and aims to reduce conflict between commercial, industrial and residential activities. The policy acknowledges that the mix of land uses and development that typifies inner city areas can result in conflict at the interface between uses.

148. It is policy that:

(a) New non-residential use and development within Business and Mixed Use and Industrial Zones are designed to minimise noise and visual amenity impacts upon nearby, existing residential properties.

149. Decision guidelines at clause 22.05-6 include:

(a) Before deciding on an application for non-residential development, Council will consider as appropriate:

(i) The extent to which the proposed buildings or uses may cause overlooking, overshadowing, noise, fumes and air emissions, light spillage, waste management and other operational disturbances that may cause unreasonable detriment to the residential amenity of nearby residential properties.
(ii) Whether the buildings or uses are designed or incorporate appropriate measures to minimise the impact of unreasonable overlooking, overshadowing, noise, fumes and air emissions, light spillage, waste management and other operational disturbances on nearby residential properties.

Clause 22.07 – Development abutting laneways

150. This policy applies to applications for development that is accessed from a laneway or has laneway abuttal. The objectives under this policy are:

(a) To provide an environment which has a feeling of safety for users of the laneway.

(b) To ensure that development along a laneway acknowledges the unique character of the laneway.
(c) To ensure that where development is accessed off a laneway, all services can be provided to the development.
(d) To ensure that development along a laneway is provided with safe pedestrian and vehicular access.

Clause 22.10 – Built form and design policy

151. This policy applies to all new development not included in a Heritage Overlay. The relevant objectives of this policy are to:

(a) Ensure that new development positively responds to the context of the development and respects the scale and form of surrounding development where this is a valued feature of the neighbourhood character.
(b) Ensure that new development makes a positive contribution to the streetscape through high standards in architecture and urban design.
(c) Limit the impact of new development on the amenity of surrounding land, particularly residential land.
(d) Design buildings to increase the safety, convenience, attractiveness, inclusiveness, accessibility and 'walkability' of the City's streets and public spaces.
(e) Create a positive interface between the private domain and public spaces.
(f) Encourage environmentally sustainable development.

152. The Clause includes various design objectives and guidelines that can be implemented to achieve the above objectives. The design elements relevant to this application relate to:

(a) urban form and character;
(b) setbacks and building height;
(c) street and public space quality;
(d) environmental sustainability;
(e) site coverage;
(f) on-site amenity;
(g) off-site amenity;
(h) landscaping and fencing;
(i) parking, traffic and access; and
(j) service infrastructure.

Clause 22.16 Stormwater Management (Water Sensitive Urban Design)

153. Clause 22.16-3 requires the use of measures to *"improve the quality and reduce the flow of water discharge to waterways"*, manage the flow of litter from the site in stormwater and encourage green roofs, walls and facades in buildings where practicable.
Clause 22.17 – Environmentally Sustainable Design

154. This policy was introduced into the Scheme on 19 November 2015 and applies to residential development with more than one dwelling. The overarching objective is that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation. The considerations are energy performance, water resources, indoor environment quality, storm water management, transport, waste management and urban ecology.

Other relevant documents

155. Clause 15.01-2S states that planning must consider as relevant:

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

Gipps Street Local Area Plan

156. The Gipps Street Local Area Plan (GSLAP) was adopted by Council in February 2010. This plan includes objectives, strategies and actions which deal with future land use and form of development, physical improvements and infrastructure investments. It provides the strategic basis for future development and activity mix, preferred future character, a guide for new public works and infrastructure, design guidance and an overall approach to implementation and priorities.

157. This plan pre-dates the rezoning of the subject land from Industrial to Commercial and influenced the implementation of Schedule 11 to the Design and Development Overlay affecting the site.

158. The GSLAP acknowledges that Wellington, Langridge and Gipps Streets offer greater exposure and accessibility for activities like showrooms and larger office developments. The Plan also aims to reduce car travel into the precinct, as follows;

(a) A broader policy objective to implement Council's Strategic Transport Statement is to reduce the proportion of trips into and out of the precinct by car.
(b) Reduced car travel will depend primarily on broader initiatives beyond the scope of this plan.
(c) Local initiatives should aim to improve walking and cycle access and connections to public transport and slowing car and other vehicle traffic in and around the precinct.

Yarra Business and Industrial Land Strategy 2012

159. The Yarra Business and Industrial Land Strategy was adopted by Council in June 2012, which applies to land within the Commercial and Industrial Zones within the City of Yarra. The Strategy sets out a 10-15- year direction for Yarra's business and industrial areas and provides guidance for Council and relevant stakeholders for land use planning in these areas.

160. The Strategy identifies that *'local economic conditions have continued to evolve including growing pressure for residential and mixed use development in Yarra's business and industrial areas, ongoing industry changes and adjustments, new business development opportunities and new infrastructure investments'* . The City of Yarra is committed to maintaining the employment focus in its business and industrial areas and seeks to ensure access to employment opportunities within these areas is maintained.

161. The vision of the Strategy is as follows:

(a) Business and industrial areas in the City of Yarra play an integral role in sustaining the local and inner Melbourne economy and local communities. They will continue to change, with significant growth in the business sector and a decline in industry activity and employment.
(b) This Strategy will provide sufficient land to sustain growth in economic activity. In doing this, it will contribute to the economic strength of the region, and enhance its vibrancy and diversity.

162. Within the Strategy, the subject site exists within the Gipps Street Node (CIB4). The strategy notes that the precinct was rezoned from Industrial 1 Zone to Business 3 Zone (and most recently Commercial 2 Zone) to facilitate a broader business and industrial base and to ensure it remains one of Yarra's strategic employment precincts.

Advertising

163. The application was advertised in accordance with Section 52 of the *Planning and Environment Act* 1987 [**the Act**] by way of 1931 letters sent to the surrounding property owners/occupiers and by two signs, one facing Langridge Street and the other facing Waterloo Road.

164. A total of 15 objections were received to the application, these can be summarised as:

(a) Traffic, safety and lack of parking – impact on Waterloo Road Shared Zone;
(b) Should provide for additional bike spaces;
(c) Amenity Impacts (overlooking, loss of views, noise, loss of daylight to windows, overshadowing);
(d) Construction issues (damage cobblestone, impact on adjoining businesses);
(e) Neighbourhood character/Heritage;
(f) Height/Massing/Scale;
(g) Impact on heritage building; and
(h) Amplified music and patron noise from restaurants.

165. A consultation meeting was held on 18 June 2019. The Permit Applicant, Planning Officers and objectors were present.

Referrals

166. The referral comments are based on the advertised plans.

External referrals

(a) The Head, Transport for Victoria

Internal Referrals

167. The application was referred to the following units within Council:

(a) Urban Design;
(b) Engineering Services Unit;
(c) Strategic Transport;
(d) Open Space;
(e) Streetscapes and Natural Values;
(f) Waste Services;
(g) ESD Advisor;

168. The application was referred to the following external consultants:

(a) Urban Design (MGS Architects);
(b) Acoustics (SLR Consulting) and
(c) Wind (ViPac Engineers).

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

OFFICER ASSESSMENT

170. The primary considerations for this application are as follows:

(a) Policy and physical context;
(b) Uses;
(c) Built form;
(d) Environmentally Sustainable Development (ESD);
(e) Off-site amenity impacts;
(f) On-site amenity;
(g) Car parking and bicycle provision;
(h) Waste management; and
(i) Objector concerns.

Policy and physical context

171. The proposed development has strong strategic support at State and local level. The C2Z which applies to the site is capable of accommodating greater density and higher built form, subject to individual site constraints. Additionally, state and local policies (such as clauses 11.03-1R and 18.01-1S) encourage the concentration of development near activity centres and more intense development on sites well connected to public transport.

172. The site and adjacent land to the east, west and south are located in the C2Z, which specifically encourages office, retail uses and associated commercial services. These sites form part of the Gipps Street Industrial Precinct. The proposal complies with the strategic direction outlined for this Precinct by continuing the commercial use of the site in a more intensive form, in order to facilitate greater employment opportunities and to assist in facilitating tourism.

173. Pursuant to State policy at clause 17, economic development is to be fostered by *'…providing land, facilitating decisions and resolving land use conflicts, so that each region may built on its strengths and achieve its economic potential'.* At a local level, the Municipal Strategic Statement at Clause 21.04-3 seeks to *'increase the number and diversity of local employment opportunities'.* The proposal will support economic opportunities in a highly accessible, service-rich area. The uses proposed will increase employment opportunities in hospitality as well as support the surrounding commercial uses through the provision of accommodation and food and drinks. The proposed uses are complementary to the surrounding area due to the specific encouragement of office uses within the Commercial 2 Zoned land and are not expected to pose interface conflict issues. The proposed residential hotel and food and drinks premises go hand in hand with this surrounding context.

174. Clause 17.04-1R seeks to maintain and develop Metropolitan Melbourne as a desirable tourist destination. The provision for a residential hotel will contribute to the availability of accommodation within the locality, while concurrently supporting the local economy through additional visitors to the area. Given the proximity to the Brunswick and Smith Street Activity Centres, this is considered an appropriate location for temporary accommodation. Furthermore, the location of the site in the Gipps Street employment precinct is likely to support proximate accommodation for business travellers.

175. Overarching State policy at clause 15.01-1S (urban design) seeks to *create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.* This is reinforced at clause 15.01-2S (building design) which encourages '…*building design outcomes that contribute positively to the local context and enhance the public realm*.' Council's Municipal Strategic Statement seeks to *'ensure that new development contributes positively to Yarra's Urban fabric'* (Objective 20) and also *'maintain and strength the identified character of each type of identified built form within Yarra.'* (Objective 23).

176. Both State and local polices (clause 15.02-1S, 21.07-1) support energy and resource efficiency through environmentally sustainable development, consolidation and integration of urban development and supporting low energy forms of transport.

177. Having regard to the above, the proposed re-development of the site for a residential hotel with a food and drinks premises of this scale is considered to have strategic planning support.

Uses

178. Both the residential hotel and food and drinks premises require a planning permit under the zone. As outlined within the *Policy and physical context* section earlier, the subject site is considered an appropriate location for a residential hotel based on its proximity to key activity centres (Smith and Brunswick Streets) and the Gipps Street Employment Precinct.

179. In respect to their appropriateness there is support for them where it can be demonstrated that the scale of operation would not result in unreasonable impacts to the surrounding area or erosion of the primary purpose of the Commercial 2 Zone. This consideration is relevant in terms of the objective of the Commercial 2 Zone: *to encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.*

180. By retaining land for commercial uses, Collingwood will remain a viable and thriving economic cluster, thus providing a net community benefit through employment and contributing to the local and regional economy for present and future generations. It is also Council local planning policy (Clause 21.04-3) to increase the number and diversity of local employment opportunities and by maintaining this land for the purpose it was intended for, this policy will be met and a net community benefit will be achieved. Council's local policy at Clause 21.04-3 states that the commercial and industrial sectors underpin a sustainable economy and provide employment. Yarra plans to retain and foster a diverse and viable economic base.
181. The site is located within an employment cluster which is of importance not only to the municipality, but also to the broader metropolitan region given its capacity for change and connections to other Activity Centres, residential areas and public transport. The area supports a growing employment base, and the proposed uses will support this. These uses will provide:

    (a) a venue where the local workers and residents can obtain food and drinks and recreate; and
    (b) temporary accommodation for visitors to the local area (including to nearby residents) and business travelers.

182. The uses will contribute to the mixed use nature of the location which includes other commercial entities. On weekends, there is an expectation that buildings are active and provide for visitors and local residents alike. These different uses will play a legitimate role in meeting the needs of the area in this respect and providing seven days a week activation of the area whereas offices are generally closed and can lead to inactivity.

183. The Commercial 2 Zone also requires consideration of the following matters (as relevant) at clause 34.02-7, each with a response provided below:

    (a) The effect of existing uses on the proposed use – existing uses are a mixture of residential (further to the north in the Mixed Use zone, beyond Waterloo Road) and commercial/industrial in nature and are not expected to have an adverse impact on the proposed uses. These existing uses will most likely provide patrons for the proposed businesses;
    (b) The drainage of the land – the land is not located in an area with any specific drainage requirement under the Scheme and would have adequate ability to connect to relevant drainage networks;
    (c) The availability and connection to services – the site is in an existing built up urban area with easy connection to all necessary services;
    (d) The effect of traffic to be generated – this is discussed in detail later in this report;

184. In respect of amenity impacts, Clause 22.05 seeks to ensure that new non-residential uses do not unreasonably impact dwellings including through noise, light spill, emissions and rubbish.

185. The closest residentially zoned land is 22m to the north of the subject site within the Yorkshire Brewery re-development. These are separated by built form to the north as well as the width of a laneway and Waterloo Road. Council officers note that people may be living within the sites to the north, however the only permits Council officers were able to locate were those for caretaker's dwellings.

Hence, even if existing use rights were able to be established, these dwellings do not have the same level of amenity protection as dwellings within a residential area. Neither the zone purpose nor the decision guidelines indicate an intention that residential amenity impacts associated with development should be an issue in this zone, or residential standards of amenity applied within it.

186. In terms of the food and drinks premises, it is located towards Langridge Street adjacent to commercially zoned land and separated from the more sensitive uses by built form and the width of Waterloo Road. The food and drinks premises does not have a direct interface with any dwellings and faces Commercial 2 Zoned land only. As such, this minimises the potential for off-site amenity impacts such as light spill. The maximum number of patrons will be 96 and the hours of operation are proposed to be 24 hours a day. The majority of the patrons to the food and drinks will be from the hotel with the remainder being from the wider area. Within this part of the Collingwood, there are a low number of food and drinks premises, with this use able to serve the growing number of visitors and local workers. In terms of reducing amenity impacts associated with the hours, the hotel operator (as opposed to an external operator) will maintain management of this space.

187. Finally, with regards to the residential hotel, it will have 187 rooms and it also does not have any direct interfaces with residentially zoned land. To ensure that the amenity of the surrounding area is not unreasonably impacted from noise or activity associated with the hotel, a permit condition can be included for a management plan to control the use. The policies and procedures outlined within a management plan will ensure that external amenity impacts from the residential hotel, such as noise and guest behaviour, are appropriately managed.

188. As will be outlined in the *Off-site Amenity* section of this report, Council's acoustic consultant confirmed on 23 July 2019 that the applicant has addressed the noise related issues. However, there were remaining matters (regarding noise from the substation and pump room) that can only be addressed during the detailed design phase as the information required for addressing them becomes available. A condition will require that an additional acoustic report be provided, prior to the occupation of the building demonstrating compliance with SEPP N-1.

189. There is limited guidance in the Scheme as to what appropriate opening hours are in the Commercial 2 Zone. Due to the zoning of the land, other potentially more intensive uses could operate without requiring a planning permit and would therefore not have their hours restricted. Additionally, considering the uses do not have any direct abuttal with residences, impacts will be low. Accordingly, the uses are not expected to have unreasonable impacts on these dwellings and can be managed with appropriate conditions.

190. In terms of the numbers of patrons, the applicant is proposing a total of 96 for the food and drinks premises and the hotel has 187 rooms. These numbers are considered to be reasonable for the location of the proposed development.

191. Rubbish would be adequately concealed within the building and any emissions would have an adequate dispersal distance from the dwellings. Conditions have been included to ensure the amenity of the area is not unreasonably compromised due to the uses. These include restrictions on hours of operation, noise, patron numbers, waste disposal, deliveries and emission including light spill.

Built form

192. The following is a detailed assessment of the proposal against the design objectives of Clause 22.10 – Built Form and Design Policy and Schedule 11 of the Design and Development Overlay (DDO11). The assessment will also consider the decision guidelines of the Commercial 2 Zone, and the urban design principles articulated at Clause 15.01.

193. All of the provisions and guidelines support 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.

Urban form, character and context

194. As discussed in the policy section above, the proposal is an appropriate response to the site's strategic context and makes efficient use of relatively under-utilised land. Strategically, the subject site is appropriately located for a higher-density development, being proximate to an Activity Centre and within the C2Z with excellent access to public transport, services and facilities. In addition, the site has two street/laneway interfaces, thereby providing a degree of separation from adjacent sites with no direct residential abuttals. It would therefore be a reasonable expectation that this site (as others in the Collingwood area are currently doing) would experience intensification in use and development.

195. The built form of this part of Collingwood has been guided by the traditionally industrial uses historically found in the area. New construction has generally been at least five storeys in height and constructed boundary to boundary. Built form in the surrounding area consists of a mixture of architectural styles and materials, with high site coverage, where walls on boundaries are common.

196. The subject site is not located within a heritage overlay; however the Yorkshire Brewery development to the north is in a site specific heritage overlay and also on the Victoria Heritage Register. The development will not impact this as the longer range views of the brewery will not be impacted nor will it impede any views from the east and west where it has the most visibility.

197. Particular regard must be given to the acceptability of the design in terms of height and massing, street setbacks and relationships to adjoining buildings.

198. In terms of the specific design response, the proposal will have a single storey street wall, built to a maximum of 6.48m, with the levels above setback 5m from Langridge Street, between 1.45m and 3.795m from the northern laneway and rising to a maximum height of 29.54m. The proposal is bookended by two external staircases which are partially built along the boundary. Below are renders of the proposal from along Longridge Street, looking from the east and west respectively

Street wall and Langridge Street interface

199. The preferred future character of the area as outlined within Schedule 11 of the DDO is of street facades built to a height of up to 3-4 storeys. The proposal complies with this due to its single storey height. Whilst this is lower than what is typical for recent commercial developments, this is acceptable as it is similar to nearby lots and falls within the heights envisaged within the DDO. The height provides a human scale to the development. Council's external urban designer did not raise this as an issue.

200. In terms of detailing and materials, the ground floor will be constructed using a mixture of natural sealed fluted concrete panels adjacent to the reception and dining areas, with the western services being covered by three-dimensional black metal cladding (image shown below) and the eastern end of the dining area will have a combination of wide and thin, ribbed, charcoal metal cladding. Clear glazing is used throughout. The eastern, western and northern sides of the ground floor are predominantly natural, sealed fluted concrete panels. The reception area includes a small front setback which is covered above.

    The material variation along the length of the street wall provides a repetitive patterning that adds to the finer detailing effect. This achieves objectives within Schedule 11 of the DDO. The proposed materials and finishes complement the adjacent developments, meeting building design requirements of DDO11.

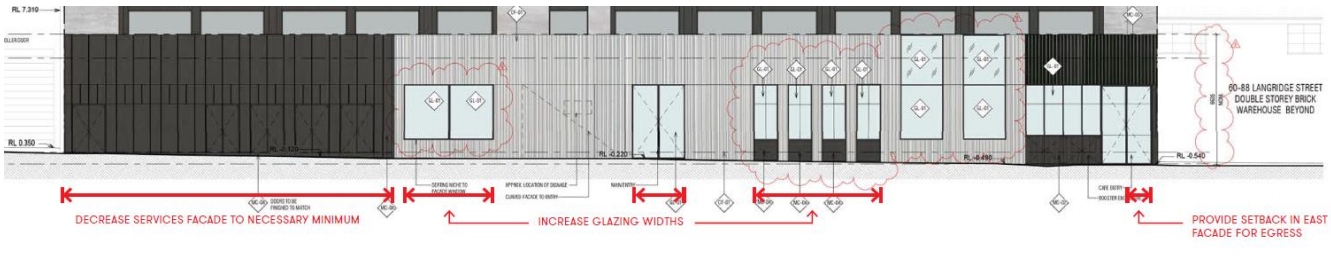
201. Along Langridge Street, the proposal includes the reception area of the residential hotel as well as the open dining area of the food and drinks premises. Council officers were concerned with the lack of glazed frontage to Langridge Street adjacent to the reception area and the length of services located in the western portion of the site. The open dining room has numerous windows which face out onto the street.

202. In order to address Council's concerns, the applicant provided sketch plans on 11 July 2019 which showed the following improvements to the ground floor interface to Langridge Street:

    (a) Reduction in the extent of services and increased clear glazing by 2.4m along the Langridge Street frontage (additional window to the reception area and enlargement of the glazed entry door);

    (b) Inclusion of a partial 1m wide ground floor setback from the eastern boundary (with subsequent internal reconfiguration) facilitating additional east-facing windows for the café/bar area at ground floor and an enlargement of those already proposed;

203. The images below depict the Langridge Street improvements, with the image above being the advertised plans, and the image below being the sketch plans:



204. The proposed services area will be constructed in this pattered black cladding:

205. Below is a render image which depicts the additional window adjacent to the services as well as the enlarged glazed reception entrance as per the sketch plans:

206. The above render shows a large proportion of the ground floor frontage, subject to conditions in-line with sketch plans, would include additional glazing. This combined with the already proposed components (reception area front setback, window shrouds and tactile materials) provides a substantially articulated and modulated street wall. This resolves Council's internal urban design units concerns regarding the blank wall to the reception area. A condition will require these changes to be included, as part of any permit to be issued.

207. The image below depicts the improvement along the eastern side (increase the number of windows), with the image on the left being the advertised plans, and the image on the right being the sketch plans:

208. The image below depicts this in a 3D view:

209. Council's internal urban design unit stated that the open dining area presented as a *"very flat and unengaging façade due to the lack of architectural detailing (for example, setbacks, dados, feature brickwork/tiling, returns, expressed window reveals, awnings etc.)".* Council planning officers disagree and submit that the fluted concrete and mixture of thin and thick ribbed metal cladding provides a good level of detailing to the ground floor, particularly combined with the framed glazing. The changes shown in the sketch plans further improve the architectural quality of the ground floor and this is evident in the render above. The increased glazing will ensure the activities of the residential hotel and food and drinks premises will be clearly seen by passers-by. Considering the 24 hour nature of the proposed uses, this will be a considerable improvement on safety and passive surveillance compared to existing conditions which adds to the vibrancy of the area and achieving the objectives of the DDO.

210. The western end of the proposal still retains the services area, however, this will be reduced by way of condition, as per the sketch plans from 16.4m in length to 14m. This constitutes 25 percent of the frontage, subject to conditions. The location of services along Langridge Street remains an issue in terms of its interface with the public realm and resultant dead frontage impacting passive surveillance and safety. Council officers agree with Council's internal urban design unit that it would be preferable for the services to be further minimised in width or relocated to the rear laneway. In response to these concerns, the applicant provided Council with a letter from WSP (service engineers) outlining that the proposed location of the footprint and location of services are the preferred and most suitable. However Council remains concerned, and where possible, would prefer as minimal frontage as possible presenting as a blank wall.

211. A potential solution to further reduce this blank frontage is to reconfigure the substation so that the shorter edge is along Langridge Street instead of the longer edge, as is currently the case. This can be required by way of condition. The applicant has stated that the power authority (CitiPower) would not accept this arrangement, however written confirmation has not been provided to Council. In the event that the power authority does not consent to this, the condition will require a green wall along the services area to be provided instead. This flexibility allows for an improved outcome, in either instance. The proposed metal cladding pattern will provide an interesting three-dimensional backdrop to the green wall. Whilst the green wall alternative does not minimise the blank frontage, it does however use landscaping as a means to provide a more attractive street frontage, achieving the objectives of the DDO11. Considering the existing site constraints (discussed further below) and subject to the frontage improvements as per the sketch plans and via additional conditions, on balance, this is considered acceptable.

Height and Upper Level setbacks

212. The proposed building will extend to a maximum height of nine storeys or 29.4m (with plant and equipment above). Whilst it is acknowledged that the building will be taller than adjoining developments, it is lower in height than the Yorkshire Brewery (50.38m) to the north and comparable to recent office approvals in the Commercial 2 zone which range between seven and 13 storeys in height. Some of which have been constructed or are under construction. This proposal is certainly in-line with the emerging character of the area and generally consistent with local and state policy. The height of the development is considered to be acceptable due to its location in an industrial area, lack of sensitive interfaces (to be discussed later in this report), and emerging character of the area.

213. The transformation of this part of Collingwood has been previously discussed in a 2013 Tribunal decision (*Urbicity Pty Ltd vs City of Yarra & Ors* [2013] VCAT 592 (26 April 2013) relating to a high density residential development proposal to the north-west of the subject site (in the Mixed Use Zone) at No. 44-48 Bedford Street, Collingwood, the Member made the following statement:

> [9] This part of the municipality has been and continues to be the subject of substantial redevelopment which is transforming it from a traditional industrial area to a higher density mixed use environment. The built form is changing from lower profile, utilitarian buildings to development that range between four and nine stories.

214. This transformation is clearly well underway as is evident in the surrounds. The issue of development which is higher than surrounding built form was further discussed in the Red Dot Tribunal decision, *Pace Developments v Port Phillip CC* (includes Summary) (Red Dot) [2012] VCAT 1277:

> [58] We accept that the building will be taller and will be seen, but the notion of respectful development does not mean that new buildings must replicate that which exists nor does it imply that they will not result in change. As we have noted, change must be contemplated in an area where growth is encouraged by the MSS and chance to improve, or perhaps in this case repair, the urban environment.

215. Continuing the discussion regarding visibility of taller built form, the following comments were made by the Tribunal in *Rowcliffe Pty Ltd v Stonnington CC* [2004] VCAT 46 (29 January 2004):

> [54] If mere visibility becomes the test across metropolitan Melbourne, then it will be virtually impossible to construct buildings above the prevailing scale. This, in turn, would render it impossible to achieve the clearly stated urban consolidation objectives expressed in the Planning Scheme, objectives which Clause 11 requires us "to give effect to". The Tribunal rejects the notion that, because some of the buildings would be visible above the existing built form, they are therefore unacceptable. Rather, the test is whether the proposal is complementary to the surrounding area, and of a scale that can be assimilated without unreasonably disturbing the surrounding built environment.

216. This also follows on from the building height and setback requirements of DDO11 which states that development above four storeys should demonstrate a high standard of architectural design (achieved subject to additional conditions and discussed below) and minimise overshadowing of adjoining streets and public spaces (achieved subject to additional conditions and discussed under *Public Realm*). The DDO confirms that taller built form may be appropriate on larger sites provided they include adequate setbacks and avoid over overshadowing neighbouring properties. As will be discussed, the proposal meets all of these factors. Whilst the proposal does overshadow private properties, this relates to areas within the DDO which abut residential zones.

217. Above ground floor, the building is articulated by numerous windows which are surrounded by window shrouds of varying depths. The windows are in a grid-like pattern due to the location of adjoining rooms being stacked on top of one another as is typical in a residential hotel design. Bookending the rooms are two external stairs with perforated metal to allow light to filter through. Both the window shrouds and the perforation of the metal provide opportunities for light and shadow, creating visual interest. Council's external urban designer criticised the repetitive colour and fenestration pattern. Council officers submit that the window shrouds provide sufficient variation in the façade, particularly considering the surrounding robust form. The variation in the skin of the southern wall is seen in the render image below, where the shadow effect created by the shrouds are also clear.

218. Council planning officers agree that the northern and southern elevations could benefit from some addition colour variation. This can be achieved through a 'hit and miss' style of accents added to the window shrouds and this will be required by way of condition.

219. A particular constraint of the site is its breadth. The applicant has attempted to respond to this by providing a central delineation of natural concrete that separates the massing into two elements. Both Council's external urban designer and internal urban design unit provided recommendations that the proposal required greater visual interest and finer detailing. In an attempt to address these matters, the applicant provided sketch plans which amended the central concrete strip into a physical indent (1.3m deep and 5.8m wide) with a metal cladding finish. This will provide a physical break in the massing rather than only a material change. The proposed materials and finishes complement the adjacent developments, meeting building design requirements of DDO11 and design guidelines within clause 22.10-3.3.

220. As an improvement to how the proposal is seen 'in the round', the sketch plans propose sculptural lighting to the external stairs, as well as additional hotel room windows on the eastern and western sides. This will add visual interest and ensures the proposal is of a high standard of architectural design. Improvements to the ground floor presentation are also included and these have been discussed. These changes constitute a substantial improvement and will be required by way of condition.

221. Council's external urban designer recommended that the eastern stairs be relocated further to the north and to an internal location, with the eastern rooms reconfigured to also engage with the eastern aspect. Whilst the proposal has not internalised the stairs, they have been moved further north and additional east-facing windows have been included to the hotel rooms. This will be required by way of condition. It was also recommended that additional indents be provided adjacent to the lift areas on the northern and southern sides of the building. The latter has been illustrated with the sketch plans (as already discussed) and will be required by way of condition, whilst the north is considered unnecessary. This is due to a lack of street frontage and that there are taller developments to the north which will largely block views to the rear of the site.

Additionally, the central concrete panel and window shrouds provide sufficient modulation of the northern façade, particularly with the additional condition for 'hit and miss' style accents.

222. The proposed changes as shown in the sketch plans go a considerable way to improve the architectural design of the proposal and subject to the conditions already outlined, will be considered of high quality ensuring the building is considered 'in the round'. Council officers will also be requiring a façade strategy be provided, by way of condition, to include additional detailing for the ground floor interface, and tower facades. This provides Council's planning officers' certainty regarding the high architectural quality of the overall proposal.

Public realm, light and shade and pedestrian spaces

223. Policy at Clauses 15.01-2S and 22.10-3.4 require the design of interfaces between buildings and public spaces to enhance the visual and social experience of the user. The preferred future character outlined within Schedule 11 of the DDO also aims for a vibrant and safe street environment with an increased amount of street orientated development along Langridge Street. Design objectives of the DDO are to provide for a pedestrian friendly environment that does not adversely impact on pedestrian and cycling accessibility. Building design requirements are that frontage should be active and attractive and address street activity in its interface design.

Ground floor interfaces

224. Council's internal urban design unit raised concerns with the limited pedestrian amenity provided to the street. It was suggested that the proposal setback from the Langridge Street footpath to provide rain/wind protection for patrons waiting outdoors. Council officers believe a setback is not appropriate in this instance due to the limited depth of the subject site (maximum 19.23m). The proposal includes a recessed entry for the reception area which is considered sufficient for this purpose.

225. The remainder of the ground floor public realm matters have been previously discussed under the *Street wall and Langridge Street interface* section of this report which conforms that subject to conditions, the proposal achieves the objectives of policy at Clauses 15.01-2S and 22.10-3.4.

Rear laneway interface

226. In terms of the rear laneway, the sketch plans also include additional glazing and increased permeability of the bicycle storage area through the incorporation of perforated metal. This is shown below, with the top image being the advertised plans, and the lower being the sketch plans:

227. The additional three windows seen above are to the hallway and kitchen which ensures that staff will be visible behind the glazing as they move about the premises. Glazing has been proposed above the end of trip facilities door which will ensure that internal lighting is seen from the laneway, adding to the perception of safety and activity from anyone in the rear laneway. These changes will be required by way of condition, as per the sketch plans, with a further modification to enlarge each window. A condition will also require security lighting to be provided along the northern laneway. In relation to the bicycle parking, the sketch plans show perforated metal cladding. This allows for visual permeability to this area, with a further condition requiring this area to be lit internally thereby increasing safety. This would resolve Council's external urban designer and internal urban design unit's concerns with regards to these matters.

228. In the event that the proposal (PLN18/0844) to the east is also approved and constructed, the additional glazing on the eastern and northern sides of the ground floor will assist in adding to the passive surveillance and safety of the proposed pedestrian walkways.

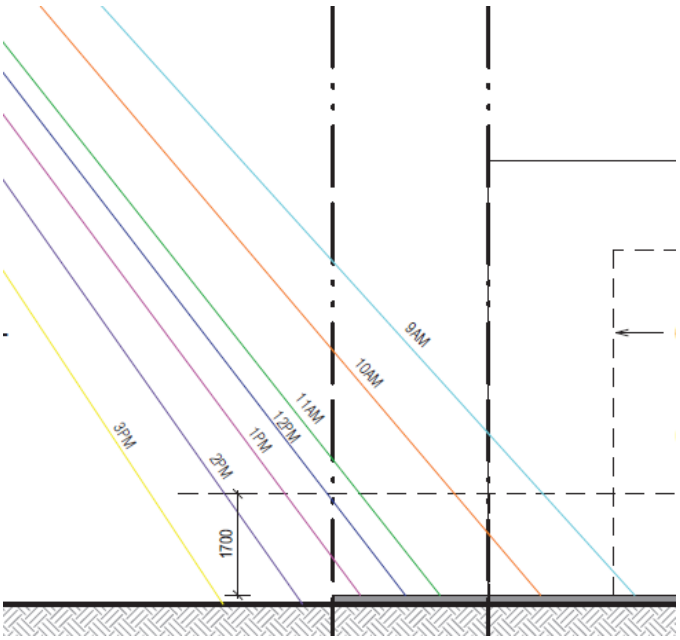
229. The proposal represents a significant improvement in streetscape, public space quality and perceived safety and achieves the objectives of Schedule 20 of the DDO.

230. Council's internal urban design unit recommended that a second public pedestrian entrance/exit for the residential hotel be located on the northern side of the building to improve pedestrian permeability and passive surveillance to the laneway and broader precinct. This is not necessary as the through-link would only provide access to a laneway with no other pedestrian links. The warehouses to the north of the site present as largely blank walls to the lane and are subdivided rendering them less likely to be developed in the future. If the site to the east is developed as per PLN18/0844, a pedestrian link will be provided to the east of the subject site, accessing Waterloo Road.

Shadows to the public realm

231. In terms of shadows to the public realm, the proposal will overshadow the northern footpath at all times of the day. Shading along the northern side of Langridge Street is not a concern as any building along the northern side would shade the footpath. Shading to the southern side of the footpath is a concern which was previously raised by both Council's planning officer and external urban design consultant. In order to address Council's concerns, the applicant provided sketch plans on 11 July 2019 which showed a reduction in the southern portion of the façade by setting back the edge by 0.8m. The applicant also provided hourly sectional diagrams depicting shadows to the footpath in conjunction with hourly shadow diagrams. The applicant outlined that the shadow diagrams previously provided did not depict the true circumstances due to the orientation of the site resulting in angled shadows.

232. Schedule 11 of the DDO encourages development above four storeys to minimise overshadowing of adjoining streets and public spaces. The proposal will result in overshadowing of the southern footpath of Langridge Street between 9am and 1pm. The diagram provided on 11 July 2019 depicts the following cross-sectional illustration of this shadowing:



233. The image above shows that a pedestrian would be in full shadow until 11am, when the southern portion of the footpath is free of shadow. Following this, at each hour, additional sections of the footpath will receive sunlight with pedestrians increasingly being in the sun as they walk down the street. From 1pm onwards, only the feet of a pedestrians would be in shadow.

    Council's external urban designer recommended the plans be revised through the removal of the Level 8 south wing units to ensure there is no overshadowing of the pavement areas to the south side of Langridge Street between the hours of 10am and 2pm at the equinox.

234. Council officers would be satisfied with the shadows at 10am if they generally matched the extent of shadowing shown above for 1pm where a pedestrian would only have their feet in shadow. Council planning officers' assessment of the sketch plan shadows show that to achieve this, an additional 2m setback of the southern portion of the upper level, to a minimum of 7m from the southern boundary is required. This would result in the shadows at the remainder of the day being on the road and well clear of the footpath. If the applicant wishes to delete the entire southern bank of hotel rooms instead of providing an additional 2m setback (due to the modular construction), Council officers would find that acceptable also.

235. Council officers note that the lift core protrudes above the overall building height and this may result in additional shadows even subject to the aforementioned condition. Council officers would find this acceptable, as the shadows from the lift core would be minimal in size and the footpath would generally be free of shadow, except for that small section. This on balance with the overall improvement, is acceptable.

Street Trees

236. Council's Streetscapes and Natural Values Unit confirmed that the two adjacent street trees have the following amenity values

    (a) Tree ID 13309 located in footpath - $4,362.00
    (b) Tree ID 13310 located in roadway - $6,049.00

237. A condition will require a bond for the total amount of the amenity values. A tree protection management plan will also be required, in line with Council's Streetscapes and Natural Values Unit's comments. This must be prepared by an appropriately qualified arborist to ensure the tree is protected during development. This must consider any canopy protection measures required for scaffolding, tree trunk and root zone protection during works. This will be required by way of permit condition.

238. Council's Streetscapes and Natural Values Unit provided comments in relation to the kerb outstand, however as will be discussed below this will be deleted from plans via condition and therefore these comments are not relevant.

Public Realm Improvements

239. The application includes a proposed kerb outstand along Langridge Street. Council's external urban designer supports this, however Council's internal urban design and engineering services units do not due to the constrained nature of the carriageway and its impact to the bicycle lane and drainage system. It will be required to be deleted via a condition on the permit.

240. The proposal includes discussions regarding changes to the parking provisions in the street, this is not part of the planning application and would need to be considered by the Parking Management Unit as part of a separate process. This was also a recommendation of Council's external urban designer and cannot be supported by planning officers.

241. The reinstatement of the footpath through the removal of three vehicle crossovers is an improvement to the public realm. Council's external urban designer agrees.

Place-making Initiatives associated with the proposal to the east (PLN18/0844)

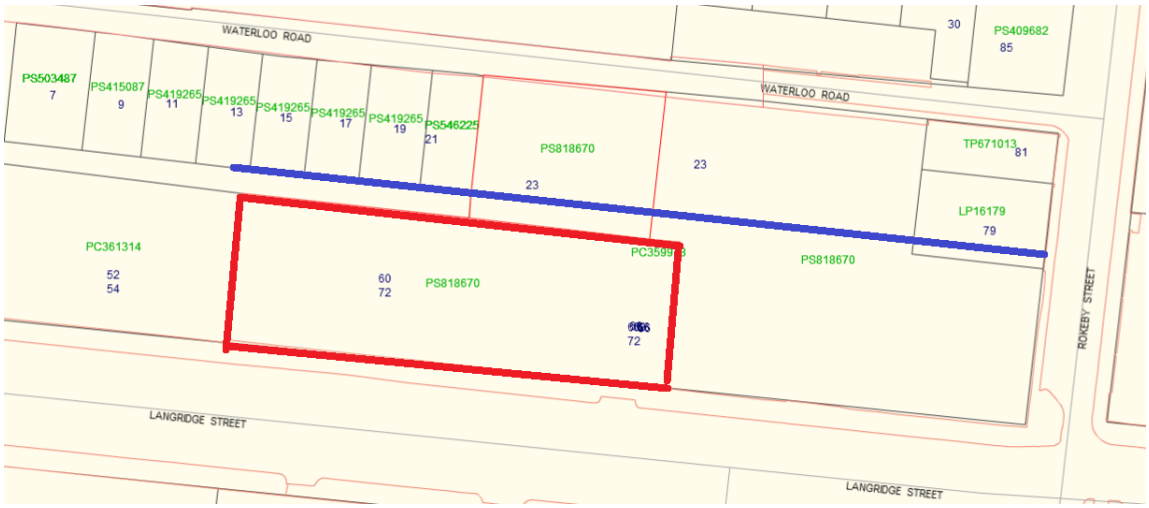
242. Council's external urban designer raised the lack of master planning as a defining issue with this application and that of the site to the east. The following masterplan was recommended:

243. Whilst planning officers agree that this would be a significant improvement to the public realm and achieve the objectives of Schedule 11 of the DDO, Council will not be pursing this as part of either this application or that of the adjoining lot (PLN18/0844).

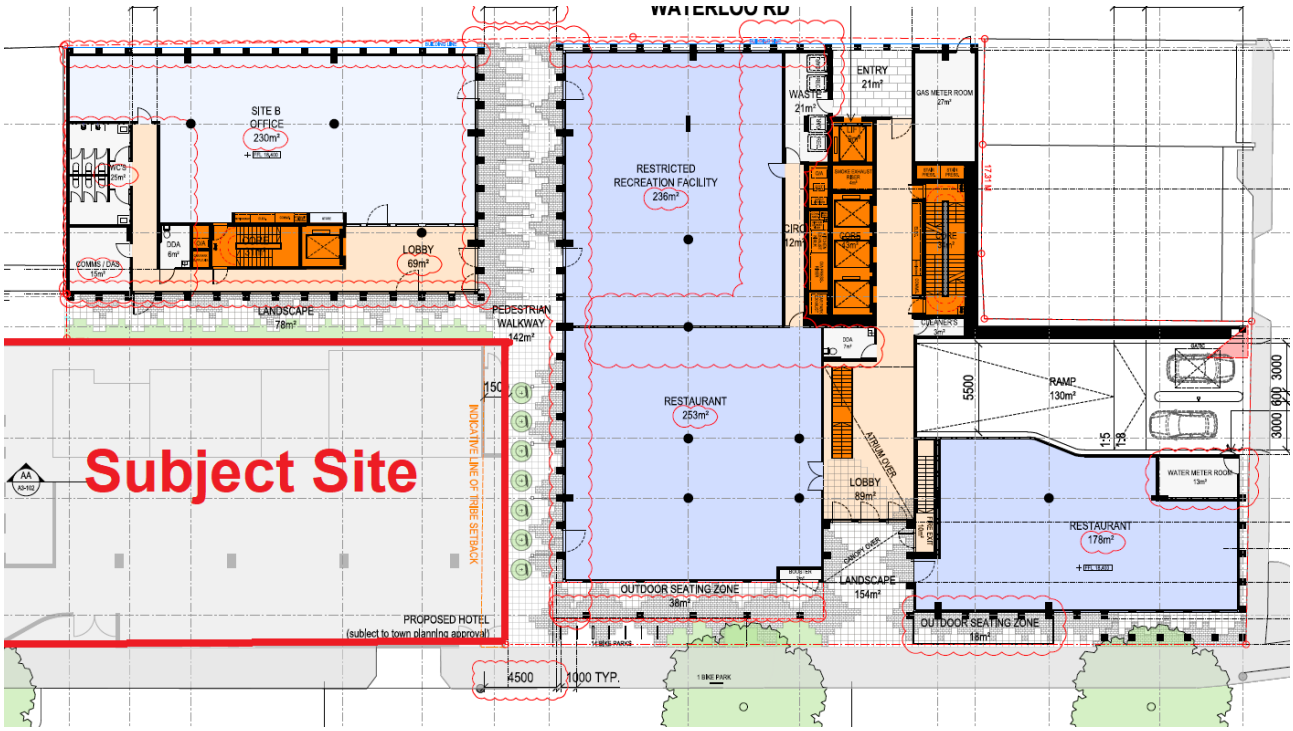
Typically this would form part of strategic planning work which would have been conducted earlier in the process and not form part of individual statutory planning applications. By Council identifying the opportunity and implementing a master plan at an earlier stage, any future owners of the land would be aware of Council's requirements for developing this site and make an application accordingly. However this has not occurred in this instance, and it is not appropriate to retrofit these applications with a masterplan. This is made particularly more difficult as the two parcels are separately owned.

244. Looking specifically at the suggested 6m wide, east-west, two-way shared service lane to the north (shown in blue in the image above), this would require the site to the west to also be developed and provide an additional 3m setback from the northern laneway. In its current state, at a width of 3m, the northern laneway would not be able to accommodate two-way access and it is not practicable for loading/waste to use this laneway as there is not enough area to turn a vehicle. To require this application to provide the additional setback to the northern laneway and have all its services to the north, without any certainty that the site to the west would develop, would be an unfair imposition. If the site to the west did not provide the additional setback, the rear two-way access would not be possible and would result in the access associated with this application not practically functioning. This is the same circumstance if the northern properties were relied upon. Each of these is separately owned and would require all owners to agree to widen the existing laneway.

245. Additionally, the 6m wide two-way access relies on a new vehicle exit to Rokeby Street and to do so would result in the 6m wide access having to dog-leg around the built form located at No. 77 Rokeby Street. This is due to the southern boundary of No. 77 Rokeby Street not aligning with the northern boundary of the laneway. The image below depicts this:

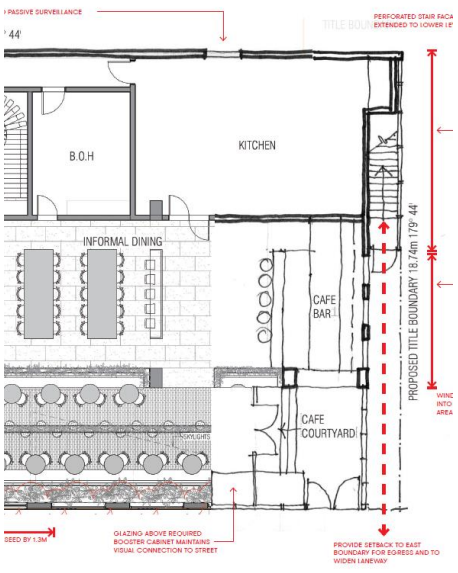


246. In relation to the proposed 6m wide north-south pedestrian link (shown in green in the masterplan image) suggested between the two concurrent applications, this has been partially achieved as a result of a recent amendment to planning application PLN18/0844. The development to the east is now proposing the following in terms of pedestrian access surrounding the subject site:



247. Directly to the north and east of the subject site, the proposed pedestrian walkway has been widened to 3m and further to the north, it is 4.5m leading out onto Waterloo Road.

248. In order to address Council's concerns with this matter, the applicant for this planning application (PLN18/0643) provided sketch plans on 11 July 2019 which provided a partial 1m setback in the southern portion of the eastern boundary. This can be seen in the images below (left is in plan form, and the right is a render version)



249. This also has the added benefit of providing the stairwell access from within the subject site, whereas previously it opened out onto the site to the east which was unacceptable. The additional 1m setback provides a total 4m wide pedestrian walkway entrance from Langridge Street. The sketch plans include additional east-facing glazing to the café/bar which will improve passive surveillance due to the visibility of this activity. Council officers are accepting of this change and consider this increase in the pedestrian walk way width sufficient.

250. In terms of a lack of additional setback to the north where it interfaces with the proposed walkway of PLN18/0844, as has been previously discussed, due to the limited depth of the site, this is not practicable. The additional window openings along the proposal's northern boundary will be required as per the sketch plans, with a further modification to enlarge each window. Additionally, the proposed walkway to the north is not the primary access point for the office facing Waterloo Road.

251. Finally, through the provision of the additional eastern windows as shown in the sketch plans, and the use of perforated metal cladding for the stair, this is sufficient to activate the eastern boundary and is an improvement. The sketch plans also show sculptural lighting applied to the stairwell which will further assist in the perceived feeling of safety within this walkway. This will be required by way of condition.

252. For the reasons already outlined, many of the recommendations of Council's external urban designer to relocate areas (loading, waste, back of house areas) to the rear laneway will not be required. Additionally, requiring this application to reconfigure its EOT bicycle facilities towards the proposed walkways associated with the planning application to the east is also not acceptable, as there is no certainty that what is proposed as part of planning application PLN18/0844 will be constructed.

253. Council's external urban designer was disappointed that the proposed north-south pedestrian walkway will interface with the external stair associated with this application. Council officers believe the visually permeable nature of the perforated steel and sculptural lighting shown in the sketch plans will fit in with surrounding industrial character of the area, yet will provide finer detailing and will be a positive outcome, subject to conditions. This complies with the design objectives of DDO11.

Site Coverage

254. The level of site coverage proposed is well above the maximum of 80 percent as directed by clause 22.10-3.6. However as the existing level of site coverage in the surrounding and immediate area is similar, it is acceptable. Higher density developments in this precinct traditionally have high levels of site coverage with this characteristic being evident throughout Collingwood.

Landscape architecture

255. Landscaping is not a typical feature of developments along Langridge Street or in the wider Collingwood area. The proposed development includes landscaping within the open dining area. Council's Open Space Unit requested additional information regarding this, with a condition being included on any permit.

256. Council's Open Space Unit recommended the applicant explore vertical greening opportunities to soften the façade of the building as well as incorporating a green roof above the reception and adjacent services area on the first floor and roof level.

257. A condition will require the roof above the reception area to be a green roof and for the inclusion of vertical greening (either via climbing plants or planter boxes). Considering the extent of plant and solar photovoltaic panels on the roof, this will not be required at that level.

258. Council's external urban designer recommended the façade be indented 1.8m with an enhanced design and articulation provided by alternate landscaped terraces. Council officers submit that the conditions requiring the indentation as per the sketch plans, and the additional vertical greening will achieve this outcome.

<u>Environmentally Sustainable Development (ESD)</u>

259. Redevelopment of the site located in an existing built up area would make efficient use of existing infrastructure and services, and the proximity of the subject site to numerous public transport modes reduces staff and visitors from relying on private vehicles.

260. Policy at clauses 15.01-2S, 21.07, 22.16 and 22.17 of the Scheme, encourage ecologically sustainable development, with regard to water and energy efficiency, building construction and ongoing management.

261. Council's ESD Advisor identified areas of deficiencies, improvement opportunities and outstanding information that needed to be provided. Many of these are difficult to include due to the nature of the use of the building such as operable windows (safety concerns) and ceiling fans. As such, Council planning officers believe a more appropriate condition is to require the proposal to meet a BESS project score of 70 percent. This is considered as excellence in esd and is typical of developments of this scale. Additionally, high esd standards is a key consideration within Strategy 17.2 of the Yarra Planning Scheme for developments greater than five to six storeys. By requiring the BESS project score, this allows the proposal to meet Council's Best Practice targets, in a flexible way for this particular use.

262. Subject to these conditions, the proposal complies with Council's standards for Best Practice. Council will be requiring the above via permit conditions on any permit to be issued.

Off-site amenity impacts

263. The policy framework for amenity considerations is contained within clause 22.05 (Interface uses policy) and 22.10-3.8 (Built form and Design Policy). Clause 55 of the Scheme provides some guidance on these matters (although not strictly applicable). This application must consider both the off-site amenity impacts for residential land as well as any potential impacts to existing commercial/industrial uses.

264. Design objectives at clause 22.10-3.8 aim to limit the impact of new development on the amenity of surrounding land, particularly residential land, by ensuring that development does not prejudice the rights of adjoining land users. These objectives are largely designed to reduce off-site amenity impacts to land within a residential zone where they interface with commercial zones.

265. Having regard to amenity impacts on nearby existing residences, policy within clause 22.05 acknowledges that in order to maintain the viability of industrial and business areas, residences which abut business areas should not have unrealistic expectations of the level of amenity which can be achieved.

266. Schedule 11 of the Design and Development Overlay firmly states that the Gipps Precinct (which the subject site is within) is a business and commercial environment with an industrial nature. The preferred future character of the area does not include any description of residential uses.

267. In this instance, the subject site is completely surrounded by land within the Commercial 2 Zone, thereby reducing the relevance of the residential amenity objectives as there is no direct abuttal with private open spaces or habitable rooms from which amenity can be impacted on in terms of overlooking and overshadowing. The appropriateness of amenity impacts including setbacks, walls on boundaries, shadowing and overlooking need to be considered within their strategic context. In addition, the local character shows a high level of site coverage and boundary-to-boundary development.

268. The site is separated from the closest residential areas further to the north, west and east by the surrounding streets and laneways (Waterloo Road, Langridge, Rokeby and Wellington Streets) and by built form. The closest residential zone is 22m to the north within the Yorkshire Brewery re-development. The residential zone on the west side of Wellington Street is 80m away and whilst there may be caretaker's dwellings to the north and east, these reside in a zone which prohibits dwellings and where commercial and industrial uses are desired. Hence, even if existing use rights were able to be established for dwellings/caretakers residences in the nearby Commercial 2 Zoned land, they are not afforded the same level of amenity protection as dwellings within a residential area. Neither the zone purpose nor the decision guidelines indicate an intention that residential amenity impacts associated with development should be an issue in this zone, or residential standards of amenity applied within it. The purpose does however state "that uses do not affect the safety and amenity of adjacent, more sensitive uses". The appropriateness of the uses have already been discussed in this report.

269. Council officers note that Council's external urban designer makes references to the residential uses within the warehouses to the north of the site, however as outlined above, this is not the case.

270. These distances (a minimum of 22m from any dwelling in a residential zone) and lack of direct abuttal mitigate off-site amenity impacts and would minimise the potential for light spill, overlooking, would allow daylight to habitable windows. Due to the closest dwellings being to the north of the subject site, the proposal does not overshadow them.

Visual bulk

271. Traditionally buildings with commercial and industrial uses tend not to include side and rear setbacks and this is evident in both the remnant and modern commercial and industrial buildings in the area. Additionally, those which reside in residential zoned land which backs onto a commercial/industrial area must have an expectation that there will be greater built form in these areas compared to if it faced residential land. This is the case for the closest dwellings to the north. The issue of expecting change on adjoining lots was addressed within the Tribunal decision, *37 KR Developments Pty Ltd v Moonee Valley CC* [2010] VCAT 1063, where it was stated that:

> [9] Local communities often do not acknowledge or recognise that significant change has been a constant feature of our urban areas, and that further substantial change will continue into the future

272. Looking at the closest dwellings to the north, at the lower levels, the majority of any potential views would face the existing three and four storey warehouses along the southern side of Waterloo Road. This is evident in the image below which is a section from the endorsed plans of the Yorkshire Brewery with the red line depicting the line of sight:

273. Above the lower levels, dwellings within the Yorkshire Brewery are setback a minimum of 9m. This coupled with the distance of 22m, mitigates any visual bulk impacts. Above this, the Yorkshire Brewery building becomes commensurately of a similar height, with the upper most levels reaching a height of 50.38m, 21m taller than the proposed development.

274. Within a 2018 Tribunal decision, *Langridge and Cambridge Funding Development Pty Ltd v Yarra CC* [2018] VCAT 703, the Member made the following relevant statement regarding the expectations of residents of adjoining recently constructed developments:

> [140] We think that residents who choose to move into the medium height buildings that will become the prevailing character should expect to see other similar sized buildings and to see and be seen by their neighbours. They should expect to rely on screens and blinds to retain their privacy.

Equitable development

275. The sites to the south will not be impacted by the proposal from an equitable development consideration as they are separated by the width of the street which provides a reasonable buffer.

276. To the north the proposal is separated from the warehouse lots by the width of a laneway (3m) and above ground floor, provides setbacks of at least 1.9m (with the window shrouds encroaching on this). This would provide for a reasonable equitable shared of development opportunities with adjoining sites. This is also relevant to the current planning application to the east. Discussions around the ground floor have already been carried out earlier in this report.

277. To the east and west, the proposal provides a centrally located on-boundary stairwell with setbacks of at least 2.77m either side. This is considered acceptable as it provides a blank side wall for adjoining lots to construct against whilst maintaining their northern and southern boundaries from their primary outlook. Where there is a side setback, the proposal does not rely on it for daylight access.

Noise and Light Spill

278. Policy at Clause 22.05 of the Scheme seeks to ensure new commercial development is adequately managed having regard to its proximity to residential uses.

279. The proposal is unlikely to result in unacceptable noise emissions to the nearby residential properties given the majority of the building would be used for a residential hotel and is a reasonable distance away from the nearest dwellings.

Due to the nature of the use there will be minimal noise generated by pedestrian activity, with this activity largely limited to Langridge Street and not considered to be detrimental to the amenity of the adjacent properties. The majority of the hotel space is enclosed and the use conducted indoors.

280. The proposed food and drinks premises faces away from residential areas and is also primarily indoors (with the exception of the skylights above the open dining facing Langridge Street), hence its impacts will be further diminished.

281. As already acknowledged, any non-conforming uses within the Commercial 2 Zone must temper their amenity expectations regarding noise and light spill with regards to the preferred uses in the zone.

282. Light spill will also be limited due to guests sleeping in the night. Again, this is another area where residents must temper their expectations when they face a zone where these commercial uses are encouraged.

283. The applicant submitted an acoustic report which was peer reviewed by Council's acoustic consultant, SLR Consulting who confirmed that the report generally addresses the acoustic issues related to the proposal however they suggested the following matters be addressed further (with the supplied referral comments going into greater detail – the following is a summary):

    (a) The report should clarify what types of music noise are proposed for the lounge area. If it is more than background music, a more comprehensive assessment should be provided, including an internal SEPP N-2 assessment for the hotel rooms above.
    (b) Noise from kitchen and Back of House areas should be assessed, and recommendations for noise and vibration control (including structure-borne noise) should be presented.
    (c) Noise from the substation and pump room should be assessed, and recommendations for noise control (including structure-borne noise) should be presented. Alternatively, the report should require a detailed assessment be conducted during the detailed design stage.
    (d) It is recommended that no deliveries / collection occur via Waterloo Road.

284. The applicant's acoustic engineer (Cundall) provided a supplementary response dated 14 March 2019, with the following reply to the summary of concerns (the letter goes into greater detail in response to the technical matters in the referral advice):

    (a) We understand that music will only be used as background music.

    (b) The review and control of its operation will be carried out during the detailed design stage once design and equipment selection are finalised.
    (c) The review and control of its operation will be carried out during the detailed design stage once design and equipment selection are finalised.

    (d) No deliveries and collections are anticipated for the project via Waterloo Road.

285. Council's acoustic consultant confirmed on 23 July 2019 that the applicant had addressed the issues raised in their review. The remaining matters (regarding noise from the substation and pump room) will need to be addressed during the detailed design phase as the information required for addressing them becomes available.
Council officers note that it would be difficult to test these services until such time that the use is operational. Therefore a condition will require that an additional acoustic report be provided, within three months of the occupation of the building demonstrating compliance with SEPP N-1.

286. Looking specifically at the noise sources, services/plant equipment are located on the roof. A condition will require noise and emissions from plant equipment to comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N1).

Wind

287. The applicant's wind consultant (MEL Consultants) carried out desktop assessment of the proposal and recommended that a wind tunnel study be conducted to confirm the findings. This will be required by way of condition on any permit to issue.

288. MEL Consultants confirmed that due to the developments currently under construction and those proposed, in conjunction with the front setback of the tower above the single storey street wall, there would be minimal downwash wind flow to reach pedestrians along Langridge Street. MEL Consultants stated that based on this scenario the wind conditions along Langridge Street would be expected to achieve the criterion for walking comfort. The hotel entry will achieve the short term stationary criterion due to its central location and setback from the street.

289. Looking north, the desktop assessment carried out suggests that the Yorkshire Brewery development would shield the development from direct wind flow and would avoid the wind flowing towards the lower levels and impacting the laneway. The laneway is expected to achieve the walking criterion.

290. Finally, eastern window flow is relatively light and infrequent and as such, under existing conditions, conditions in the carpark would be expected to be within the walking comfort criterion for the east sector wind directions. The desktop assessment did not consider the proposed development to the east. The wind tunnel assessment previously outlined as being required by way of condition, will need to consider the proposal in its calculations.

291. Council's wind consultant (ViPac) confirmed that the conclusions are substantially valid and agree that wind tunnel test be conducted in the detailed design stage. This will be required by way of condition.

<u>On-site amenity</u>

292. It has been well established by VCAT that residential hotels do not require the same standard of internal amenity as a dwelling given the short term, temporary nature of the accommodation type.

293. In the matter of *Tribe v Whitehorse CC* [2014] VCAT 212, the Tribunal made the following observations at paragraphs 59 and 62 regarding the serviced apartments, which could equally apply to a residential hotel:

> [59] The proposed apartments do not have layouts or facilities consistent with what would typically be provided for dwellings. As noted by the objectors, some apartments do not have balconies or ground level courtyards for open space, living spaces rather than some bedrooms are 'internalised' within the unit layout and facilities like storage and areas to dry clothes are not provided. The 'apartments' are, in many cases small, and more akin to a motel unit with cooking facilities.
>
> [62] By and large, I do not see any difficulty with apartments of the size and type proposed being used for temporary accommodation. However, I would not approve them for dwellings providing permanent accommodation given the standard of amenity they provide. The absence of open space for some apartments, the internal layouts and absence of facilities do not make the proposed units suitable for permanent accommodation

294. However, whilst residential hotels are not expected to provide the same level of internal amenity as permanent accommodation, a level of amenity commensurate with the expectations of temporary accommodation still needs to be considered. This was explored through the recent VCAT decision of nearby site at Nos. 42-44 Oxford Street, 61-63 Cambridge Street and 16 Langridge Street, *Langridge and Cambridge Funding Development Pty Ltd v Yarra CC* [2018] VCAT 703, which at paragraph 126 stated that:

> [126] We accept there is limited guidance in the scheme as to the benchmarks that would demonstrate that a hotel room provides acceptable amenity. Clearly daylight, ventilation, safety and communal spaces are necessary starting points.

Daylight and Ventilation

295. Each room is provide with a large window which essentially covers the full external wall. The deeper window shrouds provide shading. This is quite reasonable particularly considering the size of the rooms and that half of them have a northern aspect. The windows are not operable, however this is acceptable and typical of a residential hotel due to safety concerns. While this would not be an acceptable arrangement for long-term accommodation, it is considered suitable for short stay accommodation. A notable difference between a hotel room and an apartment is that significantly less time is spent inside the rooms, particularly in bedrooms, during the day. It is quite common for residential hotel rooms to be mechanically ventilated.

296. The sketch plans provide additional windows of the eastern and western-most rooms on the southern flank of the building which is a positive outcome and will be required by way of condition.

Internal arrangements

297. The rooms are small (between 15.3sq and 17.26sqm), however are functional in layout and geometry. They are clearly for short stay. Each room is fitted with a bed, side table and bathroom. This is typical of a business-style, short stay accommodation.

298. Council's external urban designer was concerned that the DDA rooms were not DDA complaint and resulted in the wardrobe being within the bathroom and the entry door to the room being located adjacent to the back of house areas. A condition will require confirmation that all rooms shown as 'DDO rooms' are DDA compliant. Council officers do not have an issue with the entry door being adjacent to the back of house areas as all guests will have some interface with such areas as they are also adjacent to the lifts on the southern side of each floor (this will be further discussed below).

Circulation Spaces

299. Corridors are 1.6m in width with larger areas adjacent to the lobby areas. Whilst Council's external urban designer was not supportive of the long corridor, due to the central location of the lifts, occupants will only be travelling a maximum of 24m in either direction. If occupants used the external stairs, this distance would be reduced as it offers direct access to the eastern and western-most rooms.

300. Council's external urban designer recommended reconfiguring the lifts and services areas so that they do not interface each other. Council officers are not concerned with this, but will require imagery to be provided, by way of condition, of the treatments of the service areas adjacent to the lifts as well as those on the northern side as they interface with the entry to the DDA complaint room. This will ensure they are of a high design quality and will be required by way of condition.

301. The external stairs are seen as a positive circulation space for when occupants are not carrying their luggage.

Facilities

302. Communal facilities are provided at ground level and mainly include dining areas. These are quite generous in size.

Car parking and bicycle provisions

303. Under clause 52.06 of the Scheme, the applicant is seeking a parking reduction of total of 13 spaces associated with the food and drinks premises as outlined within the table included in the *Particular Provisions* section earlier in the report. There is no statutory requirement within clause 52.06-5 for residential hotel, with parking to be provided to the satisfaction of the Responsible Authority.

Car Parking Demand Assessment

Residential Hotel

304. Council's Senior Traffic Engineer confirmed that residential hotel rooms can be classified as tourist accommodation facilities. In terms of parking provision for this type of accommodation, the NSW Roads and Maritime's Guide to Traffic Generating Developments version 2.2 provides a parking rate of one off-street space per four bedrooms (0.25 spaces per one-room apartment). For the proposed residential hotel, applying a rate of 0.25 spaces per room would result in a car parking demand of 46 car parking spaces.

305. Initially, Council's Senior Traffic Engineer was not supportive of the provision of zero car parking spaces for this use and provided the following reasons:

    (a) *.. However, with the residential hotel the lack of on-site parking or the absence of a porte cochère may present operational difficulties for picking up and setting down guests, particularly during peak check-in and check-out times. In addition, the site is located several hundred metres from the nearest tram stop – not ideal if guests are carrying luggage. Providing short-stay parking along the kerbside will not guarantee that these spaces would be available to taxis, private driver vehicles, shuttles or other transportation vehicles.*

    (b) *Until a practical solution is provided and agreed upon for the setting-down and picking-up of guests to and from the residential hotel, support cannot be granted for the parking waiver associated with the hotel.*

306. Following the receipt of these comments, the applicant provided additional information on 14 March 2019 which included examples of hotels with no provision of on-site car parking and others which included car parking spaces or a *porte cochère* along the frontage. Council officers and engineering services unit note that the examples without any parking are located much closer to public transport.

307. Planning officers do not support the provision of car parking being within the frontage of the site due to the detrimental impacts this has to the streetscape. Nor would it comply with the design objectives and policy within Schedule 11 of the DDO which aims to improve the pedestrian environment and limit recessed car parking spaces. The provision of a car park entry or *porte cochère* along the Langridge Street frontage would create a void in the streetscape where active frontage should be and does not contribute to the streetscape character. Additionally, this would disrupt the pedestrian footpath in a location where footpaths area already compromised by crossovers and Council is aiming to improve the pedestrian experience. This is particularly important due to the site's location within an employment precinct.

It is not a sustainable development outcome as it prioritises private vehicles over pedestrians and cyclists in this inner city location and does not comply with the vision of *Plan Melbourne* or Council.

308. In relation to the residential hotel use, it is a suitable use to not provide car parking spaces as hotel guests typically need to book car parking as part of their reservation. It would be likely that their website and online booking information will outline that none is provided. Future guests will not expect that they will be provided one.

309. On 22 July 2019, Council's Senior Traffic Engineer confirmed the lack of on-site car parking for the hotel was acceptable due to the reinstatement of three on-street parking spaces and that the existing Loading Zone across the frontage of the site would allow taxi's, ubers and mini-buses to have opportunities to park along the street.

Food and Drink Use

310. The application is not providing any staff car parking space which is a shortfall of 13 car parking spaces as per clause 52.06. Customers would be drawn from hotel guests in the development, employees of nearby workplaces and local residents. It is unlikely that the commercial tenancy would be a specific destination in its own right. Employees would not be allocated a space and would be fully aware of the scarcity of long-stay parking in the Collingwood area and choose to commute to the site by alternative transportation modes. Council's Senior Traffic Engineer stated that for the retail component of the development, a staff parking rate of 1.0 space per 100 square metres could be adopted. Applying this rate to the proposed retail use would result in four spaces. The balance of the parking (nine spaces) would be customer parking.

Parking Availability

311. The applicant's traffic engineers conducted site inspections on Friday 22 June 2018 and Saturday 23 June 2018 between 8:00am and 8:00pm (both days). The survey area encompassed Peel Street, Cambridge Street, Derby Street, Wellington Street, Langridge Street, Glasgow Street, Northumberland Street, Byron Street, Rokeby Street, Rupert Street and Cromwell Street. Council's Senior Traffic Engineer confirmed the times and extent of the survey are considered appropriate. An inventory of 244 publicly available parking spaces was identified with the survey results recording a peak on-street parking occupancy occurring at 12:00pm on the Friday, with a minimum of 27 spaces vacant.

312. The proposal will result in three redundant vehicle crossovers being converted to on-street parking spaces.

313. Accordingly, the reduction being sought by the proposal is supported by the following:

(a) Objective 32 of Council's MSS facilitates parking reductions by advocating reduced reliance on private motor vehicles.
(b) Employee or visitor parking permits will not be issued for the development, which will discourage people from driving to the site given the high utilisation of existing on-street car parking. This is a welcome sustainable option in lieu of on-site car parking and consistent with Clauses 18.02-1S and 21.06-1 of the Scheme.
(c) The site has excellent access to public transport including trams along Smith Street and Victoria Parade within 350m and Collingwood Station within a 10 minute walk. It is also reasonably close to the CBD.
(d) Copenhagen bicycle lanes along Wellington Parade provide safe and efficient access to the site by bike.
(e) The ground floor food and drinks premises would likely attract a local catchment who would already be in the area and therefore would be accessing the site by foot.

(f) The site has good access to a wide range of retail, dining and commercial services within the Smith Street commercial precinct (335m to the west), which in turn will reduce the dependence on private vehicle use by future employees;
(g) A further benefit of not providing the full requirement of on-site car spaces is that pressure on traffic and congestion is not exacerbated through the provision of more car spaces;
(h) Council's Traffic Engineers have also identified that the proposed development also aligns with the objectives contained within Council's Strategic Transport Statement given that; *'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.*

314. The provision of no on-site car parking is therefore considered acceptable.

Bicycle parking and facilities

315. As outlined earlier in the report the development is required to provide a total of 20 staff and 20 visitor bicycle spaces under clause 52.34 of the Scheme. The development provides 17 staff bicycle spaces within the rear bicycle parking area accessed via the northern laneway. Along Langridge Street within the proposed kerb outstand are 12 proposed visitor bicycle spaces. As already outlined, this will be required to be deleted by way of condition, resulting in no visitor bicycle spaces being provided. Therefore the development has a shortfall of 3 employee spaces and 20 visitor spaces than required by the planning scheme.

316. Firstly, with regards to the adequacy of employee spaces, despite not meeting the statutory rate, Council's Strategic Transport Unit have found the provision to be acceptable given the site has excellent public transport access. It was stated that the statutory rate of employee spaces is considered to be higher than the expected demand for the residential hotel use. It is likely that hotel guests may also on occasion use the employee spaces. Council officers note that the northern elevation states that the bicycle parking is for staff and guests despite the traffic report stating they are for staff only.

317. The changing nature of the spaces and their location facing the rear laneway was found to be acceptable considering the limited number being considered and the constraints of the site. Council's Strategic Transport Unit recommended that details of the roller door for the bicycle entrance is provided to improve passive surveillance. Within the sketch plans provided, the applicant has improved this laneway interface by enlarging the roller door and confirming it will be constructed of perforated metal cladding, which is both sturdy and visually permeable, allowing for passive surveillance. This is an improvement and will be required by way of condition.

318. Council's Strategic Transport Unit also requested that the dimensions of the spaces and clearance from the roller-door must be noted and must comply with AS2890.3 requirements. This is will be required by way of condition.

319. With regards to the visitor bicycle spaces, Council's Strategic Transport Unit confirmed that a minimum 10 visitor spaces should be provided in a suitable location. Whilst this does not meet the statutory rate, it was acknowledged that the statutory bicycle parking rate for a residential hotel is likely to exceed demand from the use in a location with excellent access to public transport. Additionally, a rate of 1 visitor space to each 20 lodging rooms is considered appropriate.

The same rate was advised as appropriate for a commensurate planning application. Therefore, this number of spaces is required to be provided as horizontal at-grade spaces in a location easily locatable and accessible by visitors to the site. The visitor space dimensions and clearance requirements must meet AS2890.3 requirements. This will be required by way of permit conditions on any permit to issue.

320. Of these 10 visitor spaces to be installed, a condition will require four of them to be installed via two bicycle hoops on the Langridge Street footpath as per Council's internal urban designer's comments. The hoops will need to provide a minimum 1.5m wide clear path of travel along the footpath.

Other

321. It should be noted that Council's Senior Traffic Engineer has recommended the inclusion of a number of conditions relating to civil works, road protection, impacts on assets, vehicle crossings and drainage. Many of these have either been included as notes on the permit or can be required by way of condition.

322. Council's Senior Traffic Engineer stated that the on-street parking restrictions must remain in place unless otherwise directed by Council's Parking Management Unit. This will be required by way of condition.

Waste Management

323. The Waste Management Plan (WMP) dated 14 December 2018 was found to be unsatisfactory by Council's Waste Management Unit with an updated WMP being required to include:

(a) Waste streams outside of garbage and recycling are not shown on any waste room diagram.
(b) There is no mention of Yarra's Local Law or EPA guidelines on allowable collection times.
(c) No mention on how WMP revisions are to be managed

324. The submitted WMP outlined the following summary:

(a) All waste will be collected by private waste contractor;
(b) All bins will be stored on-site at all times in the ground level bin room).
(c) Collections will occur directly from Langridge Street along the southern boundary of the subject site.
(d) Collection vehicle operators will prop within the existing loading zone on Langridge Street (such that adequate space for passing by other vehicles is provided), with operators to collect (and subsequently return) bins directly from the ground level bin room.
(e) Bins will not be placed at the kerb at any time.
(f) Building management will ensure sufficient access is provided for collection vehicle operators during collection times. Typically, operators are provided with keypad/swipe card access to the service doors.

Objector concerns

325. The following matters raised within the objections have been addressed within the body of the report:

(a) Traffic, safety and lack of parking (paragraphs 303 to 314);
(b) Should provide for additional bike spaces (paragraphs 315 to 320);
(c) Amenity Impacts (overlooking, noise, loss of daylight to windows, overshadowing) (paragraphs 263 to 291);
(d) Neighbourhood character/Heritage (paragraphs 192 to 198);
(e) Height/Massing/Scale (paragraphs 199 to 222);
(f) Impact on heritage building (paragraph 198); and
(g) Amplified music and patron noise from restaurants (paragraphs 278 to 286).

326. Outstanding concerns will be discussed below, and relate to:

(a) Impact on Waterloo Road Shared Zone;

As the development does not include any car parking spaces, it will therefore have no impact on traffic.

(b) Loss of views;

Clause 22.03 (Landmarks Policy) seeks to protect views of Yarra's valued landmarks. The subject site is not adjacent to any listed within this policy. Additionally, views from private property to landmarks are not protected within the Yarra Planning Scheme.

Another component under the consideration of 'views', is outlook. The closest dwellings are those to the north in the Yorkshire Brewery which are separated by a distance of 22m. This distance is sufficient to continue to allow for outlook to these dwellings.

(c) Construction issues (damage cobblestone, impact on adjoining businesses);

This will be dealt with at the Building Permit stage. A Construction Management Plan (CMP) will be required by way of condition and will manage impacts during the construction stage. This will be further considered during the building stage also.

In terms of impacts on adjoining businesses during the construction period, this is not a relevant planning consideration.

Conclusion

327. The proposed development is considered to demonstrate a high level of compliance with policy objectives contained within the Planning Policy Framework and Municipal Strategic Statement. Notably, the proposal achieves the State Government's urban consolidation objectives, Council's preference to direct higher density commercial development in commercial precincts and aligns with the State Policy as well as the direction given by the Tribunal.

328. The proposal, subject to the conditions recommended, is an acceptable planning outcome that demonstrates clear compliance with the relevant Council policies.

RECOMMENDATION

That having considered all objections and relevant planning policies, the Internal Development Approvals Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN18/0643 for the use and development of the land for a multi-storey building containing a residential hotel and a food and drinks premises and a reduction in car parking and bicycle requirements at 60 – 72 Langridge Street, Collingwood (formally known as No. 60 – 62 Langridge Street and 23 – 45 Waterloo Road), subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans prepared by Techne Architecture received by Council on 20 December 2018 but modified to show:

    (a) reduction in the extent of services and increased clear glazing by 2.4m in length along the Langridge Street frontage as per the sketch plan provided to Council on 11 July 2019;

(b) reconfiguration of the substation, so that the shorter edge is along Langridge Street (instead of the longer side), unless Citipower do not agree and demonstrate their non-consent in a written form. If Citipower do not agree to the reconfiguration of the substation, a green wall along the services area to Langridge Street must be provided;
(c) inclusion of a partial 1m wide ground floor setback from the eastern boundary, adjacent to Langridge Street (with subsequent internal reconfiguration including the stair access being located wholly within the subject site) as per the sketch plan provided to Council on 11 July 2019;
(d) additional glazing and material changes to the bicycle parking area along the northern wall of the ground floor as per the sketch plan provided to Council on 11 July 2019 with a further modification to increase in the size of the windows
(e) additional glazing along the eastern ground floor walls as per the sketch plan provided to Council on 11 July 2019;
(f) provision of an indent in the central break in the tower form (1.3m deep and 5.8m wide) facing Langridge Street and the replacement of the exposed concrete material with metal cladding as per the sketch plan provided to Council on 11 July 2019;
(g) additional windows to the east and western side elevations from the first floor and above, as per the sketch plan provided to Council on 11 July 2019;
(h) a reduction in the height of the southern-most edge of the tower façade by 0.8m by setting back the parapet as per the sketch plan provided to Council on 11 July 2019 but further modified by an additional setback of the eighth floor (Level M8) from the southern boundary to a minimum of 7m;
(i) a random selection of the northern and southern window shrouds to be a lighter colour to add variation to the façades;
(j) sculptural lighting applied to the external stairwells as per the sketch plan provided to Council on 11 July 2019;
(k) details of security lighting provided to the residential hotel entry, northern laneway pedestrian entry and internally within the bicycle parking area;
(l) deletion of the proposed kerb outstand;
(m) a green roof above the reception area and the inclusion of vertical greening (either via climbing plants or planter boxes) for the upper levels;
(n) confirmation the rooms shown as 'DDA Room' are compliant with the *Disability Discrimination Act* 1995;
(o) elevations provided where the service areas interface with the lifts and the 'DDA Room' entry interface with areas accessible by hotel room occupants or residents;
(p) details to confirm that the employee bicycle hoop dimensions and clearances from the roller door comply with AS2890.3;
(q) ten visitor bicycle spaces installed as horizontal at-grade spaces, in a location easily locatable and accessible by visitors to the site and demonstrated to comply with AS2890.3;
(r) any requirement of the endorsed Façade Strategy and Materials and Finishes Plan (condition 4) (where relevant to show on plans);
(s) any requirement of the endorsed Sustainable Management Plan (condition 8) (where relevant to show on plans);
(t) any requirement of the endorsed Waste Management Plan (condition 11) (where relevant to show on plans);
(u) any requirement of the endorsed Acoustic Report (condition 14) (where relevant to show on plans;
(v) any requirement of the endorsed Landscape Plan report (condition 17) (where relevant to show on plans; and
(w) any requirement of the endorsed Wind Report (condition 22) (where relevant to show on plans).

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

3. As part of the ongoing consultant team, Techne Architecture or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:

   (a) oversee design and construction of the development; and
   (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

4. In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:

   (a) elevation drawings at a scale of 1:20 illustrating typical podium details, entries and doors, and utilities and typical tower facade details;
   (b) section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
   (c) information about how the façade will be maintained, including any vegetation; and
   (d) a sample board and coloured drawings outlining colours, materials and finishes.

Uses

5. Except with the prior written consent of the Responsible Authority, no more than 96 patrons are permitted within the food and drinks premises at any one time.

6. Before the residential hotel use starts, a Residential Hotel 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 then form part of the permit. The plan must detail the following:

   (a) procedures, and standards for guests to minimise amenity and parking problems in the neighbourhood;
   (b) ongoing measures to be taken to ensure residential hotel guests and visitors do not cause any unreasonable amenity impact to persons beyond the land;
   (c) establishment of a line of communication with adjoining owners and occupiers aimed at identifying and addressing amenity concerns;
   (d) an outline of all house rules intended to be used to manage residents and guests including:
      (i) guest behaviour;
      (ii) noise;
      (iii) alcohol consumption; and
      (iv) methods of eviction if house rules are broken;
   (e) details of eviction process in the event house rules are broken;
   (f) standards for property maintenance, health and cleanliness; and
   (g) security against thefts and break-ins, including security of guests' belongings.

7. The residential hotel use must be managed in accordance with the endorsed Residential Hotel Management Plan.

Sustainable Management Plan

8. Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Cundall in December 2018 but modified to include or show as Bess Project Score of at least 70%.

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

SMP Implementation Report

10. Before the development is occupied, a report from the author of the Sustainability Management Plan, approved under this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm all measures specified in the Sustainability Management Plan have been implemented in accordance with the approved plan.

Waste Management Plan

11. Before the development commences, an amended waste management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended waste management plan will be endorsed and will form part of this permit. The amended waste management plan must be generally in accordance with the waste management plan prepared by Irwin Consult and dated 14 December 2018, but modified to include:

    (a) waste streams outside of garbage and recycling shown on waste room diagrams;
    (b) yarra's Local Law or EPA guidelines on allowable collection times; and
    (c) how WMP revisions are to be managed.

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

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

Acoustic report

14. The provisions, recommendations and requirements of the endorsed Acoustic Report (Cundal report prepared on 12 December 2018 and the supplementary advice provided on 14 March 2019) must be implemented and complied with to the satisfaction of the Responsible Authority.

15. Within 3 months of the occupation of the building, updated post-occupation Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be generally in accordance with the endorsed acoustic report. The report must be submitted to and approved by the Responsible Authority. When approved, the updated post-commencement Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must (assess) address the following:

    (a) confirm that the recommendations of the endorsed acoustic report required as part of Condition 14 have been implemented;

    (b) assess mechanical plant noise (including noise from the substation and pump room) to SEPP N-1; and

    (c) If non-compliance with Condition 15b is measured, additional acoustic measures as recommended by the amended post-occupation acoustic report are to be implemented within one month of the date of the amended acoustic report.

16. The provisions, recommendations and requirements of the endorsed post-occupation Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscape Plan

17. Before the development commences, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must:

    (a) delete any proposed boulders and not include any protrusions not the main path of travel;

    (b) provide information on the proposed planters of the development including depth, widths, soil media, drainage layers, mulch and irrigation;

    (c) include information on planters for the feature trees, or the relevant details if the proposed planting is in-ground;

    (d) delete the proposed *Hedera Helix* and *Parthenocissus tricuspidata* and replace with suitable alternative species;

    (e) provide a green roof above the reception area and vertical greening (either via climbing plants or planter boxes) for the upper levels;

    (f) include a planting plan;

    (g) show the type, location, quantity, height at maturity and botanical names of all proposed plants;

    (h) show the materiality of the proposed spaces;

    (i) detail the design (including the provision of detailed sections) and layout of the common area, planters and ground level planting areas;

    (j) provide a specification of works to be undertaken prior to planting;

    (k) further detail on any sustainable treatments and water harvesting methods ;and

    (l) detail plant/planting maintenance schedules and requirements.

    to the satisfaction of the Responsible Authority.

18. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:

    (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;

    (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and

    (c) replacing any dead, diseased, dying or damaged plants,

    to the satisfaction of the Responsible Authority.

<u>Street Trees</u>

19. Before the development starts, the permit holder must provide a security bond of $10,411 for the two Langridge Street street trees (Tree IDs 13309 and 13310) to the Responsible Authority. The security bond:

    (a) must be provided in a manner, and on terms, to the satisfaction of the Responsible Authority;
    (b) may be held by the Responsible Authority until the works are completed to the satisfaction of the Responsible Authority; and

(c) in accordance with the requirements of this permit; or
(d) otherwise to the satisfaction of the Responsible Authority.

Tree Protection Management Plan

20. Before the development commences, a Tree Protection Management Plan to the satisfaction of the Responsible Authority must be prepared by a suitably qualified Arborist and must be submitted to and approved by the Responsible Authority. When approved the Tree Protection Management Plan will be endorsed and will form part of this permit. The Tree Protection Management Plan must make recommendations for the protection of the two Langridge Street street trees (Tree IDs 13309 and 13310) in relation any canopy protection measures required for scaffolding, tree trunk and root zone protection during works

    (a) pre-construction;
    (b) during construction; and
    (c) post construction
    (d) the provision of any barriers;
    (e) any pruning necessary; and
    (f) watering and maintenance regimes,

    to the satisfaction of the Responsible Authority.

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

Wind

22. Before the development commences, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment Report will be endorsed and will form part of this permit. The amended Wind Assessment Report must be generally in accordance with the Wind Assessment Report prepared by MEL Consultants and prepared on 12 December 2018, but modified to include (or show):

    (a) a wind tunnel model study of the environmental wind conditions to quantity the wind conditions and whether additional mitigation treatments are required to satisfy the relevant criteria.

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

Road Infrastructure

24. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:

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

25. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:

    (a) in accordance with any requirements or conditions imposed by Council;
    (b) at the permit holder's cost; and
    (c) to the satisfaction of the Responsible Authority.

26. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, existing grated pit within the existing (redundant) vehicle crossing must be converted to a grated side entry pit in accordance with Council's Standard Drawings:

    (a) with the works done concurrently with the removal and reinstatement of the redundant vehicle crossing;
    (b) at the permit holder's cost; and
    (c) to the satisfaction of the Responsible Authority.

27. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damaged roads, footpaths and other road related infrastructure adjacent to the development site as a result of the construction works, including trenching and excavation for utility service connections, must be reconstructed:

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

    Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, two bicycle bike racks (for four bikes) must be installed:

    (a) with a a minimum 1.5m wide clear path of travel along the footpath;
    (b) at the permit holder's cost; and
    (c) in a location and manner,

    to the satisfaction of the Responsible Authority.

28. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, uplifted and subsided sections of kerb and channel along the property's Langridge Street road frontage must be reconstructed:

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

29. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, subsided section of Right of Way (in the vicinity of the proposed bicycle parking facilities) must be reconstructed:

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

30. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, footpath along the property's Langridge Street frontage must be stripped and re-sheeted:

    (a) with a cross-fall of 1 in 33 or unless otherwise specified by Council;
    (b) at the permit holder's cost; and
    (c) to the satisfaction of the Responsible Authority.

31. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:

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

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

Lighting

33. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the residential hotel entry, northern laneway pedestrian entry and internally within the bicycle parking area must be provided on the subject site. Lighting must be:

    (a) located;

    (b) directed;

    (c) shielded; and

    (d) of limited intensity,

    to the satisfaction of the Responsible Authority.

General

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

35. 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.

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

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

38. The provision of music and entertainment on the land must be at a background noise level.

39. Delivery and collection of goods to and from the land may only occur between 7am and 10pm Monday to Saturday, or after 9am on a Sunday or public holiday except for those allowed under any relevant local law.

40. 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.

41. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.

42. 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.

43. 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.

44. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:

    (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
    (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
    (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

Construction Management

45. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:

    (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
    (b) works necessary to protect road and other infrastructure;
    (c) remediation of any damage to road and other infrastructure;
    (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land,
    (e) facilities for vehicle washing, which must be located on the land;
    (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
    (g) site security;
    (h) management of any environmental hazards including, but not limited to,:
        (i) contaminated soil;
        (ii) materials and waste;
        (iii) dust;
        (iv) stormwater contamination from run-off and wash-waters;
        (v) sediment from the land on roads;
        (vi) washing of concrete trucks and other vehicles and machinery; and
        (vii) spillage from refuelling cranes and other vehicles and machinery;
    (i) the construction program;
    (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
    (k) parking facilities for construction workers;
    (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
    (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
    (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
    (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
    (p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:

(i) using lower noise work practice and equipment;
(ii) the suitability of the land for the use of an electric crane;
(iii) silencing all mechanical plant by the best practical means using current technology;
(iv) fitting pneumatic tools with an effective silencer;
(v) other relevant considerations; and

(q) any site-specific requirements.

During the construction:

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

Time expiry

46. This permit will expire if:

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

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or within twelve months afterwards for completion.

Notes:

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

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's building services on 9205 5095 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.

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.

Only roof runoff, surface water and clean groundwater seepage from above the water table can be discharged into Council drains.

Council will not permit clean groundwater from below the groundwater table to be discharged into Council's drainage system.

No parking restriction signs or line-marked on-street parking bays are to be removed, adjusted, changed or relocated without approval or authorisation from Council's parking management unit and construction management branch.

Any on-street parking reinstated as a result of development works must be approved by Council's parking management unit.

The removal of any kerbside parking sensors and any reinstatement of parking sensors will require the permit holder to pay Council the cost of each parking sensor taken out from the kerb/footpath/roadway. Any costs associated with the reinstatement of road infrastructure due to the removal of the parking sensors must also be borne by the permit holder.

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

The applicant must liaise with Council's open space unit for the protection of the street trees in the vicinity of the site.

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.

CONTACT OFFICER: **Vicky Grillakis**
TITLE: **Coordinator Statutory Planning**
TEL: **92055124**

Attachments

1 PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - architectural Plans - advertised set - electronic
2 PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - sketch plans
3 PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - idac attachment - referral comments
4 PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - idac attachment - subject land final

Attachment 1 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - architectural Plans - advertised set - electronic

TRIBE HOTEL COLLINGWOOD

60-62 LANGRIDGE STREET &
24-45 WATERLOO ROAD, COLLINGWOOD 3066
PROPOSED LOT A, PC 3599787

DEVELOPMENT SCHEDULE

01 AERIAL IMAGE

02 LOCATION MAP

03 ARTIST'S IMPRESION

COVER PAGE 1 : 100

DO NOT SCALE FROM DRAWING. ALWAYS TO CHECK DIMENSIONS ON SITE.

A	24.08.18	TOWN PLANNING APPLICATION
	14.12.18	TOWN PLANNING - TDA INFORMATION
1	19.12.18	TOWN PLANNING - RESPONSE TO RFI

PRINT IN COLOUR

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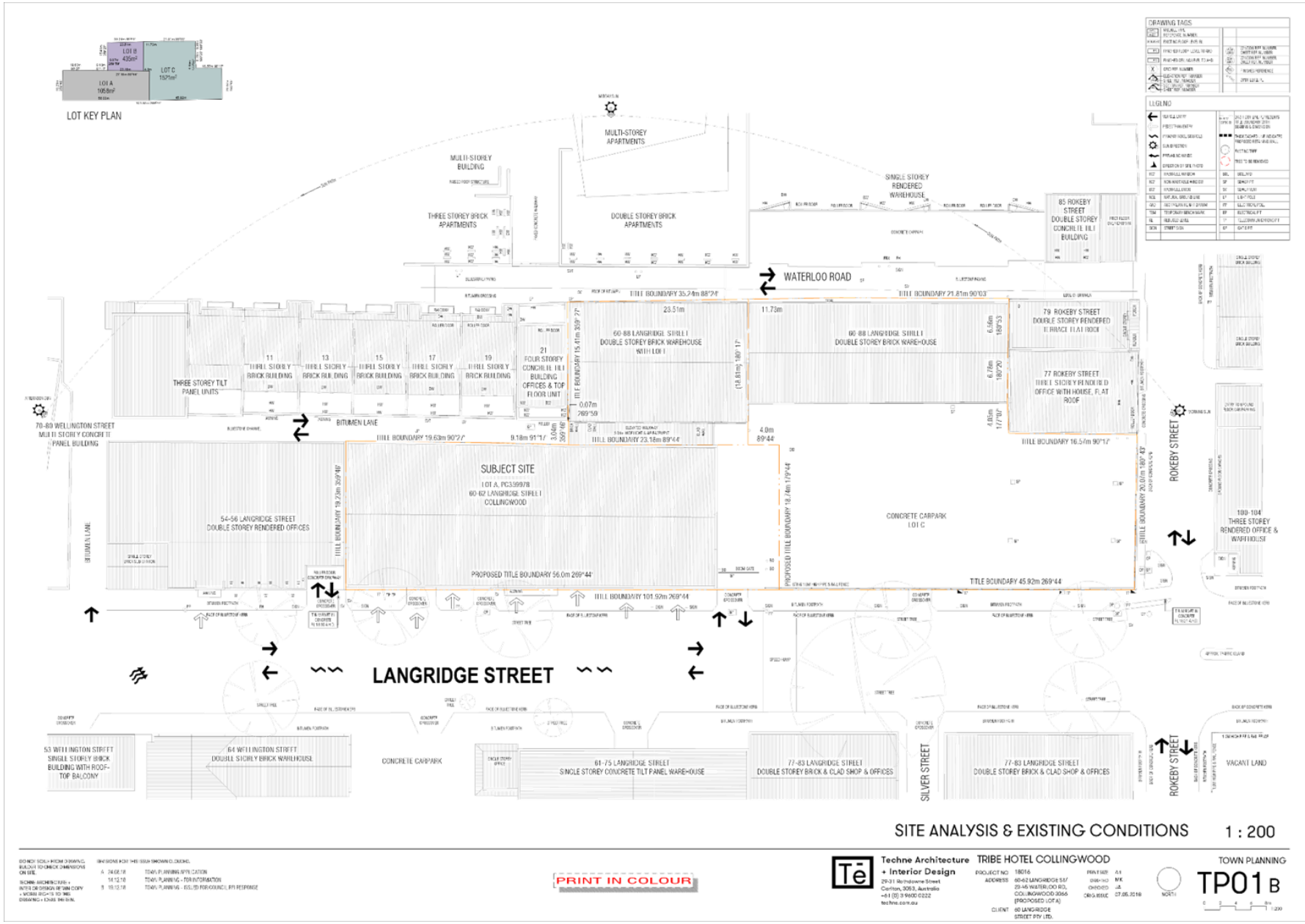
TRIBE HOTEL COLLINGWOOD
PROJECT NO 18016
ADDRESS 60-62 LANGRIDGE ST/ 23-45 WATERLOO RD, COLLINGWOOD 3066 (PROPOSED LOT A)
CLIENT 60 LANGRIDGE STREET PTY LTD.
PRINT SIZE A1
DRAWN MK
CHECKED JA
ORIG ISSUE 07.05.2019

NORTH

TOWN PLANNING
TP00 B

Attachment 1 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - architectural Plans - advertised set - electronic



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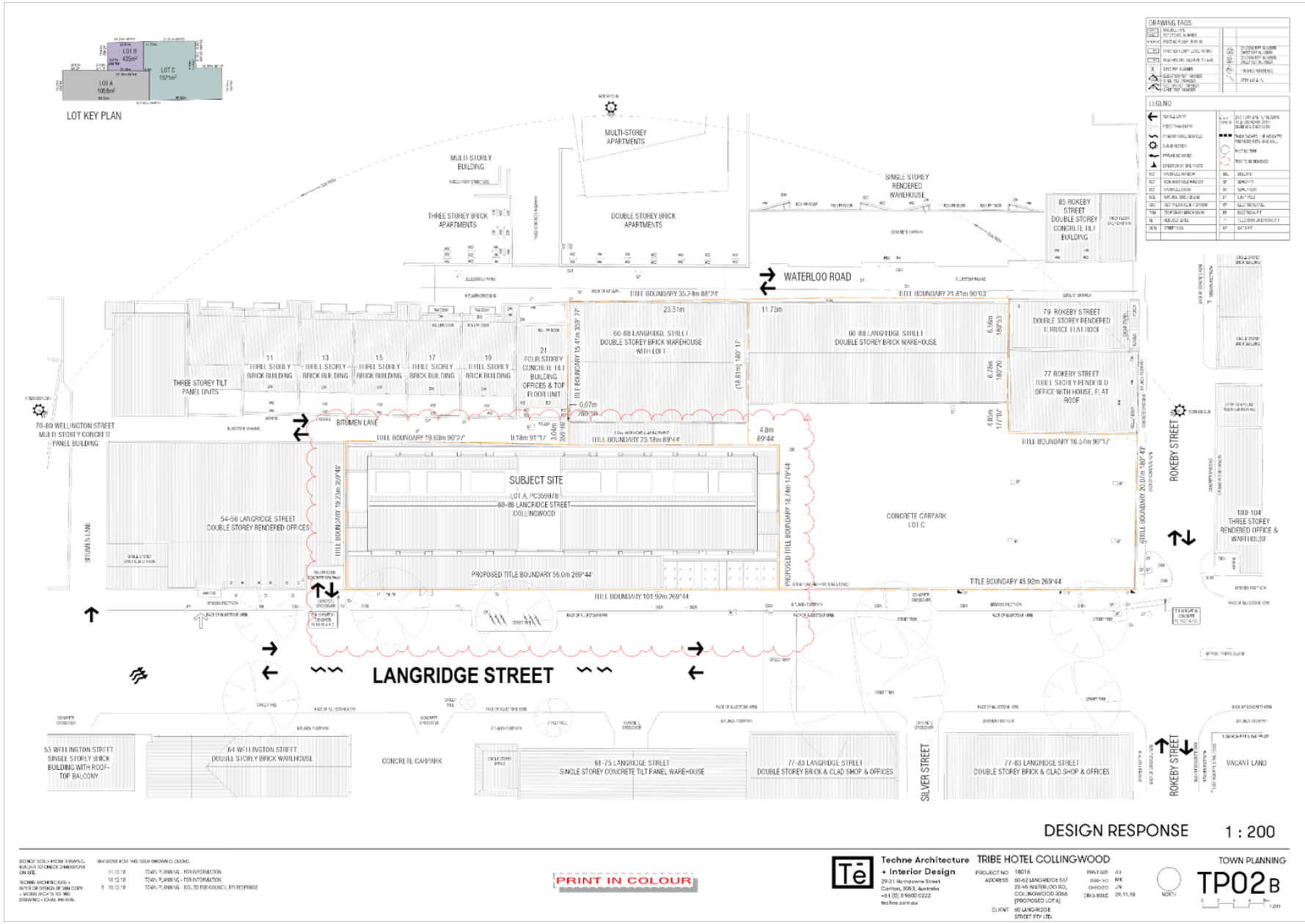
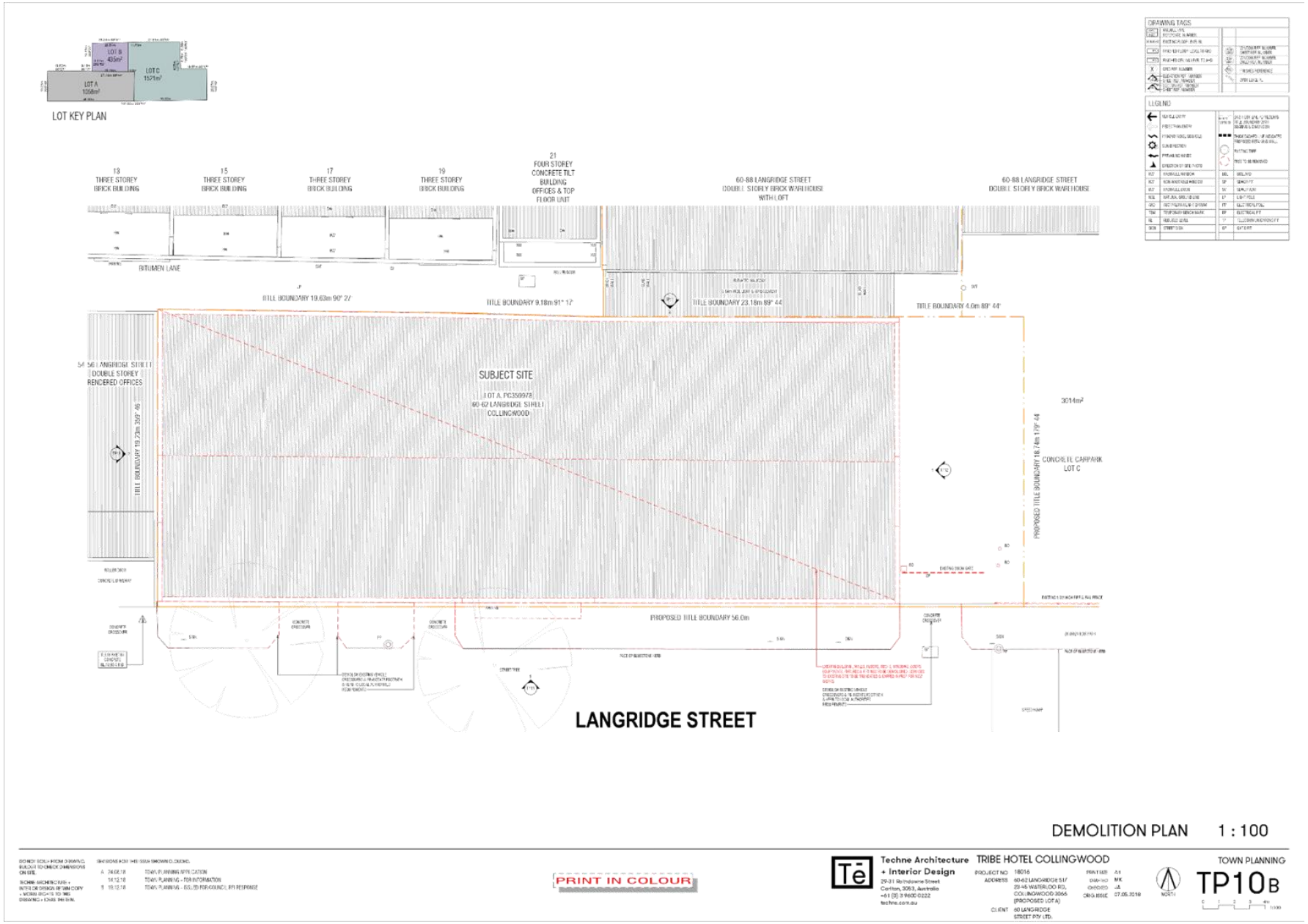


Attachment 1 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - architectural Plans - advertised set - electronic



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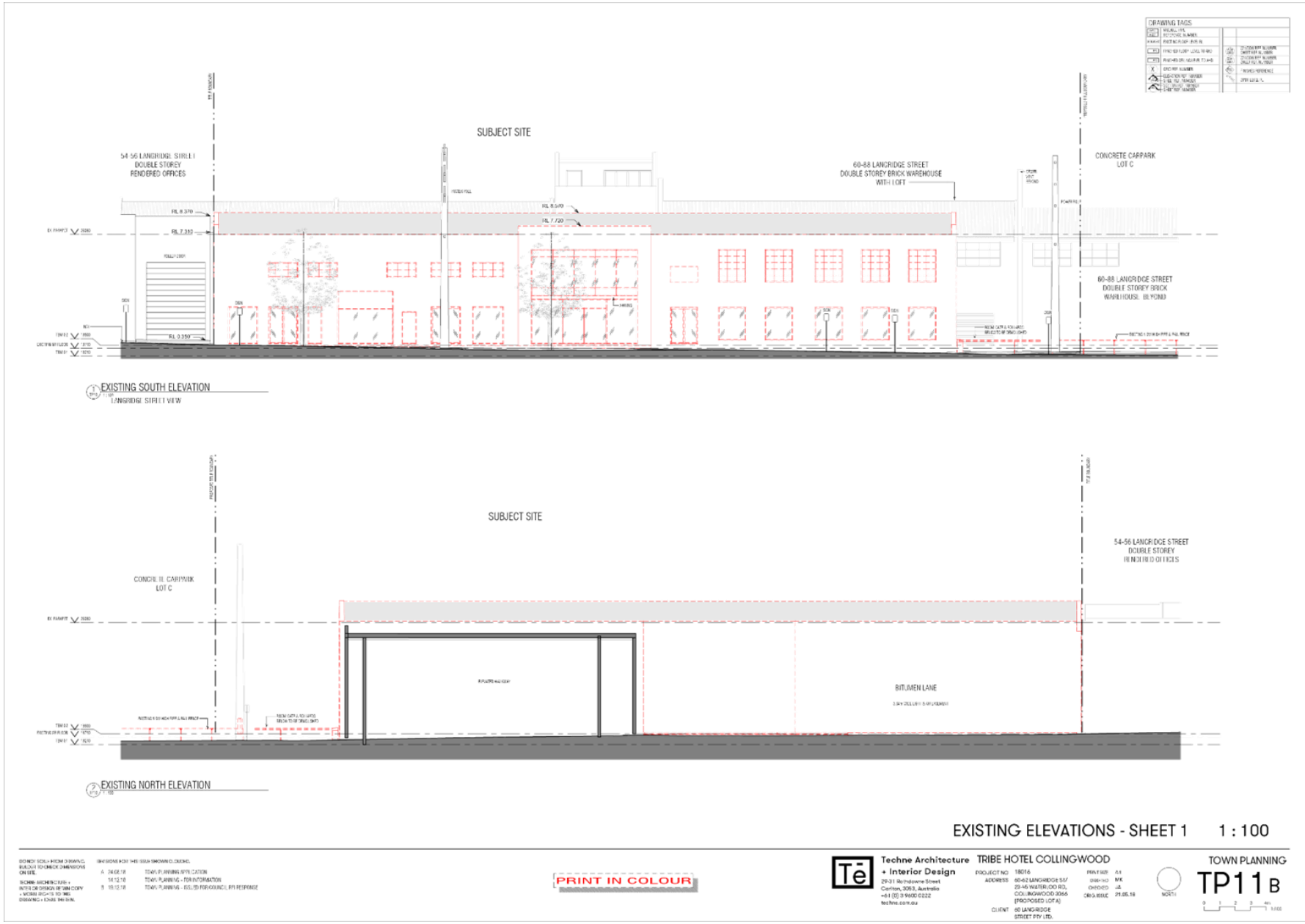
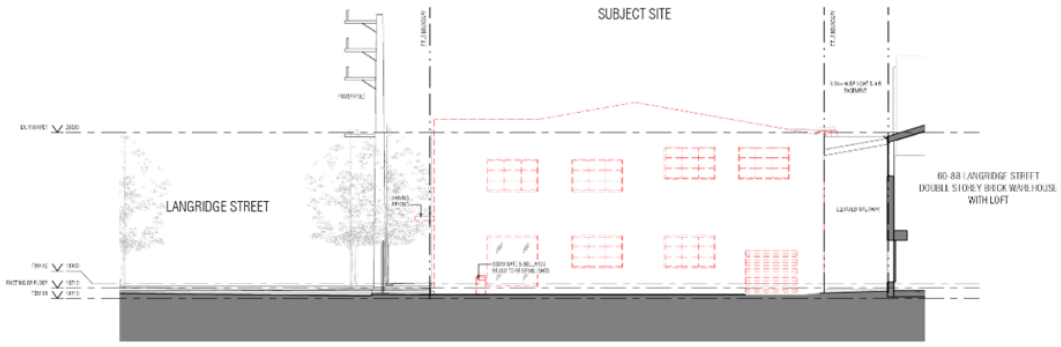
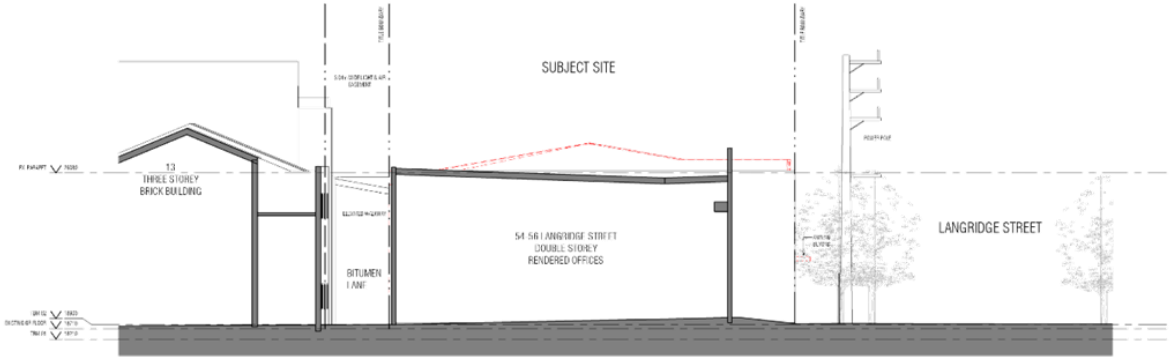


Attachment 1 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - architectural Plans - advertised set - electronic



1 EXISTING EAST ELEVATION



2 EXISTING WEST ELEVATION

EXISTING ELEVATIONS - SHEET 2 1 : 100

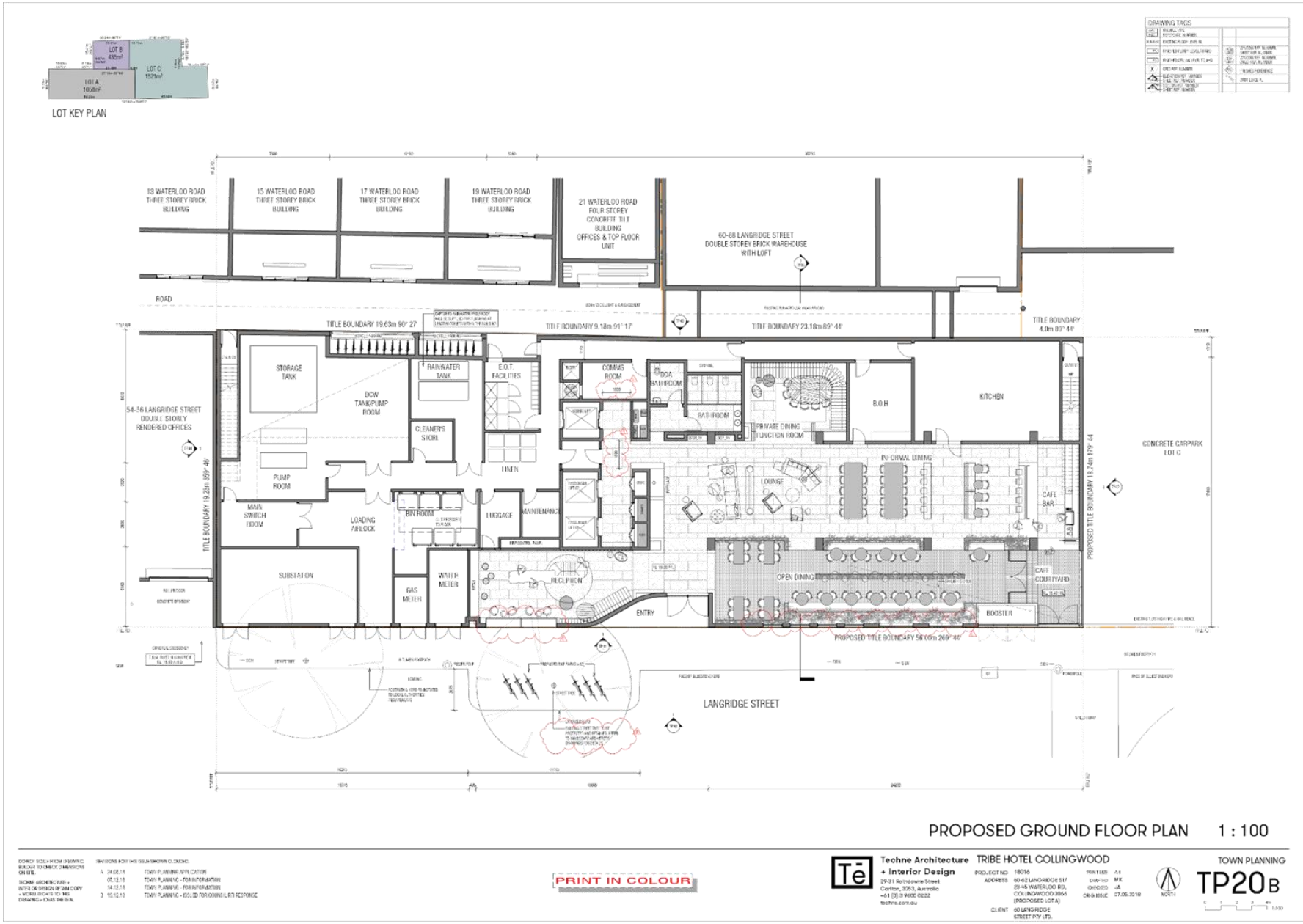
PRINT IN COLOUR

Techne Architecture + Interior Design
29-31 Reilly Street
Carlton, 3053, Australia
+61 (0) 3 9600 0222
techne.com.au

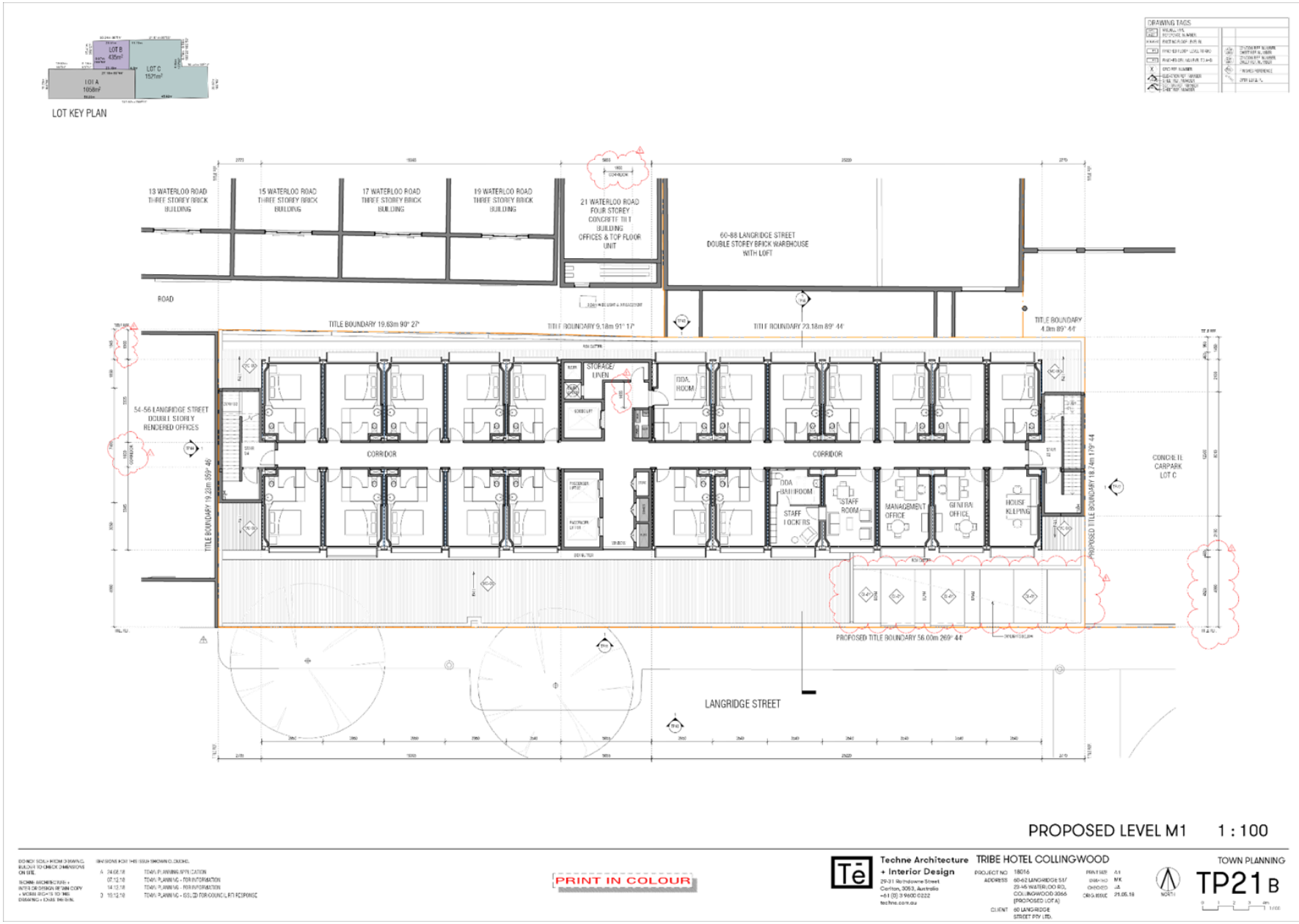
TRIBE HOTEL COLLINGWOOD
PROJECT NO 18016
ADDRESS 60-62 LANGRIDGE ST/ 29-45 WATERLOO RD, COLLINGWOOD 3066 (PROPOSED LOTA)
CLIENT 60 LANGRIDGE STREET PTY LTD.
PRINT SIZE A1
DRAWN MK
CHECKED JA
ORIG ISSUE 21.05.18

TOWN PLANNING
TP12B

Attachment 1 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - architectural Plans - advertised set - electronic



Attachment 1 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - architectural Plans - advertised set - electronic



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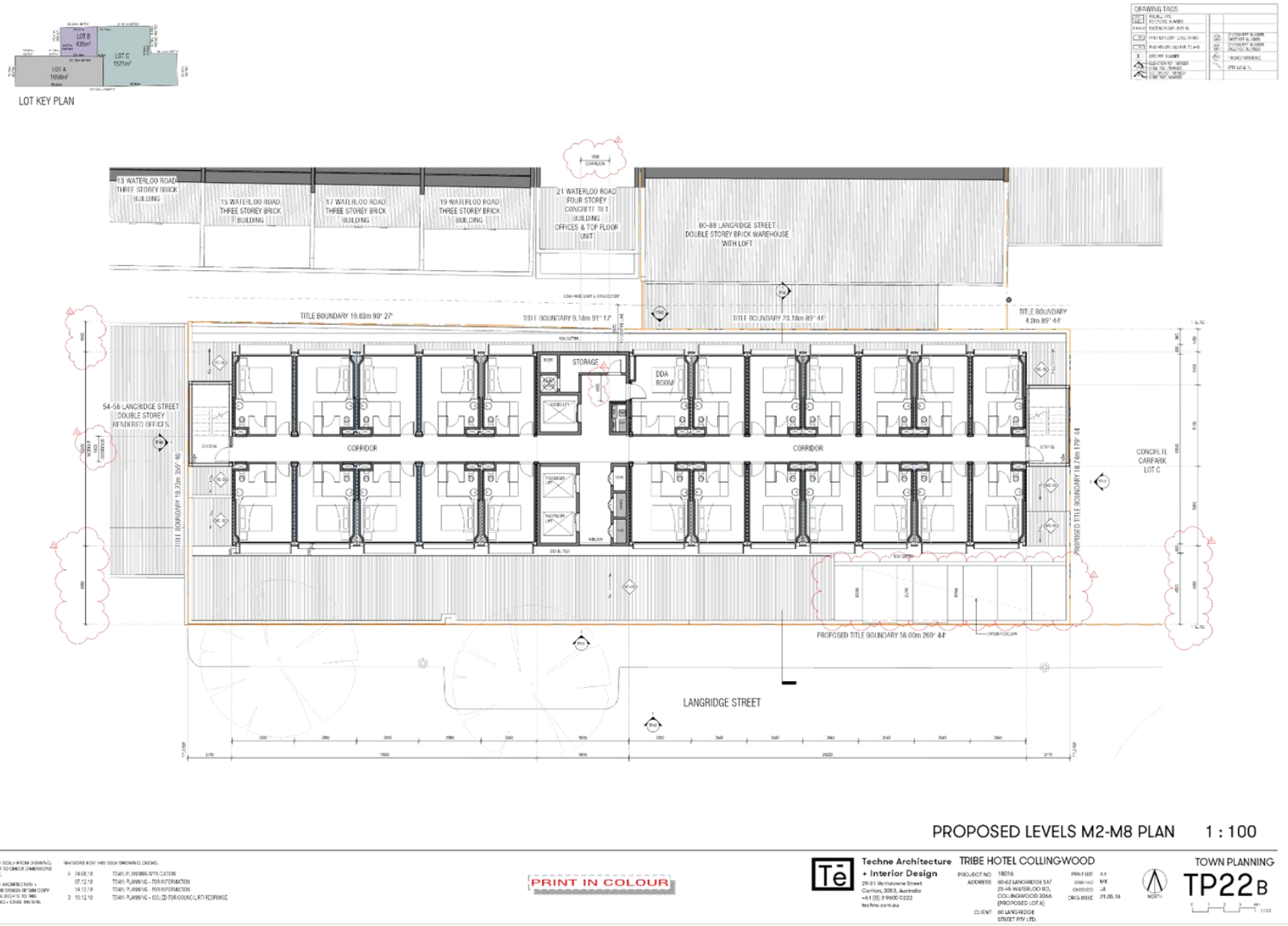

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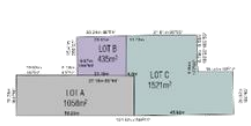
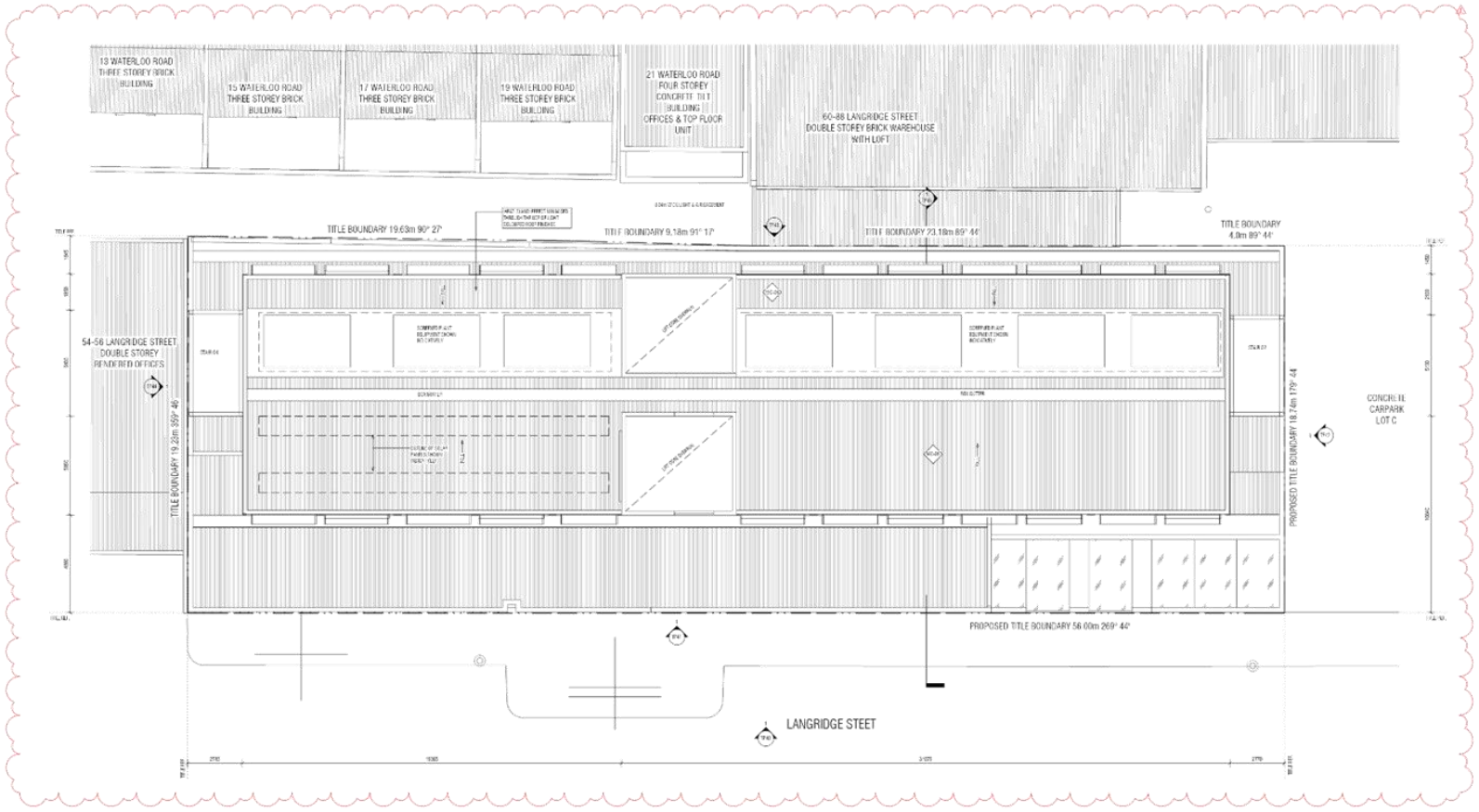


LOT KEY PLAN



PROPOSED ROOF PLAN 1 : 100

DO NOT SCALE FROM DRAWING. ALWAYS TO CHECK DIMENSIONS ON SITE.

A	24.08.18	TOWN PLANNING APPLICATION
	07.12.18	TOWN PLANNING - TDA INFORMATION
	14.12.18	TOWN PLANNING - RFI INFORMATION
D	19.12.18	TOWN PLANNING - ISSUED FOR COUNCIL RFI RESPONSE

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29-31 Ratchelowne Street
Carlton, 3053, Australia
+61 (0) 3 9600 0222
techne.com.au

TRIBE HOTEL COLLINGWOOD
PROJECT NO. 18016
ADDRESS 60-62 LANGRIDGE ST/ 29-45 WATERLOO RD, COLLINGWOOD 3066 (PROPOSED LOT A)
CLIENT 60 LANGRIDGE STREET PTY LTD.
PRINT SIZE A1
DRAWN MK
CHECKED JA
ORIG.ISSUE 21.05.19

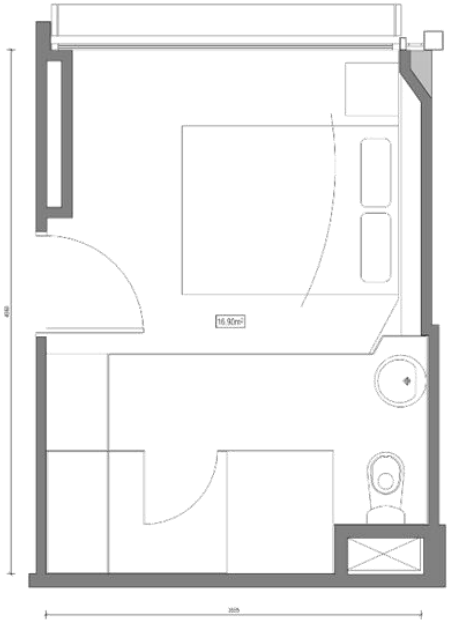
NORTH

TOWN PLANNING
TP25 B

Attachment 1 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - architectural Plans - advertised set - electronic

TYPICAL MODULE ROOM REFERENCE IMAGERY

DRAWING TAGS



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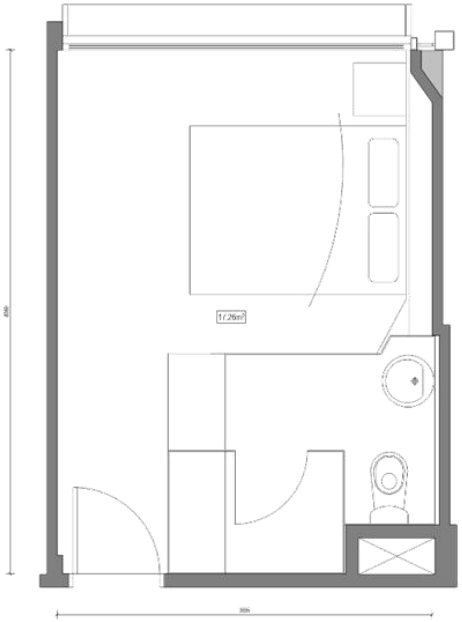

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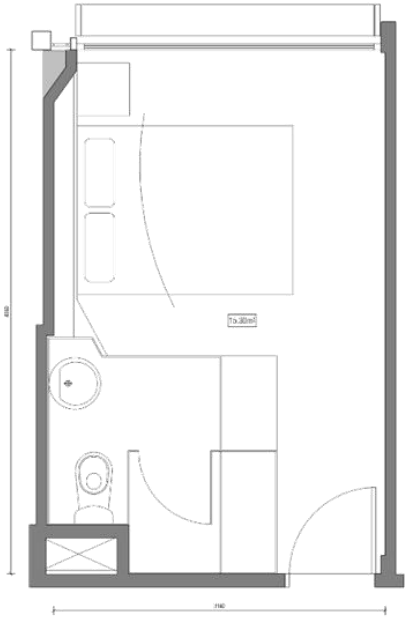

3 TYP MODULE 3500

TYPICAL MODULE PLANS AS SHOWN

PRINT IN COLOUR

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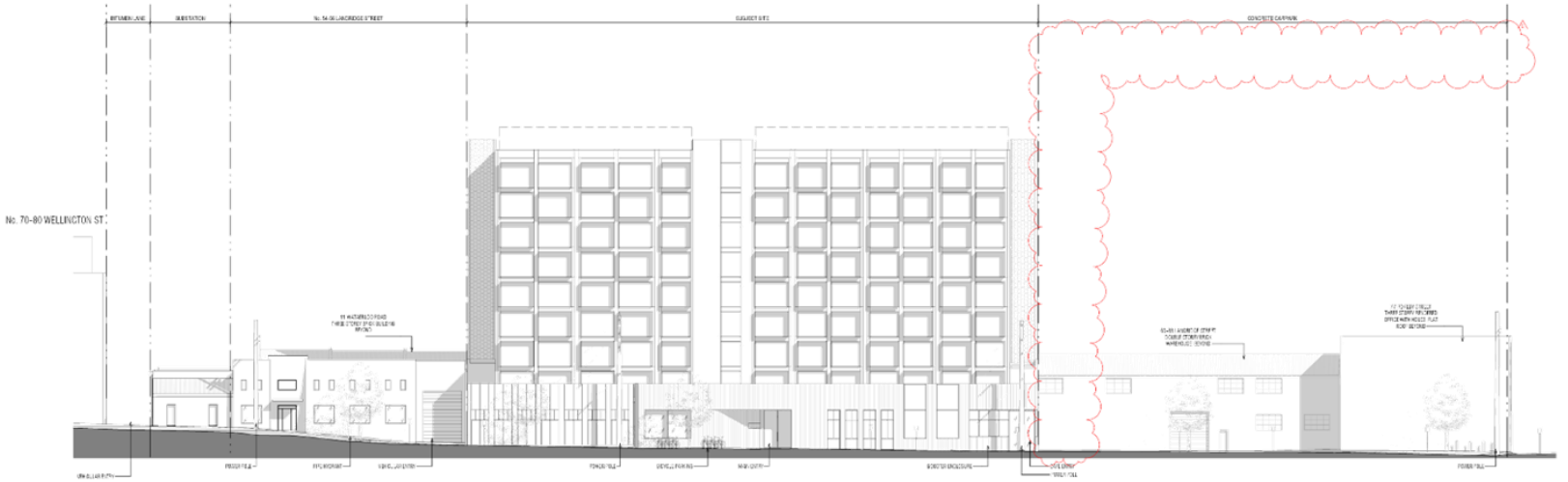
TRIBE HOTEL COLLINGWOOD

TOWN PLANNING

TP26 B

Attachment 1 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - architectural Plans - advertised set - electronic



PROPOSED STREETSCAPE VIEWS 1 : 200

PRINT IN COLOUR

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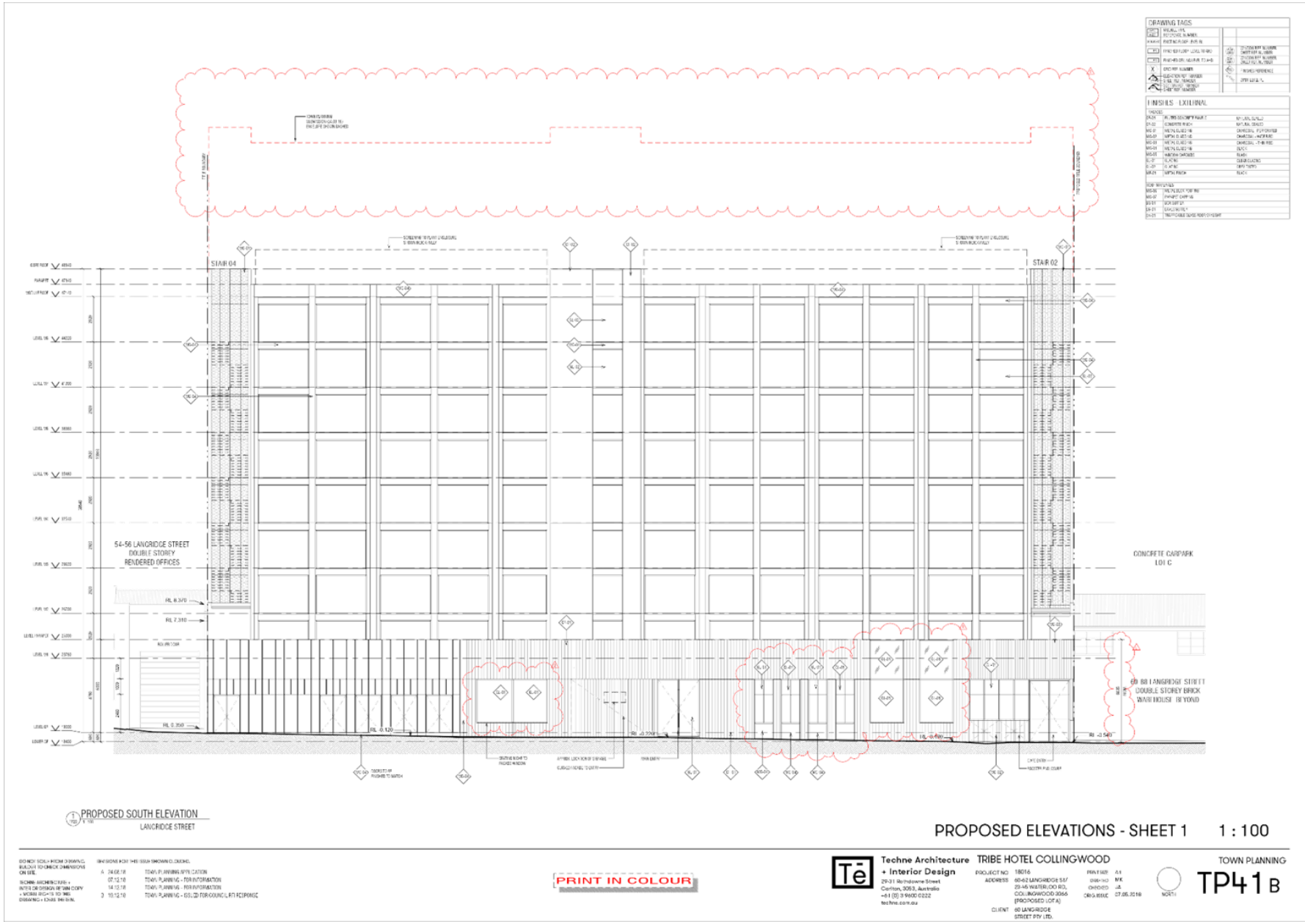
TRIBE HOTEL COLLINGWOOD

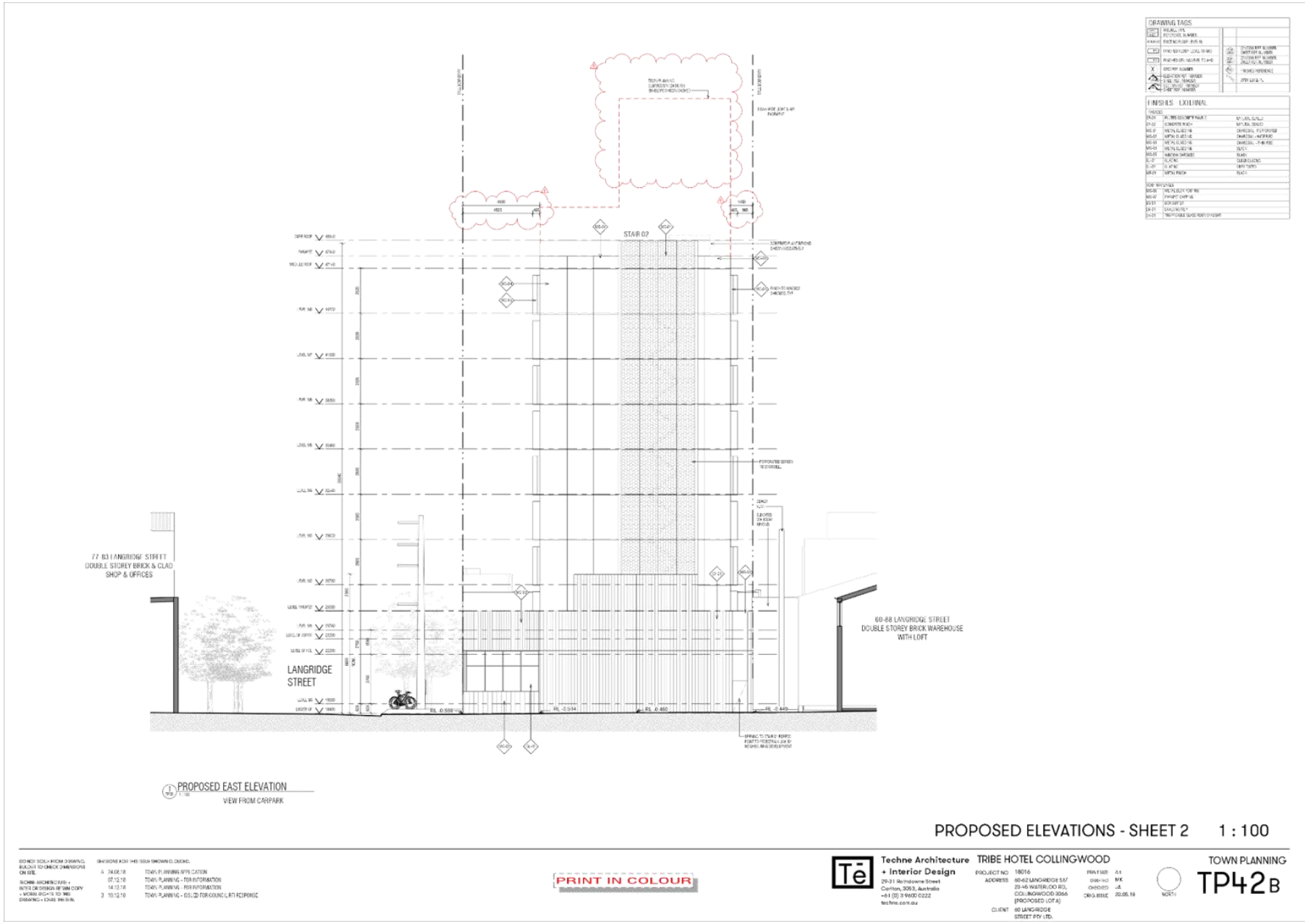
TOWN PLANNING

TP40 B

Attachment 1 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - architectural Plans - advertised set - electronic



Attachment 1 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - architectural Plans - advertised set - electronic



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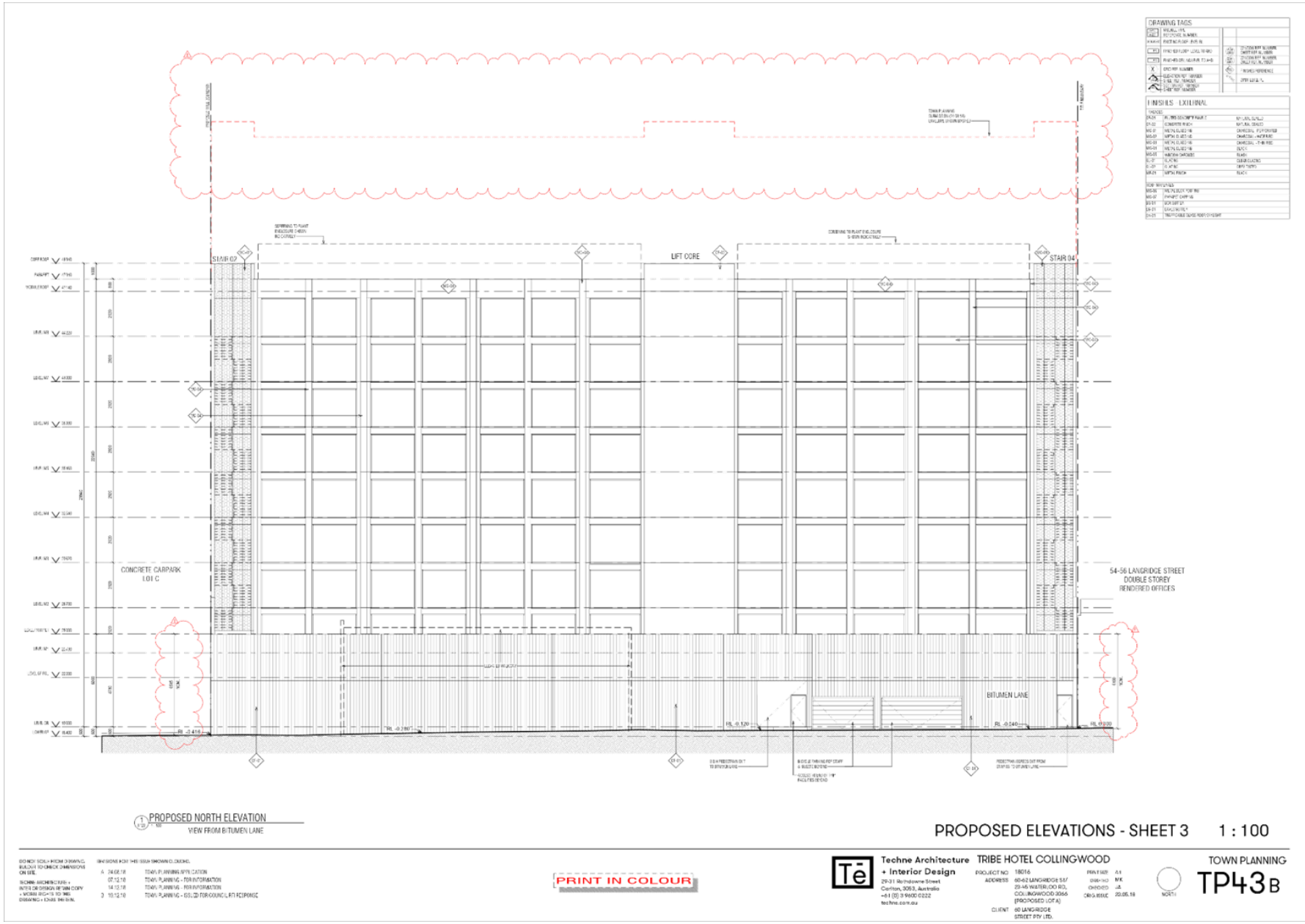

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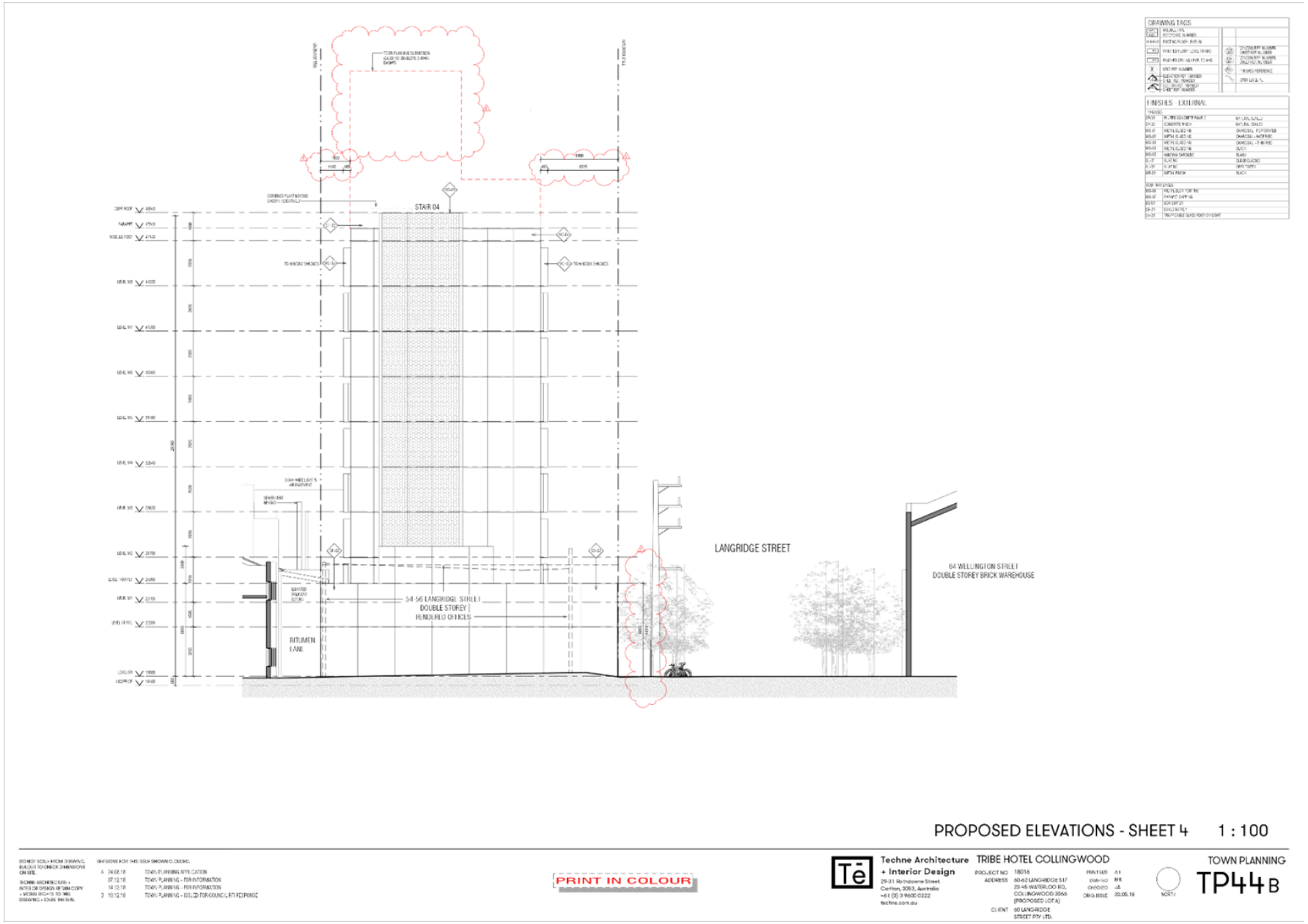

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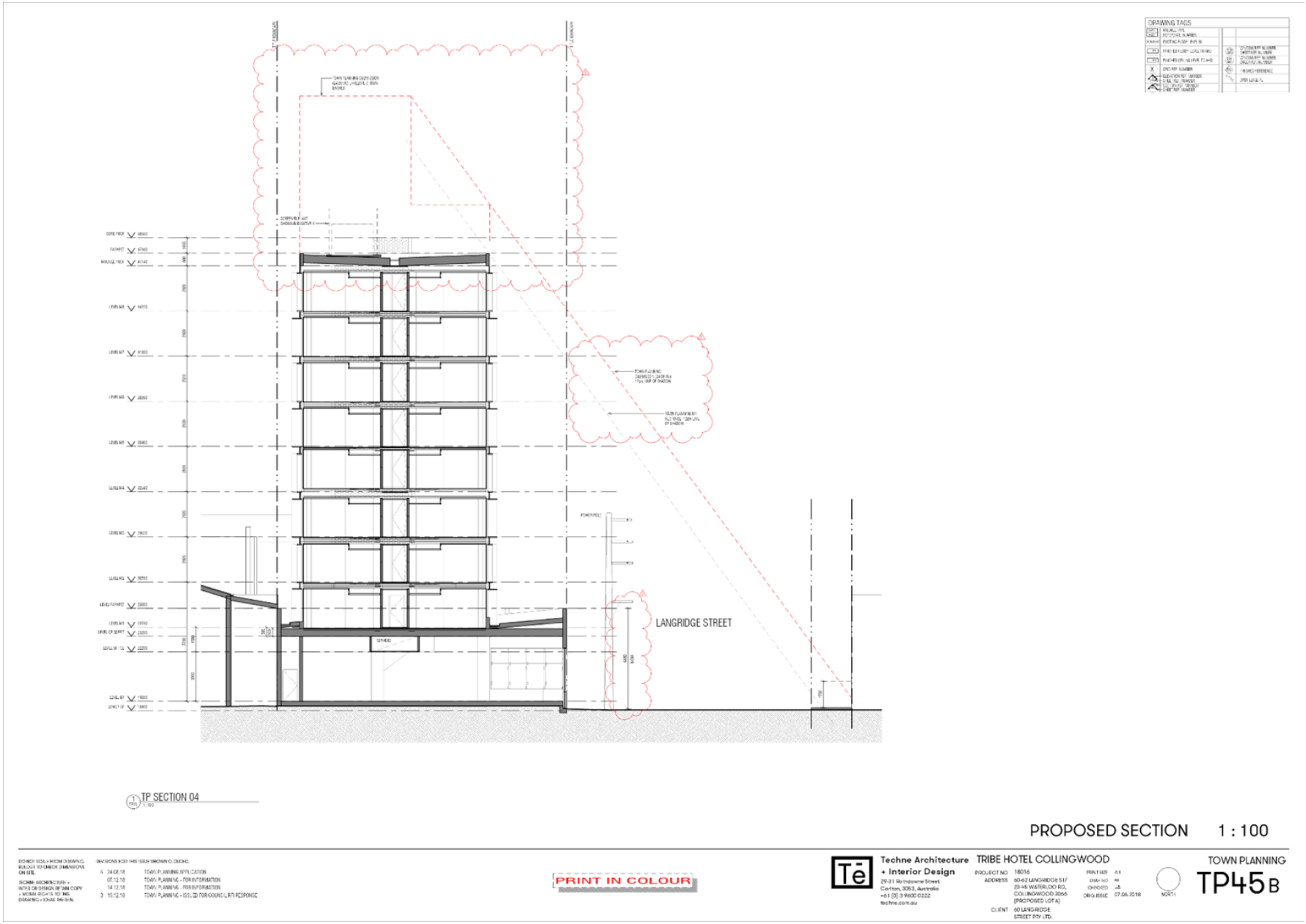

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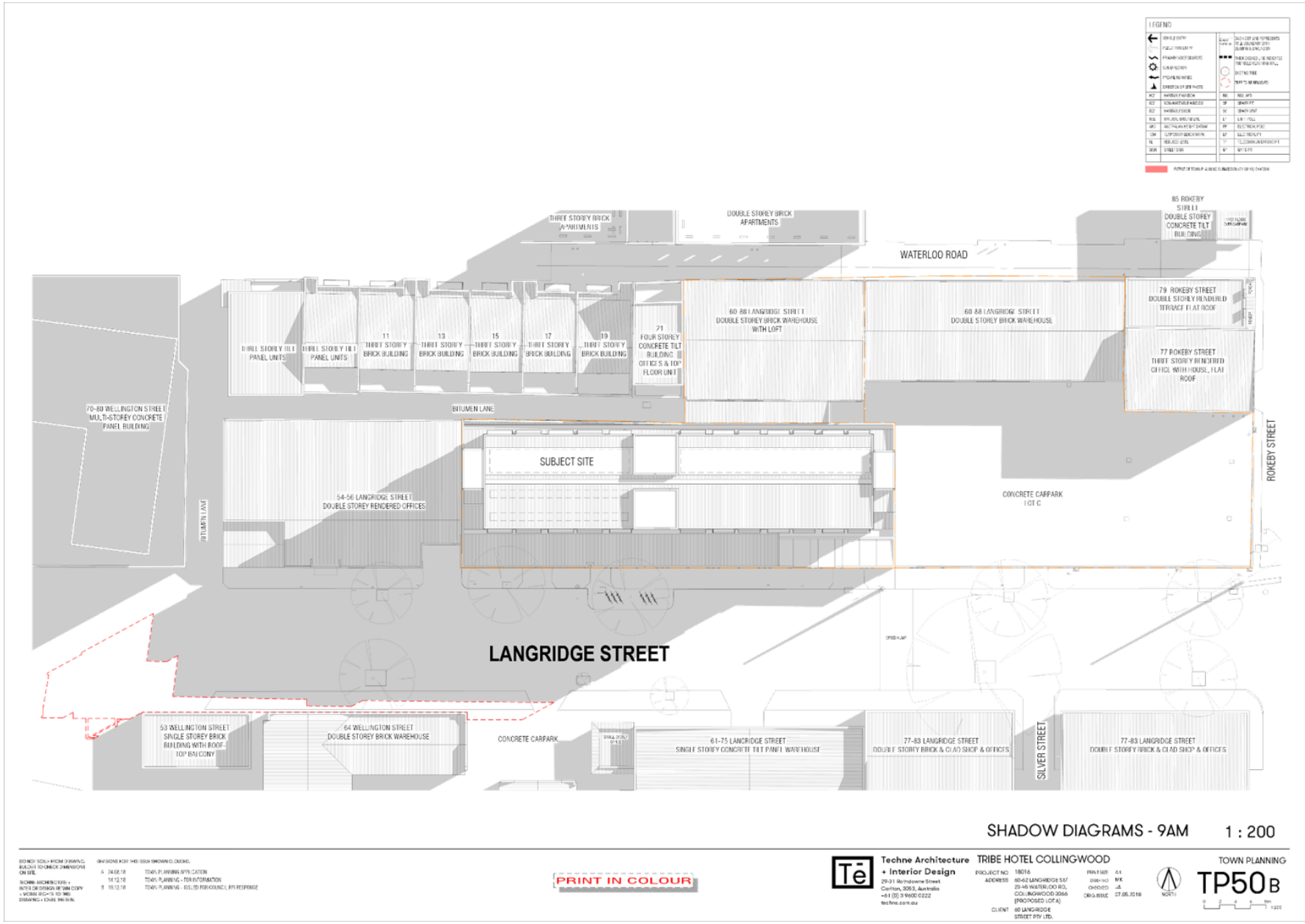

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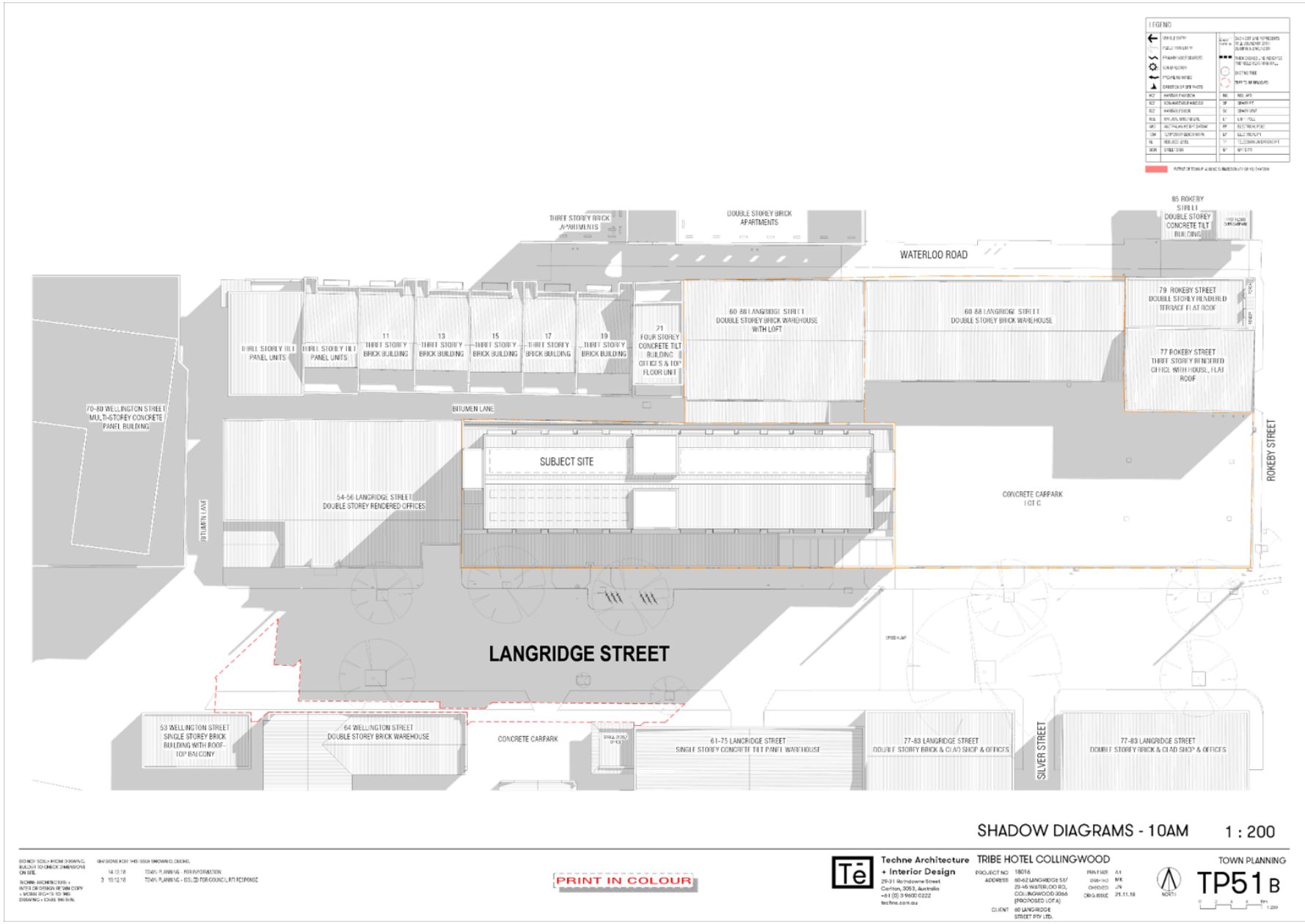
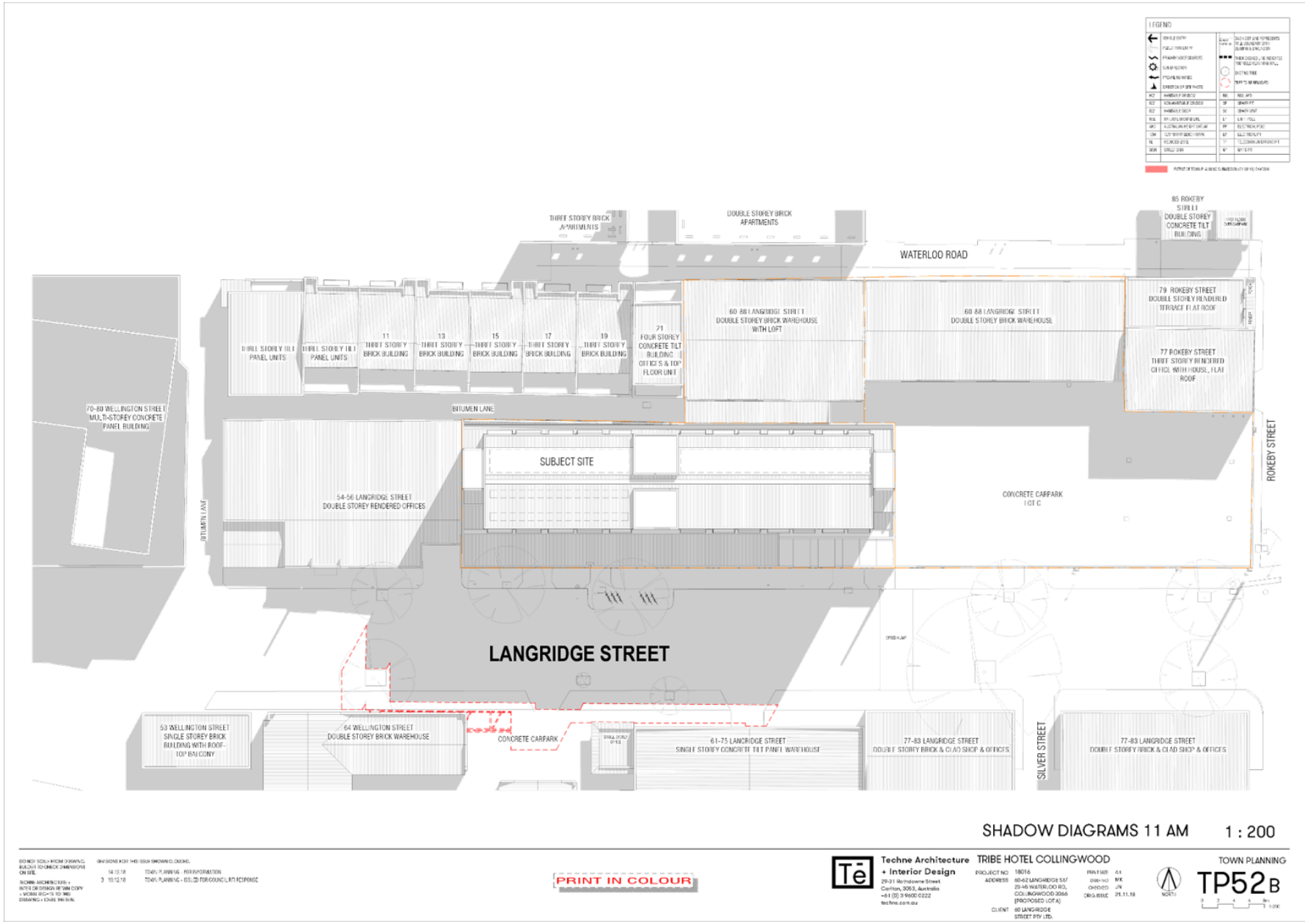
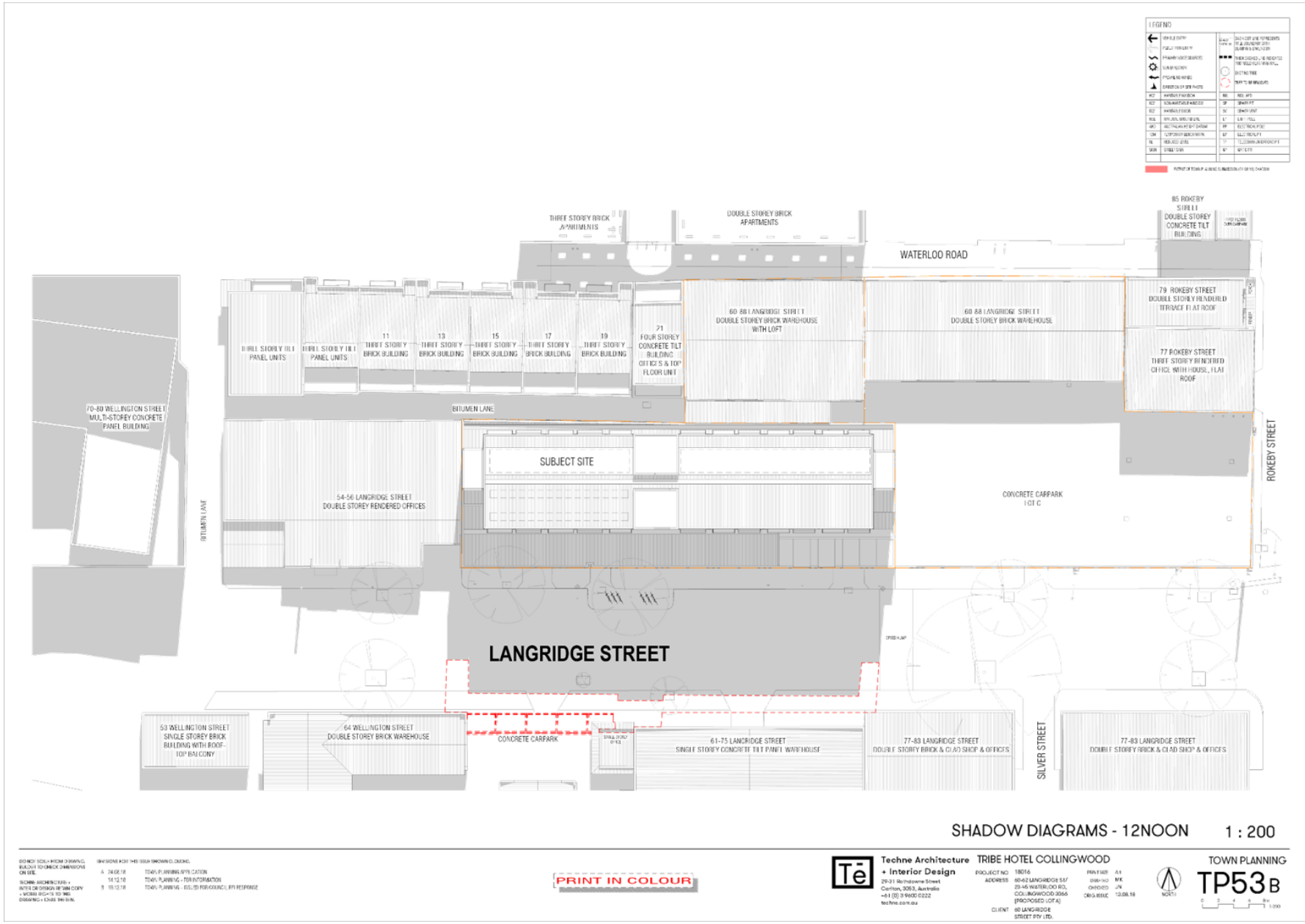


Attachment 1 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - architectural Plans - advertised set - electronic



Attachment 1 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - architectural Plans - advertised set - electronic



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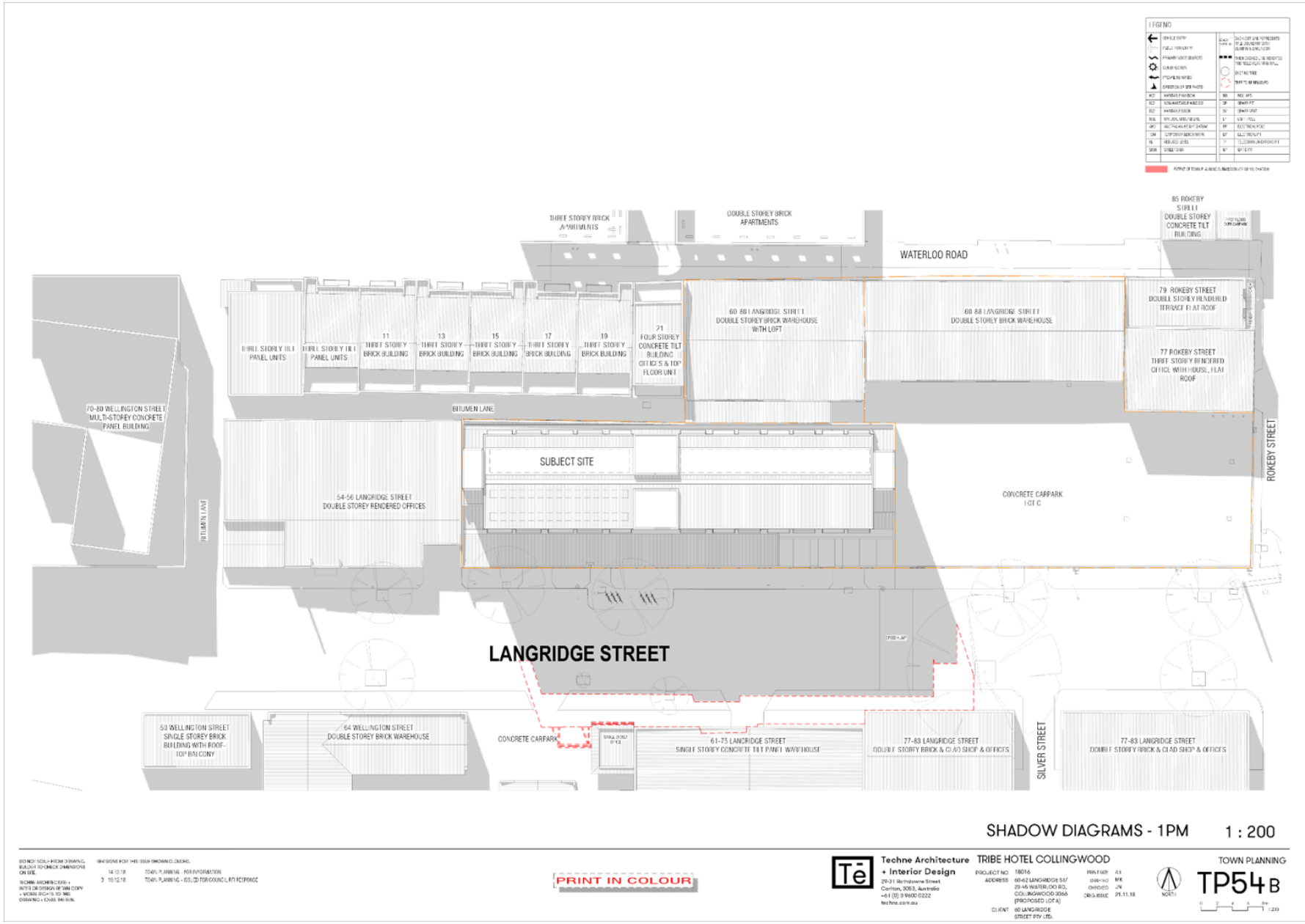

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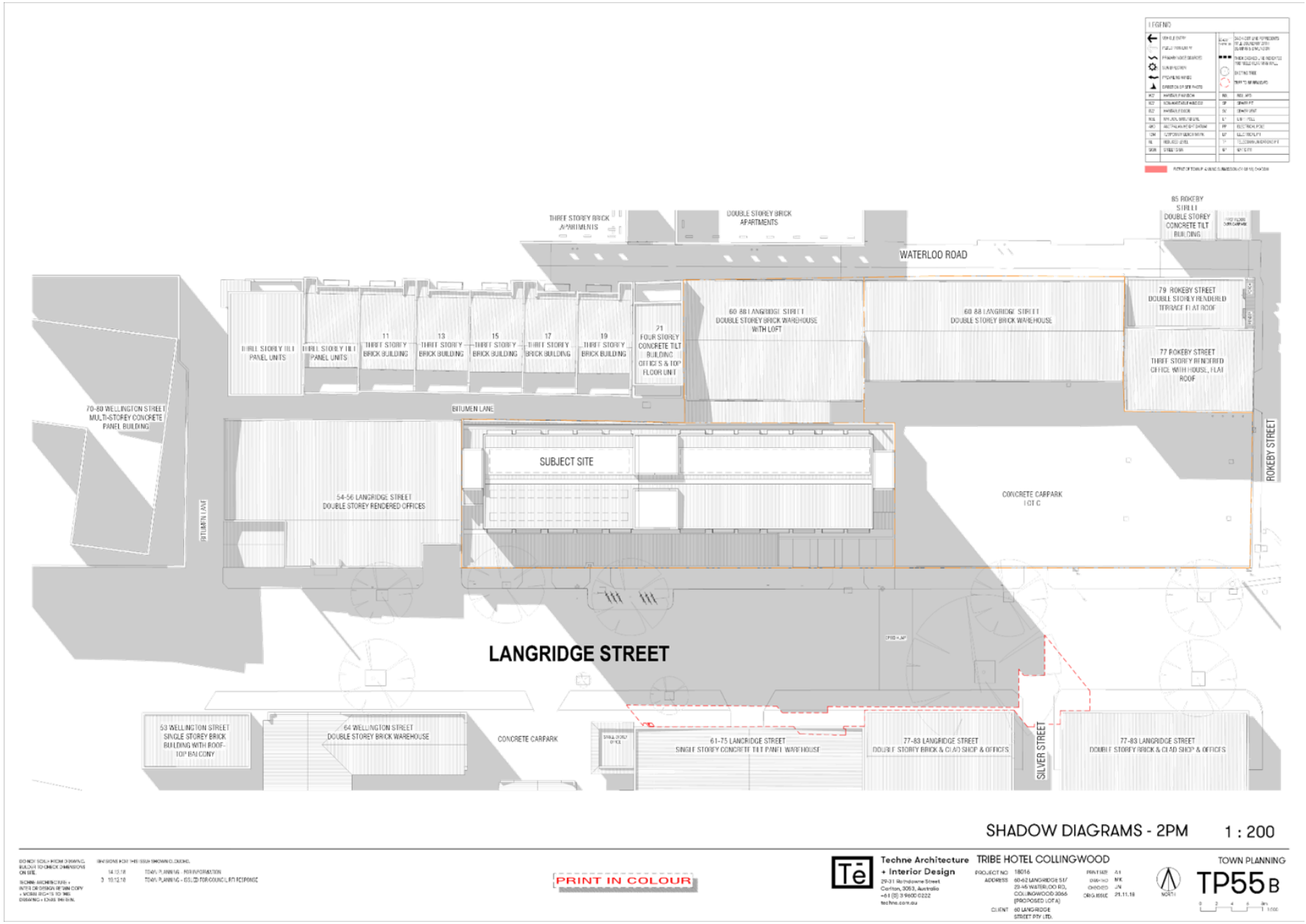
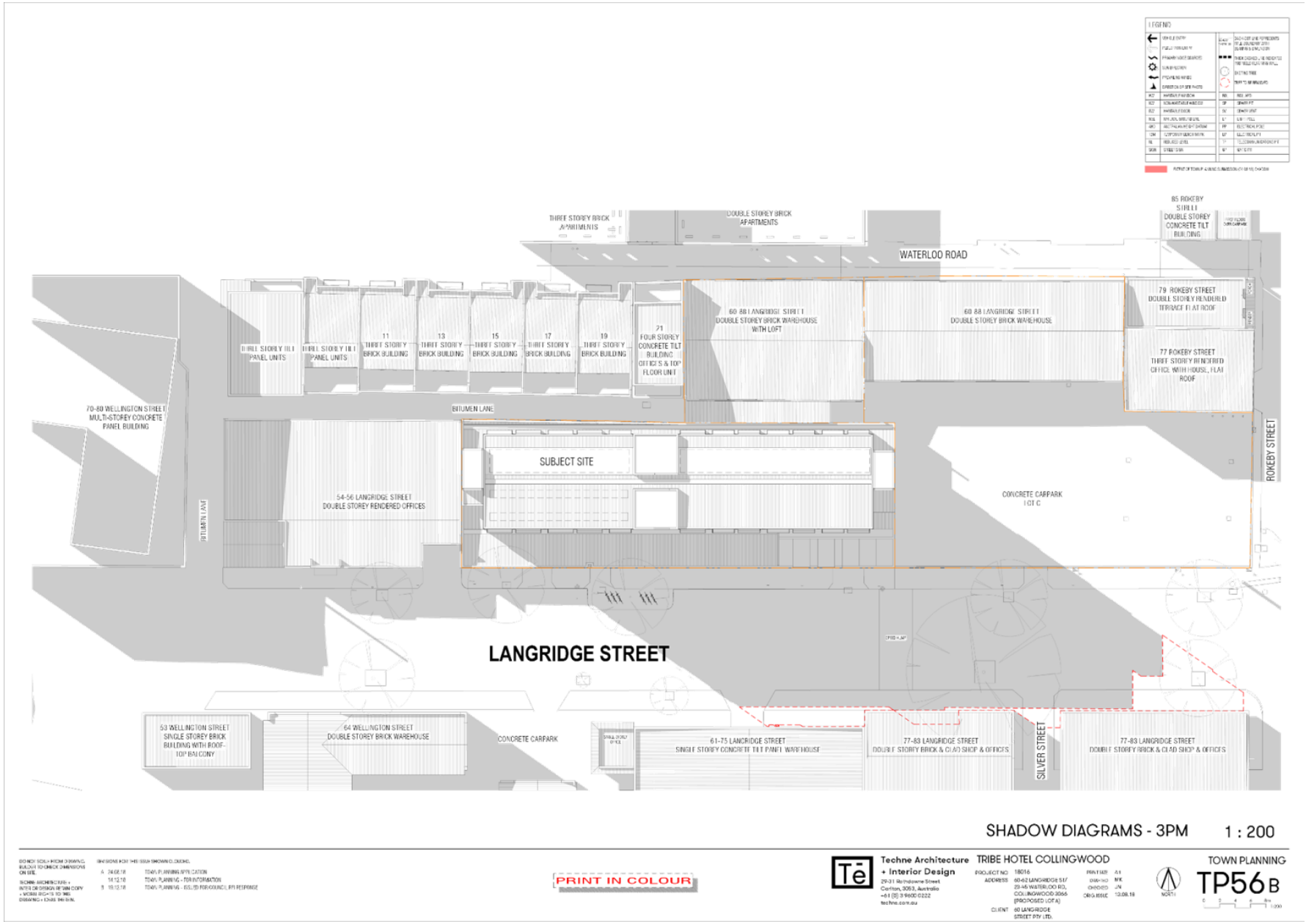
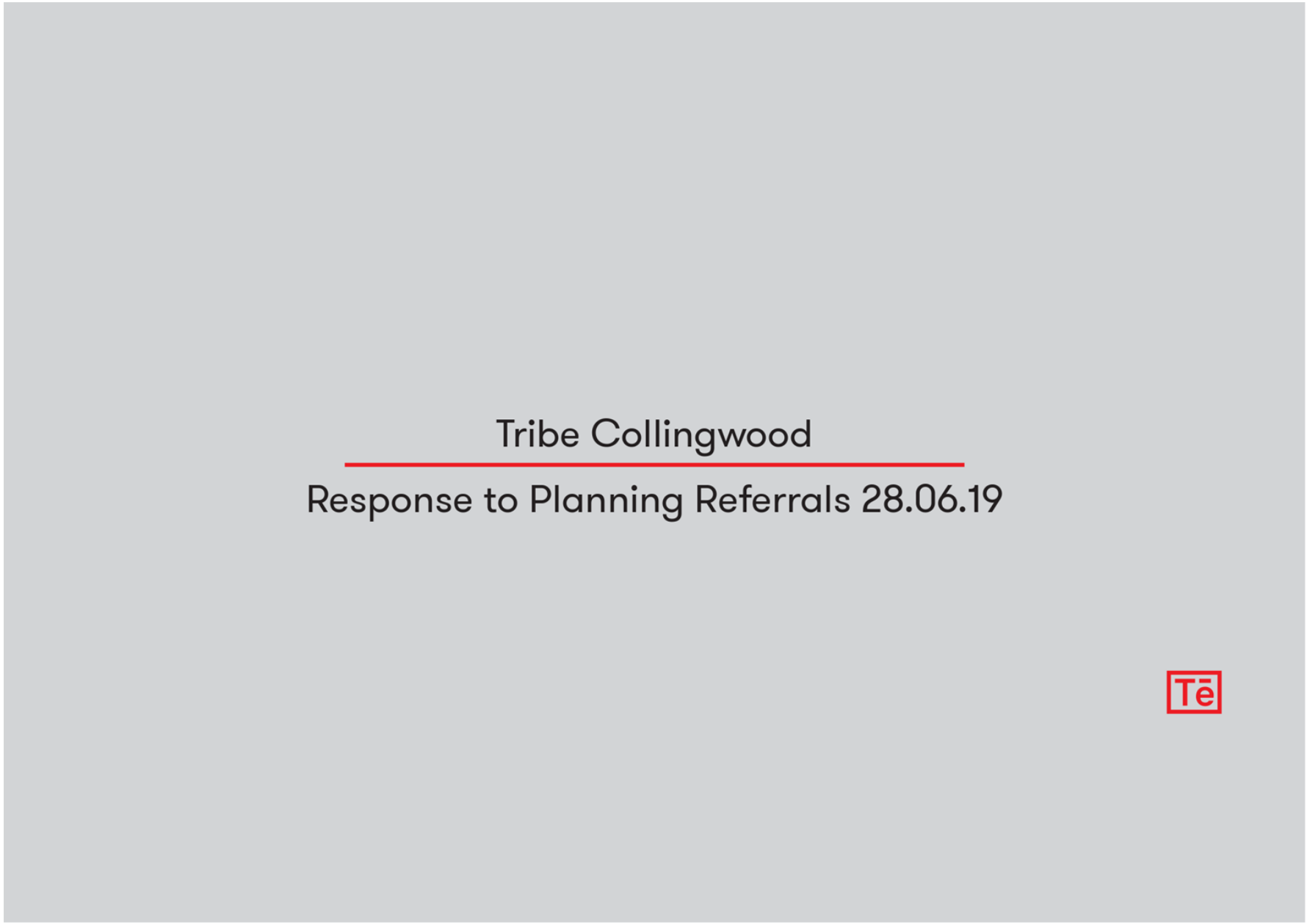


Attachment 1 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - architectural Plans - advertised set - electronic



Attachment 2 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - sketch plans



Attachment 2 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - sketch plans

Tribe Collingwood

Response to Planning Referrals 28.06.19

PROJECT
Tribe Collingwood

JOB NO
18016

ADDRESS
60-88 Langridge Street Collingwood

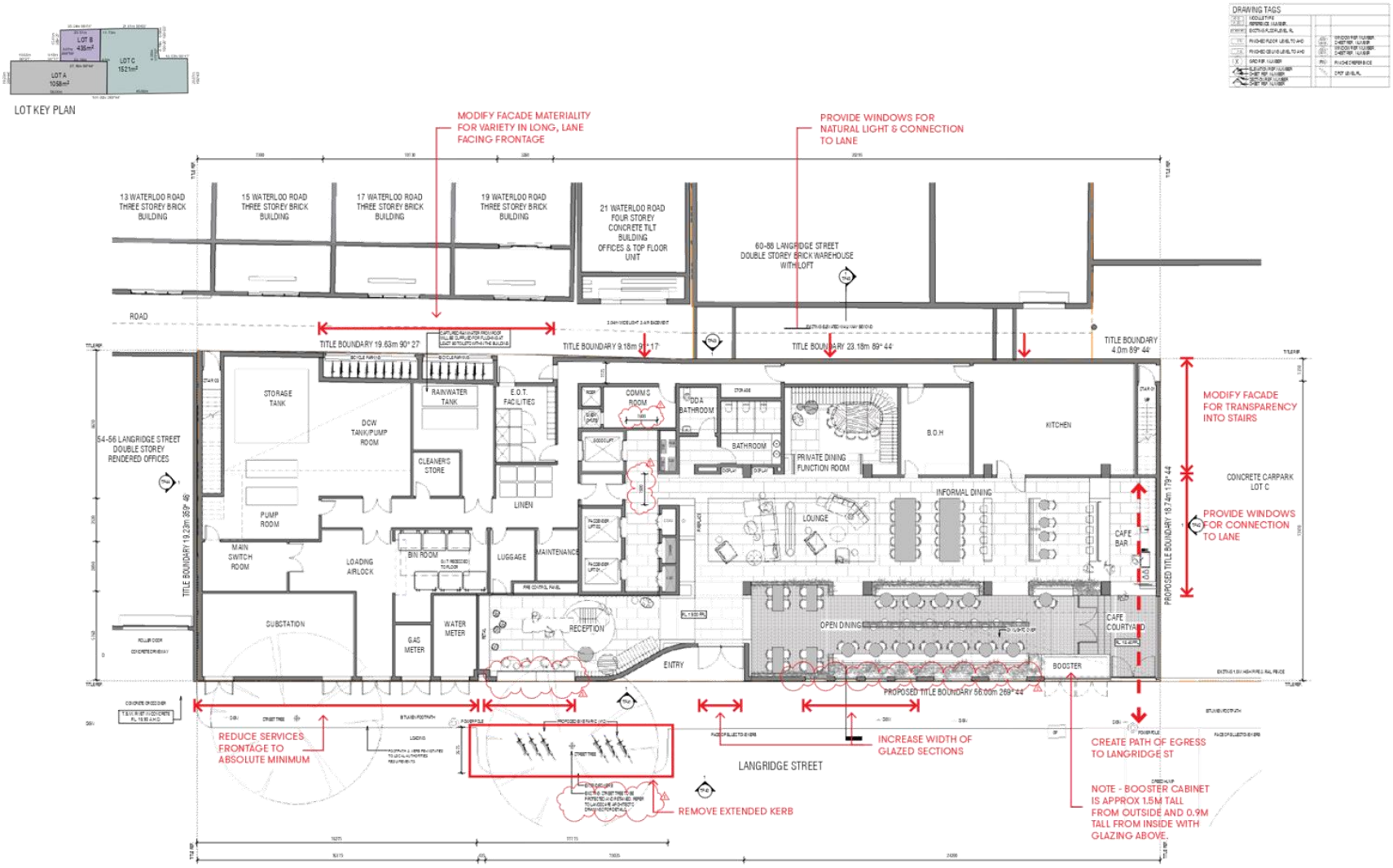
CLIENT
60 Langridge Street P/L

DATE
28/06/19

REVISION
-

Tē Technē Architecture + Interior Design 29-31 Rathdowne Street Carlton VIC 3053 Australia +61 (0) 3 9600 0222 techne.com.au

Attachment 2 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - sketch plans



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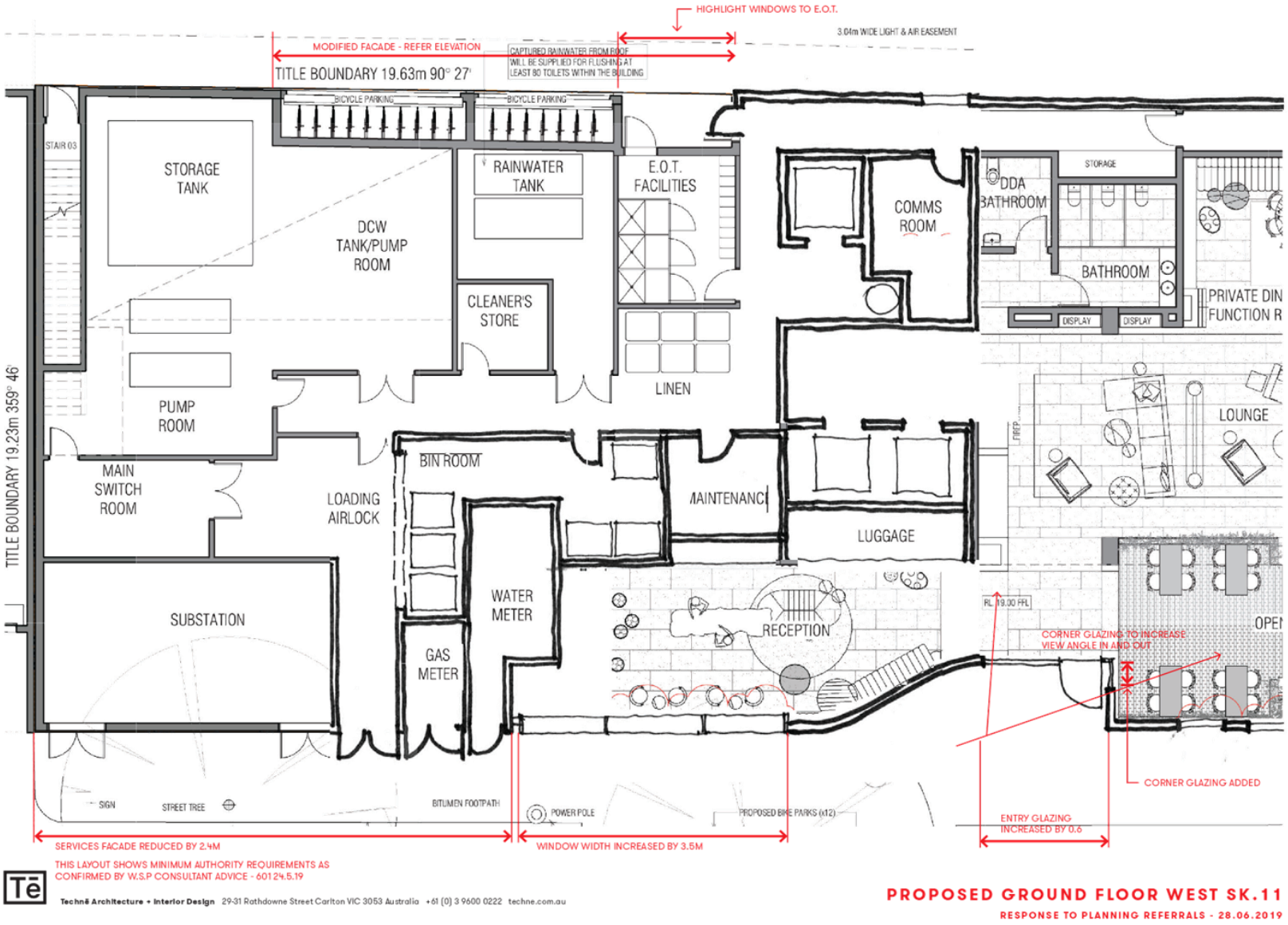
GROUND FLOOR MARK UP SK.10

RESPONSE TO PLANNING REFERRALS - 28.06.2019

Attachment 2 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - sketch plans



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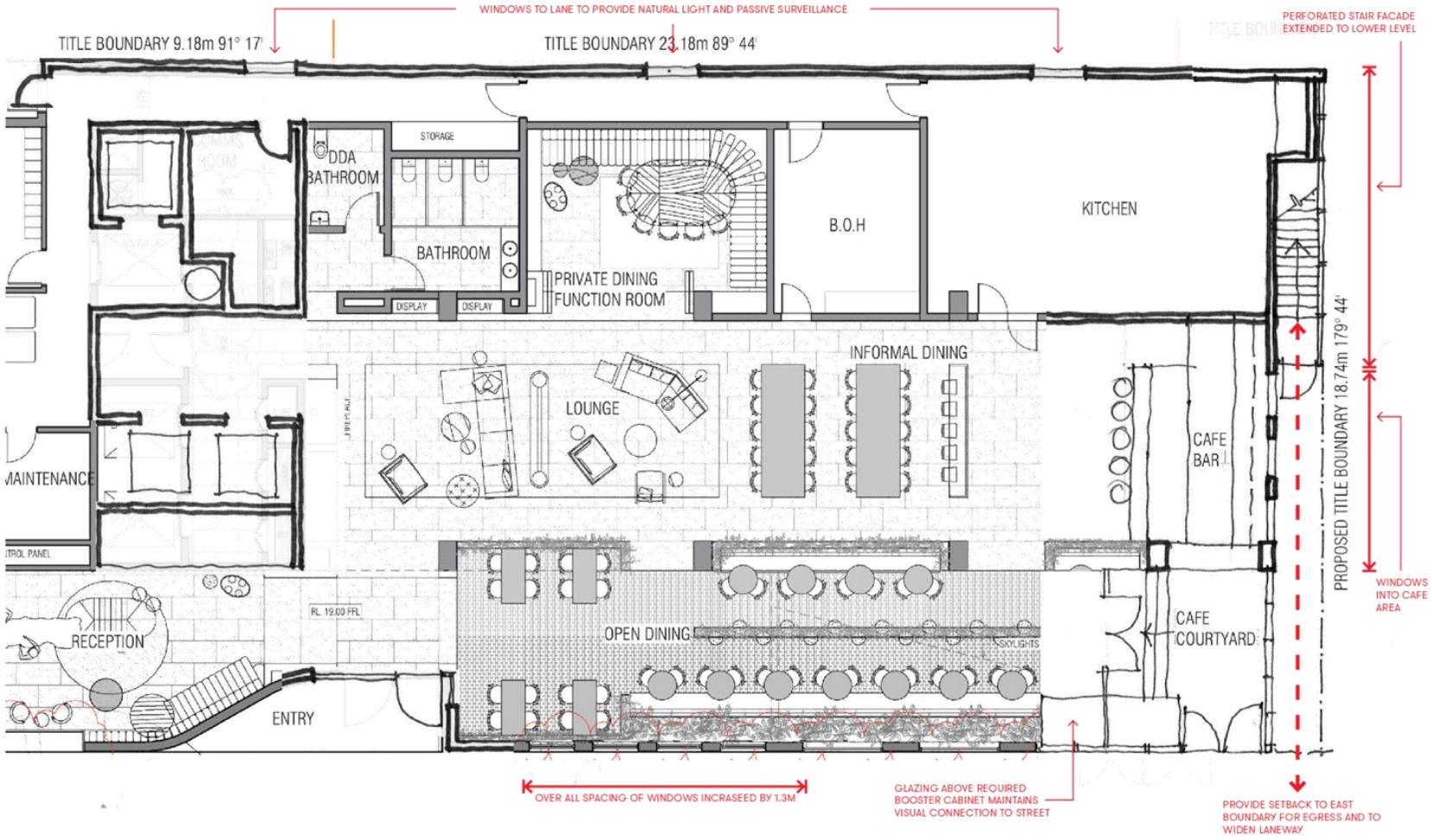

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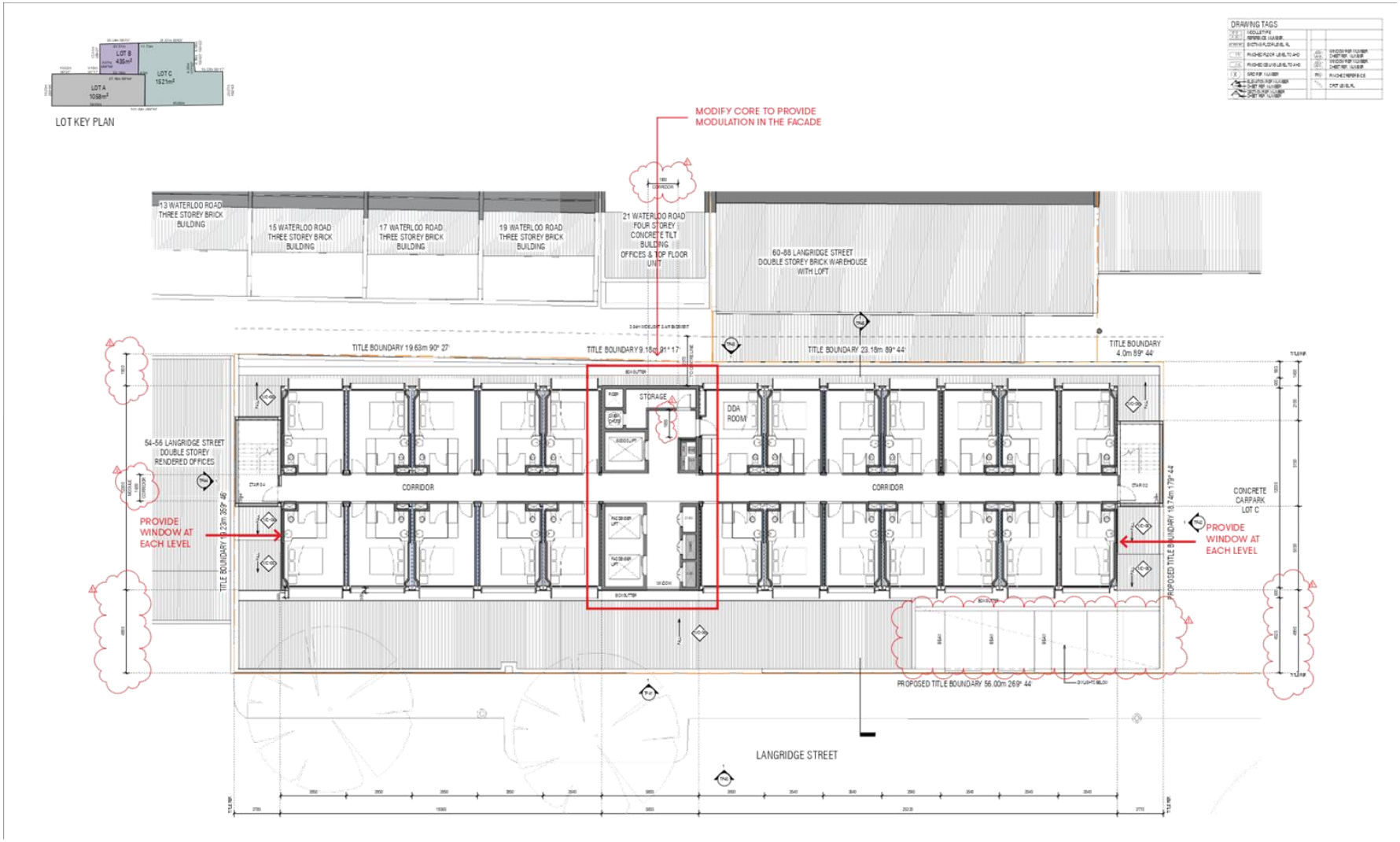
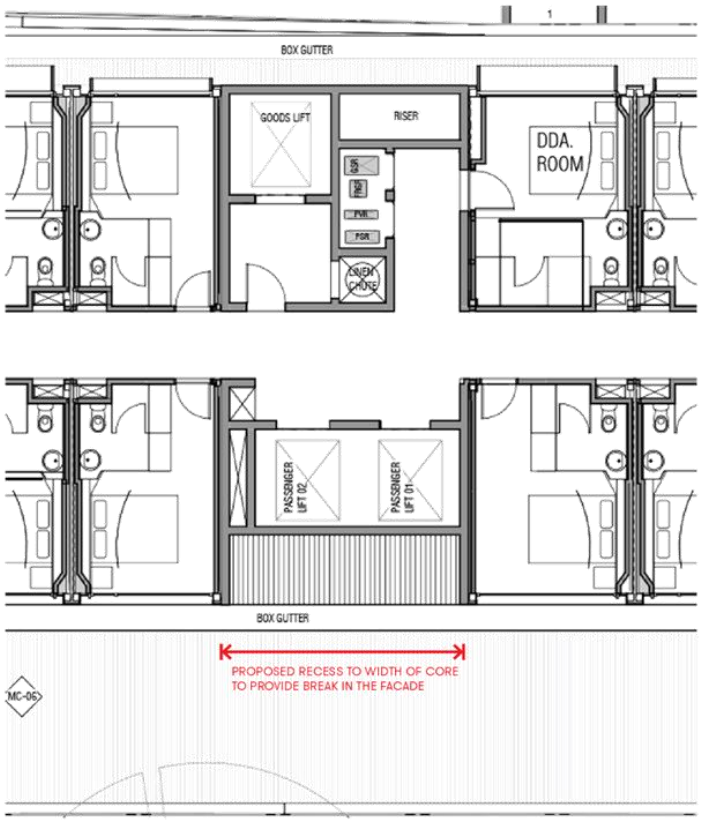
PROPOSED GROUND FLOOR EAST SK.12

RESPONSE TO PLANNING REFERRALS - 28.06.2019

Attachment 2 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - sketch plans



Attachment 2 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - sketch plans



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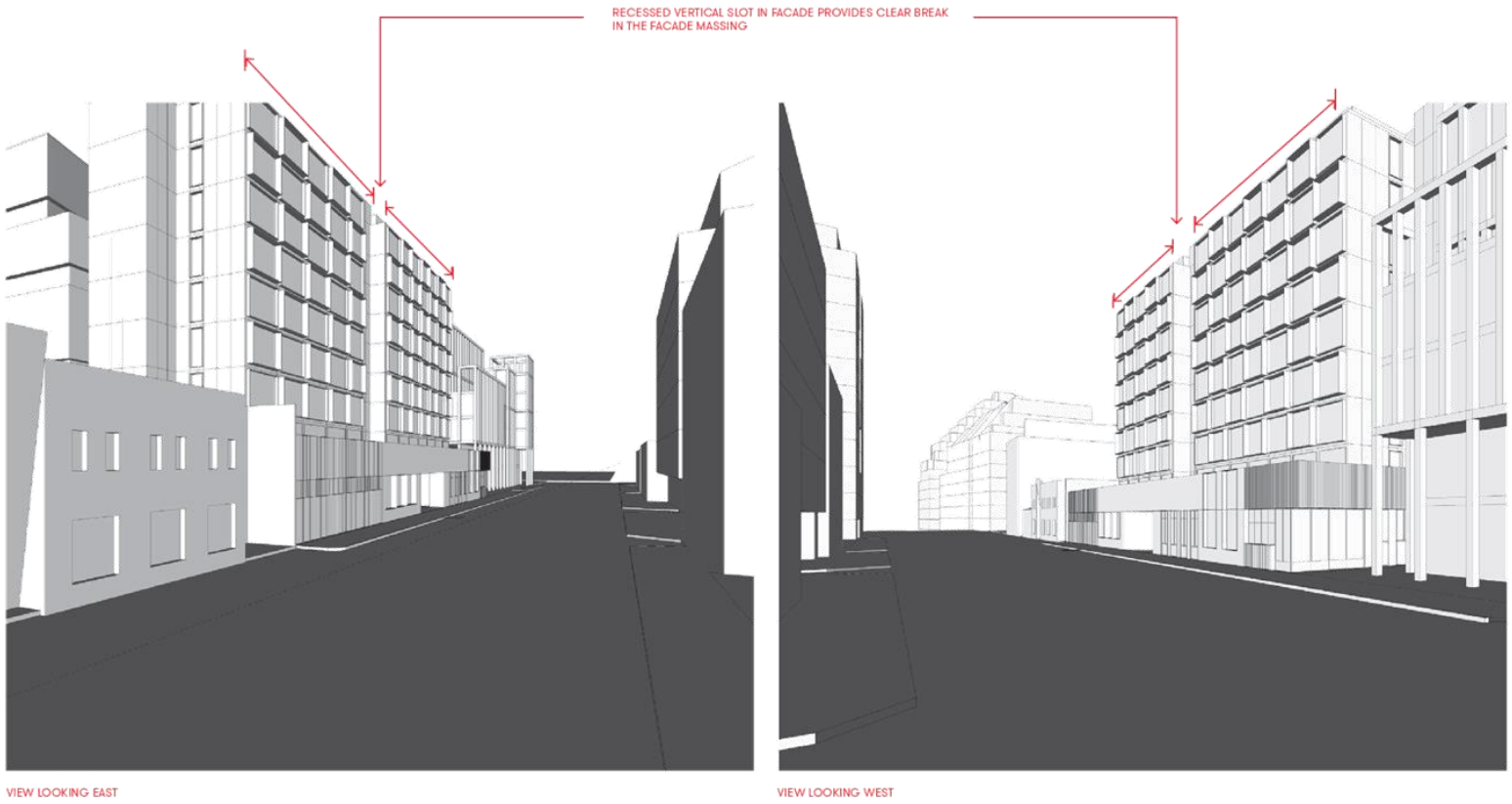
PROPOSED CORE SK.21
RESPONSE TO PLANNING REFERRALS - 28.06.2019

Attachment 2 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - sketch plans



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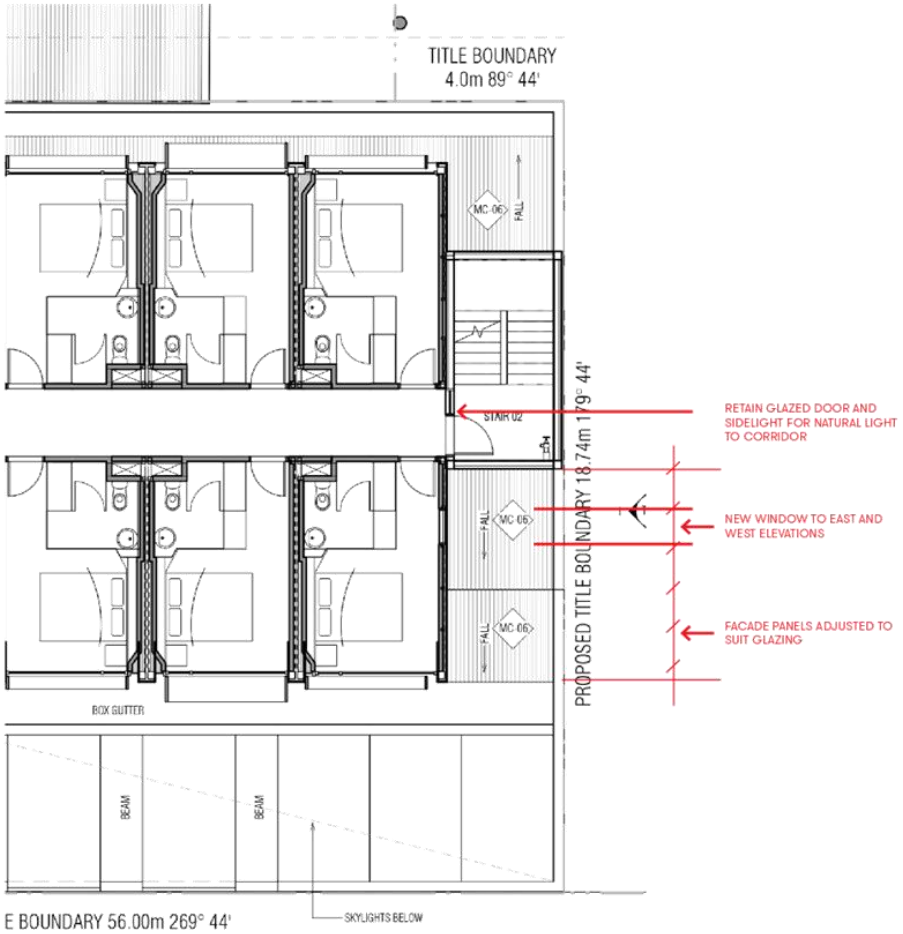
PROPOSED CORE SK.22
RESPONSE TO PLANNING REFERRALS - 28.06.2019

Attachment 2 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - sketch plans



Tē Technē Architecture + Interior Design 29-31 Rathdowne Street Carlton VIC 3053 Australia +61 (0) 3 9600 0222 techne.com.au

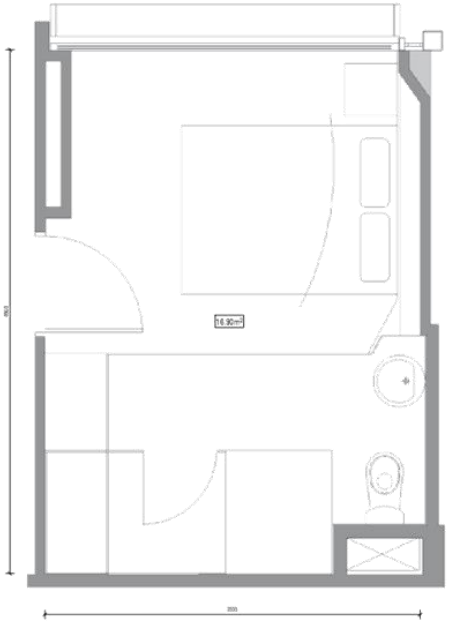
PROPOSED EAST AND WEST WINDOWS SK.23

RESPONSE TO PLANNING REFERRALS - 28.06.2019

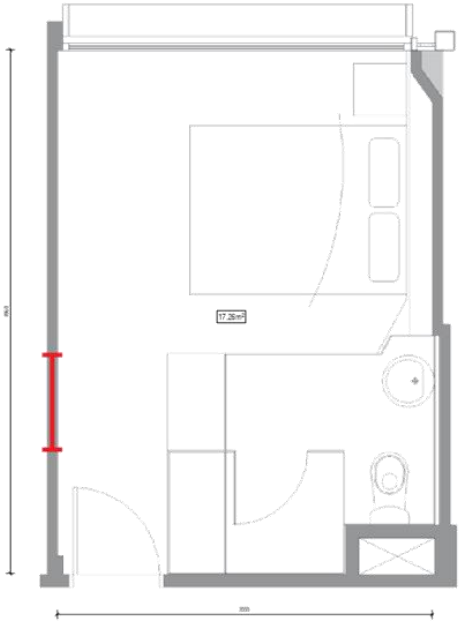
Attachment 2 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - sketch plans

TYPICAL MODULE ROOM REFERENCE IMAGERY

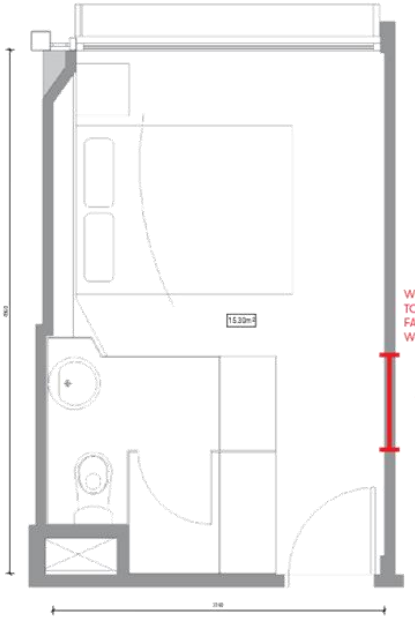
DRAWING TAGS



1 TYP DDA MODULE



2 TYP MODULE 3900



WINDOWS ADDED TO CORNER ROOMS FACING EAST AND WEST

3 TYP MODULE 3500

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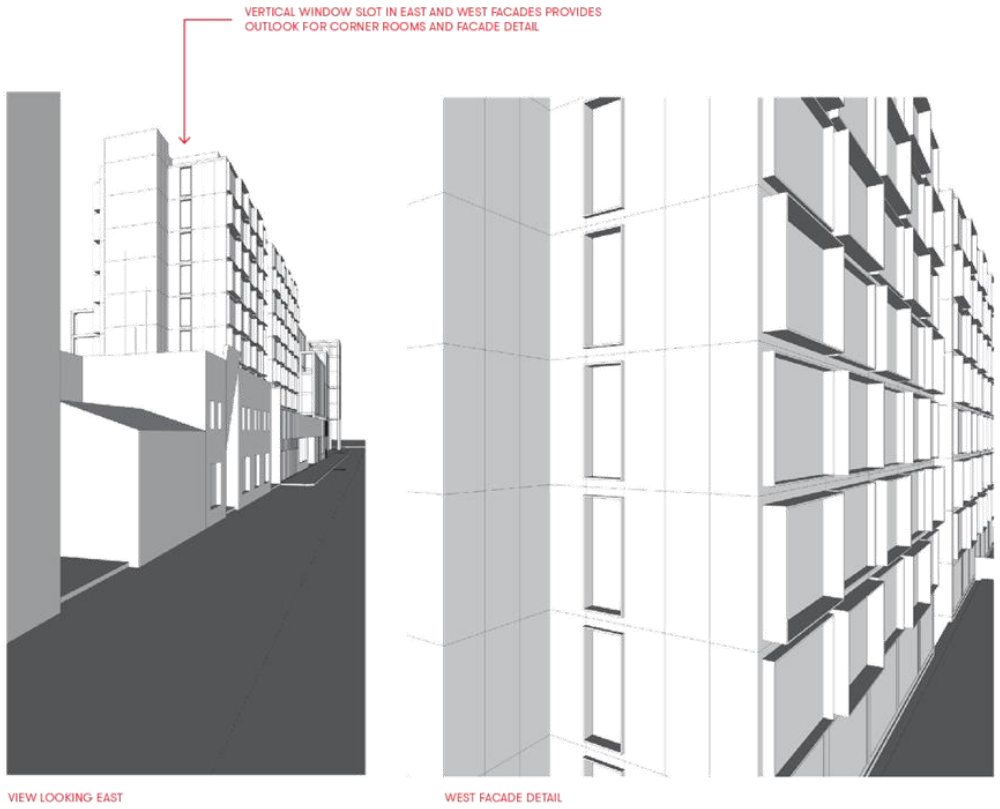
PROPOSED EAST AND WEST WINDOWS SK.24

RESPONSE TO PLANNING REFERRALS - 28.06.2019

Attachment 2 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - sketch plans



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PROPOSED EAST AND WEST WINDOWS SK.25

RESPONSE TO PLANNING REFERRALS - 28.06.2019

Attachment 2 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - sketch plans

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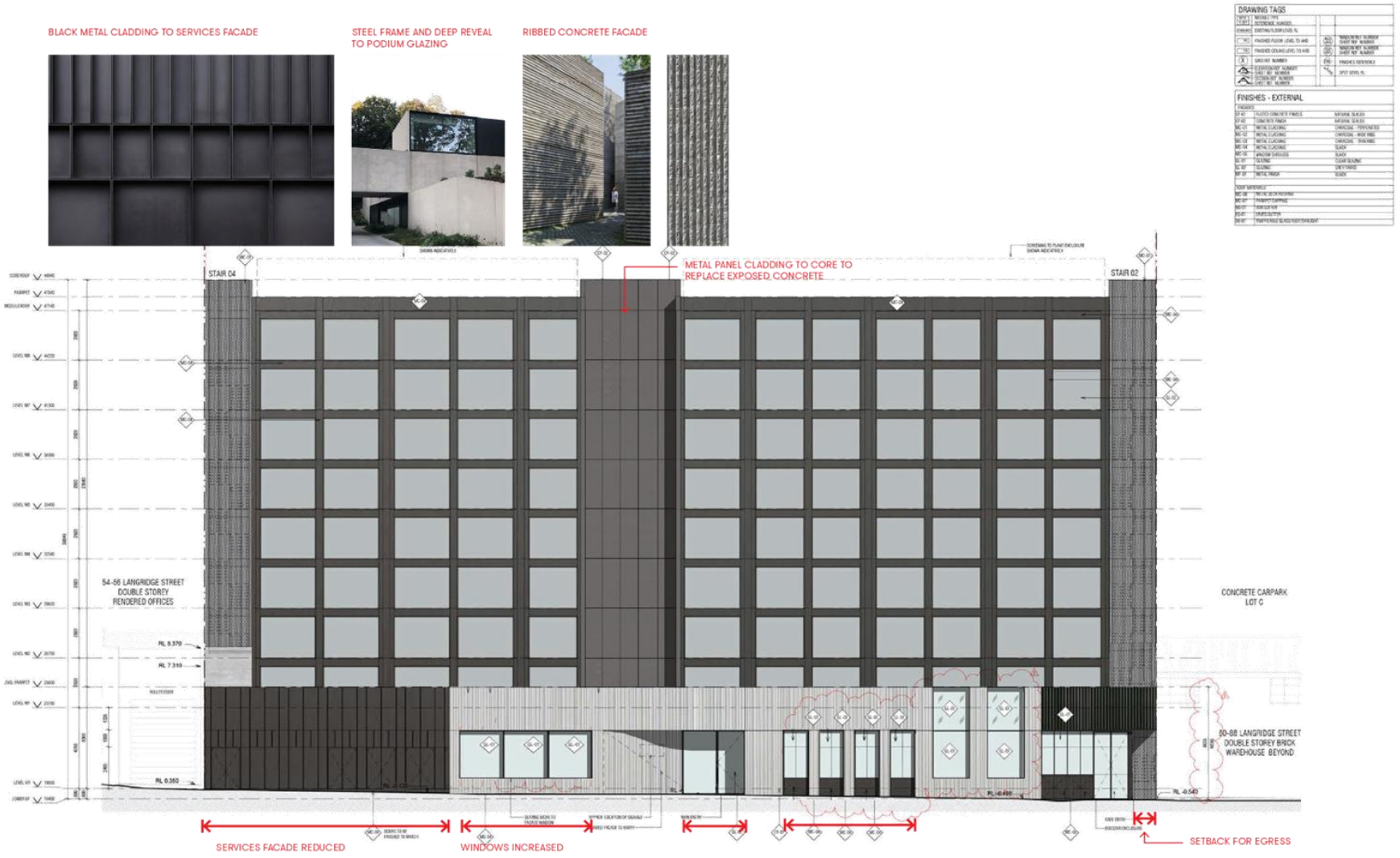
SOUTH ELEVATION MARK-UP SK.30

RESPONSE TO PLANNING REFERRALS - 28.06.2019

Attachment 2 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - sketch plans



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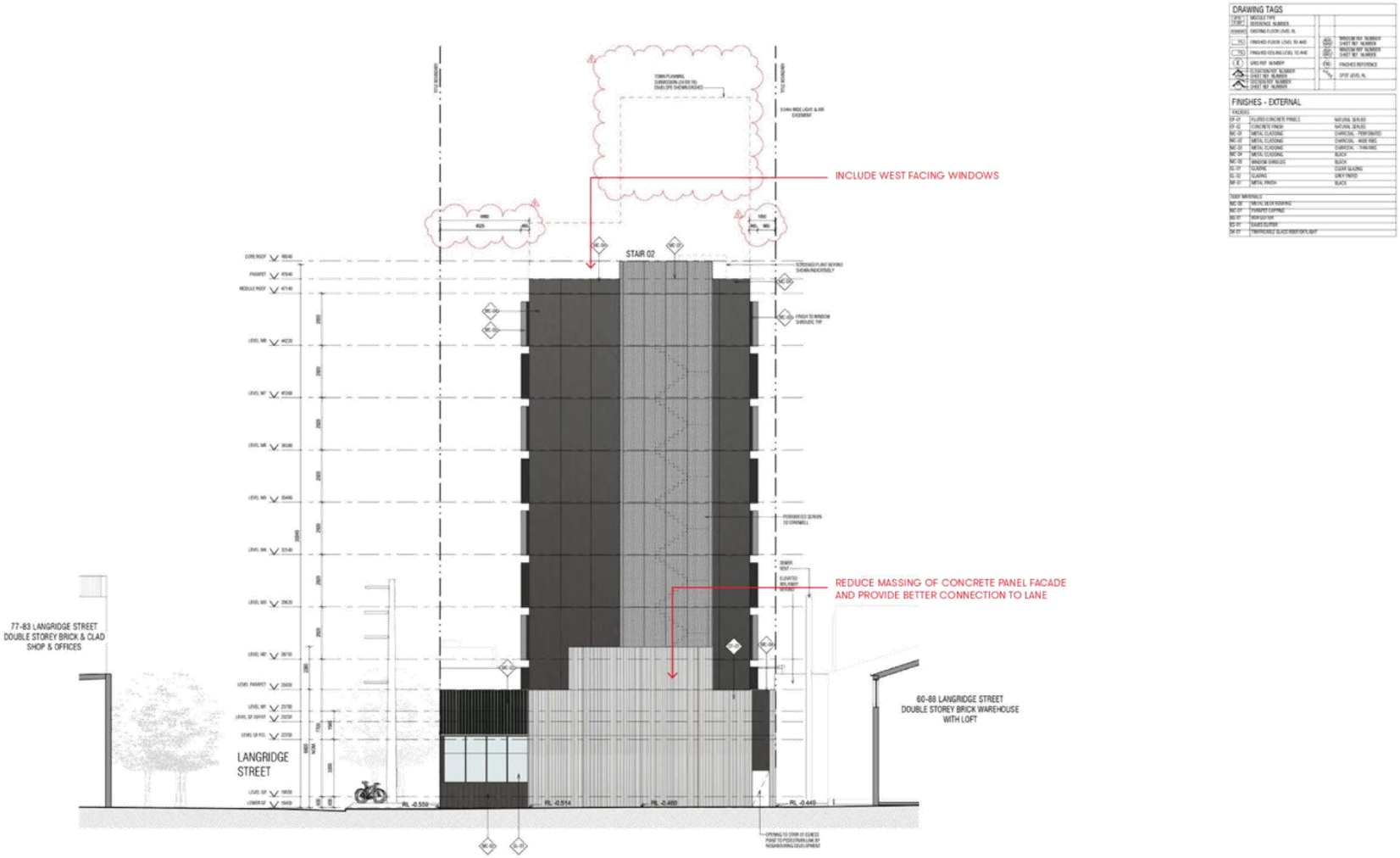

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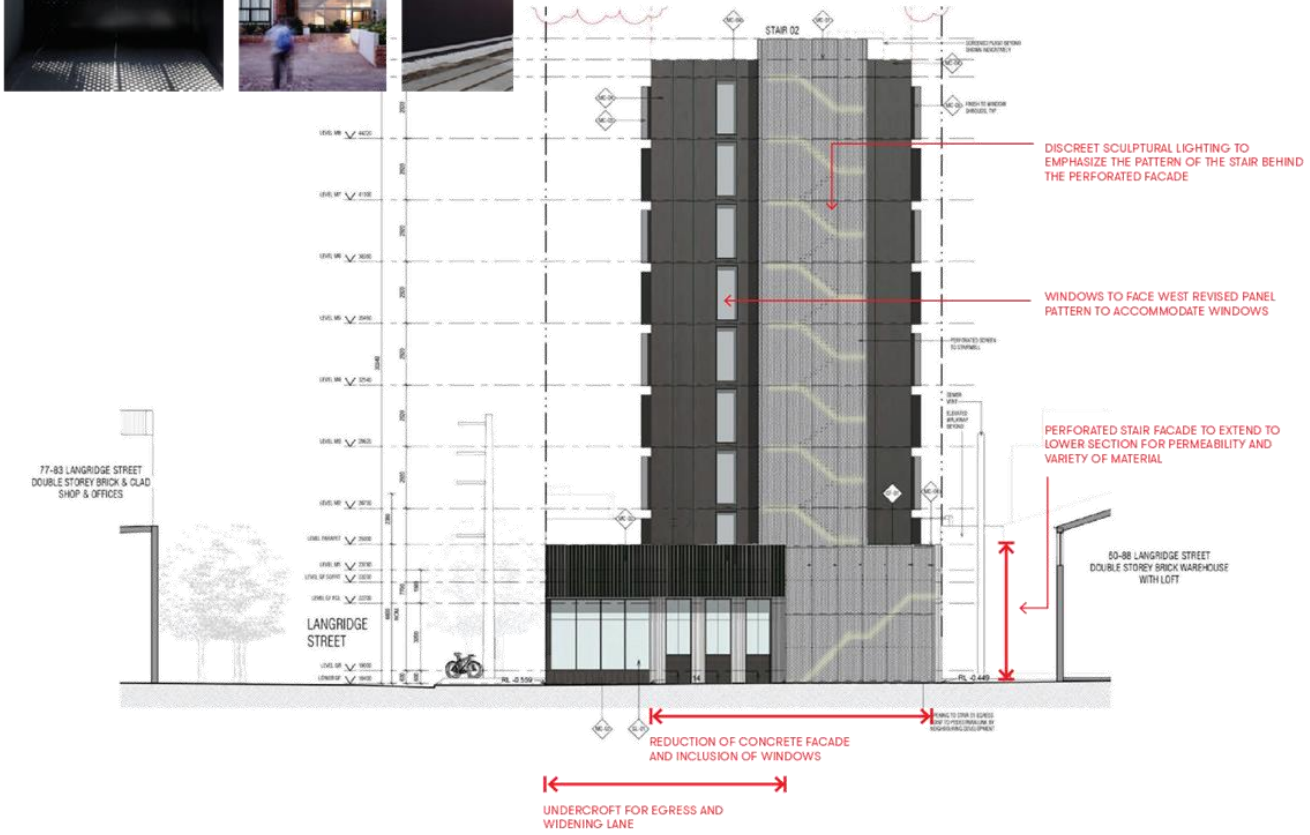
EAST ELEVATION MARK-UP SK.32

RESPONSE TO PLANNING REFERRALS - 28.06.2019

Attachment 2 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - sketch plans

PERFORATED TRANSLUCENT EXTERNAL STAIRWELL WITH BACKLIGHTING

BLACK METAL PANEL CLADDING TO UPPER LEVEL FACADE



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SK.33

RESPONSE TO PLANNING REFERRALS - 28.06.2019

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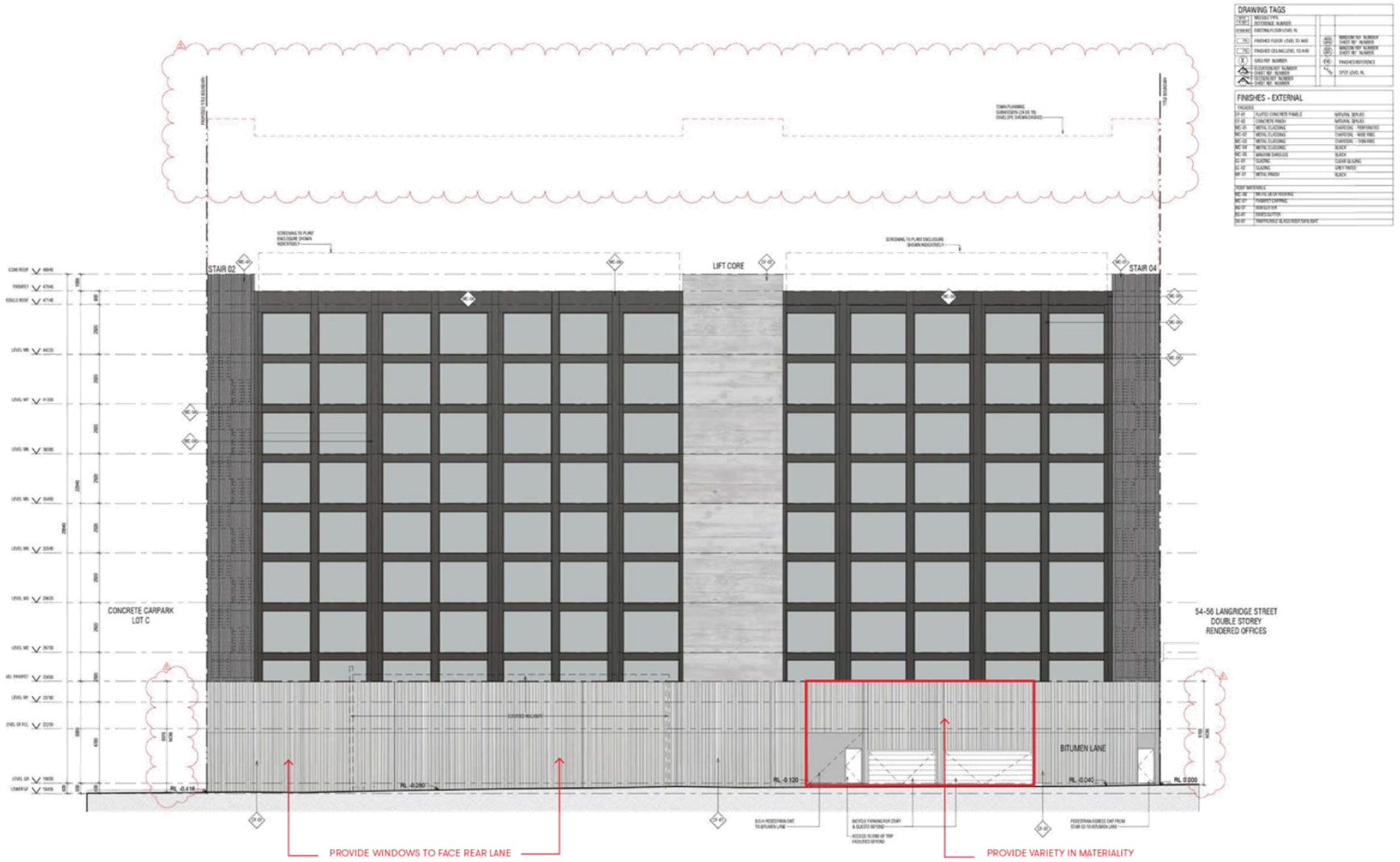

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SK.34
RESPONSE TO PLANNING REFERRALS - 28.06.2019

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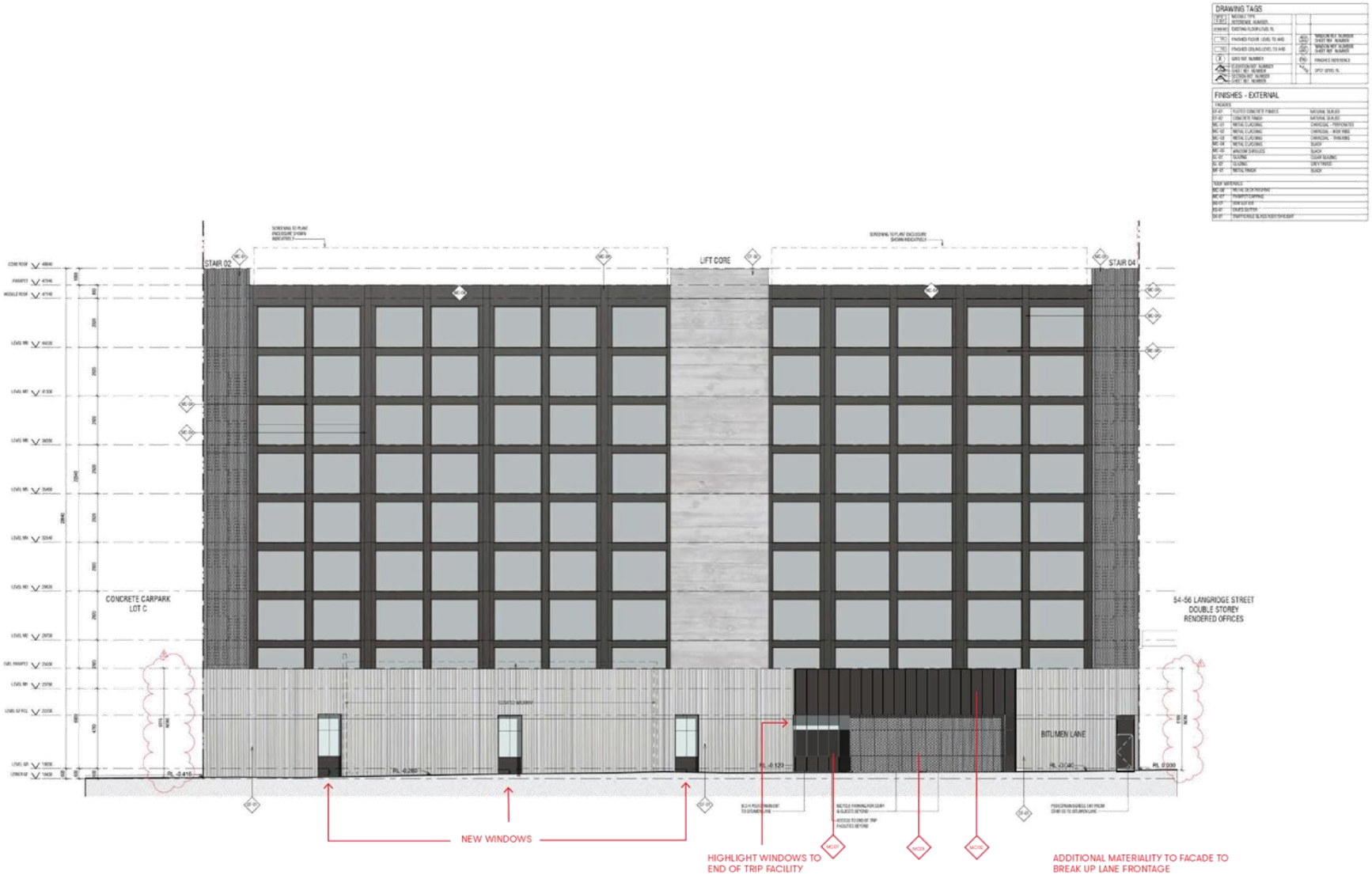

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SK.35

RESPONSE TO PLANNING REFERRALS - 28.06.2019

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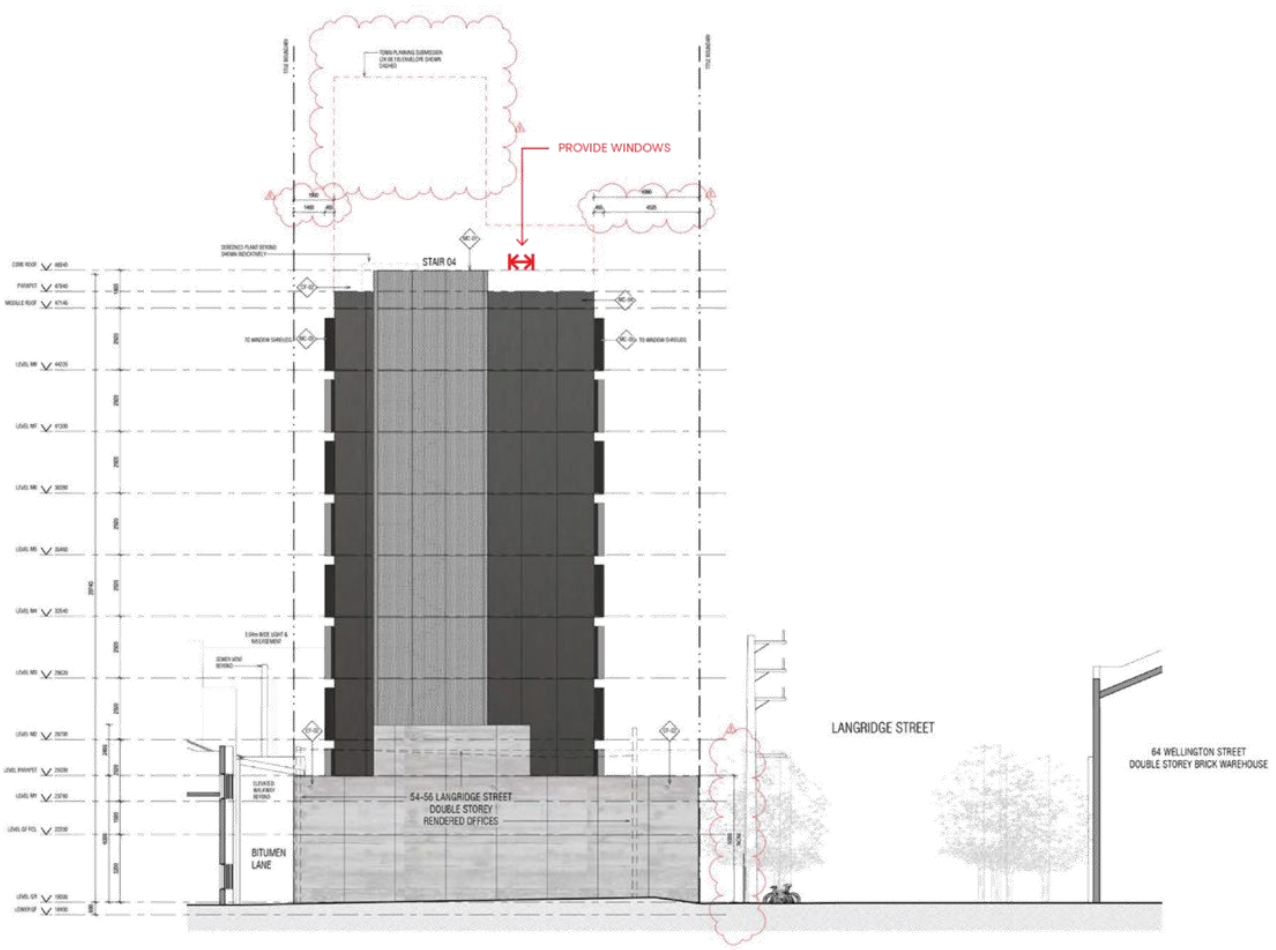

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SK.36
RESPONSE TO PLANNING REFERRALS - 28.06.2019

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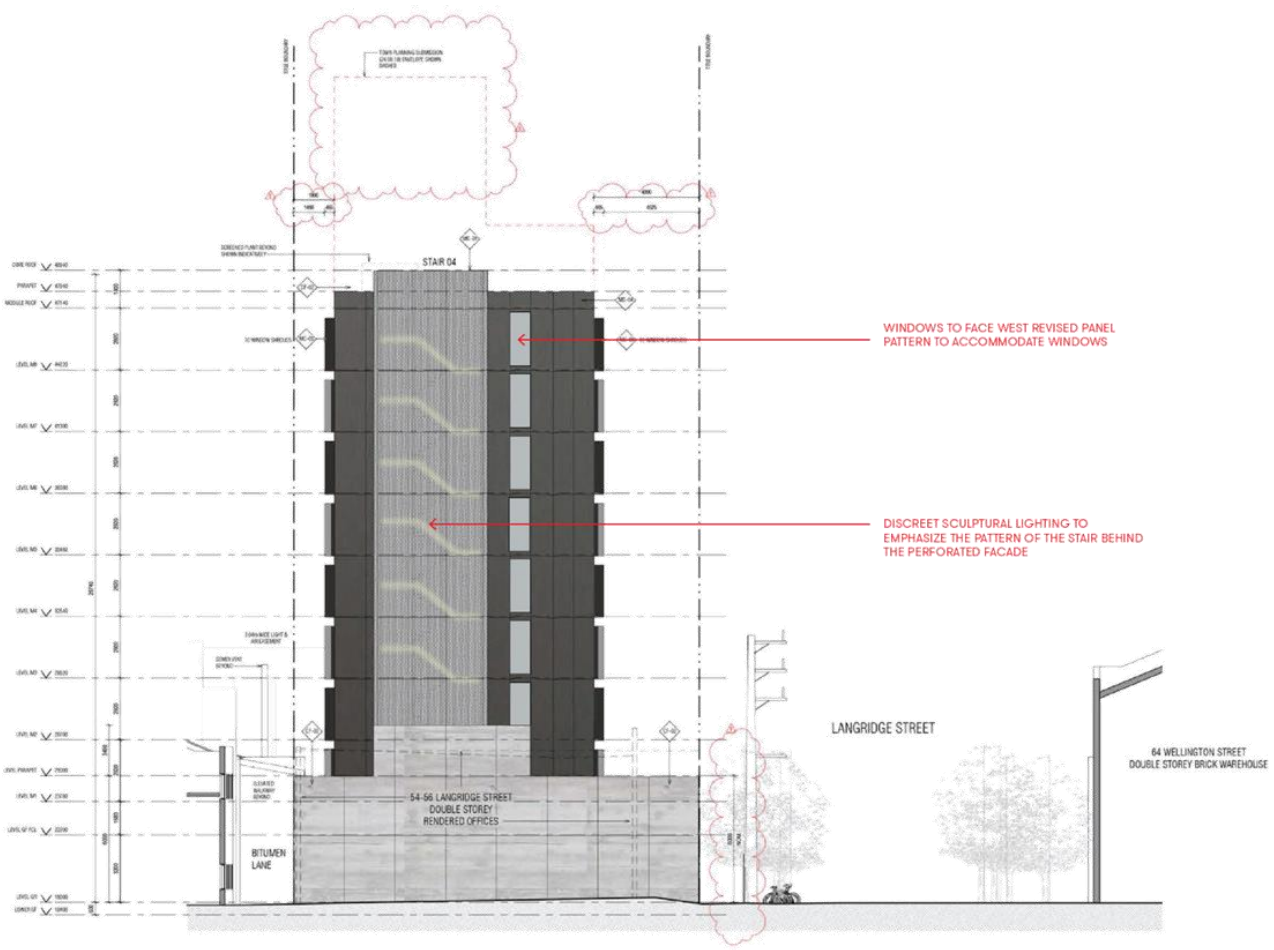

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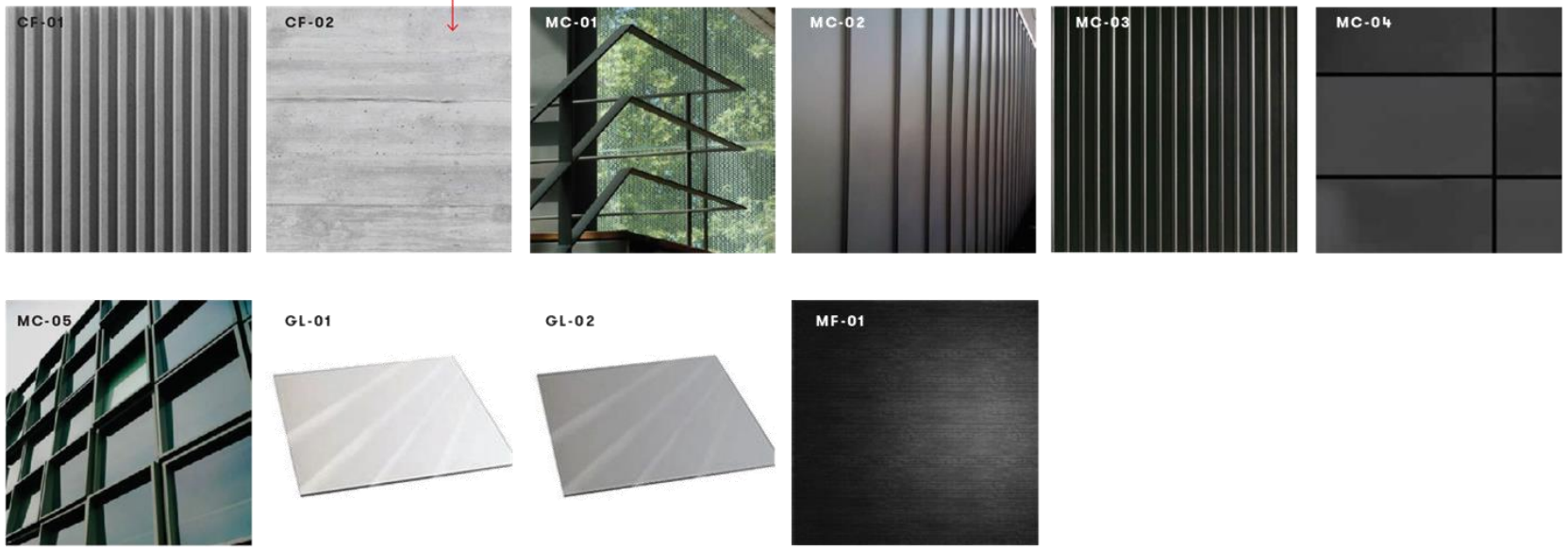
SK.37
RESPONSE TO PLANNING REFERRALS - 28.06.2019

Attachment 2 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - sketch plans

Materials Legend

CF-01	FLUTED CONCRETE PANELS	NATURAL - SEALED
CF-02	CONCRETE FINISH	NATURAL - SEALED
MC-01	METAL CLADDING	CHARCOAL - PERFORATED
MC-02	METAL CLADDING	CHARCOAL - WIDE RIBS
MC-03	METAL CLADDING	CHARCOAL - THIN RIBS
MC-04	METAL CLADDING	BLACK
MC-05	WINDOW SHROUDS	BLACK
GL-01	GLAZING	CLEAR GLAZING
GL-02	GLAZING	GREY TINTED
MF-01	METAL FINISH	BLACK

EXPOSED CONCRETE ON CORE FACING SOUTH
REPLACED WITH MC-04



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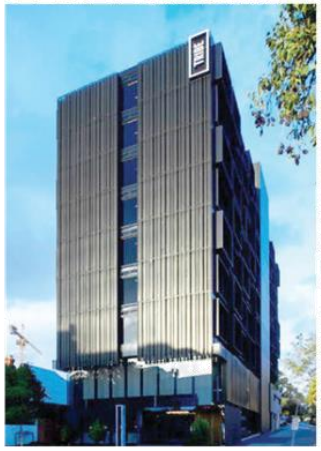
SK.40
RESPONSE TO PLANNING REFERRALS - 28.06.2019

Attachment 2 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - sketch plans

Tribe Hotels

Aesthetic

Tribe Perth



Typical shroud facade treatment

Tribe Perth Entry

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REFERENCE IMAGES SK.41

RESPONSE TO PLANNING REFERRALS - 28.06.2019

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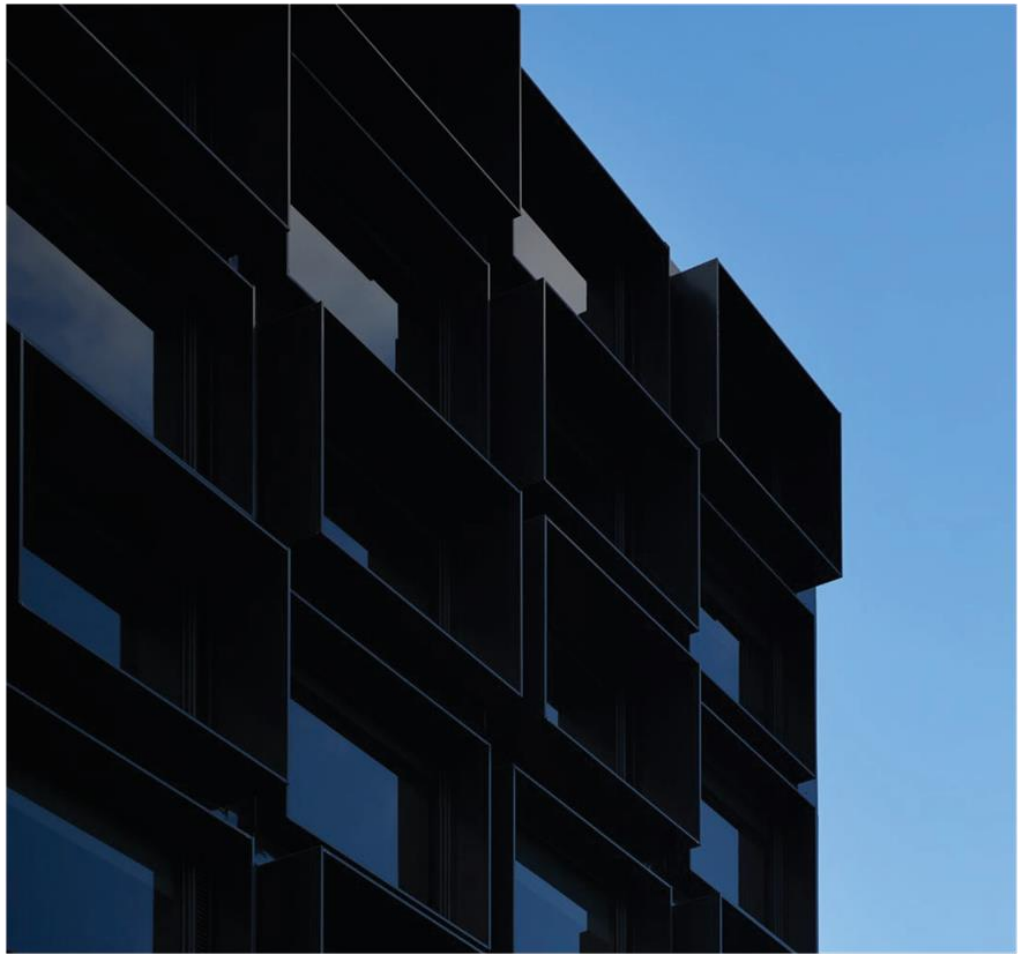

Tribe Perth

Attachment 2 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - sketch plans

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REVISED RENDER SK.50
RESPONSE TO PLANNING REFERRALS - 28.06.2019

Attachment 2 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - sketch plans

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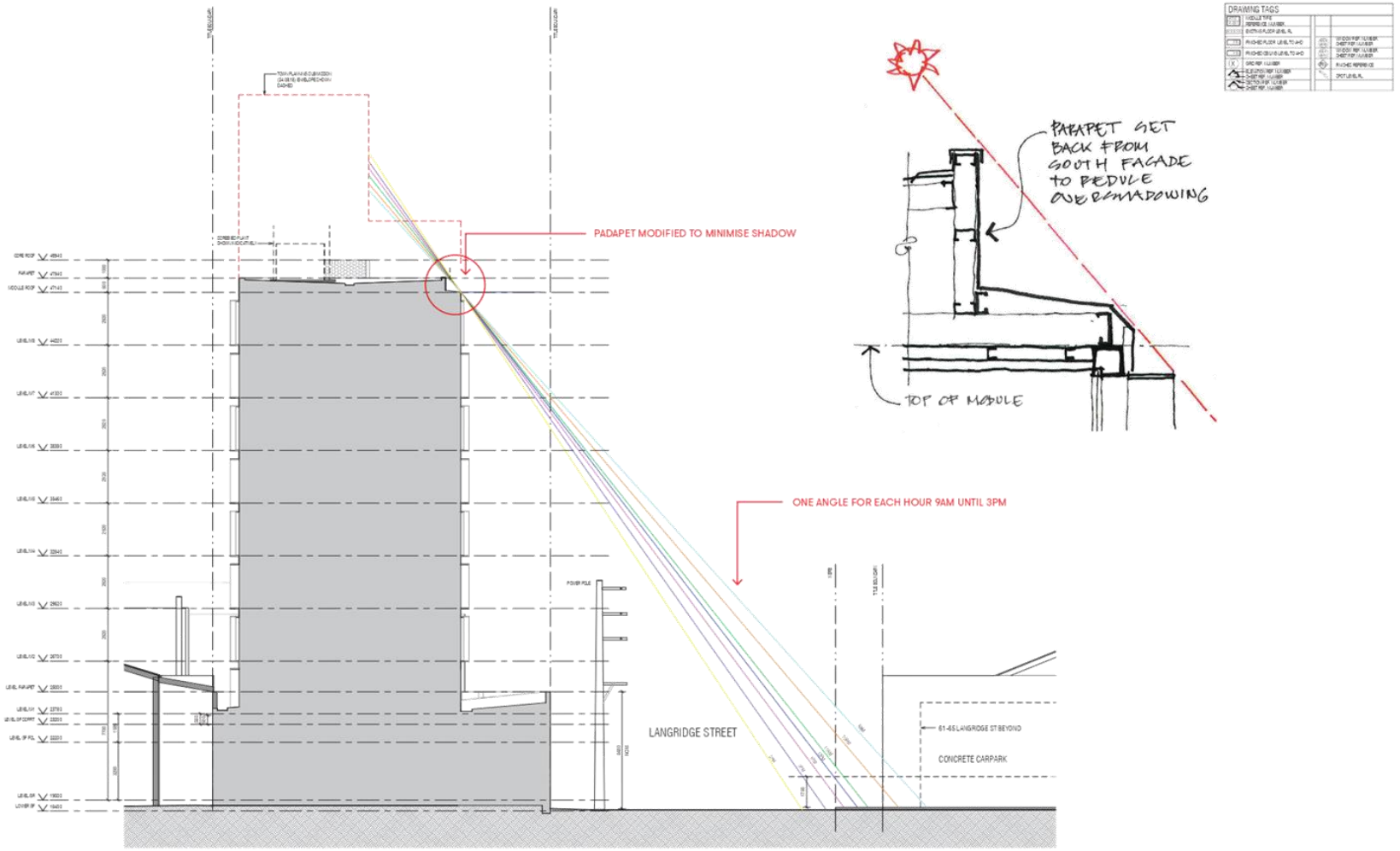
REVISED RENDER SK.51
RESPONSE TO PLANNING REFERRALS - 28.06.2019

Attachment 2 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - sketch plans



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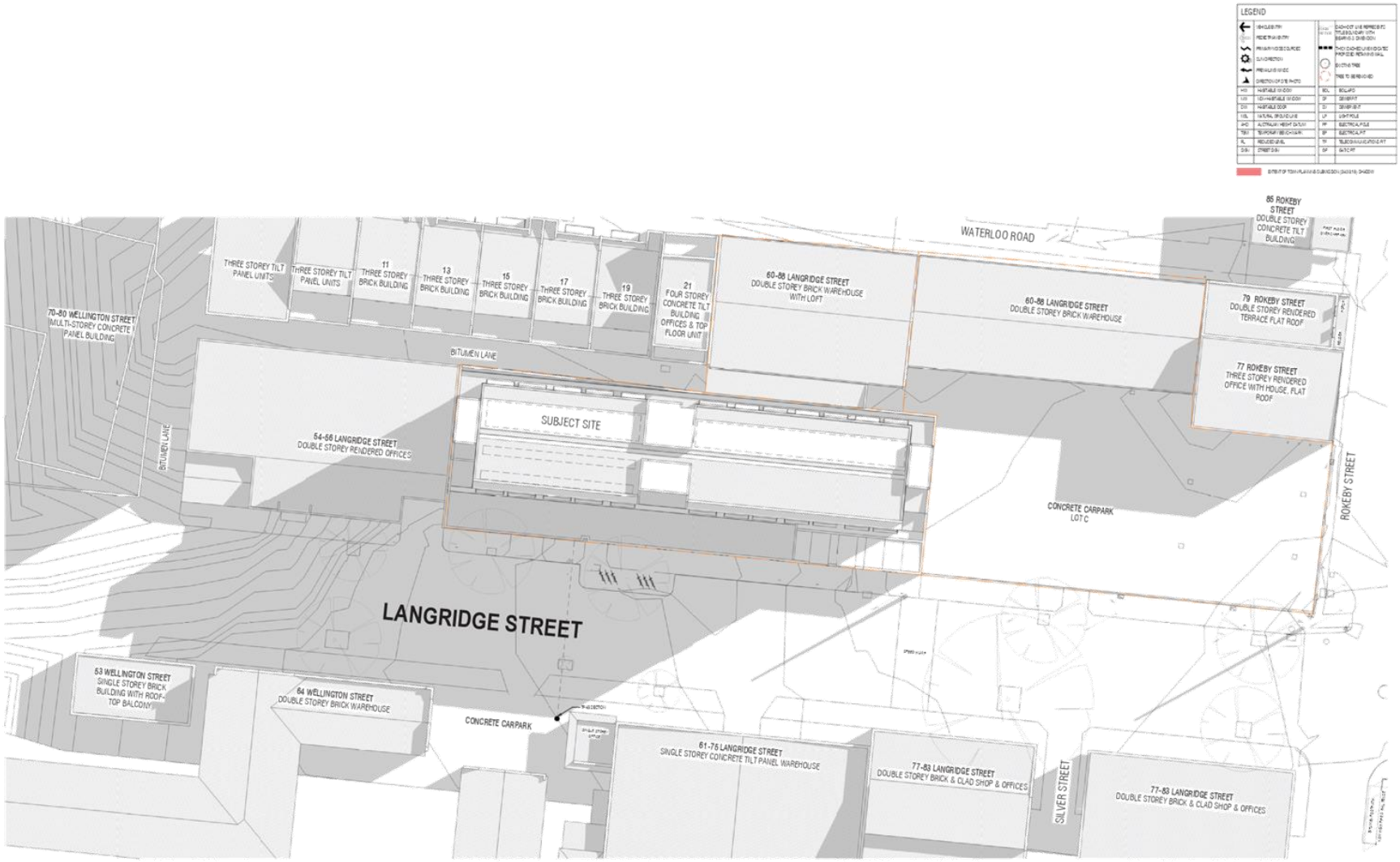
REVISED SUN ANGLES SK.60

RESPONSE TO PLANNING REFERRALS - 28.06.2019

Attachment 2 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - sketch plans



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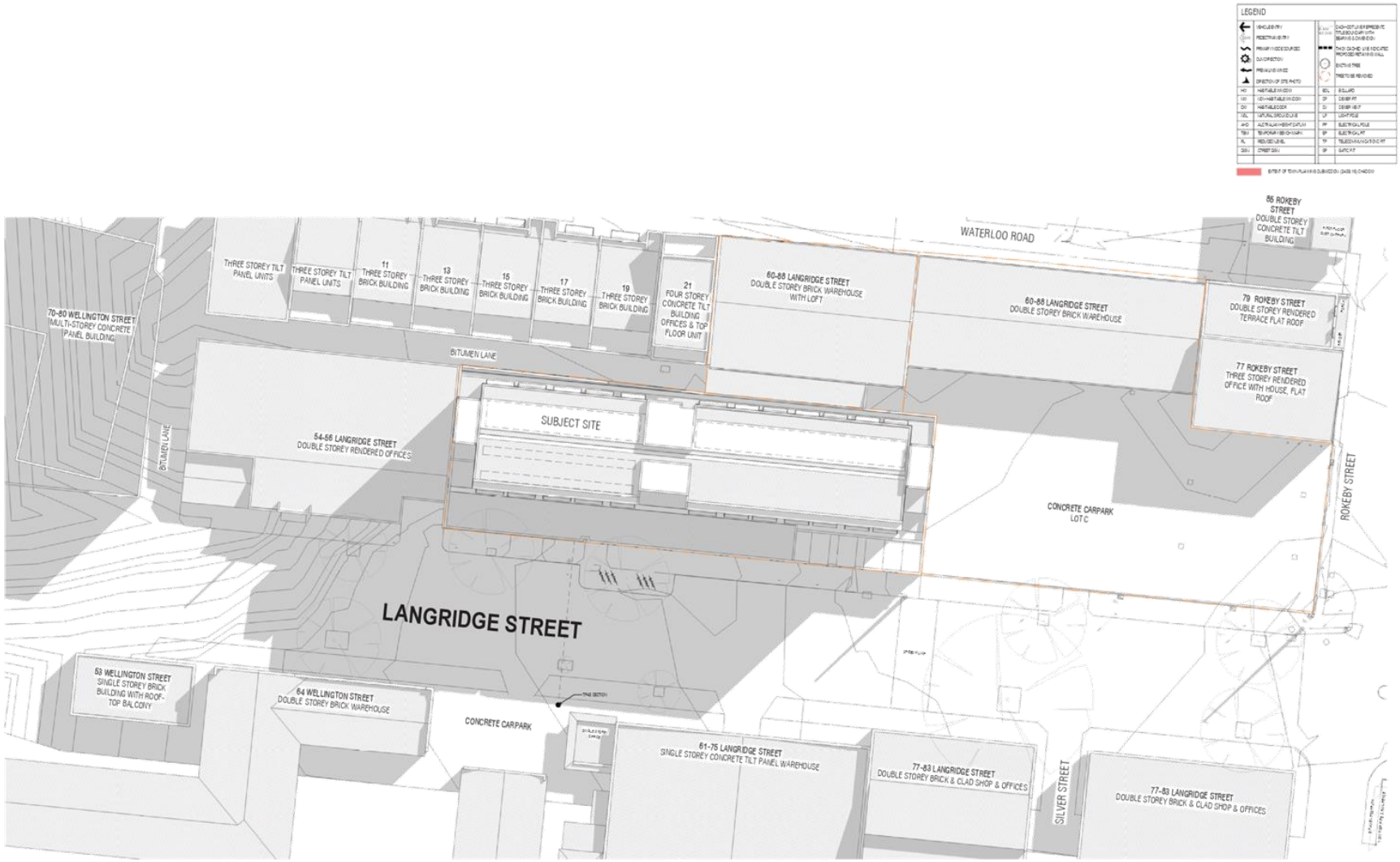
REVISED SHADOW DIAGRAM 9AM (22 SEPT) SK.61

RESPONSE TO PLANNING REFERRALS - 28.06.2019

Attachment 2 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - sketch plans



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REVISED SHADOW DIAGRAM 10AM (22 SEPT) SK.62

RESPONSE TO PLANNING REFERRALS - 28.06.2019

Attachment 2 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - sketch plans

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REVISED SHADOW DIAGRAM 11AM (22 SEPT) SK.63

RESPONSE TO PLANNING REFERRALS - 28.06.2019

Attachment 2 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - sketch plans

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REVISED SHADOW DIAGRAM 12NOON (22 SEPT) SK.64

RESPONSE TO PLANNING REFERRALS - 28.06.2019

Attachment 2 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - sketch plans

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REVISED SHADOW DIAGRAM 1PM (22 SEPT) SK.65

RESPONSE TO PLANNING REFERRALS - 28.06.2019

Attachment 2 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - sketch plans

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REVISED SHADOW DIAGRAM 2PM (22 SEPT) SK.66

RESPONSE TO PLANNING REFERRALS - 28.06.2019

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REVISED SHADOW DIAGRAM 3PM (22 SEPT) SK.67

RESPONSE TO PLANNING REFERRALS - 28.06.2019

Attachment 2 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - sketch plans

Attachment 3 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - idac attachment - referral comments

External Referrals

- **Head, Transport for Victoria;**

Internal Referrals

- **Urban Design;**
- **Engineering Services Unit;**
- **Strategic Transport;**
- **Open Space;**
- **Streetscapes and Natural Values;**
- **Waste Services;**
- **ESD Advisor;**

External Consultants

- **Urban Design (MGS Architects);**
- **Acoustics (SLR Consulting); and**
- **Wind (ViPac Engineers).**

External Referrals

Head, Transport for Victoria

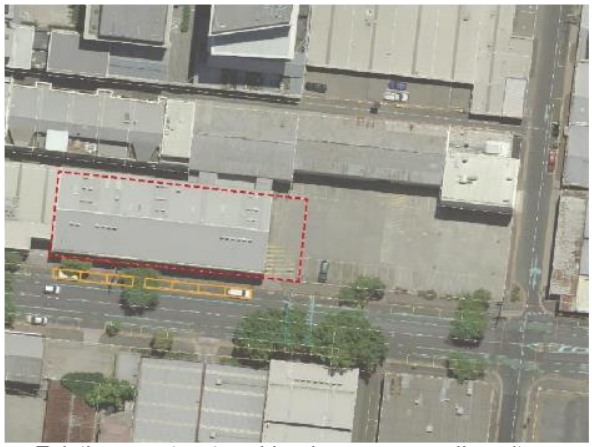
The Head, Transport for Victoria pursuant to Section 56(1) of the Planning an Environment Act 1987 does not object to the grant of a planning permit.

Internal Referrals

Urban Design

On-street parking

Refer to diagram below illustrating existing parking bays. Ensure all existing parking bays are noted within documentation.



Existing on-street parking bays surrounding site.

On-street parking:

- *The existing on-street parking is a premium amenity used by many local businesses in the area, as well as the general public.*

- *Converting the existing on-street parking to short term 'pick-up/drop-off' parking will negatively impact surrounding businesses, and may be perceived as the privatisation of public space.*

- *Urban Design is not supportive of the conversion of existing on-street parking to short term, 'pick-up/drop-off' parking for the sole benefit of the applicant's proposal.*

Loading Zone:

- *The applicant's proposal to utilise the existing on-street loading zone for operational activities is unacceptable from an Urban Design perspective given the size of the proposed development and the additional demand on the public loading zone.*

- *Urban Design recommends the development house its own dedicated loading zone within the subject site.*

Kerb Outstand
The proposed kerb outstand to Langridge Street is not supported for the following reasons:

- *The Langridge Street carriageway is already very constrained, and the addition of outstands will impact the bicycle lane, particularly if they are to be built around existing tree conditions.*

- *The camber of the road is too steep to provide a suitably level outstand relative to the existing footpath.*

- *Traffic and Engineering teams have advised outstands at this location will interrupt the drainage of stormwater.*

Ground Floor Interface

Schedule 11 to the Design and Development Overlay (DDO11) seeks to ensure that future development builds upon the existing fine-grain industrial nature of the area, and provide a vibrant and safe street environment through street orientated development. The ground floor interface of any new development is pivotal to achieving this. The following actions are recommended to strengthen the application's response to the objectives of DDO11.

Langridge Street

- *The design proposes a very flat and unengaging façade. This is a major concern due to the length of the building along the street (approx. 56m).*

- *The majority of the reception area presents as a blank wall to the street. As the main entry to the building, this is unacceptable.*

- *Whilst the open dining area has a higher proportion of glazing, it still presents as a very flat and unengaging façade due to the lack of architectural detailing (for example,*

setbacks, dados, feature brickwork/tiling, returns, expressed window reveals, awnings etc.).

- *Limited pedestrian amenity is provided to the street. Suggest setting back the building at the main entry to provide rain/wind protection for patrons waiting outdoors.*

- *Suggest change in materiality to enable the ground floor to read as a series of connected buildings, instead of one monolithic façade (responding to the fine-grain industrial nature of the area, as outlined in DDO11).*

- *Incorporate architectural detailing to façade, for example, dados, feature brickwork/tiling, returns, expressed window reveals, awnings etc.*

- *Whilst an attempt has been made to consolidate all services to the western end of the building, this has resulted in an approximately 16m length of the façade presenting as a series of service doors to Langridge Street. It is recommended the back of house facilities be reconfigured to allow some of these services to be accessed from another location.*

Laneway Interfaces:

- *There is currently no proposed connection to the east-west laneway to the north of the site, or the neighbouring north-south pedestrian laneway proposed to the east. As such, the building presents blank façades to these two interfaces.*

- *It is recommended the applicant negotiate with the eastern neighbouring property explore opportunities for communal access to the neighbouring proposed pedestrian laneways. This would be beneficial to both developments through the creation of a more active ground plane, including passive surveillance and improved pedestrian amenity. (For example, the café would benefit from having a frontage to both the laneway and Langridge Street.)*

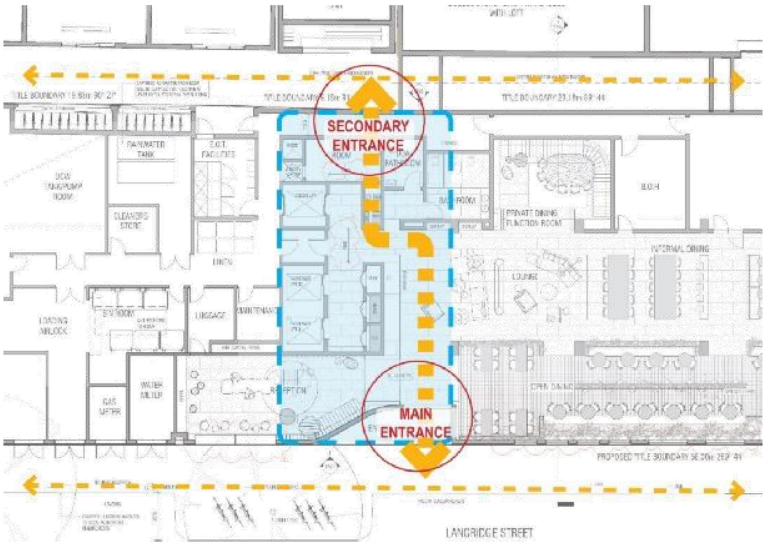
- *The proposed location of staff bicycle parking on the northern laneway presents a safety concern as there is no other activity proposed along this interface, limiting passive surveillance and safe access.*

- *It is recommended the bicycle parking be relocated to a more publically visible area where safe access can be guaranteed. Alternatively, staff bicycle parking should be housed within the proposed building itself.*

Pedestrian and Vehicular Entrance:

- *The location of the main pedestrian entrance is satisfactory from an urban design perspective, however its treatment requires improvement as per comments above.*

- *It is recommended that a second public pedestrian entrance/exit is located on the northern laneway side of the building, to improve pedestrian permeability and passive surveillance to the laneway and broader precinct (in alignment of the Design Objectives outlined in Clause 2.0 of DDO11). Refer to diagram below.*



Secondary entry to improve pedestrian permeability and passive surveillance to lane.

- *No vehicle entry is proposed. As per comments above, this is problematic for passenger pick-up/set-down during peak periods, as well as the loading/unloading of goods, both of which are currently being proposed to be undertaken entirely on-street.*

- *It is recommended that the ground floor be redesigned to allow for on-site passenger & goods loading/unloading.*

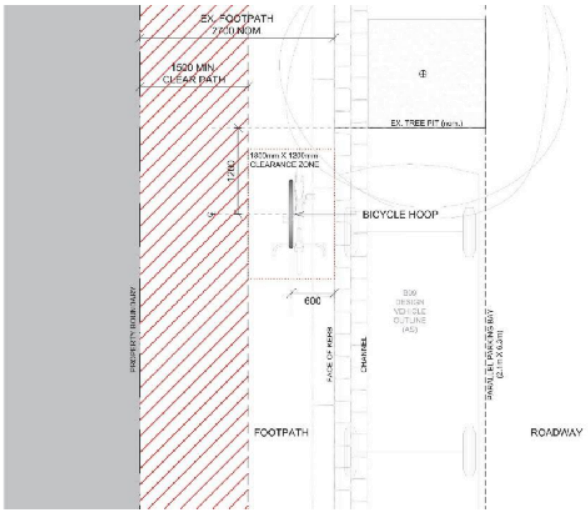
Street Furniture and Fixtures

<u>Bike hoops:</u>

- *As the proposed outstand is not supported, the proposed visitor bicycle parks will need to be relocated.*

- *Up to 2no. bicycle hoops (accommodating two bikes each) may be installed along the Langridge St footpath, parallel to the kerb and located as per the diagrams below, provided a minimum 1.5m wide clear path of travel along the footpath is maintained (exact locations to be approved by the responsible authority). It is recommended that the remaining eight proposed bicycle parks are to be located within the subject site, with clear visibility from the public realm.*

Attachment 3 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - idac attachment - referral comments



Kerbside bicycle hoop set-out & required footpath clearance.

Pavements

General:

All pavements surrounding the site are to be reinstated as asphalt footpaths.

- *All proposed streetscape materials should be as per Technical Notes: City of Yarra Public Domain Manual and Yarra Standard Drawings.*

Langridge Street:

- *Existing bluestone kerb and channel should be reinstated as per insitu materials, i.e., dressed bluestone pitcher kerb & 2-pitcher bluestone channel. (Refer Yarra Standard YSD1104 – Reinstatement Works Pitcher Kerb & Channel).*

Any capital works

There are no planned capital works led by the Urban Design team which are in proximity to the site.

Engineering Services Unit

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:

Attachment 3 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - idac attachment - referral comments

Proposed Use	Quantity/ Size	Statutory Parking Rate*	No. of Spaces Required	No. of Spaces Allocated
Residential Hotel	187	Rated not specified in Clause 52.06-5	To the satisfaction of the Responsible Authority	0
Food and Drink	390 m^2	3.5 spaces per 100 m^2 of leasable floor area	13	0
Total			13 Spaces + Parking for Residential Hotel	0 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.*

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 Residential Hotel. Residential Hotels can be classified as tourist accommodation facilities. In terms of parking provision for this type of accommodation, the NSW Roads and Maritime's Guide to Traffic Generating Developments version 2.2 provides a parking rate of one off-street space per four bedrooms (0.25 spaces per one-room apartment). Applying a rate of 0.25 spaces per room would result in a car parking demand of 46 car parking spaces.*
- *Parking Demand for the Food and Drink Use. For the retail component of the development, a staff parking rate of 1.0 space per 100 square metres could be adopted. Applying this rate to the proposed retail use would result in four spaces. The balance of the parking (nine spaces) would be customer parking.*
- *Availability of Public Transport in the Locality of the Land. The site is within walking distance of tram services operating along Victoria Parade and Smith Street-Gertrude Street. Collingwood and North Richmond railway stations can also be reached on foot (approximately 850 metres).*
- *Multi-Purpose Trips within the Area. Patrons to the food and drink premises might combine their visit by engaging in other activities or business whilst in the area.*
- *Variation of Car Parking Demand over Time. The peak parking demand would be expected to occur during guest check-in and check-out times.*

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. Impact traffic engineering consultants had conducted on-street parking surveys of the surrounding area on Friday 22 June 2018 and Saturday 23 June 2018 between 8:00am and 8:00pm (both days). The survey area encompassed*

Peel Street, Cambridge Street, Derby Street, Wellington Street, Langridge Street, Glasgow Street, Northumberland Street, Byron Street, Rokeby Street, Rupert Street and Cromwell Street. The times and extent of the survey are considered appropriate. An inventory of 244 publicly available parking spaces was identified. The survey results recorded a peak on-street parking occupancy occurring at 12:00pm on the Friday, with a minimum of 27 spaces vacant.

- *Relevant Local Policy or Incorporated Document. The proposed development is considered to be in line with the objectives contained in Council's Strategic Transport Statement. The site is ideally located with regard to sustainable transport alternatives and the reduced provision of on-site car parking would potentially discourage private motor vehicle ownership and use.*

Adequacy of Car Parking

From a traffic engineering perspective, the waiver of spaces associated with the food and drink premises is considered appropriate. However, with the residential hotel the lack of on-site parking or the absence of a porte cochère may present operational difficulties for picking up and setting down guests, particularly during peak check-in and check-out times. In addition, the site is located several hundred metres from the nearest tram stop – not ideal if guests are carrying luggage. Providing short-stay parking along the kerbside will not guarantee that these spaces would be available to taxis, private driver vehicles, shuttles or other transportation vehicles.

Until a practical solution is provided and agreed upon for the setting-down and picking-up of guests to and from the residential hotel, support cannot be granted for the parking waiver associated with the hotel.

DEVELOPMENT LAYOUT DESIGN

Technē Architecture + Interior Design *Drawings Nos. TP20 B Revision B dated 19 December 2018*

Layout Design Assessment

Item	***Assessment***
Road Infrastructure	
Kerb Extension – North Side of Langridge Street	*Langridge Street is an important overland flow path and has an extensive catchment area. During heavy storm events, a blockage of the grated drain (together with the high camber of Langridge Street) would force water to bank behind the kerb extension and inundate the surrounding footpath and pedestrian entry into the site. The proposed kerb extension on the north side of Langridge Street is not supported.*
Other Items	
On-Street Parking Restrictions	*The majority of the site's Langridge Street frontage contains a public on-street Loading Zone. With the redevelopment of the site and the new uses, there may be merit to have the Loading Zone removed and replaced with parking restrictions to the satisfaction of Council's Parking Management unit. This would occur once the tenants/owners occupy the new building.*

Attachment 3 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - idac attachment - referral comments

Design Items to be Addressed

Item	Details
Kerb Extension – North Side of Langridge Street	The kerb extension must be deleted from the drawings.
On-Street Parking Restrictions	The existing Loading Zone and any other on-street restrictions must remain in place unless otherwise directed by Council's Parking Management unit.

ENGINEERING CONDITIONS

Civil Works

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

- *Uplifted and subsided sections of kerb and channel along the property's Langridge Street road frontage must be reconstructed to Council's satisfaction and at the Permit Holder's cost.*
- *The footpath along the property's Langridge Street frontage must be reconstructed to Council's satisfaction and at the Permit Holder's cost. The footpath must have a cross-fall of 1 in 33 or unless otherwise specified by Council.*
- *All redundant property drains are to be removed and reinstated with paving, kerb and channel to Council's satisfaction and at the Permit Holder's cost.*
- *All redundant vehicle crossings must be demolished and reinstated with paving, kerb and channel to Council's satisfaction and at the Permit Holder's cost.*
- *The existing grated pit within the existing (redundant) vehicle crossing must be converted to a grated side entry pit in accordance with Council's Standard Drawings and to the satisfaction of Council and at the Permit Holder's cost. These works are to be done concurrently with the removal and reinstatement of the redundant vehicle crossing.*
- *The subsided section of Right of Way (in the vicinity of the proposed bicycle parking facilities) must be reconstructed to Council's satisfaction and at the Permit Holder's cost.*

Road Asset Protection

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

Construction Management Plan

- *A Construction Management Plan must be prepared and submitted to Council. The Plan must be approved by Council prior to the commencement of works. A detailed dilapidation report should detail and document the existing and post construction conditions of surrounding road infrastructure and adjoining private properties.*

Impact of Assets on Proposed Development

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

- *Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and meters. No private pits, valves or meters on Council property will be accepted.*

Discharge of Water from Development

- *Only roof runoff, surface water and clean groundwater seepage from above the water table can be discharged into Council drains.*
- *Council will not permit clean groundwater from below the groundwater table to be discharged into Council's drainage system. Basements that extend into the groundwater table must be waterproofed/tanked.*

Removal, Adjustment, Changing or Relocation of Parking Restriction Signs

- *No parking restriction signs or line-marked on-street parking bays are to be removed, adjusted, changed or relocated without approval or authorisation from Council's Parking Management unit and Construction Management branch.*
- *Any on-street parking reinstated as a result of development works must be approved by Council's Parking Management unit.*
- *The removal of any kerbside parking sensors and any reinstatement of parking sensors will require the Permit Holder to pay Council the cost of each parking sensor taken out from the kerb/footpath/roadway. Any costs associated with the reinstatement of road infrastructure due to the removal of the parking sensors must also be borne by the Permit Holder.*

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.*
Clearance to Electrical Assets – Langridge Street	*Overhead power lines run along the north side of Langridge Street, 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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Grated pit in front of redundant vehicle crossing. The pit is to be converted to a grated side entry pit with the removal and reinstatement of the crossing.

Subsided section of rear Right of Way to be reconstructed to make safe for bicycles and pedestrians.

Following the receipt of additional information, Council's Engineering Services Unit made the following supplementary comments on 22 July 2019:

I refer to the letter from Human Habitats dated 14 March 2019 I response to engineering comments for the development at 60-62 Langridge Street and 23-45 Waterloo Road, Collingwood.

The examples of hotels shown in the correspondence provides instances where there are no formal on-site pick-up and drop-off facilities. However these sites have advantage of being very close to public transport facilities.

The reinstatement of three on-street parking spaces due to the removal of the redundant vehicle crossings will provide an opportunity for parking outside the new hotel. Council's

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Parking Management unit would only consider changing parking restrictions once the development is operational.

An existing Loading Zone extends across much of the frontage of the. According to the Road Safety Road Rules 2017, a taxi is permitted to pick-up and set down passengers in Loading Zones (Regulation 179(1)(g)). A mini bus licenced to carry passengers is also permitted to pick-up and drop-off in a Loading Zone.

On the south side of Langridge Street opposite the subject site, there is a section of 1/4P restrictions (four car lengths) that could be used by uber or private driver vehicles.

In light of the above, the Civil Engineering unit supports the full waiver of car parking for the hotel on the basis that taxis, mini buses and uber have opportunities to park on-street.

Strategic Transport

Access and Safety

No significant access or safety concerns have been noted.

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
Retail premises (other than specified in this table)	300 sqm	1 employee space to each 300 sqm of leasable floor area	1 employee spaces	
		1visitor space to each 500 sqm of leasable floor area	1 visitor spaces.	
Residential building (other than specified in this table)	187 rooms	In developments of four or more storeys, 1 to each 10 lodging rooms	19 employee spaces	
		In developments of four or more storeys, 1 to each 10 lodging rooms	19 visitor spaces	
		Bicycle Parking Spaces Total	20 employee spaces	17 resident / employee spaces
			20 visitor spaces	12 visitor spaces
Showers / Change rooms		1 to the first 5 employee spaces and 1 to each additional 10 employee spaces	3 showers / change rooms	3 showers / change rooms

The development proposed a shortfall of 3 employee spaces and 8 visitor spaces than required by the planning scheme.

Adequacy of visitor spaces

12 spaces are noted as visitor bicycle parking spaces. The provision of the visitor spaces is inadequate for the following reasons:

- *The visitor spaces are proposed on a kerb outstand on Langridge Street. It is understood the kerb outstand is not supported by Council's Engineering or Urban Design units.*
- *At minimum 10 visitor spaces should be provided in a suitable location for the following reasons:*
  - *It is considered the statutory bicycle parking rate for a residential hotel is likely to exceed demand from the use in a location with excellent access to public transport;*
    - *there are 3 major public transport corridors within 500m walking from the site: Smith Street trams, Hoddle Street buses, and Victoria Parade buses and trams.*
    - *Given the above a rate of 1 visitor space to each 20 lodging rooms is considered appropriate, the same rate was advised as appropriate for application PLN18/0497.*
  - *1 visitor spaces is required to meet the retail (food and drink premises) requirement.*
- *Visitor spaces must be provided as horizontal at grade spaces in a location easily locatable and accessible by visitors to the site.*
- *Visitor space dimensions and clearance requirements must meet AS2890.3 requirements.*

Adequacy of employee (and guest) spaces

Number of spaces

The proposed number of employee spaces is acceptable for the following reasons:

- *Given the site has excellent public transport access, the statutory rate of employee spaces is considered to be higher than the expected demand for the residential hotel use, even noting that hotel guests may also on occasion use the employee spaces (as noted on the plans).*

Design and location of employee spaces and facilities

Employee and resident spaces appear adequately located and designed for the following reasons:

- *Whilst the location of the bicycle entrance from the laneway is not conducive to encouraging cycling, it is acceptable given the limited number of spaces being considered and constraints with the site.*
- *Pursuant to Australian Standard AS2890.3 at least 20% of spaces should be at ground-horizontal level spaces. In this instance it is acceptable that all employee spaces are hanging spaces given the abovementioned site constraints.*

Despite the above, more detail is required to properly assess the employee spaces:

- *Detail of the roller-door material in-front of the spaces is required. Given these spaces are located in a position with very poor passive surveillance opportunity, the roller door must be constructed out of a study material which will be appropriately secure.*
- *The dimensions of the spaces and clearance from the roller-door must be noted and must comply with AS2890.3 requirements.*

Green Travel Plan

As the development does not include a non-residential component greater than 1000sqm no Green Travel Plan is required.

Recommendations

The following should be shown on the plans before endorsement:

1. *The kerb-outstand on Langridge Street deleted.*
2. *A minimum of 10 visitor bike spaces in a location easily accessible to visitors of the site and provided as horizontal at-grade spaces, with clearance dimensions that comply with AS2890.3 requirements or otherwise to the satisfaction of the responsible authority.*
3. *Detail of the roller-door material in-front of the employee bike spaces.*
4. *The employee bike spaces dimensioned to demonstrate compliance with Australian Standard AS2890.3.*

Open Space

Hotel Lobby

- *We do not support the encroachment of the hotel lobby into the public realm, this includes the proposed kerb outstand, surface treatment and associated landscape works.*
- *The large natural granite boulders should not be used in the public realm and there should be no protrusions of that feature onto the main path of travel.*
- *The 7mm gravel toppings are not a suitable medium for the garden bed along Langridge Street. Consider a heavier material with less ongoing maintenance requirements.*
- *The proposed Jacaranda mimosifolia is not a suitable species for Langridge Street and is unlikely to do well given the location on the south side of the development. We would recommend infilling the streetscape with Plane trees in order to strengthen the boulevard on Langridge Street.*
- *The furniture proposed for the public realm should align with the City of Yarra suite.*

Tribe Street/Open dining area

- *Provide information on proposed planters in this section of the development including depth, widths, soil media, drainage layers, mulch and irrigation.*
- *Include information on planters for the feature trees, or the relevant details if the proposed planting is in-ground.*
- *Hedera Helix and Parthenocissus tricuspidata are listed as weeds in the DELWP list of environmental weeds. Propose suitable alternative species.*

Vertical Greening

- *Explore opportunities for vertical greening, balcony planting etc. to soften the façade of the building.*
- *Consider the opportunity to incorporate a green roof above the reception and adjacent services area on the first floor as well as on the roof level.*

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Streetscapes and Natural Values

- *Two trees are located immediately adjacent the subject site have the following amenity values*
  - *Tree ID 13309 located in footpath - $4,362.00*
  - *Tree ID 13310 located in roadway - $6,049.00*

- *A bond combining the total amount of the amenity values should be applied as part of the CM conditions*
- *A tree protection management plan must be provided and approved prior to works. This must consider proposed kerb outstand works, any canopy protection measures required for scaffolding, tree trunk and root zone protection during works.*
- *Additional trees should be considered for planting in the roadway and footpath by Urban Design team*
- *Construction of the kerb outstand around the existing tree ID 13310 must consider use of green infrastructure*

Waste Services

The waste management plan for 60-62 Langridge St and 23-45 Waterloo Rd, Collingwood authored by Irwin Consult and date 14/12/18 is not satisfactory from a City Works branch's perspective. Issues to be rectified include, but may not be limited to the following:

1. *Waste streams outside of garbage and recycling are not shown on any waste room diagram.*
2. *There is no mention of Yarra's Local Law or EPA guidelines on allowable collection times.*
3. *No mention on how WMP revisions are to be managed*

ESD Advisor

The architectural and landscape drawings, the Sustainable Management Plan (SMP) for the above project were reviewed against the WSUD (LPP 22.16), and ESD (LPP 22.17) policies.

- *This application partially Council's Environmental Sustainable Design (ESD) standards, however, further information is needed before the project proposal could be considered to meet Council's standards for best practice. Comments on areas where improvement could be made are itemised below:*
- *Furthermore, it is recommended that all ESD commitments (1), deficiencies (2) and the outstanding information (3) are conditioned to be addressed in an updated SMP report and are clearly shown on Condition 1 drawings.*
- *ESD improvement opportunities (4) have been summarised as a recommendation to the applicant.*
- *Council Assessment Ratings noted against issues under each of the 10 categories are as follows:*
  - *1 – Design Response is SATISFACTORY*
  - *2 – Design Response is NOT SATISFACTORY*
  - *3 – MORE INFORMATION is required;*
  - *4 – ESD IMPROVEMENT OPPORTUNITIES*

Application ESD Commitments

- *Water Efficiency - water efficient appliances and fixtures, and fire test-water capture*

- *Indoor Environment Quality - good daylight, and low VOC products*
- *Energy Efficiency - efficient lighting, and hot water*
- *Stormwater Management - high portion of rainwater capture for reuse*
- *Building Materials - prefabrication*
- *Transport - on-site and footpath bicycle parking, and end-of-trip facilities*
- *Construction & Building Management – metering, management plans and a building users guide*

Application ESD Deficiencies:

- *Natural ventilation – Provide operable windows to each hotel suite, common corridor and as many other rooms possible to take advantage of natural ventilation (e.g. the E.O.T bathroom).*
- *Building energy efficiency – Provide a preliminary Section J report for the building.*
- *Materials – While there is a commitment to certified timber, there is no indication as to how much of the construction is to be time. Please provide a description of predominant building materials and corresponding impact improvements.*
- *Active transport – Provide details of how building users can utilise stair travel to minimise lift use, and access details for staff and guests from bicycle facilities to lifts and stairs.*
- *No-lift parks – Some bike riders are unable to lift bicycles into vertical racks. A minimum of 20% horizontal bicycle parks should be provided per 'AS 2890.3:2015 Parking facilities Bicycle parking'*
- *UHI – Provide detail of the roof colour with respect to increasing reflectivity to reduce UHI impact (while being mindful of glare for overlooking properties)*

Outstanding Information:

- *BESS Evidence – Provide the documentation noted under 'Documents & Evidence' at the end of the BESS Report*
- *Drawings – Provide the documentation noted under 'Documents & Evidence' at the end of the BESS Report.*

ESD Improvement Opportunities:

- *Daylight – Consider provision of a skylight over reception.*
- *Open dining – Consider provision of doors to allow for thermal autonomy of the open dining area and allow for maximal natural ventilation of this area.*
- *Thermal comfort – Consider provision of ceiling fans to each hotel room*
- *Materials – Consider material impact improvements listed below.*
- *In-room bins – Indicate the provision of recycling vs landfill bins for each hotel suite.*
- *Separated recycling – Provided details of any distinct recycling streams to be provided and indicate this one plan.*
- *Greening – Little vegetation is proposed. Consider provision of green façade elements and/or increased*

External Consultants

Urban Design (MGS Architects)

Does the proposal result in orderly development of the site and precinct?

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59. *The current consolidated proposal does not in my view provide a coherent proposal for the proposed hotel or the adjoining land, providing insufficient capacity of back of house access areas, cessation of access to adjoining sites without a coherent replacement strategy and an amenity outcome for the broader place and new development falling well below the expectations established by local and state policy. As a result major changes are required notwithstanding strong support for the inclusion of a hotel on the subject land and office and hospitality venues on the balance of the land.*

60. *The larger composite site enjoys frontages to three primary streets:*

    a) *Langridge Street to the southern interface is a street wherein multiple VCAT Hearings have supported Council's strategic support to build the quality of this street as part of an inner northern regional green travel network and place of high pedestrian amenity. Key to this has been agreement to minimise crossovers to the street and utilisation of secondary lanes and streets for access and protection of the south footpath from overshadowing at the equinox and kerb outstands at intersections with intersecting north south streets.*

    b) *Waterloo Road to the north has been transformed in its quality as a residential address in its western two-thirds in recent years with the redevelopment of the Yorkshire Brewery site and properties opposite to the south. The continued enhancement of the south side of the street down to its intersection with Rokeby Street would be a logical extension of the placemaking objectives sought by policy.*

    c) *Rokeby Street to the East will always be a street performing a vehicular role owing to the absence of rear laneway provision for much of its length reliant on shared use of access to balance amenity and access.*

    61. *In contrast to Rokeby Street the subject site and sites south of Langridge Street and Liverpool Street enjoy east-west parallel laneways. Whilst Glasgow Street to the south is well configured, the laneway to the north of the proposed hotel separating it from 13-19 Waterloo Road and the northern buildings on the subject land has been left unenhanced as a result of the subject proposal and more broadly vehicle access has been further compromised.*

62. *Logically as has been successfully negotiated in other redeveloped strategic sites, service access and enhanced inter-street movement should form the underlying armature of the redevelopment of the subject site.*

63. *Additionally the site plan developed for each phase must demonstrate irrespective of which stage proceeds first, that the other parts of the development will continue to be fit for use and placemaking enhancements will be progressively delivered.*

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Recommendation 1

1. *That a masterplan be provided for the subject site together with the proposed Tribe Hotel inclusive of a new two-way service road to the north of the hotel of 6m in width at ground level with a minimum clearance of 4.5m or as required by the responsible emergency services, infrastructure and waste management agencies extending for the full extent of the proposed northern interface of the proposal.*

2. *The extension of the laneway with access rights in the proposed subdivision to a new two way entry off Rokeby Street with access rights to the proposal and remaining properties north and south of the laneway alignment between Mansard Lane to the west and Rokeby Street to the east and provision of a new two-way access off Rokeby Street to the approval of Council.*

3. *Within the scope of the project a new 6m wide pedestrian walk to the eastern abutment of the Hotel extending from Langridge Street to the east-west laneway northern frontage. The pedestrian walk is to be paved with a suitable high quality material and landscaped to the satisfaction of the Responsible Authority. The east west-lane and north-south walk are to become public laneways on completion.*

4. *Activation of the pedestrian laneway at ground and podium levels.*

Amenity of the Public Realm

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The hotel arrangement

64. *The proposal currently provides for waste management to be configured from Langridge Street along with all linen and service access. The poor arrangement of bicycle storage spaces has them at the end of a proposed dead end laneway. Clearly this is neither safe nor satisfactory as a set of priorities.*

65. *A major reshuffle is required to align the arrangements with local policies. These are clear in their objective to ensure Langridge Street develops as a high quality street where service access is to be minimised.*

66. *The development of a major campus redevelopment of the precinct provides significant opportunities for the inclusion of a precinct approach to infrastructure. In such a review back of house facilities such as precinct substations would be provided to either the new public laneway or Rokeby Street, a street that will always have a significant loading role for the reasons already nominated.*

Recommendation 2

Reorganise back of house areas away from the Langridge Street Interface

1. *Reorganise the proposed hotel so that all deliveries to the project are from the newly established and expanded ROW through a setback of 3m from the northern boundary and removal of the annex linking the industrial building to the north and the proposed hotel.*

2. *Relocation of all waste management off the new laneway and Rokeby Street access interface*

3. *Provide access to the EOT bicycle facilities directly from the new shared north-south cycle and pedestrian walk.*

4. *Reconfigure the ground floor to activate the eastern interface with the proposed walk.*

5. *Provide a new access crossover off the Rokeby Street frontage.*

Protection & enhancement of amenity in Langridge Street

76. *Numerous recent VCAT decisions have supported Council's policy goals to enhance the amenity of Langridge Street and protect the public realm of the expanding residential, visitor and worker community. The height and configuration of the proposal at this stage results in substantial overshadowing of the footpath zone on the south side of Langridge Street at the equinox.*

77. *Overhead power lines and poles should in areas of intensification be wherever possible relocated underground. In the current proposal the proposed siting of the adjoining office building to the east would not be possible with the current pole and wire arrangements with wires overhanging the eastern boundary. The opportunity should be given to remove pole obstructions from the streetscape as proposed in similar large scale renewal projects.*

78. *The proposed outstand around an existing tree in the form proposed is likely to be problematic in retaining the proposed tree.*

79. Proposed areas for kerbside loading are not supported and inconsistent with policy and the opportunities afforded by the site and are likely to present additional hazards for the regional bike path users and pedestrians.

Recommendation 3

Overshadowing and public realm improvements

80. Revise plans through the removal of the Level 8 south wing units to ensure there is no overshadowing of the pavement areas to the south side of Langridge Street between the hours of 10am and 2pm at the equinox.

Public realm improvements

81. Remove three redundant crossovers in Langridge Street.

82. Provide a proposed Public realm improvements strategy including kerb outstands for the Langridge Street interface for the area from the site boundary to the bicycle path alignment. The plan should include the following:

a) Location for Share car service vehicle and 5 minute guest drop off zone in locations occupied by the western obsolete crossovers.

b) Short term bicycle rack storage and courier vehicle zone.

c) Opportunities for an expanded kerb outstand area for inside outside dining in the area occupied by the current two way crossover into the site.

d) Provide for a 6m wide public plaza to the northern interface of the proposal and extending to the north edge of the proposed east-west ROW at the abutment of the northern side of the abutting east west laneway. Reconfigure cafe courtyard and café and private dining, escape stair and kitchen areas to enable private dining, café, courtyard and bar areas to be integrated with the new north-south plaza (rather than configured largely to leave this interface inactive) to the satisfaction of Council.

Building expression above ground floor podium

83. The proposed building expression above podium level provides setbacks of only 4.8m to 5.2m to the POS and 7.8m to 8.2 m to the habitable rooms at 15-19 Waterloo Road. The entire elevation is in a single plane from east to west reliant on projecting frames to windows to provide differentiation. The highly visible eastern end of the proposal, an end intended to anchor the interface with the proposed north-south street in the proposal is disappointingly configured for an escape stair. The proposal is at odds with policy settings that seek responses that celebrate the grain and architectural quality in placemaking and visual enhancement of the neighbourhood outlined earlier in my policy review.

Recommendation 4

1. Reposition the eastern stairs in an inbound northern location. Reconfigure eastern rooms to engage with the eastern aspect as well as north and south frontages.

2. *Remove the apartment immediately west of the goods lift. Relocate proposed electrical cupboards store and comms area from opposite patron lifts to this area and reverse goods lift so that occupants of DDA room are not engaging with back of house areas. Indent façade 1.8m and create an enhanced design and articulation response lessening perceived bulk through landscaping via alternate landscaped terrace areas at levels M1, M3 and M5 or similar.*

3. *Remove the room to the east of the lift core for the entire height of the building providing for breakout planted terraces at alternate levels or similar.to the satisfaction of council to provide for visual articulation and increased interest to the main street frontage.*

4. *Ensure the northern rooms have a minimum clearance of 4.5m for the safe movement of waste management and emergency vehicles in the laneway network.*

5. *Reconfigure the rooms west of the proposed goods lift to have horizontal louvres angled to provide for downward surveillance of the laneway up to 1.7m above floor level for levels 1 to 3 with levels above configured so as to avoid downward views to habitable rooms and private open space across the laneway. Internal arrangements*

84. *I have also already raised concerns around the proposed ground level arrangements and building footprint and height and their failure in their current configuration to enable the successful operation of the precinct and leverage of existing undersized laneway arrangements that with enhanced capacity will serve and enable orderly precinct operation and enhanced streetscape outcomes for Liverpool Street and Langridge Street. The current proposal has also failed to enhance the amenity and pedestrian and cycling role of Langridge Street, has failed to enable the continued operation of adjoining sites and has failed to engage the proposal with the proposed north-south public space or deliver the first part of this important benefit of increased intensity. The arrangement of the building appears to be formulaic rather than site responsive to the policy and indeed masterplan propositions raised by the applicant more generally.*

85. *The proposed 50m+ hallway length without relief is less than optimal.*

86. *Relocation of the proposed stair from the eastern end of the building will provide enhanced light ventilation and aspect. Removal of selected units will provide additional visual interest and opportunity to vary the corridor width and light quality.*

87. *Room arrangements outlined in TP26B remain unresolved with no doorway for example indicated for access to the bathrooms from the bedrooms. DDA units do not provide compliant access to basin areas and appear to suggest the wardrobe for the unit is in the bathroom. Images provided do not match plan arrangements. These anomalies require review.*

88. *All these matters clearly require resolution to demonstrate fitness for purpose.*

CONCLUSION

89. *The proposed development of a Tribe Hotel on the subject site could, if well resolved against local policy goals and within a well resolved site masterplan, be a welcome addition to the Langridge Street context.*

90. To do this however requires that it delivers in this phase a contribution to placemaking and enhanced precinct operational capacity and amenity.

91. This goes beyond the provision of simply a building but to the resolution of access arrangements, new shared public space and amenity.

92. Additionally it necessitates a design response of high calibre that in its design delivers an interesting outcome.

93. DDO11 provides insight for the applicant as to what is expected but is yet to be delivered. Namely:

a) A built form business and commercial environment which builds on the existing fine grain industrial nature of the area and that allows for innovation and interest.

b) A vibrant and safe street which in this instance necessitates the upgrading of the laneway network so that the Langridge Street interface is not used for loading and waste management as currently proposed; an outcome that sits at odds with the stated goal to increase the amount of street oriented development particularly on Langridge Street.

c) Invest the facades with heightened visual interest and articulation rather than a uniform 50m long façade with repetitious fenestration measures to achieve the aim to ensure that taller built form will be set back from property boundaries and spaced to create a new interest and variety in building forms.

94. Key design objectives relevant to the project include:

a) To provide a pedestrian friendly environment along all street frontages. This should include the proposed eastern walk which should be delivered in conjunction with the proposal.

b) To ensure building design will protect the amenity of existing pockets of residential development necessitates a revised approach to the northwest scale and bulk of the development.

c) To encourage improvements to the public domain, including the provision of public open space requires a revised approach to Langridge Street and the inclusion of the additional service and pedestrian network contributions as earlier noted. Not reliance on future development to achieve these objectives.

d) To ensure that new development does not adversely impact on pedestrian, cycling and vehicular accessibility. This will require setting back of the upper most level from Langridge Street and include alternative access arrangements for adjoining sites and reinstatement and enhancement of service access arrangements to the subject site as earlier noted. The building has not been configured to ensure it minimises overshadowing of adjoining streets, public spaces or private properties.

e) To ensure a high standard of architectural design. Requires responsiveness to the context, enhanced articulation and depth and sculpting of the built form to respond to the varied context in which it sits and resolution of the layouts of the development at all levels to engage with higher ambition with the context that is emerging and valued, the pedestrian networks proposed and the amenity and vibrancy visual interest sought. The choice of materials, site organisation, quality

of landscape and placemaking solutions and response to interfaces are all important measures that are yet to be adequately resolved in the current proposal with the building yet to be adequately articulated and modulated.

f) Access to the site has not had regard for the ambition that the number of vehicular access points to a site should be limited and where possible, consolidated and shared with adjoining sites. The suggested masterplan arrangement and upgrade of the east-west laneway network would address this issue

g) The DDO specifically seeks that New development should explore opportunities to create pedestrian connections and through links where the property is accessible from at least two streets. In this instance the development is uniquely placed to ensure this ambition is realised and indeed in Stage 1 the east-west and half of the north-south links can and necessarily should be achieved for the hotel to effectively operate and not leave in its arrangements doubt over the quality of integration with the balance of the site and broader precinct.

h) The design and construction of buildings should minimise potential off-site impacts sought by the DDO is not achieved with the inadequate setbacks from northern neighbours at ground level and reliance on Langridge Street for waste management where vibrancy and amenity is sought

95. Hence in summary the site organisation and relationships to new and existing development and principles of orderly development is yet to in my opinion be satisfactorily resolved.

96. The building scale and design treatments are yet to be satisfactorily resolved.

97. Siting, bulk and height of the proposed buildings is in its current form having excessive and unreasonable impacts on the abutting street network through overshadowing, reduced activation and increased use of the Langridge Street frontage for loading and waste management. Additionally the proposal is failing to achieve safety by design objectives through its poor resolution of laneway networks bicycle access and walking networks.

98. The relationship with this building and those proposed in planning application PLN18/0844, is poorly resolved with the buildings excessively proximate, the separating circulation networks grossly under scaled and the scope of resolution of placemaking in this standalone phase fundamentally underworked with poor resolution of access to remaining sites and poor resolution of engagement of the proposal with proposed networks and ill-considered location of infrastructure such as substations to primary rather than secondary street interfaces.

99. Hence at this point the proposal has not achieved a high architectural and urban design outcome.

100. Place-making initiatives along Langridge Street and the eastern walkway interface and northern laneway are not adequately resolved nor above ground levels and roofscapes and a proper landscape plan and placemaking strategy are necessary.

101. Use of colours and materials remains a work in progress with the repetition, uniform alignment and matching north and south resolution and poor eastern expression requiring greater investment in quality and variety of material finish and façade setback variance.

102. ESD principles similarly remain a work in progress with bicycle provision well under benchmarks established for other projects, no green travel plan evident in the submission, no recycle or waste minimisation plan evident and no enhancement or priority given to access for cyclists form the regional bicycle path. Uniform façade treatments north and south suggest limited regard for differing orientations. Configuration of vertical circulation promotes motorised lift access as a primary means of circulation.

103. Minimal contribution through landscape and tree canopy additions has been made to reducing heat island effects.

Hence in its current form the project should be refused and the applicant invited to develop a masterplan framework based on principles as outlined earlier for a high quality pedestrian and shared service network and the delivery of a quality place and expanded and connected interblock network of shared laneways at each stage of development.

Acoustics (SLR Consulting)

A summary of our comments and recommendations is provided below:

1. *The report should clarify what types of music noise are proposed for the lounge area. If it is more than background music, a more comprehensive assessment should be provided, including an internal SEPP N-2 assessment for the hotel rooms above.*
2. *Noise from kitchen and Back of House areas should be assessed, and recommendations for noise and vibration control (including structure-borne noise) should be presented.*
3. *Noise from the substation and pump room should be assessed, and recommendations for noise control (including structure-borne noise) should be presented. Alternatively, the report should require a detailed assessment be conducted during the detailed design stage.*
4. *It is recommended that no deliveries / collection occur via Waterloo Road.*

Following the receipt of additional information, Council's Acoustic Consultant made the following supplementary comments on 23 July 2019:

The issues raised by SLR in our view are provided in italics below. The extent to which these issues have been addressed by Cundall are provided in red.

1. *The report should clarify what types of music noise are proposed for the lounge area. If it is more than background music, a more comprehensive assessment should be provided, including an internal SEPP N-2 assessment for the hotel rooms above.*

Cundall have clarified that background music only is reportedly proposed to be played in the ground floor lounge. This issue is addressed.

2. *Noise from kitchen and Back of House areas should be assessed, and recommendations for noise and vibration control (including structure-borne noise) should be presented.*

Cundall state that the precise nature of back of house activities have not been determined yet, and that their advice for noise control will be developed during the detailed design phase of the project. This approach is reasonable.

3. *Noise from the substation and pump room should be assessed, and recommendations for noise control (including structure-borne noise) should be presented. Alternatively, the report should require a detailed assessment be conducted during the detailed design stage.*

Cundall propose to develop their advice for compliance with SEPP N-1 during the detailed design phase of the project. A planning condition requiring demonstration of compliance with SEPP N-1 (as currently proposed by City of Yarra) would address this matter. Our preference would be for the demonstration of compliance to be provided prior to occupation because it can be easier to conduct the tests then.

The condition might read: 'Prior to occupation, acoustic tests are to be undertaken to demonstrate compliance with SEPP N-1 for all acoustically significant mechanical plant and equipment at the subject development.'

4. *It is recommended that no deliveries / collection occur via Waterloo Road.*

Cundall have clarified that no deliveries via the rear lane are proposed. This issue is effectively addressed.

In summary, the provided memo addresses many of the issues raised in our review. The outstanding issues are proposed to be addressed during the detailed design phase of the project, as the information required for addressing them becomes available. This approach is reasonable. It is recommended that the requirement for post construction testing demonstrating compliance with SEPP N-1 be included as a permit condition.

Wind (ViPac Engineers)

We have reviewed the assessment report and the drawings of the proposed development (dated 19 Dec 2018) provided in Jan 2019 listed in the attachment. Our comments are as follows:

- *The Mel Consultant Environmental Wind Assessment has been prepared based on consultancy experience and no wind tunnel testing has been carried out to support their assessment. We have no issue with this method for a desktop study as this is a common approach to provide architects, developers and responsible authorities advice on the wind impact of the proposed design.*
- *We have no issue with the description of the proposed development and surrounds, exposures, assessment criteria, and wind assessment as well as conclusions in the report. Mel Consultants has clearly identified the process for the desktop assessment.*
- *In Section 5, the report analysed wind effects on the ground floor on Langridge Street (south Face), North Laneway (North face) and Car Park (east face) and concluded that all footpaths and car park would fulfil the recommended wind comfort criteria. The roof terrace would also fulfil the recommended stationary activity criteria.*
- *At the end of Section 1, the report states "A wind tunnel model study would be necessary to accurately quantity the wind conditions against pedestrian comfort criteria".*
- *Vipac agreed the above conclusions in general. Vipac noticed that, 1) The updated plan added an open dining area at the south east corner with a skylight roof over and landscaping at the front edge; these areas would be expected to fulfil sitting criterion with the proposed design; 2) The roof plan does not show any terraces proposed. As such, the updated design would be expected to have acceptable wind environment.*

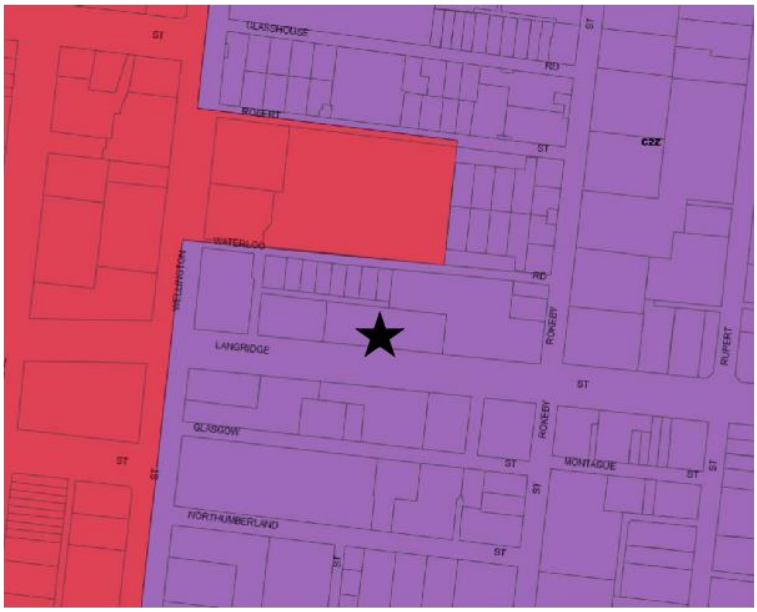
Attachment 3 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - idac attachment - referral comments

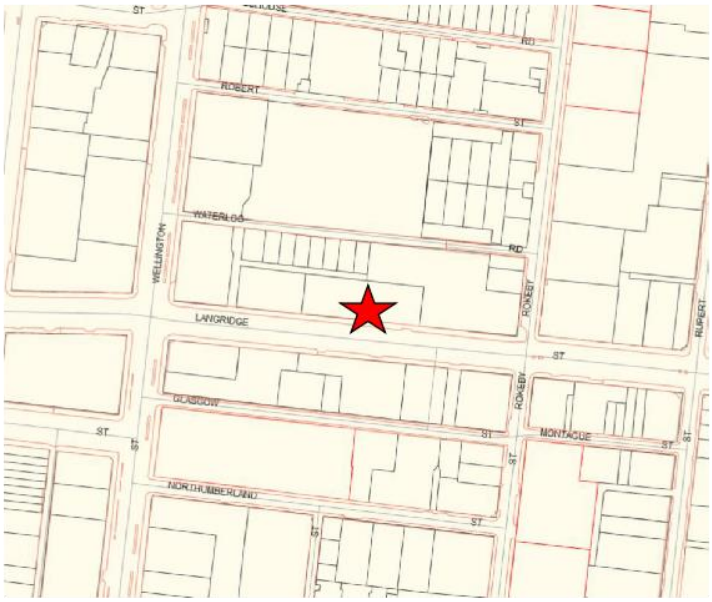
In conclusion, the Mel Consultants Pty Ltd Environmental Wind Assessment used the proper analysis methodology, analysed the wind effects on the pedestrian level by the proposed development in detail. Vipac agreed the conclusion of the environmental wind assessment. Vipac also states that the updated design of the proposed development would have acceptable wind conditions.

Although the maximum height of the proposed development is about 31 m which is less than the trigger height of 40m for the wind tunnel testing in Melbourne CBD, Vipac still supports the recommendation of a wind tunnel test be conducted in the detailed design stage.

Attachment 4 - PLN18/0643-6 - 60 - 62 Langridge Street and 23 - 45 Waterloo Road Collingwood - idac attachment - subject land final

SUBJECT LAND:





⇧ North

★ Subject Site

1.2 PLN18/0844 - 60 - 88 Langridge Street and 23 - 45 Waterloo Road, Collingwood - Use and development of the land for the construction of two office buildings (seven and nine storeys plus basement levels) with two, ground floor restaurants and a restricted recreation facility (gymnasium), sale and consumption of liquor and a reduction in the car parking requirements.

Executive Summary

Purpose

1. This report provides Council with an assessment of planning application PLN18/0844 which affects land at 60 – 88 Langridge Street and 23 – 45 Waterloo Road, Collingwood for the use and development of the land for the construction of two office buildings (seven and nine storeys plus basement levels) with two, ground floor restaurants and a restricted recreation facility (gymnasium), sale and consumption of liquor and a reduction in the car parking requirements.

Key Planning Considerations

2. Key planning considerations include:

   (a) Use (Clause 34.02-1)
   (b) Sale and Consumption of Liquor (Clauses 22.09 and 52.27)
   (c) Built form (Clauses 15, 21.05, 22.10, 34.02-7 and 43.02);
   (d) Interfaces uses policy (Clause 22.05); and
   (e) Car Parking and Bicycle Provision (Clauses 52.06 and 52.34) of the Yarra Planning Scheme.

Key Issues

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

   (a) Policy and physical context;
   (b) Uses;
   (c) Sale and Consumption of Liquor;
   (d) Built form;
   (e) Environmentally Sustainable Development (ESD);
   (f) Off-site amenity impacts;
   (g) Car parking, traffic, access and bicycle provision;
   (h) Waste management; and
   (i) Objector concerns.

Submissions Received

4. A total of 13 objections were received to the application, these can be summarised as:

   (a) Traffic, safety and lack of parking – impact on Waterloo Road Shared Zone;
   (b) Amenity Impacts (overlooking, Loss of Views, Noise, heat and light reflection, loss of daylight to windows, smells from bins, wind impacts, overshadowing);
   (c) Noise from waste collection;
   (d) Disruption due to loading bay;
   (e) Construction issues (damage cobblestone, impact on adjoining businesses);
   (f) Neighbourhood character/Heritage;
   (g) Height/Massing/Scale;
   (h) Impact on heritage building;
   (i) Amplified music and patron noise from restaurants;
   (j) Unclear information about rooftop use;
   (k) Plans do not indicate where the Waterloo Road dwellings are located;
   (l) Acoustic report did not consider closest dwellings; and
   (m) Insufficient width for the proposed pedestrian walkway.

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 the following key recommendations:

   (a) the development (including columns) must not encroach on the existing asphalt flank of Waterloo Road (a Public Highway) for a height of no less than 4.7 metres, with a minimum 1.4m (approximately one column section) setback provided as a pedestrian refuge for the portion of Site A to the west of the entry and for the north-eastern corner of Site B for the width of one column section (approximately 1.4m);
   (b) provision of a canopy along Langridge Street above the restaurant frontages;
   (c) additional doors to the restaurant tenancies along the Langridge Street frontage;
   (d) the internal layout of both restaurant tenancies (inclusive of the outdoor seating zones) with tables and chairs available for at least 75% of patrons attending the premises at any one time;
   (e) provision of a full menu confirming service of food until the closing time of 1am for the western restaurant tenancy;
   (f) an updated Red Line Liquor License Plan, as per the sketch plan provided on 4 July 2019;
   (g) details to confirm that there is no unreasonable overlooking into habitable room windows and private open spaces within 9m of the subject site;
   (h) details of security lighting provided to the vehicle entrance, pedestrian entrances on Waterloo Road and Langridge Street, and the proposed pedestrian walkways within the development;
   (i) A Section 173 Agreement to ensure 24 hour public access to the proposed pedestrian walkways;
   (j) the undergrounding of the Rokeby Street overhead powerlines; and
   (k) the upgrade of the existing on-street rainwater garden at the intersection of Langridge and Rokeby Streets.

CONTACT OFFICER: **Vicky Grillakis**
TITLE: **Coordinator Statutory Planning**
TEL: **92055124**

1.2 PLN18/0844 - 60 - 88 Langridge Street and 23 - 45 Waterloo Road, Collingwood - Use and development of the land for the construction of two office buildings (seven and nine storeys plus basement levels) with two, ground floor restaurants and a restricted recreation facility (gymnasium), sale and consumption of liquor and a reduction in the car parking requirements.

Trim Record Number: D19/105197
Responsible Officer: Manager Statutory Planning

Proposal:	Use and development of the land for the construction of two office buildings (seven and nine storeys plus basement levels) with two, ground floor restaurants and a restricted recreation facility (gymnasium), sale and consumption of liquor and a reduction in the car parking requirements.
Existing use:	Part car park and part warehouse
Applicant:	Langrok Properties Pty Ltd c/ SJB Planning
Zoning / Overlays:	Commercial 2 Zone/Design and Development Overlay (Schedule 11)
Date of Application:	12 November 2018
Application Number:	PLN18/0844
Ward	Langridge

Planning History

6. Planning permit PL07/0046 was issued on 1 May 2007, allowing buildings and works to the existing warehouse structure and formalisation of the car parking area at No. 60-88 Langridge Street Collingwood.

7. Planning permit PL03/1191 was issued on 16 February 2004, allowing a change of use of ground floor to six (6) warehouses including partial waiver of associated car parking requirements and construction of buildings and works at No. 60-88 Langridge Street Collingwood. This permit was not acted upon and has since expired.

8. Planning permit PL03/1190 was issued on 24 March 2004 for the installations of six (6) business identification signs at No. 60-88 Langridge Street Collingwood.

9. Planning permit application PL02/0879 was refused by Council on 3 October 2003 for a change of use to shops with partial waiver of associated car parking requirements works at No. 60-88 Langridge Street Collingwood. The proposed use was deemed a prohibited use, and Council's refusal was not appealed.

10. Planning permit PL02/0880 was issued on the 15 May 2003 for buildings and works to the existing building including refurbishment of the building and associated car parking at No. 60-88 Langridge Street Collingwood. This permit was not acted upon and has since expired.

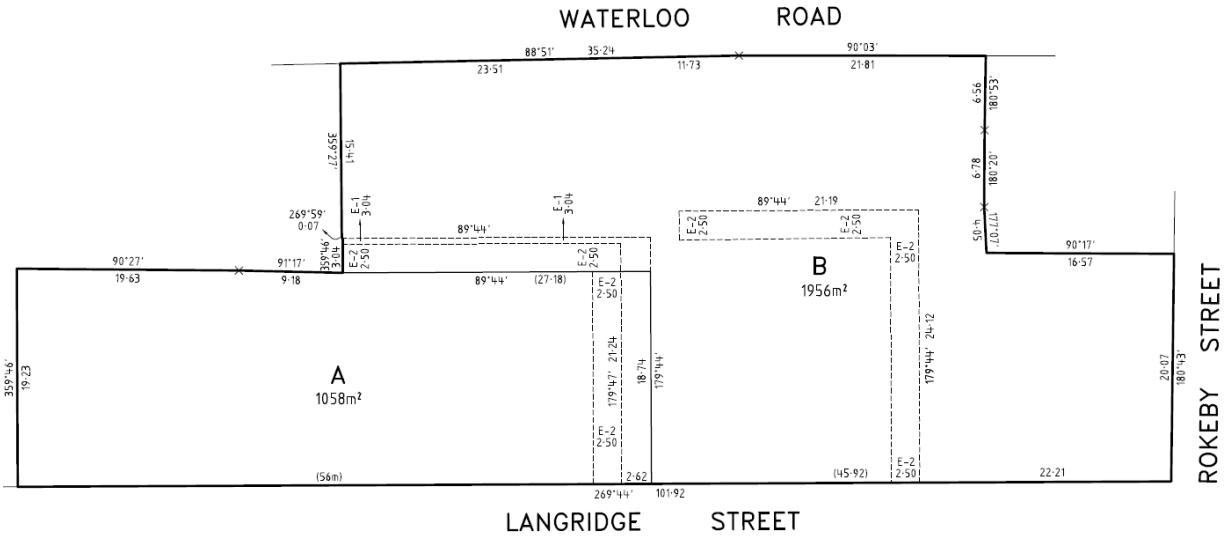
Background

<u>Subdivision of the subject site and name change</u>

11. While this application was under assessment by Council planning officers, Subdivision Permit SP18/0014 was issued on 29 October 2018 for a two lot subdivision on the land known as 60-72 Langridge Street and 23-45 Waterloo Road Collingwood. This land encompasses the subject site and the land to its east as shown in the image below.

12. Prior to the issuing of the subdivision permit, the subdivision application was advertised under the provisions of Section 52 of the *Planning and Environment Act* (1987) by letters sent to adjoining and surrounding owners and occupiers and by four signs displayed on site: two facing Langridge Street, one facing Waterloo Road and one facing Rokeby Street.

13. The subdivision permit subdivided the aforementioned land into two lots, Lots A and B, in accordance with the title plan submitted, PS 818670S (see figure below – with the subject site being associated with Lot B in the image below).



14. The subdivision also includes a light and air easement as seen in the dotted lines surrounding Lot A. The dotted lines shown within Lot B are associated with a sewerage easement.

15. Following the granting of the permit, the subdivision was registered at the Titles Office on 26 June 2019. These lots have now formally changed their addresses to:

    (a) Lot A - No. 60-72 Langridge Street; and

    (b) Lot B - No. 23-45 Waterloo Road (the subject site).

16. For the purposes of this report, the subject site will now be referred to as No. 23-45 Waterloo Road (the subject site) and the site to the west associated with Planning Permit Application PLN18/0643 (Lot A) will be referred to as No. 60-72 Langridge Street.

17. As part of the aforementioned subdivision permit process for the subject site and the land to the west, Council raised concerns regarding the vehicle access arrangements. Specifically, there was a concern that the existing building on the land to the west will no longer have access to the car park on site, which is to be contained entirely within the subject site (new address of No. 23-45 Waterloo Road). Additionally, the car park on the subject site is shown on the endorsed plans of planning permit PL07/0046 as being associated with the warehouse. To resolve these matters, a requirement for a Section 173 Agreement was placed on the subdivision permit which required the following:

    (a) Existing car parking arrangements must be maintained for the existing commercial uses in Lot A until such time as Lot A or Lot B is developed.

    (b) If Lot B is developed before Lot A and existing car parking is removed as part of that development, any existing commercial use in Lot A must cease or otherwise alternative car parking must provide to the satisfaction of Council to enable that use to continue.

    (c) Existing access arrangements through Lot A must be maintained for Lot B until such time as Lot B is developed and no longer utilises Lot A for access purposes.

18. This has now been carried out and the Section 173 Agreement has been registered with the Titles office.

Application process

19. The application was lodged on 12 November 2018, and further information subsequently requested in December 2018. The information was received on 21 December 2018 and the application was then advertised with 2001 letters being sent and 13 objections received. A Consultation Meeting was held on 9 April 2019, where the key issues raised in the objections were discussed with the Permit Applicant, Objectors and Planning Officers present.

20. Whilst this process was occurring, Council had sought and received advice from various consultants in the fields of Acoustics, Wind and Urban Design, as well as Council internal units including Waste Management, Urban Design, Engineering, Open Space, Strategic Transport, Streetscapes and Natural Values, Social Planning and Environmental Sustainable Development (ESD). Referral advice is an attachment to this report.

Lodgment of S57A plans

21. As a result of the matters raised at the consultation meeting and referral advice, the Applicant submitted amended plans on 12 June 2019. On 25 June 2019 the application was formally amended by the Applicant under Section 57A of the *Planning and Environment Act* 1987.

22. The amended plans dated 12 June 2019 are now the decision plans and supersede the previous advertised plans. They show the following changes:

    (a) Relocation of the loading bay from Waterloo Road to the basement and subsequent internal reconfiguration of the ground floor and waste rooms;
    (b) Increase in the area of both restaurants (from a total of 359sqm to 431sqm) and the restricted recreation facility (from 119sqm to 236sqm), with no increase in patron numbers;
    (c) An additional setback from the northern boundary at ground floor;
    (d) An additional third basement level and internal reconfiguration of basements;
    (e) Increased separation between Buildings A and B to 4.5m (from 3m) and subsequent internal reconfiguration;
    (f) Additional 16 car parking and 5 motor cycle spaces and a reduction of 5 bicycle spaces (to a total of 78 and 11 respectively);
    (g) Relocation of the outdoor seating area and a reduction in the operating hours of the eastern tenancy (from a closing time of 11pm, to 10pm, Monday to Saturday and 9pm on Sundays);
    (h) Deletion of proposed kerb outstand extension along Langridge Street;

23. Council officers note that they incorrectly listed the reduction to the operating hours of the outdoor tenancies as being in relation to both premises, however the applicant has only amended the eastern tenancy. The applicant wished to retain the western tenancy with a closing time of 11pm as per originally advertised. This will be discussed later in the report.

24. The amended plans were readvertised to adjoining property owners and occupiers and previous objectors. One objector made a further submission, however there were no additional objectors. A total of 13 objections have been received.

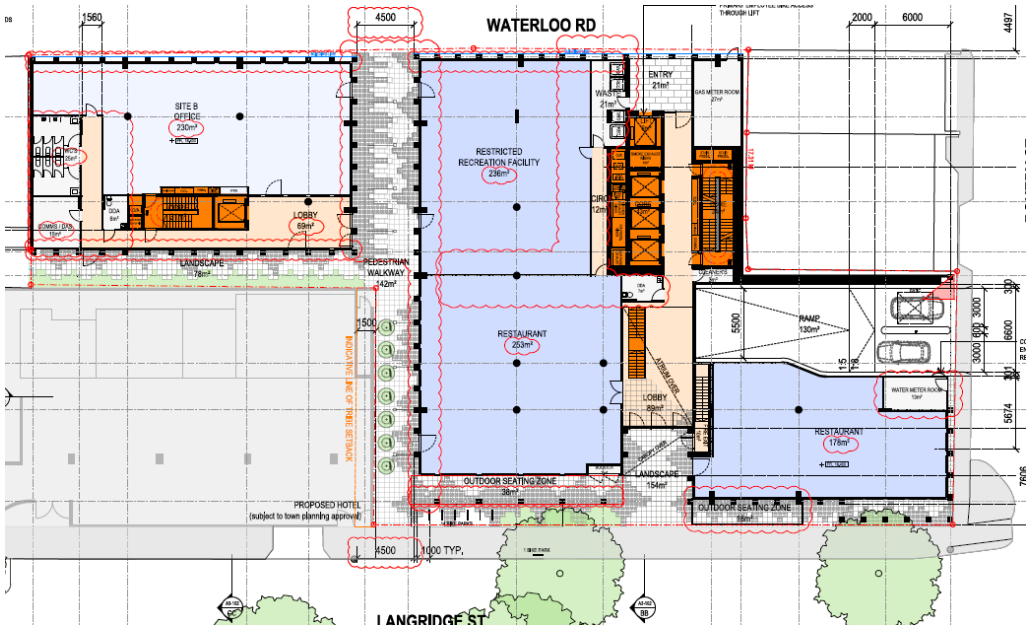
25. The amended plans were re-referred to Council's Engineering Services Unit, Strategic Transport and Waste Management Officer. They were not re-referred to the other advisors/units as the changes would not impact their comments.

26. It came to Council's attention that an updated 'red line' liquor license plan had not been provided by the applicant as part of the amended plans. The applicant provided this on 4 July 2019 via a sketch plan. This will form part of Condition 1 requirements.

The Proposal

27. The proposal is for the use and development of the land for the construction of two office buildings (seven and nine storeys plus basement levels) with two, ground floor restaurants and a restricted recreation facility (gymnasium), sale and consumption of liquor and a reduction in the car parking requirements.

28. Generally speaking, the proposal relates to the construction of two, rectilinear office buildings with commercial uses at ground floor and a 4.5m wide separation to allow for a north-south pedestrian walkway. The image below shows these separations:



29. The seven storey building is constructed abutting the northern and western boundaries with a 3m setback from the southern boundary to facilitate a pedestrian walkway. The larger building is built across the eastern end of the site to the northern and eastern boundaries but provides a setback to the southern boundary to facilitate a widened footpath, except where it holds the south-eastern corner with Rokeby Street.

30. Below are render images from Langridge Street of the larger building as seen from Langridge Street, looking from the west and from the south respectively:

Demolition

31. All structures on site and existing crossovers (no planning permit required).

Uses

Restaurants

32. Two ground floor restaurants fronting Langridge Street, total of 496sqm inclusive of their outdoor seating area which is within the subject site.

33. The hours of operation for the larger restaurant (on-premises license) is between 7.00am and 1.00am the following day, Monday to Sunday, with the outdoor area operating between 7.00am and closing at 11.00pm, Monday to Saturday. The maximum number of patrons is 140 (including a maximum of 20 in the outdoor area). As previously noted, Council officers incorrectly stated in the advertising material that the closing time of the outdoor area was proposed to be reduced to 10.00pm, Monday to Saturday, and 9pm on Sundays. The proposed hours of operation for the outdoor area remain the same as originally advertised.

34. The hours of operation for the smaller restaurant (café and restaurant license) is between 7.00am and 11.00pm Monday to Sunday, with the outdoor area operating between 7.00am and closing at 10.00pm, Monday to Saturday, and 9pm on Sundays. The maximum number of patrons is 105 (including a maximum of 10 in the outdoor area).

Restricted recreation facility (gymnasium)

35. A ground floor, restricted recreation (gymnasium) facility fronting Waterloo Road with a total 236sqm in area. The hours of operation for the restricted recreation facility (gymnasium) are - daily between 5.30am and 8.00pm on Monday to Friday and 7.00am to 11.00am Saturdays. The gymnasium will be closed on Sundays and Public Holidays. It will accommodate a maximum of 33 patrons and 3 staff members at any one time.

Office

36. The office space has a net floor area of 8,540sqm (not including any access-ways, lifts etc but including terraces and the shared lobby) - no planning permit required

Construction

Basements

37. Three basement levels accessed via Rokeby Street with 78 car parking spaces, 11 motor bike spaces, end-of-trip-facilities, 81 bike parks, waste rooms, substation, services and the loading bay.

38. All basement levels are electronically wired to be EV ready and there are two electric car charging parks.

39. The upper two levels are generally built to the title boundaries, with setbacks from the north and south, whilst the lowest basement level is smaller and predominantly in the north-west portion of the site.

Site A

Ground floor

40. The ground floor of this building is centrally separated with a lobby area accessed from Langridge Street, setback 7.6m. This provides access to the lifts, waste room and services located to the north of the site with a secondary entry leading out onto Waterloo Road.

41. To the east of this is the smaller restaurant with outdoor seating along Langridge Street with a total building line setback of 1.764m with outdoor seating occupying part of the setback area. The ground floor is built along the eastern boundary with a 7.2m wide vehicle crossing to the north of the restaurant, providing access onto Rokeby Street. To the west of the lobby is the larger restaurant (with outdoor seating along Langridge Street with a total building line setback of 4m) with 14 bicycle spaces located within this setback. The restricted recreation (gymnasium) facility is located along the northern boundary. Both of these uses have access from the north-south pedestrian walkway.

First to third floor

42. The first floor creates a partial double height void over the ground floor area along Langridge Street. From the second floor and above, the void area is filled in with office floor space.

43. These floors are generally built along the northern boundary (albeit with a setback – discussed later), to the eastern boundary, wrapping around Nos. 79 and 81 Rokeby Street and to the south-eastern corner. The balance of the Langridge Street frontage is setback 1.764m with an additional indent of 7.6m above the lobby.

44. At the third floor, built form is setback 1.885m from the northern boundary, with a terrace located within this this area.

Fourth floor and above

45. The fourth floor is constructed similarly to the levels below, albeit without a terrace along the northern boundary.

46. At the fifth floor, the building steps back from the southern boundary and includes two terraces facing Langridge Street, to the west of the corner element, resulting in setbacks of up to 7.28m.

47. At the sixth floor, the proposal includes a setback from Rokeby Street of 3.22m with a terrace located in the south-eastern corner.

48. The seventh and eighth floors serve as two upper level caps, where they are built along the eastern boundary to Nos. 79 and 81 Rokeby Street for a length of 19m, and a width of 24m. Solar panels and services are located on the roof.

49. From the first floor and above, each floor is used as office space with a lobby servicing lifts/stairs and toilets.

50. This building is setback between 0.326m and 0.371m from its northern boundary and has a maximum height of 32.8m with plant being an additional 1.6m.

Site B

51. The ground floor includes an east-facing lobby which provides access to the lifts and stairs as well as a ground floor office area. Services and toilets are located along the western side accessed from a southern corridor. Above this, is office floor area, with stairs/lifts and toilets located along the southern side.

52. Between ground and second floor, this building is 15m in width along the western boundary and 25m in length along Waterloo Road with brick pillar protrusions of up to 0.4m. The southern walls are setback 3m from the southern boundary (associated with the proposed east-west pedestrian walkway). From the third floor and above, the upper levels are setback an additional distance of between 1.655m and 1.675m from the northern boundary and an additional 1.1m from the south (resulting in a total setback of 3.887m). Solar panels are located on the roof.

53. This building is setback between 0.1m and 0.5m from its northern boundary and has a maximum height of 25.6m with plant being an additional 1.6m.

Materials

54. Both buildings are of a similar, rectilinear architectural style, constructed using concrete pillars (up to 0.4m in depth) in a mixture of light grey, dark grey, rust to create a grid-like pattern. Glazing and metal are also used. The side boundaries include blank concrete walls.

Existing Conditions

Subject Site

55. The subject land is located at the northwest corner of Langridge and Rokeby Streets in Collingwood, with a northern boundary to Waterloo Road.

56. The site is an irregularly shaped, 1956sqm parcel with a 44m southern boundary to Langridge Street, a western boundary length of 18.29m, a 19.97m boundary length along Rokeby Street, a 17.31m eastern boundary at the rear of Nos 79 – 81 Rokeby Street and a 57.05m northern boundary to Waterloo Road.

57. Along Langridge and Rokeby Streets, the subject site is occupied by an at-grade car park. The crossover providing access to the car parking spaces is not within the subject site but is instead within the title boundaries of the adjoining lot to the west. This crossover is also used for access into the warehouse building to the west, where a rollerdoor is located in the side wall. On the Waterloo Road side, the site is developed with two storage warehouses within a double storey, red brick building. The rear of this building interfaces with and is accessed via the Langridge Street car park area. There are a number of ground and first floor windows facing Waterloo Road.

58. As part of the aforementioned subdivision permit process for the subject site and the land to the west, Council raised concerns regarding the vehicle access arrangements. Specifically, there was a concern that once the two lots were subdivided, the existing building to the west would not have access to the car park which is to be contained entirely within the subject site. Conversely the vehicle access for the car park is within the site to the west. Additionally, the car park is shown on the endorsed plans of planning permit PL07/0046 as being associated with the warehouse uses within the abovementioned building. To resolve these matters, a requirement for a Section 173 Agreement was placed on the subdivision permit which required the following:

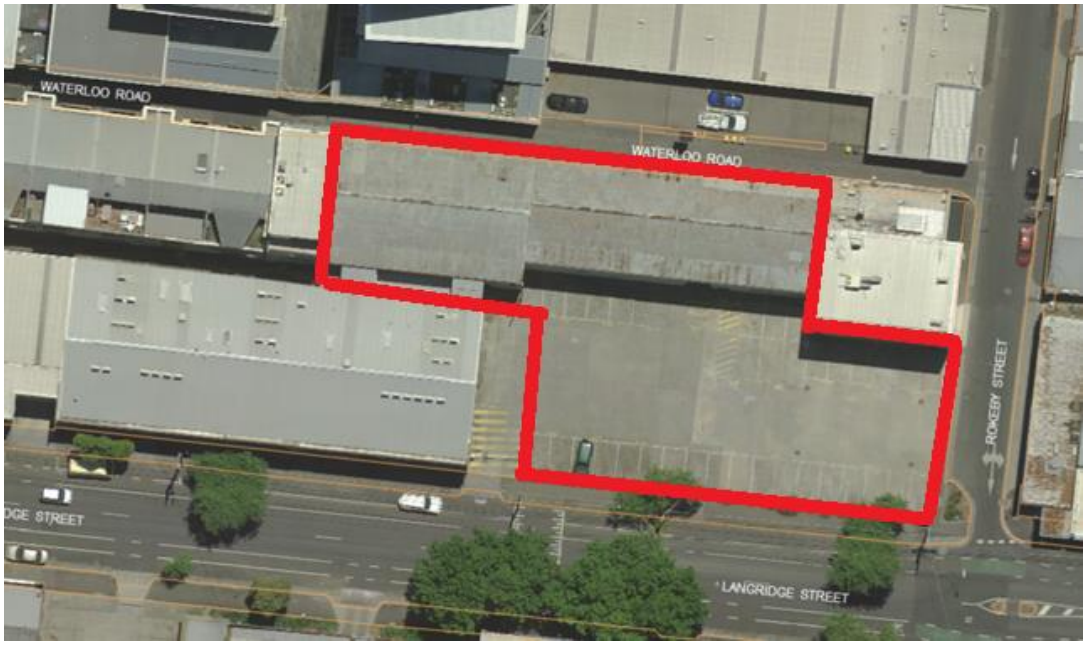
    (a) Existing car parking arrangements must be maintained for the existing commercial uses in Lot A until such time as Lot A or Lot B is developed.

    (b) If Lot B is developed before Lot A and existing car parking is removed as part of that development, any existing commercial use in Lot A must cease or otherwise alternative car parking must provided to the satisfaction of Council to enable that use to continue.

    (c) Existing access arrangements through Lot A must be maintained for Lot B until such time as Lot B is developed and no longer utilises Lot A for access purposes.

59. This has now been carried out and the Section 173 Agreement has been registered with the Titles office.

60. Below is an aerial of the subject site:



Surrounding Land

61. The surrounding area comprises a mix of built form and land uses. The site is located approximately 365m east of Smith Street which is a designated Major Activity Centre (MAC) with a tram route to the CBD and Bundoora. The MAC has a local and regional role, including retail, entertainment and service functions. The MAC and its broader context is undergoing substantial change with new higher density residential developments being constructed. The subject site is also 310m to the west of Hoddle Street which is a major arterial road (45m in width, property boundary to property boundary). It is a Category 1 Road Zone which has five lanes in either direction and provides a connection between the northern and south-eastern suburbs of Melbourne.

62. The surrounding area is shown below:

63. Generally speaking, the immediately surrounding area is historically focused around manufacturing, warehouse and light industry. This is depicted within the zoning of the land, between Smith Street to the west and Hoddle Street to the east, which includes Commercial 1 and Mixed Use Zones. The immediate surrounding area is zoned Commercial 2.

64. The area between Smith Street and the western side of Wellington Street has experienced substantial growth and a shift toward a more residential focus, encouraged by the Mixed Use Zone. One and two storey buildings are being replaced with 6 to 13 storey buildings. While the area has been subject to substantial redevelopment, it continues to present a hard edge character to the street with rectilinear forms and robust materials.

65. The east side of Wellington Street is beginning to experience a similar extent of change towards higher density development as the Commercial 2 Zoning is enticing office developments to the area. A significant re-development in this part of surrounding area is the Yorkshire Brewery at No.1-21 Robert Street which is to the north of the subject site and comprises of four main buildings, with the tallest rising to a maximum 17 storeys high. This site is within a pocket of Mixed Use Zone land and is included on the State heritage register. In terms of the Commercial 2 Zoned land, a 13 storey office development approved at No. 2 – 16 Northumberland Street, Collingwood, located 17m to the south is currently under construction. An 11 storey office building at No. 51 Langridge Street to the south-west of the subject site is also currently under construction.

66. Built form character within the Commercial 2 Zone land is currently between one and four storey and generally built to all boundaries with large car parking areas. The area typically has high site coverage, high on-boundary walls and low levels of permeable surfaces. However, this will change in the near future as other similar developments are approved and constructed. The following planning permits have been approved to the east of Wellington Street:

    (a) PLN16/1150 – 71 – 93 Gipps Street, Collingwood – 11 storeys – office – approved
    (b) PLN17/0540 – 61 – 75 Langridge Street and 16 Glasgow Street, Collingwood –7 storeys - office building – approved

67. Along Victoria Parade to the south, land is zoned Commercial 1 and includes a mixture of uses including offices, residences and food and drinks premises.

68. In terms of traffic flow, Wellington Street and Langridge Street are identified as major municipal roads and carry the majority of the commuter traffic. Wellington Street has also been fitted with 'Copenhagen' bicycle lanes, which carry high volumes of cyclists which feed into streets such as Langridge and Gipps Street that also have bike dedicated lanes.

69. The site is proximate to a variety of public transport connections including tram routes along Smith Street and Victoria Parade and bus routes along Hoddle and Johnston Streets. North Richmond and Collingwood train stations are located approximately 600m and 560m north-east and south-east of the site respectively.

70. Aside from the services and amenities within Smith Street, the site is 400m east of the Gertrude Street Neighbourhood Activity Centre (NAC) and 770m south of the Johnston Street NAC.

71. Looking specifically at each direct interface with the subject site, the following apply:

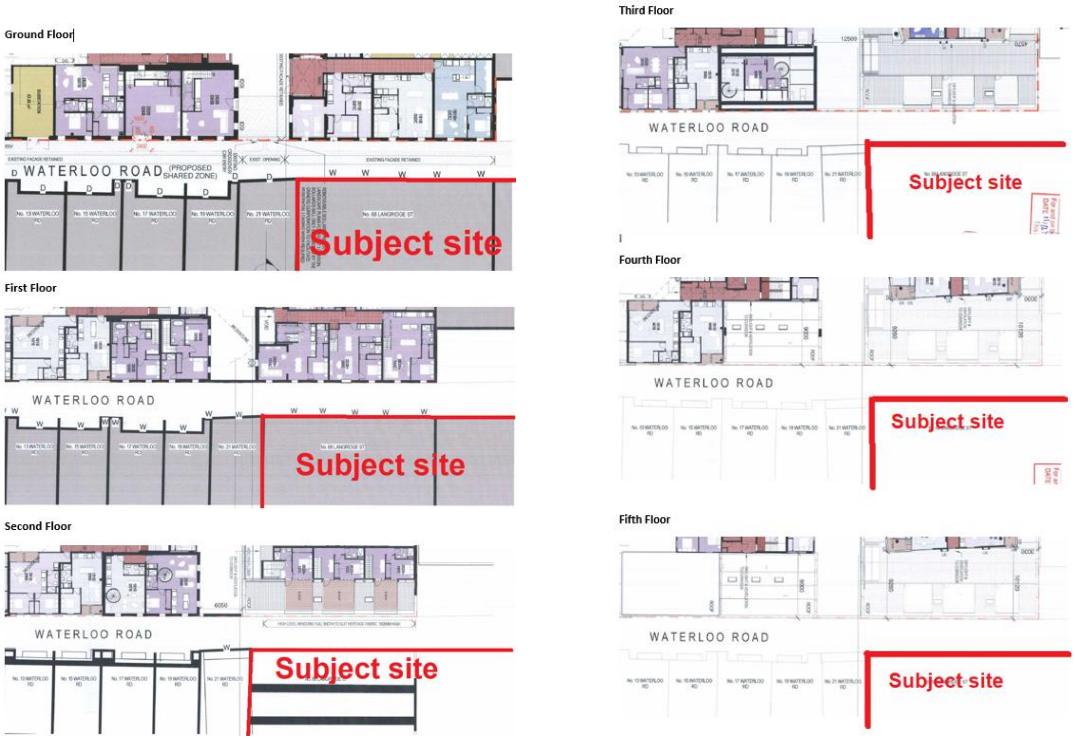
North

72. To the north of the site is Waterloo Road which is a 4.5m wide road that functions as a shared zone with part of it cobblestoned and the other paved with bitumen. It is one way, accessed from Wellington Street and terminating at Rokeby Street.
73. Along the northern interface of Waterloo Road is the Yorkshire Brewery re-development which presents as a lower scale brown brick building to Waterloo Road with taller built form behind. The development presents as four to five storeys (new form above the retained heritage fabric) along Waterloo Road with habitable room windows and balconies facing south-ward. Access to these dwellings is via the pedestrian entrance accessed via Waterloo Road to their west.

74. Directly to the north of the subject site are on-boundary habitable room windows associated with bedrooms and living areas at ground and first floors, with terraces at second floor. Second floor bedrooms are setback an additional 5.2m from the southern boundary. Above this, development is setback between 9.26m and 10.12m from their southern boundary to Waterloo Road.

75. To the west of these dwellings, are other dwellings also part of the Yorkshire Brewery re-development however these are to the north of Nos. 15-21 Waterloo Road. The dwellings have on-boundary, south-facing windows, however their construction reaches up to between four and five storeys on their southern boundary. Above this, development is setback at least 9m from Waterloo Road.

76. Below are floor plans of these dwellings as per the endorsed plans of Planning Permit PLN11/0750 which approved the re—development:



77. Below is the southern elevation of the Yorkshire development as it faces Waterloo Road:

78. To its east are single storey warehouses and offices which have at-grade car parking spaces within setback areas and roller doors providing internal access.

79. Further north, are a mixture of single and double storey commercial buildings, typically built along the street frontage with glazing at ground level. Some also have vehicular access.

South

80. To the south of the site, Langridge Street operates with one lane for vehicles and another for bikes in each direction with parking and large street trees on both sides of the street.

81. Beyond this are two double storey buildings, with Silver Street acting as a central divide. The eastern building is No. 87 Langridge Street which is occupied by a double storey shop fitting store, built to all boundaries with glazing facing the street. Further to the east, beyond Rokeby Street are a mixture of buildings, mainly consisting of single and double storey commercial buildings, generally built to their full title boundaries except whether there is car parking provision. To the west of this, is a double storey warehouse building (No. 77-83 Langridge Street), named, 'Langridge Street lofts', built to all boundaries with a glazed frontage. A mixture of offices and fashion wholesalers occupy the building. It has vehicle access from its east along Silver Street.

82. To the west of this, is No. 61 – 75 Langridge Street which is occupied by a single-storey warehouse currently used as car park which covers the majority of the land, with the exception of an at-grade, open air car park to its west. Vehicle access to the car park is provided via a single crossover on Langridge Street, with an additional vehicle crossing providing access to an opening within the building façade. A large roller door is also located within the rear (southern) wall of the building, providing access from Glasgow Street.

83. As previously discussed, a recent planning permit (PLN17/0540) has been issued on 20 May 2019 at No. 61 – 75 Langridge Street and 16 Glasgow Street, Collingwood for a seven storey office development. Below is an elevation of the proposal as viewed from Langridge Street:

84. Further west is the double storey, is the double storey, red brick former boot factory which is 'dog leg' in shape and has two components, one facing Langridge Street and a second wrapping around another site, facing onto Wellington Street. The building is known as No. 64 Wellington Street and is in its own site specific heritage overlay HO420. It is built to the street frontage with large windows and is currently occupied by 'Redbox Studios' which is a co-working artist space. There are two car parking areas, one accessed from Langridge Street and another from Glasgow Street.

85. To the south-west of the subject site, at the intersection of Wellington and Langridge Street is No. 51 Langridge Street which is occupied by an 11 storey office building currently under construction. Below is an image of the proposal as it presents to Langridge Street:

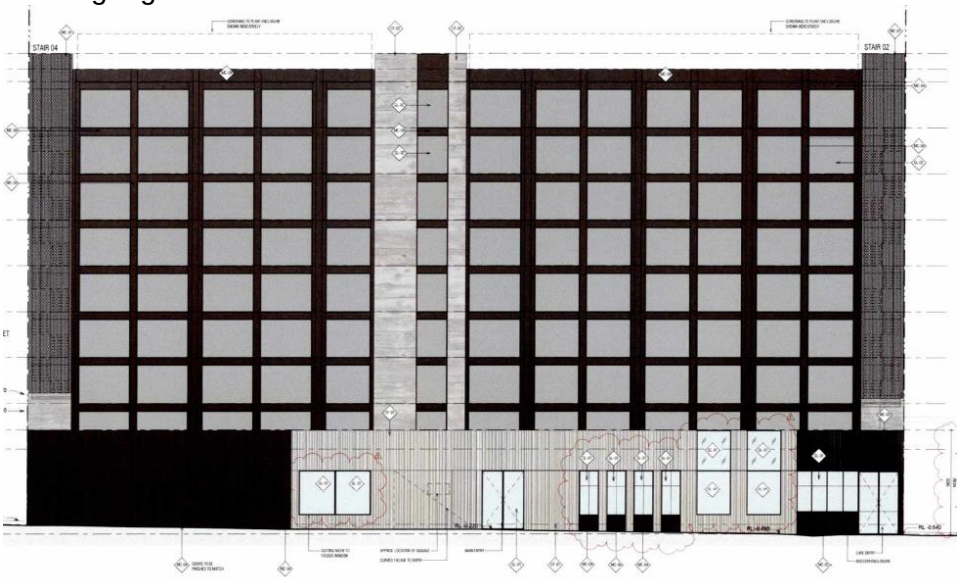
86. Further south, beyond No. 64 Wellington Street is Glasgow Street which has a laneway-style appearance dominated by the large blank walls which are the rear and side walls of warehouses, car parking areas and roller doors. A number of these buildings face Wellington, Langridge or Rokeby Streets. This is with the exception of Nos. 14 and 16 Glasgow Street which both front onto the street. No. 14 Glasgow Street is a brick warehouse building with windows and doors fronting onto the street and No. 16 Glasgow Street is a purpose built dwelling (which now forms part of Planning Permit PLN17/0540).

87. Beyond Glasgow Street is No. 2-16 Northumberland Street which is currently occupied by a Telstra Exchange building as well as two buildings currently under construction, a six-storey building along Wellington Street and a 13-storey building setback further to the east. Below are render images of the proposal:

88. Further south are the former silos at No. 21 Northumberland Street which are associated with the former distillery at No. 26 Wellington Street. Both of these sites were redeveloped in 1996 and 1997. To Northumberland Street, this site presents as two red brick buildings between one and two storeys in height, with the 11-storey silos setback from the street and a six storey red brick tower directly behind the single storey form. There are also some single storey buildings along Wellington Street.

West

89. To the west of the subject site, along Langridge Street is the vehicle access and double storey warehouse of No. 60 – 72 Langridge Street which has a current planning permit application for a nine storey residential hotel (PLN18/0643), below is an image of the proposal as it presents to Langridge Street:



90. Below are renders of the proposal from along Longridge Street, looking from the east and west respectively

91. Within the current planning application, the proposal largely presents as a partial on-boundary wall associated with an external stair, with side walls setback beyond this. At ground floor the walls facing the subject site are blank. As part of sketch plans provided to Council, the application has proposed the following relevant improvements:

(a) Inclusion of a partial 1m wide ground floor setback from the eastern boundary, adjacent to Langridge Street (with subsequent internal reconfiguration);

(b) Additional glazing and material changes to the northern laneway and to adjacent proposed pedestrian laneways (north and east) associated with the application on the subject site;

(c) Sculptural lighting to the external staircase;

(d) Additional windows and material changes to the east and western side elevations at the upper levels;

92. No decision has been made at the time of this report.

93. To the west of the subject site along Langridge Street is a two storey showroom with a single storey substation to its west. Beyond this is a north-south laneway with a five storey office located at the north-east intersection of Langridge and Wellington Streets. The north-south laneway provides access to Waterloo Road and the east-west laneway which interfaces with the rear of Waterloo Road and Langridge Street properties.

94. Wellington Street is to the west and along its eastern side are buildings built to all boundaries ranging in height from single to five storey, with taller built forms visible in the distance. As previously stated a number of recent approvals have been granted for high density buildings along the west side of Wellington Street, ranging up to 13 storeys – many of which are currently under construction or recently completed. Further to the west are a mixture of fine grain and hard edge buildings associated with the Mixed Use Zone land separating the subject site and Smith Street. As previously outlined, this area is experiencing significant redevelopment. A Design and Development Overlay (Schedule 23) now generally covers all of the Mixed Use Zoned land in Collingwood South.

95. To the west of the subject site facing Waterloo Road are a row of commercial buildings ranging between two to four storeys in height facing Waterloo Road, used as offices. The buildings are built hard edge to the front and side boundaries and upper level frontages, with most providing ground level front setbacks to facilitate vehicular access and upper level balconies. Building materials include face brick, render, high gloss tiles and natural concrete, with panel lift vehicular entrance doors. No. 9 Waterloo Road was issued planning permit PLN13/0102 on 29 August 2013 for the use of part of the first floor as a caretaker's residence.
East

96. To the north-east of the subject site are Nos 79 and 81 Rokeby Street which are both built along the shared boundary with the subject site. No. 79 Rokeby Street is a three storey office and showroom with ground floor car park access. To the north is No. 81 Rokeby Street which is a double storey townhouse used for a brothel, Le Boudoir.

97. Rokeby Street is a one way street, from north to south. Along the eastern side of Rokeby Street are mixture of single to triple storey commercial buildings, typically built along the street frontage with glazing at ground level and vehicular access. At the north-eastern intersection of Rokeby and Langridge Streets, is a three storey commercial building which also includes a number of caretaker's dwellings and studios.

98. Further to the east, beyond Rokeby Street, along the northern side of Langridge Street, are a mixture of commercial buildings, typically built along the street frontage with glazing at ground level, generally between single to four storeys in height. Some also have vehicular access.

Surrounding liquor licenses

99. There are only a limited number of liquor licenses within the surrounding area due to the zoning of the land. In the area bordered by Wellington, Hoddle and Vere Streets and Victoria Parade,

there are 17 licensed premises. Of these, seven are limited licenses (which do not require a planning permit), one is a packaged liquor license and two are for cafés. Of the remaining seven general or on-premises liquor licenses, the latest opening times are 1am on Friday and Saturdays associated with 'Rupert on Rupert' bar located at 73 Rupert Street, Collingwood – 73m to the east of the subject site.

Planning Scheme Provisions

Zoning

Clause 34.02 – Commercial 2 Zone

100. The site is located within the Commercial 2 Zone (C2Z). The purpose of the C2Z is as follows;

(a) *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
(b) *To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.*
(c) *To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.*

101. Pursuant to Clause 34.02-1 of the Yarra Planning Scheme (the Scheme) a planning permit is not required for the proposed 'office' use.

102. Pursuant to this clause, a planning permit is not required for a 'food and drink premises' if the leasable floor area does not exceed 100sqm. The proposed restaurants (which are nested under food and drinks premises in Clause 73.04-12) have a total floor area of 496sqm and therefore trigger a permit under the zone. Two ground floor restaurants fronting Langridge Street, total of 496sqm inclusive of their outdoor seating area which is within the subject site.

103. The hours of operation for the larger restaurant (on-premises license) is between 7.00am and 1.00am the following day, Monday to Sunday, with the outdoor area operating between 7.00am and closing at 11.00pm. The maximum number of patrons is 140 (including a maximum of 20 in the outdoor area). As previously noted, Council officers incorrectly stated in the advertising material that the closing time of the outdoor area was proposed to be reduced to 10.00pm, Monday to Saturday, and 9pm on Sundays.

104. The hours of operation for the smaller restaurant (café and restaurant license) is between 7.00am and 11.00pm Monday to Sunday, with the outdoor area operating between 7.00am and closing at 10.00pm, Monday to Saturday, and 9pm on Sundays. The maximum number of patrons is 105 (including a maximum of 10 in the outdoor area).

105. Pursuant to clause 34.02-1, 'restricted recreation facility' (nested under Leisure and recreation in Clause 73.04-7) is a Section 2 –permit required use and therefore require a planning permit. The hours of operation proposed for the restricted recreation facility (gymnasium) are daily between 5.30am and 8.00pm on Monday to Friday and 7.00am to 11.00am Saturdays. The fitness centre will be closed on Sundays and Public Holidays. It will accommodate a maximum of 33 patrons and 3 staff members at any one time

106. Pursuant to Clause 34.02-4, a planning permit is required to construct a building or construct or carry out works.

Overlays

Clause 43.02 – Design and Development Overlay (Schedule 11 – Gipps Precinct)

107. Schedule 11 to the DDO outlines the following preferred future charachter:

(a) A built form business and commercial environment which builds on the existing fine grain industrial nature of the area that allows for innovation and interest.
(b) A vibrant and safe street environment due to an increasing amount of street oriented development, particularly on Gipps and Langridge Street.
(c) A consistent streetscape with active street-frontages and well articulated buildings with street facades built to a height of up to 3-4 storeys. Taller built form will be set back from property boundaries and spaced to create new interest and variety in building forms.

108. The design objectives are:

(a) To recognise the Precinct as a vibrant commercial precinct with a narrow street network.
(b) To provide a pedestrian friendly environment along all street frontages.
(c) To ensure building design responds to the inherent industrial character of the Precinct.
(d) To ensure building design will protect the amenity of existing pockets of residential development.
(e) To encourage improvements to the public domain, including the provision of public open space.
(f) To ensure that new development does not adversely impact on pedestrian, cycling and vehicular accessibility.
(g) To ensure a high standard of architectural design.

109. The following requirements are also outlined:

Building heights and setbacks

(a) Taller built form may be appropriate on larger sites able to provide adequate setbacks that respect the narrow streetscape character of the Precinct and avoid overshadowing of neighbouring properties.

(b) Development above 4 storeys should:
(i) Demonstrate a high standard of architectural design
(ii) Minimise overshadowing of adjoining streets, public spaces or private properties
(iii) Be set back from along the northern side of the following streets:
(1) Gipps Street
(2) Langridge Street

Building design

(c) Development should be designed to:
(i) have active and attractive frontages.
(ii) address street activity in its interface design, avoiding recessed car parking at street level.
(iii) be well articulated and modulated.
(iv) use materials and finishes which complement adjacent development and enhance the appearance of the narrow street network.

Traffic and access

(d) For any development:
(i) the number of vehicular access points to a site should be limited and where possible, consolidated and shared with adjoining sites.
(ii) multiple garages in a continuous row along the street frontage will not be supported and recessed parking spaces at the ground level of buildings will be discouraged.

(iii) the impact of traffic and parking generated by the proposal on the local road network must be considered.

Permeability and public spaces

(e) Any new public open space should have a street frontage.
(f) New development should explore opportunities to create pedestrian connections and through links where the property is accessible from at least two streets.

Amenity

(g) The design and construction of buildings should minimise potential off-site impacts (including noise, light, odour and 24 hour traffic movements).

Landscaping

(h) Landscaping should be considered as a means of providing attractive street frontages.
(i) Public and private open space and other public realm areas should be appropriately landscaped.

110. The following decision guidelines are outlined:

(a) The impact of traffic generated by the proposal and whether it is likely to require additional traffic management control works in the neighbourhood.
(b) How the design, height and form of development responds to the preferred built form character of the Precinct.
(c) How the design, height and visual bulk of building/s on the site address potential negative amenity impacts on surrounding development.
(d) How the proposal improves the street environment for pedestrians along street frontages.
(e) The location of, and access to, parking facilities and their effect on the local road network.

Particular Provisions

Clause 52.06 – Car Parking

111. Clause 52.06-1 requires that a new use must not commence until the required car spaces have been provided on the land. A permit is required to reduce (including reduce to zero) the requirement to provide the number of car parking spaces required under this clause.

112. Under clause 52.06-5, the following parking rates are required:

Proposed Use	***Quantity/ Size***	***Statutory Parking Rate****	***No. of Spaces Required***	***No. of Spaces Allocated*** **	**Reduction sought**
Office	*7,873 m²*	*3 spaces per 100 m² of net floor area*	*236*	*73*	*163*
Restricted Recreation Facility (gymnasium)	*236 m²*	*Rated not specified in Clause 52.06-5*	*To the satisfaction of the Responsible Authority*	*1*	*N/A*
Restaurant (2 tenancies)	*431 m²*	*3.5 spaces per 100 m² of leasable floor area*	*15*	*4*	*9*

Total	*251 Spaces + Parking for Gymnasium*	*78 Spaces*	*173*

113. Overall, the development requires 251 spaces and is providing 78 car spaces which results in a total reduction of 173 spaces, however the applicant is providing one space for the gymnasium when there is no statutory requirement within clause 52.06-5. Therefore, the proposal includes a reduction of 174 spaces.

Clause 52.27 – Licensed premises

114. The purpose of this clause is:

(a) *To ensure that licensed premises are situated in appropriate locations.*
(b) *To ensure that the impact of the licensed premises on the amenity of the surrounding area is considered.*

115. Pursuant to Clause 52.27 of the Yarra Planning Scheme, a planning permit is required to use land for the sale or consumption of liquor if a license is required under the *Liquor Control Reform Act 1998*. As there is no existing liquor license, planning approval is required pursuant to this clause.

116. Decision guidelines at clause 52.27 include:

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

Clause 52.34 – Bicycle Facilities

117. Pursuant to clause 52.34, a new use must not commence until the required bicycle facilities and associated signage has been provided on the land. The purpose of the policy is to encourage cycling as a mode of transport and to provide secure, accessible and convenient bicycle parking spaces

118. Under the provisions of Clause 52.34-3 of the 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***
Minor sports and recreation facility	*2-4 max. employees* *119 sqm*	*1 employee space to each 8 practitioners*	*1 employee spaces*	
		1visitor space to each 4 practitioners	*1 visitor spaces.*	
Office (other than specified in the table)	*7797 sqm*	*1 employee space to each 300 sqm of net floor area if the net floor area exceeds 1000 sqm*	*26 employee spaces*	
		1visitor space to each 1000 sqm of net floor area if the net floor area exceeds 1000 sqm	*8 visitor spaces.*	

Restaurant	*416 sqm*	*1 employee space to each 100 sqm of floor area available to the public*	*4 employee spaces*	
		2 plus 1 visitor space to each 200 sqm of floor area available to the public if the floor area exceeds 400 sqm	*4 visitor space*	
		Bicycle Parking Spaces Total	*31 employee spaces*	*81 employee spaces*
			13 visitor spaces	*15 visitor spaces*
Showers / Change rooms		*1 to the first 5 employee spaces and 1 to each additional 10 employee spaces*	*4 showers / change rooms*	*10 showers / change rooms*

119. The development proposed a total of 50 additional employee spaces and 2 additional visitor spaces above the statutory requirements of the planning scheme.

120. Pursuant to clause 52.34-3, the rate for the provision of showers/change rooms is 1 to the first 5 employee spaces and 1 to each additional 10 employee spaces. Therefore, 4 showers and 4 change rooms are required, with ten being provided.

121. Clause 52.34-4 provides design standard for bicycle spaces and signage.

General Provisions

122. 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 Municipal Planning Strategy and the Planning Policy Framework., as well as the purpose of the zone, overlay or any other provision. An assessment of the application against the relevant sections of the Scheme is offered in further in this report

Planning Policy Framework (PPF)

123. Relevant clauses are as follows:

Clause 11.02 (Managing Growth)

Clause 11.02-1S (Supply of Urban Land)

124. The objective is:

(a) To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.

Clause 11.03 (Planning for Places)

Clause 11.03-1S (Activity Centres)

125. The relevant objectives of this clause include:

(a) To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.

Clause 11.03-1R (Activity centres – Metropolitan Melbourne)

126. Relevant strategies are:

(a) Support the development and growth of Metropolitan Activity Centres by ensuring they:

(i) Are able to accommodate significant growth for a broad range of land uses.
(ii) Are supported with appropriate infrastructure.
(iii) Are hubs for public transport services.
(iv) Offer good connectivity for a regional catchment.
(v) Provide high levels of amenity

Clause 13.05-1S (Noise abatement)

127. The relevant objective of this clause is:

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

128. Noise abatement issues are measured against relevant State Environmental Protection Policy (SEPP) and other Environmental Protection Authority (EPA) regulations.

Clause 13.07 (Amenity)

Clause 13.07-1S (Land use compatibility)

129. The objective of this clause is:

(a) To safeguard community amenity while facilitating appropriate commercial, industrial or other uses with potential off-site effects.

Clause 15.01 (Built Environment and Heritage)

Clause 15.01-1S (Urban design)

130. The relevant objective of this clause is:

(a) To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

Clause 15.01-1R (Urban design - Metropolitan Melbourne)

131. The objective is:

(a) To create distinctive and liveable city with quality design and amenity.

Clause 15.01-2S (Building design)

132. The relevant objective of this clause is:

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

133. Relevant strategies of this clause are:

(a) Require a comprehensive site analysis as the starting point of the design process.
(b) Ensure the site analysis provides the basis for the consideration of height, scale and massing of new development.

(c) Ensure development responds and contributes to the strategic and cultural context of its location.
(d) Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.
(e) Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.
(f) Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.
(g) Ensure development is designed to protect and enhance valued landmarks, views and vistas.
(h) Ensure development provides safe access and egress for pedestrians, cyclists and vehicles.
(i) Ensure development provides landscaping that responds to its site context, enhances the built form and creates safe and attractive spaces.
(j) Encourage development to retain existing vegetation.

134. This clause also states that planning must consider as relevant:

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

Clause 15.01-4S (Healthy neighbourhoods)

135. The objective is:

(a) To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.

Clause 15.01-4R (Healthy neighbourhoods - Metropolitan Melbourne)

136. The strategy is:

(a) Create a city of 20 minute neighbourhoods, that give people the ability to meet most of their everyday needs within a 20 minute walk, cycle or local public transport trip from their home.

Clause 15.01-5S (Neighbourhood character)

137. The relevant objective of this clause is:

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

Clause 15.02 (Sustainable Development)

Clause 15.02-1S (Energy Efficiency)

138. 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 17.01 – (Employment)

Clause 17.01-1S – (Diversified economy)

139. The objective of this clause is:

(a) To strengthen and diversify the economy.

140. The relevant strategies of this clause are:

(a) Protect and strengthen existing and planned employment areas and plan for new employment areas.
(b) Facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on the emerging and existing strengths of each region.
(c) Improve access to jobs closer to where people live.

Clause 17.02 – (Commercial)

Clause 17.02-1S – (Business)

141. The relevant objective of this clause is:

(a) To encourage development that meets the communities' needs for retail, entertainment, office and other commercial services.

142. The relevant strategies of this clause is:

(a) Plan for an adequate supply of commercial land in appropriate locations.
(b) Ensure commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure.
(c) Locate commercial facilities in existing or planned activity centres.

Clause 18.01 (Integrated Transport)

Clause 18.01-1S – (Land use and transport planning)

143. The objective of this clause is:

(a) To create a safe and sustainable transport system by integrating land use and transport.

144. Relevant strategies to achieve this objective include:

(a) Develop transport networks to support employment corridors that allow circumferential and radial movements.

(b) Plan urban development to make jobs and community services more accessible by (as relevant):

(i) Ensuring access is provided to developments in accordance with forecast demand, taking advantage of all available modes of transport and to minimise adverse impacts on existing transport networks and the amenity of surrounding areas.
(ii) Coordinating improvements to public transport, walking and cycling networks with the ongoing development and redevelopment of urban areas.
(iii) Requiring integrated transport plans to be prepared for all new major residential, commercial and industrial developments.

(c) Integrate public transport services and infrastructure into new development.

Clause 18.02 (Movement Networks)

Clause 18.02-1S – (Sustainable personal transport)

145. The relevant objectives of this clause is:

    (a) To promote the use of sustainable personal transport.

146. Relevant strategies of this policy are:

    (a) Encourage the use of walking and cycling by creating environments that are safe and attractive.
    (b) Develop high quality pedestrian environments that are accessible to footpath-bound vehicles such as wheelchairs, prams and scooters.
    (c) Ensure cycling routes and infrastructure are constructed early in new developments.
    (d) Provide direct and connected pedestrian and bicycle infrastructure to and between key destinations including activity centres, public transport interchanges, employment areas, urban renewal precincts and major attractions.
    (e) Ensure cycling infrastructure (on-road bicycle lanes and off-road bicycle paths) is planned to provide the most direct route practical and to separate cyclists from other road users, particularly motor vehicles.
    (f) Require the provision of adequate bicycle parking and related facilities to meet demand at education, recreation, transport, shopping and community facilities and other major attractions when issuing planning approvals.
    (g) Provide improved facilities, particularly storage, for cyclists at public transport interchanges, rail stations and major attractions.
    (h) Ensure provision of bicycle end-of-trip facilities in commercial buildings

    Clause 18.02-1R – (Sustainable personal transport- Metropolitan Melbourne)

147. Strategies of this policy are:

    (a) Improve local travel options for walking and cycling to support 20 minute neighbourhoods.
    (b) Develop local cycling networks and new cycling facilities that support the development of 20-minute neighbourhoods and that link to and complement the metropolitan-wide network of bicycle routes - the Principal Bicycle Network

    Clause 18.02-2S (Public Transport)

148. The objective of this clause is:

    (a) To facilitate greater use of public transport and promote increased development close to high-quality public transport routes.
    Clause 18.02-2R (Principal Public Transport Network)

149. A relevant strategy of this clause is to:

    (a) Maximise the use of existing infrastructure and increase the diversity and density of development along the Principal Public Transport Network, particularly at interchanges, activity centres and where principal public transport routes intersect.

    Clause 18.02-4S – (Car Parking)

150. The objective of this clause is:

    (a) To ensure an adequate supply of car parking that is appropriately designed and located.

151. A relevant strategy is:

(a) Protect the amenity of residential precincts from the effects of road congestion created by on-street parking.

Municipal Strategic Statement

152. The relevant policies in the Municipal Strategic Statement can be described as follows:

Municipal Strategic Statement (MSS)

153. Relevant clauses are as follows:

Clause 21.04-2 (Activity Centres)

154. The relevant objectives of this clause are:

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

155. Relevant strategies to achieve this objective include:

(a) Strategy 5.2 - Support land use change and development that contributes to the adaptation, redevelopment and economic growth of existing activity centres.
(b) Strategy 5.3 - Discourage uses at street level in activity centres which create dead frontages during the day.

Clause 21.04-3 (Industry, office and commercial)

156. The objective of this clause is:

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

Clause 21.05-2 – (Urban design)

157. The relevant objectives of this Clause are:

(a) Objective 16 - To reinforce the existing urban framework of Yarra;

(b) Objective 17 - To retain Yarra's identity as a low-rise urban form with pockets of higher development:

(i) Strategy 17.2 Development on strategic redevelopment sites or within activity centres should generally be no more than 5-6 storeys unless it can be demonstrated that the proposal can achieve specific benefits such as:
1. Significant upper level setbacks
2. Architectural design excellence
3. Best practice environmental sustainability objectives in design and construction
4. High quality restoration and adaptive re-use of heritage buildings
5. Positive contribution to the enhancement of the public domain
6. Provision of affordable housing.

(c) Objective 18 - To retain, enhance and extend Yarra's fine grain street pattern;
(d) Objective 19 To create an inner city environment with landscaped beauty;
(e) Objective 20 - To ensure that new development contributes positively to Yarra's urban fabric;

(i) Strategy 20.1 Ensure development is designed having particular regard to its urban context and specifically designed following a thorough analysis of the site, the neighbouring properties and its environs.
(ii) Strategy 20.2 Require development of Strategic Redevelopment Sites to take into account the opportunities for development on adjoining land.
(iii) Strategy 20.3 Reflect the fine grain of the subdivision pattern in building design where this is part of the original character of the area.
(iv) Strategy 20.4 Apply the Built Form and Design policy at clause 22.10.

(f) Objective 21 - To enhance the built form character of Yarra's activity centres;

(i) Strategy 21.1 Require development within Yarra's activity centres to respect and not dominate existing built form; and

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

Clause 21.05-3 – (Built form character)

158. The general objective of this clause is:

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

159. The subject site is located within a non-residential area, where the built form objective is to *"improve the interface of development with the street"*.

160. The strategies to achieve the objective are to:

(a) Strategy 27.1 - Allow flexibility in built form in areas with a coarse urban grain (larger lots, fewer streets and lanes).
(b) Strategy 27.2 - Require new development to integrate with the public street system.

Clause 21.05-4 (Public environment)

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

(a) Objective 28 - To a provide a public environment that encourages community interaction and activity:

(i) Strategy 28.1 - Encourage universal access to all new public spaces and buildings
(ii) Strategy 28.2 - Ensure that buildings have a human scale at street level.
(iii) Strategy 28.3 - Require buildings and public spaces to provide a safe and attractive public environment.
(iv) Strategy 28.5 - Require new development to make a clear distinction between public and private spaces.
(v) Strategy 28.8 - Encourage public art in new development.

Clause 21.06 – (Transport)

162. This policy recognises that Yarra needs to reduce car dependence by promoting walking, cycling and public transport use as viable and preferable alternatives. Relevant objectives and strategies of this Clause are as follows:

(a) Objective 30 – To provide safe and convenient pedestrian and bicycle environments.
(i) Strategy 30.2 – Minimise vehicle crossovers on street frontages.

(ii) Strategy 30.3 – Use rear laneway access to reduce vehicle crossovers.

(b) Objective 31 – To facilitate public transport usage.

(c) Objective 32 – To reduce the reliance on the private motor car.

(d) Objective 33 To reduce the impact of traffic.
(i) Strategy 33.1 Ensure access arrangements maintain the safety and efficiency of the arterial and local road network.

Clause 21.07-1 – Ecologically sustainable development

163. The relevant objectives and strategies of this clause are:

(a) Objective 34 – To promote ecologically sustainable development.

(i) Strategy 34.1 – Encourage new development to incorporate environmentally sustainable design measures in the areas of energy and water efficiency, greenhouse gas emissions, passive solar design, natural ventilation, stormwater reduction and management, solar access, orientation and layout of development, building materials and waste minimisation.

Clause 21.08-5 Neighbourhoods (Collingwood)

164. This clause outlines the Collingwood neighbourhood as follows;

(a) Much of Collingwood is industrial in character with the residential precincts surrounded by or interspersed with industrial buildings.

(b) The Gipps Street industrial precinct is characterized by traditional manufacturing, service activities and a considerable portion of activity related to the textile, clothing and footwear sector. The precinct provides the opportunity for a wide range of small to medium businesses to operate in a location that is relatively unconstrained by sensitive uses. To allow flexibility for large sites which may have difficulty in finding new industrial tenants, rezoning to Business 3 will be supported. This will enable the area to retain an industrial character but evolve to provide a wider range of employment opportunities including service business and offices uses. Any change of use should consider opportunities for improvement to the public domain.

165. Within Figure 13 of Clause 21.08-5, the subject site is identified as being within the Gipps Street Precinct which was supported as being rezoned to Business 3 Zone. This occurred and has since been rezoned to Commercial 2 (formally Business 3 Zone).

166. Figure 14 of Clause 21.08-5, shows the subject site as being within a non-residential built form character area where the objective is to improve the interface of development with the street. The site is also located within a portion of Collingwood where the objective is to improve on street pedestrian and cycle links to open space.

167. The only relevant strategies are to support the rezoning of the Gipps Street industrial precinct to the Business 3 Zone, which as previously stated has been completed.

Relevant Local Policies

Clause 22.05 – Interfaces Uses Policy

168. This policy applies to applications within the Commercial Zones (among others), and aims to reduce conflict between commercial, industrial and residential activities. The policy

acknowledges that the mix of land uses and development that typifies inner city areas can result in conflict at the interface between uses.

169. It is policy that:

(a) New non-residential use and development within Business and Mixed Use and Industrial Zones are designed to minimise noise and visual amenity impacts upon nearby, existing residential properties.

170. Decision guidelines at clause 22.05-6 include:

(a) Before deciding on an application for non-residential development, Council will consider as appropriate:

(i) The extent to which the proposed buildings or uses may cause overlooking, overshadowing, noise, fumes and air emissions, light spillage, waste management and other operational disturbances that may cause unreasonable detriment to the residential amenity of nearby residential properties.
(ii) Whether the buildings or uses are designed or incorporate appropriate measures to minimise the impact of unreasonable overlooking, overshadowing, noise, fumes and air emissions, light spillage, waste management and other operational disturbances on nearby residential properties.

Clause 22.07 – Development abutting laneways

171. This policy applies to applications for development that is accessed from a laneway or has laneway abuttal. The objectives under this policy are:

(a) To provide an environment which has a feeling of safety for users of the laneway.
(b) To ensure that development along a laneway acknowledges the unique character of the laneway.
(c) To ensure that where development is accessed off a laneway, all services can be provided to the development.
(d) To ensure that development along a laneway is provided with safe pedestrian and vehicular access.

Clause 22.09 – Licenced premises

172. This policy applies to all applications for new licensed premises and for the extension (including the extension of hours and the extension of patron numbers) of existing licensed premises.

173. The objectives of this clause are:

(a) *To effectively manage the location, operation and hours of trade of licensed premises, in order to protect the amenity of nearby properties and areas.*
(b) *To protect residential and other commercial uses from excess noise, traffic and car parking issues.*
(c) *To provide for daytime trade and active street frontages in retail strips, while providing reasonable commercial opportunities for the trading of licensed premises.*

174. This policy outlines a range of guidance at clause 22.09-3 (including location and access and hours of operation).

Clause 22.10 – Built form and design policy

175. This policy applies to all new development not included in a Heritage Overlay. The relevant objectives of this policy are to:

    (a) Ensure that new development positively responds to the context of the development and respects the scale and form of surrounding development where this is a valued feature of the neighbourhood character.
    (b) Ensure that new development makes a positive contribution to the streetscape through high standards in architecture and urban design.
    (c) Limit the impact of new development on the amenity of surrounding land, particularly residential land.
    (d) Design buildings to increase the safety, convenience, attractiveness, inclusiveness, accessibility and 'walkability' of the City's streets and public spaces.
    (e) Create a positive interface between the private domain and public spaces.
    (f) Encourage environmentally sustainable development.

176. The Clause includes various design objectives and guidelines that can be implemented to achieve the above objectives. The design elements relevant to this application relate to:

    (a) urban form and character;
    (b) setbacks and building height;
    (c) street and public space quality;
    (d) environmental sustainability;
    (e) site coverage;
    (f) on-site amenity;
    (g) off-site amenity;
    (h) landscaping and fencing;
    (i) parking, traffic and access; and
    (j) service infrastructure.

    Clause 22.16 Stormwater Management (Water Sensitive Urban Design)

177. Clause 22.16-3 requires the use of measures to *"improve the quality and reduce the flow of water discharge to waterways"*, manage the flow of litter from the site in stormwater and encourage green roofs, walls and facades in buildings where practicable.

    Clause 22.17 – Environmentally Sustainable Design

178. This policy was introduced into the Scheme on 19 November 2015 and applies to residential development with more than one dwelling. The overarching objective is that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation. The considerations are energy performance, water resources, indoor environment quality, storm water management, transport, waste management and urban ecology.

Other relevant documents

179. Clause 15.01-2S states that planning must consider as relevant:

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

Gipps Street Local Area Plan

180. The Gipps Street Local Area Plan (GSLAP) was adopted by Council in February 2010. This plan includes objectives, strategies and actions which deal with future land use and form of development, physical improvements and infrastructure investments. It provides the strategic basis for future development and activity mix, preferred future character, a guide for new public works and infrastructure, design guidance and an overall approach to implementation and priorities.

181. This plan pre-dates the rezoning of the subject land from Industrial to Commercial and influenced the implementation of Schedule 11 to the Design and Development Overlay affecting the site.

182. The GSLAP acknowledges that Wellington, Langridge and Gipps Streets offer greater exposure and accessibility for activities like showrooms and larger office developments. The Plan also aims to reduce car travel into the precinct, as follows;

    (a) A broader policy objective to implement Council's Strategic Transport Statement is to reduce the proportion of trips into and out of the precinct by car.
    (b) Reduced car travel will depend primarily on broader initiatives beyond the scope of this plan.
    (c) Local initiatives should aim to improve walking and cycle access and connections to public transport and slowing car and other vehicle traffic in and around the precinct.

Yarra Business and Industrial Land Strategy 2012

183. The Yarra Business and Industrial Land Strategy was adopted by Council in June 2012, which applies to land within the Commercial and Industrial Zones within the City of Yarra. The Strategy sets out a 10-15- year direction for Yarra's business and industrial areas and provides guidance for Council and relevant stakeholders for land use planning in these areas.

184. The Strategy identifies that *'local economic conditions have continued to evolve including growing pressure for residential and mixed use development in Yarra's business and industrial areas, ongoing industry changes and adjustments, new business development opportunities and new infrastructure investments'* . The City of Yarra is committed to maintaining the employment focus in its business and industrial areas and seeks to ensure access to employment opportunities within these areas is maintained.

185. The vision of the Strategy is as follows:

    (a) Business and industrial areas in the City of Yarra play an integral role in sustaining the local and inner Melbourne economy and local communities. They will continue to change, with significant growth in the business sector and a decline in industry activity and employment.
    (b) This Strategy will provide sufficient land to sustain growth in economic activity. In doing this, it will contribute to the economic strength of the region, and enhance its vibrancy and diversity.

186. Within the Strategy, the subject site exists within the Gipps Street Node (CIB4). The strategy notes that the precinct was rezoned from Industrial 1 Zone to Business 3 Zone (and most recently Commercial 2 Zone) to facilitate a broader business and industrial base and to ensure it remains one of Yarra's strategic employment precincts.

Advertising

187. The application was advertised in accordance with Section 52 of the *Planning and Environment Act* 1987 [**the Act**] by way of 2001 letters sent to the surrounding property owners/occupiers and by three signs, one sign facing each of the three street frontages.

188. A total of 13 objections were received to the application, these can be summarised as:

(a) Traffic, safety and lack of parking – impact on Waterloo Road Shared Zone;
(b) Amenity Impacts (overlooking, Loss of Views, Noise, heat and light reflection, loss of daylight to windows, smells from bins, wind impacts, overshadowing);
(c) Noise from waste collection;
(d) Disruption due to loading bay;
(e) Construction issues (damage cobblestone, impact on adjoining businesses);
(f) Neighbourhood character/Heritage;
(g) Height/Massing/Scale;
(h) Impact on heritage building;
(i) Amplified music and patron noise from restaurants;
(j) Unclear information about rooftop use;
(k) Plans do not indicate where the Waterloo Road dwellings are located;
(l) Acoustic report did not consider closest dwellings; and
(m) Insufficient width for the proposed pedestrian walkway.

189. A consultation meeting was held on 9 April 2019. The Permit Applicant, Planning Officers and objectors were present.

190. As a result of the matters raised at the consultation meeting and referral advice, the Applicant submitted amended plans under Section 57(A) of the *Planning and Environment Act* 1987 [the Act]. The amended plans were readvertised to adjoining owners and occupiers and all objectors. One objector made additional submissions however no new objectors were registered.

Referrals

191. The referral comments are based on the original advertised plans unless otherwise stated.

Internal Referrals

192. The application was referred to the following units within Council:

(a) Urban Design;
(b) Streetscapes and Natural Values;
(c) Engineering Services Unit;
(d) Strategic Transport;
(e) Waste Services;
(f) Open Space;
(g) ESD Advisor;
(h) Social Planning;

193. The application was referred to the following external consultants:

(a) Urban Design (MGS Architects);
(b) Acoustics (SLR Consulting) and
(c) Wind (ViPac Engineers).

194. The amended plans were re-referred to Council's Engineering Services Unit, Strategic Transport and Waste Management Officer. They were not re-referred to the other advisors/units as the changes would not impact their comments.

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

OFFICER ASSESSMENT

196. The primary considerations for this application are as follows:

(a) Policy and physical context;
(b) Uses;
(c) Sale and Consumption of Liquor;
(d) Built form;
(e) Environmentally Sustainable Development (ESD);
(f) Off-site amenity impacts;

(g) Car parking, traffic, access and bicycle provision;
(h) Waste management; and
(i) Objector concerns.

Policy and physical context;

197. The proposed development has strong strategic support at State and local level. The C2Z which applies to the site is capable of accommodating greater density and higher built form, subject to individual site constraints. Additionally, state and local policies (such as clauses 11.03-1R and 18.01-1S) encourage the concentration of development near activity centres and more intense development on sites well connected to public transport.

198. At a State level, the metropolitan planning strategy *Plan Melbourne* seeks to create 20-minute neighbourhoods, where people can access most of their everyday needs (including employment) within a 20-minute walk, cycle or via public transport. These neighbourhoods must be safe, accessible and well connected for pedestrians and cyclists. The site fulfils these criteria, with tram routes along Smith Street and Victoria Parade, bus routes along Hoddle Street and Johnston Street and the North Richmond and Collingwood Train Stations to the east beyond Hoddle Street. This encourages the use of alternative modes of transport to and from the site. Further, the site is located within proximity to a comprehensive cycling network; with particular regard to the 'Copenhagen-style' bicycle lanes established along Wellington Street to the west.

199. The site and adjacent land to the east, west and south are located in the C2Z, which specifically encourages office, retail uses and associated commercial services. These sites form part of the Gipps Street Industrial Precinct. The proposal complies with the strategic direction outlined for this Precinct by continuing the industrial/commercial use of the site in a more intensive form, in order to facilitate greater employment opportunities in the area. The proposal will support economic opportunities in a highly accessible, service-rich area. The uses proposed will increase employment opportunities in hospitality as well as support the surrounding commercial uses through the provision of a recreation facility and restaurants.

200. The zoning of the land preferences uses such as offices to occur. This outcome is further supported by both the *Gipps Street Local Area Plan* and the *Yarra Business and Industrial Land Strategy*, two documents referenced earlier in this report that aim to promote the Gipps Street area, and in particular, land with the C2Z as neighbourhoods where larger office developments are encouraged. The other proposed uses are complementary to the surrounding area due to the specific encouragement of office uses within the Commercial 2 Zoned land and are not expected to pose interface conflict issues. The proposed restricted recreation facility and food and drinks premises go hand in hand with this surrounding context. This site is clearly located within an area where higher intensity commercial uses have been directed to be located.

201. Having regard to the above, the proposed re-development of the site for a larger-scale office building is considered to have strategic planning support, however regard must be had to the appropriate scale of the proposal, based on the individual context and constraints of the land. This aspect of the development will be discussed below.

Uses

202. With the exception of the office use, the restaurants and restricted recreation facility (gymnasium) require a planning permit in the zone. As outlined within the *Policy and physical context* section earlier, the subject site is considered an appropriate location for these uses based on its proximity to key activity centres (Smith and Brunswick Streets) and the Gipps Street Employment Precinct.

203. In respect to their appropriateness there is support for them at the ground floor where it can be demonstrated that the scale of operation would not result in unreasonable impacts to the surrounding area or erosion of the primary purpose of the Commercial 2 Zone. This consideration is relevant in terms of the objective of the Commercial 2 Zone: *to encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.*

204. By retaining land for commercial uses, Collingwood will remain a viable and thriving economic cluster, thus providing a net community benefit through employment and contributing to the local and regional economy for present and future generations. It is also Council local planning policy (Clause 21.04-3) to increase the number and diversity of local employment opportunities and by maintaining this land for the purpose it was intended for, this policy will be met and a net community benefit will be achieved. Council's local policy at Clause 21.04-3 states that the commercial and industrial sectors underpin a sustainable economy and provide employment. Yarra plans to retain and foster a diverse and viable economic base.

205. The site is located within an employment cluster which is of importance not only to the municipality, but also to the broader metropolitan region given its capacity for change and connections to other Activity Centres, residential areas and public transport. The area supports a growing employment base, and the proposed uses will support this. These uses will provide:

    (a) a venue where the local workers and residents can obtain food and drinks; and
    (b) opportunities for physical activity.

206. The restaurants and the restricted recreation facility will contribute to the mixed use nature of the location which includes other commercial entities. On weekends, there is an expectation that buildings are active and provide for visitors and local residents alike. These two different uses will play a legitimate role in meeting the needs of the area in this respect and providing seven days a week activation of the area whereas offices are generally closed and can lead to inactivity.

207. The Commercial 2 Zone also requires consideration of the following matters (as relevant) at clause 34.02-7, each with a response provided below:

    (a) The effect of existing uses on the proposed use – existing uses are a mixture of residential (to the north in the Mixed Use zone) and commercial/industrial in nature and are not expected to have an adverse impact on the proposed uses. These existing uses will most likely provide patrons for the proposed businesses;
    (b) The drainage of the land – the land is not located in an area with any specific drainage requirement under the Scheme and would have adequate ability to connect to relevant drainage networks;
    (c) The availability and connection to services – the site is in an existing built up urban area with easy connection to all necessary services;
    (d) The effect of traffic to be generated – this is discussed in detail later in this report;

208. In respect of amenity impacts, Clause 22.05 seeks to ensure that new non-residential uses do not unreasonably impact dwellings including through noise, light spill, emissions and rubbish.

209. The closest residentially zoned land is to the north of the subject site within the Yorkshire Brewery re-development. Council officers note that there are some people living within the site to the west and further to the east along Rokeby Street, however the only permits Council officers were able to locate were those for caretaker's dwellings and studios. Hence, even if existing use rights were able to be established, these dwellings do not have the same level of amenity protection as dwellings within a residential area.

Neither the zone purpose nor the decision guidelines indicate an intention that residential amenity impacts associated with development should be an issue in this zone, or residential standards of amenity applied within it. The purpose does however state “that uses do not affect the safety and amenity of adjacent, more sensitive uses”.

210. The two restaurants face Langridge Street, with the eastern-most also having a sideage to Rokeby Street and as such, only face commercially zone land with no direct interfaces to dwellings. They are separated from more sensitive uses by the proposed restricted recreation facility (gymnasium) and associated built form as well as the width of Waterloo Road. As such, this minimises the potential for off-site amenity impacts such as light spill.

211. As already outlined, the hours of operation for the larger restaurant is between 7.00am and 1.00am the following day, Monday to Sunday, with the outdoor area operating between 7.00am and closing at 11.00pm. As previously noted, Council officers incorrectly stated in the advertising material that the closing time of the outdoor area was proposed to be reduced to 10.00pm, Monday to Saturday, and 9pm on Sundays. This will be discussed later in the report and rectified by way of condition.

212. The smaller restaurant proposes hours of operation between 7.00am and 11.00pm Monday to Sunday, with the outdoor area operating between 7.00am and closing at 10.00pm, Monday to Saturday, and 9pm on Sundays. The recent amendment reduced the closing hours of the outdoor area of eastern restaurant from 11pm to 10.00pm, Monday to Saturday, and 9pm on Sundays.

213. With regards to the restricted recreation (gymnasium) facility, it will front Waterloo Road and will be to the south-east of the dwellings within the Yorkshire Brewery re-development, however has no direct interface with these dwellings. The hours of operation for the restricted recreation facility (gymnasium) are between 5.30am and 8.00pm on Monday to Friday and 7.00am to 11.00am Saturdays. The facility will be closed on Sundays and Public Holidays.

214. There is limited guidance in the Scheme as to what appropriate opening hours are in the Commercial 2 Zone. It is considered that these hours are not particularly early or late, and are therefore acceptable. Due to the zoning of the land, other potentially more intensive uses could operate without requiring a planning permit and would therefore not have their hours restricted. Additionally, considering the small scale of these uses, and that they do not have any direct abuttal with residences, impacts will be low. Accordingly, the uses are not expected to have unreasonable impacts on these dwellings and can be managed with appropriate conditions.

215. Looking at noise related to the restaurants, these will be discussed in *Sale and Consumption of Liquor* and *Off-site Amenity* assessments of this report.

216. In terms of the restricted recreation (gymnasium) facility, Council’s Acoustic Engineer had recommended that the future tenancy agreement should require an acoustic assessment of noise impacts from fitness activities and music. A condition will require that prior to the commencement of this use, an acoustic report be submitted and approved by Council. In addition to this, a post-occupation report will be required, confirming that the recommendations have been carried out and that the use meets the nominated noise targets.

217. In terms of the numbers of patrons, the applicant is proposing a total of 245 for the restaurants. The restricted recreation facility will have a maximum of 33 patrons with up to 3 staff members. These numbers are considered to be reasonable for the location of the proposed development.

218. Rubbish would be adequately concealed within the buildings and any emissions would have an adequate dispersal distance from the dwellings. Conditions have been included to ensure the amenity of the area is not unreasonably compromised due to the 'permit required' uses. These include restrictions on hours of operation, noise, patron numbers, waste disposal, deliveries and emission including light spill.

Sale and Consumption of Liquor

219. Closely tied to the two restaurants is an application for the sale and consumption of liquor. The larger tenancy is applying for an 'on-premises license', whilst the smaller is applying for a 'café and restaurant license'.

220. In addition to the Planning Policy Framework considerations, the Clause 52.27 decision guidelines take into consideration the general impact of the proposed sale and consumption of liquor, the hours of operation, the patron numbers and the cumulative impact of any existing and proposed licensed premises on the amenity of surrounding area.

221. The majority of the above considerations are addressed in Council's Licenced premises policy at Clause 22.09 and will be discussed in more detail later in the report. However it is necessary to give consideration to potential cumulative impact associated with the new liquor licences.

222. The "Corner Hotel" decision (*Swancom Pty Ltd T/as Corner Hotel v Yarra City Council & Ors*) provides a potential assessment methodology for considering applications that may result in cumulative impact. The decision also acknowledges that depending on the nature of the use (i.e. premise type, patron numbers and operating hours) the required level of assessment will vary.

223. In applying the matrix of risk below, a reasonable consideration would suggest that a score of 1-3 would be *no risk*, but that a score higher than 3 would be a *potential risk* and require a cumulative impact assessment.

Type of Premise	**Risk Factor**
Café / Restaurant	**0**
Bar / Restaurant / Café	1
Bar	3
Hotel / Tavern	3
Night Club	3
Place of Assembly	2
Size of Premise	**Risk Factor**
0 – 49 patrons	0
50 – 99 patrons	1
100 – 199 patrons	2
200+	**3**
Closing hours	**Risk factor**
11pm	0
12am	1
1am	**2**
2am	3
3am	3

After 3am	4

224. In this instance, the proposed application does triggers a cumulative impact assessment, as the proposal is afforded a maximum score of 5. Council's local policy specifically states that cumulative impact assessments are not required for restaurant applications. This is due to venues which provide food (such as restaurants), typically being lower risk as the primary focus is on food, rather than drinking as occurs in a bar.
225. Nevertheless, whilst a cumulative impact assessment is technically not required by local policy, due to the risk score, Council planning officers will provide an assessment.

226. As previously stated, the Licensed premises policy at Clause 22.09 guides the assessment of new licensed premises within the municipality and contains six key elements that will be considered in turn:

Location and access

227. Council's local policy encourages licenses premises with a capacity of more than 200 patrons to locate in a Core Entertainment Precinct. The proposed restaurants have a combined patron capacity in excess of 200 patrons. The subject site is not located within one of the outlined areas, however considering that the subject site is located within the C2Z and the tenancies no interface with any residential land, this is considered acceptable.

228. Patron egress and ingress will be from Langridge Street which is a key road in the surrounding area that will allow patrons to easily disperse and provides a high level of safety due to its visibility from the public realm.

229. Patrons are more likely to disperse along the main thoroughfares (ie Langridge and Wellington Streets) to access public transport and taxis or other licensed venues within the area. Some filtering into the residential areas to the west or north could be expected, but would generally be limited to local residents with the aforementioned streets being far more likely to be utilised by non-locals. Additionally, Langridge Street provides a direct route to Smith and Gertrude Streets.

230. As previously discussed, an updated Red Line Liquor License Plan had not been provided by the applicant as part of the amended plans, however one had been provided with the originally advertised plans. The applicant provided Council with a sketch plan on 4 July 2019 depicting the proposed 'red line' liquor license plan. This will form part of Condition 1 requirements. The plan shows the 'red line' where liquor can be served. This is generally similar to the plan provided with the originally advertised plans, albeit with an enlarged floor area (due to relocation of services) and the outdoor area of the eastern tenancy moved further west as per the amended plans.

Venue Design

231. The layout of the licensed premises are rectangular and regular in layout, with a condition on any permit to issue, requiring a layout plan showing 75 percent of patrons seated.

232. As noted within *Location and access*, entry and exits points of the licenced premises are from the proposed pedestrian walkway which are closest to Langridge Street and away from sensitive land uses.

233. All waste management and storage is provided onsite and located internally to the building. The glass crusher is shown on Basement Level 1 plan.

Hours of Operation

234. The hours of operation for the larger restaurant is between 7.00am and 1.00am the following day, Monday to Sunday, with the outdoor area operating between 7.00am and closing at 11.00pm, Monday to Saturday.

235. The hours of operation for the smaller restaurant is between 7.00am and 11.00pm Monday to Sunday, with the outdoor area operating between 7.00am and closing at 10.00pm, Monday to Saturday, and 9pm on Sundays.

236. Putting aside the outdoor seating discussion for the time being, both premises commence the sale and consumption of liquor before 9am which is not supported by Council's local policy. This can be rectified for both premises via a condition on a permit should one issue.

237. In terms of closing times, the smaller restaurant complies with Council's local policy as it is located more than 30m from the nearest residential zone and does not operate beyond 1am (with a closing time of 11pm). The larger restaurant does not comply as it is closer to the residential zones (within 30m) and proposes to close at 1am when policy prefers 11pm.

238. Council's Social Planning Unit also raised concerns with the closing time of the larger restaurant and stated there are compliance issues with larger restaurants morphing into bars later in the evening, as alcohol rather than food becomes the focus. Council's Social Planner recommended that the applicant either reduce the hours of operation or provide additional information on the operational objectives of the larger restaurant remaining open beyond 11pm. It was suggested that this could be way of confirming that the kitchen will remain open with a full menu to 1am, and that all seating (or seating in excess of the 75% requirement) is provided at all times until 1am. The applicant stated that a future operator is not known at this time and such details cannot be provided.

239. Council's local policy allows later closing times if the Responsible Authority is satisfied that it will not adversely affect the amenity of the area. As will be discussed later in this report, Council's Acoustic Consultant did not raise any issues with the internal noise levels of either licensed premises. Therefore, in light of these comments and for the reasons already outlined in this assessment, Council planning officers are satisfied that the later closing time for the indoor area is acceptable. However, a condition will be required in-line with Council's Social Planner's recommendation. This will ensure that the focus will remain on food service until the venue closes and as such, reduces the potential for adverse amenity impacts.

240. Returning to the discussion on outdoor seating, Council planning officers incorrectly listed the reduction to the operating hours of the outdoor tenancies as being in relation to both premises, however the applicant has only amended the eastern tenancy. The applicant wished to retain the western tenancy with a closing time of 11pm whilst the eastern is proposed to close at 10pm, Monday to Saturday and 9pm on Sundays.

241. Council's Social Planner recommended closing times of 10pm at the latest in compliance with Council's local policy. Council's Acoustic Consultant raised additional concerns with noise from the outdoor areas and recommended they have the following closing times:

Day of the week	Day/ evening period
Saturday	1000 hrs – 2200 hrs
Sunday	1200 hrs – 2100 hrs
Other day	0900 hrs – 2200 hrs

242. This will be required by way of condition.

243. Additional conditions will be placed on the permit in regards to deliveries, waste collection and the emptying of bottles in compliance with Council's local policy, Clause 22.09.

Patron Numbers

244. The proposed total number of patrons is a maximum of 245, reducing to 140 patrons at 11pm when the smaller venue closes. Considering the size of the two premises, this number is considered reasonable. Additionally, the outdoor areas are limited to a maximum of 10 patrons for the smaller venue, and 20 for the larger. This will be mandated by way of condition.

245. Council's Social Planner stated that the application floor plans should depict at least 75% seating for both of the venues as standalone entities. This would result in a minimum of 79 seats for the smaller restaurant and 105 seats for the larger restaurant to be available at all times. Council planning officers agree and confirm a condition will require the layout of both restaurants to be shown on floor plans (inclusive of outdoor seating zones) with tables and chairs to be available for at least 75% of patrons attending the premises at any one time. This will ensure that the focus will remain on food service until the venue closes and as such, reduces the potential for adverse amenity impacts.

Noise

246. These matters have already been discussed in this assessment and will be further expanded upon in the *Off-site Amenity* assessment of this report. Subject to the aforementioned suite of conditions, the proposal is satisfactory and will ensure the amenity of the area is not unreasonably impacted by the proposal.

Noise and Amenity Action plan (NAAP)

247. This is not required for restaurants as per Council local policy at Clause 22.09.

Cumulative Impact Assessment

Planning policy context and Surrounding land use mix and amenity

248. These matters have already been discussed.

The mix of licensed premises

249. Council's Social Planner stated that there is a mix of licensed premises within the local area includes restaurant / café licenses, packaged liquor licenses, limited licenses and late night (on premises) licenses. Within 500 metres of the subject site there are 89 licensed venues, with most concentrated along Smith Street.

250. The applicant provided a breakdown of existing liquor licences in the immediate surrounding area (approximately 500 metres of the subject site) is provided below:

Licence Type	Number
Packaged Liquor	5
Limited	18
On-premises	17
Restaurant and café	28
BYO Licence	3
General	13
Late night	10
Full club	0
Pre-retail	1
Wine and beer producer's	0
Total	**95**

251. Council officers note that this number is six venues higher than that quoted by Council's Social Planner. However all agree that this number is primarily due to the site's proximity to Smith and Gertrude Streets. This reduces the potential for cumulative impacts as these sites are further afield.

252. As outlined in the *Surrounding Land* section of this report, there are only a limited number of liquor licenses within the surrounding area. In the area bordered by Wellington, Hoddle and Vere Streets and Victoria Parade, there are 17 licensed premises. Of these, seven are limited licenses (which do not require a planning permit), one is a packaged liquor license and two are for cafés. Of the remaining seven, general or on-premises liquor licenses, the latest opening times are 1am on Friday and Saturdays associated with 'Rupert on Rupert' bar located at 73 Rupert Street, Collingwood – 73m to the east of the subject site. Council officers believe this mix has a low risk of cumulative impact potential.

Transport and dispersal

253. Council's Social Planner considered that there are sufficient public transportation options from the subject site. These have already been outlined in the *Surrounding Land* section of this report. These include tram routes along Smith and Gertrude Streets, as well as Victoria Parade. Hoddle Street includes various bus routes as well as train stations being located along the eastern side of Hoddle Street.

254. Dispersal has also been discussed in the *Location and access* portion of this assessment.

Impact mitigation

255. As previously noted, impacts will be mitigated through additional conditions imposed on any permit to be issued. These have already been outlined and include earlier closing times for outdoor seating, tables and chairs to be shown on floor plans and a full menu to be provided until closing time.

256. Accordingly, subject to conditions, both Council statutory and social planning units are satisfied that the proposed licensed venues will not result in adverse cumulative impacts to the surrounding area.

<u>Built form</u>

257. The following is a detailed assessment of the proposal against the design objectives of Clause 22.10 – Built Form and Design Policy and Schedule 11 of the Design and Development Overlay (DDO11). The assessment will also consider the decision guidelines of the Commercial 2 Zone, and the urban design principles articulated at Clause 15.01.

258. All of the provisions and guidelines support 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.

Urban form, character and context

259. As discussed in the policy section above, the proposal is an appropriate response to the site's strategic context and makes efficient use of relatively under-utilised land. Strategically, the subject site is appropriately located for a higher-density development, being proximate to an Activity Centre and within the C2Z with excellent access to public transport, services and facilities. In addition, the site has three street/laneway interfaces, thereby providing a degree of separation from adjacent sites with no direct residential abuttals. It would therefore be a reasonable expectation that this site (as others in the Collingwood area are currently doing) would experience intensification in use and development.

260. The built form of this part of Collingwood has been guided by the traditionally industrial uses historically found in the area. New construction has generally been at least five storeys in height and constructed boundary to boundary. Built form in the surrounding area consists of a mixture of architectural styles and materials, with high site coverage, where walls on boundaries are common.

261. The subject site is not located within a heritage overlay; however the Yorkshire Brewery development to the north is in a site specific heritage overlay and also on the Victoria Heritage Register. The development will not impact this as the longer range views of the brewery will not be impacted nor will it impede any views from the east and west where it has the most visibility.

262. Particular regard must be given to the acceptability of the design in terms of height and massing, street setbacks and relationships to adjoining buildings.

263. In terms of the specific design responses, the following applies:

Waterloo Road

264. The two buildings provide a podium height variation of between three and four storeys along Waterloo Road with setbacks of between 1.7m and 1.9m above. The podiums are constructed in a rust coloured concrete columns with clear glazing, whilst the upper levels have light grey concrete columns. These two sections of the building are horizontally separated by either concrete or metal banding. This is continued where Site B interfaces with Site A and the pedestrian walkways.

265. The preferred future character of the area as outlined within Schedule 11 of the DDO is of street facades built to a height of up to 3-4 storeys. The proposed podium heights comply with this, as well as being similar to adjoining lots to the west. This street wall height and the use of horizontal banding through colour provides a human scale to the development, which when combined with the columns adds to the finer detailing effect of the building. This achieves objectives within Schedule 11 of the DDO. Above the street wall, taller built form is setback from the property boundary in line with guidance provided within the DDO11. The change in colours provide a distinction between the lower and upper levels of the buildings.

266. The western side boundary wall of Site B will be visible from along Waterloo Road above the existing buildings to the west. It is unclear what material is proposed for the wall and this will be required to be of a visually interesting material by way of condition. This ensures the proposal is designed 'in the round'. The lack of side setback in this instance is typical of the industrial character of the area, and in light of the visual break in massing provided by the 4.5m separation between Sites A and B, another is not needed in this instance due to the confined nature of the street.

Rokeby Street

267. The eastern wall of Site A will be seen from along both Waterloo Road and Rokeby Street as it is taller than the adjoining lots. The proposal has combated the potential for a visually bulky appearance, by providing rust coloured fluted concrete for the lower levels and light grey fluted concrete for the upper. This matches in with the column colours on the northern elevation.

268. To the south of the adjoining lots, the proposal provides a six storey street wall, with the seventh floor setback at least 3.22m. A seventh floor terrace holds the corner at the Rokeby Street intersection with Langridge Street.

269. In addition to the fine detailing provided by the columns and subsequent compliance with the DDO11, this elevation has a two tone variation in concrete with light and dark grey being used. This adds to the articulation and assists in breaking up the massing to avoid dominating the lower forms at No. 79 and 81 Rokeby Street, achieving objectives within Schedule 11 of the DDO. Considering the limited length of this street wall and its siting at a corner, this is acceptable.

Langridge Street

270. The below render images show the proposal as it will be seen from Langridge Street:

271. Podium Heights along this frontage range between six and seven storeys with the upper levels constituting terraces and hence, have open sky behind them. As visible above, the breadth of the site is articulated via three forms which vary in colour and height but continue the architectural language of the development. These are further articulated by a 7.6m setback which allows the corner returns of the rust and light grey sections to be visible. The depths provides visual interest.

272. While the podium heights exceeds the preferred four storey street wall envisaged in the DDO11, the stepping and colouring contributes to the variety and interest along this extensive frontage. In regards to the increase in height at the corner to Rokeby Street, this is supported by on the basis that it will mark the intersection. Given the size of the site, and the height of the proposed development, a lower podium on the corner (i.e. three storey or less) would also likely accentuate the height and dominance of the upper levels. Above the street wall height, the dark grey colouring provides a muted backdrop to the light grey and rust as well as providing a connection to the corner element.

Internal areas

273. Along the southern side, due to the location of lifts and toilets, Site B includes solid concrete sections. It is important to note that this elevation of Site B will have less of a presence in the streetscape due to its distance from Langridge Street. This will certainly be the case if the development at No. 60-72 Langridge Street is constructed. In any event, any construction on the site at No. 60-72 Langridge Street will obscure views to the southern side, however the proposal has provided variation nonetheless by continuing the columns for the majority of this elevation. Additionally, the 3m separation to this site along the southern boundary provides a reasonable separation distance. Locating services and lifts along the southern elevation is the logical location considering this site context.

274. Looking at the building separation between the two buildings, there is a width of 4.5m which is reasonable and allows clear views between the two buildings from the surrounds. Whilst Council's external urban designer had expressed a view that 6m would be preferred, Council planning officers believe the increase in width as part of the amended plans, from 3m to 4.5m is sufficient to achieve the feeling of 'openness' between the two buildings within this inner-city location. Additionally, from the seventh floor and above, Site A is further setback by an additional 1m to avoid a canyon-ing type effect onto the laneway. This ensures the proposal does not dominate the streetscape due to this substantial visual break between the buildings. It is important to note that the proposed building separation is similar to the width of Waterloo Road and can be viewed in the render below:

275. A detailed landscape plan will be required by way of condition which will ensure these pedestrian spaces are inviting and safe. A further condition will ensure they are maintained to Council's satisfaction.

Height and Architectural Quality

276. Finally, turning to the height of both buildings, the proposed buildings will extend to a maximum height of between seven and nine storeys or between 25.6m and 32.8m with plant being an additional 1.6m in both instances. Whilst it is acknowledged that the buildings will be taller than some of the existing adjoining developments, they are lower in height than the Yorkshire Brewery (50.38m) to the north and comparable to recent office approvals in the Commercial 2 zone which range between seven and 13 storeys in height. Some of which have been constructed or are under construction.

277. This proposal is in-line with the emerging character of the area and generally consistent with local and state policy. Additionally, the two upper levels are well setback from Langridge Street, with a distance of 14.105m, ensuring these floors are read as being more in the background, rather than the forefront of the proposal. Whilst this results in the floors being closer to Waterloo Road, this is more of a visually restricted streetscape due to its width and will be less prominent. This is particularly considering the backdrop of the Yorkshire Brewery re-development. The height of the development is considered to be acceptable due to its location in an industrial area, lack of sensitive interfaces (to be discussed later in this report), and emerging character of the area.

278. The transformation of this part of Collingwood has been previously discussed in a 2013 Tribunal decision (*Urbicity Pty Ltd vs City of Yarra & Ors* [2013] VCAT 592 (26 April 2013) relating to a high density residential development proposal to the north-west of the subject site (in the Mixed Use Zone) at No. 44-48 Bedford Street, Collingwood, the Member made the following statement:

> [9] This part of the municipality has been and continues to be the subject of substantial redevelopment which is transforming it from a traditional industrial area to a higher density mixed use environment. The built form is changing from lower profile, utilitarian buildings to development that range between four and nine stories.

279. This transformation is clearly well underway as is evident in the surrounds. The issue of development which is higher than surrounding built form was further discussed in the Red Dot Tribunal decision, *Pace Developments v Port Phillip CC* (includes Summary) (Red Dot) [2012] VCAT 1277:

> [58] We accept that the building will be taller and will be seen, but the notion of respectful development does not mean that new buildings must replicate that which exists nor does it imply that they will not result in change. As we have noted, change must be contemplated in an area where growth is encouraged by the MSS and chance to improve, or perhaps in this case repair, the urban environment.

280. Continuing the discussion regarding visibility of taller built form, the following comments were made by the Tribunal in *Rowcliffe Pty Ltd v Stonnington CC* [2004] VCAT 46 (29 January 2004):

> [54] If mere visibility becomes the test across metropolitan Melbourne, then it will be virtually impossible to construct buildings above the prevailing scale. This, in turn, would render it impossible to achieve the clearly stated urban consolidation objectives expressed in the Planning Scheme, objectives which Clause 11 requires us "to give effect to". The Tribunal rejects the notion that, because some of the buildings would be visible above the existing built form, they are therefore unacceptable. Rather, the test is whether the proposal is complementary to the surrounding area, and of a scale that can be assimilated without unreasonably disturbing the surrounding built environment.

281. This also follows on from the building height and setback requirements of DDO11 which states that development above four storeys should demonstrate a high standard of architectural design (achieved subject to additional conditions and discussed below) and minimise overshadowing of adjoining streets and public spaces (achieved subject to additional conditions and discussed under *Public Realm*). The DDO confirms that taller built form may be appropriate on larger sites provided they include adequate setbacks and avoid overshadowing neighbouring properties. As will be discussed, the proposal meets all of these factors. The limited degree of amenity impacts to residential sites will be discussed later within this report, however the mixed character of the existing streetscape and the way in which the development responds to surrounding built form allows a higher scale to be supported.

282. In terms of achieving a high standard of architectural quality, the use of the rust coloured concrete for the lower levels references the surrounding red brick used in many of the remnant industrial buildings. The proposed materials and finishes which can generally be described as an industrial/commercial palette complement the adjacent developments, meeting building design requirements of DDO11. This is also achieved through the composition of hard-edge rectilinear forms. By providing this connection to surrounding built form, this achieves the design objectives of the DDO11 to ensure the building design responds to the inherent industrial character of the Precinct.

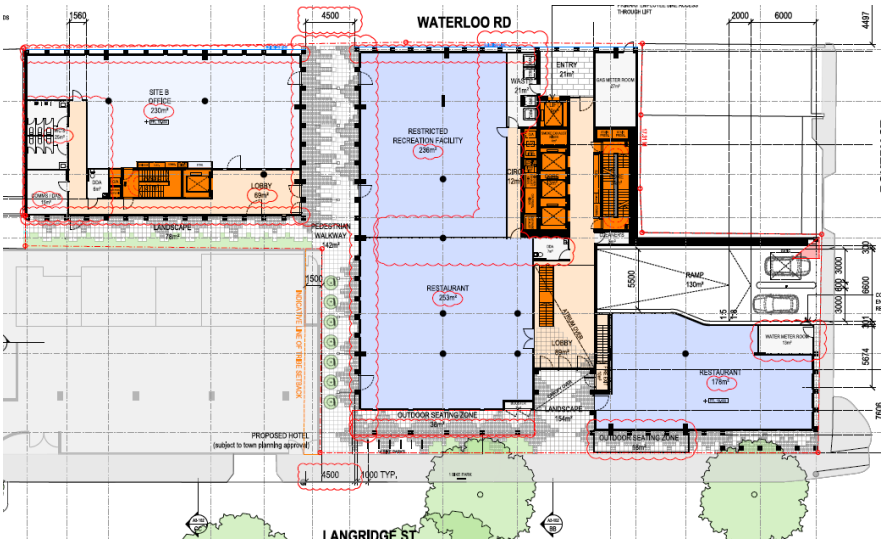
283. The variation in colours of the concrete columns and use of fluted concrete build on the existing fine grain industrial nature of the area in a modern and visually interesting way and provide a good degree of articulation. The depth of the columns (0.4m) create a shadowing effect throughout the day. This modulation achieves the building design objectives of the DDO11.

284. Council offices consider this proposal to be of high architectural quality and will also be requiring a façade strategy be provided, by way of condition, to include additional detailing for the ground floor interface as well as the podium and upper level facades. This provides Council's planning officers' certainty regarding the high architectural quality of the overall proposal. The external finishes schedule (TP10-200) will be required to be updated as material type 'EF05 – Fluted Concrete – Light Grey' does not show fluted concrete, but instead matches Material Type 'EF04 – Concrete – Polished – Light Grey'. The plans have the same material image for both materials, despite one being fluted. This is clearly an error and can be rectified by way of condition. Given the comments made in this assessment and the existing and emerging heights within the area as outlined, the building height is supported.

Public realm, light and shade and pedestrian spaces

285. Policy at Clauses 15.01-2S and 22.10-3.4 require the design of interfaces between buildings and public spaces to enhance the visual and social experience of the user. The preferred future character outlined within Schedule 11 of the DDO also aims for a vibrant and safe street environment with an increased amount of street orientated development. Design objectives of the DDO are to provide for a pedestrian friendly environment that does not adversely impact on pedestrian and cycling accessibility. Building design requirements are that frontages should be active, attractive and address street activity in its interface design.

286. One of the most substantive improvements as part of the proposal, and a significant public realm benefit, is the provision of two pedestrian walkways which provide a connection from Langridge Street to Waterloo Road, through the site, and another which connects to the laneway to the east of the site. The image below depicts this:



287. These walkways will be discussed in greater detail within the *Place-Making Initiative* section below. They provide pedestrian connections and through links, directly achieving the objectives of the DDO11. Additionally, conditions will require detailed landscape plans and security lighting to be provided, ensuring these walkways have high amenity and feel safe. By having active uses at ground floor which directly access these walkways, the perceived level of safety will be increased.

288. The construction of modern commercial buildings with large glazed ground floor lobbies, and active tenancies is a significant improvement to the surrounding streetscapes. Through the activation of the ground floor, the building will provide interaction at street level where there currently is none. This achieves the public realm design objectives of the DDO11. As will be discussed below, this activation will be further improved through a condition requiring additional glazed doors leading from the restaurants, out onto the Langridge Street frontage.

289. In terms of the location of services (which create dead street frontages) these have been minimised by being located internally with each frontage only having a small component.

290. The applicant has also committed to up-grading the existing raingarden at the intersection of Langridge and Rokeby Streets. As per Council's internal urban designers comments. The following will be required by way of condition:

    (a) Complete removal of surface sediment and weeds and top 100mm of filter media;
    (b) Replace top filter media and ensure raingarden surface is level with Extended Detention Depth per design intent;
    (c) Provide replanting for entire asset to achieve min 6/m2;
    (d) Retain or reinstate existing healthy plants where possible.
    (e) Planting design is to be to the satisfaction of the Responsible Authority.

291. The original application included a proposed kerb outstand along Langridge Street. Council's external urban designer supported this, however Council's internal urban design and engineering services units did not due to the constrained nature of the carriageway and its impact to the bicycle lane and drainage system. The amended plans deleted the kerb outstand. Therefore, any referral comments relating to a proposed kerb outstand are no longer relevant.

292. The applicant has committed to the undergrounding of overhead powerlines along Rokeby Street which is a substantial improvement on existing conditions, however due to the Langridge Street powerlines being high voltage the applicant has stated this is not possible.

293. These are all substantial public realm improvements and will certainly result in a better outcome for the streetscape.

    Ground floor interfaces - Langridge Street

294. Council's internal urban designer raised concerns with the extent of glazing, door operability and the double height columns along this frontage.

295. The Langridge Street ground floor frontage would benefit from additional operable doors, particularly as this would open out onto the outdoor seating zone. A condition will require this to be shown. This will provide better indoor/outdoor connection, and increase activity and vibrancy to the street as directed within policy at the DDO11.

296. Council planning officers also originally had concerns with the two-storey height of the colonnade. Council's internal urban designer stated that the ground floor required finer detailing to offset the heavy monolithic form of the building. However, upon further detailed

analysis, Council planning officers do not maintain this concern as the height provides a visual connection to the surrounding street wall heights.

The double height void creates in the street provides a sense of openness and space for pedestrians in this constrained inner-city location. This is further improved by the additional 1.8m setback provided by the proposal from Langridge Street boundary. This offers additional footpath and breathing space for pedestrians, thus improving the street environment. Council planning officers believe that by lowering the colonnades, this would result in a visually bulky proposal when seen by pedestrians from Langridge Street.

297. In order to provide for weather protection, that applicant has committed to providing a first floor canopy along Langridge Street. This will be required by way of condition.

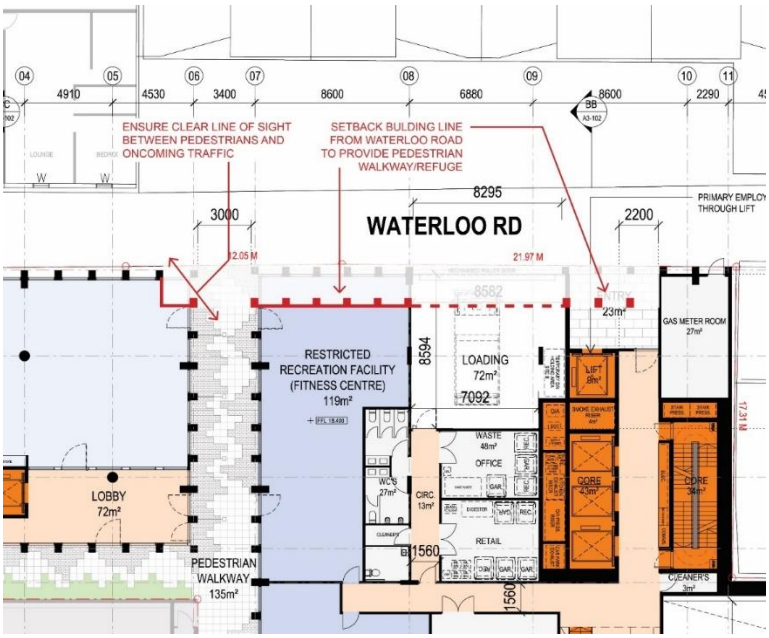
Ground floor interfaces - Rokeby Streets

298. The proposed vehicle access is located along Rokeby Street with an adjacent water meter room. Whilst this creates an inactive street edge, this is offset by the glazed frontage and proposed restaurant immediately adjacent to these areas.

Ground floor interfaces - Waterloo Road

299. The relocation of the loading and waste areas from Waterloo Road to a basement level constituted as significant improvement to the proposal and resolved many of the issues that Council's external urban designer raised with the proposal. As will be discussed later in this report, a condition will require the proposal to not encroach on the existing portion of asphalt along Waterloo Road. This will facilitate an improved outcome along this street frontage.

300. Council's internal and external urban designers recommended additional setbacks at ground floor for improved pedestrian visibility. Council's internal urban designers provided this diagram depicting their recommendation:



301. This will be required way of condition, with a 1.4m wide (approximately one column section) setback required for the portion of Site A to the west of the Waterloo Road entry and for the north-eastern corner of Site B for the width of one column section (approximately 1.4m) along the northern and eastern boundaries of the building. This will improve pedestrian permeability and safety through the precinct, in alignment of the design objectives outlined in DDO11. Council officers are aware this will require the reconfiguration of the waste room.

302. Council's external urban designer recommended an enlarged northern entry zone to Site A for the parking courier scooters and short term bicycle storage vehicles. With the additional setbacks provided in the conditions mentioned above, Council officers would be concerned that the provision of additional parking may result in views being obscured.

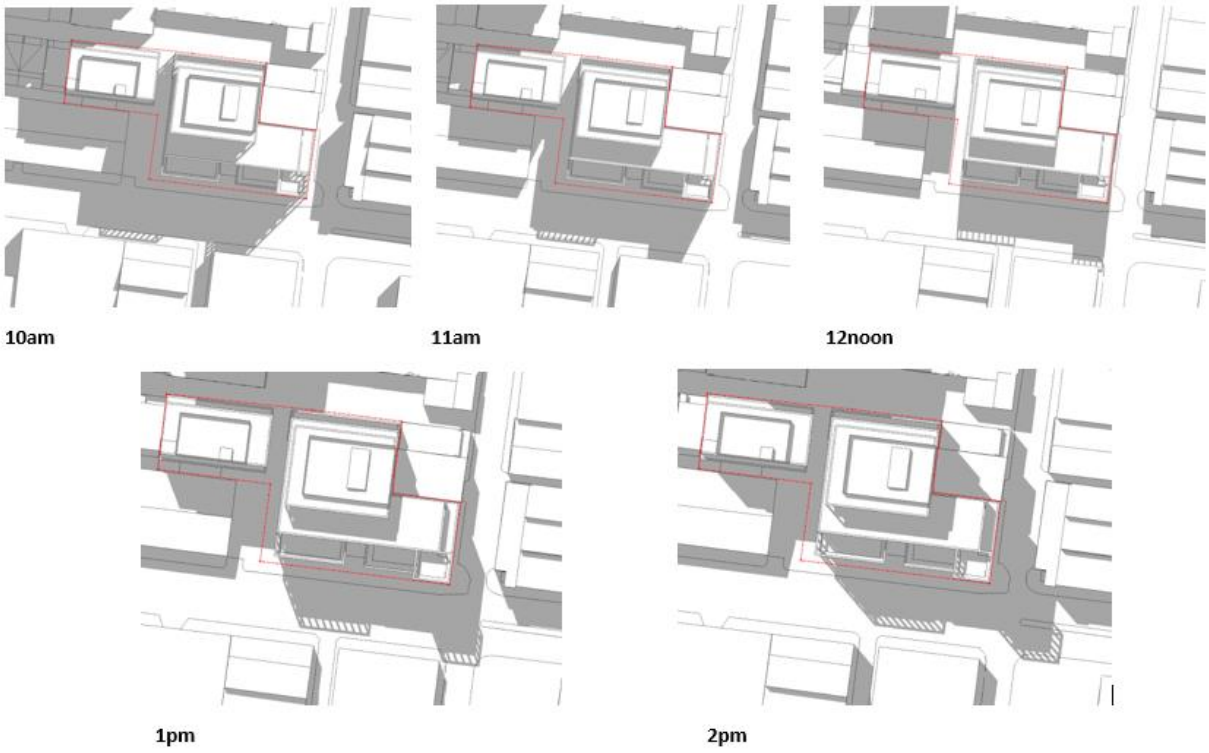
Shadows to the public realm

303. In terms of shadows to the public realm, the proposal will overshadow the northern footpath at all times of the day. Shading along the northern side of Langridge Street is not a concern as any building along the northern side would shade the footpath.

304. Council's external urban designer specifically stated that there should not be overshadowing to the south side of Langridge Street between 10am and 2pm.

305. The amended shadow diagrams show shadow to the southern footpath to be at their worst at 9am with the full footpath in shadow. At 10am, this decreases to two sections of footpath shaded by upper level terraces. At 11am, this is decreased to two sections of footpath in shadow with this further reducing to only one section at 12noon. From 1pm onwards, only negligible portions of shadow are on the footpath.

306. These are shown below:



307. In order to address Council's concerns, the applicant provided additional shadow sections as part of the amended plans. These depict the shadows in elevation, rather than on plan as typical shadow diagrams do.

308. The submitted plans show that whilst the upper level terraces do shade a portion of the southern footpath, due to the colonnades, sunlight is able to filter through at each internal.

309. This is shown in the imagery below:

310. Schedule 11 of the DDO encourages development above four storeys to minimise overshadowing of adjoining streets and public spaces. Despite Council's external urban designer's comments regarding the additional shadowing created by the upper level terrace, Council officers do not consider the extent to be excessive. The proposal will allow the majority of the footpath to be free of shadow between 10am and 2pm. In instances where there are shadows, due to the design of the terrace, they are limited in length and sunlight will still filter through.

Street Trees

311. Council's Streetscapes and Natural Values Unit confirmed that the two adjacent street trees have the following amenity values

    (a) Tree ID 13311 - $6,049.00
    (b) Tree ID 13312 - $10,753.00

312. Council's Streetscapes and Natural Values Unit stated that the western street tree (Tree ID 13311) has formed a canopy predominately over the subject site and its retention is not viable. The applicant will be required to pay the tree's amenity cost. In addition to this, a further condition will also require the applicant to provide to Council with a fee of $1083.73 for the cost to remove, replace and undertake two years establishment maintenance.

313. The eastern street tree (Tree ID 13312) will require pruning to clear it from the subject site, leaving the canopy completely orientated to the south over the roadway. The applicant will be required to pay for the pruning with Council's contractors carrying out the work. A condition can be placed on any permit for the applicant to pay an Asset Protection Bond for this street tree, as well as require solid hoarding constructed to the extent of the tree square as a minimum, and a gap at the base of 300mm. The pruning and barrier protection requirements will form part of a condition requiring a Tree Management Plan. Council's Streetscapes and Natural Values Unit were satisfied with this.

314. Council's Streetscapes and Natural Values Unit were also concerned that access to the site for vehicles and deliveries may require sealing of the Water Sensitive Urban Design (WSUD). The applicant has already committed to upgrading the existing rainwater garden and this will form part of a condition on any permit.

315. Council's Streetscapes and Natural Values Unit provided comments in relation to the kerb outstand, however as will be discussed below this will be deleted from plans via condition and therefore these comments are not relevant.

Place-making Initiatives associated with the proposal to the west (PLN18/0643)

316. Council's external urban designer raised the lack of master planning as a defining issue with this application and that of the site to the east. The following masterplan was recommended:

Recommendation 1
Provision of a masterplan for the larger site to the satisfaction of Council

Key Plan

New 6m wide shared two way service lane providing back of house shared service access to properties with frontages to Liverpool and Langridge Street for the extent of the property of the subject proposal and future eastern and northern development. Hotel proposal to include new crossover and realigned ROW access on remaining title for access.

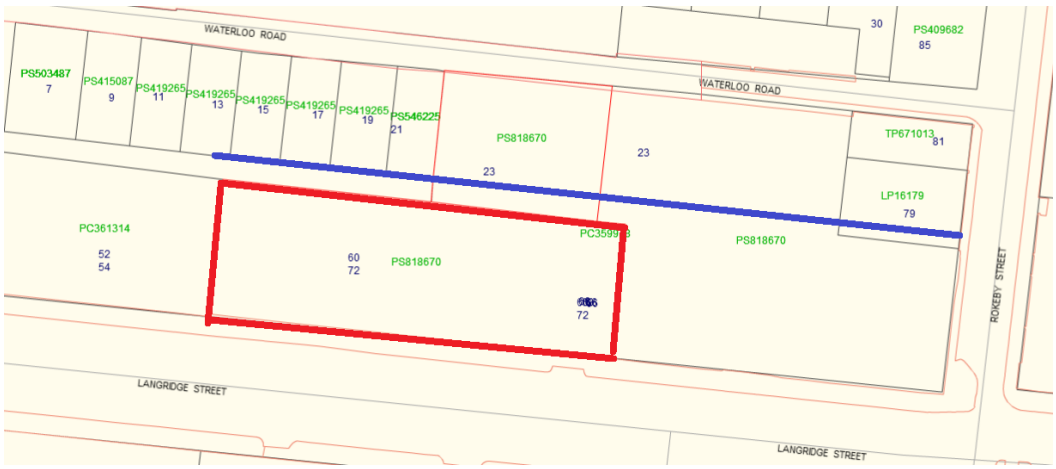
New 6m wide North high amenity space configured to provide half the space with access to sunlight between 10am and 2pm at the equinox south pedestrian walk

Activated edge to new north south pedestrian link

317. Whilst planning officers agree that this would be a significant improvement to the public realm and achieve the objectives of Schedule 11 of the DDO, Council will not be pursing this as part of either this application or that of the adjoining lot (PLN18/0643). Typically this would form part of strategic planning work which would have been conducted earlier in the process and not form part of individual statutory planning applications. By Council identifying the opportunity and implementing a master plan at an earlier stage, any future owners of the land would be aware of Council's requirements for developing this site and make an application accordingly. However this has not occurred in this instance, and it is not appropriate to retrofit these applications with a masterplan. This is made particularly more difficult as the two parcels are separately owned.

318. Looking specifically at the suggested 6m wide, east-west, two-way shared service lane to the north (shown in blue in the image above), this would require the sites further to the west to also be developed and provide an additional 3m setback from the laneway. In its current state, at a width of 3m, the northern laneway would not be able to accommodate two-way access and it is not practicable for loading/waste to use this laneway as there is not enough area to turn a vehicle. Additionally, each of the warehouses and offices to the west of the site and on the northern side of the existing laneway are separately owned and would require all owners to agree to widen the existing laneway. The applicant has attempted to resolve the loading/waste issues through the amended plans which have relocated these areas to the basement.

319. Additionally, the 6m wide two-way access relies on a new vehicle exit to Rokeby Street and to do so would result in the 6m wide access having to dog-leg around the built form located at No. 77 Rokeby Street. This is due to the southern boundary of No. 77 Rokeby Street not aligning with the northern boundary of the laneway. The image below depicts this:

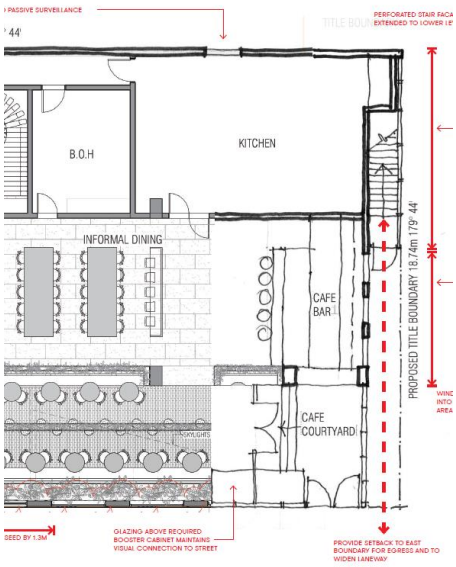


320. In relation to the proposed 6m wide north-south pedestrian link (shown in green in the masterplan image) suggested between the two concurrent applications, this has been partially achieved as a result of the amended plans. The current application has now widened the northern portion of the walkway from 3m to 4.5m. Whilst this is not to the full 6m as recommended, this width is substantial and will provide for an open area for pedestrians to access. This is a significant improvement on existing conditions and provides a pedestrian through link, thus achieving the requirements of the DDO11. This is a noteworthy public realm benefit. A condition will require a Section 173 Agreement to be entered into with Council to provide 24-hour access for pedestrians.

321. In addition to this, the proposed pedestrian walkway has active uses and glazed all along its frontages with direct access to the lobby of Site B as well as the western uses of Site A. This achieves the public realm design objectives of the DDO11. Whilst Council's external urban designer stated that additional openings should be required, this is not necessary in-light of the aforementioned direct access which will ensure that pedestrians are encouraged to use this access.

322. In relation to the portion of the proposed walkway to the north of No. 60- 72 Langridge Street, the 3m width is acceptable as it is not the primary access point for the office facing Waterloo Road. In terms of a lack of additional setback where the site to the west interfaces with the proposed walkway, due to its limited depth, this is not practicable. Sketch plans have been provided in relation to PLN18/0643 which show additional windows along the proposal's northern boundary. Council officers will be requiring this by way of condition, with a further modification to enlarge each window. This is an improved outcome. Whilst Council's internal urban designer recommended additional access points, this additional activation would assist in going some way to resolve Council's internal urban designer's comments.

323. In order to address Council's concerns with the width of the north-south proposed walkway separating Site A and the site to the west, sketch plans were provided for planning application PLN18/0643 to include a partial 1m setback in the southern portion of the eastern boundary. This can be seen in the images below (left is in plan form, and the right is a render version)



324. This also has the added benefit of providing the stairwell access from within that site, whereas previously it opened out onto the subject site which was unacceptable. The additional 1m setback provides a total 4m wide pedestrian walkway entrance from Langridge Street. The aforementioned sketch plans include additional east-facing glazing to the hotel café/bar which will improve passive surveillance due to the visibility of this activity. Council officers are accepting of this change and consider this increase in the pedestrian walk way width sufficient. This additional activation would assist in resolving Council's internal urban designer's comments.

325. Finally, through the provision of the additional eastern windows as shown in the aforementioned sketch plans of planning application PLN18/0643, and the use of perforated metal cladding for the stair, this is sufficient to activate the eastern boundary and is an improvement. The sketch plans also show sculptural lighting applied to the stairwell which will further assist in the perceived feeling of safety within this walkway.

Site Coverage

326. The level of site coverage proposed is well above the maximum of 80 percent as directed by clause 22.10-3.6. However as the existing level of site coverage in the surrounding and immediate area is similar, it is acceptable. Higher density developments in this precinct traditionally have high levels of site coverage with this characteristic being evident throughout Collingwood.

Landscape architecture

327. Landscaping is not a typical feature of developments in the wider Collingwood area. The proposed development includes landscaping within the proposed pedestrian walkways. Council's Open Space Unit requested additional information regarding this (including how this will not impede pedestrians), with a condition being included on any permit. Whilst some of these details were provided in the written submission as part of the amended plans, this needs to be shown on the landscape plans.

328. The urban context report showed landscaping on terraces, however this was not included on the landscape plans. Council officers believe the applicant should include additional greening, besides from planters along the proposed walkways. Council's external urban designer also recommended additional landscaping areas. Therefore a condition will require landscaping to be provided on the terraces.

329. Council's Open Space Unit recommended the applicant consider integrating the language of the development to the west to ensure a consistent treatment along the Langridge Street

frontage. This is not considered necessary as Council officers do not want to rely on the development of the site to the west to dictate what is occurring on this site as there is no certainty that what is proposed as part of planning application PLN18/0643 will be constructed. This differs from the proposed walkway discussion as this would be necessary regardless of what was occurring on the site to the west.

Environmentally Sustainable Development (ESD)

330. Redevelopment of the site located in an existing built up area would make efficient use of existing infrastructure and services, and the proximity of the subject site to numerous public transport modes reduces staff and visitors from relying on private vehicles.

331. Policy at clauses 15.01-2S, 21.07, 22.16 and 22.17 of the Scheme, encourage ecologically sustainable development, with regard to water and energy efficiency, building construction and ongoing management.

332. The applicant has stated that the proposal is committed to achieving a 4.5 star NABERS rating and a 5 Star Green Star rating which exceed Council's Best Practice. These will both be required to be confirmed in an amended Sustainability Management Plan (SMP) by way of condition.

333. NABERS rates a building on the basis of its measured operational impacts on the environment according to energy, water, waste, indoor environment. Ratings are awarded in a scale of 0 to 5 Stars, including half Star increments. In terms of Green Star ratings, certification by an accredited professional is required for claiming a particular star rating. It reviews environmental sustainability in management, indoor environment quality, energy, transport, water, materials, land use & ecology, emissions and innovation.

334. Council's ESD Advisor identified areas of deficiencies and outstanding information that needed to be provided and these were as follows:

(a) Natural ventilation – Windows sought to Site B toilets

The applicant has agreed to this – a condition will be included.

(b) Thermal performance – Double glazing is sought

Whilst Council's ESD advisor incorrectly referenced habitable rooms, the applicant has confirmed that windows to both buildings will be double glazed. A condition will require this to be confirmed in an amended SMP.

(c) Building energy efficiency – A preliminary Section J report is sought that demonstrates the NCC Section J requirements are exceeded by 10%

The applicant has stated that this is not necessary as the proposal is committed to achieving a 4.5 star NABERS rating. Council officers agree and will not be requiring any supplementary Section J report. A condition will be included confirming the 4.5 star NABERS rating.

(d) Air-conditioning – Details on system efficiency, and interrelated systems that minimise HVAC use.

A condition will require this.

(e) Hot water – Descriptions of the various domestic hot water and efficiency are sought

Whilst Council's ESD advisor incorrectly referenced 'domestic', details of hot water and efficiencies will be required by way of condition.

(f) Shading – Effective external shading is sought to sun-exposed glazing

Council officers do not think this is necessary as the proposal is committed to achieving a 4.5 star NABERS rating and a 5 Star Green Star rating which exceed Council's Best Practice.

(g) Bicycle facilities – A minimum of 20% horizontal bicycle parks is sought per Australian Standards

This will be discussed later in the *Bicycle facilities* section of this report.

(h) Urban greening – More vegetation is sought, including in-ground.

This will be discussed later in the *Landscaping* section of this report.

(i) Green Travel plan – Provide a green travel plan including details of local car share access.

This will be discussed later in the *Bicycle facilities* section of this report.

(j) Urban Heat Island – Provide detail noted missing in the UHI mentioned in the report.

The urban heat island effect will be minimised through the provision of terrace landscaping.

(k) Hybrid ventilation – Details of HVAC system efficiencies and how use of HVAC is minimised and avoided – prioritising passive systems.

A condition will require this.

(l) Active transport – Details of how building users can utilise stairs to minimise lift use are sought.

The applicant has agreed to this – a condition will be included.

(m) Photovoltaics – Clarity is sought as to if PV panels are to be 'building integrated' or applied

A condition will require this.

(n) Lighting – More detail is sought on lighting power densities and efficiency measures.

A condition will require this.

(o) Materials – A description is sought of predominant building materials is sought that connects with corresponding improvements.

A condition will require this.

335. Council's ESD Advisor also made recommendations regarding improvement opportunities, however these area either already addressed or considered unnecessary and onerous.

336. Subject to these conditions, the proposal exceeds Council's standards for Best Practice.

Off-site amenity impacts

337. The policy framework for amenity considerations is contained within clause 22.05 (Interface uses policy) and 22.10-3.8 (Built form and Design Policy). Clause 55 of the Scheme provides some guidance on these matters (although not strictly applicable). This application must

consider both the off-site amenity impacts for residential land as well as any potential impacts to existing commercial/industrial uses. Schedule 11 of the Design and Development Overlay firmly states that the Gipps Precinct (which the subject site is within) is a business and commercial environment with an industrial nature. The preferred future character of the area does not include any description of residential uses.

338. Design objectives at *clause 22.10-3.8* aim to limit the impact of new development on the amenity of surrounding land, particularly residential land, by ensuring that development does not prejudice the rights of adjoining land users. These objectives are largely designed to reduce off-site amenity impacts to land where they interface between land uses. This can include limiting off-site amenity impacts on residential land as well as ensuring that new non-residential use and development within Commercial and Mixed Use and Industrial Zones are designed to minimise noise and visual amenity impacts upon nearby, existing residential properties. Therefore this application must consider both the off-site amenity impacts for residential land as well as any potential impacts to existing commercial/industrial uses.

339. Having regard to amenity impacts on nearby existing residences, policy within clause 22.05 acknowledges that in order to maintain the viability of industrial and business areas, residences which abut business areas should not have unrealistic expectations of the level of amenity which can be achieved. The appropriateness of amenity impacts including setbacks, walls on boundaries, shadowing and overlooking need to be considered within their strategic context. In this instance, the subject site is mainly surrounded by land within the Commercial 2 Zone except for Mixed Use Zone land to the north of Site B. The local character shows a high level of site coverage and boundary-to-boundary development within the surrounding area.

340. As outlined within the *Surrounding land* portion of this report, there are habitable room windows and private open spaces to the north of the subject site across the 4.5m wide Waterloo Road, opposite Site B. There are also some diagonally opposite Site B, to the north-west, beyond the pedestrian entrance (distance of 7.5m). The direct interface is one of habitable room windows associated with bedrooms and living areas at ground and first floors and terraces at second floor. Second floor bedrooms are setback an additional 5.2m from the southern boundary (total of 9.7m). Above this, development is setback between 9.26m and 10.12m from their southern boundary to Waterloo Road.

Overlooking

341. Typically even the more stringent Clause 55 (Rescode) requirements only consider potential views within 9m. Within commercially zoned land for non-residential development, it is encouraged within policy that they are designed to minimise the potential for unreasonable overlooking.

342. In this instance, existing levels of overlooking must also be considered. The dwellings to the north and north-west of the subject site are currently overlooked due to their windows not being screened. All ground floor windows are constructed of clear glazing, and under existing conditions, are overlooked by passers-by. This is also the case for the upper level windows, which are currently overlooked by the existing first floor windows of the building on the subject site. The terraces are overlooked by the three to four storey buildings to the west. Additionally, above the third floor, Site B is setback an additional 1.655m, resulting in a total distance of 6m.

343. In a recent Tribunal decision discussing the existing extent of overlooking, *Salta Properties Pty Ltd v Yarra CC* [2019] VCAT 718 the Member stated the following:

> [61] This is an office building that will face residential buildings across a narrow street. The dwellings directly to the north already have windows facing, and close to Shamrock Street. They are not windows we consider need to be protected from overlooking, especially from commercial buildings. The rear yards are more than nine metres from any of the upper floor windows. The unscreened windows are acceptable both because of the distance, and the use of the proposed buildings.

344. Despite this, due to the intensification of potential overlooking, a condition will require that the applicant provide details to confirm that there is no unreasonable overlooking into habitable room windows and private open spaces within 9m of the subject site.

345. For the habitable room windows and balconies directly to the north located above second floor, these are all located outside of 9m. The habitable room windows and balconies to the north-west are located approximately 7.5m to the north-west. This, combined with their diagonal location relative to the subject site combined with solid side walls, avoids unreasonable overlooking.

Daylight to existing windows

346. Looking at the on-boundary, south-facing windows to the north, these are located at ground and first floor with the second floor bedrooms being setback an additional 5.2m from the southern boundary (total of 9.7m).

347. In each instance, this is acceptable as the 4.5m width of Waterloo Road provides a sufficient distance to ensure these windows continue to receive access to daylight. The ground floor windows are associated with three apartments, whilst the first and second floors are associated with three split-level apartments.

348. On the ground floor, the conditions will be similar as there is already an existing double storey wall opposite them. Residents moving into these dwellings should temper their expectations considering they have chosen to live in a dwelling with the primary outlook to a 4.5m wide street facing a commercially zoned land in an inner-city location where higher density development is encouraged.

349. In terms of those on the first and second floors, as they are over two levels, there is greater opportunity for daylight access, particularly as on the second floor, where the bedrooms are setback from the boundary due to the terrace location. The windows are located above the ground floor, reducing the comparable variation in height between these two buildings.

350. As with the *Overlooking* assessment, the windows to the north-west are of a sufficient distance to ensure that their daylight access will be unaffected by the proposal. This is also due to their diagonal location from the subject site.

Overshadowing

351. Due to the closest dwellings being to the north of the subject site, the proposal does not overshadow them.

Visual bulk

352. Traditionally buildings with commercial and industrial uses tend not to include side and rear setbacks and this is evident in both the remnant and modern commercial and industrial buildings in the area. Additionally, those which reside in residential zoned land which backs onto a commercial/industrial area must have an expectation that there will be greater built form in these areas compared to if it faced residential land. This is the case for the closest dwellings to the north. The issue of expecting change on adjoining lots was addressed within the Tribunal decision, *37 KR Developments Pty Ltd v Moonee Valley CC* [2010] VCAT 1063, where it was stated that:

> [9] Local communities often do not acknowledge or recognise that significant change has been a constant feature of our urban areas, and that further substantial change will continue into the future

353. Looking at the closest dwellings to the north, at the lower levels, these already face an existing double storey warehouse. Above the lower levels, dwellings within the Yorkshire Brewery are setback a minimum of 9m. This coupled with the distance of 4.5m, mitigates visual bulk impacts. The Yorkshire Brewery building becomes commensurately of a similar height, with the upper most levels reaching a height of 50.38m, 17.58m taller than the proposed development.

354. Within a 2018 Tribunal decision, *Langridge and Cambridge Funding Development Pty Ltd v Yarra CC* [2018] VCAT 703, the Member made the following relevant statement regarding the expectations of residents of adjoining recently constructed developments:

> [140] We think that residents who choose to move into the medium height buildings that will become the prevailing character should expect to see other similar sized buildings and to see and be seen by their neighbours. They should expect to rely on screens and blinds to retain their privacy.

Equitable development

355. The sites to the south and east will not be impacted by the proposal from an equitable development consideration as they are separated by the width of the street which provides a reasonable buffer. This is a similar case for the warehouses on the north side of Waterloo Road, to the north of Site A.

356. To the north of Site B, the Yorkshire Brewery has already been developed.

357. The site to the west along Langridge Street has a planning application and this proposal has ensured it will not impact the development potential of any application by providing 3m wide setbacks from its western and southern boundary to No. 60 – 72 Langridge Street.

358. Site B has provided a blank western side wall which ensures it does not prejudice any potential development.

Noise and Light Spill

359. Policy at Clause 22.05 of the Scheme seeks to ensure new commercial development is adequately managed having regard to its proximity to residential uses.

360. The proposal is unlikely to result in unacceptable noise emissions to the nearby residential properties given the majority of the building would be used for a offices and primarily operating during the day. Office uses are encouraged in this zone and residents need to temper their amenity expectations.

361. Due to the nature of the use there will be minimal noise generated by pedestrian activity and any which is created is a result of typical commercial acvity as encouraged by the zone.

362. As already acknowledged, any non-conforming uses within the Commercial 2 Zone must temper their amenity expectations regarding noise and light spill with regards to the preferred uses in the zone.

363. Light spill will also be limited due to the uses primarily operating during the day. Again, this is another area where residents must temper their expectations when they face a zone where these types of uses are encouraged.

The proposed non-office uses do not face residentially zoned land and whilst the restricted recreation facility is diagonally opposite dwellings, due to its siting to the south-east of them, light spill will be laregely blocked by Site B and also their solid side walls.

364. The applicant submitted an acoustic report which was peer reviewed by Council's acoustic consultant, SLR Consulting, who confirmed that the report generally addresses the acoustic issues related to the proposal however they provided the following summary of the remaining issues:

    (a) The nearby sensitive receivers should be reviewed, and Figure 1 of the report updated to show all sensitive receivers. Other parts of the assessment should be revised for the updated sensitive receivers.
    (b) Clarification is sought on the noise monitoring location, in particular if it had line-of-sight to Langridge Street. Ideally, photographs of the monitoring equipment in-situ should be provided.
    (c) The night period SEPP N-2 noise limits should be revised to account for the restaurant that is proposed to have a 1 am closing time.
    (d) Clarification as to whether music will be played in the outdoor seating zones. If music may be played outdoors, a more comprehensive assessment should be provided.
    (e) The background noise level used for determining the patron noise criteria should be revised to account for the restaurant that is proposed to have a 1 am closing time. The patron noise assessment should then be revised, based on the updated criteria.
    (f) The title of Section 3.5 should be revised to reflect that the patron noise criteria are for the restaurant outdoor seating zones (rather than a roof top terrace).
    (g) The source sound power level for voices used for the patron noise assessment should be presented. The tenancy agreement for the fitness centre should require an acoustic assessment of noise impacts from fitness activities and music.
    (h) Noise from the loading dock should be assessed. If loading dock activities could occur during the night period, we recommend a sleep disturbance assessment using a criterion of 65 dBA Lmax outside bedroom windows.

365. The applicant's acoustic engineer (Cundall) provided a supplementary response dated 11 June 2019 and addressed each of these in turn. Council's acoustic consultant confirmed on 3 July 2019 that the majority of items had been addressed, however the following two matters remained outstanding:

    (a) The calculation of SEPP N-2 and patron noise limits should be based on the minimum background level during the hours of operation;
    (b) Patron noise from the outdoor seating area of Tenancy 2 is predicted to exceed the criteria. Therefore, operation of the outdoor areas for both Tenancy 2 and Tenancy 3 should be restricted to daytime and evening periods only.

366. As outlined within the *Use* assessment section of this report, Council's Acoustic Engineer recommended that the restricted recreation (gymnasium) facility provide an acoustic assessment of noise impacts from fitness activities and music as part of a tenancy agreement. A condition will require that prior to the commencement of the use, an acoustic report be submitted and approved by Council. In addition to this, a post-occupation report will be required, confirming that the recommendations have been carried out and that the use meets the nominated noise targets.

367. A condition will require an amended acoustic report to be provided, with both of the remaining matters addressed. It is important to note that as a result of the above recommendation, the hours of operation for the outdoor seating will be restricted to the following:

Day of the week	Day/ evening period
Saturday	1000 hrs – 2200 hrs
Sunday	1200 hrs – 2100 hrs
Other day	0900 hrs – 2200 hrs

368. Looking specifically at the noise sources, services/plant equipment are located on the roof. A condition will require noise and emissions from plant equipment to comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N1).

Wind

369. The applicant's wind consultant (MEL Consultants) carried out a desktop assessment of the proposal and recommended that a wind tunnel study be conducted to confirm the findings. This will be required by way of condition on any permit to issue.

370. MEL Consultants confirmed that due to the developments currently under construction would shield the proposal from direct wind flow from the south-south-west to north-north-west wind directions. If proposed buildings (not under construction) were also considered, that these would provide further shielding from the south-westerly wind directions.

371. In relation to Langridge Street, the southern face of the Site A building would have exposure to direct wind flow from the south for a majority of the height of the building This exposure, in addition to the limited set-backs from the southern boundary until Levels 5 and 6, would mean that additional wind flow would be expected to be induced down into Langridge Street for southerly winds and increase wind speeds around the southern corners of the Site A building. MEL Consultants confirmed that based on the above scenarios the wind conditions along Langridge Street would be as follows:

    (a) Along the south face of the Site A building, away from the southern corners, wind conditions would be expected to achieve the criterion for walking comfort.
    (b) At the southern corners, wind conditions would be expected to be close to the criterion for walking comfort.
    (c) The southern entrance to the Site A building, which is set back from Langridge Street in the centre of the building, would be expected to have wind conditions outside the doors that achieve the short term stationary criterion.

372. MEL Consultants stated that the wind conditions along Langridge Street could be improved with the introduction of canopies along Langridge Street, larger set-backs at the corners of the lower level for the Site A building and localised screening in and around the outdoor seating zones. It was recommended that wind conditions be quantified via a wind tunnel model study and the appropriate mitigation strategies be confirmed.

373. Turning to Waterloo Road, the northern faces of the two buildings will benefit from the direct shielding of the Yorkshire Brewery re-development for west through to north wind directions such that little significant wind flow would be expected to be induced towards lower levels. For north-easterly winds, due to the corner formed by the northern face of Site A and the Yorkshire Brewery development, the northern-end of the proposed pedestrian walkway would be expected to induce additional wind flow down into Waterloo Road (to the north of the Site B building) and the proposed pedestrian walkway, increasing wind speeds in both.

374. MEL Consultants confirmed that based on the above scenarios the wind conditions along Waterloo Road would be as follows:

    (a) Along the north side of Site A, away from its north-west corner, wind conditions would be expected to achieve the walking comfort criterion.

(b) The northern entrance to the Site A building, which is set back from Waterloo Road, would be expected to have wind conditions (outside the doors) that achieve the short term stationary criterion.
(c) Along the north of the Site B building, away from its north-east corner, wind conditions would be expected to be near, but not exceed, the walking comfort criterion.
(d) The northern entrance to the Site B building would be expected to have wind conditions (outside the doors) that achieve the walking comfort criterion.
(e) At the north end of the proposed pedestrian walkway (i.e. around the north-east corner of the Site B building and the north-west corner of the Site A building) wind conditions would be expected to exceed the walking comfort criterion.

375. MEL Consultants stated that the wind conditions along Waterloo Road could be improved with the introduction of canopies along the north face of both buildings and larger set-backs at a lower level for the northern portion of the Site A building. It was recommended that wind conditions be quantified via a wind tunnel model study and the appropriate mitigation strategies be confirmed.

376. Wind conditions along Rokeby Street were assessed by MEL Consultants and found to meet walking comfort criterion.

377. In addition to the previous matters discussed, in terms of the proposed pedestrian walk ways, wind conditions in the northern end and southern end (subject to the construction of the proposal to the west), may require canopies to be constructed over them as they are expected to exceed walking comfort criterion. It was recommended that wind conditions be quantified via a wind tunnel model study and the appropriate mitigation strategies be confirmed.

378. The landscape along the southern side Site B would be expected to meet the stationary activities criteria. It has been recommended to include taller balustrades for each of the proposed terraces (some only around the edges). Council's wind consultant (ViPac) outlined that some of these terraces already have taller balustrades. A wind tunnel study will quantify these conditions and model appropriate mitigation strategies.

379. Council's wind consultant (ViPac) confirmed that the conclusions are substantially valid and agree that wind tunnel test be conducted in the detailed design stage. This will be required by way of condition.

Car parking, traffic, access and bicycle provision

380. Under clause 52.06 of the Scheme, the applicant is seeking a parking reduction of 173 spaces as outlined within the table included in the *Particular Provisions* section earlier in the report. However there is no statutory requirement within clause 52.06-5 for restricted recreation (gymnasium) facility with parking to be provided to the satisfaction of the Responsible Authority. The applicant is providing one space for the gymnasium, therefore, the proposal includes a reduction of 174 spaces.

381. Within a recent Tribunal decision regarding the car parking reduction associated with an office development, *KM Tram Enterprise Pty Ltd v Boroondara CC* [2018] VCAT 1237, the Tribunal agreed that office developments "are prime candidates" for modal shifts to reduce reliance on private motor vehicles, with the following relevant comments:

> [29] In this context of a change from the 'business as usual' approach, I agree with Ms Dunstan that office workers are prime candidates for a mode change given their commuting patterns of travel to and from work during peak times. This is the time when public transport services run at highest frequencies and when Melbourne's roads are most congested. The combination of 'carrot' and 'stick' makes it viable for many office workers commuting to a site such as this to change from private vehicle to public transport.

[30] I am not persuaded that the council's option of reducing the amount of office space so that it better aligns with on-site parking supply is consistent with planning policy. *Plan Melbourne* which promotes '20 minute neighbourhoods' where most of a person's everyday needs can be met locally within a 20 minute journey from home by walking, cycling or local public transport. The everyday needs referred to include local employment opportunities along with shopping, education and community facilities.

[31] Local employment opportunities in this context are not limited to retail or community services. There is a benefit in encouraging office uses in the '20 minute neighbourhood mix', as it provides opportunities for business owners and their staff to work locally. I find this line of argument is far more persuasive than the council's position of limiting the amount of office floor space so that more cars can be brought into this part of Hawthorn.

382. There is further support for changes to private motor vehicle reliance demonstrated in a recent Red Dot VCAT decision (*Ronge v Moreland CC [2017]* VCAT 550), which expanded on policy behind this approach. Member Bennett clearly advocated for a reduction in the statutory car parking provision in inner-city sites such as this. Whilst this decision pertains to a site in Brunswick, the context is similar, being located in an inner-city suburb within proximity to train stations and tram routes. Relevant statements within the summary of this decision are applicable to this application, as follows;

(a) State and local planning policies are already acknowledging the change that is required in the way in which people travel with Plan Melbourne 2017-2050 and State policies referring to 20-minute neighbourhoods and greater reliance on walking and cycling.

(b) Our roads are already congested and will be unimaginably so if a 'business-as-usual' approach is accepted through until 2050. The stark reality is that the way people move around Melbourne will have to radically change, particularly in suburbs so well served by different modes of public transport and where cycling and walking are practical alternatives to car based travel.

(c) A car parking demand assessment is called for by Clause 52.06-6 when there is an intention to provide less car parking than that required by Clause 52.06-5.

(d) However, discussion around existing patterns of car parking is considered to be of marginal value given the strong policy imperatives about relying less on motor vehicles and more on public transport, walking and cycling. Census data from 2011 or 2016 is simply a snapshot in time, a base point, but such data should not be given much weight in determining what number of car spaces should be provided in future, for dwellings with different bedroom numbers.

(e) Policy tells us the future must be different.

(f) Oversupplying parking, whether or not to comply with Clause 52.06, has the real potential to undermine the encouragement being given to reduce car based travel in favour of public transport, walking and cycling.

(g) One of the significant benefits of providing less car parking is a lower volume of vehicle movements and hence a reduced increase in traffic movements on the road network.

383. The *Ronge v Moreland* decision confirms that in inner city areas where there is access to alternative forms of transport, we need to drastically change how we are currently moving around Melbourne. Providing less car parking spaces encourages people to cycle, walk or use public transport.

384. Following on from this, within the Tribunal decision (*Grocon (Northumberland St) Developer Pty Ltd v Yarra CC* [2017] VCAT 753) regarding the office development at No. 2 – 16 Northumberland Street, Collingwood, the Tribunal supported a significantly reduced office car parking rate (405 spaces reduction) and made the following commentary:

[54] We have concluded that the reduced car parking provision is justified in the circumstances of this application. In doing so, we have had regard to the location within an inner city

environment that is earmarked as an employment precinct, with convenient access to a range of alternative transport modes and a constrained supply of on-street parking. We consider that the reduced parking provision will not compromise the viability of the development or precinct, nor will it result in an unacceptable demand for on-street parking, given the saturated conditions that are presently experienced.

[55] We agree that employees who are not allocated a car space will utilise alternative transport modes rather than attempt to seek out long term parking in the surrounding street network. This may well include walking to the site for persons who reside in the nearby residential and mixed-use areas. To constrain development of the land for a purpose that is in accordance with the zone purpose on the basis of car parking provision would not be consistent with the policy framework when read as a whole. This includes policies aimed at fostering economic development, employment and environmental sustainability. We reach this conclusion mindful of the site's strategic and physical context and its accessibility by a range of transport modes. In a different context without the level of policy support and more remote from alternative transport modes, there may be less justification for a reduction of the magnitude proposed here.

385. It is noted that this decision relates to a site which is approximately 60m to the south of the subject site, with the extent of reduction being sought (405 spaces) significantly larger than the 174 space reduction being sought as part of this application.

386. A reduced on-site car parking provision would encourage a modal shift from private vehicle use to more sustainable travel. This accords with the Gipps Street Local Area Plan, which aims to reduce the proportion of trips into and out of the precinct by car.

Parking Availability

387. The applicant's traffic engineers GTA Traffic Engineers conducted site inspections on Wednesday 25 July 2018 and 28 July 2018 between 10:00am and 4:00pm (both days). The survey area encompassed Langridge Street, Wellington Street, Cambridge Street, Rokeby Street, Glasgow Street and Rupert Street. Council's Senior Traffic Engineer confirmed the times and extent of the survey are considered appropriate.

388. An inventory of 96 spaces was identified. On-street parking peaked between 11:00am and 1:00pm on both days, with no fewer than 10 vacant spaces recorded in the study area. Council's Senior Traffic Engineer confirmed the high parking demand in this part of Collingwood would be a disincentive for patrons, clients or employees to drive.

389. As already outlined within *Ronge V Moreland* a discussion around the existing pattern of car parking is of "marginal value" as policy is aiming to shift to more sustainable forms of transport. Continuing to provide car parking spaces at a rate commensurate with historic demands will not assist in achieving the aim of State and Local Policy to reduce reliance on private motor vehicle use.

Parking Demand

Office

390. Council's Senior Traffic Engineer confirmed parking associated with office developments is generally long-stay parking for employees and short-stay parking (say up to two hours' duration) for customers and clients. Council's Senior Traffic Engineer confirmed that the actual parking demand generated by the office is expected to be lower than the statutory parking rate of 3 spaces per 100sqm of floor space, since the area has very good access to public transport services With a provision of 73 spaces for the office component, the proposal is providing 1.37 spaces per 100sqm. 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***

Cremorne	
60-88 Cremorne Street PLN17/0626 issued 21 June 2018	*0.72 spaces per 100 m²* *(200 on-site spaces; 27,653 m²)*
Collingwood	
71-93 Gipps Street PLN16/1150 issued 30 August 2017	*0.96 spaces per 100 m²* *(86 on-site spaces; 8,923 m²)*
2-16 Northumberland Street PLN16/1150 issued 14 June 2017	*0.89 spaces per 100 m²* *(136 -site spaces; 15,300 m²)*

391. From a traffic engineering perspective, the reduction of the car parking requirements is considered appropriate in the context of the development and its surrounding area.

Restricted Recreation Facility and Restaurants

392. The proposal has one car parking space for the gymnasium and two for each of the restaurants which would most likely be used by a supervisor or employee. Council's Senior Traffic Engineer confirmed that other nearby gymnasiums have also had single car parking spaces.

393. The restaurants and restricted recreation (gymnasium) facility would rely heavily on walk-up trade for its primary source of customers, rather than being a specific destination for visitors. It is highly likely that it would attract employees from nearby businesses as well as local residents. Further, it is not typical of small inner-city restaurants and restricted recreation (gymnasium) facility to provide car parking spaces for patrons.

394. The parking generated by this site should not adversely impact on existing parking conditions in the area. Engineering Services has no objection to the reduction in the car parking requirement for this site and the reduction being sought by the proposal is supported by the following reasons:

(a) The site has good access to a wide range of retail, dining and commercial services within the Smith Street commercial precinct (365m to the west), which in turn will reduce the dependence on private vehicle use by future employees;

(b) The site is within walking distance of tram services operating along Smith Street and Victoria Parade, and bus services can be accessed from Hoddle Street and Johnston Street. North Richmond and Collingwood train stations are located approximately 600m and 560m north-east and south-east of the site respectively;

(c) The proposal includes secure bicycle parking spaces in excess of rates specified within the Scheme, with end-of-trip facilities incorporated into the design. Future employees would be able to take advantage of the Copenhagen bike lanes along Wellington Street;

(d) Employee or visitor parking permits will not be issued for the development, which will discourage people from driving to the site given the high utilisation of existing on-street car parking. This is a welcome sustainable option in lieu of on-site car parking and consistent with Clauses 18.02-1S and 21.06-1 of the Scheme;

(e) The office use is particularly conducive to encouraging those with a car to not drive, given trips are made in peak public transport availability periods, trips are planned in advance and the lack of on-site and off-site parking availability is known in advance. These factors support employees to use other modes of transport;

(f) Visitors would also be aware of the car parking constraints in the area which would discourage driving for alternative modes such as public transport, cycling or taxis;

(g) The 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;

395. From a traffic engineering perspective, the reduction in car parking spaces is considered appropriate in the context of the development and the surrounding area. The site is very well positioned in terms of public transport services. Engineering Services has no objection to the proposed reduction in the car parking requirement.

396. Engineering Services acknowledged that the scarcity of available unrestricted on-street parking in the area would be a disincentive for employees to drive to the site by private motor vehicle (if not allocated any on-site parking). Providing a reduced provision would encourage a modal shift from private vehicle use to more sustainable travel. Engineering Services has no objection to the proposed reduction in the car parking requirement.

Traffic

397. In terms of traffic, the applicant's traffic engineers adopted the following summary for the traffic generation for the site:

Proposed Use	***Adopted Traffic Generation Rate***	***Daily Traffic***	***Peak Hour***	
			AM	***PM***
Commercial Uses (78 on-site spaces)	*0.5 trips per on-site space in each peak hour*	*Not provided*	*39*	*39*

398. Traffic from the development would be entering the site via Rokeby Street (one-way, south-bound). Council's Senior Traffic Engineer confirmed that traffic would likely enter via Gipps Street as there would be no advantage to use Glasshouse Street, Robert Street or Waterloo Road. The applicant's traffic engineers provided directional split assumptions which outlined that in in each of the AM and PM peaks, there are 39 vehicles per hour. Council's Senior Traffic Engineer confirmed that the magnitude of this traffic should not adversely impact on the traffic operation of the Rokeby Street/Langridge Street intersection or the surrounding roads.

Access and layout

399. As part of the amended plans, the applicant relocated the loading bay and waste areas from the ground floor, facing Waterloo Road to one of the basement levels. This was in direct response to objector concerns and referral comments and constitutes a significant improvement. It also resulted in an increase in one basement level, from two to three.

400. The development incudes three basement levels accessed via Rokeby Street with 78 car parking spaces, 11 motor bike spaces, end-of-trip-facilities, 81 bike parks, waste rooms, services and the loading bay. Bike spaces are accessed via an employee bike access near the northern entry.

401. Council's Senior Traffic Engineer assessed the access arrangements, the car parking modules, gradients and the loading and waste collection. The majority of matters were satisfactory, however the following design items need to be shown:

    (a) A bollard must be inserted in the shared area adjacent to the accessible parking space
    (b) Details of how goods are to be transported to the site via the loading facility.

402. The remaining issues can be required by way of condition should a permit be granted.

Bicycle parking and facilities

403. As outlined earlier in the report the development is required to provide a total of 31 staff and 13 visitor bicycle spaces under clause 52.34 of the Scheme. The development provides 81 employee bicycle spaces within the Basement Level 1 with the End of Trip Facilities (EOTF) provided at Basement Level 2. A further 14 visitor spaces are provided at ground floor in front of the larger restaurant facing Langridge Street and one additional bike park on the street.

404. Council's Strategic Transport Officer confirmed that the subject site is located in an inner-urban area with already high cycling-to-work demand, and trends indicate demand will continue to increase. The subject site is in an excellent location to take advantage of the Copenhagen-style bicycle lanes to the west along Wellington Street as well as the dedicated bike lanes along Langridge and Gipps Street.

405. Council's Strategic Transport Officer reviewed the amended plans and are generally satisfied with the on-site visitor parking spaces, however were concerned with the location of the one on-street space:
    (a) 1 space is shown on the footpath, quite close to a tree. It appears this space is to be attached to the existing parking pole – clarity is needed. If it is not, then the pole must be shown.
    (b) The footpath width should also be indicated.

406. Following on from this, Council's internal urban designer recommended that two bicycle hoops are installed along Langridge Street and provided specific details regarding their siting on the footpath. Therefore, a condition will be included on the permit, matching this recommendation as this will also resolve Council's Strategic Transport Officer's concerns.

407. With the provision of 81 employee bike spaces, Council's Strategic Transport Officer confirmed the proposal exceeded the best practice rate for employees and despite all the spaces being relocated to a single facility (which is preferred), only 5% of employee bike parking are horizontal which is well short of the 20% required under AS2890.3.

408. Council's Strategic Transport Officer advised that the larger square area in the north-eastern corner of the bike facility could be reconfigured to provide more horizontal spaces, whilst still meeting best practice. A condition will require compliance with AS2890.3.

409. Council's Strategic Transport Unit was satisfied with the supplied Green Travel Plan and its endorsement will be a requirement of any permit to issue. This satisfies the requirements of clause 52.34 of the Yarra Planning Scheme.

Electric vehicles / Shared Vehicles

410. Council's Strategic Transport Officer originally recommended that the basements be fitted with electric wiring for electric vehicles and that a minimum 40A single phase electrical sub circuit be required to be installed to the basement levels for this purpose. The amended plans have resolved this issue and now include a notation on each basement floor plan that all basement levels are electronically wired to be E.V ready.

Waterloo Road building abuttal

411. The applicant originally proposed to construct the development to the northern boundary however Council's Engineering Services Unit identified that this would then result in a narrowing of Waterloo Road, as the existing conditions are such that they are set off from the northern boundary. This would result in the proposal using what is currently considered Public Highway.

412. The amended plans attempted to resolve this by providing a setback from the northern boundary. Council's Engineering Services Unit remain unsatisfied and made the following comments:

    (a) The asphalt flank is considered part of Waterloo Road and is deemed to be a Public Highway by virtue of its previous and continual use by the public (pedestrians and motor traffic), regardless of ownership. The position of the existing wall demonstrates that the previous/past property owners had dedicated a small portion of their property (i.e. - the setback area) as part of Waterloo Road for public purposes. As such, the new building (including the columns) must not encroach the asphalt pavement (and for a height of no less than 4.7 metres).

413. Below is an image provided by Council's Engineering Services Unit:

414. Therefore, a condition will require the applicant to provide confirmation that the new building (including the columns) does not encroach the asphalt pavement (and for a height of no less than 4.7 metres). Plans will be required to demonstrate this.

Other

415. It should be noted that Council's Senior Traffic Engineer has recommended the inclusion of a number of conditions relating to civil works to, road protection, impacts on assets, vehicle crossings and drainage (including pits). Many of these have either been included as notes on the permit or can be required by way of condition.

Waste Management

416. The submitted WMP outlined the following summary:

    (a) Independent waste streams were allocated to each office building as well as the three commercial tenancies.
    (b) An organics digester unit and glass crusher have been implemented within the retail waste area for the restaurant tenants to separate and dispose of organics and glass waste.
    (c) All collection operations will occur on-site via the ground floor loading bay.

(d) A 6.4 metre low profile (2.1 metre clear height) collection vehicle or smaller vehicle will be utilised to perform collections, entering and exiting the loading bay via Waterloo Road.
(e) Swept path analysis demonstrates sufficient access provisions.

417. The Waste Management Plan (WMP) dated 5 November 2018 was found to be satisfactory by Council's Waste Management Unit. However it is noted by Council planning officers that the loading bay has now been relocated into Basement Level 1 as well as the waste rooms being reconfigured. This will require an amended WMP to be provided, subject to condition.

Objector concerns

418. The following matters raised within the objections have been addressed within the body of the report:

(a) Traffic, safety and lack of parking – impact on Waterloo Road Shared Zone (Paragraphs 380 to 414);
(b) Amenity Impacts (overlooking, noise, light reflection, loss of daylight to windows, wind impacts, overshadowing) (Paragraphs 337 to) 368);
(c) Neighbourhood character/Heritage (Paragraphs 259 to 284);
(d) Height/Massing/Scale (Paragraphs 259 to 284);
(e) Impact on heritage building (Paragraph 261);
(f) Amplified music and patron noise from restaurants (Paragraphs 202 to 218 and 365 to 367);
(g) Insufficient width for the proposed pedestrian walkway(Paragraph 320);

419. Outstanding concerns will be discussed below, and relate to:

(a) Heat reflection;

The urban heat island affect will be combatted by additional landscaping;

(b) Smells from bins;

Waste areas are internal and all collection will be by private contracted and conducted internally to the site;

(c) Noise from waste collection;

Waste areas are internal and all collection will be by private contracted and conducted internally to the site. Standard conditions regarding waste collection have been included to ensure the amenity of the area is not detrimentally impacted;

(d) Disruption due to loading bay;

The loading bay has now been internalised;

(e) Unclear information about rooftop use;

Council officers believe the plans are clear, terraces are located and the roof is shown to be used for plant and equipment;

(f) Plans do not indicate where the Waterloo Road dwellings are located;

Council planning officers are aware where the closest dwellings are located and have assessed the application accordingly.

(g) Acoustic report did not consider closest dwellings;

An amended Acoustic Report was provided. Councils' Acoustic Consultant and planning officer are aware of where the closest dwellings are located and have assessed the application accordingly.

(h) Loss of views;

Clause 22.03 (Landmarks Policy) seeks to protect views of Yarra's valued landmarks. The subject site is not adjacent to any listed within this policy. Additionally, views from private property to landmarks are not protected within the Yarra Planning Scheme.

Another component under the consideration of 'views', is outlook. The closest dwellings are those to the north in the Yorkshire Brewery which are separated by Waterloo Road. This distance is sufficient to continue to allow for outlook to these dwellings.

(i) Construction issues (damage cobblestone, impact on adjoining businesses);

This will be dealt with at the Building Permit stage. A Construction Management Plan (CMP) will be required by way of condition and will manage impacts during the construction stage. This will be further considered during the building stage also.

In terms of impacts on adjoining businesses during the construction period, this is not a relevant planning consideration.

Conclusion

420. The proposed development is considered to demonstrate a high level of compliance with policy objectives contained within the Planning Policy Framework and Municipal Strategic Statement. Notably, the proposal achieves the State Government's urban consolidation objectives, Council's preference to direct higher density commercial development in commercial precincts and aligns with the State Policy as well as the direction given by the Tribunal.

421. The proposal, subject to the conditions recommended, is an acceptable planning outcome that demonstrates clear compliance with the relevant Council policies.

RECOMMENDATION

That having considered all objections and relevant planning policies, the Internal Development Approvals Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN18/0844 for the use and development of the land for the construction of two, multi-storey, mixed use buildings (permit required for restaurant and restricted recreation facility (gymnasium) uses), sale and consumption of liquor and a reduction in the car parking requirements at 23 – 45 Waterloo Road, Collingwood (formally known as No. 60 – 88 Langridge Street and 23 – 45 Waterloo Road), 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 architectural plans TP0-100 to TP10-301 prepared by JacksonClementsBurrows Architects dated 11 June 2019 but modified to show:

   (a) the development (including columns) not encroaching on the existing asphalt flank of Waterloo Road (a Public Highway) for a height of no less than 4.7 metres, with a minimum 1.4m (approximately one column section) setback provided as a pedestrian refuge for

the portion of Site A to the west of the entry and for the north-eastern corner of Site B for the width of one column section (approximately 1.4m);
(b) provision of a canopy along Langridge Street above the restaurant frontages;
(c) additional doors to the restaurant tenancies along the Langridge Street frontage;
(d) a bollard inserted in the shared area adjacent to the accessible parking space;
(e) details of how goods are to be transported to the site via the loading facility;
(f) details of the material proposed for the western side wall of Site B as being articulated using materials and/or finishes;
(g) the correct material type for 'EF05' on the external finishes schedule;
(h) the internal layout of both restaurant tenancies (inclusive of the outdoor seating zones) with tables and chairs available for at least 75% of patrons attending the premises at any one time;
(i) an updated Red Line Liquor License Plan, as per the sketch plan provided on 4 July 2019;
(j) details to confirm that there is no unreasonable overlooking into habitable room windows and private open spaces within 9m of the subject site;
(k) at least 20% of employee bicycle spaces provided as horizontal-at-ground-level spaces as required under AS2890.3;
(l) a notation confirming the Rokeby Street overhead powerlines will be undergrounded as part of the development;
(m) a notation confirming the existing on-street rainwater garden will be upgraded;
(n) the boundary between private and public property delineated through the use of alternative surface materials or "banding";
(o) details of security lighting provided to the vehicle entrance, pedestrian entrances on Waterloo Road and Langridge Street, and the proposed pedestrian walkways within the development;
(p) any requirement of the endorsed Façade Strategy and Materials and Finishes Plan (condition 4) (where relevant to show on plans);
(q) any requirement of the endorsed Sustainable Management Plan (condition 15) (where relevant to show on plans);
(r) any requirement of the endorsed Waste Management Plan (condition 18) (where relevant to show on plans);
(s) any requirement of the endorsed Acoustic Report (condition 21) (where relevant to show on plans;
(t) any requirement of the endorsed Landscape Plan report (condition27) (where relevant to show on plans; and
(u) any requirement of the endorsed Wind Report (condition 34) (where relevant to show on plans).

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

3. As part of the ongoing consultant team, JacksonClementsBurrows Architects or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:

   (a) oversee design and construction of the development; and
   (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

4. In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:

   (a) elevation drawings at a scale of 1:20 illustrating typical podium details, entries and doors, and utilities and typical tower facade details;

(b) section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
(c) information about how the façade will be maintained, including any vegetation; and
(d) a sample board and coloured drawings outlining colours, materials and finishes.

Uses

Restaurant – Eastern Tenancy

5. Except with the prior written consent of the Responsible Authority, no more than 105 patrons are permitted within the eastern restaurant premises at any one time, with no more than 10 patrons within the outdoor area at any one time.

6. Except with the prior written consent of the Responsible Authority, the use and sale and consumption of liquor within the eastern restaurant premises may only occur between the hours of 9.00am and 11.00pm Monday to Sunday.

7. Except with the prior written consent of the Responsible Authority, the use and sale and consumption of liquor within the outdoor area may only occur between the following hours:

(a) Monday to Friday 9.00am – 10.00pm;
(b) Saturday 10.00am – 10.00pm; and
(c) Sunday 12 Midday – 9.00pm.

Restaurant – Western Tenancy

8. Except with the prior written consent of the Responsible Authority, no more than 140 patrons are permitted within the western restaurant premises at any one time, with no more than 20 patrons within the outdoor area at any one time.

9. Except with the prior written consent of the Responsible Authority, the use and sale and consumption of liquor within the western restaurant premises may only occur between the hours of 9.00am and 1.00am the following day Monday to Sunday.

10. Prior to the commencement of the sale and consumption of liquor within the western tenancy, confirmation provided by way of provision of a full menu, to the satisfaction of the Responsible Authority, that a substantial food offering will be provided to patrons until closing time with tables and chairs available for at least 75% of patrons attending the premises at any one time.

11. Except with the prior written consent of the Responsible Authority, the use and sale and consumption of liquor within the outdoor area may only occur between the following hours:

(a) Monday to Friday 9.00am – 10.00pm;
(b) Saturday 10.00am – 10.00pm; and
(c) Sunday 12 Midday – 9.00pm.

Restricted Recreation Facility (Gymnasium)

12. Except with the prior written consent of the Responsible Authority, no more than 33 patrons are permitted within the Restricted Recreation Facility (Gymnasium) at any one time.

13. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the following hours:

(a) Monday to Friday 5.30am and 8.00pm;
(b) Saturday 7.00am to 11.00am; and
(c) Sunday and Public Holidays Closed.

14. No more than 3 staff are permitted on the land at any one time.

Sustainable Management Plan

15. Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the

Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Ark Resources on 2 November 2018 but modified to include or show:

(a) a commitment to a 4.5 star NABERs rating and 5 Star Green Star rating;
(b) windows provided to the Site B toilets;
(c) confirmation all windows are double glazed;
(d) details regarding air conditioning efficiency and interrelated systems that minimise HVAC use;
(e) details of hot water and efficiencies;
(f) details of how building users can utilise stairs to minimise lift use are sought;
(g) confirmation if PV panels are to be 'building integrated' or applied;
(h) detail is sought on lighting power densities and efficiency measures; and
(i) a description of predominant building materials that connect with corresponding improvements.

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

SMP Implementation Report

17. Before the development is occupied, a report from the author of the Sustainability Management Plan, approved under this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm all measures specified in the Sustainability Management Plan have been implemented in accordance with the approved plan.

Waste Management Plan

18. Before the development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit.

    The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Irwin Consult and dated 5 November 2018 but modified to include or show the updated loading bay and waste facility location.

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

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

Acoustic report

21. Before the development commences, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Cundal prepared on 7 November 2018 and the supplementary advice provided on 11 June 2019 but modified to include:

    (a) the calculation of SEPP N-2 and patron noise limits based on the minimum background level during the hours of operation; and

(b) operation of the outdoor areas for both Tenancy 2 and Tenancy 3 restricted to daytime and evening periods only.

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

23. Before the use of the Restricted Recreation Facility (Gymnasium) starts, a Restricted Recreation Facility (Gymnasium) Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. When approved, the Restricted Recreation Facility (Gymnasium) Acoustic Report will be endorsed and will form part of this permit. The report must assess the following:

(a) any potential off-site noise impacts associated with fitness activities and music that may affect existing dwellings, along with any design treatments that may be required to mitigate these impacts;
(b) the acoustic report must make recommendations to limit the noise impacts in accordance with the State Environment Protection Policy (Control of noise from industry, commerce and trade) No. N-1 (SEPP N-1), State Environment Protection Policy (Control of music noise from public premises) No. N-2 (SEPP N-2) or any other relevant requirement to the satisfaction of the Responsible Authority.

24. The provisions, recommendations and requirements of the endorsed Restricted Recreation Facility (Gymnasium) Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Post commencement Acoustic Report - Restricted Recreation Facility (Gymnasium)

25. Within 3 months of occupying the building, an updated post-occupation Restricted Recreation Facility (Gymnasium) Acoustic Report for the to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be generally in accordance with the Acoustic Report approved under condition 23. The report must be submitted to and approved by the Responsible Authority. When approved, the updated post-occupation Restricted Recreation Facility (Gymnasium) Acoustic Report will be endorsed and will form part of this permit. The Restricted Recreation Facility (Gymnasium) Acoustic Report must (assess) address the following:

(a) confirm the recommendations of the endorsed acoustic reports required as part of condition 23 have been implemented; and

(b) if non-compliance with condition 25a is measured, additional acoustic measures as recommended by the amended post-occupation Restricted Recreation Facility (Gymnasium) acoustic report are to be implemented within one month of the date of the amended acoustic report.

26. The provisions, recommendations and requirements of the endorsed post-occupation Restricted Recreation Facility (Gymnasium) Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscape Plan

27. Before the development commences, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must:

(a) provide information on the proposed planters of the development including depth, widths, soil media, drainage layers, mulch and irrigation;

(b) include the provision of landscaping on all terraces;

(c) confirm the proposed plantings along the east-west laneway does not impede pedestrian access;

(d) include a planting plan;

(e) show the type, location, quantity, height at maturity and botanical names of all proposed plants;

(f) include details of lighting within the proposed pedestrian walkways;

(g) show the materiality of the proposed spaces;

(h) detail the design (including the provision of detailed sections) and layout of the common area, planters and ground level planting areas;

(i) provide a specification of works to be undertaken prior to planting;

(j) further detail on any sustainable treatments and water harvesting methods ;and

(k) detail plant/planting maintenance schedules and requirements.

to the satisfaction of the Responsible Authority.

28. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:

(a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;

(b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and

(c) replacing any dead, diseased, dying or damaged plants,

to the satisfaction of the Responsible Authority.

Street Trees and Rainwater Garden

29. Before the development is occupied, the permit holder must upgrade the existing rainwater garden at the intersection of Langridge and Rokeby Streets in the following manner:

(a) complete removal of surface sediment and weeds and top 100mm of filter media;
(b) replace top filter media and ensure raingarden surface is level with Extended Detention Depth per design intent;
(c) provide replanting for entire asset to achieve min 6/m2;
(d) retain or reinstate existing healthy plants where possible;
(e) planting design is to be to the satisfaction of the Responsible Authority;
(f) at the permit holder's cost; and

all to the satisfaction of the Responsible Authority, or an approved alternative endorsed by the Responsible Authority.

30. Before the development starts, the permit holder must provide a security bond of $10,753 for the Langridge Street street tree (Tree ID 13312) to the Responsible Authority. The security bond:

(a) must be provided in a manner, and on terms, to the satisfaction of the Responsible Authority;
(b) may be held by the Responsible Authority until the works are completed to the satisfaction of the Responsible Authority; and
(c) in accordance with the requirements of this permit; or
(d) otherwise to the satisfaction of the Responsible Authority.

31. Before the development commences, the permit holder must make a one off 'loss of amenity' contribution of $7,132.73 (not inclusive of GST) to the Responsible Authority for the removal and replacement of the western Langridge Street street tree (Tree ID 13311). This will be used for the replacement and maintenance of trees within the immediate locale to Council's discretion. All tree planting and maintenance work will be undertaken by City of Yarra Contractors.

Tree Management Plan

32. Before the development commences, a Tree Management Plan to the satisfaction of the Responsible Authority must be prepared by a suitably qualified Arborist and must be submitted to and approved by the Responsible Authority. When approved the Tree Management Plan will be endorsed and will form part of this permit. The Tree Management Plan must make recommendations for:

    (a) the protection of the eastern Langridge Street street tree (Tree ID 13312):
        (i) pre-construction;
        (ii) during construction; and
        (iii) post construction
    (b) the provision of any barriers (at a minimum, the provision of solid hoarding constructed to the extent of the tree square as a minimum, and a gap at the base of 300mm);
    (c) any pruning necessary (pruning undertaken by City of Yarra Contractors and at the cost of the permit holder); and
    (d) watering and maintenance regimes,

    to the satisfaction of the Responsible Authority.

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

Wind

34. Before the development commences, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment Report will be endorsed and will form part of this permit. The amended Wind Assessment Report must be generally in accordance with the Wind Assessment Report prepared by MEL Consultants and prepared on 30 October 2018, but modified to include (or show):

    (a) a wind tunnel model study of the environmental wind conditions to quantity the wind conditions and whether additional mitigation treatments are required to satisfy the relevant criteria.

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

Section 173 Agreement (Proposed Pedestrian Walkways)

36. Within six months of the commencement of works, the owner (or another person in anticipation of becoming the owner) must enter into an agreement with the Responsible Authority under section 173 of the *Planning and Environment Act* 1987, providing for the following:

    (a) The Owner must provide unfettered 24 hour public access over (and inclusive of the provision of lighting) over that part of the land to be used for the proposed pedestrian walkways;

    (b) The owner is responsible for maintaining at all times the areas that are private land open to the public described in condition 36(a) at the cost of the owners of the site and to the satisfaction of the Yarra City Council;

    (c) The owner(s) must obtain and maintain insurance, approved by Yarra City Council, for the public liability and indemnify Yarra City Council against all claims resulting from any damage, loss, death or injury in connection with the public accessing the land described in condition 36(a).

37. The owner, or other person in anticipation of becoming the owner, must meet all of the expenses of the preparation and registration of the agreement, including the reasonable costs borne by the Responsible Authority.

Green Travel Plan

38. Before the development commences, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel plan will be endorsed and will form part of this permit. The Green Travel Plan must include, but not be limited to, the following:

    (a) a description of the location in the context of alternative modes of transport;
    (b) employee welcome packs (e.g. provision of Myki/transport ticketing);
    (c) the provision of real time passenger information displays for nearby stops within each lobby;
    (d) sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes;
    (e) a designated 'manager' or 'champion' responsible for coordination and implementation;
    (f) details of bicycle parking and bicycle routes (which do not refer to the footpath at the south as a 'shared path');
    (g) details of GTP funding and management responsibilities;
    (h) the types of bicycle storage devices proposed to be used for employee and visitor spaces (i.e. hanging or floor mounted spaces);
    (i) the types of lockers proposed within the change-room facilities, with at least 50% of lockers providing hanging storage space;
    (j) security arrangements to access the employee bicycle storage spaces; and
    (k) signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;
    (l) provisions for the Green Travel Plan to be updated not less than every 5 years.

39. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Car Parking

40. Before the development commences, a Car Park Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Park Management Plan will be endorsed and will form part of this permit. The Car Park Management Plan must address, but not be limited to, the following:

    (a) the number of car parking spaces allocated to each tenancy and that each space is allocated;

(b) details of way-finding, cleaning and security of end of trip bicycle facilities;
(c) policing arrangements and formal agreements;
(d) details of the electric car charging points;
(e) a schedule of all proposed signage including directional arrows and signage, informative signs indicating location of disabled bays and bicycle parking, exits, restrictions, pay parking system etc;
(f) the collection of waste and garbage including the separate collection of organic waste and recyclables, which must be in accordance with the Waste Management Plan required by Condition 18; and
(g) details regarding the management of loading and unloading of goods and materials.

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

42. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:

(a) constructed and available for use in accordance with the endorsed plans;
(b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
(c) treated with an all-weather seal or some other durable surface; and
(d) line-marked or provided with some adequate means of showing the car parking spaces;

to the satisfaction of the Responsible Authority.

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

44. The loading and unloading of vehicles and the delivery of goods to and from the land must be conducted entirely within the land to the satisfaction of the Responsible Authority.

Road Infrastructure

45. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:

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

46. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:

(a) in accordance with any requirements or conditions imposed by Council;
(b) demonstrating satisfactory access into and out of the site with a vehicle ground clearance check using the B99 design vehicle and be fully dimensioned with actual reduced levels (to three decimal places) as per Council's Vehicle Crossing Information Sheet;
(c) at the permit holder's cost; and
(d) to the satisfaction of the Responsible Authority.

47. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, existing grated pit within the existing (redundant) vehicle crossing on the north side of Langridge Street must be converted to a grated side entry pit in accordance with Council's Standard Drawings:

    (a) with the works done concurrently with the removal and reinstatement of the redundant vehicle crossing;
    (b) at the permit holder's cost; and
    (c) to the satisfaction of the Responsible Authority.

48. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damaged roads, footpaths and other road related infrastructure adjacent to the development site as a result of the construction works, including trenching and excavation for utility service connections, must be reconstructed:

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

    Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, two bicycle bike racks (for four bikes) must be installed:

    (a) with a a minimum 1.5m wide clear path of travel along the footpath;
    (b) at the permit holder's cost; and
    (c) in a location and manner,

    to the satisfaction of the Responsible Authority.

49. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, uplifted and subsided sections of kerb and channel along the property's Langridge Street road frontage must be reconstructed:

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

50. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, footpath along the property's Langridge and Rokeby Street frontages must be stripped and re-sheeted:

    (a) with a cross-fall of 1 in 33 or unless otherwise specified by Council;
    (b) at the permit holder's cost; and
    (c) to the satisfaction of the Responsible Authority.

51. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant property drains are to be removed and reinstated with paving, kerb and channel:

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

52. 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.

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

54. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the overhead powerlines in Rokeby Street, adjacent to the subject site must be undergrounded:

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

Lighting

55. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the vehicle entrance, pedestrian entrances on Waterloo Road and Langridge Street, and the proposed pedestrian walkways within the development must be provided on the subject site. Lighting must be:

    (a) located;
    (b) directed;
    (c) shielded; and
    (d) of limited intensity,

    to the satisfaction of the Responsible Authority.

General

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

57. 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.

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

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

60. The provision of music and entertainment on the land must be at a background noise level.

61. Speakers external to the building must not be erected or used.

62. Emptying of bottles and cans into bins may only occur between 7am and 10pm on any day.

63. Delivery and collection of goods to and from the land may only occur between 7am and 10pm Monday to Saturday, or after 9am on a Sunday or public holiday except for those allowed under any relevant local law.

64. Before the commencement of the sale and consumption of liquor, the applicant must, to the satisfaction of the Responsible Authority, display a sign at the exit of the licensed premises advising patrons to respect the amenity of adjacent residential areas and to leave in a quiet and orderly manner.

65. 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.

66. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.

67. 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.

68. 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.

69. 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.

<u>Construction Management</u>

70. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:

    (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
    (b) works necessary to protect road and other infrastructure;
    (c) remediation of any damage to road and other infrastructure;
    (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land,
    (e) facilities for vehicle washing, which must be located on the land;
    (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
    (g) site security;
    (h) management of any environmental hazards including, but not limited to,:
        (i) contaminated soil;
        (ii) materials and waste;
        (iii) dust;
        (iv) stormwater contamination from run-off and wash-waters;
        (v) sediment from the land on roads;
        (vi) washing of concrete trucks and other vehicles and machinery; and
        (vii) spillage from refuelling cranes and other vehicles and machinery;

(i) the construction program;
(j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
(k) parking facilities for construction workers;
(l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
(m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
(n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
(o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
(p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:
    (i) using lower noise work practice and equipment;
    (ii) the suitability of the land for the use of an electric crane;
    (iii) silencing all mechanical plant by the best practical means using current technology;
    (iv) fitting pneumatic tools with an effective silencer;
    (v) other relevant considerations; and
(q) any site-specific requirements.

During the construction:

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

Time expiry

71. This permit will expire if:

(a) the development is not commenced within two years of the date of this permit;
(b) the development is not completed within four years of the date of this permit; or
(c) the use and sale and consumption of liquor is not commenced within five years of the date of this permit or
(d) the sale and consumption of liquor is discontinued for a period of two years.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or within twelve months afterwards for completion.

Notes:

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

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's building services on 9205 5095 for further information.

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

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.

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.

Only roof runoff, surface water and clean groundwater seepage from above the water table can be discharged into Council drains.

Council will not permit clean groundwater from below the groundwater table to be discharged into Council's drainage system. Basements that extend into the groundwater table must be waterproofed/tanked.

No parking restriction signs or line-marked on-street parking bays are to be removed, adjusted, changed or relocated without approval or authorisation from Council's parking management unit and construction management branch.

Any on-street parking reinstated as a result of development works must be approved by Council's parking management unit.

The removal of any kerbside parking sensors and any reinstatement of parking sensors will require the permit holder to pay Council the cost of each parking sensor taken out from the kerb/footpath/roadway. Any costs associated with the reinstatement of road infrastructure due to the removal of the parking sensors must also be borne by the permit holder.

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

The applicant must liaise with Council's open space unit for the protection of the street trees in the vicinity of the site.

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.

CONTACT OFFICER: **Vicky Grillakis**
TITLE: **Coordinator Statutory Planning**
TEL: **92055124**

Attachments

1 PLN18/0844-6 - 60 - 88 Langridge Street & 23 - 45 Waterloo Road Collingwood - idac attachment - subject land
2 PLN18/0844-6 - 60 - 88 Langridge Street & 23 - 45 Waterloo Road Collingwood - idac attachment -referrals
3 PLN18/0844-6 - 60 - 88 Langridge Street & 23 - 45 Waterloo Road Collingwood - updated red line plan
4 PLN18/0844-6 - 60 - 88 Langridge Street & 23 - 45 Waterloo Road Collingwood - amended plans

Attachment 1 - PLN18/0844-6 - 60 - 88 Langridge Street & 23 - 45 Waterloo Road Collingwood - idac attachment - subject land

SUBJECT LAND:

⇧ North

★ Subject Site

Attachment 2 - PLN18/0844-6 - 60 - 88 Langridge Street & 23 - 45 Waterloo Road Collingwood - idac attachment -referrals

Internal departments
- **Urban Design;**
- **Streetscapes and Natural Values;**
- **Engineering Services Unit;**
- **Strategic Transport;**
- **Waste Services;**
- **ESD Advisor;**
- **Open Space;**
- **Social Planning;**

External consultants
- **Urban Design (MGS Architects);**
- **Acoustics (SLR Consulting); and**
- **Wind (ViPac Engineers).**

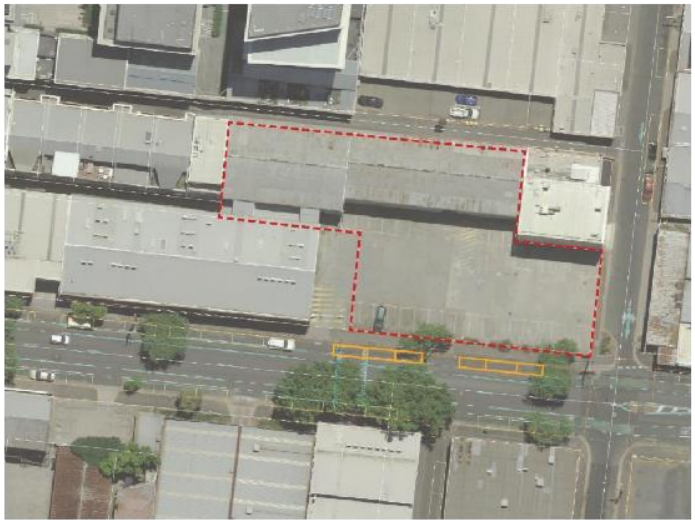
Internal departments

Urban Design

These set of comments are provided on the plans with issue date 20th December 2018.

On-street parking

Refer to diagram below illustrating existing parking bays. Ensure all existing parking bays are noted within documentation.



Existing on-street parking bays surrounding site

Kerb Outstand

The proposed kerb outstand to Langridge Street is not supported for the following reasons:

- *The Langridge Street carriageway is already very constrained, and the addition of outstands will impact the bicycle lane, particularly if they are to be built around existing tree conditions.*
- *The camber of the road is too steep to provide a suitably level outstand relative to the existing footpath.*
- *Traffic and Engineering teams have advised outstands at this location will interrupt the drainage of stormwater.*

Ground Floor Interface

Schedule 11 to the Design and Development Overlay (DDO11) seeks to ensure that future development builds upon the existing fine-grain industrial nature of the area, and provide a vibrant and safe street environment through street orientated development. The ground floor interface of any new development is pivotal to achieving this. The following actions are recommended to strengthen the application's response to the objectives of DDO11.

Langridge and Rokeby Streets:

The ground floor setback approach to Langridge Street is generally supported with the following comments:

- *It is unclear the extent to which the ground floor glazing is operable. The plans show only one operable door to each restaurant, which, given the size of each tenancy, is insufficient to create an active and dynamic interface.*

- *The outdoor seating zone to the eastern restaurant appears disconnected from the main restaurant due to the distance from the door. Consider increasing the amount of operable glazing (doors and windows) to the Langridge Street/Rokeby Street corner to provide better indoor/outdoor connection, and increase activity to the street corner.*

- *The two-storey height of the colonnade does not provide a pedestrian scale to the street. Furthermore, it is too tall relative to the width of the outdoor seating zone to provide adequate protection from rain/wind.*

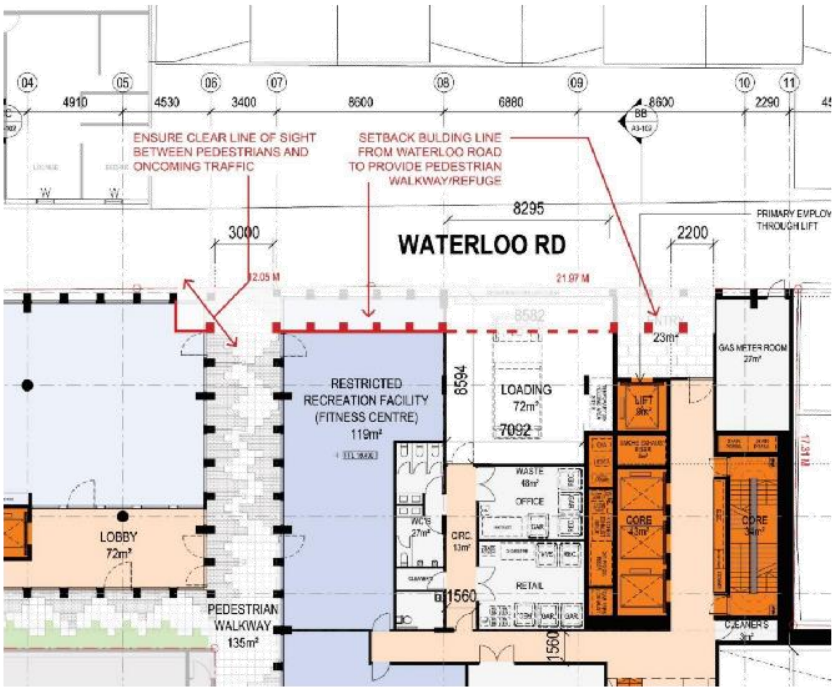
- *It is recommended that a finer level of detail/articulation be given to the ground floor in order to offset the heavy, monolithic form of the building, and to create an active, fine-grain street environment.*

- *The details of the landscape design are unclear. Planting, substrate, drainage, edge details etc. need to be provided for assessment.*

Waterloo Road:

- *The co-location of the Loading Bay and Pedestrian Entry presents a safety concern for pedestrians entering/exiting via Waterloo Road due to the absence of a footpath along this road. This is further exacerbated by the solid walls to either side of the entry, and the deep columns at the street boundary.*

- *It is recommended that Building A and the north-eastern corner of Building B be setback to improve visibility between pedestrians and oncoming traffic, and to allow a clear path of travel between the proposed pedestrian laneway and the Waterloo Road Entry – refer to diagram below. This will improve pedestrian permeability and safety through the precinct, in alignment of the Design Objectives outlined in Clause 2.0 of DDO11.*



Recommended building setback to Waterloo Road

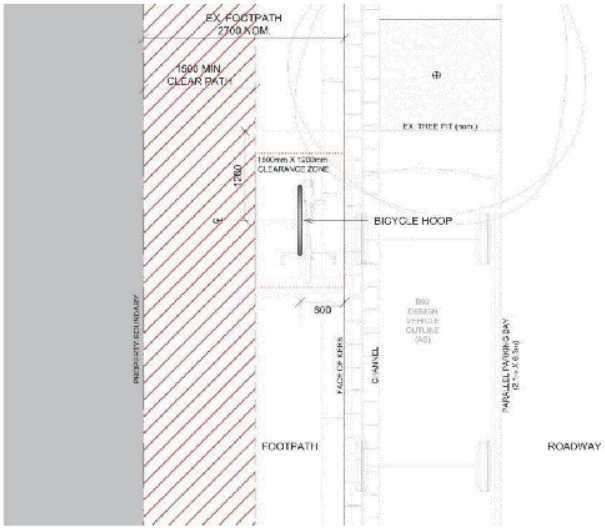
<u>Pedestrian Walkways:</u>
The provision for a north-south pedestrian walkway through the site is supported, as it aligns with the objectives of Clause 3.0 of DDO11, which aims to create new pedestrian connections and through links where a property is accessible form at least two streets.

- *Provide landscaping details planting design, substrate, drainage, edge details etc. for assessment.*
- *Refer to 'other comments' section below for further comments on pedestrian walkways.*

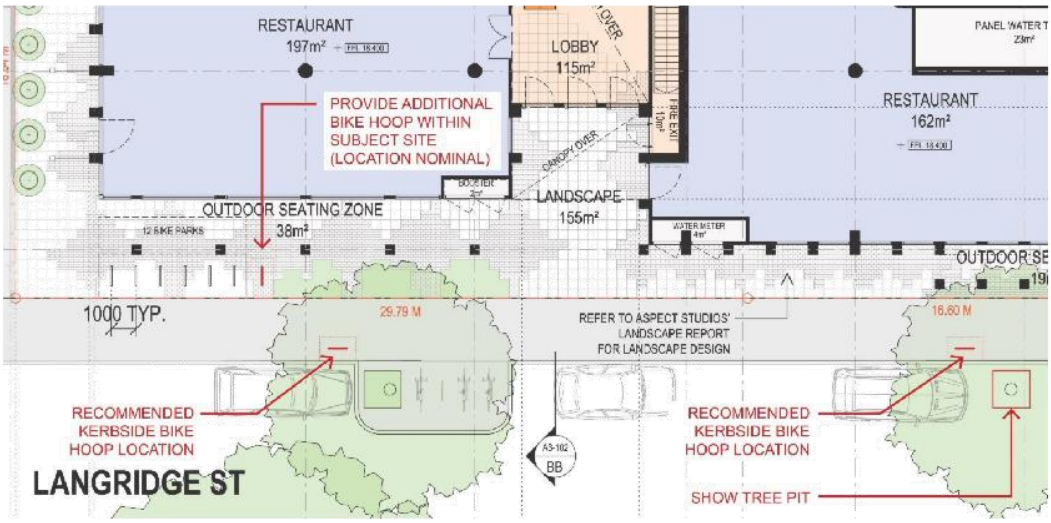
<u>Street Furniture and Fixtures</u>
<u>Bike Hoops</u>
The proposed plans show 20 visitor bike parks in the following configuration:
- *Bank of 6no. bike hoops located on the subject site at the Langridge St interface (12 parks).*
- *Bank of 4no. bike hoops located on the proposed Langridge St outstand (8 parks).*

Attachment 2 - PLN18/0844-6 - 60 - 88 Langridge Street & 23 - 45 Waterloo Road Collingwood - idac attachment -referrals

Strategic Transport has recommended that the best practice provision of visitor bike parks for this development is 18 parks. As the proposed outstand is not supported, it is recommended that the applicant instead provides an additional 6 visitor bicycle parks (or 3no. two-sided hoops). Up to 2no. bicycle hoops may be installed along the Langridge St footpath, parallel to the kerb and located as per the diagrams below, provided a minimum 1.5m wide clear path of travel along the footpath is maintained. The additional 2 parks (1no. hoop) should be provided on the subject site.



Kerbside bicycle hoop set-out & required footpath clearance.



Recommended locations of additional bike hoops.

Pavements

Attachment 2 - PLN18/0844-6 - 60 - 88 Langridge Street & 23 - 45 Waterloo Road Collingwood - idac attachment -referrals

General:

All pavements surrounding the site are to be reinstated as asphalt footpaths.

- *All proposed streetscape materials should be as per Technical Notes: City of Yarra Public Domain Manual and Yarra Standard Drawings.*

Langridge Street:

- *Existing bluestone kerb and channel should be reinstated as per insitu materials, i.e., dressed bluestone pitcher kerb & 2-pitcher bluestone channel. (Refer Yarra Standard YSD1104 – Reinstatement Works Pitcher Kerb & Channel).*

Rokeby Street:

- *Rokeby Street to be reinstated with charcoal coloured concrete kerb and channels as per YSD301 – Concrete Kerb & Channel Sections and applied to extent of existing outstands.*
- *Vehicle crossover should be shown as per YSD601 – Standard Concrete Vehicle Crossing.*

Street Tree Planting

In lieu of planting new street trees (due to the limitations provided by the overhead powerlines along Langridge Street), it is recommended that the applicant be requested to contribute to the cost of renewing the existing rain garden at the corner of Langridge and Rokeby Streets. Council's drainage consultant has recommended the following:

- *Complete removal of surface sediment and weeds and top 100mm of filter media;*
- *Replace top filter media and ensure raingarden surface is level with Extended Detention Depth per design intent;*
- *Provide replanting for entire asset to achieve min 6/m2;*
- *Retain or reinstate existing healthy plants where possible.*

Planting design is to be to the satisfaction of the responsible authority.

Capital Works

There are no planned capital works led by the Urban Design team which are in proximity to the site.

Other comments

Council notes that there is currently an application in place for the development of the neighbouring site to the west of this development, which shares boundaries with the proposed north-south and east-west pedestrian walkways on the subject site. It would be advantageous to improving the quality of pedestrian amenity of both sites, as well as the public realm of the broader precinct, if the area nominated for the proposed walkways were made accessible to the neighbouring site, so that these interfaces may be further activated by the neighbouring development. This would be beneficial to both developments through the creation of a more active ground plane (including passive surveillance and improved pedestrian amenity) and as such, the potential for higher value ground floor tenancies. Investigation should be undertaken to explore various mechanisms for providing such

access (for example establishing a pedestrian/access easement as part of the subdivision of the site, or by requesting this area be provided as a public open space contribution etc.).

Streetscapes and Natural Values

The streetscapes and natural values team provides the following comments in relation to PLN18/0844: 60 - 88 Langridge Street and 23 - 45 Waterloo Road, Collingwood:

There are two Plane Trees impacted by this proposed development and their respective amenity values are:

Tree ID 13311 - $ 6,049.00
Tree ID 13312 - $ 10,753.00

Tree ID 13311 is located to the west of the site and has formed a canopy predominantly over the subject site.

Its retention is not viable.

Tree ID 13312 is located to the east of the site on the Langridge Street frontage and will require pruning to clear it from the subject site, leaving the canopy completely orientated to the south over the roadway.

Access to this site for vehicles and deliveries may require sealing of the Water Sensitive Urban Design (WSUD). If this scenario eventuates, a developer contribution should be requested to rebuild the kerb outstand and WSUD. The renewal of the kerb outstand should consider use of Council's embedding green infrastructure guidelines and aim to provide minimum 10m3 of available soil space.

Tree ID 13312 must have solid hoarding constructed to the extent of the tree square as a minimum with and a gap at the base of 300mm.

The cost to remove, replace and undertake two years establishment maintenance for Tree ID 13311 is $1083.73.

Please note all prices are exclusive of GST and quoted at current schedule of rates. These rates change annually on 1st November.

Engineering Services Unit

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	*7,873 m^2*	*3 spaces per 100 m^2 of net floor area*	*236*	*73*

Restricted Recreation Facility (gymnasium)	*236 m^2*	*Rated not specified in Clause 52.06-5*	*To the satisfaction of the Responsible Authority*	*1*
Restaurant (2 tenancies)	*431 m^2*	*3.5 spaces per 100 m^2 of leasable floor area*	*15*	*4*
Total			*251 Spaces + Parking for Gymnasium*	*78 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.*

*** Although the application has provided no details on parking allocation, for this assessment, it has been assumed that the additional 16 spaces have been allocated to the office use.*

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. Parking associated with office type developments is generally long-stay parking for employees and short term parking (say up to two hours' duration) for customers and clients. The actual parking demand generated by the office is expected to be lower than the statutory parking rate of 3.0 spaces per 100 square metres of floor space, since the area has very good access to public transport services.*

  The site would be providing 73 on-site parking spaces, which equates to a rate of 1.37 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***
Cremorne	
60-88 Cremorne Street PLN17/0626 issued 21 June 2018	*0.72 spaces per 100 m^2 (200 on-site spaces; 27,653 m^2)*
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 1.37 spaces is considered appropriate, having regarding to the site's excellent accessibility to public transport services and proximity to Melbourne.

- *Parking Demand for Restricted Recreation Facility Use. The one on-site parking space allocated to the restricted indoor recreation facility (gymnasium) would be used by a supervisor/employee. Council had approved a fitness studio at nearby 157-157 Langridge Street Collingwood with one on-site space (PLN16/0019 issued 20 March 2017; 20 patrons). The balance of the parking generated by the proposed gymnasium would be accommodated on-street. The catchment area for this use's patrons would*

encompass the subject development and the nearby businesses and residences within walking distance. Providing one on-site car parking space for this use is considered appropriate.

- *Parking Demand for Restaurant Uses. The original GTA Consultants' report had indicated that peak parking rates for the restaurants would be in the order of 0.1 to 0.15 spaces per patron. The number of patrons for the revised proposal is not known. Patrons would be drawn from local businesses and residences (walk-up trade).*
- *Availability of Public Transport in the Locality of the Land. The site is within walking distance of tram services operating along Victoria Parade and Smith Street-Gertrude Street. Collingwood and North Richmond railway stations can also be reached on foot (approximately 850 metres).*
- *Multi-Purpose Trips within the Area. Patrons to the food and drink premises might combine their visit by engaging in other activities or business whilst in the area.*

Appropriateness of Providing Fewer Spaces than the Likely Parking Demand
Clause 52.06 lists a number of considerations for deciding whether the required number of spaces should be reduced. For the subject site, the following considerations are as follows:

- *Availability of Car Parking. GTA Consultants had undertaken on-street parking occupancy surveys of the surrounding area on Wednesday 25 July 2018 and 28 July 2018 between 10:00am and 4:00pm (both days). The survey area encompassed Langridge Street, Wellington Street, Cambridge Street, Rokeby Street, Glasgow Street and Rupert Street. The times and extent of the survey are considered appropriate. An inventory of 96 spaces was identified. On-street parking peak between 11:00am and 1:00pm both days, with no fewer than 10 vacant spaces recorded in the study area. The high parking demand in this part of Collingwood would be a disincentive for patrons, clients or employees to drive.*
- *Relevant Local Policy or Incorporated Document. The proposed development is considered to be in line with the objectives contained in Council's Strategic Transport Statement. The site is ideally located with regard to sustainable transport alternatives and the reduced provision of on-site car parking would potentially discourage private motor vehicle ownership and use.*

Adequacy of Car Parking
From a traffic engineering perspective, the waiver of parking associated with the office, gymnasium and restaurant uses is considered appropriate in the context of the development and the surrounding area. The limited opportunity to park on-street would encourage patrons, visitors, clients and employees to use more sustainable forms of transport.

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

TRAFFIC GENERATION

Trip Generation

The traffic generation for the site adopted by GTA Consultants in their original report for this site, is as follows:

Proposed Use	***Adopted Traffic Generation Rate***	***Daily Traffic***	***Peak Hour***	
			AM	***PM***

Commercial Uses (78 on-site spaces)	*0.5 trips per on-site space in each peak hour*	*Not provided*	*39*	*39*

Directional Splits and Traffic Distribution
Directional split assumptions in each peak hour for the commercial traffic –

- *AM Peak – 10% outbound (4 trips), 90% inbound (35 trips); and*
- *PM Peak – 90% outbound (35 trips), 10% inbound (4 trips).*

All traffic would be entering the site via Rokeby Street (one-way south-bound). Traffic would likely enter via Gipps Street as there would be no advantage to use Glasshouse Street, Robert Street or Waterloo Road.

The revised proposal represents a slight increase in the peak hour traffic volumes from 31 vehicles per peak hour to 39 vehicles per peak hour. The magnitude of this traffic should not adversely impact on the traffic operation of the Rokeby Street/Langridge Street intersection or the surrounding roads.

DEVELOPMENT LAYOUT DESIGN
JCB Architects
Drawing Nos. TP1-100, TP1-101, TP1-102, TP1-103, TP2-102, TP2-103 and TP3-101
Dated 11 June 2019

Layout Design Assessment

Item	***Assessment***
Access Arrangements	
Development Entrance – Rokeby Street	*The development entrance has a width of 6.6 metres and satisfies the Australian/New Zealand Standard AS/NZS 2890.1:2004.*
Visibility	*The entrance does not have a pedestrian sight triangle as required in Design standard 1 – Accessways of Clause 52.06-9. The convex mirror at the entrance is considered acceptable.*
Headroom Clearance	*A headroom clearance of 3.805 metres has been provided at the development entrance. A minimum headroom clearance of 2.2 metres has been provided in the car park at Basement Level 02. The headroom clearances satisfy AS/NZS 2890.1:2004.*
Internal Ramped Accessways	*Ramped accessways have widths of 5.5 metres plus 300 mm wide kerbs on either side, and satisfy AS/NZS 2890.1:2004.*
Car Parking Modules	
At-grade Parking Spaces	*The dimensions of the car parking spaces (2.6 to 3.0 metres by 4.9 metres) satisfy Design standard 2: Car parking spaces.*
Accessible Parking Spaces	*With the exception on the lengths (which satisfy Design standard 2), the accessible parking space and shared area satisfy the Australian/New Zealand Standard AS/NZS 2890.1:2004. The shared must be provided with a bollard.*
Aisles	*Aisle widths range from 5.5 metres to 6.4 metres and satisfy Table 2: Minimum dimensions of car parking spaces and accessways of Clause 52.06-9.*

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Column Depths and Setbacks	*Columns adjacent to spaces satisfy Diagram 1 Clearance to car parking spaces of Clause 52.06-9.*
Clearances to Walls	*Spaces abutting walls have been provided with minimum 300 mm clearances.*
Gradients	
Ramp Grade for First 5.0 metres inside Property	*The property entrance has a flat grade extending for a distance of 6.0 metres from the building line. The grade satisfies Design standard 3: gradients.*
Ramp Grades and Changes of Grade	*The ramp grades and changes of grade satisfy Table 3 Ramp Gradients of Clause 52.06-9.*
Other Items	
Loading Arrangements	*The loading facility off Waterloo Road has now been deleted from the original proposal. No details have been provided for the new loading arrangements for the site.*

Item	***Assessment***
North Abuttal of Proposed Building on Waterloo Road	*The applicant proposes to construct the new building up to the northern title boundary. The title boundary is located within the asphalt flank and is not discernible out on site.* *The asphalt flank is considered part of Waterloo Road and is deemed to be a Public Highway by virtue of its previous and continual use by the public (pedestrians and motor traffic), regardless of ownership. The position of the existing wall demonstrates that the previous/past property owners had dedicated a small portion of their property (i.e. - the setback area) as part of Waterloo Road for public purposes. As such, the new building (including the*

	columns) must not encroach the asphalt pavement (and for a height of no less than 4.7 metres).

Design Items to be Addressed

Item	***Details***
Accessible Parking Spaces	*A bollard must be inserted in the shared area.*
Loading Arrangements	*The applicant is to provide details of how goods are to be transported to the site.*

ENGINEERING CONDITIONS
Civil Works

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

- *Uplifted and subsided sections of kerb and channel along the property's Langridge Street road frontage must be reconstructed to Council's satisfaction and at the Permit Holder's cost.*
- *The footpath along the property's Langridge Street and Rokeby Street frontages must be reconstructed to Council's satisfaction and at the Permit Holder's cost. The footpath must have a cross-fall of 1 in 33 or unless otherwise specified by Council.*
- *All redundant property drains are to be removed and reinstated with paving, kerb and channel to Council's satisfaction and at the Permit Holder's cost.*
- *All redundant vehicle crossings must be demolished and reinstated with paving, kerb and channel to Council's satisfaction and at the Permit Holder's cost.*
- *The existing grated pit within the existing (redundant) vehicle crossing on the north side of Langridge Street must be converted to a grated side entry pit in accordance with Council's Standard Drawings and to the satisfaction of Council and at the Permit Holder's cost. These works are to be done concurrently with the removal and reinstatement of the redundant vehicle crossing.*
- *The new building (including the columns) must not encroach the existing asphalt flank of Waterloo Road (a Public Highway).*

Vehicle Crossing

Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the new vehicle crossing must be designed and constructed:

- *In accordance with any requirements or conditions imposed by Council.*
- *Demonstrating satisfactory access into and out of the site with a vehicle ground clearance check using the B99 design vehicle and be fully dimensioned with actual reduced levels (to three decimal places) as per Council's Vehicle Crossing Information Sheet;*
- *At the Permit Holder's cost; and*
- *To the satisfaction of 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.*

Construction Management Plan

- *A Construction Management Plan must be prepared and submitted to Council. The Plan must be approved by Council prior to the commencement of works. A detailed dilapidation report should detail and document the existing and post construction conditions of surrounding road infrastructure and adjoining private properties.*

Impact of Assets on Proposed Development

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

Discharge of Water from Development

- *Only roof runoff, surface water and clean groundwater seepage from above the water table can be discharged into Council drains.*
- *Council will not permit clean groundwater from below the groundwater table to be discharged into Council's drainage system. Basements that extend into the groundwater table must be waterproofed/tanked.*

Removal, Adjustment, Changing or Relocation of Parking Restriction Signs

- *No parking restriction signs or line-marked on-street parking bays are to be removed, adjusted, changed or relocated without approval or authorisation from Council's Parking Management unit and Construction Management branch.*
- *Any on-street parking reinstated as a result of development works must be approved by Council's Parking Management unit.*
- *The removal of any kerbside parking sensors and any reinstatement of parking sensors will require the Permit Holder to pay Council the cost of each parking sensor taken out from the kerb/footpath/roadway. Any costs associated with the reinstatement of road infrastructure due to the removal of the parking sensors must also be borne by the Permit Holder.*

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.*
Clearance to Electrical Assets – Langridge Street/Rokeby Street	*Overhead power lines run along the north side of Langridge Street and at the intersection with Rokeby Street, 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*

Grated pit in front of redundant vehicle crossing. The pit is to be converted to a grated side entry pit with the removal and reinstatement of the crossing.

Strategic Transport

Originally Advertised plans:

I refer to the above Planning Application referred on 24/01/2019, and the accompanying Traffic report prepared by GTA Consultants in relation to the proposed development at 60-88 Langridge Street and 23-25 Waterloo Road, Collingwood. Council's Strategic Transport unit provides the following information:

Access and Safety
No significant access or safety concerns have been noted.

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***
Minor sports and recreation facility	*2-4 max. employees* *119 sqm*	*1 employee space to each 8 practitioners* *1visitor space to each 4 practitioners*	*1 employee spaces* *1 visitor spaces.*	

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Office (other than specified in the table)	*7797 sqm*	*1 employee space to each 300 sqm of net floor area if the net floor area exceeds 1000 sqm*	*26 employee spaces*	
		1visitor space to each 1000 sqm of net floor area if the net floor area exceeds 1000 sqm	*8 visitor spaces.*	
Restaurant	*416 sqm*	*1 employee space to each 100 sqm of floor area available to the public*	*4 employee spaces*	
		2 plus 1 visitor space to each 200 sqm of floor area available to the public if the floor area exceeds 400 sqm	*4 visitor space*	
		Bicycle Parking Spaces Total	*31 employee spaces*	*88 employee spaces*
			13 visitor spaces	*20 visitor spaces*
Showers / Change rooms		*1 to the first 5 employee spaces and 1 to each additional 10 employee spaces*	*4 showers / change rooms*	*10 showers / change rooms*

The development proposed a total of 57 additional employee spaces and 7 additional visitor spaces above the statutory requirements of the planning scheme.

Adequacy of visitor spaces

20 spaces are noted as visitor bicycle parking spaces. The provision of the visitor spaces is inadequate for the following reasons:

- *The proposed number of employee bicycle spaces exceeds the statutory rate and meets Council's Best Practice rate (20 spaces[1]) and is acceptable.*
- *However, 8 spaces are proposed to be placed on a kerb outstand on Langridge Street, and it is understood Council's Engineering and Urban Design teams do not support the proposed kerb outstand.*
- *The remaining 12 visitor spaces are acceptably designed and located for visitor use.*

Adequacy of employee spaces

Number of spaces

The number of resident bicycle spaces exceeds the statutory rate and Council's Best Practice rate (83 spaces[2]) and is acceptable.

Design and location of employee spaces and facilities
The following aspects of the design and location of employee spaces are acceptable:

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[1] *Category 6 of the SDAPP offers the following for best-practice guidance for office visitor bicycle parking rates: "As a rule of thumb, at least one bicycle space should be provided per dwelling for residential buildings."*

[2] *Category 6 of the BESS offers the following for best-practice guidance for employee office 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. The Statutory Rates are adequate for the remaining proposed uses.*

- *Spaces are located within secure facilities with good access to the building entrances.*
- *Provision has been made for e-bike charging.*
- *The end-of-trip facilities appear adequate, however it is unclear how many lockers are to be provided. It is recommended 1 locker is provided per employee bike space.*
- *Bicycles spaces are limited to two locations, which is acceptable given the number of spaces being provided and the size of the site.*
- *The majority of walkways and storage areas appear to comply with AS2890.3 requirements.*

The following aspects of the design of employee spaces needs to be revised.

- *Only 8 spaces are provided as horizontal, at-grade spaces (bike hoops or similar). Pursuant to AS2890.3 at least 20% of spaces must be provided as horizontal at-grade spaces.*
- *The proposed bike workshop (which is supported) appears to restrict access to some of the at-grade spaces (see image below).*

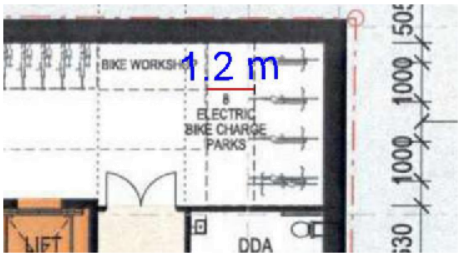


Figure 1 – the Bike workshop appears to restrict access to the EV spaces. Further detail of the workshop is required to ensure access to these spaces is retained.

Electric vehicles / share cars / other relevant topics?

The provision of EV charging spaces within the basement is supported. Additionally, to allow for easy future expanded provision for electric vehicle charging, both car parking levels should be electrically wired to be 'EV ready'. A minimum 40A single phase electrical sub circuit should be installed to these areas for this purpose.

Green Travel Plan

It is noted the applicant has supplied a Green Travel Plan (GTP). The GTP provides all the required information and can be endorsed.

Recommendations

The following should be shown on the plans before endorsement:

1. *At least 20% of employee bike spaces must be provided as horizontal at-grade spaces pursuant to the requirements of AS2890.3.*
2. *Details of the 'Bike Workshop' should be provided to demonstrate it will not block access to the two north-most "electric bike" parks.*
3. *Both levels of the basement should be electrically wired to be 'EV ready' with a minimum 40A single phase electrical sub-circuit installed for this purpose.*

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

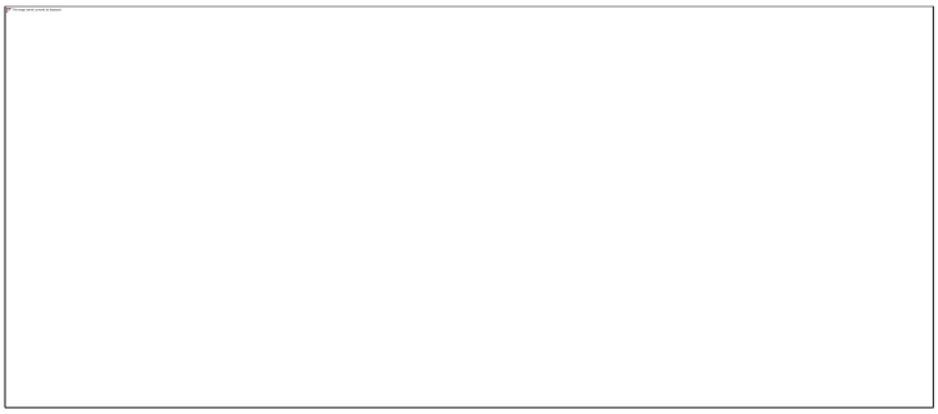
Amended Plans:

Visitor spaces

- *There are 15 visitor spaces shown – the best practice rate recommends 17 (12 for the office and 5 to meet the other statutory rates). This is acceptable as the peak restaurant demand (4 spaces) is unlikely to coincide with the peak office use.*
- *1 space is shown on the footpath, quite close to a tree. It appears this space is to be attached to the existing parking pole – clarity is needed. If it is not, then the pole must be shown.*
- *The footpath width should also be indicated.*

Employee spaces
They're exceeding the best practice rate for employee uses (66 spaces, with 81 provided); and they've relocated all employee bike parking into a single-facility which is good. However:

- *Only 5% of employee bike parking is horizontal – well short of the 20% required under AS2890.3. – They've responded that they've provided additional spaces at the Langridge St frontage, but these are visitor spaces not employee spaces – and there are now less, not more visitor spaces…*
- *They should re-jig the "square area" shown below to fit more horizontal bike parking in. It may be necessary to reduce the total number of spaces to provide more horizontal spaces – the overall number must continue to meet or exceed best practice.*



Waste Services

The waste management plan for 60-88 Langridge St, Collingwood authored by Irwin Consult and dated 5/11/18 is satisfactory from a City Works branch's perspective.

ESD Advisor

The following comments are based on the review of the:

- *Architectural drawings - prepared by Jackson Clements Burrows Architects (TP0-000, TP1-001, TP1-101 - TP1112, TP2-101 - TP2-106, TP3-101 - TP3-103, TP10-101 - TP10-114, TP10-201 - TP10-203, TP10-301)*
- *ESD report – prepared by Ark Resources (2/11/18, Ref 1260A)*
- *WMP report –prepared by Irwin Consult (18ME0378, Rev. 04, 5/11/18)*

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This application partially meets Council's Environmental Sustainable Design (ESD) standards, however, further information is needed before the project proposal could be considered to meet Council's standards for best practice. For a project of its scale, there is a lack of sufficient detail. As the Green Star certification is not committed to, further details are required. Comments on areas where improvement could be made are itemised below:

Application ESD Commitments

- *Standards – Benchmarking to a Green Star 4 star standard with involvement of a Green Star Accredited Professional*
- *Management - Provision of a building users guide*
- *Daylight & outlook – Good access to natural light and outlook for upper levels.*
- *Indoor Air Quality – Low VOC and formaldehyde products*
- *Energy Efficiency - A minimum 4.5 star NABERS rating, and air tightness testing*
- *Renewable energy – 35kWp of photovoltaic panels in multiple arrays*
- *Water Efficiency - Fire test water capture and reuse, as well as efficient appliances and irrigation*
- *Stormwater Management - Rainwater capture for reuse to flush toilets, irrigate, and wash bins*
- *Building Materials - Improvements in timber, PVC and water used for concrete making*
- *Transport - Electric vehicle charging*
- *Bicycle facilities - On-site bicycle parking and end-of-trip facilities*
- *Waste Management - Segregation of recycling within the tenancies, and collection of organic waste*
- *Innovation - Water leak detection system and provision of e-bikes*
- *Construction & Building Management – Environmental Management Plan to be provided.*

Application ESD Deficiencies:

- *Natural ventilation – Windows sought to Site B toilets*
- *Thermal performance – Double glazing is sought for habitable rooms*
- *Building energy efficiency – A preliminary Section J report is sought that demonstrates the NCC Section J requirements are exceeded by 10%*
- *Air-conditioning – Details on system efficiency, and interrelated systems that minimise HVAC use.*
- *Hot water – Descriptions of the various domestic hot water and efficiency are sought*
- *Shading – Effective external shading is sought to sun-exposed glazing*
- *Bicycle facilities – A minimum of 20% horizontal bicycle parks is sought per Australian Standards*
- *Urban greening – More vegetation is sought, including in-ground.*
- *Green Travel plan – Provide a green travel plan including details of local car share access.*
- *UHI – Provide detail noted missing in the UHI mentioned in the report.*

Outstanding Information:

- *Hybrid ventilation – Details of HVAC system efficiencies and how use of HVAC is minimised and avoided – prioritising passive systems.*
- *Energy efficiency – Provide a preliminary Section J report for the building, and detail of where electrical 'shut-down switches' are to be applied (noted as being in 'apartments')*

- *Active transport – Details of how building users can utilise stairs to minimise lift use are sought.*
- *Photovoltaics – Clarity is sought as to if PV panels are to be 'building integrated' or applied*
- *Lighting – More detail is sought on lighting power densities and efficiency measures.*
- *Materials – A description is sought of predominant building materials is sought that connects with corresponding improvements.*

ESD Improvement Opportunities

- *Builder accreditation - Consider making it a requirement for Head contractor to be accredited to ISO14001.*
- *Window format – Consider reformatting office windows to allow for natural ventilation more appropriate for office spaces and designing for night-purging of the office levels*
- *Electric vehicles – Consider provision of appropriate electrical supply and trunking with capacity to allow for a future, full-electric fleet*
- *Bicycles – Consider illumination of and CCTV monitoring of bike areas to discourage theft.*
- *Urban greening - Consider adding greenery to the substantial building terrace areas.*
- *Communal space – The terraces provided access from a limited number of floors, consider greater distribution.*
- *Electric vehicle - Consider providing some electric vehicle charging stations or pre-wiring for future provision.*

Open Space

I have reviewed the landscape packages provided by Aspect dated December 2018 in response to the development listed above.

- *We do not support the proposed kerb outstand as part of the development.*
- *The proposed rain garden system should be reviewed by and approved by Council's drainage engineer before the concept is approved. Provide further information on the system for an accurate assessment to be made.*
- *Provide information on the planters proposed through the north-south laneway.*
- *The urban context report showed vertical greening on the terraces of the development, will this be included as part of the landscape package?*
- *Consider the opportunity to integrate the language of the Tribe Hotel Development and the office development to create a consistent treatment along the Langridge Street frontage.*
- *Ensure the proposed planting along the east-west laneway does not impede pedestrian access.*
- *Consider if the east-west laneway paving treatment can extend further across the development to the northern side of the proposed hotel. Ideally if the treatment could extend to the laneway on the west of the site to create a seamless experience through. The proposed shade planting does not need to extend across.*

Social Planning

- *The proposal results in two new restaurant premises, which are not ancillary to each other. Therefore, there is no opportunity for one of the venues to transform and combine spaces. This is supported.*

- *The mix of licensed premises within the local area includes restaurant / café licenses, packaged liquor licenses, limited licenses and late night (on premises) licenses.*

- *There are seven licensed premises within 100 metres of the subject site (including the site) and 89 licensed venues within 500 metres, with most concentrated along Smith Street.*

- *It is considered that there are sufficient public transportation options from the subject site such as Tram Route 86 (Bundoora RMIT – Waterfront City Docklands) operates along Smith and Gertrude Streets, with tram stops within 400 metres of the site. Tram Route 12 (Victoria Gardens to St Kilda) and Tram Route 109 (Box Hill to Port Melbourne) also run along Victoria Parade, with stops also located within 400 metres of the site. Collingwood Station is additionally approximately 550 metres northeast of the site and bus routes are accessible along Hoddle Street.*

- *In 2008, the Victorian Government introduced a freeze on new post 1am liquor licences being issued in the City of Yarra, City of Melbourne (including the Docklands), City of Port Phillip and City of Stonnington. In July 2019 the freeze was extended until 30 June 2021. In addition to extending the freeze in July 2019, a number of exemptions were also introduced. In summary, the decision making guidelines enable the Victorian Commission for Gambling and Liquor Regulation (VCGLR) to allow the supply of liquor after 1am in a limited number of circumstances, provided that regard is given to the guidelines.*

- *The criteria is aimed at allowing low risk venues to supply alcohol past 1am. Criteria includes the premises being used for accommodation (with alcohol being ancillary), or a venue that regularly provides live music entertainment, or a venue that provides food at all times when liquor can be supplied. The criteria also includes patrons not exceeding 200 people.*

- *Given that the proposal does not seek to operate beyond 1am, the freeze is not applicable.*

- *It is proposed to cater to a maximum of 245 patrons in total across both of the restaurants to 11pm, when the smaller of the restaurants closes. The other premises will continue operating as a restaurant open until 1am (140 patrons maximum).*

- *A restaurant and café liquor licence requires the predominant activity, at all times, to be the preparation and serving of meals for consumption on the premises. It also requires tables and chairs to be available for at least 75% of patrons attending the premises at any one time. The definition of a restaurant in the planning scheme also includes the 75% seating requirement. The application documents/floor plans do not indicate seating arrangements for either of the restaurants. Therefore it is recommended that any conditions of approval require the floor plans to depict at least 75% seating for both of the restaurants as standalone entities. Therefore, a minimum of 79 seats for the smaller restaurant and 105 seats for the larger restaurant is required to be available at all times.*

- *For this proposal, the key considerations relate to the sale and consumption of alcohol for the 245 patrons, reducing to 140 patrons at 11pm, combined with the late closing hour of 1am seven days a week, which is not typical for a restaurant (more typical for a bar use and an on-premises liquor licence).*

- *Under a restaurant and café liquor licence (obtained through the VCGLR), standard trading hours for a restaurant are to 11pm. This indicates that the proposed supply and consumption of alcohol past 11pm is perhaps better suited to another (higher risk) licence type (and use definition). Further information should be obtained from the applicant to ascertain whether the premises will 'transform' in anyway (in purpose) within the proposed operating hours, particularly between 11pm and 1am.*

- *There are ongoing compliance issues with larger restaurants morphing into bars later in the evening, as alcohol rather than food becomes the focus. A restaurant and café liquor licence is recognised as being a lower risk licence type (and has lower fees) due to the stricter conditions imposed on the licence and also because staff do not require responsible service of alcohol (RSA) training. Therefore, it is recommended that the applicant reduce the hours of operation or provide additional information on the operational objectives of the larger restaurant remaining open beyond 11pm. This could be by way of confirming that the kitchen will remain open with a full menu to 1am, and that all seating (or seating in excess of the 75% requirement) is provided at all times until 1am.*

- *The closure of the outdoor areas at 10pm (maximum) is supported.*

External consultants

Urban Design (MGS Architects)

The current consolidated proposal does not in my view provide a coherent inter-development precinct proposal aligned with the above mentioned policies nor does it deliver an acceptable inter-building set of relationships.

87. The proposed development and adjoining Hotel have provided insufficient capacity for back of house access areas and rely on perimeter street networks for activities that should specifically not be located to these interfaces and as a consequence undermine their enhancing character as areas of improved pedestrian amenity.

88. In this instance the proposed Waterloo Road frontage is substantially undermined by a suggested large loading area that quite evidently should not be located to this north facing interface. With redevelopment likely in the future to properties to the north an opportunity to complete the enhancement process commenced with the Yorkshire Brewery to create a fine grain network of inter-block links and a charming local street of enhanced shared use and enhanced amenity areas could be largely completed. The inclusion of a loading dock in a narrow street of less than 4.5m in dimension relied upon for access by pedestrians and local residents is an illogical and poor urban outcome.

89. Waterloo Road is also as a narrow street relied on within the proposal for major pedestrian interblock movement and building entry. The inclusion of a large loading dock is inconsistent with this role.

90. The proposal sits at odds with the ambition of policy to activate streets and the related logic of creating aggregated back of house areas in rear laneway rather than street front locations.

91. A logical location for loading would be within an enlarged east-west laneway network developed in conjunction with proposed site access of Rokeby Street. See Diagram 1.

92. The proposed internal lobby zone of Building A duplicates the pedestrian walkway as a northsouth movement. Logically the precinct would be enhanced by aggregating the north-south links into a single open to the sky public network through the site through the expansion of the north-south link to 6m.

93. A 6m width would provide the opportunity for appropriate levels of separation between the new commercial offices and the proposed hotel.

94. Additionally it would afford a public zone with a high amenity potential owing to its largely northsouth orientation during key times of the day when office workers are utilising these areas and with access to sunlight that the south facing areas to Langridge Street are less able to achieve.

95. I have previously noted in my review of the adjoining Tribe Hotel a recommendation for them to set back their northern boundary at ground level to make the laneway between the proposed Site B and the Hotel trafficable as a shared service zone, noting Site B has appropriately located back of house facilities off the southern laneway but has not configured the laneway for service vehicle access. It is critical in developing the precinct that these existing networks are upgraded and used to provide the important service zones for the precinct.

96. The larger composite site enjoys frontages to three primary streets:

(a) Langridge Street to the southern interface is a street wherein multiple VCAT decisions have supported Council's strategic support to build the quality of this street as part of an inner northern regional green travel network and place of high pedestrian amenity. Key to this has been agreement to minimise crossovers to the street and utilisation of secondary lanes and streets for access and protection of the south footpath from overshadowing at the equinox and kerb outstands at intersections with intersecting north south streets.

(b) Waterloo Road to the north has been transformed in the quality of it as a residential address in its western two-thirds in recent years with the redevelopment of the Yorkshire Brewery site and properties opposite to the south. The continued enhancement of the south side of the street down to its intersection with Rokeby Street would be a logical extension of the placemaking objectives sought by policy.

(c) Rokeby Street to the east will always be a street performing a vehicular role owing to the absence of rear laneway provision for much of its length reliant on shared use of access to balance amenity and access.

97. In contrast to Rokeby Street the subject site and sites south of Langridge Street and Waterloo Road enjoy east-west parallel laneways. Whilst Glasgow Street to the south is well configured, the laneway to the north of the proposed hotel separating it from 13-19 Waterloo Road and the northern buildings on the subject land has been left unenhanced as a result of the subject proposal and more broadly vehicle access has been further compromised.

98. Logically, as has been successfully negotiated in other redeveloped strategic sites, service access and enhanced inter-street movement should form the underlying armature of the redevelopment of the subject site.

99. *Additionally the site plan developed for each phase must demonstrate irrespective of which stage proceeds first, that the other parts of the development will continue to be fit for use and placemaking enhancements will be progressively delivered.*

Recommendation 1
Provision of a masterplan for the larger site to the satisfaction of Council

Key Plan

New 6m wide shared two way service lane providing back of house shared service access to properties with frontages to Liverpool and Langridge Street for the extent of the property of the subject proposal and future eastern and northern development. Hotel proposal to include new crossover and realigned ROW access on remaining title for access.

New 6m wide North high amenity space configured to provide half the space with access to sunlight between 10am and 2pm at the equinox south pedestrian walk

Activated edge to new north south pedestrian link

1. *That a masterplan be provided for the subject site together with the proposed Tribe Hotel inclusive of a new two-way service road to the north of the hotel of 6m in width at ground level servicing Site B with a minimum clearance of 4.5m or as required by the responsible emergency services, infrastructure and waste management agencies extending for the full extent of the proposed northern interface of the proposal.*

2. *The extension of the laneway with access rights in the proposed subdivision to a new two way entry off Rokeby Street is desirable although the northern half of the proposed pedestrian link could with appropriate management regimes excluding service vehicles through key times of the day also work egressing to Waterloo Road if continuation to the east is not viable.*

3. *Provision of a new 2 way access off Rokeby Street to the approval of the council should provide for both vehicle and loading facilities to minimise broader impacts in streets developing as residentially enhanced zones.*

4. *A new 6m wide pedestrian 24hr accessible walk to the eastern abutment of the Hotel extending from Langridge Street to Waterloo Road. The pedestrian walk is to be paved with a suitable high quality material and landscaped to the satisfaction of the Responsible authority with the design principles implied in the submitted plans indicatively a good starting point for public realm development. Outdoor seating along the interface with Site A should be encouraged along with the proposed Hotel. The east west lane and north south walk are to become public laneways on completion.*

Implications for the submitted plans

Recommendations

- *(a) Increase setbacks of Site B Buildings to provide for a minimum of 6m separation for a 24- hour public laneway from the Site B office and Tribe Hotel alignment.*
- *(b) Provide for a Section 173 Agreement with Council providing for east-west and north-south laneways to be 24-hour accessible for pedestrians and subject to a management agreement for service vehicles.*
- *(c) Provide enhanced openings and activation of abutting restaurant areas to the proposed north-south link.*
- *(d) Redesign and enhance the capacity of the east-west lane as a shared zone and location for waste management and deliveries to the Site B and Hotel.*
- *(e) Reorganise the offices so that all deliveries to the project are from the newly established and expanded ROW access from Rokeby Street and via the proposed expanded inter-block east-west laneway.*
- *(f) Relocation of all waste management off the new laneway and Rokeby Street access interface.*
- *(g) Expand the northern entry zone to Site A to provide for courier scooters and short term bicycle storage vehicles within the site.*
- *(h) Set back façades of the proposed Site B and Site A ground floor areas to provide for pedestrian refuge areas free from the vehicle carriageway in recognition of the revised role and amenity sought by the development from the Waterloo Road interface.*

Protection and enhancement of Amenity in Langridge Street

100. *Numerous recent VCAT decisions have supported Councils policy goals to enhance the amenity of Langridge Street and protect the public realm on which the expanding residential, visitor and worker community.*

101. *The height and configuration of the proposal at this stage as depicted in the shadow diagrams submitted with the application suggests substantial additional overshadowing of the south side of Langridge Street at the Equinox between 9 and 3pm. Disappointingly the shadow diagrams seek to propose enclosed areas of built form are configured in a way that allows light to seamlessly pass through including structural floors without interruption with only minimal shadow effects.*

    - *(a) 3D illustrations within the document confirm unsurprisingly that this effect will not be achieved in actuality and shadow diagrams should be recalibrated to show the effect of the perimeter envelope, screens, etc.*

    - *(b) The narrowness of the north-south link results in this space only enjoying sunlight access around 12noon with 1pm and 11am indicating the area in shade. Widening of this zone will have profound impacts on the extent of the day where amenity is enhanced with the greater width also enhancing environmental*

effects. This results in substantial overshadowing of the footpath zone on the south side of Langridge Street at the equinox.

102. *Overhead power lines and poles should in areas of intensification be wherever possible relocated underground.*

103. *In the current proposal the proposed siting of the Site A office building south east corner would not be possible with the current pole and wire arrangements with wires overhanging the eastern boundary.*

104. *The opportunity of redevelopment should be used to remove pole obstructions from the streetscape as proposed in similar large scale renewal projects. The current juxtaposition of structure and pole locations results in a clear footpath zone at the corner of less than 1.3m. With the removal of the pole an opportunity exists similar to other locations to carry the kerb outstand to the bike lane interface to the south and back to the existing tree (that with the removal of the wires overhead could contribute more substantively to streetscape amenity with a fuller canopy).*

105. *Proposed areas for kerbside loading are not supported and inconsistent with policy and the opportunities afforded by the site and are likely to present additional hazards for the regional bike path users and pedestrians.*

106. *An opportunity also exists at the speed hump zone which aligns with the proposed expanded width north-south street to extend the raised zone to the kerb to facilitate enhance universal access and midblock slowing of traffic speeds.*

Recommendation 3

Overshadowing and public realm improvements

1. *Revise plans to ensure there is no overshadowing of the pavement areas to the south side of Langridge Street between the hours of 10am and 2pm at the equinox.*

Public realm improvements

2. *Remove redundant crossovers in Langridge Street and Waterloo Road.*

3. *Provide a proposed public realm improvements strategy including kerb outstands for the Langridge Street interface for the area from the site boundary to the bicycle path alignment. The plan should include the following:*
   - *(a) Opportunities for an expanded kerb outstand areas shared public amenity*
   - *(b) Provide for a 6m wide public plaza to the northern interface of the proposal and extending to the north interface with Waterloo Road*
   - *(c) Reconfigure restaurant and gym and office areas to enable integration with the new north south to the satisfaction of the Council.*

4. *Remove overhead power lines*

Building expression above ground floor podium

107. *The proposed building expression is generally acceptable as a design strategy with the exception of the separation between buildings and the height which is having presently a detrimental impact on Langridge Street that is not supported.*

Internal arrangements

108. I have also already raised concerns around the proposed ground level arrangements, location of waste and loading facilities and location of core site infrastructure.

109. Desirably loading and vehicle access would be configured off Rokeby Street resulting in a substantial diminution of the south east restaurant facility reconfiguring it as a sleeving narrower tenancy arrangement, a successful model in this precinct.

110. The widening of the proposed north-south walk and removal of the loading area from Waterloo Road will result in a shifting of the floor space a greater presence of the proposed fitness centre to the Waterloo Street frontage.

111. Necessarily the restaurant footprint to the south will require diminution building footprint. The proposed 50m+ hallway length without relief is less than optimal.

112. Substantial roof terraces are provided but presently in many areas lack either substantial landscaping ideas or programmatic thinking when compared to other projects with which we have recently been involved. Opportunities for shade, food production, enhanced social and outside work spaces, etc. are yet to be manifested in the plans but should be developed given the proposed scale of these areas.

CONCLUSION

113. The proposed use and hospitality and recreational complimentary uses are supported as is the proposed inclusion of an extended north-south and east-west walk.

114. Issues however remain and are significant as to the capacity and role of these important secondary networks, the positioning of waste management and loading and the level of public realm improvements to abutting streets which are presently underwhelming. Impacts arising from overshadowing must be addressed and the quality of the ground plane at the interface of Langridge Street and the proposed east-west walk should provide levels of comfort suitable for sitting south of the east-west lane and within Langridge Street and similarly comfort levels for sitting on proposed terraces.

115. Widening of streets should be accompanied by increased tree planting and this should similarly be extended to roof terrace and balcony areas to diminish heat island effects.

116. To do this however requires that it delivers in this phase a contribution to placemaking and enhanced precinct operational capacity and amenity.

117. This goes beyond the provision of simply a building but to the resolution of access arrangements, new shared public space and amenity.

118. Additionally it necessitates a design response of high calibre that in its design delivers an interesting outcome.

119. DDO11 provides insight for the applicant as to what is expected but is yet to be delivered namely:

(a) A built form business and commercial environment which builds on the existing fine grain industrial nature of the area and that allows for innovation and interest.

(b) A vibrant and safe street which in this instance necessitates the upgrading of the laneway network so that the Waterloo Road interface is not used for loading and waste management as currently proposed an outcome that sits at odds with the stated goal to increase the amount of street oriented development.

(c) The aim to ensure that taller built form will be set back from property boundaries and spaced to create a new interest and variety in building forms, has not in my view been adequately met with a 3m separation between development east and west and 2.65m north south and requires radical review.

120. Key design objectives relevant to the project include:

(a) To provide a pedestrian friendly environment along all street frontages. This should include the proposed eastern walk which should be delivered in conjunction with the proposal.

(b) To ensure building design will protect the amenity of existing pockets of residential development necessitates a revised approach to the positioning of loading away from the residentially rich Waterloo Road interface.

(c) To encourage improvements to the public domain, including the provision of public open space. Requires a revised approach to Langridge Street and Waterloo Road and the inclusion of the additional service and pedestrian network contributions as earlier noted.

(d) To ensure that new development does not adversely impact on pedestrian, cycling and vehicular accessibility. Will require setting back of the upper most level from Langridge Street and enhancement of service access arrangements to the subject site as earlier noted.

(e) The building has not been configured to ensure it minimises overshadowing of adjoining streets, public spaces or private properties.

(f) To ensure a high standard of architectural design. Requires responsiveness to the context, enhanced space between buildings and reorganisation of program to respond to the varied context in which it sits. Resolution of the layouts of the development at all levels to incorporate increased shade and green landscape intervention is necessary.

(g) To engage with higher ambition with the context that is emerging and valued, the pedestrian networks proposed and the amenity and vibrancy both visual interest and increased capacity and generosity of scale and amenity is sought.

(h) Access to the site has not had regard for the ambition that the number of vehicular access points to a site should be limited and where possible, consolidated and shared with adjoining sites. The suggested masterplan arrangement and upgrade of the east west laneway network would address this issue.

(i) The DDO specifically seeks that New development should explore opportunities to create pedestrian connections and through links where the property is accessible from at least two streets. In this instance the development is uniquely placed to ensure this ambition is realised with an appropriate scale to invite the

general public through a safe environment and ensure deliveries and back of house are not on interfacing street edges.

(j) The design and construction of buildings should minimise potential off-site impacts sought by the DDO is not achieved with the inadequate setbacks from northern neighbours at ground level and overshadowing of Langridge Street and impact on Waterloo Road for waste management where vibrancy and amenity is sought.

121. Hence in summary the site organisation and relationships to new and existing development and principles of orderly development is yet to in my opinion be satisfactorily resolved.

122. The building scale and design treatments are yet to be satisfactorily resolved.

123. Siting, bulk and height of the proposed buildings is in its current form having excessive and unreasonable impacts on the abutting street network through overshadowing, and increased use of the Waterloo Road for loading and waste management. Additionally the proposal is failing to achieve safety by design objectives through its poor resolution of laneway networks as far to narrow.

124. The relationship with this building and the proposed hotel is poorly resolved with the buildings excessively proximate, the separating circulation networks grossly under scaled and the scope of resolution of placemaking in this stand-alone phase fundamentally underworked with poor resolution of access to remaining sites and poor resolution of engagement of the proposal with proposed networks and ill-considered location of infrastructure such as substations to primary rather than secondary street interfaces.

125. Hence at this point the proposal has not achieved a high architectural and urban design outcome.

126. Place-making initiatives along Langridge Street and Waterloo Road and the eastern and northsouth walkway interface and northern laneway are not adequately resolved and a more developed landscape plan and placemaking strategy is necessary.

127. Use of colours and materials remains a work in progress with the repetition, uniform alignment and matching north and south resolution is generally reasonable save for landscape and tree canopy initiatives referred to earlier and dimensional attributes of walking and servicing networks.

128. Minimal contribution through landscape and tree canopy additions has been made to reducing heat island effects.

Hence in its current form the project should be refused and the applicant invited to develop a masterplan framework based on principles as outlined earlier for a high quality pedestrian and shared service network and the delivery of a quality place and expanded and connected interblock network of shared laneways at each stage of development.

Acoustics (SLR Consulting)

These comments relate to the amended plans and the acoustic response dated 11 June 2019

Background Information

1. *The nearby sensitive receivers should be reviewed, and Figure 1 of the report updated to show all sensitive receivers. Other parts of the assessment should be revised for the updated sensitive receivers.*

This item will be satisfied by the updated Figure 1 as proposed.

Noise monitoring location

2. *Clarification is sought on the noise monitoring location, in particular if it had line-of-sight to Langridge Street. Ideally, photographs of the monitoring equipment in-situ should be provided.*

This item is satisfied by the photo and description of the noise model validation process.

Music Noise Emission from Restaurants

3. *The night period SEPP N-2 noise limits should be revised to account for the restaurant that is proposed to have a 1 am closing time.*

The consultant has revised the criteria based on a typical noise level measured between 10pm and 1am. SEPP N-2 is based on the time that the music noise occurs, not the average noise level over the time period. Therefore the assessment should be revised to be based on the minimum background noise level from 10pm to 1am. We have measured background noise levels of 40 dBA L90 in the area during the hour of 12pm to 1am, which appears similar to the minimum measured noise level during this time in Figure 4 of the original report.

4. *Clarification as to whether music will be played in the outdoor seating zones. If music may be played outdoors, a more comprehensive assessment should be provided.*

The response states that music is not proposed for this area, therefore we are satisfied with the current assessment.

Patron Noise Emission from Restaurants

5. *The background noise level used for determining the patron noise criteria should be revised to account for the restaurant that is proposed to have a 1 am closing time. The patron noise assessment should then be revised, based on the updated criteria.*

We disagree that the noise criteria be based on the average noise level from 10pm to 7am. As per Section 7.1 of our review, the background noise level from the quietest hour should be used.

Notwithstanding the above, Table 3 of the consultant's response shows patron noise from Tenancy 2 exceeding the night-time criteria. Therefore, operation of the outdoor areas for both Tenancy 2 and Tenancy 3 should be restricted to daytime and evening periods only.

6. *The title of Section 3.5 should be revised to reflect that the patron noise criteria are for the restaurant outdoor seating zones (rather than a roof top terrace).*

The consultant agrees to revise the section title.

7. *The source sound power level for voices used for the patron noise assessment should be presented.*

We are satisfied that the source sound power levels that have been provided are reasonable for the proposed restaurant areas. It is noted that that the sound power level suggested in our original review should have read 98 dBA Leq (not 98 dBA Lmax).

Fitness Centre

8. *The tenancy agreement for the fitness centre should require an acoustic assessment of noise impacts from fitness activities and music.*

The consultant agrees to adding this statement.

Loading Dock

9. *Noise from the loading dock should be assessed. If loading dock activities could occur during the night period, we recommend a sleep disturbance assessment using a criterion of 65 dBA Lmax outside bedroom windows.*

Our original concerns about the loading dock have been addressed by the revised drawings, which show the dock relocated from the ground floor to the basement.

Recommendations

The additional information and proposed report updates in the Cundall response dated 11 June satisfies most of our recommendations. The updated recommendations (from the Summary section of our original review) are:

- *The calculation of SEPP N-2 and patron noise limits should be based on the minimum background level during the hours of operation (items 3 and 5 above)*
- *Patron noise from the outdoor seating area of Tenancy 2 is predicted to exceed the criteria. Therefore, operation of the outdoor areas for both Tenancy 2 and Tenancy 3 should be restricted to daytime and evening periods only.*

Wind (ViPac Engineers)

This peer review of the MEL Consultants Desktop Environment Wind Assessment (Report: 173-18-DE-EWA-01) is based on Vipac's experience as a wind-engineering consultancy. No wind tunnel studies have been undertaken to support this review.

Vipac has reviewed the report with the updated drawings provided (dated on 20 Dec 2018, listed in the attachment). Our comments are as follows:

- *The MEL Consultants Desktop Environment Assessment has been prepared based on consultancy experience and no wind tunnel testing has been carried out to support their assessment. We have no issue with this method for a desktop study as this is a common approach to provide architects, developers and responsible authorities advice on the wind impact of the proposed design.*

- *We have no issue with the analysis approach, assessment criteria, wind environment and exposure estimate. MEL Consultants has clearly indicated the process for the desktop assessment and this is consistent with the approach that Vipac would take to prepare a desktop wind effect statement. A clear description of the proposed development has been provided in Section 2 along with the set of drawings date 25 Oct 2018 mentioned in the report.*

- *The report analyzed wind effects on ground level streetscape street by street; the pedestrian walkway between Site A and Site B buildings; as well as various level roof terraces of the Site A building and concluded that the pedestrian level wind conditions in the surrounding streets would achieve the recommended criteria for wind comfort for most of the pedestrian areas surrounding the proposed development. The report also identified some areas of high wind levels which might exceed the recommended comfort criteria:*

  (a) The seating zone to the south of the Site A building, expected to achieve the walking criterion but exceed the long-term stationary criterion;
  (b) The northern entrance to the Site B building, expected to achieve the walking criterion only;
  (c) The north end of proposed pedestrian walkway, expected to exceed the walking criterion;

  (d) The two south corners of the Site A building; expected to approach the walking criterion and recommended to be determined by a wind tunnel test.
  (e) Some terraces of the Site A building also exceeded the stationary comfort criterion and recommendations were made to increase balustrade height to 1.8 m (for terraces on Levels 3 and 5) and higher (for terraces on Levels 6 and 7).

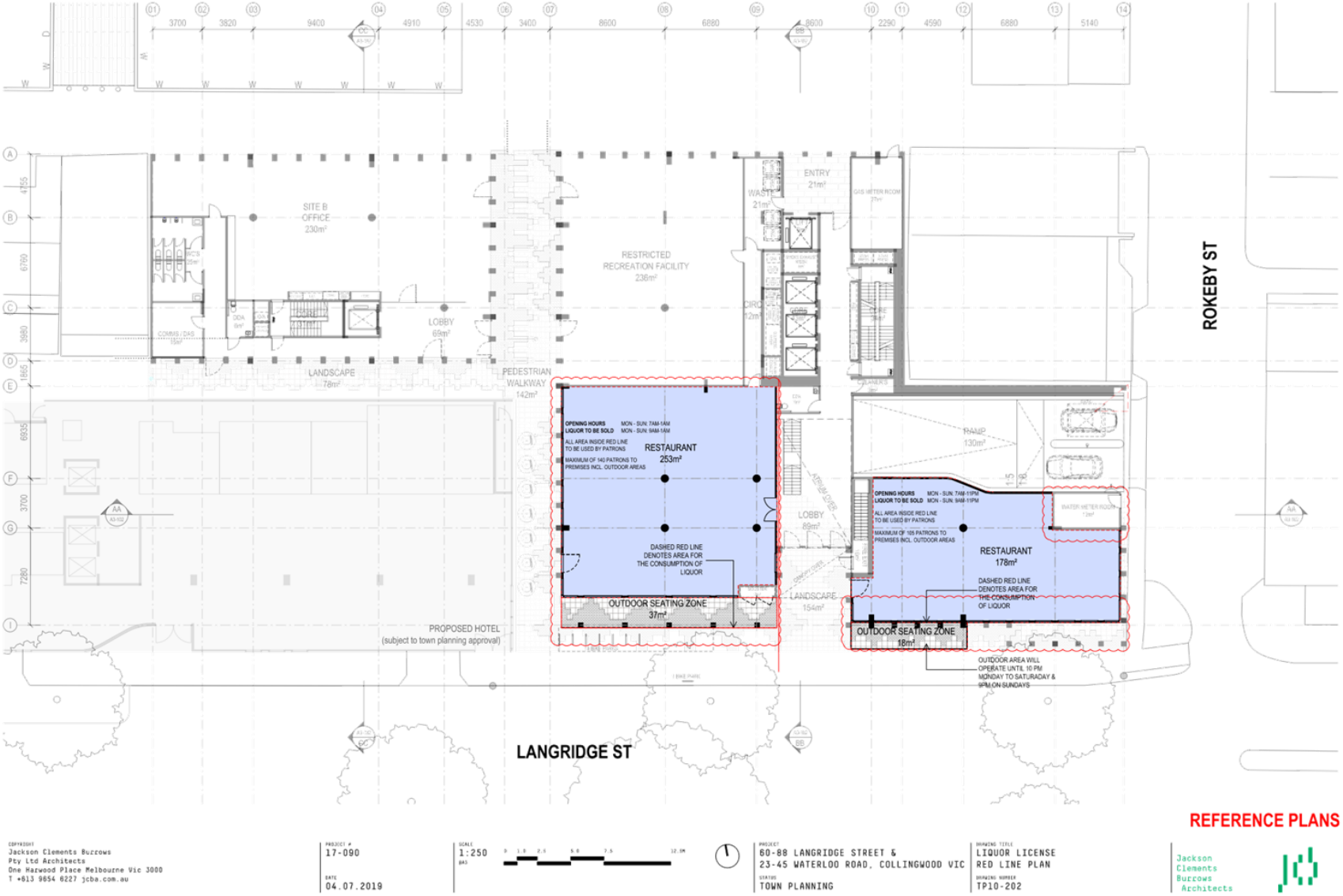
- *The report also discussed some wind control measures in general:*
  (a) canopy over the proposed walkway,
  (b) canopy along streetscape of high wind corners,
  (c) building setbacks at lower levels,
  (d) localized screening in and around the seating zone,
  (e) taller balustrade at the outer edges of terraces etc.

- *In general, Vipac agrees with these conclusions and some discussed wind control measures.*

- *Vipac have reviewed the updated drawings dated on 20 Dec 2018 and found that some terraces at Level 3 and Level 5 already have 1800mm balustrade. However, most designs remain same as the assessed (for example, plans of Ground floor, Levels 3, 5, 6 and 7 have remained the same as cited in the report). As such, the wind conditions would be similar as those predicted in the desktop assessment and a scaled wind tunnel test is a necessary recommendation.*

In conclusion, the MEL Consultants Desktop Environment Assessment used the proper analysis methodology, analyzed the wind effects on the pedestrian level by the proposed development in detail and made some appropriate recommendations.
Vipac agrees with the conclusions of the assessment and recommends wind tunnel testing be conducted at the detailed design stage to verify the assessment and determine the optimised wind control measures.

Attachment 3 - PLN18/0844-6 - 60 - 88 Langridge Street & 23 - 45 Waterloo Road Collingwood - updated red line plan



Attachment 4 - PLN18/0844-6 - 60 - 88 Langridge Street & 23 - 45 Waterloo Road Collingwood - amended plans

60-88 LANGRIDGE STREET & 23-45 WATERLOO ROAD, COLLINGWOOD

DRAWING NO.	DRAWING TITLE	SCALE
TP0-000	DRAWING SCHEDULE	-
EXISTING CONDITIONS		
TP0-100	EXISTING SITE PLAN	1:1000
TP0-101	EXISTING GROUND FLOOR - DEMOLITION	1:250
PROPOSED PLANS		
TP1-001	SITE PLAN	1:1000
TP1-100	BASEMENT LEVEL 03	1:250
TP1-101	BASEMENT LEVEL 02	1:250
TP1-102	BASEMENT LEVEL 01	1:250
TP1-103	GROUND FLOOR PLAN	1:250
TP1-104	LEVEL 01 PLAN	1:250
TP1-105	LEVEL 02 PLAN	1:250
TP1-106	LEVEL 03 PLAN	1:250
TP1-107	LEVEL 04 PLAN	1:250
TP1-108	LEVEL 05 PLAN	1:250
TP1-109	LEVEL 06 PLAN	1:250
TP1-110	LEVEL 07 PLAN	1:250
TP1-111	LEVEL 08 PLAN	1:250
TP1-112	ROOF PLAN	1:250
PROPOSED ELEVATIONS		
TP2-101	SOUTH ELEVATION	1:250
TP2-102	EAST ELEVATION	1:250
TP2-103	NORTH ELEVATION	1:250
TP2-104	WEST ELEVATION	1:250
TP2-105	EAST ELEVATION - BUILDING B	1:250
TP2-106	WEST ELEVATION - BUILDING B	1:250
PROPOSED SECTIONS		
TP3-101	SECTION AA	1:250
TP3-102	SECTION BB	1:250
TP3-103	SECTION CC	1:250
SHADOW DIAGRAMS		
TP10-101	EXISTING SHADOWS - 9AM	-
TP10-102	PROPOSED SHADOWS - 9AM	-
TP10-103	EXISTING SHADOWS - 10AM	-
TP10-104	PROPOSED SHADOWS - 10AM	-
TP10-105	EXISTING SHADOWS - 11AM	-
TP10-106	PROPOSED SHADOWS - 11AM	-
TP10-107	EXISITNG SHADOWS - 12PM	-
TP10-108	PROPOSED SHADOWS - 12PM	-
TP10-109	EXISTING SHADOWS - 1PM	-
TP10-110	PROPOSED SHADOWS - 1PM	-
TP10-111	EXISTING SHADOWS - 2PM	-
TP10-112	PROPOSED SHADOWS - 2PM	-
TP10-113	EXISTING SHADOWS - 3PM	-
TP10-114	PROPOSED SHADOWS - 4PM	-
EXTERNAL FINISHES		
TP10-201	EXTERNAL FINISHES SCHEDULE	-
MICELLANEOUS		
TP10-202	LIQUOR LICENSE - RED LINE PLAN	1:100
TP10-203	STAGING DIAGRAMS	1:250
TP10-204	GROUND FLOOR-NORTH - PLAN DETAIL	1:100
DEVELOPMENT SUMMARY		
TP10-301	DEVELOPMENT SUMMARY	-

REFERENCE PLANS

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PROJECT #
17-090

DATE
11.06.2019

SCALE
@A3

PROJECT
60-88 LANGRIDGE STREET &
23-45 WATERLOO ROAD, COLLINGWOOD VIC

STATUS
TOWN PLANNING

DRAWING TITLE
DRAWING SCHEDULE

DRAWING NUMBER
TP0-000

Jackson
Clements
Burrows
Architects

Attachment 4 - PLN18/0844-6 - 60 - 88 Langridge Street & 23 - 45 Waterloo Road Collingwood - amended plans

REFERENCE PLANS

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PROJECT # 17-090

DATE 11.06.2019

SCALE 1:1000 @A3

PROJECT 60-88 LANGRIDGE STREET & 23-45 WATERLOO ROAD, COLLINGWOOD VIC

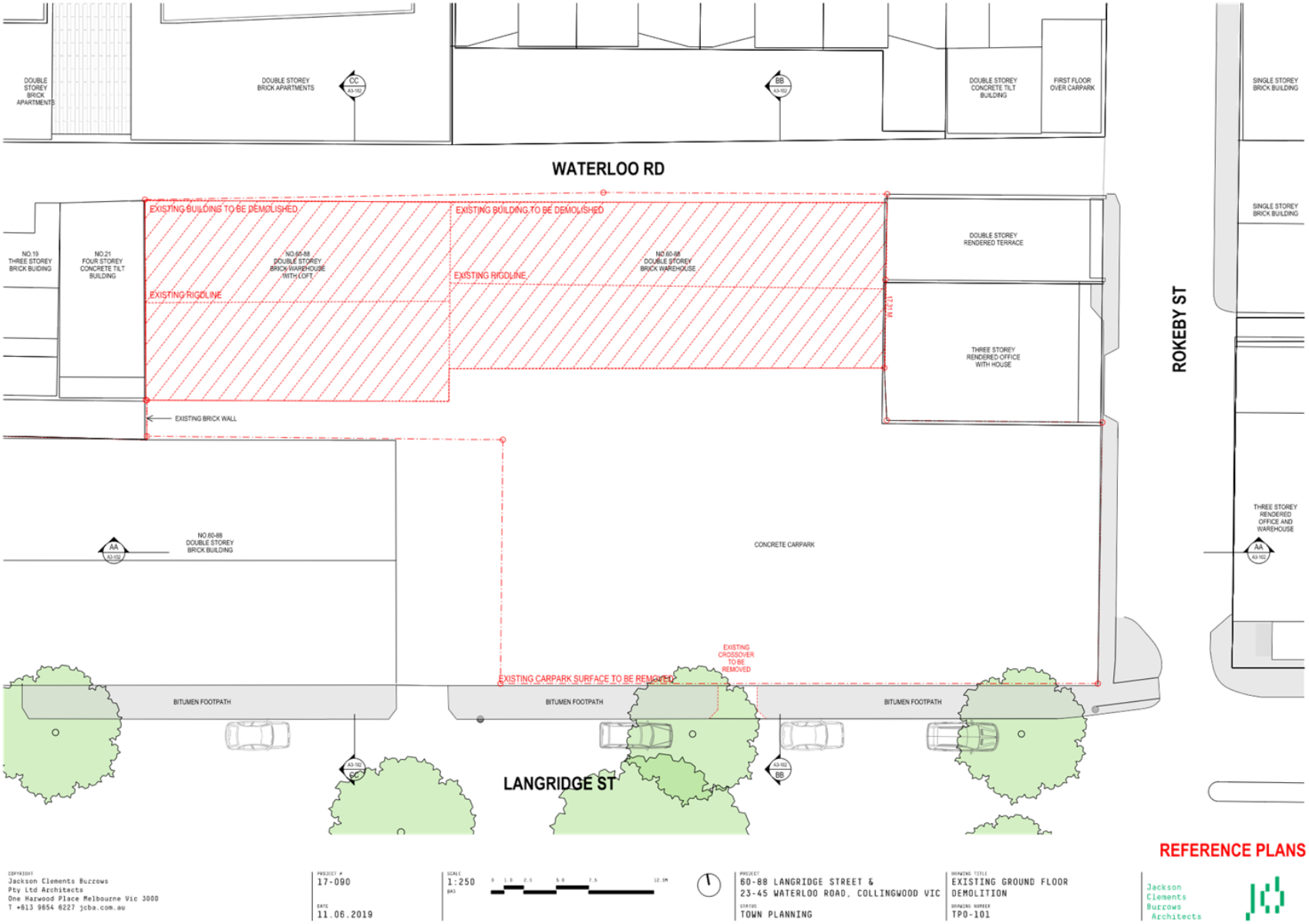
STATUS TOWN PLANNING

DRAWING TITLE SITE PLAN EXISTING

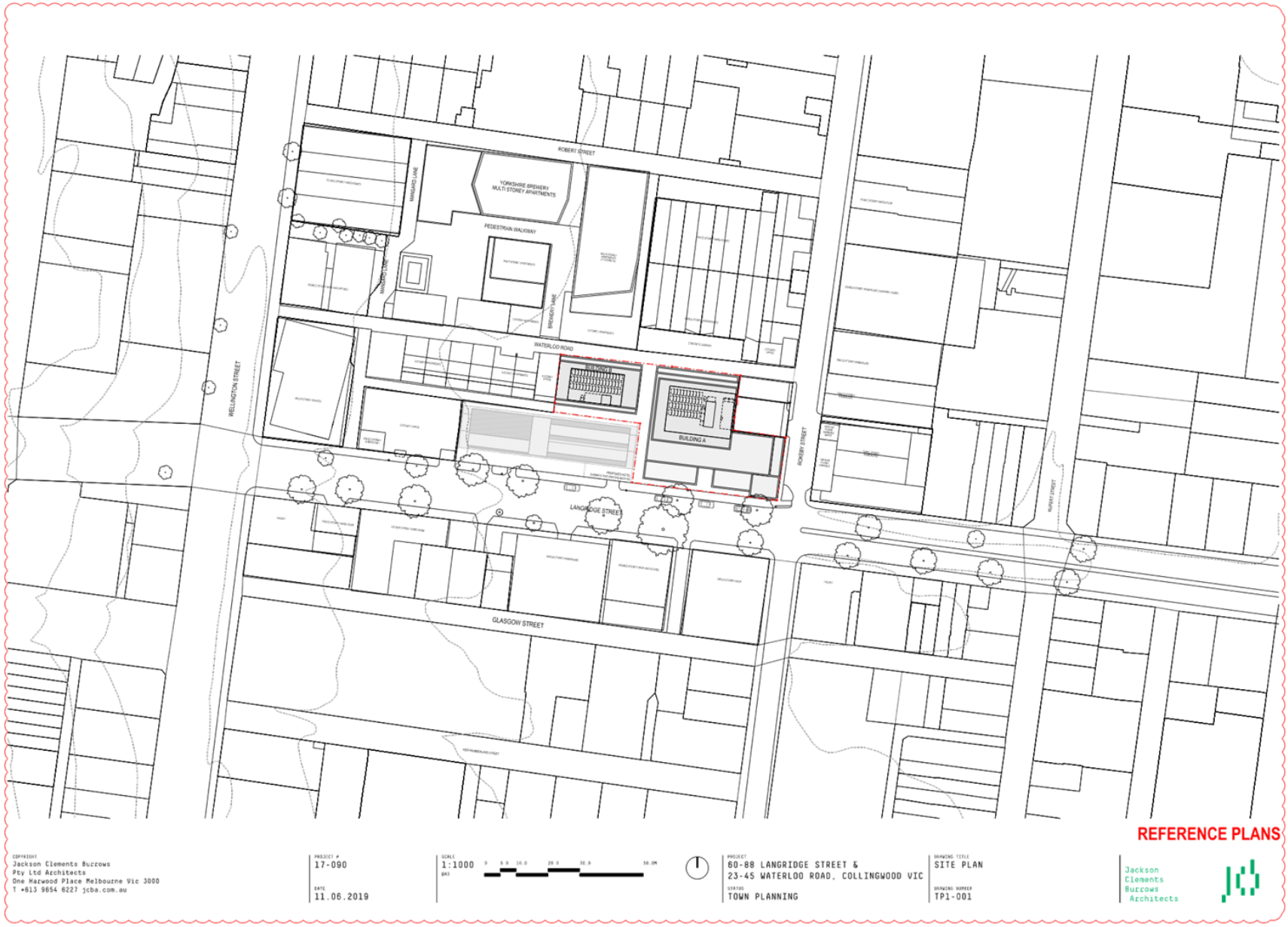
DRAWING NUMBER TP0-100

Jackson Clements Burrows Architects

Attachment 4 - PLN18/0844-6 - 60 - 88 Langridge Street & 23 - 45 Waterloo Road Collingwood - amended plans



Attachment 4 - PLN18/0844-6 - 60 - 88 Langridge Street & 23 - 45 Waterloo Road Collingwood - amended plans



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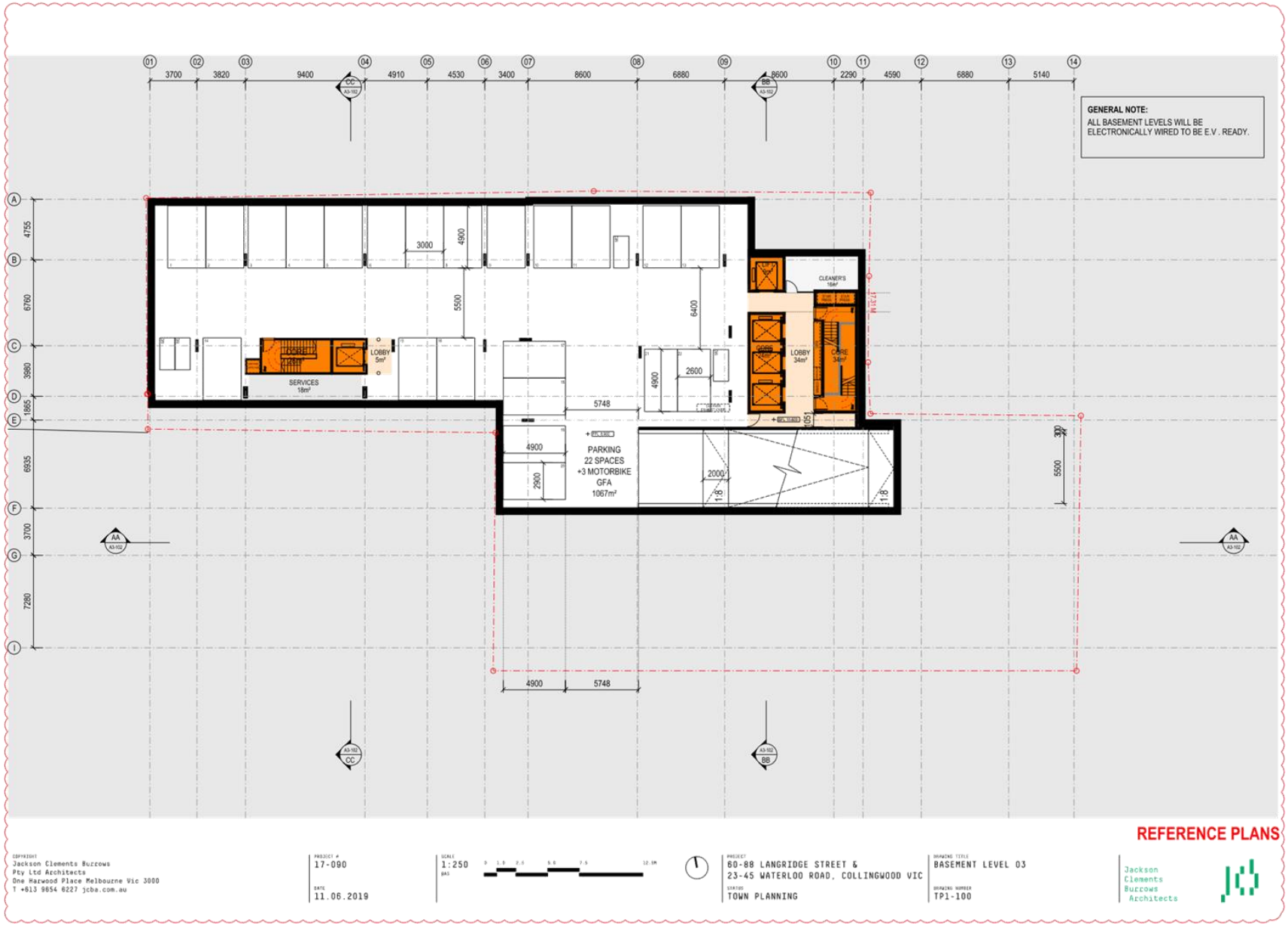

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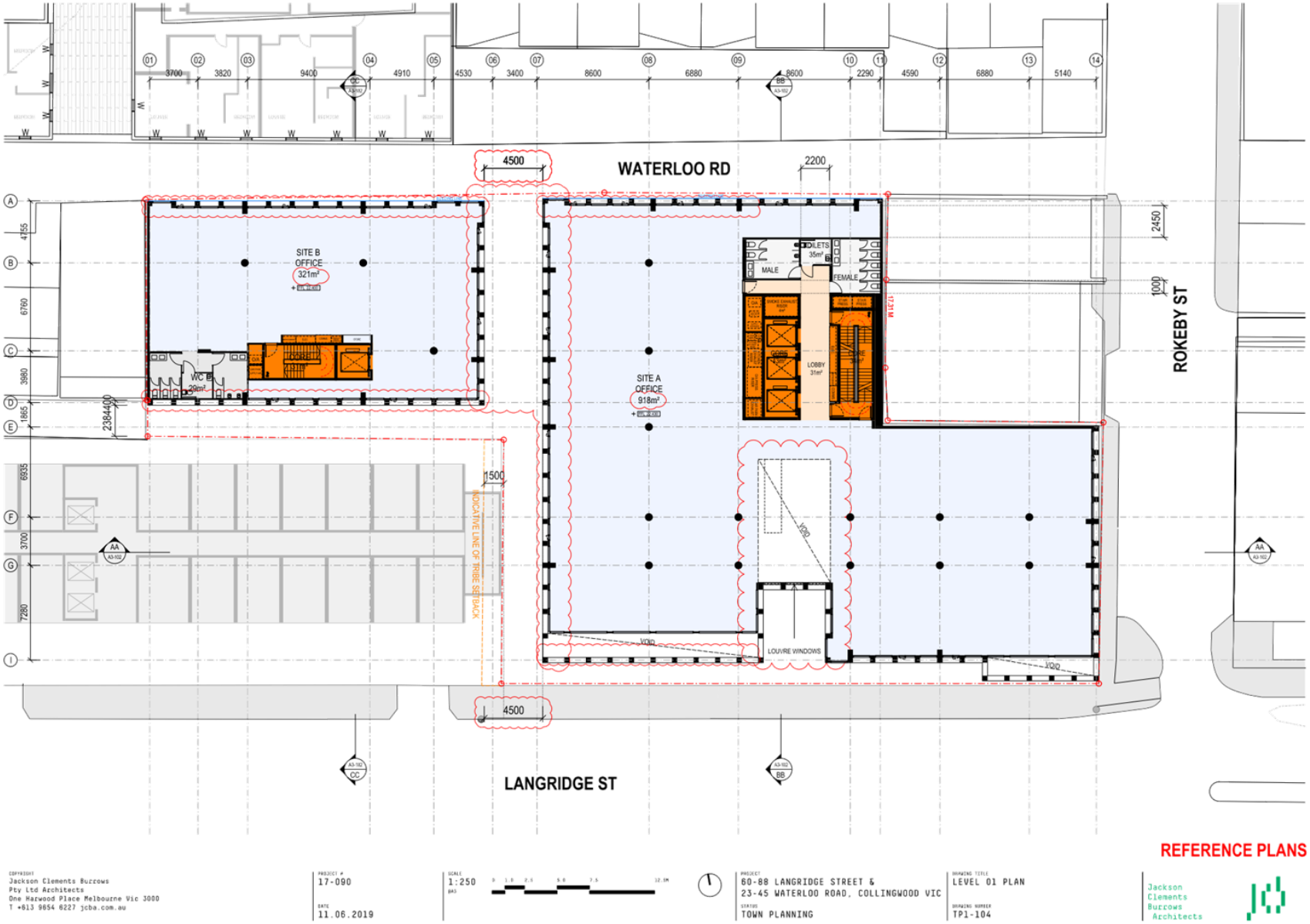

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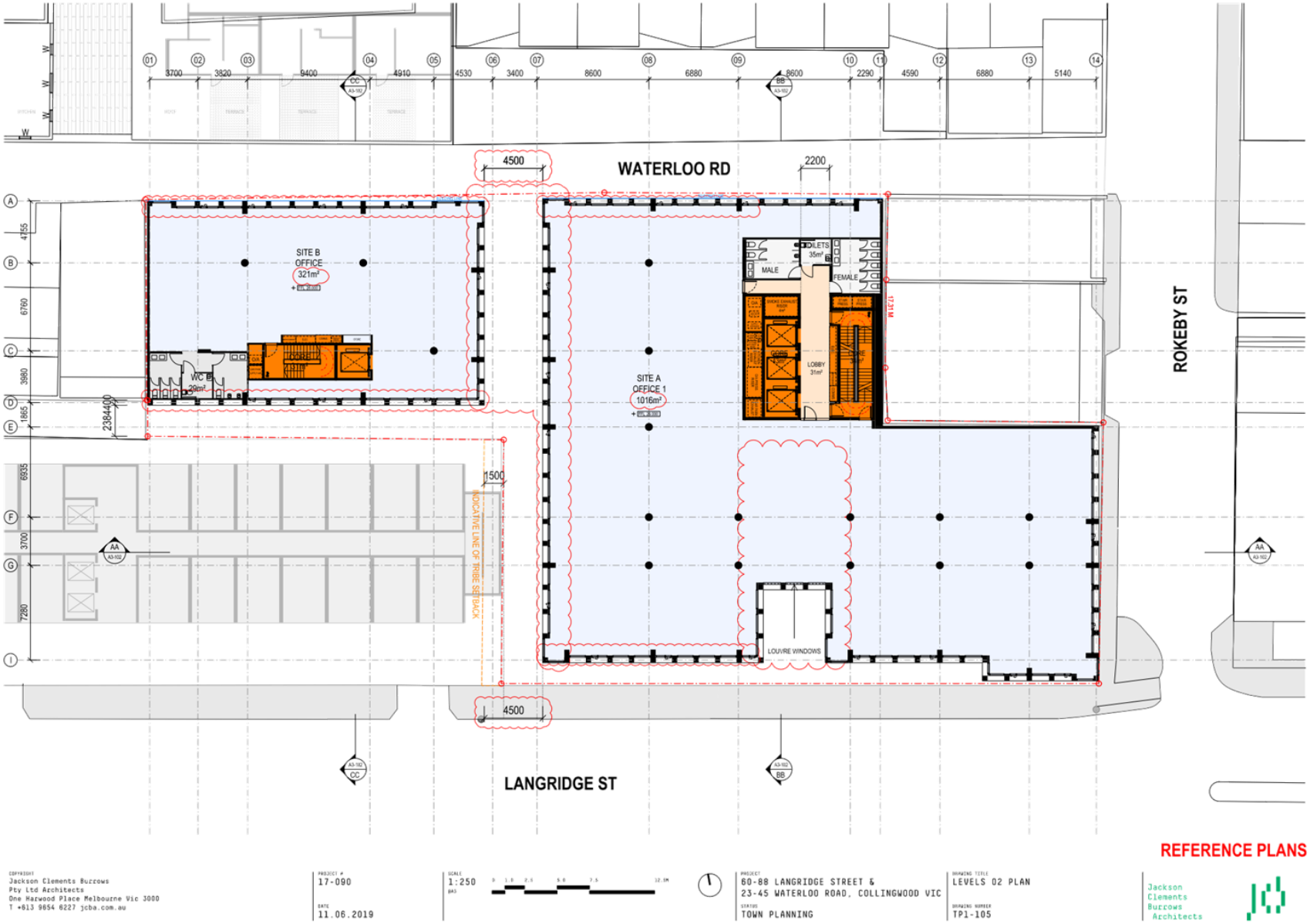

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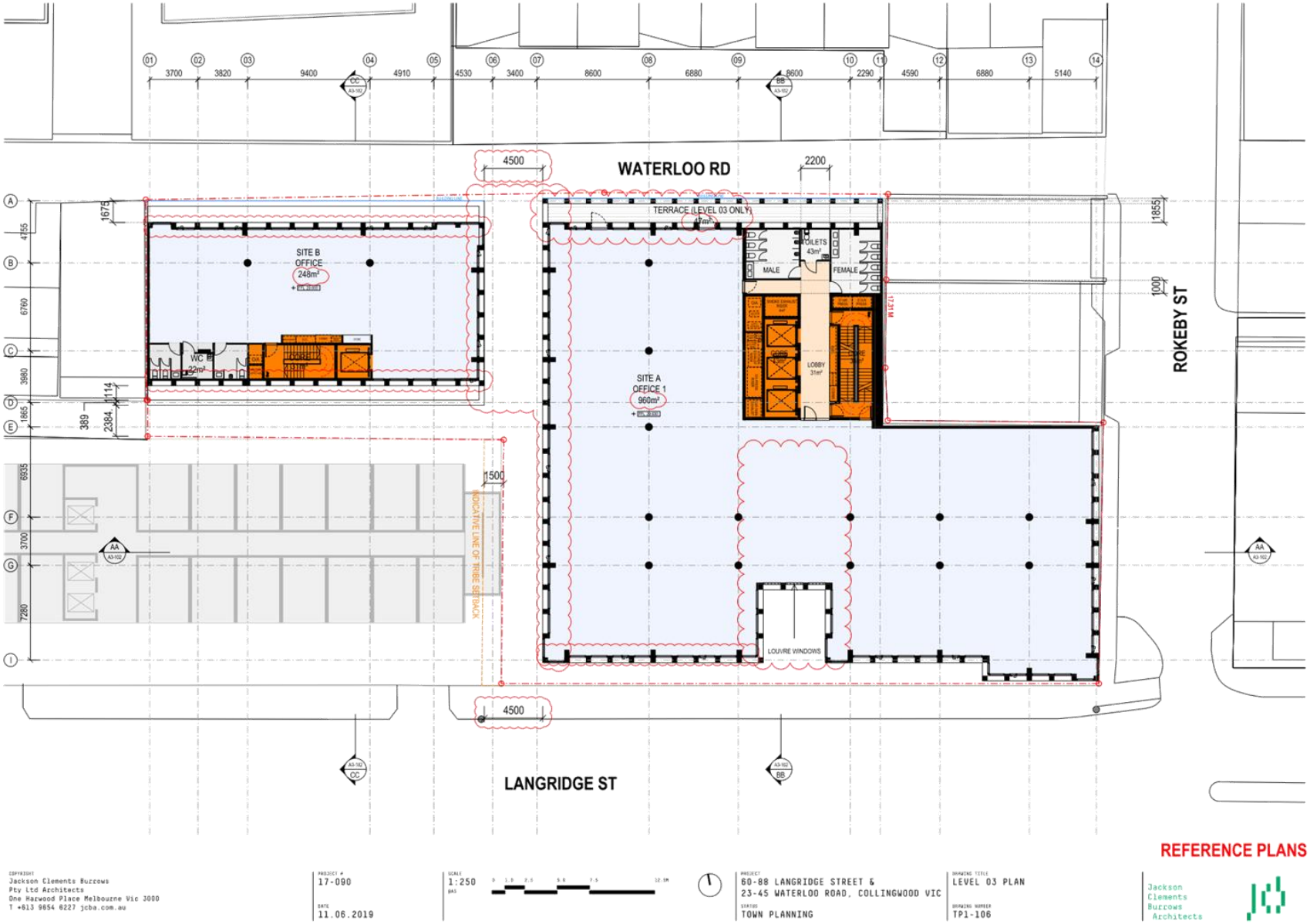

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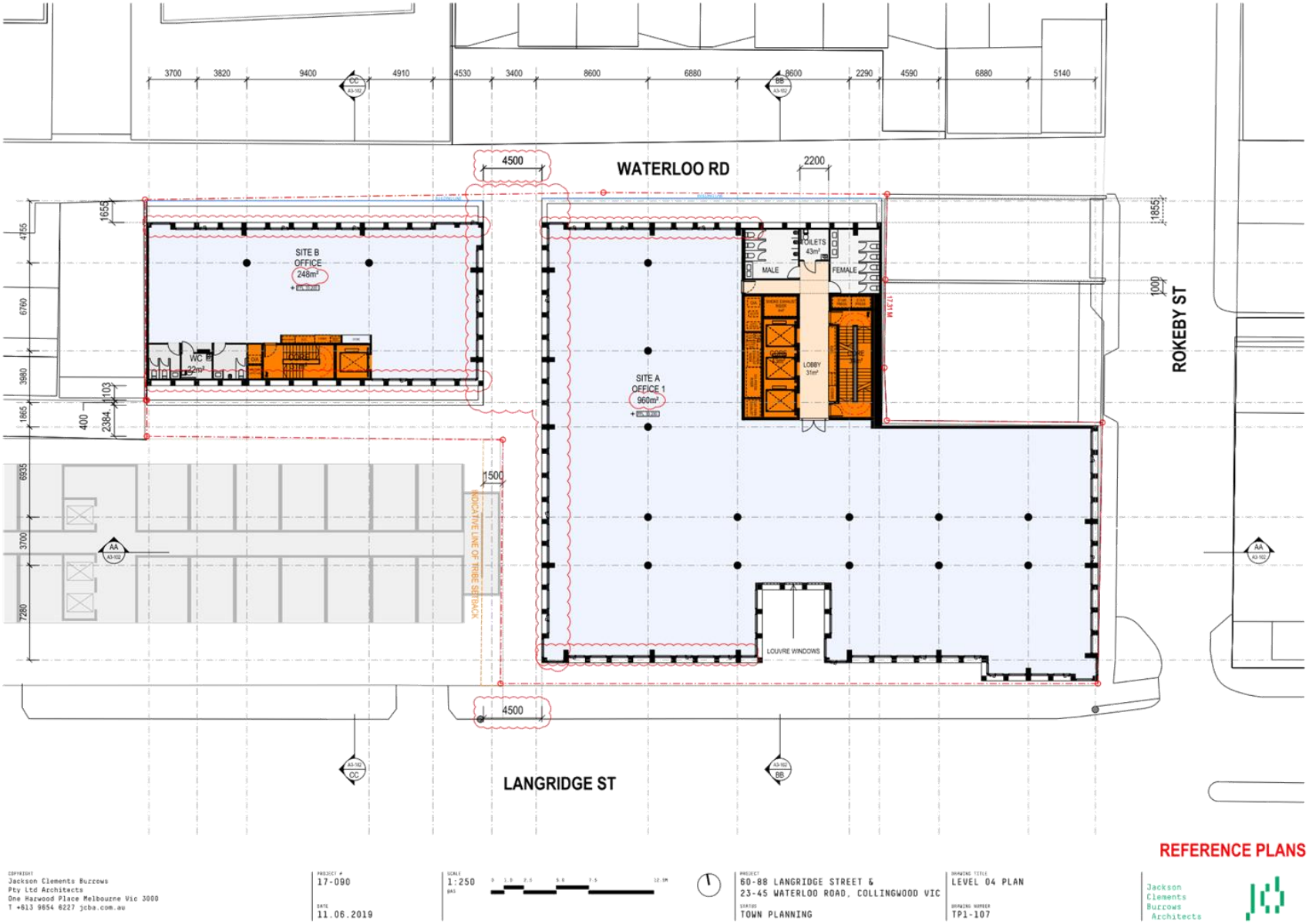

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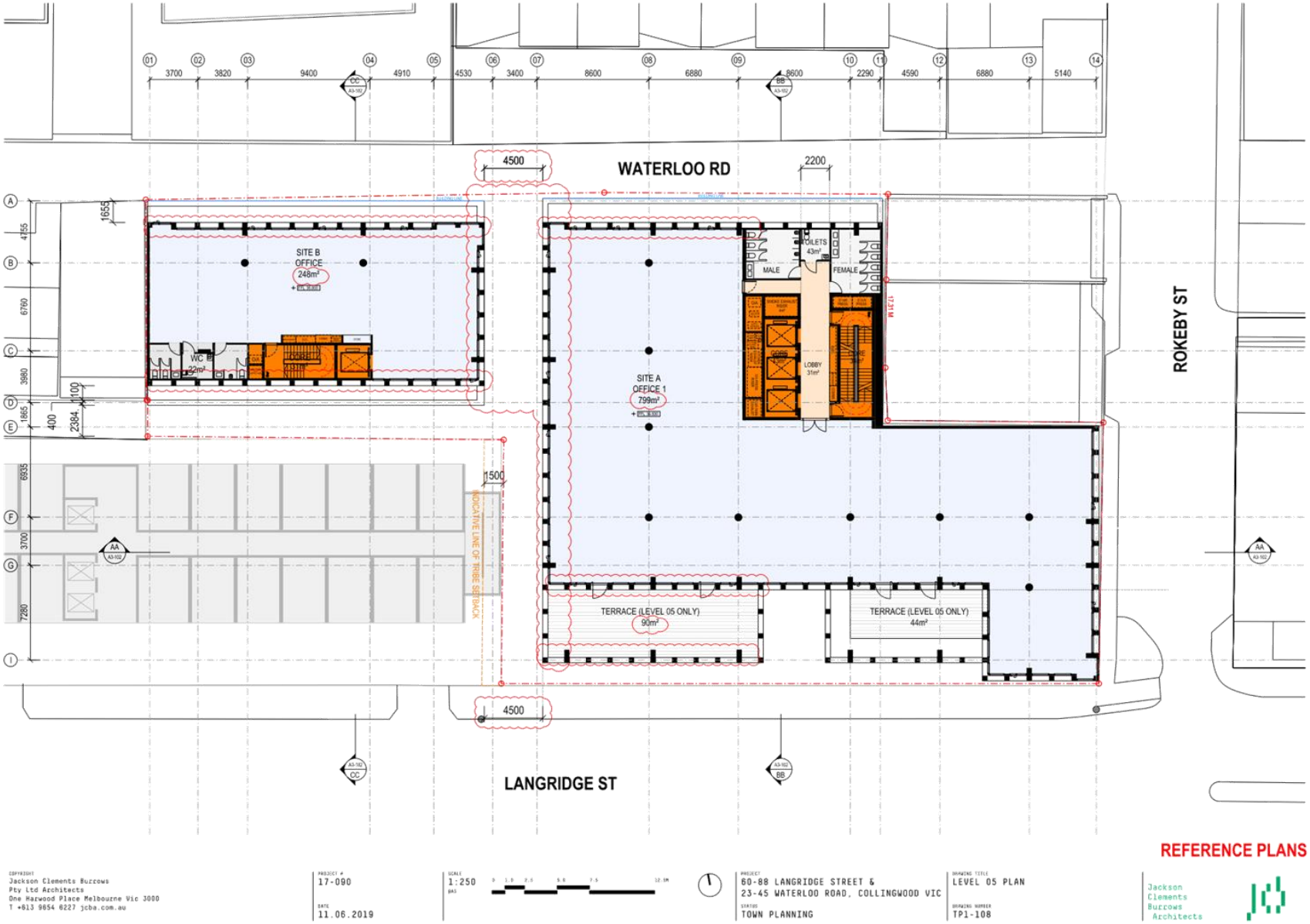
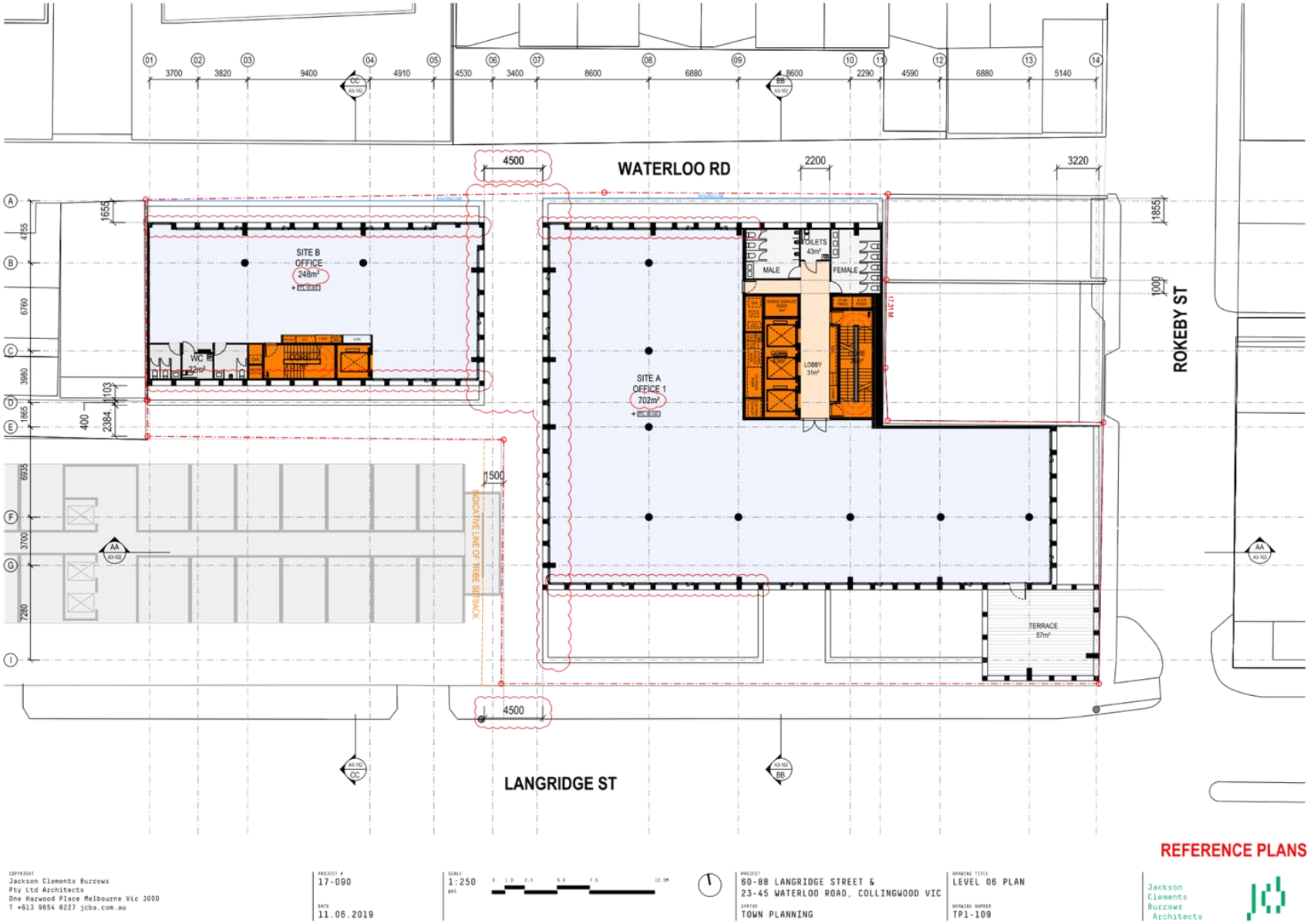
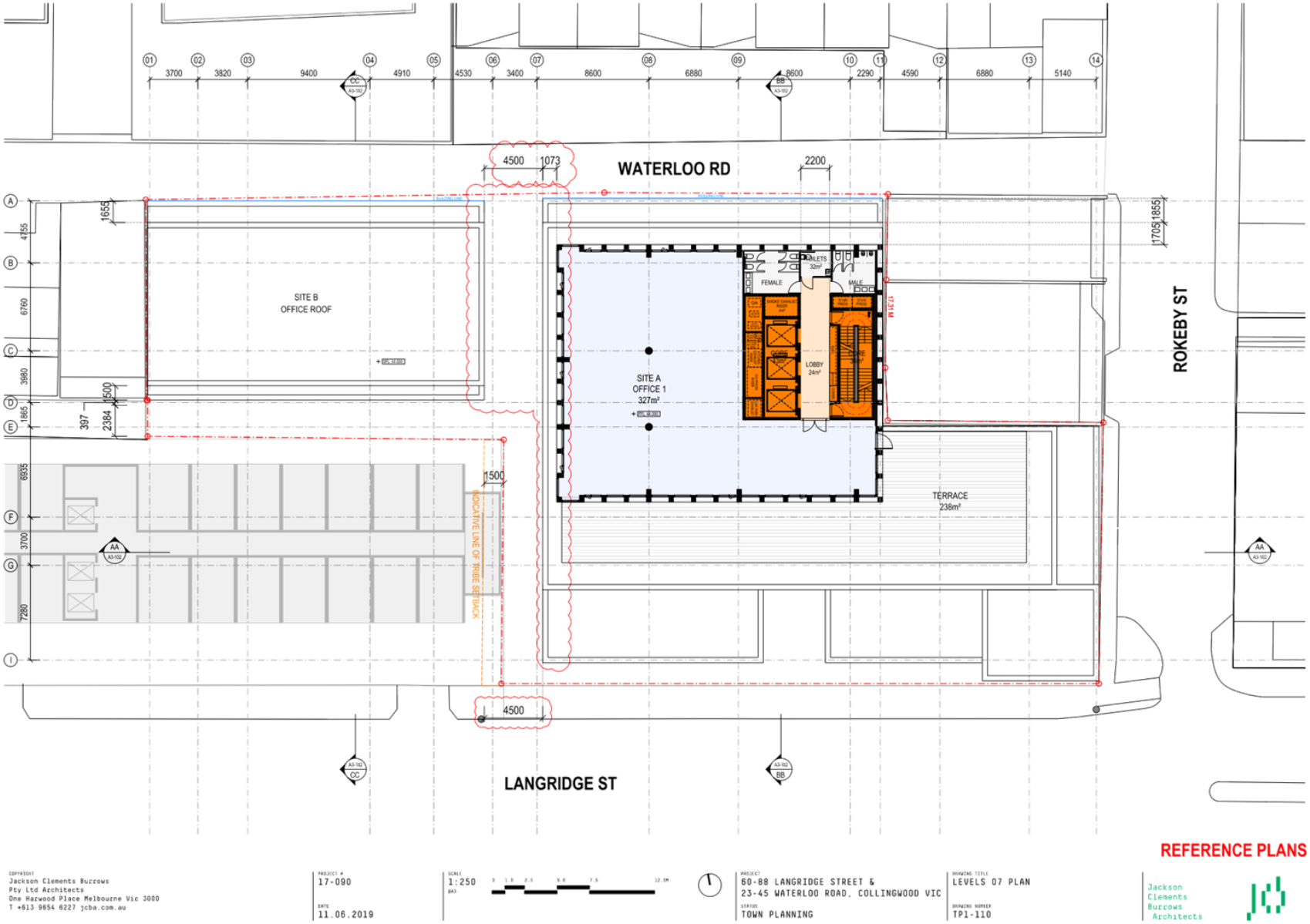


Attachment 4 - PLN18/0844-6 - 60 - 88 Langridge Street & 23 - 45 Waterloo Road Collingwood - amended plans



Attachment 4 - PLN18/0844-6 - 60 - 88 Langridge Street & 23 - 45 Waterloo Road Collingwood - amended plans



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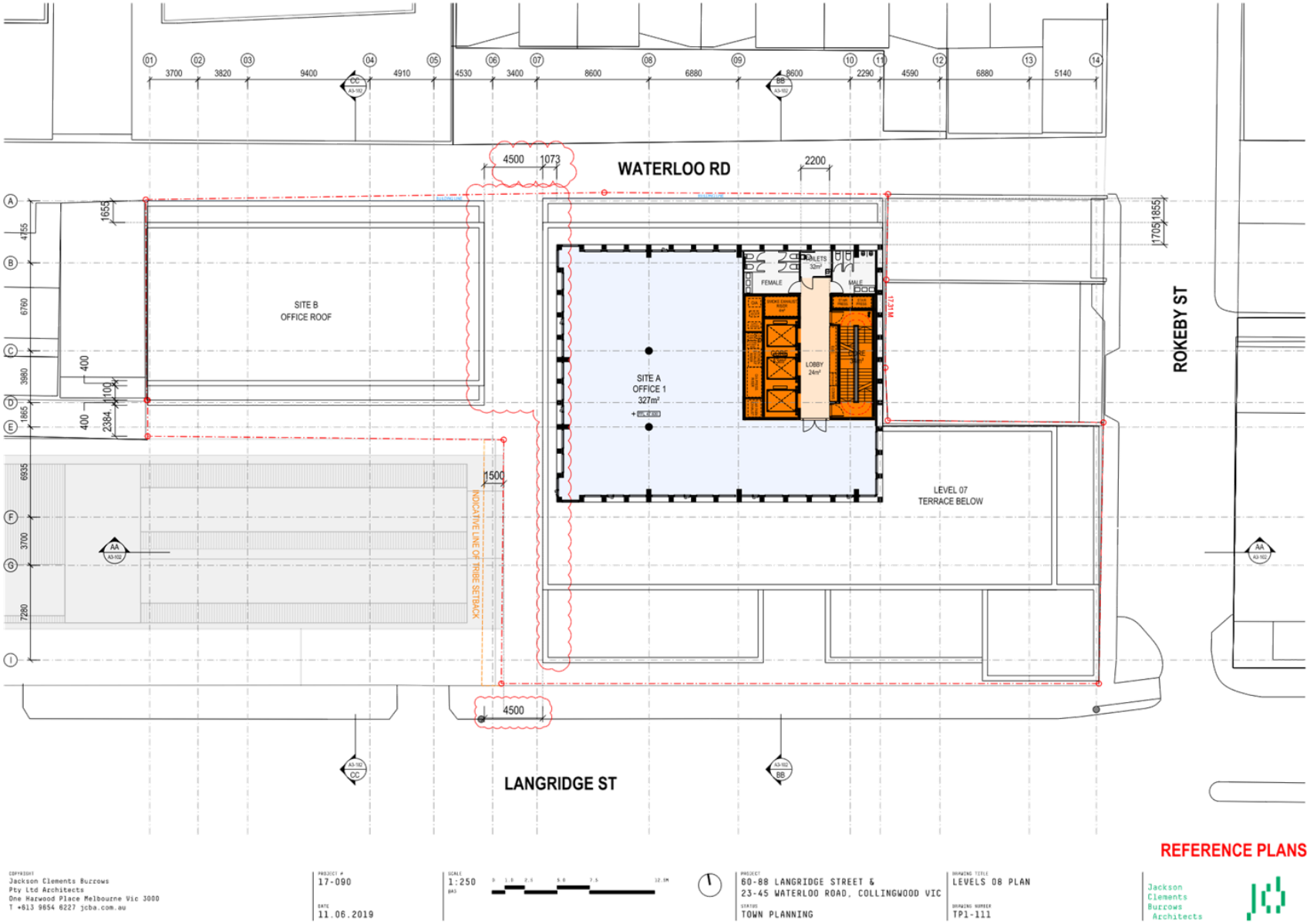

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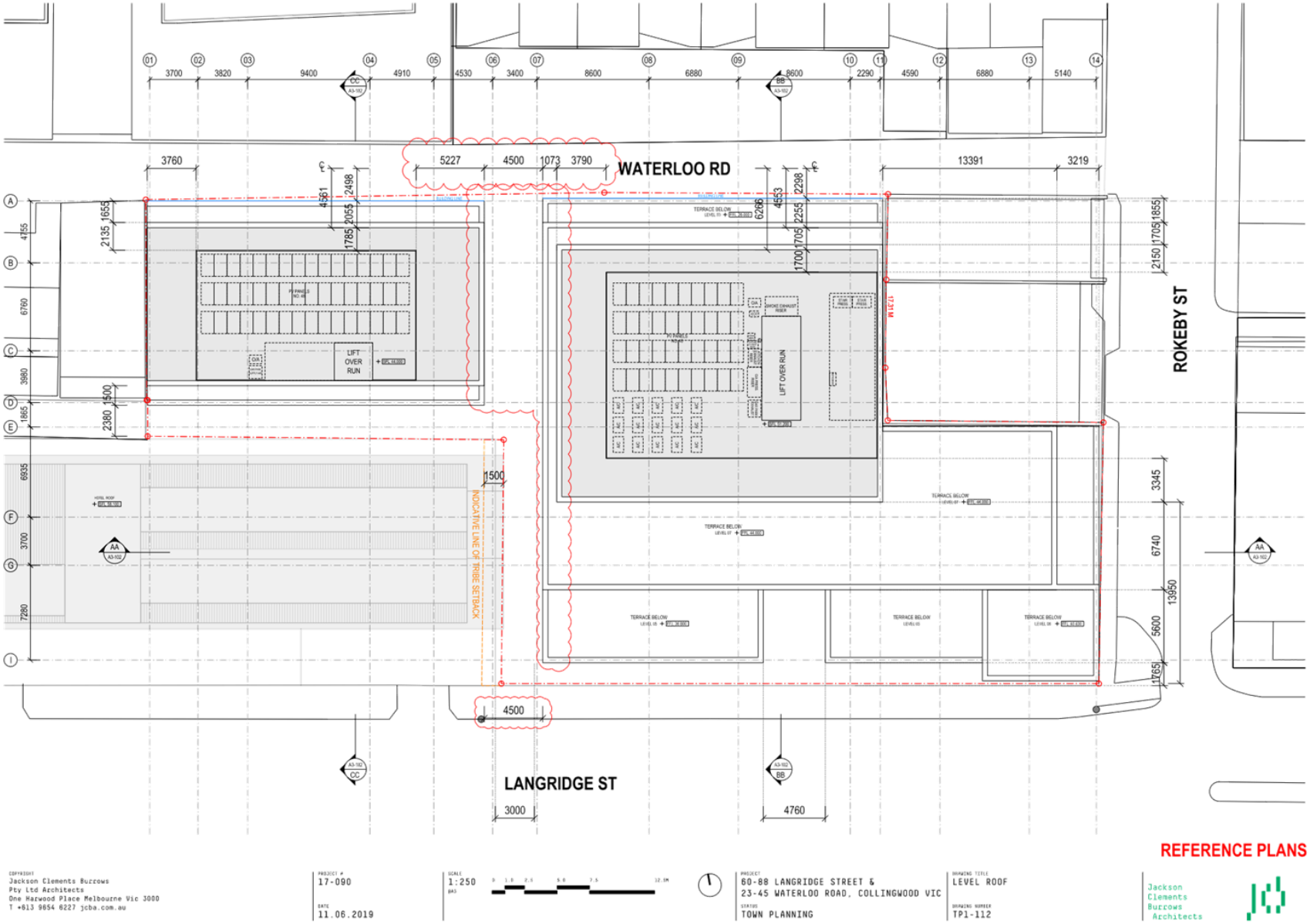

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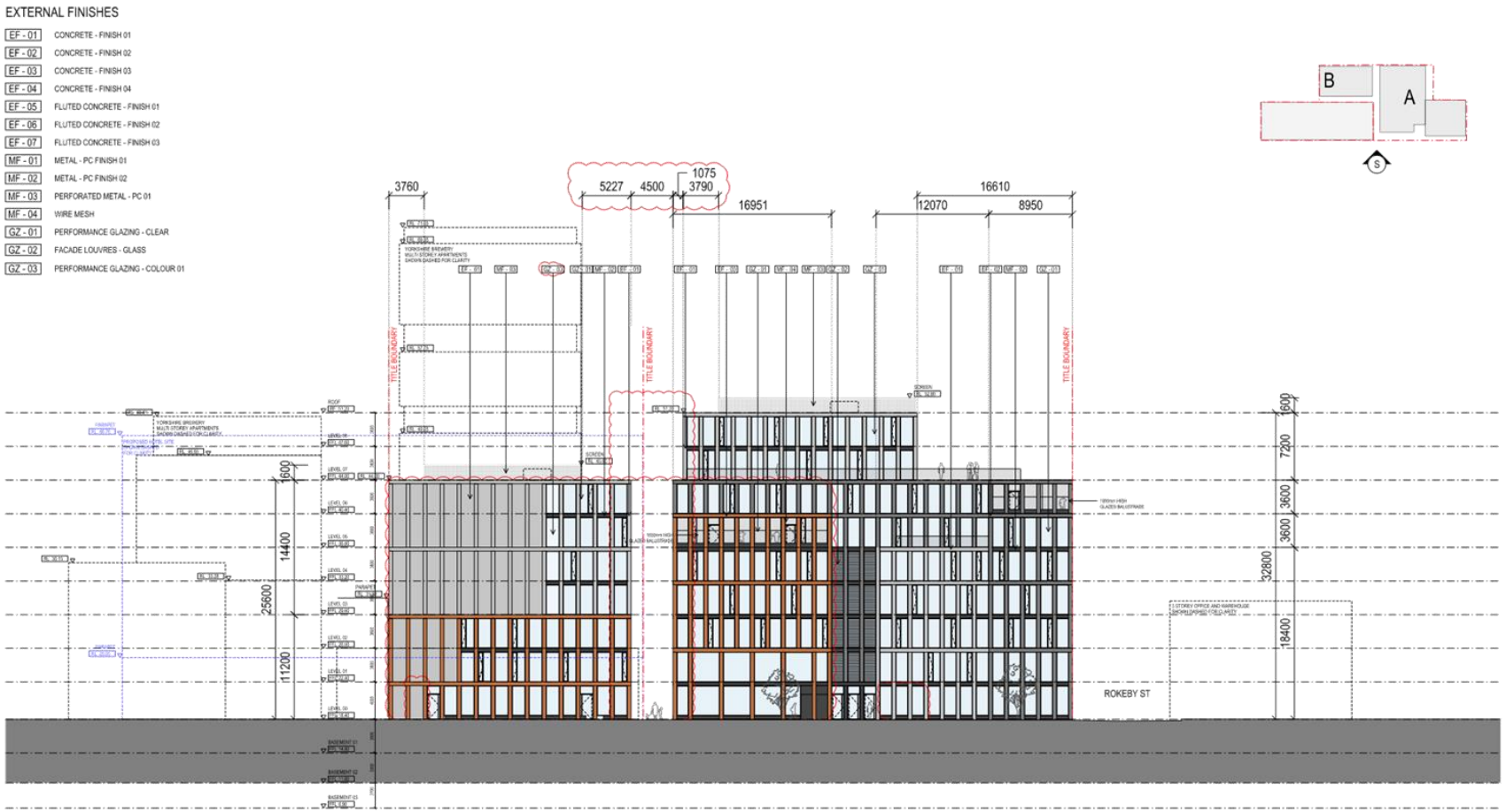
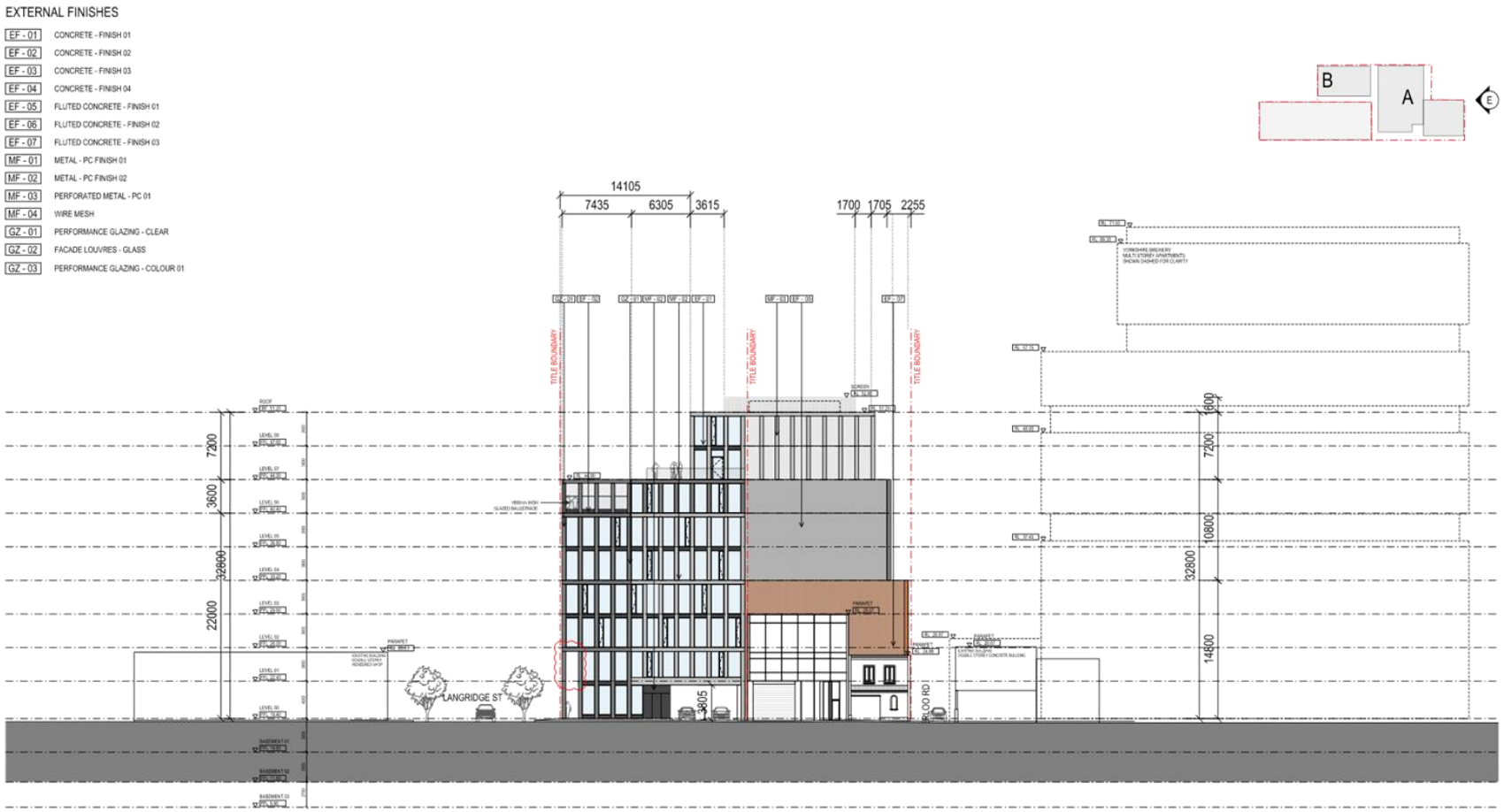


Attachment 4 - PLN18/0844-6 - 60 - 88 Langridge Street & 23 - 45 Waterloo Road Collingwood - amended plans



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PROJECT 60-88 LANGRIDGE STREET & 23-45 WATERLOO ROAD, COLLINGWOOD VIC

STATUS TOWN PLANNING

DRAWING TITLE EAST ELEVATION

DRAWING NUMBER TP2-102

Jackson Clements Burrows Architects

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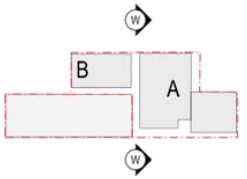
PROJECT 60-88 LANGRIDGE STREET & 23-45 WATERLOO ROAD, COLLINGWOOD VIC
STATUS TOWN PLANNING
DRAWING TITLE NORTH ELEVATION
DRAWING NUMBER TP2-103

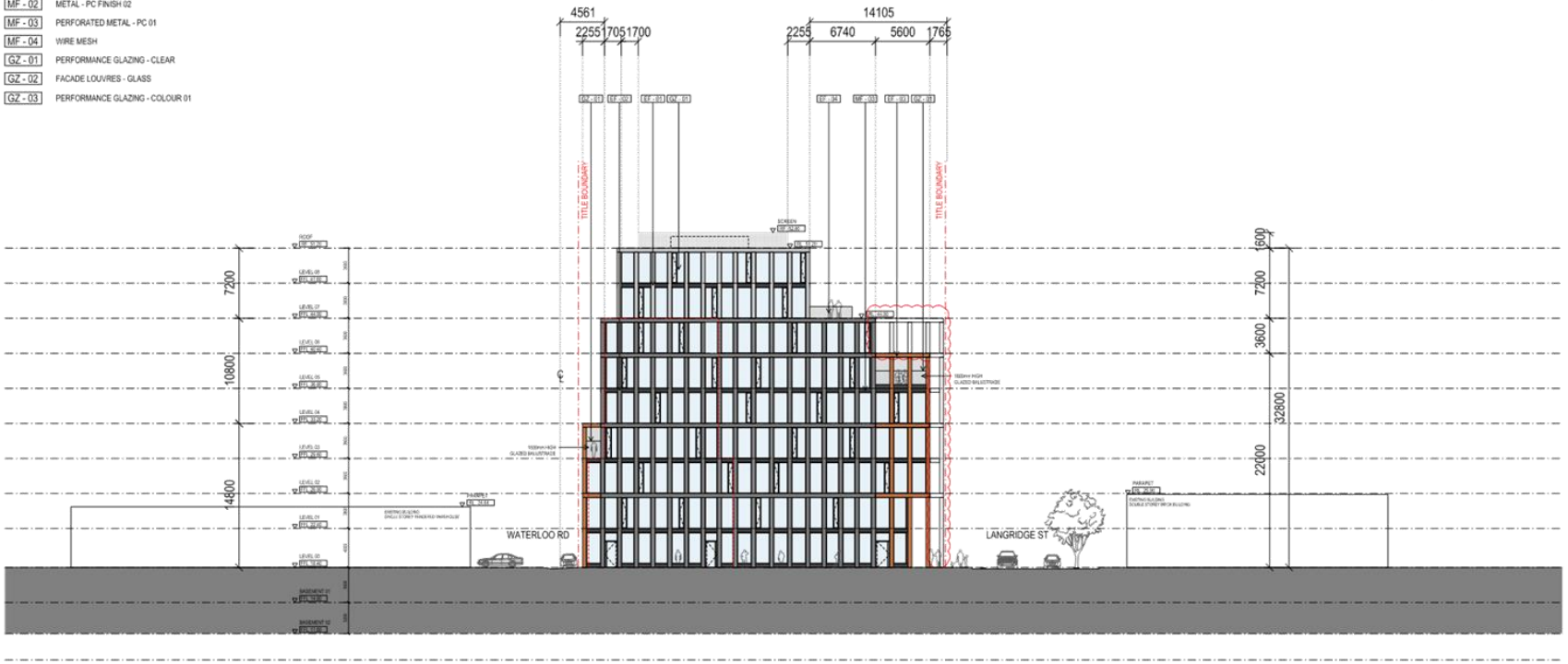
Jackson Clements Burrows Architects

Attachment 4 - PLN18/0844-6 - 60 - 88 Langridge Street & 23 - 45 Waterloo Road Collingwood - amended plans

EXTERNAL FINISHES

EF - 01	CONCRETE - FINISH 01
EF - 02	CONCRETE - FINISH 02
EF - 03	CONCRETE - FINISH 03
EF - 04	CONCRETE - FINISH 04
EF - 05	FLUTED CONCRETE - FINISH 01
EF - 06	FLUTED CONCRETE - FINISH 02
EF - 07	FLUTED CONCRETE - FINISH 03
MF - 01	METAL - PC FINISH 01
MF - 02	METAL - PC FINISH 02
MF - 03	PERFORATED METAL - PC 01
MF - 04	WIRE MESH
GZ - 01	PERFORMANCE GLAZING - CLEAR
GZ - 02	FACADE LOUVRES - GLASS
GZ - 03	PERFORMANCE GLAZING - COLOUR 01





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1:400 @A3

PROJECT
60-88 LANGRIDGE STREET &
23-45 WATERLOO ROAD, COLLINGWOOD VIC

STATUS
TOWN PLANNING

DRAWING TITLE
WEST ELEVATION

DRAWING NUMBER
TP2-104

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Clements
Burrows
Architects

Attachment 4 - PLN18/0844-6 - 60 - 88 Langridge Street & 23 - 45 Waterloo Road Collingwood - amended plans

EXTERNAL FINISHES

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EF - 02	CONCRETE - FINISH 02
EF - 03	CONCRETE - FINISH 03
EF - 04	CONCRETE - FINISH 04
EF - 05	FLUTED CONCRETE - FINISH 01
EF - 06	FLUTED CONCRETE - FINISH 02
EF - 07	FLUTED CONCRETE - FINISH 03
MF - 01	METAL - PC FINISH 01
MF - 02	METAL - PC FINISH 02
MF - 03	PERFORATED METAL - PC 01
MF - 04	WIRE MESH
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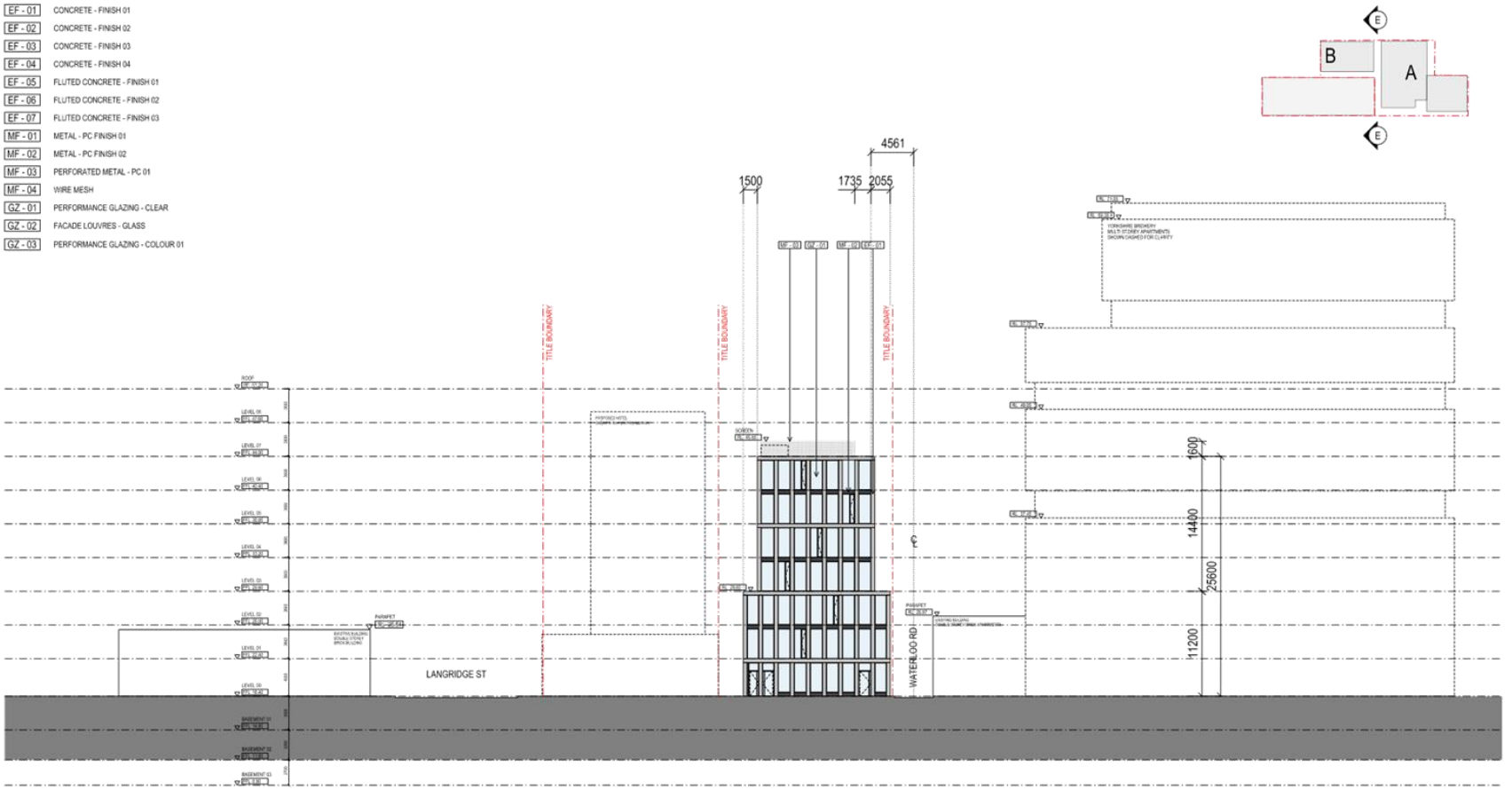

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PROJECT 60-88 LANGRIDGE STREET & 23-45 WATERLOO ROAD, COLLINGWOOD VIC

STATUS TOWN PLANNING

DRAWING TITLE EAST ELEVATION BUILDING B

DRAWING NUMBER TP2-105

Jackson Clements Burrows Architects

Attachment 4 - PLN18/0844-6 - 60 - 88 Langridge Street & 23 - 45 Waterloo Road Collingwood - amended plans

EXTERNAL FINISHES

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EF - 02	CONCRETE - FINISH 02
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EF - 06	FLUTED CONCRETE - FINISH 02
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MF - 01	METAL - PC FINISH 01
MF - 02	METAL - PC FINISH 02
MF - 03	PERFORATED METAL - PC 01
MF - 04	WIRE MESH
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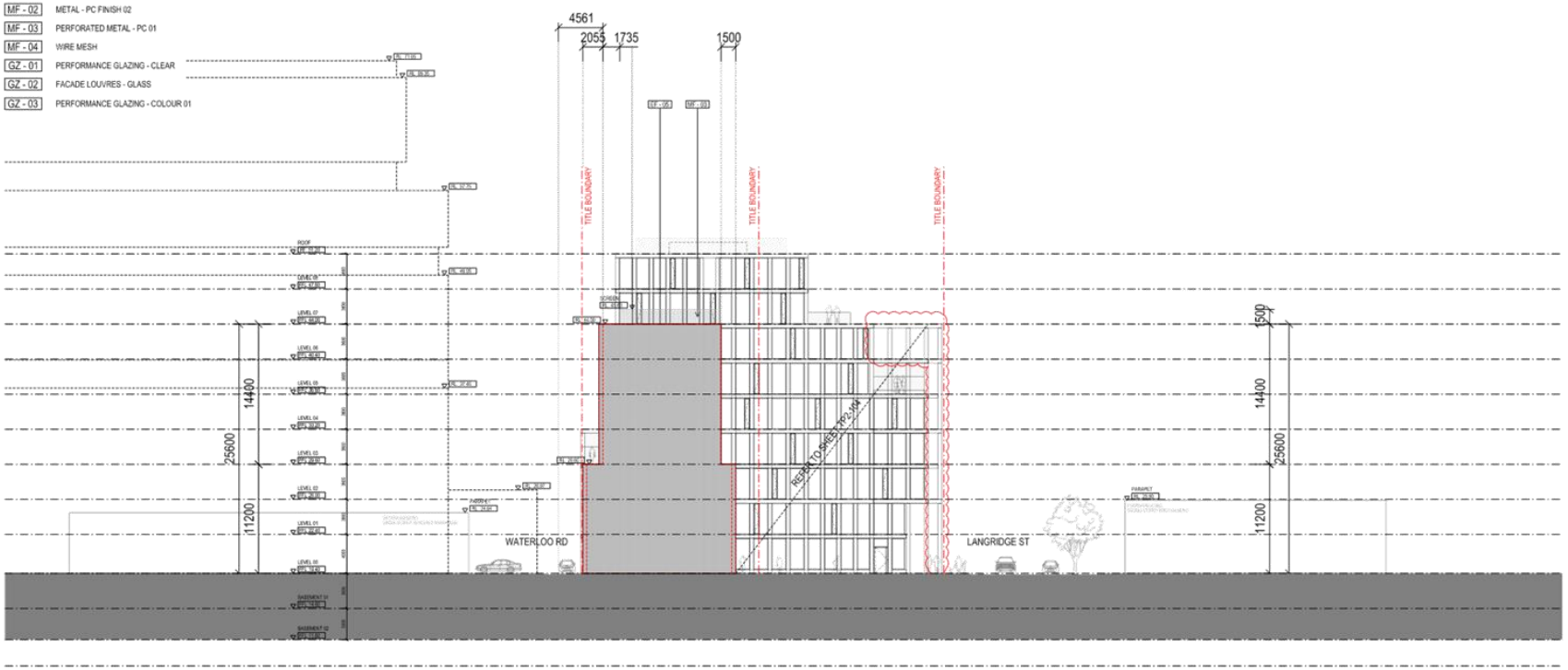

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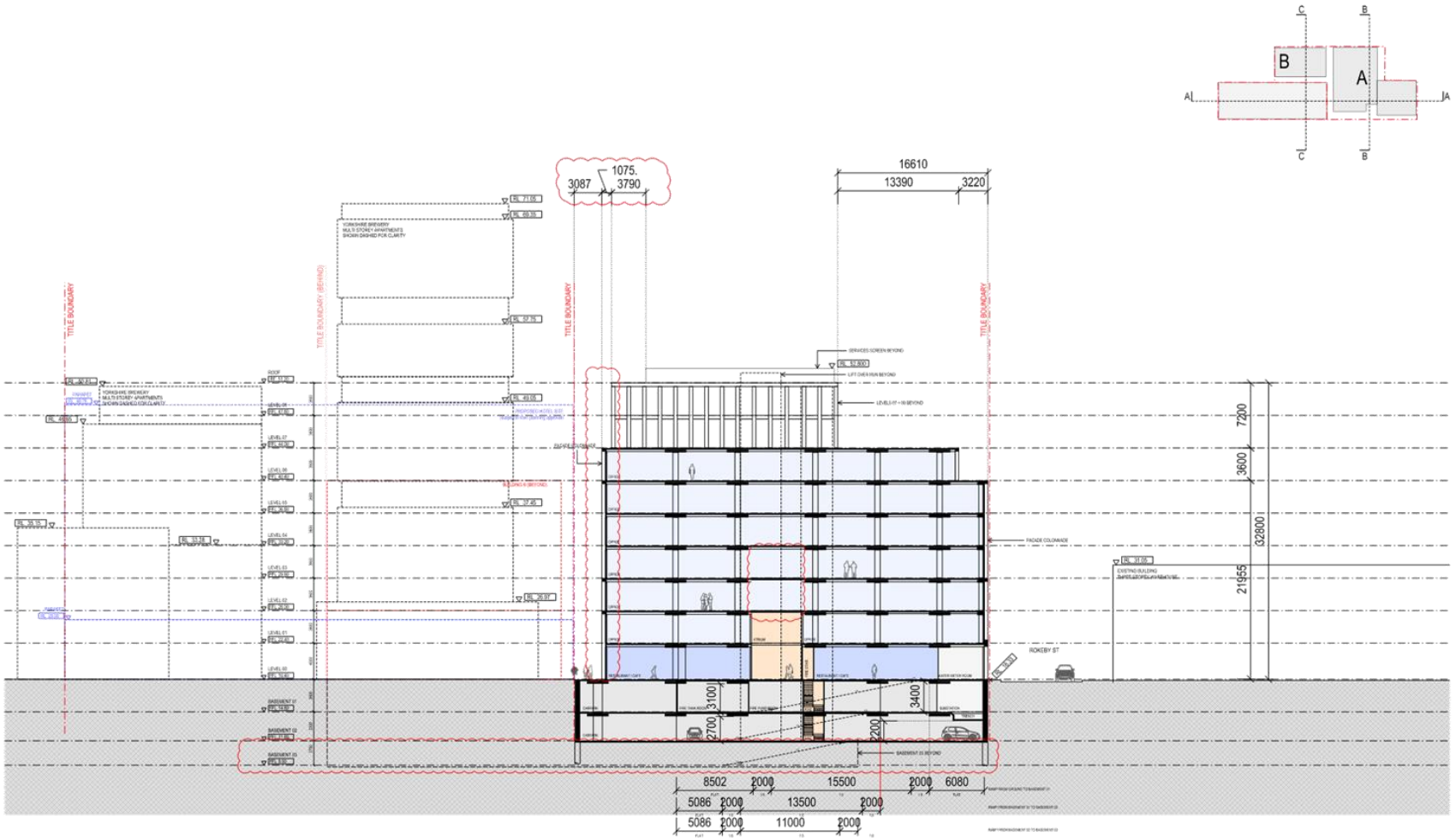
STATUS TOWN PLANNING

DRAWING TITLE WEST ELEVATION BUILDING B

DRAWING NUMBER TP2-106

Jackson Clements Burrows Architects

Attachment 4 - PLN18/0844-6 - 60 - 88 Langridge Street & 23 - 45 Waterloo Road Collingwood - amended plans



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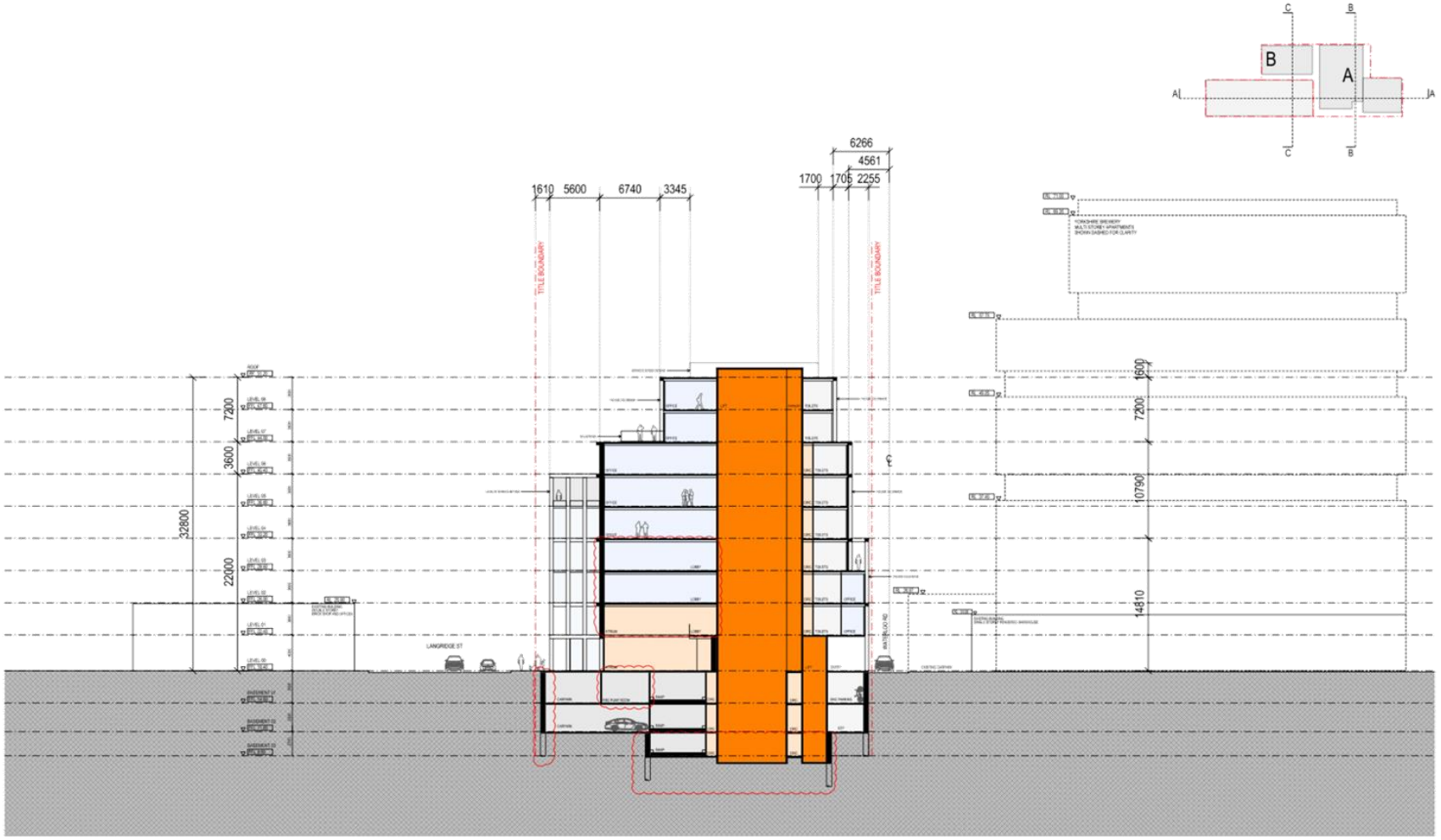

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60-88 LANGRIDGE STREET &
23-45 WATERLOO ROAD, COLLINGWOOD VIC

STATUS
TOWN PLANNING

DRAWING TITLE
SECTION B-B

DRAWING NUMBER
TP3-102

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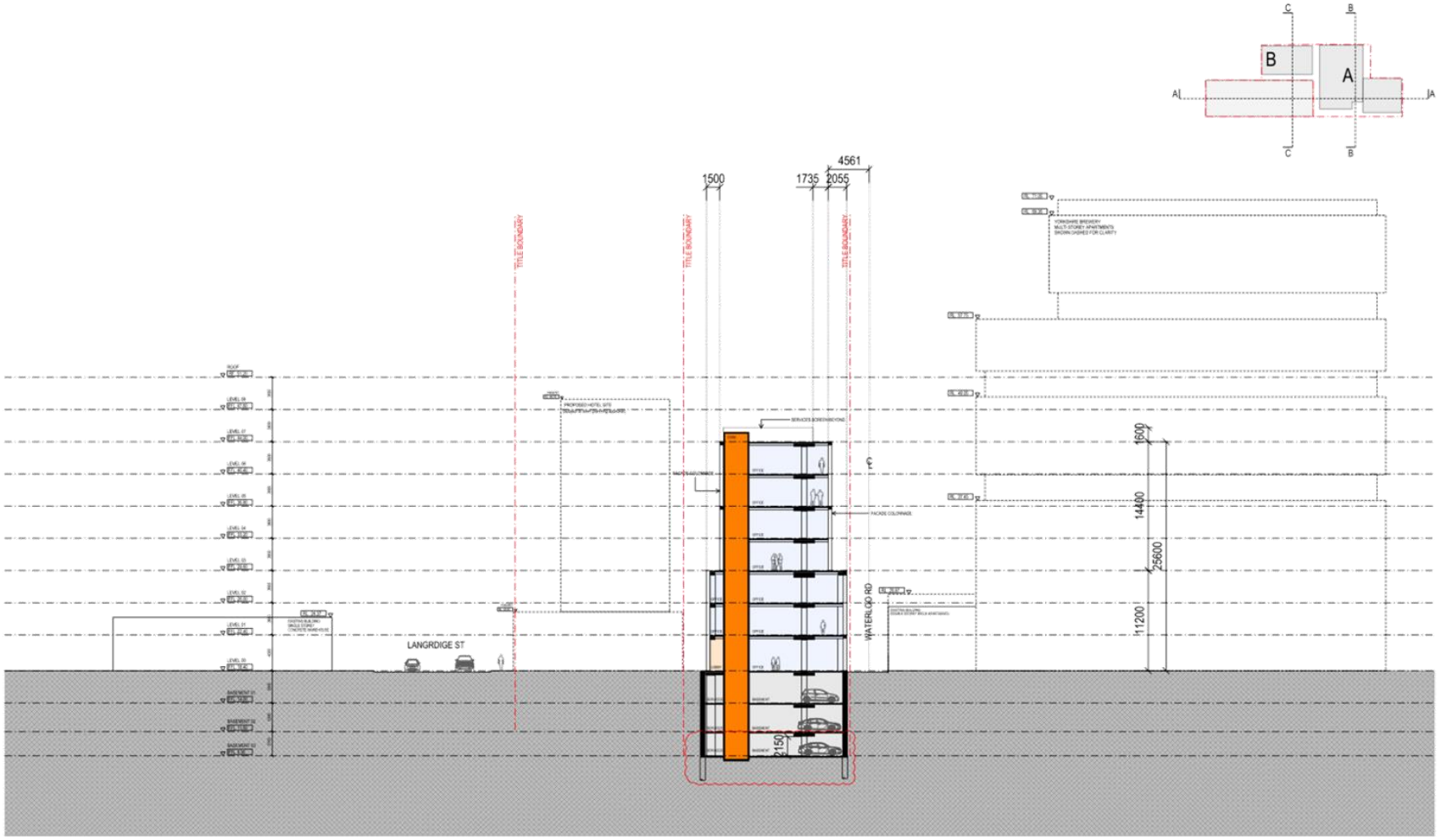

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60-88 LANGRIDGE STREET &
23-45 WATERLOO ROAD, COLLINGWOOD VIC

STATUS
TOWN PLANNING

DRAWING TITLE
SECTION C-C

DRAWING NUMBER
TP3-103

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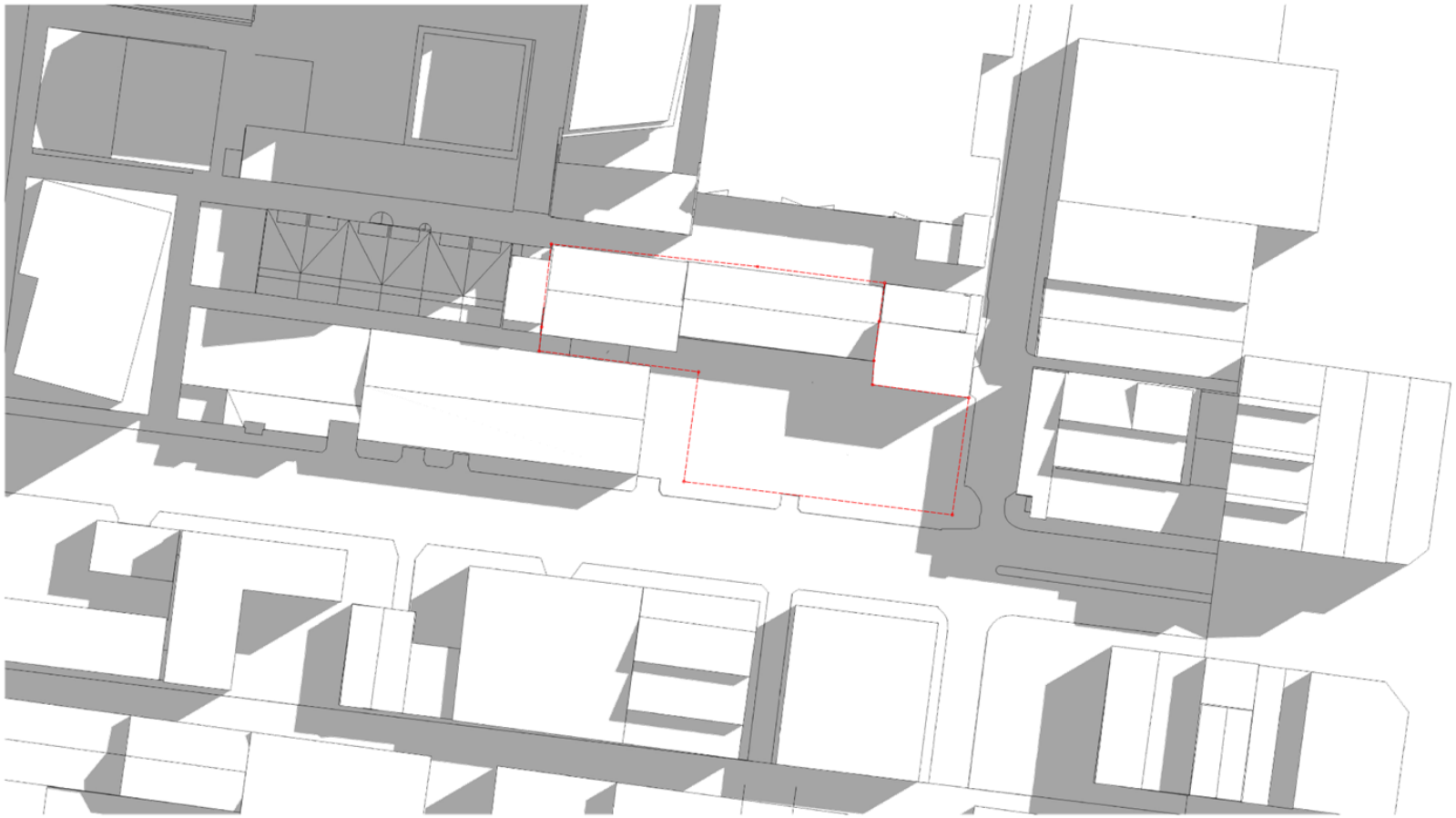
Attachment 4 - PLN18/0844-6 - 60 - 88 Langridge Street & 23 - 45 Waterloo Road Collingwood - amended plans



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60-88 LANGRIDGE STREET &
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STATUS
TOWN PLANNING

DRAWING TITLE
EXISTING SHADOWS
22 SEPTEMBER - 9AM

DRAWING NUMBER
TP10-101

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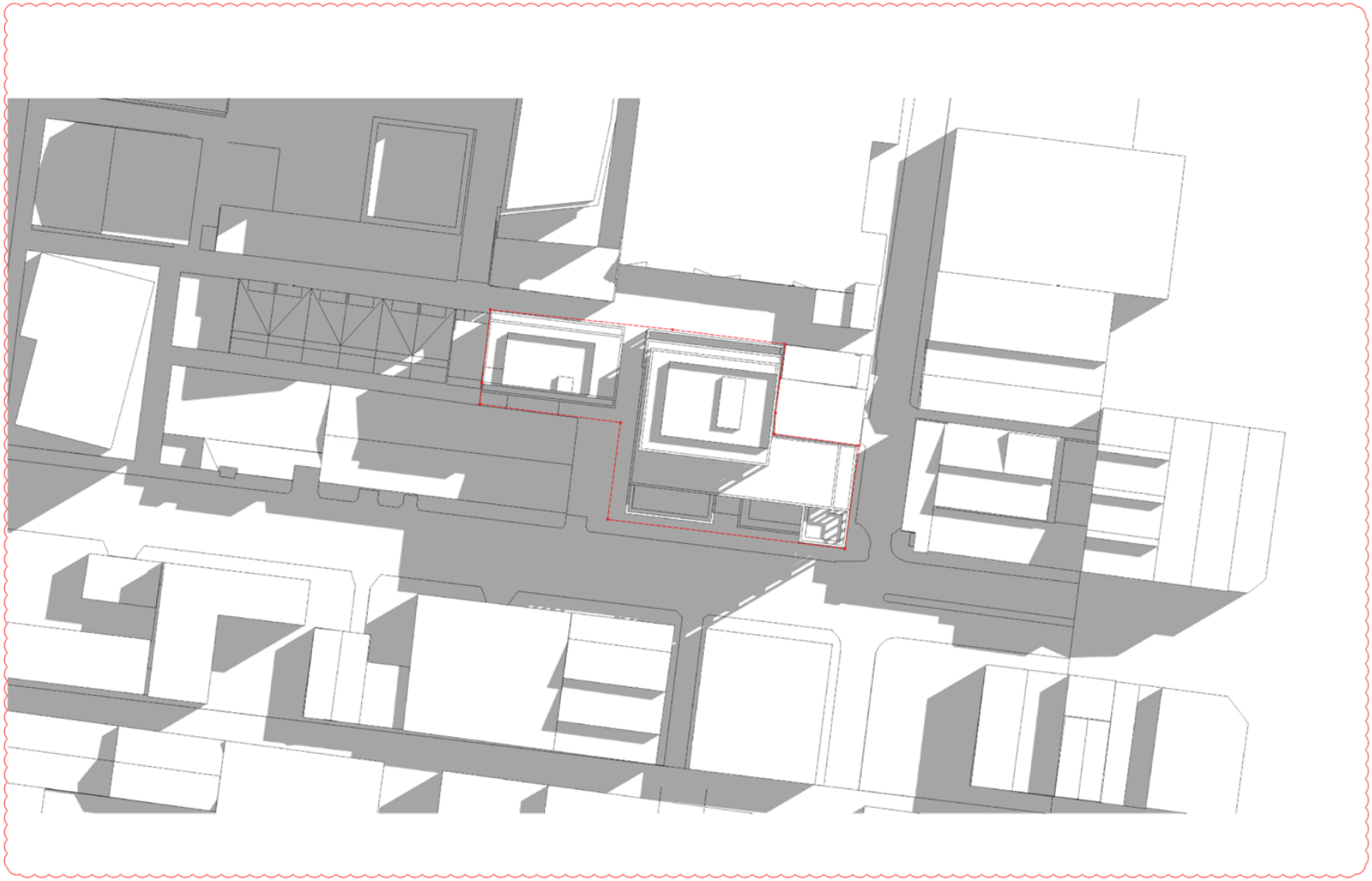

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STATUS
TOWN PLANNING

DRAWING TITLE
PROPOSED SHADOWS
22 SEPTEMBER - 9AM

DRAWING NUMBER
TP10-102

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STATUS
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DRAWING TITLE
EXISTING SHADOWS
22 SEPTEMBER - 10AM

DRAWING NUMBER
TP10-103

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DRAWING TITLE
PROPOSED SHADOWS
22 SEPTEMBER - 10AM

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22 SEPTEMBER - 11AM

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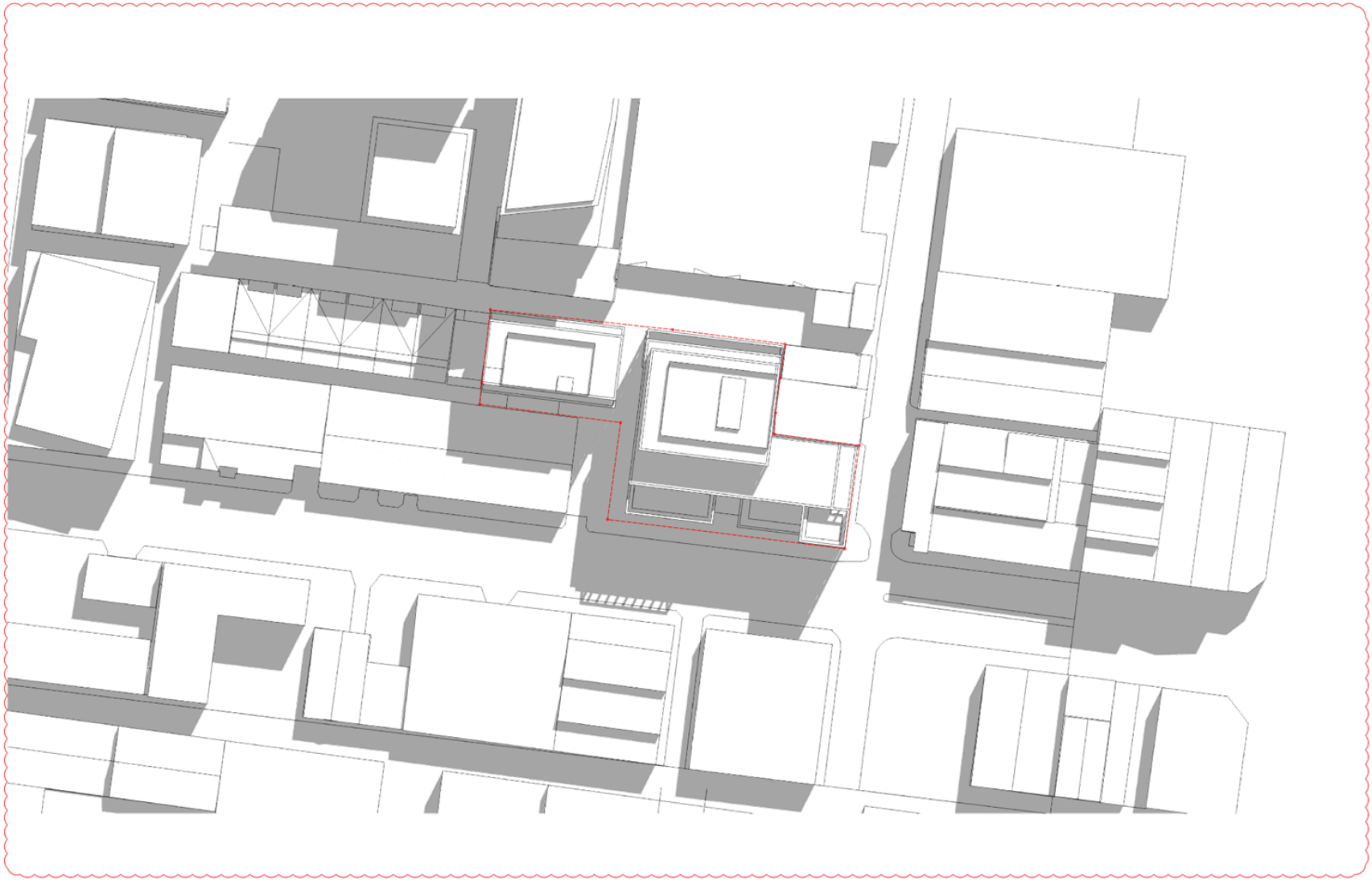

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PROPOSED SHADOWS
22 SEPTEMBER - 11AM

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DRAWING TITLE
EXISTING SHADOWS
22 SEPTEMBER - 12PM

DRAWING NUMBER
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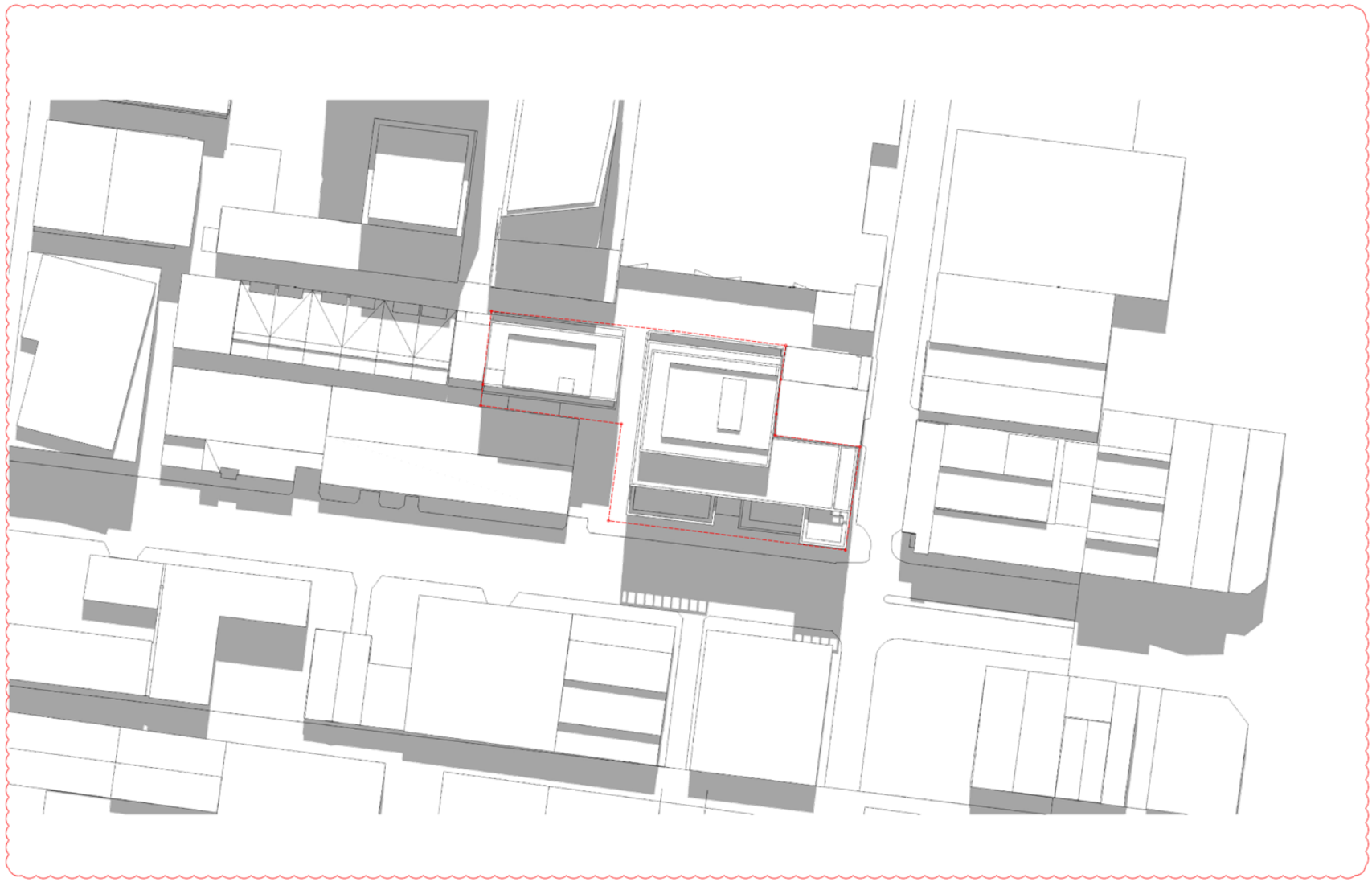

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DRAWING TITLE
PROPOSED SHADOWS
22 SEPTEMBER - 12PM

DRAWING NUMBER
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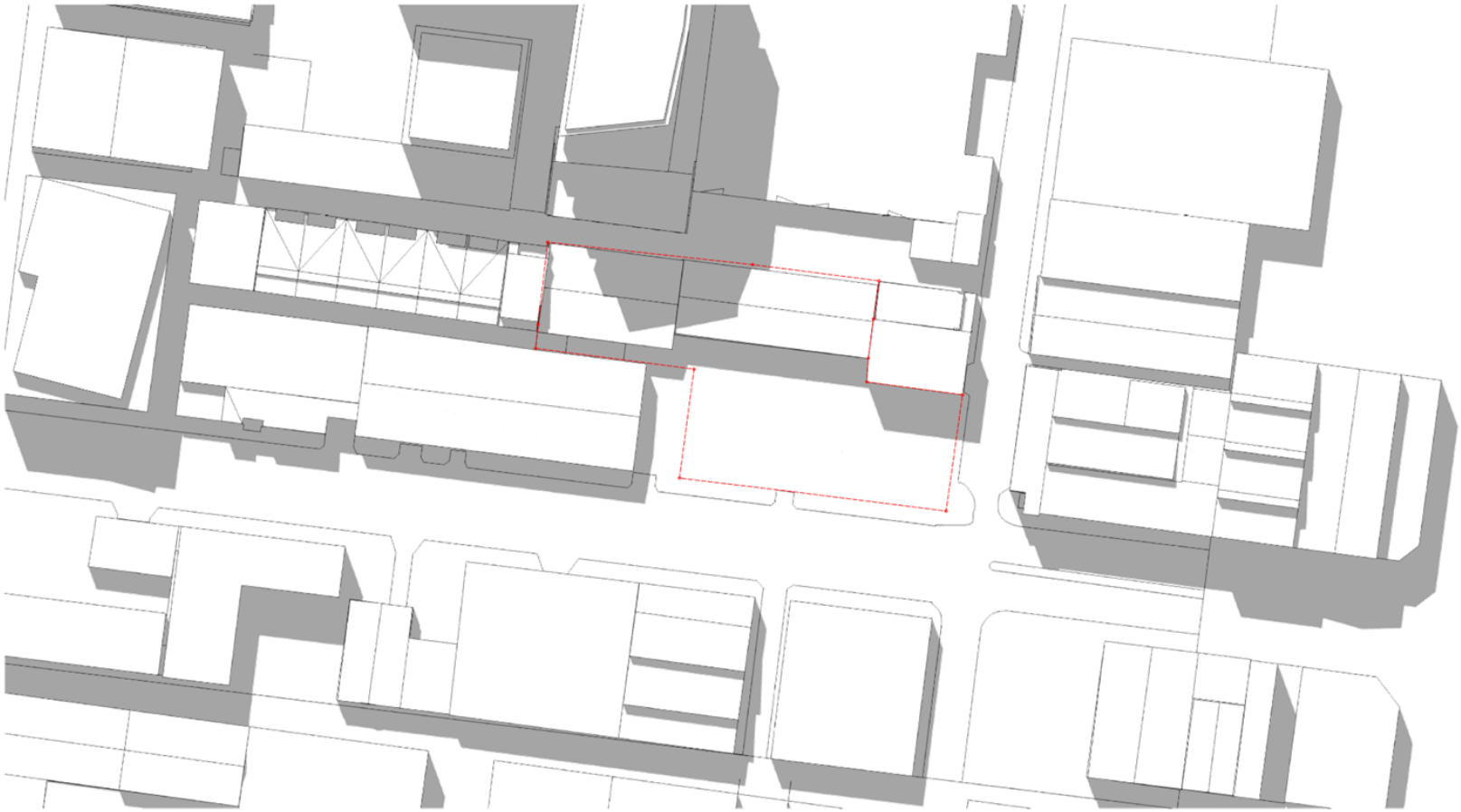

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TOWN PLANNING

DRAWING TITLE
EXISTING SHADOWS
22 SEPTEMBER - 1PM

DRAWING NUMBER
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STATUS
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DRAWING TITLE
PROPOSED SHADOWS
22 SEPTEMBER - 1PM

DRAWING NUMBER
TP10-110

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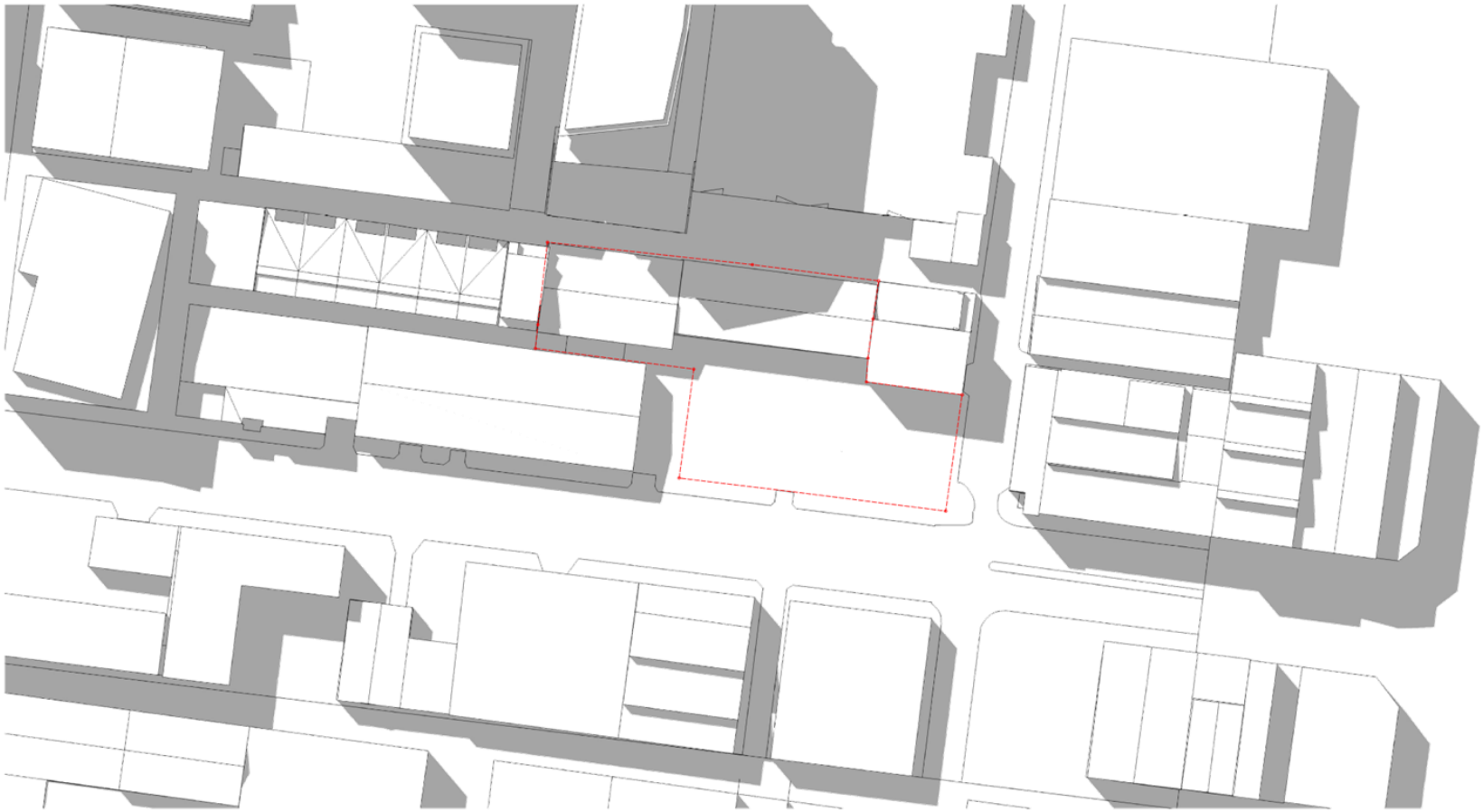

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@A3

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60-88 LANGRIDGE STREET &
23-45 WATERLOO ROAD, COLLINGWOOD VIC

STATUS
TOWN PLANNING

DRAWING TITLE
EXISTING SHADOWS
22 SEPTEMBER - 2PM

DRAWING NUMBER
TP10-111

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STATUS
TOWN PLANNING

DRAWING TITLE
PROPOSED SHADOWS
22 SEPTEMBER - 2PM

DRAWING NUMBER
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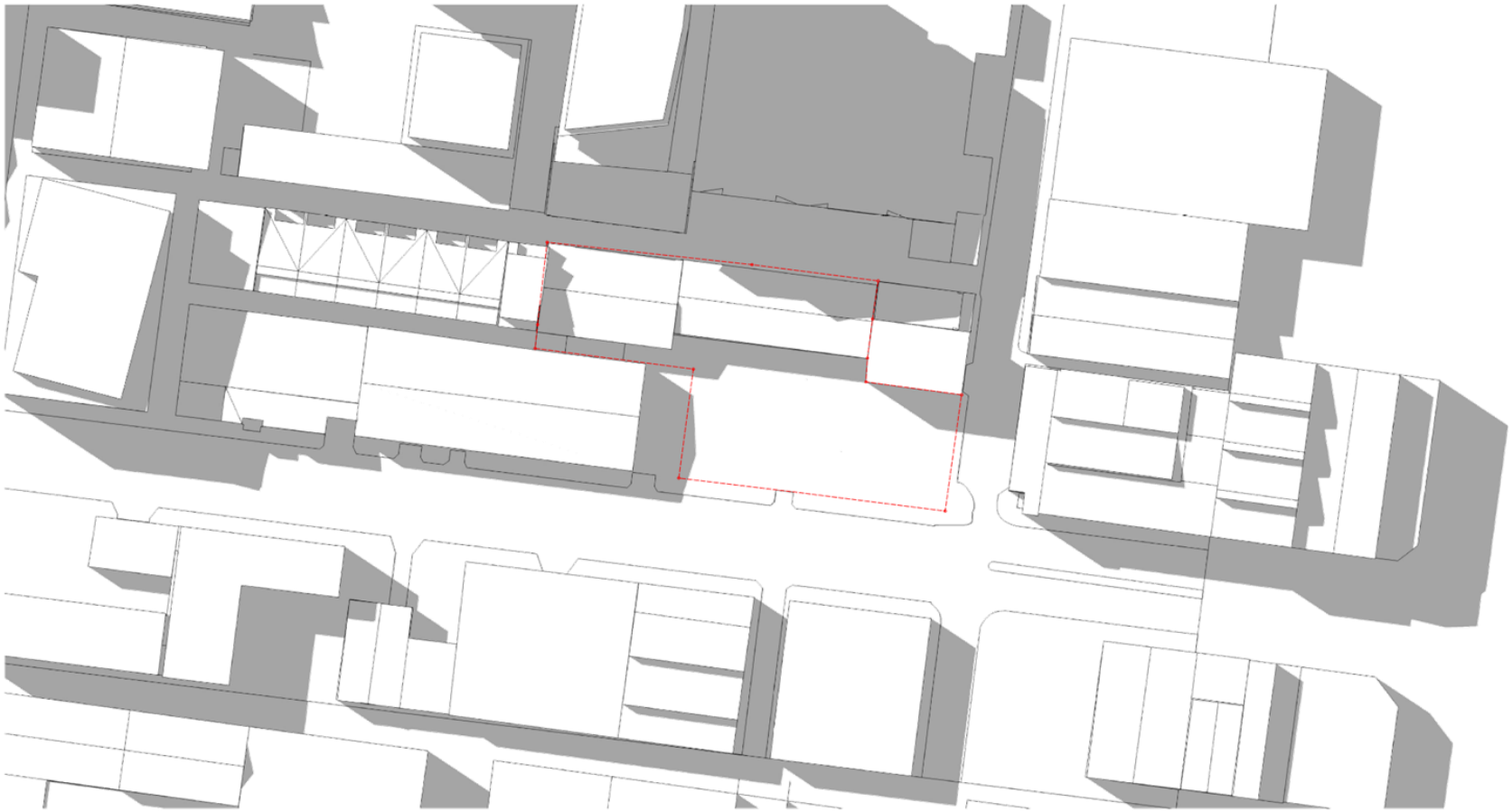
Attachment 4 - PLN18/0844-6 - 60 - 88 Langridge Street & 23 - 45 Waterloo Road Collingwood - amended plans



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60-88 LANGRIDGE STREET &
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STATUS
TOWN PLANNING

DRAWING TITLE
EXISTING SHADOWS
22 SEPTEMBER - 3PM

DRAWING NUMBER
TP10-113

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STATUS
TOWN PLANNING

DRAWING TITLE
PROPOSED SHADOWS
22 SEPTEMBER - 3PM

DRAWING NUMBER
TP10-114

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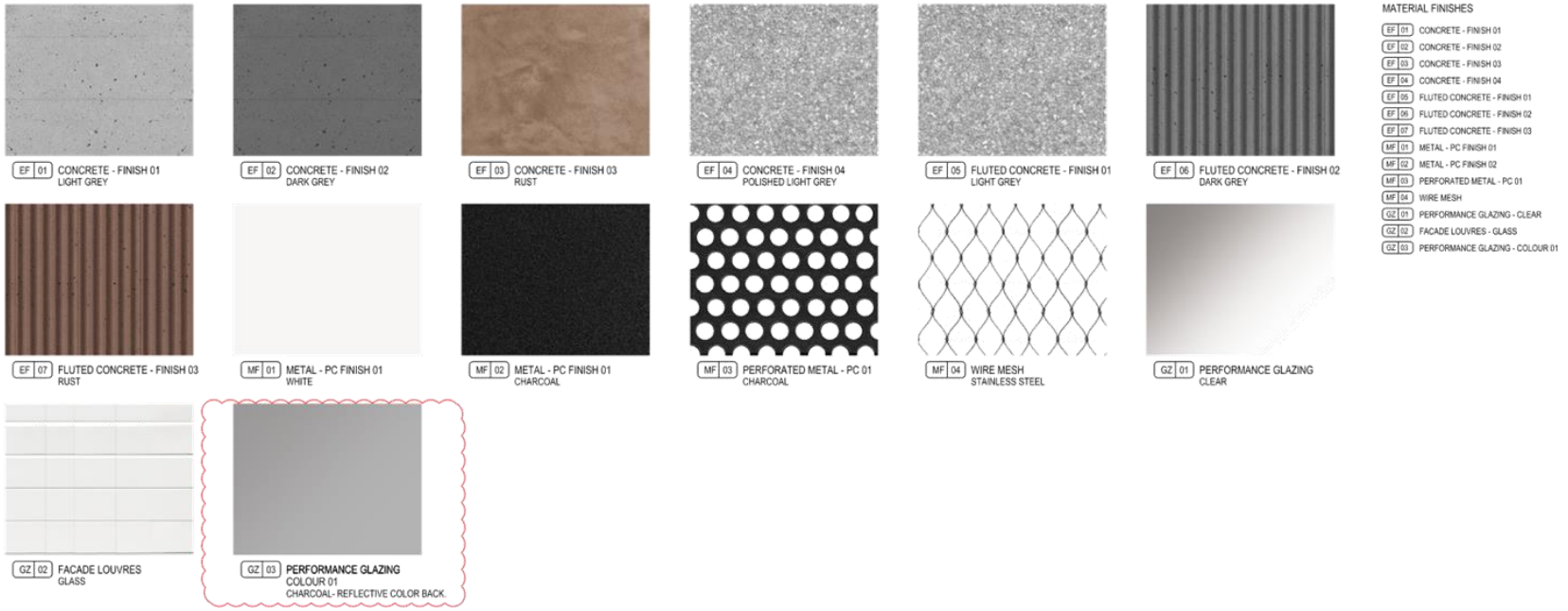
Attachment 4 - PLN18/0844-6 - 60 - 88 Langridge Street & 23 - 45 Waterloo Road Collingwood - amended plans



REFERENCE PLANS

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PROJECT #
17-090

DATE
11.06.2019

SCALE
@A3

PROJECT
60-88 LANGRIDGE STREET &
23-45 WATERLOO ROAD, COLLINGWOOD VIC

STATUS
TOWN PLANNING

DRAWING TITLE
EXTERNAL FINISHES
SCHEDULE

DRAWING NUMBER
TP10-201

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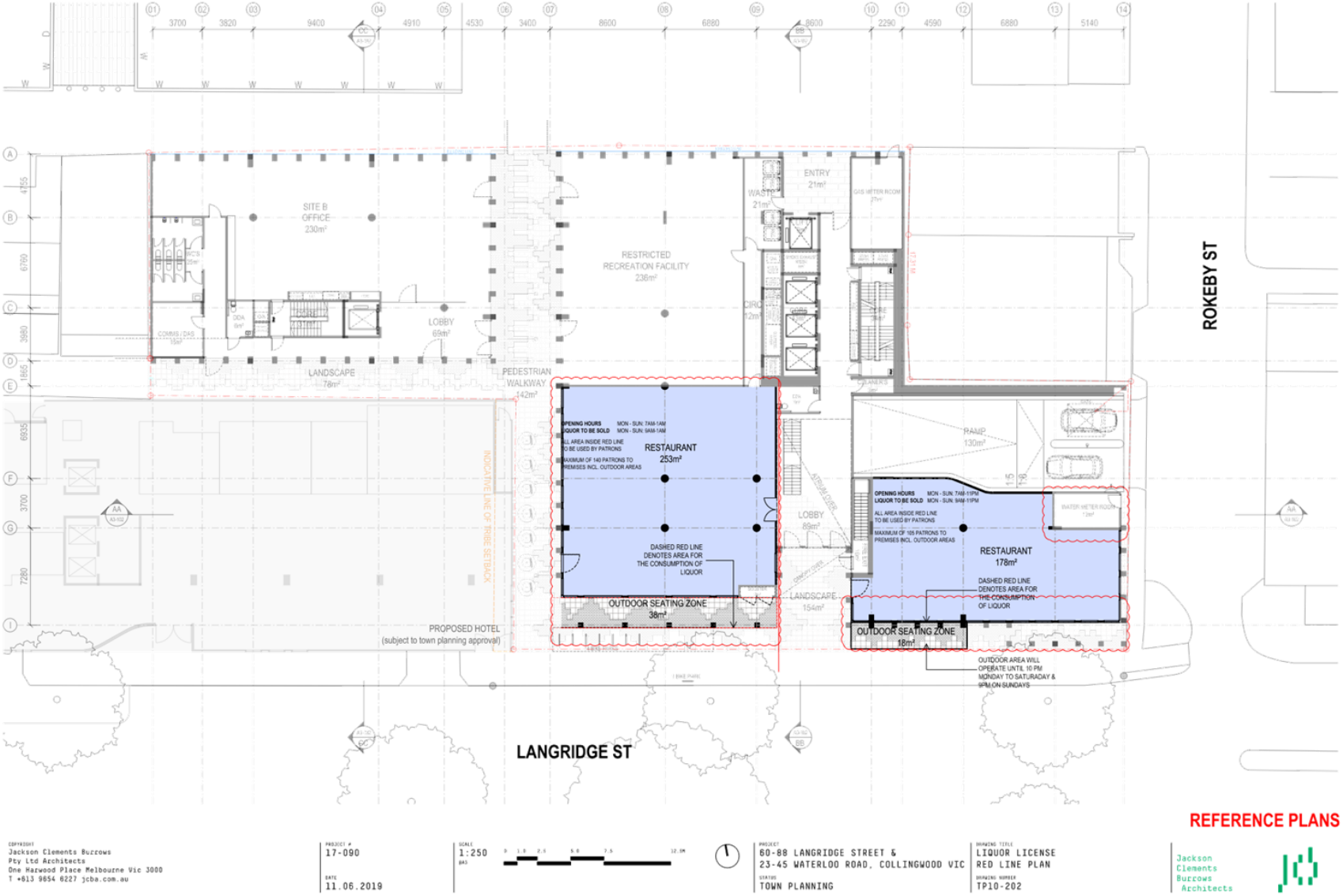
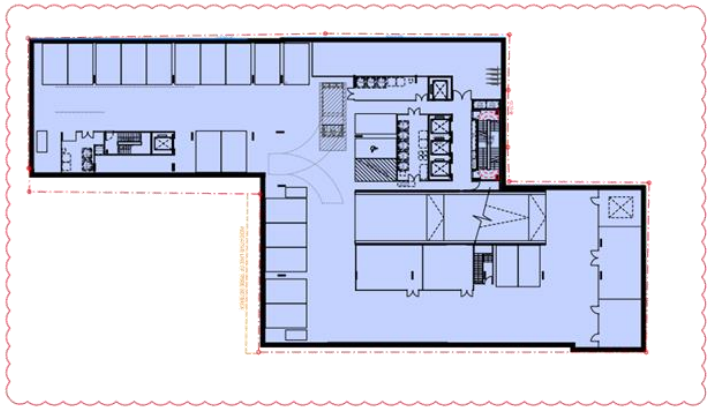
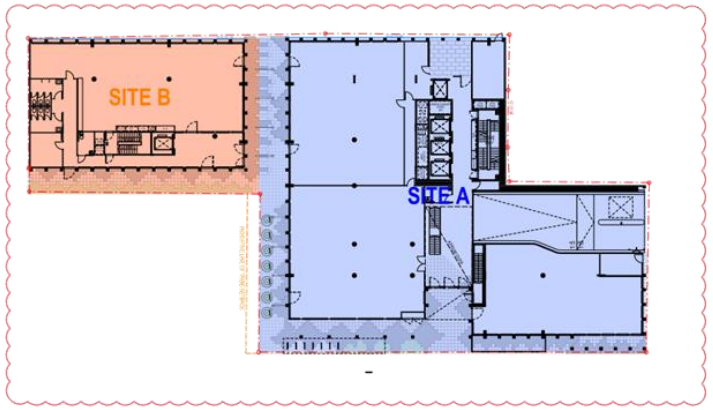


Attachment 4 - PLN18/0844-6 - 60 - 88 Langridge Street & 23 - 45 Waterloo Road Collingwood - amended plans



01 **BASEMENTS**
STAGE EXTENTS 1:500



02 **GROUND - ROOF**
STAGE EXTENTS 1:500

STAGE 1
STAGE 2

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PROJECT #
17-090

DATE
11.06.2019

SCALE
1:500
@A3

PROJECT
60-88 LANGRIDGE STREET &
23-45 WATERLOO ROAD, COLLINGWOOD VIC

STATUS
TOWN PLANNING

DRAWING TITLE
STAGING DIAGRAM

DRAWING NUMBER
TP10-203

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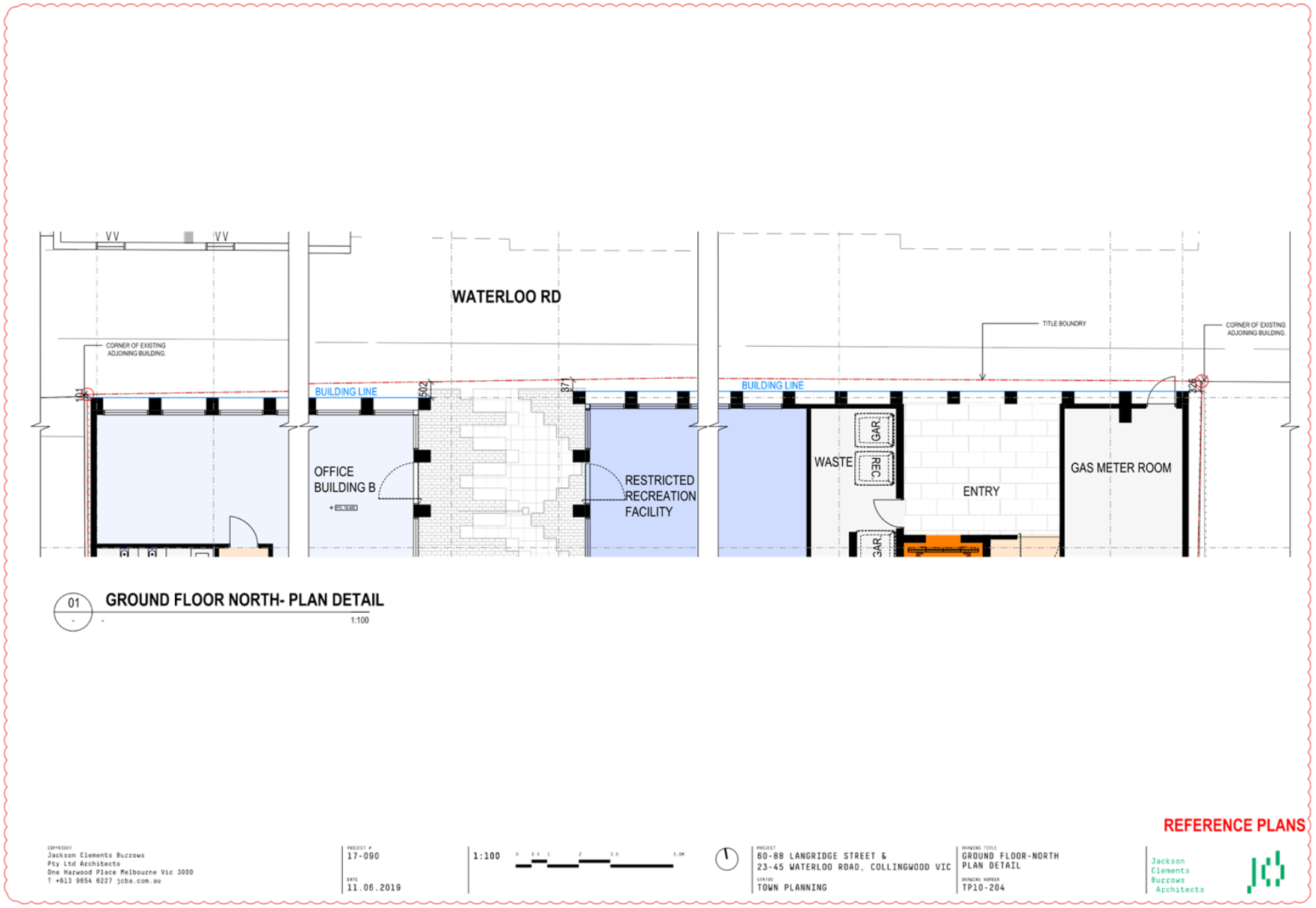
Attachment 4 - PLN18/0844-6 - 60 - 88 Langridge Street & 23 - 45 Waterloo Road Collingwood - amended plans



Attachment 4 - PLN18/0844-6 - 60 - 88 Langridge Street & 23 - 45 Waterloo Road Collingwood - amended plans

AREA SCHEDULE

PROJECT : 17-090 60-72 LANGRIDGE ST & 23-45 WATERLOO RD, COLLINGWOOD
PHASE: TOWN PLANNING
DATE: 11 JUNE 2019

TOTAL SITE(S) AREA: 1956 sqm

SITE A CORNER ROKEBY ST & LANGRIDGE ST FRONTAGE

LEVEL	OFFICE NLA	RESTAURANT NLA	FITNESS CENTRE NLA	CIRCULATION/LOBBY	LANDSCAPE / TERRACE	OUTDOOR SEATING	PARK/STORE/SERV.	CORE	GFA	CAR	MOTORBIKE	BIKE
LEVEL B3				39			36	93	1067	22	3	
LEVEL B2				60			121	93	1715	35	5	
LEVEL B1				73			253	93	1715	21	3	81
LEVEL 00		431	236	132	296	57	203	86	1384			14
LEVEL 01	918			31			35	77	1061			
LEVEL 02	1016			31			35	77	1159			
LEVEL 03	960			31	47		43	77	1158			
LEVEL 04	960			31			43	77	1111			
LEVEL 05	799			31	134		43	77	1084			
LEVEL 06	702			31	57		43	77	910			
LEVEL 07	327			24	238		32	77	698			
LEVEL 08	327			24			32	77	460			
										TOTAL CARS	TOTAL MOTORBIKES	TOTAL BIKES
TOTAL	6009	431	236	530	772	57	919	981	13522	78	11	95

SITE B WATERLOO ST FRONTAGE

LEVEL	OFFICE NLA	RESTAURANT NLA	COMMUNAL	CIRCULATION/LOBBY	LANDSCAPE / TERRACE	OUTDOOR SEATING	PARK/STORE/SERV.	CORE	GFA	CAR	MOTORBIKE	BIKE
LEVEL 00	230			67	78		46	31	452	SEE SITE A	SEE SITE A	SEE SITE A
LEVEL 01	321						29	31	381	SEE SITE A	SEE SITE A	SEE SITE A
LEVEL 02	321						29	31	381	SEE SITE A	SEE SITE A	SEE SITE A
LEVEL 03	248						22	31	301	SEE SITE A	SEE SITE A	SEE SITE A
LEVEL 04	248						22	31	301	SEE SITE A	SEE SITE A	SEE SITE A
LEVEL 05	248						22	31	301	SEE SITE A	SEE SITE A	SEE SITE A
LEVEL 06	248						22	31	301	SEE SITE A	SEE SITE A	SEE SITE A
TOTAL	1884		0	67	78		192	217	2418	SEE SITE A	SEE SITE A	SEE SITE A

ALL SITES B+A

TOTAL NLA	8540	TOTAL OFFICE NLA	7873

REFERENCE PLANS

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PROJECT #
17-090

DATE
11.06.2019

SCALE
@A3

PROJECT
60-88 LANGRIDGE STREET &
23-45 WATERLOO ROAD, COLLINGWOOD VIC

STATUS
TOWN PLANNING

DRAWING TITLE
DEVELOPMENT SUMMARY

DRAWING NUMBER
TP10-301

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1.3 PLN18/0880 - 42 Bell Street, Fitzroy-Construction of a double storey studio at 42 Bell Street and over a carriageway easement of 40-48 Bell Street and 27-31 John Street, Fitzroy.

Executive Summary

Purpose

1. This report provides Council with an assessment of an application at No. 42 Bell Street, Fitzroy, for the of a construction of a double storey studio to the rear of the existing dwelling at 42 Bell Street and over a carriageway easement of 40-48 Bell Street and 27-31 John Street, Fitzroy. The report recommends approval of the application subject to conditions.

Key Planning Considerations

2. Key planning considerations include:
   (a) Planning Policy Framework and Local Planning Policy Framework; and
   (b) Clause 54.

Key Issues

3. The key issues for Council in considering the proposal relate to:
   (a) Neighbourhood character;
   (b) Clause 54 of the Yarra Planning Scheme (Rescode);
   (c) Easement issues; and
   (d) Objector concerns.

Submissions Received

4. Eight objections were received to the application, these can be summarised as:
   (a) Construction over carriageway easement;
   (b) Proposal not respectful of heritage, laneway (carriageway) or neighbourhood character;
   (c) Limits nearby properties recreation uses of the carriageway,
   (d) Adverse amenity impacts to nearby dwellings including loss of daylight and views, visual bulk (including to St. Johns Childcare) and overlooking.

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 the following key recommendations:
   (a) Written confirmation from qualified land surveyor demonstrating the minimum clearances of the proposed studio over the carriageway easement will match or be higher than the minimum clearances of the existing building constructed over the northern end of the carriageway easement.

CONTACT OFFICER: **Laura Condon**
TITLE: **Senior Statutory Planner**
TEL: **92055016**

1.3 PLN18/0880 - 42 Bell Street, Fitzroy-Construction of a double storey studio at 42 Bell Street and over a carriageway easement of 40-48 Bell Street and 27-31 John Street, Fitzroy.

Reference: D19/122701
Authoriser: Senior Coordinator Statutory Planning

Proposal:	Construction of a double storey studio.
Existing use:	Dwelling
Applicant:	OLA Studio
Zoning / Overlays:	Neighbourhood Residential Zone 1 and Heritage Overlay (HO149)
Date of Application:	21 November 2018
Application Number:	PLN18/0880

Planning History

1. There is no relevant planning history for the subject site.

Background

Lodgment of Sketch plans

2. The application was lodged on 21 November 2018. Further information was satisfactorily received on 12 April 2018 and the application advertised by way of 42 letters with 8 objections received. In response to officer and objector concerns with visual bulk presented by the studio and officer concerns relating to loss of daylight to the existing rear ground floor kitchen and mezzanine window at the subject site, the applicant submitted sketch plans on 18 July 2019. These plans showed the following changes:

   (a) A 0.85m separation provided between the existing first floor rear balcony and the proposed studio. This reduced the length of the ground floor addition from 4.92m to 4.25m and the first floor from 8.115m to 7.445m. All side and rear setbacks remain unchanged;
   (b) Inclusion of a 1.22m long section of mesh flooring to the south side of the existing first floor balcony;
   (c) Location of proposed permeable surfaces; and
   (d) Confirmation of levels provided to Australian Height Datum (AHD).

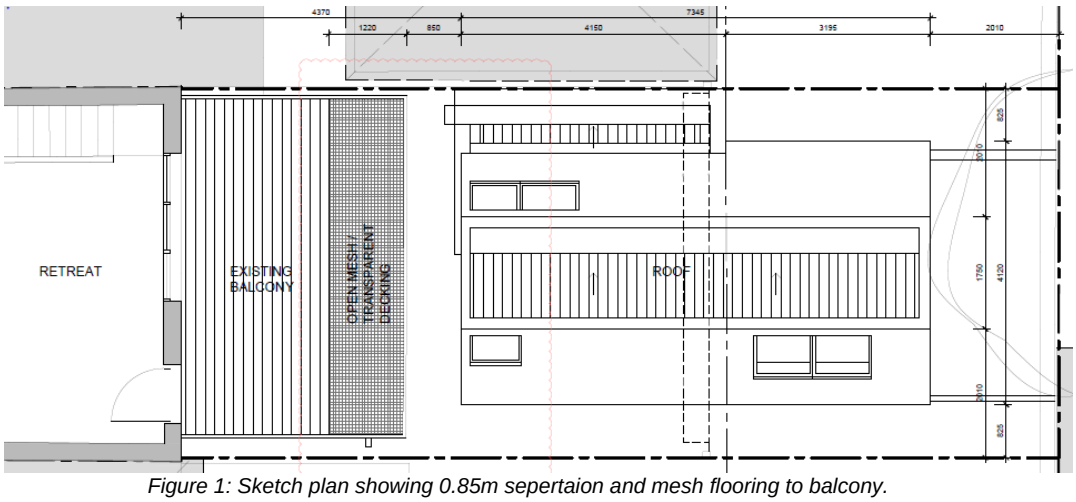

Figure 1: Sketch plan showing 0.85m sepertaion and mesh flooring to balcony.

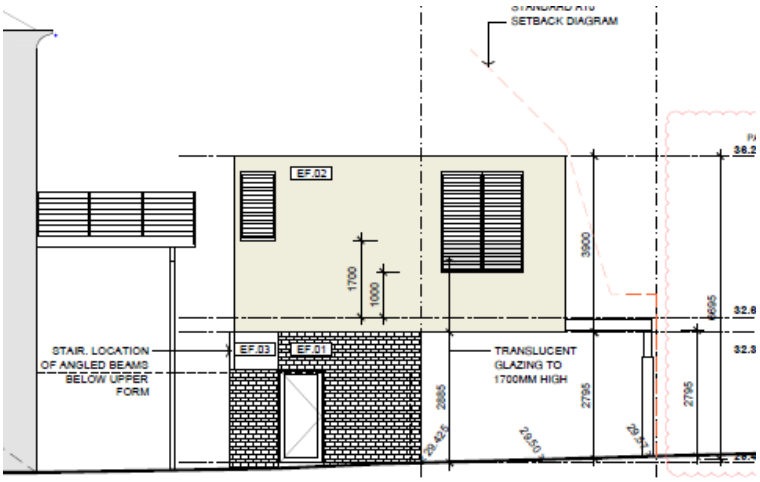

Figure 2: Sketch plan east elevation showing 0.85m sepertaion to balcony edge.

3. These sketch plans were not advertised as they reduced the overall extent of built form and so are not considered to increase material detriment to any nearby properties. Conditions would require the changes shown on the sketch plans are formalised. The invite letters to the Internal Development Assessment Committee meeting included a description of the changes contained in the sketch plans, along with the details of a link to the plans available to view on-line.

The Proposal

4. The application proposes the construction of a double storey studio to the rear of the existing dwelling. The proposal can be summarised as follows:

Demolition

(a) Demolition of a 1.22m wide section of the flooring to southern end the existing first floor rear balcony flooring and replaced with mesh decking (based on sketch plans).

Ground floor

(b) The ground floor will have a smaller building footprint than the first floor and will be located to abut the eastern boundary and the north side of the rear carriageway easement;
(c) The ground floor will be 2.59m in width and 4.92m in length (reduced to 4.25m in length on sketch plans) and is proposed to be setback 3.17m to the west boundary and 5.2m to the south (rear) boundary;
(d) The ground floor will include an entry area, with a trough, sink, cupboards and bathroom;
(e) The ground floor will have maximum western wall heights of 2.98m, southern of 3.49m and northern and eastern of 3.6m (based on sketch plans); and
(f) The walls will be constructed of red brick.

First floor

(g) The first floor portion of the studio will be centrally located on the site and cantilever over the ground floor studio and over the rear carriageway easement for a distance of 3.19m (with the easement being a total of 5.2m wide). The cantilever will be supported by angled metal beams attached to the northern end of the studio and by two elevated horizontal beams that extend over the carriageway easement and two vertical beams attached to the existing wall located on the south side of the easement. The horizontal beams and underside of the studio have a minimum clearance of 2.795m to the carriageway natural ground level (NGL);
(h) The first floor is proposed to be 8.115m in length (reduced to 7.445m on sketch plans) and 4.12m in width;
(i) The east and west walls will be raked and will be setback to their respective boundaries a minimum of 0.825m at the bottom of the raked wall and a maximum of 2m at the top.

The northern setback to the existing dwelling at the subject site will be 3.6m (increased to 4.37m on sketch plans) and a setback of 2m to the south boundary.

(j) The first floor walls will be a maximum of 3.9m high with the studio having a maximum overall height of 6.9m (above NGL); and

(k) The first floor addition will be clad in cork and will have 4 windows (one on the south wall, two on the west and one on the east).

Existing Conditions

Subject Site

5. The subject site is located on the south side of Bell Street in Fitzroy and with John Street 20m to the east and Cremorne Street 30m to the west. The site is lot 6 on Plan of Subdivision PS342683J and has a front boundary of 5.92m, a rear boundary of 5.77m and east and west boundaries of 13.72m, yielding a lot area of approx. 177sqm. A 5.02m wide carriageway easement (E-2) is located to the rear of site (within title boundaries) and services the rear of only lots 1-7 (ie 40-48 Bell Street and 27 and 31 John Street). This carriageway (E-2) intersects on its west end with a second carriageway easement (E-1) which runs to Bell Street and services the rear of all 8 lots. Lot 8 contains 7 properties with Bell Street and Cremorne Street frontages. The properties located at Lot 8 do not have access rights of E-2.

Figure 3: Subject site.(Source:Heritage Victoria database).

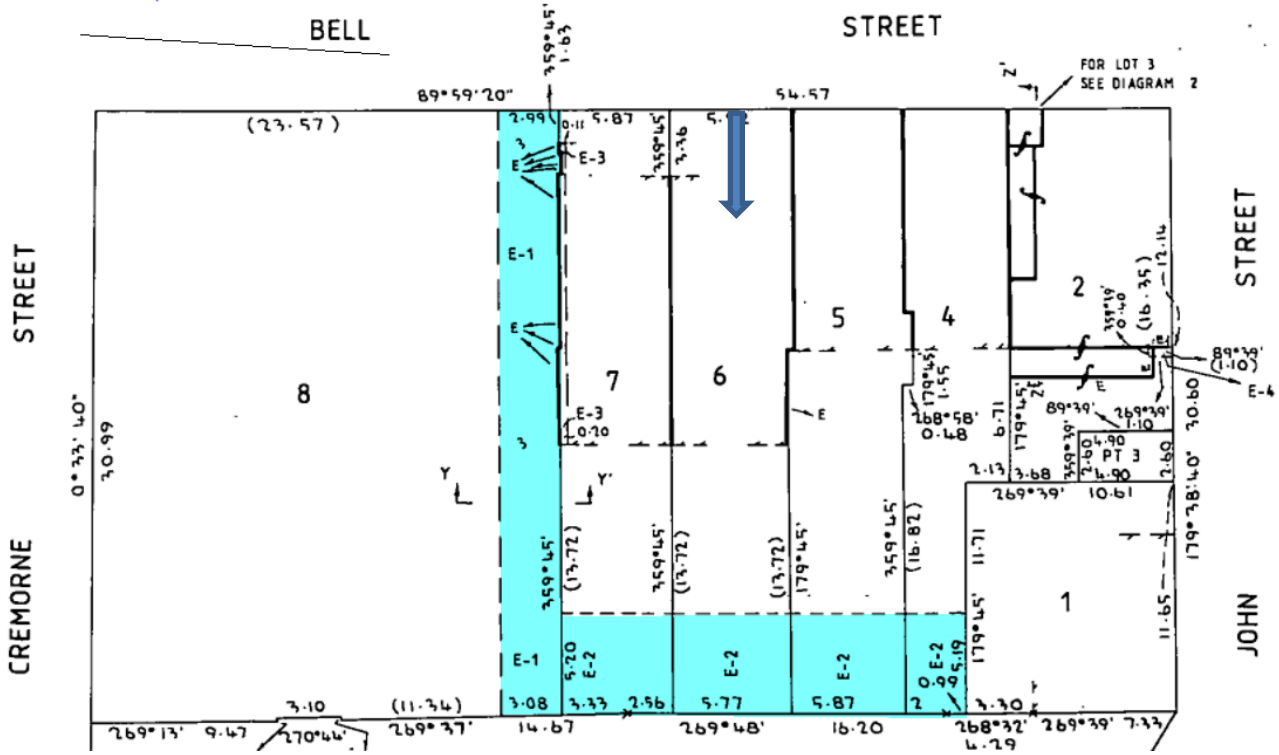

Figure 4: Title showing E-1 and E-2.

**Blue arrows indicating subject site*

6. The dwelling is listed on the Victorian Heritage Register and is known as The Former National School, Fitzroy (Victorian Heritage Register Number H1031). All of the buildings on Lot 1-7 are listed on the Register with Lot 2-5 containing the original school building. Based on information contained in the Victorian Heritage Register database report, the school was opened by Robert Bell as a day school in 1855. In 1873 the adjacent two-storey bluestone terrace was converted for use as school rooms (the easternmost one being the subject site). The Statement of Significance (City of Yarra Review of Heritage Areas, 2007; Appendix 8: Graeme Butler and Associates) grades the dwelling as being of *individual significance* to the Fitzroy precinct.

7. The Victorian Heritage Register 'Statement of Significance' for the school outlines the following:

   (a) The Former National School is of historical significance because of its important associations with the early history of education in Victoria both before and after the 1872 Education Act.

   (b) It is one of only 23 surviving Victorian National Board of Education schools. The Board functioned from 1851 to 1862, managing State-funded, non-denominational schools, of which 193 were built. The Former National School in Fitzroy is a rare example of this type of school and is believed to be the only surviving metropolitan example. After the Education Act of 1872 established free, secular and compulsory education for all, the school was sold to the government education authorities, becoming State School No.111. The school also has importance as a pioneer in the field of special education, becoming the first Victorian "special school" in 1913. In 1915 part of the school was used as a Domestic Arts School, which was so successful that similar courses were established at schools throughout Victoria.

   (c) The development of the complex and the changes to the buildings, including the conversion of the adjoining terrace, the 1920s alterations and the 1980s refurbishment, all demonstrate the changing functions of the school from its original purpose as a National School to its subsequent uses as a Common school, special school, part of Fitzroy Girls School (later Exhibition High School) and regional offices of the Education Department.

8. The two storey dwelling is setback approx. 2m from the front boundary and is built to its east and west boundaries. To the rear of the dwelling is private open space (POS) measuring 8.5m in length x 5.77m in width. A first floor balcony is attached to the rear of the dwelling for the full width of the site. A roller door is located on the northern side of the E-2 carriageway easement and provides vehicle access to the rear. The dwelling has kitchen and living area at ground floor, a bedroom on a mezzanine level to the rear (shares window with kitchen) and a retreat and bedroom at first floor.

Surrounding Land

9. As described above the site forms part of a former school building. To the immediate east of the subject site are 4 dwellings accommodated in the old school building and extend to the corner with John Street (lot 2, 3, 4 and 5). POS is located to the rear of these dwellings. The POS to the immediate east of the subject site (lot 5) extends to the rear carriageway with a carport constructed to the shared boundary. Lot 2 and 3 are ground and first floor apartments in the school building, with one having a Bell Street frontage (No.48) and the other having a John Street frontage (No.31). A double storey dwelling is located to the south of theses apartments and has a frontage to John Street (No.27).

10. On the opposite side of the rear carriageway easement (E-2) is St. Johns Childcare Centre which runs the full width of the block between John Street and Cremorne Street. A double storey building is located partially on the shared boundary with the subject site and with open space/play areas located on the remainder.

11. To the immediate west is a bluestone dwelling that forms a pair with the subject site. This dwelling has the same configuration as the subject site including a mirror rear balcony and open space area. To the west of this dwelling is the second carriageway easement (E-1) that intersects with the easement (E-2) to the rear of the subject site. There is a double storey modern residential structure constructed at first floor over this carriageway easement to the Bell Street frontage. On the opposite side of the remainder of the E-1 carriageway is the private open space of 4 double storey modern dwellings with frontages to Cremorne Street.

Planning Scheme Provisions

Zoning

Neighbourhood Residential Zone (Schedule 1)

12. Pursuant to Clause 32.09-1 of the Yarra Planning Scheme (the Scheme), a permit is not required to use the land for a dwelling.

13. Pursuant to Clause 32.09-5 of the Scheme, a permit is required to construct or extend one dwelling on a lot that is less than 500sqm (as specified in Schedule 1 of the Neighbourhood Residential Zone). As the lot is 177sqm in area, a permit is required to extend the dwelling. The development must meet the requirements of Clause 54.

14. In accordance with Clause 32.09-10 a building used as a dwelling or residential building must not exceed a height of 9 metres or two storeys. The proposal satisfies this requirement.

Overlays

Heritage Overlay (Schedule 149)

15. The subject site is located within the Heritage Overlay (Schedule 149- National School, Former & State School 111). Schedule 149 notes that the site is listed on the Victorian Heritage Register (VHR Number: H1013). Clause 43.01-2 states that a planning permit is not required to develop a heritage place which is included on the Victorian Heritage Register.

16. On this basis, the Applicant also needs a permit for the proposed buildings and works from Heritage Victoria. As such no consideration of heritage matters will form part of this assessment (beyond some discussion of heritage considerations from a neighbourhood character perspective). The applicant has confirmed an application is yet to be lodged with Heritage Victoria.

Particular Provisions

Clause 54 – One dwelling on a lot

17. Pursuant to Clause 54 of the Scheme this provision applies to an application to construct a dwelling on a lot less than 500sqm. A development must meet the objectives of Clause 54.

General Provisions

Clause 65 – Decision Guidelines

18. 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. The Responsible Authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

19. Amongst other things, the Responsible Authority must consider the relevant Municipal Planning Strategy and the Planning Policy Frameworks, as well as the purpose of the Zone, Overlay or any other Provision.

Planning Policy Framework (PPF)

Clause 11.02 – Managing growth

20. The clause includes several strategies to achieve this objective including *planning for urban growth should consider opportunities for the consolidation, redevelopment and intensification of* existing *urban areas.*

Clause 15 – Built Environment and Heritage

Clause 15.01-1S – Urban design

21. The objective of this clause is '*to create urban environments that are safe, healthy, functional and enjoyable and provide good quality environments with a sense of place and cultural identity*'.

22. A relevant strategy includes *'require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate'.*

Clause 15.01-2S – Building Design

23. The objective of this Clause is:

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

24. Relevant strategies include:

    (a) Require a comprehensive site analysis as the starting point of the design process.

    (b) Ensure the site analysis provides the basis for the consideration of height, scale and massing of new development.

    (c) Ensure development responds and contributes to the strategic and cultural context of its location.

    (d) Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.

Clause 15.01-5S – Neighbourhood Character

25. The objective of this Clause is:

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

    (b) Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by emphasising the:

        (i) Pattern of local urban structure and subdivision.

        (ii) Underlying natural landscape character and significant vegetation.

        (iii) Heritage values and built form that reflect community identity.

26. *Clause 16 – Housing*

Clause 16.01-3S – Housing diversity

27. The objective of this clause is *'to provide for a range of housing types to meet diverse needs*'.

<u>Local Planning Policy Framework (LPPF)</u>

Clause 21 – Municipal Strategic Statement (MSS)

Clause 21.03 – Vision

28. Clause 21.03 of the Scheme outlines strategic objectives for land use, built form, transport and environmental sustainability within the City. Strategies to achieve the objectives are set out in the following clauses of the MSS.

Clause 21.04 – Land Use

Clause 21.04-1 – Accommodation and housing

29. Relevant objectives and strategies for this clause are:

    (a) Objective 1 To accommodate forecast increases in population.
    (i) Strategy 1.1 Ensure that new residential development has proper regard for the strategies applicable to the neighbourhood in question identified in clause 21.08.

Clause 21.05-6 – Urban Design

30. This clause incorporates the following relevant objectives:

    (a) Maintain and strengthen the preferred character of each Built Form Character Type within Yarra; and

    (b) Ensure development is designed having particular regards to its urban context and specifically designed following a thorough analysis of the site, the neighbouring properties and its environs.

Clause 21.08-8 – Fitzroy

31. The subject site is identified as 'Heritage Overlay' on the *Figure 18 (Built Form Character Map).* The objective for this area is to '*ensure that development does not adversely affect the significance of the heritage place*'.

Relevant Local Policies

Incorporated Document

32. Appendix 8 to the City of Yarra Review of Heritage Areas, 2007 (revised May 2017) – The site is identified as being '*Individually Significan*t' to the South Fitzroy Heritage Precinct (Schedule 149).

Advertising

33. The application was advertised under the provisions of Section 52 of the *Planning and Environment Act (1987)* by 42 letters sent to surrounding owners and occupiers. No public notification sign was displayed. Council received 8 objections, the grounds of which are summarised as follows:

    (a) Construction over carriageway easement;
    (b) Proposal not respectful of heritage, laneway (carriageway) or neighbourhood character;
    (c) Limits nearby properties recreation uses of the carriageway;
    (d) Adverse amenity impacts to nearby dwellings including loss of daylight and views, visual bulk (including to St. Johns Childcare) and overlooking.

34. A consultation meeting was held on 18 June 2019 and attended by objectors, the site owners, the architect and Council officers. No resolutions to the issues raised were achieved at the meeting.

Referrals

External Referrals

35. The application was not required to be referred to external authorities.

Internal Referrals

36. The original application plans were referred to Council's Engineering Services Unit, comments have been included as attachments to this report.

OFFICER ASSESSMENT

37. The key issues for Council in considering the proposal relate to:
    (a) Planning Policy Framework and Local Planning Policy Framework;
    (b) Clause 54;
    (c) Other matters; and

(d) Objector concerns.

Planning Policy Framework and Local Planning Policy Frameworks (PPF & LPPF)

38. The site is located within the Neighbourhood Residential Zone (NRZ1). The relevant purposes of the NRZ1 are as follows:
    (a) To implement the Municipal Planning Strategy and the Planning Policy Framework.
    (b) To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.

39. It considered the proposed development fulfils these objectives and allows for modern development that is ideally located to take advantage of existing public transport services within the immediate vicinity, including tram services available along Brunswick, Gertrude and Nicholson Streets.

40. Clause 11.02 of the Scheme states *planning for urban growth should consider opportunities for the consolidation, redevelopment and intensification of* existing *urban areas.* This proposal allows for an increase in diversity of housing choice whilst facilitating sustainable development that takes full advantage of existing settlement patterns. The development also accords with a number of key strategic policies within the Scheme, in particular clause 16.01-3S, *to provide for a range of housing types to meet diverse need* and clause 16.01-2S, *to encourage higher density housing development on sites that are well located in relation to jobs, services and public transport*. The occupant of the dwellings will use the services available in the nearby commercial environments on Brunswick, Gertrude and Nicholson Streets. Further, with the existing dwelling having a small internal floor area, this studio provides for an additional living area in line with Scheme objectives that encourages variety in dwelling types to allow for the needs of larger families to be met.

41. Beyond these urban consolation objectives, the remainder of relevant PPF & LPPF policy objectives relate to ensuring the design of the new building has proper regard to the existing Neighbourhood Character. Local policy of most relevance is outlined at clause 21.04-1 and 21.05-6 which directs the design to respond *its urban context and specifically designed following a thorough analysis of the site, the neighbouring properties and its environs* and directs regard to the identified Neighbourhood Character in clause 21.08. The relevant consideration for the subject site at clause 21.08 is to *ensure that development does not adversely affect the significance of the heritage place*'.

42. In terms of State Policy, clause 15.02-1S and 15.01-5S provide most relevant Neighbourhood Character guidance, as follows:
    (a) Ensure the site analysis provides the basis for the consideration of height, scale and massing of new development.
    (b) Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.
    (c) To recognise, support and protect neighbourhood character, cultural identity, and sense of place.
    (d) Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by emphasising the:
        (i) Pattern of local urban structure and subdivision.
        (ii) Heritage values and built form that reflect community identity.

43. As outlined in the *Overlay* section, a planning permit is not required for the proposed partial demolition of the balcony and the construction of the studio under clause 42.01 (*Heritage Overlay)*. As such, consideration of heritage matters will be carried out as part of the Heritage Victoria permit process.

However the above policy guidelines does allow some very limited consideration of heritage matters from a Neighbourhood Character perspective through encouraging development to respond to, be respectful of and not adversely affect the significance of the heritage place.

44. In this regard, the studio will not be visible from either Bell Street or Cremorne Street and so will not impact of these streetscapes. Given the studio is significantly lower than the existing building on the subject site, it will also not impact the presentation of this individually significant building to the heritage streetscape.

Some views of the studio will be available from John Street over the boundary fence of No.31 John Street and beyond the playground of St. John's childcare centre.

Figure 5:View over playground.(Source:officer photos).

Figure 6:View over 31 John Street fence. (Source:officer photos).

45. From both vantage points, the addition will be a minimum of 20m away John Street and with its small first floor building volume (demonstrated by being fully *Side and rear setback* Rescode compliant) the proposal will not be an overwhelming or jarring feature. It's proposed high quality architectural finish will allow for it to positively contribute to the heritage Neighbourhood Character. Given there are examples of much taller modern buildings already existing on the John Street frontage (see figure 7) the proposal will not be the most dominant modern building. In this context, the proposal is not considered to adversely impact the significance of the heritage Neighbourhood Character. As outlined earlier, all other heritage considerations beyond Neighbourhood Character considerations are under the jurisdiction of Heritage Victoria.

Figure 7:John Street looking south from outside childcare (Source: Google maps- officer site visit confirms accuracy of impage) .

46. The remaining Neighbourhood Character considerations outlined by Clause 15.02-1S and 15.01-5S relate to ‘height and scale’, ‘detrimental impacts on neighbouring properties’, ‘cultural identity/sense of place’ and ‘new built from reflecting the pattern of local existing urban structure’. As will be discussed in detail in the following Clause 54 assessment, the proposal is fully compliant with side and rear setback and shadowing requirements, demonstrating the proposal is acceptable from a ‘height and scale’ perspective and will not have ‘detrimental impacts on neighbouring properties’ (in line with policy objectives).

47. It is considered the proposal is respectful of the ‘cultural identity/sense of place’ of the area by being reflective of the ‘existing pattern of local structures/buildings’. Objectors have raised concerns in this regard stating the construction of the studio over the carriageway easement is out of character. However given the presence of a two storey building over the easement 14m north-west of the proposed studio, there is insufficient justification to support the premise that constructing over the easement is out of character.

48. Objectors have also raised concerns this negatively affects the ‘cultural identity’ and laneway character of the immediate area and further restricts the use of the carriageway for recreational purposes (sport, children’s play and dining events). However the carriageway easement is private land and not a public road or laneway and is specifically for the use of the occupants of 7 properties. These properties could determine to enclose the west end of the carriage way easement at any time and could legally prevent all public access. Thus considerations relating public recreation use of this private land being impeded by the proposed development is not a relevant consideration.

49. In terms of the proposal being respectful of the ‘existing local urban structure pattern’, again the presence of an existing building over the easement demonstrates the proposal is not an anomaly in this regard. It is acknowledged that the construction of a double storey building in the rear open space is not characteristic when compared to pattern of development to the rear of No. 40 to 48 Bell Street (where structures to the rear are single storey). However beyond this immediate area, there is no defined pattern of subdivision with no evidence of spines of open space to the rear/open backyard character. This hap hazard subdivision pattern and cheek by jowl pattern of building development is demonstrated by Figure 8 and in this context it is considered the proposed double storey studio to the rear would not appear anomalous.

Figure 8: Sketch plan east elevation showing 0.85m sepertaion to balcony edge.

50. For all of the reasons outlined above, the proposed development is considered to present an appropriate design response to the surrounding Neighbourhood Character and responds appropriately to relevant Planning Policy Framework and Local Planning Policy Framework objectives.

Clause 54

51. 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.

Standard A1 – Neighbourhood Character

52. This standard encourages proposed development to respond to the existing Neighbourhood Character of the area. A detailed assessment of the proposed development in relation to Neighbourhood Character has been carried out in the above *PPF & LPPF* assessment.

Standard A2 – Street Integration and Standard A3 – Street setback objective

53. No change is proposed to the existing Bell Street frontage, thus these Standards are not relevant.

Standard A4 – Building Height Standard

54. The building height must not exceed 9 metres (and as specified in Schedule 1 of the Neighbourhood Residential Zone). The maximum height of the proposed works is 6.9m. This complies with the building height prescribed at Standard A4 and the zone.

Standard A5 – Site Coverage Standard

55. As no minimum site coverage is specified in Schedule 1 of the Neighbourhood Residential Zone, the maximum site coverage under the Standard of 60% applies.

56. The proposal has an overall site coverage of 75% (based on sketch plans) and therefore does not comply with the Standard. The previous PPF & LPPF assessment shows high site coverage is a prominent characteristic of the immediate area, as demonstrated by Figure 8. In this context, the proposed site coverage is not thought to be out of character and is considered acceptable.

57. As will be discussed in detail in the following *Side and Rear Setbacks* assessment, the proposed addition does not generate unreasonable visual bulk impacts (subject to the sketch plans) and so the proposed site coverage is also considered acceptable in this regard.

Standard A6 – Permeability Standard

58. As no minimum permeability is specified in Schedule 1 of the Neighbourhood Residential Zone, pervious surfaces must cover at least 20% of the site. The existing development has permeable surfaces of approx. 36%, including the rear carriageway easement and the existing (brick pavers on sand base).

59. In compliance, the proposed development will result in site permeability of approx.30% as a result of the ground floor section of the studio with the permeable existing yard surface and carriageway surface are not proposed to be altered.

60. While the first floor studio may partially reduce site permeability, rainwater will be able to gain access under large proportions of the studio to the permeable ground surface below. As such the first floor is not thought to significantly impact/reduce the proposed site permeability.

Standard A7 – Energy Efficiency Protection Standard

61. This standard seeks to ensure the energy efficiency of the existing dwelling, the addition and adjoining lots are not unreasonable compromised. As will be discussed in detail later, the proposal will not generate unreasonable shadow impacts on adjoining open space and will not impact daylight to existing neighbouring windows.

62. In relation to the energy efficiency of the proposed addition, in non-compliance with the standard, the proposed studio does not have north-facing glazing. As a northern window would be opposite the existing rear balcony floor and its balustrade structure, it would be substantially overshadowed and have poor outlook. For this reason the absence of a north facing-window is acceptable.

63. The first floor studio is provided with windows on all other elevations and a large glazed door to the ground floor entry allows for adequate access to day-light. The glazed doors to the lobby are openable with three of the first floor windows being louvered allowing for adequate natural ventilation of the building.

64. However, there is east and west-facing glazing to the first floor which could allow for excessive heat loading in summer. Due to high 1.7m sill heights to the east-facing and one of the west-facing windows, they will not result in excessive heat gains. Due to large size and the lower sill height (at 1m above FFL) of the remaining west-facing window would result in heat gain issues. The applicant is agreeable to a condition requiring external shading be provided to this windows.

65. The first floor cantilever will shade the ground floor west-facing windows.

Standard A8 – Significant Trees Standard

66. No trees are proposed to be removed and no trees are within the immediate surrounds of the proposal, thus the Standard is not relevant to the application.

Standard A10 – Side and Rear Setbacks Standard

67. For walls greater 3.6m in height the standard requires a minimum setback of 1m plus 0.3m for every metre 3.6m to 6.9m. The setbacks of the dwelling are summarised in the below table:

Proposed Wall	Wall height (m)	A10 Setback (m)	Proposed setback (m)	Compliance

East and west sloping walls	3.6m-6.9m	1m-1.99m	1m-2m	Yes
South wall	6.9m	1.99m	2m	Yes

68. Given the proposal is fully compliant with the side and rear setbacks requirements it is considered acceptable from a visual bulk perspective when viewed from the adjoining residential properties to the east, west and the childcare centre to the south. Notably the first floor studio will be located opposite the carport and carriageway easement of the property to the east, with views of it only available over the carport roof. This separation reduces visual bulk impacts to an acceptable level.

69. While the side setbacks are compliant with the standard, the length of the first floor addition opposite the private open space of the property to the west is a concern. This open space measures 8.5m in length with the first floor studio to be constructed opposite the open space for a length of 4.9m (58% the length of the POS).

70. To alleviate this concern, the sketch plans (dated 18 July 2019) reduce the length of the first floor studio by 0.85m. This reduces the length from being opposite 58% of the adjoining POS to 47% and this is considered acceptable, particularly given the side setbacks are fully compliant. The carriageway easements to the west and south of this adjoining site preserve outlook for this site into the future. The shadow impact to this property will be discussed later in this assessment.

71. Objectors have raised concerns with the visual bulk aspect of the building from the private open space of the properties located to the west and fronting Cremorne Street. However with the studio being a minimum of 12.5m from their open space and 17m from the rear wall of these dwellings, this separation is considered sufficient to reduce visual bulk to an acceptable level (particularly given the wall is fully compliant with this standard).

72. Finally, the plans do not clearly show the ground floor east and west maximum wall height (with them instead being discernible from the north and south elevation). A condition will require their height is clearly shown.

Standard A11 – Walls on Boundaries Standard

73. As the proposed ground floor eastern boundary wall is located opposite the adjoining carport wall, the proposal complies with this standard. There are no walls located on the boundary at first floor.

Standard A12 – Daylight to Existing Windows Standard

74. There are no habitable room windows facing the subject site on adjoining sites, thus the Standard is not applicable to the application.

75. As previously highlighted, of concern is the impact of constructing the studio to abut the existing balcony and the impact this would have of the ground floor kitchen and mezzanine windows to the rear of the existing dwelling at the subject site. This was particularly concerning as the window is already covered by the floor of the balcony above. Should the sites to the east and west construct rear additions to the shared boundary, this combined with the balcony floor and the new studio abutting the balcony could result in a poor amenity outcome for these rooms.

76. In response to this concern the applicant provided sketch plans showing a 1.22m wide mesh floor the full width of the southern end of the balcony and setting the studio 0.85m off the balcony. This outcome is considered to protect the amenity of these rooms allowing for reasonable daylight access, particularly in the event the sites to the east and west were to develop.

Standard A13 – *North Facing Windows Standard*

77. No north-facing windows face the subject site within 3 metres. As such, no assessment is required against this Standard.

Standard A14 – Overshadowing

78. Any additional overshadowing is largely within shadows generated by existing structures, to the carriageway to the south and to the roof of carport to the east. The only POS affected by additional overshadow is the property to the west. The standard states if existing sunlight to the POS is less than the requirements of this standard, the amount of sunlight should not be further reduced. Given this open space to the west already does not comply with the standard, its sunlight should not be further reduced.

79. The additional shadow area is only approx. 1.5sqm at 9am and is limited only to the rear corner of the ground floor open space (ie not a high use area). The POS is not affected by additional shadow after 10am. As the additional shadow is only for a short period in the morning, it is not considered unreasonable.

80. Further, the sketch plans (with the smaller first floor) reduces this area of additional overshadowing by approx. 50%. The ground floor POS and first floor balcony have good access to sunlight after 2pm which will be unchanged by the proposal. For these reasons, the small additional area of shadow at approx 0.75sqm at 9am is considered acceptable.

81. It is noted the advertised plans did not show the additional shadow to this property in the blue “additional shadow” colour key. The additional shadow was shown in a grey rather than the blue colour. As the additional shadow was shown, the fact it was not indicated in the blue colour is considered acceptable.

Standard A15 – Overlooking

82. Standard A15 requires that any new habitable room windows or terraces be located or designed to avoid direct views into private open space and habitable room windows of an existing dwelling within a horizontal distance of 9metres. The proposal has four first floor windows all with either minimum sill heights of 1.7m above FFL or translucent glazing to a height of 1.7m above FFL. However the plans do not specify whether the translucent glazing is operable. A condition could require this detail to confirm the standard is met.

Standard A16 – Daylight to New Windows Standard

83. The proposed design of the studio ensures that all new habitable room windows face an outdoor space clear to sky, with a minimum area of 3sqm and a minimum dimension of 1metre clear to the sky.

Standard A17 – Private Open Space Standard

84. Standard A17 requires that *a dwelling should have private open space consisting of an area of 80 square metres or 20 per cent of the area of the lot, whichever is the lesser, but not less than 40 square metres. At least one part of the private open space should consist of secluded private open space with a minimum area of 25 square metres and a minimum dimension of 3 metres at the side or rear of the dwelling with convenient access from a living room*.

85. The retained rear ground floor open space measures approx. 50sqm in compliance with the standard with the first floor balcony providing a supplementary 20sqm area. The proposal therefore meets the objective of the Standard.

Standard A18 – Solar Access to Open Space Standard

86. This Standard applies to new dwellings and therefore is not relevant to this application given that it is for an extension to an existing dwelling.

Standard A19 – Design Detail Standard

87. The contemporary design responds appropriately to the existing residential character of the area. The proposed works are appropriately designed for the site context, incorporating varied materials and modulated forms. Overall, the proposed development is considered appropriate in the context of the neighborhood.

While the shape of the building, window forms and cork cladding will have a modern appearance, the high quality architectural design response will allow for the building to make a positive contribution to the neighbourhood.

88. The small size of the first floor addition (as demonstrated by its full compliance with the *Side a rear setback* requirements) is perhaps the most significant design detail that will allow the building sit comfortably within the context and not overwhelm the heritage character of the area. Finally the cork cladding will be an unusual feature with the following images demonstrating the high quality appearance of the finish. Further it is a natural product that weathers overtime and so will have a softer rather than a stark appearance, allowing for it to site comfortably within the backdrop of the redbrick buildings behind.

Figure 9: Examples of cork clad buildings provided by applicant.

Standard A20 – Front Fence Standard

89. No change is proposed to the existing front fence, thus the Standard is not applicable.

Other Matters

Easement

90. As described in the *Site* assessment, a 5.02m wide carriageway (easement E-2) is located to the rear of site (within title boundaries) and services only lots 1-7 of the 8 lots shown on Plan of Subdivision PS342683J. It is proposed to construct the studio over this easement. Lots 1-7 include No's 40, 42, 44, 48 and 48 Bell Street and No's 27 and 31 John Street with all of these building being part of the Former National School complex. Lot 8 contains 7 modern dwellings with frontages to Bell Street and Cremorne Street.

91. This carriageway (E-2) intersects on its west end with a second carriageway easement (E-1) which runs to Bell Street to the north. E-1 services all 8 Lots shown on Plan of Subdivision PS342683J. The 7 properties contained in Lot 8 do not have access rights of E-2.

92. Lot 8 also has a second Plan of Subdivision PS349342Y attached to it which shows the detail of the 7 properties contained on this lot (No's 34, 36 and 38 Bell Street and No's 12, 14, 16 and 18 Cremorne Street). This document shows Lot 1 (No.38 Bell Street) cantilevering over carriageway E-1 and along with plan of Plan of Subdivision for the subject site (PS342683J), shows the relative level of the bottom of the building over the carriageway to be 31.90.

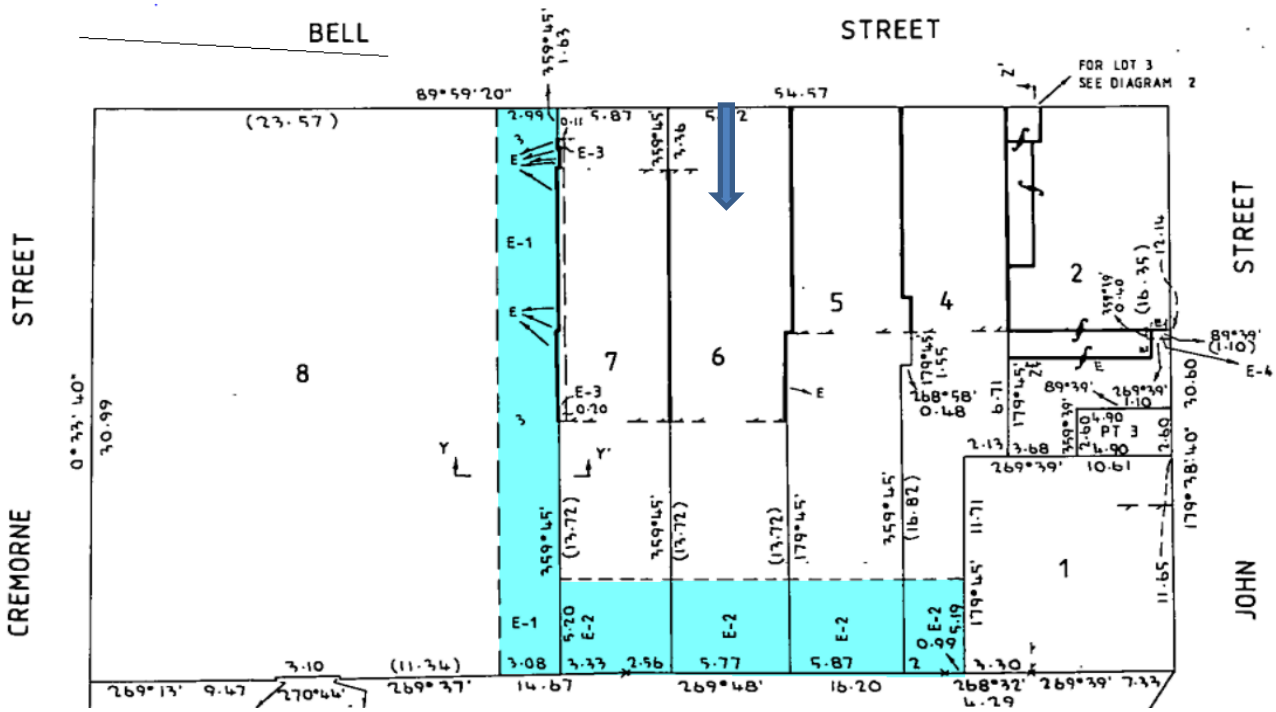

Figure 10: Title showing E-1 and E-2.

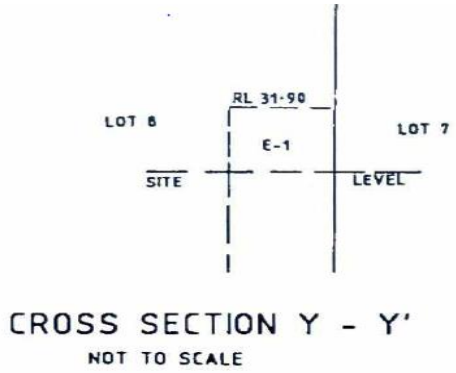

Figure 11: Level of exisitng building to AHD over carriageway.

Figure 12: E-2 (Source: officer photos)

Figure 13: E-1 with building over (Source: officer photos)

93. An objector submits the proposed studio constructed over the carriageway would obstruct vehicle access and as such is a breach of beneficiary's rights over the carriageway. In this regard, it is not a relevant planning consideration to determine whether the proposal would constitute a breach of the carriageway as part of the current planning permit application.

Clause 52.02 (*Applications to alter, remove or vary an easement*)

94. The current proposal does not of itself trigger a permit requirement under clause 52.02. A permit is triggered under clause 52.02 before a person proceeds under various provisions of the Subdivision Act 1988 to create, vary or remove an easement or restriction. While an application to vary an easement pursuant to Clause 52.02 can be made at the same time as the permissions sought for construction of a development, it is not a requirement.

95. Where an application is made to vary the easement under Clause 52.02 of the Scheme, the decision guidelines (in addition to the decision guidelines in clause 65) are '*the responsible authority must consider the interests of affected people*'. As such the application would then be advertised to all beneficiaries of the easement. Further in this regard, it is not a consideration for either Council or the Victorian Civil and Administrative Tribunal (VCAT) whether the proposal is in breach of the easement, but this is instead a Civil Matter for higher courts. This view is supported by VCAT case *Craig v Yarra [2016]* VCAT 1816 with the member stating:

> [10] *I acknowledge that there is a consistent line of previous Tribunal decisions that it is for the courts rather than the Tribunal to resolve whether or not proposed works would breach an easement. This reflects such a dispute about an easement being seen as a 'property' dispute rather than a 'planning' dispute.*

96. However, had an application been made to vary the easement under Clause 52.02, this does allow Council limited consideration of whether the proposal unreasonably restricts the easement and its beneficiaries. The aforementioned VCAT case provides guidance on what the scope of this consideration should constitute, as follows:

> *[29] The Tribunal is of the view that the following questions should be asked:*
>
> *(i) Does the current use of or the current state or condition of the dominant and servient lands (tenements) indicate a need or requirement for the continued existence of the easement; and*
> *(ii) Would the owners of the dominant land suffer any material detriment in the use and enjoyment of that land if the easement was removed or varied?*

Consideration of works in absence of Clause 52.02 application

97. It is Council's view the same line of questioning should be applied to buildings and works applications (in the absence of a Clause 52.02 application being made) to ensure that development proposals are not futile in the event they unreasonably restrict an easement and unlikely to be supported in Civil Case. Turning one's mind to this line of questioning, it is considered the carriageway easement is not unreasonably restricted by the proposal given there is an existing double storey building constructed at first floor level over the full width at the intersection of easement E-1 with Bell Street.

98. The plan of subdivision for this property shows this building to have a clearance of RL31.90 with the plans submitted as part of this application showing the underside of the studio/soffit at 32.31AHD with the two horizontal support beans for the studio extending over the laneway being slightly above this height. As such, the studio appears to have a higher clearance than the existing dwelling constructed over it. Subject to confirmation of clearances, the studio is not considered to restrict the easement any more than this existing structure.

Confirmation of height clearances to easement

99. Given the critical nature of ensuring the proposed studio does not further restrict the easement, Council officers requested the applicant provide survey details to confirm the minimum clearances of this existing building over the easement. The applicant provided a survey plan showing the underside of the existing building being 31.93AHD and the underside of its balcony being 31.79AHD (ie the building being a little higher than the RL31.90 specified in the title and the balcony being a little lower).

100. This survey information did not however definitively confirm minimum height clearances with only 3 natural ground levels (NGL's) provided under the balcony area of the building with no further NGLs provided under the remainder of the building. To supplement this information the applicants architect checked clearances at 9 points under the building which demonstrated a lowest clearance of 2.691m and an average clearance of 2.735m. The submitted plans demonstrate the underside of the proposed studio including the underside of the beams extending over the carriageway to have a minimum clearance of 2.74m and so provide a greater clearance than the existing building over the carriage E-1.

101. However it is considered the 9 spot clearances provided by the architect cannot be relied upon to definitely demonstrate the minimum clearances of the existing building. Particularly as the survey does not contain any NGLs under the existing building (apart from under its balcony) or under the proposed studio. For this reason it is considered reasonable to require confirmation from a qualified surveyor that the minimum clearances of the both existing building and the proposed studio over the easements. This allows Council officers confirm the studio will not impose any new height restrictions over the easement. The condition could also require that this confirmation does not result in the height of the studio be increased, to prevent increased adverse amenity impacts to neighbouring properties. It would also be appropriate to require the studio minimum height clearance is no lower than the RL31.90 shown on the plan of subdivision for the existing building.

102. Officers had further concern that it was proposed to construct a new wall on the south side of the easement to which the proposed vertical support beams for the studio would attach. The applicant confirmed that it is proposed to attach the beams to the existing wall on the south side of the carriageway, with the applicant's survey plan confirming this wall is wholly within title boundaries (ie not within the title of the childcare centre to the south). As the beams are to be attached to an existing wall structure and with no new wall proposed in the carriageway easement, officers are satisfied that this aspect of the proposal also does not further restrict the carriageway easement.

103. Finally, in regards to whether an application to vary an easement is required under Clause 52.02 and whether the proposal constitutes a breach of these easements, both are Civil Matters for the further consideration of the beneficiaries of the easement and not a relevant planning matter.

Plan details

104. The plans do not clearly show the use of the ground floor entry lobby area to the studio. Given it contains a sink, trough and large cupboard's on the east side, of concern was the large cupboards could contain food preparation/cooking facilities and so the studio would satisfy the definition of a dwelling (with a second dwelling on a lot not forming part of this application).

105. The applicant has confirmed the trough is open to the outdoor area and is to be used for gardening purposes. The studio is to be used as an artist studio and a multi-function living/bedroom area. The cupboards down stairs do not contain food preparation facilities but are only for storage. A condition will require the cupboards are nominated as storage only to confirm the use is not for a second dwelling. A note will further indicate that unless with further planning permission, the proposed studio must not be used as a separate dwelling.

106. While the plans note the angled beams under the studio are clear of the easement, they do not clearly show the position of them. A condition will require this detail.

Car parking

107. The application was referred to Council Engineers to consider whether vehicles could enter and park at the rear. Councils engineer's indicated vehicles would not be able to park in this area given the opening is only 2.39m wide. Officers are satisfied that the opening is sufficiently narrow to prevent car attempting to enter the site from the rear carriage.

Objector concerns

108. The majority of the issues raised by objectors have been addressed within this report, the following section providing a recap of the issues raised.

(a) Construction over carriageway easement;
(i) This issue has been discussed extensively throughout the report, with condition 1b) requiring written confirmation from qualified land surveyor demonstrating the minimum clearances of the proposed studio over the carriageway easement will match or be higher than the minimum clearances of the existing building constructed over the northern end of the carriageway. Based on this condition, it is considered that these concerns have been addressed.

(b) Proposal not respectful of heritage, laneway (carriageway) or neighbourhood character;
(i) These matters have been discussed in details within paragraphs 38 to 50 of this report.

(c) Limits nearby properties recreation uses of the carriageway,
(i) This matter has been discussed in detail at paragraph 48 of this report.

(d) Adverse amenity impacts to nearby dwellings including loss of daylight and views, visual bulk (including to St. Johns Childcare) and overlooking.
(i) Apart from loss of views, these matters have been discussed in detail between paragraphs 67 and 82 of this report. The Planning Scheme does not offer any protection of views. As such this is not a planning related matter.

Conclusion

109. The proposal, subject to conditions outlined in the recommendation below, is an acceptable planning outcome that demonstrates compliance with the relevant Council policies. Based on the above report, the proposal complies with the relevant Planning Scheme provisions and planning policy and is therefore supported, 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 PLN18/0880 for the construction of a double storey studio at 42 Bell Street and over a carriageway easement of 40-48 Bell Street and 27-31 John Street, Fitzroy, 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 Ola Architects TP1.07, 2.01, 2.02, 2.03 and 9.00, (Issue 2) and dated 7 February 2019 and TP3.01, 3.02, 3.03, (Issue 3) and dated 9 February 2019: but modified to show:

(a) The changes shown in the sketch plans TP1.07, 2.01, 2.02, 2.03, 3.01, 3.02, 3.03 and 9.00 (Issue 7) dated 18 July 2019, including the following:
    (i) A 0.85m separation of the first floor studio from the rear of the existing first floor balcony;
    (ii) The inclusion of a 1.22m long section of mesh flooring to the full width of the southern side of the existing first floor balcony;
    (iii) The location of proposed permeable surfaces; and
    (iv) Levels in Australian Height Datum (AHD).
(b) Written confirmation from a qualified land surveyor demonstrating the minimum ground clearance of the proposed studio over the carriageway easement E-2 (on Plan of Subdivision PS342683J) to match or be higher than the minimum clearance of the existing building constructed over the northern end of the carriageway easement E-1 (in accordance with the height limit depicted by section Y-Y) and with no overall increases in the proposed height of the studio;
(c) Cross-section diagrams and floor plans to clearly show the position and extent of the proposed angled support beams;
(d) East and west elevation to show maximum ground floor wall heights;
(e) Demonstrate whether first floor glazing to the studio below 1.7m in height is operable with any opening mechanisms to comply with Standard A15 (*Overlooking*) of the Yarra Planning Scheme;
(f) External shading to the first floor west-facing windows; and
(g) Plan notation confirming the 'storage only use' of the cupboards to the west side of the entrance of the area to the studio.

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. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:

    (a) Monday to Friday (excluding public holidays) before 7 am or after 6 pm;
    (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
    (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

4. Within two (2) months of development completion, 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.

5. Within two (2) months of development completion, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.

6. This permit will expire if:

    (a) the development is not commenced within two years of the date of this permit; or
    (b) the development is not completed within four years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or within twelve months afterwards for completion.

Notes

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5585 for further information.

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

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

This application was not assessed against Clause 43.01 of the Yarra Planning Scheme (Heritage Overlay) as heritage matters are considered by Heritage Victoria.

Unless with further planning permission, the proposed studio must not be used as a separate dwelling.

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TITLE: **Senior Statutory Planner**
TEL: **92055016**

Attachments

1 PLN18/0880-42 Bell Street-Subject site
2 PLN18/0880-42 Bell Street-Advertised Plans Part 1
3 PLN18/0880-42 Bell Street-Advertised Plans Part 2
4 PLN18/0880-42 Bell Street-Sketch Plans
5 PLN18/0880-42 Bell Street Fitzroy-Engineering comments
6 PLN18/0880-42 Bell Street Fitzroy-Certificate of Title
7 PLN18/0880-42 Bell Street-Heritage Victoria Database Report

Attachment 1 - PLN18/0880-42 Bell Street-Subject site

42 Bell Street, Fitzroy

North

Attachment 2 - PLN18/0880-42 Bell Street-Advertised Plans Part 1

42 BELL STREET FITZROY VICTORIA 3065

- PROPOSED RESIDENTIAL ADDITIONS
BY OLA STUDIO
FOR M HINKSON AND J ALTMAN

PLANNING PERMIT APPLICATION
FEBRUARY 07 2019
ISSUE 2

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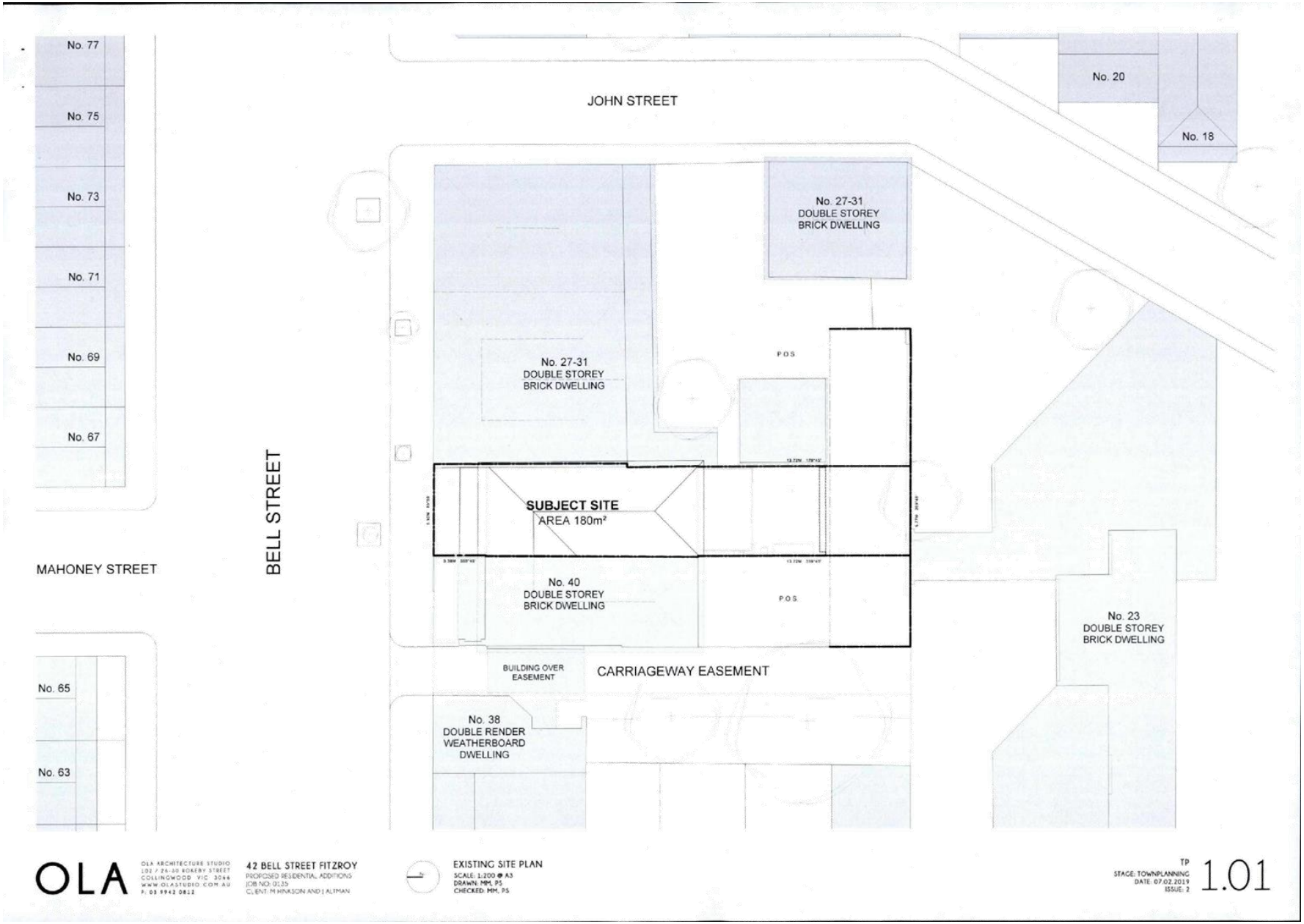
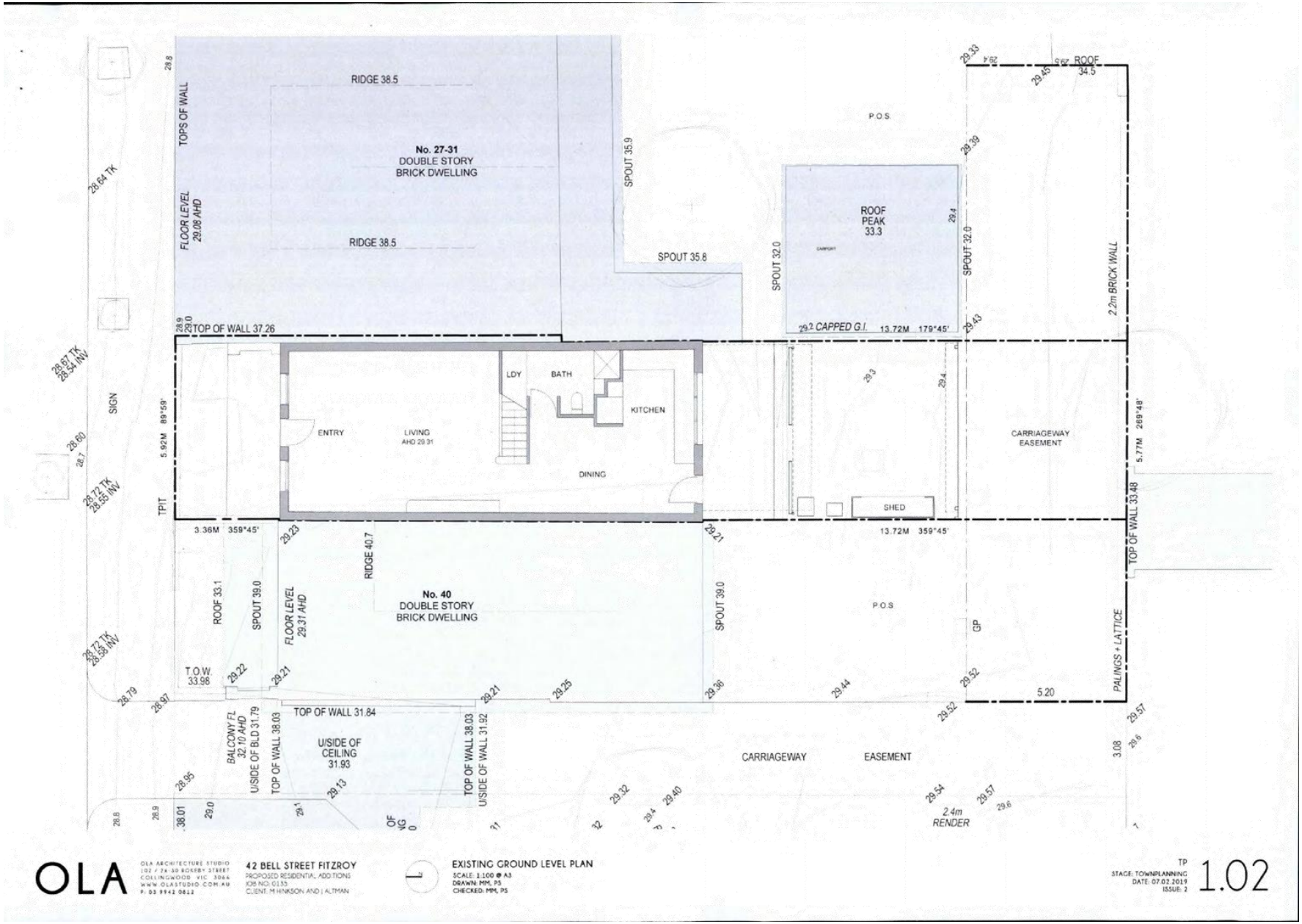
42 BELL STREET FITZROY
PROPOSED RESIDENTIAL ADDITIONS
JOB NO: 0135
CLIENT: M HINKSON AND J ALTMAN

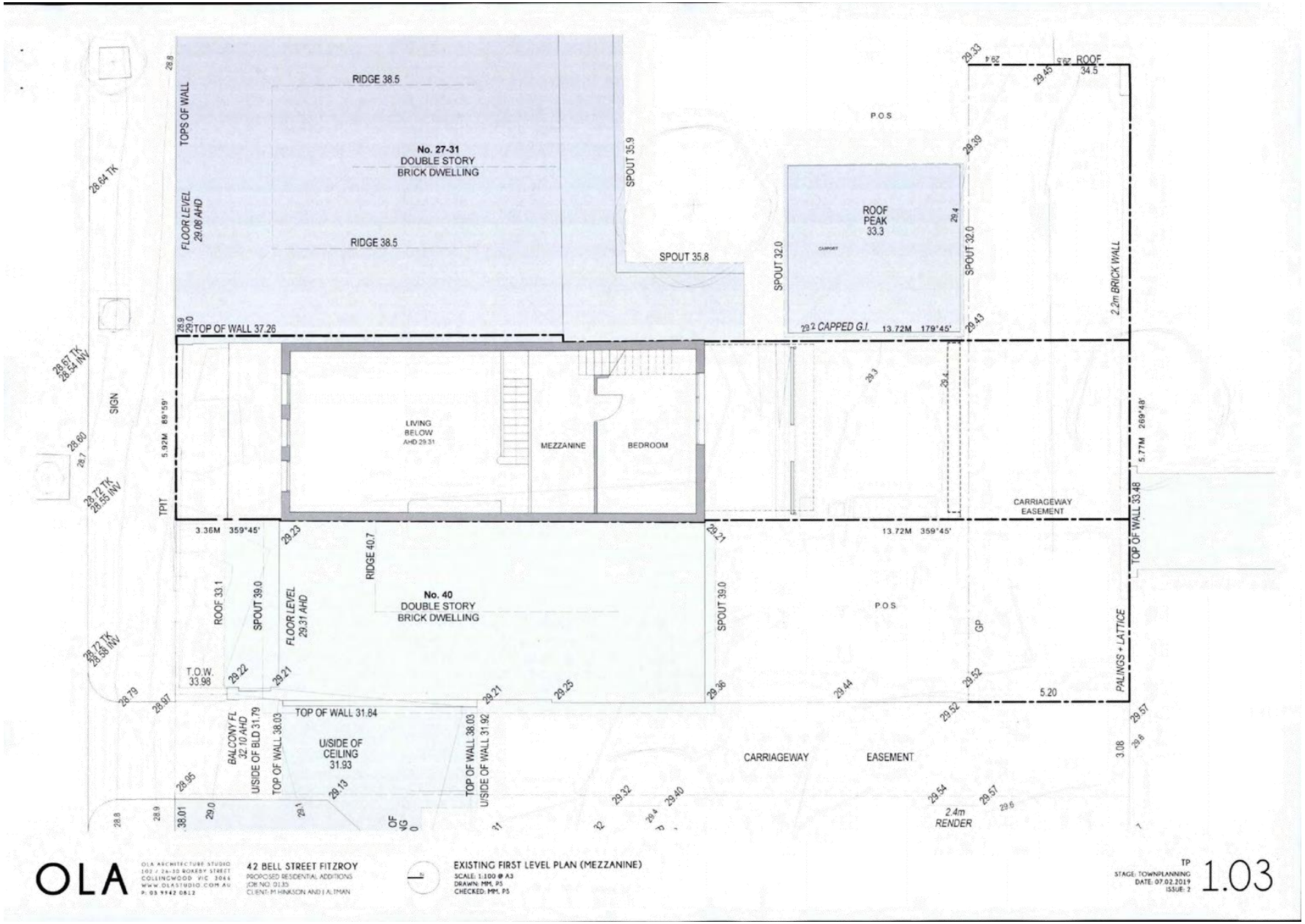
Attachment 2 - PLN18/0880-42 Bell Street-Advertised Plans Part 1



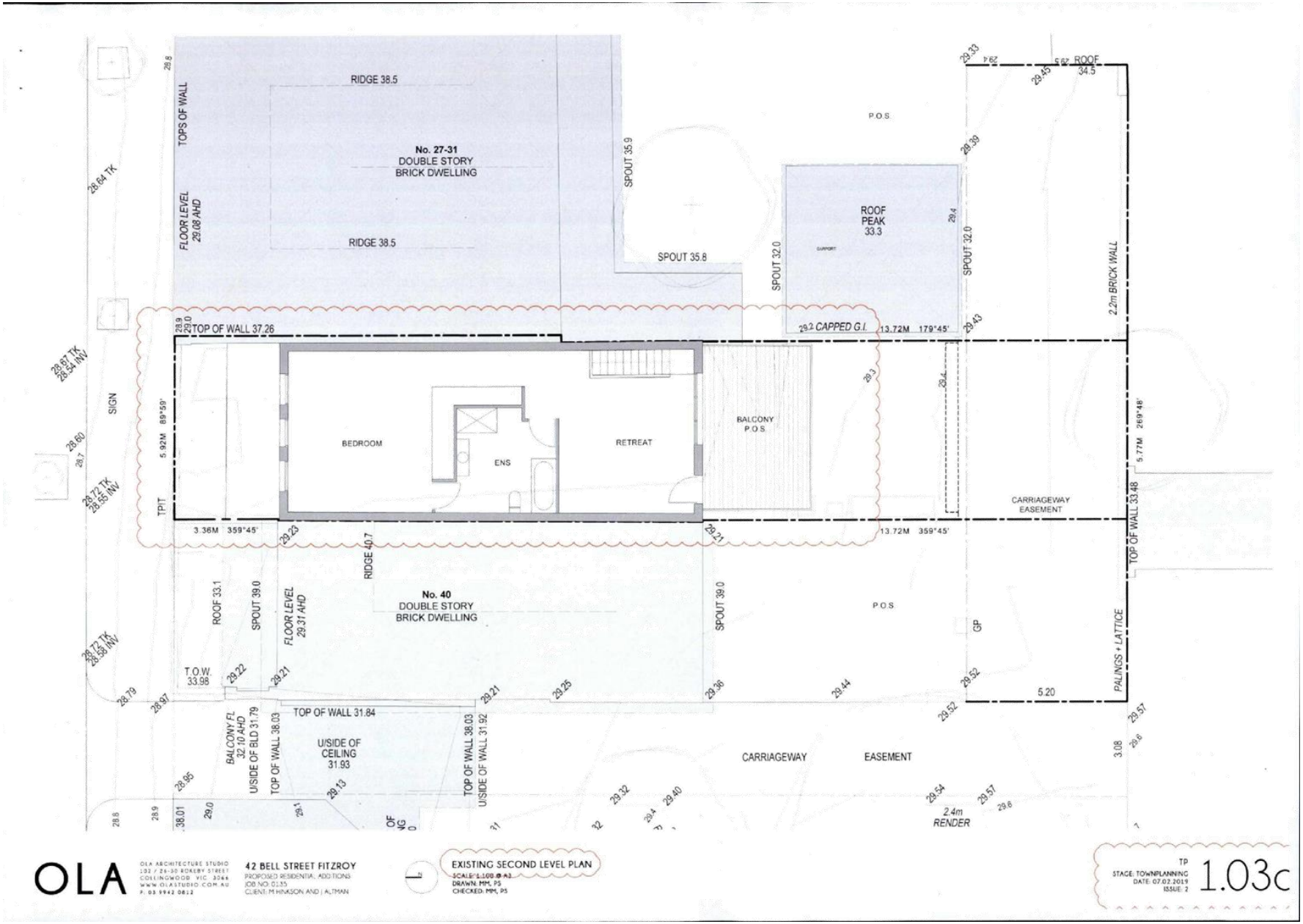
Attachment 2 - PLN18/0880-42 Bell Street-Advertised Plans Part 1



Attachment 2 - PLN18/0880-42 Bell Street-Advertised Plans Part 1

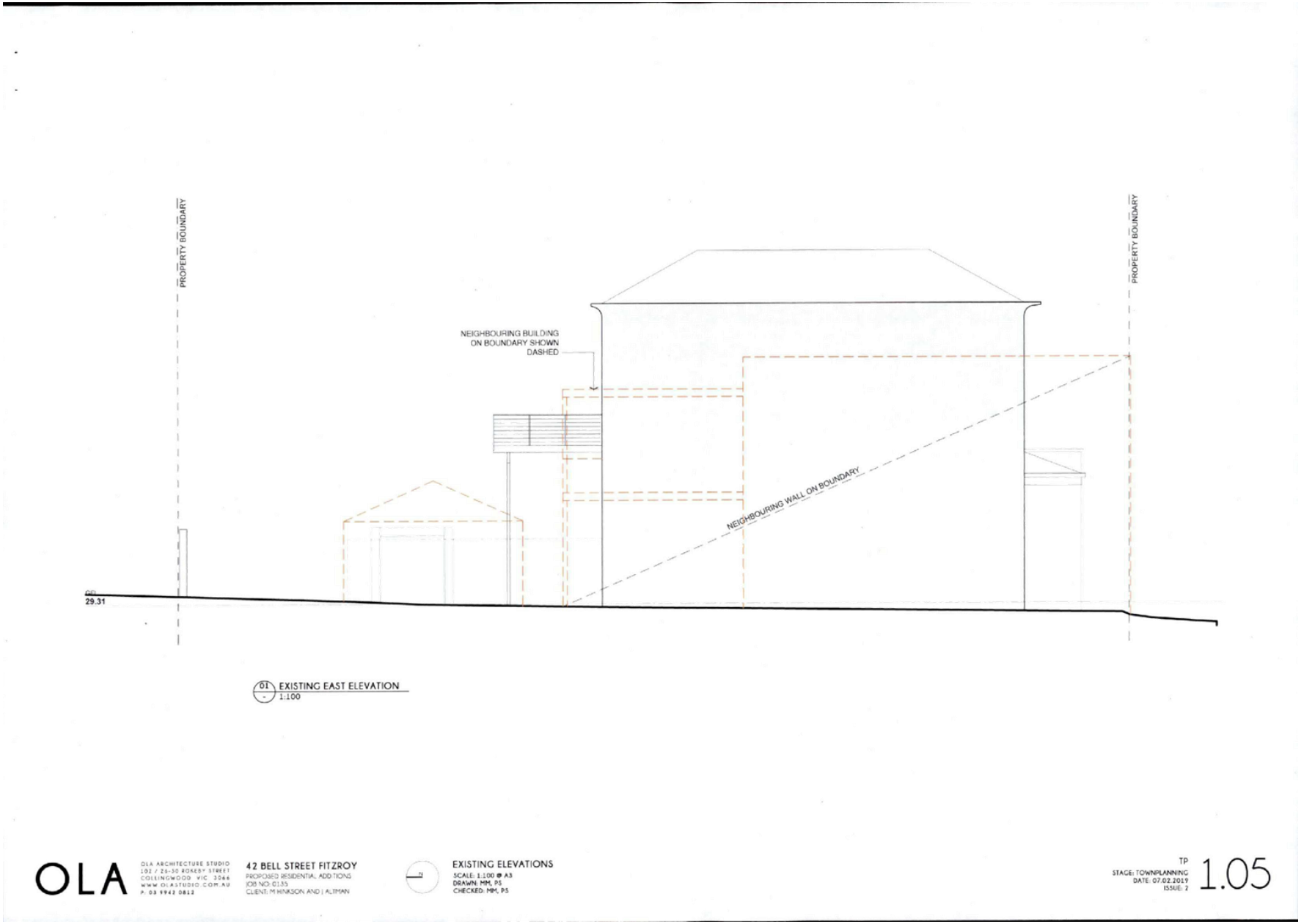


Attachment 2 - PLN18/0880-42 Bell Street-Advertised Plans Part 1

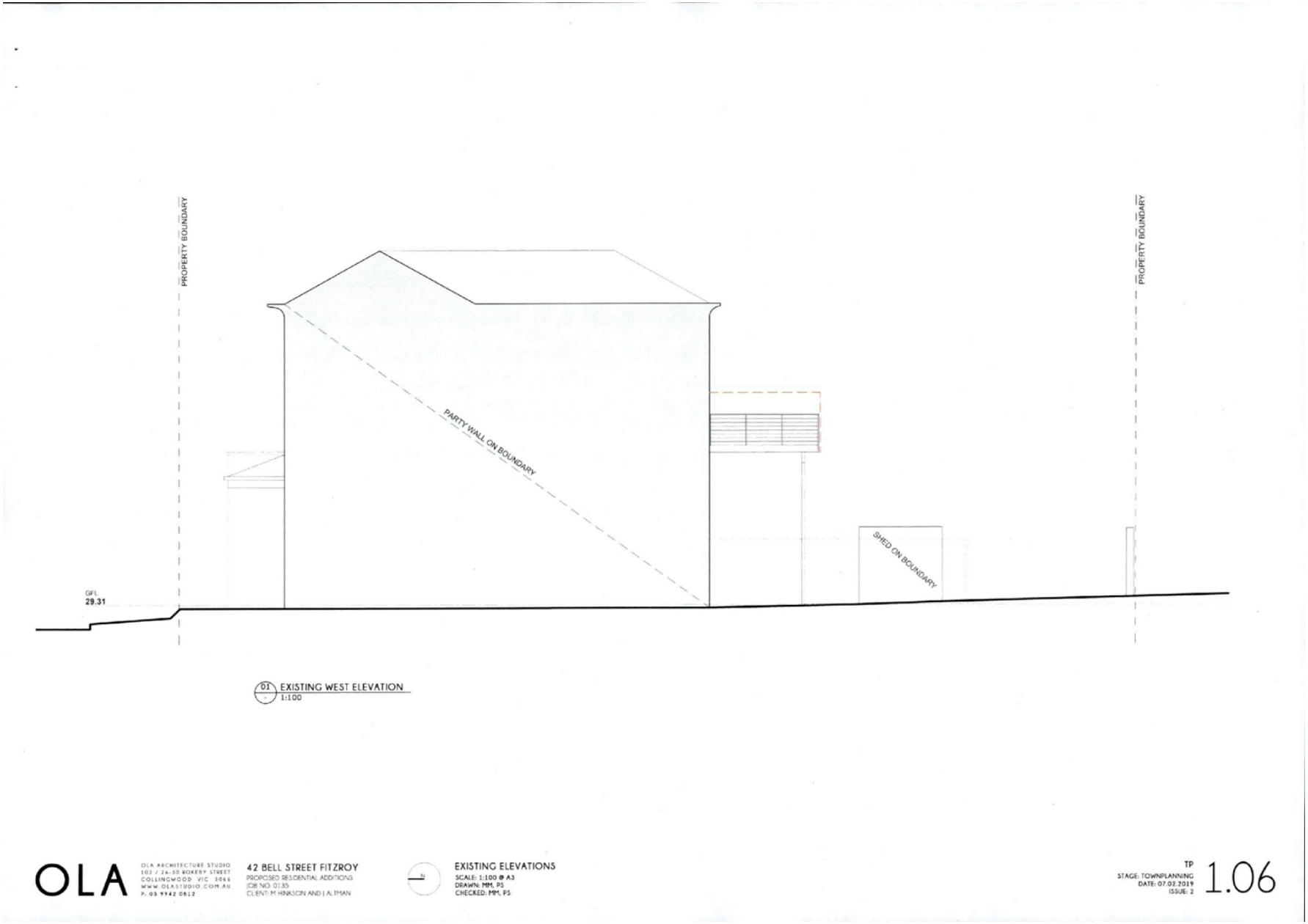


Attachment 2 - PLN18/0880-42 Bell Street-Advertised Plans Part 1

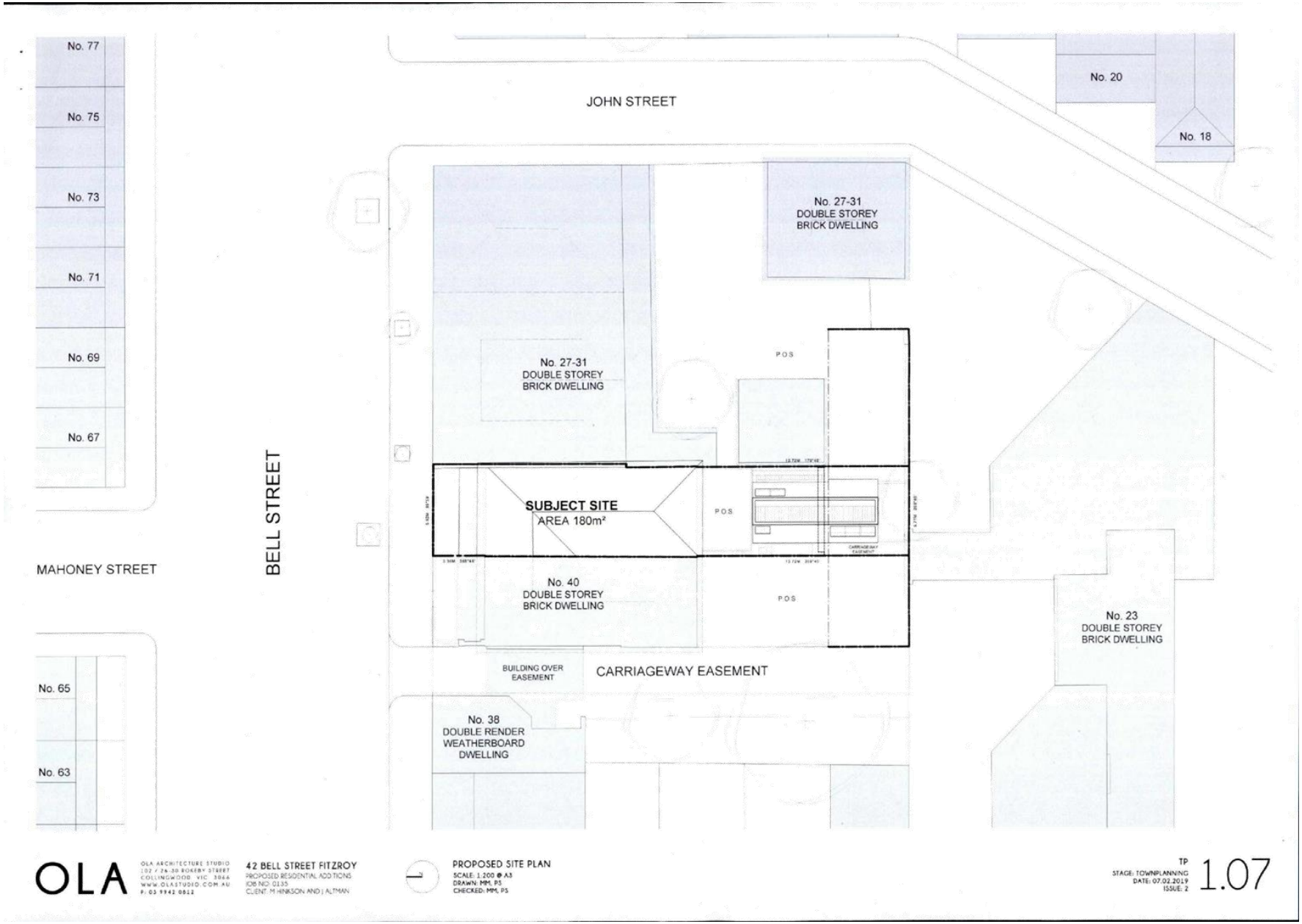
Attachment 2 - PLN18/0880-42 Bell Street-Advertised Plans Part 1



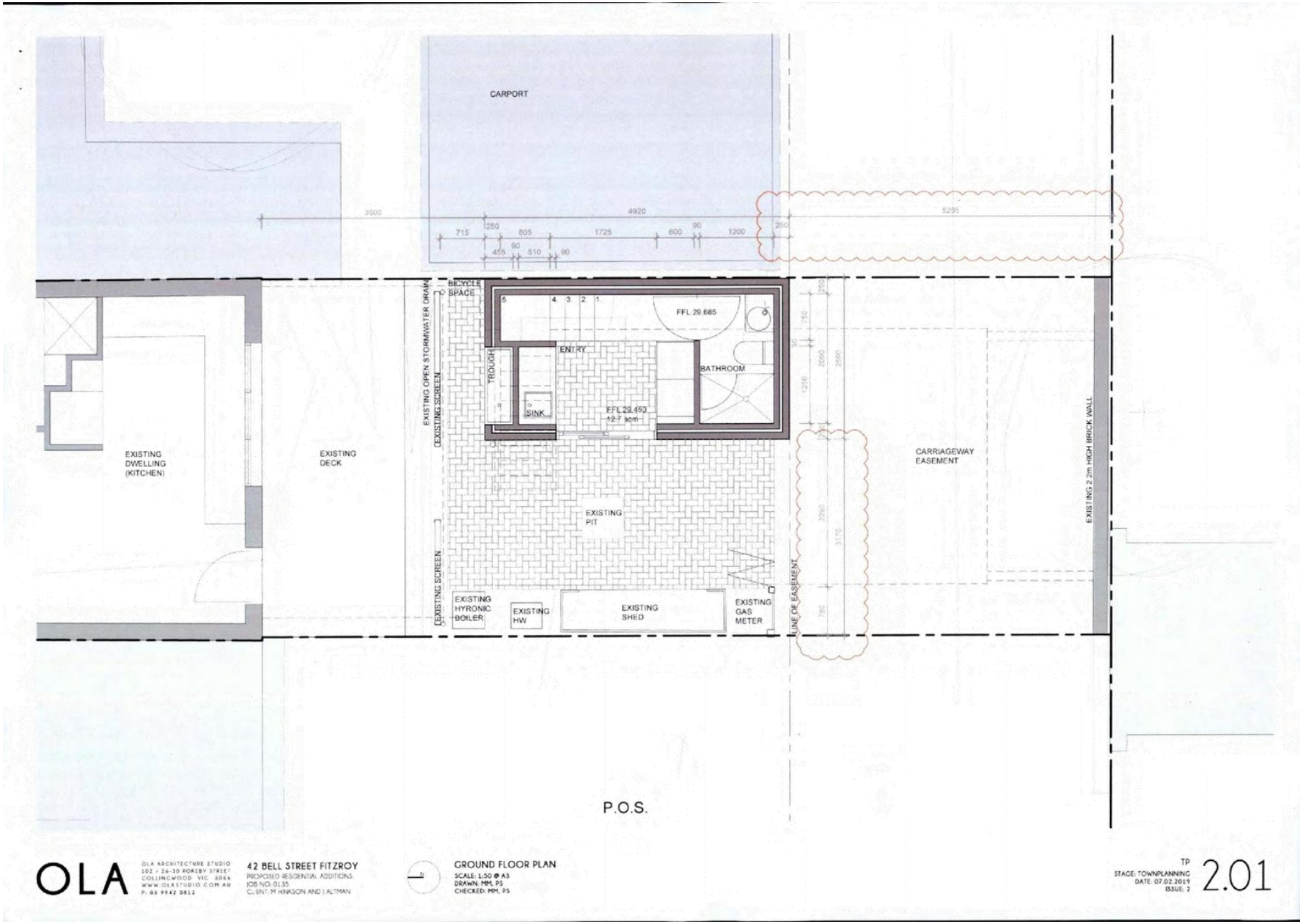
Attachment 2 - PLN18/0880-42 Bell Street-Advertised Plans Part 1



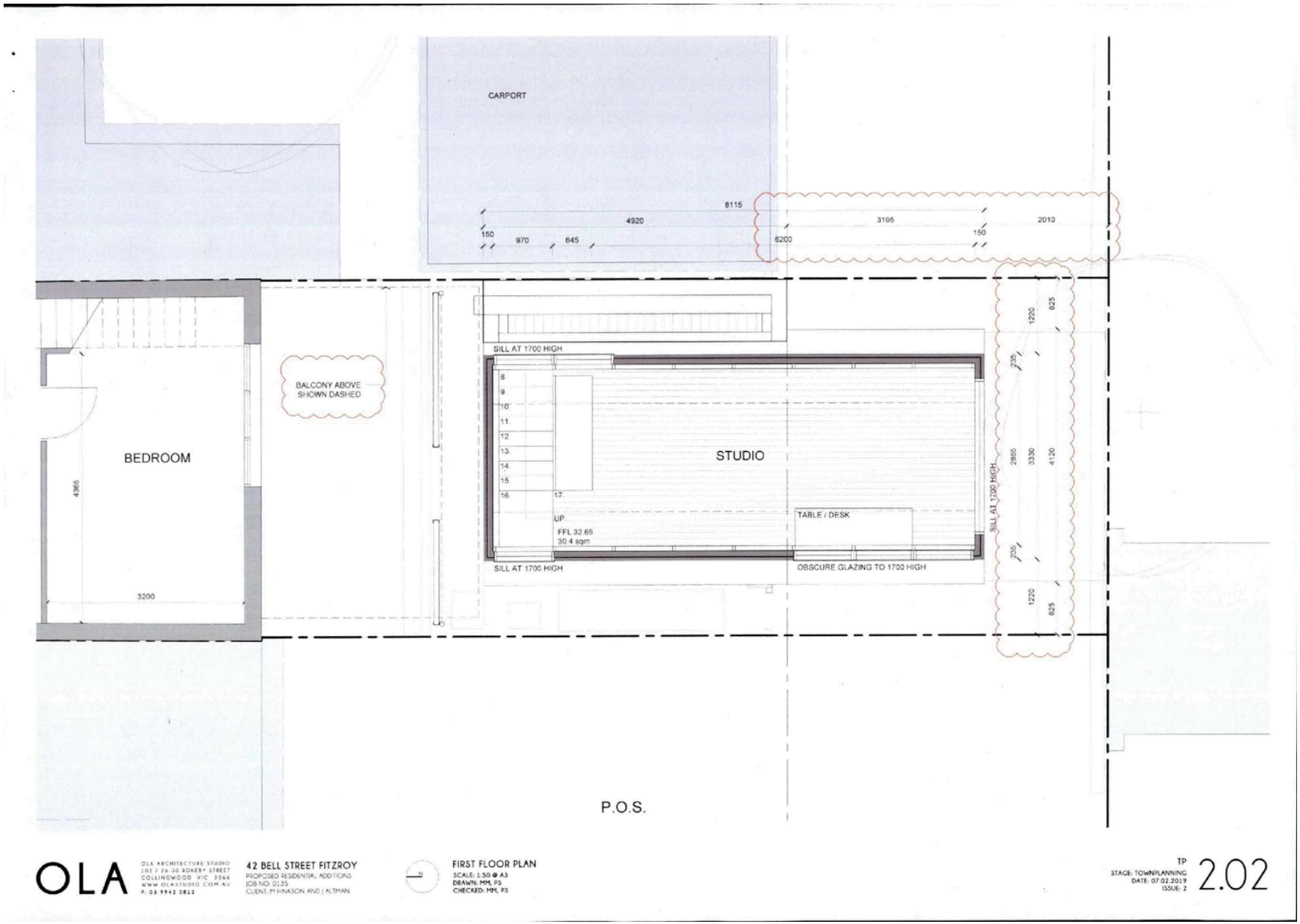
Attachment 2 - PLN18/0880-42 Bell Street-Advertised Plans Part 1



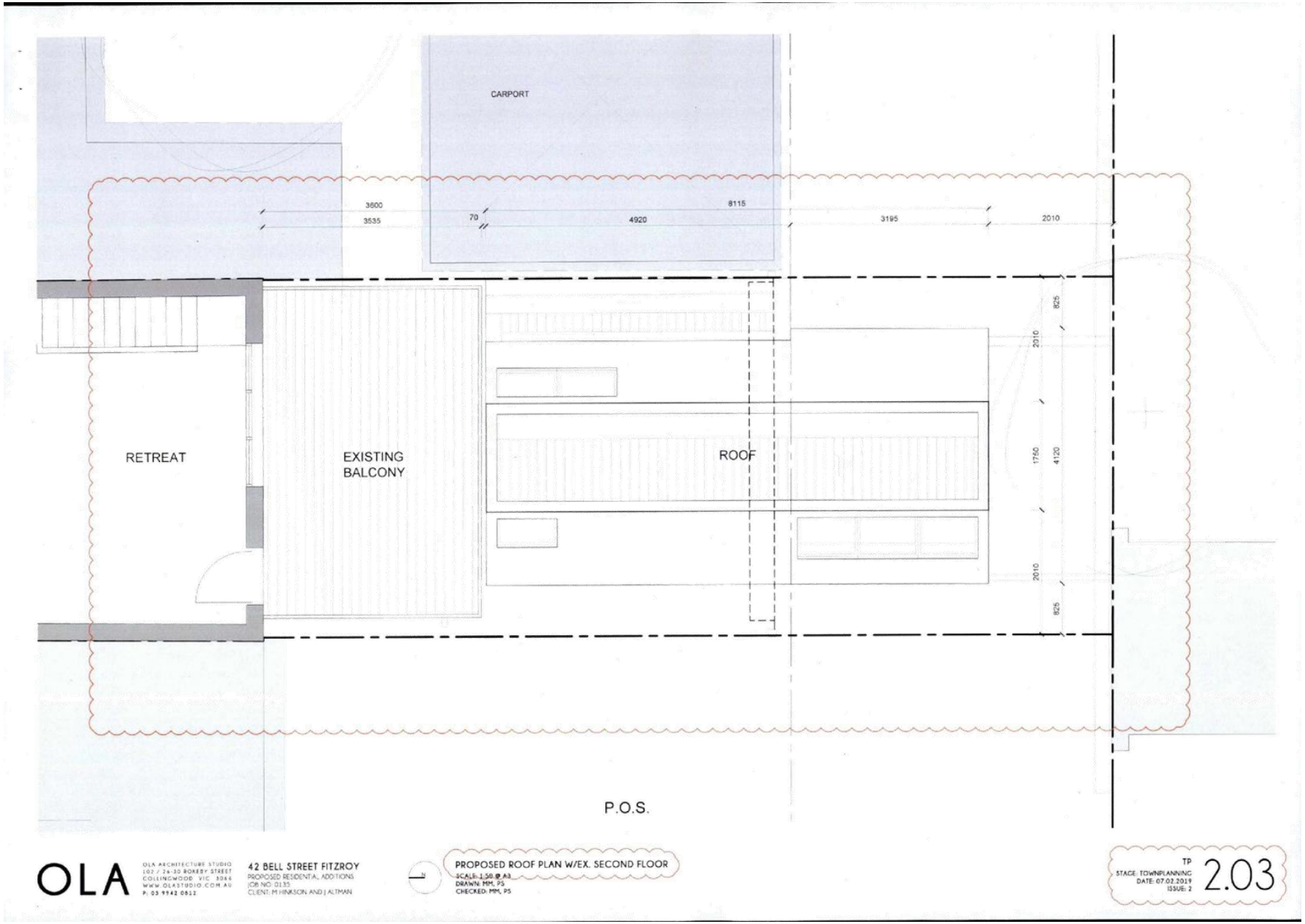
Attachment 2 - PLN18/0880-42 Bell Street-Advertised Plans Part 1



Attachment 2 - PLN18/0880-42 Bell Street-Advertised Plans Part 1



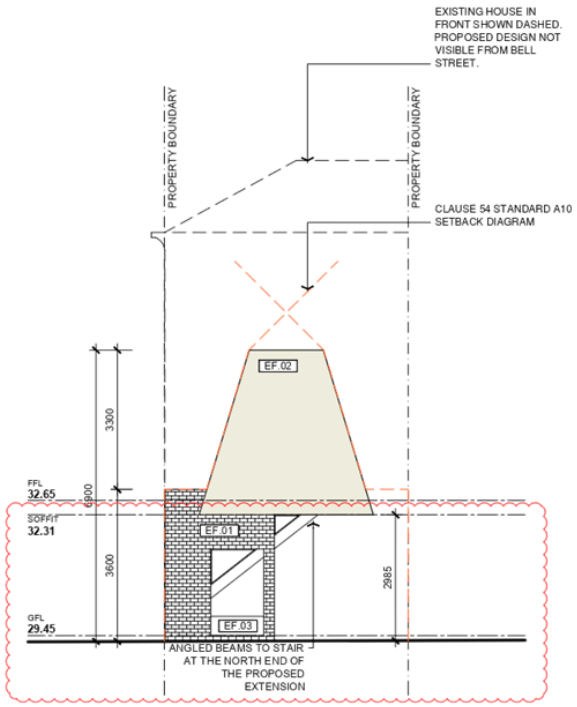
Attachment 2 - PLN18/0880-42 Bell Street-Advertised Plans Part 1



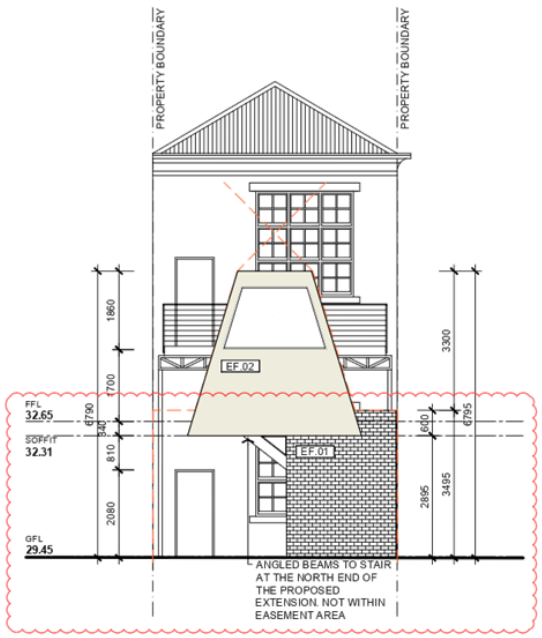
Attachment 2 - PLN18/0880-42 Bell Street-Advertised Plans Part 1

EXTERNAL FINISHES

EF.01	BRICK
EF.02	CORK CLADDING
EF.03	BLACK METAL POWDERCOAT FINISH



01 PROPOSED NORTH (BELL STREET) ELEVATION
1:100



02 PROPOSED SOUTH (REAR) ELEVATION
1:100

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42 BELL STREET FITZROY
PROPOSED RESIDENTIAL ADDITIONS
JOB NO: 0135
CLIENT: M HINKSON AND J ALTMAN

PROPOSED ELEVATIONS
SCALE: 1:100 @ A3
DRAWN: MM, PS
CHECKED: MM, PS

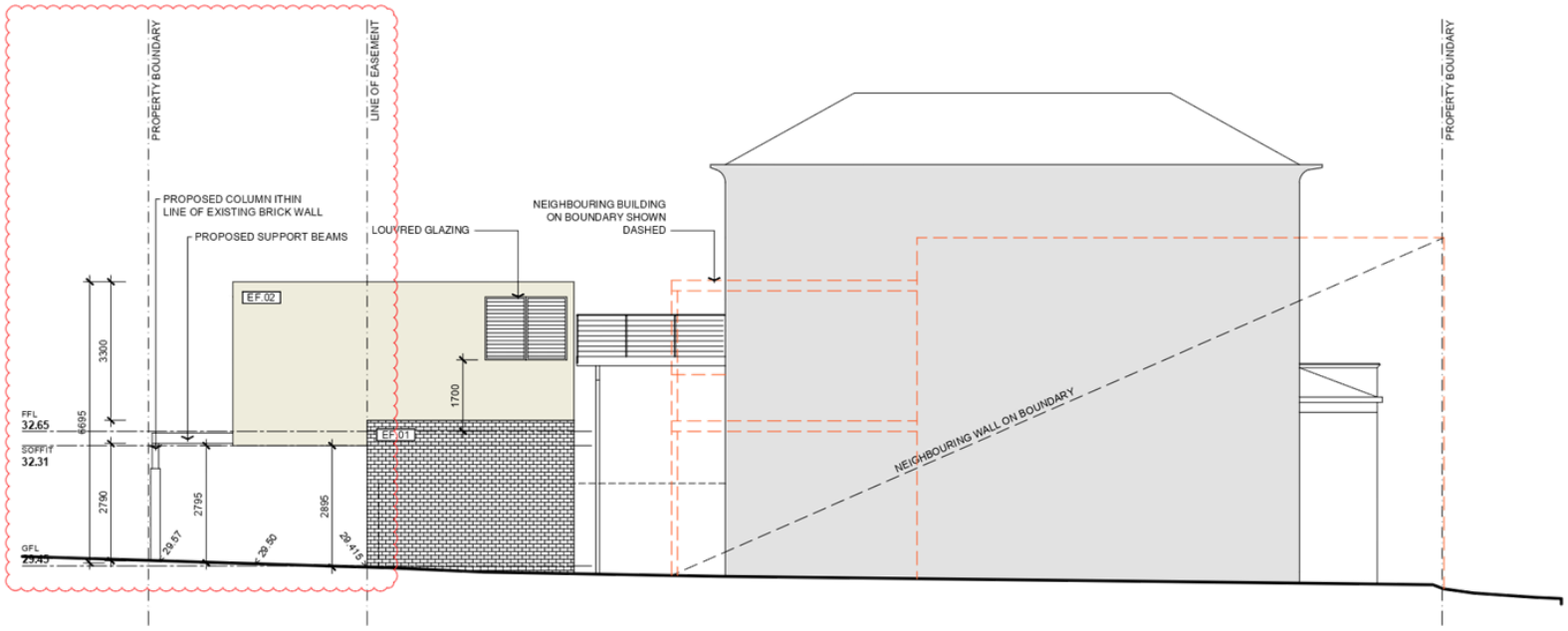
TP
STAGE: TOWNPLANNING
DATE: 09.02.2019
ISSUE: 3

3.01

Attachment 2 - PLN18/0880-42 Bell Street-Advertised Plans Part 1

EXTERNAL FINISHES

EF.01 BRICK
EF.02 CORK CLADDING
EF.03 BLACK METAL POWDERCOAT FINISH



01 PROPOSED EAST ELEVATION
1:100

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42 BELL STREET FITZROY
PROPOSED RESIDENTIAL ADDITIONS
JOB NO: 01.35
CLIENT: M HINKSON AND J ALTMAN

PROPOSED ELEVATIONS
SCALE: 1:100 @ A3
DRAWN: MM, PS
CHECKED: MM, PS

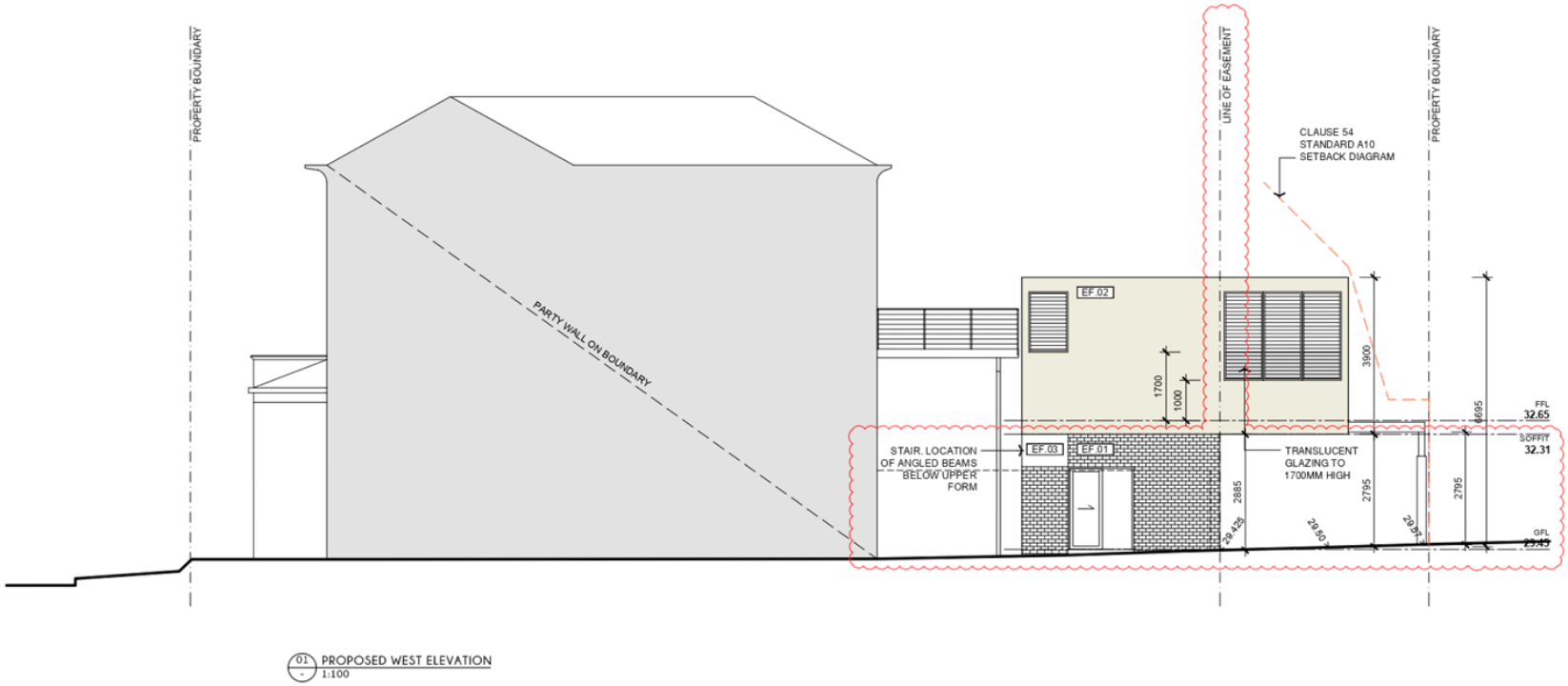
TP
STAGE: TOWNPLANNING
DATE: 09.02.2019
ISSUE: 3

3.02

Attachment 2 - PLN18/0880-42 Bell Street-Advertised Plans Part 1

EXTERNAL FINISHES

EF.01 BRICK
EF.02 CORK CLADDING
EF.03 BLACK METAL POWDERCOAT FINISH



01 PROPOSED WEST ELEVATION
1:100

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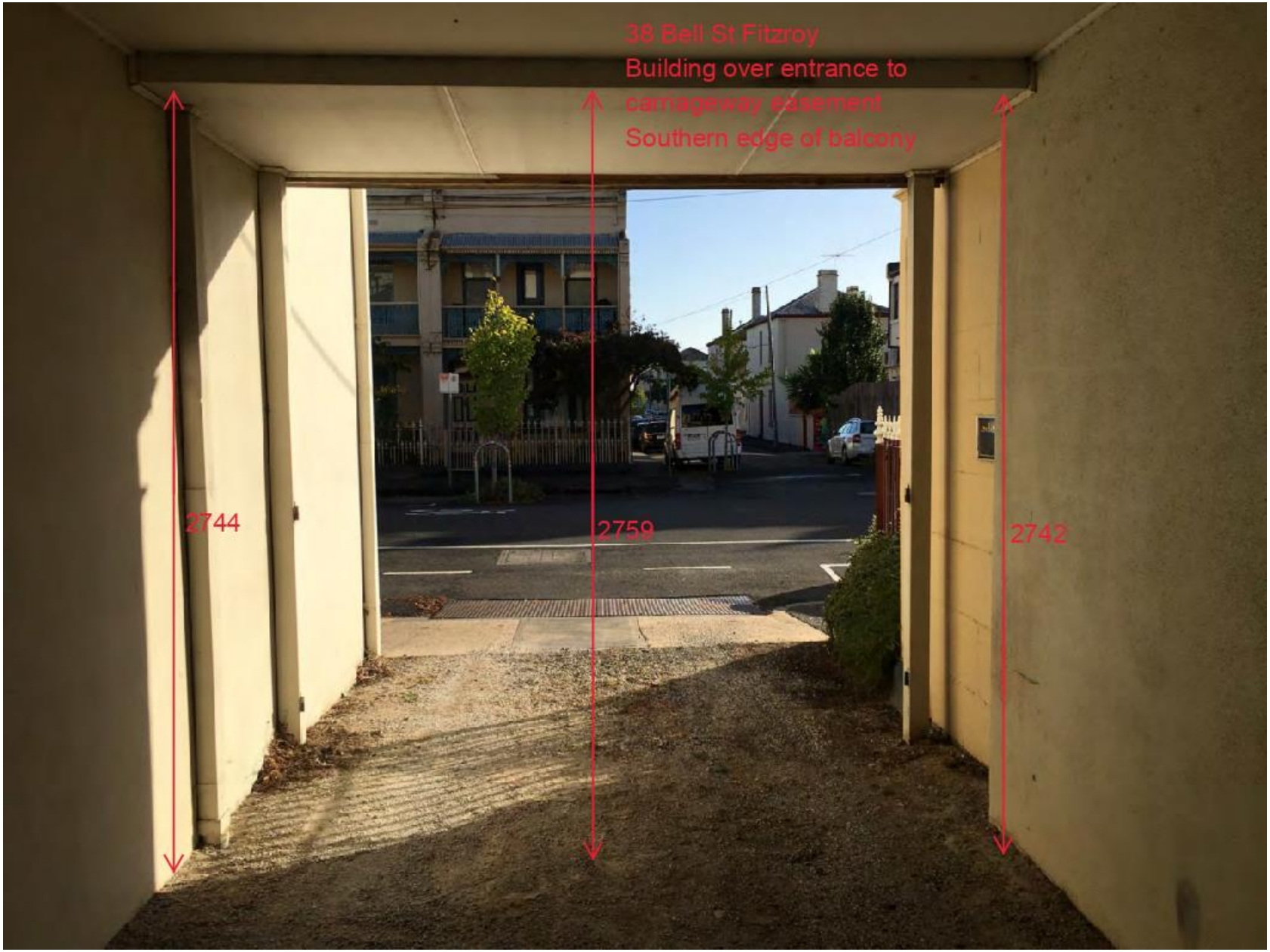
42 BELL STREET FITZROY
PROPOSED RESIDENTIAL ADDITIONS
JOB NO: 0135
CLIENT: M HINKSON AND J ALTMAN

PROPOSED ELEVATIONS
SCALE: 1:100 @ A3
DRAWN: MM, PS
CHECKED: MM, PS

TP
STAGE: TOWNPLANNING
DATE: 09.02.2019
ISSUE: 3
3.03

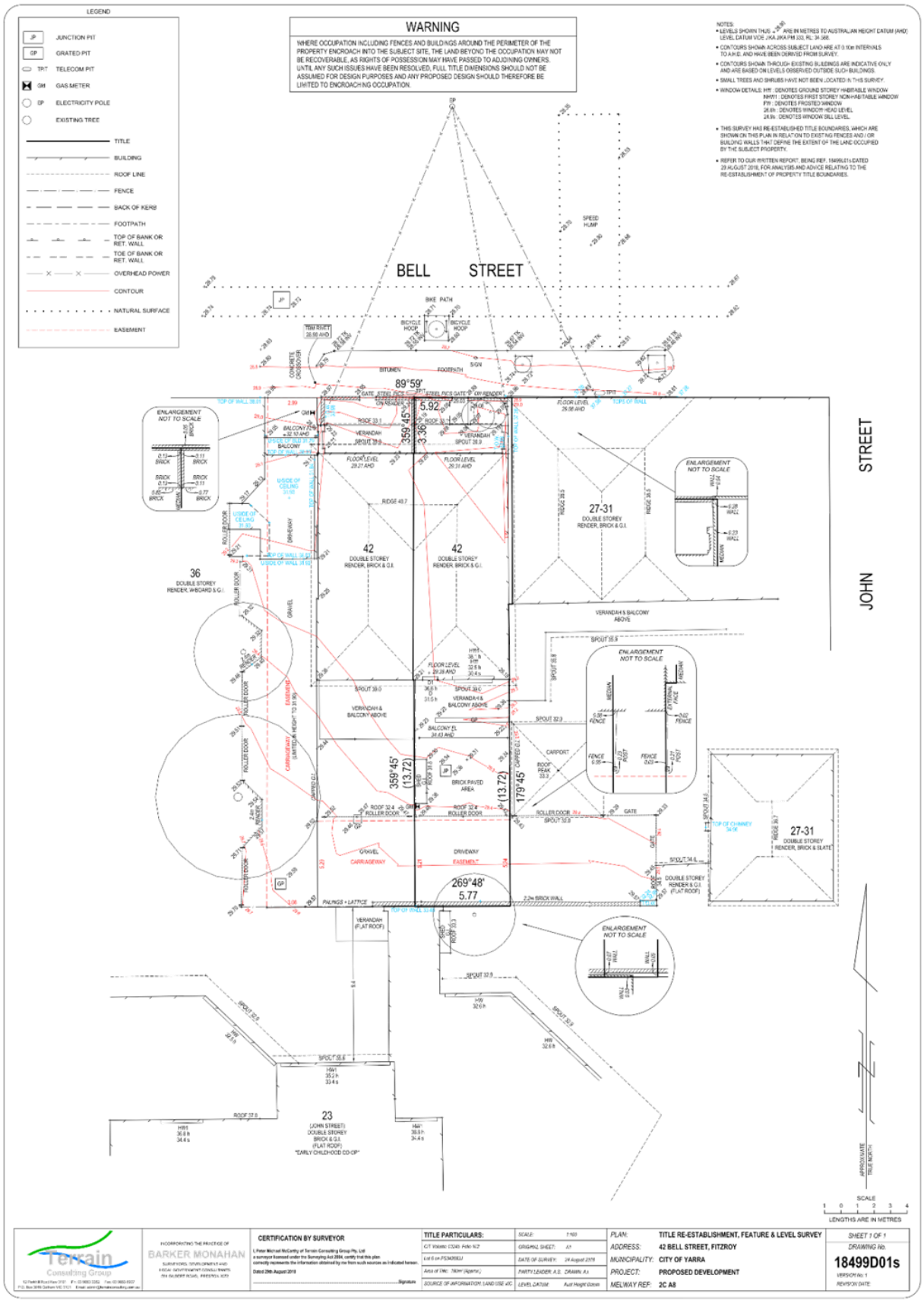
Attachment 2 - PLN18/0880-42 Bell Street-Advertised Plans Part 1

Attachment 2 - PLN18/0880-42 Bell Street-Advertised Plans Part 1



Attachment 2 - PLN18/0880-42 Bell Street-Advertised Plans Part 1

Attachment 2 - PLN18/0880-42 Bell Street-Advertised Plans Part 1



Attachment 2 - PLN18/0880-42 Bell Street-Advertised Plans Part 1

EF.01
Brick. Red neutral tone.

EF.02
Cork cladding.

EF.03
Metal. Black powdercoat finish.

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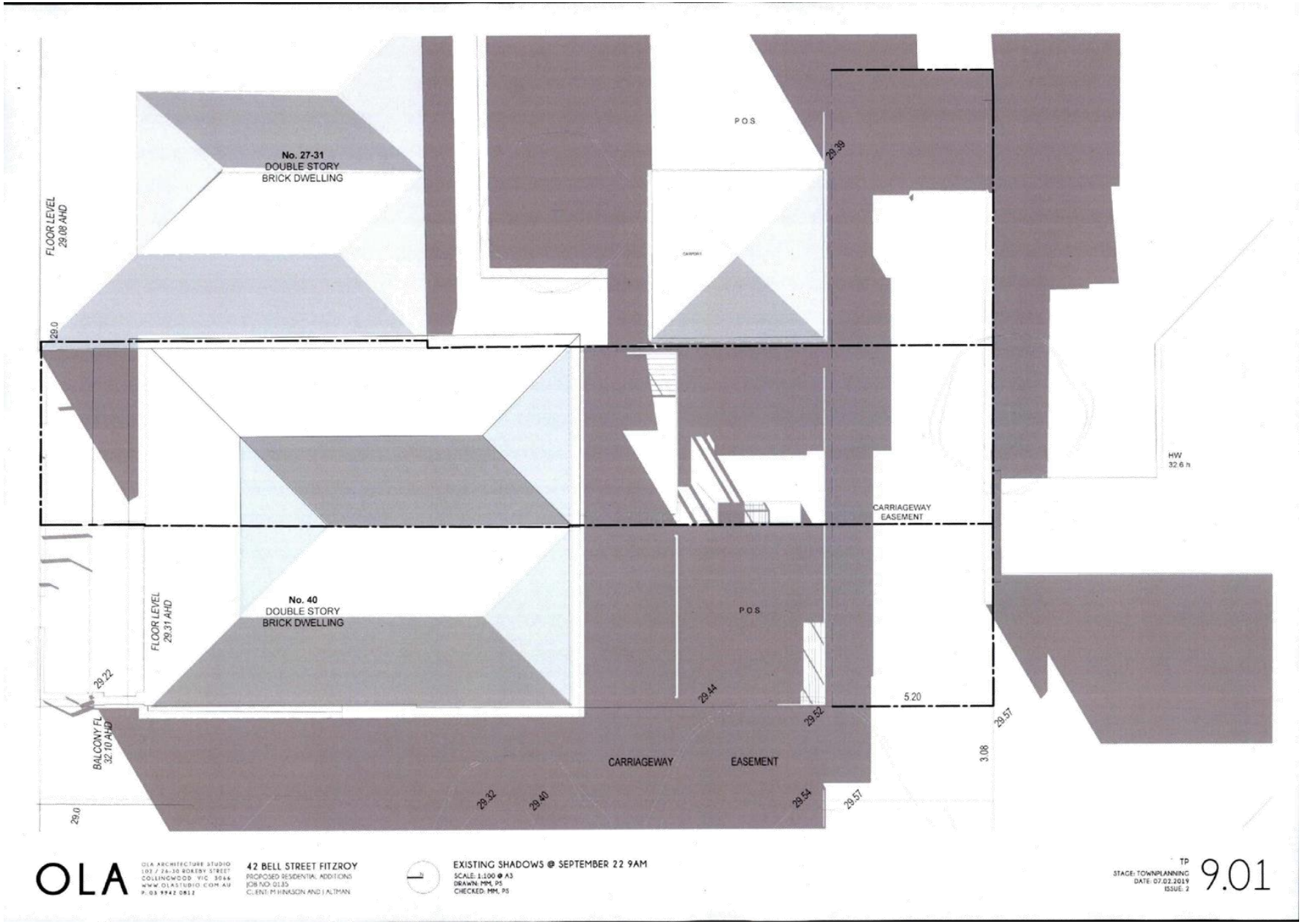
42 BELL STREET FITZROY
PROPOSED RESIDENTIAL ADDITIONS
JOB NO: 0135
CLIENT: M HINKSON AND J ALTMAN

FINISHES SCHEDULE
SCALE: NTS
DRAWN: MM, PS
CHECKED: MM, PS

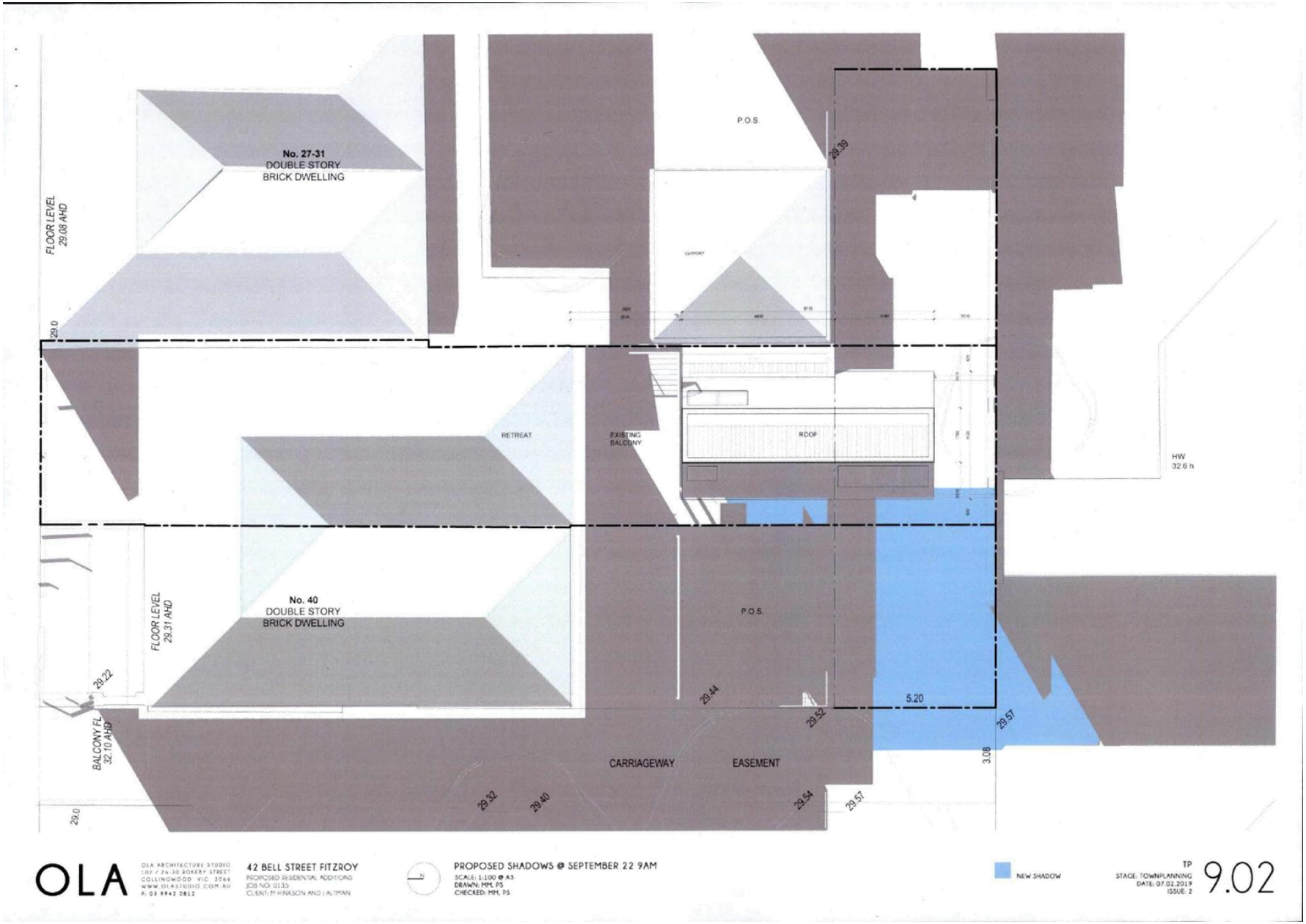
TP
STAGE: TOWNPLANNING
DATE: 07.02.2019
ISSUE: 2

9.00

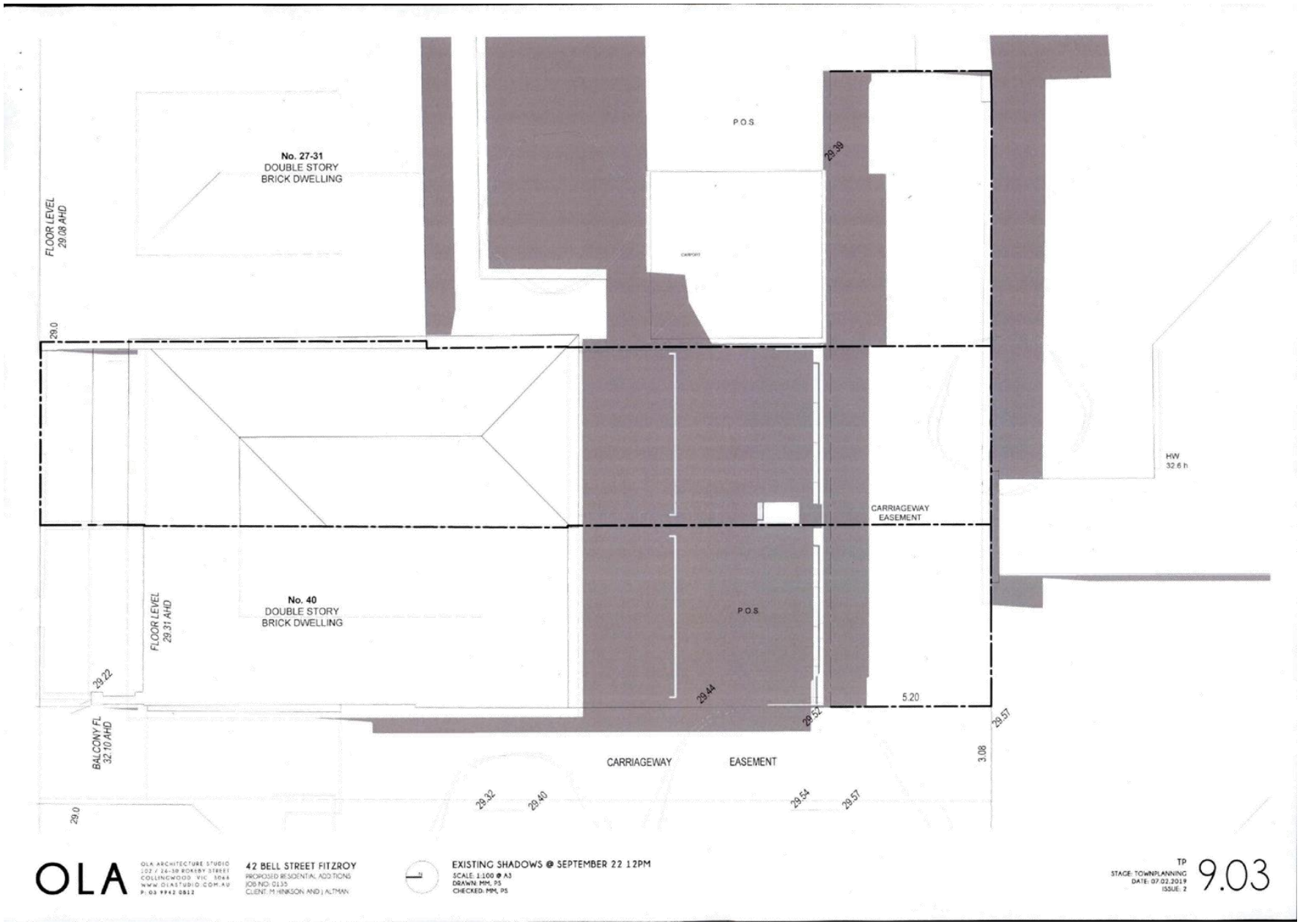
Attachment 2 - PLN18/0880-42 Bell Street-Advertised Plans Part 1



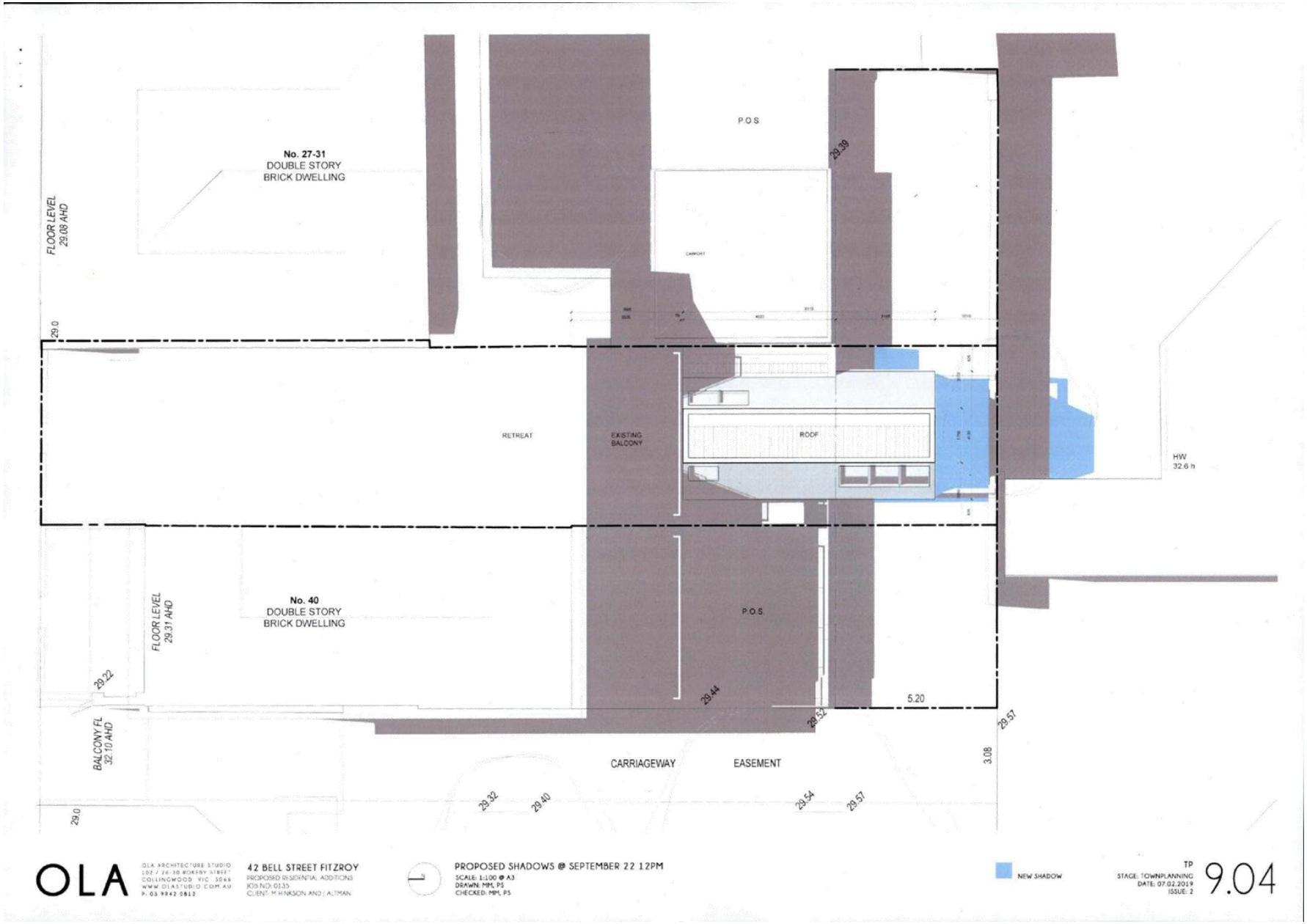
Attachment 2 - PLN18/0880-42 Bell Street-Advertised Plans Part 1



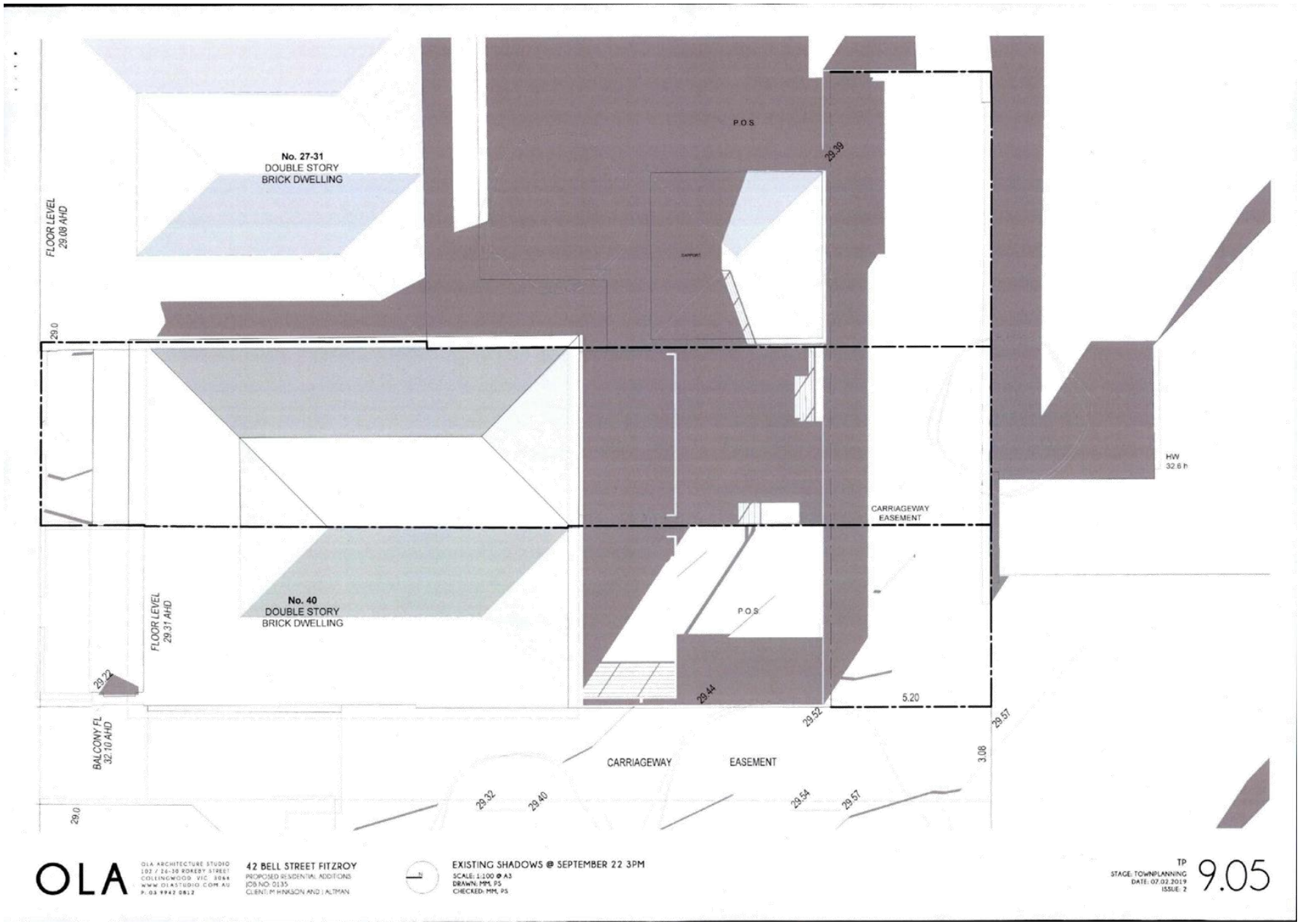
Attachment 3 - PLN18/0880-42 Bell Street-Advertised Plans Part 2



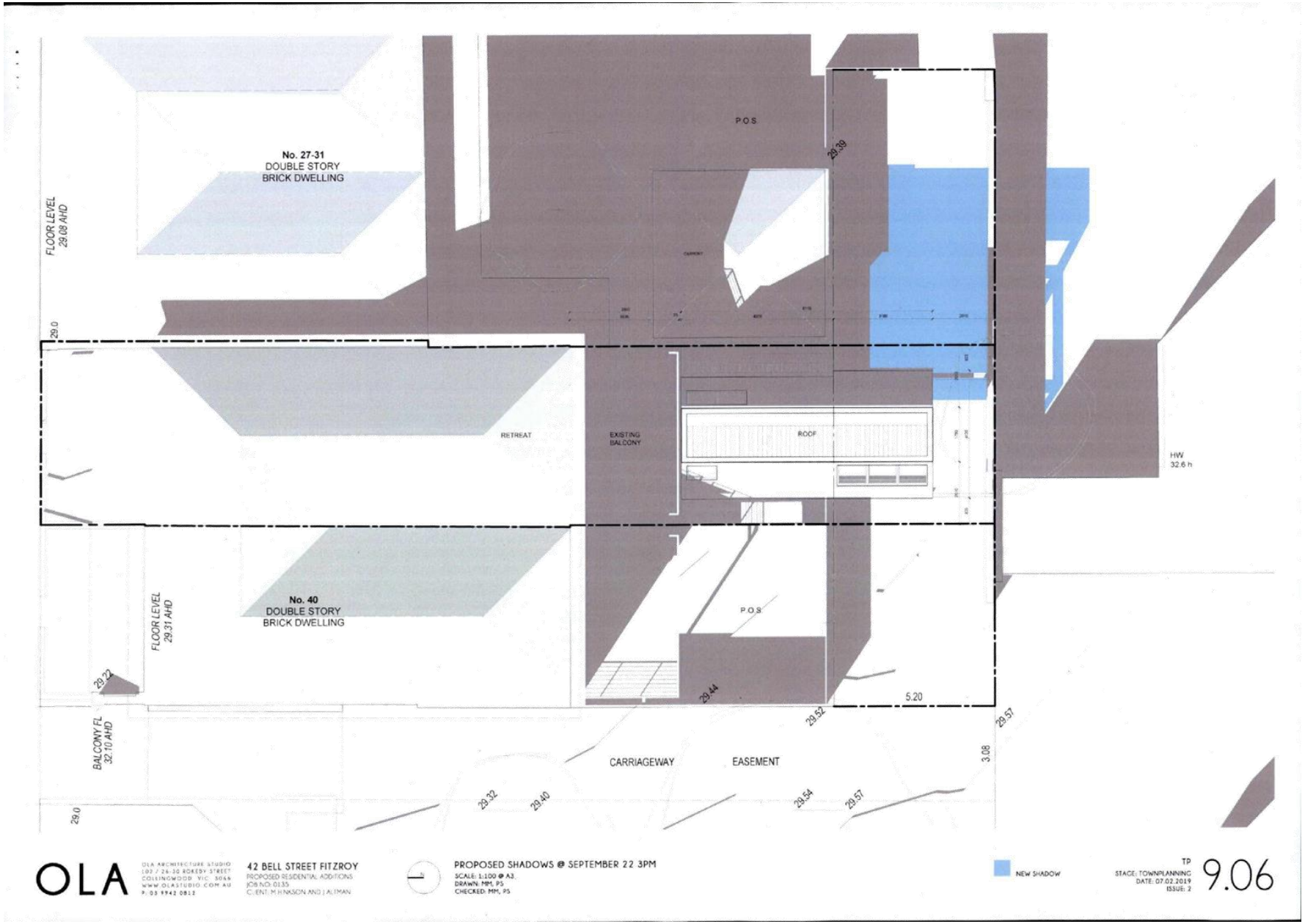
Attachment 3 - PLN18/0880-42 Bell Street-Advertised Plans Part 2



Attachment 3 - PLN18/0880-42 Bell Street-Advertised Plans Part 2



Attachment 3 - PLN18/0880-42 Bell Street-Advertised Plans Part 2



Attachment 4 - PLN18/0880-42 Bell Street-Sketch Plans

42 BELL STREET FITZROY VICTORIA 3065

PROPOSED RESIDENTIAL ADDITIONS
BY OLA STUDIO
FOR M HINKSON AND J ALTMAN

PLANNING PERMIT APPLICATION
JULY 18 2019
ISSUE 7

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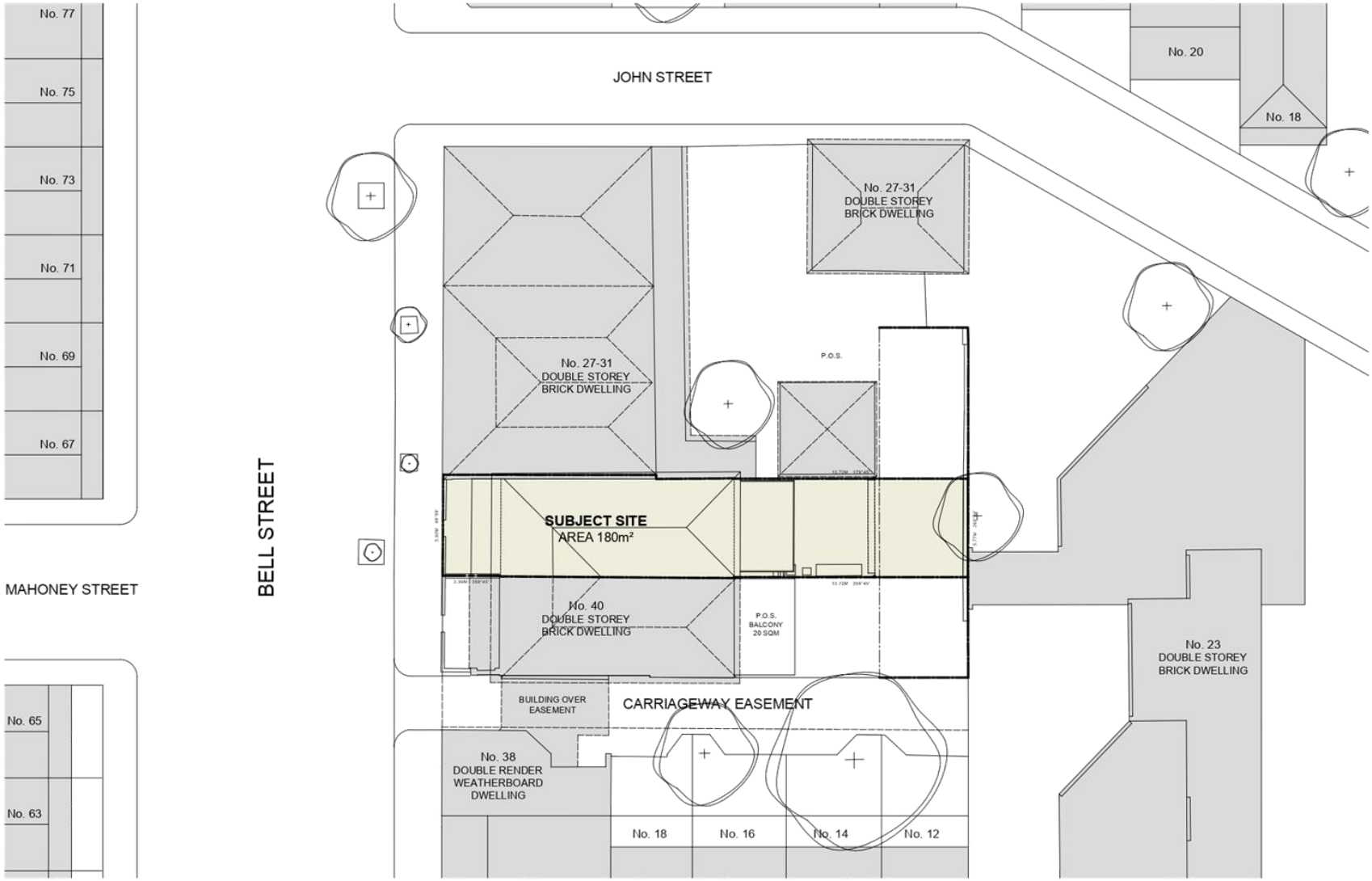
42 BELL STREET FITZROY
PROPOSED RESIDENTIAL ADDITIONS
JOB NO: 0135
CLIENT: M HINKSON AND J ALTMAN

Attachment 4 - PLN18/0880-42 Bell Street-Sketch Plans



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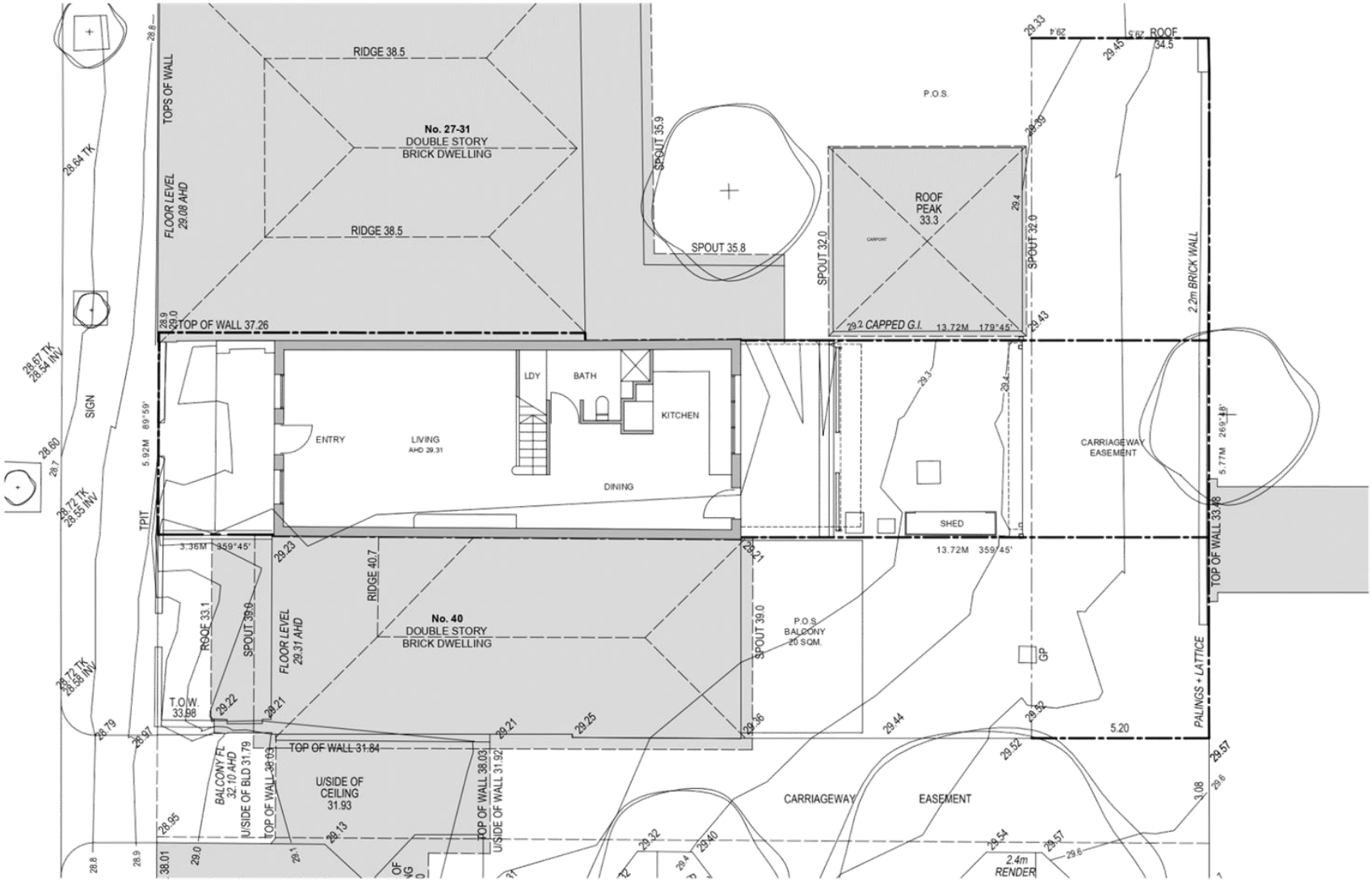
42 BELL STREET FITZROY
PROPOSED RESIDENTIAL ADDITIONS
JOB NO: 01.35
CLIENT: M HINKSON AND J ALTMAN

EXISTING SITE PLAN
SCALE: 1:200 @ A3
DRAWN: MM, PS
CHECKED: MM, PS

TP
STAGE: TOWNPLANNING
DATE: 18.07.2019
ISSUE: 7 - FOR DISCUSSION

1.01

Attachment 4 - PLN18/0880-42 Bell Street-Sketch Plans



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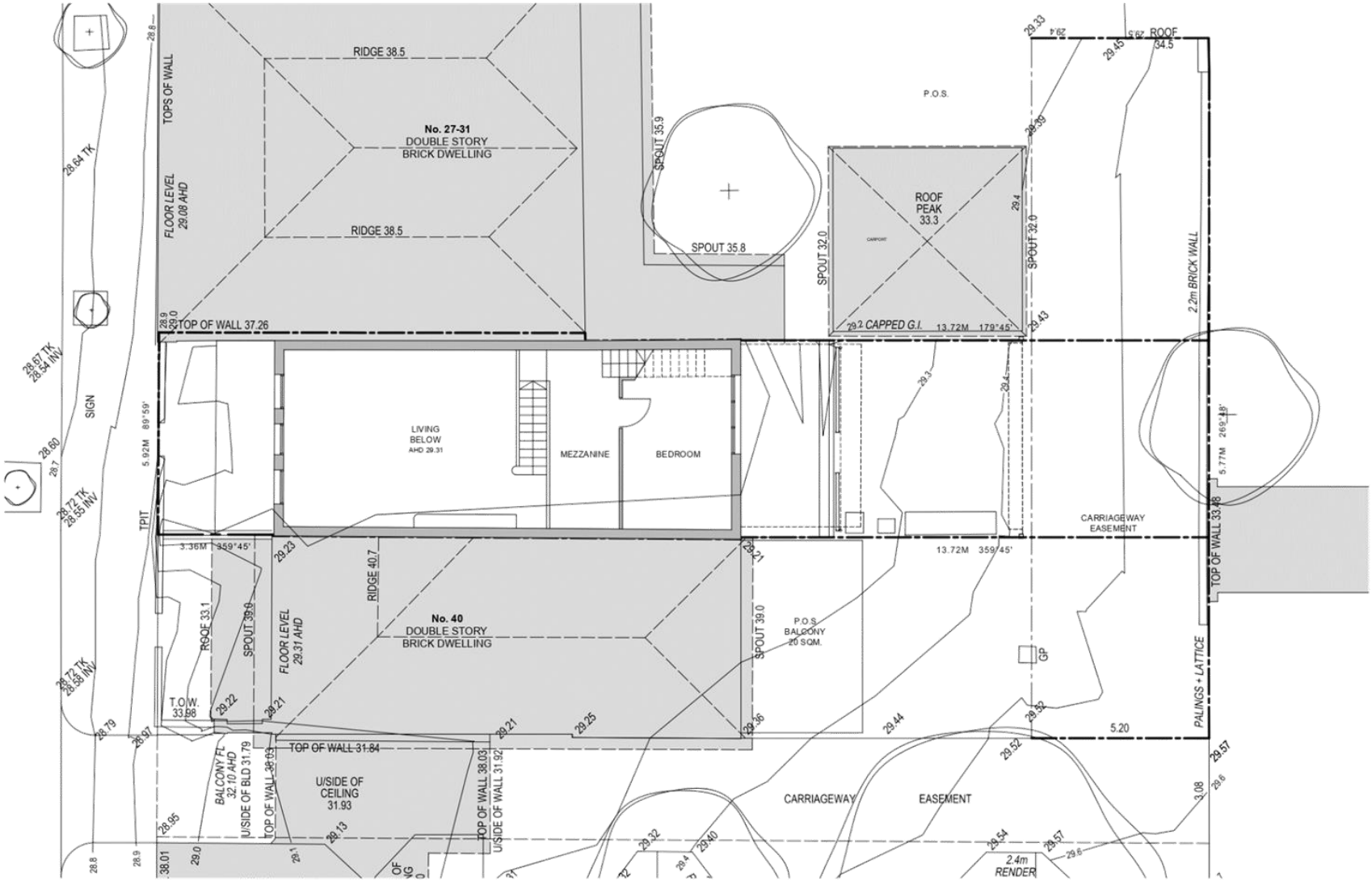
42 BELL STREET FITZROY
PROPOSED RESIDENTIAL ADDITIONS
JOB NO: 0135
CLIENT: M HINKSON AND J ALTMAN

EXISTING GROUND LEVEL PLAN
SCALE: 1:100 @ A3
DRAWN: MM, PS
CHECKED: MM, PS

TP
STAGE: TOWNPLANNING
DATE: 18.07.2019
ISSUE: 7 - FOR DISCUSSION

1.02

Attachment 4 - PLN18/0880-42 Bell Street-Sketch Plans



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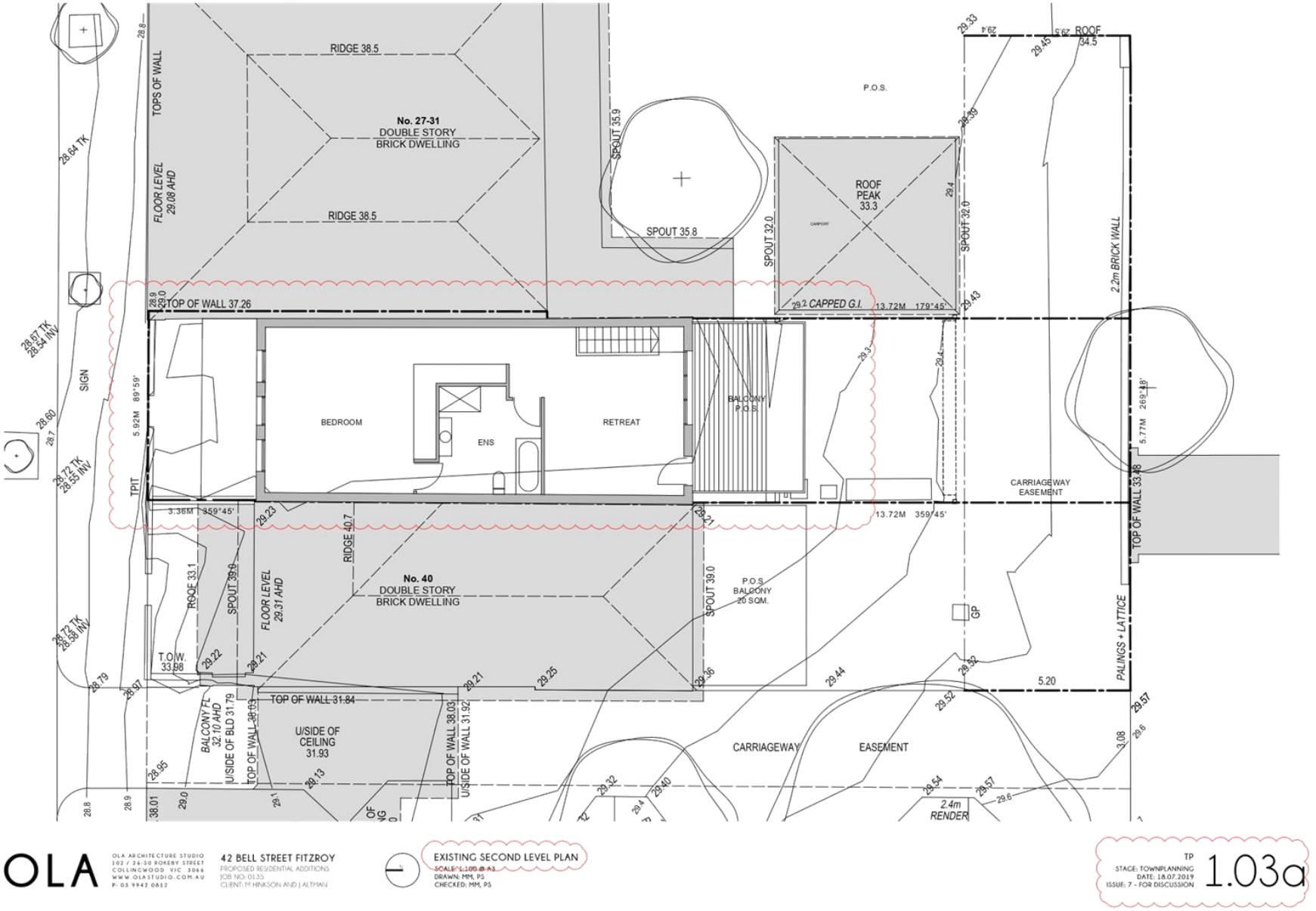
42 BELL STREET FITZROY
PROPOSED RESIDENTIAL ADDITIONS
JOB NO: 0135
CLIENT: M HINKSON AND J ALTMAN

EXISTING FIRST LEVEL PLAN (MEZZANINE)
SCALE: 1:100 @ A3
DRAWN: MM, PS
CHECKED: MM, PS

TP
STAGE: TOWNPLANNING
DATE: 18.07.2019
ISSUE: 7 - FOR DISCUSSION

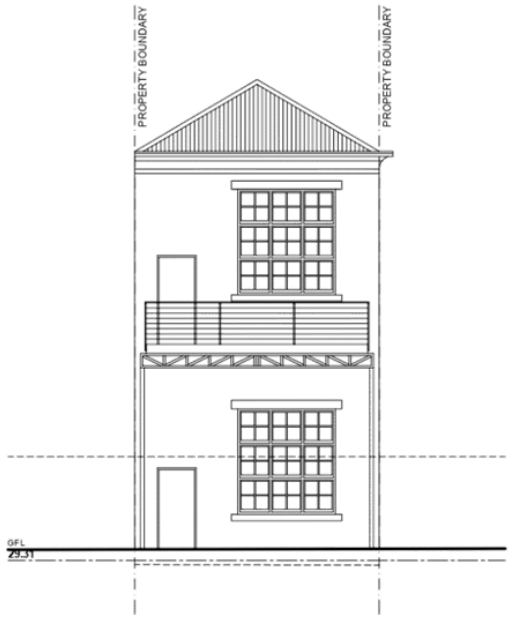
1.03

Attachment 4 - PLN18/0880-42 Bell Street-Sketch Plans



Attachment 4 - PLN18/0880-42 Bell Street-Sketch Plans

01 EXISTING NORTH (BELL STREET) ELEVATION
1:100



02 EXISTING SOUTH (REAR) ELEVATION
1:100

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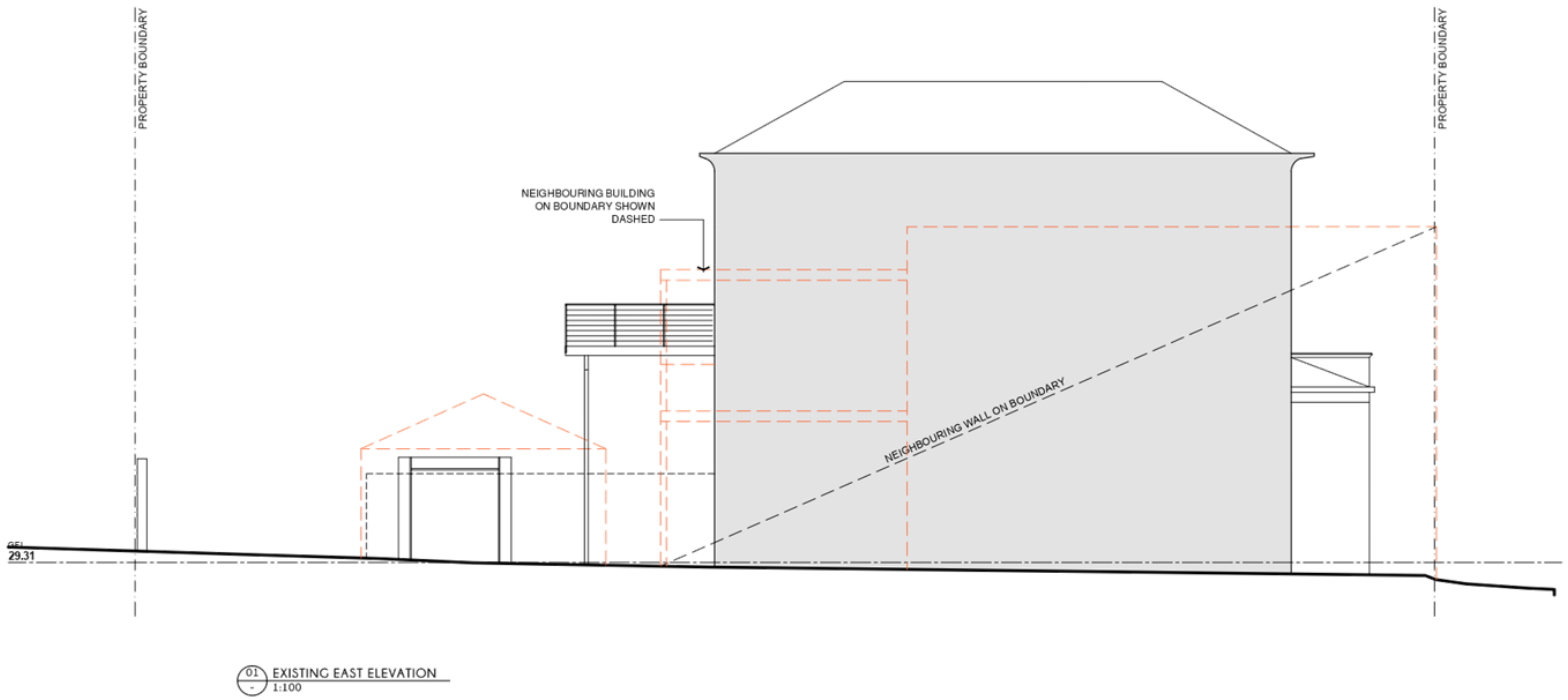
42 BELL STREET FITZROY
PROPOSED RESIDENTIAL ADDITIONS
JOB NO: 0135
CLIENT: M HINKSON AND J ALTMAN

EXISTING ELEVATIONS
SCALE: 1:100 @ A3
DRAWN: MM, PS
CHECKED: MM, PS

TP
STAGE: TOWNPLANNING
DATE: 16.07.2019
ISSUE: 7 - FOR DISCUSSION

1.04

Attachment 4 - PLN18/0880-42 Bell Street-Sketch Plans



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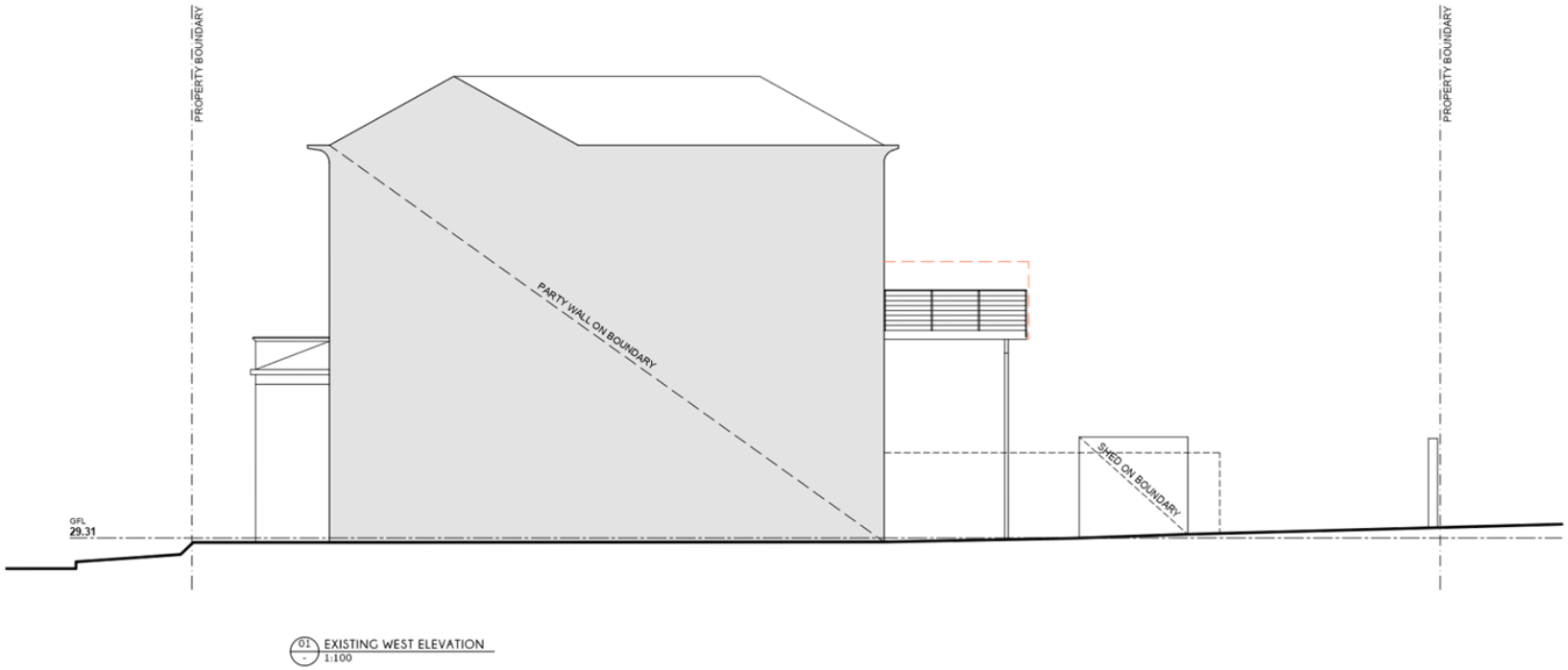
42 BELL STREET FITZROY
PROPOSED RESIDENTIAL ADDITIONS
JOB NO: 0135
CLIENT: M HINKSON AND J ALTMAN

EXISTING ELEVATIONS
SCALE: 1:100 @ A3
DRAWN: MM, PS
CHECKED: MM, PS

TP
STAGE: TOWNPLANNING
DATE: 18.07.2019
ISSUE: 7 - FOR DISCUSSION
1.05

Attachment 4 - PLN18/0880-42 Bell Street-Sketch Plans



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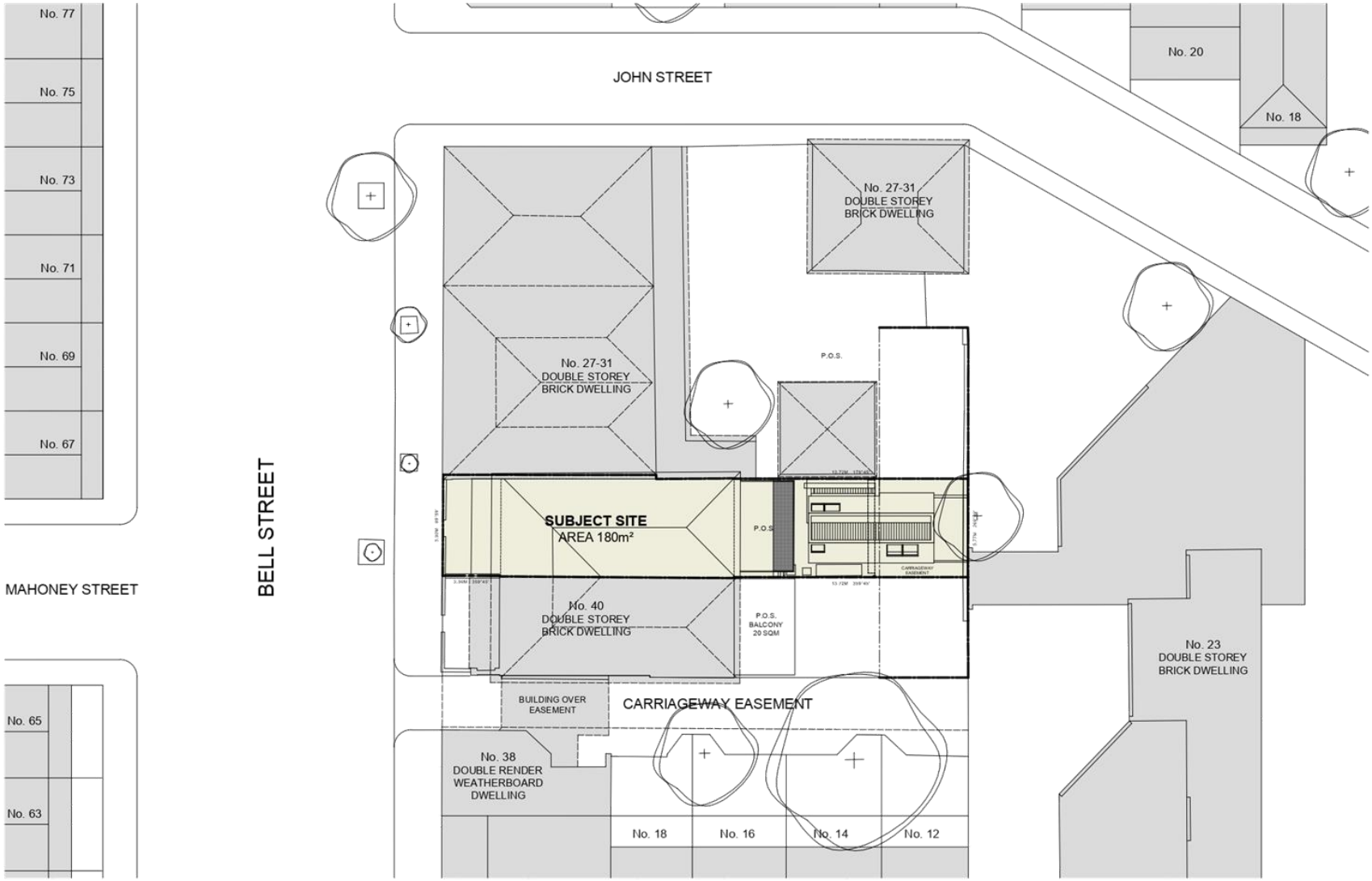
42 BELL STREET FITZROY
PROPOSED RESIDENTIAL ADDITIONS
JOB NO: 0135
CLIENT: M HINKSON AND J ALTMAN

EXISTING ELEVATIONS
SCALE: 1:100 @ A3
DRAWN: MM, PS
CHECKED: MM, PS

TP
STAGE: TOWNPLANNING
DATE: 18.07.2019
ISSUE: 7 - FOR DISCUSSION
1.06

Attachment 4 - PLN18/0880-42 Bell Street-Sketch Plans



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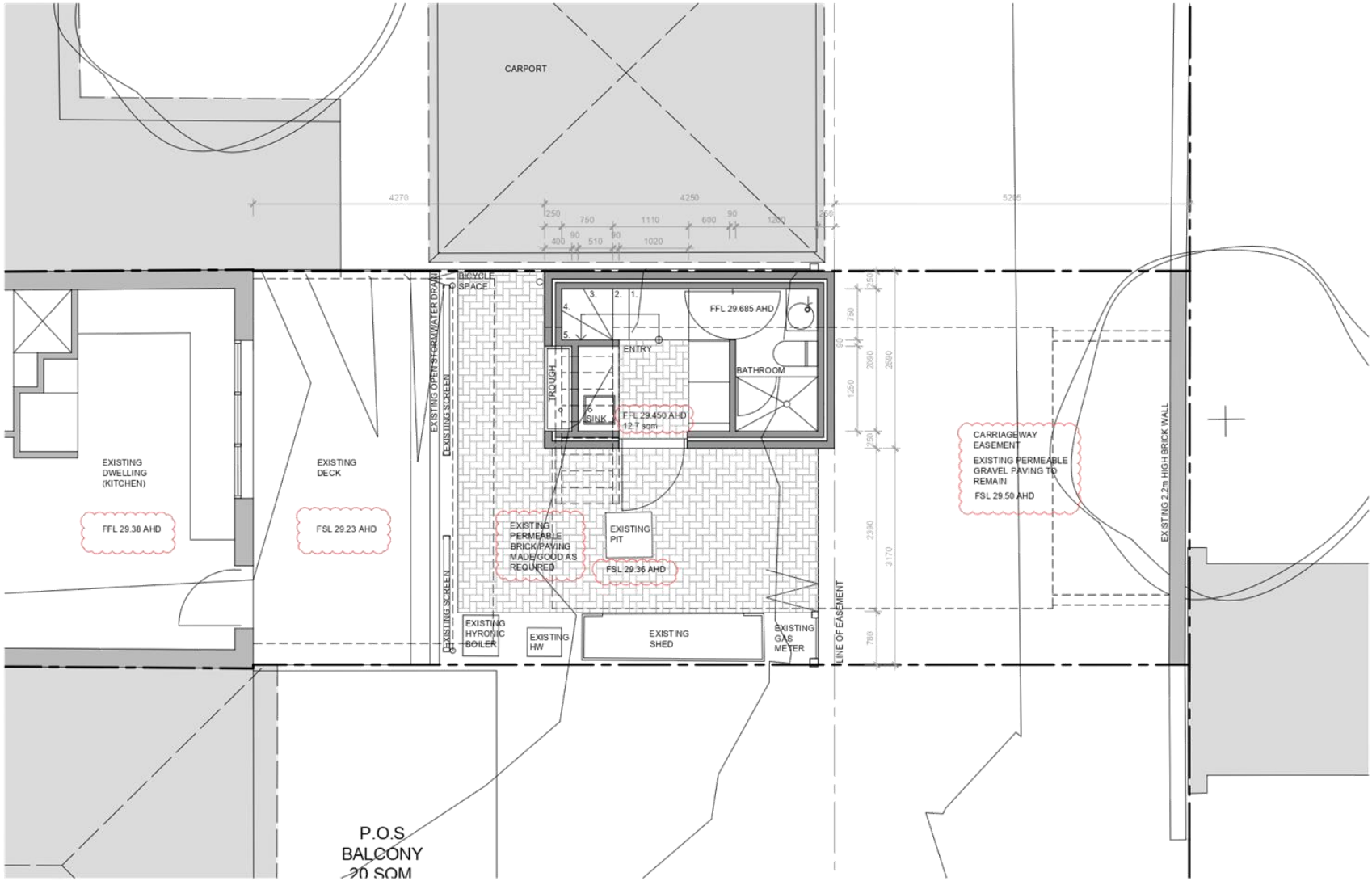
42 BELL STREET FITZROY
PROPOSED RESIDENTIAL ADDITIONS
JOB NO: 01.35
CLIENT: M HINKSON AND J ALTMAN

PROPOSED SITE PLAN
SCALE: 1:200 @ A3
DRAWN: MM, PS
CHECKED: MM, PS

TP
STAGE: TOWNPLANNING
DATE: 18.07.2019
ISSUE: 7 - FOR DISCUSSION

1.07

Attachment 4 - PLN18/0880-42 Bell Street-Sketch Plans



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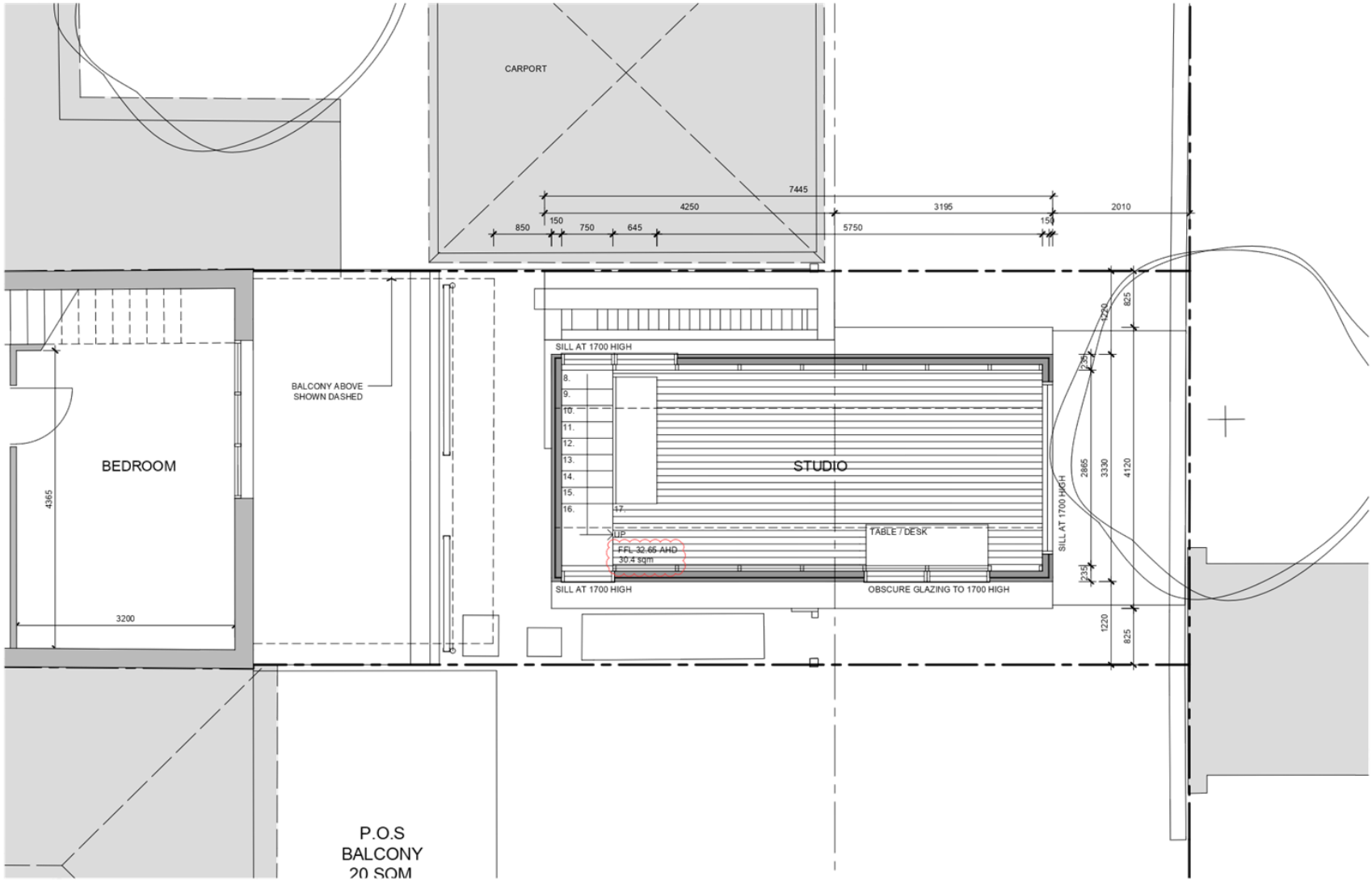
42 BELL STREET FITZROY
PROPOSED RESIDENTIAL ADDITIONS
JOB NO: 01.35
CLIENT: M HINKSON AND J ALTMAN

GROUND FLOOR PLAN
SCALE: 1:50 @ A3
DRAWN: MM, PS
CHECKED: MM, PS

TP
STAGE: TOWNPLANNING
DATE: 18.07.2019
ISSUE: 7 - FOR DISCUSSION

2.01

Attachment 4 - PLN18/0880-42 Bell Street-Sketch Plans



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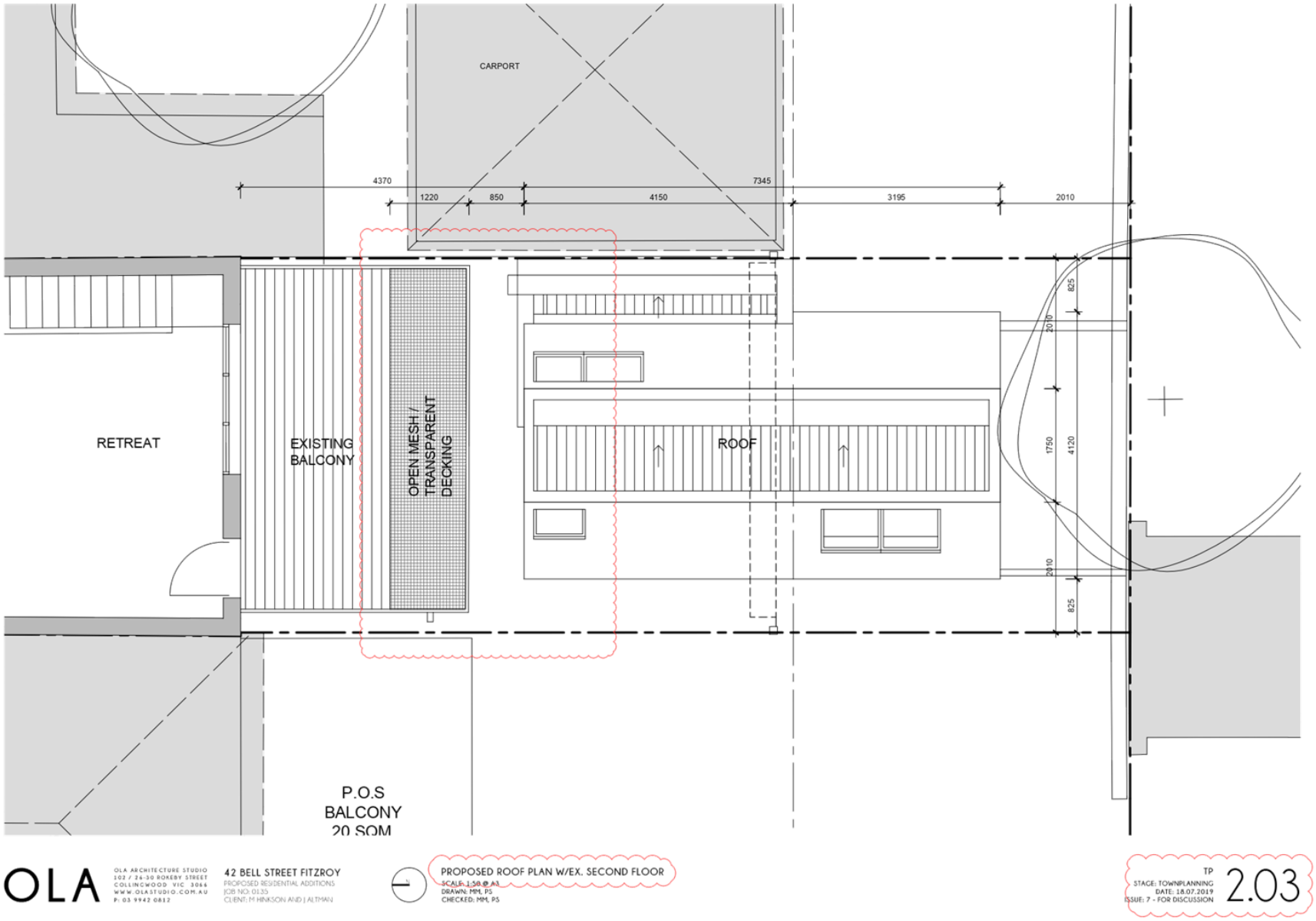
42 BELL STREET FITZROY
PROPOSED RESIDENTIAL ADDITIONS
JOB NO: 0135
CLIENT: M HINKSON AND J ALTMAN

FIRST FLOOR PLAN
SCALE: 1:50 @ A3
DRAWN: MM, PS
CHECKED: MM, PS

TP
STAGE: TOWNPLANNING
DATE: 18.07.2019
ISSUE: 7 - FOR DISCUSSION

2.02

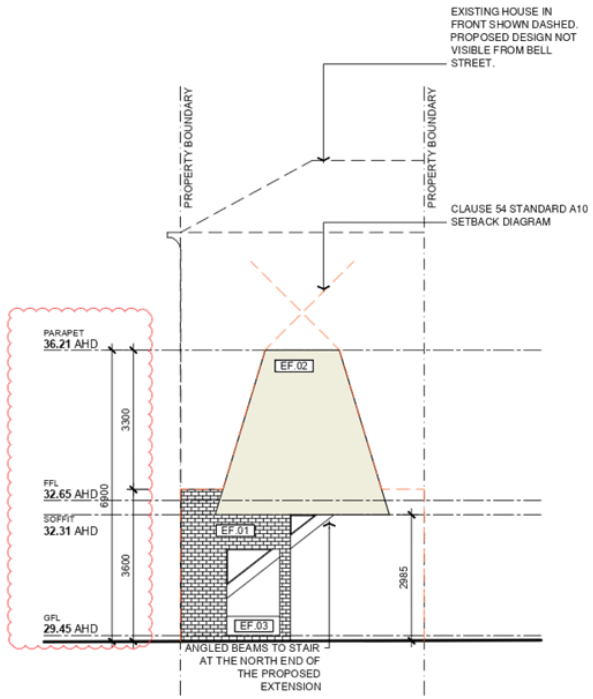
Attachment 4 - PLN18/0880-42 Bell Street-Sketch Plans



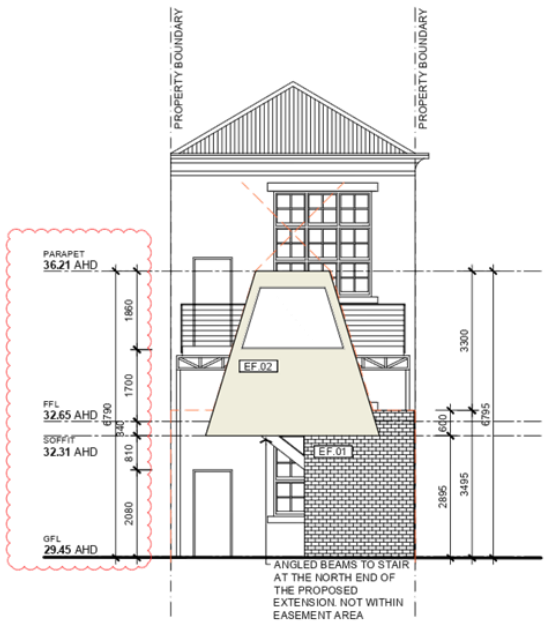
Attachment 4 - PLN18/0880-42 Bell Street-Sketch Plans

EXTERNAL FINISHES

EF.01	BRICK
EF.02	CORK CLADDING
EF.03	BLACK METAL POWDERCOAT FINISH



01 PROPOSED NORTH (BELL STREET) ELEVATION
1:100



02 PROPOSED SOUTH (REAR) ELEVATION
1:100

OLA
OLA ARCHITECTURE STUDIO
103 / 24-30 ROKEBY STREET
COLLINGWOOD VIC 3066
WWW.OLASTUDIO.COM.AU
P: 03 9942 0812

42 BELL STREET FITZROY
PROPOSED RESIDENTIAL ADDITIONS
JOB NO: 0135
CLIENT: M HINKSON AND J ALTMAN

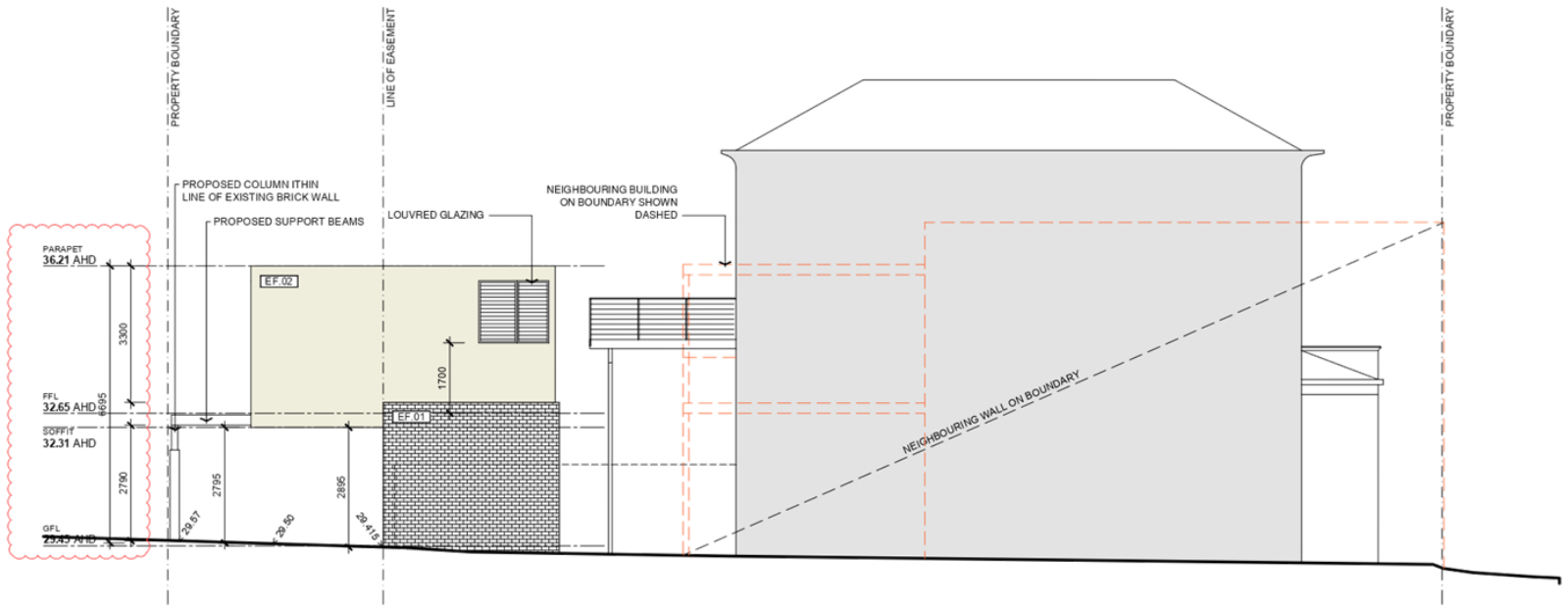
PROPOSED ELEVATIONS
SCALE: 1:100 @ A3
DRAWN: MM, PS
CHECKED: MM, PS

TP
STAGE: TOWNPLANNING
DATE: 18.07.2019
ISSUE: 7 - FOR DISCUSSION
3.01

Attachment 4 - PLN18/0880-42 Bell Street-Sketch Plans

EXTERNAL FINISHES

EF.01 BRICK
EF.02 CORK CLADDING
EF.03 BLACK METAL POWDERCOAT FINISH



01 PROPOSED EAST ELEVATION
1:100

OLA
OLA ARCHITECTURE STUDIO
103 / 24-30 ROKEBY STREET
COLLINGWOOD VIC 3066
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P: 03 9942 0812

42 BELL STREET FITZROY
PROPOSED RESIDENTIAL ADDITIONS
JOB NO: 0135
CLIENT: M HINKSON AND J ALTMAN

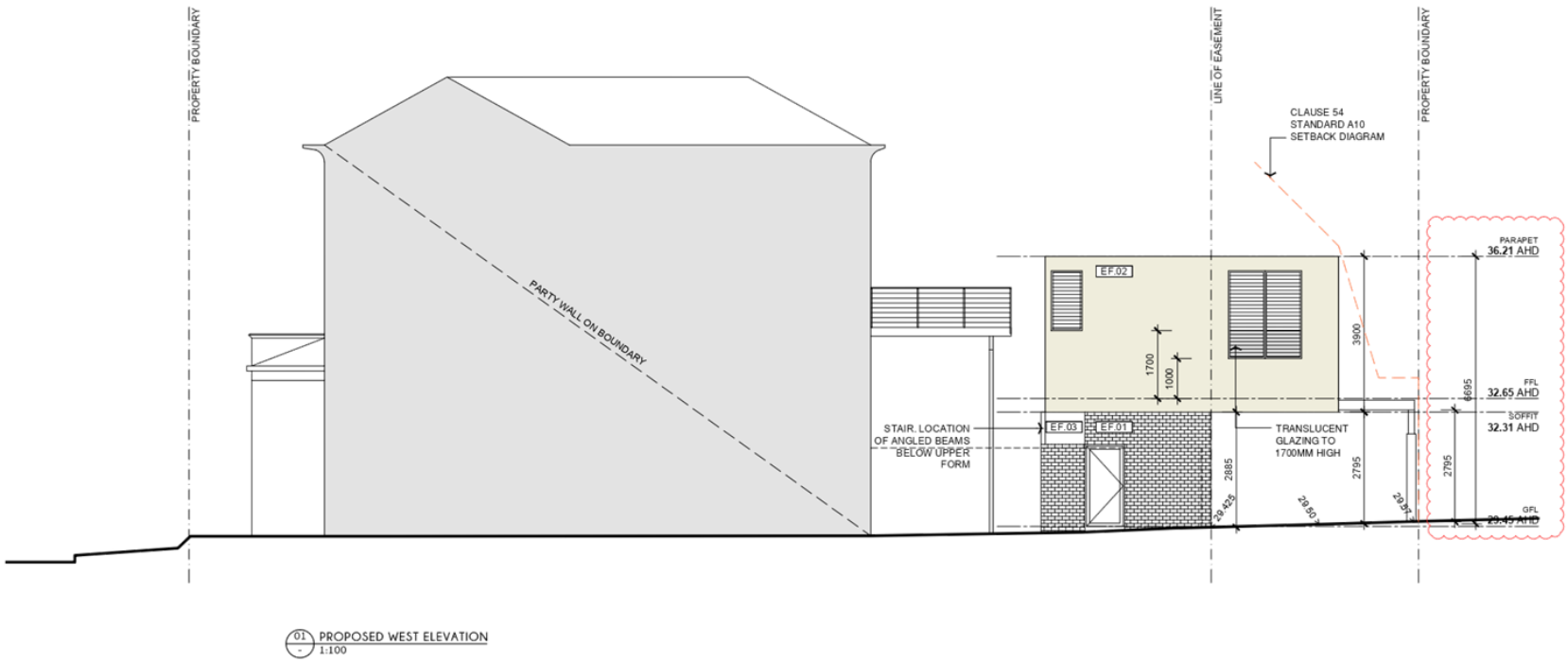
PROPOSED ELEVATIONS
SCALE: 1:100 @ A3
DRAWN: MM, PS
CHECKED: MM, PS

TP
STAGE: TOWNPLANNING
DATE: 18.07.2019
ISSUE: 7 - FOR DISCUSSION
3.02

Attachment 4 - PLN18/0880-42 Bell Street-Sketch Plans

EXTERNAL FINISHES

EF.01 BRICK
EF.02 CORK CLADDING
EF.03 BLACK METAL POWDERCOAT FINISH



01 PROPOSED WEST ELEVATION
1:100

OLA
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COLLINGWOOD VIC 3066
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42 BELL STREET FITZROY
PROPOSED RESIDENTIAL ADDITIONS
JOB NO: 0135
CLIENT: M HINKSON AND J ALTMAN

PROPOSED ELEVATIONS
SCALE: 1:100 @ A3
DRAWN: MM, PS
CHECKED: MM, PS

TP
STAGE: TOWNPLANNING
DATE: 18.07.2019
ISSUE: 7 - FOR DISCUSSION
3.03

Attachment 4 - PLN18/0880-42 Bell Street-Sketch Plans

EF.01
Brick. Red neutral tone.

EF.02
Cork cladding.

EF.03
Metal. Black powdercoat finish.

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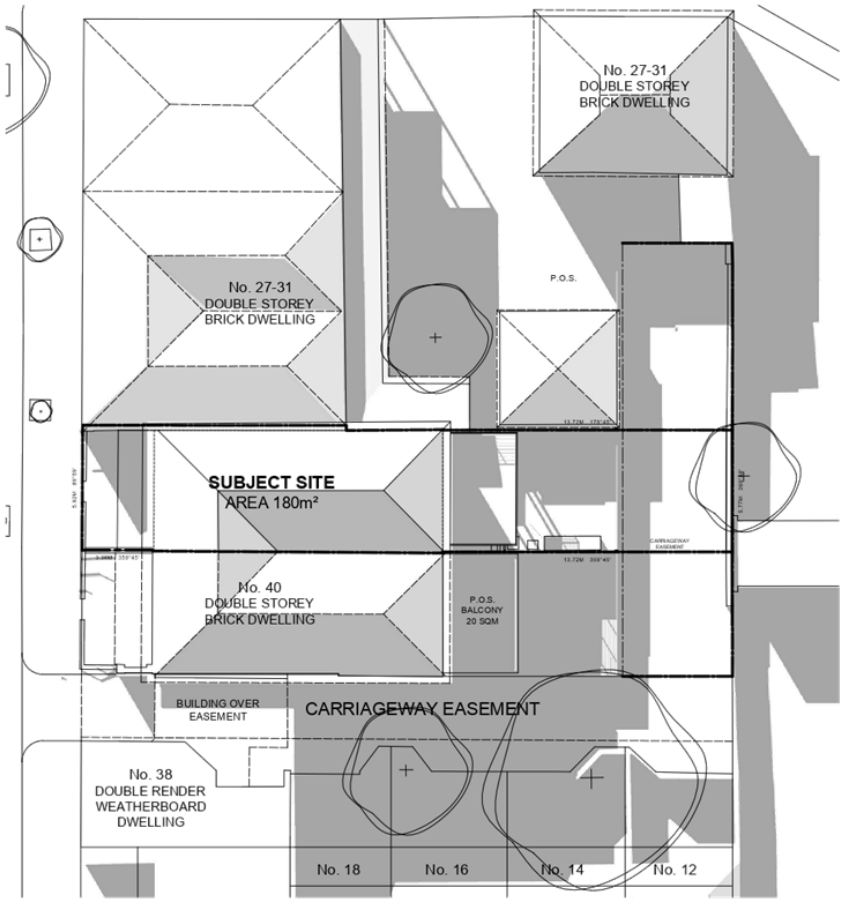
42 BELL STREET FITZROY
PROPOSED RESIDENTIAL ADDITIONS
JOB NO: 0135
CLIENT: M HINKSON AND J ALTMAN

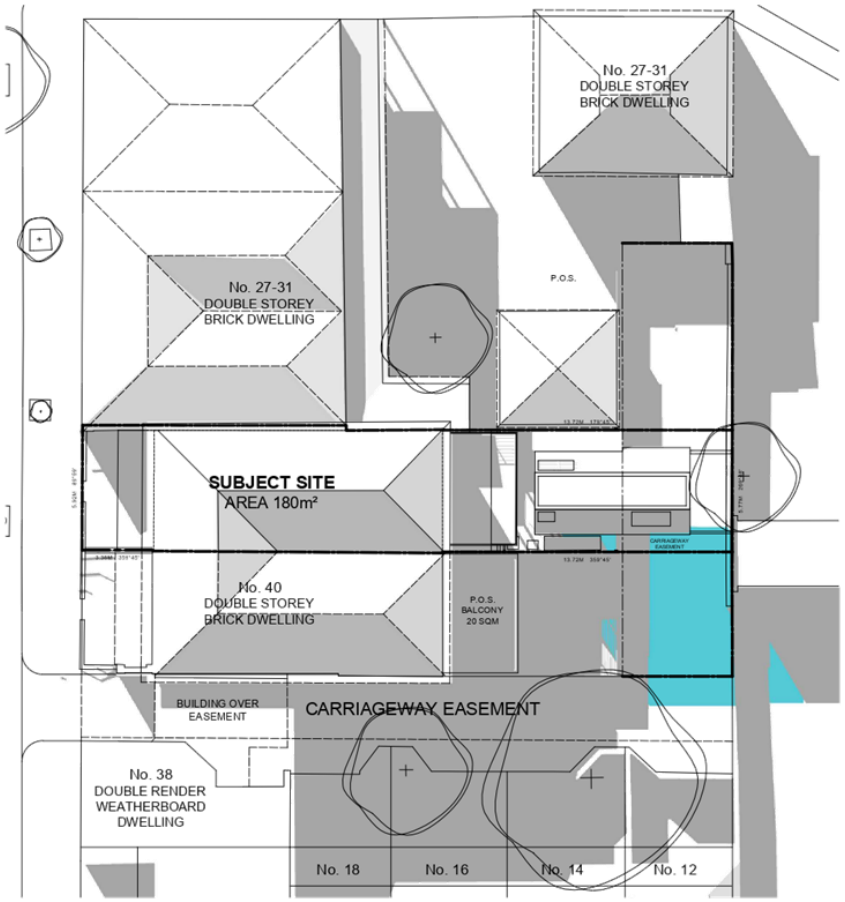
FINISHES SCHEDULE
SCALE: NTS
DRAWN: MM, PS
CHECKED: MM, PS

TP
STAGE: TOWNPLANNING
DATE: 18.07.2019
ISSUE: 7 - FOR DISCUSSION
9.00

Attachment 4 - PLN18/0880-42 Bell Street-Sketch Plans



EXISTING SHADOWS @ SEPTEMBER 22 9AM



PROPOSED SHADOWS @ SEPTEMBER 22 9AM

OLA
OLA ARCHITECTURE STUDIO
103 / 24-30 ROKEBY STREET
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WWW.OLASTUDIO.COM.AU
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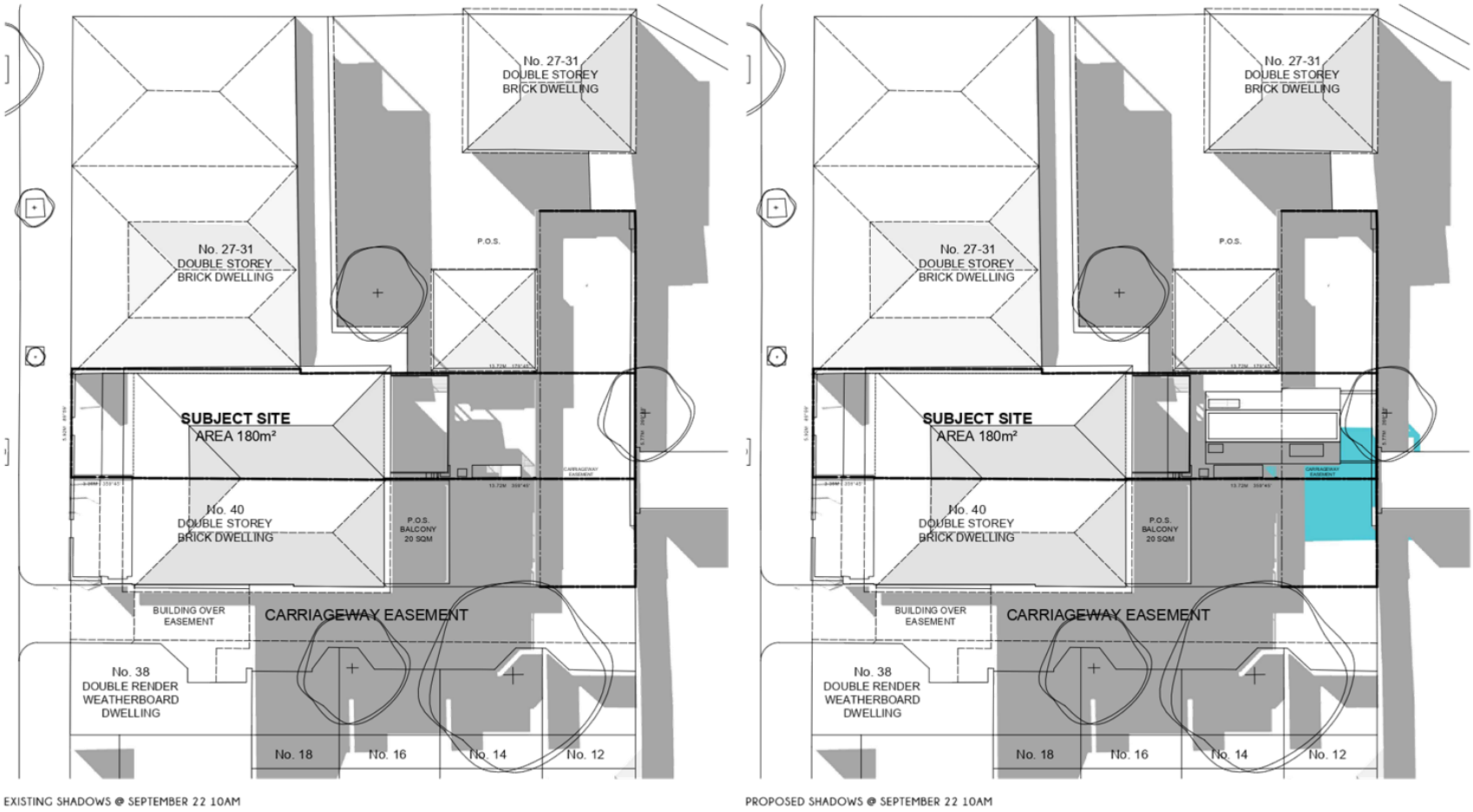
42 BELL STREET FITZROY
PROPOSED RESIDENTIAL ADDITIONS
JOB NO: 0135
CLIENT: M HINKSON AND J ALTMAN

SHADOWS @ SEPTEMBER 22 9AM
SCALE: 1:200 @ A3
DRAWN: MM, PS
CHECKED: MM, PS

TP
STAGE: TOWNPLANNING
DATE: 18.07.2019
ISSUE: 7 - FOR DISCUSSION
9.01

Attachment 4 - PLN18/0880-42 Bell Street-Sketch Plans



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COLLINGWOOD VIC 3066
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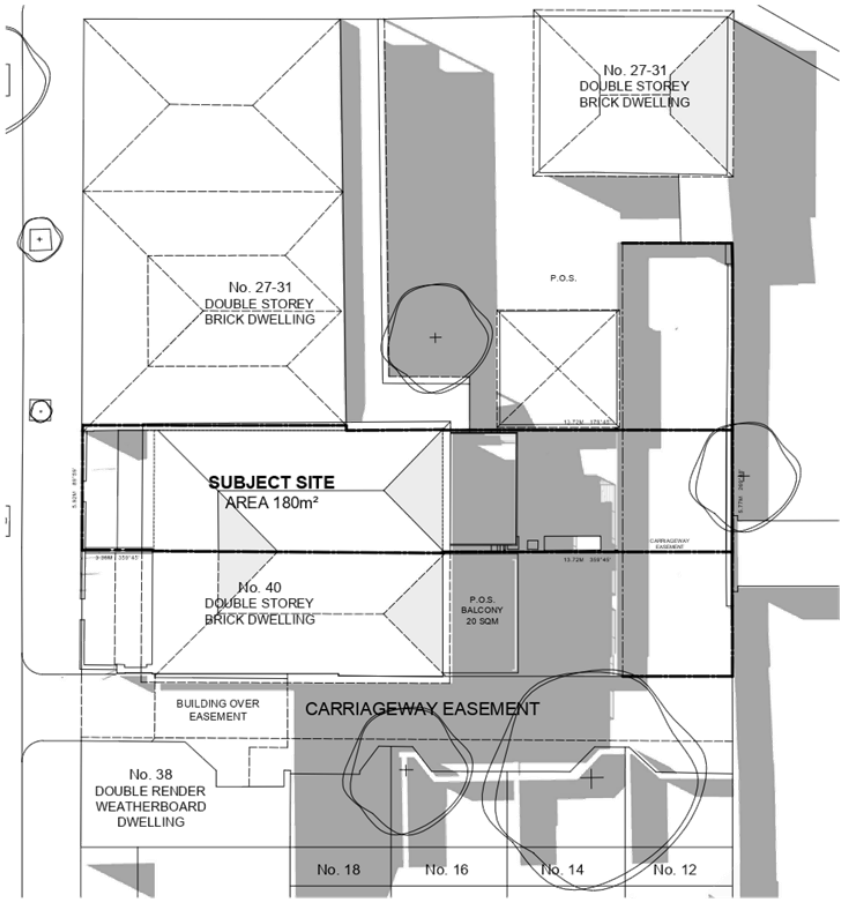
42 BELL STREET FITZROY
PROPOSED RESIDENTIAL ADDITIONS
JOB NO: 0135
CLIENT: M HINKSON AND J ALTMAN

SHADOWS @ SEPTEMBER 22 10AM
SCALE: 1:200 @ A3
DRAWN: MM, PS
CHECKED: MM, PS

TP 9.02
STAGE: TOWNPLANNING
DATE: 18.07.2019
ISSUE: 7 - FOR DISCUSSION

Attachment 4 - PLN18/0880-42 Bell Street-Sketch Plans



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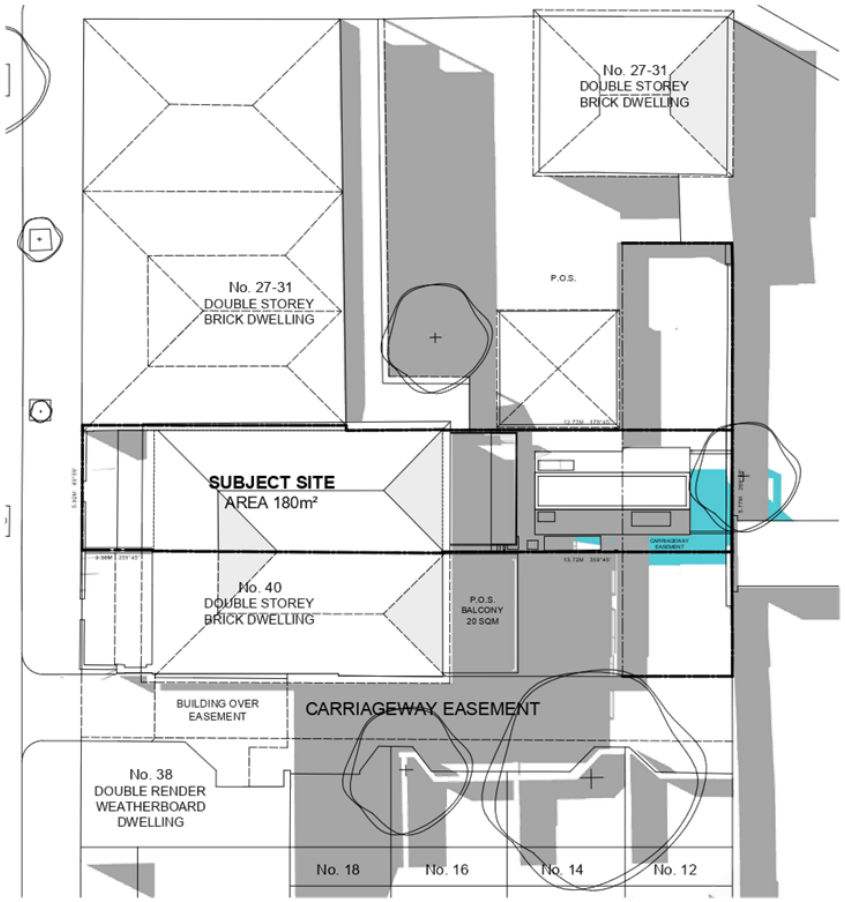

PROPOSED SHADOWS @ SEPTEMBER 22 11AM

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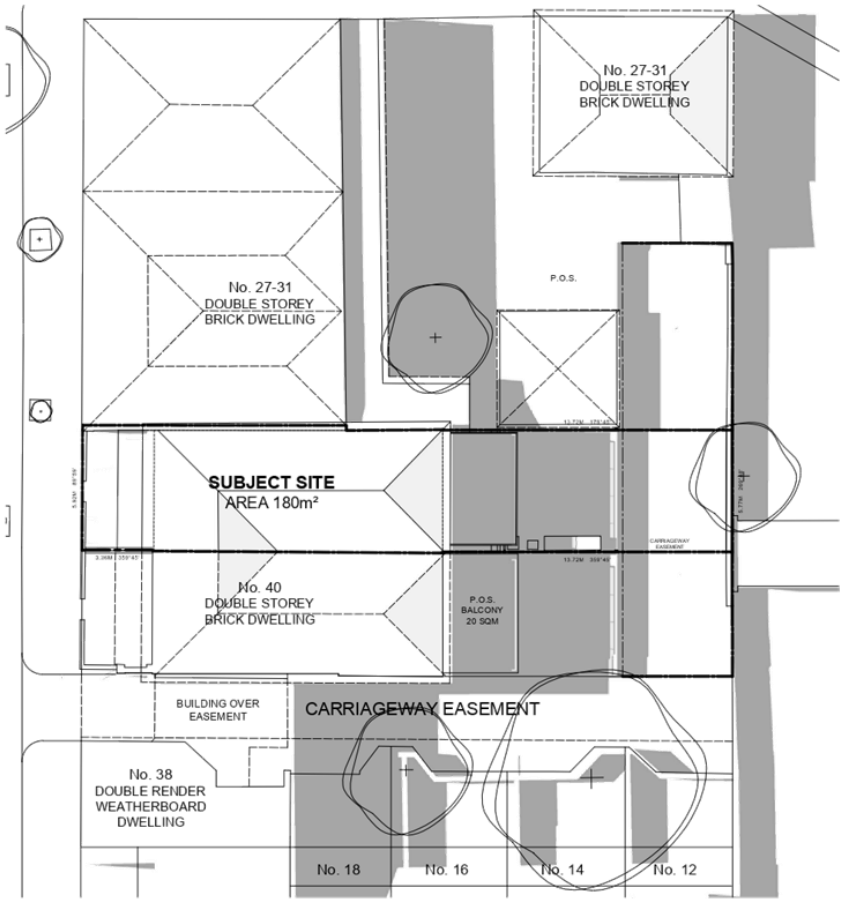
42 BELL STREET FITZROY
PROPOSED RESIDENTIAL ADDITIONS
JOB NO: 01.35
CLIENT: M HINKSON AND J ALTMAN

SHADOWS @ SEPTEMBER 22 11AM
SCALE: 1:200 @ A3
DRAWN: MM, PS
CHECKED: MM, PS

TP
STAGE: TOWNPLANNING
DATE: 18.07.2019
ISSUE: 7 - FOR DISCUSSION
9.03

Attachment 4 - PLN18/0880-42 Bell Street-Sketch Plans



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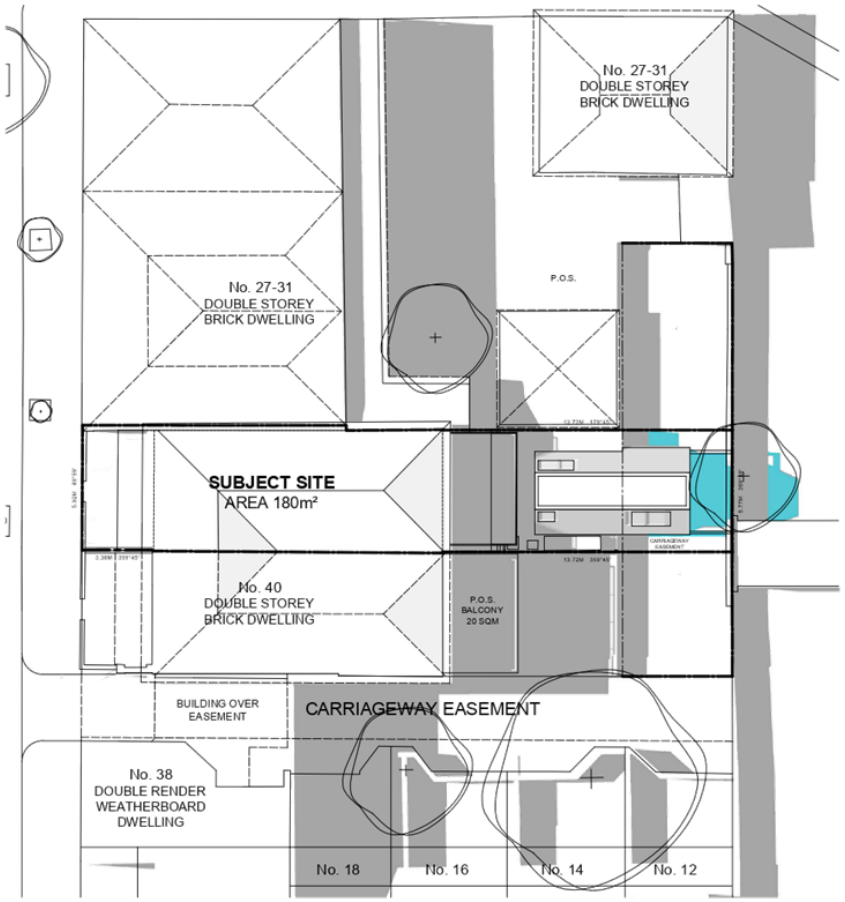

PROPOSED SHADOWS @ SEPTEMBER 22 12PM

OLA
OLA ARCHITECTURE STUDIO
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COLLINGWOOD VIC 3066
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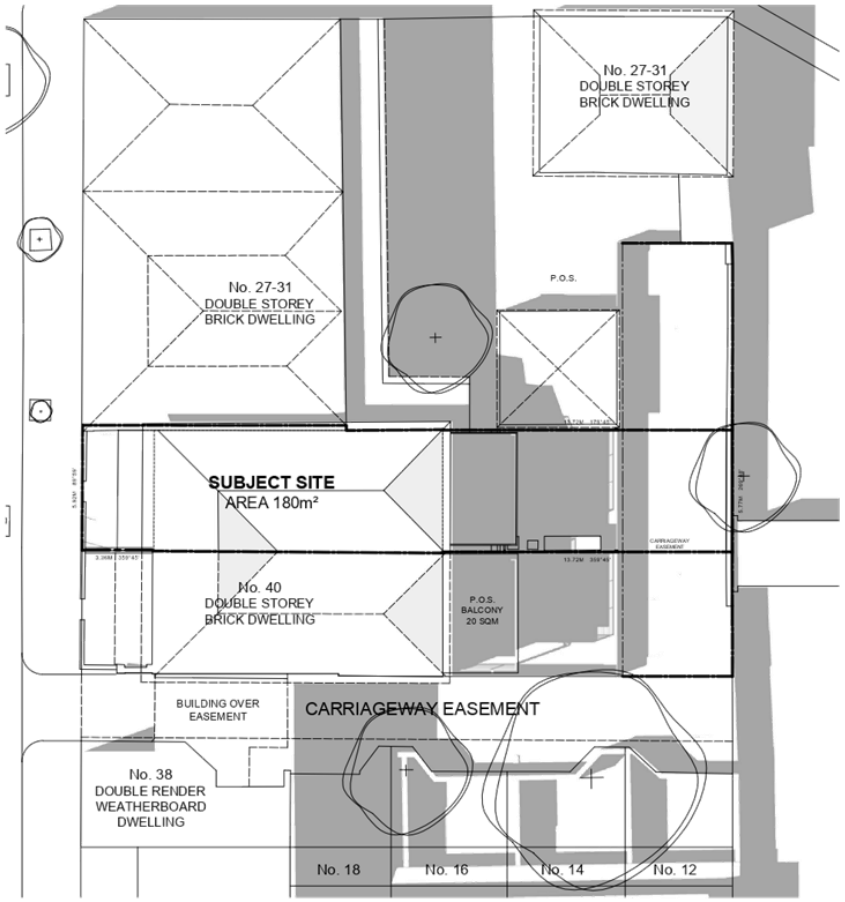
P: 03 9942 0812

42 BELL STREET FITZROY
PROPOSED RESIDENTIAL ADDITIONS
JOB NO: 0135
CLIENT: M HINKSON AND J ALTMAN

SHADOWS @ SEPTEMBER 22 12PM
SCALE: 1:200 @ A3
DRAWN: MM, PS
CHECKED: MM, PS

TP
STAGE: TOWNPLANNING
DATE: 18.07.2019
ISSUE: 7 - FOR DISCUSSION
9.04

Attachment 4 - PLN18/0880-42 Bell Street-Sketch Plans



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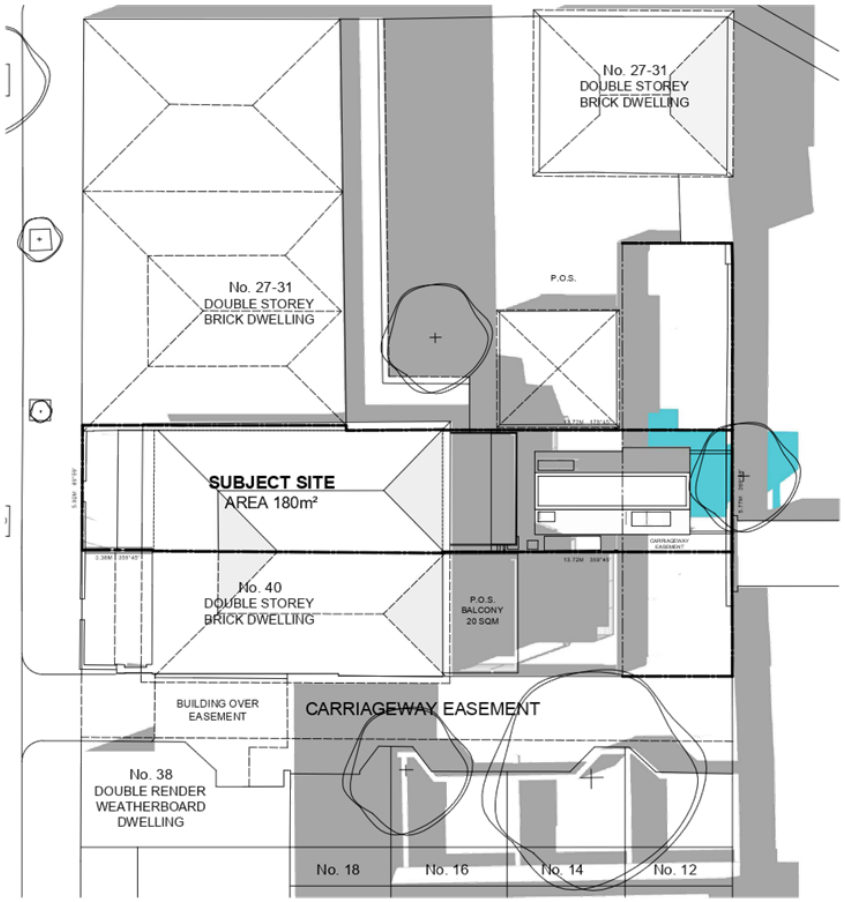


PROPOSED SHADOWS @ SEPTEMBER 22 1PM

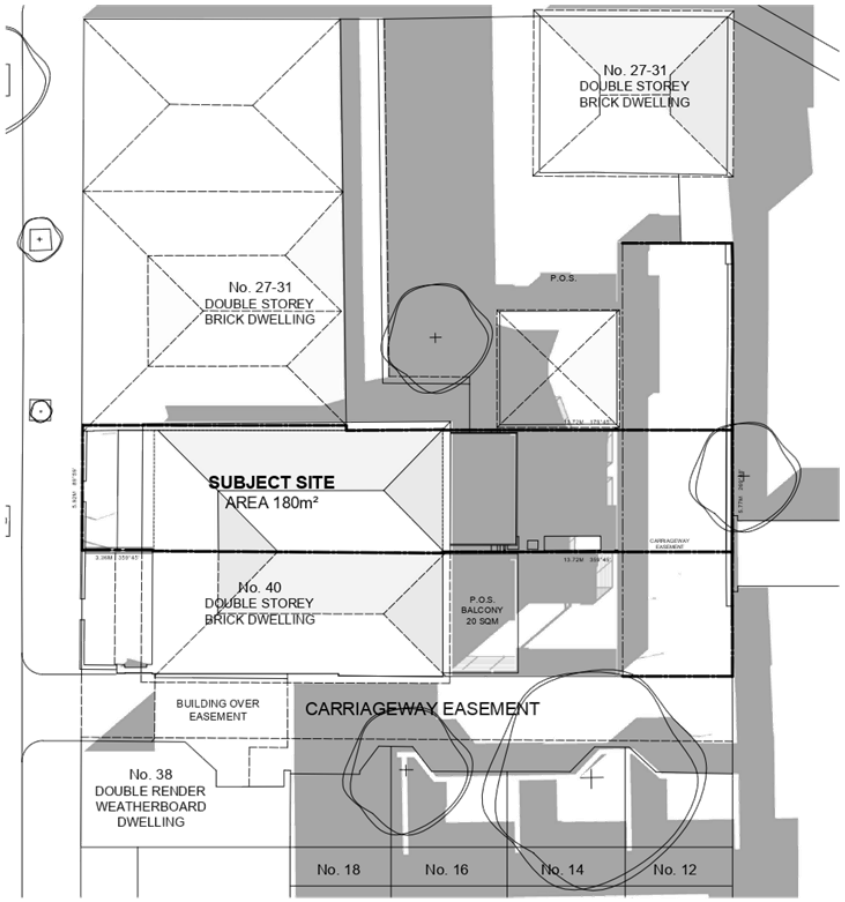
OLA
OLA ARCHITECTURE STUDIO
103 / 24-30 ROKEBY STREET
COLLINGWOOD VIC 3066
WWW.OLASTUDIO.COM.AU
P: 03 9942 0812

42 BELL STREET FITZROY
PROPOSED RESIDENTIAL ADDITIONS
JOB NO: 0135
CLIENT: M HINKSON AND J ALTMAN

SHADOWS @ SEPTEMBER 22 1PM
SCALE: 1:200 @ A3
DRAWN: MM, PS
CHECKED: MM, PS

TP
STAGE: TOWNPLANNING
DATE: 18.07.2019
ISSUE: 7 - FOR DISCUSSION
9.05

Attachment 4 - PLN18/0880-42 Bell Street-Sketch Plans



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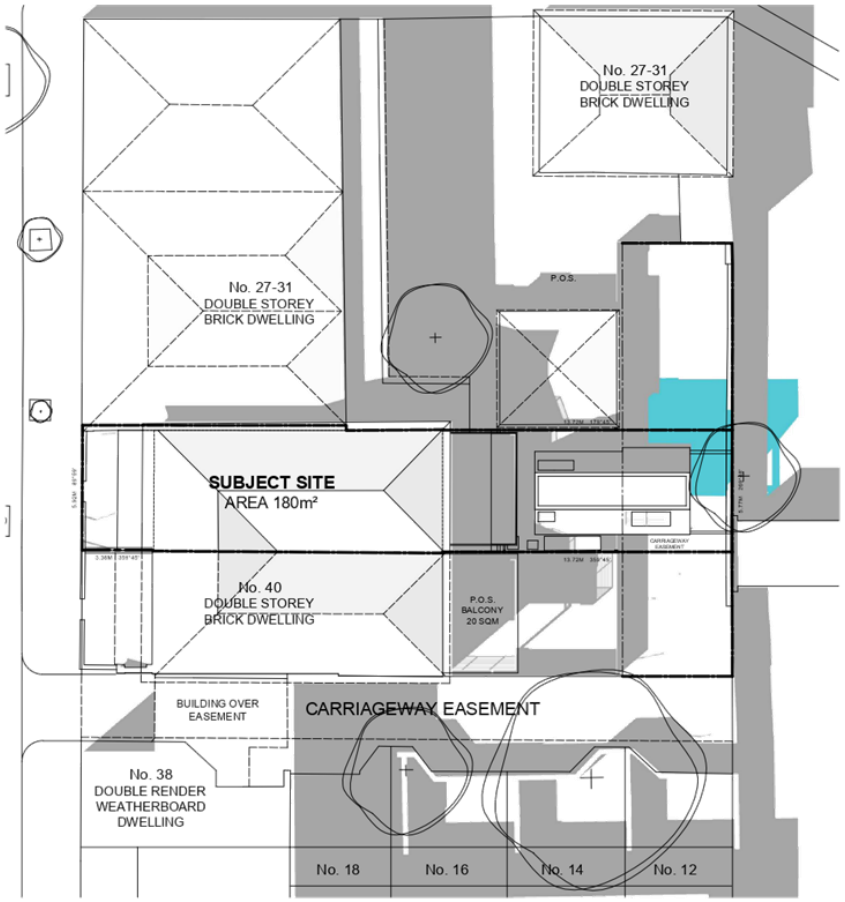


PROPOSED SHADOWS @ SEPTEMBER 22 2PM

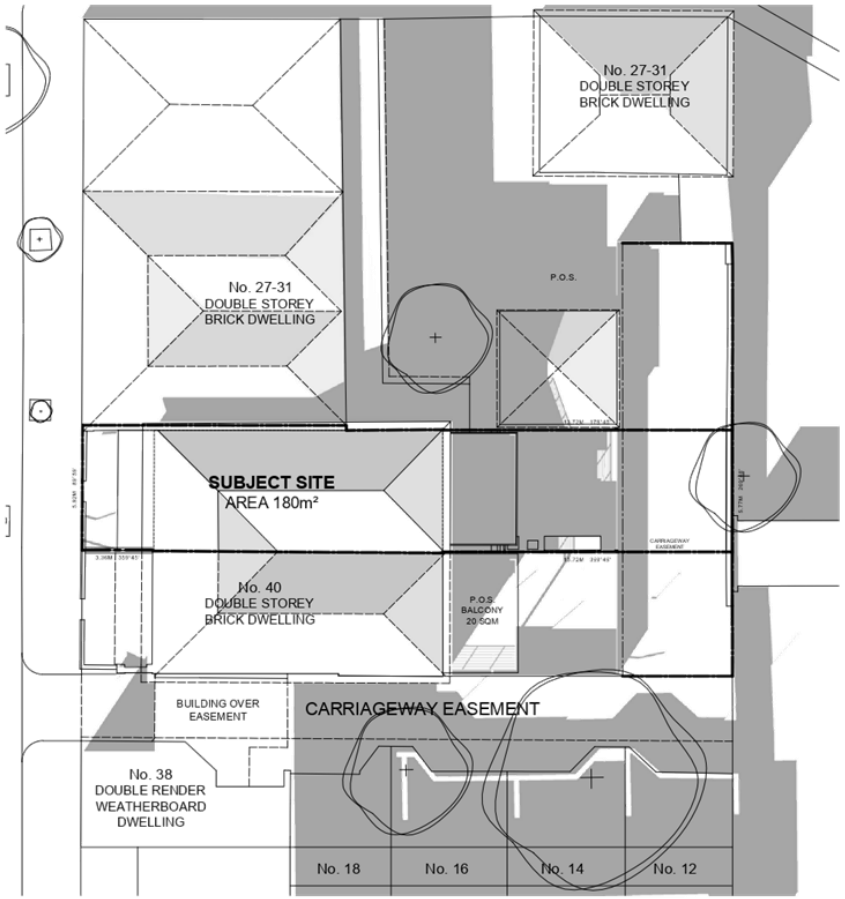
OLA
OLA ARCHITECTURE STUDIO
103 / 24-30 ROKEBY STREET
COLLINGWOOD VIC 3066
WWW.OLASTUDIO.COM.AU
P: 03 9942 0812

42 BELL STREET FITZROY
PROPOSED RESIDENTIAL ADDITIONS
JOB NO: 0135
CLIENT: M HINKSON AND J ALTMAN

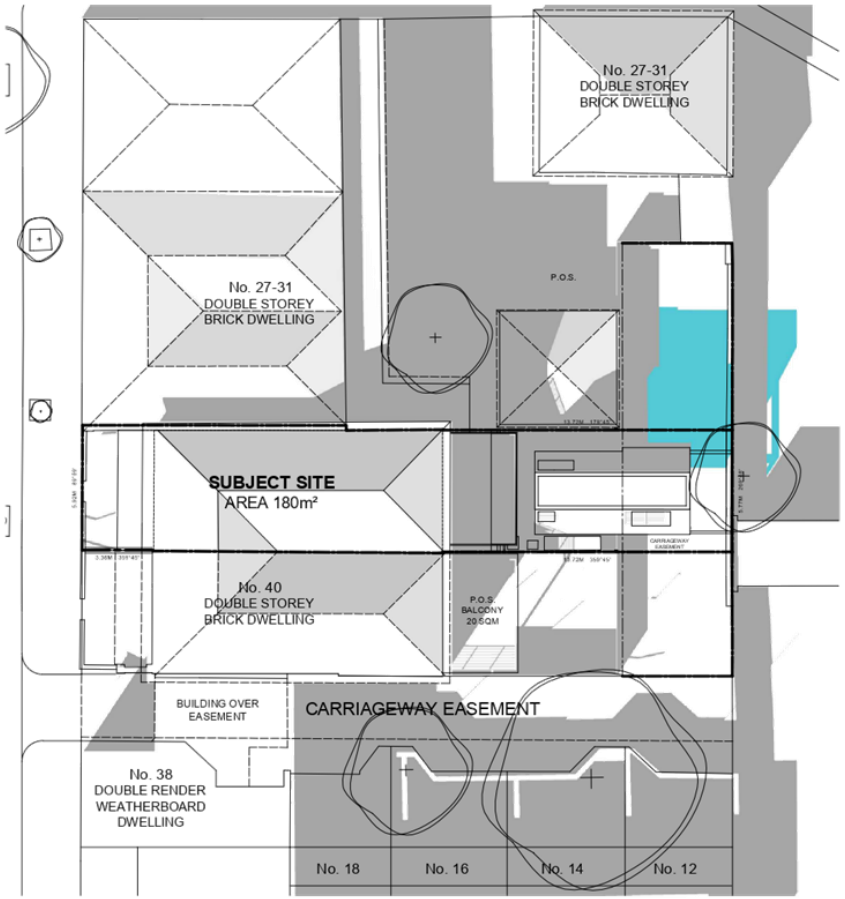
SHADOWS @ SEPTEMBER 22 2PM
SCALE: 1:200 @ A3
DRAWN: MM, PS
CHECKED: MM, PS

TP 9.06
STAGE: TOWNPLANNING
DATE: 18.07.2019
ISSUE: 7 - FOR DISCUSSION

Attachment 4 - PLN18/0880-42 Bell Street-Sketch Plans



EXISTING SHADOWS @ SEPTEMBER 22 3PM



PROPOSED SHADOWS @ SEPTEMBER 22 3PM

OLA
OLA ARCHITECTURE STUDIO
103 / 24-30 ROKEBY STREET
COLLINGWOOD VIC 3066
WWW.OLASTUDIO.COM.AU
P: 03 9942 0812

42 BELL STREET FITZROY
PROPOSED RESIDENTIAL ADDITIONS
JOB NO: 0135
CLIENT: M HINKSON AND J ALTMAN

SHADOWS @ SEPTEMBER 22 3PM
SCALE: 1:200 @ A3
DRAWN: MM, PS
CHECKED: MM, PS

TP
STAGE: TOWNPLANNING
DATE: 18.07.2019
ISSUE: 7 - FOR DISCUSSION
9.07

Attachment 5 - PLN18/0880-42 Bell Street Fitzroy-Engineering comments

MEMO

To:	**Laura Condon**	
From:	**Artemis Bacani**	
Date:	**21 May 2019**	
Subject:	**Application No:**	**PLN18/0880**
	Description:	**Construction of a Double Storey Outbuilding/Studio**
	Site Address:	**42 Bell Street, Fitzroy**

I refer to the above Planning Application received on 12 April 2018 in relation to the proposed development at 42 Bell Street, Fitzroy. Council's Civil Engineering unit provides the following information.

DEVELOPMENT LAYOUT DESIGN

OLA Architecture Studio Drawing No. TP2.01 and TP2.02 Issue 2 dated 7 February 2019
TP3.02 Issue 3 dated 9 February 2019

Layout Design Assessment

Item	Assessment
Existing Conditions	
Width of Carriageway Easement – Rear of 42 Bell Street	The easement at the rear of 42 Bell Street is approximately 5.20 metres - 5.24 metres in width.
Width of Carriageway Easement – East of 38 Bell Street and West of 40 Bell Street	The easement along the east side of 38 Bell Street and the west side of 40 Bell Street has a carriageway width of 2.99 metres - 3.08 metres.
Building Over the Easement – 38 Bell Street	The site at 38 Bell Street is constructed above the easement and provides a headroom clearance of 2.58 metres – 2.75 metres.
Proposed Extension	
First Floor Extension	The proposed extension at the rear of the site will project over the easement by 3.34 metres. The support beams for the extension will span across the easement to an existing brick wall. The underside of the first floor extension has a minimum headroom clearance of 2.79 metres which is considered satisfactory.

RECOMMENDATION

As the headroom clearance of the proposed studio extension is not dissimilar to the structure at 38 Bell Street, the Civil Engineering unit has no objection to the encroachment over the easement at the rear of 42 Bell Street.

Attachment 5 - PLN18/0880-42 Bell Street Fitzroy-Engineering comments

ENGINEERING CONDITIONS

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.

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.

Attachment 6 - PLN18/0880-42 Bell Street Fitzroy-Certificate of Title

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10245 FOLIO 097 Security no : 124077000486X
Produced 12/04/2019 08:18 AM

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 342683J.
PARENT TITLE Volume 00612 Folio 335
Created by instrument PS342683J 16/08/1995

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
GRAZIA MARIA GOUGH of 52 BELL STREET FITZROY 3065
V996864Q 19/04/1999

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE X174623A 27/11/2000
NATIONAL AUSTRALIA BANK LTD

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

NOTICE Section 16(2) Historic Buildings Act 1981
T301890N 13/09/1994

DIAGRAM LOCATION

SEE PS342683J FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

----------END OF REGISTER SEARCH STATEMENT----------

Additional information: (not part of the Register Search Statement)

Street Address: 27 JOHN STREET FITZROY VIC 3065

ADMINISTRATIVE NOTICES

NIL

eCT Control 16089P NATIONAL AUSTRALIA BANK LIMITED
Effective from 22/10/2016

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

DOCUMENT END

Attachment 6 - PLN18/0880-42 Bell Street Fitzroy-Certificate of Title

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10245 FOLIO 098 Security no : 124077000494P
Produced 12/04/2019 08:20 AM

LAND DESCRIPTION

Lot 2 on Plan of Subdivision 342683J.
PARENT TITLE Volume 00612 Folio 335
Created by instrument PS342683J 16/08/1995

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
CAROLINE JANE MACCALLUM of 48 BELL STREET FITZROY VIC 3065
AJ233321E 04/10/2011

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AM132068B 25/08/2015
COMMONWEALTH BANK OF AUSTRALIA

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NOTICE Section 16(2) Historic Buildings Act 1981
T301890N 13/09/1994

DIAGRAM LOCATION

SEE PS342683J FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

----------END OF REGISTER SEARCH STATEMENT----------

Additional information: (not part of the Register Search Statement)

Street Address: 31 JOHN STREET FITZROY VIC 3065

ADMINISTRATIVE NOTICES

NIL

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Effective from 23/10/2016

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

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VOLUME 10245 FOLIO 101 Security no : 124077000442V
Produced 12/04/2019 08:14 AM

LAND DESCRIPTION

Lot 5 on Plan of Subdivision 342683J.
PARENT TITLE Volume 00612 Folio 335
Created by instrument PS342683J 16/08/1995

REGISTERED PROPRIETOR

Estate Fee Simple
TENANTS IN COMMON
As to 7 of a total of 10 equal undivided shares
Sole Proprietor
MARTINE LOUISE BONICH of 44 BELL STREET FITZROY VIC 3085
AJ207495R 20/09/2011
As to 3 of a total of 10 equal undivided shares
Sole Proprietor
DAVID JOHN BROOKS of 44 BELL STREET FITZROY VIC 3065
AM109311B 15/08/2015

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AN311020B 24/11/2016
COMMONWEALTH BANK OF AUSTRALIA

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NOTICE Section 16(2) Historic Buildings Act 1981
T301890N 13/09/1994

DIAGRAM LOCATION

SEE PS342683J FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

----------END OF REGISTER SEARCH STATEMENT----------

Additional information: (not part of the Register Search Statement)

Street Address: 44 BELL STREET FITZROY VIC 3065

ADMINISTRATIVE NOTICES

NIL

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Effective from 24/11/2016

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DOCUMENT END

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10245 FOLIO 103 Security no : 124077000395W
Produced 12/04/2019 08:10 AM

LAND DESCRIPTION

Lot 7 on Plan of Subdivision 342683J.
PARENT TITLE Volume 00612 Folio 335
Created by instrument PS342683J 16/08/1995

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
WALTER JACK MATTHEWS
JANET MARGARET MATTHEWS both of 2 DAVEY LANE FOREST HILL 3131
T908036Q 12/10/1995

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE T908037M 12/10/1995
NATIONAL AUSTRALIA BANK LTD

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

NOTICE Section 16(2) Historic Buildings Act 1981
T301890N 13/09/1994

DIAGRAM LOCATION

SEE PS342683J FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

----------END OF REGISTER SEARCH STATEMENT----------

Additional information: (not part of the Register Search Statement)

Street Address: 40 BELL STREET FITZROY VIC 3065

ADMINISTRATIVE NOTICES

NIL

eCT Control 16089P NATIONAL AUSTRALIA BANK LIMITED
Effective from 22/10/2016

OWNERS CORPORATIONS

The land in this folio is affected by

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

OWNERS CORPORATION PLAN NO. PS342683J

DOCUMENT END

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10245 FOLIO 102 Security no : 124074997830X
Produced 20/11/2018 09:35 PM

LAND DESCRIPTION

Lot 6 on Plan of Subdivision 342683J.
PARENT TITLE Volume 00612 Folio 335
Created by instrument PS342683J 16/08/1995

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
MELINDA JANE HINKSON
JON CHARLES ALTMAN both of 42 BELL STREET FITZROY VIC 3065
AM351179T 24/11/2015

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AM351180K 24/11/2015
COMMONWEALTH BANK OF AUSTRALIA

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

NOTICE Section 16(2) Historic Buildings Act 1981
T301890N 13/09/1994

DIAGRAM LOCATION

SEE PS342683J FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

----------END OF REGISTER SEARCH STATEMENT----------

Additional information: (not part of the Register Search Statement)

Street Address: 42 BELL STREET FITZROY VIC 3065

ADMINISTRATIVE NOTICES

NIL

eCT Control 15940N CBA - COMMONWEALTH BANK OF AUSTRALIA
Effective from
23/10/2016

OWNERS CORPORATIONS

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

The land in this folio is affected by
OWNERS CORPORATION PLAN NO. PS342683J

DOCUMENT END

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10245 FOLIO 100 Security no : 124077000450M
Produced 12/04/2019 08:15 AM

LAND DESCRIPTION

Lot 4 on Plan of Subdivision 342683J.
PARENT TITLE Volume 00612 Folio 335
Created by instrument PS342683J 16/08/1995

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
MICHAEL JOHN SARO
VANESSA NICOLE CARUSO both of 46 BELL STREET FITZROY VIC 3065
AD675277P 10/06/2005

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AD675278M 10/06/2005
AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

NOTICE Section 16(2) Historic Buildings Act 1981
T301890N 13/09/1994

DIAGRAM LOCATION

SEE PS342683J FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

----------END OF REGISTER SEARCH STATEMENT----------

Additional information: (not part of the Register Search Statement)

Street Address: 46 BELL STREET FITZROY VIC 3065

ADMINISTRATIVE NOTICES

NIL

eCT Control 16165A ANZ RETAIL AND SMALL BUSINESS
Effective from 23/10/2016

OWNERS CORPORATIONS

The land in this folio is affected by

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

OWNERS CORPORATION PLAN NO. PS342683J

DOCUMENT END

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10245 FOLIO 099 Security no : 124077000460C
Produced 12/04/2019 08:17 AM

LAND DESCRIPTION

Lot 3 on Plan of Subdivision 342683J.
PARENT TITLE Volume 00612 Folio 335
Created by instrument PS342683J 16/08/1995

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
PETER VIVIAN DE TORES HAIG of 3/48 BELL STREET FITZROY VIC 3065
AE886978V 08/02/2007

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AE886979T 08/02/2007
COMMONWEALTH BANK OF AUSTRALIA

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

NOTICE Section 16(2) Historic Buildings Act 1981
T301890N 13/09/1994

DIAGRAM LOCATION

SEE PS342683J FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
AR935644U	RECTIFY NAME ADDRESS	Registered	18/02/2019

----------END OF REGISTER SEARCH STATEMENT----------

Additional information: (not part of the Register Search Statement)

Street Address: 48 BELL STREET FITZROY VIC 3065

ADMINISTRATIVE NOTICES

NIL

eCT Control 15940N CBA - COMMONWEALTH BANK OF AUSTRALIA
Effective from 23/10/2016

OWNERS CORPORATIONS

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

OWNERS CORPORATION PLAN NO. PS342683J

DOCUMENT END

Attachment 6 - PLN18/0880-42 Bell Street Fitzroy-Certificate of Title

Imaged Document Cover Sheet

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Document Type	**Plan**
Document Identification	**PS342683J**
Number of Pages (excluding this cover sheet)	**5**
Document Assembled	**12/04/2019 08:13**

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Attachment 6 - PLN18/0880-42 Bell Street Fitzroy-Certificate of Title

Delivered by LANDATA®. Land Use Victoria timestamp 12/04/2019 08:13 Page 1 of 5

	PLAN OF SUBDIVISION	Stage No. /	LTO use only EDITION 3	Plan Number PS342683J

Location of Land
Parish: JIKA JIKA
Township:
Section:
Crown Allotment:
Crown Portion: 71 (PART)

LTO base record: CHART 97 (2796)
Title References:
Vol 612 Fol 335

Last Plan Reference:
Postal Address: 38 BELL STREET FITZROY

AMG Co-ordinates: N 5 814 240
(Of approx. centre of plan) E 321 720 Zone 55

Vesting of Roads or Reserves

Identifier	Council/Body/Person
Nil	Nil

Council Certification and Endorsement
Council Name: CITY OF YARRA Ref: 3399

1. This plan is certified under section 6 of the Subdivision Act 1988.
2. ~~This plan is certified under section 11(7) of the Subdivision Act 1988.~~
~~Date of original certification under section 6 / / ~~
3. This is a statement of compliance issued under section 21 of the Subdivision Act 1988.

Open Space

(i) A requirement for public open space under section 18 Subdivision Act 1988 has / ~~has not~~ been made.

(ii) The requirement has been satisfied.

~~(iii) The requirement is to be satisfied in Stage ~~

Council Delegate
~~Council seal~~
Date 2 / 5 / 95

Re-certified under section 11(7) of the Subdivision Act 1988
Council delegate
Council seal
Date / /

Notations

Depth Limitation: Does not apply

Staging This is/is not a staged subdivision
Planning Permit No.

REDUCED LEVEL (R L's) SPECIFIED IN THIS PLAN ARE BASED ON AND ABOVE AUSTRALIAN HEIGHT DATUM (AHD).

BOUNDARIES SHOWN BY THICK CONTINUOUS LINES ARE DEFINED BY BUILDINGS .
LOCATION OF BOUNDARIES DEFINED BY BUILDINGS :
EXTERNAL FACE - BOUNDARIES MARKED E
MEDIAN - ALL OTHER BOUNDARIES .

THIS SURVEY HAS BEEN CONNECTED TO MMB BENCH MARK NUMBERS 508 AND 509 WITH RESPECTIVE STATED VALUES OF 26-50 METRES AND 33-485 METRES TO AUSTRALIAN HEIGHT DATUM .

Survey:- This plan is / ~~is not~~ based on survey.

To be completed where applicable.
This survey has been connected to permanent marks no(s).
In proclaimed Survey Area no.

Easement Information

Legend: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)
SECTION 12(2) OF THE SUBDIVISION ACT 1988 APPLIES TO ALL LOTS ON THIS PLAN

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1	CARRIAGEWAY - LIMITED IN HEIGHT - SEE CROSS-SECTION Y - Y' ON SHEET 3 .	SEE DIAG	THIS PLAN	LOTS ON THIS PLAN .
E-2	CARRIAGEWAY	SEE DIAG	THIS PLAN	LOTS 1 TO 7 ON THIS PLAN .
E-3	SUPPORT	SEE DIAG	THIS PLAN	LOT 8 ON THIS PLAN .
E-4	WATER SUPPLY	SEE DIAG	THIS PLAN	LOTS 1 TO 7 ON THIS PLAN .

LTO use only
Statement of Compliance / Exemption Statement
Received ✓
Date 3 / 5 / 95

LTO use only
PLAN REGISTERED
TIME
DATE 14 / 8 / 95
J. Sugan
Assistant Registrar of Titles

Sheet 1 of 4 Sheets

HELLIER McFARLAND Pty. Ltd.
Land Surveyors & Town Planners
108 GARDENVALE RD, GARDENVALE 3185
Fax : (03) 596 7872 Tel : (03) 596 6622

LICENSED SURVEYOR STUART ANDREW McFARLAND
SIGNATURE ---------- DATE / /
REF 3017T/2 VERSION A

DATE / /
COUNCIL DELEGATE SIGNATURE

Original sheet size A3

Attachment 6 - PLN18/0880-42 Bell Street Fitzroy-Certificate of Title

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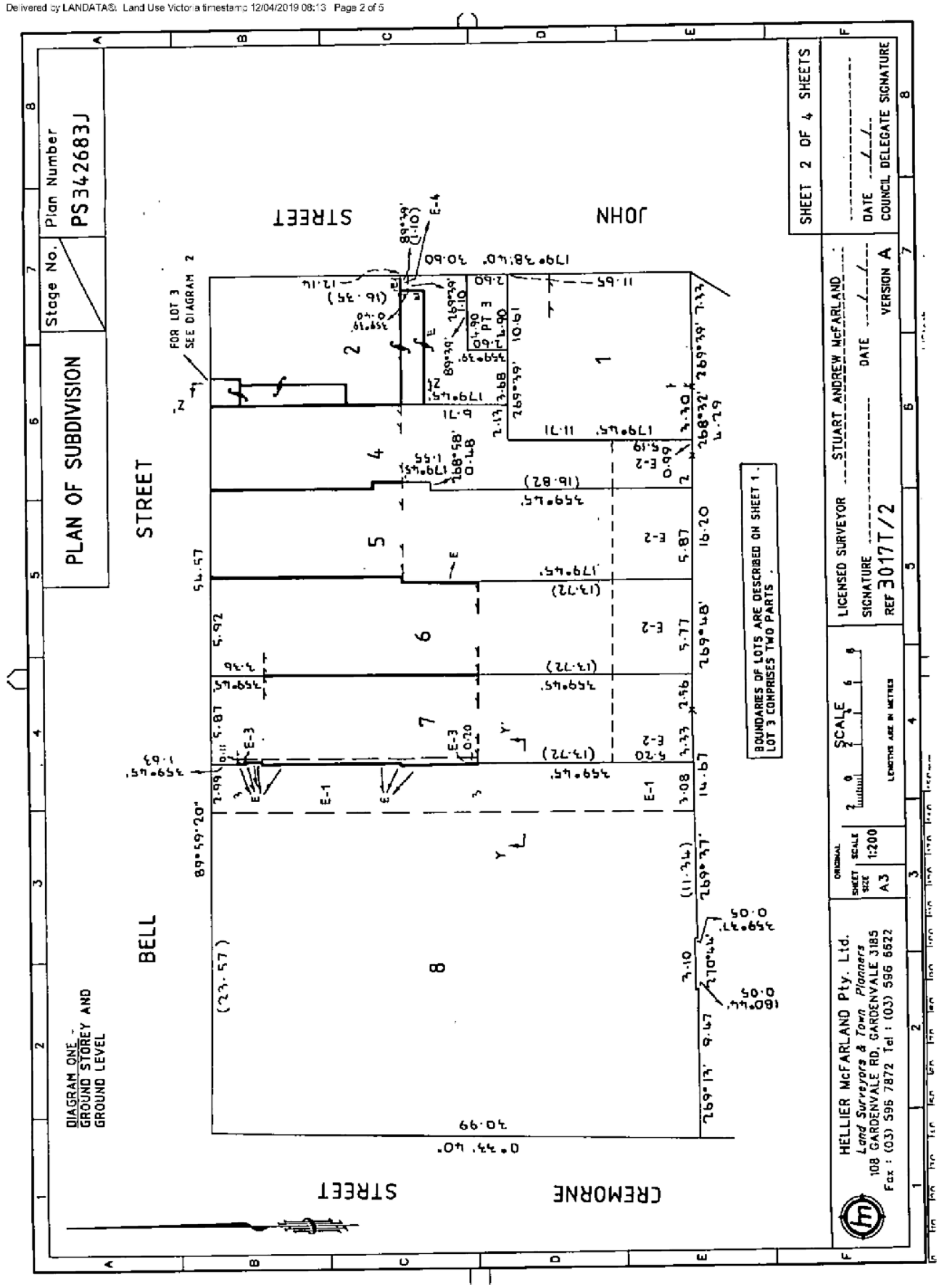

Attachment 6 - PLN18/0880-42 Bell Street Fitzroy-Certificate of Title

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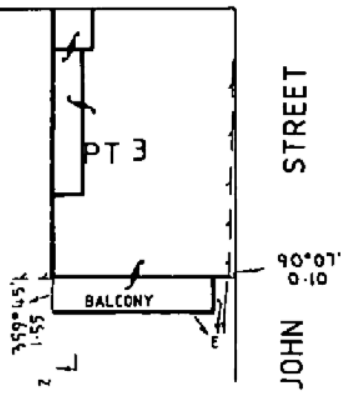
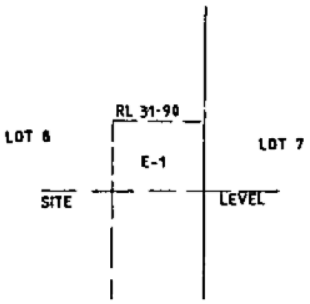
PLAN OF SUBDIVISION | Stage No. / | Plan Number PS342683J

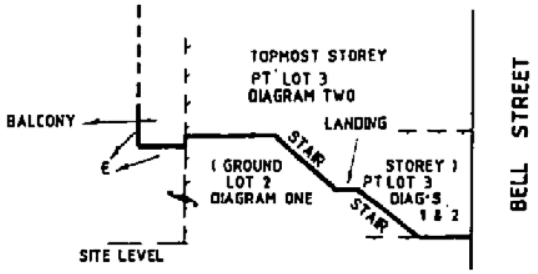
BELL STREET

DIAGRAM TWO -
TOPMOST STOREY (PART)
GROUND STOREY (PART)





CROSS SECTION Y - Y'
NOT TO SCALE



CROSS SECTION Z - Z'
NOT TO SCALE

HELLIER McFARLAND Pty. Ltd.
Land Surveyors & Town Planners
108 GARDENVALE RD, GARDENVALE 3185
Fax : (03) 596 7872 Tel : (03) 596 6622

ORIGINAL SHEET SIZE A3 | SCALE 1:200 | SCALE 0 2 4 6 8 LENGTHS ARE IN METRES

LICENSED SURVEYOR STUART ANDREW McFARLAND
SIGNATURE ---------- DATE --/--/--
REF 3017T/2 VERSION A

SHEET 3 OF 4 SHEETS
DATE --/--/--
COUNCIL DELEGATE SIGNATURE

0 10 20 30 40 50 60 70 80 90 100 110mm

LISTech

Attachment 6 - PLN18/0880-42 Bell Street Fitzroy-Certificate of Title

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PS342683J

FOR CURRENT BODY CORPORATE DETAILS
SEE BODY CORPORATE SEARCH REPORT

Sheet 4

Attachment 6 - PLN18/0880-42 Bell Street Fitzroy-Certificate of Title

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PLAN NUMBER

PS342683J

MODIFICATION TABLE

RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

LAND	MODIFICATION	DEALING REFERENCE	DATE AND TIME		NEW EDITION NUMBER	SIGNATURE OF ASSISTANT REGISTRAR OF TITLES
			DATE	TIME		
THIS PLAN	SPECIAL RULES RECORDED	T834492S	22-9-95	12.15 pm	2	
" "	CHANGE OF ADDRESS	W510258P	18-2-00	1.30pm	3	GSN

Attachment 6 - PLN18/0880-42 Bell Street Fitzroy-Certificate of Title

Department of Environment, Land, Water & Planning

Owners Corporation Search Report

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OWNERS CORPORATION
PLAN NO. PS342683J

The land in PS342683J is affected by 1 Owners Corporation(s)

Land Affected by Owners Corporation:
Lots 1 - 7.

Limitations on Owners Corporation:
Unlimited

Postal Address for Services of Notices:
711 HIGH STREET EAST KEW VIC 3102

AK739312B 26/11/2013

Owners Corporation Manager:
NIL

Rules:
Model Rules apply unless a matter is provided for in Owners Corporation Rules. See Section 139(3) Owners Corporation Act 2006

Owners Corporation Rules:
1. T834492S 22/09/1995

Additional Owners Corporation Information:
NIL

Notations:
NIL

Entitlement and Liability:
NOTE – Folio References are only provided in a Premium Report.

Land Parcel	Entitlement	Liability
Lot 1	143	143
Lot 2	118	118
Lot 3	114	114
Lot 4	135	135
Lot 5	146	146
Lot 6	172	172
Lot 7	172	172
Total	**1000.00**	**1000.00**

LAND USE VICTORIA, 2 Lonsdale Street Melbourne Victoria 3000
GPO Box 527 Melbourne VIC 3001, DX 250639
Telephone: (03) 9194 0601 Facsimile: 9194 0616
ABN 90 719 052 204

Attachment 6 - PLN18/0880-42 Bell Street Fitzroy-Certificate of Title

Department of Environment, Land, Water & Planning

Owners Corporation Search Report

Produced: 20/11/2018 09:37:55 PM

OWNERS CORPORATION
PLAN NO. PS342683J

From 31 December 2007 every Body Corporate is deemed to be an Owners Corporation. Any reference to a Body Corporate in any Plan, Instrument or Folio is to be read as a reference to an Owners Corporation.

Statement End.

LAND USE VICTORIA, 2 Lonsdale Street Melbourne Victoria 3000
GPO Box 527 Melbourne VIC 3001, DX 250639
Telephone: (03) 9194 0601 Facsimile: 9194 0616
ABN 90 719 052 204

Victorian Heritage Database Report

Report generated 01/08/19

HERITAGE COUNCIL VICTORIA

FORMER NATIONAL SCHOOL

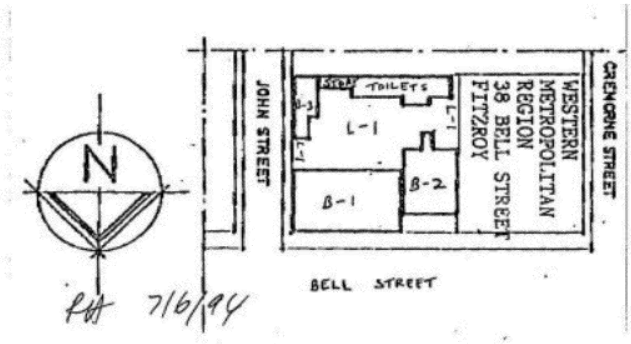
FORMER NATIONAL SCHOOL SOHE 2008

1 former national school bell street fitzroy street view dec1994

former national school bell street fitzroy front corner view dec1994

former national school bell street fitzroy rear view of terrace dec1994

former national school bell street fitzroy building 2 1994



h01031 plan h1031

Location

Attachment 7 - PLN18/0880-42 Bell Street-Heritage Victoria Database Report

40-48 BELL STREET FITZROY, YARRA CITY

Municipality

YARRA CITY

Level of significance

Registered

Victorian Heritage Register (VHR) Number

H1031

Heritage Overlay Numbers

HO149

VHR Registration

August 20, 1982

Amendment to Registration

September 1, 1994

Heritage Listing

Victorian Heritage Register

Statement of Significance

Last updated on - July 20, 1999

What is significant?

The Former National School, Fitzroy, was opened by Robert Bell as a day school in 1855. The building was extended to the east in 1865. The school was sold to the Government in 1873 and became a State School. In 1873 the adjacent two-storeyed terrace was converted for use as school rooms as were two brick cottages. In the 1920s the original National School was substantially altered. The westernmost terrace was demolished in 1944.

How is it significant?

The Former National School is of historical significance to the State of Victoria.

Why is it Significant?

The Former National School is of historical significance because of its important associations with the early history of education in Victoria both before and after the 1872 Education Act.

It is one of only 23 surviving Victorian National Board of Education schools. The Board functioned from 1851 to 1862, managing State-funded, non-denominational schools, of which 193 were built. The Former National School in Fitzroy is a rare example of this type of school and is believed to be the only surviving metropolitan example. After the Education Act of 1872 established free, secular and compulsory education for all, the school was sold to the government education authorities, becoming State School No.111. The school also has

importance as a pioneer in the field of special education, becoming the first Victorian "special school" for handicapped children in 1913. In 1915 part of the school was used as a Domestic Arts School, which was so successful that similar courses were established at schools throughout Victoria.

The development of the complex and the changes to the buildings, including the conversion of the adjoining terrace, the 1920s alterations and the 1980s refurbishment, all demonstrate the changing functions of the school from its original purpose as a National School to its subsequent uses as a Common school, special school, part of Fitzroy Girls School (later Exhibition High School) and regional offices of the Education Department.

Construction dates	1858,
Heritage Act Categories	Registered place,
Other Names	FITZROY SPECIAL SCHOOL,
Hermes Number	446
Property Number	

Extent of Registration

AMENDMENT OF REGISTER OF HISTORIC BUILDINGS
Historic Building No. 1031
Former National School
38 Bell Street, Fitzroy.
(To the extent of:
1. All of the buildings known as the former National School, Bell Street, Fitzroy, excluding the modern toilet blocks and store, marked B-1, B-2, and B-3 on Plan 606044 endorsed by the Chairperson, Historic Buildings Council and held by the Director, Historic Buildings Council.
2. All of the land from the western building line to the eastern title boundary being part of the land described in Certificate of Title Volume 612 Folio 335 marked L-1 on Plan 606044 endorsed by the Chairperson, Historic Buildings Council and held by the Director, Historic Buildings Council.)
[*Victoria Government Gazette* No. G35 1 September 1994 p.2374]

This place/object may be included in the Victorian Heritage Register pursuant to the Heritage Act 2017. Check the Victorian Heritage Database, selecting 'Heritage Victoria' as the place data owner.

*For further details about Heritage Overlay places, contact the relevant local council or go to Planning Schemes Online*http://planningschemes.dpcd.vic.gov.au/