YARRA CITY COUNCIL

Internal Development Approvals Committee

Agenda

to be held on Wednesday 18 December 2019 at 6.30pm in Meeting Rooms 1 & 2 at the Richmond Town Hall

Rostered Councillor membership

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

I. ATTENDANCE
Amy Hodgen (Co-ordinator Statutory Planning)
Michelle King (Acting Principal Planner)
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 Woi-wurrung 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."

Internal Development Approvals Committee Submissions

"Prior to the consideration of any Committee Business Report at a meeting of the Internal Development Approvals Committee, members of the public shall be invited by the Chairperson to make a verbal submission. In determining the order of submissions, the Chairperson shall first invite the applicant or their representatives to submit, followed by formal objectors and finally any other interested persons.

All submitters accepting the invitation to address the meeting shall make submissions in accordance with these guidelines (or a variation of these guidelines as determined by the Chairperson at their sole discretion).

- Speak for a maximum of five minutes;
- Direct their submission to the Chairperson;
- Confine their submission to the planning permit under consideration;
- If possible, explain their preferred decision in relation to a permit application (refusing, granting or granting with conditions) and set out any requested permit conditions.
- Avoid repetition and restating previous submitters;
- Refrain from asking questions or seeking comments from the Councillors, applicants or other submitters;
- If speaking on behalf of a group, explain the nature of the group and how the submitter is able to speak on their behalf.

Following public submissions, the applicant or their representatives will be given a further opportunity of two minutes to exercise a right of reply in relation to matters raised by previous submitters. Applicants may not raise new matters during this right of reply.

Councillors will then have an opportunity to ask questions of submitters. Submitters may determine whether or not they wish to take these questions.

Once all submissions have been received, the formal debate may commence. Once the debate has commenced, no further submissions, questions or comments from submitters can be received."

Extract from the Council Meeting Operations Policy, September 2019

1. Committee business reports

Item		Page	Rec. Page
1.1	PLN19/0432 - 141 - 147 Queens Parade Clifton Hill - Partial demolition of the existing building for buildings and works to the façade and roof service platform, construct and display of internally illuminated business identification signs and reduction in the car parking requirement associated with the use of the land as a supermarket and bottle shop (no permit required for use)	5	28
1.2	PLN18/0468 - 14 Boyd Street, Richmond - Construction of a three storey dwelling and a reduction of the car parking requirements	66	90
1.3	PLN18/0002 - 1-3 Harcourt Parade, Cremorne - Development of the land with a multi-level residential hotel, construction and display of major promotional electronic sign and removal of covenant 1818808 from lot 1 on plan of subdivision 408289Y.	117	165
1.4	100 Little Charles Street, Abbotsford VIC 3067 - Planning Permit Application No. PLN19/0178 Demolition of existing buildings and construction of a double-storey dwelling with roof deck	332	360

1.1 PLN19/0432 - 141 - 147 Queens Parade Clifton Hill - Partial demolition of the existing building for buildings and works to the façade and roof service platform, construct and display of internally illuminated business identification signs and reduction in the car parking requirement associated with the use of the land as a supermarket and bottle shop (no permit required for use)

Executive Summary

Purpose

1. This report provides an assessment of partial demolition of the existing building for buildings and works to the façade and roof service platform, construct and display of internally illuminated business identification signs and reduction in the car parking requirement associated with the use of the land as a supermarket and bottle shop (no permit required for use) at 141 – 147 Queens Parade Clifton Hill.

Key Planning Considerations

2. Key planning considerations include:
   (a) Clause 22.02 Development Guidelines for Sites Subject to the Heritage Overlay;
   (b) Clause 22.04 Advertising Policy;
   (c) Clause 22.05 Interface Uses Policy; and
   (d) Clause 22.07 Development Abutting Laneways.

Key Issues

3. The key issues for Council in considering the proposal relate to:
   (a) Policy and Strategic Support
   (b) Car Parking;
   (c) Loading and Unloading;
   (d) Heritage;
   (e) Advertising Signs;
   (f) Built Form and Amenity Impacts
   (g) Other Matters; and
   (h) Objector Concerns.

Submissions Received

4. Nine (9) objections were received to the application, these can be summarised as
   (a) Heritage.
   (b) Reduction in car parking; and
   (c) Use of the existing loading bay;

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) updated existing/demolition plan to show all proposed demolition works including the removal of existing signage/boards;
   (b) the external colour of the heritage building must be one colour, and modified to be Dulux 'Gentle Calm Quarter';
   (c) Sign 2 and 3a deleted, or modified to be non-illumination or externally illuminated with small discrete spotlights;
   (d) Sign 3A deleted, or modified to be non-illumination or externally illuminated with small discrete spotlights;

(e) Sign 3B deleted or repositioned centrally over the window opening closest to the corner door opening;
(f) deletion of tiled wall finish to the street frontages of the double storey building;
(g) car parking to be nominated as for staff use only;
(h) the existing bollard and western most wheel stop to be removed; and
(i) all loading and unloading must be conducted within title boundaries and no vehicle larger than an 8.9m rigid delivery truck is to be used;

CONTACT OFFICER: **David Tancheff**
TITLE: **Senior Statutory Planner**
TEL: **92055485**

1.1 PLN19/0432 - 141 - 147 Queens Parade Clifton Hill - Partial demolition of the existing building for buildings and works to the façade and roof service platform, construct and display of internally illuminated business identification signs and reduction in the car parking requirement associated with the use of the land as a supermarket and bottle shop (no permit required for use)

Reference: D19/228697
Authoriser: Senior Coordinator Statutory Planning

Proposal:	Partial demolition of the existing building for buildings and works to the façade and roof service platform, construct and display of internally illuminated business identification signs and reduction in the car parking requirement associated with the use of the land as a supermarket and bottle shop (no permit required use)
Existing use:	Commercial
Applicant:	Woolworths LTD
Zoning / Overlays:	Commercial 1 Zone, Heritage Overlay (Schedule 330), Design Development Overlay (Schedule 20-3)
Date of Application:	1 July 2019
Application Number:	PLN19/0432

Planning History

1. Planning Permit PLN17/0718 was issued 29 November 2018 for the development of the land for the construction of a four-storey built form (plus basement level, including part demolition and a reduction in the car parking requirement). The permit has not been acted on and the development has until 29 November 2020 to commence.

Background

2. The application was lodged on 1 July 2019, with further information submitted on 4 September 2019. The application was advertised with 9 objections received. A Planning Consultation Meeting was held on 19 September 2019, where key issues raised in the objections were discussed with the permit applicant, objectors and planning officers present.

3. Planning Permit application PLN19/0465 was lodged with Council on 16 July 2019 and seeks to license the proposed bottle shop (Packaged Liquor Licence). The Notice of the Decision to grant the planning permit was issued on 4 December 2019.

Existing Conditions

Subject Site

4. The subject site is located on the south-east corner of Queens Parade and Gold Street, Clifton Hill. The site is irregular in shape with property boundaries to Queens Parade (north), Gold Street (west), the adjoining property 149 Queens Parade (east), a bluestone laneway to the south, with respective lengths to each interface of 16.2m, 24.5m, 33m, 33.6m comprising a total site area of 713m^2.

5. The site is currently developed with a part single, part double storey heritage building currently being used for restricted retail. The double storey building is graded ‘individually to the Queens Parade heritage precinct. The single storey sections of the building to the south and east of the historic building are later infill and not considered to contributory to the heritage place.

6. Existing vehicular access, loading, waste and car parking are provided from the rear laneway within the rear setback of the building. This area is unfenced and contains five existing car parking spaces, four of which have wheel stops and the fifth is used informally and does not have any line marking.

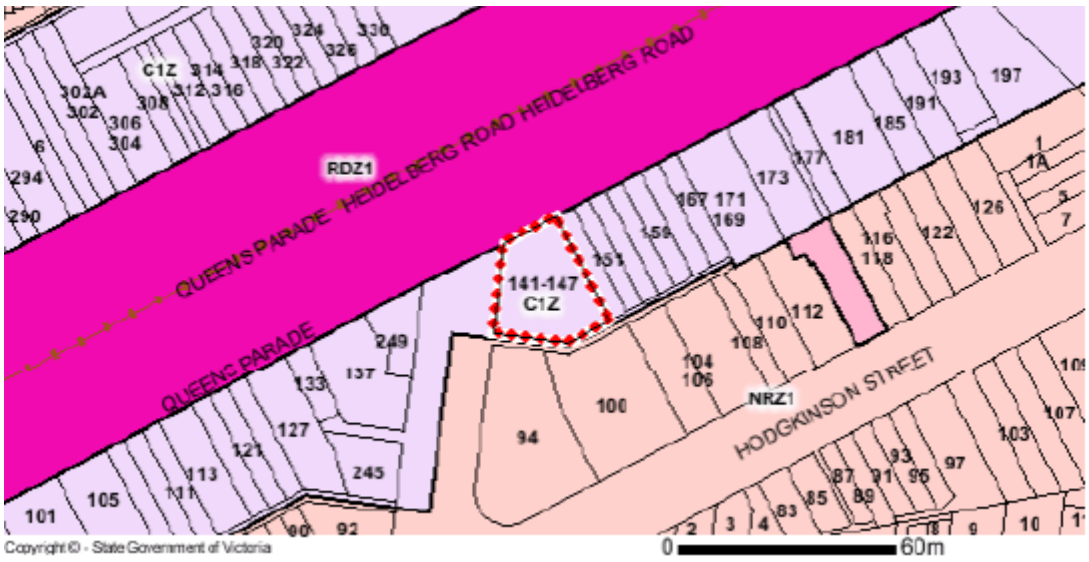


Surrounding Land

7. The subject site forms part of a row of a relatively intact Victorian-era commercial strip, with the built form predominantly double storey in scale.

8. The surrounding land is a mix of commercial and residential uses. Along Queens Parade (north east and west) there is a mix of commercial uses associated with the Queens Parade Neighbourhood Activity Centre. These uses range from food and drink premises, offices and retail premises.

9. Properties to the south of the site are generally residential land and front Hodgkinson Street. These are located within the Neighbourhood Residential Zone.



10. To the north of the site is Queens Parade, a 27m wide dual carriageway, separated by a central median and tram lines and an 8m wide service lane on either side. Further to the north is a row of commercial premises which are double-storey in scale.

11. To the east is No. 149 Queens Parade, which is occupied by a double storey commercial building constructed to both side boundaries along Queens Parade. The building has a double storey boundary wall constructed for a length of 11m along the common boundary with the subject site. A 1.5m setback is provided for 11m, with a carport constructed within the rear setback and accessed via the rear laneway.

12. To the west of the site is No. 89 Queens Parade, located on the opposite corner of Queens Parade and Gold Street and is occupied by a food and drink premises (Rubber Duck Cafe). The site is occupied by a double storey building, constructed along both the Queens Parade and Gold Street frontages.

13. To the south of the site is an unnamed laneway, beyond which is a part two and three storey residential building (No. 94 Hodgkinson Street) fronting Hodgkinson Street. The property is associated with Housing Choice Australia and provides affordable and social housing for older people and people with disabilities. Interfacing the laneway is a number of balconies and habitable room windows. Adjacent to the dwelling are two double storey buildings and open space associated with St Mark's Church. With the exception of No. 94 Hodgkinson Street, the laneway is characterised by rear boundary fences and roller doors.

14. The site is well serviced by public transport all within 10 minute walking distance, including the following:

    (a) Clifton Hill Train Station 360m to the east of the site;

    (b) The 86 tram route servicing Queens Parade (stop at the junction of Queens Parade and Wellington Street); and

    (c) Queens Parade is services by the following bus routes:

        (i) 246 Elsternwick – Clifton Hill via St Kilda -From Clifton Hill Railway Station;

        (ii) 250 City (Queens Street) – La Trobe University - from Clifton hill interchange/ Queens Parade;

(iii) 251 (Queens Parade) – Northland SC – from Clifton hill interchange/ Queens Parade;

(iv) 504 Moonee Ponds – Clifton Hill Via East Brunswick – from Michael Street; and

(v) 546 Heidelberg Station – Melbourne University – Queens Victoria Market via Clifton hill and Carlton – from gold Street/Queen Parade.

15. In terms of car parking availability within the immediate area, a number short term parking is available on either side of Queens Parade within its service lanes. The car parking restriction in these spaces is predominantly 1- 2 hours. Short term parking is also available within Hodgkinson, Wellington Street, Gold and Turnbull Street and there is up to 15 unrestricted car spaces within Turnbull Street and Wellington Street.

The Proposal

16. The application proposes partial demolition of the existing building for buildings and works to the façade and roof service platform, construct and display of internally illuminated business identification signs and reduction in the car parking requirement associated with the use of the land as a supermarket and bottle shop. Further details of the proposal are provided below:

Use (permit not required)

17. It is proposed to use the land for the purpose of a supermarket and bottle shop (liquor licence for the bottle shop does not form part of this assessment). The supermarket is proposed to have a leasable floor area of 518.71m^2 and the bottle shop with a leasable floor area of 62m^2. The indicative internal floor plans received by Council 25 August 2019 show that both uses utilise the same entrances into the building. Those being the entrance on Queens Parade and the entrance on the corner of Queens Parade and Gold Street.

Demolition

18. The demolition works include:
    (a) The removal of existing business identification signage located under the canopy of the north east entrance of the building;
    (b) Removal of eight existing lights located above the north-west and south-west non-contributory buildings; and
    (c) A section of wall cut out on the south facing first floor wall of the existing heritage building in order to facilitate an access door to rooftop services.

Buildings and works

19. The proposed works consist of repainting the existing façade and canopies, a new access door facing Queens Parade, provision of glazing film to existing windows, ceramic tiling and the construction of access to a new walkway and services deck.

20. The paint work proposed is shown on the rendered elevation plan TP05, consisting of a Dulux ‘Gentle Calm’ colour on the first floor, charcoal colour on the upper parapet of the ground floor, a Dulux ‘guild grey’ on the ground floor and the existing canopies repainted green and white stripes.

21. The access door fronting Queens Parade is proposed to be a bi-parting glass door with aluminium framing. It replaces the north facing door of the single storey non-contributory building. It will be of a similar size and shape as the existing door.

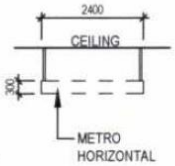
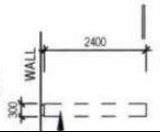
22. The glazing film is a silver film and is designed to allow light to permeate but also block views, the finish is described as '*an impression of etched, cut or sandblasted glass'*. This is proposed to cover the entirety of the west facing ground floor windows and the bottom of the north facing windows to maximum height of 1.5m. The southernmost western window will have BWS signage imprinted on it.

23. The ceramic tilling is proposed to be a gloss green colour and is proposed to span across a small section of the single storey building facing north, the entirety of the double storey contributory building facing north and across the full length of the buildings facing west. The tiling proposed will vary between 0.625m^2– 1.87m high above the footpath.

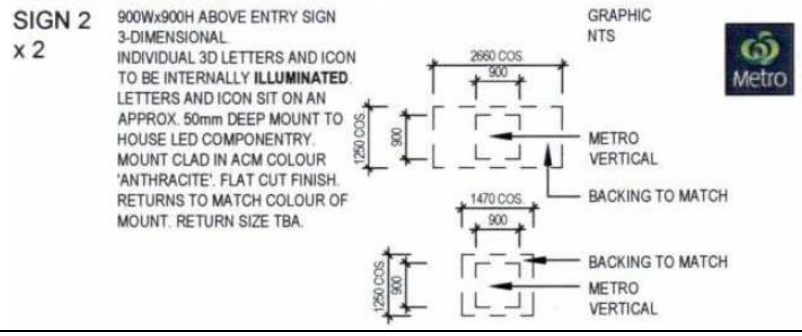
24. A services deck is proposed towards the rear of the eastern single storey building adjacent to the loading area. The works associated with the services deck include a new roof access door cut into the south-facing first floor wall of the existing heritage building, which opens to a 0.8m wide, walkway, leading to a 56m^2 services deck located 7.4m south of the access door. The services deck has a finished floor level 0.6m above the existing roof and is proposed to be enclosed by a 1.8m high acoustic powder coated aluminium screens, equating to a total height above the existing building of 2.4m. The service deck is setback from all title boundaries.

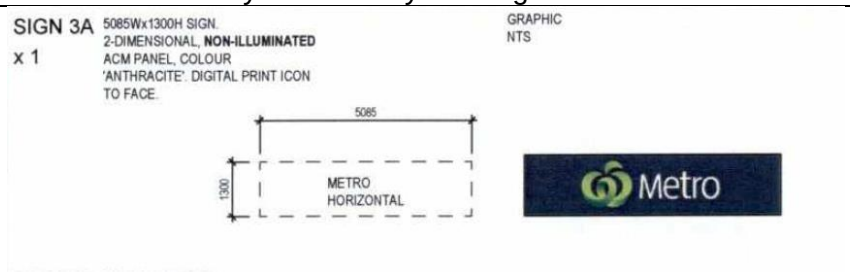
Signs

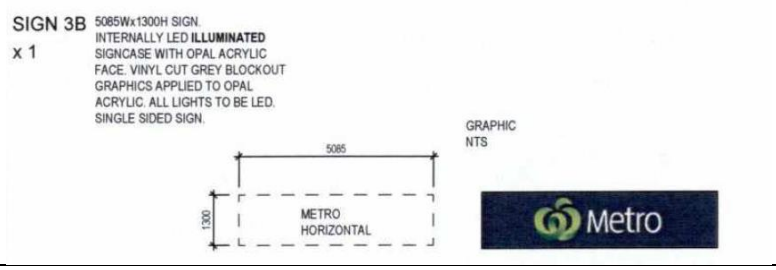
25. It is proposed to display a total of nine (9) signs with a total advertising area of 16.1m^2. Further details of the signs are described below:

Sign 1a and 1b x4	
Type of sign	Business identification sign (internally illuminated)
Size	2400mm w x 300mm h
Colour	Background: Dark Woolworths corporate colour Text: White
Text	METRO
Location	2x signs under the awning located on Queens Parade 2x signs located under the awning on Gold Street
Visual representation of sign	SIGN 1A x 2 — 2400Wx300H INTERNALLY LED **ILLUMINATED** SIGNCASE WITH OPAL ACRYLIC FACE. VINYL CUT GREY BLOCKOUT GRAPHICS APPLIED TO OPAL ACRYLIC. ALL LIGHTS TO BE LED. DOUBLE SIDED SIGN. SUSPENDED SIGN UNDER AWNING. NOTE - UNDER AWNING SIGNAGE TO BE CENTERED WITHIN AWNING.  GRAPHIC NTS  SIGN 1B x 2 — 2400Wx300H INTERNALLY LED **ILLUMINATED** SIGNCASE WITH OPAL ACRYLIC FACE. VINYL CUT GREY BLOCKOUT GRAPHICS APPLIED TO OPAL ACRYLIC. ALL LIGHTS TO BE LED. DOUBLE SIDED SIGN. BLADE SIGN UNDER AWNING.  GRAPHIC NTS 

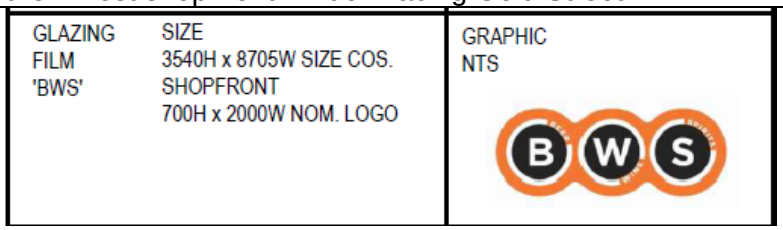
Sign 2 x 2	
Type of sign	Business identification sign (internally illuminated)
Size	900mm w x 900mm h
Colour	Background: Dark Woolworths corporate colour Picture: Green Woolworths logo Text: White
Text	Metro
Location	1x located above the corner entry of the supermarket on the corner of Gold Street and Queens Parade.

	1x located above the eastern entrance facing Queens Parade
Visual representation of sign	

Sign 3a x 1	
Type of sign	Business identification sign (non-illuminated)
Size	5085mm w x 1300mm h
Colour	Background: Dark Woolworths corporate colour Picture: Green Woolworths logo Text: White
Text	Metro
Location	Facing Queens Parade on the upper parapet of the ground floor of the double storey contributory building
Visual representation of sign	

Sign 3b x 1	
Type of sign	Business identification sign (illuminated)
Size	5085mm w x 1300mm h
Colour	Background: Dark Woolworths corporate colour Picture: Green Woolworths logo Text: White
Text	Metro
Location	Facing Gold Street on the upper parapet of the ground floor of the double storey contributory building
Visual representation of sign	

BWS Sign x 1	
Type of sign	Business identification sign (non-illuminated)
Size	700mm w x 2m h
Colour	Background: red and black circles Text: White

Text	BWS
Location	Southernmost shop front window facing Gold Street
Visual representation of sign	

Car Parking and loading and unloading

26. It is proposed to formalise the 5 existing car parking spaces and existing loading facilities at the rear of the site. The proposed car parking spaces measure 2.6m wide by 4.9m long. The maximum sized vehicle proposed to use the loading area is an 8.9m rigid delivery truck.

Planning Scheme Provisions

Zoning

Commercial 1 Zone

27. Pursuant to Clause 34.01-1 of the Yarra Planning Scheme (the Scheme), a planning permit is not required to use the land for a supermarket or bottle shop.

28. Pursuant to Clause 34.01-4 of the Scheme, a planning permit is required to construct a building or construct or carry out works.

29. Pursuant to Clause 34.01-9 of the Scheme sign requirements are at Clause 52.05. This zone is in Category 1.

Overlays

Heritage Overlay (Schedule 330 – Queens Parade Precinct)

30. Pursuant to Clause 43.01-1 of the Scheme, a permit is required to construct or display a sign, construct a building or construct or carry out works, including demolition. External paint controls apply to this heritage precinct.

Design and Development Overlay (Schedule 20)

31. Pursuant to Clause 43.02-2 of the Scheme, a permit is required to construct a building or construct or carry out works. The subject site is located within Precinct 4 of the DDO.

Particular Provisions

Clause 52.05 Signs

32. Pursuant to Clause 52.05-11, Category 1 - Commercial Areas, a permit is required for:

(a) Business identification signs if the total area of all signs exceed 8m^2. The total area of signage does not include a sign with a display area not exceeding 1.5m^2 that is below verandah or, if no verandah, that is less than 3.7m above pavement level; and
(b) A permit is required for internally illuminated signs where the total display area exceeds 1.5m^2.

33. All proposed signage requires planning permit except for the BWS sign which is below verandah height, is not internally illuminated and is less than 1.5m^2.

Clause 52.06 Car Parking

34. Pursuant to Clause 52.06-2 of the Scheme, before a new use commences, the number of car parking spaces required under Clause 52.06-5 must be provided. Pursuant to Clause 52.06-3, a planning permit is required to reduce the number of car parking spaces required under Clause 52.06-5. The site is located within Principal Public Transport Network Area and therefore the car parking rates of Colum B within Table 1 of Clause 52.06-5 should be applied. The car parking requirements are summarised in the table below:

Use	Rate	Floor area	Spaces Required	Spaces Provided	Variation Required
Supermarket	5 per 100m^2 of leasable floor area	518m^2	25	Not specified	-
Bottle Shop (Shop)	3.5 per 100m^2 of leasable floor area	62m^2	2	Not specified	-
	Total	580m^2	27	5	**22**

35. The above table indicates that a reduction of 22 required pursuant to Clause 52.06-5.

General Provisions

36. The decision guidelines outlined at Clause 65 of the Scheme are relevant to all applications. 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, the purpose of the zone, overlay, or any other provision and the adequacy of loading and unloading provisions. An assessment of the application against the relevant sections of the Scheme is offered in further in this report.

Planning Policy Framework (PPF)

37. Relevant clauses of the PPF are as follows:

Clause 11.03-1S Activity centres

38. The relevant objective of this clause is:
    (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

39. The relevant strategy of this Clause is:
    (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

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

Clause 13.07-1S Land use compatibility

41. The relevant objective of this clause is:
    (a) To safeguard community amenity while facilitating appropriate commercial, industrial or other uses with potential off-site effects

Clause 15.01-1S – Urban design

42. The relevant objective of this clause is:
    (a) To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.

Clause 15.01-1R - Urban design - Metropolitan Melbourne

43. The relevant objective of this clause is:
    (a) To create a distinctive and liveable city with quality design and amenity.

Clause 15.01-2S Building design

44. 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.

Clause 15.01-4S Healthy Neighbourhoods

45. The objective of this clause is:
    (a) To achieve neighbourhoods that foster healthy and active living and community wellbeing.

Clause 15.01-4R Healthy Neighbourhoods – Metropolitan Melbourne

46. The relevant strategy of this clause 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

47. The objective of this clause is:
    (a) To recognise, support and protect neighbourhood character, cultural identity, and sense of place.

Clause 15.02-1S - Energy and resource efficiency

48. The objective of this clause is:

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

Clause 15.03 Heritage

49. The objective of this clause is:

(a) To ensure the conservation of places of heritage significance.

Clause 17.01-1S Diversified economy

50. The objective of this clause is:
    (a) To strengthen and diversify the economy.

Clause 17.02-1S Business

51. The relevant objectives clause is:
    (a) To encourage development that meets the community's needs for retail, entertainment, office and other commercial services.

Clause 18.01-1S Land use and transport planning

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

Clause 18.02-1S Sustainable Personal transport

53. The objective of this clause is:
    (a) To promote the use of sustainable personal transport

Clause 18.02-2R Principal Public Transport Network

54. The relevant strategies of this clause include:
    (a) Facilitate high-quality public transport access to job-rich areas.
    (b) 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

55. The objective and relevant strategies of this clause include:

    (a) To ensure an adequate supply of car parking that is appropriately designed and located.
    (b) Design and locate local car parking to:
        (i) Facilitate the use of public transport.

Local Planning Policy Framework (LPPF)

56. Relevant clauses of the LPPF are as follows:

Clause 21.04 Land Use

Clause 21.04-2 – Activity Centres

57. This policy recognises that activity centres in Yarra have a retail, hospitality, and service focus and that the provision of these services is therefore important for maintaining the character of activity centres as local destinations. Relevant objectives and strategies of this Clause are as follows:

    (a) Objective 4 - To maintain a balance between local convenience and regional retail roles in Yarra's activity centres.

(i) Strategy 4.3 - Increase the range of retail, personal and business services, community facilities, and recreation activities, within individual centres.
(ii) Strategy 4.3 - Support the role of all activity centres, including Neighbourhood Activity Centres, in providing local day-to-day needs of residents of all abilities.

(b) Objective 5 - To maintain the long term viability of activity centres.
(i) Strategy 5.2 - Support land use change and development that contributes to the adaptation, redevelopment and economic growth of existing activity centres.

Clause 21.04-3 Industry, office and commercial

58. This policy recognises that Within Yarra the volume of commercial and associated uses is so significant that they form clusters of interrelated activity. Relevant objectives of this Clause are as follows:

(a) Objective 8 - To increase the number and diversity of local employment opportunities

Clause 21.05 Built Form

Clause 21.05-1 Heritage

59. This policy recognises that in conserving areas of heritage significance there is also a need to provide for adaptive re-use and change of buildings. Relevant objectives and strategies of this Clause are as follows:

(a) *Objective 14 - To protect and enhance Yarra's heritage places.*
(i) *Strategy 14.1 - Conserve, protect and enhance identified sites and areas of heritage significance including pre-settlement ecological heritage.*
(ii) *Strategy 14.2 - Support the restoration of heritage places.*
(iii) *Strategy 14.5 - Protect the significant landscape and heritage within streets, parks, gardens, waterways or other open spaces*
(iv) *Strategy 14.6 - Protect buildings, streetscapes and precincts of heritage significance from the visual intrusion of built form both within places and from adjoining areas.*
(v) *Strategy 14.8 - Apply the Development Guidelines for sites subject to a Heritage Overlay policy at clause 22.02*

Clause 21.05-2 Urban design

60. This policy recognises that Yara has a unique character of a low-rise urban form punctuated by pockets of higher development, which is important as it helps to differentiate Yarra from the urban form of adjoining cities, particularly the City of Melbourne, thus strengthening its sense of place. Relevant objectives and strategies of this Clause are as follows:

(a) *Objective 16 - To reinforce the existing urban framework of Yarra*
(i) *Strategy 16.2 - Maintain and strengthen the preferred character of each Built Form Character Type within Yarra.*

(b) *Objective 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.*

(c) *Objective 21 - To enhance the built form character of Yarra's activity centres.*
(i) *Strategy 21.2 - Require new development within an activity centre to consider the context of the whole centre recognising that activity centres may consist of sub-precincts, each of which may have a different land use and built form character.*

Clause 21.05-4 Public Environment

61. This Policy guides new development to add positively to Yarra's overall character and help create a safe and engaging public environment where pedestrian activity and interaction are encouraged. Relevant objectives and strategies of this Clause are as follows:

    (a) Objective 29 - To ensure that advertising signage contributes positively to Yarra.
        (i) Apply the Advertising Signs Policy at clause 22.04.

Clause 21.06 Transport

62. 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 21.08 Neighbourhoods

Clause 21.08-4 Clifton Hill

63. The policy describes the Queens Parade Activity Centre as a mixed-use centre with strong convenience retailing. There is an opportunity to create stronger linkages between the community facilities to the east and the centre.

Relevant Local Policies

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

64. This policy applies to all new development included in a heritage overlay. The relevant objectives of this clause aim to conserve Yarra's natural and cultural heritage, to conserve the historic fabric and maintain the integrity of places of cultural heritage significance, to retain significant view lines to, and vistas of, heritage places and to preserve the scale and pattern of streetscapes in heritage places.

Clause 22.04 Advertising Policy

65. This Policy applies to all permit applications for advertising signs or for development which incorporates an advertising sign. The relevant objects of this clause aim to allow for the promotion of goods and services and to ensure that signs contribute to and do not detract from the visual amenity of commercial precincts, activity centres and residential areas.

Clause 22.05 Interface Uses Policy

66. This policy applies to applications for use or development within Commercial 1 Zones (amongst others). The relevant objective of this clause is to ensure that residential uses located within or near commercial centres or near industrial uses enjoy a reasonable level of amenity.

Clause 22.07 Development Abutting Laneways

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

Advertising

68. The application was advertised under the provisions of Section 52 of the *Planning and Environment Act (1987)* with 278 letters sent to surrounding owners and occupiers and three signs displayed on site. Council received 9 objections, the grounds of which are summarised as follows:
    (a) Reduction in car parking;
    (b) Use of the existing loading bay; and
    (c) Heritage.

69. A planning consultation meeting was held on 19 November 2019 and attended by objectors, the Applicant and Council Officers to discuss all issues and concerns raised in the letters of objections. The applicant did not make any commitments to make changes beyond the advertised plans.

Referrals

Internal Referrals

70. The application was referred to the following internal departments and Council Consultants:
    (a) Engineering Services Unit;
    (b) Heritage Advisor; and
    (c) Waste Management.

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

OFFICER ASSESSMENT

72. The primary considerations for this application are as follows:
    (a) Policy and Strategic Support
    (b) Buildings and Works and Amenity Impacts
    (c) Heritage
    (d) Advertising signs
    (e) Car Parking
    (f) Loading and Unloading
    (g) Waste
    (h) Other Matters
    (i) Objector concerns

Policy and Strategic Support

73. The proposed development of the land for the purpose a supermarket is considered to satisfy the relevant PPF and LPPF, that encourage a mix of land uses within areas that are well serviced by public transport in order to meet the needs of local communities and seek to ensure development, including signs, have minimal detrimental impacts on amenity, built environment, heritage and on the safety and efficiency of roads.

74. The subject site is located within Queens Parade Neighbourhood Centre and within easy walking distance to public transport (trams along Queens Parade, Clifton Hill Train Station and bus routes are located within 360m). Planning Policy at Clause 11.03-1, Clause 15.01-4R, Clause 15.04-1S and Clause 17.01-1S 'encourage small scale shopping opportunities that meet the needs of local residents and workers in convenient locations' such as activity centres and sites that have good access public transport.

75. The subject site is also located within a Commercial 1 Zone (C1Z), under which the proposed use of the land for a supermarket and bottle shop does not require a planning permit. This is consistent with a key purpose of the zone which is to 'create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses'. Given that no permit is required for the proposed land use and the purpose of the zone encourages retail, there is clear policy support for the use of the land as a supermarket and bottle shop.

76. Clauses 15, 21.05 and 22.02 of the Yarra Planning Scheme seek built form and heritage outcomes that minimise impacts to amenity of the area. The policies give regard to the acceptability of the design in terms of the buildings heritage value and its relationship to adjoining buildings. A discussion relating the proposed works and how it is appropriate to the heritage place and the adjoining buildings will be provided later in this report.

77. The subject site is subject to the Design Development Overlay Schedule 20 (DDO20). The design objectives of the DDO20 generally aim to preserve and respect the heritage character of Queens Parade and ensure the overall scale and form of new buildings provides a suitable transition to low scale residential areas while also protecting these properties from unreasonable loss of amenity through visual bulk, overlooking and overshadowing. Similarly the Objective of Clause 15.01-2S, Clause 22.05 and Clause 22.07 aim to minimise amenity impacts to adjoining properties, ensure built from responds well to its context and creates a safe environment. A discussion relating to the amenity impacts of the proposed works and how it responds to these policies will be provided later in this report.

78. The policies contained within Clause 18 and 21.06 of the Scheme generally encourage development to reduce reliance on the private motor vehicle. The policies give regard to the provision of car parking in relation to its usability, safety, availability of public transport and availability of street parking. A discussion relating the acceptability of the proposed reduction of car parking will be provided later in the report.

79. Clauses 21.05-4 and 22.04 of the Scheme encourage signage that contribute positively to Yarra by not detracting from the visual amenity of the commercial precinct. A discussion relating to the proposed signs and their acceptability will be provided later in this report.

Building and Works and Amenity Impacts

80. The proposal adheres to the objectives and decision guidelines of the DDO20, C1Z, Clauses 15.01-2S, 22.05 and 22.07 which encourage development to respond to its existing context and minimise amenity impacts to adjoining properties and laneways. The proposal does not drastically alter the design of the existing buildings, with the only new built form relating to the services deck area at the rear of the site. The proposed services deck's predominate built form is the 1.8m high acoustic powder coated aluminium screens. The screens are considered to be a quality design response to conceal the services equipment from dwellings to the south and the café to the west. The proposed addition is not considered to cause unreasonable built form or amenity impacts to adjoining properties or the precinct.

81. It is understood that a walkway with handrails are proposed with the services deck, however no details have been provided other than its location. A condition has been included in the recommendation requiring these details to be provided prior to the endorsement of plans. The condition includes parameters that require the railing to be open and the walkway to be built at roof level, with exception of stairs leading down from the access door and service deck. Subject to this condition the walkway is supported.

82. In terms of the amenity impacts in relation to noise from the premises, the building is required to comply with State Environment Protection Policy SEPP N-1 and N2, which relate to noise generated from mechanical equipment and music from the premises. To ensure compliance with these requirements, standard conditions in the recommendation have been included.

83. In addition to the above the C1Z decision guidelines as relevant to this application considers:

    (a) *the provision of car parking,*
    (b) *The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport,*
    (c) *The storage of rubbish and materials for recycling*
    (d) *The availability of and connection to services.*
    (e) *The design of buildings to provide for solar access.*

84. In relation to decision guidelines referenced (a), (b) and (c) above, these are addressed later in report in the car parking, waste and loading and unloading section of this report.

85. In relation to the decision guideline referenced (d) above, the site is an existing restricted retail premises and has existing connections to necessary services.

86. In relation to the decision guideline referenced as (e) above the existing building is considered to provide a sufficing level of solar access given the extent of the proposed works and the use of the land as a supermarket.

87. The proposal also complies with the mandatory height and setback requirements of the DDO20. The proposal does not seek an increase to the height of the building and the proposed services deck comfortably complies with the setback requirements.

Heritage

88. The decision guidelines at Clause 43.01-4 (Heritage Overlay) and policy from Clause 22.02 (Development Guidelines for sites Subject to the Heritage Overlay) of the Scheme are used to assess the proposed works, to ensure consistency is achieved with the heritage values of the area. Below is an assessment of the proposed buildings and works outlining compliance or non-compliance with the aforementioned policies:

Demolition

89. The proposed demolition works are limited to the removal of signage, lighting and a section of wall to facilitate access to the rear rooftop, with these works supported by Council's Heritage Advisor. The removal of the proposed signage and lighting is considered to be reasonable as none of these elements are contributory elements of the building. The part removal of the wall on the other hand is part of the original fabric of the building. Its removal is considered to reasonable given that it located at the rear of the development and will only be part visible from the laneway.

Proposed additions

90. The proposed addition of the access door, walkway and services area are considered to be reasonable. These proposed works are all located to the rear of the site and are mostly obscure to the public realm with the exception of the views from or just outside of the laneway. From a heritage perspective these works are considered reasonable, and supported by Council's Heritage Advisor.

91. The proposed external wall tiling is not an appropriate response to the existing heritage building, with only the tiling on the non-contributory section of the existing building considered acceptable. Typically the type of tiling being proposed is associated with retail shopfronts and hotels, the existing building was a former post office which would not typically have ceramic tiling. Council's Heritage Advisor has recommended deletion of the tiling from the double storey contributory building and this has been included as a condition in the recommendation.

92. The north facing access door is considered reasonable, it is located on the non-contributory building and is of a similar size and shape to the original door.

External Painting

93. The proposed paint works to the walls of the existing building are not supported by Council's Heritage Advisor. Clause 22.05-5.4 of the Yarra Planning Scheme encourages paint colours to be consistent with the period of the heritage place. The colour of the building should therefore reflect unpainted cement render. The use of two colours reflecting the Woolworths corporate colour is not considered to be in keeping with the heritage place and the use of Dulux 'Guild grey' is considered too dark to resemble unpainted render. Council's Heritage advisor has recommended that the building to be finished in one colour and for that colour to be Dulux 'Gentle Calm'.

94. The applicant was advised of this and whilst they agreed with the condition requiring the building to be painted in one colour, they opposed the colour being 'Guild Grey'. The applicant in seeking to resolve the disagreement submitted 'For Information Only Plans' to Council's Heritage Advisor that showed an alternative colour, 'Dulux Gentle Calm Quarter'. Council's Heritage Advisor had no objection to this change and has provided written confirmation that this colour is supported. Permit conditions in line with the new paint colour have been included in the recommendation.

95. The proposed painting of the existing canopies is considered reasonable. The canopies are on the later infill addition to the building which is considered to be non-contributory. Council's Heritage Advisor had no objection to the canopy paintworks. The proposed paintwork to the canopies is supported.

Signs (heritage)

96. The four illuminated under awning signs (2 x Sign 1a, 2 x Sign 1b) are supported by Council's Heritage Advisor. Both signs are located in the front of the non-contributory sections of the existing building and similar under awning signage is present within Queens Parade. These four signs are supported.

97. The internally illuminated above entry sign (Sign 2) on the corner of Queens Parade and Gold Street above the entry to the contributory building is not supported by Council's Heritage Advisor. A more subtle illumination of the sign can be supported such as small discrete spotlights designed to externally illuminate the sign. The change has been included as a permit condition in the recommendation.

98. The above entry sign (Sing 2) located facing Queens Parade above the entry to the non-contributory building is supported. It's size and location on the non- contributory building does not detract from the heritage significance of the contribute building and is supported.

99. The illuminated panel sign facing Queens Parade (Sign 3a) is supported subject to conditions by Council's Heritage Advisor. Its size and position is acceptable however given its location on the contributory building, its illumination is not supported. A condition has been included in the recommendation requiring the sign to be either non-illuminated or provided with externally illuminated by small discreet spotlights.

100. The non-illuminated panel sign facing Gold Street (Sign 3b) is supported subject to conditions recommended by Council's Heritage Advisor. The sign is non-illuminated and of an acceptable size, however its position is straddling the architectural detailing of the building is not supported. A condition is included in the recommendation requiring the sign to be repositioned centrally over the window opening, which is closest to the door opening located on the corner of Queens Parade and Gold Street. This recommendation has been included as a condition in the recommendation.

Signs

101. The objective, policies and decision guidelines of clauses 52.05, Clauses 21.05-4 and 22.04 generally require signage to respond well to the existing buildings on the subject site, any relevant heritage consideration and not visually clutter or dominate the street. Given the decision guidelines of Clause 52.05 and the policies of Clauses 21.05-4 and 22.04 the proposed signage is considered reasonable for the following reasons:
    (a) As mentioned in the heritage assessment section of the report above the proposed signs subject to conditions respond well to the existing building and its heritage value;
    (b) The signs are unlikely to impact on the amenity and safety of pedestrians, vehicles and residents;
    (c) The signs are not considered to not visually clutter the host building or the immediate area;
    (d) The signs are all located on the building façade and are not considered to impact any skylines; and
    (e) The signs are considered to subsidiary to the overall scale of the building

102. Subject to the conditions recommended by Council's Heritage Advisor being included on any permit issued the proposed signage is supported.

Car Parking

103. Under Clause 52.06 of the Scheme, the applicant is seeking a parking reduction of 22 car parking spaces, with five (5) onsite car parks proposed. To support a reduction in the statutory rate, a car parking demand assessment was undertaken by SALT. This report was peer-reviewed by Council's Engineering services team who support the on-site parking provision. These results are captured in the assessment below.

Car parking demand

104. Based off empirical studies relating to supermarkets of a similar scale, SALT's traffic engineers have adopted a car parking demand of 2.5 spaces per 100m2. This rate is considered to be a reasonable estimate of the parking demand for the subject site. This equates to a parking demand of twelve (12) on site car parking spaces for the supermarket component of the proposal.

105. The proposed bottle shop has been estimated by Council's Traffic Engineers to have a total car parking demand of one (1) space for a long-term staff car parking.

106. The total parking demand estimated by Council's Engineers based off SALT's Traffic Engineering Report will be 13 spaces. With five spaces provided on site, this equates to a shortfall of seven car parking spaces.

Parking availability

107. According to SALT's parking occupancy survey there are 432 – 436 publicly available parking spaces within a 200 metre radius of the site. The survey undertaken on Thursday 27 June 2019 from 10:00am to 8:00pm and on Saturday 29 June 2019 between 9:00am, and 3:00pm concluded that no fewer 90 vacant car space were recorded on Thursday and no fewer than 83 vacant car spaces were recorded on Saturday.

The availability of public transport in the locality of the land.

108. The subject site is considered to be well serviced by public transport, with convenient access from Clifton Hill Railway Station, numerous bus routes and the 86 tram on Queens Parade all ranging from a less than a 10 minute walking distance.

The convenience of pedestrian and cyclist access to the land

109. The site has excellent access to the surrounding footpath network, providing easy and convenient access to surrounding residential and commercial areas around Clifton Hill. It also has dedicated bicycles lanes and line markings provided on either side of Queens Parade and Gold Street.

The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land

110. Public bicycle hoops are located along either side of Queens Parade with 2 x hoops located at the Queens Parade service lane frontage of the site.

The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.

111. The site is located within the Queens Parade Neighbourhood Activity Centre where there are numerous retail, commercial, food outlets and public points of interest. In addition to this the Woolworths Metro is considered to be a smaller supermarket that has a limited range of groceries and more suited towards convenience rather than a 'weekly' shop. Meaning that many of the patrons will be visiting the site on a multi-purpose trips from either local residents or employees and patrons of nearby businesses.

Adequacy of Car Parking

112. Given the above and support from Council's Engineering Services Team, the reduction to the car parking requirement pursuant to Clause 52.06 is considered appropriate for the following reasons:

- the empirical data submitted by the permit applicant estimated that the proposed supermarket is likely to have shortfall of 7 spaces and it was found that there were no less than 80 free spaces at any one time. The shortfall of 7 spaces can therefore be accommodated within the existing street parking network;
- multipurpose trips to the subject are likely to occur as the Queens Parade Activity Centre has a variety of retail, commercial and food outlets;
- the site is well serviced by existing public transport, bicycle and pedestrian networks that would encourage the use of sustainable forms of transport to the subject site; and
- the subject site is small supermarket that is likely to be used by mainly convenience shoppers rather then the weekly shops. Meaning that many of the patrons will be visiting the site will either be local residents and/or employees or patrons of nearby businesses.

113. These conclusions are in line within Clauses 18 and 21.06 of the Scheme that generally encourage development to reduce reliance on the private motor vehicle on sites that have good access to public transport. The proposed reduction of car parking is supported.

Loading and Unloading

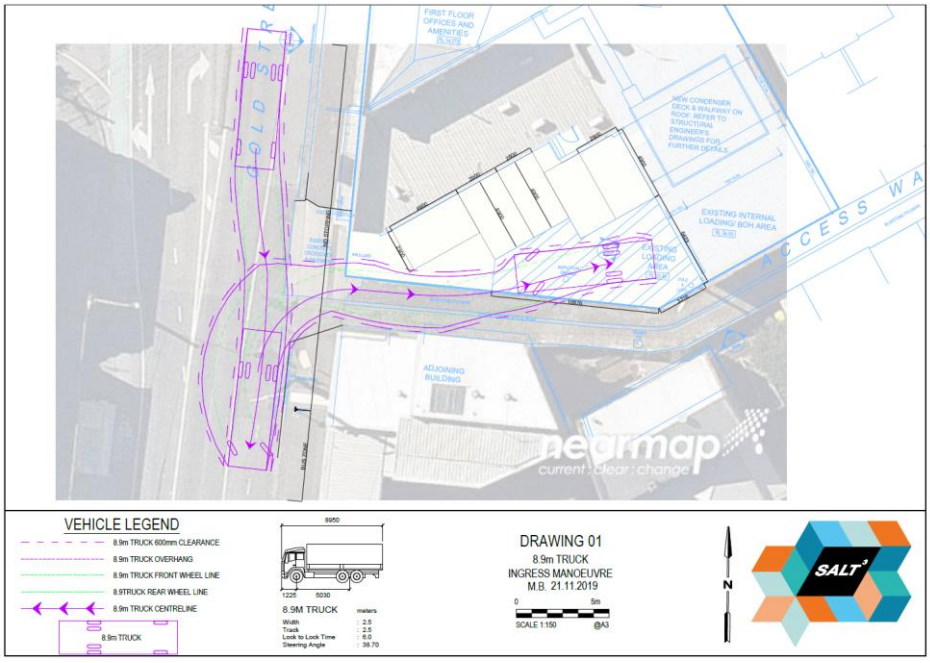
114. Pursuant to Clause 65 of the Scheme before an application or approval of a plan is granted the Responsible Authority must consider the adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

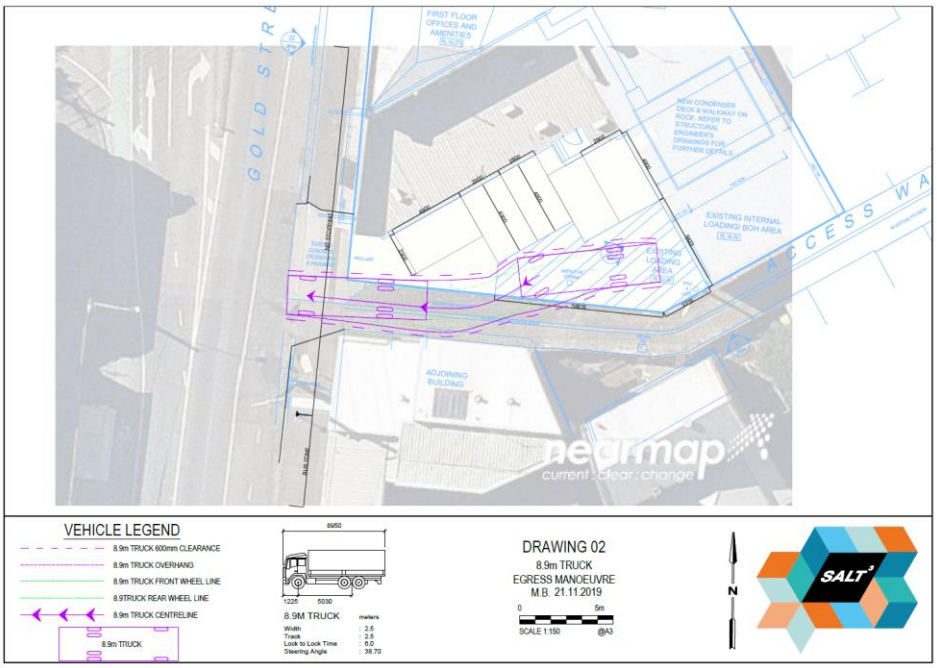
115. Under the proposal, loading and unloading will occur via the existing loading bay at the rear of the subject site. According to the applicant's traffic report, the delivery vehicle will access the bay via a reverse manoeuvre from Gold Street, before exiting the site to Gold Street in a forwards direction.

116. After the notice period of the application, Councils Engineering Services Team provided comment on this arrangement and requested for the following additional information:

(a) The type/size of delivery vehicle;
(b) The swept paths of the nominated vehicle; and
(c) The dimensions of the existing loading bay.

117. The applicant in response to this provided 'information only plans' received by Council 21 November 2019 to the traffic team that showed the swept paths of an 8.9m Medium Rigid Vehicle entering the site and a rearranged car parking layout to accommodate the vehicles maneuverability, pictured below:





118. Based on the above plans Council's Traffic Engineering Team raised concerns regarding:
    (a) the potential conflict with the bus stop on Gold Street and the delivery vehicle;
    (b) conflict during peak pedestrian and school times;
    (c) questions around the exit manoeuvre;
    (d) questions regarding how the loading would occur if the north-bound lanes of Gold Street was experiencing heavy traffic flow; and
    (e) the ability for car parking to be accessed and the car parking conflict between the loading arrangement and the users of the car parking spaces.

119. To address these concerns the following conditions were recommended:
    (a) the submission and endorsement of a Delivery Vehicle Management Plan that provides information as to how safety and conflict concerns are managed, such as conflict with the bus stop and safety concerns associated with peak pedestrian and school times;
    (b) the Bollard and wheel stop on the west property boundary to be removed;
    (c) the car parking at the rear to be nominated as for staff use only; and
    (d) the car parking space located furthest west to be nominated for small car use only.

120. Subject to these conditions being included in the recommendation the loading and unloading arrangement is supported.

Waste

121. Pursuant to Clause 22.05-4.3 of the Scheme development within a commercial zone should ensure that the management of waste practice, storage and disposal are carried out with a minimum of odour and noise disruption to nearby residential properties.

122. The applicant's traffic report states that waste collection will occur via the existing loading bay at the rear of the property. Concern was raised with the permit applicant regarding the lack of detail provided by the permit applicant regarding waste. In response to this the permit applicant provided the following information:

    (a) The proposed super market will have three streams of waste, plastics, cardboard and general waste;

(b) It is proposed to use a third party logistics provider to remove plastics and cardboard from site which have been compressed in an internal bale press located in the Metro back of house. They are proposed to be stored internally within the Loading Dock and loaded into the delivery trucks for removal from site via the Loading Dock; and

(c) General waste is proposed to be collected in internal bins and collected three to four times a week subject to volume, from a third party waste collection provider – again accessed from the Loading Dock.

123. This information was sent to Council's Waste Team who, in the absence of a Waste Management Plan (WMP), raised potential issue with the frequency of collection and storage of bins.

124. Both issues raised by Councils Waste Management Team are not considered fatal to the application and can be resolved via the submission and endorsement of a Waste Management Plan post approval of a planning permit.

Other Matters

125. It's noted that the advertised plans include a notation stating that the first floor windows of the existing double storey building were to be tinted with an applied film. No further information about this film has been submitted and the applicant has agreed to remove this from their proposal. A condition to this effect has been included within the recommendation.

Objector Concerns

126. The objector concerns are discussed below:

Heritage

127. The majority of the objector concerns have been discussed in paragraphs 83 – 95.

128. The objectors also raised that it was unclear from the proposed plans as to whether the existing boards/advertising signage located on the ground floor parapets are to be removed, stating that this would be their preference as it would allow the features of the heritage building to be shown.

129. The applicant has since confirmed that the intention is to remove all existing signage and that this is why no signage was shown on the plans. Given that the removal of the signage/boards would result an improved heritage response, as it would reveal more of the existing contributory features of the building, the removal of the boards/signage is supported. A condition has been added to the recommendation to include the removal of the signage in the existing/demolition plan.

Reduction in car parking

130. The reduction in car parking has been discussed in detail within paragraphs 98 – 108 of this report;

Use of the existing loading bay

131. The use of the existing loading bay has been discussed within paragraphs 109 - 115 of this report;

Conclusion

132. The proposal, subject to the conditions recommended throughout this report, is considered to achieve an acceptable planning outcome that demonstrates clear compliance with the relevant council policies, and approval of the development is recommended.

RECOMMENDATION

133. That having considered all objections and relevant planning documents, the Committee resolves to issue a Notice of Decision to Grant a Permit PLN19/0432 for partial demolition of the existing building for buildings and works to the façade and roof services platform, construct and display of internally illuminated business identification signs and reduction in the car parking requirement associated with the use of the land as a supermarket and bottle shop (no permit required for use) at 141 – 147 Queens parade Clifton Hill 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 TRG Revision 3 dated 17/6/2019, but modified to show;

    (a) the removal of all existing signage/boards on the existing/demolition plan;
    (b) the external paint colour of the heritage building must be one colour, and modified to be Dulux 'Gentle Calm Quarter';
    (c) Sign 2 and 3a deleted, or modified to be non-illumination or externally illuminated with small discrete spotlights;
    (d) Sign 3B deleted or repositioned centrally over the window opening closest to the corner door opening;
    (e) deletion of tiled wall finish to the street frontages of the double storey building;
    (f) removal of the note stating *"all first floor windows to be tinted with an applied film, colour TBC';*
    (g) car parking to be nominated as for staff use only;
    (h) the existing bollard and western most wheel stop within the carpark to be removed;
    (i) open style railing for the rooftop walkway associated with the services deck;
    (j) the walkway associated with the services deck constructed at roof level, with the exception of stairs servicing the services deck;
    (k) any changes as required by the endorsement of the Delivery Vehicle Management Plan; and
    (l) any changes as required by the endorsement of the Waste Management Plan.

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.

Loading and Unloading

3. All loading and unloading must be conducted within title boundaries and no vehicle larger than an 8.9m medium rigid vehicle is to be used.

4. Before the development commences, a Delivery Vehicle Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Delivery Management Plan must include, but not limited to, the following information:

(a) delivery times, these time must be outside of peak hour times and School pickup/drop off times, or otherwise agreed to by the Responsible Authority;
(b) management of delivery vehicles during a vehicle's entry and exit into and out of the site from Gold Street;
(c) provision of a map/plan that shows the truck route to be used by delivery vehicles. The route taken to approach and leave the site must be from the nearest Arterial Road (Queens Parade). Truck access in local roads are to be minimised where possible;
(d) Swept Path Diagram for the exit movements. The diagrams are to show the complete turning movement path of an 8.95 metre long delivery truck exiting the site and turning into Gold Street. The diagram is to also include all existing road markings, traffic islands, and on-street parking in Gold Street;
(e) an analysis on how delivery vehicles will exit the site from the Right of Way when there is a traffic queue in the north-bound lanes of Gold Street; and
(f) the western most car park to be nominated as to be used for small cars only.

Once approved, the Delivery Vehicle Management Plan will be endorsed and will form part of this permit.

5. 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.

Waste Management

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

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

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

Signage

9. The location and details of the signs, including the supporting structure, as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

10. The signs must be constructed, displayed and maintained to the satisfaction of the Responsible Authority.

11. The signs must not include any flashing or intermittent light.

12. External sign lighting must be designed, baffled and located to the satisfaction of the Responsible Authority.

General

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

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

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

16. 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) Saturday and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
    (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

Expiry

17. 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 signs are not erected within 2 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.

18. The signage component of this permit expires 15 years from the date of the permit.

Notes:

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5428 to confirm.

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

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

CONTACT OFFICER: **David Tancheff**
TITLE: **Senior Statutory Planner**
TEL: **92055485**

Attachments
1 PLN19/0432 - 141-147 Queens Parade Clifton Hill - S52 Advertised Traffic Assessment Report
2 PLN19/0432 - 141 - 147 Queens Parade Clifton Hill - Decision Plans
3 PLN19/0432 - 141 - 147 Queens Parade Clifton Hill - Zoning Map

Attachment 1 - PLN19/0432 - 141-147 Queens Parade Clifton Hill - S52 Advertised Traffic Assessment Report



PROPOSED WOOLWORTHS METRO
141-147 QUEENS PARADE, CLIFTON HILL

TRAFFIC ENGINEERING REPORT

Attachment 1 - PLN19/0432 - 141-147 Queens Parade Clifton Hill - S52 Advertised Traffic Assessment Report

PROPOSED WOOLWORTHS METRO 141-147 QUEENS PARADE, CLIFTON HILL
Client: Woolworths Group
Report Reference: 19245T
File Path: Y:\2019\19245T - Woolworths Metro - 141-147 Queens Parade, Clifton Hill\08 Reports\19245TREP01F01.docx

Friday, July 05, 2019

Document Control

Version:	Prepared By:	Position:	Date:	Reviewed By:	Position:	Date:
F01	Michael Bell	Traffic Engineer	25/06/2019	Ernie Mensforth	Senior Associate	5/07/2019

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1 INTRODUCTION

SALT has been engaged by Woolworths Group to undertake an assessment of the traffic and parking impacts associated with the Woolworths Metro supermarket proposed at 141–147 Queens Parade, Clifton Hill.

In the course of preparing this report, the following tasks have been undertaken:

- The subject site and surrounding environs have been inspected;
- Surveys have been conducted of the current utilisation and availability of public parking;
- Development plans have been reviewed and design advice provided to the project architect; and
- The parking and traffic implications of the proposal have been assessed.

The following sets out SALT's findings with respect to the traffic engineering matters of relevance to the proposed development.

2 EXISTING CONDITIONS

2.1 LOCATION & LAND USE

The subject site is located on the southeast corner of the Queens Parade/Gold Street intersection in Clifton Hill. **Figure 1** depicts the location of the site with respect to the surrounding street network. An aerial view of the site is provided in **Figure 2**.

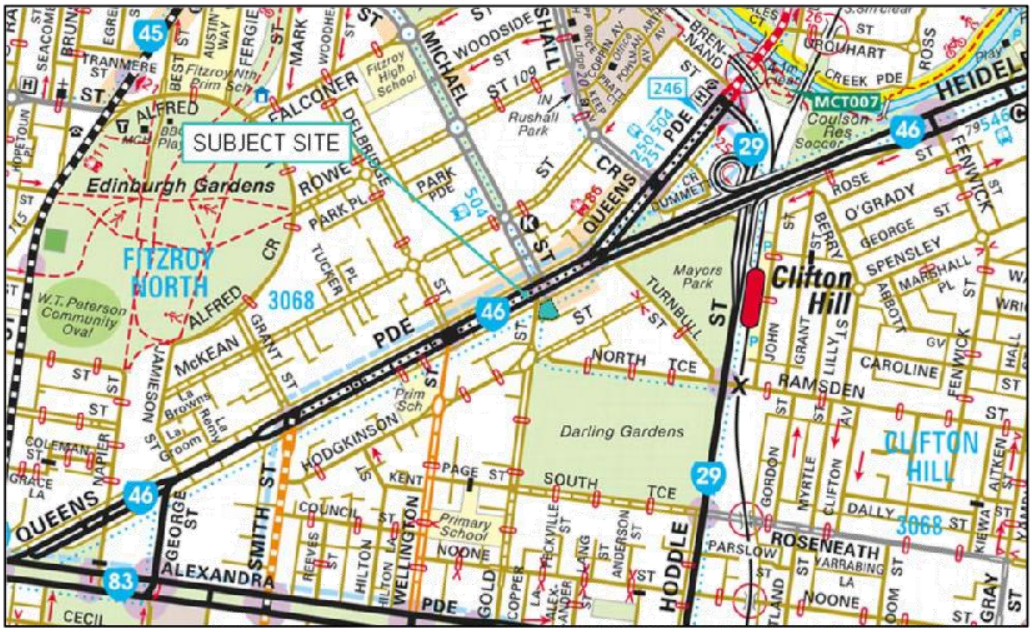


Figure 1 Site location (Melway)



Figure 2 Aerial view of subject site (Saturday 23rd Feb 2019, 3:00pm)

The site consists of a single, irregular shaped lot, which covers a total area of approximately 710m². The site, which is generally flat, is currently occupied by a two-storey structure which formerly operated as an 'Appliance Warehouse' store, with frontages to both Queens Parade (Service Road) and Gold Street. Vehicle access is provided via an unnamed laneway along the sites southern boundary, accessible to/from Gold Street.

Land use within the vicinity of the site a mixture of commercial uses (*largely along Queens Parade*) and residential use.

2.2 ZONING & OVERLAYS

The subject site is situated within a Commercial Zone – Schedule 1 (C1Z), Design and Development Overlay – Schedule 20-3 (DDO20-3) and Heritage Overlay (HO330).

The site is located within the area of the Principal Public Transport Network (PPTN) due to its proximity to bus and tram services that operate on Queens Parade and trains via Clifton Hill Railway Station.

2.3 ROAD NETWORK

2.3.1 QUEENS PARADE

Queens Parade is classified as a Primary State Arterial Road and is under the care and management of Yarra City Council. It is generally aligned with a north-south orientation from Westgarth Street in the north and Alexandra Parade in the south.

Queens Parade is typically a 26m wide sealed pavement with kerb and channeling either side of the road carriageway and supporting two-way traffic. Generally, parking is not permitted on Queens Parade, though provision for parallel parking spaces is provided between Delbridge Street and Gold Street. Oncoming traffic lanes are separated by a landscaped median and light rail tracks which support the Route 86 Tram.

On either side of Queens Parade service lanes have been provided, supporting single lane one-way traffic with a mixture of 90 degree, angled and parallel parking spaces available. The service lanes run parallel to Queens Parade, providing the majority of the parking opportunities for the street front commercial tenancies.

Parking is generally restricted to 1P & 2P within the immediate vicinity of the site.

A posted speed limit of 60km/h applies to Queens Parade. The default urban limit of 50km/h applies to the adjacent service lanes.

2.3.2 GOLD STREET

Gold Street is classified as a local traffic street and is under the care and management of Yarra City Council. It is generally aligned with a north-south orientation from Queens Parade in the north to Alexandra Parade in the south.

Gold Street is typically a 14.0m wide sealed pavement with kerb and channeling either side of the road carriageway, supporting two-way traffic via one trafficable lane in each direction. Dedicated bicycle lanes are provided on either side of Gold Street, as is restricted parallel parking which varies between 1P, 2P, 4P and Permit Zone restrictions.

A posted speed limit of 40km/h applies.

2.4 SUSTAINABLE TRANSPORT

The subject site has excellent access to the sustainable transport network and pedestrian facilities within its vicinity, which provides staff and patrons of the proposed mini supermarket with practical alternatives to private motor vehicle travel.

An evaluation of sustainable transport options is provided hereunder.

2.4.1 WALKABILITY

The subject site has excellent walking facilities in place and features a walk score of 93 out of a possible 100 points on www.walkscore.com. This indicates that "*Daily errands do not require a car*".

2.4.2 BICYCLE ACCESS

Dedicated bicycle lanes and line markings are provided on either side of both Queens Parade and Gold Street, fronting the site. Furthermore, many of the streets surrounding the site provide dedicated bicycle lanes, with an abundance of public bicycle hoops located within the commercial zones of the municipality.

2.4.3 PUBLIC TRANSPORT

The subject site is well located to take advantage of the local public transport network, with the Route 546 bus stop located approximately 10 meters from the site on Gold Street.

A summary of the public transport services within the vicinity of the subject site is provided in **Table 1**, with the public transport network within the proximity of the site and surrounding area illustrated in **Figure 3**.

All of the public transport options listed in Table 1 are located within a 10-minute walk of the subject site.

Attachment 1 - PLN19/0432 - 141-147 Queens Parade Clifton Hill - S52 Advertised Traffic Assessment Report

Table 1 Nearby public transport options

Mode	Route Number	Route Description	Nearest Stop
Bus	246	Elsternwick – Clifton Hill via St Kilda	Clifton Hill Station (5-minutes' walk)
	250	City (Queen Street) – La Trobe University	Clifton Hill Interchange/Queens Parade (6-minutes' walk)
	251	City (Queen Street) – Northland SC	
	504	Moonee Ponds – Clifton Hill via East Brunswick	Michael Street (2-minutes' walk)
	546	Heidelberg Station – Melb Uni – Queen Victoria Market via Clifton Hill and Carlton	Queens Parade (<1-minutes' walk)
Tram	86	Bundoora RMIT – Waterfront City Docklands	Gold Street/Queens Parade (<1-minutes' walk)
Train	Hurstbridge	Hurstbridge Railway Station – Flinders Street Station	Clifton Hill Railway Station (6-minutes' walk)
	Mernda	Mernda Railway Station – Flinders Street Station	

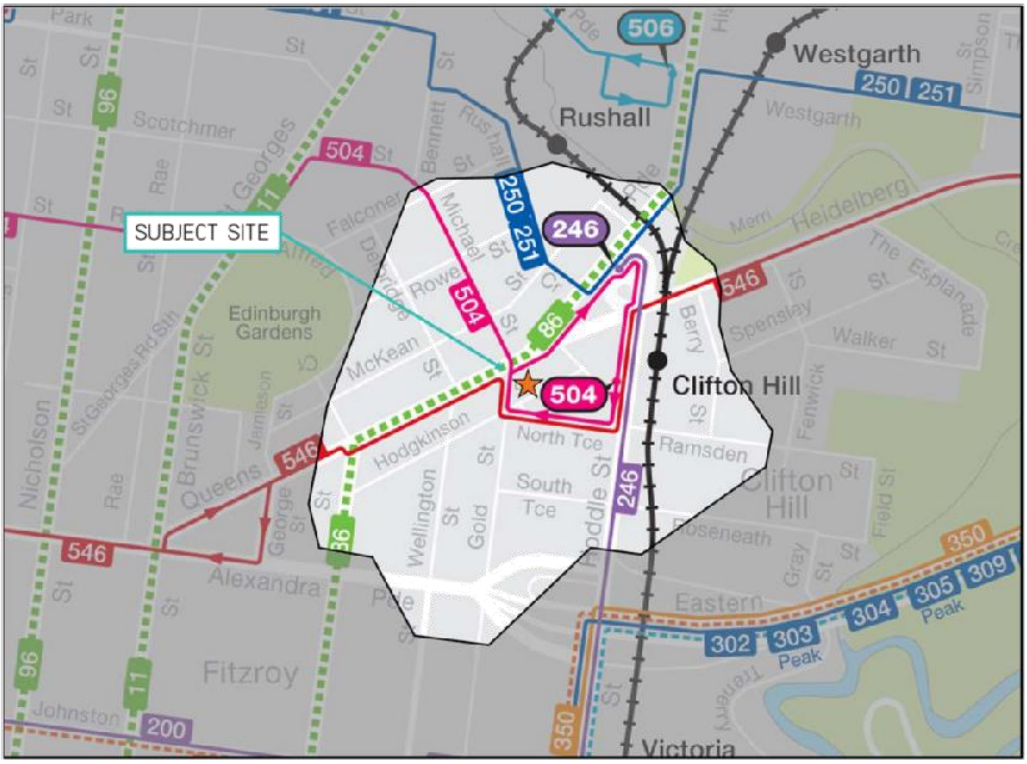


Figure 3 Nearby public transport services – City of Yarra PTV LAM / 15-minute walking overlay

2.5 CAR PARKING AVAILABILITY

Parking within the Clifton Hill locality, particularly within the general proximity to Queens Parade, generally experiences high occupancy for large durations of the day, largely due to the high density of dwellings lacking on-site parking, retail and commercial uses fronting main roads and general proximity to the Melbourne. However, typically in the vicinity of this site, parking demands would be highest over the Friday – Sunday period.

A range of on-street car parking is available within walking distance (approximately 200 metres) of the subject site, largely comprised of restricted parking which provided **at least** 1 hour of permitted parking, with some 2P and unrestricted parking opportunities available within the survey area.

2.6 CAR PARKING OCCUPANCY SURVEY

To best assess parking opportunities suitable for customers of the proposed Woolworths Metro, surveys were commissioned within a maximum walking distance of 200 metres of the subject site as follows:

- Thursday 27th June 2019: 10:00am-8:00pm at hourly intervals; and
- Saturday 29th June 2019: 9:00am – 3:00pm at hourly intervals.

The surveys reviewed the current utilization of 432-436 parking spaces (dependent on day & time) available for general public use, in which parking for a duration of 1 hour or longer, is permitted.

The survey results for Thursday and Saturday are provided in **Figure 4** and **Figure 5** respectively.

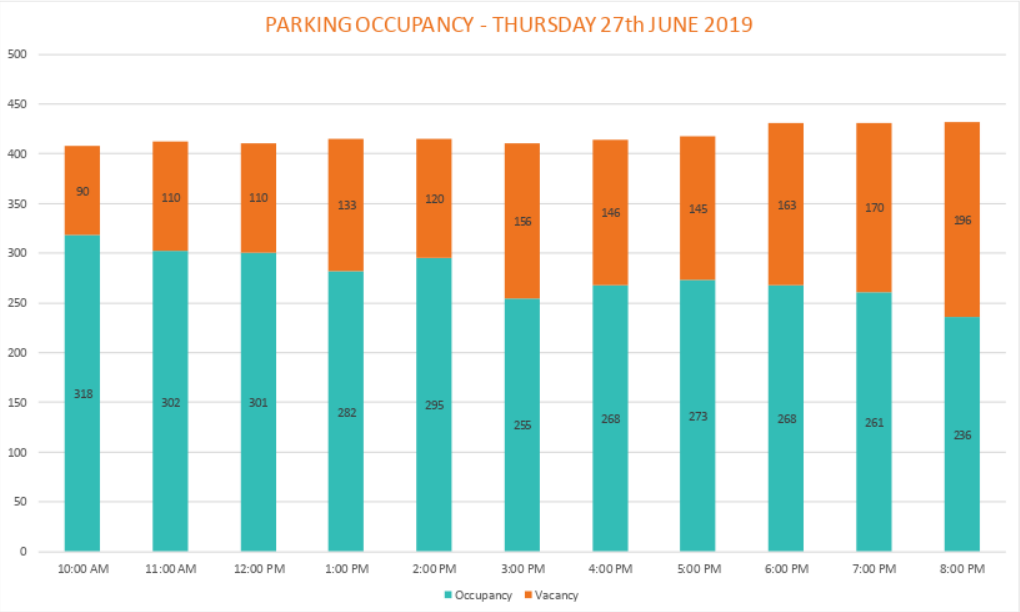


Figure 4 Car parking utilisation – Thursday 27th June 2019

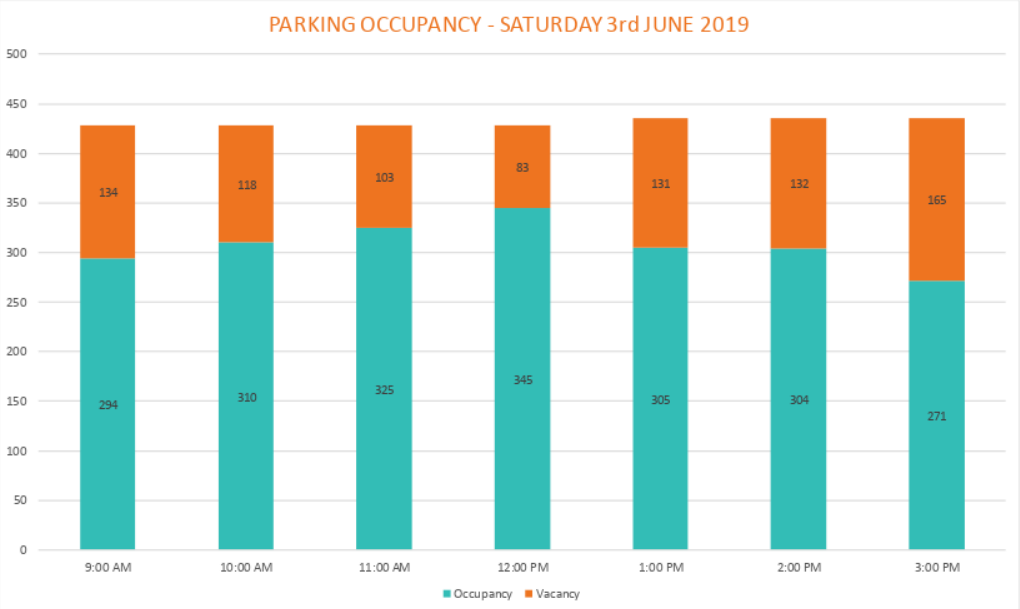


Figure 5 Car parking utilisation – Saturday 29th June 2019

2.6.1 PARKING OCCUPANCY – THURSDAY 27TH JUNE 2019

A review of **Figure 4** shows that while the total parking demands recorded varied throughout the day, the peak parking accumulation was recorded at 10:00am albeit that 90 parking spaces remained vacant at that time of peak parking demand. It is also noted that the availability of parking gradually increases as the day progresses, with parking occupancy of the surveyed spaces less than 80% at all times, i.e. 1 in 5 spaces remained vacant at all times. Further review of the survey results for the "after work"/after 5:00pm period, when patronage levels at a Woolworths Metro supermarket can be expected to be highest, more than 1 in 3 spaces remained vacant.

2.6.2 PARKING OCCUPANCY – SATURDAY 29TH JUNE 2019

A review of **Figure 5** shows that the parking demands peaked near the 'middle' of the survey period at 12:00pm when 345 of the 436 parking spaces suitable for the use of supermarket patrons, were occupied. This equates to a peak car parking occupancy of 81%. Accordingly, on Saturdays while parking demands in the vicinity of the site are slightly than on weekdays, a vacant parking space, in which parking for 1 hour or longer is permitted, is readily available.

Full results of the parking surveys are provided in the appendix of this report.

2.7 TRAFFIC VOLUME DATA

SALT commissioned JM Traffic to undertake an automatic tube count on the unnamed laneway running adjacent to the subject site. The tubes were placed beyond the parking/loading area servicing the subject site in order to record existing movements **not** associated with the subject site – refer **Figure 6**. A "tube count" records traffic volume, vehicle classification and speed by direction. The count took place over a one-week period from Tuesday 25 June 2019 to Monday 1 July 2019.

The results are summarised in **Table 2**, with detailed data provided in **Appendix 2**. It is noted that only data collected from Tuesday 25 June 2019 to Friday 28 June 2019 has been considered, as school holidays commenced thereafter.



Figure 6 Tube count location

Table 2 Tube count data

Day	AM Peak (two-way)	PM Peak (two-way)	Total Vehicles (two-way)
Tuesday 25 June	*Limited data*	2 vehicles – 5:00pm[1]	*Limited data*
Wednesday 26 June	2 vehicles – 9:00am	2 vehicles – 5:00pm	6 vehicles
Thursday 27 June	2 vehicles – 9:00am	2 vehicles – 6:00pm	9 vehicles
Friday 28 June	2 vehicles – 10:00am	2 vehicles – 2:00pm	11 vehicles
Monday 1 July	1 vehicle – 9:00am	1 vehicle – 6:00pm	8 vehicles

[1] *Tube counts commenced at 2:19 on Tuesday 25 June 2019, as such, limited data is provided regarding AM/PM peaks.*

As seen above in **Table 2**, existing traffic volumes along the laneway passing beyond the site are minimal, with the data indicating a maximum of 11 vehicles during the course of a day (Friday 28 June 2019).

3 PROPOSAL

The proposal seeks a change of use for an existing two-storey structure (formerly a Clifton's Appliance Warehouse) into a Woolworths Metro store with attached BWS store (Beer, Wine Spirits).

Five parking spaces will be retained at the rear of the side and will remain accessible from the unnamed laneway along the site's southern boundary. This laneway is used to access the existing on-site loading area at the southeast corner of the building.

4 CAR PARKING

4.1 STATUTORY REQUIREMENTS

Car parking requirements applicable to new developments are specified in Clause 52.06 of the City of Yarra Planning Scheme. The subject site falls within the Principal Public Transport Network (PPTN), as such, the Column B' parking rates outlined in Clause 52.06-5 are adopted.

The parking requirements for the proposed use are shown in **Table 3**.

Table 3 Statutory Parking Requirements

Use	Size	Car Parking Rate	Required Provision	Proposed Supply
Supermarket	518.71m²	5 to each 100m² of leasable floor area	25 spaces	5 spaces
Bottle shop (shop)	58.29m²	3.5 to each 100m² of leasable floor area	2 spaces	
		TOTAL	27 spaces	5 spaces

Planning approval is therefore required for a reduction to the statutory parking requirement the application for which must include a Car Parking Demand Assessment, which follows.

Also relevant to an assessment of the parking requirement for the propose use, is the most recent prior use of the subject site as a 'Restricted Retail premises' which attracted a statutory parking requirement of 2.5 spaces to each 100m² of leasable floor area, which equates to 14 parking spaces. That most recent use of the site, therefore benefitted from a parking waiver of 9 parking spaces.

4.2 CAR PARKING DEMAND ASSESSMENT

Clause 52.06-5 of the City of Yarra Planning Scheme allows for the statutory car parking provision to be reduced (including to zero) subject to the provision of a Car Parking Demand Assessment. The Car Parking Demand Assessment must assess the car parking demand *likely* to be generated by the proposal having regard to a range of matters. This assessment is provided in **Table 3**.

Table 4 Car Parking Demand Assessment

Matter	Response
The availability of public transport in the locality of the land	The site is well connected to the local public transportation network. As discussed in **Section 2.4.3**, employees and visitors would have convenient access to bus, tram and train services within a 6-mintues' walk or less.
The convenience of pedestrian and cyclist access to the land	The site has excellent access to the surrounding footpath network, providing easy and convenient access to surrounding residential and commercial areas around Clifton Hill. Dedicated bicycle lanes and line markings are provided on either side of both Queens Parade and Gold Street, as well as many other roads within the Clifton Hill area.
The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land	Public bicycle hoops are located along either side of Queens Parade, with 2 x hoops located at the Queens Parade Service Lane frontage of the site. The nearby residential areas and the generous width of many of the existing streets, coupled with the provision of dedicated bicycle lanes, contributes to an environment that is suitable for, and encourages, bicycle use.
The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land	Car ownership is not a relevant factor in this case – while staff and visitors may own a car it does not necessarily mean they will use it.
The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use	The subject site is located within the Queens Parade activity centre, with numerous retail, commercial and food outlets and public points of interest nearby. The modest floor area of the proposed Woolworths Metro will limit the range of grocery items offered for sale and will result in many patrons using the mini-supermarket for convenience shopping rather than the 'weekly' shop.

Matter	Response
	Many patrons will likely be patrons and employees of other nearby businesses who purchase convenience goods, on perhaps during work breaks or on the way home from work or visits to other local businesses.
Any empirical or case study data	Empirical data for a number of supermarkets has been collected by various traffic engineering consultancies, including: ▪ Malvern Road, Hawksburn Woolworths (1,190m²) 1.765 spaces per 100m². ▪ Carlisle Street, Balaclava Coles (2,590m²) 2.2 spaces per 100m²; ▪ Carlisle Street, Balaclava Woolworths (1,640m²) 1.8 spaces per 100m²; and ▪ Glenferrie Road, Hawthorn IGA (1,046m² 2.01 spaces per 100m². Each of the above listed case studies are for similarly located supermarkets in inner suburban areas that are well served by public transport and, while significantly larger in floor area than the Woolworths Metro proposed, each of the case study sites is well below that required to provide the full range of supermarket items, typically offered for sale. Based upon the above referenced case studies it is confidently assessed that the proposed Woolworths Metro will generate car parking demand at peak rate of no more than **2.5 spaces / 100m²**. Application of this rate to the 518m² supermarket area (exclusive of BWS) corresponds to a parking requirement of **12 parking spaces**. Without reduction of the statutory parking requirement of 2 parking spaces for the proposed BWS, the total peak parking demands of the proposed uses .is assessed to be no more than 14 car parking spaces
The variation of car parking demand likely to be generated by the proposed use over time	Peak car parking demands for the Woolworths Metro would occur on Thursday/Friday evening between 4:00pm and 6:00pm, as well as on Saturday mornings from 11:00am and 1:00pm.
The short-stay and long-stay car parking demand likely to be generated by the proposed use	Staff parking demands are long-stay in nature, while the parking demands of supermarket customers will be short-stay in nature.

4.3 ADEQUACY OF CAR PARKING SUPPLY

Claus 52.06-7 of the Planning Scheme specifies that before granting a permit to reduce the number of spaces, the responsible authority must consider a range of matters. Those considered relevant to this application are discussed in **Table 5**.

Table 5 Matters that support a reduction of the car parking requirements

Matter	Response
The Car Parking Demand Assessment	All factors discussed in **Table 4** will influence the level of parking demand generated and will contribute to the reduction of the total aggregate parking demand generated by the development now proposed. At times of peak patronage the uses proposed can be expected to generate demands for up to 14 car parking spaces.
Any car parking deficiency associated with the existing use of the land	The former use of the land as a white goods retailer falls within the land use of a 'Restricted Retail Premises' in accordance with the City of Yarra Planning Scheme. This attracts a Planning Scheme statutory parking rate of 2.5 spaces per 100m², corresponding to a parking requirement of 14 spaces. Given 5 x parking spaces are provided on site, a parking deficiency of 9 spaces exists.
The availability of alternative car parking in the locality of the land	The parking surveys discussed in **Section 2.6** of this report recorded the current utilisation and availability of parking within 200 metres of the subject site, in which parking is permitted for a duration of 1 hour or longer. Those surveys revealed that at times of peak parking accumulation on both a typical weekday (Thursday) and Saturday, an average of approximately 1 in every 5 spaces currently remains vacant. This will enable patrons, who do drive to the proposed mini-supermarket, to find a parking space suitable for their use with relative ease
Access to or provision of alternative transport modes to and from the land	As discussed in **Section 2.4.3**, the subject site has exceptional access to both the immediate and wider transportation network, with buses, trams and trains all accessible within a 10-minute walk, with bus and tram access provided at the site frontages. Cycling is also a viable and convenient mode of transport for travel to and from the subject site with existing bicycle infrastructure available within both the immediate vicinity of the site and wider locality.

The practicality of providing car parking on the site	On site car parking is being provided in the most efficient manner possible while maintaining existing provisions for on-site loading.

Based on this assessment, it is considered there is sufficient justification to support a reduction of the Planning Scheme car parking requirement to the 5 existing on-site spaces that are to be retained.

5 BICYCLE FACILITIES

Table 1 to Clause 52.34 of the City of Yarra Planning Scheme lists the uses that attract a requirement for bicycle parking and the applicable rates of provision.

A 'Supermarket' does not draw statutory bicycle parking requirement. Similarly, a Shop with a floor area of less than 1,000m², such as the BWS (58.29m²) proposed, does not attract a requirement for bicycle parking.

It is however noted that two public bicycle hoops exist at the Queens Parade site frontage and will prove functional and convenient for patrons of the proposed uses who cycle to and from the site.

6 LOADING AND WASTE COLLECTION

Supermarket loading will occur via the existing loading bay to the rear of the subject site. The delivery vehicle will access the bay via a reverse movement from Gold Street, before exiting to Gold Street in a forward direction.

Such vehicle movements replicate the current loading conditions.

7 TRAFFIC IMPACTS

The total traffic activity generated to and from the subject site will be limited entirely to the traffic associated with the 5 x existing on-site car parking spaces and delivery and waste collection vehicle movements.

Delivery and waste collection movements will include reverse manoeuvres from Gold Street.,

Notably, the traffic counts discussed in Section 2.7 of this report, confirmed that very little traffic activity concurrently occurs in the laneway. More specifically a maximum of 2 vehicle movements occurred along the laneway, in either direction, during any single hour, over the entire one week period.

Accordingly, and as at present, while reverse movements by delivery and/or waste collection vehicles to the on-site loading area has some potential to delay other motorists who may, concurrently, be using the laneway, such concurrent movements will be extremely rare, of short duration and readily manageable.

It is therefore concluded that the uses proposed at the subject site will have no significant impacts on traffic operations at or in the general area of the subject site.

8 SUMMARY & CONCLUSIONS

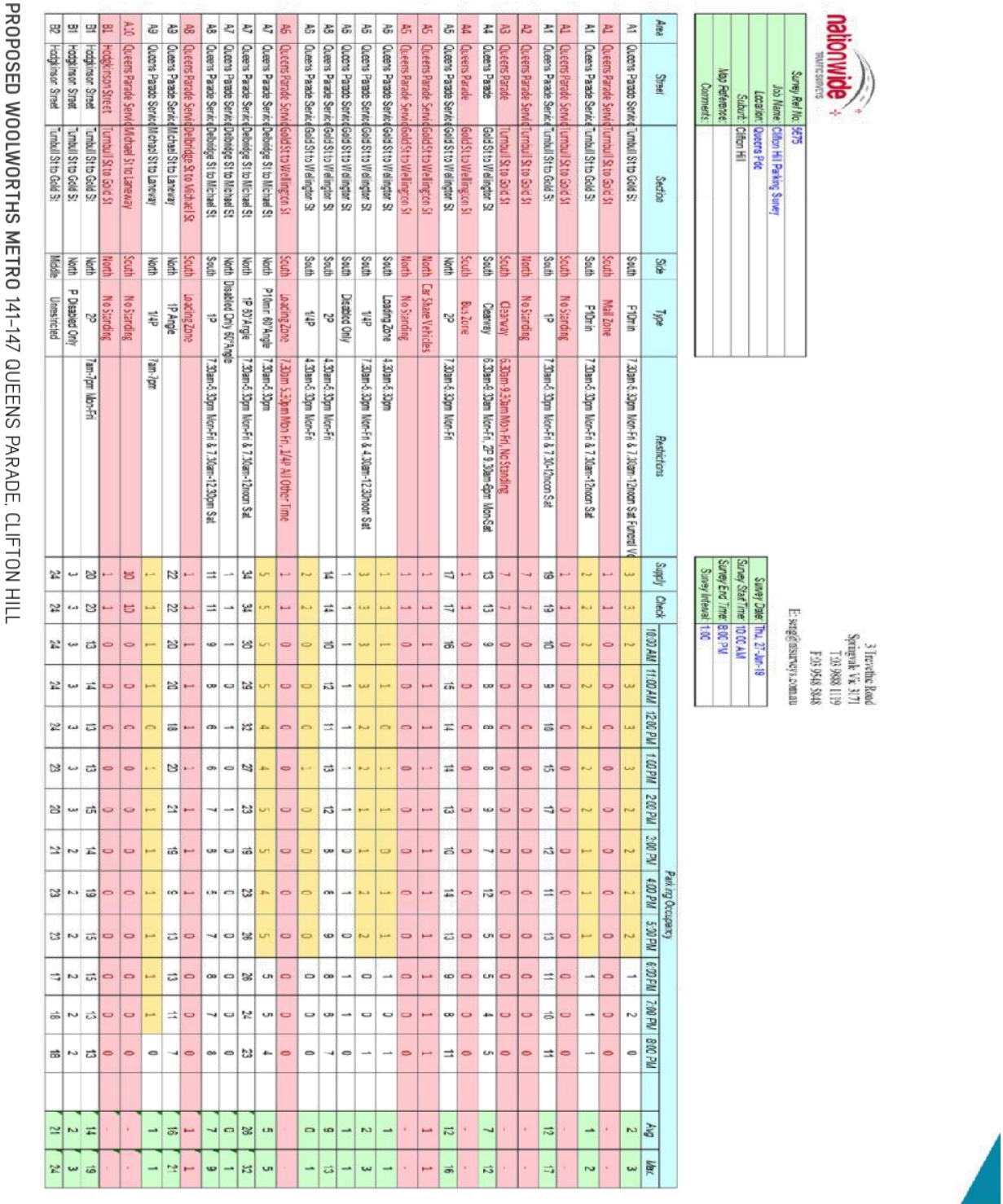
Based on the considerations outlined in this report, it is concluded that:

- The proposed development comprises refurbishment and re-use of existing buildings at the subject site in the form of a Woolworths Metro (mini) supermarket and associated BWS liquor store;
- The modest floor area of the proposed mini supermarket will not provide for a full range of supermarket items to be offered for sale, which will instead consist primarily of fresh food and other 'convenience' like grocery items;
- The proposed development attracts a statutory requirement for 27 car parking spaces;
- A reduction of the parking requirement to the 5 on-site spaces proposed considered appropriate based upon the Car Parking Demand Assessment included herein and most notably:
  - the availability of public transport in the locality of the land ;
  - the convenience of pedestrian and cyclist access to the land;
  - an empirical assessment of the car parking demand likely to be generated; and
  - the current utilization and availability suitable alternative parking located conveniently close to the subject site.
- Traffic movements to and from the subject site will be limited to those associated with the use of the 5 existing on-site parking spaces that are to be retained and those of delivery and waste collection vehicles accessing the on-site loading area.
- Traffic counts of all current vehicle movements in the rear laneway, other than those generate by uses at the subject site, confirmed that there is very little existing vehicular use of the laneway.
- The on-going use of the existing on-site loading area will therefore have little or no impact on other existing traffic movements along the laneway.
- It is therefore concluded that there are no traffic related reasons to justify denial of a planning permit for the subject development.

Attachment 1 - PLN19/0432 - 141-147 Queens Parade Clifton Hill - S52 Advertised Traffic Assessment Report

APPENDIX 1 PARKING SURVEYS

Attachment 1 - PLN19/0432 - 141-147 Queens Parade Clifton Hill - S52 Advertised Traffic Assessment Report



PROPOSED WOOLWORTHS METRO 141-147 QUEENS PARADE, CLIFTON HILL

PARKING SURVEYS

nationwide

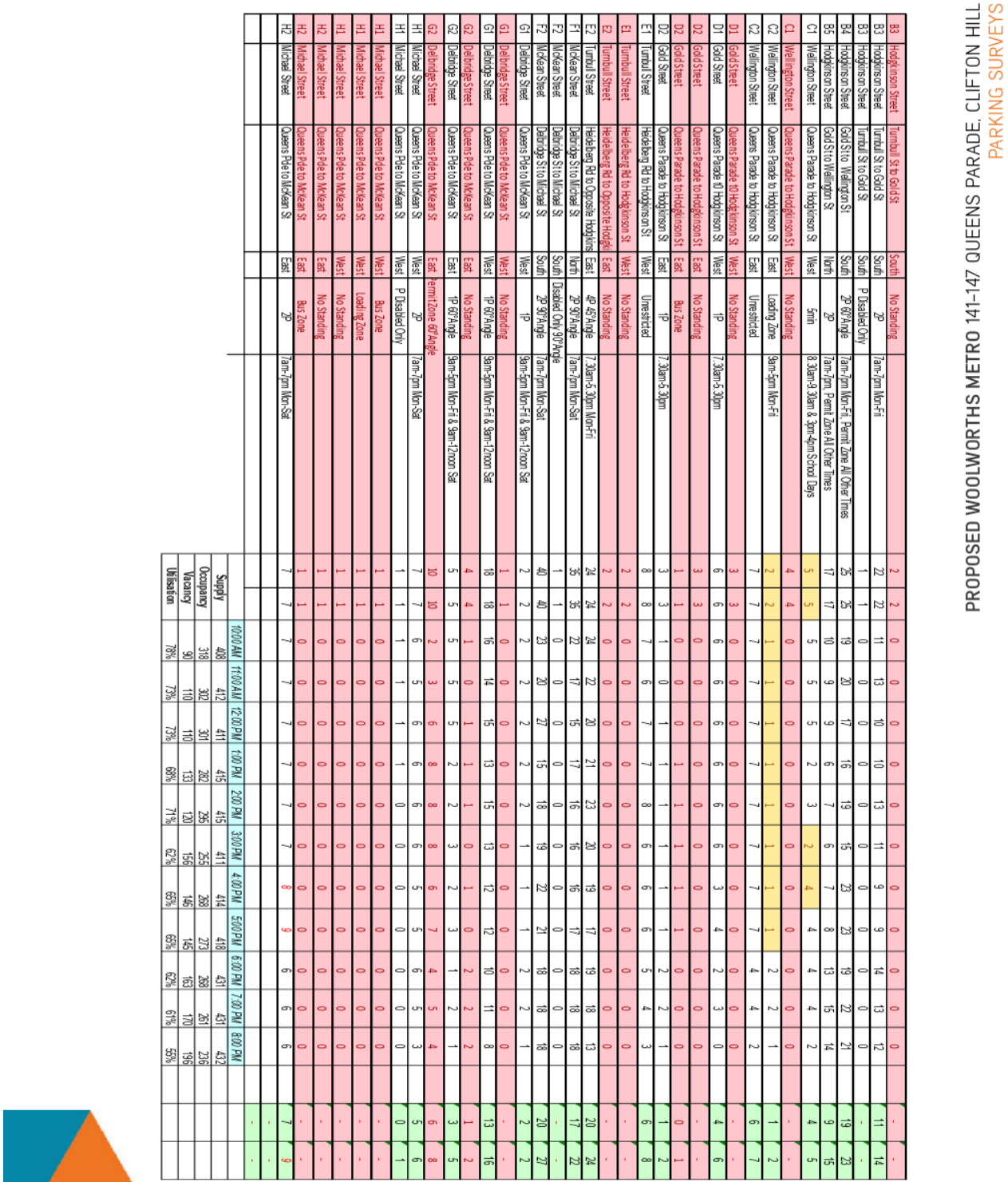
3 Trevithic Road
Springvale Vic 3171
T 03 9008 1139
F 03 9548 5848
E: survey@nationwide.com.au

Survey Ref No:	5575
Job Name:	Clifton Hill Parking Survey
Location:	Queens Pde
Suburb:	Clifton Hill
Map Reference:	
Comments:	

Survey Date:	Thu, 27-Jun-19
Survey Start Time:	10.00 AM
Survey End Time:	8.00 PM
Survey Interval:	1.00

Area	Street	Section	Side	Type	Restrictions	Supply	Check	Parking Occupancy											
								10:00 AM	11:00 AM	12:00 PM	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	Avg.	Max.
A1	Queens Parade Service	Turnbull St to Gold St	South	P10min	7.30am-6.30pm Mon-Fri & 7.30am-12noon Sat Funeral Vehicles	3	3	2	3	3	3	2	2	2	2	1	2	0	2	3
A1	Queens Parade Service	Turnbull St to Gold St	South	Mail Zone		1	1	0	0	0	0	0	0	0	0	0	0	0	-	-
A1	Queens Parade Service	Turnbull St to Gold St	South	P10min	7.30am-6.30pm Mon-Fri & 7.30am-12noon Sat	2	2	2	2	2	2	2	1	1	1	1	1	1	1	2
A1	Queens Parade Service	Turnbull St to Gold St	South	No Standing		1	1	0	0	0	0	0	0	0	0	0	0	0	-	-
A1	Queens Parade Service	Turnbull St to Gold St	South	1P	7.30am-6.30pm Mon-Fri & 7.30-12noon Sat	19	13	10	9	10	15	17	12	11	13	11	10	11	12	17
A2	Queens Parade Service	Turnbull St to Gold St	North	No Standing		7	7	0	0	0	0	0	0	0	0	0	0	0	-	-
A3	Queens Parade	Turnbull St to Gold St	South	Clearway	6.30am-9.30am Mon-Fri, No Standing 6.30am-6.30am Mon-Fri, 2P 9.30am-4pm Mon-Sat	7	7	0	0	0	0	0	0	0	0	0	0	0	-	-
A4	Queens Parade	Gold St to Wellington St	South	Clearway		13	13	9	8	8	8	9	7	12	5	5	4	5	7	12
A4	Queens Parade	Gold St to Wellington St	South	Bus Zone		1	1	0	0	0	0	0	0	0	0	0	0	0	-	-
A5	Queens Parade Service	Gold St to Wellington St	North	2P	7.30am-6.30pm Mon-Fri	17	17	16	15	14	14	13	10	14	13	9	8	11	12	16
A5	Queens Parade Service	Gold St to Wellington St	North	Car Share Vehicles		1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
A5	Queens Parade Service	Gold St to Wellington St	North	No Standing		1	1	0	0	0	0	0	0	0	0	0	0	0	-	-
A5	Queens Parade Service	Gold St to Wellington St	South	Loading Zone	4.30am-6.30pm	1	1	1	1	0	0	0	0	1	1	1	0	1	1	1
A5	Queens Parade Service	Gold St to Wellington St	South	1/4P	7.30am-6.30pm Mon-Fri & 4.30am-12.30noon Sat	3	3	3	3	2	2	1	1	2	2	0	0	1	2	3
A5	Queens Parade Service	Gold St to Wellington St	South	Disabled Only		1	1	1	1	1	1	0	0	1	0	1	1	0	1	1
A5	Queens Parade Service	Gold St to Wellington St	South	2P	4.30am-6.30pm Mon-Fri	14	14	10	12	11	13	12	8	8	9	8	8	7	9	13
A5	Queens Parade Service	Gold St to Wellington St	South	1/4P	4.30am-6.30pm Mon-Fri	2	2	0	0	0	1	0	0	0	0	0	0	0	0	1
A6	Queens Parade Service	Gold St to Wellington St	South	Loading Zone	7.30am-5.30pm Mon-Fri, 1/4P At Other Time	1	1	0	0	0	0	0	0	0	0	0	0	0	-	-
A7	Queens Parade Service	Debridge St to Michael St	North	P10min or 60 Angle	7.30am-6.30pm	5	5	5	5	4	4	5	5	4	5	5	5	4	5	5
A7	Queens Parade Service	Debridge St to Michael St	North	1P 90 Angle	7.30am-6.30pm Mon-Fri & 7.30am-12noon Sat	34	34	30	29	32	27	23	19	23	26	26	24	23	26	32
A7	Queens Parade Service	Debridge St to Michael St	North	Disabled Only 60 Angle		1	1	1	0	1	0	1	0	0	0	0	0	0	0	1
A8	Queens Parade Service	Debridge St to Michael St	South	1P	7.30am-6.30pm Mon-Fri & 7.30am-12.30pm Sat	11	11	9	8	6	6	7	8	5	7	8	7	8	7	9
A8	Queens Parade Service	Debridge St to Michael St	South	Loading Zone		1	1	1	1	1	1	1	1	1	0	0	0	0	1	1
A9	Queens Parade Service	Michael St to Laneway	North	1P Angle		22	22	20	20	18	20	21	18	9	13	13	11	7	16	21
A9	Queens Parade Service	Michael St to Laneway	North	1/4P	7am-7pm	1	1	1	1	0	0	1	1	1	1	1	1	0	1	1
A10	Queens Parade Service	Michael St to Laneway	South	No Standing		10	10	0	0	0	0	0	0	0	0	0	0	0	-	-
B1	Hodgkinson Street	Turnbull St to Gold St	North	2P	7am-7pm Mon-Fri	1	1	0	0	0	0	0	0	0	0	0	0	0	-	-
B1	Hodgkinson Street	Turnbull St to Gold St	North	P Disabled Only		20	20	13	14	13	13	15	14	19	15	15	13	13	14	19
B1	Hodgkinson Street	Turnbull St to Gold St	North	Unrestricted		3	3	3	3	3	3	3	2	2	2	2	2	2	2	3
B2	Hodgkinson Street	Turnbull St to Gold St	Middle			24	24	24	24	24	24	23	20	21	23	23	17	16	18	21	24

Attachment 1 - PLN19/0432 - 141-147 Queens Parade Clifton Hill - S52 Advertised Traffic Assessment Report



PROPOSED WOOLWORTHS METRO 141-147 QUEENS PARADE, CLIFTON HILL
PARKING SURVEYS

| | | |

APPENDIX 2 TUBE COUNTS

Attachment 1 - PLN19/0432 - 141-147 Queens Parade Clifton Hill - S52 Advertised Traffic Assessment Report

Weekly Vehicle Counts

WeeklyVehicle-1213
Site: 19007001.0.1EW
Description: **ROW REAR 141-147 QUEENS PDE EAST OF GOLD ST CLIFTON HILL**
Filter time: **14:19 Tuesday, 25 June 2019 => 0:00 Tuesday, 2 July 2019**
Scheme: Vehicle classification (AustRoads94)
Filter: Cls(1-12) Dir(E) Sp(5,160) GapX(>0) Span(0 - 100) Lane(0-16)

	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Averages	
	25 Jun	26 Jun	27 Jun	28 Jun	29 Jun	30 Jun	01 Jul	1 - 5	1 - 7
Hour									
0000-0100	*	0	0	0	0	0	0	0.0	0.0
0100-0200	*	0	0	0	0	0	0	0.0	0.0
0200-0300	*	0	0	0	0	0	0	0.0	0.0
0300-0400	*	0	0	0	0	0	0	0.0	0.0
0400-0500	*	0	0	0	0	0	0	0.0	0.0
0500-0600	*	0	0	0	0	0	0	0.0	0.0
0600-0700	*	0	0	0	0	0	0	0.0	0.0
0700-0800	*	0	2	1	0	0	0	0.8	0.5
0800-0900	*	0	0	0	0	0	1	0.3	0.2
0900-1000	*	**2**	**2**	**2**	**1**	0	**1**	**1.8**	**1.3**
1000-1100	*	0	0	1	0	0	0	0.3	0.2
1100-1200	*	1	0	0	0	**0**	0	0.3	0.2
1200-1300	*	0	0	0	0	0	0	0.0	0.0
1300-1400	*	0	0	0	0	0	1	0.3	0.2
1400-1500	1	0	0	**1**	0	0	0	**0.4**	**0.3**
1500-1600	0	0	0	0	0	0	**1**	0.2	0.1
1600-1700	0	0	0	0	0	0	0	0.0	0.0
1700-1800	0	0	0	0	0	0	0	0.0	0.0
1800-1900	0	0	**1**	0	0	0	0	0.2	0.1
1900-2000	0	0	0	0	0	**1**	0	0.0	0.1
2000-2100	0	0	0	0	0	0	0	0.0	0.0
2100-2200	1	0	0	0	0	0	0	0.2	0.1
2200-2300	0	0	0	0	0	0	0	0.0	0.0
2300-2400	0	**0**	0	0	**0**	0	0	0.0	0.0
Totals									
0700-1900	*	3	5	5	1	0	4	4.3	3.1
0600-2200	*	3	5	5	1	1	4	4.5	3.4
0600-0000	*	3	5	5	1	1	4	4.5	3.4
0000-0000	*	3	5	5	1	1	4	4.5	3.4
AM Peak	*	0900	0900	0900	0900	1100	0900		
	*	2	2	2	1	0	1		
PM Peak	*	2300	1800	1400	2300	1900	1500		
	*	0	1	1	0	1	1		

* - No data.

Attachment 1 - PLN19/0432 - 141-147 Queens Parade Clifton Hill - S52 Advertised Traffic Assessment Report

PROPOSED WOOLWORTHS METRO 141-147 QUEENS PARADE, CLIFTON HILL
TUBE COUNTS

Weekly Vehicle Counts

WeeklyVehicle-1213
Site: 19007001.0.1EW
Description: ROW REAR 141-147 QUEENS PDE EAST OF GOLD ST CLIFTON HILL
Filter time: 14:19 Tuesday, 25 June 2019 => 0:00 Tuesday, 2 July 2019
Scheme: Vehicle classification (AustRoads94)
Filter: Cls(1-12) Dir(W) Sp(5,160) GapX(>0) Span(0 - 100) Lane(0-16)

	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Averages	
	25 Jun	26 Jun	27 Jun	28 Jun	29 Jun	30 Jun	01 Jul	1 - 5	1 - 7
Hour									
0000-0100	*	0	0	0	0	0	0	0.0	0.0
0100-0200	*	0	0	0	0	0	0	0.0	0.0
0200-0300	*	0	0	0	0	0	0	0.0	0.0
0300-0400	*	0	0	0	0	0	0	0.0	0.0
0400-0500	*	0	0	0	0	0	0	0.0	0.0
0500-0600	*	0	0	0	0	0	0	0.0	0.0
0600-0700	*	0	0	0	0	0	0	0.0	0.0
0700-0800	*	0	0	1	0	0	0	0.3	0.2
0800-0900	*	0	0	0	0	0	0	0.0	0.0
0900-1000	*	0	0	0	0	0	0	0.0	0.0
1000-1100	*	**1**	0	**1**	0	0	0	**0.5**	**0.3**
1100-1200	*	0	**0**	0	**1**	**0**	**0**	0.0	0.2
1200-1300	*	0	0	1	0	0	1	0.5	0.3
1300-1400	*	0	0	0	0	0	0	0.0	0.0
1400-1500	0	0	0	1	0	0	1	0.4	0.3
1500-1600	0	0	1	0	0	0	0	0.2	0.1
1600-1700	1	0	0	0	**1**	0	0	0.2	0.3
1700-1800	2	**2**	**2**	1	0	0	1	**1.6**	**1.1**
1800-1900	0	0	1	0	0	0	**1**	0.4	0.3
1900-2000	0	0	0	**1**	0	0	0	0.2	0.1
2000-2100	0	0	0	0	0	**1**	0	0.0	0.1
2100-2200	1	0	0	0	0	0	0	0.2	0.1
2200-2300	0	0	0	0	0	0	0	0.0	0.0
2300-2400	0	0	0	0	0	0	0	0.0	0.0
Totals									
0700-1900	*	3	4	5	2	0	4	4.0	3.1
0600-2200	*	3	4	6	2	1	4	4.5	3.6
0600-0000	*	3	4	6	2	1	4	4.5	3.6
0000-0000	*	3	4	6	2	1	4	4.5	3.6
AM Peak	*	1000	1100	1000	1100	1100	1100		
	*	1	0	1	1	0	0		
PM Peak	*	1700	1700	1900	1600	2000	1800		
	*	2	2	1	1	1	1		

* - No data.

Attachment 1 - PLN19/0432 - 141-147 Queens Parade Clifton Hill - S52 Advertised Traffic Assessment Report

Weekly Vehicle Counts

WeeklyVehicle-1213
Site: 19007001.0.1EW
Description: **ROW REAR 141-147 QUEENS PDE EAST OF GOLD ST CLIFTON HILL**
Filter time: **14:19 Tuesday, 25 June 2019 => 0:00 Tuesday, 2 July 2019**
Scheme: Vehicle classification (AustRoads94)
Filter: Cls(1-12) Dir(EW) Sp(5,160) GapX(>0) Span(0 - 100) Lane(0-16)

	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Averages	
	25 Jun	26 Jun	27 Jun	28 Jun	29 Jun	30 Jun	01 Jul	1 - 5	1 - 7
Hour									
0000-0100	*	0	0	0	0	0	0	0.0	0.0
0100-0200	*	0	0	0	0	0	0	0.0	0.0
0200-0300	*	0	0	0	0	0	0	0.0	0.0
0300-0400	*	0	0	0	0	0	0	0.0	0.0
0400-0500	*	0	0	0	0	0	0	0.0	0.0
0500-0600	*	0	0	0	0	0	0	0.0	0.0
0600-0700	*	0	0	0	0	0	0	0.0	0.0
0700-0800	*	0	2	2	0	0	0	1.0	0.7
0800-0900	*	0	0	0	0	0	1	0.3	0.2
0900-1000	*	**2**	**2**	2	1	0	**1**	**1.8**	**1.3**
1000-1100	*	1	0	**2**	0	0	0	0.8	0.5
1100-1200	*	1	0	0	**1**	**0**	0	0.3	0.3
1200-1300	*	0	0	1	0	0	1	0.5	0.3
1300-1400	*	0	0	0	0	0	1	0.3	0.2
1400-1500	1	0	0	**2**	0	0	1	0.8	0.6
1500-1600	0	0	1	0	0	0	1	0.4	0.3
1600-1700	1	0	0	0	**1**	0	0	0.2	0.3
1700-1800	2	**2**	2	1	0	0	1	**1.6**	**1.1**
1800-1900	0	0	**2**	0	0	0	**1**	0.6	0.4
1900-2000	0	0	0	1	0	1	0	0.2	0.3
2000-2100	0	0	0	0	0	**1**	0	0.0	0.1
2100-2200	2	0	0	0	0	0	0	0.4	0.3
2200-2300	0	0	0	0	0	0	0	0.0	0.0
2300-2400	0	0	0	0	0	0	0	0.0	0.0
Totals									
0700-1900	*	6	9	10	3	0	8	8.3	6.2
0600-2200	*	6	9	11	3	2	8	8.9	6.9
0600-0000	*	6	9	11	3	2	8	8.9	6.9
0000-0000	*	6	9	11	3	2	8	8.9	6.9
AM Peak	*	0900	0900	1000	1100	1100	0900		
	*	2	2	2	1	0	1		
PM Peak	*	1700	1800	1400	1600	2000	1800		
	*	2	2	2	1	1	1		

* - No data.

Attachment 1 - PLN19/0432 - 141-147 Queens Parade Clifton Hill - S52 Advertised Traffic Assessment Report

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Attachment 1 - PLN19/0432 - 141-147 Queens Parade Clifton Hill - S52 Advertised Traffic Assessment Report



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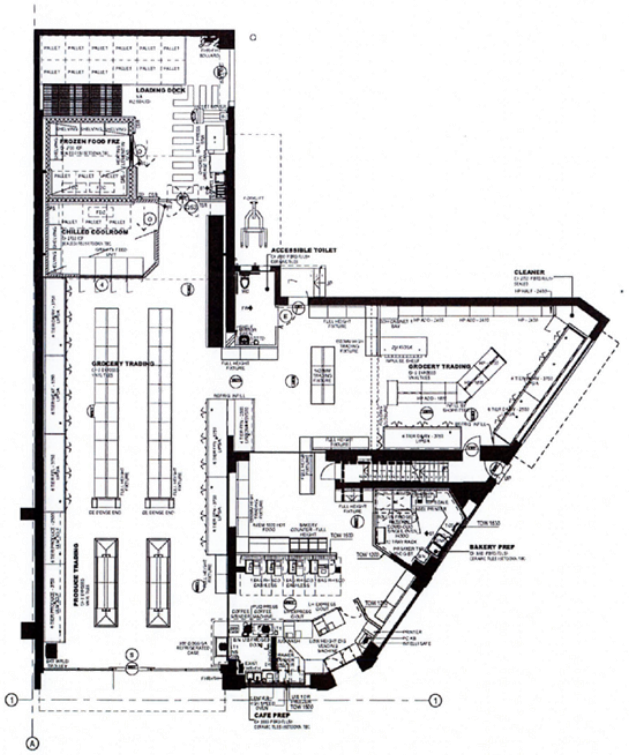
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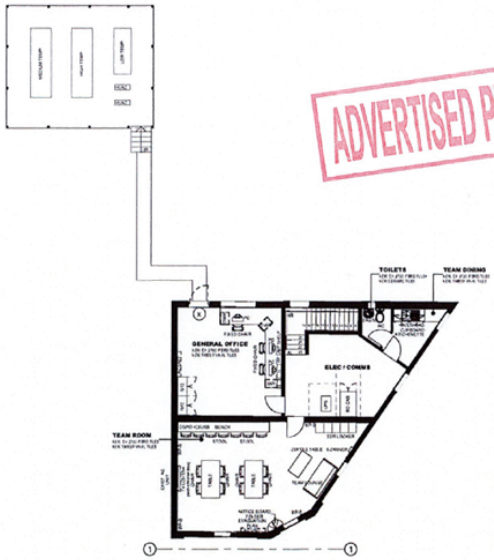
2016 EAST GIPPSLAND BUSINESS AWARDS FINALIST
Professional Services, Innovation, Child & Family Friendly

Attachment 2 - PLN19/0432 - 141 - 147 Queens Parade Clifton Hill - Decision Plans

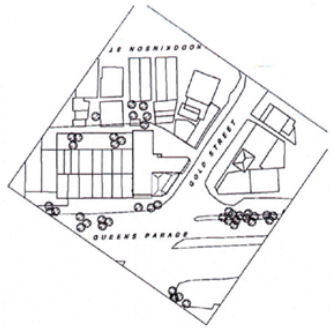
PROPOSED LAYOUT INDICATIVE ONLY.
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ISSUED FOR REFERENCE ONLY.



01 PROPOSED GENERAL ARRANGEMENT PLAN
SCALE 1:100



02 PROPOSED GENERAL ARRANGEMENT PLAN (AMENITIES LEVEL)
SCALE 1:100



00 LOCATION KEY PLAN
SCALE 1:1000

ADVERTISED PLANS

trg
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SYDNEY • PERTH
concept +
design + interiors +
project management

PROJECT
WOOLWORTHS
METRO

PROJECT ADDRESS
141-147 QUEENS PARADE
CLIFTON HILL
VIC 3068

DRAWING TITLE
PROPOSED GENERAL
ARRANGEMENT PLAN

CLIENT
WOOLWORTHS

DATE	SCALE @ A1	NORTH
22/08/19	1:100	
DRAWN	CHECKED	
N.R.	J.P.H.	
ISSUE		
TP ISSUE		
PROJECT No	DRAWING No	REVISION No	SHEET
19109.01	TP02.1	Ø	4 of 9

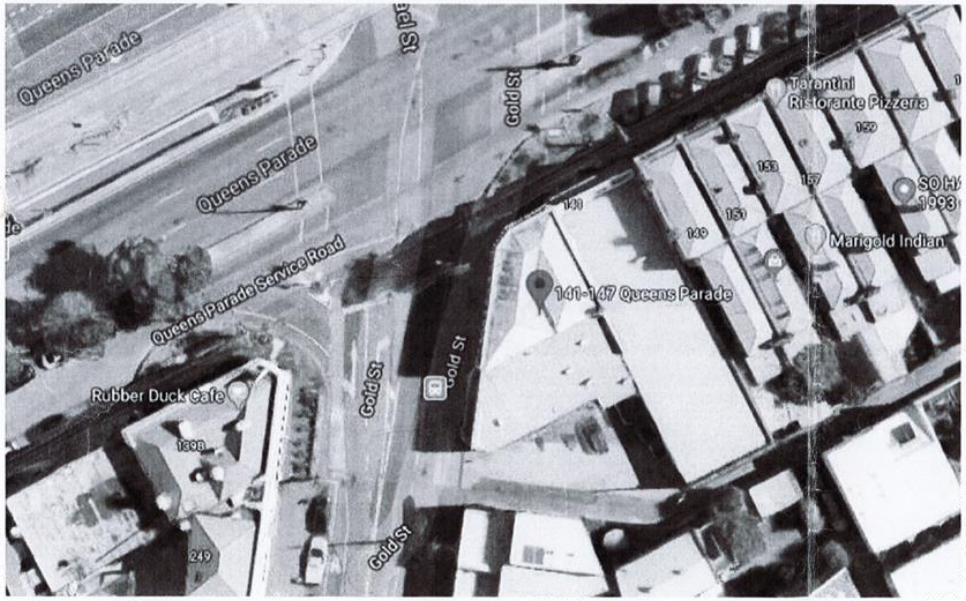
Attachment 2 - PLN19/0432 - 141 - 147 Queens Parade Clifton Hill - Decision Plans

#19109.01 WOOLWORTHS METRO

141-147 QUEENS PARADE, CLIFTON HILL, VIC, 3068

DRAWING SCHEDULE

TP.00	- COVER PAGE
TP.01	- EXISTING SITE PLAN
TP.02	- PROPOSED SITE PLAN
TP.02.1	- NOT USED
TP.03	- EXISTING ELEVATIONS
TP.03.1	- EXISTING SITE PHOTOS
TP.04	- PROPOSED ELEVATIONS
TP.05	- NOT USED
TP.06	- FINISHES AND SIGNAGE SCHEDULE



AREA SUMMARY

EXISTING GROUND FLOOR
RETAIL SPACE: 412m2
GROCERY SPACE: 58m2
BOH AREA: 75m2

SUB TOTAL: 545m2

EXISTING UPPER FLOOR
OFFICE: 130m2

SUB TOTAL: 130m2

TOTAL TENANCY AREA: 675m2

AREAS ARE APPROXIMATE ONLY AND ARE TO BE CONFIRMED.

ADVERTISED PLANS

REV	AMENDMENT DETAILS	BY	DATE
D	ISSUED FOR TOWN PLANNING	JPH	28/08/19
C	ISSUED FOR TOWN PLANNING	JPH	27/08/19
B	ISSUED FOR APPROVAL	JPH	24/08/19
A	ISSUED FOR APPROVAL	JPH	21/08/19

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concept + design + interiors + project management

PROJECT
WOOLWORTHS METRO

PROJECT ADDRESS
141-147 QUEENS PARADE
CLIFTON HILL
VIC 3068

RECEIVED 13 NOV 2019

DRAWING TITLE
COVER PAGE

CLIENT
WOOLWORTHS

DATE 17/08/19	SCALE @ A1 1:100	NORTH
DRAWN JC	CHECKED JH	
ISSUE TP ISSUE		
PROJECT No. 19109.01	DRAWING No. TP00	REVISION No. D
		SHEET 1 of 9

Attachment 2 - PLN19/0432 - 141 - 147 Queens Parade Clifton Hill - Decision Plans



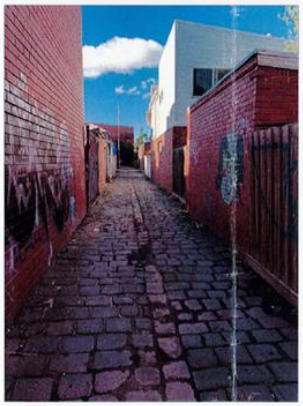
01 VIEW FROM QUEENS PARADE
SCALE NTS



02 VIEW FROM GOLD STREET
SCALE NTS



03 LOADING DOCK FROM GOLD STREET
SCALE 03



04 ACCESS WAY
SCALE 03



05 REAR OF BUILDING
SCALE 03

ADVERTISED PLANS

REV	AMENDMENT DETAILS	BY	DATE
D	ISSUED FOR TOWN PLANNING	JPH	26/06/19
C	ISSUED FOR TOWN PLANNING	JPH	21/06/19
B	ISSUED FOR APPROVAL	JPH	24/06/19
A	ISSUED FOR APPROVAL	JPH	21/06/19

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PROJECT
WOOLWORTHS METRO

PROJECT ADDRESS
141-147 QUEENS PARADE
CLIFTON HILL
VIC 3068

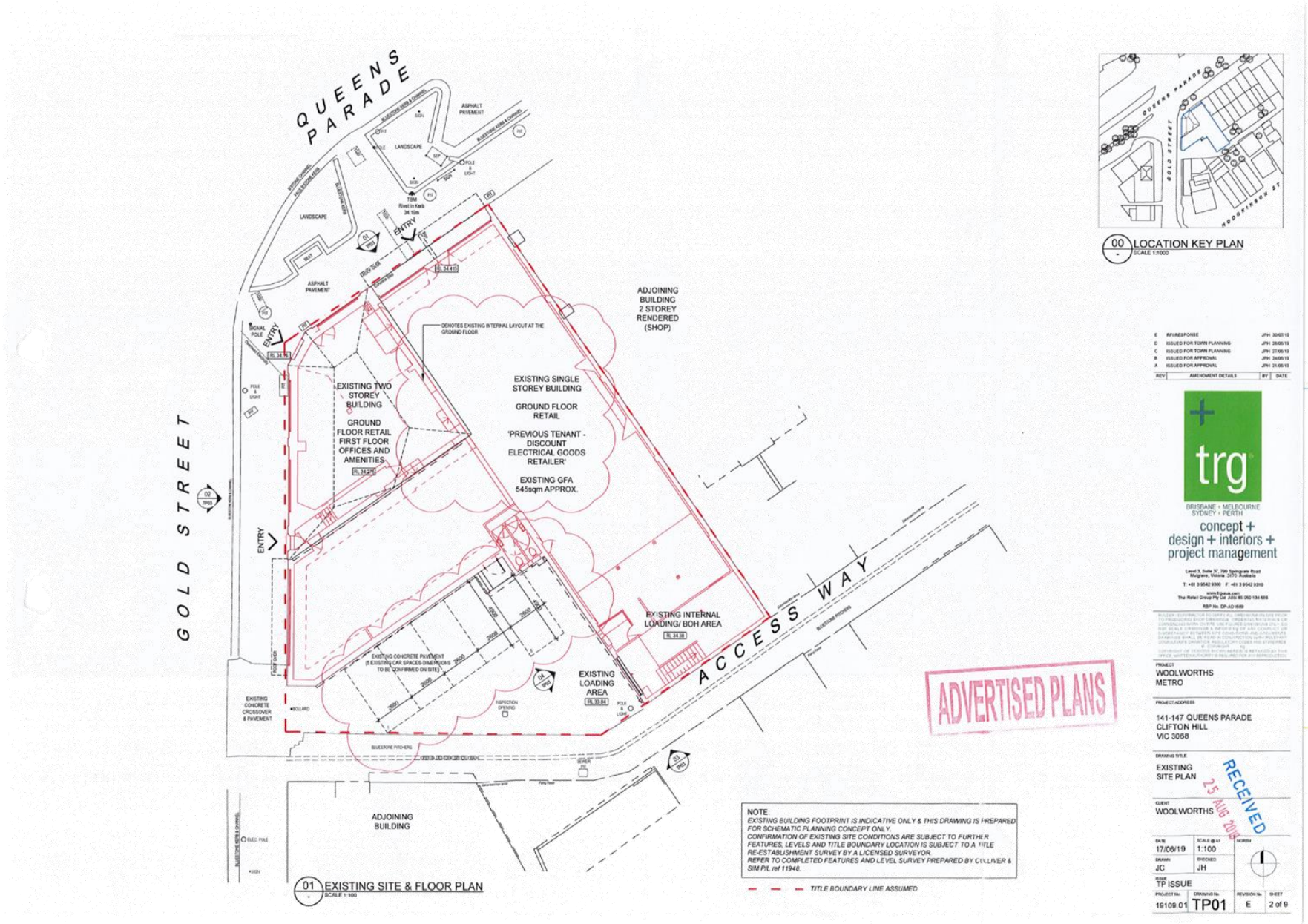
DRAWING TITLE
EXISTING ELEVATIONS

CLIENT
WOOLWORTHS

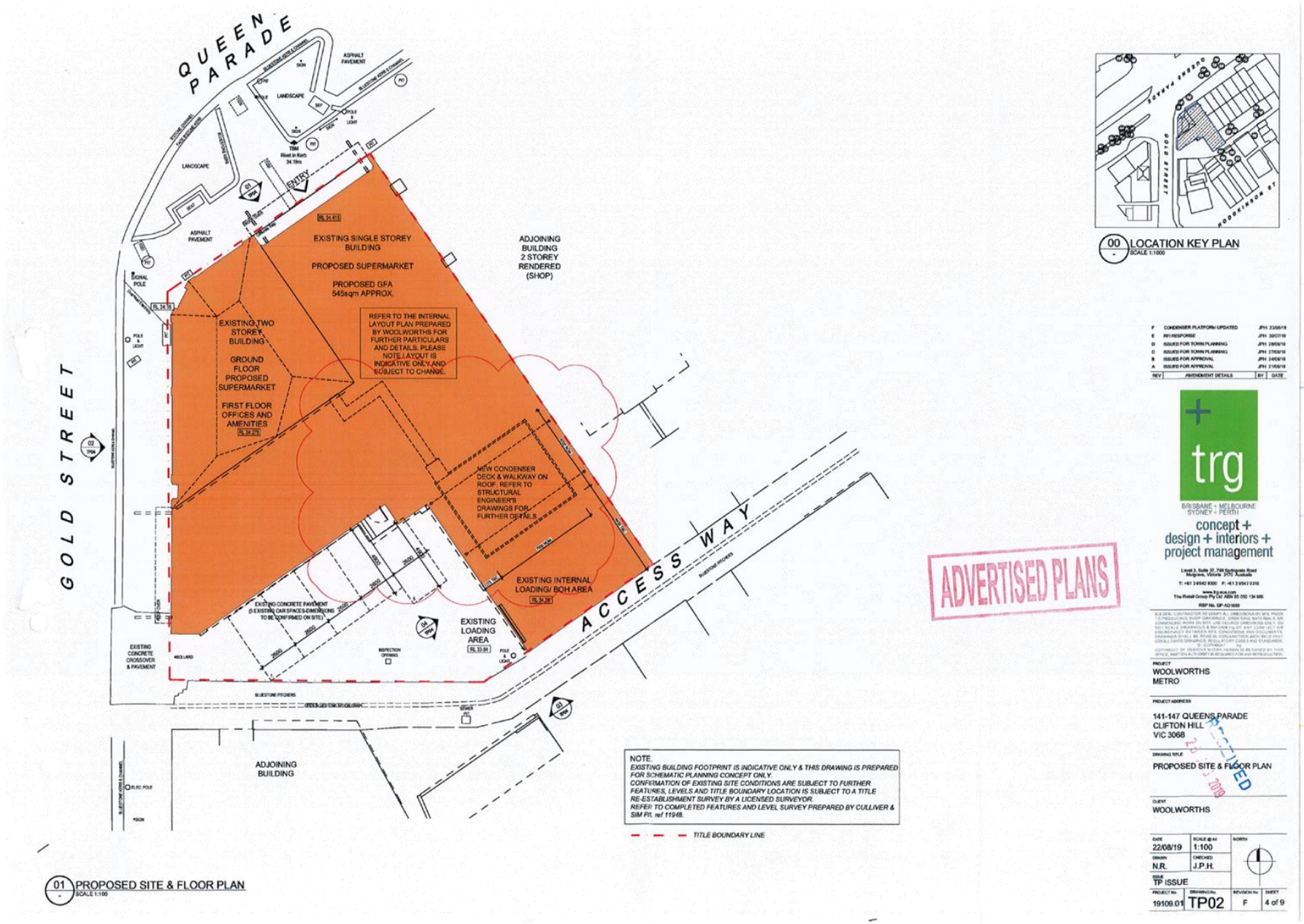
RECEIVED 25 AUG 2019

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ISSUE: TP ISSUE		
PROJECT No: 19109.01	DRAWING No: TP03.1	REVISION No: D
		SHEET: 5 of 9

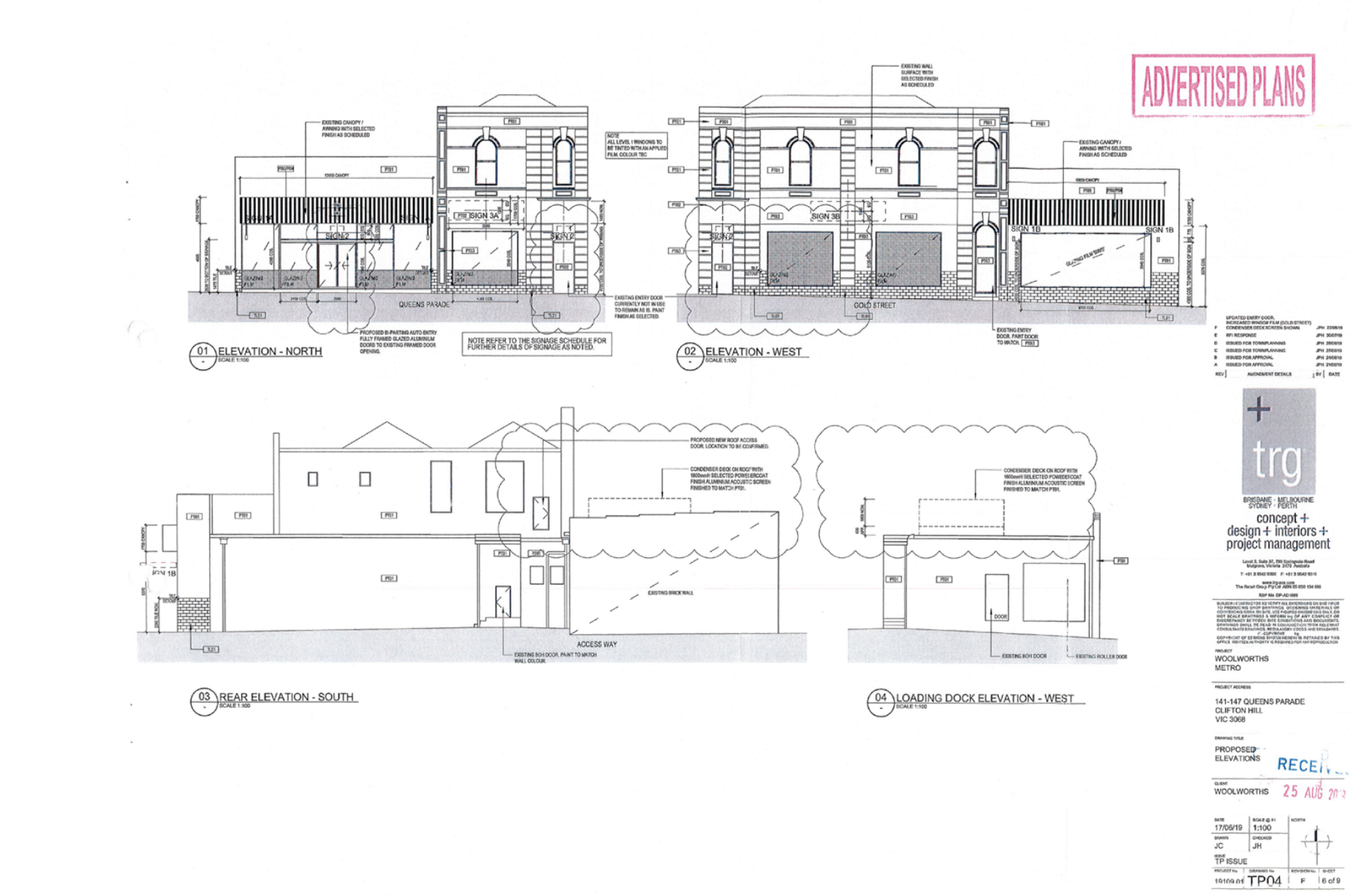
Attachment 2 - PLN19/0432 - 141 - 147 Queens Parade Clifton Hill - Decision Plans



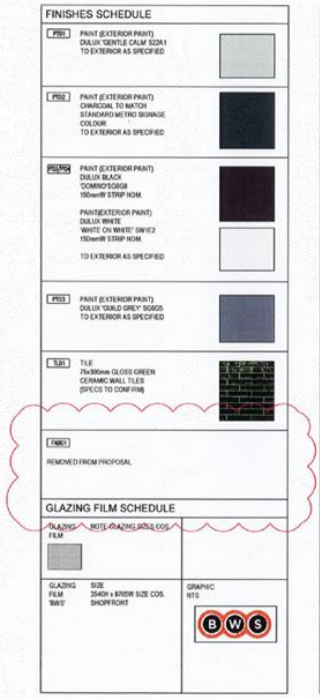
Attachment 2 - PLN19/0432 - 141 - 147 Queens Parade Clifton Hill - Decision Plans

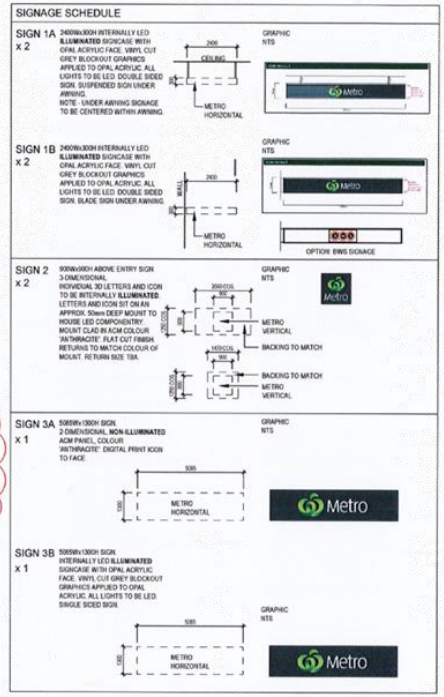


Attachment 2 - PLN19/0432 - 141 - 147 Queens Parade Clifton Hill - Decision Plans



Attachment 2 - PLN19/0432 - 141 - 147 Queens Parade Clifton Hill - Decision Plans





ADVERTISED PLANS

REV	AMENDMENT DETAILS	BY	DATE
E	RFI RESPONSE	JH	30/07/19
D	ISSUED FOR TOWN PLANNING	JH	26/06/19
C	ISSUED FOR TOWN PLANNING	JH	21/06/19
B	ISSUED FOR APPROVAL	JH	24/06/19
A	ISSUED FOR APPROVAL	JH	21/06/19

trg
BRISBANE + MELBOURNE
SYDNEY + PERTH
concept +
design + interiors +
project management

PROJECT
WOOLWORTHS
METRO

PROJECT ADDRESS
141-147 QUEENS PARADE
CLIFTON HILL
VIC 3068

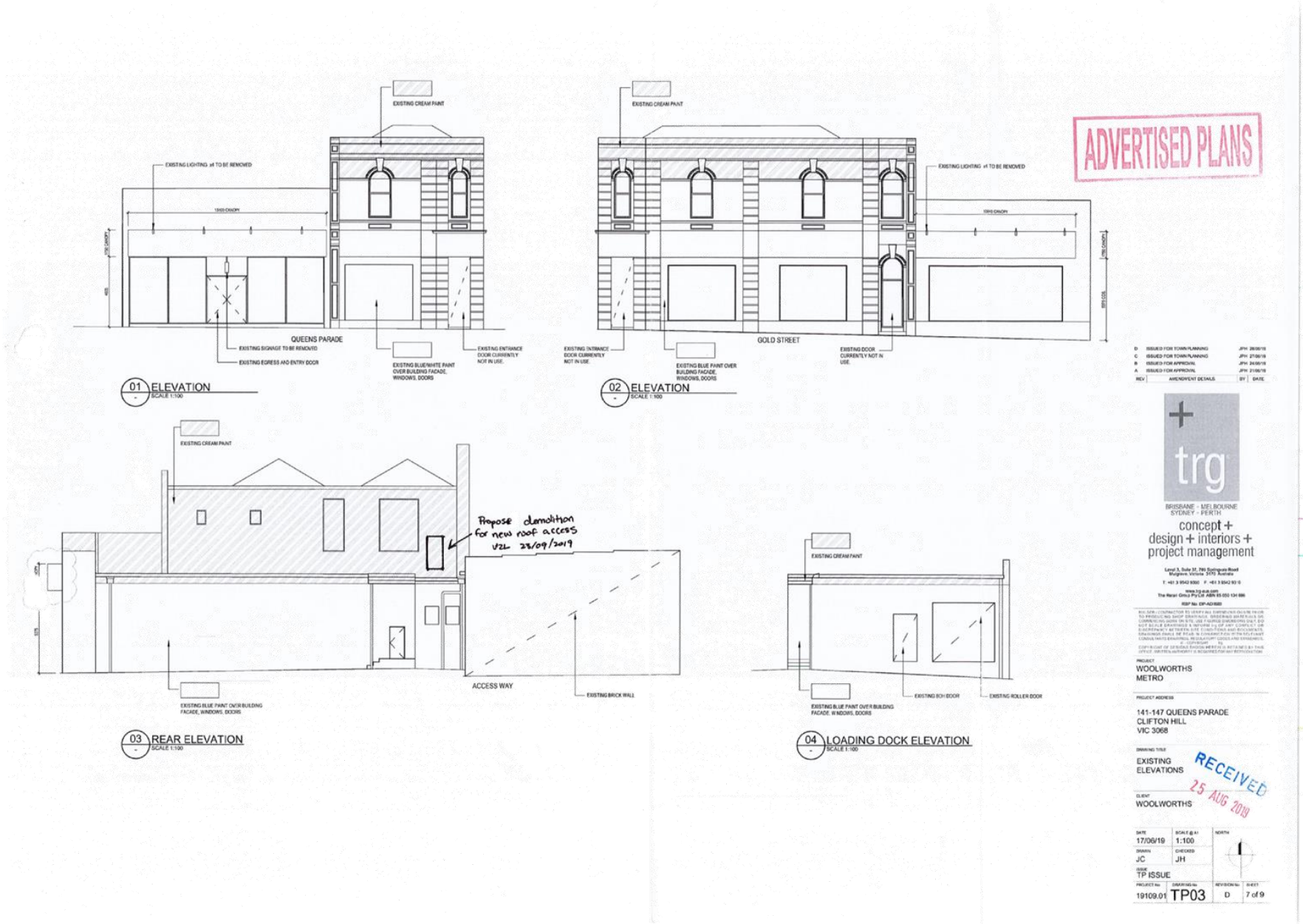
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FINISHES AND
SIGNAGE
SCHEDULE

CLIENT
WOOLWORTHS

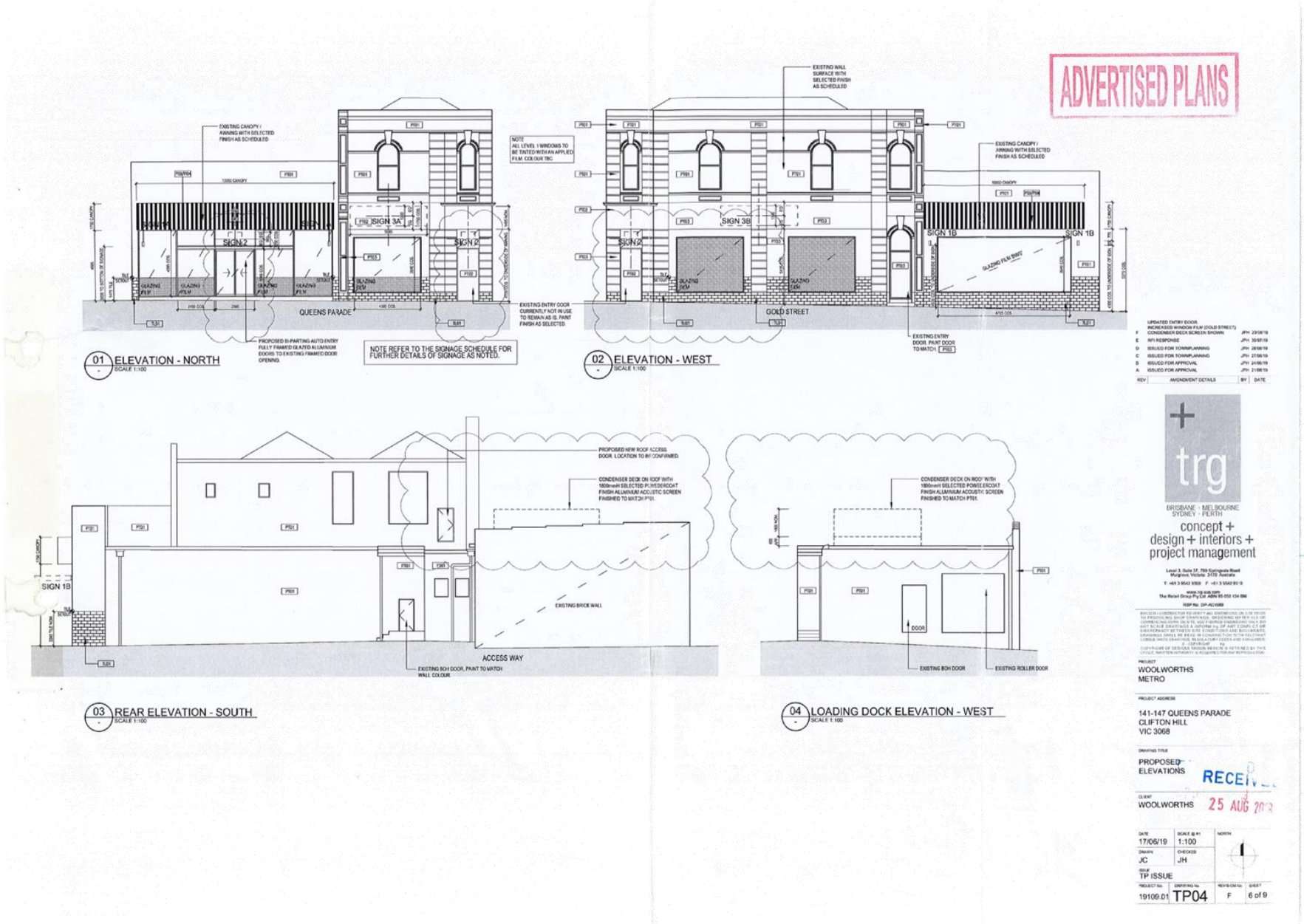
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25 AUG 2019

DATE	SCALE @ A1	NORTH
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PROJECT No.	DRAWING No.	REVISION No.	SHEET
19109.01	TP06	E	9 of 9

Attachment 2 - PLN19/0432 - 141 - 147 Queens Parade Clifton Hill - Decision Plans



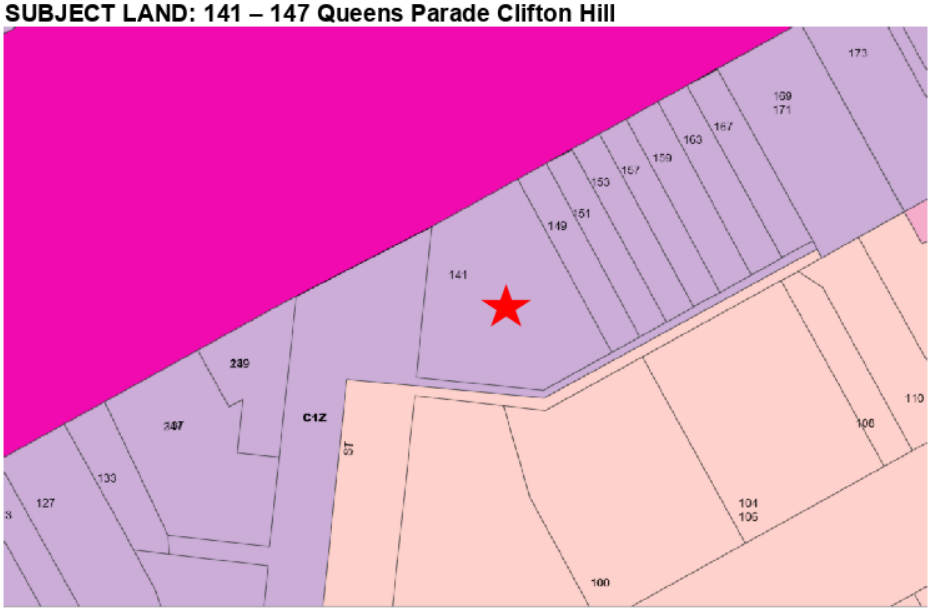
Attachment 2 - PLN19/0432 - 141 - 147 Queens Parade Clifton Hill - Decision Plans

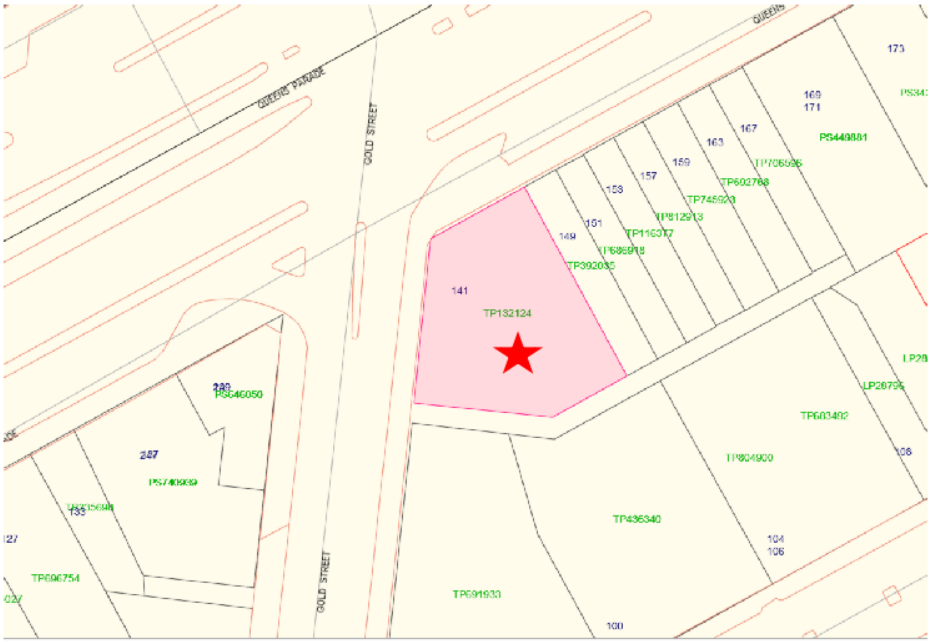


Attachment 3 - PLN19/0432 - 141 - 147 Queens Parade Clifton Hill - Zoning Map

ATTACHMENT 1

SUBJECT LAND: 141 – 147 Queens Parade Clifton Hill





North

Subject Site

1.2 PLN18/0468 - 14 Boyd Street, Richmond - Construction of a three storey dwelling and a reduction of the car parking requirements

Executive Summary

Purpose

1. This report provides Council with an assessment of a planning permit application submitted for No. 14 Boyd Street, Richmond which seeks approval for the construction of a three storey dwelling and a reduction of the car parking requirements. The report recommends approval, subject to conditions.

Key Planning Considerations

2. Key planning considerations include:
   (a) Built form and neighbourhood character; and
   (b) Off-site amenity impacts

Key Issues

3. The key issues for Council in considering the proposal relate to:
   (a) Clause 54 of the Scheme (ResCode);
   (b) Car parking reduction and access; and
   (c) Objector concerns.

Submissions Received

4. Nine objections were received to the application, these can be summarised as:
   (a) Off-site amenity impacts (Overlooking; overshadowing; visual bulk from on boundary construction; and restricting daylight access to surrounding habitable room windows).
   (b) Neighbourhood Character (Visual bulk to the street; three storey form out of character; commercial design; high site coverage represents an overdevelopment; higher permeability will impact on stormwater runoff; not respectful of heritage; fence height at odds with the neighbourhood; and removal of trees).
   (c) Car Parking and Traffic (limited car parking in the area; traffic congestion in the area; and front fence blocking sightlines).
   (d) Non-planning matters (construction noise).

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 recommendation:

   (a) The first floor terrace is to be setback further from the western boundary to accord with the sketch plans received on 13 November 2019 and reduce overshadowing impacts to No. 12 Boyd Street.

CONTACT OFFICER: **Michelle King**
TITLE: **Senior Statutory Planner**
TEL: **9205 5333**

1.2 PLN18/0468 - 14 Boyd Street, Richmond - Construction of a three storey dwelling and a reduction of the car parking requirements

Reference: D19/178587
Authoriser: Senior Coordinator Statutory Planning

Proposal:	Construction of a three storey dwelling and a reduction of the car parking requirements
Existing use:	Single dwelling on a lot
Applicant:	Gaia Design
Zoning / Overlays:	General Residential Zone, Schedule 2 Design and Development Overlay, Schedule 5
Date of Application:	04/07/2018
Application Number:	PLN18/0468

Planning History

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

Background

Lodgment of S57A plans (29 March 2019)

2. Following advertising, and in response to concerns raised by Council's planning officers, internal units and objectors, amended plans were submitted under Section 57A of the *Planning and Environment Act 1987* (the Act). The key changes are as follows:
   (a) Garage wall along the western boundary reduced to 3m;
   (b) New overshadowing diagrams prepared to illustrate the reduced shadows as a result;
   (c) The entrance to Glass Street was further recessed;
   (d) The first floor balcony detail amended to be more transparent;
   (e) Front fence amended to be more transparent; and
   (f) The material of the vertical circulation core amended.

3. These plans were readvertised pursuant to Section 57B of the Act in April 2019.

Lodgement of sketch plans (17 July 2019, 2 August 2019 and 9 August 2019)

4. The applicant provided three sets of sketch plans to inform the following Section 57A amendment.

Lodgment of S57A plans (lodged 30 August 2019)

5. Following two lots of advertising, the planning consultation meeting, and in response to further concerns raised by Council's planning officers, internal units and objectors, further amended plans were submitted under Section 57A of the Act.

6. A request for further information in respect of these plans was made on 11 September 2019, with amended plans responding to the requested information submitted on 4 October 2019.

7. The key changes are as follows:
   (a) Internal modifications including the relocation of bedroom 2 from the first floor to the ground floor.
   (b) The ground and first floor where opposite the east-facing habitable room window of No. 12 Boyd St setback 160mm from the western boundary.
   (c) Recessed entry from Glass St setback increased by 200mm.
   (d) First floor rear setback to the building increased by 2.29 metres, with the terrace instated in this area (increase from 18sqm to 25.4sqm), and setback 1.25 metres from the western boundary for the entire length.

(e) The canopy above the access to the first floor terrace deleted.
(f) The setback of the stair on the second floor increased to 500mm from the western boundary (previously on boundary).
(g) The balcony to the rear of the master suite on the second floor deleted and the setback to the rear increased by 1.5 metres. The room to the south of the stair has been setback from the western boundary by a further 600mm.
(h) The terrace screening on the eastern elevation modified from 1 metre black metal blades to 1.7 metre high obscure glazing.
(i) The fence on the eastern boundary of the car parking area modified from metal to masonry.
(j) Overall height reduced from 9 metres to 8.77 metres.
(k) The western on-boundary double-storey wall reduced from 6 metres to 5.85 metres in height.
(l) The western on-boundary single-storey wall reduced from 3 metres to 2.85 metres (bedroom 2) and 2.1 metres (car park) in height.
(m) Deletion of the first floor planter boxes to the west of the terrace.
(n) Reduced height of front fence to 1.5 metres.

8. These plans were readvertised pursuant to Section 57B of the Act in November 2019 and are the decision plans before Council, received 4 October 2019.

Lodgement of sketch plans (13 November 2019)

9. To further reduce shadowing impacts to the neighbouring property to the west, the applicant submitted a sketch plan on 13 November 2019. The sketch plan shows the following changes:

(a) A 4.5 metre length of the western balcony screening will be setback a further 680mm from the western boundary. This is shown below in Figure 1.



Decision plan, first floor plan



Sketch plan (19/11/19), first floor plan

Figure 1: The modifications proposed to the first floor balcony in the sketch plans submitted 19/11/2019

The Proposal

10. The application proposes the construction of a three storey dwelling and a reduction of the car parking requirements. Further details of the proposal are as follows:

Demolition

11. Full demolition of all buildings on site (no permit required).

Construction

12. The proposed dwelling is three storey in built form and adopts a 'reversed living' typology, consisting of the following:
    (a) Ground floor: a single car carport accessed from Glass Street with a 2,000 litre rainwater tank located to the south of the clothesline, a bedroom (bed 2), bathroom, laundry, a bedroom with walk-in-robe and ensuite (bed 3) and the main pedestrian entrance from Glass Street.
    (b) First floor: an open plan kitchen, meals and living area with an adjoining 25sqm terrace.
    (c) Second floor: a master suite (bed 1) with walk-in-robe and ensuite with an adjoining 7.9sqm balcony.

13. Due to the corner splay to the north-east of the site, the following dimensions are taken from the front and along the western boundary. To Boyd Street, the ground and first floors are setback 3 metres from the street. At the second floor, the building is setback 5.9 metres with the balcony encroaching 2.9 metres into this setback.

14. To Glass Street, the ground floor is built to the street boundary for a length of 14.79 metres with the wall extending for a length of 4.22 metres along the carport. A 2 metre high gate is proposed to the rear, providing vehicular access to the lot. The first floor, including terrace, is built to the Glass Street boundary for a length of 20.9 metres. The second floor will adopt a 500mm setback for the 9.9 metre length (including balcony).

15. The ground floor is built to the western boundary for a length of 17.91 metres and 9.49 metres at first floor. The ground floor on-boundary wall has heights of 2.1 metres to 2.85 metres. The first floor has an average height of 6.05 metres with the wall associated with the second floor built to a height of 6.77 metres.

16. The development at the first floor will be setback 1.24 metres from the western boundary and adopt an overall height of 4.65 metres, where associated with the terrace. The second floor walk-in-robe will be setback 1.1 metres with the balance of the level setback from the boundary by 500mm. This level has an overall height of 8.7 metres along the western boundary.

17. To the south, the ground floor will be setback from the rear boundary by 9.6 metres, the first floor will be setback by 3.2 metres and the second floor setback 13.7 metres from the boundary.

18. The maximum building height is 8.77 metres.

19. A 1.5 metre high black metal paling fence is proposed along the frontage, the splay and returns around Glass Street to meet the front wall of the dwelling.

Existing Conditions

Subject Site

20. The subject site is located on the south-western corner of Boyd Street and Glass Street in Richmond and comprises of two allotments (Lot 1 PS346204Q and Lot 1 TP649181L). The allotments are indicated below in Figure 2.



Figure 2: The two allotments associated with the proposal.

21. The larger allotment (Lot 1 PS346204Q) is generally rectangular, with the exception of a splay incorporated within the north-eastern corner. This allotment has a width of 4.24 metres at the rear, a length of 26.16 metres along the western boundary and 23.11 metres along the eastern boundary. The allotment has a frontage of 1.4 metres to Boyd Street, with a 4.29 metre splay.

22. The smaller allotment (Lot 1 TP649181L) is a strip of land measuring approximately 1 metre wide and 8.76 metres in length that is located to the south of the larger allotment. This land was previously associated with a road, however, this has been discontinued.

23. The subject site is developed with a single-storey weatherboard dwelling as shown in Figure 3. The existing dwelling is generally setback 1.5 metres to the verandah and 2.7 metres to the façade from Boyd Street. The current dwelling, and front garden, is built over the title boundary in the location of the corner splay.



Figure 3: Photo of the subject site (Source: Officer image taken 23/01/2019)

24. The dwelling is built along the western boundary for an approximate length of 14.8 metres (including verandah) and is generally setback from the eastern boundary by 700mm, with the exception of the laundry which is built to this boundary for a length of 3.2 metres and setback from Boyd Street by approximately 12 metres. The dwelling is setback 11.2 metres from the rear boundary fence. An existing vehicle crossover and roller door to the rear of the allotment on Glass Street provides access to the rear secluded private open space area (SPOS).

Title

25. There are no restrictive covenants or easements listed on the titles provided.

Surrounding Land

26. In general terms the immediate area is residential in nature. Development is predominately low scale (between one and two storeys) on small lots less than 500sqm, however, there is evidence of recent development in the area and an emerging character of three storey development.

27. Characteristics of the area include high walls on boundaries typically located behind the front façade, limited side setbacks and small areas of SPOS to the rear, high site coverages and low percentages of permeable areas (Figure 4). Vehicle access to properties, where provided, is typically associated with new development and located in the frontage of the dwelling.



Figure 4: Aerial GIS imagery, taken September 2019 showing the subject site (highlighted) and surrounding lots

28. To the west is No. 12 Boyd Street, a single storey weatherboard dwelling exists on the site. The dwelling is built to its western boundary and is setback 968mm from the common boundary for its length of approximately 14.4 metres (including verandah). The dwelling is setback from the street by 2.658 metres to the front façade and 1.447 metres to the verandah. An outbuilding is constructed along the rear boundary and the primary SPOS area is located between the outbuilding and the rear of the dwelling.

29. To the north is Boyd Street - a local road, which runs one way (east to west) - and directly opposite are a mix of converted warehouse buildings, single storey dwellings and new double storey unit developments. These dwellings provide minimal front setbacks to the street with walls on boundaries predominate.

30. To the east is Glass Street - a local road - and directly opposite is a single storey masonry dwelling. The dwelling is setback 2.92 metres from Boyd Street to the front façade, and 1.6

metres to the verandah. The dwelling is built to the Glass Street boundary for a length of approximately 17 metres. The SPOS area is located to the rear.

31. To the south is No. 2 Glass Street. This site is a single-storey converted warehouse building. This building is constructed to the front boundary with Glass Street and along the common boundary with the subject site. The building's northern elevation includes two windows unobscured and directly facing the subject site.

Planning Scheme Provisions

Zoning

Clause 32.08 General Residential Zone (Schedule 2)

32. Pursuant to *Clause 32.08-4* of the Yarra Planning Scheme (the Scheme), a planning permit is required to construct one dwelling on a lot less than 300sqm. As the subject site is approximately 117sqm, a planning permit is required. A development must meet the requirements of Clause 54.

33. The proposal complies with the mandatory requirements of the zone as follows:

    (a) The development is for a three-storey dwelling and does not exceed the maximum three-storey height limit contained within Clause 32.08-10.
    (b) The development has an overall height of 8.77 metres and does not exceed the maximum 9 metre height limit contained within Schedule 2 to Clause 32.08.
    (c) The allotment is less than 400sqm in area and therefore the minimum garden area requirement contained within clause 32.08-4 does not apply.

Overlays

Clause 43.02 – Design and Development Overlay (Schedule 5 – City Link Exhaust Stack Environs)

34. Pursuant to *Clause 43.02-2* of the Scheme, *a permit is required to construct a building or to construct or carry out works*. *This does not apply:*

    (a) *If a schedule to this overlay specifically states that a permit is not required.*

35. Section 2.0 of Schedule 5 specifically states that a permit is not required for buildings and works

36. Section 4.0 of Schedule 5 states that where a permit is required to use land or for the construction of a building or the construction or carrying out of works under another provision in this scheme, notice must be given under section 52(1)(c) of the *Planning and Environment Act* 1987 to the person or body specified as a person or body to be notified in Clause 66.06 or a schedule to that clause.

37. Clause 66.06 of the Scheme identifies that the Environment Protection Authority (EPA), Transurban City Link Limited and the Roads Corporation (VicRoads).

Particular Provisions

Clause 54 – One dwelling on a lot

38. Pursuant to clause 54 of the Scheme this provision applies to an application to construct a dwelling within the General Residential Zone. A development must meet the objectives of

Clause 54 but does not need to meet the standard.

Clause 52.06 – Car Parking

39. Pursuant to Column B of Clause 52.06-5 (applicable to the development as it is identified as being within the Principal Public Network Area as shown on the Principal Public Transport Network Area Maps, State Government of Victoria, 2018) a dwelling with 3 or more bedrooms is required to provide two car parking spaces.

40. The development provides one car space on-site and therefore seeks a reduction of one car parking space.

41. Pursuant to Clause 52.06-9 a single car carport must be 6 metres long and 3.5 metres wide. The proposed single car garage with dimensions of 6.15 metres x 4.24 metres satisfies the car parking design requirements.

General Provisions

Clause 65 – Decision guidelines

42. The Decision Guidelines outlined at Clause 65 of the Scheme are relevant to all applications. Because a permit can be granted does not imply that a permit should or will be granted. Before deciding on an application, the Responsible Authority must consider a number of matters.

43. Amongst other things, the Responsible Authority must consider the relevant Planning Policy Frameworks, Local Planning Policy Frameworks and any Local Policy, as well as the purpose of the Zone, Overlay or any other Provision.

Planning Policy Framework (PPF)

Clause 15.01 – Built environment
Clause 15.01-1S – Urban design

44. The objective of this clause is '*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

45. The objective of this clause is *'To create a distinctive and liveable city with quality design and amenity.'*

Clause 15.01-2S – Building Design

46. The objective of this clause is '*To achieve building design outcomes that contribute positively to the local context and enhance the public realm'*.

Clause 15.01-5S – Neighbourhood character

47. The objective of this clause is to '*To recognise, support and protect neighbourhood character, cultural identity, and sense of place'*.

48. Strategies in place to achieve the objective are as follows:

    (a) Ensure development responds to cultural identity and contributes to existing or preferred neighbourhood character.

(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.

Clause 15.02-1S – Energy and resource efficiency

49. The objective of this clause is '*To encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions'*.

Clause 16.01 – Residential development
Clause 16.01-1S – Integrated housing

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

Clause 16.01-2S – Location of residential development

51. The objective of this clause is *'to locate new housing in designated locations that offer good access to jobs, services and transport*'.

Clause 16.01-3S – Housing diversity

52. The objective of this clause is *'to provide for a range of housing types to meet increasingly diverse needs*'.

Clause 16.01-3R Housing Diversity – Metropolitan Melbourne

53. The objective of this clause is '*to create mixed-use neighbourhoods at varying densities that offer more choice in housing'*.

Local Planning Policy Framework (LPPF)

Clause 21 – Municipal Strategic Statement (MSS)
Clause 21.03 – Vision

54. 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

55. The relevant objectives and strategies of this clause are '*to accommodate forecast* increases *in population'* and to *'support residual population increases in established neighbourhoods'.*

Clause 21.05 Built form

Clause 21.05-2 – Urban design

56. This clause incorporates the following relevant objectives:

(a) Objective 16 - To reinforce the existing urban framework of Yarra; and
(b) Objective 20 - To ensure that new development contributes positively to Yarra's urban fabric.

Clause 21.08-10 – Central Richmond (area between Bridge Road and Swan Street)

57. This policy describes the area as: *"the land use character of this neighbourhood is predominantly residential, with the area closest to Punt Road comprising early to mid-Victorian cottages and terraces, and an increasing amount of Edwardian dwellings towards the east of the neighbourhood."*

Relevant Local Policies

Clause 22.10 - Built form and design policy

58. This policy applies to all new development not included in a heritage overlay. The relevant objectives of this policy are:

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

59. The clause includes various design objectives and guidelines that can be implemented to achieve the above objectives. The relevant design objectives and guidelines relate to:

(a) Urban form and character;
(b) Setbacks and building heights;
(c) Street and public space quality; and
(d) Environmental sustainability.

Clause 22.13 - Residential Built Form Policy

60. This policy includes design responses which relate to the built form character types at *Clause 21.08* of the Scheme. The subject site is within an "Inner Suburban Residential*"*, area described as "*Built form dominated residential areas with small gardens (if any) and minimal front and side setbacks".* This policy encourages the following design responses for developments within "Inner Suburban Residential" areas:

(a) Maintain the existing pattern of front setbacks.
(b) Landscape the front setback in a style that reinforces the garden character (if any) of the streetscape.
(c) Where the general pattern of development includes gaps between buildings, include a setback on at least one side of the building.
(d) Orient buildings at right angles to the street frontage.
(e) Provide front fencing that is open (unless the building is zero front setback).
(f) On single house sites in areas with generally consistent building heights, limit variations in height to a maximum of one storey compared to the adjacent properties.

Clause 22.16 – Stormwater management (water sensitive urban design)

61. This policy applies to new buildings. The objective of this clause is '*To achieve the best practice water quality performance objectives set out in the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999 (or as amended)'.*

Advertising

62. The application was advertised under the provisions of Section 52 of the *Planning and Environment Act (1987)* by 13 letters sent to surrounding owners and occupiers and by two signs displayed on site. Council received 8 objections, the grounds of which are summarised as follows:
    (a) Off-site amenity impacts (overlooking; overshadowing; visual bulk from on boundary construction; and restricting daylight access to surrounding habitable room windows).
    (b) Neighbourhood Character (visual bulk to the street; three storey form out of character; commercial design; high site coverage represents an overdevelopment; higher permeability will impact on stormwater runoff; not respectful of heritage; fence height at odds with the neighbourhood; and removal of trees).
    (c) Car Parking and Traffic (limited car parking in the area; traffic congestion in the area; and front fence blocking sightlines).
    (d) Non-planning matters (construction noise).

63. The application was advertised under the provisions of Section 57B of the Act in April 2018 following the lodgement of the first Section 57A amendment. Further submissions were received from existing objectors, however, no new issues were raised.

64. Following this, a planning consultation meeting was held on 3 June 2019 and attended by three objectors, the Applicant and Council Officers to discuss all issues and concerns raised in the letters of objection.

65. The Applicant did not make any commitments to make changes on the night, however, concerns raised were incorporated into the subsequent Section 57A amendment made to the plans.

66. The second Section 57A amendment was also advertised under the provisions of Section 57B of the *Act.* Further submissions were received from existing objectors and one new objector party was joined to the application, however, no new issues were raised.

    Clause 43.02 – Design and Development Overlay (Schedule 5)

67. In accordance with the requirements of Clause 66.06 this application, both the original and amended schemes, were advertised to the City Link Authority, Environmental Protection Authority and VicRoads.

68. VicRoads responded to the first, second and third notification, advising on 12 October 2018, 21 June 2019 and 2 December 2019 that in consultation with CityLink, VicRoads had reviewed the proposal and raised no objection.

69. The Environmental Protection Authority did not respond to any of the three notifications.

Referrals

70. The referral comments are based on the decision plans:

    Internal Referrals

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

    (a) Engineering Unit; and
    (b) Urban Design Unit.

72. The referral comments are based on the most recent plans amended via Section 57A (30 August 2019). The preceding comments from these departments do not provide any additional assessment relevant to the considerations of this proposal and therefore the most recent referral comments have been included as attachments to this report.

OFFICER ASSESSMENT

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

    (a) Clause 54 of the Scheme (ResCode);

    (b) Car parking reduction and access; and
    (c) Objector concerns.

    Clause 54 of the Scheme (Rescode)

74. This particular provision comprises 19 design objectives and standards to guide the assessment of new residential development. In accordance with Clause 54, a development should meet the standard requirement, however, the responsible authority can consider a variation to the standard requirement so long as the objective is met. 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.

75. Local policies at clause 22.10 and clause 22.13 will be referenced in the assessment against Clause 54 objectives and standard, where considered relevant.

    Clause 54.02-1 Neighbourhood character (Standard A1)

76. Clause 15.01-2S of the Planning Policy Framework seeks to '*to achieve building design outcomes that* contribute *positively to the local context and enhance the public realm.*'

77. Local policy seeks to ensure that the identified elements that contribute to neighbourhood character are retained and enhanced. This is achieved by managing change and ensuring new development works towards achieving the stated streetscape and character outcomes.

78. Neighbourhood character considerations are informed by the policy provisions of Clause 22.10 (Built form and design policy) and Clause 22.13 (Residential built form policy) and as identified in Figure 6 of Clause 21.08-10 (Central Richmond) the site is located in an Inner Suburban Residential Area which encourages the following:

    (a) *Maintain the existing pattern of front setbacks;*
    (b) *Limit variations in height to a maximum of one storey compared to the adjacent properties, on single house sites/small development sites in areas with generally consistent building heights.*

79. It is a key objective of Clause 22.13 (Residential Built Form Policy) that the impact of new development on surrounding land is limited, particularly on low rise residential areas. The site is located in an existing low rise residential area, and it is considered that Boyd Street will remain low rise, with a maximum three storey and 9 metre height limit in place pursuant to the requirements of the GRZ2.

80. The subject site is located in an area that does not contain a consistent character, with a variety of housing styles, setbacks and heights surrounding the land. The location of the subject site lends itself to more intense single dwelling development, with the design of the development generally responsive to the context of the site and surrounds.

81. In accordance with Clause 22.13-3.2 new development within Inner Suburban Residential areas should maintain the existing pattern of front setbacks. Clause 22.10-3.3 states that new development that is higher than adjacent buildings should adopt a secondary setback for the higher building component which, relevantly, aligns to the street pattern.

82. The double storey form is setback further than the adjoining property to mitigate the visual bulk presented by the new massing. The uppermost level is substantially setback from the street to ensure that the building is read as predominately two-storey with a cap above.

83. Whilst the three-storey form will be higher than the adjacent buildings by more than one storey, it is considered that the range of built form typologies within the street provide sufficient support for a higher built form, as identified in Figure 4.

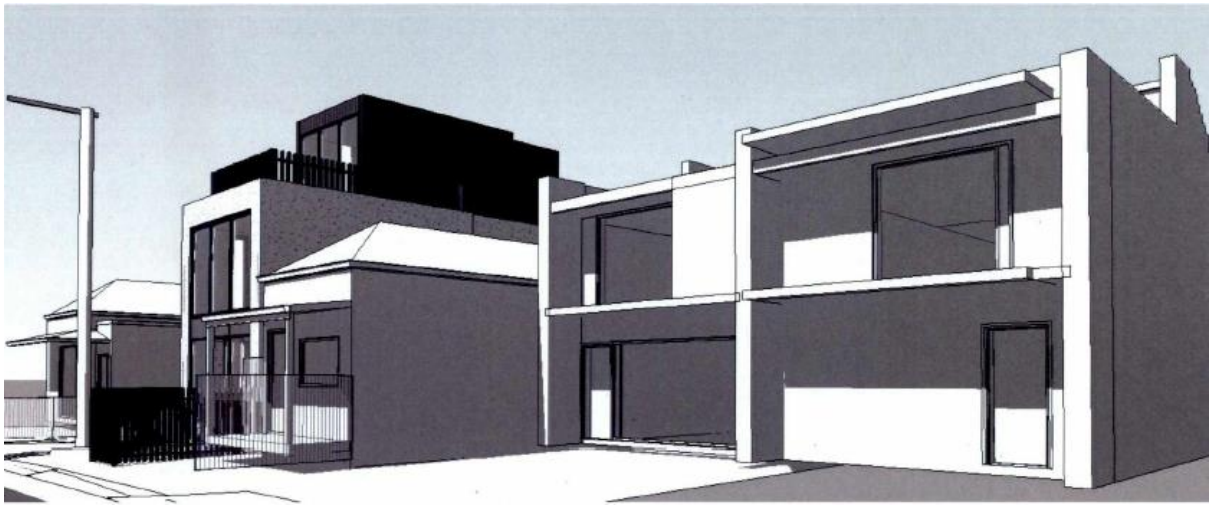


Figure 4: Perspective showing the development within the immediate context

84. The proposal fits into this mixed neighbourhood character, noting there are other similarly constructed townhouse and new dwelling development to the east along Boyd Street and south along Glass Street.

85. Council's Urban Design Unit raised concern with the Glass Street interface in the most recent plans submitted to Council, the decision plans. This will be discussed further later in the report under Design Detail. In regards to the other concerns of the Urban Design Unit, these related primarily to landscaping. The Urban Design Unit recommended opportunities be provided for landscaping in accessible locations and further detail regarding the proposed front setback landscaping be provided.

86. In accordance with Clause 22.13-3.2 proposals within an "Inner Suburban Residential" area should provide landscaping within the front setback in a style that reinforces the garden character of the streetscape, if a garden character exists. Furthermore, as identified within Clause 22.10-3.3, new development constructed with a front setback to the street should include soft landscaping within the setback area.

87. There is no clear garden character within Boyd Street with most frontages dominated by car parking. Despite there being no clear character (as seen in the remnant of Boyd Street), a condition will require a landscaping plan be provided for the front setback to show the landscaping scheme. This is considered to adequately respond to the concerns of Council's Urban Design Unit.

88. The proposed dwelling has been designed to provide for the safety and security of residents with the entrance not obscured or isolated and highly visible from Glass Street. The setback of 500mm from the street around the entrance will also provide a sense of address for the new dwelling.

89. A condition will require lighting be provided to illuminate the front entrance and car parking entrance. This will be a positive response to Glass Street, providing activation of this street at the corner, which typically is the side of buildings. This lighting must be located; directed; shielded; and of limited intensity to the satisfaction of the Responsible Authority.

90. Based on the above the proposed development will adequately respect the existing and emerging neighbourhood character.

Clause 54.02-2 Integration with the street (Standard A2)

91. The dwelling is designed to front both Boyd and Glass Streets, due to the corner block location, and in accordance with Clause 22.13-3.2 the development is oriented at right angles to front the principal street frontage.

92. Clause 22.10-3.4 identifies that the design detail of new development should provide a reasonable level of transparent treatments within the front and side elevations. At ground, first and second floors there are windows and balconies facing both streets. This adds to the human presence in the street and promotes passive surveillance, which also complies with design objectives as Clause 22.10-3.4.

93. The proposal includes a front fence along the Boyd Street frontage, at a height of 1.5 metres and with 68% transparency the fencing will allow for views of the street from the proposal.

94. The development's integration with Boyd Street and Glass Street is acceptable, and the objective of the Standard and the provisions of Clause 22.13-3.2 (Inner Suburban Residential) are met.

Clause 54.03-1 Street setback (Standard A3)

95. The Standard requires a minimum front setback of 2.6 metres based on the setback of the adjoining property, No. 12 Boyd Street, which adopts a street setback of 2.6 metres.

96. A variation is required. As a result of the corner splay, the proposed front setback would vary between 0 metres to 3 metres.

97. With regard to the setback provided it is considered that the front setback would not result in the dwelling being a dominant element in the street. The dwelling would be setback an additional 400mm when compared with the directly adjoining property to the west.

98. Furthermore, if the proposed dwelling was required to comply with the requirements of this Standard, it would result in a dwelling that would be contrary to Clause 22.13-3.2 which seeks development to be oriented at right angles to front the principal street frontage.

99. In accordance with the Standard, where interfacing with Glass Street, the development is to adopt a setback the same distance as the setback of the front wall of any existing building on the abutting allotment. The development to the south adopts a zero setback to Glass Street and therefore the proposed on-boundary construction complies with the Standard.

100. The upper level of the dwelling is setback from the boundary by 500mm, to provide visual interest to the street and a visual separation between the predominant double storey form. The contemporary form is reflective of more recent development to the south of the site along Glass Street and would not be at odds with the emerging character.

101. For the reasons advanced above, it is considered that the proposed front setback meets the objective as it will respect the existing and preferred neighbourhood character, making efficient use of the site.

Clause 54.03-2 Building height (Standard A4)

102. The maximum height of the extension is to be 8.77 metres in height which is below the 9 metre height limit required by the GRZ2.

Clause 54.03-3 Site coverage (Standard A5) and Clause 54.03-4 Permeability (Standard A6)

103. The proposal would result in a site coverage of 70.6% and permeability of 17.8%.The permeability does not meet the Standard requirement for a minimum 20% and the site coverage does not meet the maximum requirement under the Standard (60%). Clause 22.10-3.6 seeks to ensure the site coverage of new development complements the desired neighbourhood character of the area.

104. Site coverage exceeding the Standard requirement can be considered where the pattern of site coverage in the immediate area is higher than this figure. It is also acknowledged that clause 22.10-3.6, whilst not applicable to this development, contemplates site coverages of 80% for new development not within the heritage overlay.

105. A review of the recent developments in the street indicates the following site coverages:

(a) 91 Lord Street, Richmond: site coverage of approximately 63%;
(b) 6 Boyd Street, Richmond: site coverage of approximately 60%;
(c) 16 Boyd Street, Richmond: site coverage of approximately 82%;
(d) 17 Boyd Street, Richmond: site coverage of approximately 76%; and
(e) 23 Boyd Street, Richmond: site coverage of approximately 75%.

106. The proposed site coverage is considered appropriate in regard to the emerging character of the surrounding area. It is acknowledged that residential areas in Yarra that are not covered by heritage overlays are less restricted in regard to the housing typologies that can be accommodated on smaller lot sizes. The site coverage is reasonable in the context of the site in an inner urban environment, and the established neighbourhood character which is characterised by higher than the standard requirement for site coverage.

107. The level of site coverage has achieved a satisfactory design response in regards to the surrounding context and has therefore met the objective of this standard.

108. Clause 22.16 (Stormwater Management [Water Sensitive Urban Design]) applies to new buildings.

109. A STORM Rating Report was submitted with the application documents demonstrating the proposal achieved a storm rating of 131% through the implementation of a 2000 litre rainwater tank. The accompanying assessment against Clause 22.16 identified that the rainwater tank would be connected to all toilets.

110. The location of the rainwater tank is not shown on the submitted plans and can therefore be required by way of condition. Subject to this condition, the proposal has had adequate regard to Council's stormwater management policy and the proposed permeability meets the objective of this clause.

Clause 54.03-5 Energy efficiency protection (Standard A7)

111. The proposal provides an appropriate level of energy efficiency opportunities for cross-ventilation and daylight to the new dwelling.

112. The provision of eastern, southern and northern windows for solar access and daylight into the habitable spaces is acceptable given the constraints of the site. The proposed meals and living area is also provided with convenient access to outdoor living spaces with the reversed living arrangement providing greater protection of these windows and spaces with regard to potential future development.

113. The siting and orientation of the dwelling ensures that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. There are no solar energy facilities existing on the adjoining dwellings and therefore no impact in that regard as a result of the development.

114. The north-facing windows are provided with external sun blinds at the first and second floors to assist with shading and mitigate potential impacts of solar heat gain while still allowing daylight access when required. From an energy efficiency perspective this is supported, and it is considered the external sun blinds should also be provided to the ground floor north-facing windows to ensure these are also protected. This will form a condition.

115. From an urban design perspective, there is concern with the provision of these blinds to the first floor. When closed, the blinds may result in the windows being covered providing a blank interface to the street. A condition will require further details of the blinds, ensuring that the blinds are visually transparent or visually articulated when closed.

116. Given the upper level setback of the second floor, there is no concern with the blinds provided to this level.

Clause 54.03-6 Significant trees objectives (Standard A8)

117. There are no significant trees located on site.

Clause 54.04-1 Side and rear setbacks (Standard A10)

South (rear)

118. Figure 5, prepared using Trapeze Desktop (Imaging software that provides the ability to scale and measure plans), demonstrates that the development is compliant with the Standard requirement determined for side and rear setbacks from the south (blue line).



Figure 5: Application of the Standard A10 setback (blue line)

West

119. The first floor terrace will be setback 1.24 metres from the western boundary and adopts an overall height of 4.65 metres (to the top of the glazed screening). The standard requires a setback of 1.32 metres and therefore a dispensation of 0.08 metres applies.

120. The second floor walk-in-robe will be setback 1.1 metres with the balance of the level setback from the boundary by 500mm. This level has an overall height of 8.77 metres. The standard requires a setback of 3.79 metres for a wall of this height, and therefore a dispensation of 2.76 metres and 3.35 metres applies.

121. In regards to the first floor wall, it is considered the non-compliance by 0.08 metres is negligible. With the constraints of the site, a setback of 1.24 metres to the boundary line is not uncommon. The 1.7 metre high obscure glazed screen would provide variation in building materials to reduce bulk, and would allow light to permeate through. On this basis, the non-conforming setback at this level is acceptable and a variation to the standard is supported.

122. Furthermore, a condition will require the development to accord with the sketch plan received on 13 November 2019. This will result in the majority of the western balcony edge complying with the standard requirement and further demonstrates the acceptability of the proposal.

123. The second floor where setback from the boundary is not opposite the main useable area of SPOS and is considered typical of new development in an inner city context. An outlook to a wall constructed on or near a boundary is part of the character of the area and it is considered that the minimal setback of the neighbouring dwelling from the title boundary of less than 1 metre would restrict sightlines up to the higher building form. On this basis, the non-conforming setback of this level is acceptable and a variation to the standard is supported.

Clause 54.04-2 Walls on boundaries (Standard A11)

124. To meet the standard, any new wall constructed on the boundary should not abut the boundary for a length more than 10m plus 25 per cent of the remaining length of the boundary of an adjoining lot or where there are existing or simultaneously constructed walls abutting the boundary on an abutting lot, the length of those walls. The standard also includes walls that are located within 200mm of the boundary.

125. In regards to height, any proposed wall on boundary should not exceed 3.2 metres in height with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

126. The new wall along the western boundary should not exceed a length of 14.04 metres if the Standard is to be met. A total length of 17.91 metres is proposed at ground floor, with 9.49 metres at first floor.

127. Whilst the increase in length itself is not considered unreasonable in an inner city location the siting, height and location of the walls are key in determining their acceptability.

128. The ground floor wall will adopt a maximum height of 2.85 metres and predominately be 2.1 metres in height, the first floor wall will adopt an average height of 6.05 metres. A 2.1 metre length of the second floor wall will extend to a height of 6.77 metres, associated with the stair core.

129. The ground floor wall is located toward the rear of the property and is proposed to be opposite the SPOS associated with the adjoining dwelling. The wall has had significant regard for the sensitive SPOS area it adjoins, with the proposed heights well below the 3.2 metres prescribed by the standard.

130. The double-storey on boundary wall is proposed to be 6.05 metres in height with a 2.1 metre section extending to 6.77 metres in height (associated with the second floor), partially opposite the neighbours window. Where opposite the only east-facing habitable room window on the adjoining property, the wall will be setback 0.16 metres from the boundary.

131. It is considered views to the new wall would not be dissimilar to the current view given the shallow side setback the adjoining property has adopted from their eastern title boundary (0.968 metres as identified in Figure 5). The room this window services is also dual aspect, with large south-facing windows also providing an alternative outlook.



Figure 5: View of No.12 Boyd Street on the left, and No. 14 on the right (Source: Officer image taken 04/07/2019)

132. The new double storey wall, with the second floor stair core, for the most part will be constructed opposite the side setback area of the adjoining property. The design response has considered the site constraints to break down the bulk of the building where it interfaces with the most sensitive adjoining area, the SPOS and, as previously identified, whilst a maximum 6.77 metres in height where opposite the east-facing window the wall when viewed from the room would not be dissimilar to the current view. From a visual bulk perspective it is considered visual bulk impacts would be reasonably limited.

133. On-boundary walls are a part of the existing and emerging character of the area with a number of high on-boundary walls clearly visible on abutting and adjacent lots with this proposal fitting in with that character. As outlined above, the proposal is seen to comply with the massing objectives of clause 22.10-3.3.

Clause 54.04-3 Daylight to existing windows (Standard A12)

134. There are habitable room windows facing the proposal to the south (No. 2 Glass Street) and to the west of the subject site (No. 12 Boyd Street).

135. The proposal meets the requirement with regard to setbacks to the north-facing windows of No. 2 Glass Street, with a separation distance of 3.5 metres from these windows to the 4.65 metre built form (standard requires a setback of 2.33 metres)

136. With regard to the window to the west, this window is setback from its own boundary by a distance of 0.968 metres. Where opposite this window, the development adopts a further setback of 0.16 metres to comply with the 1 metre setback requirement at the ground and first floor. At the second floor level, the development is setback between 1.3 metres to 1.9 metres.

137. The overall setback, when considering the requirement for walls more than 3 metres in height opposite an existing habitable room window to be setback from the window at least 50% of the height of the new wall, would not comply.

138. It is considered that due to the small lot widths, of 4.3 metres for the subject site and approximately 4.5 metres for the adjoining property, there are significant restrictions on the ability for generous side setbacks to be provided. Furthermore, the adjoining property has been developed 0.968 metres from the boundary.

139. Due to the small lot widths and constraints of the site it is considered unreasonable to require the proposal to comply with this Standard and therefore regard must be given to the Objective, *to allow adequate daylight into existing habitable room windows*.

140. The amendments made to the proposal formally throughout the process have sought to address this issue and have resulted in an acceptable design response with the current proposal. Whilst opposite the window there would be a predominant two storey form with the stair core above, it is considered that this would not be unlike the current arrangement where the existing single storey wall is constructed on the boundary as previously identified, to a height of approximately 3.5 metres as demonstrated in Figure 6, prepared using Trapeze.

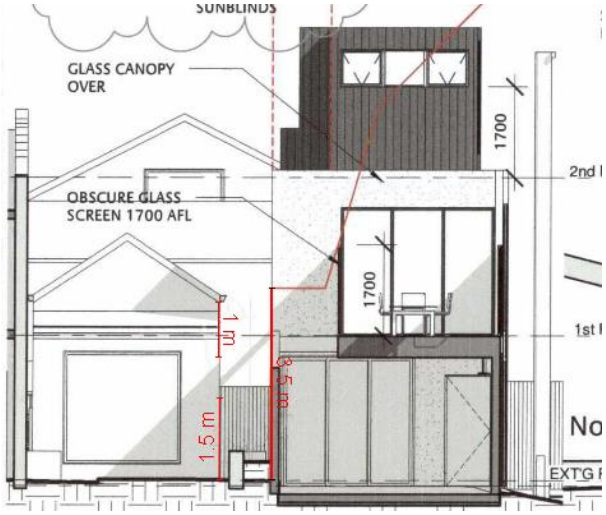


Figure 6: Location of window opposite a 3.5m wall and the proposed wall, where outlook will be maintained as an on-boundary wall

141. The access to daylight is already comprised due to the site constraints outlined. It is considered the predominant two-storey form with recessed third-storey above would not drastically alter the daylight access to this window, with the shadow diagrams demonstrating that the window would not be impacted further as a result of this development. Furthermore, this room also receives daylight access from the rear southern windows.

142. Whilst there are other windows associated with No. 12 Boyd Street facing the subject site, these are to a corridor, not a habitable room, and the standard would not apply to these windows.

Clause 54.04-4 North-facing windows objectives (Standard A13)

143. Figure 7, prepared using Trapeze, demonstrates that the development is compliant with the Standard requirement determined for north-facing windows (blue line, taken from edge of main allotment, not southern boundary further demonstrating compliance).

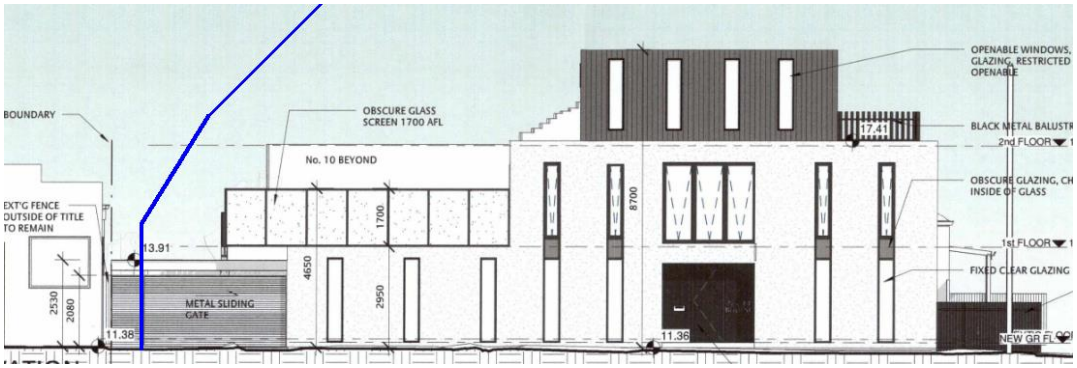


Figure 7: application of the Standard A13 setback (blue line)

Clause 54.04-5 Overshadowing open space (Standard A14)

144. The proposal will cause additional overshadowing to 12 Boyd Street, as follows:

Time	Additional Area Shadowed	Area of SPOS remaining unshadowed
9AM	8.5sqm	0.1sqm
10AM	7.9sqm	7.8sqm
11AM	3.4sqm	18.2sqm
12PM	0.4sqm	27.1sqm
1PM	0sqm	18.5sqm
2PM	0sqm	5.2sqm
3PM	0sqm	0sqm

145. There is some concern with the extent of overshadowing to No. 12 Boyd Street during the morning hours due to the depth of the shadows. The applicant provided sketch plans on 13 November 2019 to address this concern, incorporating a further setback of 0.68 metres from the western boundary to the balcony screening for a 4.5 metre length. This resulted in the following revised additional overshadowing:

Time	Additional Area Shadowed	Area of SPOS remaining unshadowed
9AM	7.8sqm	0.8sqm
10AM	5.1sqm	10.6sqm
11AM	3.4sqm	18.2sqm
12PM	0.4sqm	27.1sqm
1PM	0sqm	18.5sqm
2PM	0sqm	5.2sqm
3PM	0sqm	0sqm

146. Given the small lot sizes, high level of built form in the area and the site's orientation north-south; it is common to see increased overshadowing as a result of any development. The adjoining property is already constrained by the double storey sheer wall built along the western boundary of their SPOS area.

147. Subject to a condition requiring the balcony be setback as per the sketch plans, the proposed development provides an improved design response, and has tempered their design expectations (as seen through the submission of two formal Section 57A amendments) to acknowledge the constraints posed by this existing development.

148. The impact of the additional overshadowing on the SPOS area of the adjoining dwelling is reasonable, subject to a condition requiring the first floor terrace to accord with the sketch plans received on 13 November 2019.

149. The more substantial overshadowing will be limited to the morning hours and close to the rear of the dwelling, allowing a substantial pocket of unshadowed space at the rear of the property and to the north of the shed. This will continue to allow solar access generally in accordance with the objective of this clause.

Clause 54.04-6 Overlooking (Standard A15)

150. In accordance with the standard, a habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space and habitable room windows of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

Ground Floor

151. At ground floor, the northern window of bedroom 3 is located in excess of 9 metres from any surrounding habitable room windows or SPOS areas and therefore is not required to be screened. This is also true of the southern window of bedroom 2, where the on-boundary windows of No. 2 Glass Street are located 9.4 metres away.

152. Whilst the east-facing windows of bedroom 3 are located within 9 metres of the west-facing windows of No. 16 Boyd Street, the windows of this dwelling have a sill height 1.7 metres above the ground level, and therefore no views would occur between these windows.

153. The rear open space area will not be required to be screened as this is not the primary SPOS and is it considered opportunities for views will be limited, meeting the objective of the standard.

First Floor

154. As referenced above, the northern window of bedroom 3 is located in excess of 9 metres from any surrounding habitable room windows or SPOS areas and therefore is not required to be screened.

155. The first floor terrace will be within 9 metres of the north-facing windows of No. 2 Glass Street, the southern boundary of the terrace is not screened. As this is the main SPOS area of the dwelling it is considered appropriate for the southern boundary to be screened, either by a 1.7 metre high obscure glazed screen or by other means, such as solid balustrading with a horizontal projecting fin. This will be required by condition.

156. The first floor terrace is screened along the eastern and western perimeters by a 1.7 metre high obscure glazed screen, in accordance with the standard requirement.

157. As previously identified, the east-facing windows of the development are oriented to face Glass Street and No. 16 Boyd Street beyond. The ground floor west-facing windows of No. 16 Boyd Street have raised sill heights, however, views downwards into these ground floor habitable room windows could occur. A condition will therefore require these windows to be screened, in accordance with the standard requirement.

Second Floor

158. The northern balcony will not be within 9 metres of any surrounding habitable room windows or SPOS areas to the north and west. The balcony will, however, be within 9 metres of the east-facing windows of No. 16 Boyd Street for a portion of the western boundary. A condition will therefore require the balcony to be screened, in accordance with the standard requirement.

159. This is also true of the east-facing windows of bedroom 1, and screening of these windows is required due to their position within 9 metres of the west-facing windows of No. 16 Boyd Street. A condition will be included on the permit to ensure these windows are also appropriately screened in accordance with the standard. The ensuite/walk-in-robe has a south-facing window. This window is not to a habitable room and therefore is not required to be screened, but regardless, the raised sill height of 1.7 metres would achieve compliance with the standard requirement.

160. As referenced above, the development meets the objective of this clause, subject to conditions.

Clause 54.05-1 Daylight to new windows (Standard A16)

161. All of the new windows that are not oriented to face public land (street) will face an area with a minimum space of 3sqm and minimum dimension of 1m clear to the sky, thereby complying with the standard.

162. Whilst bedroom 2 is oriented to face the carport, the carport is open on two sides and for at least one third of its perimeter, satisfying the standard requirement.

Clause 54.05-2 Private open space (Standard A17)

163. In accordance with the standard the proposal would be required to provide a minimum of 40 square metres of private open space and 25 square metres of SPOS with a minimum dimension of 3 metres.

164. The proposal provides a total 45.4sqm of open space, with 25.4sqm of this SPOS at the first floor, with a width of 3 metres.

165. The sketch plan outcome, implemented to reduced overshadowing impacts, would reduce the SPOS area to 22.6sqm with a width of between 2.265 metres and 3 metres.

166. Whilst below the standard requirement for SPOS, with regard to the objective, which requires the provision of adequate private open space for the reasonable recreation and service needs of residents, it is considered that the reduced balcony area is acceptable as it will provide appropriate dimensions for accessibility and useability by future occupants. The balcony is directly accessible from the open plan living area and is appropriately positioned for optimal solar access.

167. This is considered to be a satisfactory outcome for the extension of a dwelling on a small allotment. The reversed living configuration will allow for greater protection of the SPOS area in the future from surrounding development.

Clause 54.05-3 Solar access to open space (Standard A18)

168. The southern perimeter of the first floor terrace is setback 8.4 metres from the first floor form and 10.48 metres from the second floor form, in excess of the minimum 7.4m and 9.83 metre setback, respectively, prescribed by the standard. The dwelling will comply with the standard requirement and receive ample solar access.

Clause 54.06-1 Detailed design (Standard A19)

169. Design Guidelines at clause 22.10-3.4 encourage visual interest in buildings through the use of materials and finishes as well as incorporating vertical and horizontal elements to reflect the rhythm of the street. This has been achieved through the breaking up of the development into two separate elements, thereby emphasising the main double storey form with the recessed upper level differentiated with both setbacks and materials.

170. As identified within Clause 22.10-3.3 proposed roof forms should respect those of the area. The flat roof form is acceptable for a contemporary development, and is replicated in the majority of modern buildings in the neighbourhood.

171. The development is contemporary in design adopting materials such as masonry, metal cladding and glazing. The materials and finishes are generally supported and fit within the broad range of development along in the area. The colours proposed, in grey and black, respect the surrounding colour palettes of new dwellings.

172. The window proportions at the ground and upper levels are distinctive to the contemporary design and reference the more modern three-storey development to the south along Glass Street.

173. The proposed vehicle entrance and garage door is located facing Glass Street. Whilst Council's Urban Design Unit has commented that the incorporation of a solid wall on the eastern side of the carport results in enhanced building bulk and a poor streetscape outcome it is considered that this presentation ensures the carport is visually compatible with the overall development.

174. With regard to recent development along Glass Street it is considered that such an interface is not uncommon in the street and the 2.95 metre high wall with obscure glazing above would be lower than most development built to the Glass Street frontage. It is therefore considered that this interface is acceptable.

175. The proposed layout results in the maintenance of no vehicle crossovers along Boyd Street and vehicular access from Glass Street. This is considered to be a good outcome as the vehicular entrance will not be the primary focus of the development.

176. The proposed design detailing will offer a high level of architectural interest to the street and will integrate well with the existing and emerging character of development.

Clause 54.06-2 Front fences (Standard A20)

177. A planning permit is not triggered for the proposed front fence, as the height does not exceed 1.5 metres in height.

178. A 1.5 metre high black metal paling fence is proposed along the frontage and as it complies with the standard requirement, not triggering a permit, this cannot be considered further. However, the height of this fence is sympathetic to the prevailing fence heights and styles in the area and meets the Standard requirement.

Car Parking Reduction

179. Pursuant to Clause 52.06 of the Scheme, two car parking spaces are required for the three-bedroom dwelling. As only one car parking space is provided, a reduction of one car parking space is sought.

180. A reduction in the reliance on the private motor vehicle is one of the broader strategic objectives of Council's Municipal Strategic Statement. Allowing for a reduction in the car parking provision to new development can assist in achieving this objective.

181. The decision guidelines are found at Clause 52.06-6. The relevant considerations include:

(a) *The availability of alternative car parking in the locality of the land.*
(b) *The practicality of providing car parking on the site, particularly for lots of less than 300sq.m.*
(c) *Local traffic management in the locality of the land.*
(d) *Access to or provision of alternative transport modes to and from the land.*
(e) *The character of the surrounding area and whether reducing the car parking provision would result in a quality/positive urban design outcome.*

182. The following assessment will address these decision guidelines:

(a) State and local planning policy encourages development to provide opportunities to create more sustainable transport options including walking, cycling and public transport, in order to reduce reliance on the private motor car and alleviate congestion.
(b) When purchasing or intending to move into the new dwelling, residents will know up-front that the dwelling has only one on-site car park with limited on-street parking available in the area.

(c) The subject site is a small allotment of less than 300sqm, and it would be impractical for two car parking spaces to be accommodated on site.
(d) The site is well positioned in terms of public transport services, located within 500 metres of tram services along both Bridge Road and Swan Street, as well as train services from Burnley Station.
(e) The site is also located within 500 metres of two Major Activity Centres, Swan Street and Bridge Road, which contain businesses, supermarkets, essential facilities and other amenities.
(f) Council's Engineering Department has reviewed the proposal and has not raised any concerns.

183. The following statistic (Source: Council Plan 2017-2021) suggests that strict application of the car parking requirements contained within Clause 52.06, that applies state-wide, to developments within Yarra would not have adequate regard to the context and opportunities for alternative sustainable transport options the location offers.

Yarra residents are more likely to travel by foot or bike than other municipalities, with nearly a half of all journeys to and from work using sustainable methods. Yarra has more than double the number of carless households (20%) than greater Melbourne (9%).

184. The proposed development and reduction of car parking will support sustainable transport objectives, be located in an area well served by public transport, and will support a diversity of housing provision. Overall, it is considered that the proposed reduction of the standard car parking requirements is acceptable and will not adversely impact parking and traffic conditions in the surrounding area.

185. In accordance with Clause 52.06-9 plans prepared in accordance with Clause 52.06-8 must meet the design standards of Clause 52.06-9, unless the responsible authority agrees otherwise.

186. Council's Engineering Unit reviewed the submitted plans and the swept path diagrams, identifying that the proposed layout meets the requirements for car parking. The Engineering Unit identified that 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. This can form a note on permit to remind the applicant of their obligations under the Building Regulations.

187. Whilst an objection was raised regarding the height of the front fence and loss of vehicle sight lines it is considered that the proposal would result in increased sightlines at this intersection. Currently the front fencing and dwelling on the subject site encroaches outside of the title boundary, "squared off" to the street. In addition, as Boyd Street is only one way, the fence creates no impediment to views of on-coming traffic from the east.

188. The development would result in the corner splay being observed (removal of 4.5sqm), providing a deep setback and increased visibility of the intersection. It is appropriate a condition be included to ensure that the reinstatement of the footpath occur at no cost to Council, in accordance with Council's requirements.

189. Overall, the design and provision of car parking on site satisfies the considerations of clause 52.06-9 of the Scheme.

<u>Objector Concerns</u>

190. Many of the objector issues have been discussed within the body of the report as identified below:

Off-site amenity impacts (Overlooking; overshadowing; visual bulk from on boundary construction; and restricting daylight access to surrounding habitable room windows).

(a) Paragraphs 118 - 162.

Neighbourhood Character (Visual bulk to the street; three storey form out of character; commercial design; high site coverage represents an overdevelopment; higher permeability will impact on stormwater runoff; fence height at odds with the neighbourhood; and removal of trees).

(b) Paragraphs 74 – 133.

Car Parking and Traffic (limited car parking in the area; traffic congestion in the area; and front fence blocking sightlines).

(c) Paragraphs 179 - 189.

191. Outstanding issues raised are as follows:

Neighbourhood Character (Not respectful of heritage)

(a) The subject site is not located within a heritage overlay. The site is located 30 metres east of dwellings located within Schedule 376 to the Heritage Overlay. These properties have a sideage to Boyd Street and are principally oriented to face Lord Street. Given the separation distance, and that no visual intrusion to Lord Street would result from the proposal, it is considered adequate regard has been given to nearby heritage sites.

Non-planning matters - Construction noise

(b) As construction impacts generally fall outside the scope of planning and given that the scale of development does not warrant a construction management plan, no further consideration of construction issues is necessary. It is noted, however, that in the event of construction, there are various local laws and permits required that mitigate construction impacts and address construction noise.

Conclusion

192. The proposed development is considered to demonstrate a high level of compliance with policy objectives contained within the State and Local Planning Policy Framework.

193. The proposal, subject to conditions outlined in the recommendation section below is an acceptable planning outcome that demonstrates compliance with the relevant Council policies.

RECOMMENDATION

That a Notice of Decision to Grant a Planning Permit PLN18/0468 be issued for the Construction of a three storey dwelling and a reduction of the car parking requirements at 14 Boyd Street, Richmond, generally in accordance with the plans noted previously as the “decision plans” and subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans

will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans dated 06/11/18, Job No: G1435, Revision H (TP04) and Revision I (TP05, TP06, TP07 and TP08), but modified to show:

(a) The first floor terrace to accord with the sketch plans received on 13 November 2019, dated 06/11/18, Job No: G1435, Revision J (TP05, TP06, TP07 and TP08).
(b) The 2000 litre rainwater tank referenced within the STORM Rating Report (Transaction ID: 836125) shown, with the end use (rainwater tank plumbed to all toilets) annotated.
(c) Details of the north-facing first floor blinds, ensuring the blinds are visually transparent or visually articulated when closed, with all blinds shown on the north elevation at all levels.
(d) Detailed diagrams demonstrating compliance with the objective of Clause 54.04-6 (Overlooking) from the:
    (i) South-facing first floor terrace to the north-facing ground floor windows of No. 2 Glass Street.
    (ii) East-facing first floor and second floor habitable room windows to the west-facing ground floor windows of No. 16 Glass Street.
    (iii) East-facing second floor balcony to the west-facing ground floor windows of No. 16 Glass Street.

    Any additional screening measures used to achieve compliance are to be shown.

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

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

    (a) show the type, location, quantity, height at maturity and botanical names of all proposed plants;
    (b) indicate the location of all areas to be covered by lawn or other surface materials; and
    (c) provide a specification of works to be undertaken prior to planting,

    to the satisfaction of the Responsible Authority.

4. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, 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.

5. Before the dwelling is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating the dwelling access from the common

property and dwelling entrance must be provided within the property boundary. Lighting must be:

(a) located;
(b) directed;
(c) shielded; and
(d) of limited intensity,

to the satisfaction of the Responsible Authority.

6. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the reclaimed footpath must be 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.

7. 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.

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

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

9. This permit will expire if:

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

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

Notes:

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

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

CONTACT OFFICER: **Michelle King**
TITLE: **Senior Statutory Planner**
TEL: **9205 5333**

Attachments
1 PLN18/0468 - 14 Boyd Street Richmond - Site Plan

2 PLN18/0468 - 14 Boyd Street Richmond - Decision Plans (1of2)
3 PLN18/0468 - 14 Boyd Street Richmond - Decision Plans (2of2)
4 PLN18/0468 - 14 Boyd Street Richmond - Engineering comments on decision plans
5 PLN18/0468 - 14 Boyd Street Richmond - Urban Design comments on decision plans
6 PLN18/0468 - 14 Boyd Street Richmond - Sketch Plans (13/11/2019)

Attachment 1 - PLN18/0468 - 14 Boyd Street Richmond - Site Plan

ATTACHMENT 1

SUBJECT LAND: 14 Boyd Street, Richmond





North

Subject Site

Attachment 2 - PLN18/0468 - 14 Boyd Street Richmond - Decision Plans (1of2)

SITE CONTEXT NOTES

- **A** EXISTING SINGLE STOREY WEATHERBOARD HOUSE, HAS HAD MULTIPLE ADDITIONS, IN NEED OF REPAIR. SIDE VERANDAH BUILT TO B'DRY
- **B** No. 12 - ADJOINING SINGLE STOREY WEATHERB'D, CORR ROOF, REAR OUT BUILDING, NO FENCE
- **C** No. 16 - OPPOSITE OF GLASS ST, SINGLE STOREY, ADDITIONS BUILT TO ST B'DRY (WITH MURAL)
- **D** No. 2 - SOUTHERN ADJOINING NEIGHBOUR, OLD WAREHOUSE BUILT TO B'DRY, 2 STOREY RESIDENCE, WINDOWS ON B'DRY WALL FACING NORTH
- **E** EXISTING PROPERTY'S TITLE BOUNDARY HAS BEEN CHANGED SINCE BUILDING BEEN BUILT, TO HAVE A SPLAY AT CORNER FOR VEHICLE VISION
- **F** EVEN THOUGH THERE IS AN EXISTING CROSSOVER & GARAGE DOOR, NOT ENOUGH SPACE TO PARK CAR
- **G** PROPERTY OPPOSITE BOYD ST, OLD WAREHOUSE BUILT TO B'DRY, WITH GARAGE & ENTRY DOOR ON ST.
- **H** 3 TRAM LINES & 1 TRAIN STATION WITHIN WALKING DISTANCE
- **I** MANY 2 STOREY & A FEW 3 STOREY NEW BUILDINGS, LARGE 4 STOREY NEXT BLOCK ON CNR GLASS & NEWRY ST
- **J** 3x 2 STOREY 80's RESIDENCE'S WITH PARKING IN FRONT YARD
- **K** STREET PARALLEL SPACE, LARGE THAN NORMAL, BUT NOT BIGGER ENOUGH FOR 2 SPACES
- **L** LARGE WALLS TO STREET B'DRY'S, WAREHOUSE / CREMORNE CHARACTER FOR PARTS OF BOYD & GLASS STREET
- **M** TYPICAL COTTAGE'S SETBACK FROM ST, VARYING STYLES, AGES, REPAIRS, THE OTHER RICHMOND CHARACTER

GLASS STREET

- **No.2** LARGE SINGLE STOREY WAREHOUSE FACADE (2 STOREY BHEIND), PAINTED BRICK FACADE, BUILT TO STREET B'DRY, GABLE ROOF NOT VISIBLE
- **No.4** 2 UNITS, RECENT MODERN, BLOCK DESIGN, 3 STOREYS, LARGE SINGLE STOREY BUILT TO STREET B'DRY, 1 SMALL WINDOW TO STREET, FLAT ROOF
- **No.8-20** 13 UNITS, RECENT MODERN DESIGN, MIX OF STONE SOLID WALL SINGLE STOREY TO STREET, 3 STOREYS SETBACK, RENDERED & TIMBER & GLASS, FLAT ROOF, LARGE SITE
- **No.5** OLD COTTAGE, W/ NEW LARGE WEATHERB'D'S, CORR HIPPED ROOF, SINGLE STOREY, 80'S METAL PICKET FENCE, PAVED FRONT YARD, APP. 1,5m SETBACK, DBL FRONT, LARGE VERANDAH
- **No.9** ORANGE BRICK VENEER, 70'S SUBURBAN HOUSE, TILED HIPPED ROOF, APP. 2.8m FRONT SETBACK, MED HT BRICK & METAL PICKET FRONT FENCE,
- **No.13** OLD COTTAGE, W/ NEW LARGE WEATHERB'DS, ALU. WINDOW, CORR HIPPED ROOF, APP. 2.8m FRONT SETBACK, PAVED & GARDEN, RENDERED BRICK & METAL PICKET FENCE
- **No.17** ORANGE BRICK VENEER, 70'S SUBURBAN HOUSE, TILED HIPPED ROOF, APP. 3.3m FRONT SETBACK, MED HT TIMBER PAILING FRONT FENCE,
- **No.19 -23** MODERN 2 STOREY, HIGH SINGLE STOREY BUILT TO FRONT B'DRY,W/ GARAGE DOOR, VERTICAL GREY TIMBER CLADDING. RENDERED 2nd STOREY, ALU. WINDOWS

BOYD STREET

- **No.12** TYPICAL WEAHTERB'D SINGLE FRONTED COTTAGE, CORR HIPPED ROOF, NATIVE GARDEN, NO FRONT FENCE
- **No.10** RENOVATED 70'S 2 STOREY RENDERED BRICK, FLAT ROOF, NO FRONT FENCE, LARGE FRONT SETBACK FOR CAR SPACES, STRIP GARDENS TO SIDES
- **No.8** 70'S 2 STOREY BRICK, FLAT ROOF, NO FRONT FENCE, LARGE FRONT SETBACK FOR CAR SPACES, STRIP GARDENS TO SIDES
- **No.6** 70'S 2 STOREY BRICK. FLAT ROOF, 70'S BRICK & METAL PICKET FENCE FENCE, LARGE FRONT SETBACK FOR CAR SPACES, STRIP GARDENS TO SIDES
- **No.16** TYPICAL WEATHERB'D, SINGLE STOREY COTTAGE, FRONT SETBACK, TIMBER PICKET FENCE. BUILT TO SIDE ST B'DRY W/ HIGH WINDOWS, & LARGE MURAL PAINTED TO WALL ON GLASS ST
- **No.20** TYPICAL WEATHERB'D, SINGLE STOREY COTTAGE, DBL FRONTED, FRONT SETBACK W/ EXTENSIVE GARDEN, LOW TIMBER PICKET FENCE, W/ GATE & CROSSOVER FOR CAR SPACE (?)
- **No.24** RECENT MODERN DBL STOREY UNIT, BUILT TO SIDE LANE, FLAT ROOF, GREY RENDERED WALLS, LARGE BALCONY FACING ST, SETBACK W/ GARDEN AT GROUND, LOW RENDERED BRICK & MODERN TIMBER FENCE

DRAWING LIST

No.	NAME
SK01	A12 STADARD ANALYSIS - EXISTING / DEMO CONDITIONS
SK02	A12 STANDARD ANALYSIS - NEW CONDITIONS
TP01	AERIAL PHOTO / SITE CONTEXT PLAN
TP02	SITE CONTEXT / DEMOLITION FLOOR PLAN
TP03	EXISTING PHOTO'S
TP04	NEW GROUND FLOOR PLAN
TP05	NEW 1st FLOOR PLAN
TP06	NEW 2nd FLOOR PLAN
TP07	ELEVATIONS 1 OF 2
TP08	ELEVATIONS 2 OF 2, SECTION & FINISHES SCHEDULE
TP09	SHADOW DIAGRAMS 1 OF 2
TP10	SHADOW DIAGRAMS 2 OF 2
TP11	VIEWS
TP12	VIEW COMPARRISON W/ ORIGINAL DESIGN 1 OF 2
TP13	VIEW COMPARRISON W/ ORIGINAL DESIGN 2 OF 2
TP14	TRAFFIC SWEEP PATHS

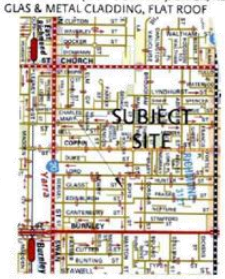


BOYD STREET - CONT.

- **No.7** LARGE SINGLE STOREY WAREHOUSE WALL BUILT TO ST, 2 STOREY WAREHOUSE BEHIND, EXTENSIVE VINES TO WALL, GATE TO SIDE, GARDEN & OPEN CAR SPACE TO WEST SIDE, FLAT ROOF
- **No.9** LARGE SINGLE STOREY WAREHOUSE WALL BUILT TO ST, 2 STOREY WAREHOUSE BEHIND, GARAGE DOOR TO ST, SMALL PEDESTRIAN GATE ON ST, CORR DUTCH GABLE ROOF
- **No.11** WAREHOUSE, 2 STORIES, SETBACK FROM THE STREET, LARGE VEHICLE GATE TO STREET, WITH TREES TO SIDES OF DRIVEWAY FRONT BOYD ST
- **No.13** 70'S DBL FRONTED HOUSE, RENDERED, TILED HIPPED ROOF, BRICK & METAL PICKET FENCE, OPEN CAR SPACE TO FRONT,
- **No.15 -15A** MODERN 2 STOREY TOWN HOUSES, FLAT FRONT FACADE, LARGE 2nd STOREY ROOF, FLAT, SETBACK FOR CAR SPACE BEFORE GARAGE, NO FENCE, SMALL GARDEN

CNR GLASS / NEWRY STREET

- **No.7** LARGE 4 STOREY RECENT DEVELOPMENT, MANY APARTMENTS, LARGE SINGLE STOREY BUILT TO STREET B'DRY (NO FOOTPATH). BRICK, RENDER, GLAS & METAL CLADDING, FLAT ROOF



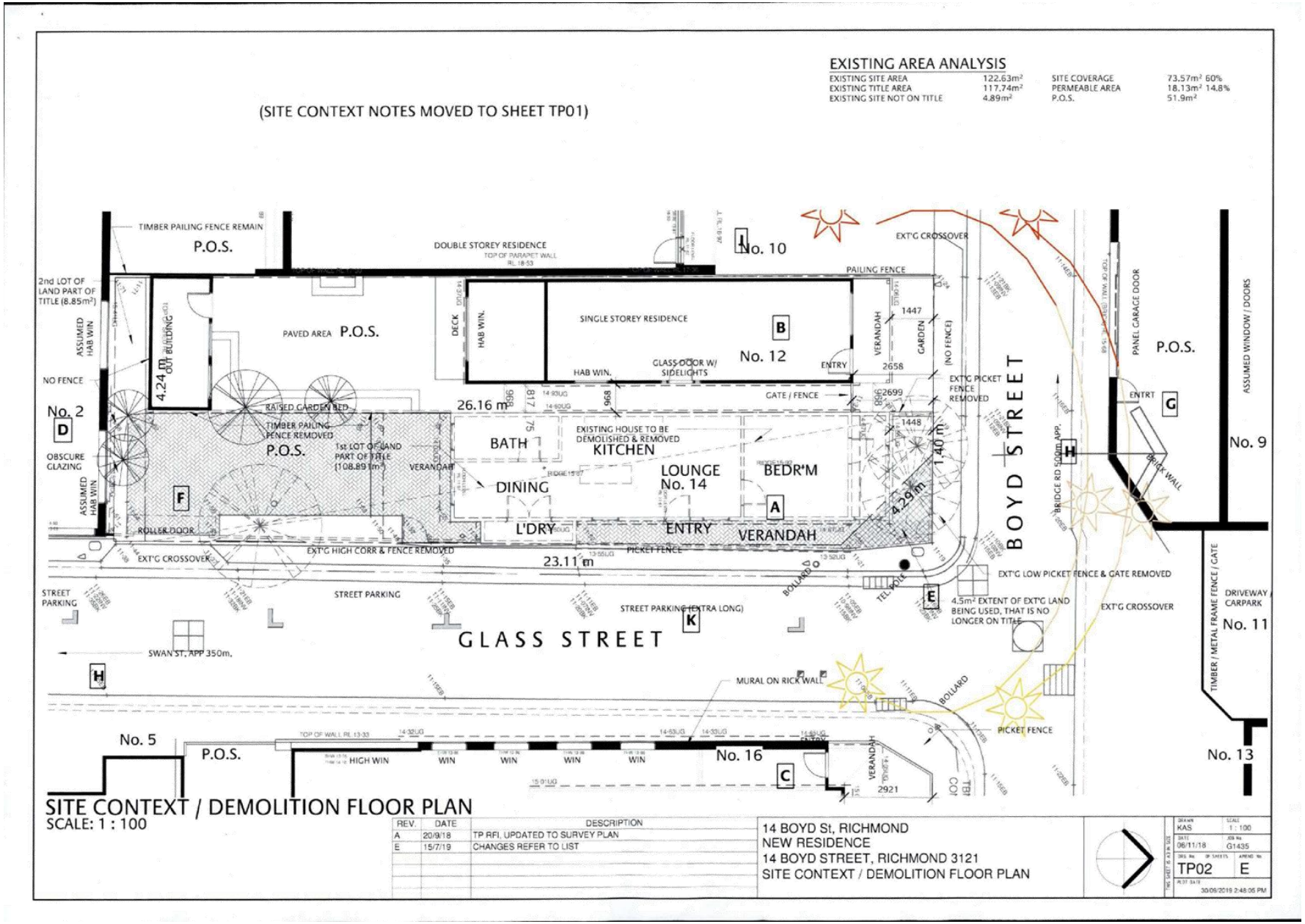
AERIAL PLAN
SCALE: 1 : 500

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A	20/9/18	TP RFI, UPDATED TO SURVEY PLAN
H	16/9/19	COUNCIL RFI

14 BOYD St, RICHMOND
NEW RESIDENCE
14 BOYD STREET, RICHMOND 3121
AERIAL PHOTO / SITE CONTEXT PLAN

DRAWN: KAS | SCALE: As indicated
DATE: 06/11/18 | JOB No: G1435
DWG No: TP01 | SHEETS | AMEND No: H
PLOT DATE: 30/09/2019 2:48:05 PM

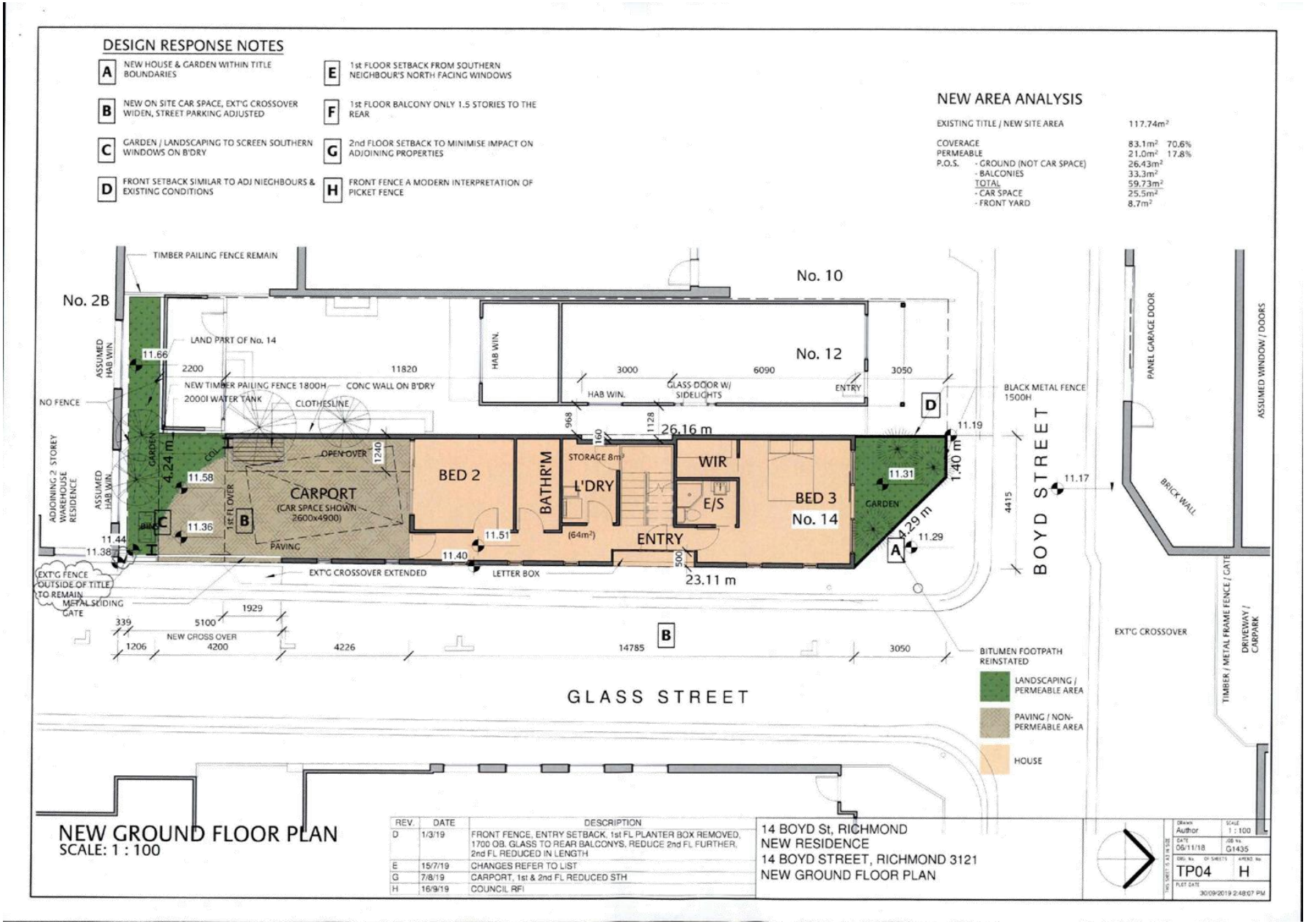
Attachment 2 - PLN18/0468 - 14 Boyd Street Richmond - Decision Plans (1of2)



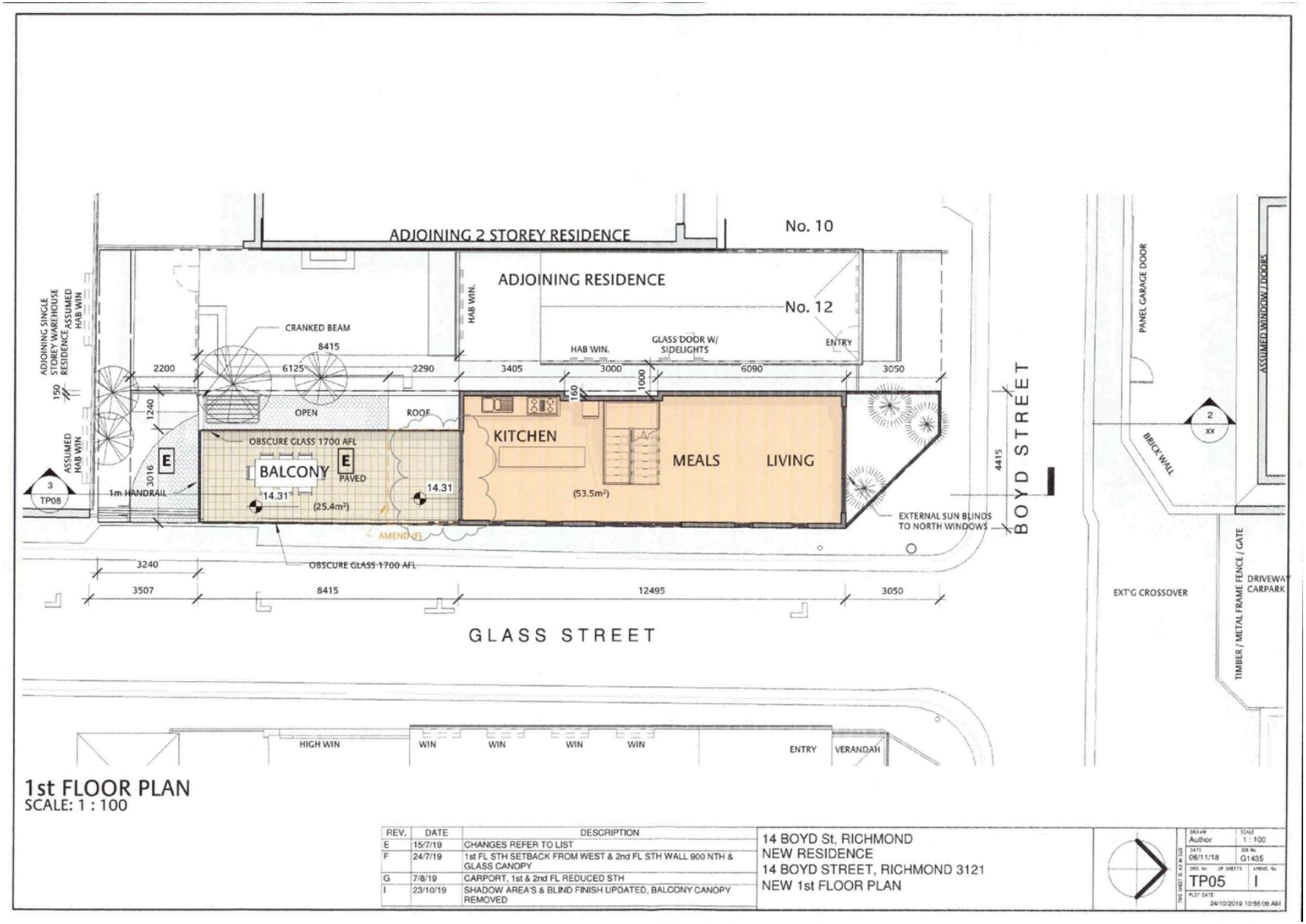
Attachment 2 - PLN18/0468 - 14 Boyd Street Richmond - Decision Plans (1of2)



Attachment 2 - PLN18/0468 - 14 Boyd Street Richmond - Decision Plans (1of2)



Attachment 2 - PLN18/0468 - 14 Boyd Street Richmond - Decision Plans (1of2)



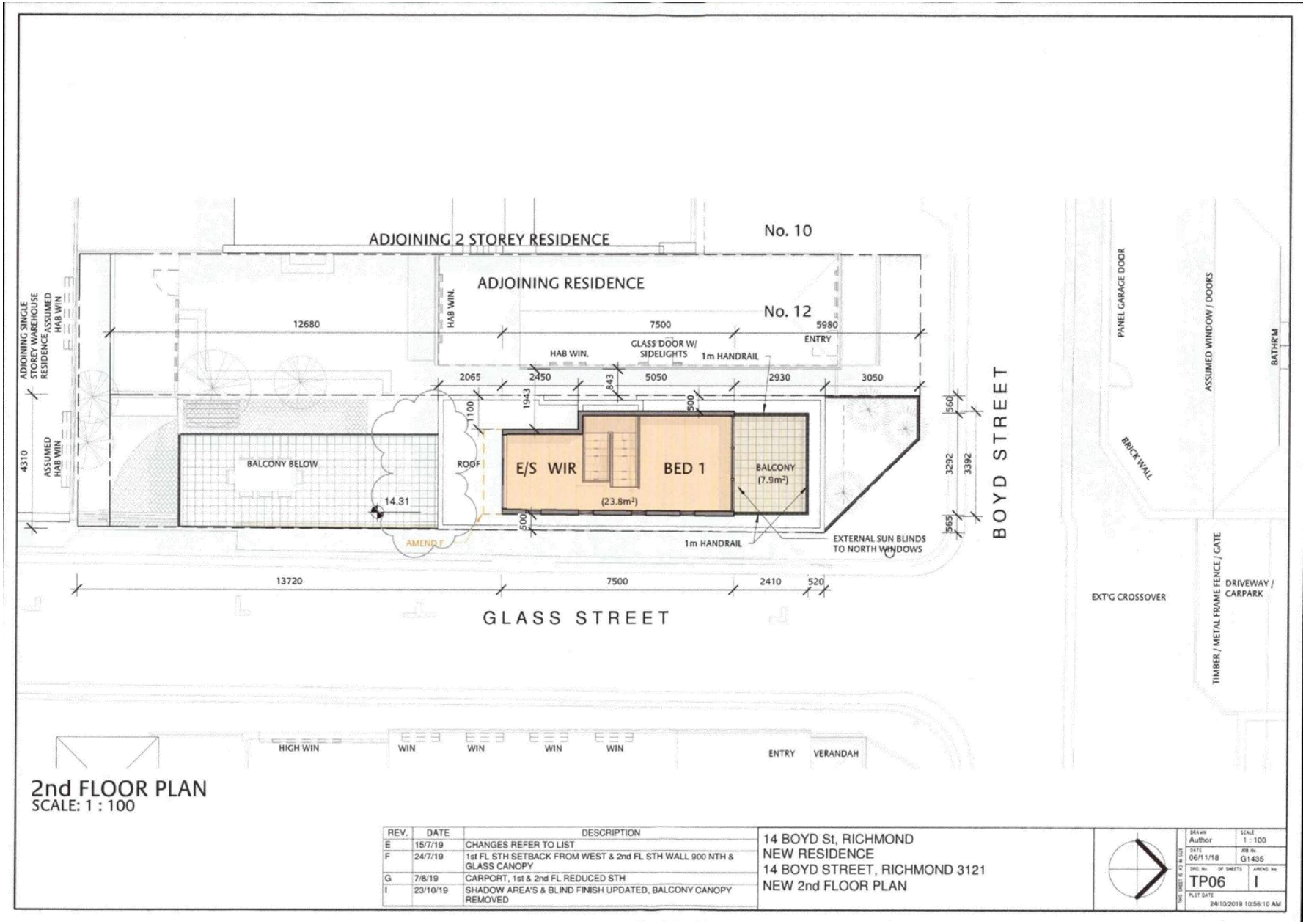
1st FLOOR PLAN
SCALE: 1 : 100

REV.	DATE	DESCRIPTION
E	15/7/19	CHANGES REFER TO LIST
F	24/7/19	1st FL STH SETBACK FROM WEST & 2nd FL STH WALL 900 NTH & GLASS CANOPY
G	7/8/19	CARPORT, 1st & 2nd FL REDUCED STH
I	23/10/19	SHADOW AREA'S & BLIND FINISH UPDATED, BALCONY CANOPY REMOVED

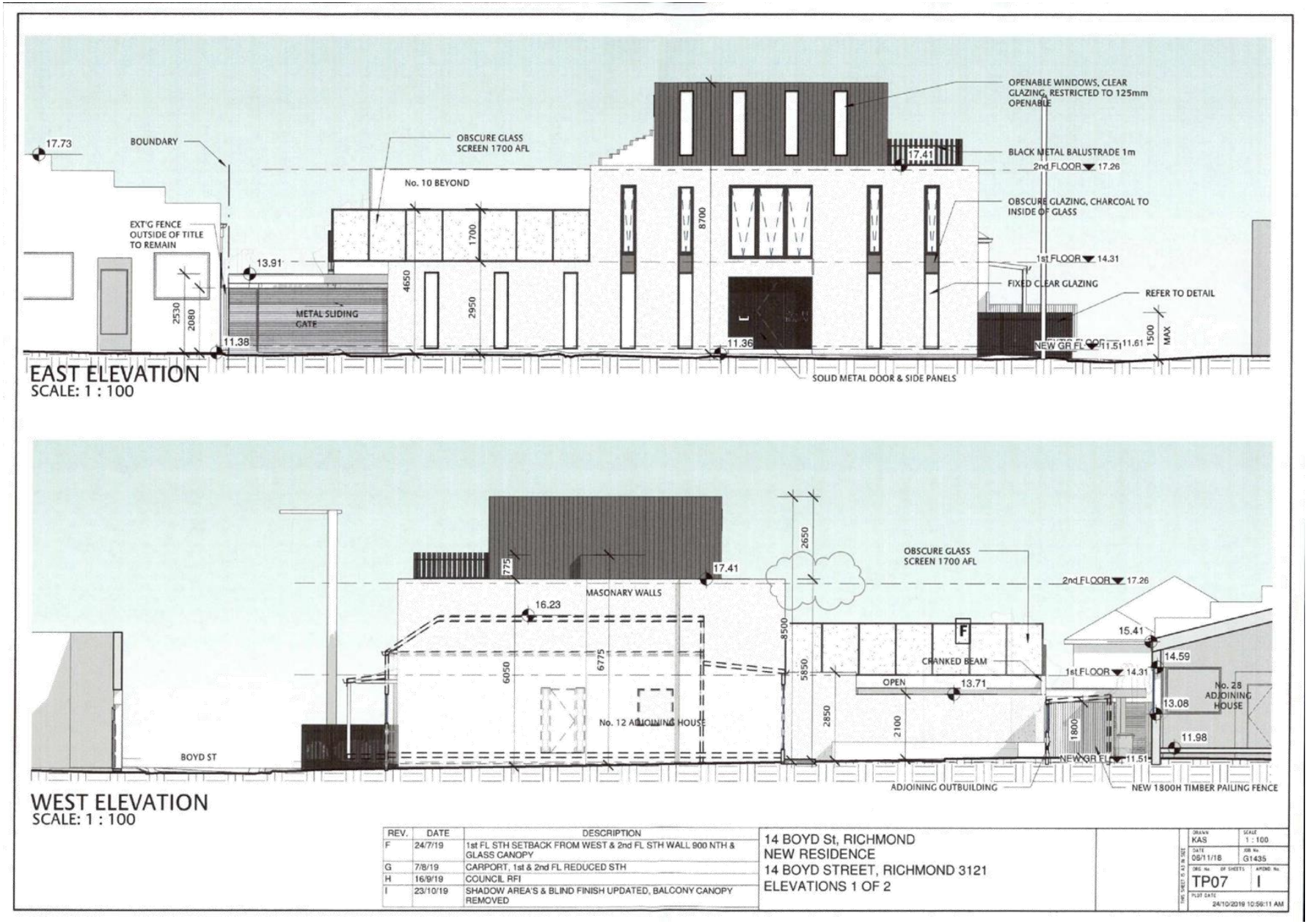
14 BOYD St, RICHMOND
NEW RESIDENCE
14 BOYD STREET, RICHMOND 3121
NEW 1st FLOOR PLAN

DRAWN: Author
SCALE: 1 : 100
DATE: 06/11/18
JOB No: G1435
DRG No: TP05
OF SHEETS:
AMEND No: I
PLOT DATE: 24/10/2019 10:56:06 AM

Attachment 2 - PLN18/0468 - 14 Boyd Street Richmond - Decision Plans (1of2)



Attachment 2 - PLN18/0468 - 14 Boyd Street Richmond - Decision Plans (1of2)

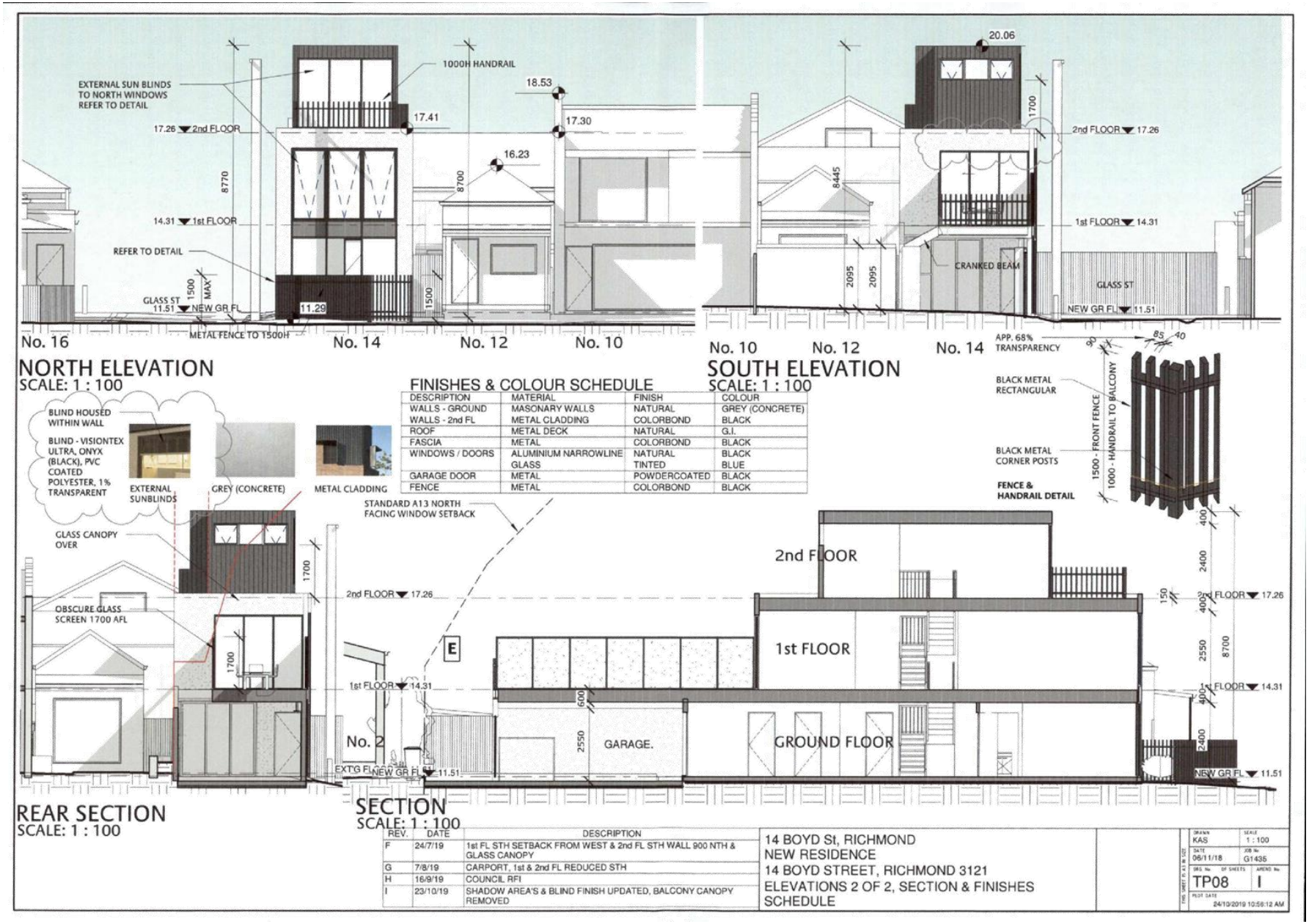


REV.	DATE	DESCRIPTION
F	24/7/19	1st FL STH SETBACK FROM WEST & 2nd FL STH WALL 900 NTH & GLASS CANOPY
G	7/8/19	CARPORT, 1st & 2nd FL REDUCED STH
H	16/9/19	COUNCIL RFI
I	23/10/19	SHADOW AREA'S & BLIND FINISH UPDATED, BALCONY CANOPY REMOVED

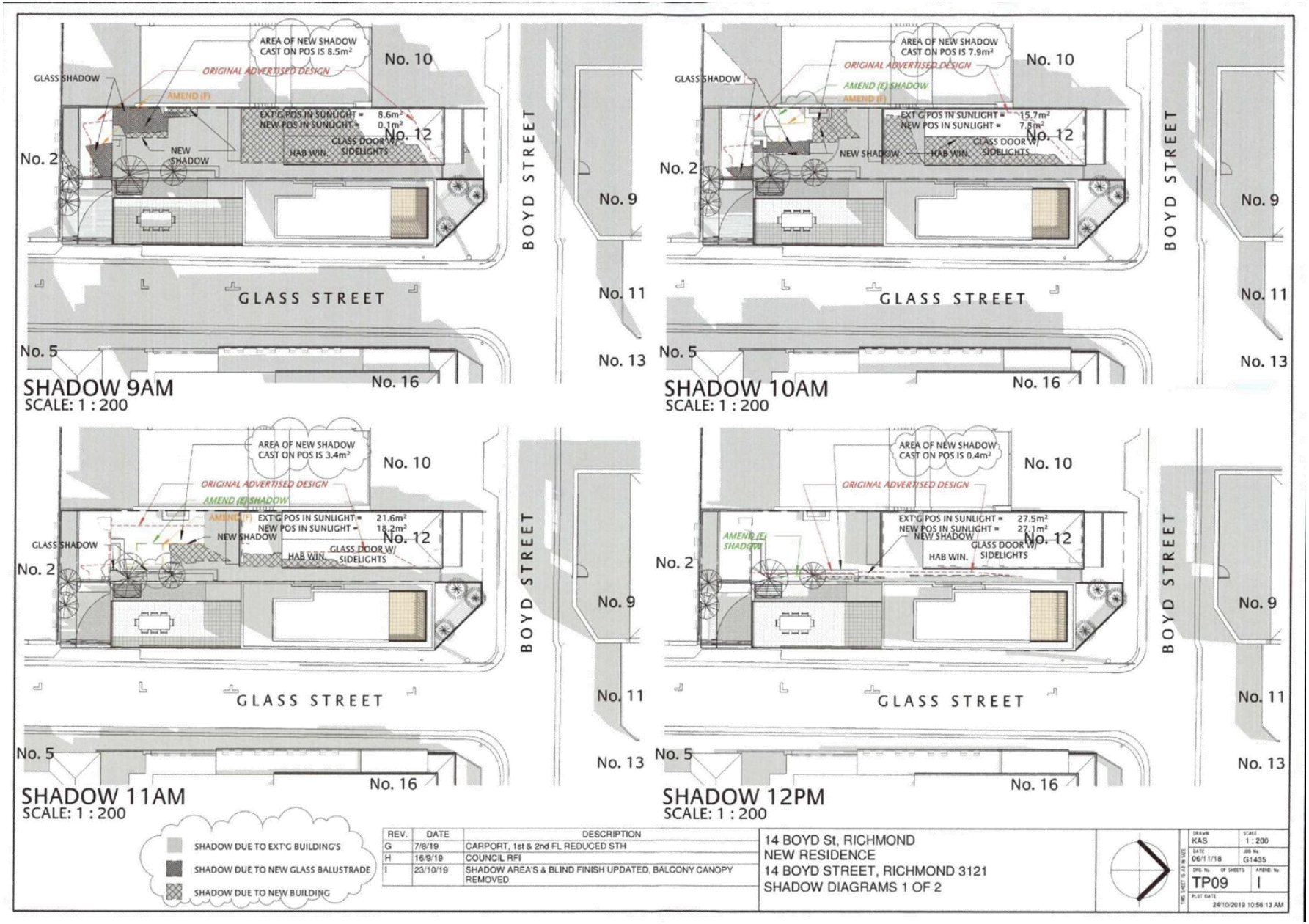
14 BOYD St, RICHMOND
NEW RESIDENCE
14 BOYD STREET, RICHMOND 3121
ELEVATIONS 1 OF 2

DRAWN: KAS | SCALE: 1 : 100
DATE: 06/11/18 | JOB No.: G1435
DRG No.: TP07 | OF SHEETS: | AMEND. No.: I
PLOT DATE: 24/10/2019 10:56:11 AM

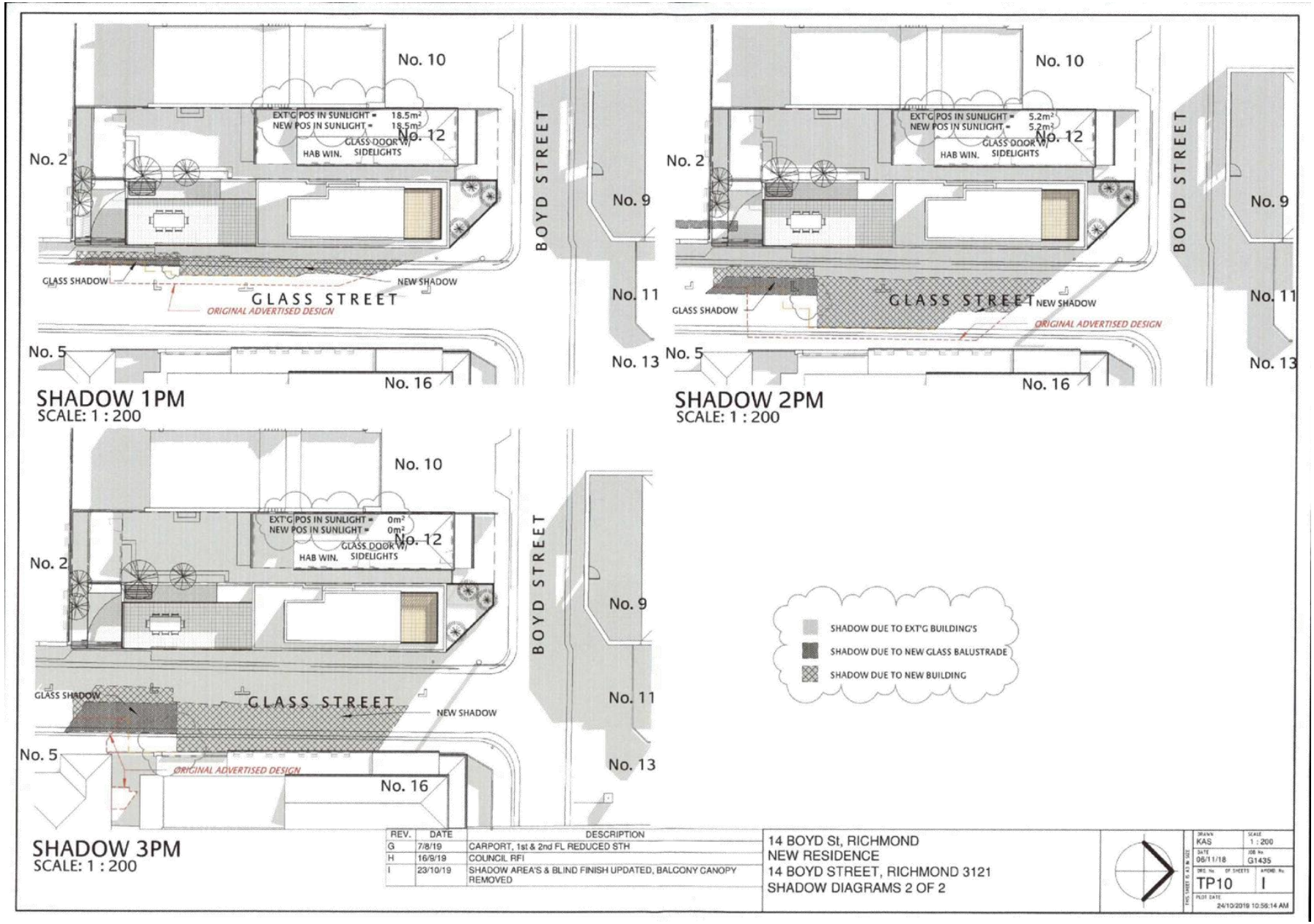
Attachment 2 - PLN18/0468 - 14 Boyd Street Richmond - Decision Plans (1of2)



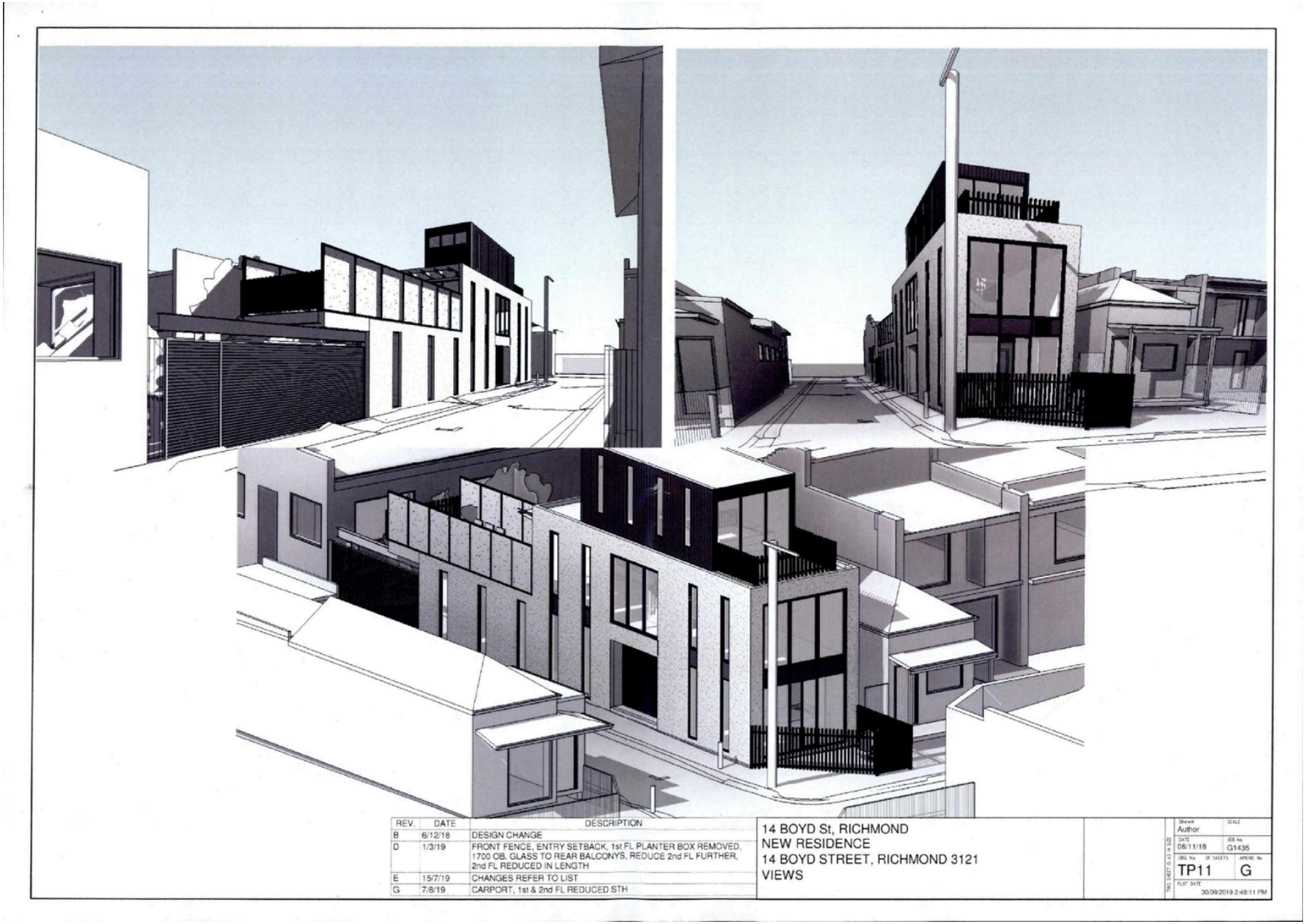
Attachment 3 - PLN18/0468 - 14 Boyd Street Richmond - Decision Plans (2of2)



Attachment 3 - PLN18/0468 - 14 Boyd Street Richmond - Decision Plans (2of2)



Attachment 3 - PLN18/0468 - 14 Boyd Street Richmond - Decision Plans (2of2)



REV.	DATE	DESCRIPTION
B	6/12/18	DESIGN CHANGE
D	1/3/19	FRONT FENCE, ENTRY SETBACK, 1st FL PLANTER BOX REMOVED, 1700 OB. GLASS TO REAR BALCONYS, REDUCE 2nd FL FURTHER, 2nd FL REDUCED IN LENGTH.
E	15/7/19	CHANGES REFER TO LIST
G	7/8/19	CARPORT, 1st & 2nd FL REDUCED STH

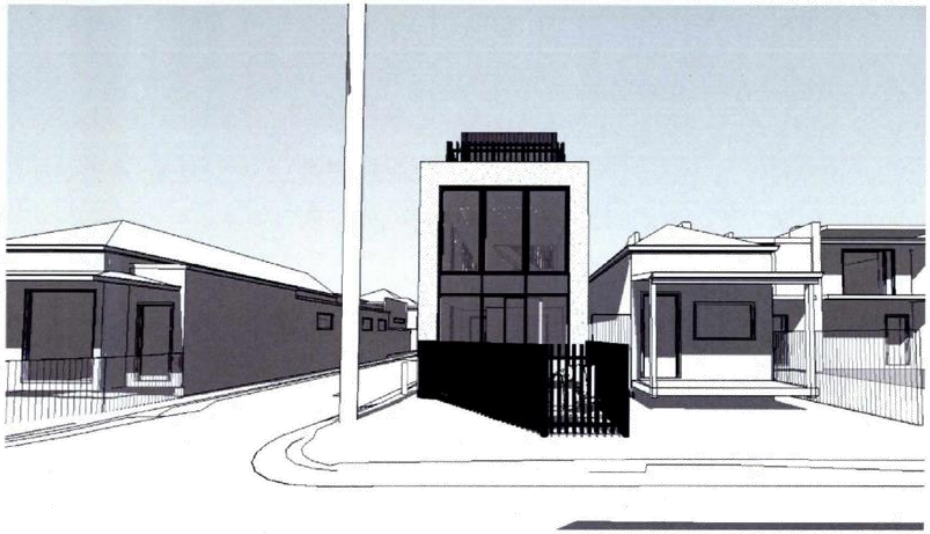
14 BOYD St, RICHMOND
NEW RESIDENCE
14 BOYD STREET, RICHMOND 3121
VIEWS

Drawn: Author
SCALE:
DATE: 06/11/18
JOB No: G1435
DRG. No: TP11
OF SHEETS:
AMEND. No: G
PLOT DATE: 30/09/2019 2:48:11 PM

Attachment 3 - PLN18/0468 - 14 Boyd Street Richmond - Decision Plans (2of2)

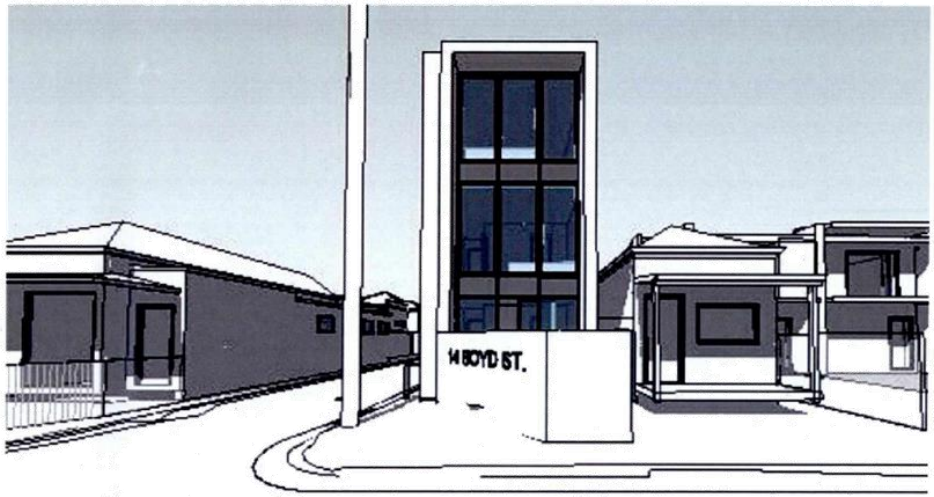
PROPOSED NEW DESIGN





ORIGINAL DESIGN - 20-9-18





REV.	DATE	DESCRIPTION
D	1/3/19	FRONT FENCE, ENTRY SETBACK, 1st FL PLANTER BOX REMOVED, 1700 OB. GLASS TO REAR BALCONYS, REDUCE 2nd FL FURTHER, 2nd FL REDUCED IN LENGTH

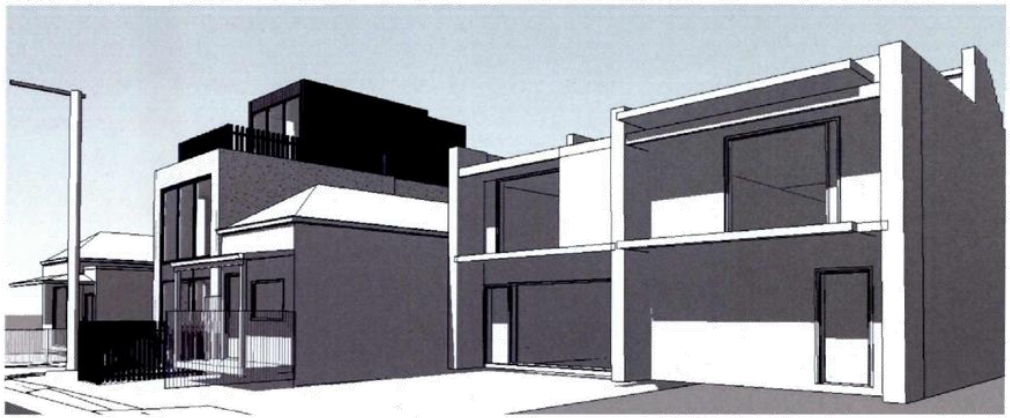
14 BOYD St, RICHMOND
NEW RESIDENCE
14 BOYD STREET, RICHMOND 3121
VIEW COMPARRISON W/ ORIGINAL DESIGN
1 OF 2

DRAWN: KAS
DATE: 02/01/19
JOB No: G1435
DRG. No: TP12
AMEND. No: D
PLOT DATE: 30/09/2019 2:48:11 PM

Attachment 3 - PLN18/0468 - 14 Boyd Street Richmond - Decision Plans (2of2)

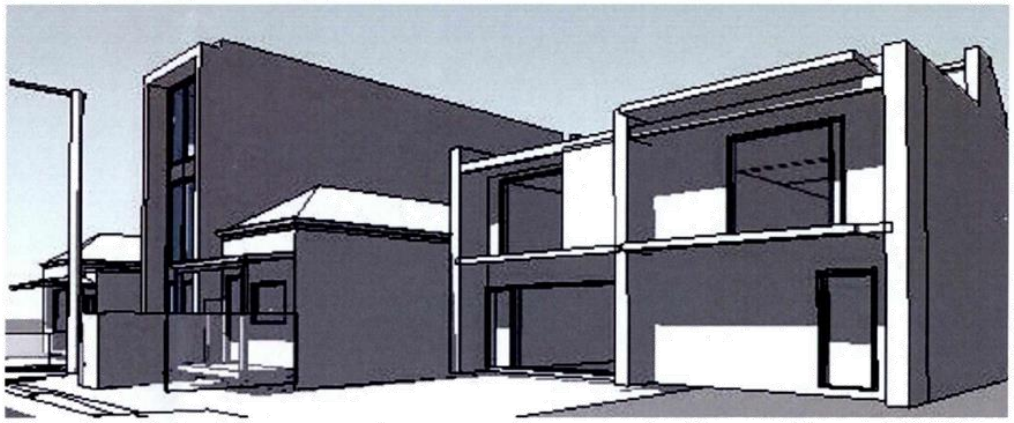
PROPOSED NEW DESIGN





ORIGINAL DESIGN - 20-9-18



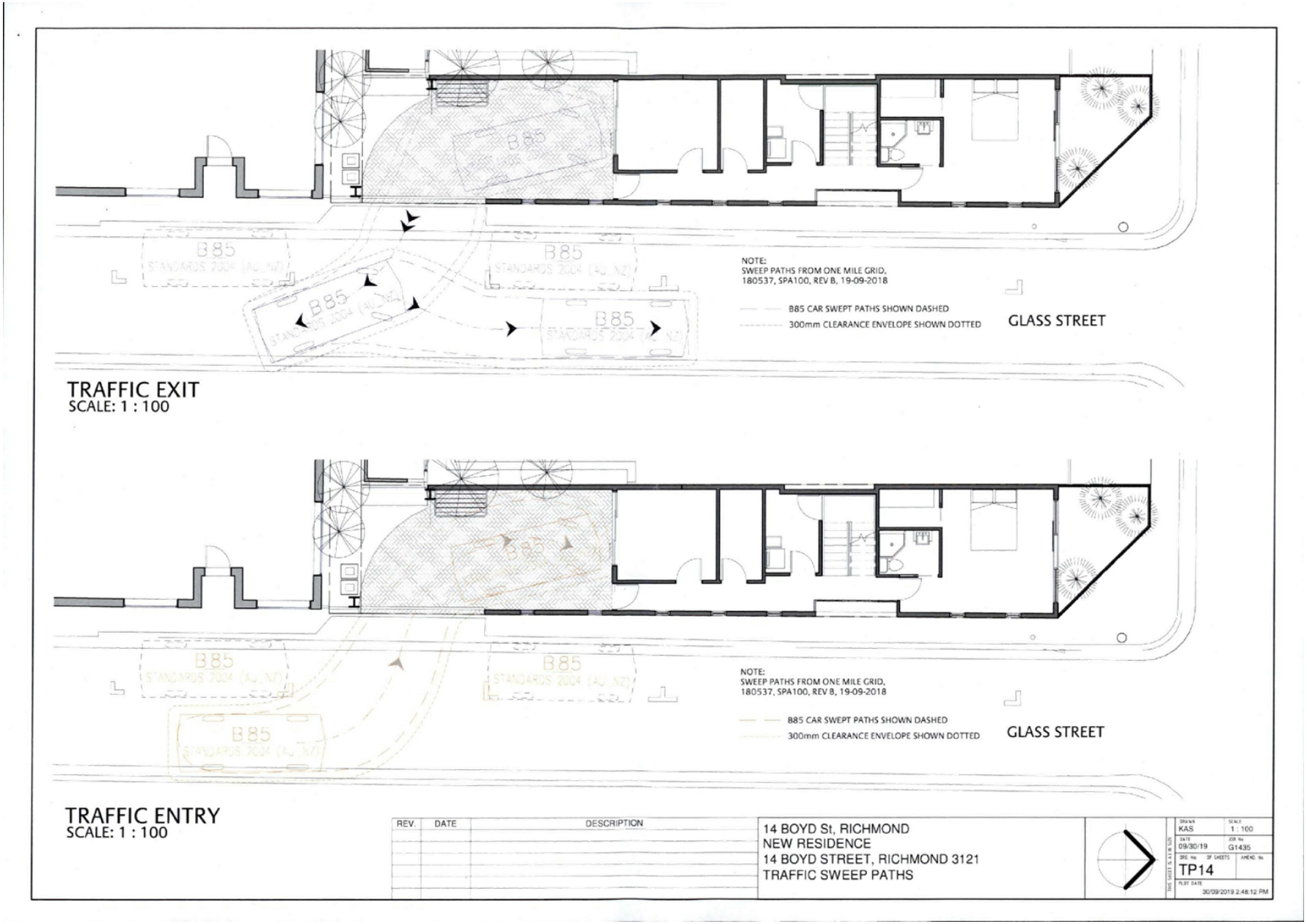


REV.	DATE	DESCRIPTION
D	1/3/19	FRONT FENCE, ENTRY SETBACK, 1st FL PLANTER BOX REMOVED, 1700 OB, GLASS TO REAR BALCONYS, REDUCE 2nd FL FURTHER, 2nd FL REDUCED IN LENGTH
E	15/7/19	CHANGES REFER TO LIST
G	7/8/19	CARPORT, 1st & 2nd FL REDUCED STH

14 BOYD St, RICHMOND
NEW RESIDENCE
14 BOYD STREET, RICHMOND 3121
VIEW COMPARRISON W/ ORIGINAL DESIGN
2 OF 2

DRAWN: KAS
SCALE:
DATE: 02/08/19
JOB No.: G1435
DRG No.: TP13
OF SHEETS:
AMEND No.: G
PLOT DATE: 30/09/2019 2:48:11 PM

Attachment 3 - PLN18/0468 - 14 Boyd Street Richmond - Decision Plans (2of2)



Attachment 4 - PLN18/0468 - 14 Boyd Street Richmond - Engineering comments on decision plans

MEMO

To:	**Michelle King**	
From:	**Mark Pisani**	
Date:	**21 October 2019**	
Subject:	**Application No:**	**PLN18/0468**
	Description:	**Construction of Dwelling**
	Site Address:	**14 Boyd Street, Richmond**

I refer to the above Planning Application received on 15 October 2019 in relation to the proposed development at 14 Boyd Street, Richmond. Council's Civil Engineering unit provides the following information:

DEVELOPMENT LAYOUT DESIGN

Applicant's Drawings Nos. TP04 Revision H dated 16 September 2019
TP05 Revision G dated 7 August 2019
TP07 Revision H dated 16 September 2019
TP14 Revision – dated 30 September 2019

Layout Design Assessment

Item	Assessment
Access Arrangements	
Development Entrance – Glass Street	The proposed sliding gate servicing the carport has a width of 4.2 metres. A check of the swept path diagrams provided in drawing TP14 satisfactorily demonstrate entry and exit movements for the B85 design vehicle into and out of the carport. The on-street parking shown on the diagram has been positioned accurately. We are satisfied with the proposed doorway and with entry and exit movements via Glass Street.
Vehicle Crossing	The extension of the vehicle crossing is to comply with Council's Standard Drawings and engineering requirements.
Car Parking Modules	
Carport	The at-grade parking area within the carport satisfies the enclosed parking space envelope (3.0 metres by 5.4 metres) as specified in the Australian/New Zealand Standard AS/NZS 2890.1:2004.

Attachment 4 - PLN18/0468 - 14 Boyd Street Richmond - Engineering comments on decision plans

ADDITIONAL ENGINEERING ADVICE FOR THE APPLICANT

Item	Details
Legal Point of Discharge	The applicant must apply for a Legal Point of Discharge under Regulation 133 – Stormwater Drainage of the *Building Regulations* 2018 from Yarra Building Services unit. Any storm water drainage within the property must be provided and be connected to the nearest Council pit of adequate depth and capacity (legal point of discharge), or to Council's satisfaction under Section 200 of the *Local Government Act* 1989 and Regulation 133.

Attachment 5 - PLN18/0468 - 14 Boyd Street Richmond - Urban Design comments on decision plans

CITY OF YaRRA

MeMO

TO:	Michelle King (Statutory Planning)
FROM:	Lucy Ferguson (Urban Design)
DATE:	18 November 2019
SUBJECT:	14 Boyd Street, Richmond
APPLICATION NO:	PLN18/0468
DESCRIPTION:	Construction of one, triple storey dwelling

COMMENTS SOUGHT

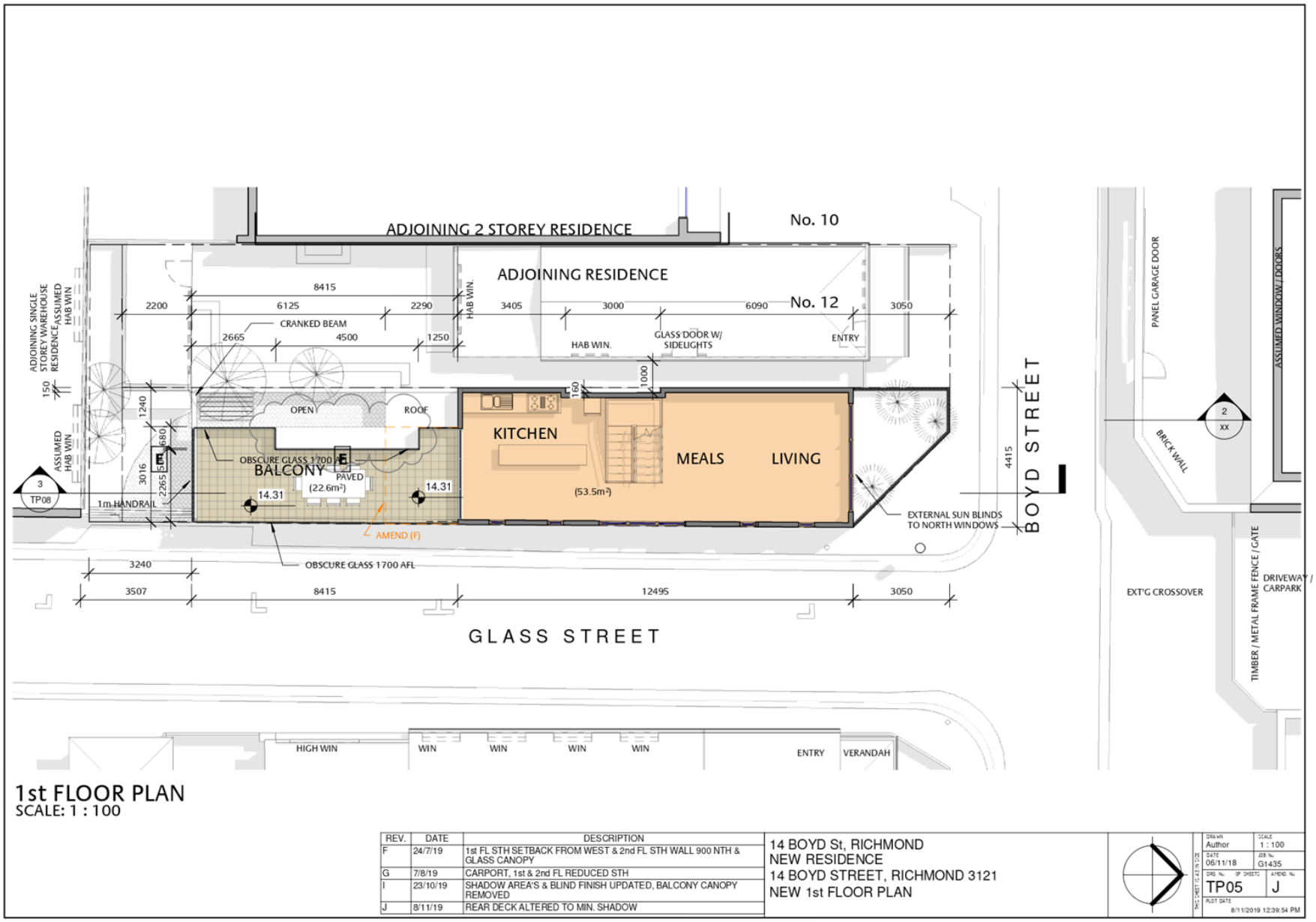
Urban Design comments have been sought on the revised design if it has satisfied the concerns previously raised, if concerns remain or new concerns have arisen. These set of comments are provided on the plans with issue date 23 October 2019 (Revision I).

COMMENTS

The revised proposal responds to several of the comments raised in the urban design memo dated 1 May 2019. Including the reduction in the front fence height to Boyd Street and increasing the depth of the pedestrian entry recess. However there are outstanding and new matters to be resolved to ensure an acceptable outcome from an urban design perspective. In summary:

- The revised design reduces the height (by 250mm) and length of the metal fencing along the car port, extending the solid wall with windows to the under croft car park. Together with the first floor balcony glass screening, the proposed materiality enhances the length of the building bulk and results in a poor streetscape outcome. The applicant should investigate an alternative approach to refine the ground floor streetscape along the car port.
- Concerns were previously raised as to the location of planters behind screening due to functionality and maintenance. The revised balcony configuration provides no planters, it is recommended that opportunities for landscaping should be included in accessible locations.
- Further detail regarding the proposed front setback landscaping should be provided.

Attachment 6 - PLN18/0468 - 14 Boyd Street Richmond - Sketch Plans (13/11/2019)



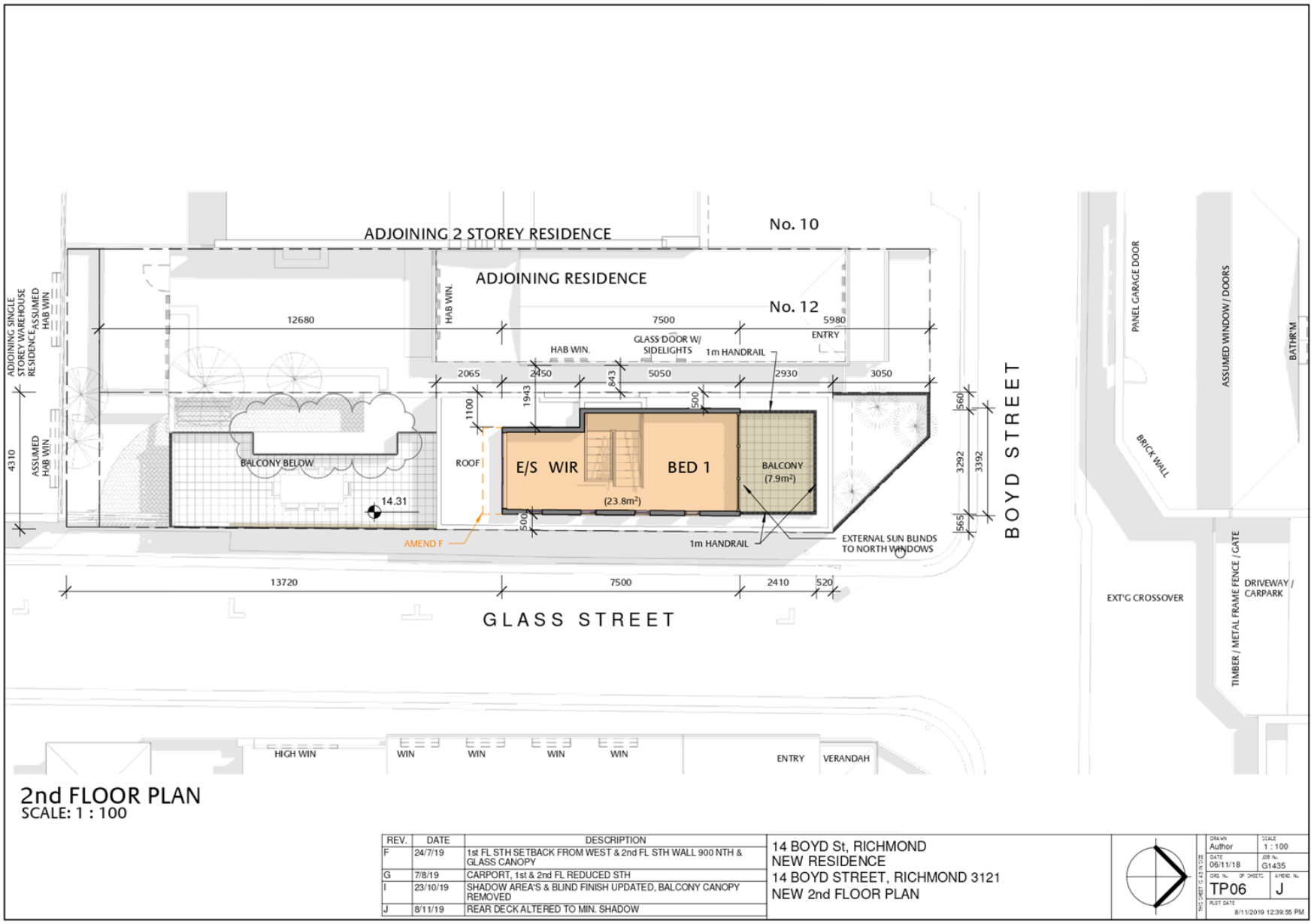
1st FLOOR PLAN
SCALE: 1 : 100

REV.	DATE	DESCRIPTION
F	24/7/19	1st FL STH SETBACK FROM WEST & 2nd FL STH WALL 900 NTH & GLASS CANOPY
G	7/8/19	CARPORT, 1st & 2nd FL REDUCED STH
I	23/10/19	SHADOW AREA'S & BLIND FINISH UPDATED, BALCONY CANOPY REMOVED
J	8/11/19	REAR DECK ALTERED TO MIN. SHADOW

14 BOYD St, RICHMOND
NEW RESIDENCE
14 BOYD STREET, RICHMOND 3121
NEW 1st FLOOR PLAN

DRAWN: Author | SCALE: 1 : 100
DATE: 06/11/18 | JOB No.: G1435
DRG. No.: TP05 | OF SHEETS: | AMEND. No.: J
PLOT DATE: 8/11/2019 12:39:54 PM

Attachment 6 - PLN18/0468 - 14 Boyd Street Richmond - Sketch Plans (13/11/2019)



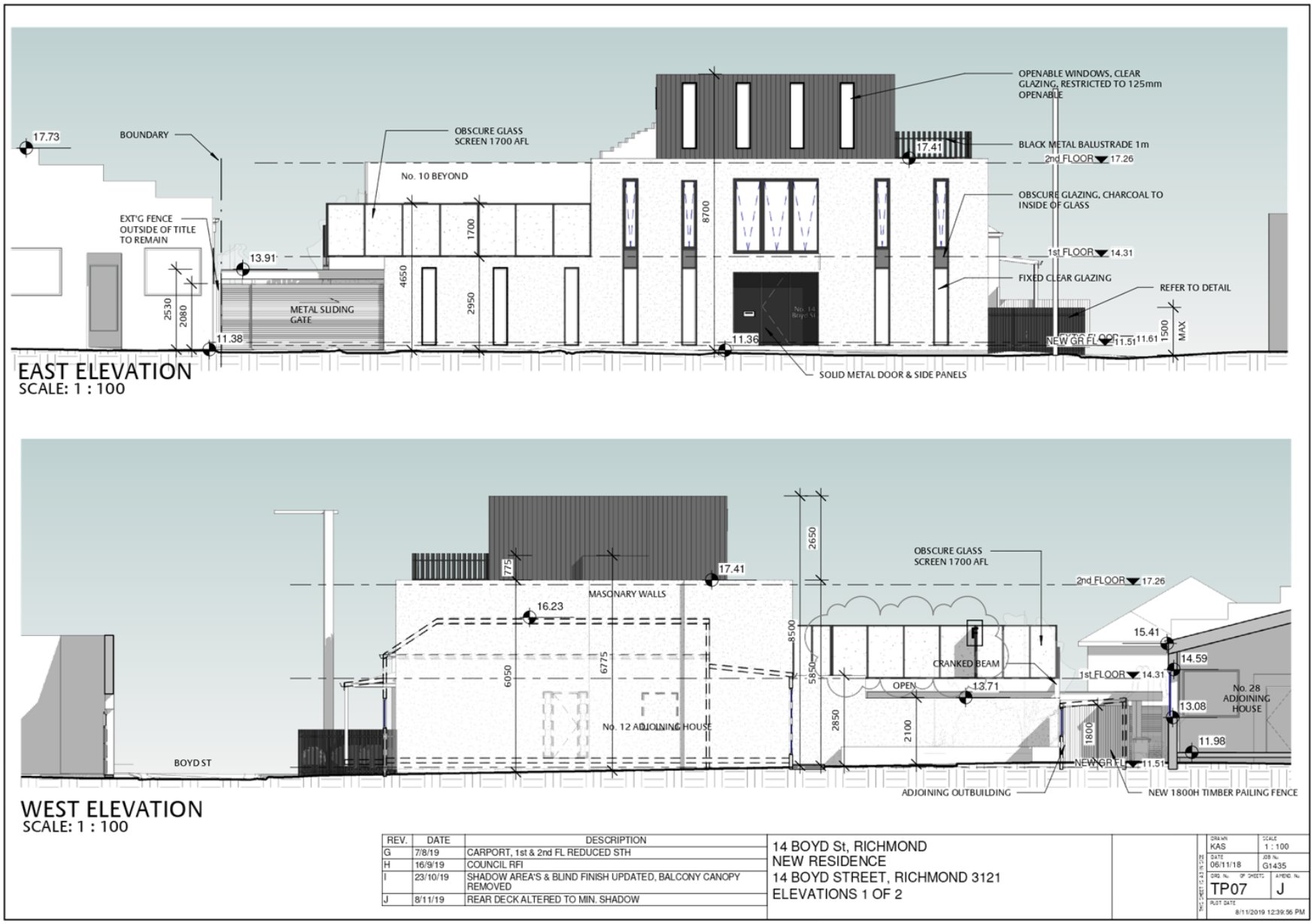
2nd FLOOR PLAN
SCALE: 1 : 100

REV.	DATE	DESCRIPTION
F	24/7/19	1st FL STH SETBACK FROM WEST & 2nd FL STH WALL 900 NTH & GLASS CANOPY
G	7/8/19	CARPORT, 1st & 2nd FL REDUCED STH
I	23/10/19	SHADOW AREA'S & BLIND FINISH UPDATED, BALCONY CANOPY REMOVED
J	8/11/19	REAR DECK ALTERED TO MIN. SHADOW

14 BOYD St, RICHMOND
NEW RESIDENCE
14 BOYD STREET, RICHMOND 3121
NEW 2nd FLOOR PLAN

DRAWN: Author
SCALE: 1 : 100
DATE: 06/11/18
JOB No.: G1435
DRG. No.: TP06
OF SHEETS:
AMEND. No.: J
PLOT DATE: 8/11/2019 12:39:55 PM

Attachment 6 - PLN18/0468 - 14 Boyd Street Richmond - Sketch Plans (13/11/2019)

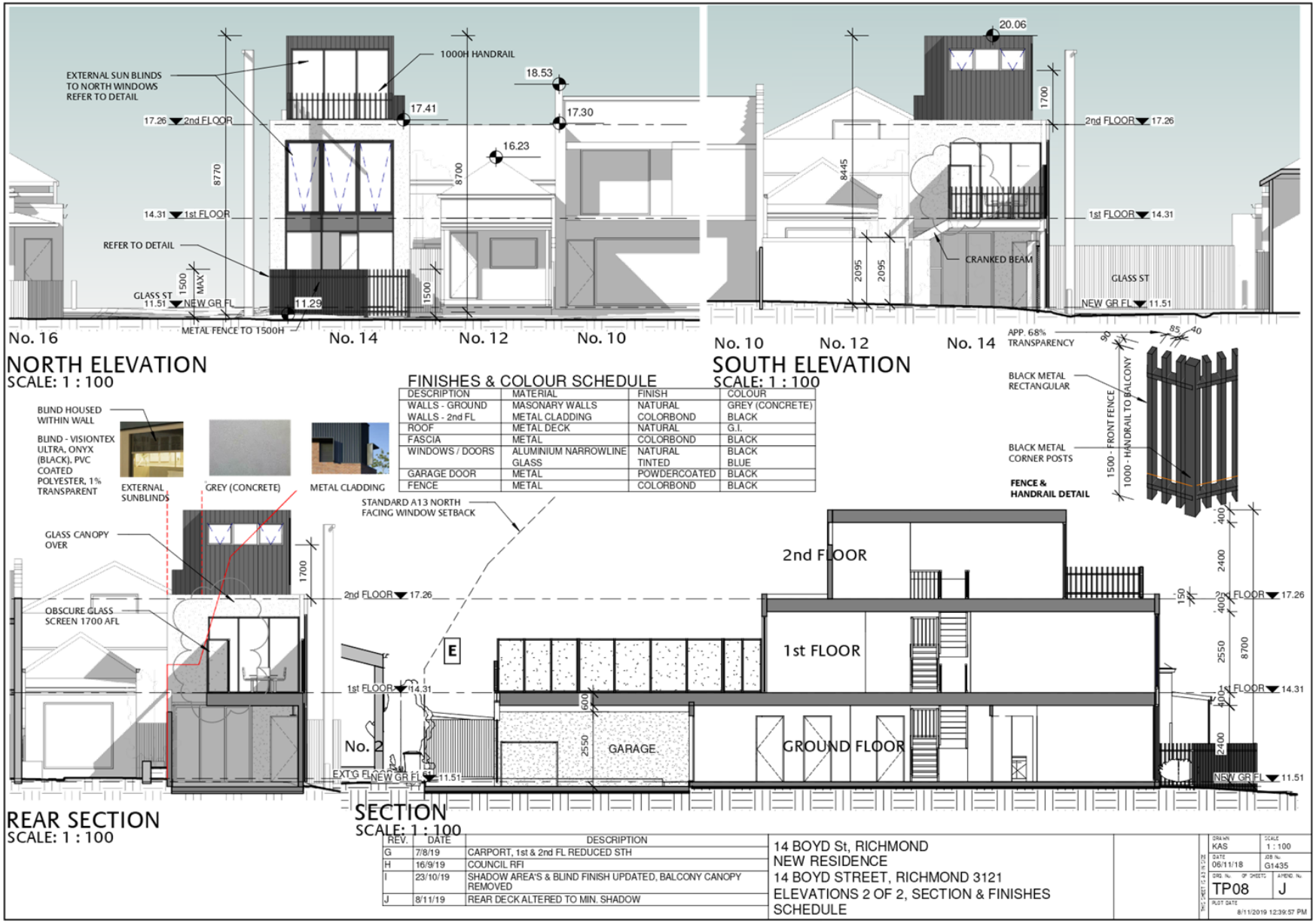


REV.	DATE	DESCRIPTION
G	7/8/19	CARPORT, 1st & 2nd FL REDUCED STH
H	16/9/19	COUNCIL RFI
I	23/10/19	SHADOW AREA'S & BLIND FINISH UPDATED, BALCONY CANOPY REMOVED
J	8/11/19	REAR DECK ALTERED TO MIN. SHADOW

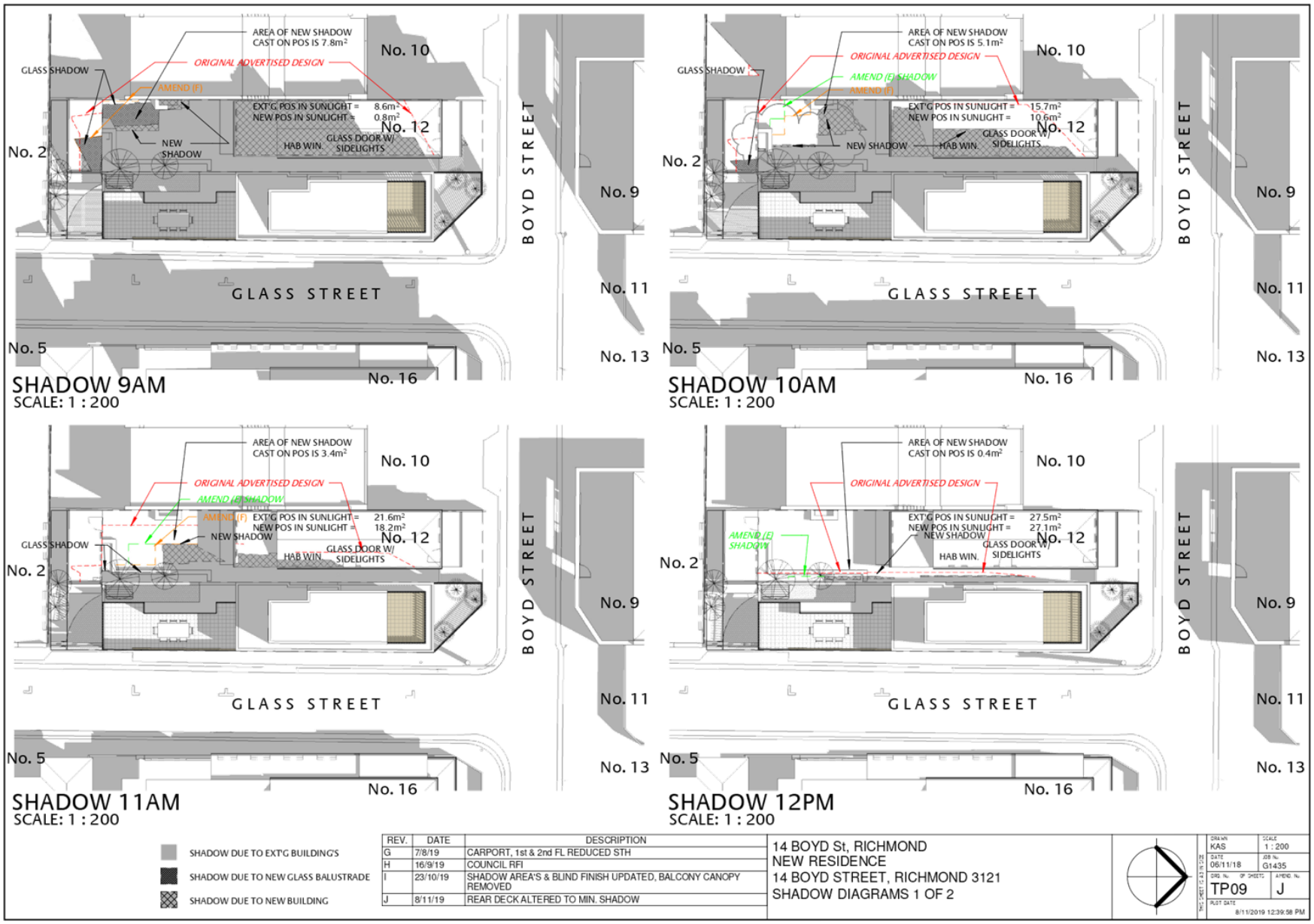
14 BOYD St, RICHMOND
NEW RESIDENCE
14 BOYD STREET, RICHMOND 3121
ELEVATIONS 1 OF 2

DRAWN: KAS
SCALE: 1 : 100
DATE: 06/11/18
JOB No.: G1435
DRG. No.: TP07
OF SHEETS:
AMEND. No.: J
PLOT DATE: 8/11/2019 12:39:56 PM

Attachment 6 - PLN18/0468 - 14 Boyd Street Richmond - Sketch Plans (13/11/2019)



Attachment 6 - PLN18/0468 - 14 Boyd Street Richmond - Sketch Plans (13/11/2019)



1.3 PLN18/0002 - 1-3 Harcourt Parade, Cremorne - Development of the land with a multi-level residential hotel, construction and display of major promotional electronic sign and removal of covenant 1818808 from lot 1 on plan of subdivision 408289Y.

Executive Summary

Purpose

1. This report provides Council with an assessment of planning application PLN18/0002 which affects land at 1-3 Harcourt Parade, Cremorne for the construction of a multi-level residential hotel (95 rooms – 24 hour operation), construction and display of a major promotional electronic signage and removal of covenant 1818808 from lot 1 on plan of subdivision 408289Y.

Key Planning Considerations

2. Key planning considerations of the Yarra Planning Scheme (the "Scheme") 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);
   (d) Signs (Clause 52.05);
   (e) Car Parking and Bicycle Provision (Clauses 52.06 and 52.34); and
   (f) Easement, Restrictions, and Reserves (Clause 52.02).

Key Issues

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

   (a) Policy and physical context;
   (b) Use – Residential Hotel;
   (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;
   (i) Major Promotion Sign;
   (j) Removal of Restrictive Covenant; and
   (k) Objector concerns.

Submissions Received

4. A total of 7 objections were received to the application, these can be summarised as:

   (a) The residential hotel use fails to comply with policy at Clause 22.05 (Interface Uses Policy) of the Scheme;
   (b) The building is too tall and will obscure views and detract from the 'Nylex' sign – a significant landmark - therefore failing to comply with Council's Heritage Policy at Clause 22.02 of the Scheme;
   (c) The building does not provide a high standard of architecture failing to meet Clause 22.10 (Built Form and Design Policy) of the Scheme;
   (d) Overdevelopment (failing to meet Schedule 1 of the Design and Development Overlay) in isolation of and when combined with the "Caydon Project";

(e) The proposal has failed to provide adequate equitable development opportunities to its eastern adjoining neighbour (i.e. 'Nylex' site)
(f) Inadequate on-site car parking and loss of on-street car parking;
(g) Traffic impacts as a result of queueing taxis;
(h) The electronic sign will be prominent and fails to comply Clause 22.04 (Advertising Signs Policy) of the Scheme;
(i) Amenity Impacts (overlooking, noise and overshadowing –failing to meet Clause 22.10-3.8 (Amenity Impacts) of the Scheme);
(j) The building is too close to the Yarra River environs and fails to make any positive contribution to the ecology of the area by way of landscaping;
(k) Construction issues (i.e. the project will require too much excavation); and
(l) The footpath across the Harcourt Parade and Punt Road interface "acts like a default shared path" and the development does not provide an adequate setback at the ground level, failing to provide a generous clearance for cyclists, pedestrians and wheelchairs.

5. One letter of support was received that indicated that the proposal would better utilise the land than its current function, providing "a good outcome for an ugly part of Cremorne".

Conclusion

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

(a) The eastern elevation replaced with that received by Council on 06th May 2019 that shows ribbed pre-cast panels of two varied shades of grey to the walls;
(b) For the car park:

(i) The shared space shown with a minimum width dimension of 2.7m,
(ii) the model of the car stacker to be used;
(iii) compliance with regard to ground clearance checks for the vehicle crossings using the B99 design vehicle; and
(iv) At least 20% horizontal visitor bicycle parking spaces.

(c) Updated plans that coincide with any endorsed reports, including VicRoads and Melbourne Water's conditions as detailed within the 'Recommendation' section of this report; and
(d) An updated schedule of all external materials and finishes.

CONTACT OFFICER: **John Theodosakis**
TITLE: **Senior Statutory Planner**
TEL: **9205 - 5307**

1.3 PLN18/0002 - 1-3 Harcourt Parade, Cremorne - Development of the land with a multi-level residential hotel, construction and display of major promotional electronic sign and removal of covenant 1818808 from lot 1 on plan of subdivision 408289Y.

Reference: D19/198275
Authoriser: Manager Statutory Planning

Proposal:	Construction of a multi-level residential hotel (95 rooms – 24 hour operation), construction and display of a major promotional electronic sign and removal of covenant 1818808 from lot 1 on plan of subdivision 408289Y.
Existing use:	Vacant land containing an existing floodlit major promotional pole sign
Applicant:	Andrew Clark / Matrix Planning Australia Pty. Ltd.
Zoning / Overlays:	Commercial 2 Zone / Design and Development Overlay (Schedule 1) / City Link Project Overlay / Land Subject to Inundation Overlay.
Date of Application:	02 January 2018
Application Number:	PLN18/0002
Ward	Melba

Planning History

7. Planning permit No. 7896 was issued by Council on the 23rd of March, 1995, for *the purpose of erecting a floodlit panel sign with associated landscaping works*.

8. Planning permit No. STA/99/000130 was issued by the Minister of Planning on the 29th of December, 1999, for *the purpose of erecting a floodlit major promotion sign*.

9. Planning permit No. 001601 was issued at the direction of VCAT on the 18th of October, 2001, which allowed for the *use of the site for motor vehicle sales (rental), a major promotion sign and business identification signage*.

10. Planning application No. PL03/1384 was lodged with Council on the 30th of March, 2004, to develop the site for the purposes of a car wash. This application was withdrawn at the request of the applicant on the 7th of January, 2005.

11. Planning permit No. PL09/0895 was issued by Council on the 4th of February, 2011, *to develop the land for the construction of a three-storey building to be used as an office including a reduction in the car parking requirement and the display of a major promotional billboard sig*n.

12. Planning Permit No. PLN10/1131 was issued by Council on the 28th of January, 2011, *to remove restrictive covenant 1818808 from Lot 1 on Plan of Subdivision 408289Y*.

13. Planning Permit No. PLN11/0253 was issued on the 11th October, 2011 for the *use of the land for Motor Vehicle Sales and a variation in the requirements of clause 52.14 (Motor Vehicles, Boat or Caravan Sales) of the Yarra Planning Scheme and the display of a floodlit major promotion sign*.

Background

14. This application for Planning Permit PLN18/0002 was received by Council on the 25 August 2017. Following the submission of further information on the 20 April 2018 and 07 June 2018, the application was advertised on 02 July 2018, by way of 1,759 letters (i.e. with 305 letters within the City of Stonington, 875 within the City of Melbourne and 578 within the City of Yarra). To date, a total of seven (7) objections have been received.

15. A planning consultation meeting was organised for the 09 October 2018, but was not attended by any Objectors and therefore did no proceed.

16. To address some of the concerns raised by Officers, Objectors, the Urban Design advice provided by Robert McGauran of MGS Architects, and Council's Engineering Services Unit, the application was amended under Section 57(a) of the *Planning and Environment Act 1987* (the 'Act') on 26 February 2019.

17. Amongst other changes, the proposal has been amended to have:

    (a) the 'Porte Cochere' at the ground floor, facing Gough Street, moved further east;
    (b) the footpath widened across the Gough Street interface by setting back the vehicle entrance, car park wall at the ground floor and terraces at the first floor;
    (c) two rooms, with one at the first floor and the other at the second floor (identified as RM01 in both instances) increased from 25sq.m. to 36sq.m. by extending their footprint to the eastern boundary; and
    (d) the setbacks of the development to the east from the second floor and above increased from between 800mm to 3m, to between 4.5m to 4.6m.

18. The s57(a) amended plans were re-advertised to the immediate neighbouring property to the east being the only impacted property as a consequence of the on-boundary walls associated with both RM01's at the first and second floors of the development. These plans form the decision plans to this current application and are the basis for the following assessment.



Figure 1: Artist's Impression of the building as viewed from the Harcourt Parade and Punt Road intersection

19. On the 06 May 2019, Council received an updated eastern elevation that shows further articulation to the walls by way of adopting ribbed pre-cast panels of two varied shades of grey to the walls as demonstrated below:



Figure 2: East elevation

20. The updated east elevation was submitted to Council following negotiations between the permit applicant and the owner of the adjoining property to the east. Whilst this elevation has not been submitted under Section 57(a) of the Act and does not formerly constitute part of the decision plans, it offers an improved design treatment and will be referenced within the body of the assessment.

Planning Scheme Amendments

Amendment VC142

21. On 16 January 2018, Planning Scheme Amendment VC142 was gazetted by the Minister for Planning. Among other changes, this amendment removed the permit requirement at clause 52.07 of the Scheme to provide a loading bay on site.

Amendment VC148

22. On 31 July 2018, Planning Scheme Amendment VC148 was gazetted by the Minister for Planning. Amongst other changes the amendment has deleted the State Planning Policy Framework (SPPF) and has replaced it with a new integrated Planning Policy Framework (PPF) in Clauses 10 to 19 of the Scheme.

The Proposal

23. The application seeks approval for use and development of the land with a multi-storey building containing a residential hotel (with up to 95 rooms), construction and display of a major promotional electronic signage and removal of covenant 1818808 from lot 1 on plan of subdivision 408289Y.

24. The following description is based on the 'decision plans' received 26 February 2019, prepared by Idle Architecture Studio and dated 22 February 2019:

    Use

    (a) Residential hotel accommodating up to 95 rooms from Levels 01 to 09 with a room size break down of:

        (i) 93, one bedroom rooms ranging between 17sq.m. and 36sq.m spread across the first floor (as labelled on the plan) through to Level 08 (excluding Level 04 and associated mezzanine); and
        (ii) 2, two bedroom rooms of 134sq.m. and 140sq.m. on Level 09.

    (b) The residential hotel provides various amenities including:

        (i) Ground level foyer rand reception area (inclusive of service amenities) of 133sq.m;
        (ii) Ground level car park with vehicle access to Gough Street for up to 24 car spaces (through a triple shuffling pit – car stacker arrangement);
        (iii) Ground level bicycle parking for up to 29 bicycle spaces;
        (iv) A ground level 'porte-cochere' drop off to Gough Street; and
        (v) A maximum of 100 seat breakfast area and conference area of 105 sqm. on Level 04 with additional conference, board and meeting rooms on a mezzanine of up to 260 sqm. (part of Level 4 mezzanine).

    General – heights, setbacks and wall lengths

    (c) The building produces a primary height of 39.22m (not including the stairwell shaft) as measured from the natural ground level to the roof above Level 09.
    (d) At the ground floor the building would be constructed across the south-western and eastern boundaries and would be recessive to the north to make way for the "porte-cochere" and undercroft stairwell leading to an elevated walkway and entrance to the foyer;
    (e) The setbacks, commencing from Level 01 to Level 09 range between zero and 7.32m to the north;
    (f) The setbacks to the south-west are varied and range between zero and 800mm at Levels 01, 02 and 03; between zero and 8.64m at Level 04 and associated mezzanine; between zero and 800mm at Levels 05, 06 and 07; between zero and 8.48m at Level 08 (with the exception of terraces that would extend into the setbacks); and between zero and 15m at Level 09 (with the exception of terraces that would extend into these setbacks);
    (g) The setbacks to the east range between zero and 3m at Levels 01 and 02; between 4.5m and 6.2m at Level 03; between 3.7m and 4.6m at Level 04 and associated mezzanine; between 3.7m and 5.4m at Levels 05, 06 and 07; between 3.7m and 6m at Level 08; and between 3.7m and 4.5m at Level 09;
    (h) The on-boundary wall lengths at the ground floor measure approximately 33m and 31.7m across both south-west and east boundaries, respectively;
    (i) The walls of rooms above the ground floor are acutely angled at their north-west or south-west corners (depending on orientation / location) and in some instances extend to their respective boundary in short intervals as identified below (i.e. by the red boxes):

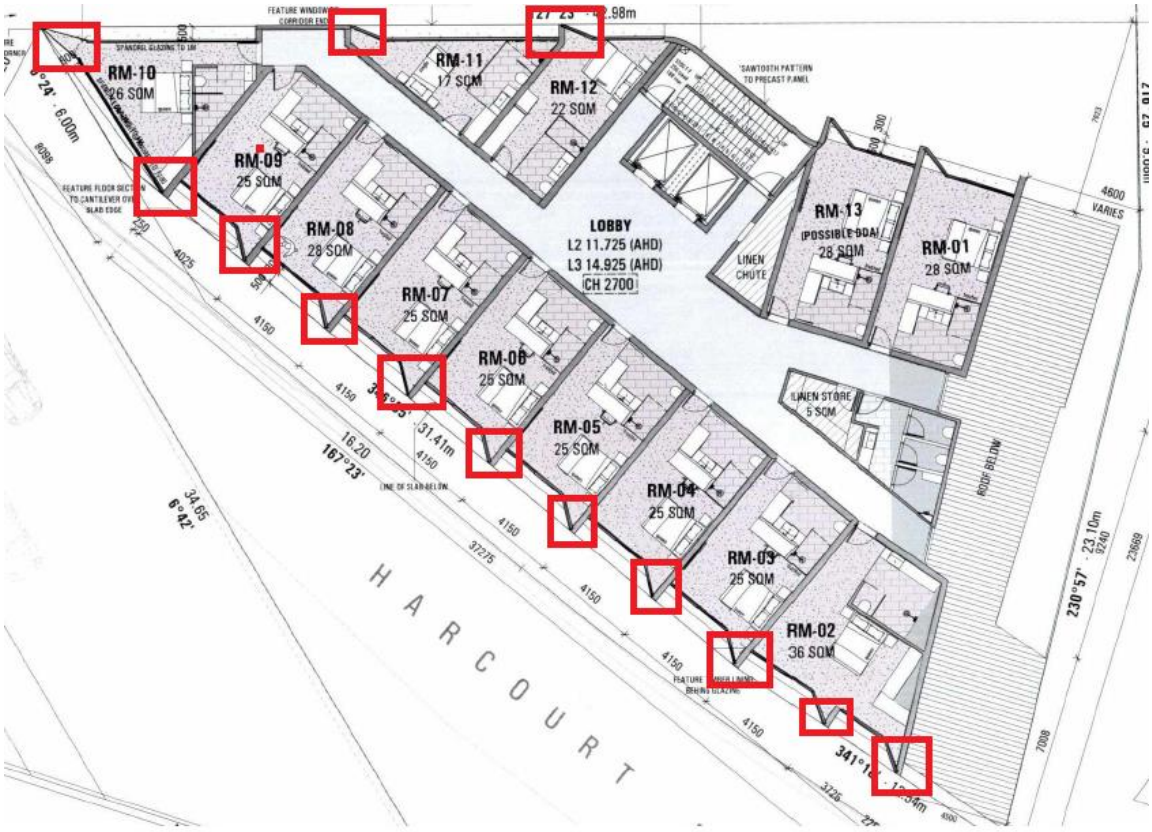


Figure 3: Image identifying examples of incorporated acutely angled walls.

(j) Continuous wall lengths above the ground floor are associated with Rooms 01 on Levels 01 and 02 across the eastern boundary that measure approximately 7.8m in length, and height of 11.7m above the natural ground level, and the corridor associated with the lobby at all levels excluding Level 04 and associated mezzanine that measures 3.49m in length and height of 39.2m above the natural ground level;

Materials, finishes and services

(k) The predominant wall material to the north and south-west of the development is a combination of glazing and timber cladding behind glass and to the east is pre-cast panels with a rebate and composite cladding;

(l) The ground floor would include an integrated art strategy to the south-west as identified in the image below:

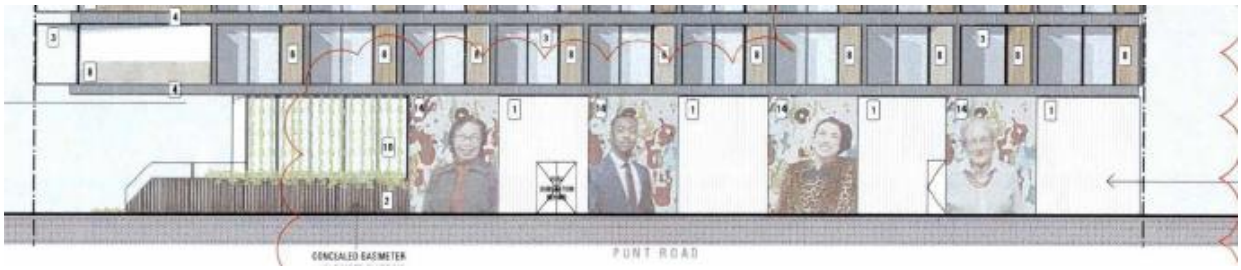


Figure 4: Integrated Art Strategy at ground level

(m) Level 04 and its associated mezzanine would include a section of composite timber cladding as a feature;

(n) A designated screened service / plant area is located on the roof that will house A/C units, hot water service tanks and ventilation fans;

(o) The proposal is rectilinear in form, generally constructed to the width of the site, and acutely angled at the north-west corner with a visual break at Level 04 and associated mezzanine to the north and south-west, and is recessive to the east at the upper levels;

(p) The images below show the proposal to the south-west, north, and east respectively (noting that the lattermost has been further refined as indicated earlier):

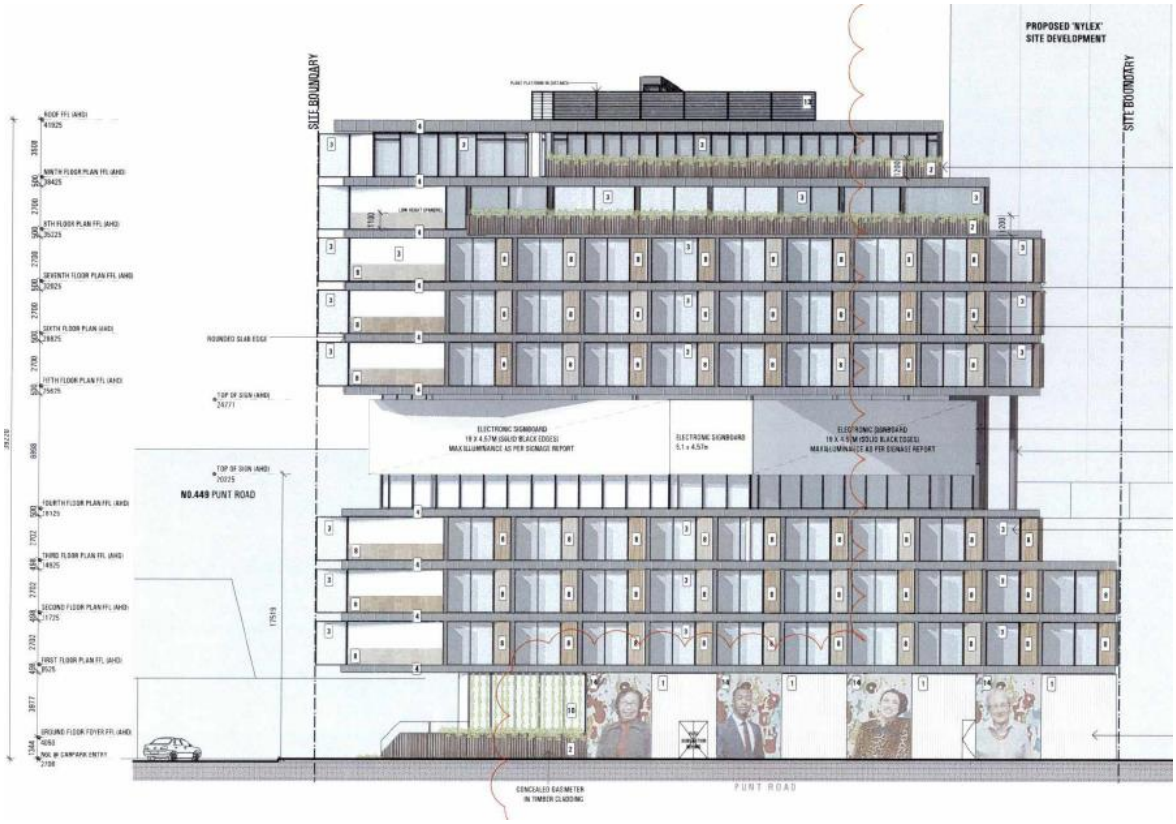


Figure 5: South-west elevation

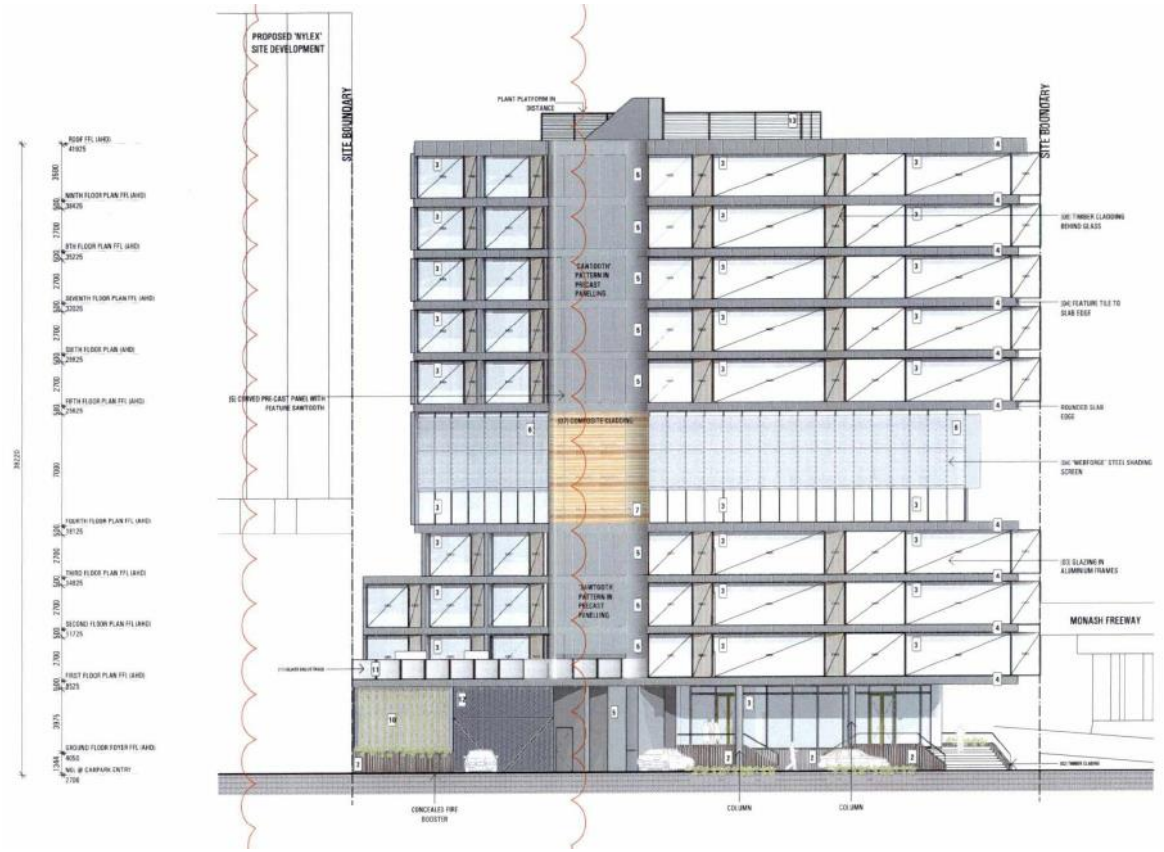


Figure 6: North elevation

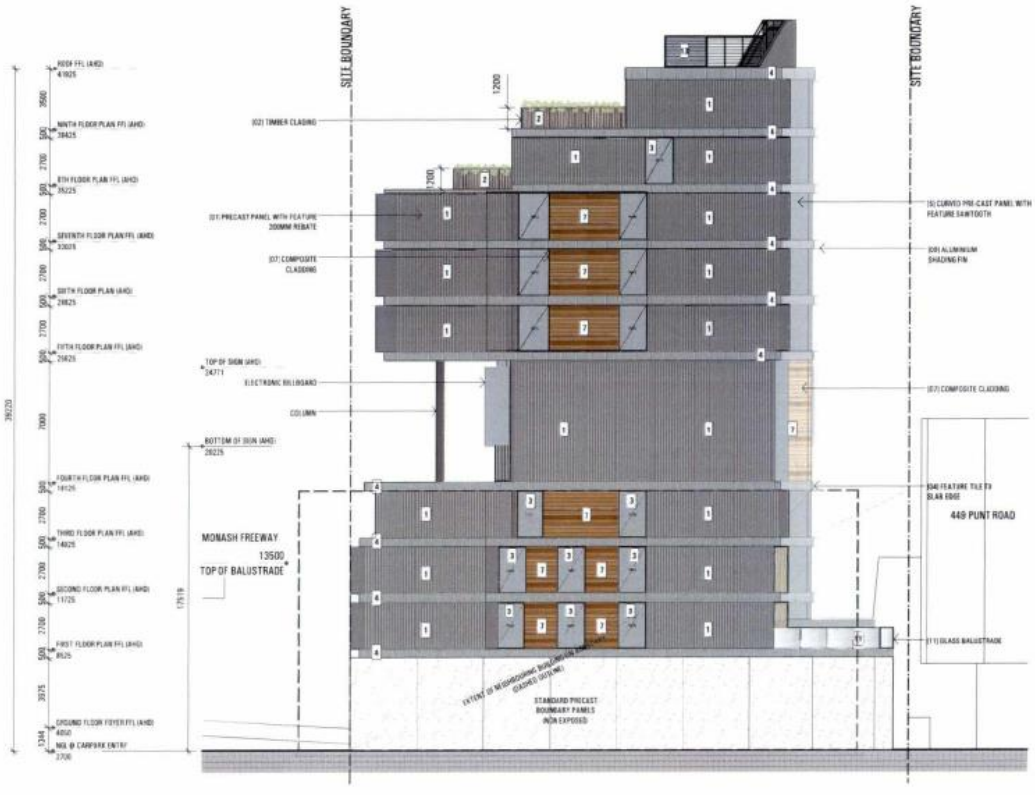


Figure 7: East elevation

Major promotional electronic sign

(q) The erection and display of an electronic high wall major promotion sign on the south-west wall of the building at Level 04 and associated mezzanine as shown below:

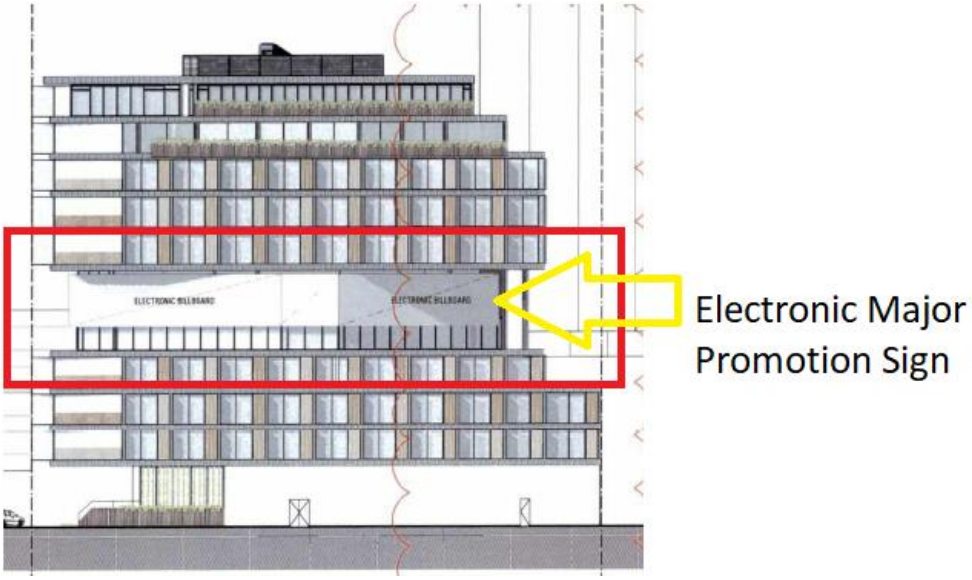


Figure 8: South-west elevation

(r) The sign is 43.1m long and is 4.57m wide, with a total advertising area of approximately 197sq.m;
(s) The sign will be erected 17.51m high above the footpath level within the bounds of the proposed building (i.e. is embedded into the building).

Removal of restrictive covenant

(t) Remove the restrictive covenant 1818808 (the "Covenant") from Lot 1 on Plan of Subdivision 408289Y. The covenant applies to a 3 metre (approximate) strip of land directly adjacent to Punt Road on the subject site. This covenant prohibits the construction of a building which exceeds a height of 27.85 feet (i.e. 8.489m).

Existing Conditions

Subject Site

25. The subject site is located to the east of Punt Road and north of the Monash Freeway with the site bounded by Harcourt Parade to the south-west and Gough Street to the north. The site is a triangular allotment with the site boundaries as follows:

(a) North boundary: 42.98m
(b) East boundary: 32.78m
(c) South-west boundary: 49.95m

26. The site has an overall site area of approximately 785sqm. There is no appreciable fall in the land and the site is used as an open air, commercial car park with a major promotional pole sign consisting of two floodlit billboard signs.

Restrictive Covenants

27. The site is burdened by a restrictive covenant 181808 (the “Covenant”) on Lot 1 on Plan of Subdivision 408289. The covenant applies to a 3 metre (approximate) strip of land directly adjacent to Punt Road on the subject site. This covenant prohibits the construction of a building which exceeds a height of 27.85 feet (8.489m). The current application intends to remove this covenant to allow for development proposed under this application.

28. Below is an aerial of the subject site:

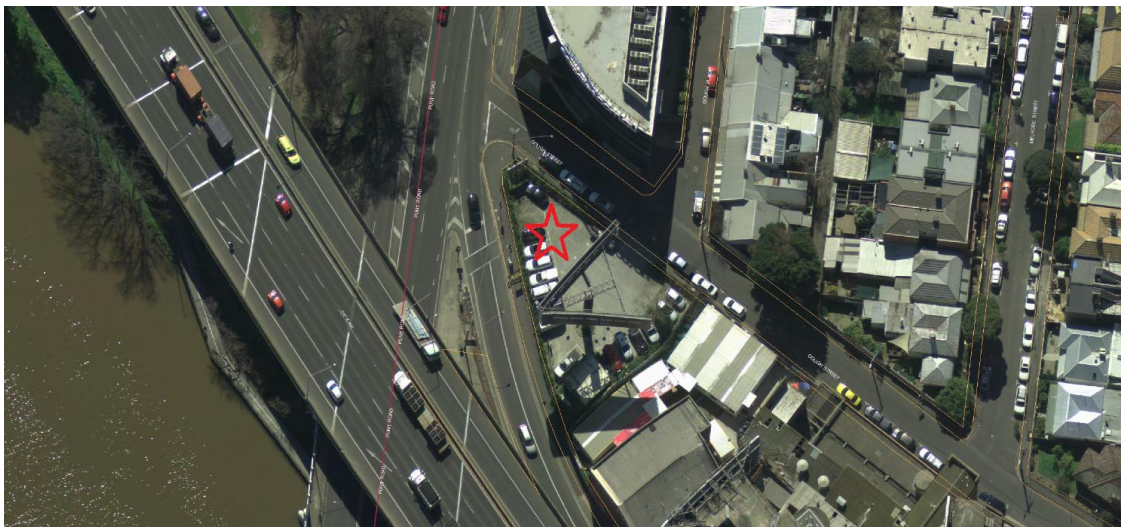


Figure 9: Aariel image with subject site identified with a red star

Surrounding Land

29. The site is situated near the interface between the City of Yarra and neighboring municipalities of the City of Melbourne (west of Punt Road) and the City of Stonnington (south of the Yarra River). The site is located within Cremorne.

30. Cremorne is a pocket generally bounded by Hoddle Street to the west, the CityLink and the Yarra River to the south, Church Street to the east and Swan Street to the north. The area is characterised by a number of constrained streets, narrow footpaths and limited ‘through roads’. Swan Street is the closest Activity Centre, being approximately 525m to the north of the subject site.

31. The area is provided with public transport options (a Public Use Zone ‘cuts’ the suburb into ‘western’ and ‘eastern’ segments by virtue of the train line) with Richmond Train station being located on the north side of Swan Street. The station is an approximately 525m walk up Punt Road. Trams service Church and Swan Streets (600m and 525m respectively from the site). Two bus routes service Punt Road, with the closest bus stop being approximately 380m south of the site along Punt Road (South Yarra side).

32. Zoning in the area is predominantly Commercial 2, with some residential areas (Neighbourhood Residential and General Residential Zones). A PUZ2 is located centrally within Cremorne, being home to Kangan Institute (TAFE). This campus has a focus on creative industries (including visual merchandising, retail, hair and beauty, fashion and millinery).

33. The City of Melbourne is located to the west of the subject site with parklands buffering the Yarra River and further to the west are main sporting stadiums and grounds such as Melbourne Park, Melbourne Cricket Ground and Olympic Park.

34. To the east of the site is an industrial site known as the former Barrett Burston Richmond Maltings, factory complex and silos, partially zoned Comprehensive Development and Commercial 2. Large major promotional signs are erected on the top of the silos alongside the Nylex clock with this site covered by a heritage overlay and registered on the Victorian Heritage Register. The site is *historically, scientifically (technologically), aesthetically, socially and archaeologically significant to the State of Victoria*. An extract of from the Statement of Significance for this site is provided as follows:

    (a) The 1952 and 1960s concrete silos by reason of their height scale and bulk visually dominate the immediate townscape, and are also viewed over a wide distance in eastern Melbourne. Together with the Nylex sign, which sits atop the silos, they have become a significant cultural iconic feature in the Melbourne landscape and psyche and even feature in the song Leaps and Bounds by musician Paul Kelly. The Barrett Burston Richmond Maltings site is archaeologically significant not only for its visible remnants of the malt houses constructed in 1903 and 1928 but also for the potential archaeological remains of the brewing buildings of the 1852 Cremorne Brewery and 1860s malt house.

35. The eastern site is being developed in stages under the following permits:

    2 Gough Street, Cremorne

    (a) Planning Permit No. PLN15/0355 (known as 'Stage 1' of the Maltings Redevelopment) was issued at the direction of VCAT order P1969/2015 on 15 July 2016 for the land at 2 Gough Street. The permit allows for a maximum 14 storey building, specifically allowing:

        (i) the use of the land for dwellings, a shop and supermarket;
        (ii) the construction of a building or carrying out works;
        (iii) the reduction in the number of car parking spaces associated with dwellings, shop and supermarket;
        (iv) the waiver of the loading/unloading bay requirement associated with a shop;
        (v) reduce the loading/unloading bay requirement associated with a supermarket;

    2-6 Gough Street, Cremorne (immediately east of the subject site)

    (b) Planning Permit No. PLN15/1176 (known as 'Stage 2' of the Maltings Redevelopment) was issued at the direction of VCAT order P1604/2016 on 22 January 2018. The permit allows for *development of the land for buildings and works, including the construction of three buildings, use of the land as accommodation (dwellings and serviced apartments), function centre, shop and restaurant, food and drink premises (café), art gallery, reduction in the car parking requirements and construction and display of signs (relocation of Nylex and Victoria Bitter signs on top of silos B8 and B9)*.

    17-21 Harcourt Parade, Cremorne

    (c) Planning Permit No. PL08/0921 (known as 'Stage 3' of the Maltings Redevelopment) was issued at the direction of VCAT order P684/2009 on 4 August 2009 for the *construction of a nine storey office building with three levels of car parking, part use of the ground floor for a café and a reduction in the car parking requirements of the Yarra Planning Scheme*.

36. Looking more directly:

    (a) To the north of the subject site, across Gough Street, is a five-storey, office building (as developed under planning permit No. PL03/0445) that is hard edged to all street interfaces and is primarily constructed of glass;

(b) To the north-east of the subject site west of the malting's building) are the sides of single-storey dwellings fronting Gough Place and Melrose Street (which both intersect with Gough Street). These dwellings are zoned Neighbourhood Residential (Schedule 1);
(c) East of the dwellings described above are single-storey, Victorian era terraces that are zoned Commercial 2, (with some that may enjoy existing use rights);
(d) Further east is Cremorne Street that contains a range of 1-3 storey office/industrial buildings including the "Era" 10-storey, mixed use/apartment building. A mixture of front setbacks (with car parking) and hard edged development is generally evident;
(e) To the south of the subject site is Harcourt Parade and further south-east is an entry ramp to the CityLink. Beyond this at-grade onramp is an elevated ramp of the CityLink with one southbound and 4 City bound lanes. Elevated views are offered from the freeway to the subject site. Further south is the Yarra River environs opposite side of this is the municipality of the City of Stonnington; and
(f) To the immediate west of the subject site is Punt Road, a declared road and one of Melbourne's primary arterial roads. Punt Road is an approximately 15m wide carriageway, with two lanes in each direction separated by a median strip and a slip lane to Gough Street. Punt Road is within a Road Zone Category 1.

Planning Scheme Provisions

Zoning

Clause 34.02 – Commercial 2 Zone

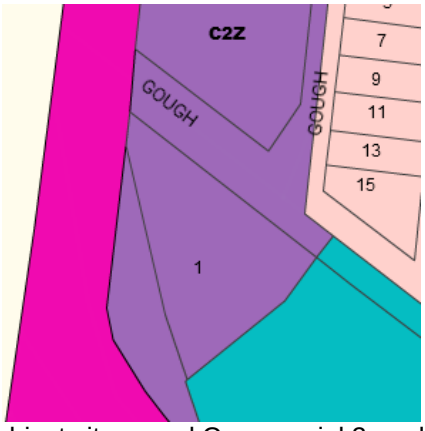


Figure 10: Subject site zoned Commercial 2 - coloured purple

37. 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.*

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

39. Pursuant to Clause 34.02-4 of the Scheme, a planning permit is required to construct a building or construct or carry out works.

40. Pursuant to Clause 34.02-8 of the Scheme, advertising sign requirements are at Clause 52.05. This zone is in Category 1 – Minimum limitation.

41. Pursuant to Clause 34.02-1 of the Scheme, a planning permit is not required to remove a restrictive covenant from the certificate of title under the zone.

Overlays

Clause 43.02 – Design and Development Overlay – Schedule 1

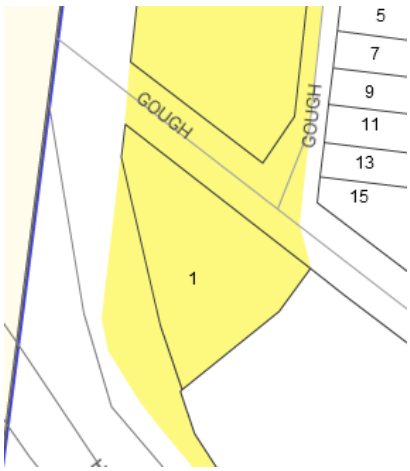


Figure 11: Subject site – Design and Development Overlay – Schedule 1 – coloured yellow

42. The subject site is covered by a Design and Development Overlay (DDO). The purpose of the DDO is:

    (a) *To identify areas which are affected by specific requirements relating to the design and built form of new development.*

43. Pursuant to Clause 43.02-2 of the Scheme a planning permit is required for the construction of a building or the construction or carrying out of works.

44. The subject site is subject to the requirements at Schedule 1 to the Design and Development Overlay as these relate to the Yarra (Birrarung) River Corridor. More specifically, the schedule provides height and setback restrictions to the Yarra River Corridor but does not provided any for the subject site.

45. Of relevance, is the following mandatory requirement under the schedule:

    (a) *Buildings and works must not cast any additional shadow across the Setback Reference Line specified in each Setback Map Reference to this schedule between 11:00am and 2:00pm on June.*

46. The following requirements (as relevant to the current application) are provided but are not mandatory and can be varied:

    (a) *Buildings should not cast any additional shadow across any public open space between 11:00am and 2:00pm on 22 September.*
    (b) *Building materials should utilise non-reflective colours and finishes to blend with the existing natural landscape character of an area.*

47. Pursuant to Clause 43.02-4 of the Scheme, advertising sign controls are at Clause 52.05 unless otherwise specified in a schedule to this overlay. The schedule to this overlay does not include any specific requirements for advertising signs.

Clause 44.04 - Land Subject to Inundation Overlay

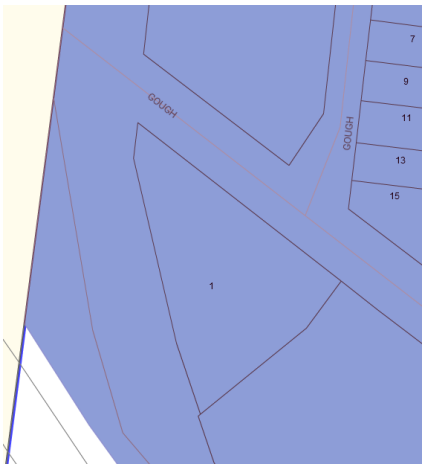


Figure 12: Subject site –Land Subject to Inundation Overlay – coloured blue

48. The subject site is covered by a Land Subject to Inundation Overlay (LSIO).

49. Pursuant to Clause 44.04-2 of the Scheme, a planning permit is required to construct a building or to construct or carry out works. An application must be referred to the relevant floodplain management authority, in this instance, being Melbourne Water. Melbourne Water's has provided comments and is supportive subject to the conditions detailed within the 'Recommendation' section of this report.

Clause 45.07 - City Link Project Overlay

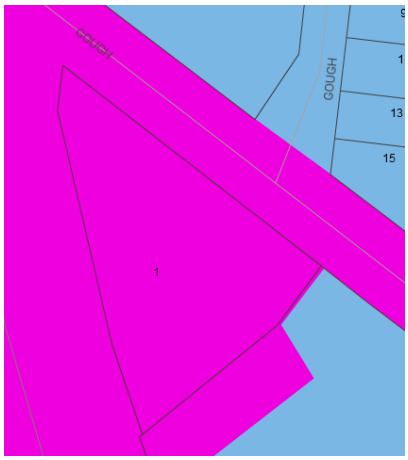


Figure 13: Subject site –City Link Project Overlay – coloured pink

50. Pursuant to clause 45.07-1 of the Yarra Planning Scheme *a planning permit is not required to use or develop land in the City Link Project area if the use or development is part of the Melbourne City Link Project or the Exhibition Street Extension Project.*

51. As this site is not part of the above mentioned projects, a planning permit is required.

52. Pursuant to Clause 45.07-6 of the Scheme, an application must be referred to the relevant Roads Corporate, in this instance, being VicRoads. VicRoads has provided comments and is supportive of the development subject to the conditions detailed within the 'Recommendation' section of this report.

<u>Aboriginal cultural heritage</u>

53. The site is also within 500m of the Yarra and therefore, the impact of the proposal on the Aboriginal Cultural Heritage significance of the land must be considered.

54. The permit applicant submitted a report titled *Cultural Heritage Assessment and Implications for Development,* authored by Andrew Long and Associates and dated 28th November 2019. The report was submitted following concerns raised by Council's Officer.

55. The report provides the following conclusion / position:

    (a) *As discussed above it is considered that the activity area has been subject to significant ground disturbance. This is shown in the existing surface characteristics of the activity area, and through historical aerials dating between 1945 and 1987 showing the extent and nature of clearance works. Based on the occurrence of significant ground disturbance, a mandatory CHMP in accordance with section 46 of the Aboriginal Heritage Act 2006 is not required.*

56. Reviewing the material and the extent of works historically across the site, this position is accepted. However, the recommendation for a mitigation strategy in the event that the site is identified as an Aboriginal Heritage Site during the construction phase will be adopted by way of condition.

Particular Provisions

Clause 52.02 Easements, restrictions and reserves

57. Pursuant to clause 52.02 of the Scheme, a planning permit is required before a person proceeds:

    (a) *Under Section 23 of the Subdivision Act 1988 to create, vary or remove an easement or restriction or vary or remove a condition in the nature of an easement in a Crown grant.*

Clause 52.05 Advertising Signs

58. Pursuant to clause 52.05-6 of the Yarra Planning Scheme, a planning permit is required for a major promotional sign.

Clause 52.06- Car parking

59. Pursuant to clause 52.06-2 of the Scheme, before a new use commences the number of car parking spaces required under Table 1 at Clause 52.06-5 must be provided to the satisfaction of the responsible authority.

60. Clause 52.06-6 notes that where a use of land is not specified in Table 1, car parking spaces must be provided to the satisfaction of the responsible authority. The use of the land as a Residential Hotel is not specified in this table, therefore the provision of car parking is to the satisfaction of the responsible authority.

Clause 52.34 - Bicycle facilities

61. Pursuant to Clause 52.34-1, a new use must not commence until the required bicycle facilities and associated signage are provided on the land. The following table identifies the bicycle parking requirement under Clause 52.34-3 and the provision on site.

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated

Residential hotel	**95 rooms**	In developments of four or more storeys, 1 employee space to each 10 lodging rooms	9 employee spaces	
		In developments of four or more storeys, 1 visitor space to each 10 lodging rooms	9 visitor spaces.	
		Bicycle Parking Spaces Total	18 employee/visitor spaces	29 employee/visitor spaces
Showers / Change rooms	**1 to the first 5 employee spaces and 1 to each additional 10 employee spaces**		2 showers / change rooms	None provided

62. The development, whilst complies with the number of on-site employee/visitor bicycle parking spaces required, does not provide change rooms / showers as required by the clause.

General Provisions

63. 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)

64. Relevant clauses are as follows:

Clause 11.02 - Managing Growth

Clause 11.02-1S - Supply of Urban Land

65. 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 13.05-1S - Noise abatement

66. The relevant objective of this clause is:

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

67. 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

68. 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

69. 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

70. The objective is:

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

Clause 15.01-2S - Building design

71. 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.*

72. 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.*

73. 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

74. 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

75. 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

76. 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

77. 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

78. The objective of this clause is:

(a) *To strengthen and diversify the economy.*

79. 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

80. The relevant objective of this clause is:

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

81. 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.*

Clause 17.04-1S – Facilitating Tourism

82. 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.*

83. 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

84. The objective of this clause is:

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

85. 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

86. The relevant objectives of this clause is:

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

87. 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

88. 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

89. 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

90. 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

91. The objective of this clause is:

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

92. A relevant strategy is:

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

<u>Municipal Strategic Statement</u>

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

Municipal Strategic Statement (MSS)

94. Relevant clauses are as follows:

Clause 21.04-3 - Industry, office and commercial

95. The objective of this clause is:

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

Clause 21.05-2 – Urban design

96. 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 17.3 Apply the Landmarks and Tall Structures policy at clause 22.03.

(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.

Clause 21.05-3 – Built form character

97. The general objective of this clause is:

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

98. 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

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

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

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

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

Clause 21.06 – Transport

100. 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

101. 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 (Burnley – Cremorne – South Richmond)

102. This clause outlines the Cremorne neighbourhood as follows:

(a) *the Cremorne area has a truly mixed use character with Victorian cottages, apartments and warehouse conversions intermingled with commercial and industrial uses. This mix of uses is valued by the local community and must be fostered.*

(b) *This area includes the visually and historically significant silos which host the also significant Nylex Plastics clock and temperature indicator. Views of and to these Melbourne landmarks need to be protected.*

103. Within Figure 8 of Clause 21.08-5, the subject site is identified as being within the freeway river edge where the objective is to *ensure that development does not dominate the river.*

Relevant Local Policies

Clause 22.03 – Landmarks and Tall Structures

104. The objective of this clause is:

    (a) *To maintain the prominence of Yarra's valued landmarks and landmark signs.*

    Clause 22.03-4 – Landmarks Design Response

105. *Development should protect views to the following landmark signs:*

    (a) *Pelaco Sign (Goodwood Street, Richmond)*
    (b) *Skipping Girl Sign (Victoria Street, Abbotsford)*
    (c) *Olympic Tyre Sign/Porsche (Victoria Parade, Collingwood)*
    (d) *Nylex Sign (Harcourt Parade, Cremorne)*
    (e) *Slade Knitwear Sign (Dover Street, Cremorne)*

    Clause 22.04 – Advertising Signs

    Clause 22.04-3.3 – Major Promotional Signs and Pole Signs

106. Pursuant to Clause 22.04-3.3, *a major promotional sign should be located so that it is no higher than*:

    (a) *the height of a building or structure on the subject land; or*
    (b) *the height of a building or structure on adjoining land, when the sign is located on a blank façade of a building or structure located on the adjoining land.*

    Clause 22.04-3.5 – Illumination and Animation

107. This clause requires that:

    (a) *Signs be designed to prevent light spill onto adjacent properties.*
    (b) *External illumination sources for signs be concealed where possible or otherwise sensitively designed and located to minimise impact on the surrounding area.*
    (c) *Illumination not be a safety hazard or cause a nuisance to vehicular traffic.*
    (d) *Animated signs be discouraged unless they achieve a high quality design and contribute to the vitality of the streetscape.*

    Clause 22.04-3.7 Commercial and Industrial Areas

108. This clause requires that:

    (a) *On main roads and boulevards major promotional signs, pole signs, sky signs, high wall signs, and signs mounted on bridge structures be considered where the general policy requirements are met.*

    Clause 22.10 – Built form and design policy

109. 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.*

110. 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 22.05 – Interfaces Uses Policy

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

112. 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.*

113. 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 22.16 Stormwater Management (Water Sensitive Urban Design)

114. 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

115. This policy was introduced into the Scheme on 19 November 2015. 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

116. 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)*

Cremorne and Church Street Precinct Urban Design Framework

117. The Cremorne and Church Street Precinct Urban Design Framework (UDF) was adopted by Council at its meeting in September 2007. The intent of the UDF was to support redevelopment that contributes to Cremorne as a mixed-use area, while supporting strategic aims to develop employment opportunities in the area.

118. The subject site is highlighted on Map 2 as a site where substantial change is expected and can contribute to improvements to the public domain. Map 5 shows the intersection of the subject site at the Gough Street and Harcourt Parade interface as a key area for street activation. The subject site is located in the Richmond Maltings Sub-Precinct. The aim of the sub-precinct is to *encourage redevelopment within the precinct, to restore a significant source of activity and employment in Cremorne, to showcase the heritage structures and to better integrate the precinct with its surroundings.* It is highlighted that whilst the UDF remains as an adopted document, it has limited statutory weight and nonetheless, should still be recognised that the proposal achieves this primary aim.

Swan Street Structure Plan (SSSP)

119. The SSSP was adopted by Council at its meeting on 17 December 2013. The site is located within the 'Cremorne South' Precinct of the Plan's study area. The Structure Plan prepared for the Swan Street Major Activity Centre [MAC] was in response to the State Government sustainable growth policy, *Melbourne 2030*; a plan for the growth and development of the Melbourne metropolitan area. One of the principal aims of the policy was to provide a network of activity centres throughout Melbourne, with these centres providing a focus for development and urban expansion in areas well serviced by public transport, existing infrastructure and community services. The Swan Street Structure Plan aims to manage this growth within the Swan Street MAC and the surrounding area.

120. Of relevance to this application are proposed revisions to the built form guidelines that will provide guidance on future built form and how that would be in keeping with the longer term vision for Swan Street and surrounds, along with guidance on urban intensification within the precinct. The plan provides guidance on maximum building heights within each precinct, with seven to ten storeys at the suggested height for this area within the 'Malting's Site'.

121. The SSSP also includes objectives to consolidate the Precinct's role as a location for offices and employment, provide high quality pedestrian orientated public realm along Church Street, as well as promote public realm improvements through redevelopment opportunities.

122. The rationale entertains the following (as relevant) for the 'Malting's Site' (inclusive of the subject site):

    (a) *Redevelopment of large sites provides opportunity for strengthening the built form edge to the river;*

(b) *Opportunities to intensify land uses will strengthen Yarra's employment base through the conversion of redundant industrial or manufacturing land uses.*
(c) *A precedent for height has been established on the Maltings site that has since been reinforced by the Era development and Planning permit issued for 17-21 Harcourt Parade. Heights generally permitted between approximately 36m and 37m.*
(d) *The Comprehensive Development Zone that applies to the Maltings site, ERA development and planning approval for Harcourt Parade, further support this precinct as an emerging pocket of taller development.*
(e) *Reinforcing the role of Balmain Street and Cremorne Street as primary vehicular access to and from the precinct will deter vehicles from travelling through the surrounding network of small residential streets to enter and exit the precinct.*
(f) *Strengthening connections to public transport networks promotes active modes of transport.*

123. Whilst adopted, the SSSP has yet to progress to the formal amendment stage and has limited statutory weight, but to the extent that the building achieves the above rationale, and principles of the height anticipated for this site, particularly when compared to the development already approved at the 'Maltings Site', it is considered that it can be supported.

124. The proposal will be discussed in greater detail in the 'Assessment' section of this report.

Yarra Spatial and Economic Employment Strategy - August 2018 – (SEES)

125. The Yarra SEES was adopted by Council in September 2018, which is intended to assist Council to understand, and capitalise on, Yarra's economic strengths and respond to the key trends and economic drivers over the next 10 to 15 years.

126. The Spatial Economic and Employment Strategy (SEES) includes 6 directions or strategies which inform policy in the Scheme.

127. The subject site is identified as being located within the Mixed Employment Precinct (Major) within Figure 39 at page 60 and of relevance is Strategy 2 which is to *retain and grow Yarra's Major Employment Precincts*. Essentially, the strategy intends *to accommodate projected demand for commercial floor space Yarra's two large consolidated employment precincts at Gipps Street, Collingwood and Cremorne/Church Street South, Richmond should be retained for employment activities. These areas have made a gradual transition from predominantly industrial uses to a wider mix of activities that include professional services, creative industries, medical-related activities and small-scale manufacture. Zoning should continue to exclude residential development to retain the core employment function of these precincts.*

128. Another relevant strategy is no. 5 which is to *retain other C2 zoned precincts (unless strategic planning support change)*. *Yarra's C2 zoned land forms part of larger employment precincts, supports a diversity of businesses and economic activity and, in general, is not required to support housing. Unless strategic planning work supports a change of zone, existing C2 precincts and sites should be retain for employment uses. Future strategic planning work may identify opportunities for change, however this are not a priority for Council for at least the medium term (5 – 10 years).*

129. The following direction is provide for the Cremorne / Church Street Precinct at page 65 of the SEES:

(a) *Cremorne/Church St south precinct The Cremorne precinct is also strategically located with respect to public transport, the arterial road network and CBD. Given its current employment focus and the projected demand for employment floor space, retention and intensification of employment should be the focus of renewal efforts.*

Growth of the Kangan Institute, which specialises in fashion and retail training, should be supported for adding to the diversity of employment but also to underpin a competitive strength for creative firms in this precinct.

130. Whilst adopted, the SEES has limited statutory weight. However, the proposal is supported to the extent that it achieves the direction and vision stipulated for the subject site.

Advertising

131. The application was advertised under the provisions of Section 52 of the *Planning and Environment Act* 1987 (the Act) with 1,759 letters sent to surrounding owners and occupiers, two signs displayed on site, including a newspaper advertisement in 'The Age', dated Tuesday 3 July. Council received seven (7) objections, the grounds of which are summarised as follows:

    (a) The residential hotel use fails to comply with policy at Clause 22.05 (Interface Uses Policy) of the Scheme;
    (b) The building is too tall and will obscure views and detract from the 'Nylex' sign – a significant landmark - therefore failing to comply with Council's Heritage Policy at Clause 22.02 of the Scheme;
    (c) The building does not provide a high standard of architecture failing to meet Clause 22.10 (Built Form and Design Policy) of the Scheme;
    (d) Overdevelopment (failing to meet Schedule 1 of the Design and Development Overlay) in isolation of and when combined with the "Caydon Project";
    (e) The proposal has failed to provide adequate equitable development opportunities to its eastern adjoining neighbour (i.e. 'Nylex' site)
    (f) Inadequate on-site car parking and loss of on-street car parking;
    (g) Traffic impacts as a result of queueing taxis;
    (h) The electronic sign will be prominent and fails to comply Clause 22.04 (Advertising Signs Policy) of the Scheme;
    (i) Amenity Impacts (overlooking, noise and overshadowing –failing to meet Clause 22.10-3.8 (Amenity Impacts) of the Scheme);
    (j) The building is too close to the Yarra River environs and fails to make any positive contribution to the ecology of the area by way of landscaping;
    (k) Construction issues (i.e. the project will require too much excavation); and
    (l) The footpath across the Harcourt Parade and Punt Road interface "acts like a default shared path" and the development does not provide an adequate setback at the ground level, failing to provide a generous clearance for cyclists, pedestrians and wheelchairs.

132. One letter of support was received that indicated that the proposal would better utilise the land than its current function, providing "a good outcome for an ugly part of Cremorne".

133. A planning consultation meeting was organised for the 9th October 2018. However, no objectors attended and the meeting did not proceed.

Referrals

134. The referral comments are based on the decision plans (i.e. the advertised plans) with the exception of further urban design advice provided in relation to the decision plans by Council's external consultant.

    External Referrals

135. The application was referred to the following authority:

    (a) Melbourne Water;
    (b) VicRoads;
    (c) Transport for Victoria

136. No objection to the application was received but conditions were provided by both Melbourne Water and VicRoads. The referral responses have been included as an attachment to this report.

Internal Referrals

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

(a) Urban Design (public realm works);
(b) Engineering Services;
(c) City Works – Waste;
(d) Strategic Transport;
(e) Environmentally Sustainable Development Officer.

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

(a) Urban Design (MGS Architects);
(b) The TraffixGroup – Traffic Engineers and Transport Planners; and
(c) Acoustic (SLR Consultants).

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

140. The decision plans (amended) were re-referred to Council's Urban Design (MGS Architects) consultant.

OFFICER ASSESSMENT

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

(a) Policy and physical context;
(b) Use – Residential Hotel;
(c) Built form;
(d) Environmentally Sustainable Development (ESD);
(e) Off-site amenity impacts;
(f) On-site amenity;
(g) Car parking and bicycle provisions;
(h) Waste management;
(i) Major Promotion Electronic Sign;
(j) Removal of Restrictive Covenant; and
(k) Objector concerns.

Policy and physical context

142. The proposed development has strong strategic support at a 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 11.02-1S and 21.04-3) encourage the concentration of development near activity centres (with the Swan Street Major Activity Centre located 500m north), diversifying employment opportunities and more intense development on sites well connected to public transport.

143. The subject site and land to north of Gough Street is zoned Commercial 2, and to the east, the land is zoned Comprehensive Development. The subject site together with that to the

east, forms part of the Malting's Site. 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.

144. 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 as well as support the surrounding commercial uses through the provision of temporary accommodation. The proposed use is complementary to the surrounding area due to the sites location, (close to nearby sporting stadiums and grounds such as Melbourne Park, Melbourne Cricket Ground and Olympic Park events) within the Commercial 2 Zoned land and is not expected to pose interface conflict issues. The proposed residential hotel will go hand in hand with the surrounding context.

145. Clause 17.04-1S 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, while concurrently supporting the local economy through additional visitors to the area. Given the proximity to Swan Street and the stadiums and arenas within the City of Melbourne, this is considered an appropriate location for temporary accommodation. Furthermore, the location of the site is also likely to support proximate accommodation for business travellers that may be attending conferences within other nearby office development within Cremorne.

146. 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).

147. 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.

148. Having regard to the above, the proposed re-development of the site for a residential hotel of this scale is considered to have strategic planning support.

Use – Residential Hotel

149. The residential hotel use requires 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 the Swan Street Major Activity Centre and key sporting stadiums and grounds such as Melbourne Park, Melbourne Cricket Ground and Olympic Park).

150. In respect to appropriateness there is support where it can be demonstrated that the scale of operation would not result in an unreasonable impact to the surrounding area or erode the primary purpose of the Commercial 2 Zone. This consideration is relevant to the objective of

the Commercial 2 Zone which is *to encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.*

151. By retaining land for commercial uses, Cremorne will remain a viable and thriving economic cluster, thus providing a net community benefit through employment and contributing to the local and regional economy for present and future generations. It is also Council local planning policy (Clause 21.04-3) to increase the number and diversity of local employment opportunities and by maintaining this land for the purpose it was intended for, this policy will be met and a net community benefit will be achieved.

152. 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.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 Centers, residential areas and public transport. The area supports a growing employment base, and the proposed use will support this. The use will provide temporary accommodation for visitors to the local area (including to nearby residents) and business travelers.

153. The residential hotel use 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. The residential hotel use will play a legitimate role in meeting the needs of the area in this respect and by operating seven days a week, will provide street activation on what is already a busy thoroughfare.

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

    (a) The effect of existing uses on the proposed use – existing uses are a mixture of residential (further to the nort-east, zoned Neighbourhood Residential, beyond Gough Street) and commercial/industrial in nature and are not expected to have an adverse impact on the proposed use. The existing surrounding uses will most likely provide patrons for the proposed businesses;
    (b) The drainage of the land – the subject site is located in a LSIO and the application was referred to Melbourne Water who provided comments in support of the application subject to conditions (found within the attachments to this report). The site, subject to Melbourne Water's conditions, 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; and
    (d) The effect of traffic to be generated – this is discussed in detail later in this report.

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

156. The closest residentially zoned land is to the north-east of the subject site, on the opposite side of Gough Street. Given the separation distance of 10m afforded by Gough Street and orientation, with the subject site located south of the closest dwellings, there would be no immediate impact on these dwellings. Off-site amenity impacts will be discussed later in this assessment.

157. The residential hotel, will have 95 rooms and has been designed to have an increased setback of up to 7.32m as it graduates to the north-east corner of the site directly where it interfaces with residentially zoned land opposite. 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 (particularly as there are upper level terraces at the corner i.e. Level 01), are appropriately managed.

158. As will be outlined in the *Off-site Amenity* section of this report, Council's acoustic consultant confirmed there were remaining matters to be addressed and a condition will require that an acoustic report be provided, within three months of occupation of the building demonstrating compliance with SEPP N-1.

159. 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. Accordingly, the use is not expected to have unreasonable impacts on any existing dwellings and can be managed with appropriate conditions.

160. 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 residential hotel use. Through proper adherence to a hotel management plan and an acoustic report, the amenity of the area, including the future context to the east, should not be compromised.

Built form

161. The urban design assessment for this proposal is guided by State and Local policies at clause 15.01-2S (Building Design), clause 21.05-2 (Urban design), clause 22.05 (Interface uses policy) and clause 22.10 (Built form and design policy). In the interests of providing a concise assessment and avoiding repetition between State and local design principles, the following assessment will group similar themes where applicable.

Urban form, character and context

162. As discussed in the policy section above, the proposal is an appropriate response to the site's strategic context and makes efficient use of relatively under-utilised land. Strategically, the subject site is appropriately located for a higher-density development, being located within proximity to an Activity Centre, within a commercial zone immediately adjacent to the major redevelopment of the Nylex site, has excellent access to public transport, services and facilities and with limited sensitive, residential interfaces being the dwellings to the immediate north-east only (at present).

163. The subject site is in a genuinely mixed area. The land to the east, is a former industrial site comprised of a former factory complex and silos, partially zoned Comprehensive Development and Commercial 2 and contains large major promotional signs on the top of the silos alongside the Nylex clock. The south-east corner of this site is currently under construction with a nine-storey office building and works to Stage 1 of the Nylex site have also commenced. South, adjacent and opposite the subject site is Harcourt Parade, the overhead ramp / bridge of the Monash Freeway and the Yarra River embankment. Punt Road and parkland is located west. To the immediate north is a five-storey office building and north-east is the sidage of a dwelling fronting Gough Place.

164. The majority of buildings within commercial zoned land within Cremorne and the vicinity of the subject site (including those that interface Cremorne Street further east) are constructed boundary to boundary, with high site coverage and rectilinear forms. The residences have

small front yards, are built to at least one of their side boundaries and minimal front and rear setbacks (i.e. those on Gough Place and Melrose Street).

165. This mixture in built form types and heights is typical of the Cremorne area as discussed within the Clause 21.08-2 description. These commercial areas have and will continue to experience an intensification of use and development. This is also further entertained by the Comprehensive Development Zone of the Malting's Site to the east.

166. Considering the recent approvals of larger scale developments, the street's proximity to the Swan Street MAC, convenient access to train stations, tram and bus routes and the lack of a heritage overlay to restrict development on the subject site (noting that the adjoining eastern site is covered by a heritage overlay), it would be a reasonable expectation, that this site would experience further intensification in use and development. In a broad sense, Cremorne has seen some significantly taller buildings that present a hard edge character to the street with rectilinear forms and robust materials.

167. There is no doubt that site's current use as a commercial car park with a major promotion pole sign, is an underutilisation of land in an inner city location. The subject site is also identified within the SSSP as one where there is preference for having a seven to ten storey height. The development will provide a building height that is comparable to a ten-storey height *or approximately 36m and 37m*. As previously outlined, Schedule 1 to the Design and Development Overlay relates to the Yarra (Birrarung) River Corridor and generally provides height and setback restrictions to the Yarra River Corridor but does not provided any for the subject site. However, setback and height restrictions are indirectly governed by a buildings' extent of shadow cast over the river as per the following mandatory requirement (relating to shadows that will be addressed under a separate heading) under the schedule:

    (a) *Buildings and works must not cast any additional shadow across the Setback Reference Line specified in each Setback Map Reference to this schedule between 11:00am and 2:00pm on June.*

168. Shadows will be discussed later in the assessment.

169. Whilst the site to the east contains the Nylex Sign which is on the Victoria Heritage Register, including malt houses, silos and brewing buildings neither, Gough Street, Punt Road or Harcourt Parade can be described as having a pristine heritage streetscape. In fact, combined these have a semi-industrial appearance primarily consumed by roads and poor interaction with the public domain by way of providing interactive interfaces.

170. The proposal has been designed to be proportionate to the future development of the adjoining eastern site in the following manner:

    (a) The building would produces a primary height of 39.22m (not including the stairwell shaft) as measured from the natural ground level to the roof above Level 09 which is less than the height of the building anticipated for the land to the immediate east of the subject site which is in the order 46.5m (i.e. fifteen storeys as per the image below) as measured above the natural ground level to the highest point of the building;

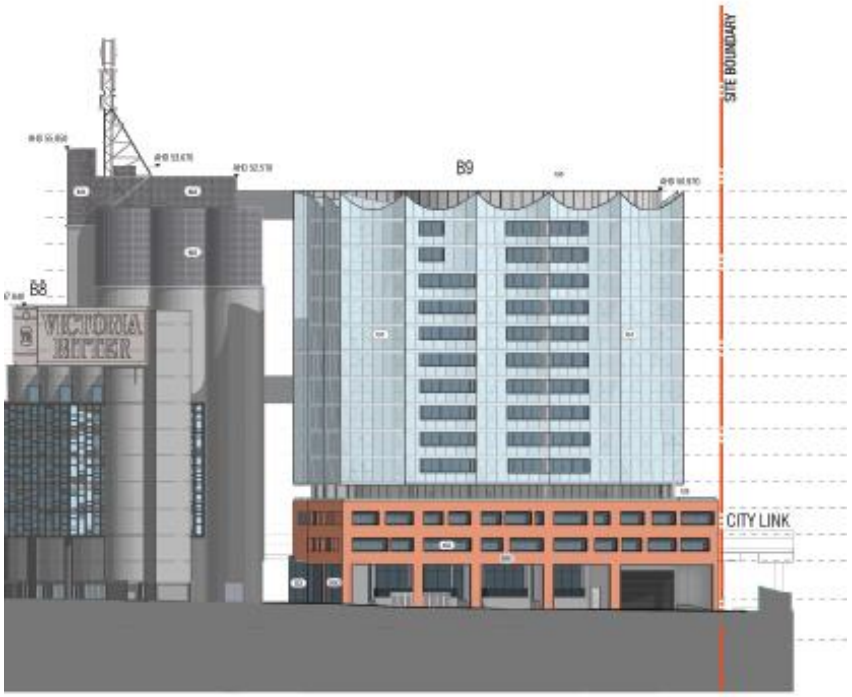


Figure 14: Northern elevation of building to the east associated (not yet approved but forming part of a recent amendment to planning permit no. PLN15/1176)

(b) The setbacks of the building have been modified to the east with the amended plans (that also form the 'decision plans) to better relate and provide for equitable development opportunities to the eastern adjoining proposed building that has setbacks ranging between zero and 2.4m from the shared boundary from the ground level through to Level 02 and between 4.5m and 6.42m from Level 03 to Level 14;

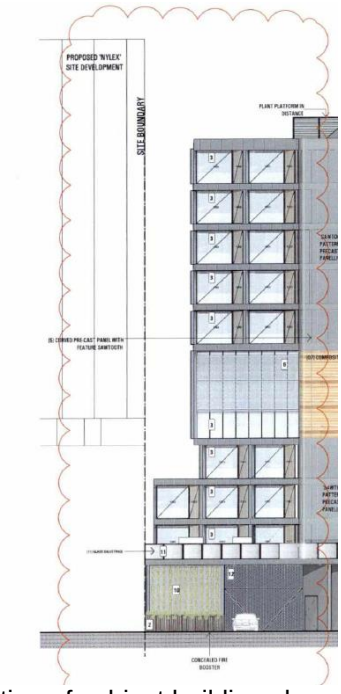


Figure 15: Portion of Northern elevation of subject building shown against the building intended to be constructed to the east.

171. These above aspects, not only provide for transition to assist with fitting into the streetscape but also assist in breaking up the future massing across the breadth of the subject site combined with the remainder of development intended for the Maltings Site through as-mentioned approvals.

172. The proposed building will be read as one of the lowest when compared to the remainder of the buildings on the Maltings Site (shown as a whole in the northern elevation below) which is also in direct response to protecting sight angles of the Nylex Sign as required by the objective at Clause 22.03 (Landmarks and Tall Structures). This will be discussed further later in this assessment.



Figure 16: Overall Northern elevation of Malting's Site (excludes Subject Site) – extract from amended plans associated with a recent amendment to planning permit no. PLN15/1176.

173. The proposal is considered to be of a high standard and will provide a good design response that can be supported both within the existing context, and future context of the Malting's Site. The colours and materials are muted and simple and the recessive Level 04 is a clever design feature that not only makes way for the major promotion sign (discussed later in this assessment) to be imbedded into the building, but in anchoring the building and providing a podium that is comparable to that provided to the east. This is seen in the images / perspective below as identified across Gough Street with the future development to the east:



Figure 17: Perspective from opposite side of Gough Street showing proposed building and that intended to the east.

174. The proposal is of a good architectural quality and in that regard responds to the design objectives of clauses 15.01-2S and 22.10-3.4 which encourage high standards in architecture and urban design, with the proposal considered to largely achieve these objectives. The predominant wall material to the north and south-west of the development is a combination of glazing and timber cladding behind glazing and to the east is pre-cast panels with a rebate and composite cladding. The ground floor would also include an integrated art strategy (as required by Council's external Urban Designer – refer to Figure 4) to the south-west with composite timber cladding as a feature at Level 04 as indicated in Figure 16. The building is rectilinear in form, generally constructed to the width of the site, and acutely angled at the north-west corner.

175. The building can be read in three components with the first four levels providing a street podium, followed by a central recess or banding with the remainder of the levels above that, appearing light weight. Whilst there is cohesion in the design, there is also some variation in materials and form that shows that the building has been considered 'in the round'. The choice of window shrouding that is acutely designed also adds to the visual interest of the building that combined with timber elements will present an interesting design wave pattern through the north and south-west elevations.

176. The building provides both a hard edge and recessive design response to its surrounds without appearing overly busy, particularly to the north as demonstrated by Figure 16 earlier. This provides a mix of overall robust built form (i.e. to Punt Road and Harcourt Parade which will also see the display of a major promotion sign) and appropriate for the zoning of the land, whilst providing a more recessive and visually transparent composition to Gough Street, with ventilated louvers in charcoal, a green wall, the 'Porte-Cochere' and elevated trafficable platforms leading into a Foyer space as identified below:



Figure 18: Ground level public interface to Gough Street.

177. The proposed building will be taller than the dwellings to the north-east and opposite side of Gough Street and this is to be expected as it is located within a zone where there is no height restriction (noting that the SSSP anticipates heights of approximately 36m and 37m on the subject site). The building height has been tempered against the protection of views and prominence of the Nylex Sign and silos and in an effort to demonstrate this (also in response to Council's external Urban Designer's advice with regard to the building height's response to the Nylex Sign and adjoining future development to the east), the permit applicant provided the following visual renders from key vantage points clearly demonstrating that the Nylex sign's prominence in the skyline will be maintained.



Figure 19: Looking east from the opposite, south-west side of the Yarra River



Figure 20: Looking north-west from the opposite, south-east side of the Yarra River

Public realm, light and shade and pedestrian spaces

178. This principle requires the design of interfaces between buildings and public spaces to enhance the visual and social experience of the user. In this respect, the proposal represents a significant improvement in streetscape, public space quality and perceived safety.

179. The building will include large ground floor glazing immediately adjacent to the 'Porte-Cochere' and an elevated walkway to the north, and intersection of Gough Street and Punt Road. Through the adoption of a transparent design at the ground floor, the building will provide interaction. This satisfies public realm, pedestrian spaces and street and public space quality policies at Clauses 15.01-2S and 22.10-3.4. The original ground level layout was also reviewed by Council's internal Urban Designer who required the stairwell exit to be recessed into the site and the acute pavement angle at the Gough Street and Punt Road intersection chamfered. The plans were amended to address these elements by providing a flush transition in pavement levels to Gough Street, and deleting the recessed staircase strip that extended to the edge of the footpath to the west of the vehicle entrance.

180. Council's internal Urban Designer's original request for landscape plans has also been fulfilled with the current 'Decision Plans'.

181. Council's external urban designer made some recommendations regarding improvements to the public realm and these have been incorporated by way of widening the footpath across the Gough Street interface by setting back the vehicle entrance, car park wall at the ground floor and terraces at the first floor.

Shadows to the public realm

182. In terms of shadows to the public realm, the proposal will overshadow Harcourt Parade and the Monash Freeway as indicated below at June 22nd:

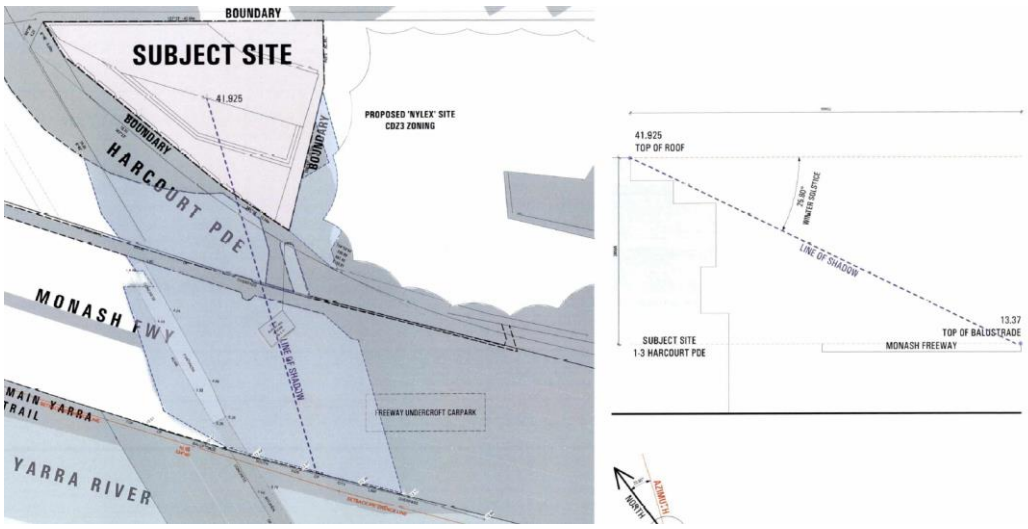


Figure 21: Shadows cast at 11:00am, June 22

183. Shading along the Monash Freeway accords with that permitted under Schedule 1 to the Design and Development Overlay as this does not extend beyond the setback reference line for the June 22nd shadow that follows the southern edge of the Monash Freeway as indicated below:



Figure 22: Shadow setback line of Schedule 1 to the DDO

184. With regard to the above, and given that the shadow does not extend into the Yarra River, the shadow over the public domain at June 22nd (limited to Harcourt Parade and the Monash Freeway), is supported under the provisions of the Scheme.

185. *Site Coverage*

186. 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 Cremorne.

Landscape architecture

187. Landscaping is not a typical feature of commercial buildings in Cremorne. Despite this, the proposal includes ground level landscaping adjacent to the Gough Street footpath and planters along the upper level terraces at Levels 08 and 09 to the south-west. The extent of landscaping proposed is supported in this part of Cremorne, where the subject site's primary interface is to the Monash Freeway and Punt Road, and located opposite the sidage / wall of a five-storey office building to the north.

Environmentally Sustainable Development (ESD)

188. 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.

189. 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.

190. 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). As such, Council planning officers believe a more appropriate condition is to require the proposal to meet a BESS project score of 70 percent (at present it is 53%). This is considered as excellence in ESD and is typical of developments of this scale.

191. Additionally, high ESD standards is a key consideration within Strategy 17.2 of the 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.

192. As such a condition will require an updated Sustainability Management Plan that demonstrates a BESS score of 70%, and accords with Council's standards for Best Practice.

Off-site amenity impacts

Context for offsite amenity considerations

193. 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 applicable). This application must consider both the off-site amenity impacts for residential land as well as any potential impacts to the future context of the adjoining eastern site.

194. 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.

195. 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.

196. The site is separated from the closest existing residential areas to the north-east and opposite side of Gough Street but regard must be given to the future development and context of the immediate east, being the Malting's Site that is to be developed with a multi-level apartment building. Whilst plans in association with planning permit No. PLN15/1176 have not been endorsed, it is considered appropriate to make reference to the development that lead to the issue of this planning permit in the first place to determine the extent to which regard to off-site amenity impacts has been given and to what extent further regard should be given.

197. Accordingly, the building to the east provides setbacks that range between zero and 4.5m from the ground level through to Level 02 from the shared boundary, with all other levels above setback between 4.5m and 6.4m from the shared boundary. Apartments opposite will interface the subject site and provide windows and balconies in many instances.

    Dwellings to the north and south of this building have their outlooks to either Gough Street or Harcourt Parade / Monash Freeway and will have no visibility of the proposed development. As such, it is only the western interface of this development that is required to be regarded against the proposed building.

198. Consideration is required with regard to the western elevation of this future development as this has openings associated with several apartments / dwellings at the first and second levels on or within close proximity to the shared boundary. The ground floor zero setback of the proposed development is supported, as are the walls associated with rooms 15 and 01 on both Levels 01 and 02 that are setback 1.28m and zero metres from the shared boundary. This is because the approved development to the east provides openings across the western interface, on the shared boundary, consequently relying on borrowed access to daylight and solar from the subject site.

199. A total of 8 apartments rely on outlook to the shared eastern boundary with 4 bedrooms solely relying on light from this common boundary and 4 apartment orientated to this boundary albeit setback. Discussions with the applicant for the western portion of the Nylex Site have been occurring and they have confirmed in writing that these apartment layouts will be redesigned as part of the current amendment to their planning application. No further action is required as part of this application.

    Overshadowing

200. The applicant submitted overshadowing diagrams that show that the proposed building would overshadow Harcourt Parade and the Monash Freeway between 9am and 12 noon and the adjoining, Maltings Site, thereafter. The shadows cast to the east are unavoidable and whilst the future apartments / dwellings that interface the subject site at the lower levels would ultimately be impacted by the shadows, this is considered reasonable within the context that has overarching urban consolidation objectives that will not be fully achieved if all dwellings are expected to achieve full direct access to sunlight in this future development and where the subject site has also been considered as a potential development site.
    The adjoining site relies on borrowed access to sunlight from the subject site, and this should not compromise the subject site's ability to be developed.

Overlooking

201. While the approved planning permit to the east has not yet been activated, in the interests of orderly planning, future overlooking opportunities are required to be considered. An attempt to avoid overlooking into the apartments / dwellings of the adjoining future development has been made by orientating room windows and terraces / balconies within the residential hotel, north and south and not to the east. Windows that do have an eastern orientation are to the lobby and hallway and are non-habitable and therefore are not considered to result in any unreasonable overlooking opportunities to the future development to the east. The terraces of Rooms 02 at Levels 08 and 09 have an eastern outlook, but have a separation distance of a minimum 9m to the upper levels of the future development to the east and are not required to be screened. Furthermore, the mentioned terraces will be landscaped around their perimeters with planter boxes that combined with their setback from the eastern boundary, provides a further means of preventing downward views.

Visual bulk

202. The propose building is not considered to cause any unreasonable visual bulk impacts to the eastern adjoining property, being the only abutting site, namely the Maltings Site. As outlined earlier, Council received an updated eastern elevation that shows further articulation to the walls as demonstrated in Figure 2. This was submitted to Council following negotiations between the permit applicant and the owner of the adjoining property to the east and is considered to improve the response across the interface.

Equitable development

203. The future development to the east entertains west-facing dwellings that have been considered in deliberations made with regard to improving the original setbacks from the eastern boundary that formed part of the original submission. The setbacks of the development to the east (with the exception of Rooms 01 at levels 01 and 02) from the second floor and above have increased from between 800mm to 3m, to between 4.5m to 4.6m. Combined with the setbacks at the upper levels of the eastern adjoining building, will meet the 9m threshold, separation distance for meeting the equitable development opportunities of both sites.

Noise and Light Spill

204. 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.

205. The proposal is unlikely to result in unacceptable noise emissions to the nearby residential properties given that the building would be used for a residential hotel. Due to the nature of the use there will be minimal noise generated by pedestrian activity, given that it is enclosed and the use would be conducted indoors. Light spill will also be limited due to guests sleeping in the night.

206. The applicant submitted an acoustic report which was peer reviewed by Council's acoustic consultant, SLR Consulting who raised concerns relating to the method of assessing internal noise volumes to the guest rooms and living areas. This is because *almost every hour is likely to be equal to the 'loudest hour, so the internal traffic noise levels are likely to be at the upper end of the ranges provided below for the entire day and night periods……. However, the targets in the report do still provide some limit as to how loud traffic can be, and perhaps that is sufficient given the commercial nature of the project'.*
With these comments in mind, it is considered appropriate to include a condition that will require that an additional acoustic report is provided for endorsement, within three months of the occupation of the building demonstrating full compliance with SEPP N-1.

207. 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

208. Given the scale of the building, a Wind Assessment Report will be required to be lodged by way of a permit condition to ensure that there will be no wind tunnelling between the adjoining building to the east and the subject building. While a full and accurate assessment has been carried out in relation to the siting and scale of the subject building, and is supported in principle, a Wind Assessment Report will assist in further confirming that wind mitigation measures have been appropriately considered in the design of the proposed development or further required. It is unlikely that this will result in the deletion of levels, but rather may result in greater openings or setbacks of the building wherever necessary

<u>On-site amenity</u>

209. 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.

210. 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:

    (a) [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*

    (b) [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*

211. 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 a VCAT decision of a 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:

    (a) *[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

212. Each room is provided with a large window which essentially covers the full external wall. This is quite reasonable particularly considering the size of the rooms and that half of them have a northern or western aspect. It appears that not all windows will be operable with some

rooms having terraces, and hence an opening door, however this mix 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 in any instance.

Internal arrangements

213. The rooms range between 17sq.m. and 36sq.m spread across the first floor through to Level 08 (excluding Level 04 and associated mezzanine) with 2, two bedroom rooms of 134sq.m. and 140sq.m. on Level 09. Whilst the majority are small, they are functional in layout and geometry and clearly for short stay. Each room is fitted with a bed, side table / desk and bathroom. This is typical of business-style, short stay accommodation.

Circulation Spaces

214. Corridors have a minimum width of 1.6m with larger areas adjacent to the lobby areas and the corridors to each room is short and have been well designed for occupants carrying their luggage.

Facilities

215. Communal facilities are provided at ground level and Level 04 (and associated mezzanine) and mainly include a large foyer and breakfast and bar servery areas and conference rooms, all generous in size.

Car parking and bicycle provisions

Car Parking Demand Assessment - Residential Hotel

216. Having regard to the decision guidelines for assessing the provision of car parking, the following is noted of relevance to the current application:

(a) The site is within walking distance of bus services operating along Punt Road. The Richmond railway station and tram services operating along Swan Street are located several hundred metres to the north and can be reached by foot.
(b) Council's 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 24 (to the nearest whole number) car parking spaces and this is being provided.
(c) On-street parking in the Cremorne area is very high during business hours. All the streets in the Cremorne area contain time based parking restrictions. The introduction of parking sensors along Cremorne Street would facilitate the parking turnover of bays. The high parking demand in the Cremorne area would be a disincentive for visitors, customers or employees to drive. The on-street parking occupancy survey conducted by O'Brien Traffic on Thursday 7 December 2017 at 1:30 pm revealed that 36 out of the 38 spaces contained within the surrounding area (chosen for the survey) were occupied.

(d) Council's Engineer also indicated that the proposed development is considered to be in line with the objectives contained in Council's *Strategic Transport Statement*. The site is ideally located with regard to sustainable transport alternatives and the reduced

provision of on-site car parking would potentially discourage private motor vehicle ownership and use.

217. Council's Engineer and the TraffixGroup required some design changes to the original application drawings that generally aligned with the exception for the provision of a loading bay requested by the TraffixGroup. The driveway has the ability to adequately accommodate the loading and unloading of vehicles and therefore a designated loading bay is not required in this instance. However, a condition will ensure that all loading and unloading is carried out on site at all times.

218. The amended plans have addressed the matter pertaining to the "Porte-Cochere" in shifting this further east so that it does not extend into the "No-Go Zone". It was also suggested modifying the extent of crossovers across the Gough Street interface and providing one crossover (in lieu of two) that could potentially provide for entrance into both, the car park and "Porte-Cochere". However, this would have resolved in a significant redesign and reconfiguration of the stairwell, lift and lobby locations and was not requested by the TraffixGroup.

219. Conditions will address Council's Engineer's comments with regard to the shared space having a minimum width dimension of 2.7m, the model of the car stacker to be used, and compliance with regard to ground clearance checks for the vehicle crossings using the B99 design vehicle.

Bicycle parking and facilities

220. As outlined earlier in the report the development provides up to 29 bicycle spaces within the car park area meeting the requirement for 18, onsite, bicycle spaces.

221. Council's Strategic Transport Unit have provided comments of support of the number provided irrespective of this being allocated given the small footprint of the building. It is also accepted that the lack of end-of-trip facilities will result in cyclists using other shower facilities onsite. Concerns were raised in relation to the clearances of the spaces from service cupboards and vehicle lifts and a condition will address this. A further condition will also require that at least 20% of the bicycle spaces are horizontal.

Other

222. It should be noted that Council's Engineer 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.

Waste Management

223. The Waste Management Plan (WMP) dated 8th December 2017 was found to be unsatisfactory by Council's Waste Management Unit with an updated WMP being required to include detail on how organic waste and e-waste will be managed with a reduced number of collections for waste and recycling. A condition will require the submission of an updated WMP that addresses the outstanding items.

Major Promotion Sign;

224. Following is an assessment of the Electronic Major Promotion Sign proposed to be embedded into the setback at Level 04 of the building as shown in the elevation below, facing Punt Road and Harcourt Parade:

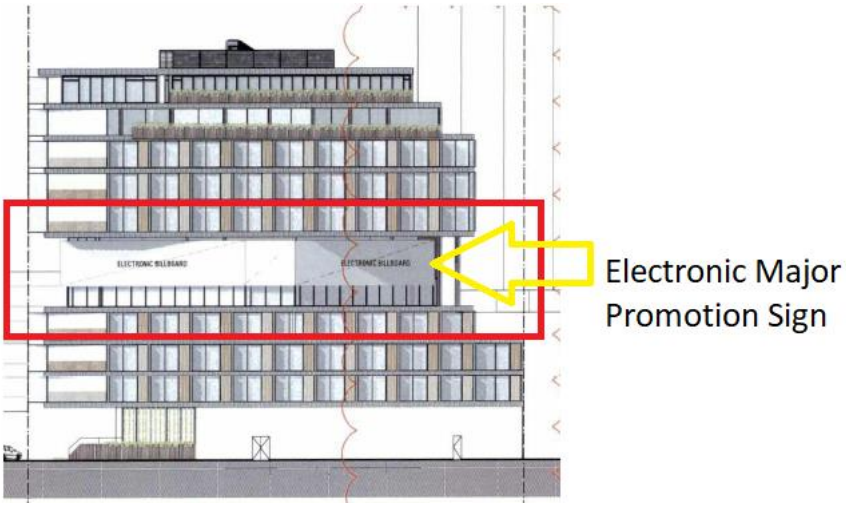


Figure 23: South-west elevation

225. Consideration has been given to components of clause 22.04 in conjunction with the decision guidelines at clause 52.05-6 of the Yarra Planning Scheme. An assessment is provided below:

226. Before deciding on an application, in addition to the decision guidelines in Clause 52.05-2, and Clause 65, the responsible authority must consider, as appropriate:

227. *The effect of the proposed major promotion sign on:*

    (a) Significant streetscapes, buildings and skylines.
    (b) The visual appearance of a significant view corridor, viewline, gateway location or landmark site identified in a framework plan or local policy.
    (c) Residential areas and heritage places.
    (d) Open space and waterways.

228. *When determining the effect of a proposed major promotion sign, the following locational principles must be taken into account:*

    (a) *Major promotion signs are encouraged in commercial and industrial locations in a manner which complements or enhances the character of the area.*

229. The site is located on land zoned Commercial 2 (a commercial/industrial zone) and will be located on a building that is a contemporary purpose-built residential hotel. The area north along Punt Road is zoned Commercial 2, north-east is residentially zoned, with land directly east zoned Comprehensive Development i.e. the Maltings Site Although the site is not part of a designated activity centre it is within close proximity of a cluster of major promotional signs to the east (i.e. the Nylex Sign and Victoria Bitters sign)and the higher built form (silos). The site is also located on one of Melbourne's busiest roads and adjacent to an elevated section of the Monash Freeway / City Link.

    (b) *Major promotion signs are discouraged along forest and tourist roads, scenic routes or landscaped sections of freeways.*

230. The major promotion sign is not located on any of the roads or treatments as listed above.

    (c) *Major promotion signs are discouraged within open space reserves or corridors and around waterways*.

231. The proposed sign is located approximately 50m away from the Yarra River. However, the site is adjacent to the Monash Freeway and is located on the eastern side of Punt Road in an area which is highly built up and the sign will not interfere with any views to or from the river corridor or detract from the natural landscape.

    (d) *Major promotion signs are discouraged where they will form a dominant visual element from residential areas, within a heritage place or where they will obstruct significant viewlines.*

232. The site is located directly to the west of the Maltings Site, which is on the Victorian Heritage Register. Due to the angle of the sign face to the south-west (directed towards Punt Road and the parklands opposite and Harcourt Parade), visibility will be reduced and it is not expected to form a dominant element when viewed from residential area to the north-east. The sign will also sit well below the other major promotional signs located on the silos further south, including the heritage listed "Nylex Sign". As discussed in more detail below, the proposed sign (or building as discussed earlier) will not obstruct the main view lines to the Nylex Sign nor will it obstruct views along Punt Road for vehicular traffic.

    (e) *In areas with a strong built form character, major promotion signs are encouraged only where they are not a dominant element in the streetscape and except for transparent feature signs (such as neon signs), are discouraged from being erected on the roof of a building.*

233. The proposed sign is located in close proximity to a number of other major promotional signs, at a much greater elevation and therefore will not be an overly dominant element in the streetscape. The sign is 43.1m long and is 4.57m wide, with a total advertising area of approximately 197sq.m and whilst will be erected 17.51m high above the footpath level, it will be located within the bounds of the proposed building (i.e. is embedded into the building).and will not extend above the roofline.

234. In regard to Council's local policy for advertising signs at Clause 22.04 outlined within the policy section of this report, although the sign is relatively large, it will be contextually proportionate to the building. The sign is in keeping with the contemporary style and clean lines of the proposed building and will be used as a design feature and integrate satisfactorily into the building. The sign does not obscure the building form and follows the façade in a way that complements the building design.

235. The streetscape along this portion of the eastern side of Punt Road is characterised by its lack of uniformity. The subject site is located on the edge of a historically industrial area, distinctly marks this interface with surrounding low scale residential areas to the north and east. The residential areas are largely devoid of signage (with the exception of the petrol station at 399-411 Punt Road), in contrast to the much higher built form of the Malting Site with its associated large and prominent signage. It is considered that this streetscape provides an appropriate context for the proposed signage given its location by comparison to the Nylex Sign will be lower. It will not obscure important views or vistas as it sits well below the silo buildings to the east and, in particular the Nylex Sign and is compliant with the provisions at Clause 22.04-3.3 - *Major Promotional Signs and Pole Signs* of the Scheme.

236. It is also worth noting that permit No. 001601 was issued at the direction of VCAT on 18 October, 2001, and included permission for the existing major promotion sign. Planning permit no. PLN11/0253 followed and was issued 11 October, 2011 and re-established the on-going display of the major promotion sign that existing on the land. Therefore, it has already been established that the site is suited to accommodating a major promotion sign.

237. The most direct views of the sign will be from Punt Road, travelling north or south and from the Monash Freeway, of vehicles travelling east. Views will be impeded by other buildings

and structures depending on the exact location as the elevation will not provide for unimpeded views.

238. The sign is located at a height and in a location that will not interfere with traffic signals, directional signs or street signs. VicRoads has also reviewed the sign and has provided conditions that can be included as permit conditions.

239. The proposed sign is internally illuminated and in an attempt to address the VicRoads Advertising Policy, a Lighting Impact Assessment was provided to Council. This report was reviewed by VicRoads who provided conditions referencing this report that will also be required to be endorsed as part of any planning permit issued. At a height of some 17.5m above the footpath level with the type of internal illumination proposed, the sign is not expected to cause any adverse light spill onto adjacent properties. It is noted that the site is located in an area which receives direct or reflected light from a number of sources after dark including: street lights (on Punt Road and Harcourt Parade); traffic along Punt Road, lighting to other nearby billboards. Standard conditions will ensure that lighting does not pose a traffic hazard.

Removal of Restrictive Covenant;

240. The removal of the covenant has been applied for because it restricts the height of any building at the front of the site to 8.489m. The current scheme is for a taller building that relies on the removal of the covenant before it can be constructed.

241. All beneficiaries of the covenant have been notified and no objections have been received. It is considered that the removal of the covenant will not:

(a) significantly affect the use, development and amenity of the surrounding area;
(b) negatively impact upon the social and economic characteristics of the area;
(c) adversely affect any future strategic plan adopted by Council or the Minister or any future amendment to the planning scheme.

242. Council Officers are also satisfied that no beneficiaries will suffer financial loss and loss of amenity as a result of the removal of the covenant.

243. The variations to the Restrictive Covenant will provide an opportunity for the site to be developed in accordance with the development considered under the same planning permit that is deemed to be generally consistent with the objectives of both state and local planning policies, subject to the conditions within the ‘Recommendation” section of this report.

Objector concerns

244. The majority of the issues which have been raised by the objectors have been addressed within this report. However, each point will be addressed for clarity.

(a) The residential hotel use fails to comply with policy at Clause 22.05 (Interface Uses Policy) of the Scheme;

245. To the contrary, the residential hotel use is considered to comply with policy at Clause 22.05 in that it would not unreasonably impact any surrounding dwellings through noise, light spill, emissions and rubbish. A condition will require the submission of 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 (particularly as there are upper level terraces at the corner i.e. Level 01), are appropriately managed. A further condition will require that an acoustic report be provided, within three months of occupation of the building demonstrating compliance with SEPP N-1.

(b) The building is too tall and will obscure views and detract from the 'Nylex' sign – a significant landmark - therefore failing to comply with Council's Heritage Policy at Clause 22.02 of the Scheme;
(c) The building does not provide a high standard of architecture failing to meet Clause 22.10 (Built Form and Design Policy) of the Scheme;
(d) Overdevelopment (failing to meet Schedule 1 of the Design and Development Overlay) in isolation of and when combined with the "Caydon Project";
(e) The proposal has failed to provide adequate equitable development opportunities to its eastern adjoining neighbour (i.e. 'Nylex' site)

246. Neighbourhood character, height, massing, scale, bulk, and site coverage, setbacks and architectural quality have been discussed at paragraphs 161 to 187. The strategic context, zoning of the land and size of the lot supports a built form and scale of that proposed. The building design and height has been informed by the future context of the Maltings Site and has been re-designed to address the eastern interface to better address this with more articulation and setbacks for equitable development measures. As such, the building is not considered to be an overdevelopment of the site in the existing site and future context that will contain taller buildings with greater density than that proposed on the subject site.

(f) Inadequate on-site car parking and loss of on-street car parking;
(g) Traffic impacts as a result of queueing taxis;

247. In the absence of a car parking provision by the Scheme the development provides the required number of car parking spaces prescribed by the NSW Roads and Maritime's Guide to Traffic Generating Developments version 2.2 and this has been accepted by Council's Engineers as an appropriate rate. Council's Engineer anticipates no negative traffic implications from queueing taxis and is supportive of the car park arrangement in terms of access and egress and manoeuvrability into the site with regard to the car stacker subject to the conditions discussed at 217 to 218.

(h) The electronic sign will be prominent and fails to comply Clause 22.04 (Advertising Signs Policy) of the Scheme;

248. This has been discussed at length through the assessment at paragraphs 224 to 239. The sign will not be prominent to the extent of competing with the Nylex Sign.

(i) Amenity Impacts (overlooking, noise and overshadowing –failing to meet Clause 22.10-3.8 (Amenity Impacts) of the Scheme);

249. Off-site amenity impacts have been discussed at paragraphs 193 to 199. More specifically:

(i) overshadowing has been discussed at paragraphs 200;
(ii) overlooking has been discussed at paragraphs 201; and
(iii) noise has been discussed at paragraphs 204 to 207.

(j) The building is too close to the Yarra River environs and fails to make any positive contribution to the ecology of the area by way of landscaping;

250. The site does not have an immediate abuttal with the Yarra River and therefore is not required to provide landscaping that is explicitly consistent with the Yarra River environs.

(k) Construction issues (i.e. the project will require too much excavation); and

251. A Construction Management Plan (CMP) will be required by way of condition and will manage any impacts during the construction stage. This will be further considered during the building permit stage.

(l) The footpath across the Harcourt Parade and Punt Road interface "acts like a default shared path" and the development does not provide an adequate setback at the ground level, failing to provide a generous clearance for cyclists, pedestrians and wheelchairs.

252. The footpath across the Harcourt Parade and Punt Road interface will be improved by the recessive design provided at the intersection of the ground floor that will facilitate a setback at this section. It is also worth noting that the footpath is not intended to have a width that will facilitate passers-by walking simultaneously in line i.e. whom will be required to give way to those in wheelchairs.

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 PLN18/0002 for the use and development of the land with a multi-storey building containing a residential hotel, construction and display of a major promotional electronic sign and removal of covenant 1818808 from lot 1 on plan of subdivision 408289Y at 1-3 Harcourt Parade, Cremorne subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans (plans prepared by Idle Architecture and received by Council on 26 February 2019) but modified to show the following:

    (a) The eastern elevation replaced with that received by Council on 06th May 2019 that shows ribbed pre-cast panels of two varied shades of grey to the walls;
    (b) For the car park:

        (i) The shared space shown with a minimum width dimension of 2.7m,
        (ii) The model of the car stacker to be used;

        (iii) Compliance with regard to ground clearance checks for the vehicle crossings using the B99 design vehicle; and
        (iv) At least 20% horizontal visitor bicycle parking spaces.

    (c) Where relevant, any requirements of plans / information endorsed under conditions of this permit, including the Residential Hotel Use / Management Plan (Condition 5), the Acoustic report (Condition 12), the Sustainable Management Plan report (condition 15), the Waste Management Plan (condition 17), the Wind Assessment Report (condition 20), Landscaping Plan (Condition 22), the Green Travel Plan (condition 33), requirements of VicRoad's Conditions (Conditions 36 – 59) and Melbourne Water's Conditions (Conditions 60 – 69).
    (d) An updated schedule of all external materials and finishes (including materials samples, colours and coloured elevations/perspectives). The schedule must show the materials, colour, finish and application methods (where relevant) of all external walls, roof, fascias, window frames, glazing types, cladding, doors and fences, including any materials that make a positive contributions to the building's energy performance.
    (e) Plans to correctly show a maximum of 100 seats (level 4 (communal area)) associated with the breakfast and bar servery area.

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. Any damage to road(s) and footpath(s) or other Council infrastructure as a result of the development must be reinstated 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 with full details pertaining to the "Integrated Art Strategy" across the south-west interface and how this is going to be maintained;
    (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.

Residential Hotel Use / Management Plan

5. Concurrent with the plans required by Condition 1, 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; and
        (iii) 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;
    (g) a maximum of 100 guests in the breakfast and bar servery area; and
    (h) security against thefts and break-ins, including security of guests' belongings.

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

7. The amenity of the area must not, to the satisfaction of the Responsible Authority, be detrimentally affected by the development and uses, including through:

    (a) The transport of materials, goods or commodities to or from land.
    (b) The appearance of any buildings, works or materials.
    (c) The emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
    (d) The presence of vermin.

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

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

10. The provision of music on the land must be at a background noise level at all times.

11. 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.

Acoustic Report

12. Concurrent with the plans required by Condition 1, an Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must make reference to long term day and night average targets of 35dBA Leq8hr (bedrooms) and 40 dBA Leq16h (living rooms) for the residential hotel and make recommendations to limit the noise impacts in accordance with the State Environment Protection Policy (Control of noise from industry, commerce and trade) No. N-1 (SEPP N-1), State Environment Protection Policy (Control of music noise from public premises) No. N-2 (SEPP N-2) or any other requirement to the satisfaction of the Responsible Authority.

13. Within 3 months of the commencement of the residential hotel use a supplementary Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer that confirms that all measures endorsed as part of the Acoustic Report required at Condition 12 have been implemented. The acoustic report must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit.

14. The provisions, recommendations and requirements of the endorsed Acoustic Report(s) must be implemented and complied with to the satisfaction of the Responsible Authority.

Sustainable Management Plan (SMP)

15. Concurrent with the plans required by Condition 1, an amended SMP to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended SMP will be endorsed and will form part of this permit. The amended SMP must be generally in accordance with the Sustainable Management Plan prepared by Sustainable Development Consultants and dated December 2017, but updated to meet:

    (a) a BESS project score of 70 percent.

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.

Waste Management Plan

17. Concurrent with the plans required by Condition 1, 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 Leigh Design and dated 8 December 2017, but modified to include:

(a) detail on how organic waste and e-waste will be managed with no more than 3 collections for waste and recycling per week.

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

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

Wind Assessment Report

20. Concurrent with the plans required by Condition 1, a Wind Assessment Report prepared to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Wind Assessment Report will be endorsed and will form part of this permit.

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

Landscaping Plan

22. Concurrent with the plans required by Condition 1, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must:

    (a) show the type, location, quantity, height at maturity and botanical names of all proposed plants including detailed planter descriptions; and
    (b) provide a specification of maintenance methods, including any works to be undertaken prior to planting.

    to the satisfaction of the Responsible Authority.

23. 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.

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, all building works and connections for underground utility services outside the building's frontage must be constructed:

    (a) at the permit holder's cost; and
    (b) 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, all public infrastructure, including re-sheeting of the footpath for the entire width of the property must be pursued:

    (a) at the permit holder's cost; and
    (b) 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 the relocation of any service poles, structures or pits necessary to facilitate the development must be undertaken:

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

Car parking

28. 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.

29. Except with the prior written consent of the Responsible Authority, no less than 24 car spaces must be provided on the site at all times for staff and hotel guests.

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

    The car stackers must be maintained thereafter to the satisfaction of the Responsible Authority.

Loading on Site

31. 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.

Bicycle parking

32. Except with the prior written consent of the Responsible Authority, no less than 29 bicycle spaces must be provided on the site at all times.

Green Travel Plan

33. Concurrent with the Condition 1 plans, 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 provide details in relation to the following:

    (a) the promotion of various public transport smartphone apps such as the Public Transport Victoria app and/or train or tram tracker;
    (b) a description of the location in the context of alternative modes of transport;
    (c) employee welcome packs (e.g. provision of Myki/transport ticketing);
    (d) the provision of real time passenger information displays for nearby stops within each lobby;
    (e) sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes;
    (f) a designated 'manager' or 'champion' responsible for coordination and implementation;
    (g) details of bicycle parking and bicycle routes;
    (h) details of GTP funding and management responsibilities;
    (i) the types of bicycle storage devices proposed to be used for employee and visitor spaces (i.e. hanging or floor mounted spaces);
    (j) the types of lockers proposed within the change-room facilities, with at least 50% of lockers providing hanging storage space;
    (k) security arrangements to access the employee bicycle storage spaces;
    (l) signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;
    (m) reference to a minimum 40A single phase electrical sub circuit should be installed to the car park areas for 'EV readiness'; and
    (n) provisions for the Green Travel Plan to be updated not less than every 5 years.

34. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Lighting

35. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the pedestrian and vehicular entrances and internal laneway must be provided on the subject site. Lighting must be:

    (a) located;
    (b) directed;
    (c) shielded; and
    (d) of limited intensity

    to the satisfaction of the Responsible Authority.

VicRoad's Conditions (36 – 59)

36. The advertising sign must not protrude all around the entire sign as one message. Instead it must be contained within panel A (incorporate 1 segment) facing one direction and a separate image on panel B (incorporates 4 segments) facing the opposite direction in accordance with the marked-up plan provided by VicRoads with its comments dated 14 June 2019. This will avoid any graphic or legend (wording) being 'distorted' due to the angle and the curve as it changes over the width of the sign.

37. No image may be displayed on the electronic sign for less than 30 continuous seconds.

38. The images on panels A and B must change simultaneously.

39. The luminance of the advertising sign(s) must be such that it does not give a veiling luminance to the driver, of greater than 0.25 cd/m^2, throughout the driver's approach to the advertising sign.

40. The control of the electronic sign(s) must be in accordance with the submitted lighting reports, which must form part of any issued Planning Permit:

    (a) Lighting Impact Assessment-Outdoor Signage At 1-3 Harcourt Parade, Cremorne for Wardman Pty Ltd by Electrolight Australia Pty Ltd, dated 21 February 2019

41. The transition between images must be instantaneous.

42. The advertising content of the sign must not:

    (a) Consist of more than one static image at a time.
    (b) Contain any animation.
    (c) Consist of a sequence of images giving the illusion of movement from one image to the next.
    (d) Contain or consist of images which are capable of being interpreted as projections beyond the face of the advertising screen, such as through the use of 3D technology.
    (e) Contain or consist of video, movie or television broadcasts.
    (f) Contain or consist of present-time or other contemporary update information such as relating to news, weather or time.
    (g) Contain any flashing, blinking, brightening or fading elements that create the illusion of movement or change.
    (h) Be capable of being mistaken for a traffic signal or a traffic control device. This includes the use of red, amber or green circles, octagons, crosses or triangles.
    (i) Be a traffic instruction, or be capable of being mistaken as, an instruction to a road user. This includes the use of the wording stop, give way, slow, turn left or turn right.
    (j) Contain phone numbers, pricing or email addresses.

43. The sign and advertising content must not dazzle or distract road users' due to its colouring or content.

44. The sign and any displayed advertisement must not include ancillary extension, embellishment or accessorisation within or outside the permitted advertising area, unless VicRoads has agreed in writing, prior to installation.

45. The use of sound or motion to activate the sign is not permitted.

46. The use of sound to interact with any road user is not permitted.

47. The advertising sign must shut down and cease any form of visual display (and must remain in shut down mode until the issues are resolved), in the event of:

    (a) an attack by a computer hacker, virus or similar resulting in the unauthorised display of visual images or messages.
    (b) any malfunction of the advertising sign.

48. Prior to the commencement of the development, the developer must enter into an access agreement with CityLink to indemnify CityLink in relation to any claim or liability arising in relation to any land within CityLink lease area, and formalise any access requirements. This condition does not apply where written confirmation is obtained from CityLink that the above agreement is not required.

49. The permit holder must inform CityLink if the development will/has impacted any infrastructure or assets during construction.

50. The developer is responsible for costs associated with any damage to CityLink infrastructure and assets prior, during and post construction including but not limited to:

    (a) Groundwater Monitoring Infrastructure;
    (b) Road Drainage;
    (c) ADS Signage;
    (d) VSLS Signage;
    (e) Electrical Distribution Board;
    (f) METS Phone;
    (g) conduits.

51. Permit holder to bear all costs associated with CityLink undertaking dilapidation surveys before and after the development, including crack mapping and installing crack pins to allow crack opening to be accurately measured. The intention of these surveys is to allow any adverse impacts on CityLink during construction to be identified.

52. Access to CityLink lease area is prohibited. This condition does not apply where written confirmation is obtained from CityLink providing consent and approval to access the lease area. (Refer Condition 37 above).

53. Access to the property for construction, maintenance and or repairs must be obtained wholly from within the subject property, Gough Street and or Punt Road.

54. Any structure constructed adjacent to the CityLink lease area must be sufficiently setback to ensure all maintenance and repairs do not require access from within City Link lease boundary.

55. Construction is to be delivered in a method to protect, amongst other items all road users accessing or on CityLink.

56. Dust and debris generated by this development during the construction phase is to be minimised and managed to ensure there are no impacts to CityLink users.

57. Prior to the occupation of the development, a formal road safety audit must be submitted to and approved by VicRoads, CityLink and the Responsible Authority. The audit must include, but not be limited to, the façade including location of advertising signage/ promotional signs and access to them, building façade material, façade encroachment of driver sight lines, pedestrian and vehicle access/egress arrangements, loading arrangements, buildings and works within the public realm, internal circulation/layout, wind impact on structural stability, lighting and vegetation impact on adjoining roadway/s. The findings of the audit must be incorporated into the development at the developer’s expense.

58. Before the development starts, excluding site preparation works, demolition, temporary sheds or structures for construction purposes, bulk excavation, site preparation and retention works, soil remediation, piling, footings, ground beams and ground slabs**,** amended plans must be submitted to and approved by VicRoads and CityLink. When approved by VicRoads and CityLink, the plans may be endorsed by the Responsible Authority and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with Drawings numbered TP2-00 to TP5-12, dated 15 December 2017, including revisions dated 11 April 2018, prepared by IDLE Architecture Studio but modified to show:

    (a) A notation on plan requiring the external cladding detailed must have no coating or exterior finish which results in unreasonable disability glare to road users.

59. Before the use approved by this permit commences the following must be completed at no cost to and to the satisfaction of the Responsible Authority:

    (a) The installation of sign/s, line marking, painted arrow and associated road works prohibiting entry movements into the Porte Cochere from the western vehicular access on Gough Street.
    (b) Modification or removal of any existing car parking spaces and associated road works on the south side of Gough Street to accommodate the new vehicular access arrangement.

Melbourne Water's Conditions (60 – 69)

60. The proposed building floor levels must be constructed with finished floor levels st no lower than 4.35 metres to Australian Height Datum, which is 600mm above the applicable flood level.

61. The entry / exit driveway of the basement car park must incorporate a flood proof apex set no lower than 4.35 metres to Australian Height Datum, which is 600mm above the applicable flood level.

62. All lifts and stairwells, windows opening, vents or other entry and exit points that could allow entry of floodwaters to the basement must be set no lower than 4.35 metres to Australian Height Datum, which is 600mm above the applicable flood level.

63. Setbacks are maintained as per submitted plans.

64. Prior to the commencement of works, a separate application direct to Melbourne Water must be made for any new or modified storm water connection to Melbourne Water's drains or watercourses. Prior to accepting an application, evidence must be provided demonstrating that Council considers that it is not feasible to connect to the local drainage system.

65. A Site Environmental Management Plan (SEMP) or equivalent must be develop and implemented to ensure that waterway values are protected during the construction process. At a minimum this must include sediment controls to avoid direct or indirect sediment discharge to any waterways.

66. Any new fencing / gates must be of an open style of construction (minimum 50% open) to allow for the passage of flood flows).

67. All open space within the property must be set at existing natural surface level so as not to obstruct the passage of flood flows.

68. No fill outside of the proposed building footprint except for minimal ramping into proposed carpark.

69. Prior to the commencement of works, amended detailed plans incorporating the above conditions needs to be submitted to Melbourne Water for approval.

General

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

71. As part of the ongoing progress and development of the site, Idle Architecture Studio (being the architect who designed the Residential Hotel building), 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.

72. 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.

73. 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.

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

75. 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.

Major Promotion Sign

76. The location of the major promotion sign must accord with the endorsed plans. Any alterations must be approved by the Responsible Authority.

77. The major promotion sign must be constructed and maintained to the satisfaction of the Responsible Authority.

78. The sign must not:

    (a) Dazzle or distract drivers due to its colouring;
    (b) Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles.
    (c) Be able to be mistaken as an instruction to drivers.

Construction Management

79. Before the use and 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.

Removal of Covenant

80. This permit does not come into effect unit the restriction in the Instrument of Transfer No. 1818808 dated 5 June 1941 pertaining to the development of Lot 1 on Plan of Subdivision 408289Y is removed in the Register of Titles.

Cultural Heritage

81. In the event that the site is identified as an Aboriginal Heritage Site during the construction phase, the mitigation strategy as detailed within the *Cultural Heritage Assessment and Implications for Development,* authored by Andrew Long and Associates and dated 28th November 2019, commencing at page 13 must be undertaken.

Construction Times

82. 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.

Time expiry

83. This permit will expire if:

    (a) The removal of the restriction is not registered in the Titles Office within 2 years of the date of this permit.
    (b) The development is not commenced within three years of the date of this permit;
    (c) The development is not completed within five years of the date of this permit;
    (d) The use is not commenced within six years of the date of this permit; and
    (e) The major promotion signage is not installed within five years of this permit.
    (f) The approval granted for the major promotion sign shall lapse fifteen (15) years from the date of this permit.

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

Notes:

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

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

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5585 for further information.

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

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

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.

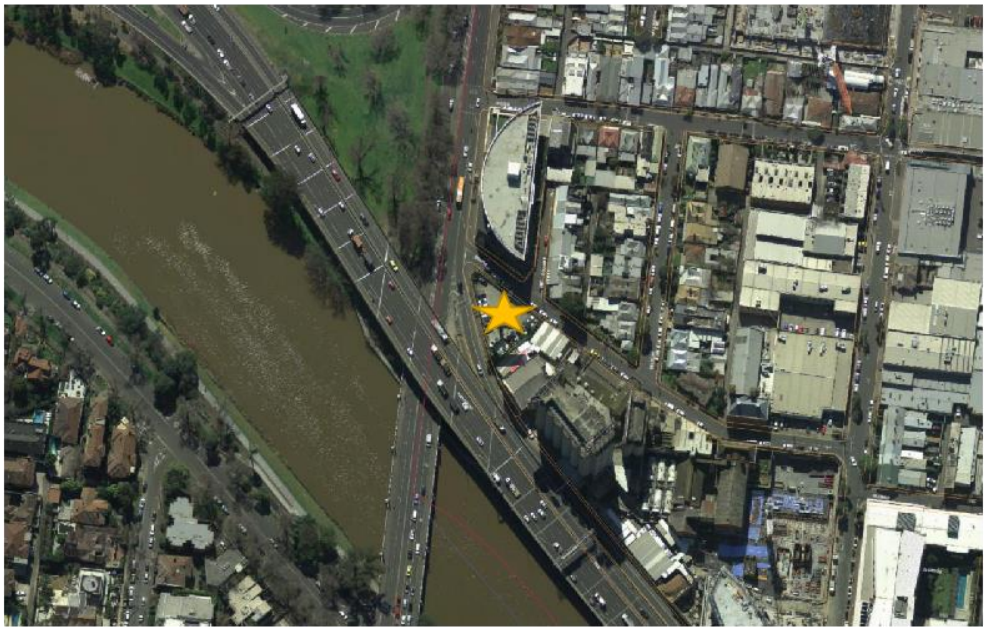
CONTACT OFFICER: **John Theodosakis**
TITLE: **Senior Statutory Planner**
TEL: **9205 5307**

Attachments

1. SUBJECT LAND - Site location aerial - 1- 3 Harcourt Parade, Cremorne
2. Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne
3. Updated eastern elevation
4. Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.
5. Renders further reviewed by Council's External Urban Designer
6. Cultural Heritage Assessment November 2019
7. FILE NOTE - Final comment from Council's External Urban Designer following review of visual renders.

Attachment 1 - SUBJECT LAND - Site location aerial - 1- 3 Harcourt Parade, Cremorne

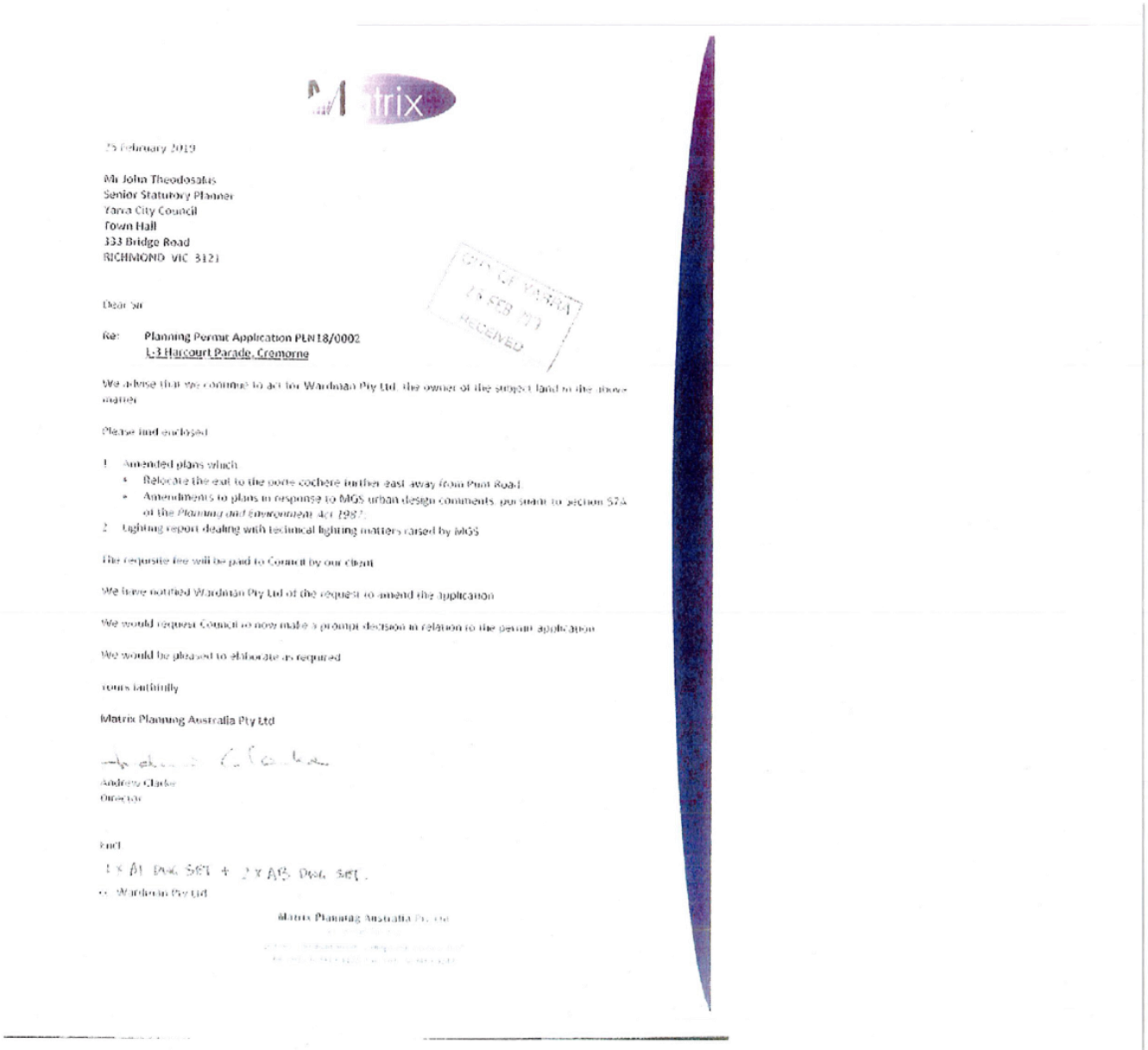
SUBJECT LAND: 1- 3 Harcourt Parade, Cremorne



⇧ North

★ Subject Site

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



25 February 2019

Mr John Theodosakis
Senior Statutory Planner
Yarra City Council
Town Hall
333 Bridge Road
RICHMOND VIC 3121

CITY OF YARRA
25 FEB 19
RECEIVED

Dear Sir

Re: Planning Permit Application PLN18/0002
1-3 Harcourt Parade, Cremorne

We advise that we continue to act for Wardman Pty Ltd, the owner of the subject land in the above matter.

Please find enclosed:

1. Amended plans which:
   - Relocate the exit to the porte cochere further east away from Punt Road.
   - Amendments to plans in response to MGS urban design comments, pursuant to section 57A of the *Planning and Environment Act 1987*.
2. Lighting report dealing with technical lighting matters raised by MGS

The requisite fee will be paid to Council by our client.

We have notified Wardman Pty Ltd of the request to amend the application.

We would request Council to now make a prompt decision in relation to the permit application.

We would be pleased to elaborate as required.

Yours faithfully

Matrix Planning Australia Pty Ltd

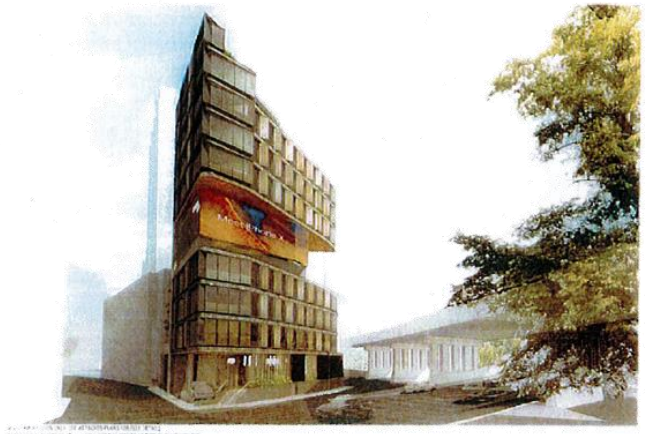
Andrew Clarke
Director

Encl.
1 x A1 Doc. Set + 2 x A3 Doc. Set.
cc Wardman Pty Ltd

Matrix Planning Australia Pty Ltd

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne

RESPONSE TO REQUEST FOR FURTHER INFORMATION // JANUARY 2019



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TP-6.02	Proposed Landscape Plan - Level 08	A
TP-6.03	Proposed Landscape Plan - Level 09	A
TP-6.04	Detailed Facade Analysis	A
TP-6.05	Visual Amenity Analysis	A

PLANNING BY:

TRAFFIC CONSULTANT:

ESD CONSULTANT:

WASTE MANAGEMENT BY:

Leigh Design Pty Ltd

ARCHITECTURE BY:

Harcourt Pde

HARCOURT PARADE Cremorne

1.00

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne

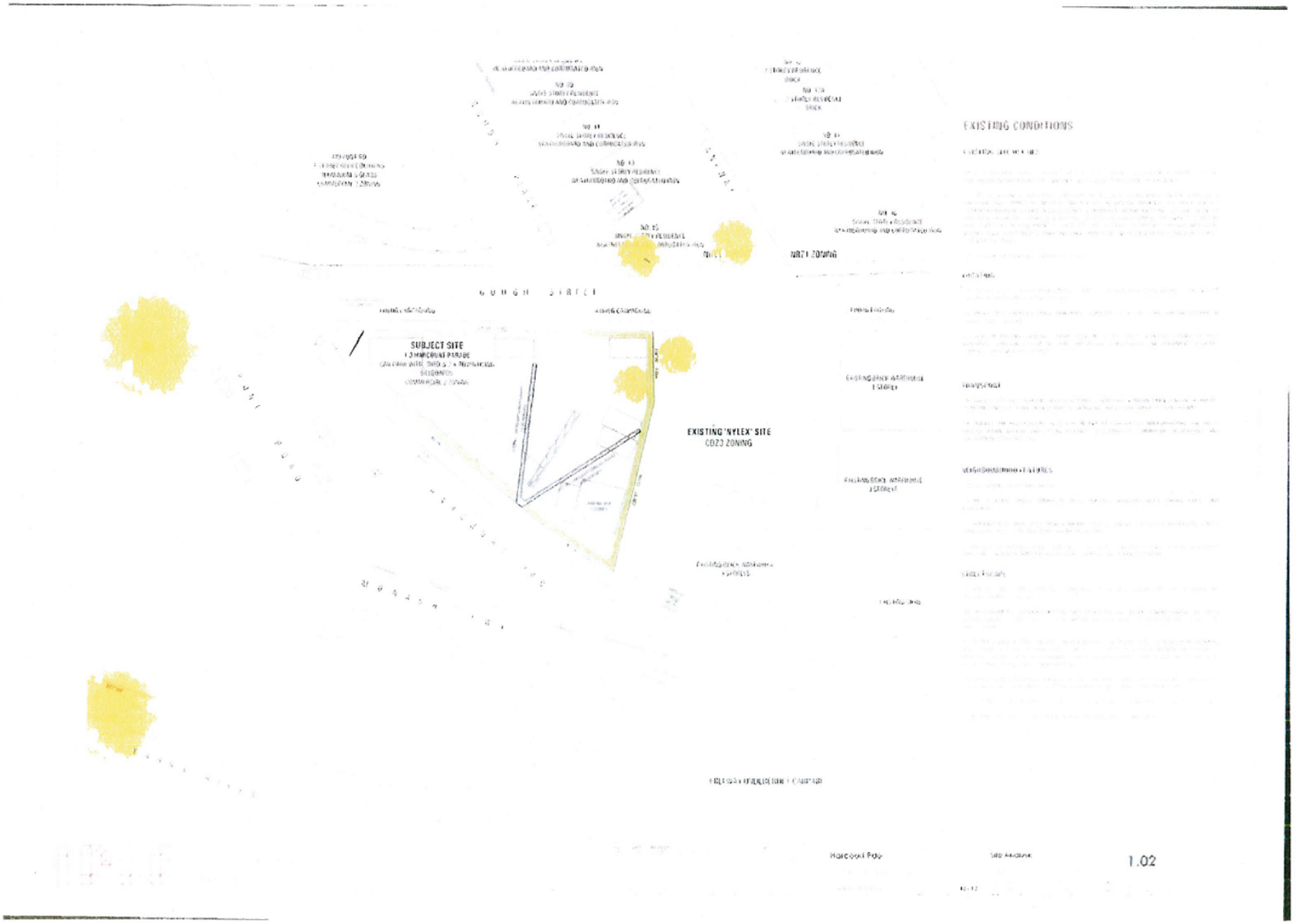


LOCAL AREA ANALYSIS

LOCAL TRANSPORT ANALYSIS

1.01

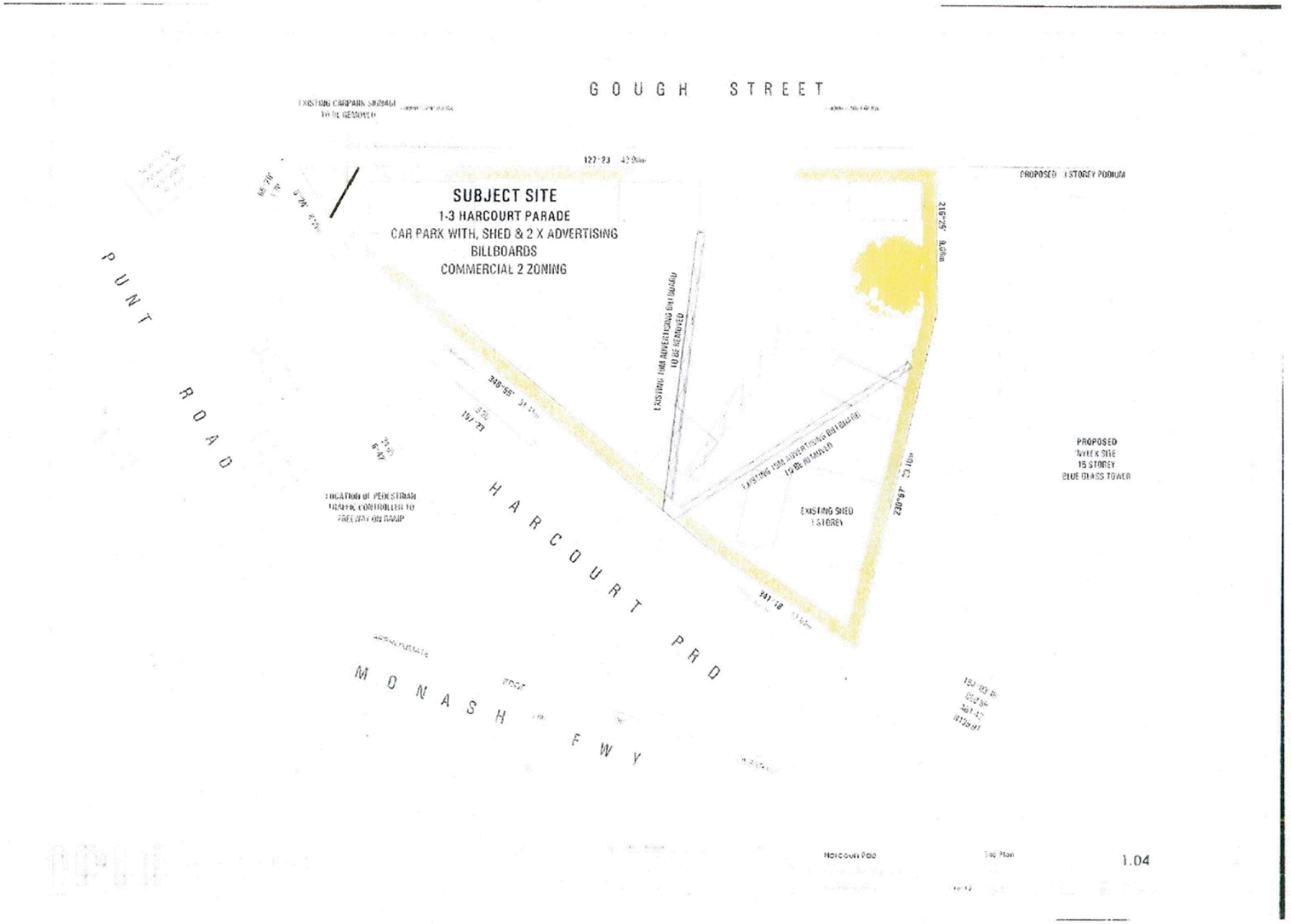
Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



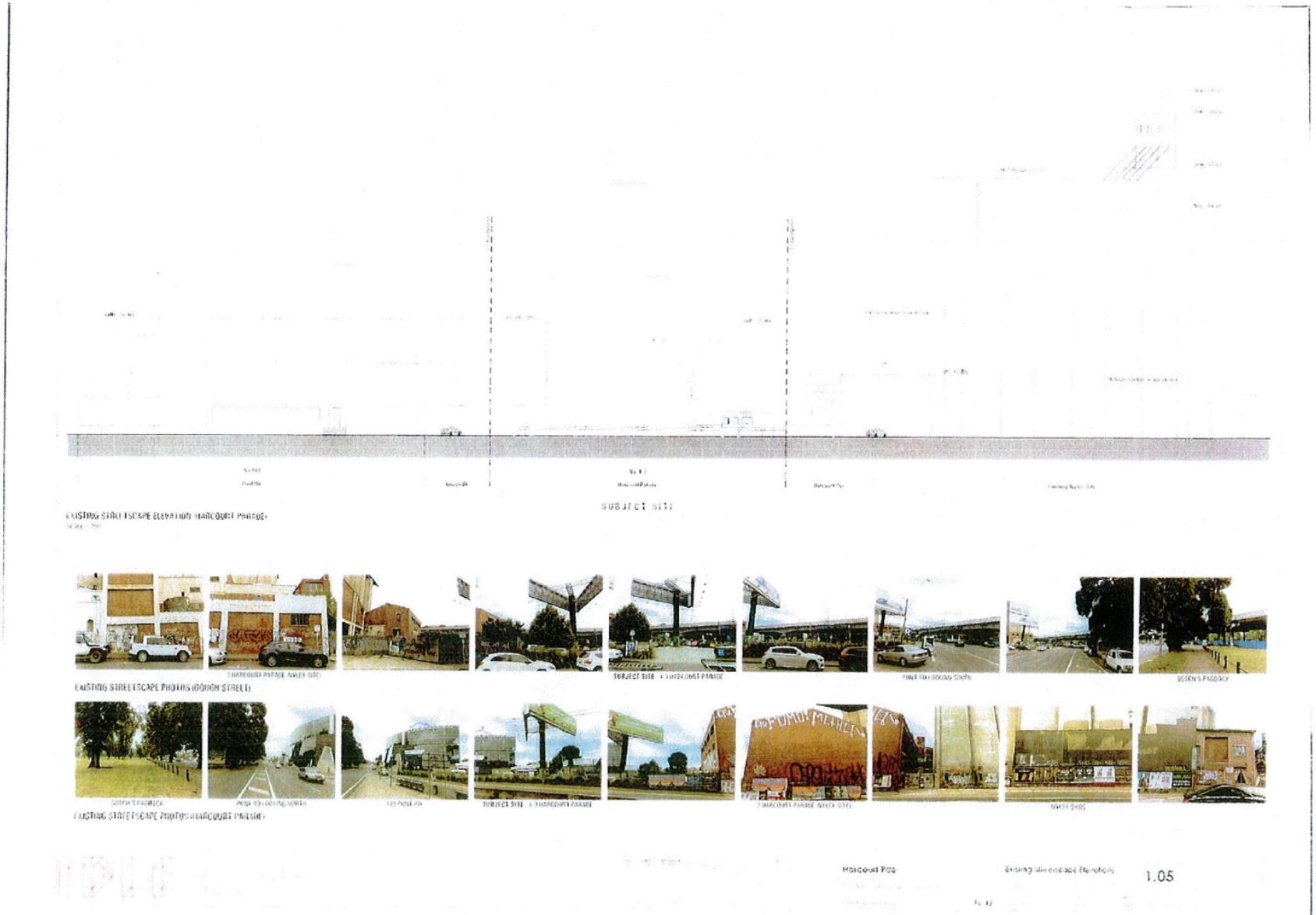
Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



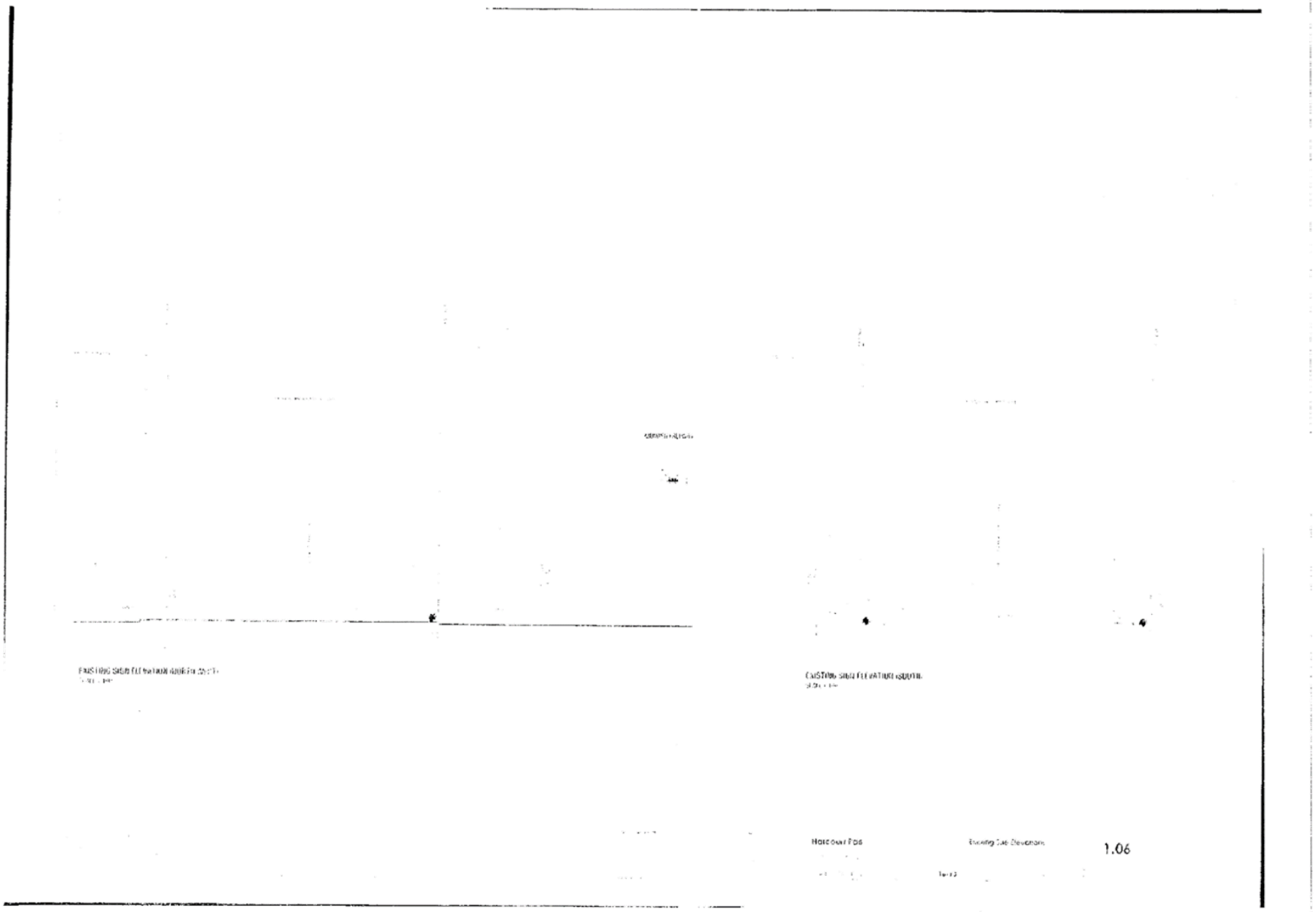
Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



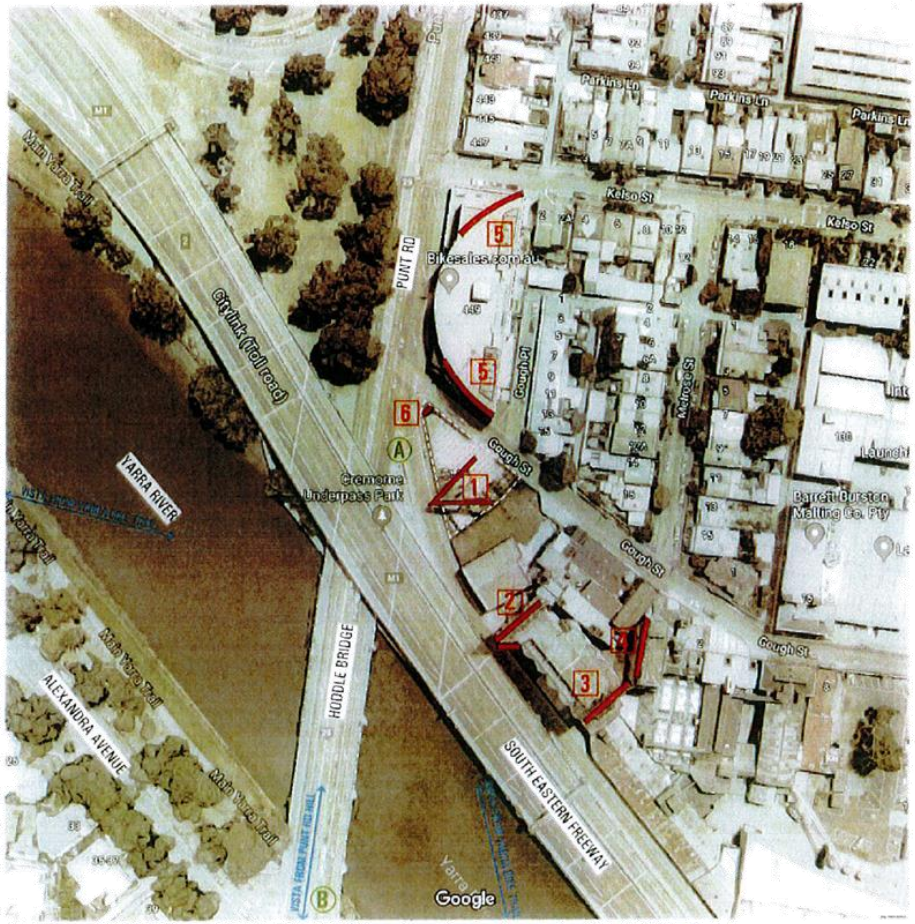
Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



EXISTING SIGNAGE LOCATIONS

1. MAIN SIGNS AT 1-3 HARCOURT PARADE
2 X LANDMARK BOARDS 19 X 5.3M
BOTTOM OF SIGN @ 12.7M ABOVE NGL

2. SIGN ON NORTH WEST SIDE OF NYLEX SILOS
1 X OVERSIZE LANDMARK BOARD AND SMALLER CRAMPED
TOP OF SIGN APPROX 32.5 METRES ABOVE NGL

3. NYLEX SIGN
1 X HERITAGE SIGN
BOTTOM OF SIGN APPROX 12.5 METRES ABOVE NGL

4. 'VB' SIGN ADJACENT TO NYLEX SILOS
1 X HERITAGE SIGN
BOTTOM OF SIGN @ APPROX 27.26 METRES ABOVE NGL
TOP OF SING @ APPROX 34.55 M ABOVE NGL

5. 'CAR SALES' SIGN AT 449 PUNT RD
2 X ROUNDED CUSTOM SIZE BOARDS
BOTTOM OF SIGN @ APPROX 16.3 METRES ABOVE NGL

1. CAR PARKING SIGN AT 1-3 HARCOURT PDE
1 X CUSTOM SIGN @ APPROX 2 METRES ABOVE NGL
SIZE APPROX 4 X 1.5M

TRAFFIC CONTROLLERS

A. LOCATION OF TRAFFIC CONTROLLER ON HARCOURT PARADE @FREEWAY ENTRY LANE

B. LOCATION OF TRAFFIC CONTROLLER AT INTERSECTION OF ALEXANDRA AVE AND PUNT RD

SIGNAGE THEME

THE EXISTING 'NYLEX' AND 'VB' SIGNS ARE WELL KNOWN SIGNS REFLECTING THE INDUSTRIAL HERITAGE OF RICHMOND. THERE ARE SIMILAR SIGNS IN FURTHER PROXIMITY THROUGHOUT CREMORNE SUCH AS THE OLD SHARL AND PELICO SIGNS. DESPITE THIS THERE IS ALSO A MIX OF NEW SIGNS CONTRASTING TO THIS. THERE IS A MAJOR SIGN JUST TO THE WEST OF THE NYLEX SIGN AND THE 2 CURRENT SIGNS ON THE SUBJECT SITE ARE OF SIMILAR SIZE TO WHAT IS PROPSED. THESE TWO SIGNS MODERN ADVERTISING (CURRENTLY APPLE'), WHILE THE TWO LARGE CARSALE SIGNS ARE REFLECTIVE OF THE BUILDING OCCUPANT/OWNERSHIP

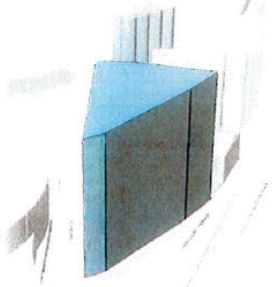


Harcourt Pde | Sign Analysis | 1.07

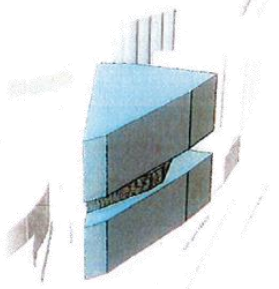
Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



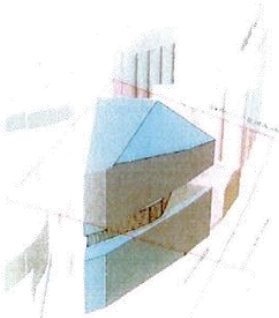
EXISTING SITE WITH ADVERTISING SIGNS



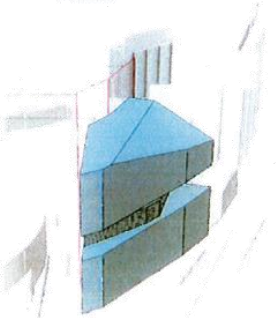
OVERALL MASSING HEIGHT BASED ON SHADOW STUDIES



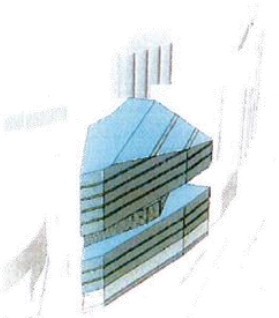
BREAK MASS TO INCORPORATE SIGNAGE



WINTER SOLSTICE SHADOW ANALYSIS



RESIDENTIAL OFFSET



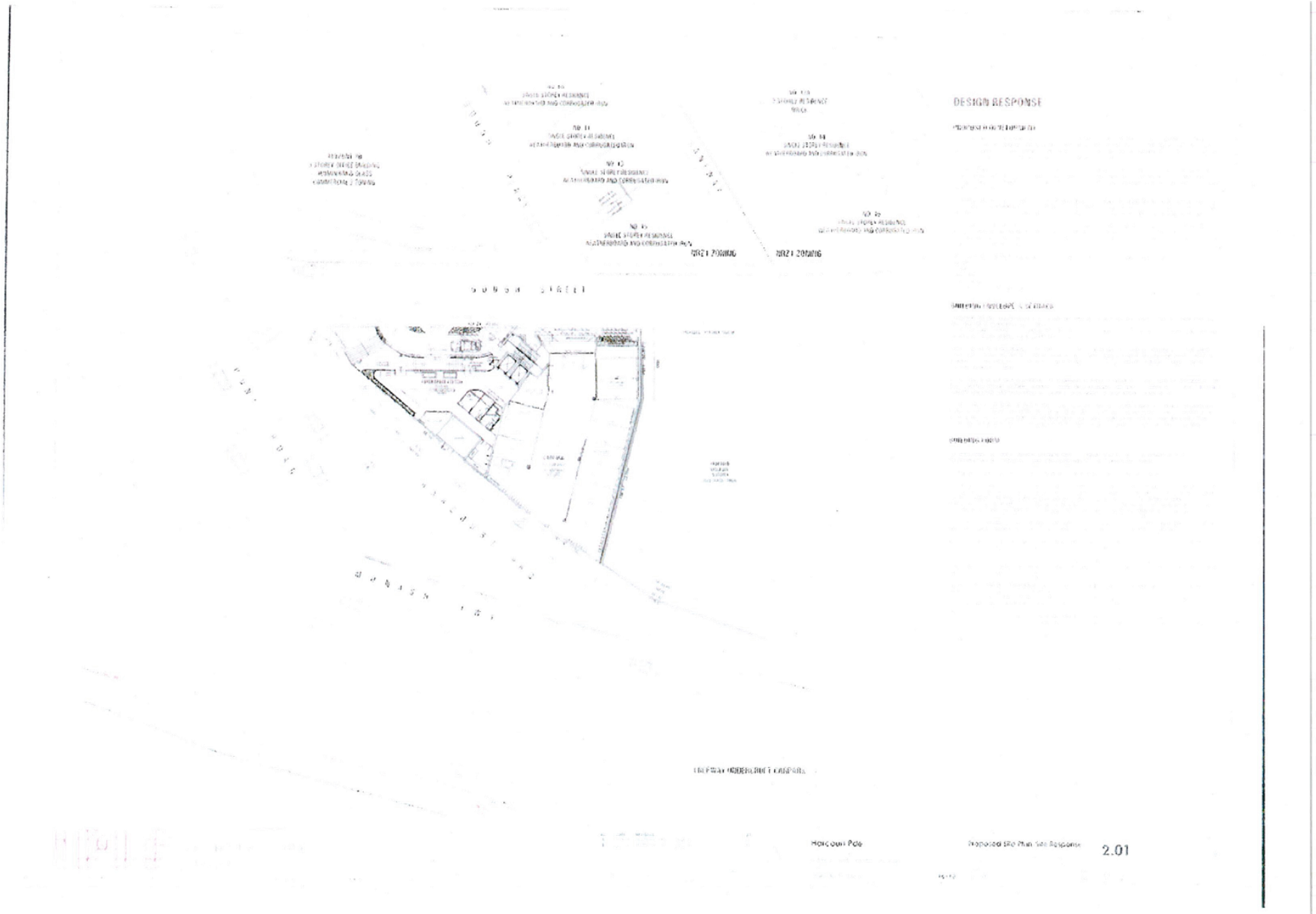
BREAK UP MASSING INTO LEVELS

Harcourt Pde

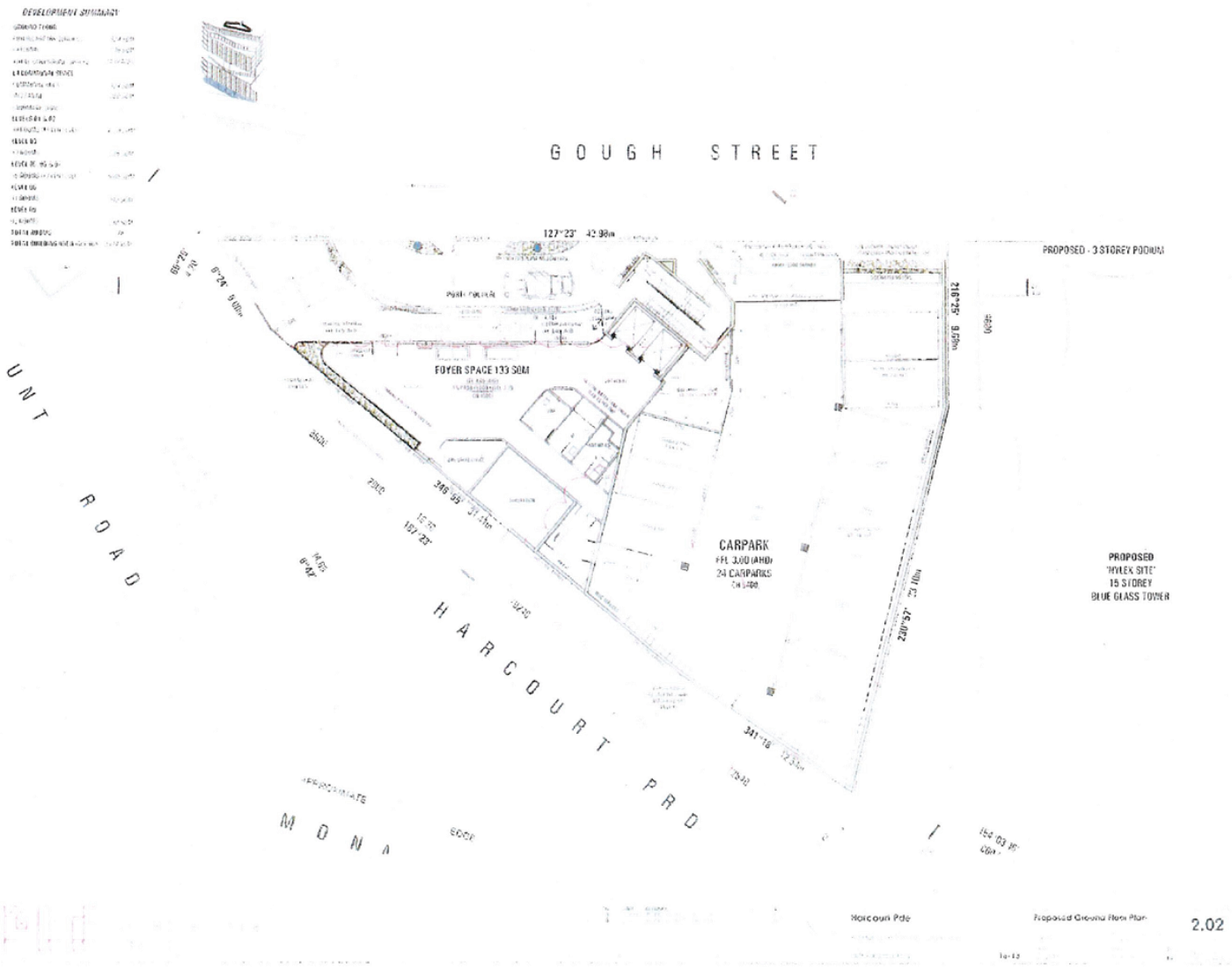
Massing Progression

2.00

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



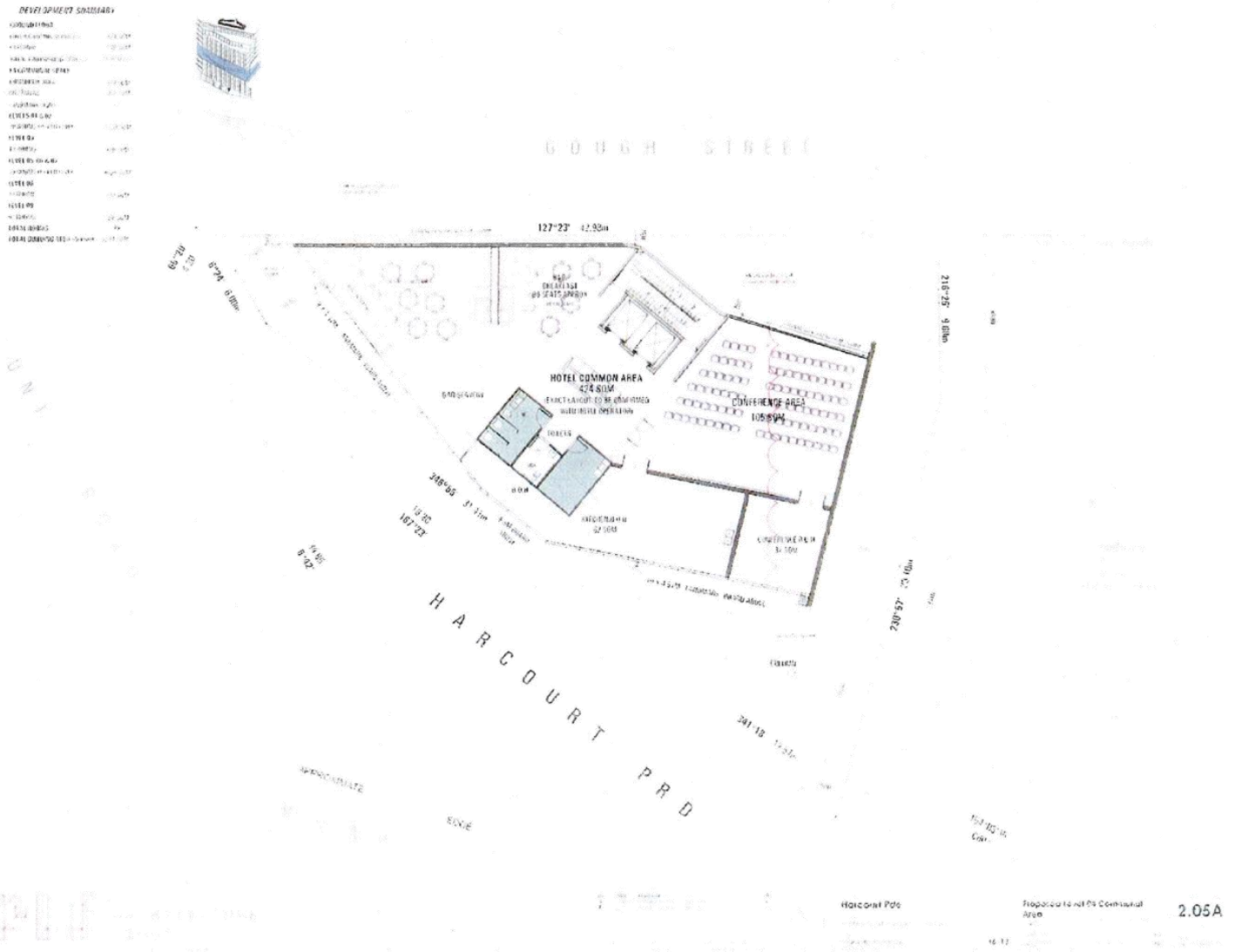
Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



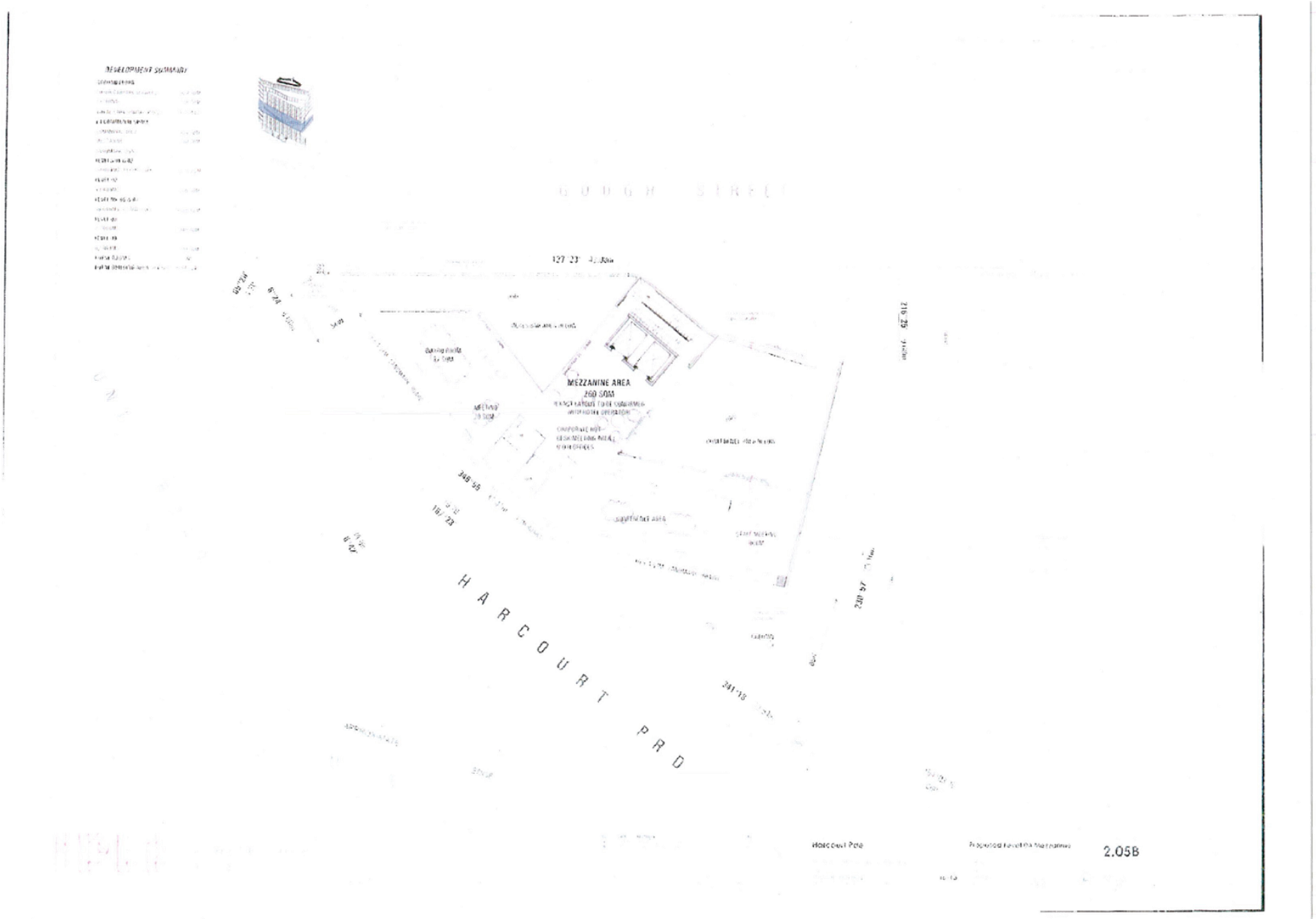
Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



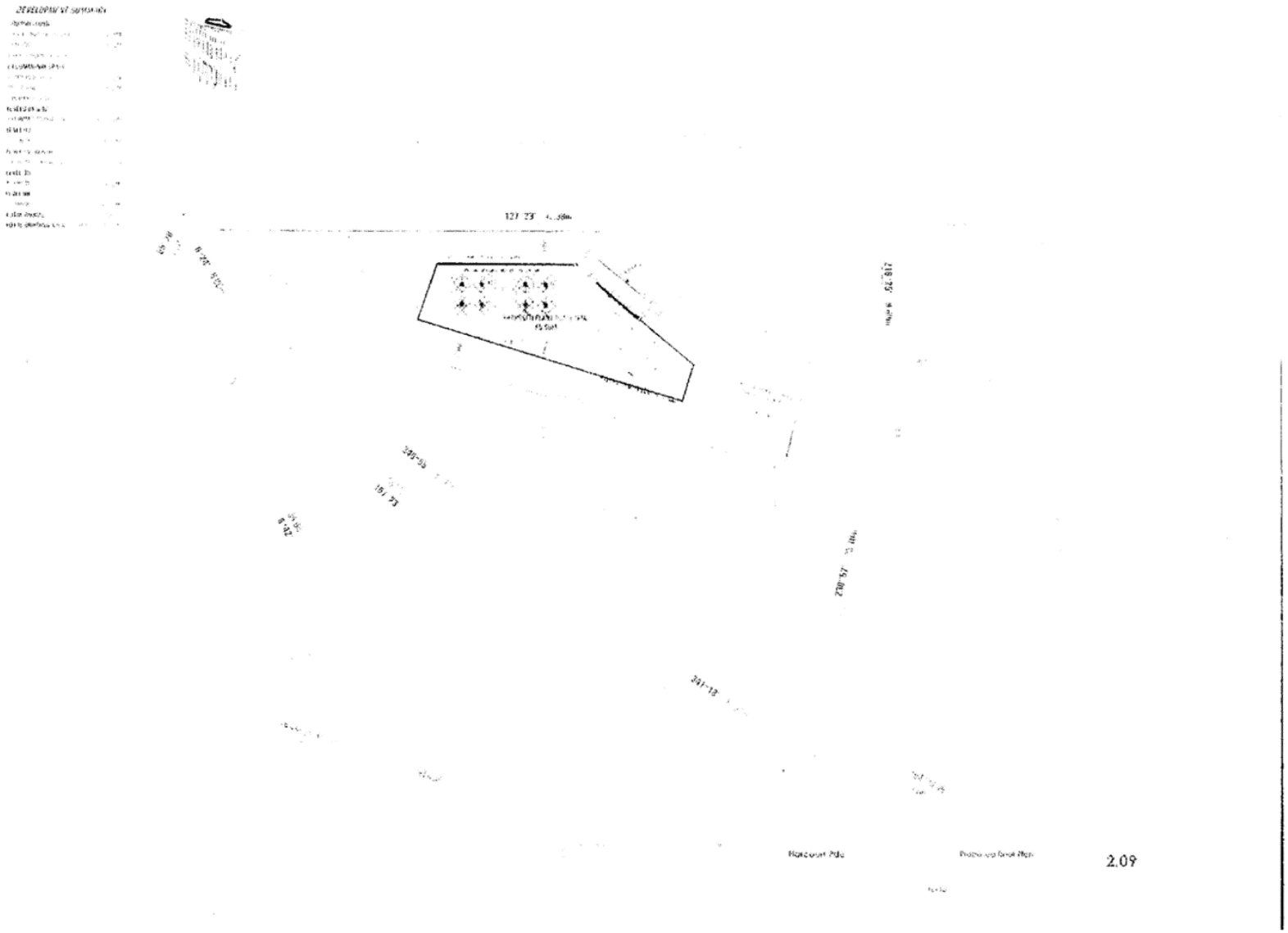
Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



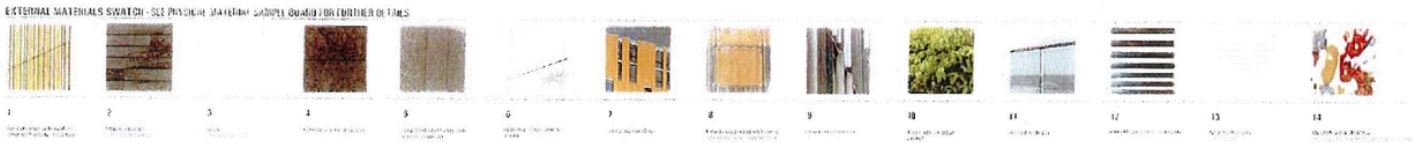
Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne

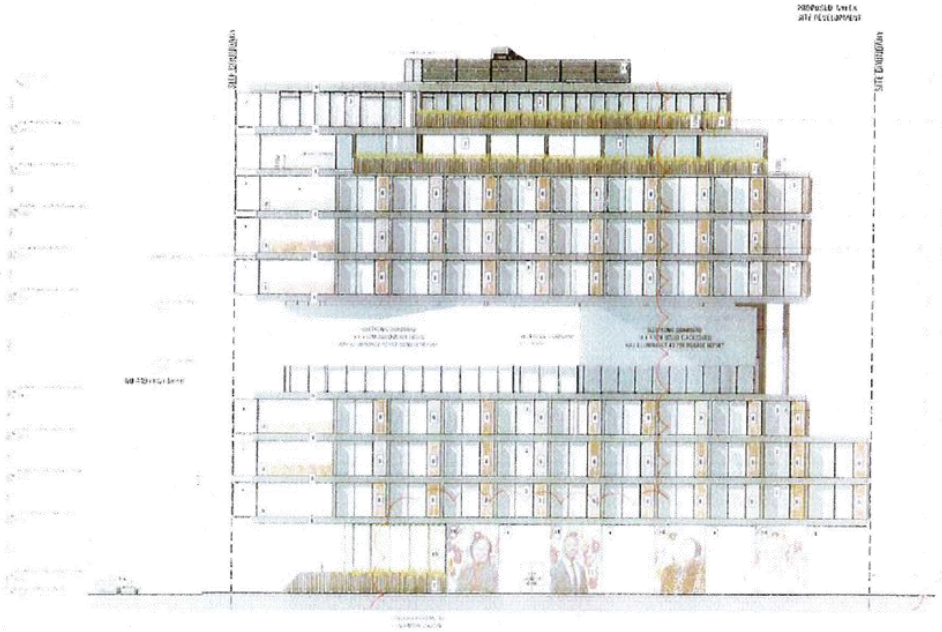


Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne

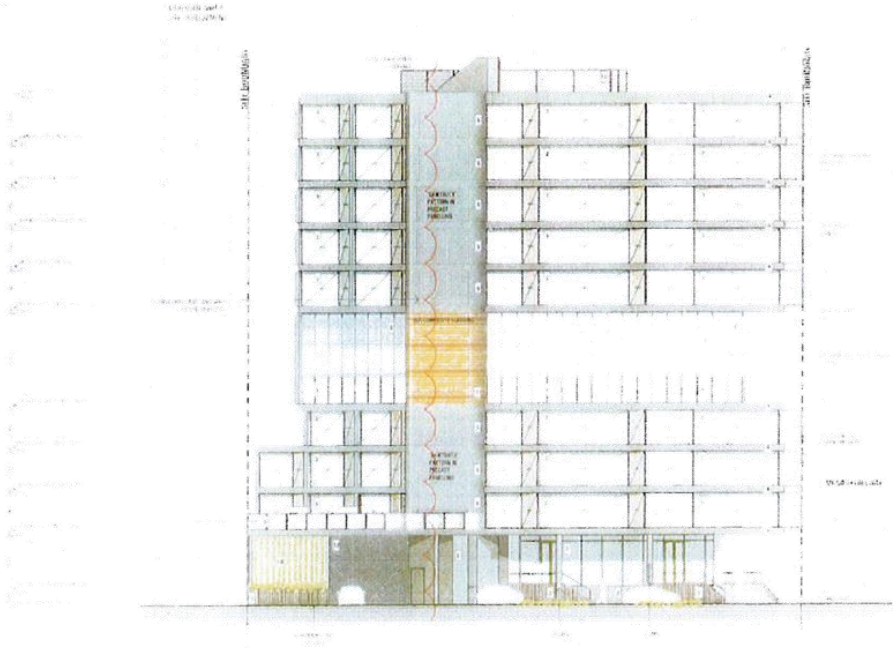




Harcourt Pde SOUTH WEST ELEVATION 3.01

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne

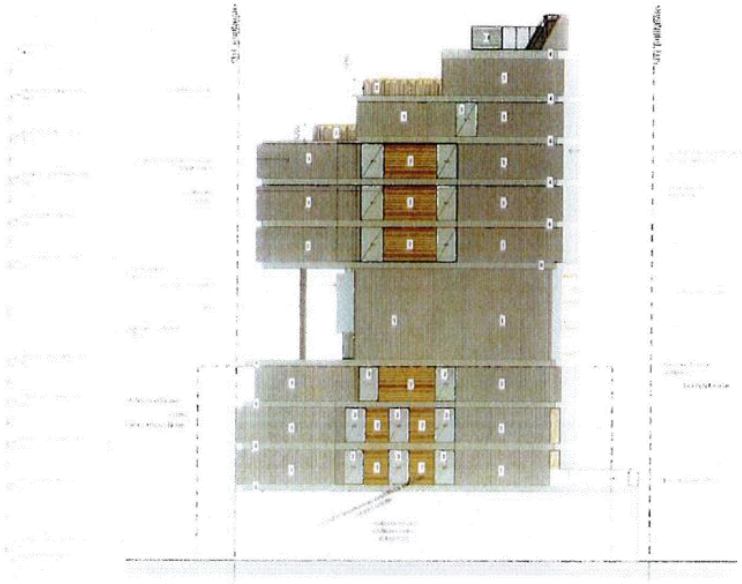




3.02

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne





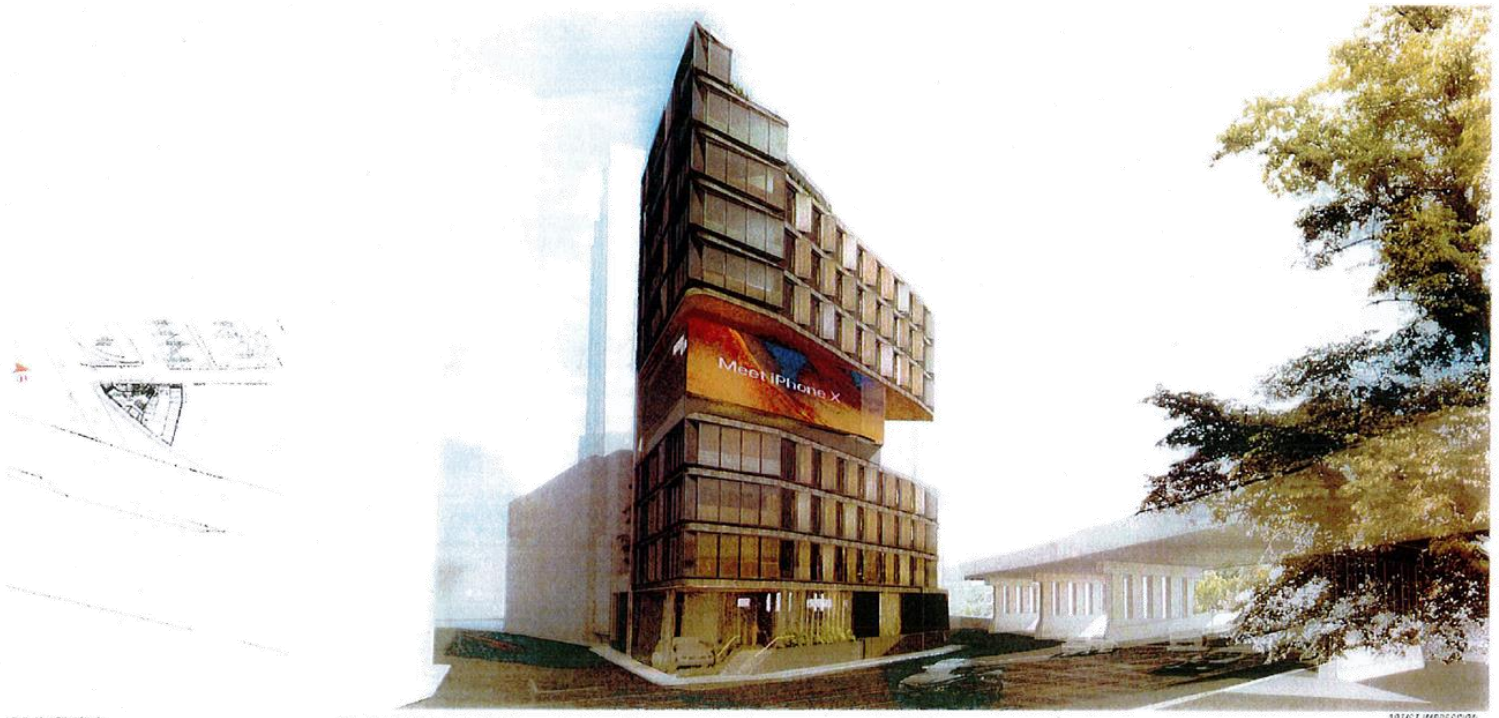
3.03

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



3.04

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



VIEW FROM GOSCH'S PADDOCK

ARTIST IMPRESSION

Harcourt Pde

PERSPECTIVES

3.05

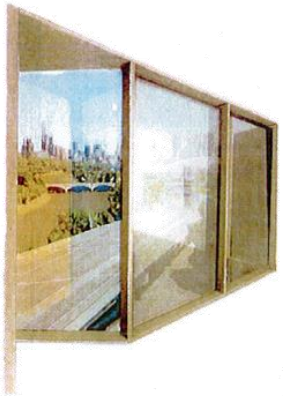
Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



INDICATIVE DETAIL OF POP-OUTS
SCALE 1:20



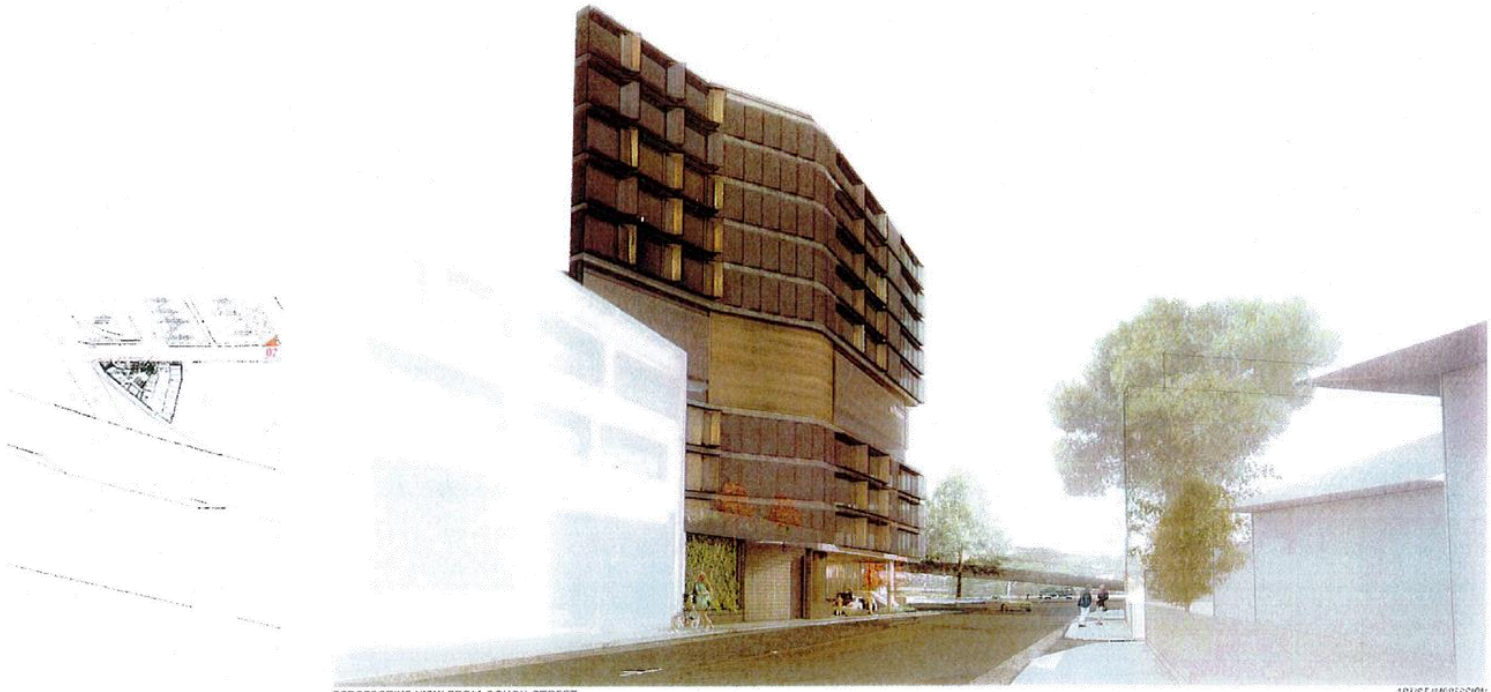
TIMBER AND GLASS FACADE PRECEDENTS



APPROXIMATE VIEW FROM FEATURE FACADE WINDOW

3.06

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne

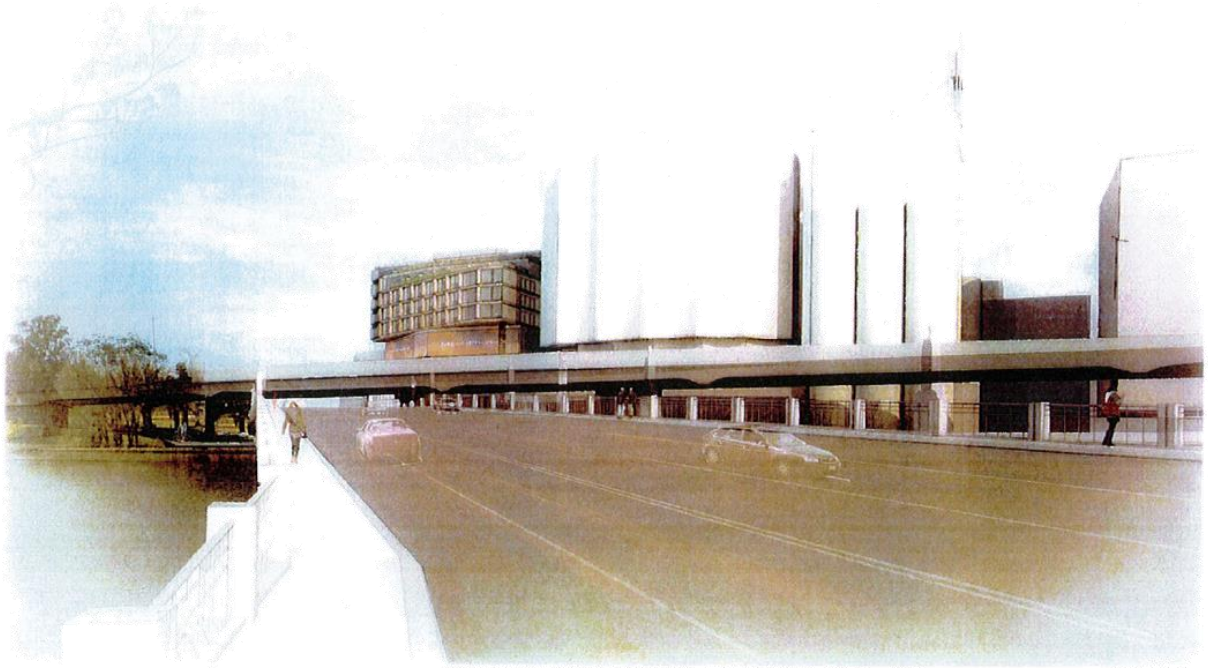


PERSPECTIVE VIEW FROM GOUGH STREET

ARTIST IMPRESSION

Harcourt Pde PERSPECTIVES 3.07

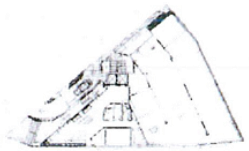
Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



PERSPECTIVE VIEW FROM INTERSECTION OF ALEXANDRA AVENUE AND PUNT RD BRIDGE

3.08

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



3.09

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne

MATERIAL LEGEND - SEE CORRESPONDING ELEVATIONS AND PERSPECTIVES ON TP 3.01 - 3.07

1 PRECAST PANEL - NOT SHOWN DUE TO WEIGHT
2 ANODISED ALUMINIUM WINDOWS FRAMES - COLOUR TO MATCH SAMPLE PROVIDED
3 STRATA ANODISED ALUMINIUM PANEL - PROFILE TO MATCH BRONZE PANEL AS WAS NOT IN STOCK
4 BRONZE ANODISED ALUMINIUM WINDOWS FRAMES - COLOUR TO MATCH SAMPLE PROVIDED
5 STRATA BRONZE ANODISED ALUMINIUM PANEL
6 PERFORATED METAL SCREEN - CHAMPAGNE COLOUR FINISH
7 DOUBLE GLAZING - NEUTRAL
8 GLAZED BALUSTRADE - GLAZING TO MATCH GLASS SAMPLE
9 TIMBER LOUVRES WITH BLACK STAIN - RAISED HORIZONTAL PROFILE PROPOSED TO DETER GRAFFITI
10 STREET WALL VEGETATION - NOT SHOWN
11 BLACK STEEL FRAME FOR CLIMBING VEGETATION - DULUX FERROOXOR FINISH
12 BLACK POWDERCOATED LOUVRES
13 ANODISED ALUMINIUM LOUVRES - COLOUR TO MATCH ANODIZED SAMPLE
14 TIMBER WINDOWS - NATURAL FINISH
15 BLACK STEEL FLAT - DULUX FERROOXOR FINISH

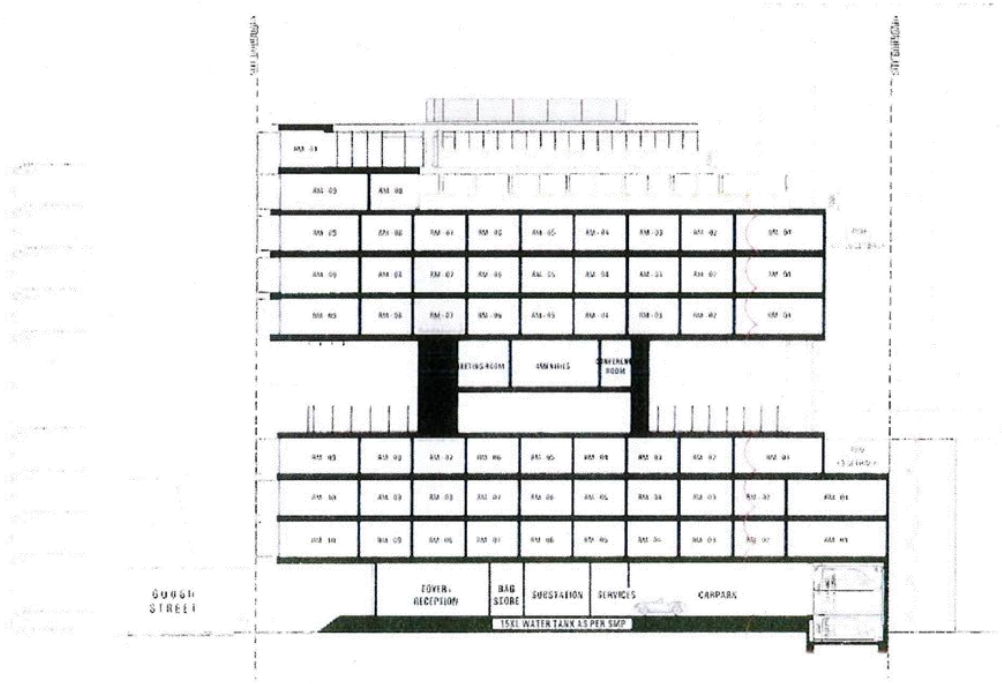
MATERIAL LEGEND - SEE CORRESPONDING ELEVATIONS AND PERSPECTIVES ON TP 3.01 - 3.07

1 PRECAST PANEL - NOT SHOWN DUE TO WEIGHT
2 TIMBER CLADDING - BLACK STAIN FINISH
3 NEUTRAL GLAZING
4 FEATURE TILE
5 FEATURE PRECAST - NOT SHOWN DUE TO WEIGHT
6 'WEBFORGE' ALUMINIUM SCREENING - WHITE
7 PRODEMA CLADDING
8 CLEAR GLAZING WITH TIMBER PANELLING BEHIND
9 ALUMINIUM SHADING BLADES
10 PLANTING - NOT SHOWN
11 GLASS BALUSTRADE
12 VENTILATION LOUVRES - CHARCOAL COLOUR
13 ALUMINIUM LOUVRES

M	M	M	MATERIAL LEGEND - SEE CORRESPONDING ELEVATIONS AND PERSPECTIVES ON TP 3.01 - 3.07
1	1	1	1 PRECAST PANEL - NOT SHOWN DUE TO WEIGHT
2	2	2	2 TIMBER CLADDING - BLACK STAIN FINISH
3	3	3	3 NEUTRAL GLAZING
4	4	4	4 FEATURE TILE
5	5	5	5 FEATURE PRECAST - NOT SHOWN DUE TO WEIGHT
6	6	6	6 'WEBFORGE' ALUMINIUM SCREENING - WHITE
7	7	7	7 'PRODEMA' COMPOSITE TIMBER CLADDING
8	8	8	8 CLEAR GLAZING WITH TIMBER PANELLING BEHIND
9	9	9	9 ALUMINIUM SHADING BLADES (BLACK TEXTURE FINISH)
10	10	10	10 PLANTING (NOT SHOWN)
11	11	11	11 GLASS BALUSTRADE
12	12	12	12 VENTILATION LOUVRES - CHARCOAL COLOUR
13	13	13	13 ALUMINIUM LOUVRES
14	14	14	14 TIMBER WINDOWS

1-3 HARCOURT PARADE, CREMORNE - PLN 18/0002

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne

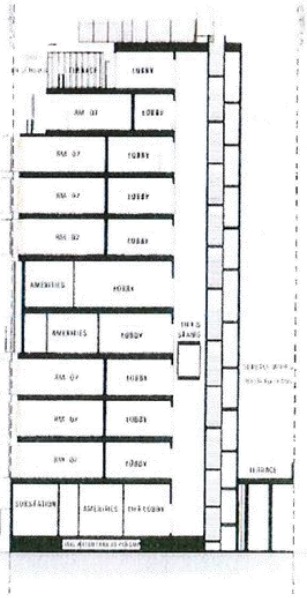


Harcourt Pde

SECTION A-A

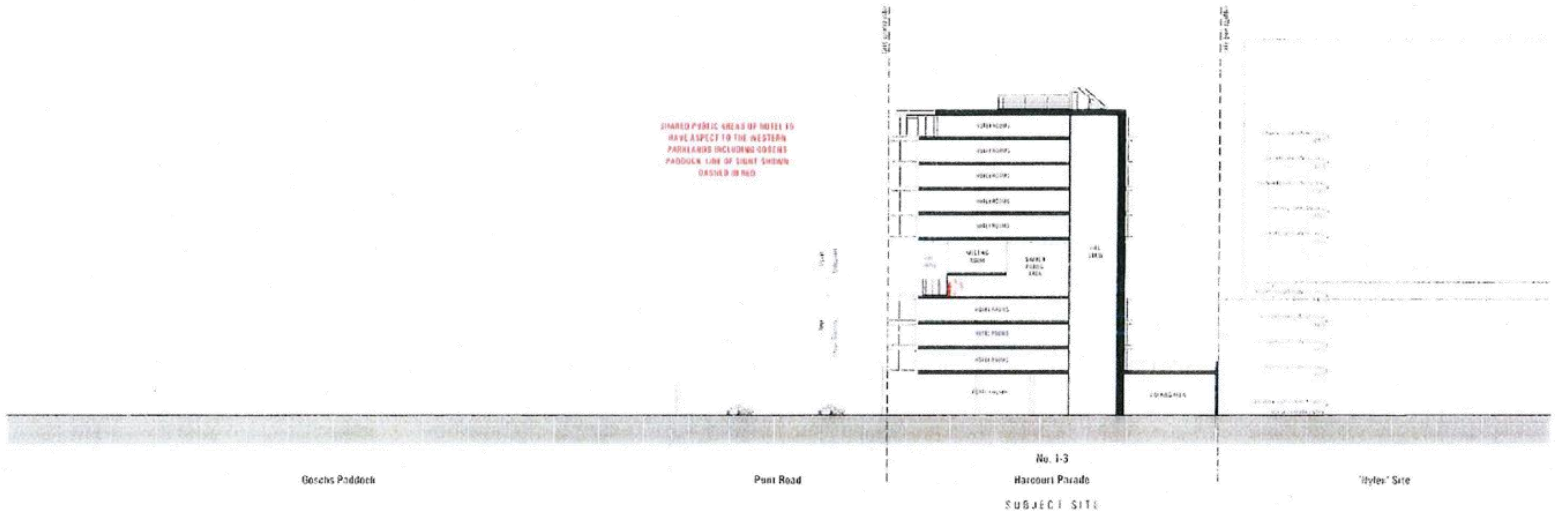
4.01

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



4.02

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne

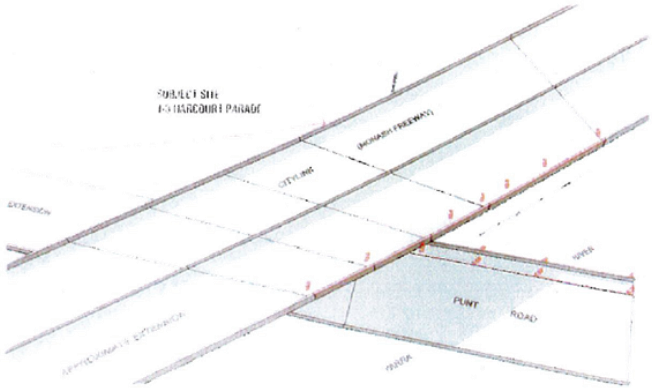


Harcourt Pde

SECTION C-C

4.03

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne

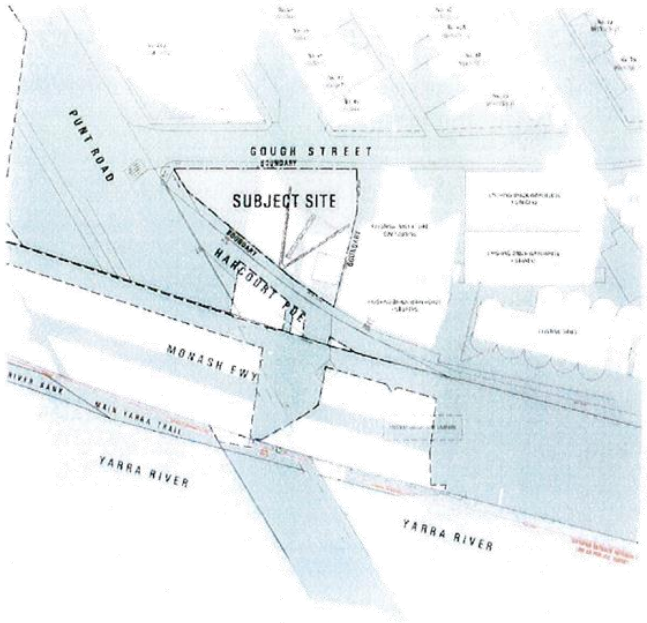


3D PERSPECTIVE OF FREEWAY BRIDGE SURVEY USED TO DETERMINE BUILDING MASSING (NTS)
NOTE: ALL HEIGHTS AND LOCATIONS OF ITEMS IN RED SURVEYED BY JCA LAND SURVEYORS

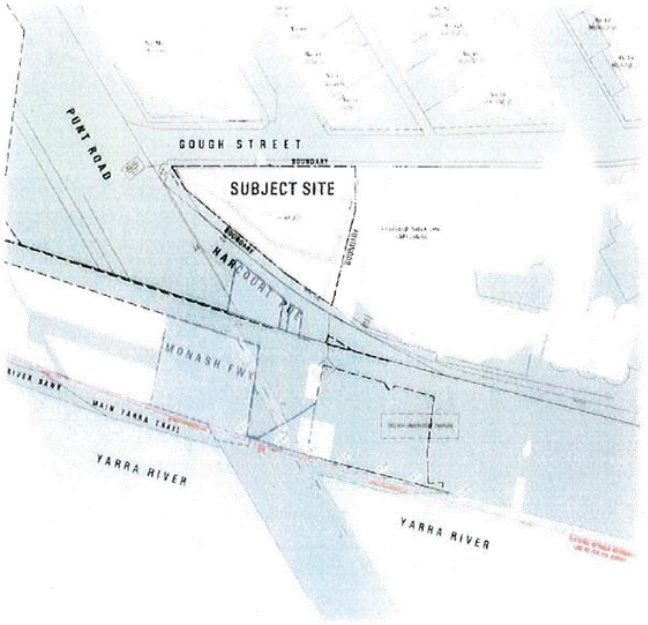
FREEWAY BRIDGE HEIGHT SURVEY BY JCA LAND SURVEYORS
ALL HEIGHTS TO AHD
1:200 @ A1

5.00

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



EXISTING SITE SHADOW ANALYSIS
9 00AM JUNE 22



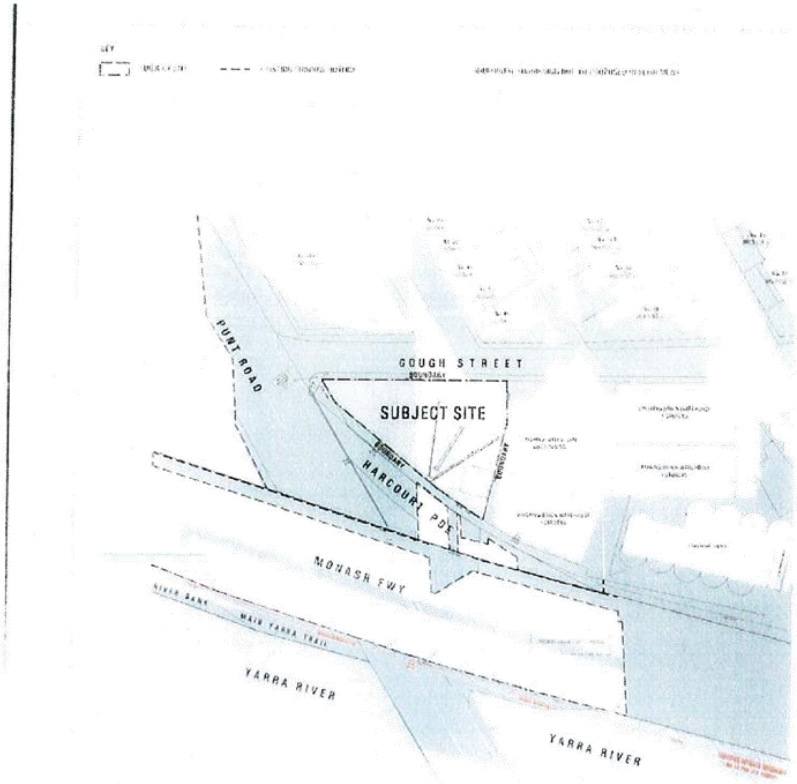
PROPOSED SITE SHADOW ANALYSIS
9 00AM JUNE 22

Harcourt Pde

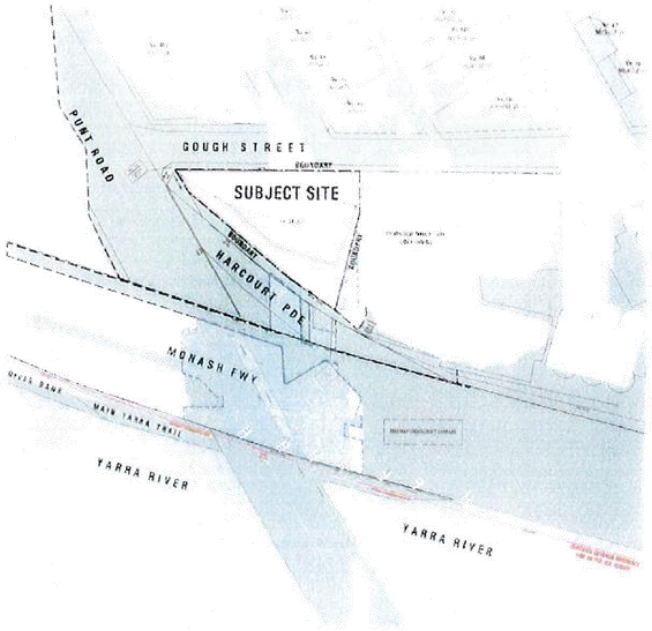
SHADOW DIAGRAMS 9AM

5.01

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



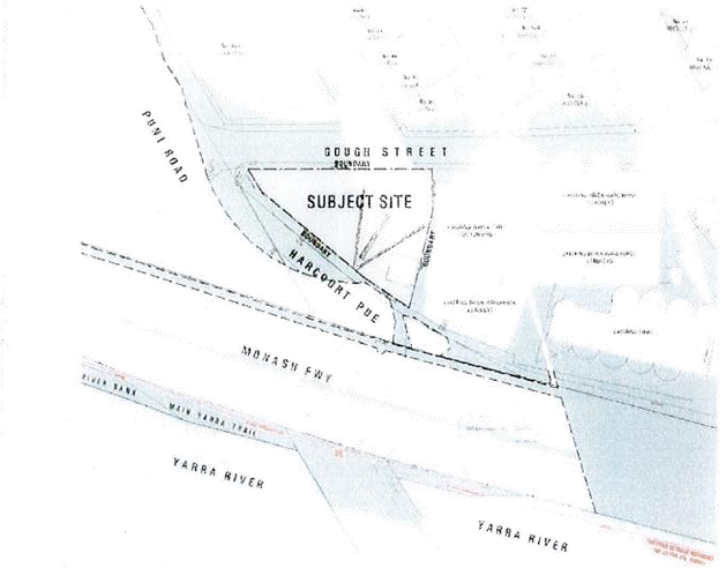
EXISTING SITE SHADOW ANALYSIS



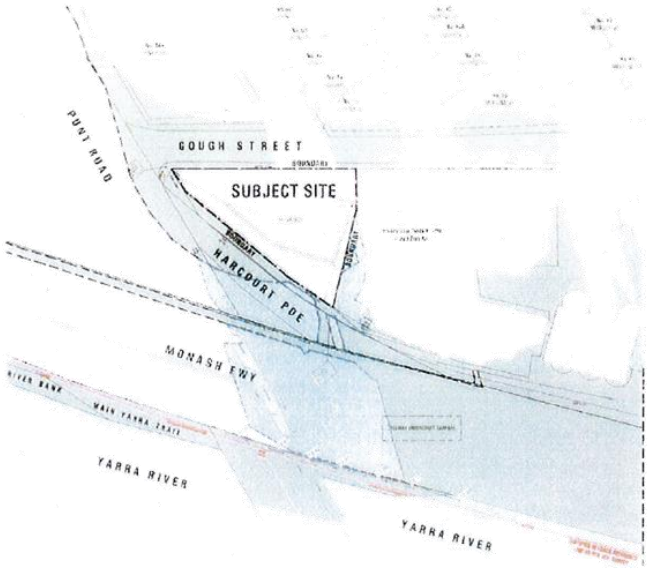
PROPOSED SITE SHADOW ANALYSIS

5.02

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



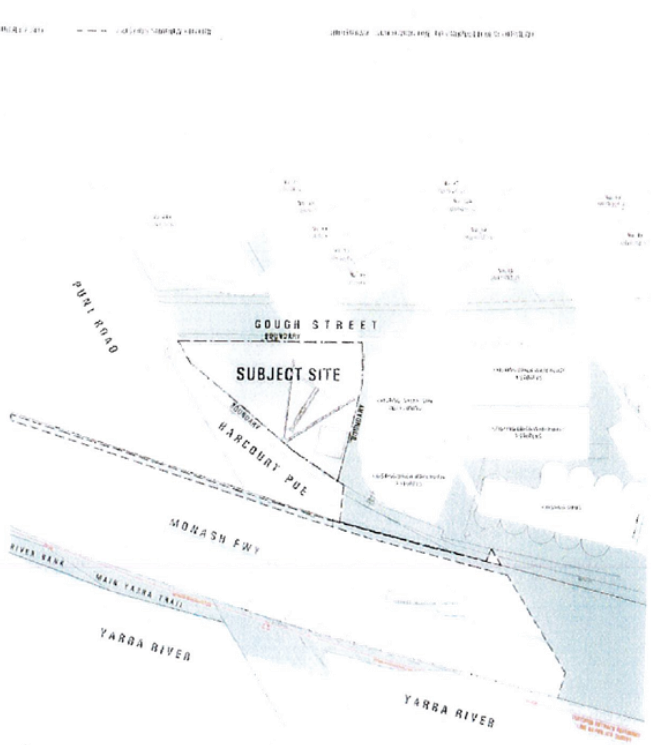
EXISTING SITE SHADOW ANALYSIS



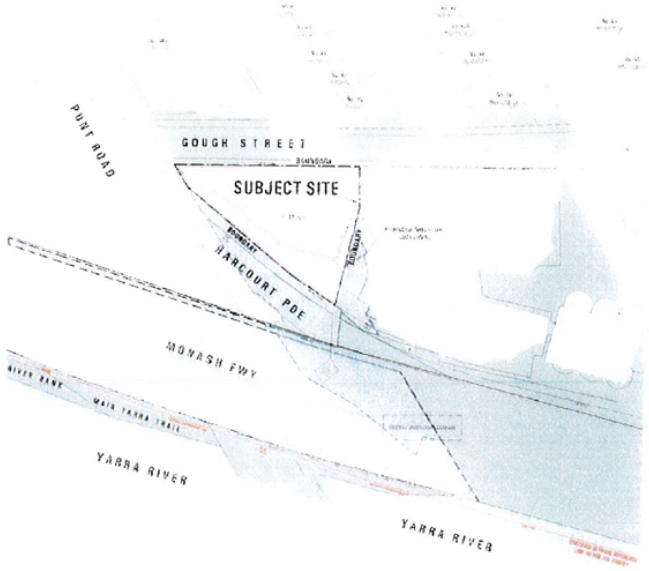
PROPOSED SITE SHADOW ANALYSIS

5.03

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



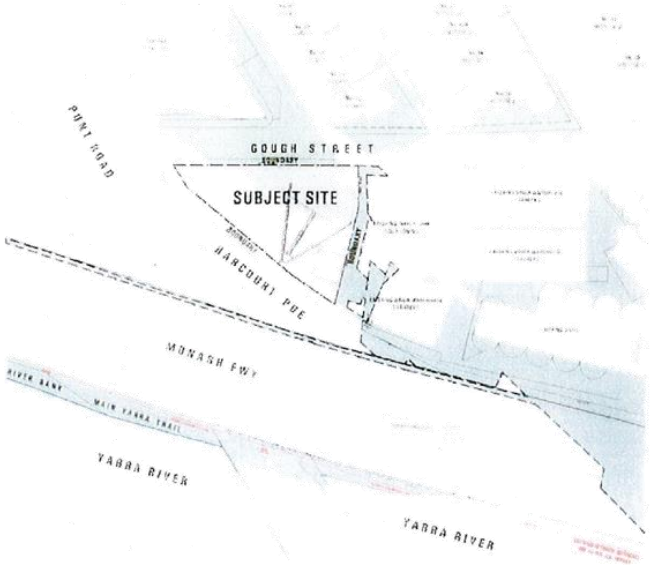
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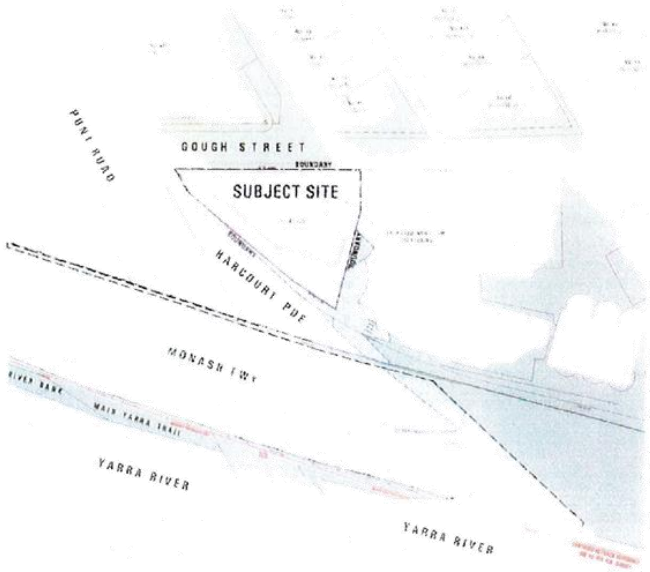
PROPOSED SITE SHADOW ANALYSIS

5.04

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



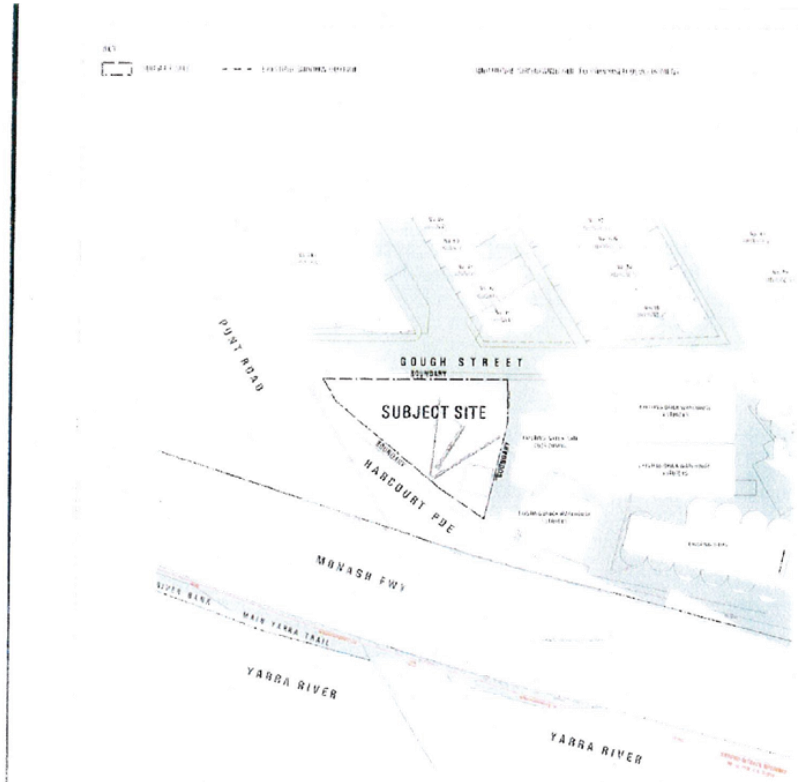
EXISTING SITE SHADOW ANALYSIS



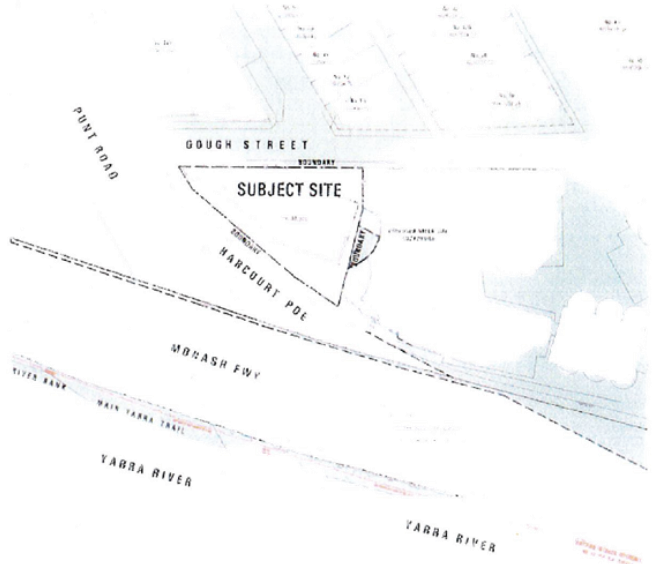
PROPOSED SITE SHADOW ANALYSIS

5.05

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



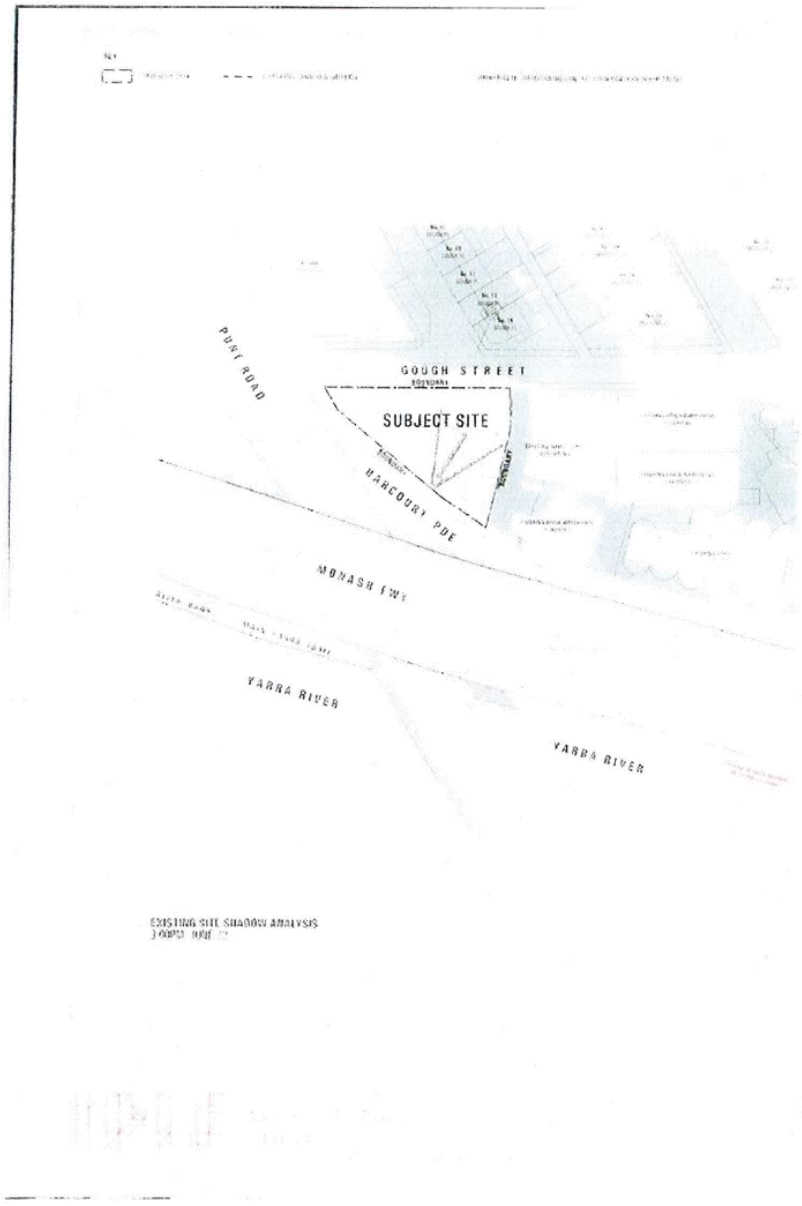
EXISTING SITE SHADOW ANALYSIS



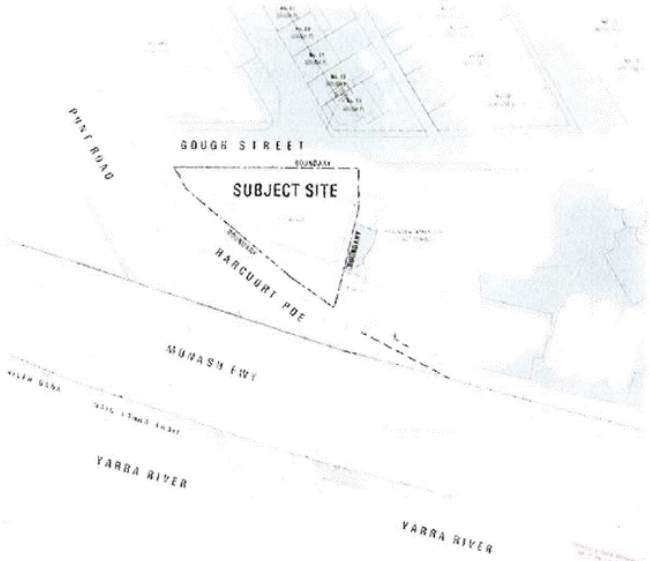
PROPOSED SITE SHADOW ANALYSIS

5.06

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



EXISTING SITE SHADOW ANALYSIS

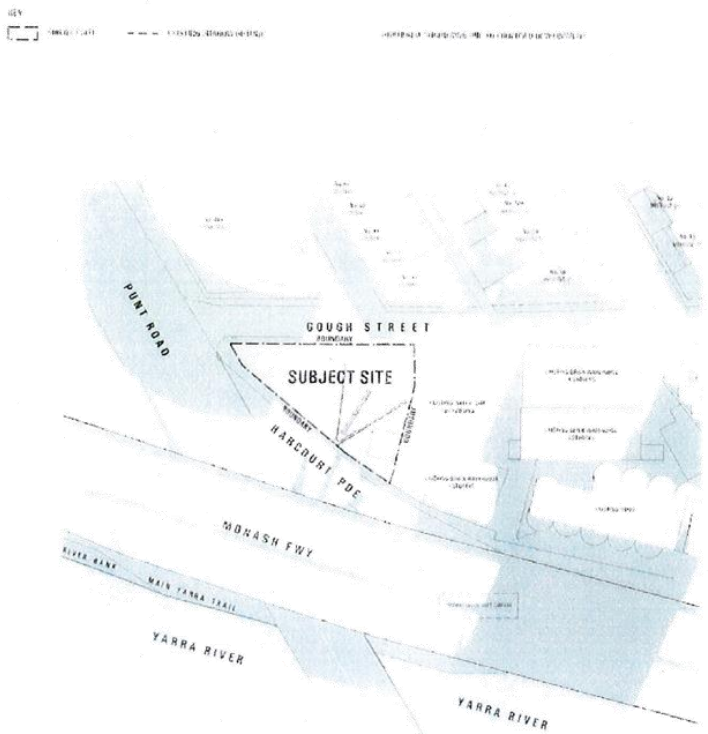


PROPOSED SITE SHADOW ANALYSIS

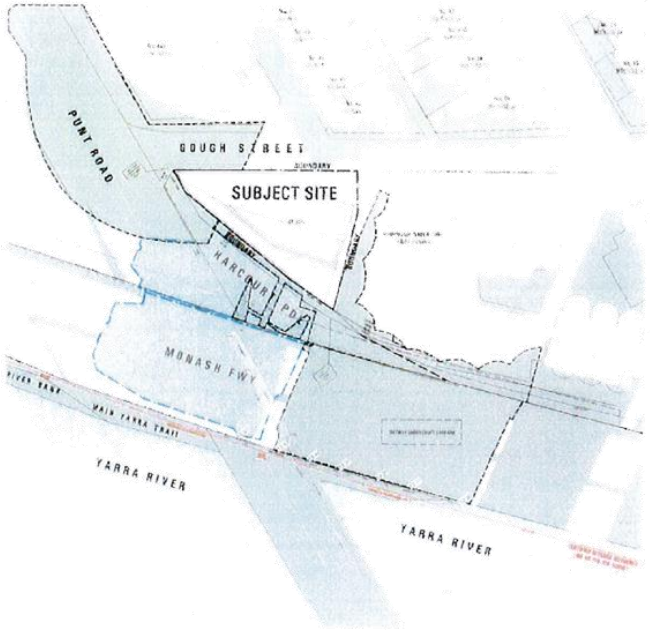
Harcourt Pde

5.07

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



EXISTING SITE SHADOW ANALYSIS
9.00AM SEPT 22



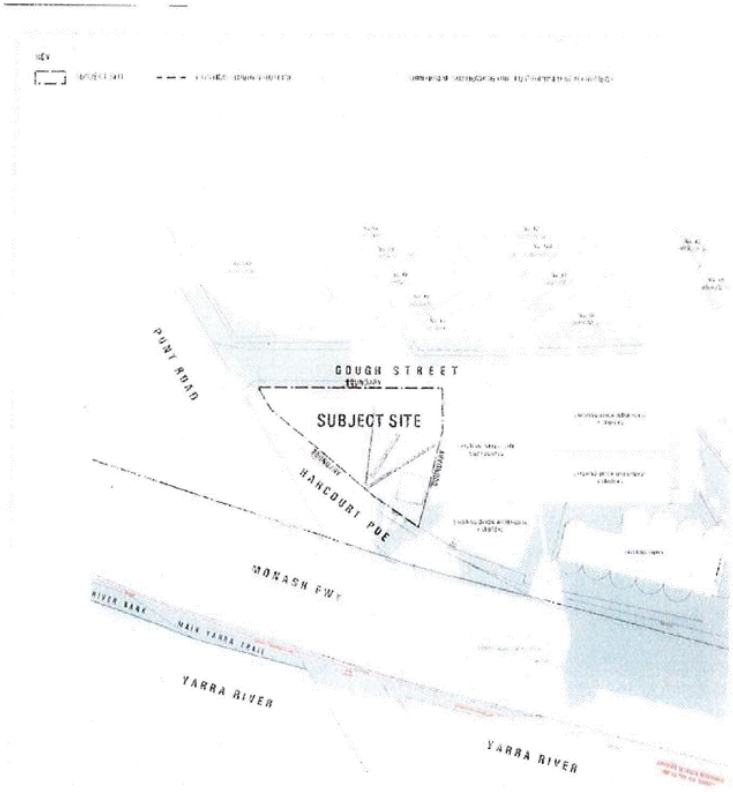
PROPOSED SITE SHADOW ANALYSIS
9.00AM SEPT 22

Harcourt Pde

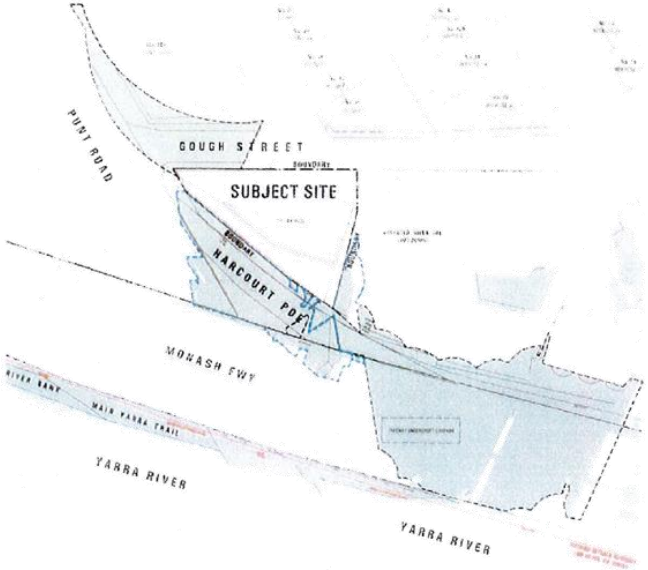
SHADOW DIAGRAMS SEPT 22- 9 a.m.

5.08

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



EXISTING SITE SHADOW ANALYSIS
11:00AM SEPT 22



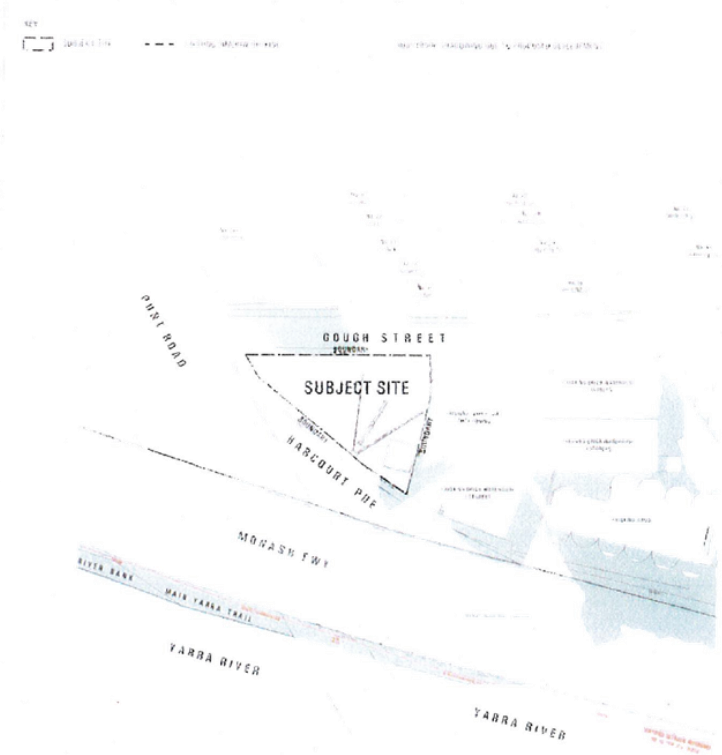
PROPOSED SITE SHADOW ANALYSIS
11:00AM SEPT 22

Harcourt Pde

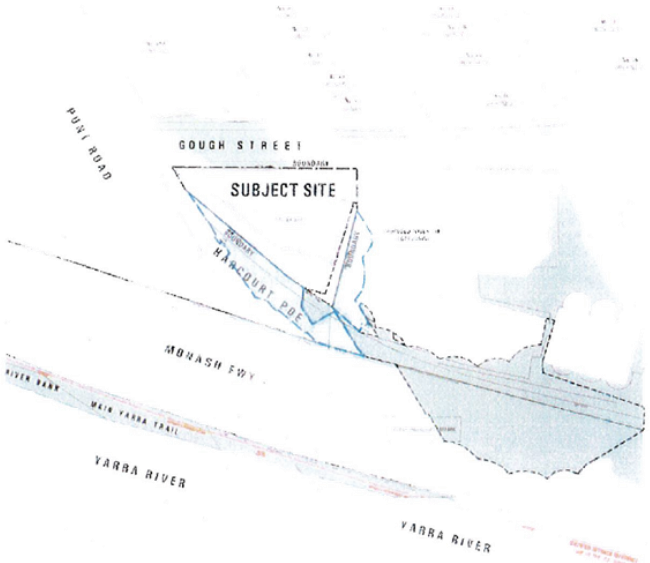
SHADOW DIAGRAMS SEPT 22 - 11 AM

5.09

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



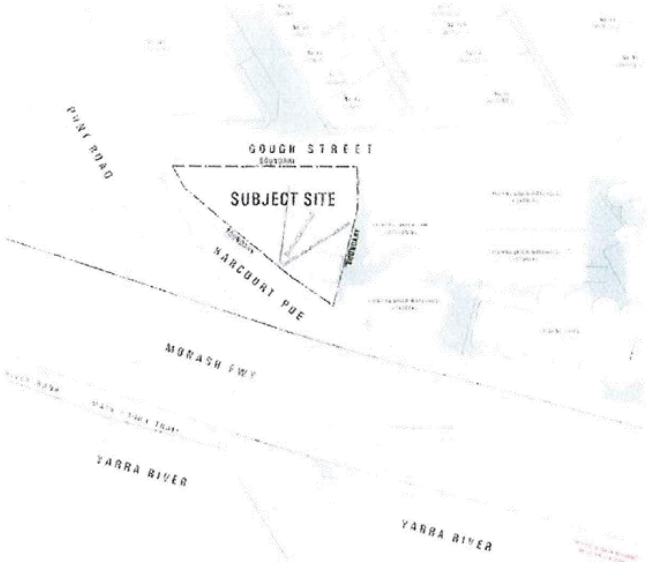
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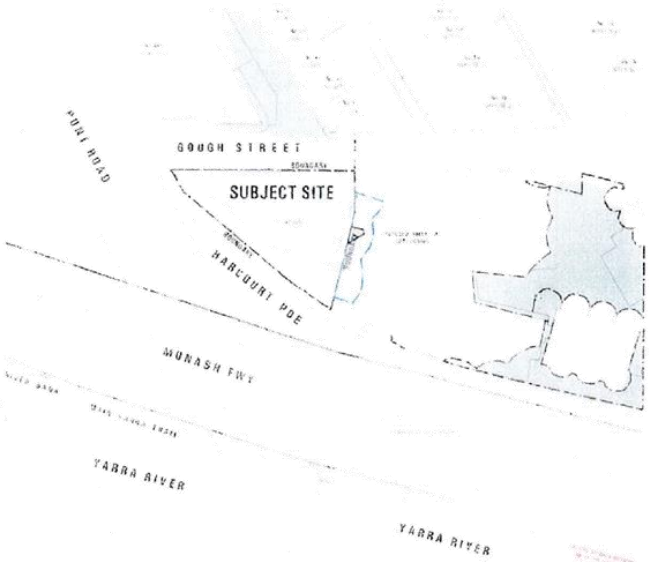
PROPOSED SITE SHADOW ANALYSIS

5.10

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



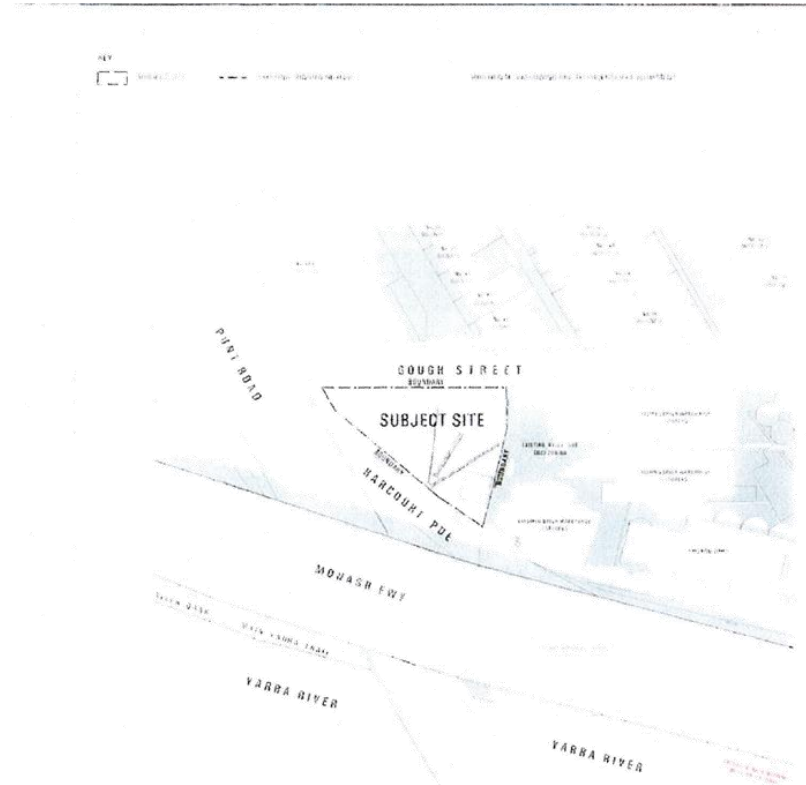
EXISTING SITE SHADOW ANALYSIS



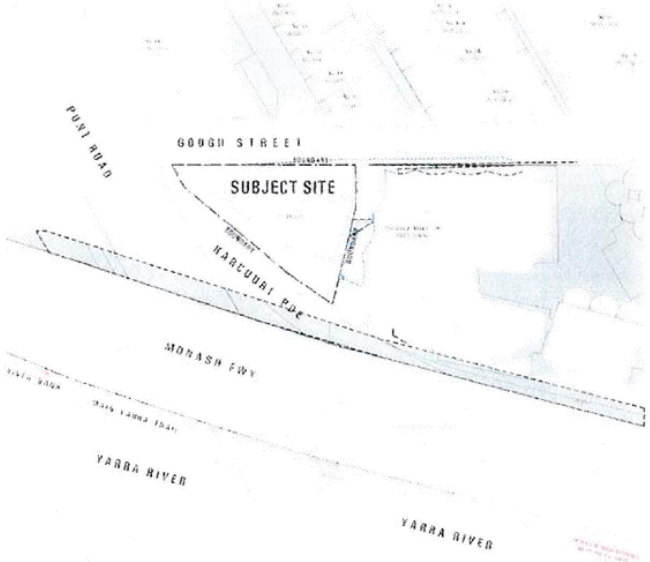
PROPOSED SITE SHADOW ANALYSIS

5.11

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



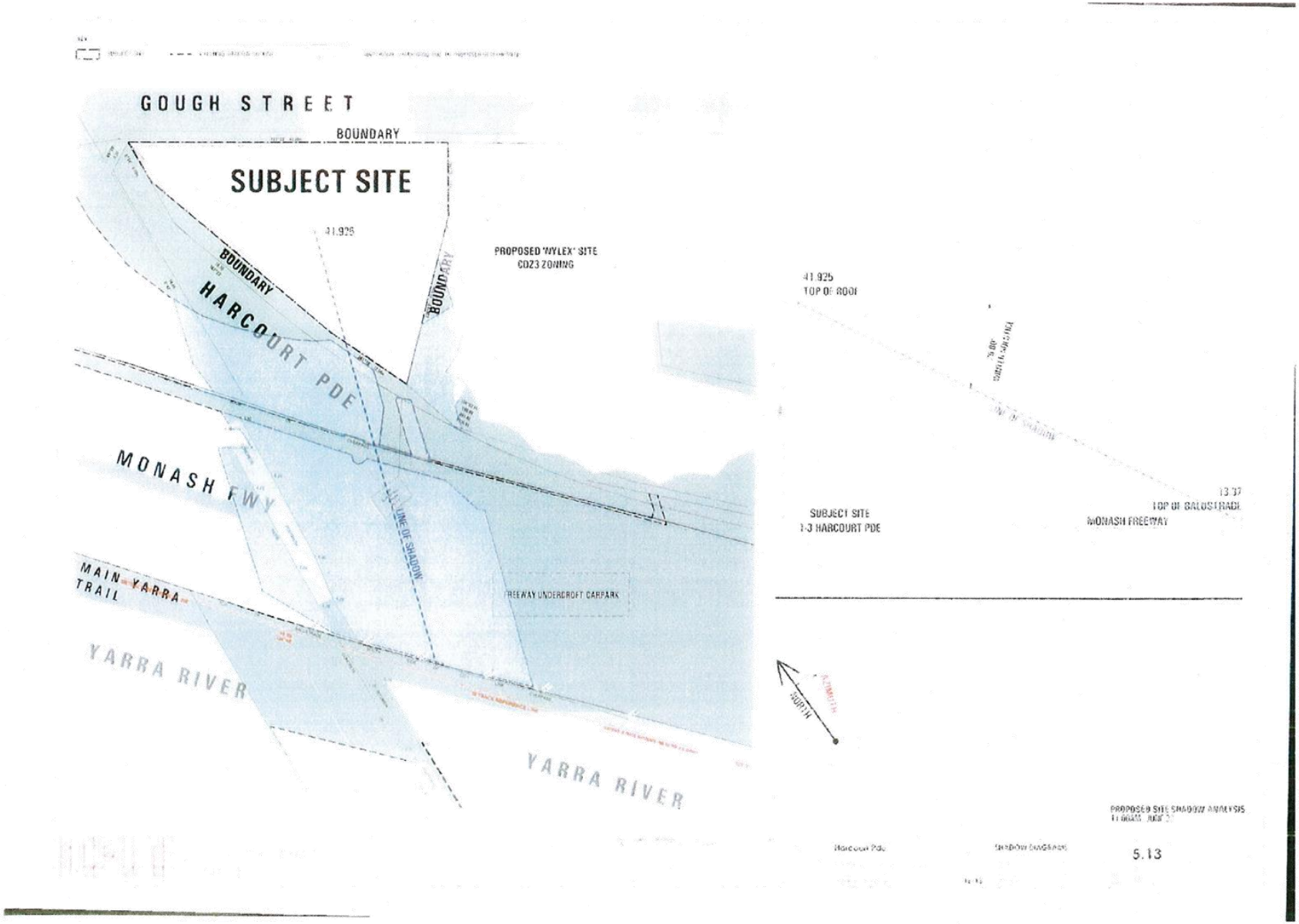
EXISTING SITE SHADOW ANALYSIS



PROPOSED SITE SHADOW ANALYSIS

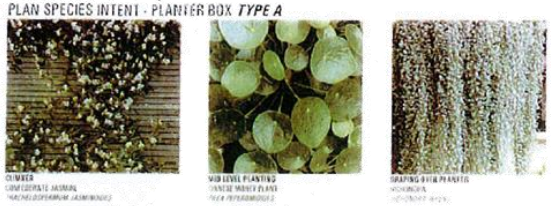
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Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne

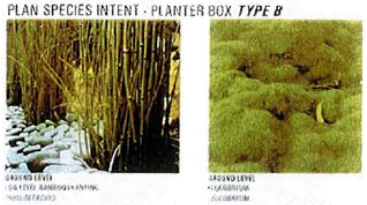


Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne

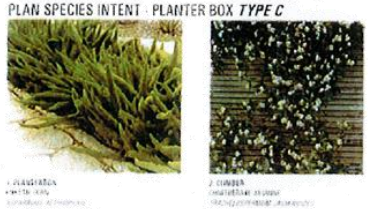
PLAN SPECIES INTENT - PLANTER BOX *TYPE A*



PLAN SPECIES INTENT - PLANTER BOX *TYPE B*



PLAN SPECIES INTENT - PLANTER BOX *TYPE C*





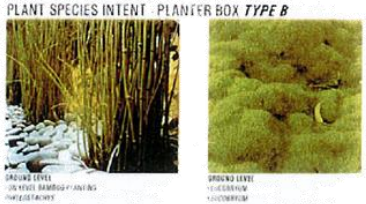
6.01

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne

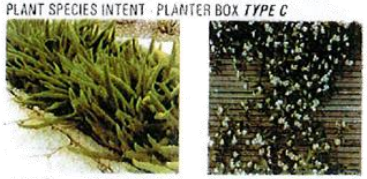
PLANT SPECIES INTENT - PLANTER BOX *TYPE A*



PLANT SPECIES INTENT - PLANTER BOX *TYPE B*

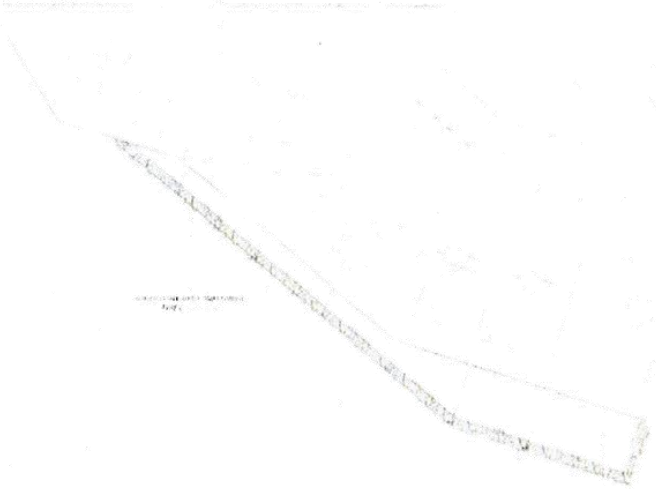


PLANT SPECIES INTENT - PLANTER BOX *TYPE C*



FLOOR FINISH - ALL TRAFFICABLE EXTERNAL AREAS





6.02

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne

PLAN SPECIES INTENT - PLANTER BOX *TYPE A*







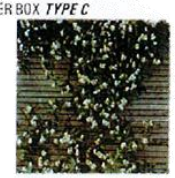
PLAN SPECIES INTENT - PLANTER BOX *TYPE B*



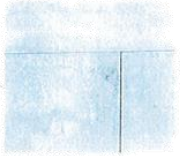


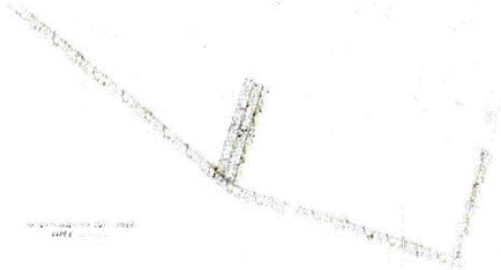
PLAN SPECIES INTENT - PLANTER BOX *TYPE C*





FLOOR FINISH - ALL TRAFFICABLE EXTERNAL AREAS





Harcourt Pde

6.03

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne

FACADE CONCEPT & DESIGN

NORTH ELEVATION, LEVEL 04

THE NORTH FACING FACADE TO THE HOTEL ABOVE PODIUM LEVEL FACILITIES LOCATED ON LEVEL 04 HAS BEEN DESIGNED TO FUNCTION AS AN ENVIRONMENTALLY TUNED SHADING DEVICE

THE STEEL SHADING SCREEN IS A HIGH QUALITY ARCHITECTURAL RESPONSE THAT IS BOTH AESTHETICALLY PLEASING AND MAKES REFERENCE TO THE INDUSTRIAL CHARACTER OF THE SURROUNDING CONTEXT

ENERGY WISE, IT IS A SIMPLE AND WELL CONSIDERED RESPONSE AS IT DOES NOT DRAW VIEWERS ATTENTION AWAY FROM OR DETRACT FROM THE VISUAL SIGNIFICANCE OF THE ADJACENT TELEVISION SIGNAGE

THE CLEAR GLAZING BEHIND THE STEEL SHADING SCREEN WILL BE A HIGH QUALITY GLASS AND ENSURE HIGH STANDARDS INTERNAL AMENITY. THE FACADE SYSTEM WILL REDUCE GLARE AND HEAT TRANSMISSION INTO THE INTERNAL SPACES WHILST MAINTAINING VIEWS BACK ACROSS PUNT ROAD AND GOSCHS PADDOCK

SAMPLE IMAGES OF STEEL SHADING SCREENS CAN BE VIEWED BELOW





DETAILED FACADE ANALYSIS (PERSPECTIVE)
LEVEL 04 NORTH ELEVATION

6.04

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne

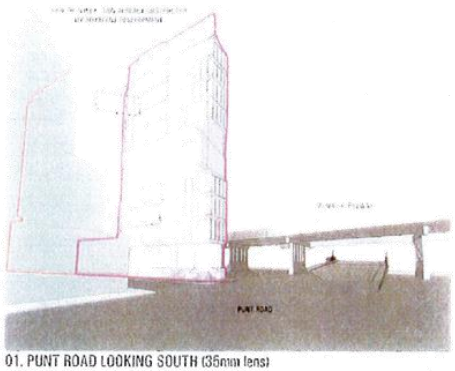


KEYPLAN

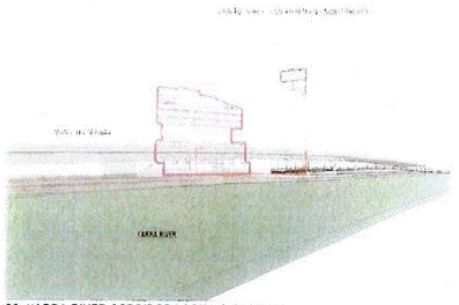
NOTE: ALL VIEW LOCATIONS APPROXIMATE ONLY.
PROPOSED SIGN, BUILDING AND FREEWAY ACCURATE TO JCA LAND SURVEYORS SURVEY AHD HEIGHTS.
BUILDING AND FACADE DESIGN INDICATIVE ONLY

- SUBJECT SITE (PROPOSED DEVELOPMENT)
- ADJACENT 'NYLEX' DEVELOPMENT (PERMIT APPROVED)
- 'NYLEX' SIGN

NOTE: DASHED LINE DENOTES AREA OF DEVELOPMENT/SIGNAGE NOT VISIBLE



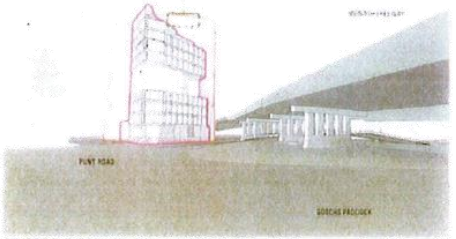
01. PUNT ROAD LOOKING SOUTH (35mm lens)



02. YARRA RIVER CORRIDOR LOOKING EAST (35mm lens)



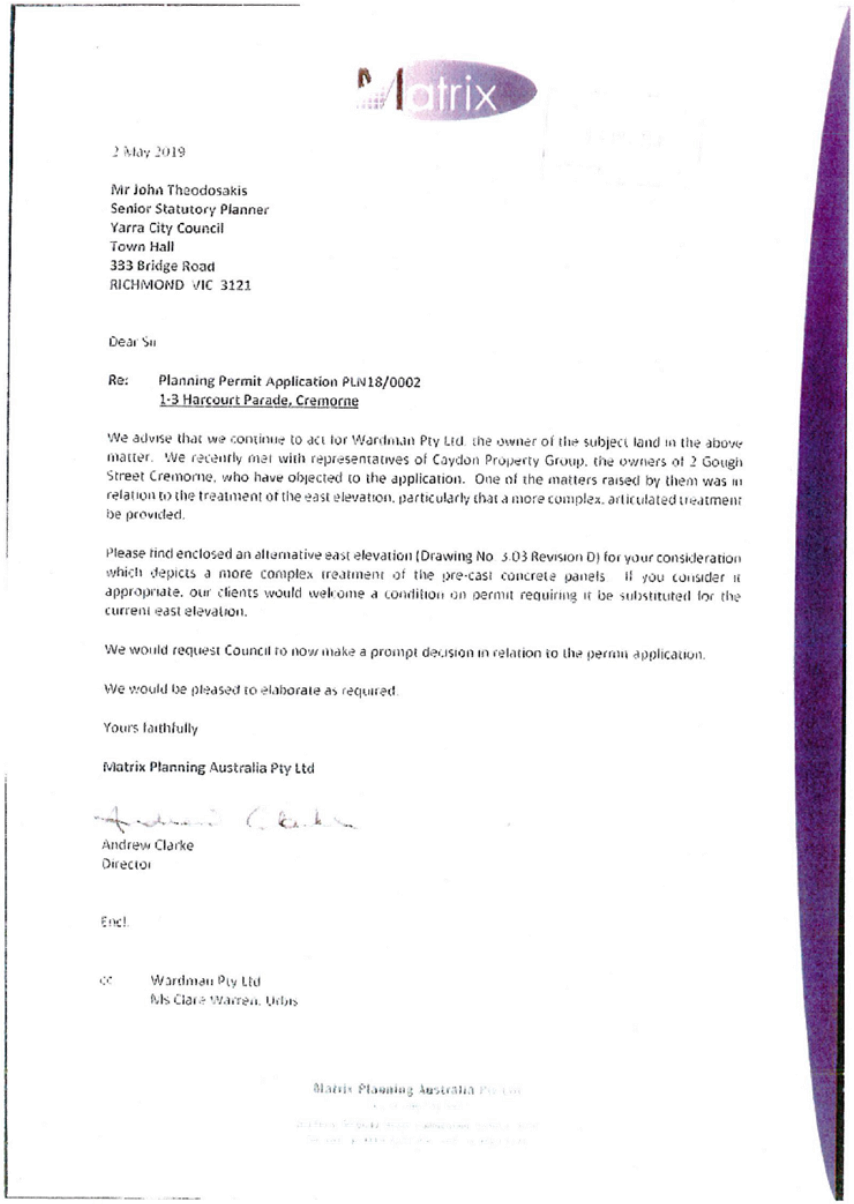
03. PUNT ROAD LOOKING NORTH (35mm lens)



04. GOSCHS PADDOCK LOOKING EAST (35mm lens)

6.05

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



2 May 2019

Mr John Theodosakis
Senior Statutory Planner
Yarra City Council
Town Hall
333 Bridge Road
RICHMOND VIC 3121

Dear Sir

Re: **Planning Permit Application PLN18/0002**
1-3 Harcourt Parade, Cremorne

We advise that we continue to act for Wardman Pty Ltd, the owner of the subject land in the above matter. We recently met with representatives of Caydon Property Group, the owners of 2 Gough Street Cremorne, who have objected to the application. One of the matters raised by them was in relation to the treatment of the east elevation, particularly that a more complex, articulated treatment be provided.

Please find enclosed an alternative east elevation (Drawing No. 3.03 Revision D) for your consideration which depicts a more complex treatment of the pre-cast concrete panels. If you consider it appropriate, our clients would welcome a condition on permit requiring it be substituted for the current east elevation.

We would request Council to now make a prompt decision in relation to the permit application.

We would be pleased to elaborate as required.

Yours faithfully

Matrix Planning Australia Pty Ltd

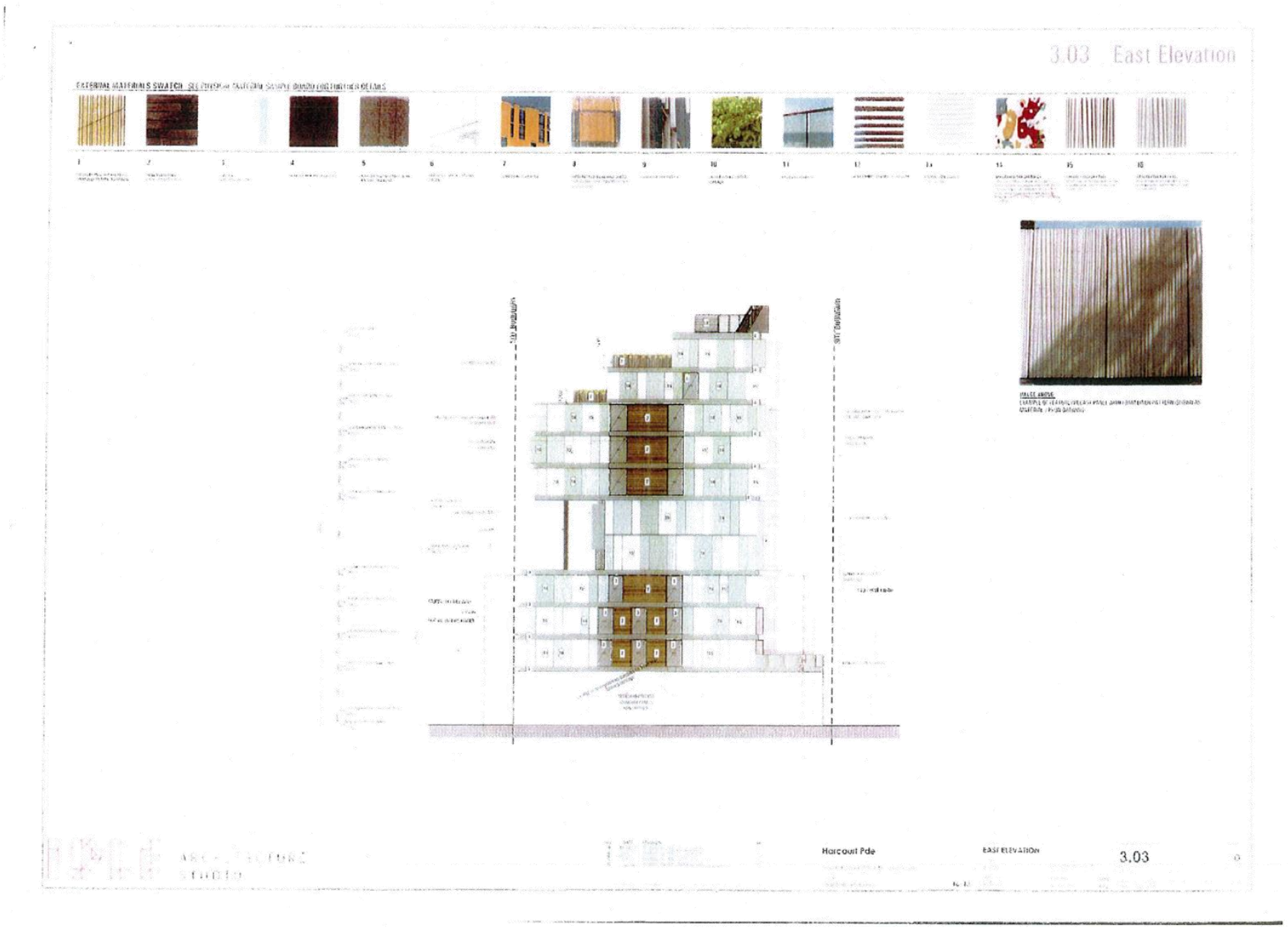
Andrew Clarke
Director

Encl.

cc Wardman Pty Ltd
Ms Clare Warren, Ubis

Matrix Planning Australia Pty Ltd

Attachment 2 - Decision Plans (Amended S57(a) of the Act - 1 - 3 Harcourt Parade Cremorne



Attachment 3 - Updated eastern elevation

Matrix

CITY OF YARRA
0 6 MAY 2019
RECEIVED - CRU

2 May 2019

Mr John Theodosakis
Senior Statutory Planner
Yarra City Council
Town Hall
333 Bridge Road
RICHMOND VIC 3121

Dear Sir

Re: Planning Permit Application PLN18/0002
1-3 Harcourt Parade, Cremorne

We advise that we continue to act for Wardman Pty Ltd, the owner of the subject land in the above matter. We recently met with representatives of Caydon Property Group, the owners of 2 Gough Street Cremorne, who have objected to the application. One of the matters raised by them was in relation to the treatment of the east elevation, particularly that a more complex, articulated treatment be provided.

Please find enclosed an alternative east elevation (Drawing No. 3.03 Revision D) for your consideration which depicts a more complex treatment of the pre-cast concrete panels. If you consider it appropriate, our clients would welcome a condition on permit requiring it be substituted for the current east elevation.

We would request Council to now make a prompt decision in relation to the permit application.

We would be pleased to elaborate as required.

Yours faithfully

Matrix Planning Australia Pty Ltd

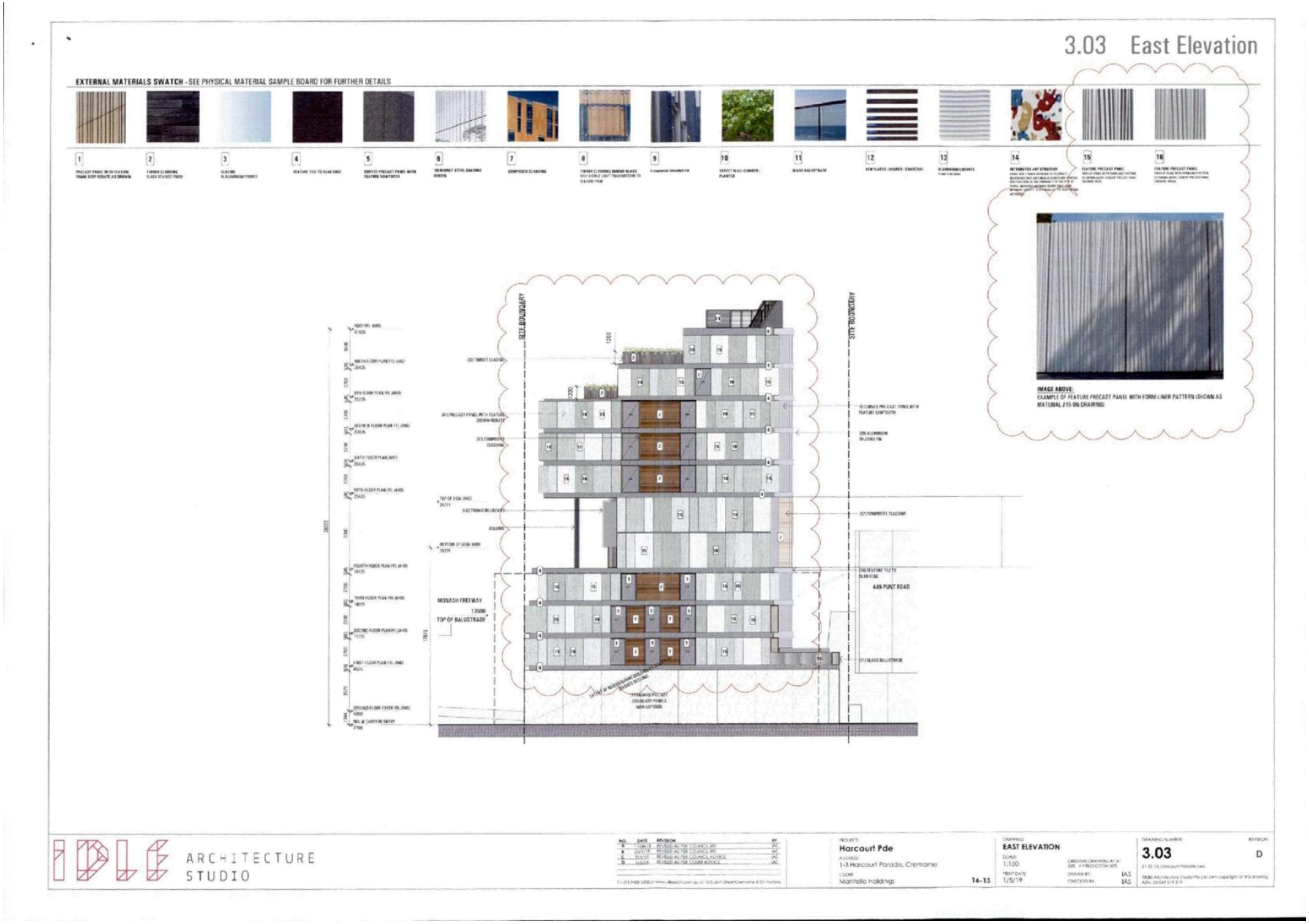
Andrew Clarke
Director

Encl.

cc. Wardman Pty Ltd
Ms Clare Warren, Urbis

Matrix Planning Australia Pty Ltd
A.C.N. 096 741 552
2nd Floor, 50 Budd Street, Collingwood, Victoria, 3066
Tel: +61 (3) 9419 3222 Fax: +61 (3) 9419 3244

Attachment 3 - Updated eastern elevation



Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

Melbourne Water

30 July 2018

Sarah Thomas
Yarra City Council
PO Box 168
Richmond VIC 3121

Dear Sarah,

Proposal: Planning permit for development
Site location: Lot No 1, 1-3 HARCOURT PARADE CREMORNE 3121

Melbourne Water reference: MWA-1063852
Council reference: PLN18/0002
Date referred: 02/07/2018

Our Decision

Melbourne Water, pursuant to Section 56(1) of the Planning and Environment Act 1987, does not object to the proposal, subject to the following conditions:

Conditions

1. The proposed building floor levels must be constructed with finished floor levels set no lower than 4.35 metres to Australian Height Datum, which is 600mm above the applicable flood level.

2. The entry / exit driveway of the basement car park must incorporate a flood proof apex set no lower than 4.35 metres to Australian Height Datum, which is 600mm above the applicable flood level.

3. All lifts and stairwells, windows, openings, vents or other entry and exit points that could allow entry of floodwaters to the basement must be set no lower than 4.35 metres to Australian Height Datum, which is 600mm above the applicable flood level.

4. Setbacks are maintained as per submitted plans.

5. Prior to the commencement of works, a separate application direct to Melbourne Water must be made for any new or modified storm water connection to Melbourne Water's drains or watercourses. Prior to accepting an application, evidence must be provided demonstrating that Council considers that it is not feasible to connect to the local drainage system.

6. A Site Environmental Management Plan (SEMP) or equivalent must be developed and implemented to ensure that waterway values are protected during the construction process. At a minimum this must include sediment controls to avoid direct or indirect sediment discharge to any waterways.

Melbourne Water ABN 81 945 386 953
990 La Trobe Street Docklands VIC 3008
PO Box 4342 Melbourne VIC 3001 Australia
T 131 722 F +61 3 9679 7099
melbournewater.com.au

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

7. Any new fencing/gates must be of an open style of construction (minimum 50% open) to allow for the passage of flood flows.

8. All open space within the property must be set at existing natural surface level so as not to obstruct the passage of flood flows.

9. No fill outside of the proposed building footprint except for minimal ramping into proposed carpark.

10. Prior to the commencement of works, amended detailed plans incorporating the above conditions needs to be submitted to Melbourne Water for approval.

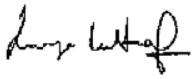
Advice

Preliminary land and flood level information available at Melbourne Water indicates that the above property is subject to flooding from the Lower Yarra River (DR 4400) and that the applicable 1% AEP flood level for the property is 3.75 meters to Australian Height Datum.

To access more information regarding other services or online applications that Melbourne Water offers please visit our website.

For general development enquiries contact our Customer Service Centre on 131722.

Regards,



George Lattouf
Customer and Planning Services

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

vicroads
ABN 61 760 960 480

14 June 2019

Yarra City Council
PO Box 168
RICHMOND VIC 3121
Attention: Mr. John Theodosakis

Dear Mr. Theodosakis,

PLANNING APPLICATION NO.: **PLN18/0002**
VICROADS REFERENCE NO: **25918/18**
PROPERTY ADDRESS: **1-3 HARCOURT PARADE, CREMORNE**

Section 55 – No objection subject to conditions

Further to our recent response dated 6 June 2019, due to an administrative error please find attached VicRoads revised response in relation to the above application provided pursuant to Section 55 of the Planning and Environment Act 1987.

The application is for development of the land for the construction of a ten (10) storey building (plus plant deck), use of the land for a residential hotel (104 rooms), construction and display of major promotional electronic signage and removal of covenant 18188008 from Lot 1 on Plan of Subdivision 408289Y.

VicRoads in consultation with CityLink does not object to the proposal provided certain conditions are met.

If Council regards the proposed development favourably, VicRoads and CityLink would require that the following conditions be included in any Notice of Decision to issue a Planning Permit or Planning Permit:

1. *The advertising sign must not protrude all around the entire sign as one message. Instead it must be contained within panel A (incorporate 1 segment) facing one direction and a separate image on panel B (incorporates 4 segments) facing the opposite direction in accordance with the marked-up plan provided by VicRoads with its comments dated 14 June 2019. This will avoid any graphic or legend (wording) being 'distorted' due to the angle and the curve as it changes over the width of the sign.*
2. *No image may be displayed on the electronic sign for less than 30 continuous seconds.*
3. *The images on panels A and B must change simultaneously.*
4. *The luminance of the advertising sign(s) must be such that it does not give a veiling luminance to the driver, of greater than 0.25 cd/m², throughout the driver's approach to the advertising sign.*
5. *The control of the electronic sign(s) must be in accordance with the submitted lighting reports, which must form part of any issued Planning Permit:*
    a. *Lighting Impact Assessment-Outdoor Signage At 1-3 Harcourt Parade, Cremorne for Wardman Pty Ltd by Electrolight Australia Pty Ltd, dated 21 February 2019*
6. *The transition between images must be instantaneous.*
7. *The advertising content of the sign must not:*

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a. *Consist of more than one static image at a time.*
b. *Contain any animation.*
c. *Consist of a sequence of images giving the illusion of movement from one image to the next.*
d. *Contain or consist of images which are capable of being interpreted as projections beyond the face of the advertising screen, such as through the use of 3D technology.*
e. *Contain or consist of video, movie or television broadcasts.*
f. *Contain or consist of present-time or other contemporary update information such as relating to news, weather or time.*
g. *Contain any flashing, blinking, brightening or fading elements that create the illusion of movement or change.*
h. *Be capable of being mistaken for a traffic signal or a traffic control device. This includes the use of red, amber or green circles, octagons, crosses or triangles.*
i. *Be a traffic instruction, or be capable of being mistaken as, an instruction to a road user. This includes the use of the wording stop, give way, slow, turn left or turn right.*
j. *Contain phone numbers, pricing or email addresses.*

8. *The sign and advertising content must not dazzle or distract road users' due to its colouring or content.*
9. *The sign and any displayed advertisement must not include ancillary extension, embellishment or accessorisation within or outside the permitted advertising area, unless VicRoads has agreed in writing, prior to installation.*
10. *The use of sound or motion to activate the sign is not permitted.*
11. *The use of sound to interact with any road user is not permitted.*
12. *The advertising sign must shut down and cease any form of visual display (and must remain in shut down mode until the issues are resolved), in the event of:*
    a. *an attack by a computer hacker, virus or similar resulting in the unauthorised display of visual images or messages.*
    b. *any malfunction of the advertising sign.*
13. *Prior to the commencement of the development, the developer must enter into an access agreement with CityLink to indemnify CityLink in relation to any claim or liability arising in relation to any land within CityLink lease area, and formalise any access requirements. This condition does not apply where written confirmation is obtained from CityLink that the above agreement is not required.*

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14. *The permit holder must inform CityLink if the development will/has impacted any infrastructure or assets during construction.*

15. *The developer is responsible for costs associated with any damage to CityLink infrastructure and assets prior, during and post construction including but not limited to:*
    i) Groundwater Monitoring Infrastructure;
    ii) Road Drainage;
    iii) ADS Signage;
    iv) VSLS Signage;
    v) Electrical Distribution Board;
    vi) METS Phone;
    vii) conduits.

16. *Permit holder to bear all costs associated with CityLink undertaking dilapidation surveys before and after the development, including crack mapping and installing crack pins to allow crack opening to be accurately measured. The intention of these surveys is to allow any adverse impacts on CityLink during construction to be identified.*

17. *Access to CityLink lease area is prohibited. This condition does not apply where written confirmation is obtained from CityLink providing consent and approval to access the lease area. (Refer Condition 13 above)*

18. *Access to the property for construction, maintenance and or repairs must be obtained wholly from within the subject property, Gough Street and or Punt Road.*

19. *Any structure constructed adjacent to the CityLink lease area must be sufficiently setback to ensure all maintenance and repairs do not require access from within City Link lease boundary.*

20. *Construction is to be delivered in a method to protect, amongst other items all road users accessing or on CityLink.*

21. *Dust and debris generated by this development during the construction phase is to be minimised and managed to ensure there are no impacts to CityLink users.*

22. *Prior to the occupation of the development, a formal road safety audit must be submitted to and approved by VicRoads, CityLink and the Responsible Authority. The audit must include, but not be limited to, the façade including location of advertising signage/ promotional signs and access to them, building façade material, façade encroachment of driver sight lines, pedestrian and vehicle access/egress arrangements, loading arrangements, buildings and works within the public realm, internal circulation/layout, wind impact on structural stability, lighting and vegetation impact on adjoining roadway/s. The findings of the audit must be incorporated into the development at the developer's expense.*

23. *Before the development starts, excluding site preparation works, demolition, temporary sheds or structures for construction purposes, bulk excavation, site preparation and retention works, soil remediation, piling, footings, ground beams and ground slabs, amended plans must be submitted to and approved by VicRoads and CityLink. When approved by VicRoads and CityLink, the plans may be endorsed by the Responsible Authority and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in*

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

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accordance with Drawings numbered TP2-00 to TP5-12, dated 15 December 2017, including revisions dated 11 April 2018, prepared by IDLE Architecture Studio but modified to show:

a. *A notation on plan requiring the external cladding detailed must have no coating or exterior finish which results in unreasonable disability glare to road users.*

24. *Before the use approved by this permit commences the following must be completed at no cost to and to the satisfaction of the Responsible Authority:*

a. *The installation of sign/s, line marking, painted arrow and associated road works prohibiting entry movements into the Porte Cochere from the western vehicular access on Gough Street.*
b. *Modification or removal of any existing car parking spaces and associated road works on the south side of Gough Street to accommodate the new vehicular access arrangement.*

Once Council makes its decision, please forward a copy of the decision to VicRoads as required under Section 66 of the Planning and Environment Act 1987.

Should you have any enquiries regarding this matter, please contact me on 03 9313 1148 or Gillian.Menegas@roads.vic.gov.au

Yours sincerely

Gillian Menegas

GILLIAN MENEGAS
Senior Planner - Planning Referrals Metro North West Region

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

TRANSPORT FOR VICTORIA | Economic Development, Jobs, Transport and Resources

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Telephone: 03 9651 9999
transport.vic.gov.au
DX 210074

File: Fol/18/119843
Ref: PLN18/0002

Sarah Thomas
Principal Planner and Advocate
City of Yarra
PO BOX 168
RICHMOND 3121

Dear Ms Thomas

YARRA PLANNING SCHEME
PLANNING APPLICATION NO. PLN18/0002
PROPOSAL: 104 ROOM RESIDENTIAL HOTEL DEVELOPMENT
ADDRESS: 1-3 HARCOURT PDE, CREMORNE

Thank you for your email referring the above matter to Transport for Victoria (TfV) for comment.

TfV understands the proposal seeks planning consent for a 10 level, 104 room residential hotel development comprising 24 off street car parking spaces (inclusive of a disabled space and service bay). We note that vehicle access is proposed to be via a repositioned 8.3 metre width crossover on Gough Street, servicing the car park and a two car space *porte-cochere*.

The Head, Transport for Victoria, pursuant to Section 56(1) of the Planning and Environment Act 1987, **does not oppose** the granting of consent.

We appreciate the opportunity to engage in this process. If you have any query please contact Iain Lawrie, Senior Place Planner on 03 8392 8835.

Yours sincerely

MARK BURTON
Manager Place Planning and Referrals
Delegate of the Head, Transport for Victoria
13/7/2018

VICTORIA State Government

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

CITY OF YARRA

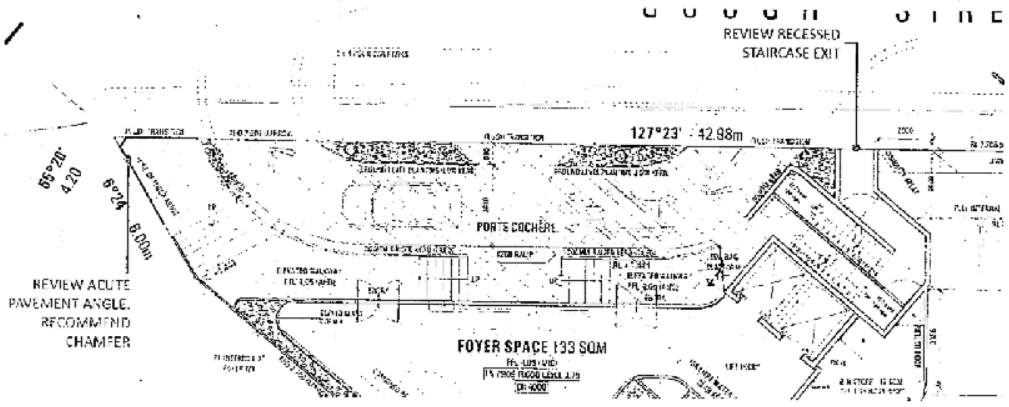
TO:	**Sarah Griffiths (Statutory Planning)**
FROM:	**Blake Farmar-Bowers (Urban Design)**
DATE:	10 August 2018
SUBJECT:	1-3 Harcourt Parade, Cremorne
APPLICATION NO:	PLN18/0002– Planning application
DESCRIPTION:	Development of the land for the construction of a 10 storey building (plus plant deck), use of the land as a residential hotel (104 rooms), construction and display of major promotional electronic signage and removal of covenant 1818808 from lot 1 on plan of subdivision 408289Y.

COMMENTS

Urban Design comments have been sought on the above application, in particular on the proposed public realm impacts and any public works proposed in the area
(Updated comments refer to revised application drawings available as at 2 July 2018)
Comments are provided below.

Pavements

Ensure pavement at corner (marked below) is robust. Consider adding chamfer to acute angle to avoid pavement failure.



Stair exit

Review recessed stairway exit opening toward Gough Street (marked above). Nominated setback may create opportunitres for unsafe and/or unsavoury behaviour.

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

Stairway tactiles and handrails
Ensure all entry stairways are compliant to relevant standards. Show all required tactile indicators and handrails.

Planting selection
Ensure planting palette is selected by qualified horticulturist. Nominated plant species are inappropriate for site conditions and interface with the public realm. Landscape Plan needs to include a plant schedule outlining proposed plants. Include the following information; botanical and common plant names, pot sizes at planting, plant sizes at maturity and quantities of each plant.

Landscape details are inconsistent with landscape plan and architectural information. Reissue details to reflect proposed planting conditions.

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

CITY OF YARRA

MEMO

To:	**John Theodosakis**	
From:	**Mark Pisani**	
Date:	**14 August 2018**	
Subject:	**Application No:**	**PLN18/0002**
	Description:	**10 Storey Building; Residential Hotel**
	Site Address:	**1-3 Harcourt Parade, Cremorne**

I refer to the above Planning Application received on 2 July 2018 and the accompanying *Traffic Impact Assessment* report prepared by O'Brien Traffic in relation to the proposed development at 1-3 Harcourt Parade, Cremorne. Council's Civil Engineering unit provides the following information:

CAR PARKING PROVISION

Proposed Development

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

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Residential Hotel	104 rooms	Rate not specified under Clause 52.06-5	To the satisfaction of the Responsible Authority	24

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

Car Parking Demand Assessment

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

- *Parking Demand for the Residential Hotel.* 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). The proposed development would be providing parking at a rate of 0.23 spaces per room and is considered appropriate. The empirical case provided by O'Brien Traffic for serviced apartments in Moonee Ponds had a parking rate of 0.22 spaces per room – fairly consistent with the subject site's parking provision and the rate from the RMS, even though the area is dissimilar to Cremorne. It is expected that the majority of guests would arrive by taxi, Uber, private driver services and public transport.
- *Availability of Public Transport in the Locality of the Land.* The site is within walking distance of bus services operating along Punt Road. The Richmond railway station and tram services operating along Swan Street are located several hundred metres to the north and can be reached by foot.

- *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.* On-street parking in the Cremorne area is very high during business hours. All the streets in the Cremorne area contain time based parking restrictions. The introduction of parking sensors along Cremorne Street would facilitate the parking turnover of bays. The high parking demand in the Cremorne area would be a disincentive for visitors, customers or employees to drive. The on-street parking occupancy survey conducted by O'Brien Traffic on Thursday 7 December 2017 at 1:30 pm revealed that 36 out of the 38 spaces contained within the surrounding area (chosen for the survey) were occupied.
- *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 provision of 24 on-site spaces for the proposed residential hotel is considered appropriate in the context of the development and the surrounding area. The rate of 0.23 spaces per room is fairly consistent with the rate used by the NSW Roads and Maritime Services. The operation of the residential hotel should not adversely impact on existing on-street parking conditions in the area.

Council's Civil Engineering unit has no objection to the proposed on-site car parking provision for this site.

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

TRAFFIC GENERATION

Trip Generation

The traffic generation for the site adopted by O'Brien Traffic is as follows:

Proposed Use	Adopted Traffic Generation Rate	Daily Traffic	Peak Hour	
			AM	PM
Residential Hotel (104 rooms)	Assuming 80% room occupancy 75% trips to and from site by motor vehicle 50% of vehicle trips occurring in the AM peak hour 50% of vehicle trips occurring in the PM peak hour	166	42	42

The traffic generation provided by O'Brien Traffic is based on a number of assumptions. It would have been preferable if the traffic generation could haven been calculated from empirical traffic generation rates for this development.

With the site's proximity to Punt Road, it is probable that traffic wishing to access the site would be more inclined to originate from Punt Road rather than the internal roads within Cremorne.

Traffic Impact from Nearby Developments

A number of large scale developments in Cremorne have been approved or are currently seeking planning approval.

In 2015, a traffic analysis of key intersections in the Cremorne area was undertaken by GTA Consultants part of the major development at 2 Gough Street (the Richmond Maltings site). The analysis undertaken by GTA confirmed that the degrees of saturation at a number of intersections such as Cremorne Street/Swan Street had approached saturation under existing conditions during peak periods (at that time).

With the redevelopment of 2 Gough Street or any of the other nearby development sites, there is very little opportunity to the improve capacity at the key intersections or through roads in the Cremorne area. A modal shift from private motor vehicle use to more sustainable forms of transport would be the most practical means of limiting the amount of traffic that is added to the road network in Cremorne. The subject site is not a high generator of vehicle trips.

Compared to the major developments in the surrounding area (2 Gough Street, 60-88 Cremorne Street, 167 Cremorne Street), it is agreed that the traffic generated by the subject site are not unduly high and should not adversely impact the operation of the Punt Road/Gough Street intersection or any of the nearby roads.

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

DEVELOPMENT LAYOUT DESIGN
Layout Design Assessment

Idle Architecture Drawing No. 2.02 Revision A dated 11 April 2018

Item	Assessment
Access Arrangements	
Development Entrance	The 6.3 metre wide entrance satisfies the Australian/New Zealand Standard AS/NZS 2890.1:2004.
Visibility	A pedestrian sight triangle measuring 2.0 metres by 2.5 metres has been provided for the exit lane as required by *Design standard 1 – Accessways* of Clause 52.06-9.
Headroom Clearance at Entrance	Not dimensioned on the drawings.
Porte Cochère Entrance and Exit	The porte cochère has a minimum accessway width of 3.0 metres and has a 300 mm wide kerb along its outside edge. The widths of the entry and exit of the porte cochère along the building line have not been dimensioned.
Vehicle Crossings	Vehicle crossings for the car park entrance and the porte cochère have not been depicted on the drawings. A check of the drawings using the Trapeze plan management tool indicates area to be occupied by the vehicle crossing for the porte cochère exit is located approximately 3.85 metres from the tangent point of the radial of the Punt Road/Gough Street intersection. The Australian/New Zealand Standard AS/NZS 2890.1:2004 require vehicle crossings to be located no less than 6.0 metres from the tangent point (please see appended diagram).
Car Parking Modules	
At-grade Parking Spaces	The dimensions of the single parking space (3.0 metres by 5.4 metres) satisfy AS/NZS 2890.1:2004.
Accessible Parking Space	The 2.4 metre width of the accessible parking space is non-compliant since it abuts a wall. The shared area has not been hatched line marked or provided with a bollard.
Aisles	The aisle widths range from 6.3 metres to 6.4 metre wide aisle and satisfy *Table 2: Minimum dimensions of car parking spaces and accessways* of Clause 52.06-9.
Column Depths and Setbacks	The position of the column adjacent to the service bay satisfies *Diagram 1 Clearance to car parking spaces* of Clause 52.06-9.
Gradients	
Ramp Grade for First 5.0 metres inside Property	The ramp profile comprises an upward grade of 1 in 8 for the first 2.5 metres inside the building line, followed by a flat grade for the remainder of the car park. Although this does not satisfy *Design standard 3 – Gradients*, the Australian/New Zealand Standard AS/NZS 2890.1:2004 permits a downward grade of 1 in 8 for medium term parking and that the car park is no greater than 100 spaces. There is no objection to the 1 in 8 downward grade to the building line.

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

Item	Assessment
Car Stacker Devices	
Car Stacker Device	Model type and specifications not provided.
Floor to Ceiling Height	A floor to ceiling height of 3.8 metres has been provided.
Vehicle Clearance Heights	Not known since a device has not been specified. To be assessed upon receipt of technical specifications and further information from the applicant.
Visitor/Guest Parking	There is no objection to the valet parking arrangement for the stacker.
Other Items	
Vehicle Exit Movements – End stacker Platforms	Vehicle exit movements out of the southernmost stacker platforms appear tight. These movements should be demonstrated with a swept path analysis.
Sight Distance Check – Exit of Porte Cochère	The stopping sight distance check used by O'Brien Traffic shows an exiting vehicle (wishing to proceed eastbound along Gough Street) just inside the property with a sight line along Punt Road (southbound traffic). The sight distance requirements at accessway driveways in Figure 3.2 of AS/NZS 2890.1:2004 is based on a vehicle exiting the property onto the frontage road and viewing traffic along that frontage road (in this case Gough Street, and not Punt Road). The sight distance check in the submitted report indicates that a vehicle exiting the porte cochère has adequate sight lines of a south bound vehicle on Punt Road wishing to turn left into Gough Street.

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

Design Items to be Addressed

Item	Details
Vehicle Crossings	Vehicle crossings should be depicted on the *Proposed Ground Floor Plan* and be dimensioned. In addition, the exit vehicle crossing needs to be relocated away from the 6.0 metre 'No Go Zone' as shown on the appended diagram. This would result in the porte cochère needing to be redesigned. The redesign of the porte cochère may also result in the provision of one vehicle crossing to service both the car park entry and entry into the porte cochère (as opposed to two separate vehicle crossings). This would also minimise the amount of vehicle crossing along the kerbside.
Accessible Parking Space	The accessible parking space should have an absolute minimum width of 2.7 metres if it abuts a wall. Alternatively, the space and the shared area could be swapped around.
Car Stacker Specifications	The applicant must specify the model and type of car stacker to be used for the development. Technical specifications of the car stacker and details are to be provided.
Ground Clearance Checks – Vehicle Crossings	Ground clearance checks are to be provided for the vehicle crossings using the B99 design vehicle. As a guide, please see the appended vehicle crossing information.
Flood Barrier	In principle, there is no objection to the provision of a flood barrier. The applicant should provide the specifications of the type of flood barrier to be selected. Comment from Melbourne Water should be sought in regards to the flood barrier.

ENGINEERING CONDITIONS
Civil Works

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

- The footpath along the property's Gough Street frontage must be stripped and re-sheeted to Council's satisfaction and at the Permit Holder's cost. The footpath must have a cross-fall of 1 in 40 or unless otherwise specified by Council.
- The existing vehicle crossing on the site's Gough Street road frontage must be demolished and reconstructed in accordance with Council's Standard Drawings, Council's *Infrastructure Road Materials Policy* and engineering requirements. All new vehicle crossings must satisfy the ground clearance requirements for the B99 design vehicle. Internal floor levels may need to be amended to satisfy Council's standard vehicle access requirements.
- The existing property splay at the corner of Gough Street and Harcourt Parade must be retained at ground floor level for pedestrian purposes.
- All redundant vehicle crossings must be demolished and reinstated 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.

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

Construction Management Plan

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

Impact of Assets on Proposed Development

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

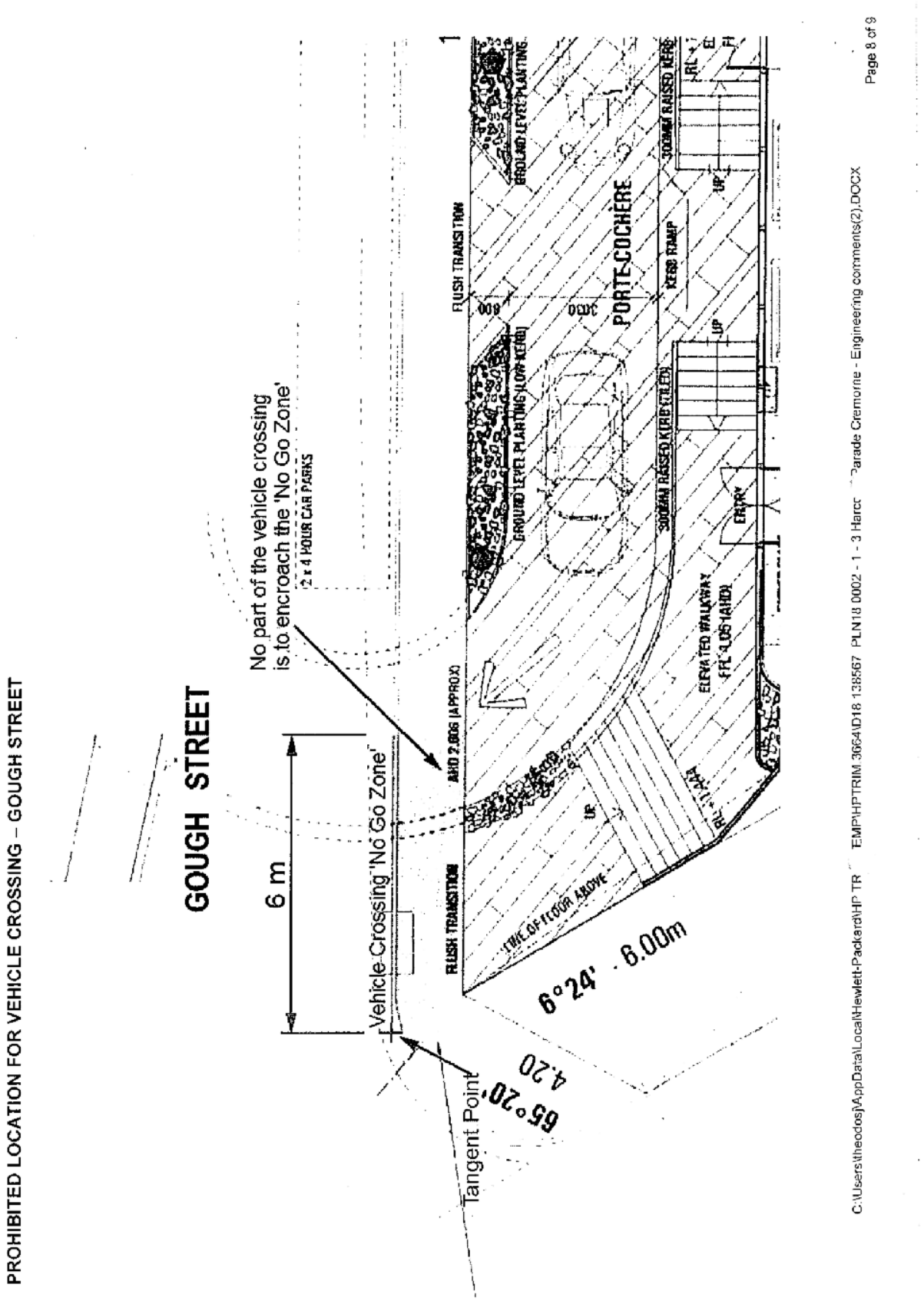
Removal, Adjustment, Changing or Relocation of Parking Restriction Signs

- No parking restriction signs or line-marked on-street parking bays are to be removed, adjusted, changed or relocated without approval or authorisation from Council's Parking Management unit and Construction Management branch.
- Any on-street parking reinstated as a result of development works must be approved by Council's Parking Management unit.
- 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.
Protrusions into Car Stacker Envelopes	The applicant must ensure that pipes, ducting or other protrusions from the underside of the first floor slab do not encroach into the car stacker design envelopes.
Comment from CityLink/Transurban	As the site abuts Harcourt Parade, comment from Citylink/Transurban may be required.
Overhead Cables	There are existing overhead utility cables within the subject site's boundaries. The applicant must relocate these overhead utility cables to the satisfaction of Council and the relevant power authority prior to the development commencing.

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.



Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

Vehicle Crossing – Cross Section

The designer is to submit a 1:20 scale cross section for each proposed vehicle crossing showing the following items:

A. Finished floor level 2.0 metres inside property
B. Property line surface level
C. Surface level at change in grade (if applicable)
D. Bullnose (max height 60mm) – must be clearly labelled
E. Surface level at the bottom of the kerb
F. Surface level at the edge of channel
G. Road level 1.0 meter from the edge of channel
H., I. Road levels

- Please note the cross section must be fully dimensioned. As shown in the sketch below.
- Please show both the existing and proposed surface.
- The maximum allowable cross-fall between points B and C is 1:40 (2.5%).
- A bullnose (max 60mm) is permitted at point D, however not compulsory.
- The levels shown must be exact reduced levels, to three decimal points. Interpolation of levels is not acceptable.
- The designer must demonstrate that an 85th or 99th percentile vehicle profile can traverse the design cross section as per the Australian/New Zealand Standard ground clearance template (AS/NZS 2890.1:2004).
- Significant level changes to the existing footpath level B to C will require additional level design either side of the proposed crossing.
- Please include any additional levels or changes in grade that are not shown in the diagram.

C:\Users\theodosi\AppData\Local\Hewlett-Packard\HP TRIM\TEMP\HPTRIM.3664\D16 138567 PLN18 0002 - 1 - 3 Harcourt Parade Cremorne - Engineering comments(2).DOCX

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

Theodosakis, John

From: Orr, Patrick
Sent: Monday, 25 November 2019 5:19 PM
To: Theodosakis, John
Subject: RE: Referral Comments

Hi John,

3x a week is probably more reasonable, but that may also affect the wast room size requirements.

From: Theodosakis, John
Sent: Monday, 25 November 2019 4:24 PM
To: Orr, Patrick <Patrick.Orr@yarracity.vic.gov.au>
Subject: RE: Referral Comments

Cool thanks. I'll condition an updated WMP into the permit.

What should the number of collections be?

Cheers

John

From: Orr, Patrick
Sent: Friday, 1 November 2019 4:27 PM
To: Theodosakis, John <John.Theodosakis@yarracity.vic.gov.au>
Cc: Athanasi, Atha <Atha.Athanasi@yarracity.vic.gov.au>
Subject: RE: Referral Comments

Hi John

The waste management plan for 1-3 Harcourt Parade authored by Leigh Design and dated 8/12/17 is not satisfactory from a City Works branch's perspective. Issues to be rectified include, but may not be limited to the following:

1. Please detail how food organic waste will be managed
2. Please detail how e-waste will be managed
3. The number of collections for waste and recycling should be reduced

Patrick

From: Theodosakis, John
Sent: Thursday, 31 October 2019 10:56 AM
To: Orr, Patrick <Patrick.Orr@yarracity.vic.gov.au>
Subject: RE: Referral Comments

Yes please.

Many thanks

John

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

From: Orr, Patrick
Sent: Thursday, 31 October 2019 10:55 AM
To: Theodosakis, John <John.Theodosakis@yarracity.vic.gov.au>
Subject: RE: Referral Comments

Hi John,

I can't seem to find any referral comments made. Would you like me to provide some?

Patrick

From: Theodosakis, John
Sent: Tuesday, 29 October 2019 11:12 AM
To: Orr, Patrick <Patrick.Orr@yarracity.vic.gov.au>
Subject: Referral Comments

Hi Patrick,

Sorry to bother you, but can you please forward any previous referral comments relating to Planning application No. PLN18/0002 – 1-3 Harcourt Parade, to me.

I need them asap for my report and I've checked high and low.

Kind Regards,

John

John Theodosakis
Principal Statutory Planner

City of Yarra PO BOX 168 Richmond VIC 3121
T: (03) 9205 5307 **F**: (03) 8417 6666
E: John.Theodosakis@yarracity.vic.gov.au **W**: www.yarracity.vic.gov.au

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

CITY OF YARRA

Planning Referral

To:	Sarah Thomas
From:	Julian Wearne
Date:	13/07/2018
Subject:	Strategic Transport Comments
Application No:	PLN18/0002
Description:	Development of the land for the construction of a 10 storey building (plus plant deck), use of the land as a residential hotel (104 rooms), construction and display of major promotional electronic signage
Site Address	1-3 Harcourt Parade, Cremorne

I refer to the above Planning Application referred on 02/07/2018, and the accompanying Traffic report prepared by O'Brien Traffic in relation to the proposed development at 1 – 3 Harcourt Parade, Cremorne. Council's Strategic Transport unit provides the following information:

Access and Safety

The following concerns should be considered:

Pedestrian amenity on Gough Street

The proposed development appears to require three cross-overs along Gough Street, including two wide crossovers in very close proximity to each other. This is *undesirable* from a pedestrian amenity perspective along Gough Street; however it is understood the site constraints and need for a porte-cochère limit opportunity for an alternate design. This concern has been discussed with Council's Traffic Engineering unit who has indicated the relatively low vehicle volumes and general sightlines should not result in a safety concern for pedestrians or vehicles with the current design.

Given the above considerations; the three cross-overs along Gough Street can be supported in this instance; however a plan clearly detailing the crossover widths and designs should be submitted to the engineering team for consideration.

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
Residential building (other than specified in the table)	104 lodging rooms	In developments of four or more storeys, 1 resident space to each 10 lodging rooms	10 resident spaces	29 combined guest / employee / visitor bicycle spaces
		In developments of four or more storeys, 1 visitor space to each 10 lodging rooms	10 visitor spaces.	
Showers / Change rooms		1 to the first 5 employee spaces and 1 to each additional 10 employee spaces	**2 showers / change rooms**	**0 showers / change rooms**

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

The development provides a total of 9 additional bicycle spaces above the requirements of the planning scheme, but does not separate visitor, guest and employee spaces.

Adequacy of bicycle spaces

- No spaces are specifically noted as visitor / hotel guest / employee spaces.
- Ordinarily it is better to separate visitor and employee spaces, however given the small footprint of the subject site, the security requirements of the car parking area, and the nature of the use where a high turnover of different people is inherent; it is acceptable that spaces are co-located within the ground-floor car park.
- The proposal includes a surplus of 9 spaces over the requirements of the planning scheme. This is an acceptable number of spaces given the nature of the proposed use.
- No end of trip facilities appears to have been provided, falling short of the requirements of the planning scheme. This is acceptable given the nature of the proposed use where hotel guests and employees will be able to access other showers onsite.
- The design and layout of the spaces requires revision given:
  - All spaces are hanging spaces. Pursuant to Australian Standard AS2890.3 at least 20% of spaces are required to be horizontal at ground-level spaces.
  - A number of spaces do not appear to have adequate clearance from car parking lifts, service cupboards or each other (see Figure 1 below).

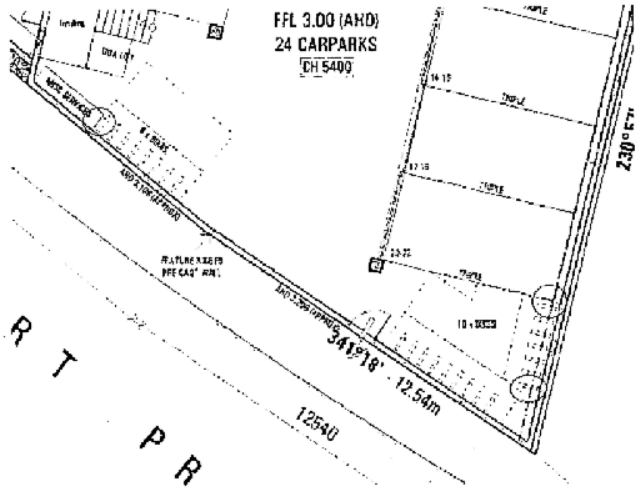


Figure 1 – a number of spaces do not appear to have adequate clearance to function as intended.

Electric vehicles / share cars / other relevant topics?

Council's BESS guidelines encourage the use of fuel efficient and electric vehicles (EV Whilst it is acceptable no EV charging points are installed during construction stage given car parking bays are proposed as car stackers and very few car stacker EV charging technologies are currently available, to allow for easy future provision for electric vehicle charging, all car parking areas 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.

Recommendations

The following should be shown on the plans before endorsement:

1. At least 20% of bicycle spaces should be provided as horizontal at ground-level spaces (e.g. a bike rail).
2. All bicycle spaces must be designed to comply with clearance requirements of AS2890.3.

Regards

Julian Wearne

C:\Users\theodosj.YARRA\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\HPEY1MMV\PLN18-0002 - 1-3 Harcourt Parade Cremorne - Strategic Transport.docx

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

Transport Planning Officer
Strategic Transport Unit

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

Sustainable Management Plan (SMP)

Referral Response by Yarra City Council



ESD in the Planning Permit Application Process

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

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

As detailed in Clause 22.17, this application is a 'large' planning application as it meets the category Non-*residential 1. 1,000m² or greater.*

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

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

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

Assessment Process:

The applicant's town planning drawings provide the basis for Council's ESD assessment. Through the provided drawings and the SMP, Council requires the applicant to demonstrate best practice. The following comments are based on the review of the architectural drawings, prepared by *Idle Architecture* (advertised set) and the accompanying SMP, prepared by SDC (advertised version).

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

Sustainable Management Plan (SMP)

Referral Response by Yarra City Council

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Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

Sustainable Management Plan (SMP)

Referral Response by Yarra City Council

Assessment Summary:

Responsible Planner:	Sarah Thomas
ESD Advisor:	Euan Williamson
Date: 17.07.2018	Planning Application No: PLN18/0002
Subject Site:	1-3 Harcourt Pde, Cremorne, VIC
Site Area: Approx. 785m^2	Site Coverage: 100%
Project Description:	Ten storey building containing a residential hotel (104 rooms).
Pre-application meeting(s):	None.

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

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

(1) Applicant ESD Commitments:

- A STORM report with a 100% STORM score has been submitted that demonstrates best practice and relies on ~430m^2 of roof connected to a 15,000 litre rainwater tank and 15m^2 of terraces connected to 1m^2 of raingardens.
- 10% improvement above the energy efficiency requirements of the NCC.
- Good access to daylight to hotel rooms and auxiliary spaces.
- Reasonable shading through screens, balconies and building articulation.
- Energy efficient HVAC for guest rooms with a COP of 3.5 (min).
- Energy efficient lighting, and common area & external lighting to have motion sensor controls.
- Water efficient fixtures and taps.
- Water efficient irrigation.
- 29 bike parking space in the basement.
- Green wall (creeper provided) to NE façade adjacent to carpark entrance.

(2) Application ESD Deficiencies:

- No access to natural ventilation to most hotel rooms and auxiliary spaces. Ensure that fresh air supply is in excess of AS1668 air flow rates by at least 50%. Recommend heat recovery within HVAC system.
- "Wherever possible" is not a suitable term for a town planning submission. Please remove this reference relation to steel suppliers.

(3) Outstanding Information:

- Please provide the completed JV3 energy modelling report prior to occupation demonstrating the 10% improvement in NCC requirements.
- Please clearly identify the raingarden on both architectural and landscape plans. Please note that the 300mm specification of these raingardens describes the overflow reservoir depth, not the depth of the garden substrate. Consider whether 100mm raingardens might be more suitable.

(4) ESD Improvement Opportunities

- Recommend a solar PV array to contribute to onsite electricity demands.
- Recommend providing a composting system for hotel services.

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

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

Further Recommendations:
The applicant is encouraged to consider the inclusion of ESD recommendations, detailed in this referral report. Further guidance on how to meet individual planning conditions has been provided in reference to the individual categories. The applicant is also encouraged to seek further advice or clarification from Council on the individual project recommendations.

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

1. Indoor Environment Quality (IEQ)

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Natural Ventilation and Night Purging	No access to natural ventilation to most hotel rooms and auxiliary spaces.	Ensure that fresh air supply is in excess of AS1668 air flow rates by at least 50%. Recommend heat recovery within HVAC.	2
Daylight & Solar Access	Good access to daylight to hotel rooms and auxiliary spaces.	-	1
External Views	External views from most areas.	-	1
Hazardous Materials and VOC	Low VOC internal sealants and paints, adhesives, and flooring, and low or zero formaldehyde content in engineered timber projects.	-	1
Thermal Comfort	Good thermal comfort is determined through a combination of good access to ventilation, balanced passive heat gains and high levels of insulation. The application proposes: - No access to natural ventilation - Some external shading - Good thermal efficiency standards.	Please refer to section on, *NCC Energy Efficiency Requirements Exceeded* and *Effective Shading*	1

*** Council Assessment Ratings:**

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

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

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

2. Energy Efficiency

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
NCC Energy Efficiency Requirements Exceeded	10% improvement above the energy efficiency requirements of the NCC.	Please provide the completed JV3 energy modelling report prior to occupation demonstrating the 10% improvement in NCC requirements.	3
Hot Water System	Gas storage hot water with a minimum 85% efficiency.	-	1
Peak Energy Demand	Peak demand reduced through various initiatives.	-	1
Effective Shading	Reasonable shading through screens, balconies and building articulation.	-	1
Efficient HVAC system	Energy efficient HVAC for guest rooms with a COP of 3.5 (min).	-	1
Efficient Lighting	Energy efficient lighting (20% improvement on NCC for hotel), LEDs and external lighting to have motion sensor controls.	-	1
Electricity Generation	No information has been provided.	Recommend a solar PV array to contribute to onsite electricity demands.	4
Other	-	-	-

*** Council Assessment Ratings:**

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

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

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

3. Water Efficiency

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Minimising Amenity Water Demand	Water efficient taps and fittings throughout, including: - 4 Star toilets - 5 Star tapware - 3 Star showers <7.5 litres/min - Medium contemporary for penthouses.	-	1
Water for Toilet Flushing	15,000 litre rainwater tank proposed to flush toilets on ground level (20 occupants equivalent).	-	1
Water Meter	Separate water (hot & cold) metering for all major uses.	-	1
Landscape Irrigation	Rainwater to feed drip irrigation system to planter boxes.	-	1
Other	-	-	-

*** Council Assessment Ratings:**

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

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

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

4. Stormwater Management

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
STORM Rating	A STORM report with a 100% STORM score has been submitted that demonstrates best practice and relies on ~430m^2 of roof connected to a 15,000 litre rainwater tank and 15m^2 of terraces connected to 1m^2 of raingardens.	Please clearly identify the raingarden on both architectural and landscape plans. Please note that the 300mm specification of these raingardens describes the overflow reservoir depth, not the depth of the garden substrate. Consider whether 100mm raingardens might be more suitable.	3
Discharge to Sewer	-	-	-
Stormwater Diversion	-	-	-
Stormwater Detention	-	-	-
Stormwater Treatment	-	-	-
Others	-	-	-

*** Council Assessment Ratings:**

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

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

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

5. Building Materials

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Reuse of Recycled Materials	Flooring and joinery will be certified through Ecospecifier, GECA, ECS or MTS.	-	1
Embodied Energy of Concrete and Steel	A minimum of 50% recycled concrete.	"Wherever possible" is not a suitable term for a town planning submission. Please remove this reference relation to steel suppliers.	2
Sustainable Timber	All timber used will be FSC or PEFC accredited.	Recommend FSC accredited timber only.	4
Design for Disassembly	No information has been provided.	Consider a small pallet of materials and construction techniques that can assist in disassembly.	4
Other	-	-	-

*** Council Assessment Ratings:**

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

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

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

6. Transport

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Minimising the Provision of Car Parks	Car parking proposed on ground floor in car stackers.	-	1
Bike Parking Spaces	19 bike parking space in the ground floor carpark	-	1
End of Trip Facilities	Recommend end of trip facilities to encourage staff to cycle to work.	-	2
Car Share Facilities	No information has been provided.	-	1
Electric vehicle charging	No information has been provided.	Recommend providing electric vehicle charging facilities.	4

*** Council Assessment Ratings:**

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

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

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

7. Waste Management

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Construction Waste Management	Only general statements provided.	Recommend a minimum 80% recycling/reuse target for construction and demolition waste.	4
Operational Waste Management	Space for general waste and recycling bins.	Recommend providing a composting system for hotel services.	4
Storage Spaces for Recycling and Green Waste	Area for bins and hard waste can be identified on the plans.	-	1
Others	-	-	-

*** Council Assessment Ratings:**

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

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

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

8. Urban Ecology

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
On Site Topsoil Retention	There is no productive topsoil on this site.	-	NA
Maintaining / Enhancing Ecological Value	Landscaping on terraces and ground floor will marginally improve the ecological value of the site.	-	1
Heat Island Effect	No specific information has been submitted.	-	1
Other	438m^2 of communal space including co-working space.	-	1
Green wall	Green wall (creeper provided) to NE façade adjacent to car park entrance.	-	1

*** Council Assessment Ratings:**

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

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

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

9. Innovation

Objective:

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

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

*** Council Assessment Ratings:**

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

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

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

10. Construction and Building Management

Objective:

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

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

*** Council Assessment Ratings:**

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

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

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.



Applicant Response Guidelines

Project Information:

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

Environmental Categories:

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

Objectives:

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

Issues:

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

Assessment Method Description:

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

Benchmarks Description:

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

How does the proposal comply with the benchmarks?

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

ESD Matters on Architectural Drawings:

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

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

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Theodosakis, John

From:	Thomas, Sarah
Sent:	Monday, 2 July 2018 9:40 AM
To:	Williamson, Euan; Engineering Referral Unit; Orr, Patrick; Strategic Transport Referrals; Maher, Ciaran; Urban Design Unit
Cc:	Pisani, Mark; Demosthenous, Nick; Wearne, Julian; Pandhe, Amruta
Subject:	Planning referral - 1-3 Harcourt Pde, Cremorne

Hi All

Planning application No.: PLN18/0002
Address: 1-3 Harcourt Pde Cremorne VIC 3121

Please find below a link to set of plans for the above planning application.
https://www.yarracity.vic.gov.au/services/planning-and-development/planning-applications/advertised-planning-applications/2018/06/29/pln180002

We are after your advice from your respective fields.

In particular:

- Engineering – car parking access, layout and provision, access and safety to Harcourt Pde/Punt Rd.
- Strategic transport – Bicycle parking layout, provision and access.
- Urban design – we have also gone external for advice so we are just after comments in terms of the broader public realm.

If you have any enquiries, please contact me.

Thanks

Sarah Thomas
Principal Planner and Advocate
(Monday, Tuesday, Thursday and Friday)
City of Yarra PO Box 168 Richmond 3121
T 9205 5046 **F** (03) 8417 6666
Sarah.Thomas@yarracity.vic.gov.au **W** www.yarracity.vic.gov.au

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

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Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

INDEPENDENT URBAN DESIGN ADVICE

PROPOSED DEVELOPMENT AT 1-3 HARCOURT PARADE CREMORNE
October 2018

Prepared by

Robert McGauran
B. Arch. (Hons. Melb), B.A. (Fine Arts Melb.), P.D.M. (Melb.), LFRAIA, FVEPLA, Architect

Our ref: 18082

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Eli Giannini
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Mun Soon
Joshua Wheeler

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

BACKGROUND

1. In July 2018, Yarra City Council (Council) requested my urban design advice regarding a planning permit application for the site at 1-3 Harcourt Parade, Cremorne.
2. My comments are made with regard to the resolution of the scheme in relation to:
   a) Appropriateness of the design treatment and scale of the proposed buildings;
   b) Siting, bulk and height of the proposed buildings and its streetscape impact and also internally;
   c) Use of colours, materials and façade treatments;
   d) Signage; and
   e) Whether the proposal achieves a high architectural and urban design outcome.
3. The application proposes to develop the site with a residential hotel comprising 11 levels. The proposed building will contain the following:
   > Ground Floor will comprise the entry foyer, accessed from Gough Street and the vehicle car park to accommodate 24 car spaces in valet parked stackers, also accessed from Gough Street.
   > First - Third Floors will accommodate hotel rooms.
   > Fourth and Fifth (identified as Level 4 Mezzanine) Floors will accommodate hotel common areas including bar, breakfast area, conference/meeting areas and kitchen.
   > The remaining floors will accommodate hotel rooms.
   > A proposed electronic sign is located at Floors 4-5 and provides a vertical break in the overall building design as the building tapers towards higher floors. The sign will advertise hotel business and non-hotel business.

SITE CONTEXT

4. The subject site is an irregularly shaped lot located at the north east corners of Harcourt Parade, Gough Street and Punt Road.
5. It has three street frontages - Gough Street to the north, Punt Road to the west and Harcourt Parade to the south.
6. The site has an area of 785sqm.
7. The site is currently used as an open lot commercial car park. A small office shed and a V-shaped floodlit promotional sky sign that has existed on the site for many years. There is no significant landscaping other than peripheral landscaping along the site boundaries.
8. To the immediate east of the subject site is the Richmond Maltings Silos, an iconic site in Richmond with its associated Nylex and Victoria Bitter promotional signs.
9. The Richmond Silos site has been the subject of recent heritage and planning approvals processes to retain the silo buildings and undertake a comprehensive mixed use development that incorporates the Nylex sign and Victoria Bitter signage into the redevelopment of the site.
10. To the immediate north of the subject site facing Punt Road is a five storey commercial office building.
11. To the north-east fronting the east side of Gough Place is a number of single storey cottages.
12. Gosch's Paddock, a large passive and open space reserve, is located on the opposite of Punt Road in the City of Melbourne.
13. The Monash Freeway (M1) overpass of Punt Road is to the immediate south of Harcourt Parade, the ground level of which is used for public car parking beyond which is the Yarra River. Harcourt Parade serves as the entry ramp to the Monash Freeway.
14. The subject site is proximate to three arterial roads, the Monash Freeway, Punt Road and Alexandra Avenue on the opposite side of the Yarra River in the City of Stonnington.
15. The subject site has access to public transport with Richmond Railway Station and the Swan Street tram route both located approximately 500 metres to the north and bus routes along Punt

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

Road although the pedestrian environment in Punt Road is hostile by way of noise and speeds of traffic to pedestrian movement.

16. The site is close to a number of locally and internationally recognised tourist and recreation facilities including the Melbourne Sports and Entertainment Precinct (including the MCG, AAMI Park and the Melbourne Park tennis complex), the Yarra River, the Royal Botanic Gardens, the Swan Street activity centre and the Melbourne CBD.

STATUTORY AND STRATEGIC PLANNING CONTEXT

PLAN MELBOURNE

17. Within *Plan Melbourne,* there are a number of outcomes, directions and policies that need to be considered when reviewing this proposal from an urban design perspective.
18. *Plan Melbourne* outlines a vision of Melbourne as a 'global city of opportunity and choice'. This vision is guided by seven key outcomes, each supported by directions and policies towards their implementation.
19. Outcomes relevant to the land-use and built-form changes sought by this proposal include the following:

    a) Outcome 1: Melbourne is a productive city that attracts investment, supports innovation and creates jobs
    b) Outcome 2: Melbourne provides housing choice in locations close to jobs and services
    c) Outcome 4: Melbourne is a distinctive and liveable city with quality design and amenity
    d) Outcome 5: Melbourne is a city of inclusive, vibrant and healthy neighbourhoods

20. **Direction 1.1** seeks to create a city structure that strengthens Melbourne's competitive for jobs and investment, particularly with regard to supporting the central city to become Australia's largest commercial and residential centre by 2050.

    a) Policy 1.1.1 & 1.1.2 encourages new development opportunities to create grow office floor space amongst residential space is to delivering co-benefits of employment, reduced commuting and transport costs for workers and residents. Urban renewal precincts in and around the central city is acknowledged here to play a major role in delivering high-quality, distinct and diverse neighbourhoods that offer a mix of uses.

21. **Direction 4.1** advocates a place-making approach to urban design to create *"more great public places across Melbourne."*

    a) **Policy 4.3.1** seeks to integrate place-making practices into road-space management to ensure the design of streets encourages the use of active transport and facilitates a greater degree of and encounter and interaction between people and places.

22. **Direction 5.1** outlines the ambition of creating a city of 20-minute neighbourhoods by encouraging the development of vibrant, mixed-use neighbourhoods linked by a network of activity centres. 'Walkability', 'housing diversity', 'ability to age in place' are identified here as key characteristics of 20-minute neighbourhoods.
23. **Direction 5.3** notes the importance of social infrastructure in supporting strong communities. Delivery and co-location of social infrastructure in accessible locations in close proximity to public transport is a key policy under this direction.
24. Policy guidelines to consider where relevant include:

    a) *Urban Design Guidelines* for Victoria (Department of Environment, Land, Water and Planning, 2017).
    b) *Safer Design Guidelines* for Victoria (Crime Prevention Victoria and Department of Sustainability and Environment, 2005).

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c) *Urban Design Charter* for Victoria (Department of Planning and Community Development 2009).

PLANNING POLICY FRAMEWORK

State and regional planning provisions relevant to this application are set out below:

25. Clause 11.06-8: Open Space Network in Metropolitan Melbourne. The policy includes strategies for:
    - > " Ensuring development does not compromise the Yarra River and Maribyrnong River corridors and other waterways as significant open space, recreation, aesthetic, conservation and tourism assets.
    - > Continuing the development of the lower Yarra River as a focus for sport, entertainment and leisure.
26. Clause 12.04-1: Environmentally Sensitive Areas. The strategy seeks to protect environmentally sensitive areas with significant recreational value such as the Yarra River.
27. Clause 12.05-2: Yarra River Protection. The relevant strategies seek to avoid overshadowing of the river, its banks and adjacent public open space to ensure that the amenity of the public realm is maintained year round and to minimise the visual intrusion of development when viewed from major roads, bridge crossings, public open space, recreation t rails and the river 'tself.
28. Clause 13.02: Floodplain Management. The subject site is affected by the Land Subject to Inundation Overlay. The objective seeks to assist the protection of life, property and community infrastructure from flood hazard, the natural flood carrying capacity of rivers, streams and floodways, the flood storage function of flood plains and waterways and floodplain areas of environmental significance or of importance to river health.
29. **Clause 15.01-12 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."* Relevant strategies outlined towards achieving this goal include the following:
    - a) *Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.*
    - b) *Ensure the interface between the private and public realm protects and enhances personal safety.*
    - c) *Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.*
    - d) *Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.*
    - e) *Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.*
    - f) *Promote good urban design along and abutting transport corridors.*
30. **Clause 15-01-1R "Urban design – Metropolitan Melbourne"** sets out to create a *"distinctive and liveable city with quality design and amenity"* by undertaking the following relevant strategies:
    - a) *Support the creation of well-designed places that are memorable, distinctive and liveable*
    - b) *Integrate placemaking practices into road space management*
    - c) *Provide spaces and facilities that encourage and support the growth and development of Melbourne's cultural precincts and creative industries.*

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31. **Clause 15.01-02S "Building design"** aims to ensure that building design outcomes contributes positively to local contexts and enhances public realm, strategies relevant to this proposal include:

    a) *Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.*
    b) *Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.*
    c) *Ensure development is designed to protect and enhance valued landmarks, views and vistas.*
    d) *Ensure development provides safe access and egress for pedestrians, cyclists and vehicles.*
    e) *Ensure development provides landscaping that responds to its site context, enhances the built form and creates safe and attractive spaces.*

32. **Clause 15.01-4S "Healthy neighbourhoods"** seeks to achieve neighbourhoods that foster healthy active living and community wellbeing by designing neighbourhoods that encourage community interaction, physical activity and engagement amongst community members of all ages and abilities. Key relevant strategies include the provision of:

    a) *Connected, safe, pleasant and attractive walking and cycling networks that enable and promote walking and cycling as a part of daily life.*
    b) *Streets with direct, safe and convenient access to destinations.*
    c) *Conveniently located public spaces for active recreation and leisure.*

33. **Clause 15.02 "Sustainable Development"** is concerned with encouraging development that is energy and resource efficient, minimising greenhouse gas emissions towards supporting a cooler environment. Strategies outlined under this clause include the incorporation of ESD principles in new developments and supporting low energy forms of transport such as walking and cycling.

34. **Clause 17.01-1 "Economic Development"** acknowledges the role of planning in providing a strong, innovative and diversified economy where all sectors are critical to its property. Specifically, planning has a key role in providing land, facilitating decisions and resolving land use conflicts to enable regions to capitalise upon its strengths and achieve its economic potential. In this respect, strategically, Cremorne has a long history of creativity and production and today continues to be a major hub for creative industries with a distinct cultural industrial heritage and creative identity. New development in Cremorne should respond to and celebrate these underlying strengthens and future opportunities.

35. **Clause 17.01-1R "Diversified economy – Metropolitan Melbourne"** enshrines a key outcome of *Plan Melbourne* to support the expansion of the Central City to become Australia's largest commercial centre by 2050. A key tenant behind strategies to this end is to plan for redevelopment of urban renewal precincts in and around the Central City to deliver high quality, distinct and diverse neighbourhoods that are genuinely mixed-use and offers attractive commercial floor space that is close to public transport and integrated cycling and walking paths. In this regard, the subject site is uniquely positioned within Cremorne near the perimeter of the Central City, near the Main Yarra Trail/Capital City Trail and multiple public transport options. These are positive attributes for the location of knowledge and creative firms.

36. **Clause 17.03-1: Facilitating Tourism**. The objective is "To encourage tourism development to maximise the employment and long-term economic, social and cultural benefits of developing the State as a competitive domestic and international tourist destination.
    The relevant strategies are:

- Encourage the development of a range of well-designed and sited tourist facilities, including integrated resorts, motel accommodation and smaller scale operations such as host farm, bed and breakfast and retail.
- Seek to ensure thot tourism facilities have access to suitable transport and be compatible with and build upon the assets and qualities of surrounding urban or rural activities and cultural and natural attractions.

37. **Clause 17.03-2: Tourism in Metropolitan Melbourne.** The objective seeks to develop metropolitan Melbourne as a desirable tourist destination.
38. **Clause 18 "Transport"** encourages solutions that ensure an integrated and sustainable public transport system that provides access to social and economic opportunities, facilitates economic prosperity, contributes to environmental sustainability, coordinates reliable movement of goods and people and is safe.
39. **Clause 18.01-1 "Land use and transport planning"** outline strategies to develop an integrated, equitable and accessible transport networks that connects people to jobs and services and goods to the market. The following strategies are relevant to this proposal:

    a) Ensuring equitable 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.
    b) Requiring integrated transport plans to be prepared for all new major residential, commercial and industrial developments.

40. **Clause 18.02-2S "Public Transport"** seeks to increase the use of public transport and encourage increased development close to high quality public transport networks.
41. **Clause 18.02-4S "Car parking"** encourages the efficient provision of car parking by consolidating facilitates and ensuring that such facilities achieve a high quality of urban design and protects local amenity, including pedestrians and other users.
42. **Clause 19.02-6R "Open space – Metropolitan Melbourne"** outline the objective to strength the integration of Melbourne's open space network, strategies relevant to this proposal include the following:

    a) Develop a network of local open spaces that are accessible and of high-quality and include opportunities for new local open spaces through planning for urban redevelopment projects.
    b) Create continuous open space links and tails along the Yarra River parklands (extending from Warrandyte to the Port Phillip Bay).
    c) Continue the development of the lower Yarra River as a focus for sport, entertainment and leisure.

43. **Particular provisions of relevance to this proposal include the following:**

    - Clause 52.06 "Car Parking"
    - Clause 52.7 "Land Adjacent to a Road Zone, Category 1"
    - Clause 52.34 "Bicycle Facilities"
    - Clause 58 "Apartment Developments"
    - Clause 65 "Decision Guidelines"
    - "Swan Street Structure Plan", January 2014

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RELEVANT LOCAL POLICIES

44. **Clause 21.05 – "Built Form"** and in particular Clause 21.05-2 is relevant where it notes that within the whole municipality a clear picture emerges of a low-rise urban form punctuated by pockets of higher development.

    Clause 21.05 Built Form covers heritage, urban design, built form character, and public environment. The objective of this policy is to conserve areas of heritage significance whilst providing for an adaptive reuse and change of buildings. It seeks to 'retain Yarra's identity through maintaining built and urban form as typically low-rise with pockets of higher development' and to enhance the built form character by considering the surrounding context and respecting (not dominating) existing built form. It also seeks 'to provide a public environment that encourages community interaction and activity', promoting universal access and ensuring that 'buildings have a human scale at street level'.

    a) 21.05-1 Heritage notes that, *The cultural significance of heritage places must not be compromised by new development.*

    b) *Objective 14 seeks To protect and enhance Yarra's heritage places* , with 14.6 noting, *Protect buildings, streetscapes and precincts of heritage significance from the visual intrusion of built form both within places and from adjoining areas.*

45. 21.05-2 Urban design notes

    a) Strategy 16.1 seeks to Reinforce the Yarra River as the key ecological and open space corridor element of the urban framework and 16.3 seeks to Maintain key vistas along the Yarra River corridor

    b) Objective 17 seeks to retain Yarra's identity as a low-rise urban form with pockets of higher development. Strategy 17.2 notes Development on strategic redevelopment sites or within activity centres should generally be no more than 5-6 storeys unless it can be demonstrated that the proposal can achieve specific benefits such as:-
    - Significant Upper level setbacks,
    - Architectural design excellence,
    - Best practice environmental Sustainability,
    - Positive contribution to the enhancement of the public domain
    - Provision of affordable housing

    c) Objective 20 seeks to ensure that new development contributes positively to Yarra's urban fabric.

    d) Objective 21 seeks to enhance the built form character of Yarra's Activity Centres.

    e) Objective 22 seeks to encourage the provision of universal access in new development.

    f) The description of preferred character for the Yarra River Corridor notes:
    The Yarra River Corridor has a topography that is visually undermined by larger scale development sited too close to its banks. There is a need to protect and enhance the landscape qualities of the Corridor, as seen from within the Corridor, and vantage points outside the Corridor. To maintain the character of the Corridor it is important to recognize that different forms of development will be appropriate in different sections of the Corridor. Prescribing maximum building heights and setbacks is necessary for some sections of the Corridor.

    g) Objective 25 seeks to ensure that development maintains and enhances the environmental, aesthetic and scenic qualities of the Corridor.

    h) Strategy 25.3 Use a combination of height, setback and vegetation screening to protect and enhance the landscape qualities of the Corridor as a vegetation-dominated Corridor, particularly in views from roads, paths and rail corridors and areas of public open space adjacent to the Corridor or on the opposite bank.

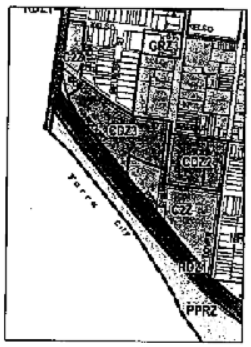
    i) Clause 21.05-4 Public Environment notes in Objective 28 to provide a public environment that encourages community interaction and activity.

j) Strategy 28.4 Require new development to consider the opportunity to create public spaces as part of new development.
k) Strategy 28.5 Require new development to make a clear distinction between public and private spaces.
l) Strategy 28.6 Require new development to consider the creation of public access through large development sites, particularly those development sites adjacent to waterways, parkland or activity centres.
m) Strategy 28.7 Discourage the creation of 'gated communities' that do not integrate with surrounding areas.
n) Strategy 28.8 Encourage public art in new development.

46. Clause 21.06 Transport
47. Clause 21.07 Environmental Sustainability
48. Clause 21.08 relates to Neighbourhoods wherein the subject site fits within Area 12 in *Figure 8 Built Form Character Map for Burnley, Cremorne and South Richmond* notes it is in the Freeway river edge where an objective exists to ensure that development does not dominate the river and ensures that development does not adversely affect the significance of the heritage place.
49. Map 7 notes the importance of maintaining views of and to the silo site and in particular the prominence of the landmark Nylex sign and identifies the subject site as a strategic redevelopment site. In implementing these strategies it notes – the implementation of built form strategy in clause 21.05 includes:
    - Supporting development that maintains and strengthens the preferred character of the relevant built form character
    - Encouraging the redevelopment of the following strategic redevelopment sites in a way that contributes positively to the urban fabric and public domain of the Yarra and where, subject to a Heritage Overlay, protects the heritage of the site and the area.
    - Site 1 is 34-45 Giblin Street Burnley
    - Site 2 is 2 Gough Street Cremorne (the subject site)
50. Further along in this section it notes *Ensuring that development of land adjacent to the Yarra River downstream of Church Street does not dominate the river* and *maintain the visual prominence of the Bell Tower of Dimmeys, the Nylex sign and the Stitches Knitwear sign*
51. Clause 22.03 Landmarks and Tall Structures. In this context, in Cl.23.4 Landmark Design Response and Policies it notes the following:
    - Under 22.03-3 Policy – Protect views to the silhouette and profile of Yarra's valued landmarks to ensure they remain as the principal built form reference; Maintain the prominence of Yarra's valued landmarks and landmark signs and; Ensure the profile and silhouette of new tall structures adds to the interest of Yarra's urban form and skyline.
    - Notably in the context, the Nylex sign is identified in 22.03-4 as one sign where development should protect views to the following landmark signs.
52. Clause 22.04 Advertising Signs Policy.
53. Clause 22.05 Interface Uses Policy. This clause seeks to facilitate the development of new residential uses within and close to activity centres, near industrial areas and in mixed use areas while not impeding the growth and operation of these areas as service, economic and employment nodes'. Its aim is to ensure that residential uses located within Mixed-Use Zones or near commercial centres and industrial uses enjoy a reasonable level of amenity and are designed to minimise the impact of nearby business operations and industrial activities on the amenity within the proposed dwellings.
54. Clause 22.16 Stormwater Management (Water Sensitive Urban design)
55. Clause 22.17 Environmentally Sustainable Development

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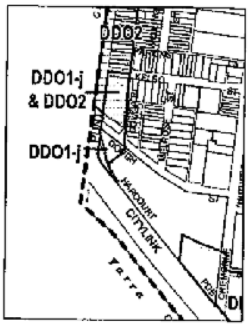
ZONING



56. The site is zoned Commercial 2 Zone (C2Z) under the Yarra Planning Scheme.
57. The purposes of the Commercial 2 Zone are:
    - To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
    - To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.
    - To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.
58. The proposed use is defined as a 'residential hotel' under the planning scheme:
    - Land used to provide accommodation in serviced rooms for persons away from their normal place of residence. If it has at least 20 bedrooms, it may include the sale of liquor for consumption on, or off, the premises, function or conference rooms, entertainment, dancing, amusement machines, and gambling.

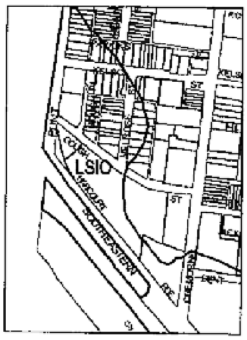
OVERLAYS

Design and Development Overlay



59. The subject site is in a Design and Development Overlay (DDO1: Yarra (Birrarung) River Corridor Protection. The purposes of the Design and Development Overlay are:
    - To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
    - To identify areas which are affected by specific requirements relating to the design and built form of new development.
60. The Schedule to this Overlay includes various design objectives and buildings and works requirements. The only significant mandatory requirement is:
    - Buildings and works must not cast any additional shadow across the Setback Reference Line specified in each Setback Map Reference to this schedule between 11:00am and 2:00pm on 22 June.
61. DD01 also includes setback and height controls for some precincts but not this precinct

Land Subject to Inundation Overlay

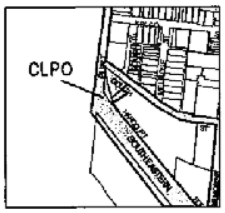


62. The subject site is in a Land Subject to Inundation Overlay (LSIO). The purposes of the Land Subject to Inundation Overlay are:
    - To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
    - To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.
    - To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

- To reflect any declaration under Division 4 of Part 10 of the Water Act, 1989 where a declaration has been made.
- To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).
- To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.

City Link Project Overlay

63. The subject site is in a City Link Project Overlay (CLPO). The overlay provides that a sign may be displayed if the land is no longer under the control of the Melbourne City Link Project. Yarra City Council has previously issued a permit for a three storey office building with a similar sized sign. Council received advice at that time that the land was not subject to the advertising sign restrictions of the Project.



SUMMARY OF FINDINGS & CONCLUSION

64. The site, at a major gateway to the city at the interface of the Monash Freeway, is a logical one for upgrading from its current signage and parking use to a more ambitious building program.
65. The reversion of the site to a hospitality and accommodation use recalls in part the site's origins in the early 20th Century as a hotel and short term accommodation in conjunction with conferencing adjacent Melbourne's premier sporting precinct and an emerging employment zone and represents a logical use that should be supported subject to the design response being satisfactory.
66. The configuration of a use that has a low car parking demand is similarly supported in principle and could be further enhanced with a more ambitious green travel proposition having regard to the short term nature of occupancy by guests to the precinct and the proximity to the Capital City Trail and inner city cycling networks and the previously mentioned accessibility of public transport in the environs and their supplemented intensification in precinct events mode.
67. The proposed inclusion of welcome facilities at the apex of Gough Street is logical as is the inclusion of back of house facilities to the eastern interface at ground floor or below ground level and at the interface with an adjoin similarly programmed podium
68. Generally speaking the architectural response of a floating podium floor capped by an upper level similar in form and divided by a two level rebated zone could additionally respond to attributes of the site in an appropriate manner.
69. The proposed accommodation looks typically to be fit for purpose as serviced accommodation and the inclusion of hotel common area with conferencing facilities at level 3 and mezzanine level 4 is most welcome as an addition to the Cremorne precinct and its growing enterprise role for the city and dearth of similar facilities therein.
70. Notwithstanding my general support for the project, there are matters that require additional work by the applicant in my view to achieve a satisfactory result.

Placemaking

71. As previously noted the site is a key one in the development of the gateway to Cremorne and its nexus with the Capital City Trail gateway and arrival to Melbourne Park and the city.
72. Its position on Gough Street, a street already with substantial car parking and traffic pressure, raises issues of how the quality of amenity could be improved to this street and Harcourt Parade to provide an enhanced future interface between the major arterial road Punt Road, the local road on-ramp of Harcourt Parade to the Monash Freeway, the adjoining capital City Trail and river to the south and sports precinct to the west.

73. The pavement response as a key pedestrian arrival point should also note the potential synergies for occupants to access eastwards to the proposed adjoin hospitality core to the Maltings precinct and the typically wider pavements being delivered to the Gough Street interface therein. Logically the proposal should form a seamless extension of this public realm improvement project to complete the renewed street from east to west.
74. To that end the development of kerb outstands to Gough Street to provide a more ample front door zone for the development is recommended.
75. This should be undertaken in conjunction with better resolution of the corner of Gough Street and Punt Road which appears at present to be unclear in its resolution in respect to levels, planting, etc. with the result that footpaths remain very narrow longitudinally along the Gough Street frontage and unenhanced to the Harcourt Parade frontage.

Recommendation

> That development is completed out to the kerb line for the Harcourt Parade and Gough Street frontages inclusive of tree planting and street furniture to the satisfaction of the responsible authority and consistent with the language and treatments adopted for the adjoin Maltings Public Ream Improvements to deliver a whole of block placemaking solution.

Interfaces

76. The applicant has not adequately described the interface with the proposed adjoining 15 storey blue glass tower on the Nylex site, instead providing for a small light court zone and setback with no engagement between the proposed development and the adjoining interfaces.
77. I would recommend section investigations between the terrace of room 15, the central light court zone and room 1 vertically to describe the proposed arrangements in order to ensure that the project provides for an integrated whole that provides a high quality amenity and aspect for occupants of both interfacing properties
78. In this case for example there may be opportunities to extend elements of rooms 1 and 15 to the site boundary to provide a more generously scaled end room and a better resolution with the neighbour at podium level and more generously resolved interfaces at upper levels. This will be subject to the investigation noted above.
79. The opportunity would also exist to enhance the amenity of the conference area where currently there is proposed screening over glazing to much of the Gough Street frontage.
80. The proposed planting on terrace areas is also somewhat vague and unresolved at this point in time.

    a) I would have a preference for planter zones with depths of at least 1m and widths of a similar dimension to ensure, in combination with stormwater harvesting and irrigation, that ensure these areas provide a contribution and for amenity of residents to the public realm in perpetuity.

Landmark billboard

81. The proposal indicates a large sign arrangement to the southwest and south that varies from construction to the street interface with Harcourt Parade to setbacks of 2.96-3.44m to the Punt Road interface and at a maximum of 8.4m to the southern Harcourt parade interface. This proposal appears to be in three parts, with two sections of 19m long x 4.57m high signage joined by a 4.3m wide x 4.5m high board in the centre.
82. The alignment of the board in the central section would appear to align with the outermost point of the building to the south west and rooms 5 and 6 in the two upper levels.
83. The proposal suggests no setback to the Gough Street frontage for approximately 60% of the frontage of the site from its western intersection eastwards, raking back to a 7.32m setback to the east.
84. This arrangement is repeated on the upper levels to the north, to the full occupied extent of the building, with setbacks occurring to the south on level 8 of 8.482m at the south eastern end of

the site and 1.93m more generally and at level 9 where setbacks are in the order of 15m to habitable rooms at its south eastern most end.

85. Plant areas are further set back towards the north western part of the site.
86. Elevations are provided of the south west, north and east with sections and a single streetscape elevation provided for the subject site viewed from Harcourt Parade frontage.
87. A 3D image is provided from the northwest indicating the arrangements of the proposed intermediate level signs and the juxtaposition of the building with the adjoining podium forms to the west.
88. A further streetscape perspective from the north east in Gough Street is provided along with a perspective view from the Punt Road interface and Alexandra Avenue bridge to the south west.
89. View lines for visibility of the Nylex sign are also provided by the applicant in drawing 3.09.
90. The rationale behind the selected viewpoints needs to be verified against the propositions established for the adjoining development in Gough Street.
91. Two sections are shown, one showing the juxtaposition of the development with the adjoining Monash Freeway and Harcourt Parade to the south and Gough Street to the north and the other longitudinal section indicating Gough Street and the adjoining development.
92. Details of planters at street level are indicated although widths are not shown and will be critical to the viability of the proposed planting.
93. No details for upper level planting shown on plans are provided by the landscape architect.
94. The proposal also includes a shadow analysis which indicates a greater extent of shading to Harcourt Parade and Punt Road and the main river trail at the June solstice but of apparently modest dimension with no additional impact on the river corridor but with clear impacts on the proposed residential development to the east and south east during the afternoon.

Materials and finishes

95. The materials provided, consist of precast panels, timber cladding, aluminium framed windows, Web Forge steel shading and composite claddings, timber claddings behind glass and plant areas shielded with ventilated louvres and shades.
96. Generally speaking the materials and finishes are robust and appropriate in the setting.

Further work and information

97. In addition to the previously noted recommendation, areas where I feel greater ambition is warranted are as follows.

Ground floor wall interfaces to Harcourt Parade

98. In this instance the applicant is suggesting a precast panel articulated only with a 20mm deep rebate to much of the frontage to this façade. The publicness and gateway significance of this location has not in my view been sufficiently acknowledged in the design response and warrants I think an integrated art strategy to this interface to enhance the ground floor interface with the river at a point where the under croft of the freeway along with the Capital City Trail and their connections into the precinct have been identified strategically as matters of future importance to the operation of the Cremorne precinct.

Recommendation 2

> Provide an integrated art strategy to the Harcourt Parade Frontage in response to the sites location at the gateway to the Capital City River trail and its arrival at Cremorne and the Melbourne Sports Precinct to the satisfaction of the responsible authority. The proposal should ensure the façade is the focus of positive art intervention through a considered Public Art response with associated lighting to enhance the safety, welcoming nature and significance of this location.

99. I similarly have a concern regarding the lower level eastern interfaces and how they interface with neighbouring development within the Maltings precinct and Nylex site. As previously

noted, sections need to be developed to provide for a more attractive resolution than the suggested 39m of concrete walls expressed as a sideage to the full height of this development.

Recommendation 3

> It is recommended that the applicant provide a revised response to the eastern interface with the neighbouring Maltings development and proposed tower and podium therein. The response must invest the building with higher quality urban design aspect to the north east and east in order that the relationship between this and taller development to the east is attractively resolved. The response will ensure that generous space typical of comparable setback to its neighbour is provided between tower forms above podium level to the benefit of all parties at all levels and to the satisfaction of the Responsible authority and to ensure these elements do not read as contiguous form when viewed from the river and along Gough Street.

Web Forge steel shading

100. The extent of Web Forge steel shading to the northern elevation is very significant and details as to how this is to be applied in this instance to provide the location and presentation of high quality amenity to the lower scale residential communities to the north has yet to be clarified in the development proposal. Whilst the approach might possibly deliver a good outcome this is not yet apparent with the material provided to council

Recommendation 4

> Provide more detail through thumbnail sketches and precedents to demonstrate how this proposal and its extent of application of screening material might be vested with increased visual interest and design resolution warranting of support for such a large intervention into a neighbourhood interface that celebrates finer grain form and demands high quality architecture for support for taller development .

Signage

101. The proposal suggests the inclusion of an expansive sign of over 42m in length and 4.57m in width at the interface with the river and adjoining development
102. It is not clear from the application how light spill from the signage will be managed at its interface with eastern residential neighbours and the river and adjoining freeway nor how the repositioning of the sign will impact on the river corridor and the extent of signage that might be seen within this zone.
103. Avoiding substantial corporate signage and advertising along the river corridor has been a key objective of The Central City.
104. Hence in my view a question must arise in assessing this application in relation to whether or not the repositioning of the signage to be longitudinally arranged along the river corridor interface and hence to the neighbourhoods to the south and the public river park rather than perpendicularly organised towards the road is appropriate.
105. Additionally it has been extended in dimension and invested with new technology LED systems that increase the lighting intensity and visibility in this location.

Recommendation 5

> Reduce the length of this sign should be curtailed so that the shared public areas of the hotel have an aspect to the western parklands of at least 6m in north south dimension to ensure the central zone reads legibly as a social and conference element when seen from the Melbourne Park and adjoin city arrivals rather than as a sign.

Light Spill and amenity impact

106. I am not an expert in visual impacts nor in assessing the apparent orightness of new age LED systems when viewed from unlit or low lit environments but in this instance I think it would be appropriate to ask the applicant for before and after imagery of the visibility from the southern

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

riverbank interface of the Anderson Street bridge and the subject site, the Alexandra Parade interface with Punt Road on the southern side of the street and the riverbank on the opposite side of the river opposite the site and between Punt Road and the Anderson Street bridge to determine the likely outcome arising from these new arrangements.

107. Unlike the central city the area is lit to a lower extent and hence the brightness of signage is like'y to be of greater contrast to its environs. Hence in addition it would be appropriate to have a lighting report to determine the apparent luminosity and glare arising from the proposal and the impacts on adjoin properties public space and outlooks arising against acceptable standards.

Recommendation 6

> Setback a minimum of 9m and screen signage from spillage to its eastern proposed residential neighbours to ensure that unreasonable light spill causing reduced amenity is curtailed to the satisfaction of the responsible authority.

108. In general terms the principle of mitigating and minimizing advertising in this corridor is warranted though I note in this instance the longstanding provision on the subject site in conjunction with the adjoining Nylex site. This needs to be tempered against the future preferred character for the precinct wherein the Nylex sign should remain predominant. There is no doubt in broader terms that there is not an ambition to make the Cremorne precinct an advertising billboard for its full length when seen from the freeway. Full support in this instance would need to be shaped in accordance with these broader goals.

Recommendation 7

> Provide a lighting assessment and views demonstrating the lighting impacts of the proposal when viewed from key points of the river corridor and opposite that ensure the Nylex sign remains the dominant signage in the precinct and that offsite impacts on the environmental qualities of the river corridor and the amenity of neighbours is not unreasonably impacted to the satisfaction of the Responsible Authority.

Heights

109. I have not been able to determine from the application whether sufficient consideration has been given to the visibility sought for existing Victoria Bitter and Nylex signs within the precinct to support the proposal in its current form. Details that evidence this should be provided.

Recommendation 9

> Provide views from key vantage points along the Punt Road and River Corridor similar to these sought for the assessment of the Maltings Proposal. These views should demonstrate that the policy priorities of retaining the visual prominence of the Nylex sign are not compromised by the development to the satisfaction of the Responsible Authority or the built form reduced to achieve this objective.

Landscape of upper level areas
Recommendation10

> Detail of upper level landscapes needs to be provided to the satisfaction of the responsible authority.

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

DOCUMENTS FORMING THE BASIS OF THIS REPORT

- Plans, IDLE Architecture Studio, December 2017
- Planning Report, Matrix, December 2017
- Heritage Impact Statement, Trethowan, April 2018
- Acoustic Report, Acoustic Logic, April 2018
- Waste Management Plan, Leigh Design, December 2017
- Traffic Impact Assessment, O'Brien Traffic, December 2017



Prepared By
Robert McGauran
B. Arch. (Hons. Melb), B.A. (Fine Arts Melb.), P.D.M. (Melb.), LFRAIA, Architect

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

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Our Reference: 25224L#1

11th July, 2018

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

Attention: Ms Sarah Thomas

Dear Madam,

1-3 Harcourt Parade, Cremorne - Proposed Residential Hotel
Traffic Engineering Review

Introduction

Further to your instructions, please find following our review of the proposed residential hotel development at 1-3 Harcourt Parade, Cremorne. The proposal is for a 104-room residential hotel on the site. Attached to the side of the building will be two electronic advertising signs.

For this assessment, we have reviewed the following documents:

- Traffic Impact Assessment (TIA) prepared by O'Brien Traffic, dated 7th June, 2018
- Waste Management Plan (WMP) prepared by Leigh Design, dated 8th December, 2017
- Development plans by Idle Architecture Studio, dated 11th April, 2018

We have also had reference to the VCAT decisions for the Richmond Maltings site and our previous experience with projects in the immediate vicinity of the site.

Proposal

This assessment relates to a proposed residential hotel at 1-3 Harcourt Parade, Cremorne. A development summary is provided below (based on the development plans prepared by Idle Architecture, dated 11th April, 2018).

A total of 104 rooms are proposed. Additional amenities include a kitchen, bar and dining area and conference facilities. We understand that these additional facilities are ancillary to the hotel.

The ground level accommodates 24 car spaces, including a disabled space, a service bay and 22 car spaces within car stackers. The overall car parking rate is 0.23 car spaces per room. Vehicle access is via a double width crossover to Gough Street towards the site's eastern boundary.

A separate porte cochere is proposed with entry and exit to Gough Street. The porte cochere can accommodate at least 2 vehicles.

In addition to car parking, a total of 29 bicycle spaces are proposed.

The development also includes two electronic billboards, measuring 18m wide x 4.57m high.

Car Parking Assessment

Statutory Car Parking Assessment

A 'residential hotel' is not a nominated land use under Table 1 of Clause 52.06-5 and is not included under another land use term listed in Clause 52.06-5. Accordingly, car parking has to be provided to the satisfaction of the Responsibility Authority.

Adequacy of Car Parking Provision

A total of 24 car spaces are proposed on-site (including the service bay). Car parking will be available to guests under a valet system and some staff may use the on-site carpark.

The TIA estimates the residential hotel will generate a demand for 0.22 car spaces per room, based on surveys of a serviced apartment development in Moonee Ponds. The TIA acknowledges that there are differences between a serviced apartment development and residential hotel, with a residential hotel likely to have higher staff parking demands. We agree that the two are not wholly comparable.

In our view, the provision of car parking for a residential hotel in this location is largely a commercial decision and the provision of car parking will effectively limit the car parking demand. The site is well served by alternative transport modes and its location on the CBD fringe means the likely demand for car parking by guests will be low. Guests will book the hotel knowing whether they need a car space or not and whether their booking includes an on-site car space and plan accordingly. Guest's requiring a car space and unable to book one due to availability of the on-site car parking are unlikely to book this hotel.

There is no opportunity for long-term car parking in the nearby area by staff or guests given the existing car parking restrictions and we are satisfied that the residential hotel will not impact local car parking conditions.

Overall, we are satisfied that the provision of 24 car spaces is acceptable.

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

Bicycle Parking Assessment

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

Table 1: Statutory Bicycle Parking Assessment – Clause 52.34/Development Plan

Proposed Use	Size/No.	Bicycle Parking Rate		No. of spaces required
		Staff	Visitors	
Residential Building, other than specified	104	In developments of four or more storeys, 1 to each 10 lodging rooms	In developments of four or more storeys, 1 to each 10 lodging rooms	10 staff 10 visitors
Total				**20**

The development requires 20 bicycle spaces to be provided on the site under Clause 52.34.

A total of 29 bicycle spaces are provided, which exceeds the statutory requirements and this provision is supported.

As 10 staff spaces are required, two shower/change rooms are required by Clause 52.34 for staff. These could be required as a condition of permit.

The bicycle spaces are not dimensioned, however all bicycle racks appear to be 'Ned Kelly' style bicycle racks and are therefore wall mounted. AS2890.3-2015 requires 20% of bicycle spaces to be horizontal. This could be addressed as a condition of permit.

The space allowed for bicycle parking appears to be adequate (although not dimensioned). However, at least 2 of the bicycle racks in the south corner of the site appear to be inaccessible due to overlapping of the bicycle racks and access aisles.

Carpark Layout

The proposal includes a secure ground level carpark with 24 car spaces (22 within car stackers) and a porte cochere capable of accommodating at least 2 cars. The car stackers will be used for guest parking under a valet arrangement. This arrangement accords with the restrictions of Design Standard 4 of Clause 52.06-9 and is supported.

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

- No car stacker model is indicated and no specification sheet has been provided. This should be provided by the applicant to confirm that the space provided for the car stackers is adequate.
- The car stackers have not been clearly dimensioned on the plans.

- No swept path diagrams demonstrating access to the car spaces have been provided. Stacker space 20-22 appears to be tight given the angle of the southern boundary wall and due to the bicycle racks immediately behind it. The swept path diagrams should show the car stacker structure.
- It is recommended that the car stackers accommodate vehicles up to 5.2m long (the B99 design vehicle). This is because the hotel will have limited control of the size of vehicles that guests will bring during their stay. It is more appropriate to therefore accommodate all vehicle types within the car stackers. This should be included as a condition of permit.
- The headroom clearance for the car stackers has been indicated on Section A-A. A 3.8m headroom clearance and 2.0m pit is shown. Based on typical three-level car stackers, these dimensions should allow a car stacker model that will accommodate at least 25% of car stackers at 1.8m in height. This should be confirmed with a suitable specification sheet.
- The grade into the carpark is 1:8 directly from the footpath where as Clause 52.06-9 limits grades into carparks to no more than 1:10 for the first 5m into a site. We are satisfied with the variation in this instance as the grade proposed is an up-grade from the footpath, is marginally steep than the 1:10 limit and the grade only extends 2.6m.
- The proposed porte cochere appears to be adequate in size, however its functionality has not been demonstrated by swept path diagrams. Diagrams should be provided demonstrating that the B99 design car can enter and exit the porte cochere to and from the east and west along Gough Street.
- The sight distance measured in Figure 9 is inaccurate and not in accordance with AS2890.1-2004. The required sight distance is measured along the travel path of the vehicle travelling on the road from the point of first sight to the conflict point, not in a straight line. It is accepted that the minimum sight distance provided should be 35m (the minimum safe sight distance under AS2890.1-2004) on the basis that a vehicle turning into Gough Street is unlikely to be travelling faster than 40km/h.
- The exit to the porte cochere is within the prohibited crossover locations specified by AS2890.1-2004, being closer than 6m to the tangent point of the intersection (as per Figure 3.1 of AS2890.1-2004).
- Based on the above two points, the proposed exit to the porte cochere is not supported as it is too close to the intersection of Punt Road/Gough Street. It is recommended that the exit to the porte cochere is moved east 3m to achieve the following:
  - improve the separation of the crossover from Punt Road, in accordance with AS2890.1-2004,
  - to provide additional stopping distance for a vehicle turning off Punt Road (allowing a greater distance between the conflict point and the through traffic lanes on Punt Road, in case a vehicle entering Gough Street does have to stop for an exiting vehicle), and
  - to reduce headlight glare of a vehicle exiting the porte cochere directing its headlights at oncoming traffic along Punt Road.

  The modified porte cochere should still retain the capacity to accommodate 2 cars on-site to facilitate the valet parking system.

Loading and Waste collection

Clause 65.01 of the Planning Scheme specifies that:

> *Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:*
>
> - *The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.*

The Traffic Report does not reference this Clause or assess the likely loading requirements of the hotel. The plans illustrate a 'service bay' that is 3m wide x 5.4m long. This service bay is only adequate to accommodate van sized vehicles.

A hotel will have deliveries of food and supplies on a regular basis, and it is our view that an on-site loading bay of adequate dimensions should be provided.

It is recommended that the service bay is modified to provide a formal loading bay on the site. The loading bay should be 3.6m wide x 7.6m long with a 3.5m headroom clearance in order to accommodate the Small Rigid Vehicle (SRV) from AS2890.2-2002. This vehicle must also be able to enter and exit the site in a forwards direction. There doses not appear to be a fundamental reason why this could not be accommodated within the proposed carpark area given a 'service bay' has already been provided.

A Waste Management Plan (WMP) has been prepared by Leigh Design. The WMP specifies waste to be collected by the small 6.4m long x 2.08m high waste collection vehicle.

The Traffic Report states that the waste truck will drive onto the site but is unable to turn around. The truck will instead reverse out of the site into Gough Street with a spotter. This is unsatisfactory in our view on safety and operational grounds in the context that there is not a fundamental design reason why this truck is unable to exit the site in a forwards direction.

The loading bay recommended above is also of adequate size to accommodate the small waste collection vehicle and this facility should be used for waste collection.

Traffic Generation and Impacts

The TIA provides detailed information regarding traffic generation and distribution by the proposed development. We are satisfied that the assumptions adopted on page 15 are generally reasonable and suitably conservative. Our observations are that:

- We would expect that in practice slightly more traffic will arrive via Punt Road, compared to Cremorne Street
- The expectation that 50% of departures occur in the AM peak and 50% of arrivals occur in the PM peak is possibly overly conservative. We would expect traffic generation of the residential hotel to be more spread than these estimates.

Based on the TIA, a total of 42 vehicle trips are forecast in the AM and PM peaks, split between entry and exit movements and to the east and west along Gough Street. It is estimated that no more than 1 vehicle trip every 4 minutes will be generated for any individual movement (see Figures 10 and 11 in the TIA). This level of traffic is modest.

It should be noted that the TIA did not deduct any traffic from the existing use of the site as a commercial carpark. This carpark accommodates 17 car spaces and offers all day car parking. It is likely that this carpark is used all day by nearby workers and consequently generates most of its traffic in the AM and PM peak hours. Accordingly, the forecast increase in traffic generated by the development will be lower than estimated.

The level of traffic generated by the development overall is not significant in comparison to the development approved and proposed in the immediate area and we are satisfied that it will not have a perceptible impact on local traffic conditions.

The VCAT decision for Stage 1 of the Richmond Malting site is also relevant when assessing the traffic impacts of this application. This hearing assessed the traffic impacts of development in Cremorne in great detail. The key paragraph of this decision is quoted below (underline added for emphasis):[1]

> 86. *There is a wide range of initiatives needed to address the traffic congestion issues in Cremorne. Most of these initiatives are beyond the control of the applicant in this case, and are the responsibility of the Council and VicRoads. Limitations on the provision of car parking is however one component of a wider strategy necessary to address traffic congestion generally and, in Cremorne specifically, that does fall within the ambit of the applicant's responsibility. Notwithstanding our reservations about the Council's lack of detailed policy analysis and development on this issue, the existing levels of congestion in Cremorne calls for an approach that at least begins the process of reducing the reliance on car dependency and encouraging increased use of alternative transport methods. The review site is one site where this approach can be usefully employed.*

We are satisfied that the provision of 24 on-site car spaces is not excessive and in our view will not unreasonably impact on local traffic conditions.

Proposed Advertising Signs

The subject site currently accommodates a flood lit major promotional sign with two sign faces. The proposal effectively replaces these signs with electronic signs which can change image. The ability of these signs to change image has potential road safety implications if image changes are not suitably controlled. Images should have a minimum dwell time, transition between images instantly and should not play video or sequenced images (amongst other conditions).

These signs will be primarily visible to traffic travelling northbound on Punt Road and outbound traffic on CityLink.

[1] P1969 2015 Caydon Cremorne No. 1 Development Pty Ltd v Yarra CC

The TIA does not address these signs and their possible impact on road safety. It is recommended that the applicant provide a report prepared by a suitably qualified engineer assessing the potential road safety impact of the new electronic signs.

The proposal should be referred to VicRoads and CityLink for comment as they will be visible to drivers on arterial roads and CityLink (if it has not already).

Conclusions

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

a) A 'residential hotel' is not a nominated land use under Table 1 of Clause 52.06-5 and is not included under another land use term listed in Clause 52.06-5. Accordingly, car parking has to be provided to the satisfaction of the Responsibility Authority.

b) The provision of 24 car spaces on-site is supported based on an empirical assessment of car parking demand and that local parking restrictions will not allow overflow car parking by the residential hotel.

c) The number of bicycle spaces accords with Clause 52.34, however the following issues have been identified:

   i) Two shower/change room are required under Clause 52.34 for staff cycling to work.

   ii) A small number of bicycle spaces in the southern corner of the site overlap and are compromised.

   iii) 20% of bicycles spaces are not horizontal in accordance with AS2890.3-2015.

d) A number of issues with the proposed carpark layout that need to be addressed:

   i) A car stacker specification sheet has not been provided and the car stackers are not dimensioned.

   ii) The car stackers are recommended to accommodate the B99 design vehicle, given the hotel has limited control over the size of vehicles to be parked in the car stackers.

   iii) Swept path diagrams are required to demonstrate adequate access to:

      - the car stackers (B85 design vehicle), with structure of the car stackers shown, and
      - to the porte cochere (B99 design vehicle), to and from both directions along Gough Street.

   iv) The exit to the porte cochere must be moved 3m eastwards to improve the safety of this exit point. The porte cochere must continue to accommodate 2 vehicles on-site to support the valet parking arrangement.

e) A formal on-site loading bay is recommended, capable of accommodating the SRV from AS2890.2-2002 (3.5m wide x 7.6m long with a 3.5m headroom clearance). All trucks accessing the loading bay must be able to enter and exit the site in a forwards direction and this should be demonstrated with swept path diagrams.

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

f) Waste collection should be undertaken on-site using the loading bay recommended above. Forwards entry and exit should be demonstrated by swept path diagrams.

g) The traffic impacts of the proposal are acceptable in the context of:
   i) The modest traffic volumes forecast.
   ii) The site's location.
   iii) The relatively low level of car parking proposed.
   iv) That the development replaces a commercial carpark on the site.

h) The forecast traffic generation will have a negligible impact on traffic conditions in the area, including the impact of nearby approved/potential development sites.

i) There should be an assessment of the road safety implications of changing the existing static major promotional signs to electronic signs.

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

Yours faithfully,

TRAFFIX GROUP PTY LTD

LEIGH FURNESS
Senior Associate

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

Theodosakis, John

From: Dianne Williams <dwilliams@slrconsulting.com>
Sent: Monday, 2 July 2018 4:14 PM
To: Thomas, Sarah
Subject: RE: PLN18/0002

Hi Sarah,
Their table suggests that they will design for the loudest hour to be 40 dBA Leq in bedrooms and 45 dBA Leq in living rooms.
Wherever a range is provided, we have to assume they are targeting the upper end of the range.
The don't explicitly say 'loudest hour' however in the past when Acoustic Logic have designed to meet a one hour level they have used the loudest hour of traffic noise (which is good practice).
The problem for this site is that almost every hour is likely to be equal the 'loudest hour', so the internal traffic noise levels are likely to be at the upper end of the ranges provided below for the entire day and night periods. As indicated previously, this is not a good amenity outcome and it's why the long term day and night average targets of 35 dBA Leq8hr (bedrooms) and 40 dBA Leq16h (living rooms) are important for this site. However the targets in the report do still provides some limit as to how loud traffic can be, and perhaps that is sufficient given the commercial nature of the project.
Regards,
Dianne.

SLR

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From: Thomas, Sarah [mailto:Sarah.Thomas@yarracity.vic.gov.au]
Sent: Monday, July 02, 2018 3:27 PM

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

To: Dianne Williams
Subject: RE: PLN18/0002

Thanks heaps Dianne

Does their table suggest the below?
I was unsure with loudest hour specs....

Table 1 – Internal Noise Criteria for Traffic Noise

Location	Internal Noise Level dB(A) $L_{eq\,(1hr)}$
Hotel Guest rooms – Sleeping areas	35 - 40
Hotel Guest rooms – Living areas	35 – 45

Thanks

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From: Dianne Williams [mailto:dwilliams@sirconsulting.com]
Sent: Monday, 2 July 2018 11:29 AM
To: Thomas, Sarah
Cc: Jim Antonopoulos
Subject: RE: PLN18/0002

Hi Sarah,
I had not realised that about Clause 58 and C2Z. The nominated targets are not best practice for residential hotels, but they do represent a minimum acceptable level of amenity.
We would recommend design targets of:

- 40 dBA Leq,16hour (all habitable rooms), and
- 35 dBA Leq,8hour (bedrooms),

As well as 'loudest hour' targets of

- 45 dBA Leq,1hour (all habitable rooms), and
- 40 dBA Leq,1hour (bedrooms),

On this project, where the traffic levels will be consistently high throughout the day, the façade upgrades treatments are likely to be determined by the day and night average noise targets (the 16h and 8h levels).
We recommend that a full acoustic planning report is prepared for the site identifying and detailing the façade upgrade treatments that will be required.
Regards,
Dianne.

Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

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From: Thomas, Sarah [mailto:Sarah.Thomas@yarracity.vic.gov.au]
Sent: Monday, July 02, 2018 11:00 AM
To: Dianne Williams
Subject: RE: PLN18/0002

Hi Dianne

Clause 58 doesn't apply (it's in the C2Z and not an apartment development).

However, we were still after your advice as to whether the acoustic targets are appropriate or as per best/industry practice for residential hotels.
May only be brief advice!

Thanks

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Attachment 4 - Referrals - Melbourne Water, VicRoads, TfV, Urban Design (Internal - Public Realm), Engineering Services Unit, City Works, Strategic Transport, ESD, External Urban Design advice, External Traffic advice, and Acoustic advice.

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From: Dianne Williams [mailto:dwilliams@slrconsulting.com]
Sent: Monday, 2 July 2018 10:58 AM
To: Thomas, Sarah
Cc: Jim Antonopoulos
Subject: RE: PLN18/0002

Hi Sarah,
Jim asked me to get back to you on this one because he is somewhat snowed under at the moment.
I've had a quick look at the acoustic documentation and note that:

1. It is a preliminary letter rather than a full planning acoustic report. It sets out design targets and provides a rough indication of what is likely to be required in terms of façade upgrade treatments to address the anticipated high levels of road traffic noise. There is not much here for us to review except to note that the nominated targets are higher than we propose for apartments, and higher than the Better Apartments Design Standards (Clause 58.04-3 of the YPS).
2. The development is commercial (serviced apartments) rather than actual apartments. As such, we are not sure whether Clause 58.04-3 applies to the site. If it does, then the acoustic report definitely needs to address these targets. If it does not apply, then there is some leeway regarding noise targets and it might be argued that designing to the less stringent targets is a commercial decision on the part of the hotel operator. There is also potentially some question about whether a report needs to be prepared at all.

Feel free to call either Jim or myself if you would like to discuss the above.
Regards,
Dianne.

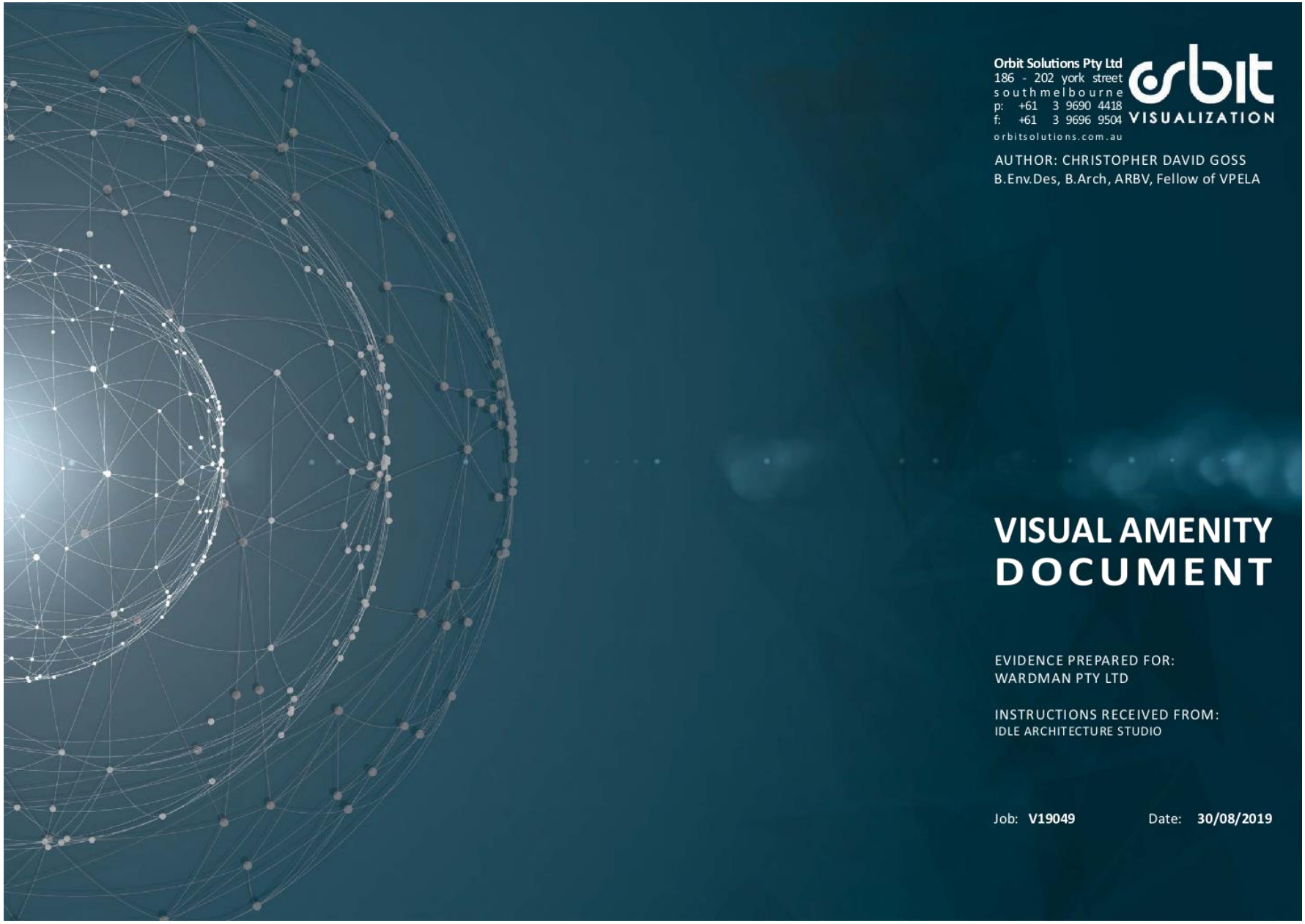
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Attachment 5 - Renders further reviewed by Council's External Urban Designer



Attachment 5 - Renders further reviewed by Council's External Urban Designer



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Camera Locations

View cones are a representation of camera view only

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At:
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For:
Wardman Pty Ltd

Figure:
ii) Camera Locations

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Date: 30/08/2019
Job Number: V19049

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Figure:
1.0

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View 1 Proposed Caydon Cremorne Development with 1-3 Harcourt Parade Massing Envelope

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Figure:
1.1

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View 1 Proposed Caydon Cremorne Development with 1-3 Harcourt Parade Massing Envelope with Proposed Building Outline

- Unoccluded silhouette of proposed built form (excludes vegetation)
- Silhouette of proposed built form that is occluded by existing built form (excludes vegetation)

Project:
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Figure:
1.2

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Figure:
2.0

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Figure:
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View 2 Proposed Caydon Cremorne Development with 1-3 Harcourt Parade Massing Envelope with Proposed Building Outline

Unoccluded silhouette of proposed built form (excludes vegetation)

Silhouette of proposed built form that is occluded by existing built form (excludes vegetation)

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Figure:
2.2

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Figure:
4.0

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Figure:
4.1

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View 4 Proposed Caydon Cremorne Development with 1-3 Harcourt Parade Massing Envelope with Proposed Building Outline

Unoccluded silhouette of proposed built form (excludes vegetation)

Silhouette of proposed built form that is occluded by existing built form (excludes vegetation)

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Figure:
4.2

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Job Number: V19049

Attachment 6 - Cultural Heritage Assessment November 2019

ANDREW LONG + ASSOCIATES

1-3 Harcourt Parade, Cremorne
Cultural Heritage Assessment and Implications for Development

Prepared for:
Wardman Pty Ltd

Authors: Annemarie Reich (Project Manager)
Reviewer: Jonathan Howell-Meurs (Executive Director)
Andrew Long + Associates

28th November 2019

Introduction

The following report presents a desktop audit of known and predicted Aboriginal cultural heritage values, which may have implications for the proposed development of 1-3 Harcourt Parade, Cremorne. In particular the requirements for undertaking a Cultural Heritage Management Plan under the *Aboriginal Heritage Act 2006* and *Aboriginal Heritage Regulations 2018* are assessed in detail.

The study area

The study area is located at 1- 3 Harcourt Parade, Cremorne, and comprises a small triangular shaped parcel bounded by Harcourt Parade, Gough Street and the Richmond Maltings site to the southeast. The study area is currently a vacant paved carpark which contains a (19 m) high advertising billboard with an associated steel monopole support structure.

The Proposed Activity

The proposed activity is construction of a residential building (hotel).

Scope of Prior Assessment

There have been two prior historical archaeological assessments of the activity area for the previously demolished Riverside Inn.

Existing Heritage Listings

The following register sources were checked for existing heritage listings (both statutory and non-statutory):

- Victorian Aboriginal Heritage Register (VAHR) – no listings
- Victorian Heritage Inventory- H7822-0236
- Register of the National Estate- no listings
- Commonwealth Heritage List- no listings
- National Heritage List- no listings
- LGA Planning Schemes Heritage Overlay- no listings
- National Trust of Australia (Victoria) (non-statutory) - no listings

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There are no previously registered Aboriginal cultural heritage places within the study area for this assessment. Currently a single listing on the Victorian Heritage Inventory occupies the study area (H7822-0236 - Riverside Inn, Richmond). The Riverside Inn was in continuous occupation as a hotel from approximately 1843, with records of ownership dating to 1840. During the 1850s the hotel, previously known as the Sir Henry Barkly Hotel, contained an associated skittle alley and a boathouse, which potentially dates to the 1866s. The Melbourne and Metropolitan Board of Works (MMBW) plan dated to 1895 (Figure 1) shows the location of the boathouse and skittle alley, which would be currently situated where the billboard sits now.

The Herald, 1939[1] refers to a coaching stable and a courtyard at the hotel which were demolished prior to 1895 and provides further details on the upgrade of the Riverside Inn, which included the interior and exterior of the hotel. The Riverside Inn which was destroyed following a fire in the 1990s

Previous archaeological monitoring was conducted by du Cros and Peters (1997 and 1998) within the study area which concluded that impact from the demolition of the Riverside Inn and its underlying features was extensive, the cellar and flooring was demolished using a large mechanical excavator under monitoring conditions (?) - "a large backhoe was used…to remove debris to the depth of the floor of the cellar" (du Cros and Peters, 1998, p.4), further removal works occurred in 16 September 1997 to remove the soil in the garden area near the corner with Harcourt Parade. Melbourne City Link Authority (MCLA) then took temporary occupation of the site, and in turn levelled the study area covering the entire surface with rock associated with the construction of the City Link. Since the mid 2000s the site was then redeveloped for a car rental business, and was partially excavated and paved with concrete, resulting in further significant ground disturbance (Mantello Aff. 19 April 2018).

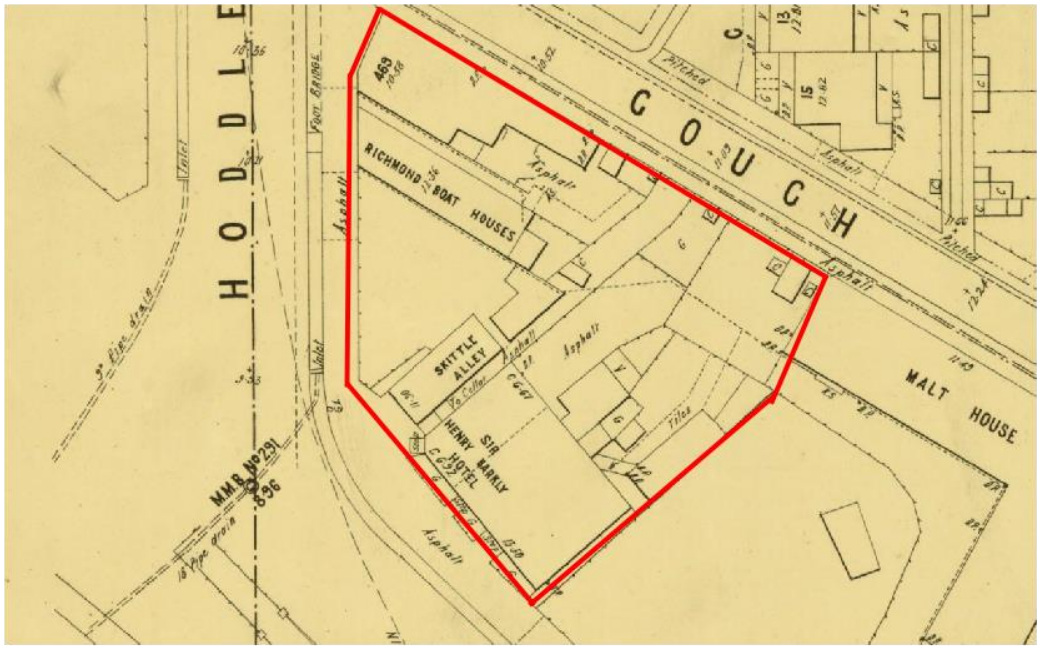


Figure 1: MMBW detail plan (911), City of Prahran and Richmond dated 1895. Study area highlighted in red, occupied by the Sir Henry Barkly Hotel (then Riverside Inn), Skittle alley and boathouse.

1 https://trove.nla.gov.au/newspaper/article/243366825?searchTerm=riverside%20inn%2C%20richmond&searchLimits= - Accessed 20 November 2019

ANDREW LONG + ASSOCIATES

Implications for Development

The following sections outline the triggers and issues which will affect the proposed works in relation to the *Aboriginal Heritage Act 2006* and *Aboriginal Heritage Regulations 2018*, specifically as these relate to the need to undertake a mandatory Cultural Heritage Management Plan.

When is a cultural heritage management plan required?

A CHMP is required for an activity if (Regulation 7)-

(a) all or part of the activity area for the activity is an area of cultural heritage sensitivity; and

(b) all or part of the activity is a high impact activity.

Is the activity area an area of cultural heritage sensitivity?

The activity area is an area of cultural heritage sensitivity, as follows:

Regulation 26: Waterways

(1) Subject to subregulation (2), a waterway or land within 200 metres of a waterway is an area of cultural heritage sensitivity.

(2) If part of a waterway or part of the land within 200 metres of a waterway has been subject to significant ground disturbance, that part is not an area of cultural heritage sensitivity

The activity area is situated within 200m of the Yarra River and is thus to be considered an area of cultural heritage sensitivity.

Is the activity a high impact activity?

Regulation 46 Buildings and works for specified uses

(1) The construction of a building or the construction or carrying out of works on land is a high impact activity if the construction of the building or the construction or carrying out of the works—

(a) would result in significant ground disturbance; and

(b) is for, or associated with, the use of the land for any one or more of the following purposes—

(xxi) Residential building;

The proposed works thus do constitute a high impact activity for the purposes of the *Aboriginal Heritage Act 2006*.

Has the activity area been subject to significant ground disturbance?

In accordance with Regulation 5 – Definitions:

significant ground disturbance means disturbance of -

a. the top soil or surface rock layer of the ground; or

b. a waterway –

by machinery in the course of grading, excavating, digging or dredging.

Since the commencement day of the *Aboriginal Heritage Act 2006* VCAT 'red dot decisions' [2] have addressed a number of issues as to the circumstances when a CHMP is required, and the level of inquiry required by a planning decision maker to determine whether significant ground disturbance has occurred. The principles established have formed the basis for a Practice Note regarding Significant Ground Disturbance (AAV 2009).

The following statements from the Mainstay decision (2009 VCAT 145) are reproduced here verbatim:

> *Many parts of the state are not areas of cultural heritage sensitivity, and many activities are exempt requiring a CHMP. Use should be made of the AAV on-line 'Aboriginal heritage planning tool' to determine if a CHMP is required;*
>
> *It is the fact of significant ground disturbance that creates an exception under the Regulations, and determines if a CHMP is not required. The actual likelihood of Aboriginal heritage existing in the area is irrelevant to this determination;*
>
> *The timing of the significant ground disturbance is irrelevant. It may have occurred many years ago in the early history of European settlement in the state;*
>
> *If only part of the land has been subject to past significant ground disturbance, and the remaining part is still in an area of cultural heritage sensitivity, a CHMP will still be required for the whole development activity;*
>
> *The burden of proving that the land has been the subject of significant ground disturbance rests with the applicant. The planning decision maker (and, on review, the Tribunal) must feel an actual persuasion of the existence of that fact to its reasonable satisfaction. This should not be derived or produced by inexact proofs or indirect inferences, and little weight should be given to a mere assertion by an applicant or landowner;*
>
> *In assessing whether significant ground disturbance has occurred, there are four levels of inquiry that might commonly arise, and the assessment should be dealt with at the lowest applicable level. These levels are:*
>
> *(1) common knowledge,*
>
> *(2) publicly available records,*
>
> *(3) further information from the applicant, and*
>
> *(4) expert advice or opinion;*
>
> *If the decision maker is not persuaded by the applicant that there has been significant ground disturbance, the 'default' position is that a CHMP is required. This accords with the purpose and intent of the Aboriginal Heritage Act 2006;*
>
> *'Significant ground disturbance' is defined in the Regulations. The disturbance must have been caused by machinery in the course of grading, excavating, digging, dredging or deep ripping. Ploughing other than deep ripping is expressly excluded. 'Deep ripping' is also a defined term that requires the use of a ripper or subsoil cultivation tool to a depth of 60 cms or more. By reference to these definitions, past ground disturbance caused by conventional ploughing (such as by a disc plough or a rotary hoe) does not constitute significant ground disturbance. Both the depth of ploughing and the type of machinery used are relevant to whether deep ripping (as defined) has occurred.*

[2] Mainstay Australia Pty Ltd vs Mornington Peninsula SC & Ors VCAT 145 (24 February 2009); Azzure Investment Group Pty Ltd vs Mornington Peninsula SC VCAT 1600 (14 August 2009).

A review of the historical resources (historical photographs and previous reports) identifies that the study area has undergone significant ground disturbance as defined in the regulations (r.5).The study area has undergone at least three phases of occupation; Phase 1: 1840s to 1911 with a hotel, skittle alley and boathouse, references in *The Herald* also alludes to a prior coaching stable close to the hotel, which was demolished prior to 1895; Phase 2: 1911 to the mid-1990s, the hotel was upgraded and renamed the Riverside Inn, and underwent significant changes to the interior and exterior of the building which included the absorption and later demolition of the boathouse and skittle alley. Historical imagery from 1945 to 1987 demonstrates the ground disturbance that had occurred, Figure 2 to Figure 6 show the Riverside Inn in the southwest corner remaining relatively unchanged. The northeast corner is considerably different with Figure 2 showing a long building along Gough Street extending towards a fence line at 2 Gough Street. Figure 4 demonstrates the changes that occurred prior to 1974, with trees covering the courtyard and only partial remains of the original house (?) present in 1945 and 1951. By 1986 (Figure 5), this building, and the large trees have been completely removed/demolished for a carpark presumably for the Riverside Inn.

Phase 3 of occupation from the mid-1990s to present, occurred when the Riverside Inn was destroyed in a fire. Monitoring of the demolition as per du Cros and Peters (1997 and 1998), detailed that the majority of the study area was demolished, and this included the excavation of the previous cellars underneath the inn using a large mechanical excavator. Information provided by the director of the property (Jeremy Mantello) also confirms further disturbance occurred by the levelling of the entirety of the study area for the construction of the City Link, additionally the site was again partially excavated then redeveloped in the mid-2000s for a advertisement billboard and carpark (Mantello Aff. 2018). The large advertising billboard with a steel pole (monopole) would have caused considerable disturbance, as a large hole is drilled to approximate depths of 2m to 6m for stabilisation and backfilled with concrete.

The site in its entirety, has undergone significant ground disturbance due to the recent demolition of the previous inn in the mid-1990s and the subsequent construction of the concrete carpark in the mid-2000s, which involved levelling/grading. Given the date at which the works described above occurred it is virtually inconceivable that the land would have been developed using anything other than mechanical earthmoving methods for the purpose of site preparation and construction. The preparation of the study area for previous construction and development has involved mechanical excavating and grading. As a consequence, it is maintained here that the activity area has undergone significant ground disturbance in accordance with the definition within r.5 of the *Aboriginal Heritage Regulations* 2018.



Figure 2:Historical aerial photograph of the activity area (1945). Source: Landata



Figure 3: Historical aerial photograph of the activity area (1951). Source: Landata



Figure 4: Historical aerial photograph of the activity area (1974). Source: Landata



Figure 5: Historical aerial photograph of the activity area (1986). Source: Landata

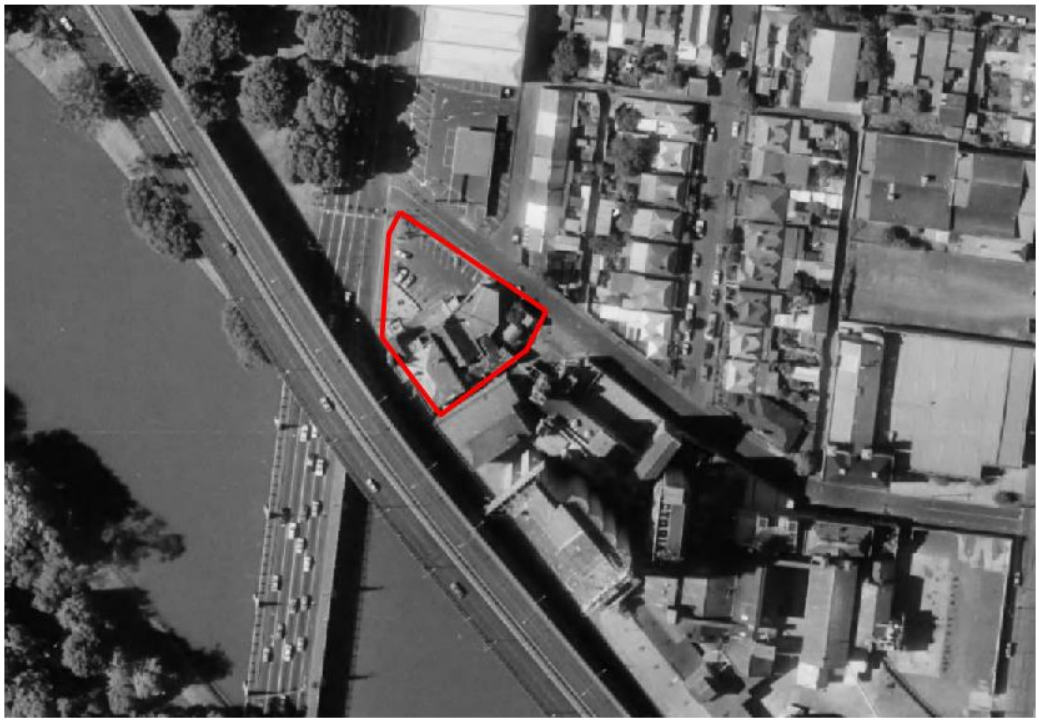


Figure 6: Historical aerial photograph of the activity area (1987). Source: Landata

Do any Exemptions or other Arrangements as outlined in the Aboriginal Heritage Regulations 2018 apply?

No specific exemptions apply.

Will a cultural heritage management plan be required for the activity?

According to the criteria and definitions listed above, the *Aboriginal Heritage Regulations 2018* do not require the proponent to lodge a mandatory CHMP as part of an application for approval for the activity. While the activity area is located within an area of cultural sensitivity, there is clear evidence indicating that the property has been subject to significant ground disturbance as defined in r.5. As a result, a mandatory Cultural Heritage Management Plan is not required.

Conclusions and Recommendations

As discussed above it is considered that the activity area has been subject to significant ground disturbance. This is shown in the existing surface characteristics of the activity area, and through historical aerials dating between 1945 and 1987 showing the extent and nature of clearance works. Based on the occurrence of significant ground disturbance, a mandatory CHMP in accordance with section 46 of the *Aboriginal Heritage Act 2006* is not required.

It should be noted that this opinion does not imply that Aboriginal cultural places are not present within the activity area or are not at risk of impact from the proposed activity. It is simply stated that that the *Aboriginal Heritage Regulations 2018* do not require a mandatory CHMP in this instance.

Any further measures to ensure compliance with the blanket protection provisions of the Aboriginal Heritage Act 2006 (Sections 27-29) are at the discretion of the proponent of any future development of the land. The minimum reporting requirements may be met by implementing the attached procedure during any ground disturbing works, which is compliant with the provisions of the Act.

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This Cultural heritage Assessment does not constitute a CHMP as defined in Division 1 of the *Aboriginal Heritage Act 2006*.

References:

Peters, S, 1997. Historical investigation aof the Riverside Inn and smith and Maltings building, Richmond Melbourne. Prepared on behalf of Melbourne City Link Authority.

Du Cros, H and Peters, S, 1998. Riverside Inn Site H7822/236, Richmond Archaeological Monitoring Project prepared on behalf of Melbourne City Link Authority.

APPENDIX 1

STATUTORY REGULATIONS

ANDREW LONG + ASSOCIATES

ABORIGINAL CULTURAL HERITAGE LEGISLATION

The *Aboriginal Heritage Act* 2006

It should be noted that new Victorian legislation for Aboriginal heritage protection (the *Aboriginal Heritage Act* 2006) commenced operation on May 28th 2007.

This act provides blanket protection for all Aboriginal heritage sites, places or items in Victoria.

The main aspects of the Act in relation to the development process are as follows:

- An *Aboriginal Heritage Council* (AHC) has been appointed by the Minister, Aboriginal Affairs Victoria, made up of 11 Victorian Aboriginal people.
- Aboriginal community groups with traditional interests in cultural heritage are to apply to the AHC for registration as a *Registered Aboriginal Party* (RAP). RAPs will have the role of endorsing *Cultural Heritage Management Plans* (CHMP) within a given area of interest. There may be two or more RAPs for an area, provided it does not hinder the operation of the legislation.
- Under Section 48, a developer ('sponsor') may be required to submit a CHMP before the issue of a statutory authority by local government or other agency ('decision maker'). A CHMP must be registered with the Secretary, Victorian Communities (AAV), and all relevant RAPs notified in writing. If an RAP does not respond, AAV will act in lieu. A CHMP will contain details of research, field evaluation, consultation and management provisions in regard to the Aboriginal heritage of an area at risk from a development. A *Cultural Heritage Advisor* must be appointed to assist in the preparation of a CHMP. It is the role of an RAP to approve a CHMP if it meets prescribed standards.
- A CHMP will not be considered approved unless it has been approved by all relevant RAPs.

The regulations accompanying the Act specify when a CHMP will be required by law, and prescribe minimum standards for the preparation of a CHMP (Section 53). The approved form for CHMPs specifies the format in which a CHMP should be prepared by a sponsor in order to comply with the Act and the Regulations, and is an approved form under section 190 of the Act. The regulations have not been finalised to date, but their draft content has not been issued to stakeholders.

Other provisions of the Act include *Cultural Heritage Permits* (Section 36), as required for other works affecting Aboriginal heritage sites, *Cultural Heritage Agreements* (Section 68), in respect to land containing an Aboriginal heritage site, *Inspectors* (Part 11) appointed to enforce the Act, *Cultural Heritage Audits* (Section 80) to be ordered by the Secretary in relation to compliance with a CHMP and a VCAT appeals procedure.

APPENDIX 2

SUGGESTED PROCEDURE

IN THE EVENT

AN ABORIGINAL HERITAGE SITE

IS IDENTIFIED

DURING CONSTRUCTION

A. Management of Aboriginal Cultural Heritage Found During Works

If Aboriginal places or objects found during works the following steps must be applied:

- The person who identified the find will immediately notify the person in charge of the activity.
- The person in charge of the activity must then suspend any relevant works at the location of the discovery and within 5 m of the relevant site extent and isolate the find via the installation of safety webbing, or other suitable barrier and the material to remain *in situ*.
- Works may continue outside of the 5 m barrier.
- The person in charge of works must notify the Cultural Heritage Advisor (CHA) and the Secretary (AAV) of the find within 24 hours of the discovery.
- The CHA must notify the RAP(s) or other agreed Aboriginal stakeholder(s) within 24 hours of the discovery and invite RAP(s) or other agreed Aboriginal stakeholder(s) to inspect the find.
- Within 24 hours of notification, a CHA is to attend the site and evaluate the find to determine if it is part of an already known site or should be registered as a new site and to update and/or complete site records as appropriate and advise on possible management strategies.
- Enable RAP(s) or other agreed Aboriginal stakeholder(s) to inspect site within 24 hours of notification and remove/rebury any cultural heritage material found.
- Within a period not exceeding three (3) working days the Sponsor, in consultation with the CHA, RAP or other agreed Aboriginal stakeholder, shall, if necessary, apply for a Cultural Heritage Permit (CHP) in accordance with Section 36 of the *Aboriginal Heritage Act* 2006.
- If a CHP application is lodged, works may only recommence within the area of exclusion following the issue of a CHP and compliance with any conditions.
    - When the appropriate protective measures have been taken;
    - Where the relevant Aboriginal cultural heritage records have been updated and/or completed;

In the case of the discovery of human remains, separate procedures relating to the discovery of human skeletal remains must be adhered to (see below).

B. Custody and Management of Aboriginal Cultural Heritage Recovered

- Any Aboriginal cultural heritage recovered or salvaged from the activity area remains the property of the RAP(s) or other agreed Aboriginal stakeholder(s). Any such recovery or salvage will be agreed to and overseen by a RAP(s) or other agreed Aboriginal stakeholder representative(s). In any such instance it will be the responsibility of the Cultural Heritage Advisor to:
    - Catalogue the Aboriginal cultural heritage;
    - Label and package the Aboriginal cultural heritage with reference to provenance; and
    - With the RAP(s) or other agreed Aboriginal stakeholder(s), arrange storage of the Aboriginal cultural heritage in a secure location together with copies of the catalogue and assessment documentation.

C. The Management of the Discovery of Human Remains

Although this evaluation has determined that there is only a low risk of impacting an Aboriginal burial during the implementation of the activity, given the nature of the landforms and archaeological deposits within the activity area, it is nevertheless an extremely important consideration of any development.

The following steps must be taken if any suspected human remains are found in the activity area:

1. **Discovery:**
    - If suspected human remains are discovered, all activity in the vicinity must ***cease immediately*** to ensure minimal damage is caused to the remains; and,
    - The remains must be left in place, and ***protected*** from harm or damage.
2. **Notification:**
    - Once suspected human skeletal remains have been found, the Coroners Office and the Victoria Police must be notified immediately;
    - If there is reasonable grounds to believe that the remains could be Aboriginal, the DSE Emergency Co-ordination Centre must be immediately notified on 1300 888 544; and
    - All details of the location and nature of the human remains must be provided to the relevant authorities.
    - If it is confirmed by these authorities that the discovered remains are Aboriginal skeletal remains, the person responsible for the activity must report the existence of the human remains to the Secretary, Department of Victorian Communities in accordance with s.17 of the *Aboriginal Heritage Act* 2006.
3. **Impact Mitigation or Salvage:**
    - The Secretary, after taking reasonable steps to consult with any Aboriginal person or body with an interest in the Aboriginal human remains, will determine the appropriate course of action as required by s.18(2)(b) of the Act.
    - An appropriate impact mitigation or salvage strategy as determined by the Secretary must be implemented (this will depend on the circumstances in which the remains were found, the number of burials found and the type of burials and the outcome of consultation with any Aboriginal person or body).
    - While opportunities to avoid impacting on a burial that may be discovered during the activity may be limited, it is important to explore opportunities to minimise disturbance to the remains through unnecessary exposure or disinterment.
4. **Curation and further analysis:**
    - The treatment of salvaged Aboriginal human remains must be in accordance with the direction of the Secretary.
5. **Reburial:**
    - Any reburial site(s) must be fully documented by an experienced and qualified archaeologist, clearly marked and all details provided to AAV;
    - Appropriate management measures must be implemented to ensure that the remains are not disturbed in the future.

Attachment 7 - FILE NOTE - Final comment from Council's External Urban Designer following review of visual renders.

FILE NOTE 1-3 Harcourt Parade, Cremorne 23 September 2019

The visual renders were forwarded to Council's External Urban Designer whom in an email dated 23 September 2019, responded:

I am comfortable with the Hotel proposal in its current form.

John Theodosakis

1.4 100 Little Charles Street, Abbotsford VIC 3067 - Planning Permit Application No. PLN19/0178 Demolition of existing buildings and construction of a double-storey dwelling with roof deck

Executive Summary

Purpose

1. This report provides Council with an assessment of a planning permit application submitted for 100 Little Charles Street Abbotsford, which seeks approval for demolition of existing buildings and construction of a double-storey dwelling with roof terrace. The report recommends approval, subject to conditions.

Key Planning Considerations

2. Key planning considerations include:
   (a) Planning Policy Framework and Local Planning Policy Framework
   (b) Clause 22.02 – Development guidelines for sites subject to the heritage overlay
   (c) Clause 22.16 – Stormwater Management (Water Sensitive Urban Design)
   (d) Clause 32.09 – Neighbourhood Residential Zone
   (e) Clause 43.01 – Heritage Overlay
   (f) Clause 54 – One dwelling on a lot (Rescode)

Key Issues

3. The key issues for Council in considering the proposal relate to:
   (a) Clause 54 – One dwelling on a lot;
   (b) Heritage;
   (c) Objector concerns

Submissions Received

4. Six objections were received to the application, these can be summarised as:
   (a) Neighbourhood Character (front setback not respectful of streetscape);
   (b) Offsite amenity impacts (overlooking, loss of daylight and visual bulk);
   (c) Impact on views;
   (d) Adverse impact to wind patterns;
   (e) Amenity impacts associated with the roof deck/pool (noise, air pollution and lightspill);
   (f) Environmental impact (loss of trees, adverse impacts on wildlife); and
   (g) Construction impacts (noise and dust).
5. Six letters of support were received to the application.

Conclusion

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

   (a) Reduction in height to the northern boundary wall where adjacent private and communal open space.

CONTACT OFFICER: **Madeleine Moloney**
TITLE: **Statutory Planner**
TEL: **92055009**

1.4 100 Little Charles Street, Abbotsford VIC 3067 - Planning Permit Application No. PLN19/0178

Reference: D19/224715
Authoriser:

Proposal:	Demolition of existing buildings and construction of a double-storey dwelling with roof terrace
Existing use:	Vacant land with outbuildings (unoccupied)
Applicant:	Glossop Town Planning
Zoning / Overlays:	Neighbourhood Residential Zone (Schedule 1); Heritage Overlay (Schedule 313 – Charles Street Precinct)
Date of Application:	27 March 2019
Application Number:	PLN19/0178

Planning History

1. The site has no planning permit history on Council's records.

Background

2. The application was received by Council on 27 March 2019. Following the submission of further information, the application was advertised and 6 objections were received.

3. A consultation meeting was held on 19 November 2019 and was attended by Council Officers, the applicant, the architect, the subject site owners, and objectors.

Lodgement of supplementary overlooking diagrams

4. In response to clarifications sought at the consultation meeting in relation to overlooking, supplementary overlooking diagrams were provided by the applicant to Council on 2 December 2019.

5. The supplementary overlooking diagrams provided a further analysis of overlooking from the roof deck (and associated pool and pool deck) to:

   (a) East-facing first floor windows of No. 95 Little Charles Street which were omitted from the original overlooking diagrams;

   (b) The rear secluded private open space (backyard) of No. 104 Charles Street.

6. The supplementary overlooking diagrams were subsequently circulated via email on 3 December 2019 to objectors who attended the consultation meeting.

Lodgment of sketch plans

7. In response to Council concerns regarding the visual bulk impact of the proposed northern boundary wall, "without prejudice" sketch plans were submitted by the applicant on 4 December 2019.

8. The sketch plans show the following:

   (a) A reduction in height of the northern boundary wall, where adjacent the private and communal open space of the north-adjoining residential development, to a maximum height of 6.042m, with provision of a 38 degree chamfer away from the boundary above this height (up to a maximum height of 7.153m) . This change results in a reduction of the on-boundary wall height of between approximately 1.3m to 2.14m. It is noted that the chamfer is not applied to the portion of the northern boundary wall that forms the eastern façade to the dwelling.

(b) An associated change to the location of the roof deck access from the stair (shifted further south).

(c) The finish of the first floor of the northern wall adjacent the private and communal open space of the north-adjoining dwelling modified from textured concrete to corrugated metal cladding in dark grey (“Monument").

9. The originally advertised plans have not been formally amended and therefore the advertised plans still form the "decision plans" and the basis of this assessment. The sketch plans will be referenced within the report where relevant to the assessment.

Existing Conditions

Subject Site

10. The subject site is located on the eastern side of Little Charles Street in Abbotsford, between Gipps Street (to the north) and Mollison Street (to the south). The site is generally rectangular in shape and has a frontage to Little Charles Street of approximately 12.19m; a maximum depth of approximately 24.87m; with an overall site area of approximately 301 sqm.

11. The site comprises largely vacant land with the exception of three small, single level outbuildings variously located at the northern, southern and western (front) boundaries. A roller door at the north-west corner of the site provides access from Little Charles Street and the site is bordered by fencing and boundary walls of adjoining sites. The site is otherwise generally vegetated and contains a number of small trees.



Figure 1 - Subject site as viewed from Little Charles St (looking south-east) December 2019

Surrounding Land

12. The surrounding area is predominantly residential, with light industrial and commercial properties becoming more dominant further east, towards the Yarra River (approximately 275m to the east). The subject site is located approximately 450m north of the Victoria Street Major Activity Centre.

13. The surrounding area has a range of built form typologies. There is a predominance of single or double-storey dwellings on small, narrow lots originating from the Victorian and Edwardian architectural periods, usually with hipped or gabled roof forms. These dwellings have a mixture of weatherboard and masonry construction. There is also a mixture of other built form typologies evident in the surrounding area including:

    (a) Contemporary apartment and/or townhouse developments (generally 3+ storeys), often former industrial or other larger site redevelopments, constructed in recent years (such as at No. 205 Gipps Street and No. 77 Nicholson Street)

    (b) Townhouse style dwellings (typically two storeys) constructed circa 1990s to 2000s with a range of architectural forms and materials including metal cladding and masonry.

    (c) Interwar Period dwellings, usually single storey, detached, with facebrick and hipped and tiled roof forms and no front verandah.

    (d) Light industrial and commercial buildings (mostly one to two storeys) typically associated with a coarser grained pattern of subdivision.

14. Little Charles Street functions as both a primary frontage to some properties as well as a secondary (rear) frontage to properties fronting Nicholson Street (to the east) and Charles Street (to the west). Due to its narrow width (approximately 4.8m), high proportion of rear property abuttals and bluestone edging, it has the appearance of a laneway. Dwellings fronting Little Charles Street largely derive from relatively recent architectural periods (circa 1990s to present) and are interspersed with high rear boundary fencing and rear outbuildings (typically single storey).

North / East

15. Adjoining the subject site to the north and east is a recently constructed multi-storey residential development (former industrial redevelopment) approved under planning permit PL08/0909 (to be referred to as “Gipps Street complex” for ease of reference). The Gipps Street complex comprises a mixture of apartments and townhouses up to a maximum of five storeys above ground (with basement parking) and is bordered by Nicholson St, Gipps Street, and Little Charles Street. The buildings are contemporary and rectilinear in form and constructed of face brickwork and are constructed to the north, east and west of a central communal courtyard. More specifically in relation to the subject site:

    (a) A row of five double-storey townhouse-style attached dwellings associated with the complex front Little Charles Street to the immediate north of the subject site (and are individually addressed to Little Charles Street). These townhouses each have a rear ground floor deck providing secluded private open space adjoining the communal courtyard. The subject site’s northern boundary directly abuts the southernmost townhouse's southern boundary wall and rear courtyard as well as the southern end of the communal courtyard. A small portion (approximately 0.6m) of the ground floor secluded private open space (deck) of a ground floor apartment on the eastern side of the complex also abuts the very eastern portion of the northern boundary of the subject site.

    (b) The eastern boundary of the subject site is adjoined in part (southern portion) by the vehicular entrance to the basement car park of the residential complex and in part (northern portion) by a number of apartments from ground floor up to four storeys. The immediately abutting land at ground level is a ground floor courtyard associated with one of the apartments.

West

16. To the west is Little Charles Street and directly opposite are two contemporary townhouse-style dwellings fronting Little Charles Street (No. 95 and No. 97 Little Charles Street) and the rear of No. 106 Charles Street – a single storey Victorian-era dwelling fronting Charles Street which has a carport located within the rear approximately 6m of the site.
No. 95 Little Charles Street is triple storey and constructed to the Little Charles Street boundary at ground and first floor, with a recessive third storey. No 97 Little Charles Street is a double-storey dwelling with a front setback of approximately 1.5m with a verandah projecting into the front setback at ground floor. Both these dwellings have a number of habitable room windows facing the subject site.

South

17. To the south is a part-single, part-double-storey dwelling fronting Nicholson Street. The dwelling derives from the Victorian-era with a more recent rear extension, up to two storey scale, which was approved under planning permit PL04/0368. The property shares the western half its northern boundary with the subject site.

18. The dwelling is constructed to the shared boundary with the subject site at part double-storey scale and part single-storey scale (with the rear single-storey portion comprising an attached rear verandah with semi-transparent roofing). To the rear of the dwelling is secluded private open space (an approximately 45sqm backyard) and a carport occupies the rear approximately 6.5m of the site, with vehicle access to Little Charles Street.



Figure 2 - Subject Site and Surrounds (Council GIS September 2019)

The Proposal

19. The proposal is for development of the land for demolition of existing buildings and the construction of new double-storey dwelling. The proposal, based on the decision plans, is summarised as follows:

Demolition

(a) Demolition of all existing shed buildings on-site.

(b) Demolition of roller door to Little Charles Street.

(c) Removal of six existing trees (a seventh tree has been removed in the past twelve months).

New dwelling

20. The general form, height, site layout and design of the dwelling is as follows:

(a) The dwelling has a rectilinear form, with an “industrial” rectilinear form and design detailing and a maximum overall height of 8.29m.

(b) The dwelling has minimal to no setbacks from the Little Charles Street frontage, with the majority of the front facade set back 0.3m - 0.4m from the street, and with doors and windows further recessed by 1.1m. The rooftop pool cantilevers over the northern half of the front facade, projecting to the street boundary. A planter box and some small plantings are located within the front setback at ground level.

(c) The dwelling is constructed to the northern (side) boundary for the depth of the building (approximately 19.7m) at two storey scale, with the roof deck and associated pool also constructed to the northern boundary.

(d) The dwelling is constructed, in part, to the southern (side) boundary - double-storey at the front and single-storey at the rear - with a lightcourt (1.01m deep by 6.79m long) located between the two sections of boundary wall The southern wall to the dwelling otherwise rakes away from the boundary from behind the depth of the front room.

(e) The dwelling is set back a minimum of 4.68m from the rear (eastern) title boundary which provides an approximately 60sqm area of secluded private open space (backyard).

(f) The roof deck (and associated pool) comprises an area of approximately 80sqm and extends to the front of the site, with a 5.77m setback from the southern boundary and 10.56m setback from the rear (eastern) boundary. A 1.2m high balustrade is provided to its north, south and east perimeter and a glazed pool fence divides the pool area from the rest of the deck.

(g) A double car garage is incorporated into the development at ground floor, accessed via a vehicle door to Little Charles Street, located at the northern side of the street frontage.

(h) The front façade is composed largely of face brickwork with horizontal detailing of cement render. Windows are provided at ground and first floor as well as louvred “faux windows” at first floor, which vent to the pool equipment. The ground floor front façade also provides a central pedestrian entry.

(i) A 1sqm raingarden is provided within the southern lightcourt and a 2000L rainwater tank is located within the rear garden.

(j) A solar panel array and solar hot water system is located towards to the rear of the roof.

21. The internal layout is as follows:

(a) At ground floor the dwelling contains a double-garage, a central hallway, study, bedroom, rear open plan kitchen/dining and living areas and associated amenities.

(b) At first floor the dwelling contains a lounge room, two bedrooms (both with ensuites) and a sub-pool space providing pool equipment. The first floor is set back from the rear (eastern) facade of the building in a mezzanine-like arrangement, with a void area over the rear of the ground floor and glazing provided to the full height of the rear (eastern) facade.

(c) Access to the roof deck is attained via an internal stair and sliding glazed roof located at the northern side of the building.

22. The following materials are proposed:

    (a) External walls: Face brickwork (red) (front and rear facades); natural concrete (east and west boundary walls); vertical timber cladding (ground floor southern lightcourt); and vertical corrugated metal cladding - “Monument” (dark grey) (southern walls raking away from the boundary).

    (b) Roof: Metal deck roofing Colorbond “Shale Grey” (light grey)

    (c) Balustrade to roof terrace: Vertical corrugated metal cladding – Colorbond “Monument” (dark grey)

    (d) Window and door frames – Metal Colorbond “Night Sky” (black)

    (e) Front door – hardwood

    (f) Garage door – Metal Colorbond “Monument”.

Planning Scheme Provisions

Zoning

23. The subject site is zoned Neighbourhood Residential Zone (Schedule 1). The following provisions apply:

    (a) Pursuant to Clause 32.09-5, a planning permit is required to construct one dwelling on a lot less than 500sqm.

    (b) Pursuant to Clause 32.09-10 Maximum building height requirement for a dwelling or residential building, the dwelling must not exceed 9m in height and must contain no more than 2 storeys at any point. The proposed dwelling will have a maximum overall height of 8.29m and will contain no more than two storeys. As such, the proposal complies with these requirements.

    (c) The minimum garden area requirement at Clause 32.09-4 does not apply as the subject site has a lot area of 301sqm, less than the 400sqm trigger for the garden area requirement.

24. As the lot is less than 500sqm in area, a permit is required under the zone.

Overlays

Heritage Overlay

25. The subject site is affected by the Heritage Overlay. The following provisions apply:

    (a) Pursuant to Clause 43.01-1, a planning permit is required to demolish or remove a building and to construct a building or carry out works.

    (b) Appendix 8 to the City of Yarra Review of Heritage Areas, 2007 – The site is not listed in this Appendix and, as such, does not have a grading within the Charles Street Precinct.

26. As such, a permit is required under this overlay.

Particular Provisions

Car Parking

27. Pursuant to clause 52.06 of the Scheme, this clause applies to the construction of a new dwelling in a residential zone if a permit is required under the zone.

28. Pursuant to Clause 52.06-2, before a new use commences, the number of car parking spaces required under Clause 52.06-5 or must be provided to the satisfaction of the responsible authority,

29. Clause 52.06-5 specifies a requirement of two on-site car spaces for a three or more bedroom dwelling.

30. The proposed dwelling has three bedrooms and a study and provides two car parking spaces within the double-garage. Therefore, the proposed car parking requirements of Clause 52.06 are met and no reduction of car parking is required.

Clause 54 – One dwelling on a lot

31. This clause applies as the development is for the extension of a dwelling on a lot under 500sqm. The provision includes a number of performance standards with objectives that are broken down into headings of Neighbourhood Character, Site Layout and Building Massing, Amenity Impacts, On-site Amenity and Facilities, and Detailed Design. A development should meet all the standard and must meet all the objectives of the provision.

General Provisions

Clause 65 – Decision guidelines

32. 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.

33. 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 15.01-1S – Urban design

34. 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*'.
35. 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

(a) The objective of this Clause is:

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

36. 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

37. 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.*

Clause 15.03-1S – Heritage conservation

38. The objective of this clause is *to ensure the conservation of places of heritage significance*.

39. Relevant strategies include:

(a) *Provide for the conservation and enhancement of those places that are of aesthetic, archaeological, architectural, cultural, scientific or social significance*.

(b) *Encourage appropriate development that respects places with identified heritage values.*

(c) *Retain those elements that contribute to the importance of the heritage place.*

(d) *Encourage the conservation and restoration of contributory elements of a heritage place.*

(e) *Ensure an appropriate setting and context for heritage places is maintained or enhanced.*

Local Planning Policy Framework (LPPF)

40. The clauses of the Municipal Strategic Statement (MSS) that are relevant to this application are as follows:

(a) Clause 21.05– Built Form;

(b) Clause 21.08 – Abbotsford.

Clause 21.05-1 – Heritage

41. The relevant objective and associated strategies of this clause are as follows:

(a) *To protect and enhance Yarra's heritage places.*

(i) Conserve, protect and enhance identified sites and areas of heritage significance including pre-settlement ecological heritage.

(ii) Support the restoration of heritage places.

(iii) Protect the heritage skyline of heritage precincts.

(iv) Protect the subdivision pattern within heritage places.

(v) Protect buildings, streetscapes and precincts of heritage significance from the visual intrusion of built form both within places and from adjoining areas.

(vi) Apply the Development Guidelines for sites subject to a Heritage Overlay policy at clause 22.02.

Clause 21.05-2 – Urban design

42. The relevant objectives and associated strategies of this clause are as follows:

(a) *To reinforce the existing urban framework of Yarra.*

(i) *Maintain and strengthen the preferred character of each Built Form Character Type within Yarra.*

Clause 21.08-1 - Abbotsford

43. This clause sets out the locally specific implementation of the objectives and strategies for Yarra's neighbourhoods. The subject site is located within the 'Abbotsford neighbourhood, and is identified as having the 'Heritage Overlay' Built Form Character Type. The specific objective for this built form character is to *ensure that development does not adversely affect the significance of the heritage place*.

44. This clause also sets out that the implementation of built form strategies in Clause 21.05 includes *supporting development that maintains and strengthens the preferred character of the relevant Built Form Character Type.*

Relevant Local Policies

45. The local policies relevant to this application are as follows:

(a) Clause 22.02 – Development guidelines for sites subject to the heritage overlay;

(b) Clause 22.16 – Stormwater Management (Water Sensitive Urban Design).

Clause 22.02 – Development guidelines for sites subject to the heritage overlay

46. This policy applies to all land within a Heritage Overlay. The relevant objectives of this policy are:

(a) *To conserve Yarra's natural and cultural heritage.*

(b) *To conserve the historic fabric and maintain the integrity of places of cultural heritage significance.*

(c) *To retain significant view lines to, and vistas of, heritage places.*

(d) *To preserve the scale and pattern of streetscapes in heritage places.*

(e) *To encourage the preservation, maintenance, restoration and where appropriate, reconstruction of heritage places.*

(f) *To ensure the adaption of heritage places is consistent with the principles of good conservation practice.*

(g) *To ensure that additions and new works to a heritage place respect the significance of* the place.

(h) *To encourage the retention of 'individually significant' and 'contributory' heritage places.*

Clause 22.16 – Stormwater Management (Water Sensitive Urban Design)

47. This policy applies to applications for extensions to existing buildings which are 50 square metres in floor area or greater. The relevant objectives of this policy are:

(a) *To achieve the best practice water quality performance objectives set out in the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999 (or as amended). Currently, these water quality performance objectives require:*

(iv) *Suspended Solids – 80% retention of typical urban annual load.*

(v) *Total Nitrogen – 45% retention of typical urban annual load.*

(vi) *Total phosphorus – 45% retention of typical urban annual load.*

(vii) *Litter 70% reduction of typical urban annual load.*

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

(c) *To mitigate the detrimental effect of development on downstream waterways, by the application of best practice stormwater management through water sensitive urban design for new development.*

(d) *To minimise peak stormwater flows and stormwater pollutants to improve the health of water bodies, including creeks, rivers and bays.*

(e) *To reintegrate urban water into the landscape to facilitate a range of benefits including microclimate cooling, local habitat and provision of attractive spaces for community use and well being.*

Advertising

48. The application was advertised under the provisions of Section 52 of the *Planning and Environment Act (1987)* by 94 letters sent to surrounding owners and occupiers and by a sign displayed on site. Council received 6 objections, the grounds of which are summarised as follows:

    (a) Neighbourhood Character (front setback not respectful of streetscape);

    (b) Offsite amenity impacts (overlooking, loss of daylight and visual bulk);

    (c) Impact on views;

    (d) Adverse impact to wind patterns;

    (e) Amenity impacts associated with the roof deck/pool (noise, air pollution and lightspill);

    (f) Environmental impact (loss of trees, adverse impacts on wildlife); and

    (g) Construction impacts (noise and dust).

49. A planning consultation meeting was held on 19 November 2019 and was attended by four objectors (or their nominated representative), the Applicant, the landowners, the architect and Council Officers to discuss all issues and concerns raised in the letters of objection. The Applicant did not make any commitments to make changes to the proposal. However, the applicant agreed to provide some additional overlooking analysis which was subsequently provided on 2 December 2019 and has been circulated to objectors in attendance at the consultation meeting, via email.

50. In addition, since the consultation meeting, sketch plans have been submitted on 4 December 2019 to address visual bulk concerns raised by Council in relation to the proposed northern boundary wall. These will be referenced where relevant to the assessment.

Referrals

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

    External Referrals

52. The application was not required to be referred to any external authorities under the provisions of the Scheme.

    Internal Referrals

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

    (a) Engineering Services Unit

    (b) Council's Heritage Adviser

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

OFFICER ASSESSMENT

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

    (a) Clause 54 – One dwelling on a lot;

    (b) Heritage;

    (c) Objector concern; and

    (d) Other matters – Engineering

(e) Other matters - Signage

Clause 54 – One dwelling on a lot

56. Clause 54 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. The following objectives are not relevant to this application:

    (a) A13 – North-facing windows objective – No north-facing habitable room windows are located within 3m of the subject site; and

    (b) A20 – Front fences objective – No front fence is proposed.

57. The remaining objectives and standards are assessed in detail below:

A1 – Neighbourhood character objective

58. The proposed dwelling is respectful of the neighbourhood character in the following ways:

    (a) The scale of the dwelling (double-storey with roof terrace) is similar to other contemporary townhouse-style dwellings in the vicinity;

    (b) The contemporary rectilinear form of the building responds to the Little Charles Street built form context which includes largely contemporary dwellings, some with a similar rectilinear form;

    (c) The extension of the dwelling to the width of the block at the front and zero / minimal front setbacks with a garage to the frontage is suitably responsive to the "laneway" character of the Little Charles Street. It is noted that several other townhouses along Little Charles Street have a frontage occupied by high walls with roller doors.

    (d) The provision of open space at the ground level at the rear of the dwelling is a common site layout for dwellings that front Little Charles Street.

    (e) Roof terraces are evident to other dwellings fronting Little Charles Street.

59. The proposed dwelling responds to the immediate site context, including by:

    (a) Providing setbacks and lower boundary wall heights where adjacent the south-adjoining secluded private open space to minimise visual bulk and overshadowing.

    (b) Situating secluded private open space in alignment with the north-adjoining communal open space.

    (c) Utilising abutting higher built form to the north to situate the bulk of the building.

60. As will be discussed later in the "walls on boundaries" objective assessment, to reduce off-site amenity impacts to a reasonable level an adjustment to the height of the northern boundary wall will be required. Subject to this condition (which will be outlined in that section of the report) the proposed dwelling is considered to respond appropriately to the site context and will achieve the neighbourhood character objective.

A2 – Integration with the street objective

61. The proposed dwelling is acceptably integrated with the Little Charles Street frontage. Specifically, the dwelling is oriented to front Little Charles Street, with the main pedestrian entry clearly identifiable. There is no traditional fencing proposed to the street frontage due to the design of the building which has a minimal front setback at ground floor and zero setback at the upper level, however, a planter box bordered by a low front retaining wall is located at the southern side of the frontage.

62. The dwelling facilitates observation of the abutting street by provision of a clear glazed window to the ground floor front façade, associated with a habitable room (study). While the first floor will not provide opportunities for surveillance of the street, the roof terrace will offer views to more distant parts of Little Charles Street, to the south. The objective is met.

A3 – Street setback objective

63. The proposed dwelling is, in part, constructed directly to the street frontage, thus the street setback for the purposes of this assessment is taken as zero.

64. To meet the Standard, in this instance the front wall of the building must be set back *the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.*

65. The immediately north-adjoining townhouse is set back a minimum of approximately 0.475m from Little Charles Street (to the upper level front façade). While a planter box surrounded by a retaining wall projects directly to the street frontage (0 setback), as the planter box is not part of the façade of the dwelling, a front setback of 0.475m is relied upon for the purposes of this assessment.

66. As the proposed dwelling is not set back a minimum of 0.475m, a variation from the Standard is required.

67. Having regard to the decision guidelines, the proposed front setback is considered appropriate given that along Little Charles Street, there are many instances of buildings constructed directly to the street frontage. While most are single-storey outbuildings, it is noted that the double-storey townhouse directly opposite the subject site (at No. 95 Charles Street) is also constructed directly to the street frontage at ground and first floor. The proposed front setback continues the hard-edged character of this part of Little Charles Street.

68. Furthermore, the dwelling entry, garage door and windows at the ground and first floor are inset to create some additional relief and articulation to the façade. This is similar to the north–adjoining townhouse which also has inset windows.

69. Given the above context, the proposed dwelling is considered to achieve the street setback objective.

A4 – Building height objective

70. The proposed dwelling will have a maximum overall height of 8.29m, which complies with the 9m maximum prescribed by the standard. The objective is met.

A5 – Site coverage objective

71. The proposed dwelling will have an overall site coverage of approximately 232sqm or 77% of the site area. This exceeds the maximum 60% site coverage prescribed by the Standard.

72. However, a variation is considered to be acceptable in consideration of the site's inner city context, where small lot sizes and higher levels of site coverage are common. There are several examples of comparably sized lots (around 300sqm) in the near vicinity with a similar level of site coverage.

73. Given the somewhat irregular pattern of subdivision and built form context adjacent the subject site (with double-storey walls abutting the northern boundary at the front and southern boundary at the rear) the dwelling has sought to respond to the most sensitive interfaces in the positioning and scale of built form and subject to conditions outlined in the "walls on boundaries objective" assessment, the proposed dwelling is sufficiently responsive to its context

74. The objective is met.

A6 – Permeability objectives

75. The proposed dwelling will incorporate permeable surfaces totalling approximately 23% of the site area. This does not include the plantings at the front which are covered by roof or projecting built form.

76. This achieves the permeability Standard which prescribes a minimum of 20% permeable surfaces to the lot and hence the objective is also met.

77. In addition, in accordance with Clause 22.16 (Stormwater Management) of the Scheme, an accompanying Melbourne Water STORM report and Water Sensitive Urban Design report confirms that the following measures will achieve a STORM rating of 100% (which indicates that best practice stormwater management has been achieved):

    (a) A 2000 litre rainwater tank connected to toilets fed from a 145sqm of roof area;

    (b) A 1sqm raingarden fed from 50sqm of roof area; and

    (c) A "pond" of 18.48sqm.

78. However, it appears that the rooftop pool is designated as the proposed "pond". A rooftop pool is not a water sensitive urban design treatment – a pond is a natural water body that allows for water to permeate into the surrounding land.

79. A re-calculation of the STORM report results excluding the "pond" treatment gives a rating of 62% and therefore additional stormwater treatments will be required to achieve the 100% rating.

80. A condition will be included as part of any approval to this effect and will ensure that the development achieves the objectives of Clause 22.16 of the Scheme.

A7 – Energy efficiency protection objectives

81. The proposed dwelling has a number of features to achieve a good level of energy efficiency, such as:

    (a) The proposed dwelling is provided with a rooftop solar panel array and solar hot water service which would reduce greenhouse gas emissions.

    (b) The proposed dwelling provides good levels of natural daylight to all bedrooms, the ground floor study and ground floor living areas (all habitable rooms other than the first floor lounge) via windows which face onto open outdoor areas. This will further reduce reliance on artificial lighting to these habitable rooms.

    (c) Natural ventilation would be facilitated by operable windows to all habitable room windows except the proposed first floor lounge which would reduce reliance on artificial heating and cooling to these areas.

82. However, as noted above, the proposed first floor lounge does not have direct access to natural daylight or natural ventilation. While this lounge has windows they face onto the pool and sub-pool equipment area and thus will have limited daylight access and they do not appear to be operable.

83. Although this room is a secondary living area it is still considered important to the energy efficiency of the dwelling as a whole to provide an adequate level of daylight and natural ventilation to this area.

84. To improve these two aspects of indoor environmental quality a condition will require provision of a skylight to the first floor lounge. This will likely require modification to the roof deck (or pool deck) above.

85. In addition, the large expanse of east-facing glazing to the rear façade of the dwelling (double-storey height) is not provided with any shading. While the five-storey apartment building to the north-east will provide some shading to the glazing to the lower levels, to ensure that the extent of glazing does not result in excessive solar heat gain to the dwelling, external shading to the upper level east-facing windows will be required as a condition.

86. In relation to surrounding dwellings, the proposed dwelling would not adversely impact energy efficiency of any other residences. The dwelling is not located opposite any north-facing windows and as per the "daylight to existing windows" assessment later in the report the development is compliant with that Standard.

Furthermore, as can be seen from Figure 2, the closest solar energy facilities are located over 20m from the subject site (south) at No. 107 Nicholson Street (bottom left hand corner of aerial photograph). These panels would not be affected by shading from the development.

87. Subject to the two conditions outlined, the new dwelling will meet the energy efficiency Objective.

A8 – Significant trees objectives

88. A number of existing trees are sought to be removed from the site to facilitate the proposed development. The applicant has confirmed that none of the existing trees meet the minimum size threshold that triggers the requirement for a local law permit. Photos have been provided of the existing trees to demonstrate their small size.

89. A fig tree was also removed from the site within the past twelve months. The applicant has stated that this tree did not meet the minimum size threshold that triggers the requirement for a local law permit.

90. The surrounding area is characterised by relatively small front garden areas, and Little Charles does not have a garden character to the street frontage due to the dominance of built form and high fencing.

91. There are no new trees indicated to be provided within the proposed 60sqm rear yard to the dwelling. Given the site contains a number of trees that are to be removed (or have recently been removed) it is considered reasonable to require a minimum of one canopy tree to be provided within the rear yard.

92. This will be facilitated by condition.

A10 – Side and rear setbacks objective

93. The proposed dwelling will be provided with setbacks from the eastern and southern boundary. The table below provides an assessment against the Standard in relation to these walls.

Wall (& height above natural ground level)	**Proposed setback**	**A10 Setback required**	**Complies?**
Eastern wall to ground and first floor (max. height 7.32m)	4.68m (min.)	2.41m	Yes
Eastern balustrade to roof deck (~8.12m height)	~10.4m (min.)	3.21m	Yes
Southern wall to ground and first floor adjacent the southern lightcourt	1.01m – 2.9m	1.27m – 2.09m	**No** (partly non-compliant – see Section D-D)
Southern wall to first floor (varies from ~4.5m to 7m)	1.01m -2.9m	1.27m – 2.09m	**No** (partly non-compliant – see Section D-D)
Southern balustrade to roof deck. (8.29m max. height)	5.77m	3.38m (max.)	Yes
Western balustrade (pool fence) to roof deck. (8.29m max. height)	6.2m (min.)	3.38m (max.)	Yes

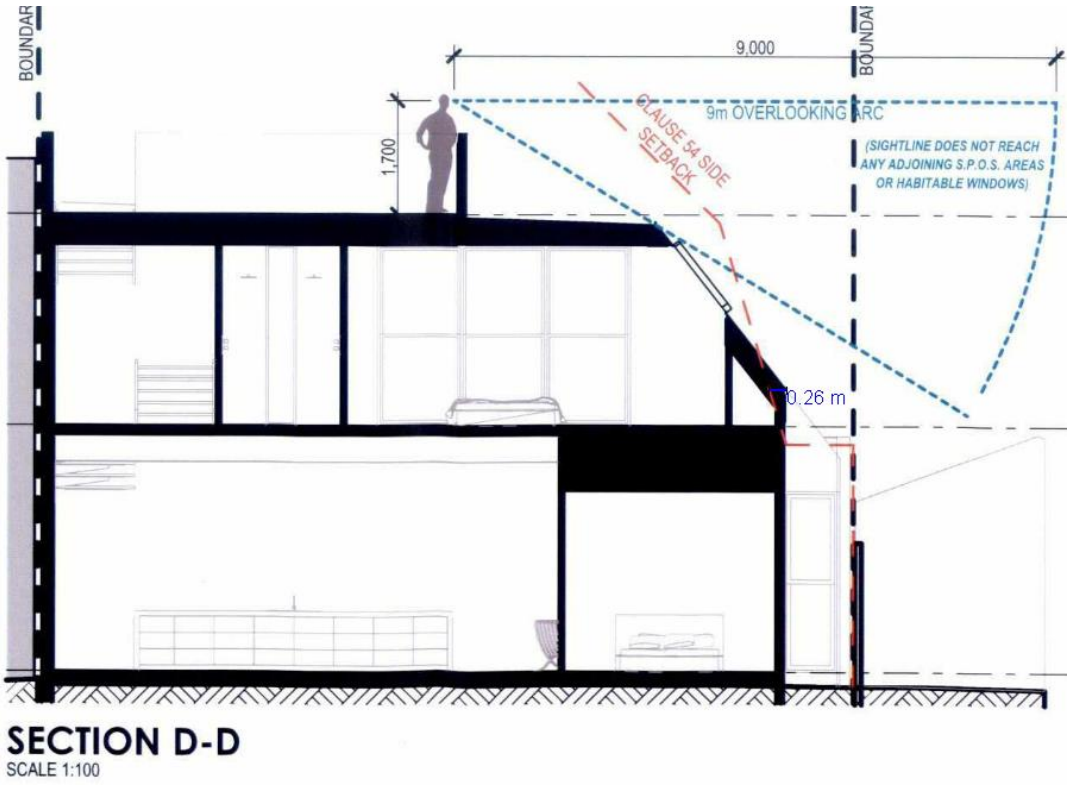


Figure 3 – Section D-D with areas of maximum non-compliance dimensioned in blue.

94. Section D-D, submitted with the application, is taken through the southern lightcourt looking east and imposes the side and rear setback standard profile (dashed red line). Officer analysis (blue dimensions) demonstrates that a maximum variation of 0.26m variation from the Standard is required.

95. The sections of non-compliant wall are also highlighted in yellow on the roof plan in figure 4 below and include sections adjacent secluded private open space and single or double-storey on-boundary construction.

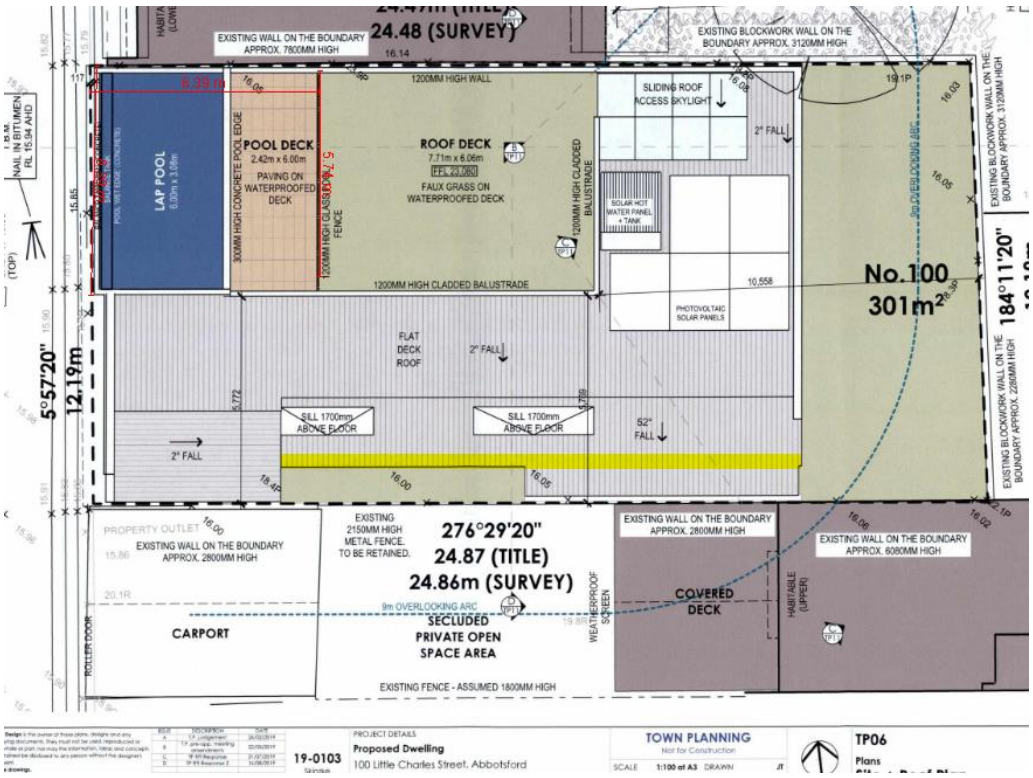


Figure 4 – non-compliant areas of the southern wall where setback from the boundary.

96. The variations from the Standard sought in relation to the southern setback are considered to have a limited amenity impact given that:

    (a) There are no habitable room windows facing the subject site on the south-adjoining site.

    (b) Abutting on-boundary built form is located adjacent the front and rear portions of the first floor wall and will substantially obscure from view and thus reduce the visual impact of these sections of the wall.

    (c) While partially adjacent the south-adjoining secluded private open space, the maximum encroachment into the setback standard of 0.26m would not significantly alter the prominence of the wall, as viewed from that area.

    (d) The raking profile of the wall results in an upper ridgeline that is set back approximately 0.81m further than required by the Standard with the overall effect being that the bulk of the wall would be much less than that of a wall following the setback profile of the Standard.

97. In addition, the proposed variations from the Standard to the southern setback are considered to be generally consistent with the built form character of the surrounding area, which includes minimal setbacks from side boundaries as a response to the generally narrow width of lots, with raking wall profiles common to more recent developments in responding to sensitive areas such as secluded private open space on adjoining lots.

98. Given the above factors it is considered that the proposed side and rear setbacks objective is met.

99. Overall, the objective is achieved.

A11 – Walls on boundaries objective

100. The proposal incorporates walls on both the northern and southern boundaries as shown in the table below:

Wall	Proposed total length	Maximum length requirement	Proposed height	Maximum height requirement	Complies?
Southern boundary wall (two sections)	12.55m	13.72m	• 3.71m - 6.89m	• 3.6m overall / 3.2m average	• No
Northern boundary wall	~19.7m	14.36m	• 7.34m – 8.28m	• 3.6m overall / 3.2m average	• No

101. As can be seen from the above table, variations are required from the Standard in relation to the northern and southern boundary walls.

102. The surrounding area is characterised by high levels of on-boundary construction, often at double-storey scale. This is reflected in the immediately surrounding sites to the subject dwelling which include townhouses constructed at double-storey height to both side boundaries and the south-adjoining dwelling which has a rear double-storey extension that also extends to both side boundaries, in part. Hence the proposed extent and height of on-boundary construction that is proposed is generally in keeping with the character of the surrounding area. The potential amenity impacts of each of the non-compliant walls will be discussed in detail in the following sections.

<u>North</u>

103. As per the above table, a variation to the Standard is sought in relation to both the height and length of the northern boundary wall.

104. The proposed northern boundary wall abuts a wall (associated with the north-adjoining townhouse) of a similar height for approximately 13.7m of its length. Some sections of the proposed wall (associated with the roof deck) will project approximately 0.4m above the abutting wall however. These sections which will not generally be visible from outside the site and thus will not have a visual bulk impact.

105. The following portions of the wall will be visible from outside the site.

    (a) A small section (approximately 0.3m length) of wall associated with the rooftop pool projects forward of this abutting wall.

    (b) Another section of the proposed northern boundary wall (5.46m length) projects eastward of the north-abutting wall at a height of between 7.34m and 8.18m. This section of wall extends, in part, adjacent the rear private open space (ground floor deck) of the north-adjoining townhouse (for a length of approximately 1.7m). The remainder of the wall extends adjacent the ground floor communal courtyard of the remainder of the associated residential complex.

106. The small section of exposed wall at the front is located adjacent the front planters of the north-adjoining townhouse and would not have a detrimental visual impact to this dwelling given the limited area and non-sensitive interface (adjacent the street frontage).

107. However, the rear portion of wall that is exposed would have a more significant visual impact due to its location adjacent the rear private open space of the north-adjoining townhouse and associated communal courtyard of that development and its proposed height.

108. The height of the wall is not considered to respond adequately to its context and would create a visually imposing structure as viewed from the north-adjoining dwelling's rear ground floor deck.

109. As detailed earlier, in response to this concern, the applicant has provided sketch plans reducing the height of the wall to 6.04m and chamfering the upper section of the wall away from the northern boundary (with the exception of the rear façade). The material of the wall has also changed to corrugated metal cladding instead of textured concrete to the upper portion.

110. A comparison between the decision plans and the sketch plans is provided below in figures 5 and 6 (the chamfered section of wall has been highlighted). This change to the northern wall will result in a considerable reduction to the overall bulk of the wall and is considered to be an acceptable outcome from an amenity perspective. The modified material will retain a textured appearance to the wall and will also serve to further break up the wall.

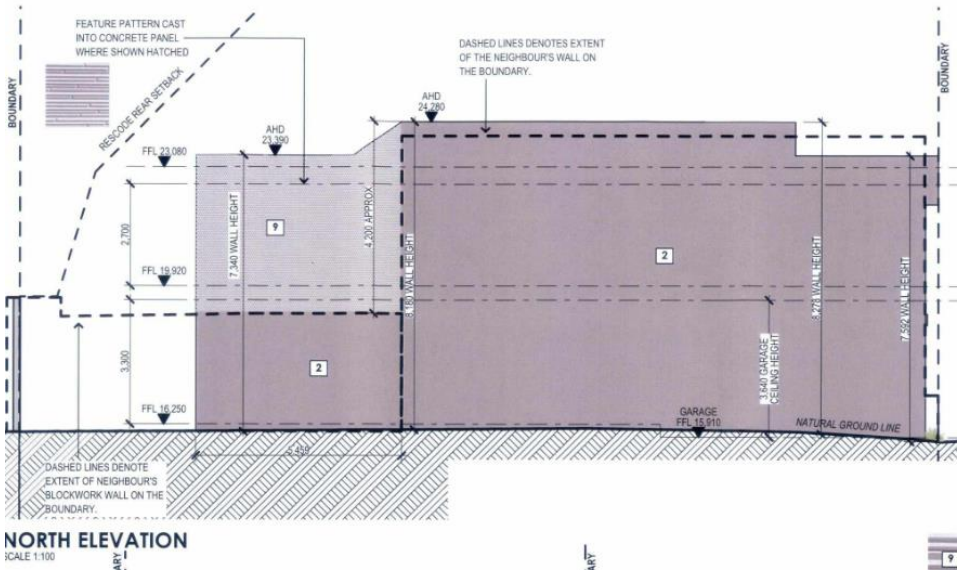


Figure 5 – Proposed northern elevation (decision plans)

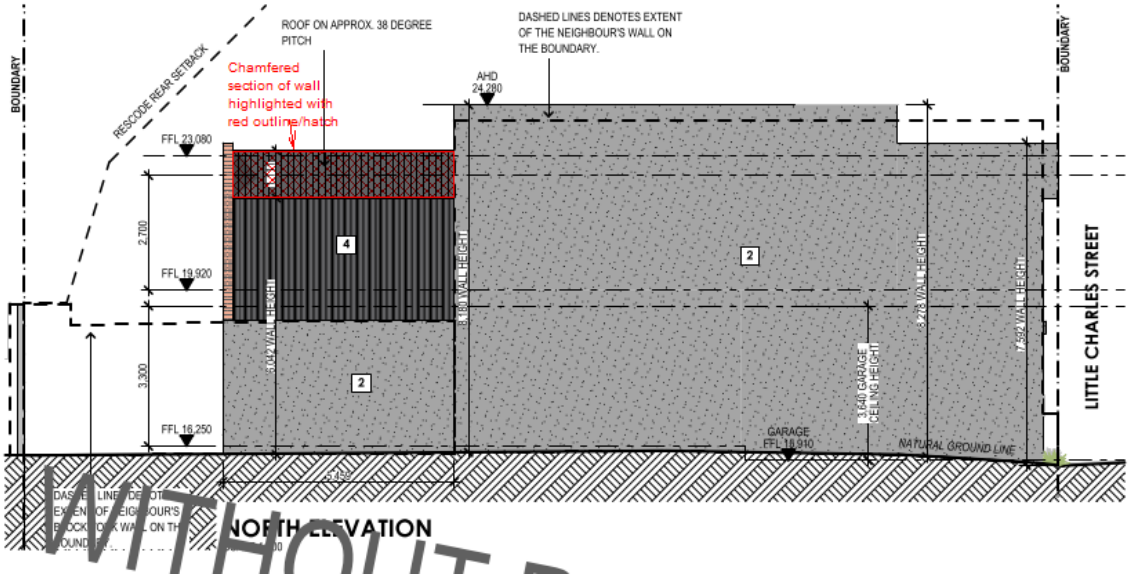


Figure 6 – Proposed northern elevation (sketch plans) with highlight added

111. While the sketch plans would still not achieve compliance with the Standard, it is considered that given the site context there is scope for this variation. In particular:

    (a) The north-adjoining townhouse will maintain its primary outlook to the communal open space to the east.

    (b) The wall is located to the south of these private and communal open space areas and therefore will not cast any shadows to these areas.

    (c) The communal open space is already enclosed by built form of similar and greater heights, thus the higher wall along the shared boundary with the subject site will not be out of place in this built form context.

112. Subject to this condition, the proposed northern wall would not unreasonably impact amenity of dwellings to the north and would respect the built form character of the neighbourhood

<u>South</u>

113. As per the above table, a variation to the Standard is sought in relation to the height of the southern boundary wall.

114. This wall has two sections, separated by the southern lightcourt. The front (western) double-storey section of the wall (4.86m long) abuts the rear carport of the south-adjoining dwelling for its full length. The rear (eastern) section of the wall (7.69m long) abuts the single and double-storey built form of the south-adjoining dwelling for approximately 5.2m, with the remaining approximately 2.5m being located opposite secluded private open space. This section of the wall has a height of between 3.71m and 3.72m.

115. The visual impact of the front (western) section of the southern boundary wall is mitigated due to its positioning adjacent the abutting carport, which spans the width of the adjoining lot. It is also offset to the west of the rear secluded private open space of that dwelling by approximately 1.2m. Furthermore, the gable roof form of the south-adjoining carport which projects up to a height of approximately 4.2m (as measured from the Little Charles Street elevation) will further reduce the extent of visible boundary wall from the south-adjoining secluded private open space.

116. The visual impact of the rear (eastern) section of the proposed southern boundary is partly mitigated by its part abuttal to single and double-storey on-boundary built form of the south-adjoining dwelling. The section that extends beyond the rear of the dwelling is modest in length (approximately 2.5m) and is at a scale that only marginally exceeds (by a maximum of 0.13m) the maximum overall height for on-boundary walls prescribed by the Standard (3.6m).

Furthermore, the south-adjoining dwelling would retain another approximately 5.6m of the shared boundary without any additional on-boundary construction and under existing conditions is open along its entire southern side. In this context, the construction of the single-storey section of on-boundary wall would not cause unreasonable visual bulk impacts.

117. Overshadowing impacts from the proposed development are assessed in detail in the overshadowing objective section of the report and found to be acceptable.

118. Overall, the amenity impact of the proposed southern boundary wall would be limited.

A12 – Daylight to existing windows objective

119. Windows to dwellings on the western side of Little Charles Street and to the east at No. 205 Gipps Street will be assessed in turn below.

120. The maximum wall height of the dwelling at the front (western) boundary is 7.52m. A wall of this height must be set back half its height (i.e. 3.76m) from a ground floor habitable room window to comply with the Standard. Little Charles Street provides a separation of approximately 4.8m between the subject site and the dwellings opposite. Hence, the development complies with the Standard in relation to these windows.

121. The proposed eastern (rear) wall of the dwelling will have a maximum height of 7.32m and will be set back approximately 6.5m from ground floor west-facing windows. This is well over the 3.66m minimum setback from the windows hence complies with the Standard.

122. Thus the development meets the daylight to existing windows Standard and Objective.

A14 – Overshadowing open space objective

123. The shadow diagrams submitted at the September equinox depict additional shadowing to the south-adjoining secluded private open space ("SPOS") which is an area of approximately 45sqm.

124. It is noted that the 1pm diagram also shows overshadowing to the courtyard to the east of the subject site (shadows depicted in a yellow colour). As this fence is existing and not proposed to be altered, the shadow cast by this structure is not a new shadow cast by the development.

125. In terms of impacts to the south-adjoining dwelling, the table below summarises the additional shadow and remaining solar access.

Time	Existing Shadow	Additional Shadow	Total Shadow	Remaining solar access
9am	39 m^2	0.9 m^2	39.9 m^2	5.1 m^2
10am	24.6 m^2	7.6 m^2	32.2 m^2	12.8 m^2
11am	19.5 m^2	7.6 m^2	27.1 m^2	17.9 m^2
12pm	15.7 m^2	7.9 m^2	23.6 m^2	21.4 m^2
1pm	18.9 m^2	5.6 m^2	24.5 m^2	20.5 m^2
2pm	23.2 m^2	6.6 m^2	29.8 m^2	15.2 m^2
3pm	29.2 m^2	9.4 m^2	38.6 m^2	6.4 m^2

126. The proposed development does not meet the Standard as the south-adjoining secluded private open space currently does not receive solar access in accordance with the Standard (a minimum of 75% / 33.75sqm of the area over a minimum of five hours during this period) and solar access is further reduced as a result of the proposal.

127. Having regard to the additional overshadowing, it is acknowledged that the dwelling has responded to the secluded private open space by raking higher built form away from the southern boundary and offsetting double-storey on-boundary construction (where proposed) westward of secluded private open space.

128. Furthermore, the impact to the amenity of the south-adjoining dwelling's SPOS would be limited given that:

(a) At 9am the small area of additional overshadowing would have no appreciable impact to the solar access to the SPOS as under existing conditions almost the entire area is already overshadowed and the small area of solar access is peripherally located.

(b) Between 10am and 2pm, an area of solar access is maintained to the SPOS that is of a size and proportion that would continue to provide a reasonable level of usability for residents of the dwelling (ranging between 12.8sqm and 21.4sqm total area) as demonstrated by the shadow diagrams (shown in figure 7 below, with dimensions in blue added).

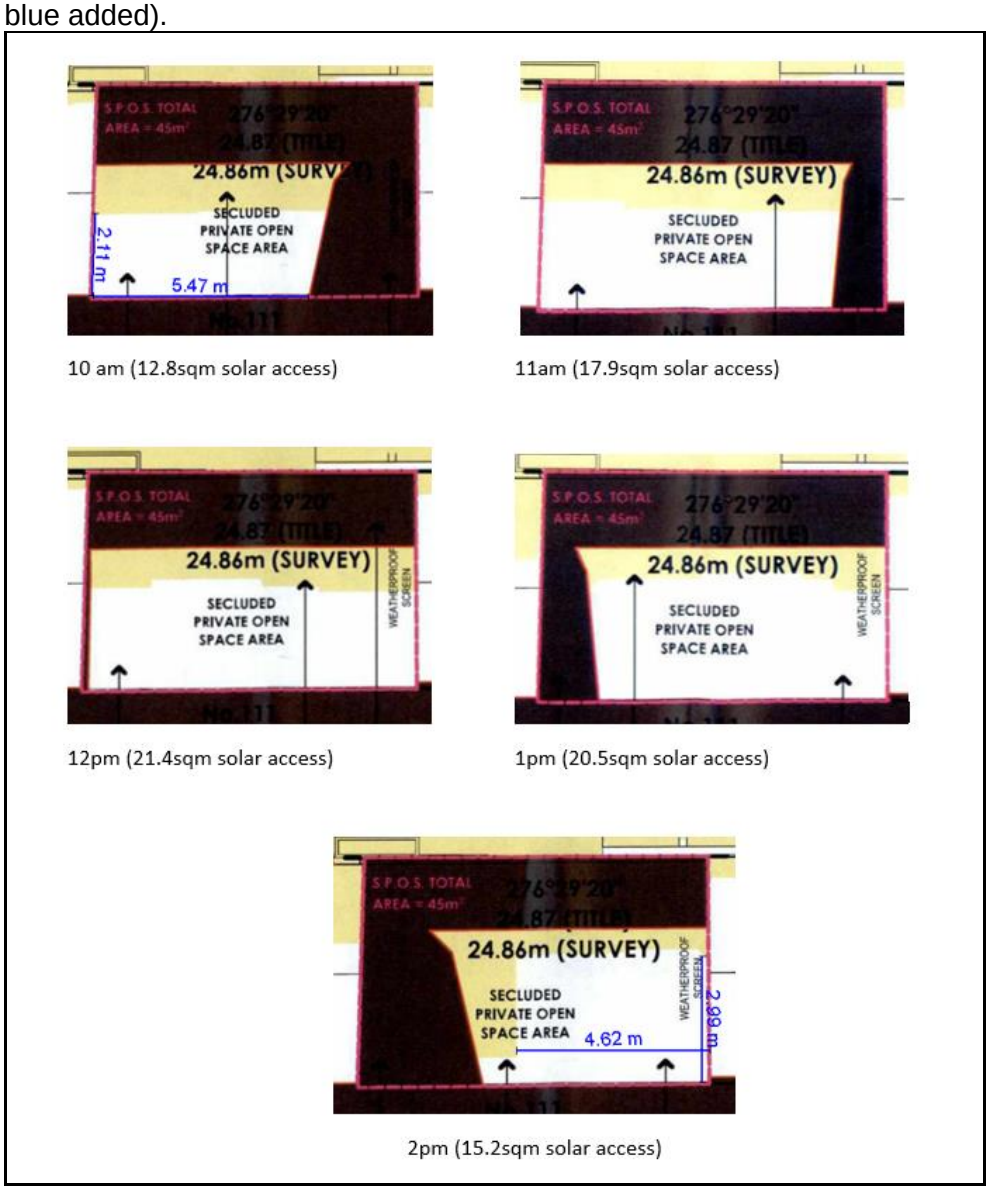


Figure 7 – Shadow diagrams between 10am and 2pm (extra shadow in yellow)

(c) At 3pm, overshadowing is more substantial and encroaches into the central part of the yard. Given the inner city context of the site, the subdivision pattern, and nature of the development in the surrounding area the more substantial loss of sunlight at 3pm is considered a reasonable outcome.

129. Overall, it is considered that the overshadowing open space objective is achieved as the proposed development will not unreasonably reduce solar access to surrounding areas of secluded private open space.

A15 – Overlooking objective

130. The dwelling will incorporate glazed areas at ground and first floor, as well as a roof deck / pool deck that could provide potential for overlooking opportunities.

131. The proposed plans do not identify all ground level secluded private open space associated with apartments to the east at No. 205 Gipps Street, however, as detailed in the site and surrounds description, these areas of secluded private open space are located immediately to the east and the north-east.

132. The proposed ground floor finished floor level is less than 0.8m above natural ground level and windows either look onto the street or onto side or rear boundary fencing that is a minimum of 1.8m high at the boundary. Thus the ground floor meets the overlooking Standard.

133. At first floor, all habitable room windows are treated in accordance with the Standard, as follows:

    (a) The west-facing first floor window to the first floor bedroom 2 (via the void) is fixed and obscure-glazed to a height of 1.7m above the first floor finished floor level, thus complying with the Standard.

    (b) The south-facing windows to the raking wall to bedroom 2 and master bedroom have sill heights of 1.7m above finished floor level, thus complying with the Standard.

    (c) A 9m viewing arc on the proposed first floor plan demonstrates that views lines from the first floor bedroom via the east-facing windows to the rear façade would be restricted to within the subject site within 9m, thus complying with the Standard.

134. In addition, there is a west-facing internal window from the lounge to the sub-pool space which has vented openings to the western first floor façade. While the lounge window is not directly to the external façade of the building and it would be difficult to get views from the window via the vented openings to windows opposite, it has nonetheless been provided with obscure glazing to prevent views to habitable windows opposite.

135. In relation to the roof deck, within 9m of the edge of the deck inclusive of pool deck, the following sensitive areas must be considered:

    (a) The rear ground floor secluded private open space (deck) of the north-adjoining townhouse fronting Little Charles Street.

    (b) The rear secluded private open space and west-facing first floor window to the south-adjoining dwelling (No. 113 Nicholson Street).

    (c) The first floor east-facing habitable room window of No. 95 Little Charles Street, to the west of Little Charles Street.

136. In relation to the rear deck of the north-adjoining townhouse, while it is likely that the proposed boundary wall associated with the development would prevent downward views to the rear deck, as no sectional diagrams have been provided, this cannot be confirmed. A condition will require therefore that a sightline (or sightlines) be provided demonstrating compliance with Standard A15.

137. In relation to the rear secluded private open space of No. 113 Nicholson Street, a sectional diagram (section D-D) which formed part of the advertised (decision) plans confirms that the proposed roof form of the first floor of the dwelling will successfully prevent views down into this area within 9m. Views will be restricted to a vertical height of approximately 4.1m above the ground level. This is considered to meet the overlooking objective.

138. In relation to the west-facing first floor window of No. 113 Nicholson Street, a sectional diagram (section C-C) which formed part of the advertised (decision) plans indicates that the views within 9m fall just short of the façade of the dwelling (and therefore the associated habitable room window).

139. In relation to the first floor east-facing habitable room window of No. 95 Little Charles Street, the supplementary overlooking diagrams (section G-G – see figure 8) submitted by the applicant on 2 December 2019 demonstrate that the opaque glass screen affixed to the edge of the balance tank would prevent downward views to the only habitable room within 9m of the edge of the deck – the east-facing first floor habitable room window of No. 95 Little Charles Street.

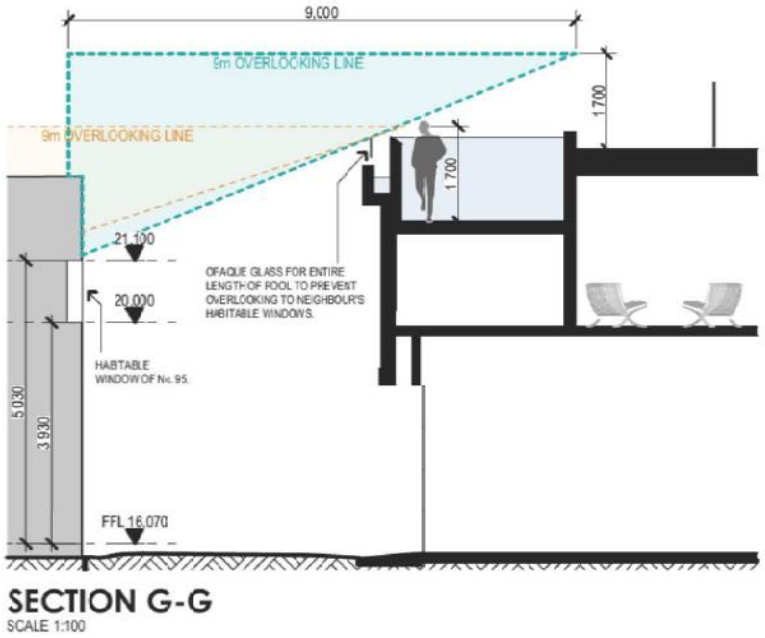


Figure 8 – Section G-G of the supplementary overlooking diagrams

140. Supplementary overlooking diagrams also confirmed that the secluded private open space to No. 104 Charles Street was beyond the 9m overlooking arc from the roof deck.

141. It is also noted that although the proposed pool itself is not required to be screened under the Standard (not being a habitable room or a balcony, terrace, deck or patio, for which the Standard is applicable), overlooking diagrams provided with the original application and the supplementary diagrams demonstrate that from a height of 1.7m from the base of the pool the opaque glass screen to the edge of the balance tank would prevent downward views within 9m to the east-facing first floor habitable room window of No. 95 Little Charles Street and the rear secluded private open space of No. 104 Charles Street.

142. Overall, subject to the above-described condition relating to addressing potential overlooking to the rear secluded private open space of the north-adjoining townhouse, the proposed development will achieve the overlooking objective.

A16 – Daylight to new windows objective

143. The proposed dwelling provides all habitable rooms with windows that will meet the Standard (i.e. be clear to the sky for an area of over 3sqm, and with a minimum dimension of at least 1m) with the exception of the first floor lounge room.

144. As previously discussed, the first floor lounge has access to a window with borrowed light from the sub pool area and through the pool itself.

145. As detailed in the energy efficiency objective assessment, an operable skylight (or similar) will be required to be provided to this room. This will ensure that the adequate daylight is provided to this room and therefore that the daylight to new windows objective is achieved.

A17 – Private open space objective

146. The proposed dwelling incorporates approximately 140sqm of private open space, including 60sqm of secluded private open space within the ground floor rear yard and 80sqm associated with the rooftop deck (including pool and pool deck).

147. This complies with the minimum 60.2sqm of private open space prescribed by the Standard; in addition to providing more than the minimum 25sqm of secluded private open space (with convenient access from a living room) at the side or rear dwelling prescribed by the Standard.

148. The Standard and objective are met.

A18 – Solar access to open space objective

149. The rear ground floor secluded private open space (60sqm area) has a northerly aspect and is located adjacent the north-adjoining communal open space so that it will continue to receive good solar access.

150. The proposed 80sqm roof deck (inclusive of the pool and pool deck) would also receive good levels of solar access due to its elevation position and provides a generous area for various leisure and recreation activities.

151. Overall, the dwelling has been designed to ensure a high level of amenity to secluded private open space with good access to sunlight. The objective is met.

A19 – Design detail objective

152. The proposed design details of the addition, including materials and finishes, fenestration and form, will be complementary to the immediate and wider neighbourhood character.

153. The contemporary and industrial appearance of the building relates to its immediate context adjacent the former industrial building conversion associated with No. 205 Gipps Street.

154. Heritage impacts will be discussed in detail in the following section.

155. The objective is met.

Heritage

156. This assessment will be based on the decision guidelines of Clause 43.01-8 and the heritage policy of Clause 22.02.

Demolition

157. The application proposes demolition of the existing sheds and front fence/roller door to the Little Charles Street frontage. Photographs of the shed structures submitted by the applicant show a number of simple shed structures (including a former aviary/chicken pen) generally composed of metal sheeting. The sheds cannot be seen from the street behind the high front fencing.

158. Clause 22.02-5.1 (Full Demolition) includes that it is policy to *generally encourage the retention of a building in a heritage place, unless the building is identified as being not contributory.*

159. While the site (and existing buildings) does not have a formal heritage grading, based on the photographs, the existing structures have been confirmed by Council's Heritage Adviser as being of no heritage significance and their removal supported.

160. On this basis, the extent of proposed demolition is supported from a heritage perspective as their removal would not have any detrimental impact on the significance of the subject site nor the heritage character of the wider heritage precinct.

New dwelling

161. The proposed new dwelling will be an appropriate infill development within the existing Little Charles Street streetscape and will not detrimentally impact the significance of the wider heritage place of the "Charles Street" Heritage Precinct.

162. The primary eras of building sought to be protected under the Charles Street Heritage Precinct are those originating from the Victorian and Edwardian-eras. However, the subject site's immediate context is amongst dwellings fronting Little Charles Street that are constructed in recent decades and graded as "not contributory" to the Heritage Precinct; in addition to the rear of dwellings that front Nicholson Street or Charles Street which have a varied assortment of outbuildings and high fencing to the Little Charles Street frontage. There is little visibility of "contributory" heritage fabric deriving from the Victorian and Edwardian periods from Little Charles Street as a whole, with only one "contributory" Victorian-era building front Little Charles Street along its length (No. 73 Little Charles Street, approximately 50m south of the subject site).

163. Given this context, consistent with policy at Clause 22.02-5.7.1 of the Scheme for new development in heritage areas, the building will be clearly distinguishable from original heritage fabric and will not block views to any other "contributory" building or element.

164. Furthermore, in line with policy at clause 22.02-5.7.1, the dwelling will be articulated and massed in a manner that is consistent with the prevailing building form. The double-storey scale of the dwelling, with open roof deck above, is an acceptable scale in the context of predominantly two storey or higher built form fronting Little Charles Street and the location between double-storey built form to the north and a single-storey outbuilding to the south. It is noted that the front facade (inclusive of cantilevered pool) sits just below the height of the north-adjoining dwelling's front facade and the higher built form associated with the roof deck (balustrade and pool fence) would be largely concealed from view from Little Charles Street, other than from more distant vantage points to the south. This is similar to the existing townhouse opposite the subject site (at No. 95 Little Charles Street) which presents as two storeys to the street but has a recessive third storey.

165. Also consistent with policy at clause 22.02-5.7.1, the proposed dwelling will respect the pattern, rhythm, orientation to the street, fenestration and materials of the existing streetscape. The minimal to zero front setback will generally align with other development along Little Charles Street, including the townhouses and apartments to the north, extending to Gipps Street. The construction to the full width of the lot at the front corresponds with other infill development along the laneway. Furthermore, detailing of the facade is considered respectful of both the immediate context and, given its limited visibility from streets other than Little Charles Street, appropriate within the wider heritage precinct.

166. While the industrial appearance of the building takes its cue more from the immediate context and areas outside the Heritage Overlay (such as non-heritage buildings east of Nicholson Street) materials and fenestration have been included which are complementary to traditional buildings of the heritage precinct and will be obliquely visible from the Gipps Street frontage, for example:

    (a) The red facebrick facade emulates a traditional material to Victorian and Edwardian buildings which is also often found associated with outbuildings in a laneway context.

    (b) The vertical rectangular openings to the first floor "vent" structures, while clearly non-heritage elements, have a similar ratio (approximately 2:1) of traditional Victorian and Edwardian-era windows.

167. It is noted that views from Nicholson Street to the upper portion of the rear facade of the dwelling will be possible from across the basement car park vehicular entry to the residential complex at No. 205 Gipps Street. However, the new dwelling will be set back approximately 30m from the Nicholson Street frontage and would be seen in the context of the higher (up to five storeys) development to the north, which projects forward to the Nicholson Street frontage, and the contemporary two storey rear addition to the Victorian-era dwelling at No. 113 Nicholson Street. Hence, the new dwelling would appear as a recessive element within the wider Nicholson Street streetscape, forming a backdrop to development to Nicholson Street rather than competing with it and would not detract from the heritage significance of this streetscape.

168. While policy at clause 22.05.7.2 of the Scheme discourages *high fencing, doors and boundary treatments associated with car parking that are unrelated to the historic character of the area* in the context of the "laneway' appearance of Little Charles Street which already exhibits a high number of garage/carport structures and roller doors along its length, the proposed garage will not detrimentally impact the streetscape or wider heritage precinct.

169. In line with the above assessment, Council's Heritage Adviser has found the design of the proposed new dwelling to be appropriate, including its industrial appearance, and found it to be in keeping with the *historically non-residential character* of Little Charles Street and *immediately adjoining development.*

170. Overall, the new dwelling is considered to be an appropriate development having regard to the heritage value of the wider area.

Objector concerns

171. Objector concerns are largely addressed in the preceding report, any aspects that have not been addressed in the report are addressed below.

Neighbourhood Character (front setback not respectful of streetscape);

172. This has been addressed at paragraphs 56-60.

Offsite amenity impacts (overlooking, loss of daylight and visual bulk);

173. Overlooking been addressed at paragraphs 130-142.

174. Visual bulk has been addressed at paragraphs 93-118.

175. Impacts on daylight to habitable room windows has been addressed at paragraphs 119-122. There is no protection through the relevant planning considerations for daylight to other areas.

Impact on views;

176. The Victorian Civil and Administrative Tribunal has consistently found that although impact upon views can be considered amongst the amenity impacts of a proposal, there cannot be considered a right to any particular view. In the absence of particular planning controls which might require the protection of, or sharing of views, loss of views is usually afforded very limited weight. This is especially the case where a view is obtained across adjoining land and the views are not afforded any special consideration in a planning control. In this case the development is not considered to intrude unreasonably upon the skyline to reduce the amenity of neighbours through their outlook or access to daylight.

177. It is also noted that garden setting of the existing site is an anomaly within the surrounding area and cannot be justifiably preserved on the basis of providing an outlook onto vegetation from adjoining sites.

Adverse impact to wind patterns;

178. Given the scale of the development, it is unlikely that the building would substantially change wind patterns in the area. Regardless, this is beyond the scope of the planning considerations in this instance.

Amenity impacts associated with the roof deck/pool (noise, air pollution and lightspill);

179. External lighting normal to a dwelling does not require a planning permit pursuant to Clause 62.02-1 of the Yarra Planning Scheme and so is not required to be shown on the plans. However, the standard condition pertaining to the baffling of external lighting will ensure that any roof deck lighting will be appropriately shielded.

180. In relation to noise emissions from use of the roof terrace, the consideration of this planning application is confined only to the construction of the dwelling. The residential use of the dwelling does not require a planning permit and is not a planning matter. Residential noise associated with a dwelling is considered normal and reasonable in an urban setting and there is no reason to anticipate that the occupants of the dwelling will generate more noise than is typical of any other surrounding residence.

181. In relation to noise from pool equipment, this type of equipment is considered a normal component of a residence and otherwise administered by the Environment Protection Authority (EPA) guidelines.

182. There are not planning considerations that would relate to air pollution from use of a roof deck (such as barbeque fumes or smoking) and it is re-iterated that the use of the land for a dwelling is as-of-right. Nonetheless, it would appear unlikely that the development would generate excessively detrimental levels of such emissions given it is a single dwelling.

Environmental impact (loss of trees and adverse impacts on wildlife);

183. Loss of trees has been addressed at paragraphs 88-92. There are no specific policies or planning considerations relating to wildlife for a proposal of this nature, however, it is considered that the requirement for a canopy tree will help offset any associated wildlife impacts.

Construction impacts (noise and dust)

184. Some noise and other off site impacts are inevitable when any construction occurs. The developer will be required to meet relevant Local Laws and EPA regulations regarding construction practices to ensure these impacts are mitigated. The relevant local law setting out restrictions to construction hours is also reflected in a condition.

Other matters - Engineering

185. Council's Engineers have found the proposed car parking arrangements to be generally acceptable. However, they have recommended some design items be addressed on the plans and have also suggested a number of other conditions. These items can be addressed by conditions or notes, as relevant.

    (a) In relation to their comments on public lighting, , it is not reasonable to expect the landowner of the subject site to upgrade public lighting to Little Charles Street given: The limited scale *o*f the development (single dwelling on a lot);

    (b) While Little Charles Street has the appearance of a laneway, it is a named street with a number of existing dwellings addressed to the street.

    (c) There are dwellings immediately opposite the subject site and to the north of the subject site - i.e. this part of Little Charles Street is already an established residential pocket and the development is not an 'agent of change' in that regard,

186. However, to address the need for some lighting to the front of the dwelling for safety and security purposes a condition will require the plans to be updated to show a light to the front entrance. In addition, a standalone condition will require that all external lighting be baffled and shielded so as not to cause any nuisance to surrounding properties from lightspill.

Other matters - Signage

187. The front door to the dwelling displays text in an area of approximately 1.2sqm that appears to constitute a sign. However, a sign has not been included as part of the proposal and as such (and as agreed to by the applicant) a condition will require deletion of this text from the door.

Conclusion

188. Based on the above report, the proposal is considered to substantially comply with the relevant planning policy and therefore should be 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 PLN19/0178 for demolition of existing buildings and construction of a double-storey dwelling with roof deck at 100 Little Charles Street, Abbotsford VIC 3067, generally in accordance with the plans noted previously as the “decision plan” and subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans prepared by Justin Thyer Design (Drawings TP00-TP19), submitted on 19 August 2019, but modified to show:
   (a) The following changes generally in accordance with the sketch plans submitted on 4 December 2019:
      (i) A reduction in height of the northern boundary wall, to a maximum height of 6.042m, with a raking wall to the section above.
      (ii) The finish of the first floor wall with corrugated metal cladding in Colorbond "Monument".
      (iii) Associated re-location of stair access to the roof deck.
   (b) Demonstrate that Standard A15 of Clause 54.04-6 (Overlooking Objective) of the Yarra Planning Scheme continues to be met in relation to views from the proposed roof deck to the north-adjoining secluded private open space (associated with the north-adjoining townhouse fronting Little Charles Street) as a result of condition 1(a).
   (c) Provision of an operable skylight to the first floor lounge and associated modifications to the roof/pool deck.
   (d) Provision of at least one canopy tree within the rear yard.
   (e) Provision of external shading to upper level east facing glazing.
   (f) External lighting to the front pedestrian entrance.
   (g) The finished floor levels of the garage along the edge of the internal concrete slab set 40mm above the edge of Little Charles Street.
   (h) A 1:20 scale cross-sectional drawing of the vehicle entrance and Little Charles Street demonstrating that the entrance of the garage is designed to allow vehicles to enter and exit the garage without scraping or bottoming out.
   (i) Provision of stormwater treatment measures that achieve a minimum Melbourne Water STORM rating of 100%.
   (j) Deletion of text to the front door.

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

3. Before the 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.

4. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating the dwelling front pedestrian entrance must be provided within the property boundary. All external lighting to the dwelling must be:

   (a) located;
   (b) directed;
   (c) shielded; and
   (d) of limited intensity,

   to the satisfaction of the Responsible Authority.

5. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.

6. 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.

7. 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.

8. This permit will expire if:

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

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

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

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5428 to confirm.

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5428 for further information.

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

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.

CONTACT OFFICER: **Madeleine Moloney**
TITLE: **Statutory Planner**
TEL: **92055009**

Attachments

1. PLN19/0178 - 100 Little Charles Street Abbotsford - Subject Land
2. PLN19/0178 - 100 Little Charles Street Abbotsford - Decision (advertised) Plans
3. PLN19/0178 - 100 Little Charles Street Abbotsford - Sketch Plans Submitted 4 December 2019
4. PLN19/0178 - 100 Little Charles Street Abbotsfod - Supplementary Overlooking Diagrams
5. PLN19/0178 - 100 Little Charles Street Abbotsford - Engineering comments
6. PLN19/0178 - 100 Little Charles Street Abbotsford - Heritage Comments

Attachment 1 - PLN19/0178 - 100 Little Charles Street Abbotsford - Subject Land

SUBJECT LAND: 100 Little Charles Street, Abbotsford



⇧ **North**

★ **Subject Site**

Attachment 2 - PLN19/0178 - 100 Little Charles Street Abbotsford - Decision (advertised) Plans

Proposed Dwelling

at

100 Little Charles Street Abbotsford



DRAWING INDEX

	Drawing Name	Scale	Revision
TP00	Cover Page		D
TP01	Project Summary		A
TP02	Neighbourhood + Site Description	1:500	A
TP03	Existing Cond. + Demolition Plan	1:100	D
TP04	Ground Floor Plan	1:100	D
TP05	First Floor Plan	1:100	D
TP06	Site + Roof Plan	1:100	D
TP07	Design Response	1:500	C
TP08	Elevations 1	1:100	C
TP09	Elevations 2	1:100	C
TP10	Elevations 3	1:100	D
TP11	Sections	1:100	C
TP12	Existing Shadows - 9AM Sep. 22	1:150	B
TP13	Shadow Diagram - 9AM Sep. 22	1:150	D
TP14	Shadow Diagram - 10AM Sep. 22	1:150	C
TP15	Shadow Diagram - 11AM Sep. 22	1:150	C
TP16	Shadow Diagram - 12PM Sep. 22	1:150	D
TP17	Shadow Diagram - 1PM Sep. 22	1:150	C
TP18	Shadow Diagram - 2PM Sep. 22	1:150	C
TP19	Shadow Diagram - 3PM Sep. 22	1:150	D

WATER SENSITIVE URBAN DESIGN

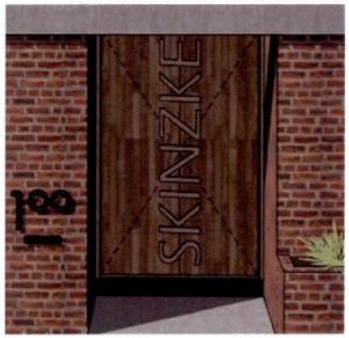
FOR STORM RATING AND ASSOCIATED REQUIREMENTS FOR THE PROPOSED DEVELOPMENT, REFER TO THE WATER SENSITIVE URBAN (WSUD) REPORT PREPARED BY:

PASSIVENERGY
JOB No: 190423

6 STAR ENERGY RATING

FOR THE 6 STAR ENERGY RATING AND ASSOCIATED REQUIREMENTS FOR THE PROPOSED DEVELOPMENT, REFER TO THE REPORT PREPARED BY:

PASSIVENERGY
JOB No: 190424



JTD JUSTIN THYER DESIGN

Justin Thyer Design is the owner of these plans, designs and any accompanying documents. They must not be used, reproduced or copied, in whole or part, nor may the information, ideas and concepts therein contained be disclosed to any person without the designer's written consent.
Do not scale drawings.
Written dimensions to take precedence over scale.
Clarify any discrepancies before commencing work.

ISSUE	DESCRIPTION	DATE
A	TP Lodgement	26/02/2019
B	TP pre-app meeting amendments	22/03/2019
C	TP RFI Response	31/07/2019
D	TP RFI Response 2	16/08/2019

19-0103
Skinzke

PROJECT DETAILS
Proposed Dwelling
100 Little Charles Street, Abbotsford
Andrew + Luisa

TOWN PLANNING
Not for Construction

SCALE @ A3 DRAWN JT
DESIGNED JT CHECKED JT

TP00
Project Information
Cover Page

ISSUE **D**
16/08/2019

Attachment 2 - PLN19/0178 - 100 Little Charles Street Abbotsford - Decision (advertised) Plans

SITE DETAILS

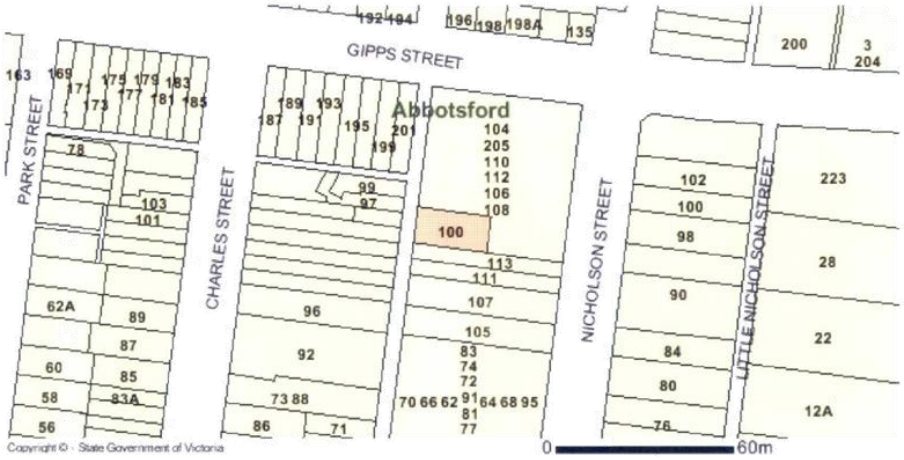
Address:	100 Little Charles Street Abbotsford
Lot / Plan:	Lot 1 TP702352
SPI (Standard Parcel Identifier):	1\TP702352
Local Government (Council):	Yarra
Council Property Number:	376560
Directory Reference:	Melway 2C K11
Bushfire Prone Area:	No

Utilities

Rural Water Business:	Southern Rural Water
Melbourne Water Retailer:	City West Water
Melbourne Water:	inside drainage boundary
Power Distributor:	CITIPOWER

Planning Zone Summary

Planning Zone:	Neighbourhood Residential Zone - Schedule 1 (NRZ1)
Planning Overlays:	Heritage Overlay Schedule (HO313)



APPROVALS

Legal Point of Discharge

Council Reference:	TBC
Summary:	TBC
Notes:	TBC

JTD JUSTIN THYER DESIGN

19-0103 Skinzke

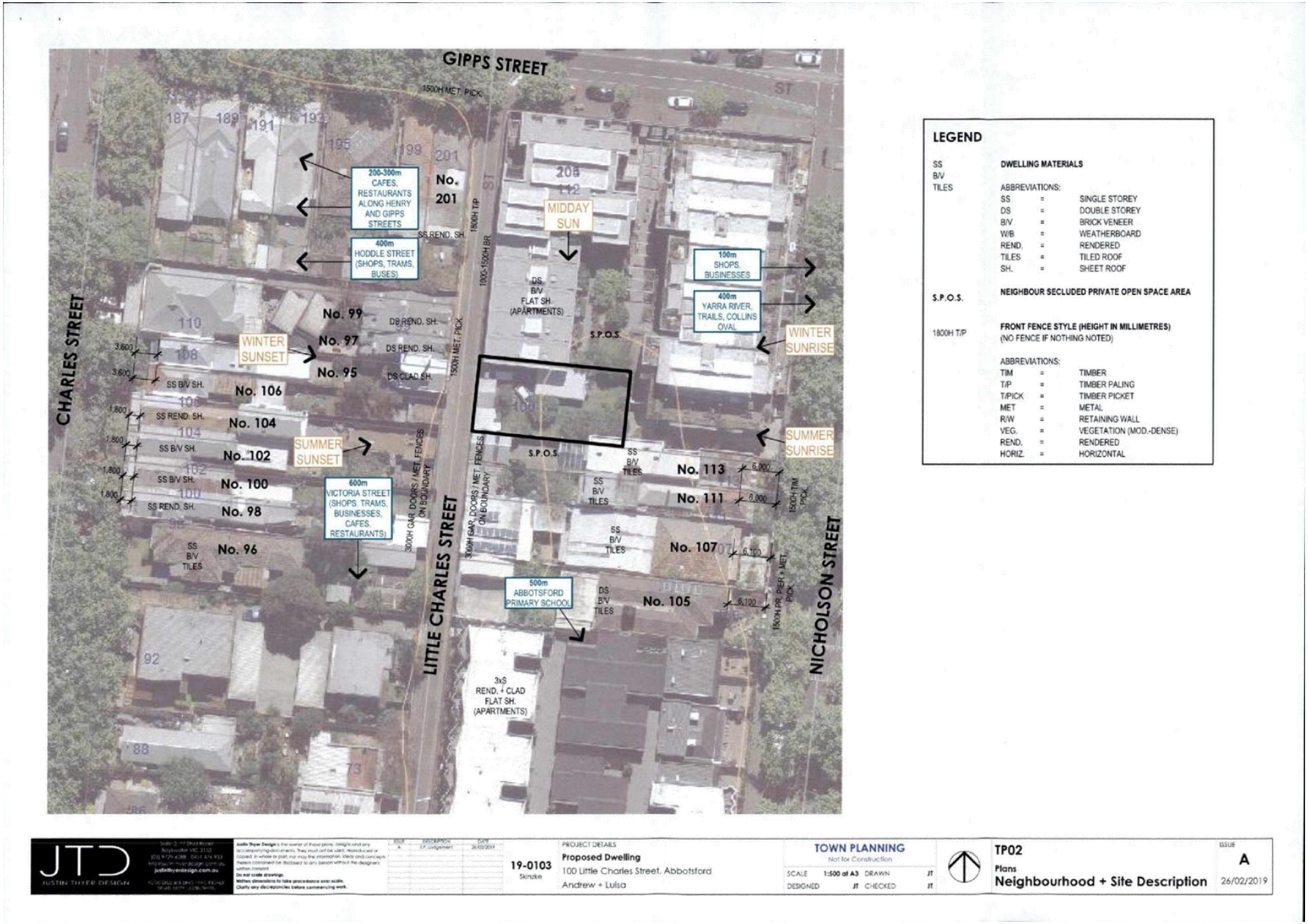
PROJECT DETAILS
Proposed Dwelling
100 Little Charles Street, Abbotsford
Andrew + Luisa

TOWN PLANNING
Not for Construction
SCALE at A3 DRAWN JT
DESIGNED JT CHECKED JT

TP01
Project Information
Project Summary

ISSUE A
26/02/2019

Attachment 2 - PLN19/0178 - 100 Little Charles Street Abbotsford - Decision (advertised) Plans



LEGEND

SS, B/V, TILES — **DWELLING MATERIALS**

ABBREVIATIONS:

SS	=	SINGLE STOREY
DS	=	DOUBLE STOREY
B/V	=	BRICK VENEER
W/B	=	WEATHERBOARD
REND.	=	RENDERED
TILES	=	TILED ROOF
SH.	=	SHEET ROOF

S.P.O.S. — **NEIGHBOUR SECLUDED PRIVATE OPEN SPACE AREA**

1800H T/P — **FRONT FENCE STYLE (HEIGHT IN MILLIMETRES)** (NO FENCE IF NOTHING NOTED)

ABBREVIATIONS:

TIM	=	TIMBER
T/P	=	TIMBER PALING
T/PICK	=	TIMBER PICKET
MET	=	METAL
R/W	=	RETAINING WALL
VEG.	=	VEGETATION (MOD.-DENSE)
REND.	=	RENDERED
HORIZ.	=	HORIZONTAL

JTD — JUSTIN THYER DESIGN

19-0103 Skindle

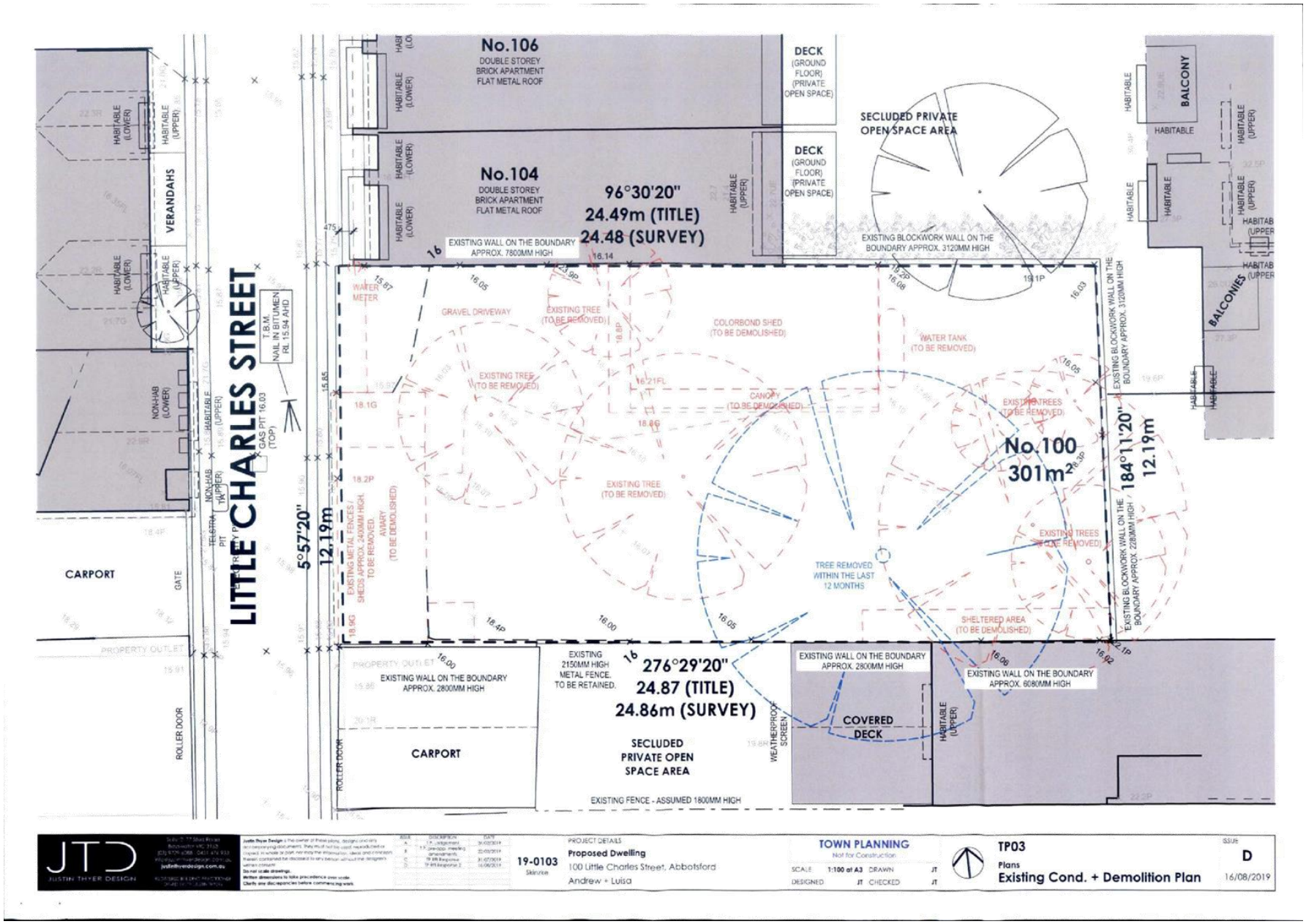
PROJECT DETAILS
Proposed Dwelling
100 Little Charles Street, Abbotsford
Andrew + Luisa

TOWN PLANNING
Not for Construction
SCALE 1:500 at A3 DRAWN JT
DESIGNED JT CHECKED JT

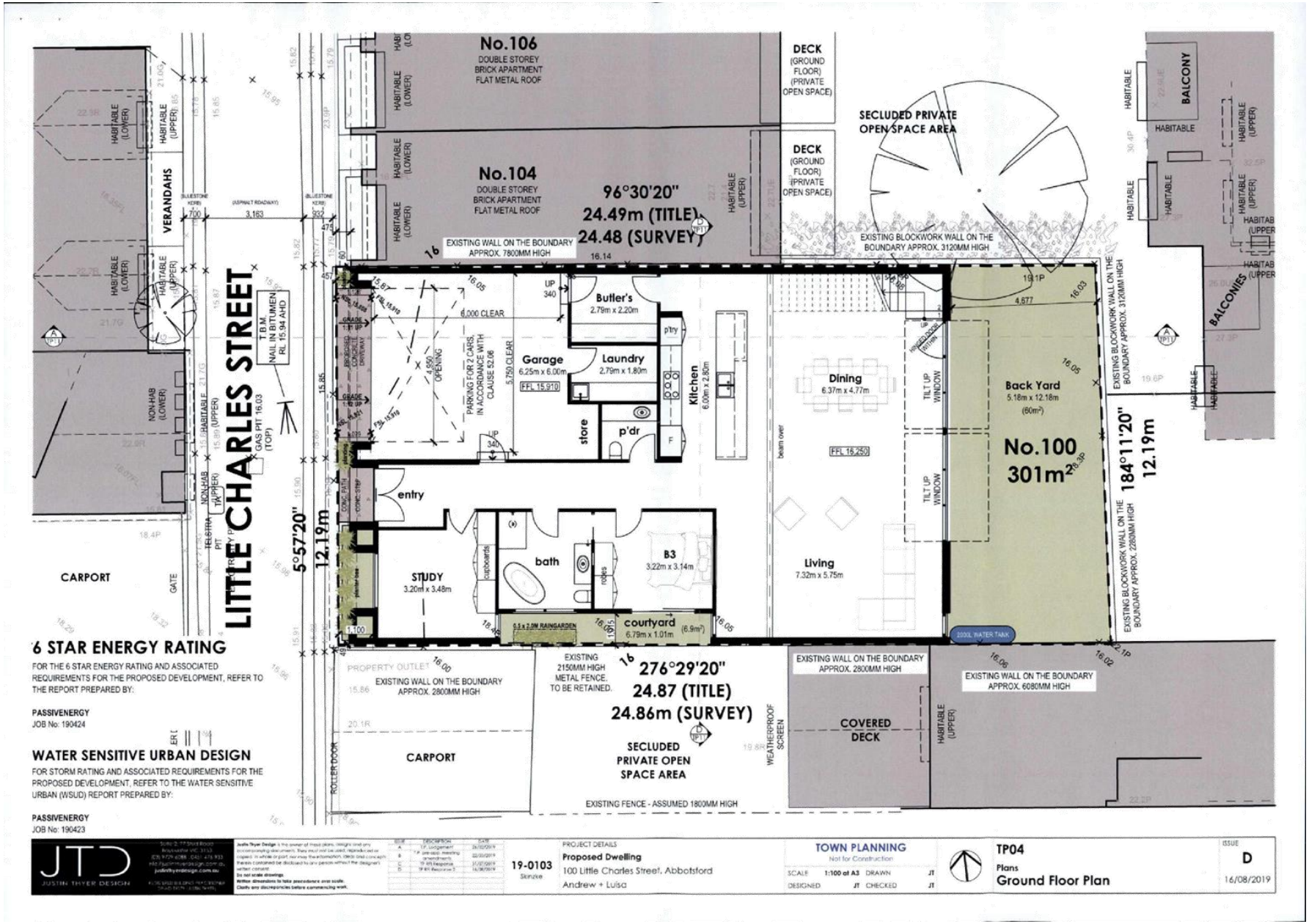
TP02
Plans
Neighbourhood + Site Description

ISSUE A
26/02/2019

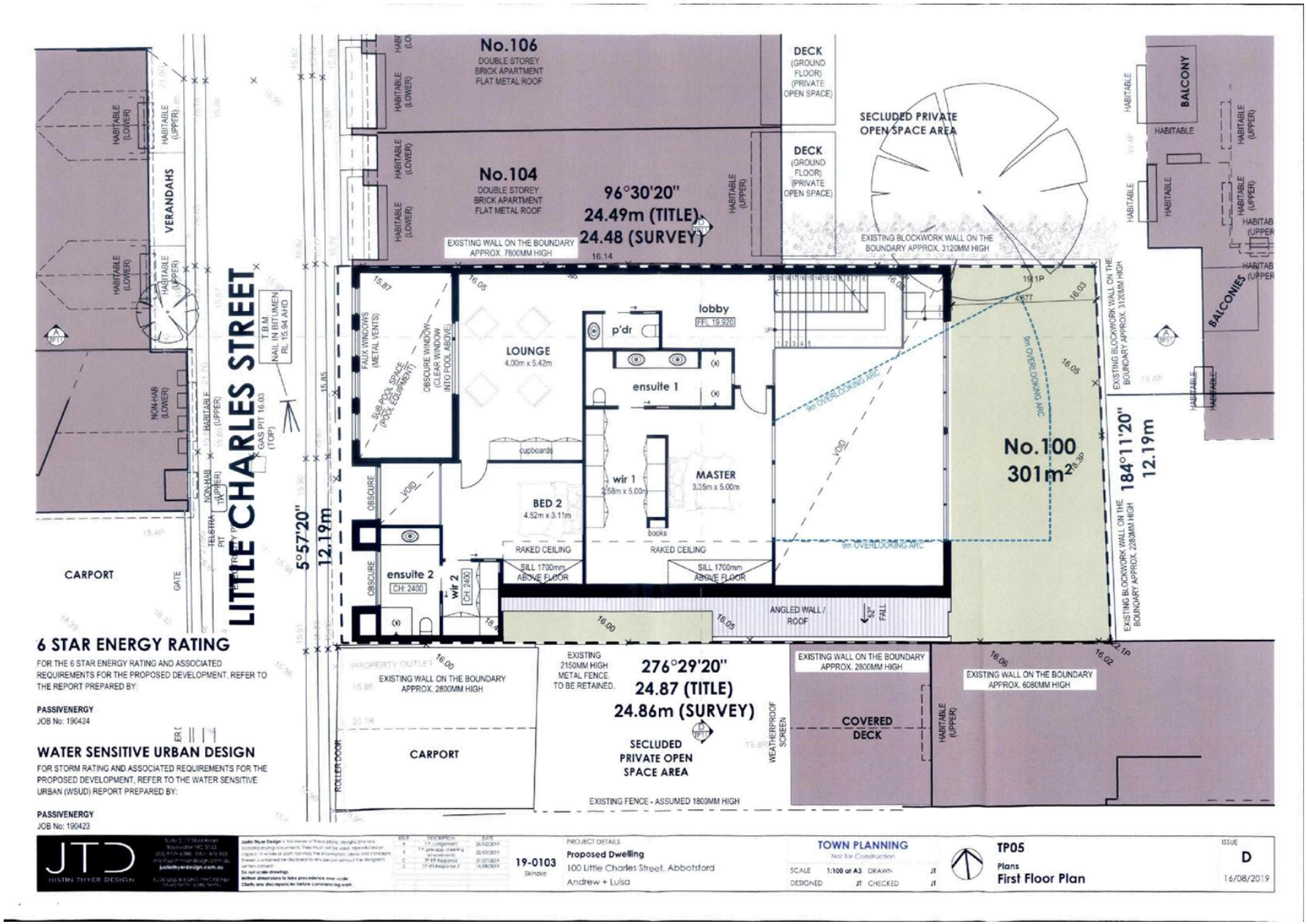
Attachment 2 - PLN19/0178 - 100 Little Charles Street Abbotsford - Decision (advertised) Plans



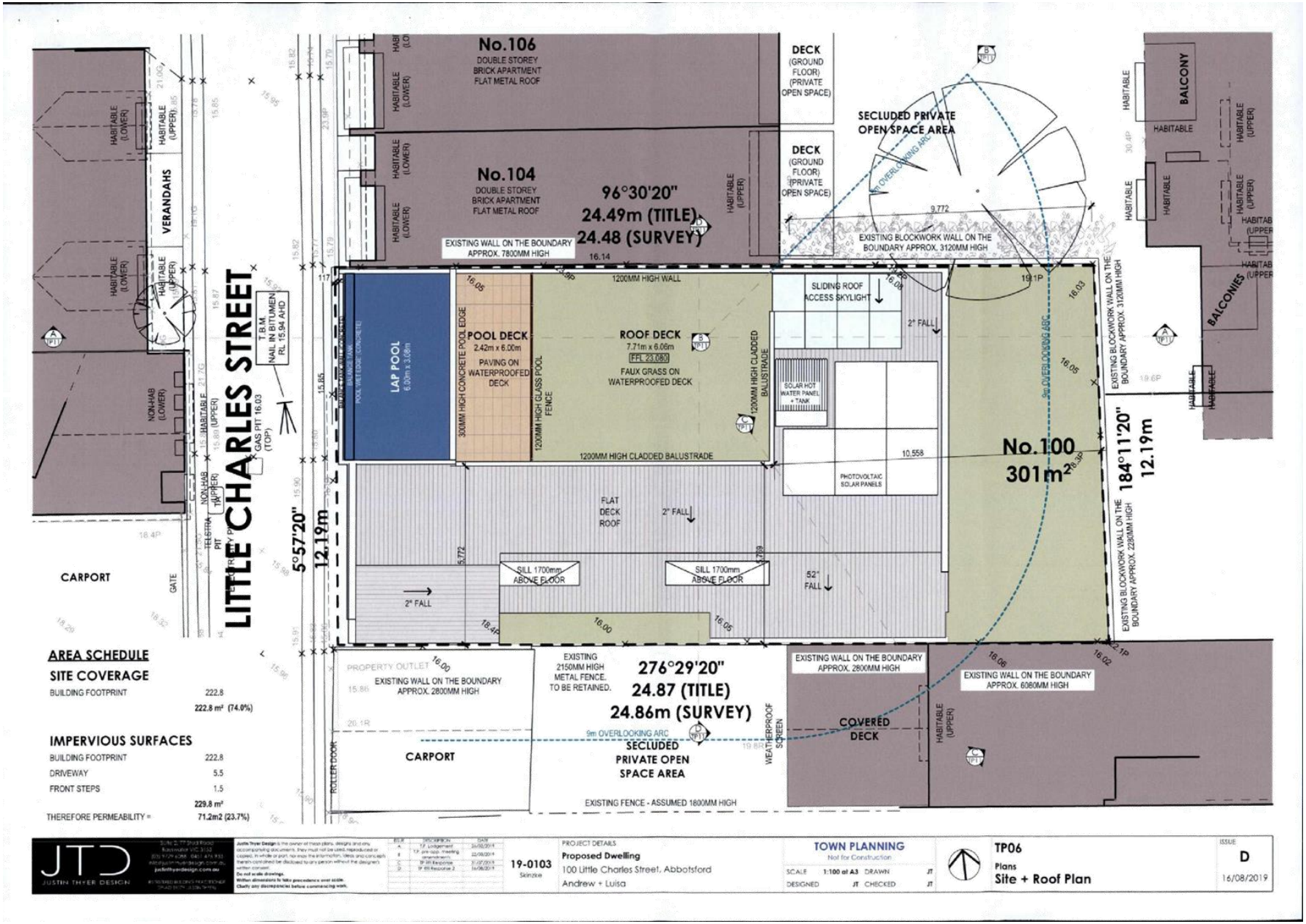
Attachment 2 - PLN19/0178 - 100 Little Charles Street Abbotsford - Decision (advertised) Plans



Attachment 2 - PLN19/0178 - 100 Little Charles Street Abbotsford - Decision (advertised) Plans



Attachment 2 - PLN19/0178 - 100 Little Charles Street Abbotsford - Decision (advertised) Plans



Attachment 2 - PLN19/0178 - 100 Little Charles Street Abbotsford - Decision (advertised) Plans



LEGEND

SS B/V TILES — DWELLING MATERIALS

ABBREVIATIONS:

SS	=	SINGLE STOREY
DS	=	DOUBLE STOREY
B/V	=	BRICK VENEER
W/B	=	WEATHERBOARD
REND.	=	RENDERED
TILES	=	TILED ROOF
SH.	=	SHEET ROOF

S.P.O.S. — NEIGHBOUR SECLUDED PRIVATE OPEN SPACE AREA

1800H T/P — FRONT FENCE STYLE (HEIGHT IN MILLIMETRES) (NO FENCE IF NOTHING NOTED)

ABBREVIATIONS:

TIM	=	TIMBER
T/P	=	TIMBER PALING
T/PICK	=	TIMBER PICKET
MET	=	METAL
R/W	=	RETAINING WALL
VEG.	=	VEGETATION (MOD.-DENSE)
REND.	=	RENDERED
HORIZ.	=	HORIZONTAL

JTD JUSTIN THYER DESIGN

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(03) 9729 4788 0411 476 933
justin@jtydesign.com.au

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Do not scale drawings.
Written dimensions to take precedence over scale.
Clarify any discrepancies before commencing work.

ISSUE	DESCRIPTION	DATE
A	TP Judgement	24/05/2019
B	TP pre-app. meeting amendments	22/06/2019
C	TP RFI Response	31/07/2019

19-0103
Skinzoo

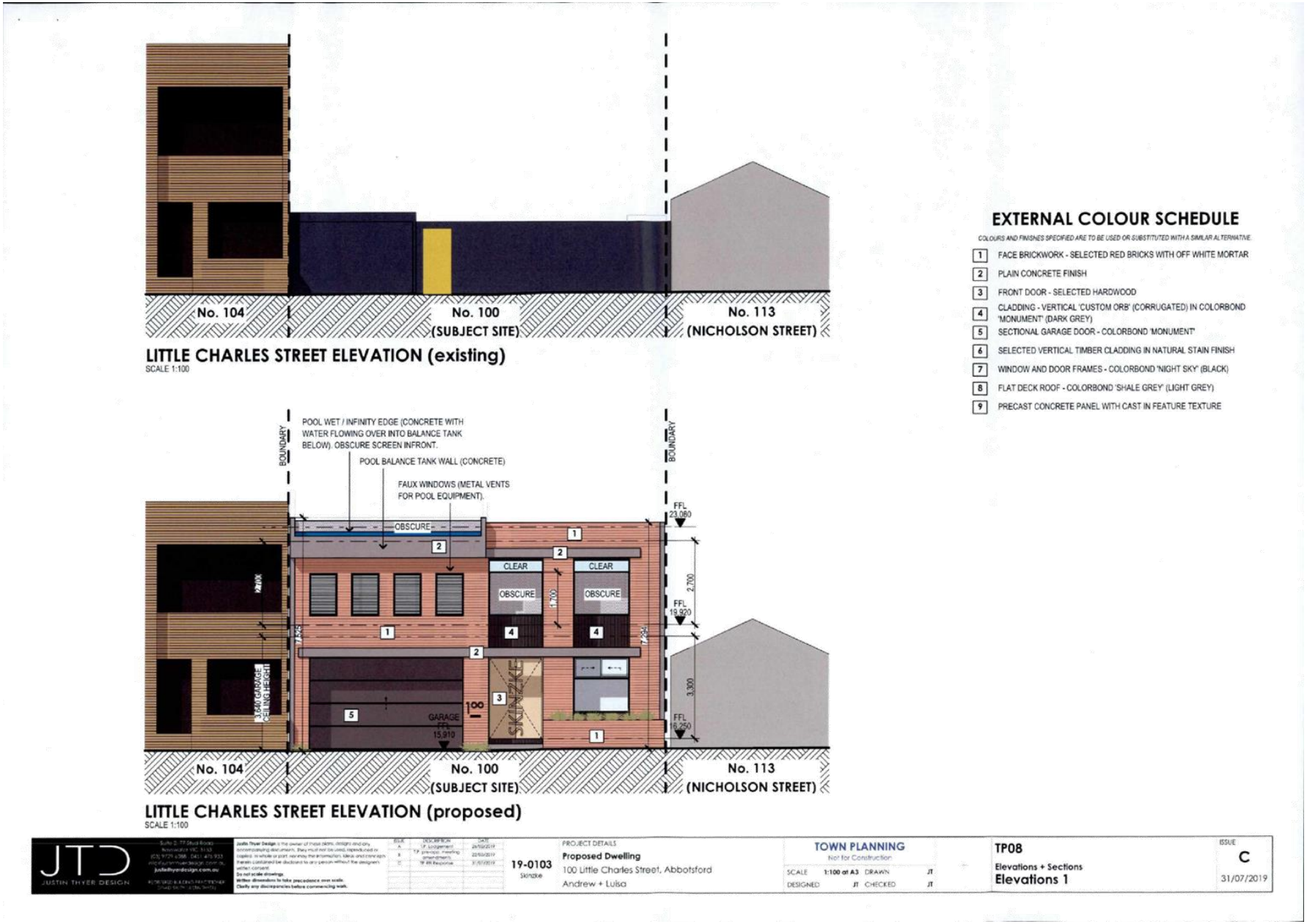
PROJECT DETAILS
Proposed Dwelling
100 Little Charles Street, Abbotsford
Andrew + Luisa

TOWN PLANNING
Not for Construction
SCALE 1:500 at A3 DRAWN JT
DESIGNED JT CHECKED JT

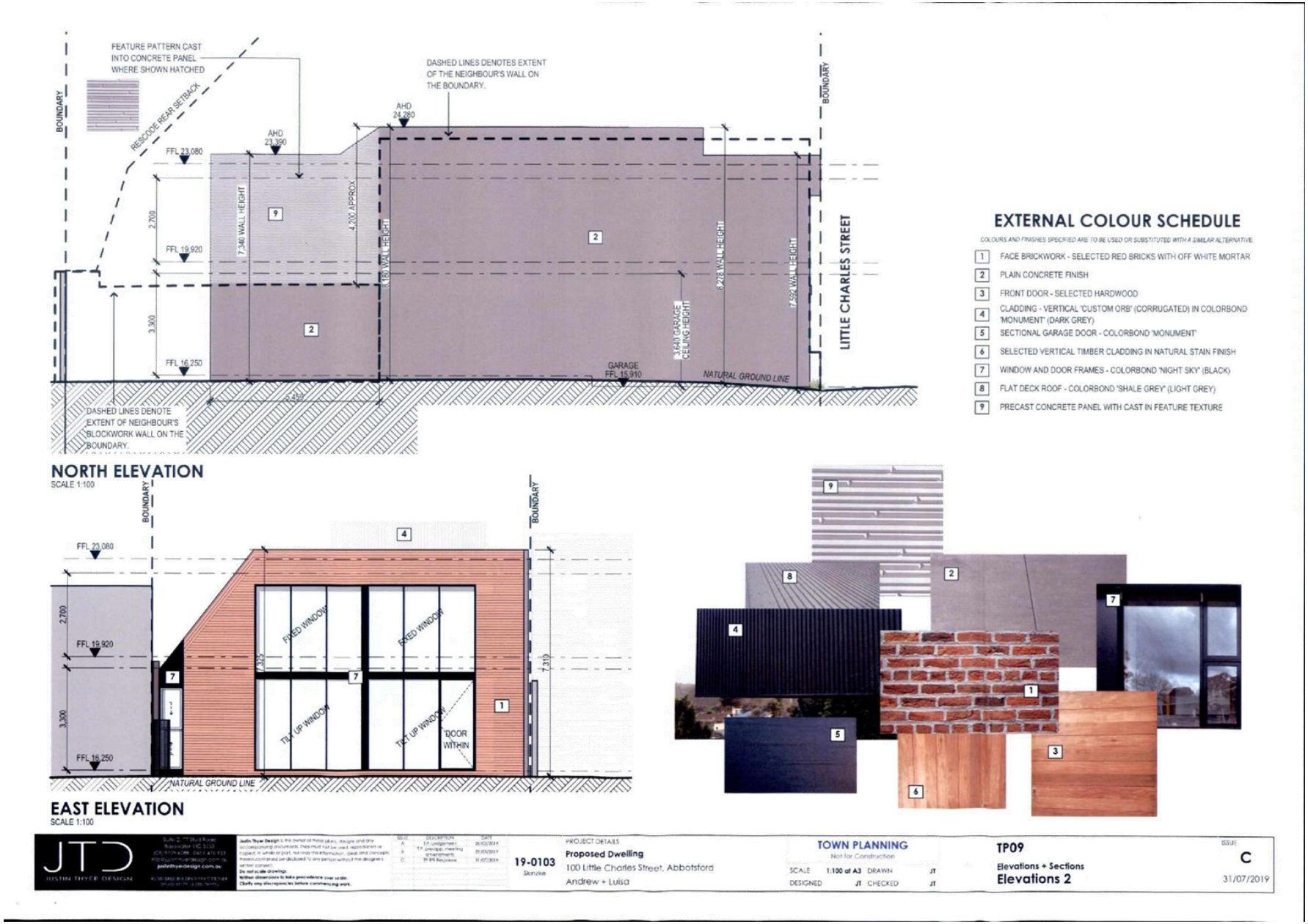
TP07
Plans
Design Response

ISSUE C
31/07/2019

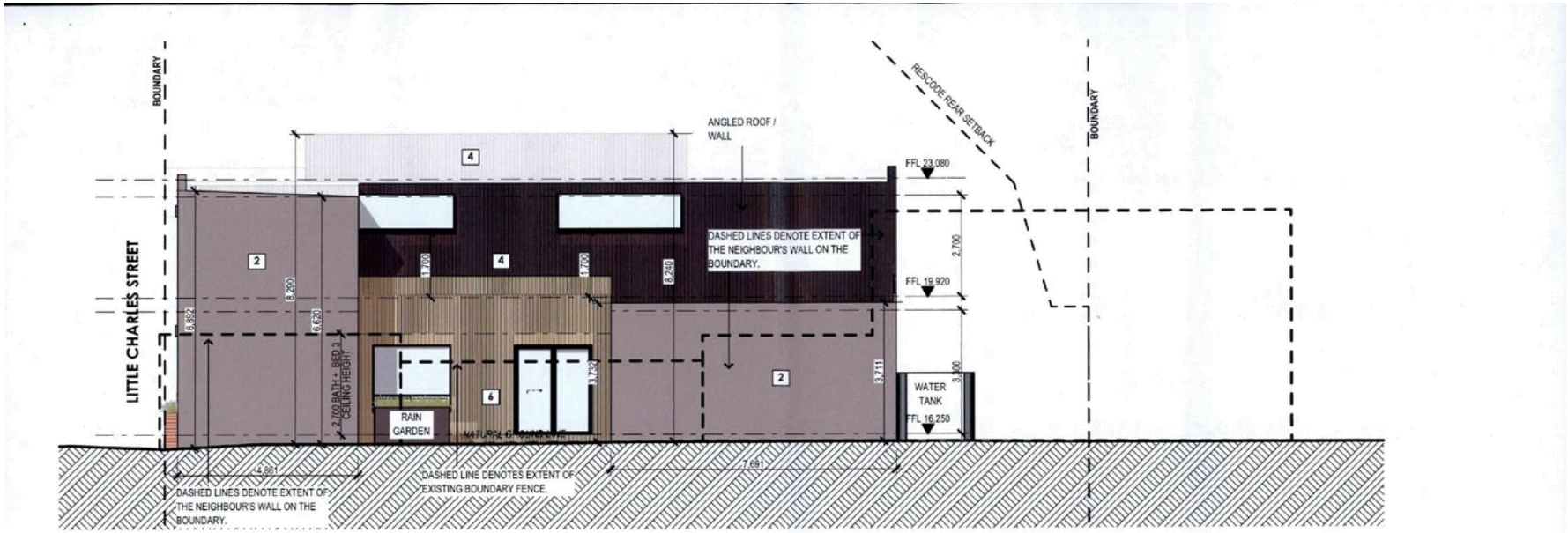
Attachment 2 - PLN19/0178 - 100 Little Charles Street Abbotsford - Decision (advertised) Plans



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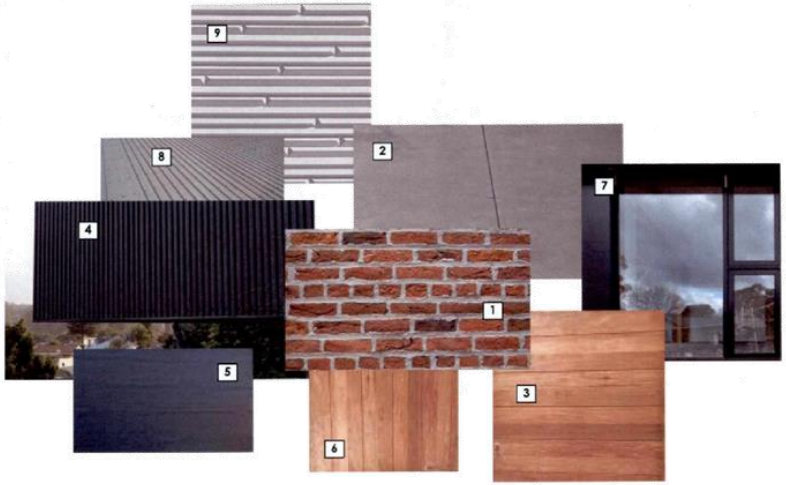


SOUTH ELEVATION
SCALE 1:100

EXTERNAL COLOUR SCHEDULE

COLOURS AND FINISHES SPECIFIED ARE TO BE USED OR SUBSTITUTED WITH A SIMILAR ALTERNATIVE

1. FACE BRICKWORK - SELECTED RED BRICKS WITH OFF WHITE MORTAR
2. PLAIN CONCRETE FINISH
3. FRONT DOOR - SELECTED HARDWOOD
4. CLADDING - VERTICAL 'CUSTOM ORB' (CORRUGATED) IN COLORBOND 'MONUMENT' (DARK GREY)
5. SECTIONAL GARAGE DOOR - COLORBOND 'MONUMENT'
6. SELECTED VERTICAL TIMBER CLADDING IN NATURAL STAIN FINISH
7. WINDOW AND DOOR FRAMES - COLORBOND 'NIGHT SKY' (BLACK)
8. FLAT DECK ROOF - COLORBOND 'SHALE GREY' (LIGHT GREY)
9. PRECAST CONCRETE PANEL WITH CAST IN FEATURE TEXTURE



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19-0103
Skinzke

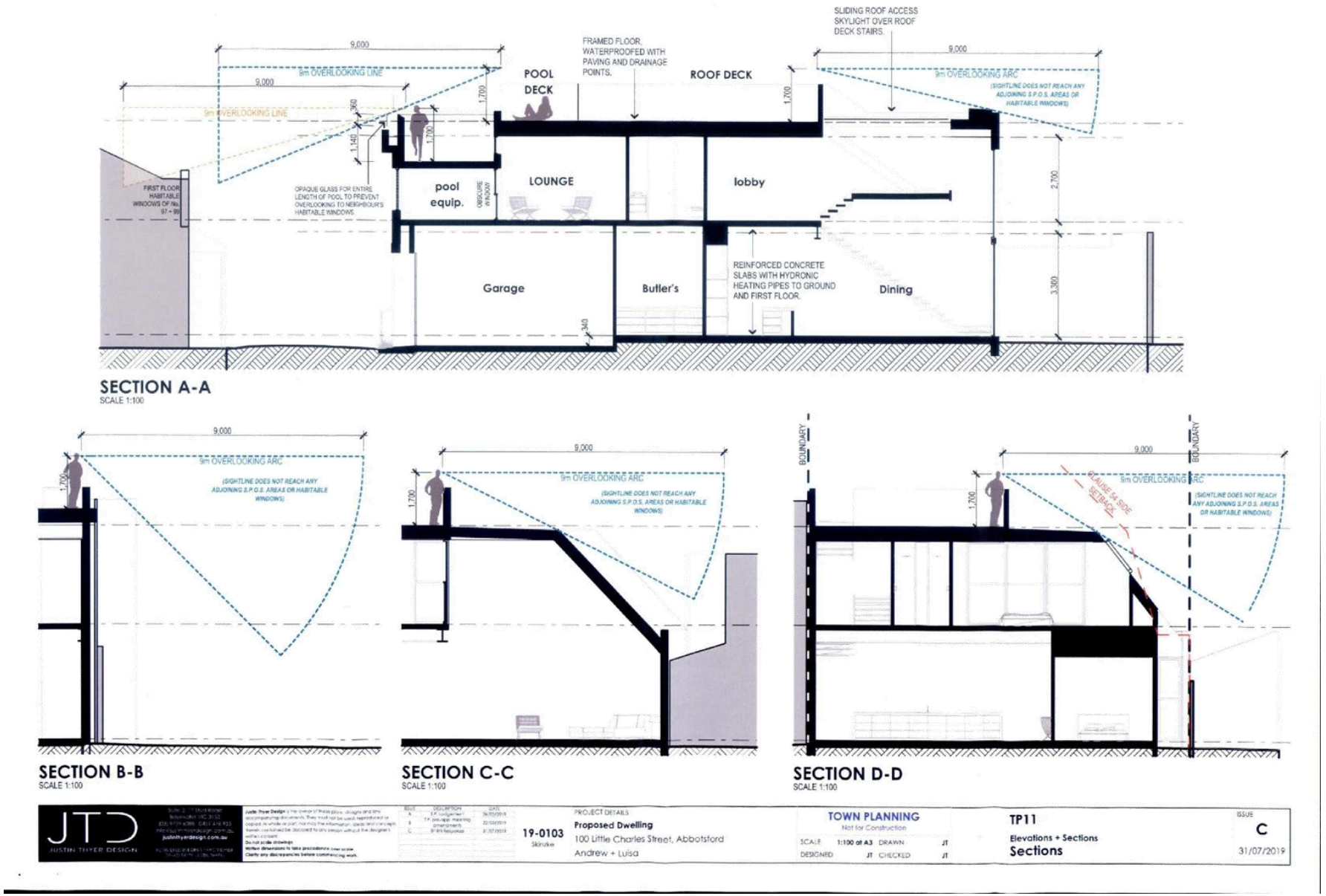
PROJECT DETAILS
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100 Little Charles Street, Abbotsford
Andrew + Luisa

TOWN PLANNING
Not for Construction
SCALE 1:100 at A3 DRAWN JT
DESIGNED JT CHECKED JT

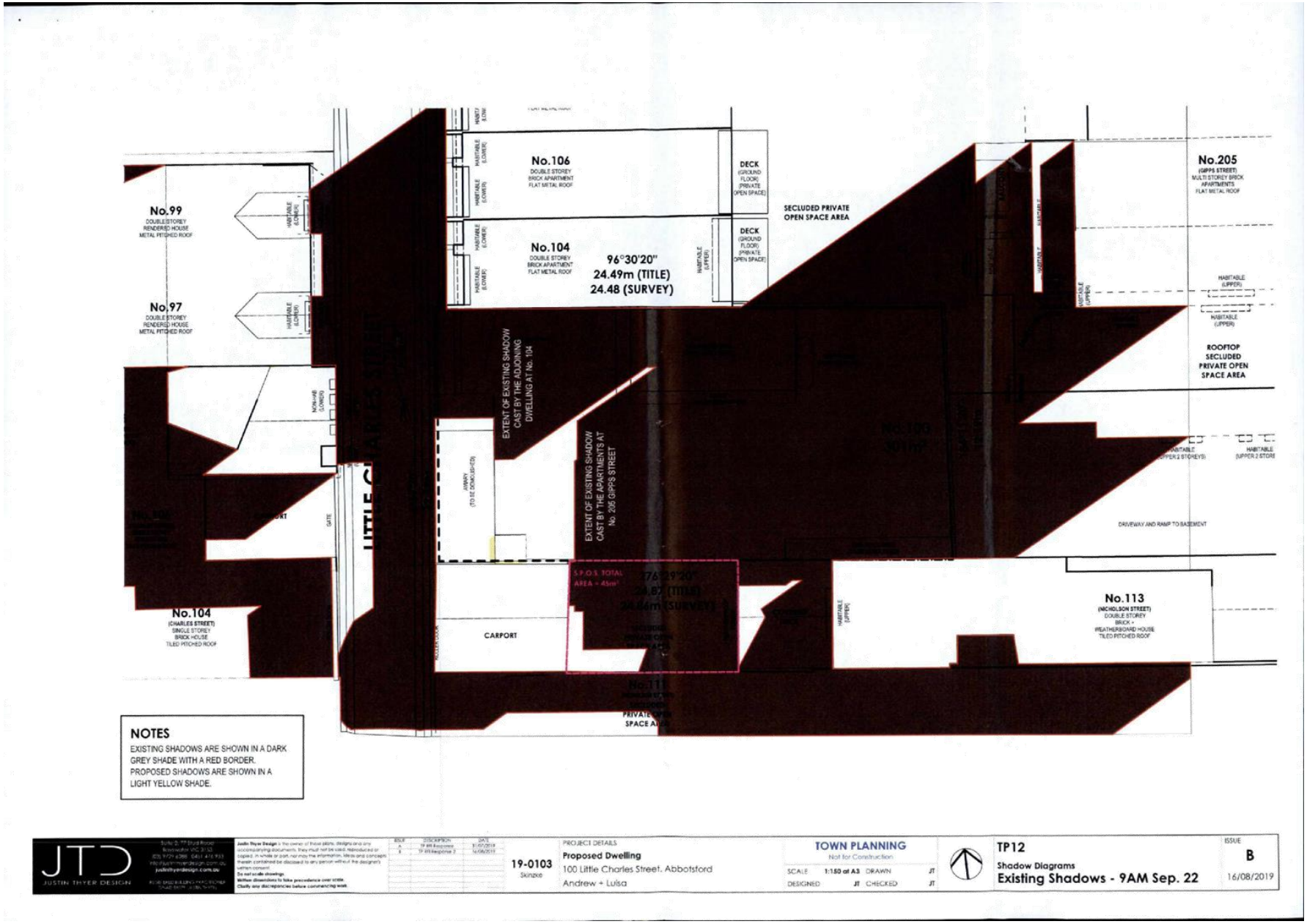
TP10
Elevations + Sections
Elevations 3

ISSUE **D**
16/08/2019

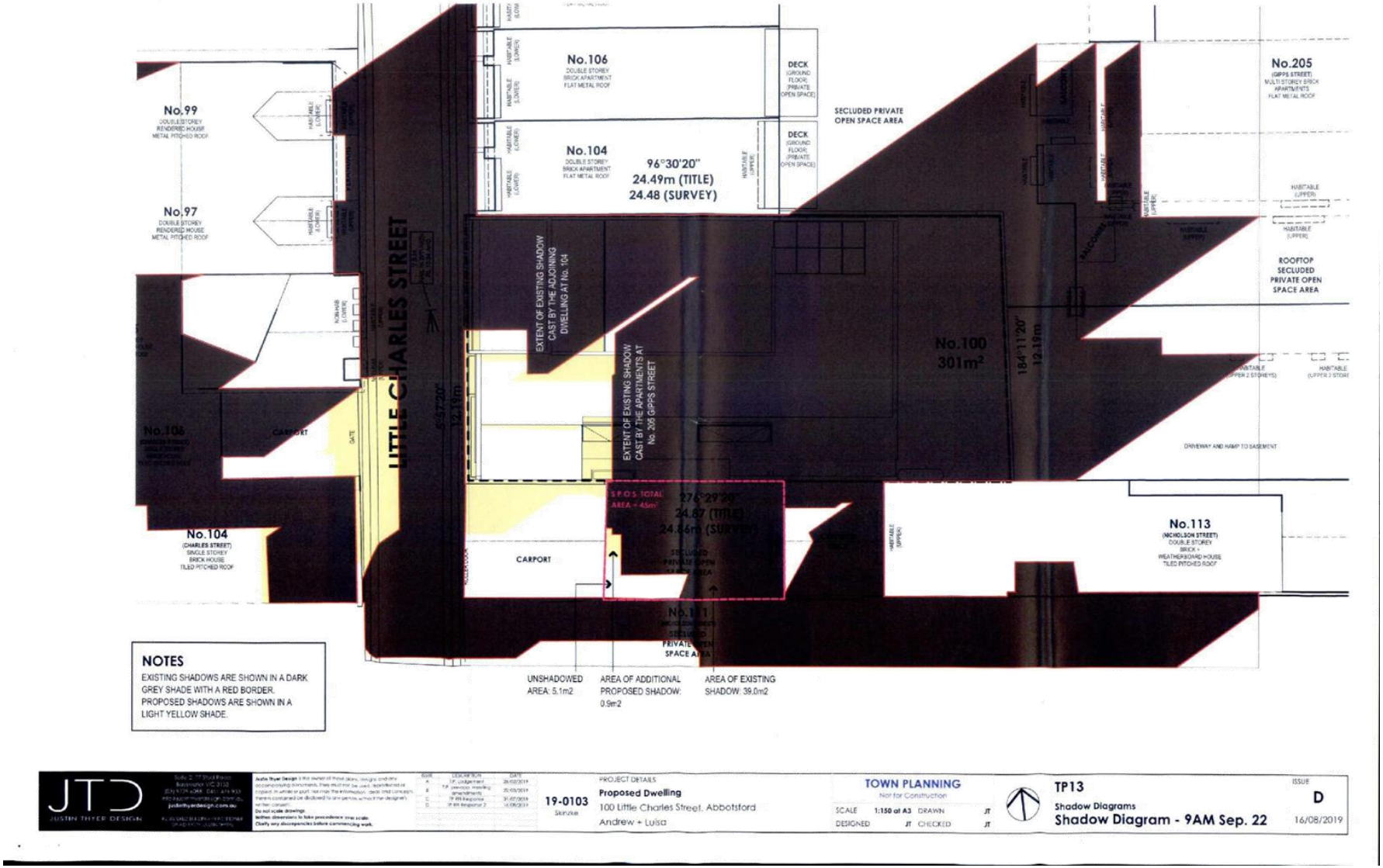
Attachment 2 - PLN19/0178 - 100 Little Charles Street Abbotsford - Decision (advertised) Plans



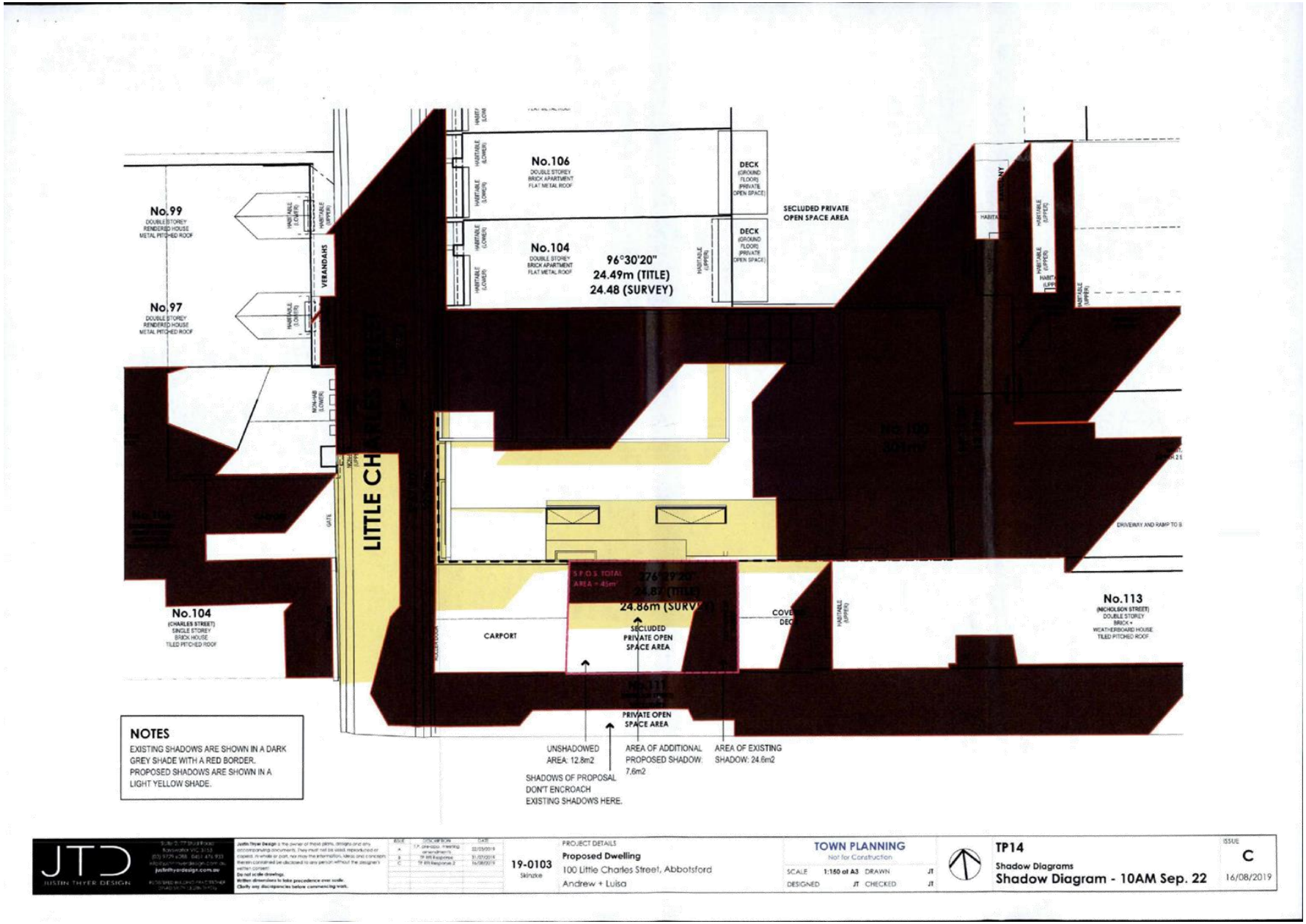
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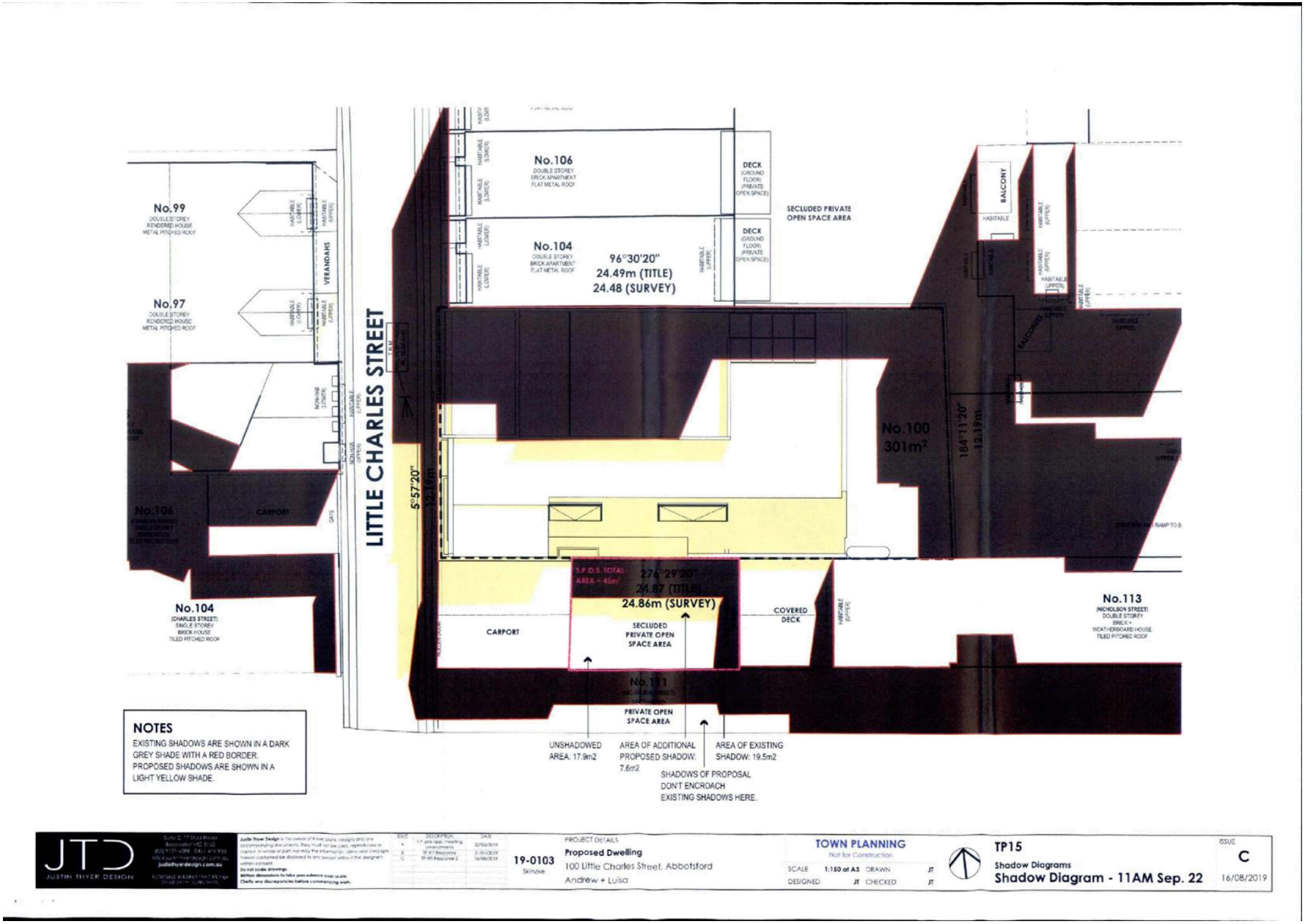
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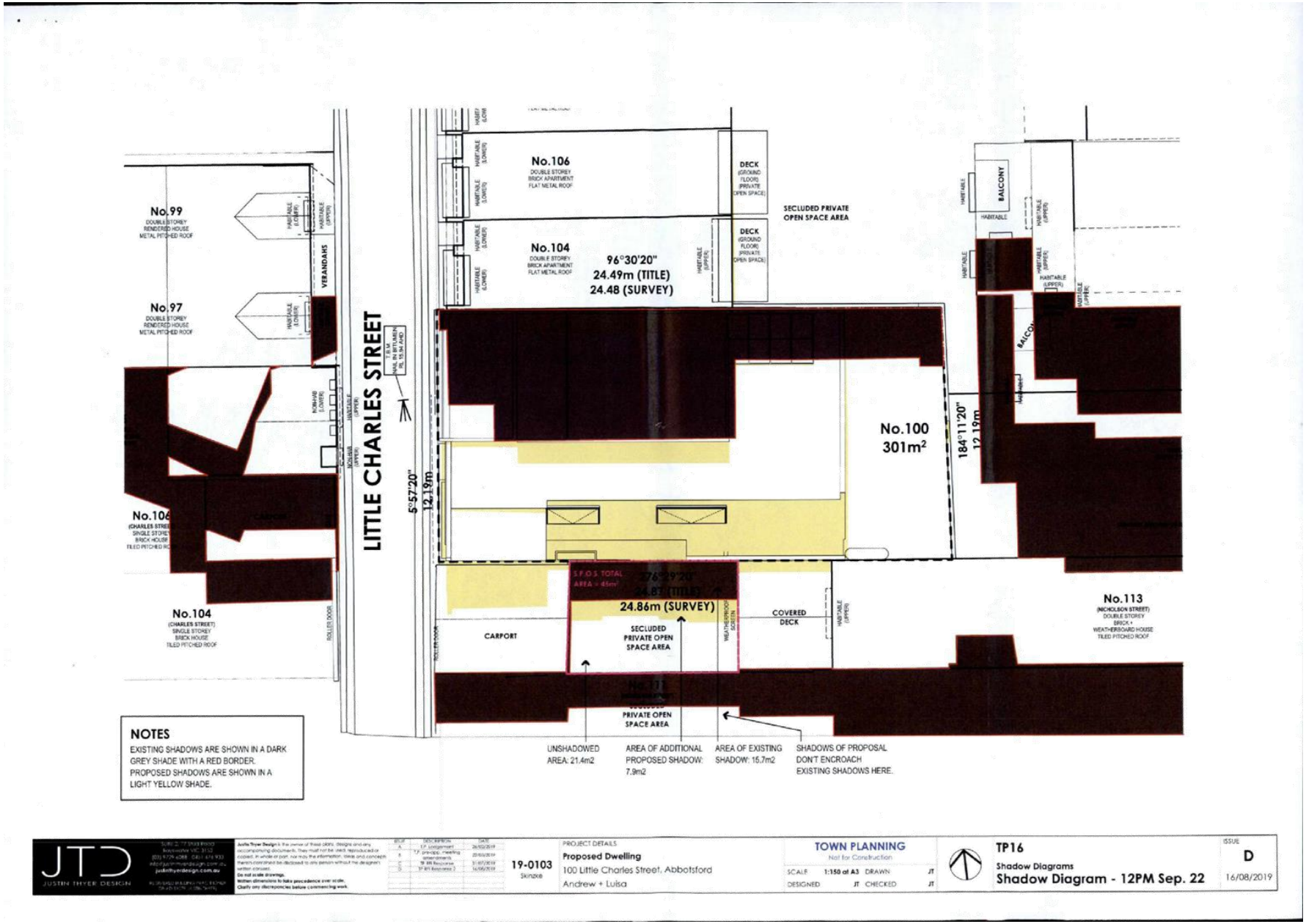
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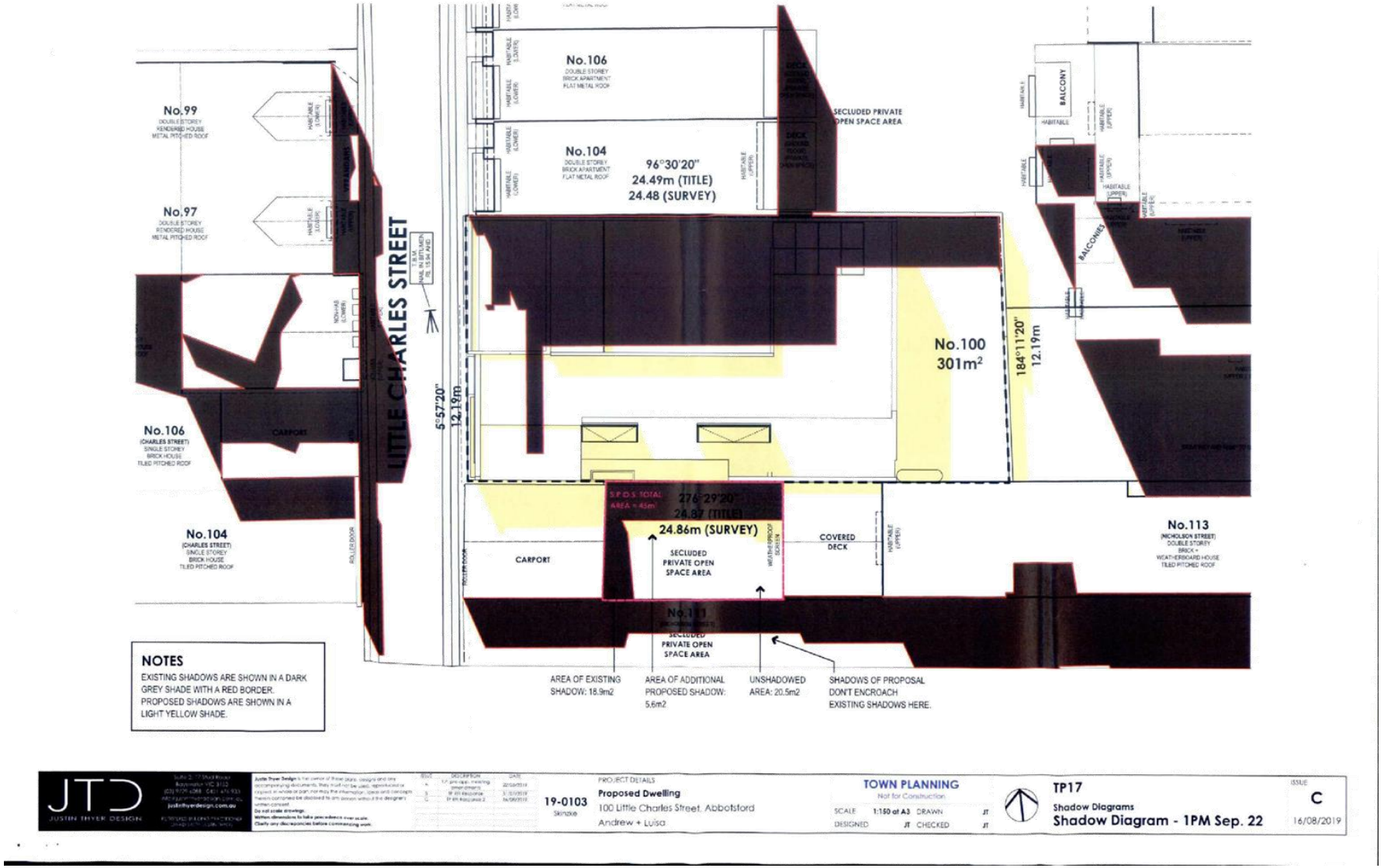
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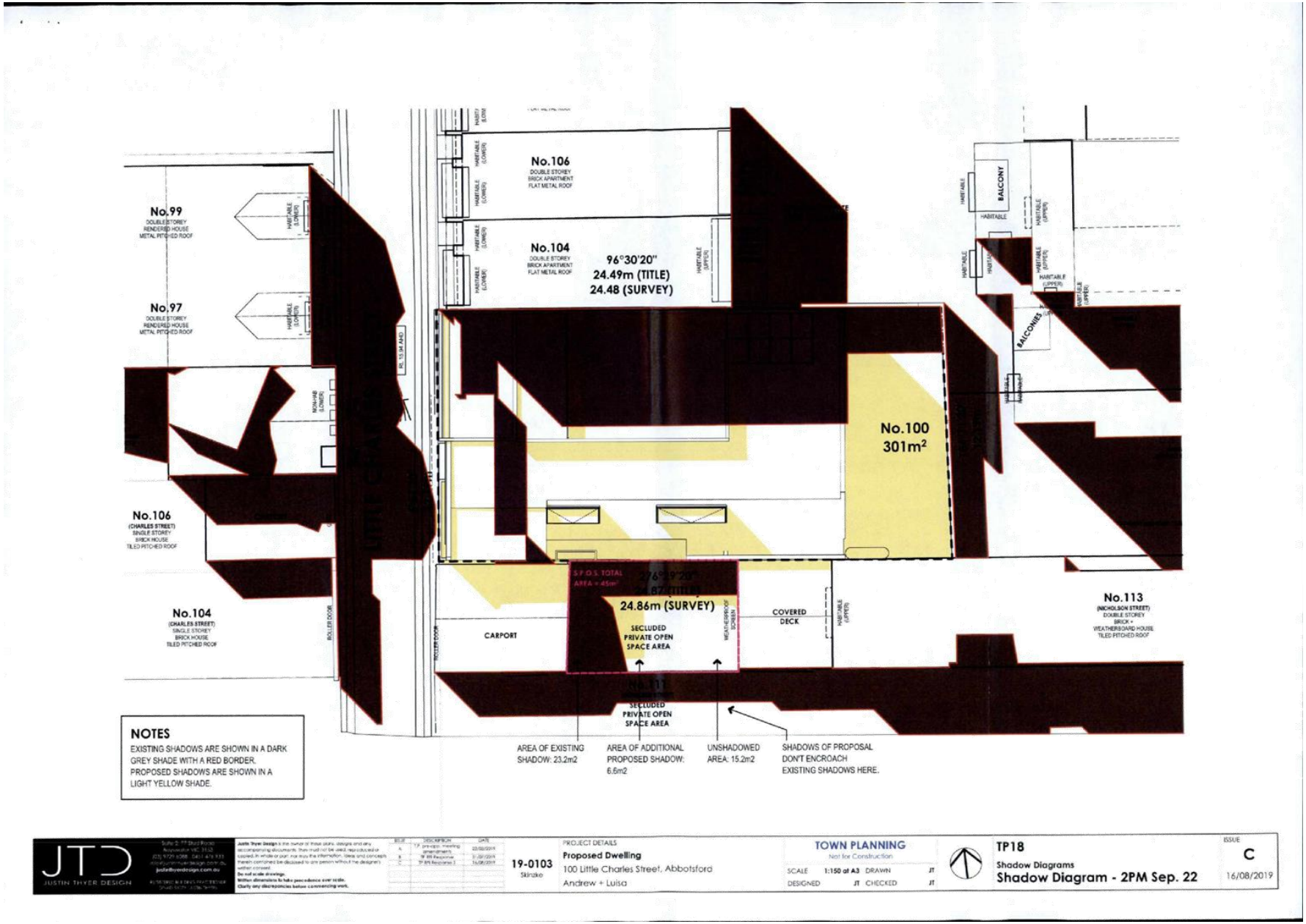
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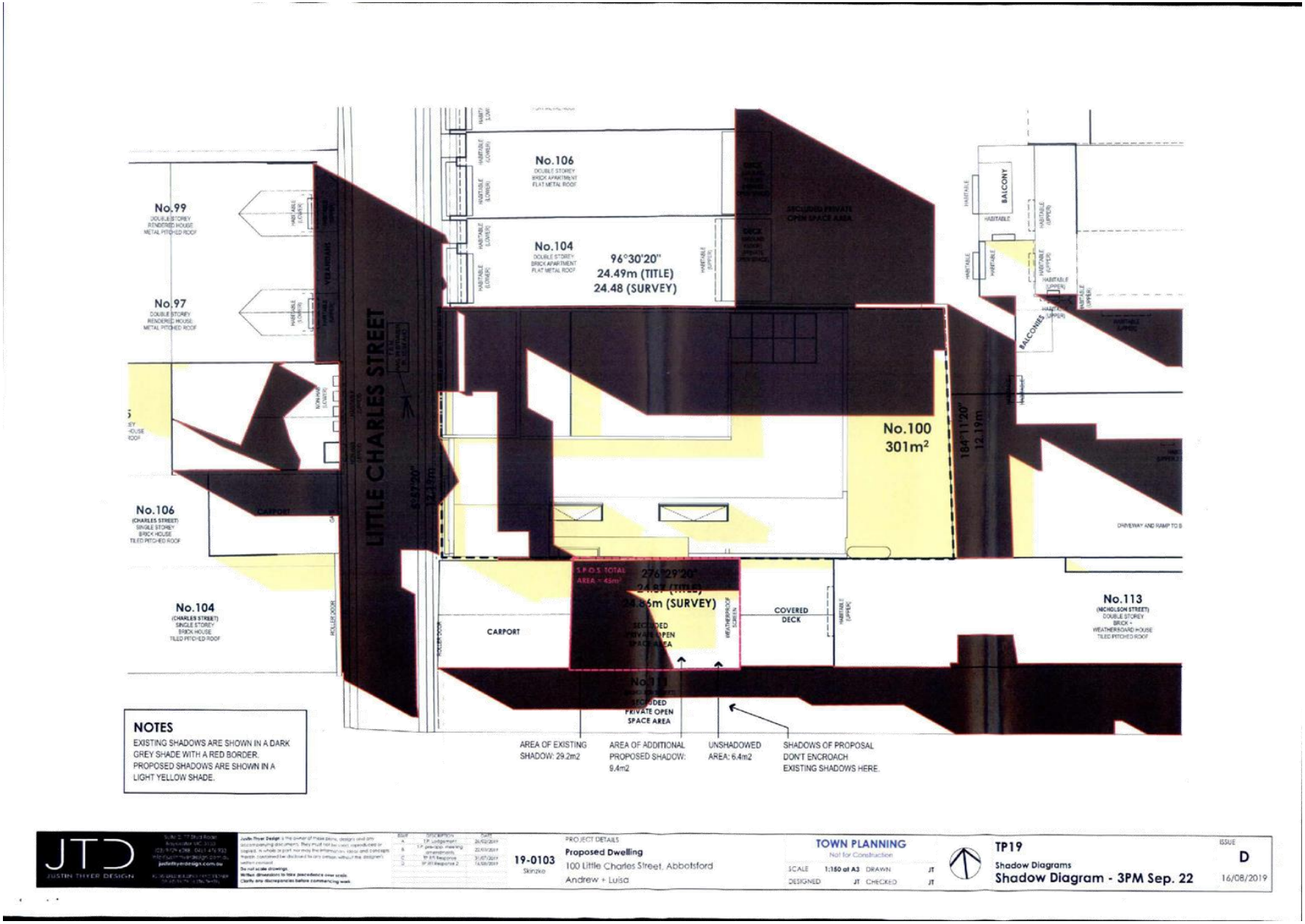
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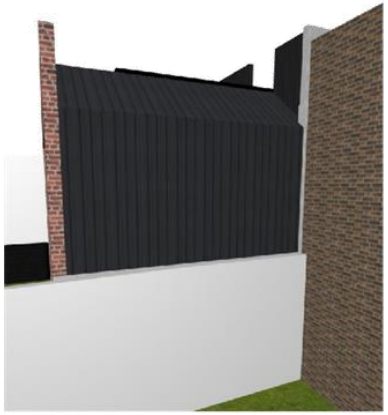
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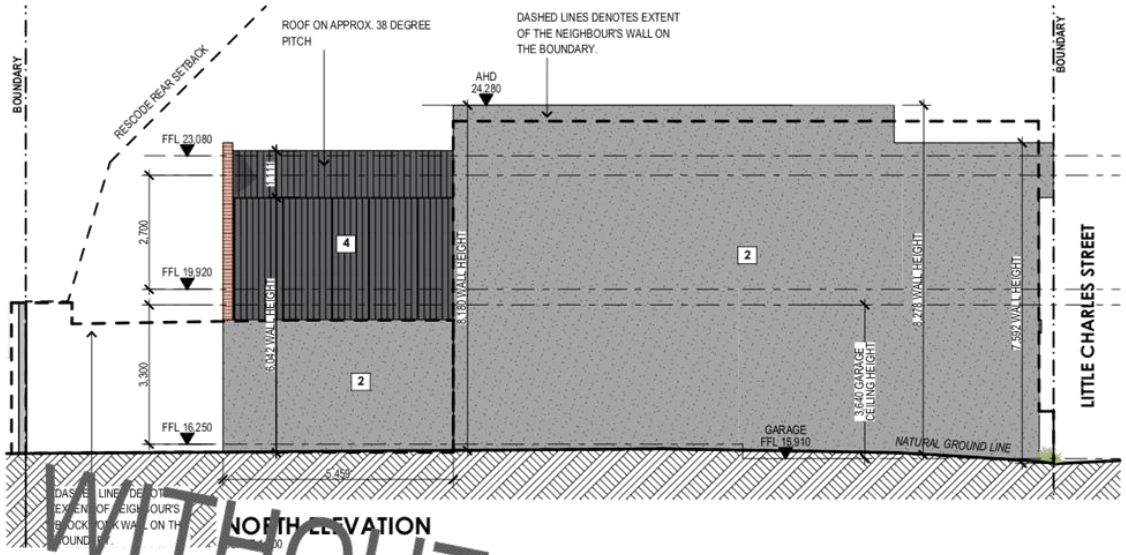
Attachment 2 - PLN19/0178 - 100 Little Charles Street Abbotsford - Decision (advertised) Plans



Attachment 3 - PLN19/0178 - 100 Little Charles Street Abbotsford - Sketch Plans Submitted 4 December 2019

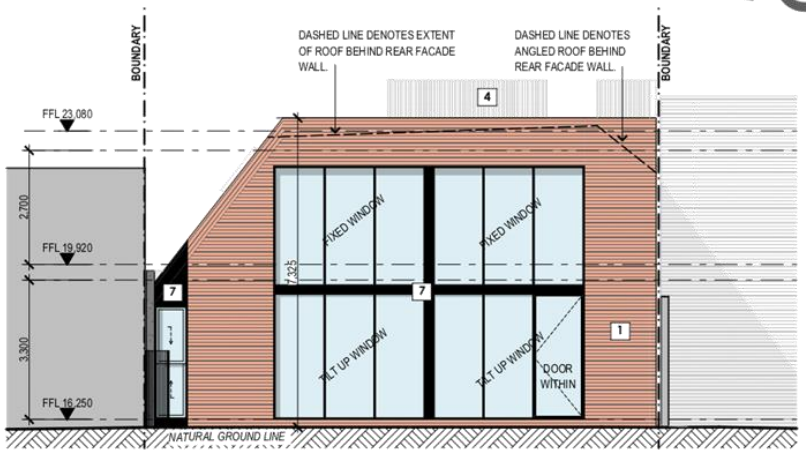


3D IMAGE OF NORTHERN WALL



NORTH ELEVATION

WITHOUT PREJUDICE



EAST ELEVATION

SCALE 1:100

EXTERNAL COLOUR SCHEDULE

COLOURS AND FINISHES SPECIFIED ARE TO BE USED OR SUBSTITUTED WITH A SIMILAR ALTERNATIVE.

1	FACE BRICKWORK - SELECTED RED BRICKS WITH OFF WHITE MORTAR
2	PLAIN CONCRETE FINISH
3	FRONT DOOR - SELECTED HARDWOOD
4	CLADDING - VERTICAL 'CUSTOM ORB' (CORRUGATED) IN COLORBOND 'MONUMENT' (DARK GREY)
5	SECTIONAL GARAGE DOOR - COLORBOND 'MONUMENT'
6	SELECTED VERTICAL TIMBER CLADDING IN NATURAL STAIN FINISH
7	WINDOW AND DOOR FRAMES - COLORBOND 'NIGHT SKY' (BLACK)
8	FLAT DECK ROOF - COLORBOND 'SHALE GREY' (LIGHT GREY)
9	OMITTED

JTD JUSTIN THYER DESIGN
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Bayswater VIC 3153
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info@justinthyerdesign.com.au
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REGISTERED BUILDING PRACTITIONER DP-AD 39079 (JUSTIN THYER)

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ISSUE	DESCRIPTION	DATE
A	TP Lodgement	26/02/2019
B	TP pre-app. meeting amendments	22/03/2019
C	TP RFI Response	31/07/2019
D	TP Amendments	1/12/2019
E	TP Amendments	3/12/2019
F	TP Amendments	4/12/2019

19-0103
Skinzike

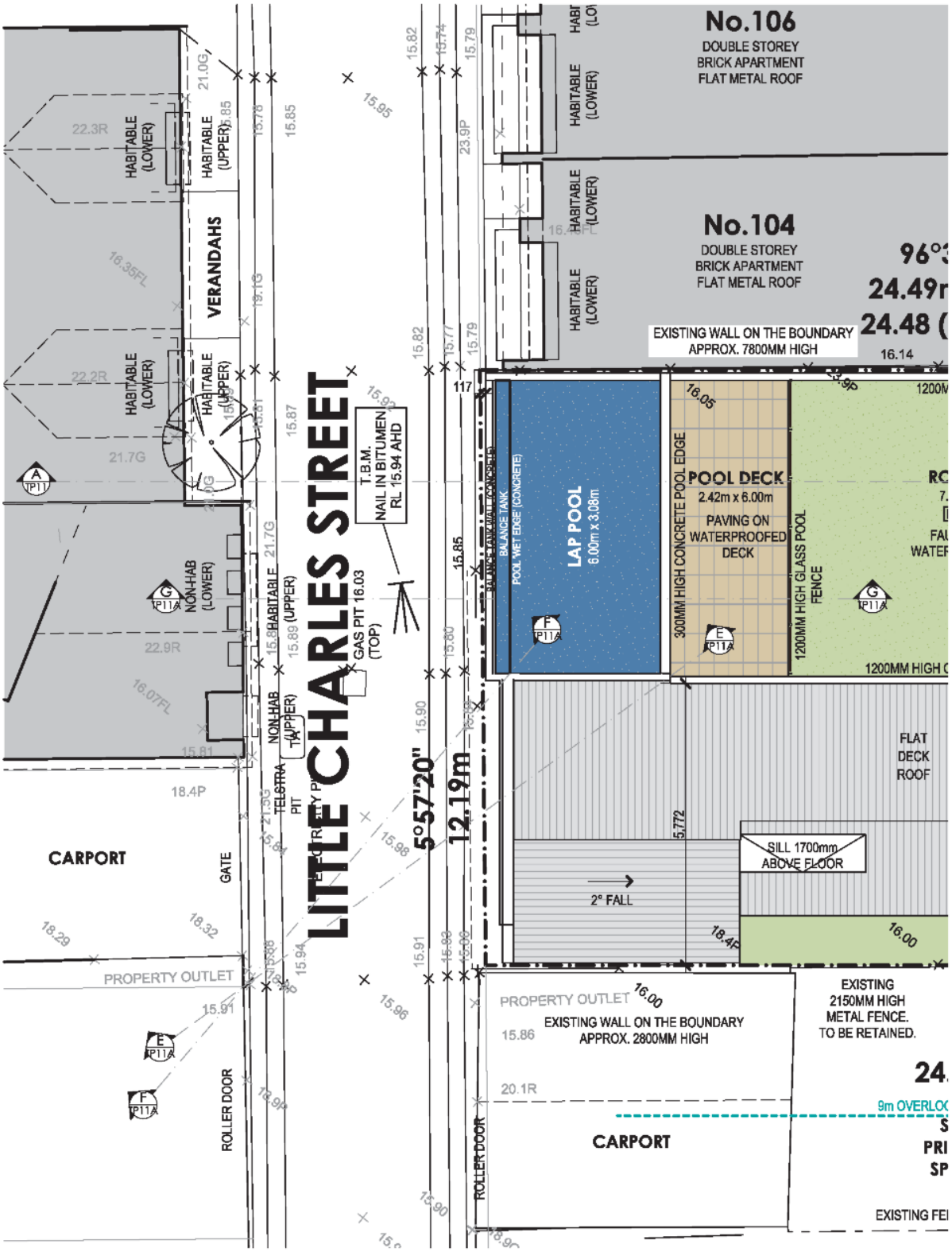
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SCALE 1:100 at A3 DRAWN JT
DESIGNED JT CHECKED JT

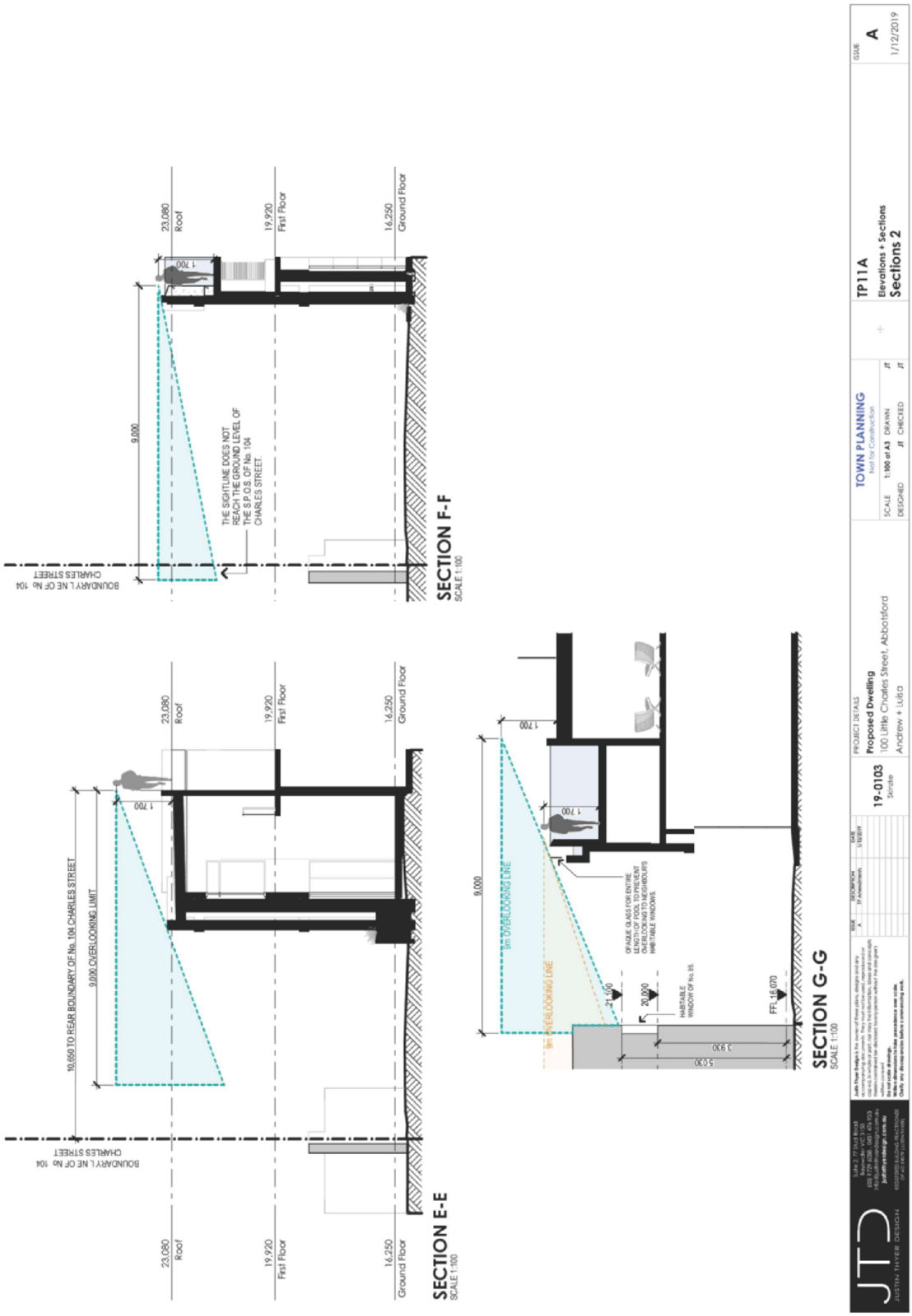
TP09
Elevations + Sections
Elevations 2

ISSUE F
4/12/2019

Attachment 4 - PLN19/0178 - 100 Little Charles Street Abbotsfod - Supplementary Overlooking Diagrams



Attachment 4 - PLN19/0178 - 100 Little Charles Street Abbotsfod - Supplementary Overlooking Diagrams



Attachment 5 - PLN19/0178 - 100 Little Charles Street Abbotsford - Engineering comments

MEMO

To:	**Madeleine Moloney**	
From:	**Artemis Bacani**	
Date:	**17 October 2019**	
Subject:	**Application No:**	**PLN19/0178**
	Description:	**Double Storey Dwelling**
	Site Address:	**100 Little Charles Street, Abbotsford**

I refer to the above Planning Application received on 23 September 2019 in relation to the proposed development at 100 Little Charles Street, Abbotsford. Council's Civil Engineering unit provides the following information:

DEVELOPMENT LAYOUT DESIGN

Juston Thyer Design Drawing No.TP04 Revision D dated 16 August 2019

Layout Design Assessment

Item	Assessment
Access Arrangements	
Width of Little Charles Street	According to the submitted drawings, Little Charles Street is comprised of an asphalt carriageway with a bluestone channel on either side of the carriageway. The carriageway and the channels have a combined width of 4.79 metres.
Width of Garage Doorway	The garage doorway is 4.95 metres in width.
	Off an apron width of 4.79 metres, the doorway width is considered adequate to allow two B85 design vehicles to enter and exit the garage off Little Charles Street. The turning movements for two B85 vehicles was further checked using Trapeze. The assessment confirms that vehicles can enter and exit the garage of Little Charles Street.
Car Parking Modules	
Double Garage	The internal dimensions of the garage of 5.75 metres by 6.0 metres satisfies *Design standard 2 – Car parking spaces*.
Other	
Ramp Grade for the first 1.07 metres and 1.12 metres inside the Property	A ramp grade of 1 in 12 and 1 in 11 respectively have been provided at the entrance of the garage.

Attachment 5 - PLN19/0178 - 100 Little Charles Street Abbotsford - Engineering comments

Deign Items to be Addressed

Item	Details
Ramp Grade for the first 1.07 metres and 1.12 metres inside the Property	The applicant is to ensure that the proposed ramp grades at the entrance of the garage is designed to allow vehicles to enter and exit the garage without scraping or bottoming-out.
Internal Concrete Slab	For any new internal concrete works, the finished floor levels along the edge of the slab must be set 40 mm above the edge of Little Charles Street – Council Infrastructure requirement.

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.

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.

Public Lighting

- Lighting for pedestrian access at the property's Little Charles Street frontage must comply with the minimum lighting level of P4 as per the Australian Standard AS/NZS 1158.3.1:2005 *Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements.* The lighting levels of all existing public lights near the site must be measured and checked against the AS/NZS 1158.3.1:2005 to determine whether new or upgraded public lights are required. The supply and installation of any additional or upgraded lighting, poles or other fixtures shall be funded by the Permit Holder and to the satisfaction of the Responsible Authority.
- The developer must ensure that lighting from any existing or new lights does not spill into the windows of any new residences or any existing nearby residences. Any light shielding that may be required shall be funded 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.

Attachment 5 - PLN19/0178 - 100 Little Charles Street Abbotsford - Engineering comments

Attachment 6 - PLN19/0178 - 100 Little Charles Street Abbotsford - Heritage Comments

Moloney, Madeleine

From: McIntosh, Diahnn
Sent: Wednesday, 25 September 2019 8:24 AM
To: Moloney, Madeleine
Subject: 100 Lt Charles St

Dear Madeleine

In response to presented plans and photographs of the above mentioned property, I wish to advise the following:

Demolition of existing structures

- The existing structures (comprising of various outbuildings and some fencing) do not appear to be of any heritage significance and their removal is supported from a heritage perspective.

Proposed new double storey dwelling with roof terrace

- The proposed new dwelling will be of an industrial character and appearance based on its form, materials and detailing.
- Little Charles Street is essentially a named rear laneway. Its character is derived by the rears of properties fronting Charles Street and Nicholson Street and a couple of more recent residential developments (that are not representative of the architectural style or period protected by the Charles Street heritage precinct).
- The design of the proposed new dwelling is appropriate from a heritage perspective as it is in keeping with the historically non-residential character of the laneway as well as the immediately adjoining development. The new building will also have limited visibility from the nearby main streets of Gipps Street and Mollison Street.

Please don't hesitate to contract me should you have any queries regarding this advice.

Kind regards,

DIAHNN McINTOSH
Heritage Advisor, Yarra City Council
Mon, Tues & Wed