

Agenda

Planning Decisions Committee

6.30pm, Tuesday 8 February 2022

MICROSOFT TEAMS

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The Planning Decisions Committee

The Planning Decisions Committee is a delegated committee of Council with full authority to make decisions in relation to planning applications and certain heritage referrals. The committee is made up of three Councillors who are rostered on a quarterly basis.

Participating in the Meeting

Planning Decisions Committee meetings are decision-making forums and only Councillors have a formal role. However, Council is committed to ensuring that any person whose rights will be directly affected by a decision of Council is entitled to communicate their views and have their interests considered before the decision is made.

There is an opportunity for both applicants and objectors to make a submission to Council in relation to each matter presented for consideration at the meeting.

Before each item is considered, the meeting chair will ask people in attendance if they wish to make submission. Simply raise your hand and the chair will invite you to come forward, take a seat at the microphone, state your name clearly for the record and:

- Speak for a maximum of five minutes;
- direct your submission to the chair;
- confine your submission to the planning permit under consideration;
- If possible, explain your 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 you are able to speak on their behalf.

Once you have made your submission, please remain silent unless called upon by the chair to make further comment or to clarify any aspects.

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.

Arrangements to ensure our meetings are accessible to the public

Planning Decisions Committee meetings are held at the Richmond Town Hall. The following arrangements are in place to ensure they are accessible to the public:

- Entrance ramps and lifts (via the entry foyer).
- Interpreting assistance is available by arrangement (tel. 9205 5110).
- Auslan interpreting is available by arrangement (tel. 9205 5110).
- A hearing loop and receiver accessory is available by arrangement (tel. 9205 5110).
- An electronic sound system amplifies Councillors' debate.
- Disability accessible toilet facilities are available.

1. Appointment of Chair

Councillors are required to appoint a meeting chair in accordance with the City of Yarra Governance Rules 2020.

2. Statement of recognition of Wurundjeri Woi-wurrung Land

"Yarra City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Owners and true sovereigns of the land now known as Yarra.

We acknowledge their creator spirit Bunjil, their ancestors and their Elders.

We acknowledge the strength and resilience of the Wurundjeri Woi Wurrung, who have never ceded sovereignty and retain their strong connections to family, clan and country despite the impacts of European invasion.

We also acknowledge the significant contributions made by other Aboriginal and Torres Strait Islander people to life in Yarra.

We pay our respects to Elders from all nations here today—and to their Elders past, present and future."

3. Attendance, apologies and requests for leave of absence

Anticipated attendees:

Councillors

Cr Claudia Nguyen
Cr Gabrielle de Vietri
Cr Sophie Wade

Council officers

Ally Huynh (Senior Co-ordinator Statutory Planning)
Jessica Sutherland (Senior Statutory Planner)
Rhys Thomas (Senior Governance Advisor)
Cindi Johnston (Governance Officer)

Municipal Monitor

Yehudi Blacher (Municipal Monitor)

4. Declarations of conflict of interest

Any Councillor who has a conflict of interest in a matter being considered at this meeting is required to disclose that interest either by explaining the nature of the conflict of interest to those present or advising that they have disclosed the nature of the interest in writing to the Chief Executive Officer before the meeting commenced.

5. Confirmation of Minutes

RECOMMENDATION

That the minutes of the Planning Decisions Committee held on Tuesday 18 January 2022 be confirmed.

6. Committee business reports

Item		Page	Rec. Page
6.1	PLN21/0194 - 67-77 Cambridge Street, Collingwood - Construction of a multi-storey building (with roof terrace and basement) use as a residential hotel (with ancillary gym/offices) and food and drink premises (restaurant) and a reduction in the statutory car parking and bicycle facility requirements.	5	61
6.2	PLN21/0512 - 47 Gore Street Fitzroy - Full demolition, construction of one new dwelling and associated reduction in the car parking requirements of the Yarra Planning Scheme.	159	183

6.1 PLN21/0194 - 67-77 Cambridge Street, Collingwood - Construction of a multi-storey building (with roof terrace and basement) use as a residential hotel (with ancillary gym/offices) and food and drink premises (restaurant) and a reduction in the statutory car parking and bicycle facility requirements.

Executive Summary

Purpose

1. This report provides an assessment of the construction of a multi-storey building (with roof terrace and basement) use as a residential hotel (with ancillary gym/offices) and food and drink premises (restaurant) and a reduction in the statutory car parking and bicycle facility requirements at No. 67-77 Cambridge Street, Collingwood.

Key Planning Considerations

2. Key planning considerations include:
   (a) Clause 15.01-1S (Urban design);
   (b) Clause 15.01-2S (Building design);
   (c) Clause 17.01 (Employment);
   (d) Clause 21.05-2 (Urban design);
   (e) Clause 21.05-3 (Built form character);
   (f) Clause 21.07 (Environmental Sustainability);
   (g) Clause 22.05 (Interface Uses Policy);
   (h) Clause 22.17 (Environmentally Sustainable Development);
   (i) Clause 43.02 (Design and Development Overlay); and
   (j) Clause 52.06 (Car Parking).

Key Issues

3. The key issues for Council in considering the proposal relate to:
   (a) Strategic justification;
   (b) Land Use;
   (c) Built Form;
   (d) On-site amenity;
   (e) Off-site amenity;
   (f) Car parking/Bicycle Parking;
   (g) Waste Management/Loading; and,
   (h) Objector's concerns.

Submissions Received

4. Twenty-six (26) objections were received to the application, these can be summarised as:
   (a) Impacts on the potential equitable development opportunities of adjacent sites;
   (b) Excessive height;
   (c) Proposed use as a residential hotel;
   (d) Architectural expression;
   (e) Lack of integration with existing neighbourhood character;
   (f) Lack of activation with the street at ground level;
   (g) Potential off-site amenity impacts (overlooking, loss of daylight, overshadowing, visual bulk, noise, light-spill, wind);
   (h) Structural impacts to adjacent dwellings;
   (i) Unreasonable impacts to heritage dwellings to the west;
   (j) Insufficient on-site car parking;
   (k) Increased traffic;

(l) Over-crowding and increased pedestrians within immediate area;
(m) Increase to urban heat impacts;
(n) Lack of vegetation.
(o) Lack of proximity to public transport.

Conclusion

5. Based on the following report, the proposal is considered to comply with the relevant planning policy and should therefore be supported subject to the following key requirements:
   (a) The provision of a Hotel Management Plan, including details on staffing arrangements, security measures, hours of operation and guest access and pick up/drop off arrangements;
   (b) The provision of an Acoustic Report, with the hotel and restaurant to operate at all times in accordance with this endorsed report;
   (c) The restaurant to operate between;
      (i) Internal - 7am to 11pm – Monday to Sunday; and,
      (ii) External courtyard – 7am to 10pm – Monday to Sunday.
   (d) No more than 20 patrons are permitted within the external restaurant courtyard at any one time.

CONTACT OFFICER: **Lara Fiscalini**
TITLE: **Principal Planner**
TEL: **9205 5372**

6.1 PLN21/0194 - 67-77 Cambridge Street, Collingwood - Construction of a multi-storey building (with roof terrace and basement) use as a residential hotel (with ancillary gym/offices) and food and drink premises (restaurant) and a reduction in the statutory car parking and bicycle facility requirements.

Reference	D21/73378
Author	Lara Fiscalini - Principal Planner
Authoriser	Senior Coordinator Statutory Planning

Ward:	Langridge Ward
Proposal:	Construction of a multi-storey building (with roof terrace and basement) use as a residential hotel (with ancillary gym/offices) and food and drink premises (restaurant) and a reduction in the statutory car parking and bicycle facility requirements
Existing use:	Art gallery/office
Applicant:	Upco – Urban Planning Collective
Zoning / Overlays:	Mixed Use Zone Design and Development Overlay (Schedule 23) Development Contributions Plan Overlay (Schedule 1) Environmental Audit Overlay
Date of Application:	26 March 2021
Application Number:	PLN21/0194

Planning Scheme Amendments

Amendment C269

1. Amendment C269 proposes to update the local policies in the Yarra Planning Scheme by replacing the Municipal Strategic Statement (MSS) at Clause 21 and Local Planning Policies at Clause 22 with a Municipal Planning Strategy and Local Policies within the Planning Policy Framework (PFF), consistent with the structure recently introduced by the State Government.

2. The amendment was on public exhibition between 20 August 2020 and 4 December 2020. Amendment C269 was adopted by Council on 3 August 2021 and was heard at a panel hearing in October 2021. The panel report was released in January 2022.

3. In relation to this current planning application, the following clauses of the updated local policy are of most relevance:
   (a) Clause 13.07-1L – Interfaces and Amenity
   (b) Clause 15.01-1L – Urban Design
   (c) Clause 15.01-2L – Building Design
   (d) Clause 15.02-1L – Environmentally Sustainable Development
   (e) Clause 17.01-1L – Employment
   (f) Clause 18.02-1L – Sustainable Transport
   (g) Clause 18.02-4L – Car Parking
   (h) Clause 19.02-6L – Public Open Space Contribution
   (i) Clause 19.03-2L – Development Contributions
   (j) Clause 19.03-3L – WSUD
   (k) Clause 19.03-5L – Waste

4. The above clauses are largely reflected in current planning policy and would not be contradictory to the proposed re-write of Clauses 21 and 22.

Background

5. The application was received by Council on 26 March 2021 and subsequently advertised, with a total of twenty-six (26) objections received. Concurrently, the application was referred to Council departments and external consultants for Urban Design and Acoustic advice.

6. In response to issues raised in the objections and the referral comments, a set of amended plans were submitted under Section 57A of *The Planning and Environment Act* 1987 (the Act) on 22 October 2021. These plans included the following general modifications to the proposal;
   (a) 16 bicycle parking spaces relocated from ground level to a single, secure facility within the basement and subsequent minor changes to the basement layout;
   (b) Relocation of waste room, substation and 4 x vertical bicycle spaces at ground level and overall increase in glazing along the street frontage;
   (c) External terraces added to the Cambridge Street façade at Level 4;
   (d) Setbacks of Levels 4 & 5 from the rear (western) boundary increased as follows;
      (i) South-west: a minimum 5m setback (previously 4.75m);
      (ii) Middle/north-west - a minimum 4.75m setback (previously 4.5m);
   (e) Increased provision of PV panels on roof, with minor alterations to setbacks of panels from all boundaries (no change to roof setbacks);
   (f) Alterations to materials as follows;
      (i) Spandrel glazing (opaque) (GL3) replaced by concrete (CR2/CR3- light grey with texture);
      (ii) Bronze glass (GL4) across all podium/street wall levels (previously just to Ground Floor level);
      (iii) Introduction of planter boxes (and landscaping) at all levels, in concrete finish (CR3).



Figure 1: Original façade design



Figure 2: Amended façade design

7. The amended proposal was not re-advertised, as the changes resulted in no additional material detriment to any surrounding sites. A discretionary exemption from advertising was granted at a Development Approvals Panel on 26 October 2021. Copies of the amended plans were circulated with the invitations to this Planning Decisions Committee (PDC) meeting.

The Proposal

8. The proposal seeks the construction of an 8-storey development, primarily for use as a residential hotel. The specifics of the proposal are summerised below;

Use

(a) Food and drink premises (restaurant) – Floor area of 314sqm.
    (i) Operating hours 7am – 11pm.
(b) Residential hotel – 127 hotel rooms.
    (i) Operating hours 24hrs/7 days a week.

Development

Basement

(c) Built to all boundaries and containing the following;
    (i) Restaurant/kitchen (including outdoor terrace in north-west corner);
    (ii) Back-of-house hotel facilities and storerooms;
    (iii) Yoga room and gym for hotel guests;
    (iv) Secure bicycle storage for 16 bicycles, and end-of-trip (EoT) facilities;
    (v) 20kL rainwater tank (connected to all toilets at levels 1, 2 & 3);
    (vi) External terrace in south-west corner adjacent to the gym.

Ground floor

(d) This level contains the following;
    (i) Main hotel entrance, including hotel reception and seating;
    (ii) 1 x DDA car parking space;
    (iii) Loading bay;
    (iv) 4 x horizontal e-bicycle spaces;
    (v) Hotel facilities/services/substation/gas metre/fire booster cabinet;
    (vi) Canopy extending along the full length of the façade;
    (vii) 10 x hotel rooms.

Levels 1 – 7

(e) Hotel rooms as follows;
  (i) 91 x Standard rooms (16-19sqm);
  (ii) 15 x Superior rooms (20-24sqm)
  (iii) 4 x Suites (29-30sqm);
  (iv) 7 x Accessible rooms.

Roof

(f) Guest terrace (65sqm);
(g) Mechanical plant/air conditioning condensers.

9. The building form is configured as follows:

Cambridge Street interface:

(a) 4-storey street wall with zero setback from ground floor to level 3, for the full width of the frontage;
(b) 6m setback from Cambridge Street for all levels above.

Rear/west interface

(c) Ground floor – 0m setback for central component, with the north-west and south-west corners set back 4.508m and 4.67m respectively;
(d) 4.5m setback at levels 1-3, with a chamfered edge in the north-west corner of level 3 setback 9m. This chamfered edge continues upwards (9m setback) for all levels.
(e) 4.75m – 5m setbacks at levels 4 & 5;
(f) 7.5m setback at Levels 6 & 7.

North interface:

(g) 0m setback from ground level to level 3, with a 4.5m deep central recess/light court at levels 1, 2 & 3;
(h) 4.5m setback to upper levels (Levels 4-7);
(i) 6.1m setback to rooftop mechanical plant enclosure;
(j) Increased setback at north-west corner from level 3 upwards.

South interface:

(k) 0m setback from ground level to level 3, with a 4.5m deep central recess/light court at levels 1, 2 & 3;
(l) 4.5m setback to upper levels (Levels 4-7);
(m) 6m setback to rooftop mechanical plant enclosure.

Heights

(n) Maximum building height at Cambridge Street is 26.65m to parapet level, plus balustrade (0.85m). Building services will extend a further 2.5m above balustrade level.
(o) Street wall height of 13.85m to parapet, plus balustrade (0.7m).

Materials and finishes

10. Figure 3 provides a visual guide for the proposed materiality of the proposal, which includes textured concrete, brickwork and various arrays of glazing.

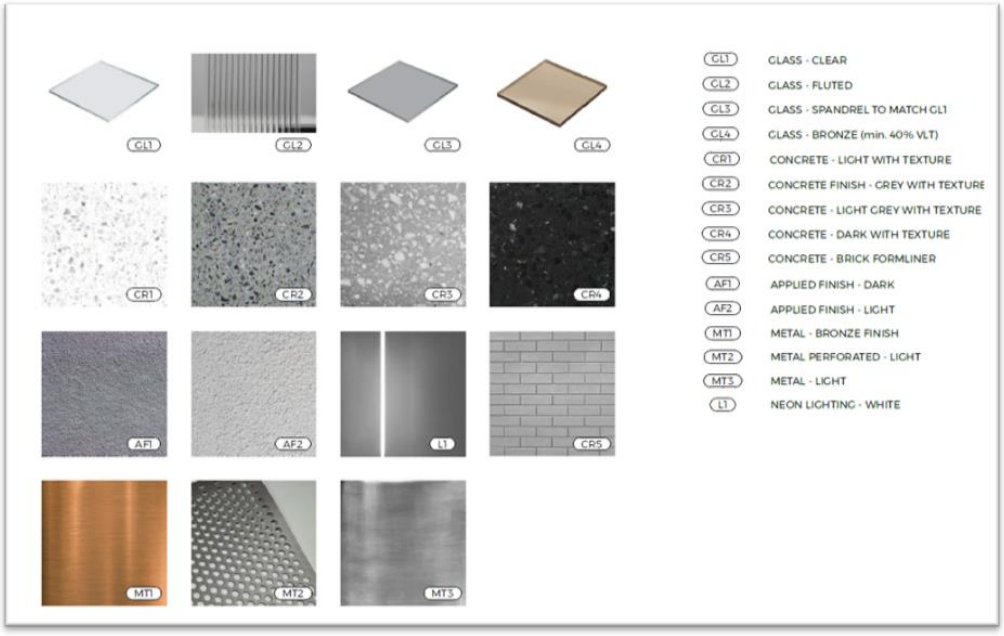


Figure 3: Material schedule



Figure 4: Proposed design from Cambridge Street

Existing Condition

Subject Site

11. The subject land is located on the western side of Cambridge Street, approximately 50m north of Langridge Street and 80m west of Wellington Street, in Collingwood.

12. The site is generally square in shape, with a frontage of 30m and a depth of 29m. The overall site area is approximately 866sqm. The land is occupied by a single-storey brick building which is generally constructed to the north, south and west boundaries. The building has minimal setbacks from both side boundaries of approximately 1m, creating narrow external walkaways to a depth of approximately 18m from the street frontage.

13. The northern-most and southern-most sections of building extend to the eastern Cambridge Street boundary, with the central section set back to provide space for 4 on-site car parking spaces. The two sections of building that directly abut Cambridge Street contain single roller-doors. The entire length of the Cambridge Street frontage is a single vehicle crossover.

14. The site currently operates as offices and an art-gallery.



Figure 5: View of subject site (Source: Google Streetview 19.7.2021)

Title

15. The Site comprises the properties formally known as Lot 1 on Title Plan 834006Y, Lot 1 on Title Plan 922181P and Lot 1 on Title Plan 743340S, and commonly known as 67-77 Cambridge Street, Collingwood. There are no restrictive covenants, caveats or easements identified on the Certificate of Titles.

Surrounding Land

16. Cambridge Street extends from Victoria Parade in the south, to Stanley Street in the north, and is approximately 20m in width. Cambridge Street forms part of Collingwood's mixed-use area, and the locality around the subject site contains a mix of recent commercial office/residential developments, older warehouse and industrial buildings, small cottages/houses and cafes.

17. The subject site is located within proximity to the Smith Street Major Activity Centre (MAC) which, having once comprised generally one to three-storey buildings, is undergoing significant change with higher density development along this corridor. The immediate neighbourhood is also undergoing significant change through recent/current development, with a range of substantial mid-rise buildings in place or under construction nearby, as outlined below. These buildings display a range of street wall heights between two (2) and seven (7) (or more) storeys, with building heights generally in the range of 6-12 levels.

18. A comprehensive list of approved/constructed higher density developments that surround the subject site are outlined below;
    (a) 72-94 Cambridge Street (PLN15/1083) – 10 storey apartment building - nearing completion;
    (b) 23 Little Oxford Street (PLN18/0402) – 6 storeys apartment building - approved;
    (c) 2 Northumberland Street (PLN16/0435) – 12 storey development - completed;
    (d) 79-89 Wellington Street (PLN18/0584) – 9 storey development – under construction;
    (e) 1-57 Wellington Street (PLN16/0922) – max. 11 storey apartment building - under construction
    (f) 51 Langridge Street (PLN17/0332) – 12 storey office building - under construction;
    (g) 7 & 9-15 Little Oxford Street (PLN14/0860) – 8 storey apartment building – completed;

(h) 88-92 Smith Street and 17-21 Little Oxford Street (PLN15/0637) – 8 storey apartment building – approved;
(i) 61-71 Wellington Street and 37-39 Langridge Street (PLN15/0641)) – 13 storey mixed-use building - completed;
(j) 47 Peel Street (PLN17/0069) – 9 storey apartment building - completed;
(k) 1-21 Robert Street (PLN11/0750) – 17 storey apartment building - completed;
(l) 73-77 Wellington Street (PLN15/1138) – 10 storey mixed use building - completed;
(m) 33 Peel Street (PLN17/1059) – 8 storey office building – approved;
(n) 95 Wellington Street (PL08/0415) – 7 storey apartment building - completed;
(o) 195 Wellington Street (PLN13/0103) – 10 storey residential building - completed.
(p) 48 Oxford Street (PLN19/0224) – 6 storey mixed use building – approved.

19. In a wider context, the subject site is in proximity to existing infrastructure and is serviced by the following:
(a) Collingwood Train Station (1.2km north-east) servicing South Morang and Hurstbridge lines.
(b) Parliament Train Station (1.2km south-west) within the City Loop.
(c) Tram Route 86 (Bundoora RMIT to Waterfront City Docklands) traversing Smith Street with the closest stop located approximately 70m to the north.
(d) Tram Route 12 (Victoria Gardens to St Kilda, Fitzroy St) and 109 (Box Hill to Port Melbourne) traversing Victoria Parade with the closest stop located approximately 220m metres south.
(e) Multiple bus route between Collingwood and wider metropolitan area, the closest stop is located on Hoddle Street approximately 1.1km to the south.



Figure 6: Aerial image of site and surrounds

20. The site's more immediate interfaces are outlined below.

North

21. Directly to the north is No. 81-85 Cambridge Street. This site contains a double-storey brick commercial building (with single-storey rear warehouse component), constructed to all boundaries with under-croft parking and loading bay addressing Cambridge Street. This property currently operates as the 'Deliveroo' head office; it contains small-scale commercial kitchens which are leased out by Deliveroo to tenants who operate on their food delivery app.

22. Further to the north are a row of single and double-storey attached terrace dwellings.

South

23. Directly to the south is No. 65 Cambridge Street; this site contains a 2-storey brick commercial building with a generous front setback. The building has minor setbacks from both side boundaries, with a direct abuttal to its rear. The building appears to be vacant. A planning permit application (PLN17/0588) was lodged with Council on 20 July 2017 for the construction of a nine-storey building and roof top terrace, containing a shop and 19 dwellings. This application with withdrawn on 6 February 2018.

24. Further to the south, on the corner of Langridge Street, a nine-storey building is nearing completion. This building at No. 42-44 Oxford Street and 61- 63 Cambridge Street and 16-20 Langridge Street, Collingwood (Permit no. PLN18/0497) contains a residential hotel and dwellings, with ground floor commercial spaces and a roof top communal terrace. The development has a five-storey streetwall to the corner, with various setbacks above (Figure 7).



Figure 7: No. 42-44 Oxford Street and 61- 63 Cambridge Street and 16-20 Langridge Street, Collingwood

East

25. On the eastern side of Cambridge Street is a ten-storey building, nearing completion (PLN15/1083). This site, at No. 72-94 Cambridge Street, abuts Cambridge Street Reserve along its northern interface, which sits directly opposite the subject site. The building contains commercial and residential uses, with a four-storey streetwall and various setbacks from Cambridge Street above (Figure 8).

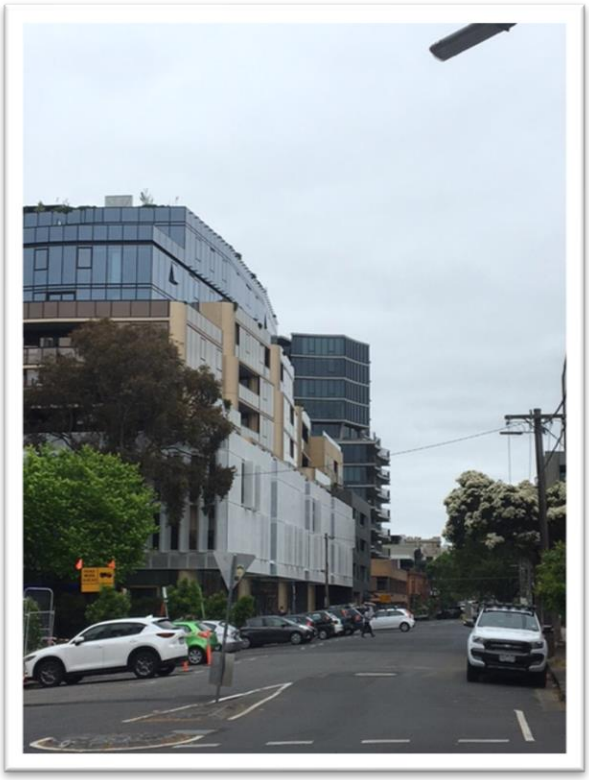


Figure 8: 72-94 Cambridge Street, Collingwood

26. Directly to the south of the Cambridge Street Reserve, at No. 33 Peel Street, an 8-storey building has been approved and plans have been endorsed (Figure 9). Construction has not commenced.



Figure 9: 33 Peel Street, Collingwood

West

27. A number of narrow sites abut the western boundary of the land. These are outlined in turn below;

(a) No. 46 Oxford Street – single-storey food and drink premises (café), trading until 10pm in external areas and 11pm in internal areas, 7 days a week. The building is constructed to all site boundaries, with a significant array of PV panels on the roof;
(b) No. 48 Oxford Street contains a single-storey brick commercial building, used as a printing and micro-manufacturing business. The building is constructed to each boundary, with the exception of a setback from Oxford Street;
(c) Nos. 50 and 52 Oxford Street comprises two adjoining double-storey Victorian terrace houses, with both dwellings identified as 'individually significant' within Heritage Overlay HO123. Each dwelling has secluded private open space (SPOS) to the rear, directly adjacent to the subject site.
(d) Nos. 54 and 56 Oxford Street comprises two adjoining dwellings with a combined pitched roof in a bungalow style. SPOS for both dwellings is directly adjacent to the shared boundary with the subject site, with a number of canopy trees located within these areas.

Planning Scheme Provisions

Zoning

Mixed Use Zone

28. The following provisions apply:
(a) Pursuant to clause 32.04-2 of the Yarra Planning Scheme (the Scheme), a planning permit is required to use the land for a 'food and drink premises' (restaurant) if the leasable floor area exceeds 150sqm and for 'accommodation' (residential hotel). In this instance, as the proposed restaurant has a floor area of 314sqm, a planning permit is required for both uses. The gym/yoga room are considered to be ancillary to the hotel use, given the limited scale and their use only by hotel guests.

(b) Pursuant to clause 32.04-9 of the Scheme, a planning permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.04-2.

Overlays

Design and Development Overlay (Schedule 23)

29. The following provisions apply:
(a) Pursuant to clause 43.02-2 of the Scheme, a planning permit is required to construct a building.

30. Schedule 23 'Collingwood South (Mixed-Use) Precinct' affects the site. The design objectives of DDO23 include:
(a) *To foster an emerging, contemporary, mixed-use character with a prominent street-wall edge, incorporating upper level setbacks and design features that create a distinction between lower and upper levels.*
(b) *To ensure that the overall scale and form of new buildings is mid-rise (ranging from 3 to 12 storeys) and responds to the topography of the precinct, by providing a suitable transition in height as the land slopes upwards, whilst minimising amenity impacts on existing residential properties, including visual bulk, overlooking and overshadowing.*
(c) *To maintain the prominence of the corner heritage buildings on Wellington Street, and respect both individual and groups of low-scale heritage buildings through recessive upper-level development and a transition in scale from taller form towards the interface with heritage buildings.*
(d) *To promote and encourage pedestrian activity through street edge activation and the protection of footpaths and public open spaces from loss of amenity through overshadowing.*

(e) *To ensure that development provides for equitable development outcomes through building separation and a design response that considers the development opportunities of neighbouring properties.*

31. The subject land is in Area 1 under DDO23 (Figure 10), which designates a preferred maximum building height of 20m and a preferred maximum streetwall height of 14m.



Figure 10: Building Heights Framework Plan – DDO23

Environmental Audit Overlay

32. Pursuant to clause 45.03-1 of the Scheme;
    (a) *Before a sensitive use (residential use, child care centre, pre-school centre, primary school, secondary school or children's playground) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences:*
        (i) A preliminary risk screen assessment statement in accordance with the Environment Protection Act 2017 must be issued stating that an environmental audit is not required for the use or the proposed use; or
        (ii) An environmental audit statement under Part 8.3 of the Environment Protection Act 2017 must be issued stating that the land is suitable for the use or proposed use.

33. As the proposed use of the land is a 'residential hotel' and therefore constitutes a sensitive use, if a planning permit is issued, a note will be added to the permit accordingly.

Development Contributions Plan Overlay

34. A development infrastructure levy is payable in accordance with the rates specified under the DCPO1. Pursuant to Section 46N and 46O of the *Planning and Environment Act (1987)*, the following permit condition will be included on any planning permit granted:

    (a) Prior to the commencement of the development, the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan; or the Owner must enter into an agreement with Yarra City Council to pay the Development Infrastructure Levy within a time specified in the agreement.

Particular Provisions

Clause 52.06- Car parking

35. The site is located within the Principal Public Transport Network Area, therefore the parking rates in Column B of Clause 52.06-5 apply. 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	127 guests / rooms	Rate not specified in Clause 52.06-5	To the satisfaction of the Responsible Authority	1
Food and drink premises	314m^2	3.5 spaces per 100 m^2 of leasable floor area	10	
		Total	**10 Spaces plus Spaces for the Residential Accommodation**	**1**

36. Pursuant to clause 52.06-3, a planning permit is required to reduce 9 car parking spaces, with only 1 on-site space proposed.

Clause 52.34 - Bicycle facilities

37. 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 building	127 lodging rooms	In developments of four or more storeys, 1 resident space to each 10 lodging rooms	12 resident spaces	
		In developments of four or more storeys, 1 visitor space to each 10 lodging rooms	12 visitor spaces	
Food and drink premises	314 sqm	1 employee space to each 300 sqm of leasable floor area	2 employee spaces	
		1visitor space to each 500 sqm of leasable floor area	1 visitor spaces	
		Bicycle Parking Spaces Total	**14 resident / employee spaces**	**20 resident / employee spaces**

		13 visitor spaces	**0 (2 bicycle hoops proposed on-street i.e. 4 bicycle spaces)**
Showers / Change rooms	1 to the first 5 employee spaces and 1 to each additional 10 employee spaces	**0 showers / change rooms**	**2 showers / change rooms**

38. The proposal includes 20 residential/employee spaces; exceeding the minimum statutory requirement of 14 spaces. The proposal does not provide any on-site visitor bicycle spaces; however, 4 spaces are proposed directly adjacent to the site on the Cambridge Street footpath.

39. The proposal also includes 2 showers and associated changing room facilities, exceeding the minimum requirement.

Clause 53.18 – Stormwater Management in Urban Development

40. The purpose of this clause is; *To ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.*

General Provisions

41. 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 contained in this report

Planning Policy Framework (PPF)

42. Relevant clauses are as follows:

Clause 11.02 (Managing Growth)
Clause 11.02-1S (Supply of Urban Land)

43. 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 13.07 (Amenity)
Clause 13.07-1S (Land use compatibility)

44. 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)

45. 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)

46. The objective is:
    (a) *To create distinctive and liveable city with quality design and amenity.*

Clause 15.01-2S (Building design)

47. 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.*

48. 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.*

49. 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 15.02 (Sustainable Development)
Clause 15.02-1S (Energy Efficiency)

50. 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)

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

52. 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)

53. The relevant objective of this clause is:

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

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

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

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

Clause 18.02 (Movement Networks)
Clause 18.02-1S (Sustainable personal transport)

56. The relevant objectives of this clause is:
    (a) *To promote the use of sustainable personal transport.*

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

57. 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)

58. 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)

59. 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)

60. The objective of this clause is:
    (a) *To ensure an adequate supply of car parking that is appropriately designed and located.*

61. 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>

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

Clause 21.04-3 (Industry, office and commercial)

63. The objective of this clause is:
    (a) *To increase the number and diversity of local employment opportunities.*

Clause 21.05-2 (Urban design)

64. The relevant objectives of this Clause are:
    (a) *Objective 16 - To reinforce the existing urban framework of Yarra;*
    (b) *Objective 17 - To retain Yarra's identity as a low-rise urban form with pockets of higher development:*
        (i) Strategy 17.2 Development on strategic redevelopment sites or within activity centres should generally be no more than 5-6 storeys unless it can be demonstrated that the proposal can achieve specific benefits such as:
            - *Significant upper level setbacks*
            - *Architectural design excellence*
            - *Best practice environmental sustainability objectives in design and construction*
            - *High quality restoration and adaptive re-use of heritage buildings*
            - *Positive contribution to the enhancement of the public domain*
            - *Provision of affordable housing.*
    (c) *Objective 18 - To retain, enhance and extend Yarra's fine grain street pattern;*
    (d) *Objective 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 20.3 Reflect the fine grain of the subdivision pattern in building design where this is part of the original character of the area.

Clause 21.05-3 (Built form character)

65. The general objective of this clause is:
    (a) *To maintain and strengthen the identified character of each type of identified built form within Yarra*. The subject site is located within the 'main roads' area, where the built form objective is to "maintain the hard edge of the strip".

Clause 21.05-4 (Public environment)

66. 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.

Clause 21.06 (Transport)

67. 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 21.06-1 (Walking and cycling)

68. This clause builds upon the objectives outlined at Clause 18, promoting cycling, walking and public transport as alternatives to private motor vehicle usage. The relevant objectives and strategies of this clause are:
    (a) *Objective 30 - To provide safe and convenient bicycle environments:*
        (i) *Strategy 30.2 Minimise vehicle crossovers on street frontages.*
    (b) *Objective 32 - To reduce the reliance on the private motor car.*
    (c) *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 21.06-2 (Public transport)

69. The relevant objectives and strategies of this clause are:
    (a) *Objective 31 To facilitate public transport usage.*
        (i) *Strategy 31.1 Require new development that generates high numbers of trips to be easily accessible by public transport.*

Clause 21.06-3 (The road system and parking)

70. *Objective 32 To reduce the reliance on the private motor car.*

Clause 21.07-1 (Ecologically sustainable development)

71. 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 (Collingwood)

72. This clause outlines the Cremorne neighbourhood as follows;
    (a) *Much of Collingwood is industrial in character with the residential precincts surrounded by or interspersed with industrial buildings.*
    (b) *The Smith Street major activity centre serves multiple roles for local residents whilst attracting visitors from a larger catchment. It is a classic main road strip generally consisting of buildings of two to four storeys interspersed with the occasional building of up to 6 storeys.*

Relevant Local Policies

Clause 22.05 (Interfaces Uses Policy)

73. This policy applies to applications within the Industrial Zone (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.

74. 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.*

    Clause 22.16 (Stormwater Management (Water Sensitive Urban Design)

75. 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)

76. This policy applies to (as relevant) development of a building for accommodation other than dwellings with a gross floor area of more than 1000m2. The overarching objective is that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation. The considerations are energy performance, water resources, indoor environment quality, storm water management, transport, waste management and urban ecology.

Advertising

77. The application was advertised under the provisions of Section 52 of the *Planning and Environment Act* 1987 by 895 letters sent to surrounding owners and occupiers and by two (2) signs displayed on site. Council received twenty-six (26) objections, these can be summarised as:
    (a) Impacts on the potential equitable development opportunities of adjacent sites;
    (b) Excessive height;
    (c) Proposed use as a residential hotel;
    (d) Architectural expression;
    (e) Lack of integration with existing neighbourhood character;
    (f) Lack of activation with the street at ground level;
    (g) Potential off-site amenity impacts (overlooking, loss of daylight, overshadowing, visual bulk, noise, light-spill, wind);
    (h) Structural impacts to adjacent dwellings;
    (i) Unreasonable impacts to heritage dwellings to the west;
    (j) Insufficient on-site car parking;
    (k) Increased traffic;
    (l) Over-crowding and increased pedestrians within immediate area;
    (m) Increase to urban heat impacts;
    (n) Lack of vegetation.
    (o) Lack of proximity to public transport.

78. The amended proposal was not re-advertised, as the changes resulted in no additional material detriment to any surrounding sites. A discretionary exemption from advertising was granted at a Development Approvals Panel on 26 October 2021. Copies of the amended plans were circulated with the invitations to this Planning Decisions Committee (PDC) meeting.

Referrals

<u>External Referrals</u>

79. The application was referred to Head, Transport for Victoria. No objection to the proposal was received.

Internal Referrals

80. The application was referred to the following internal departments and advisors and external consultants;
    (a) Engineering Services Unit;
    (b) Strategic Planning;
    (c) Environmentally Sustainable Development (ESD) Advisor;
    (d) Strategic Transport Unit;
    (e) Open Space (landscaping);
    (f) Urban Design (public realm works);
    (g) Streetscapes and Natural Values Team; and
    (h) City Works (Waste Management).

81. External consultants
    (a) Urban Design consultant (Global South – Simon McPherson);
    (b) Wind consultant (MEL Consultants).

82. All referral comments have been included as attachments to this report

Assessment

83. The considerations for this amendment application are as follows, as required:
    (a) Strategic justification;
    (b) Land Use;
    (c) Built Form (DDO23);
    (d) On-site amenity;
    (e) Off-site amenity;
    (f) Car parking/Bicycle parking;
    (g) Waste Management/Loading; and,
    (h) Objector's concerns.

Strategic justification

84. The proposal enjoys considerable support from both State and local policy for accommodating increased development and employment in the given location. The site is appropriately placed for the proposal, due to its location near the Smith Street Major Activity Centre (MAC), as well as its proximity to numerous public transportation options, including multiple bus routes, tram routes, and key arterial roads.

85. The Mixed-Use Zone (MUZ) encourages both residential and non-residential uses, with a purpose of the zone '*To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality'.* The development of the site achieves this outcome, and is consistent with strategies outlined in clause 11.01-1R (Settlement – Metropolitan Melbourne) which aim to '*Create mixed-use neighbourhoods at varying densities, including through the development of urban-renewal precincts, that offer more choice in housing, create jobs and opportunities for local businesses and deliver better access to services and facilities.*'

86. Clause 11.03-1R (Activity Centres – Metropolitan Melbourne) encourages development and growth in and around activity centres, with the Smith Street location supporting more intensive development. This is evident in the emerging mid-rise character within the immediate area.

87. 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 uses proposed will increase employment opportunities in hospitality in a highly accessible, service-rich area. The proposed uses are complementary to the surrounding area and are not expected to pose interface conflict issues, based on conditions associated with any permit issued. This will be explored in greater detail within the report.

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

89. The VCAT decision for the site to the south at 42-44 Oxford Street and 61- 63 Cambridge Street and 16-20 Langridge Street, Collingwood (Permit no. PLN18/0497) *Langridge and Cambridge Funding Development Pty Ltd v Yarra CC [2018] VCAT 703* provides relevant commentary on the provision of a residential hotel in this location as follows;

> *[30] It was agreed that the review site and the neighbourhood generally is very conveniently located to higher order activity centres, public transport and the rich resources and facilities in central Melbourne. The site is close to Smith Street major activity centre and the Gertrude Street neighbourhood activity centre. The area is richly serviced with public transport and regional bicycle trails. It has or will have a multitude of local food and drink premises that provide daily services and local employment.*
>
> *[129] We accept that the urban amenity of this area with its eclectic mix of architecture, uses, food and drink outlets, and the proximity to city attractions such as Smith Street and Brunswick Street make it an appropriate location for a hotel.*

90. Further to this, the development supports and promotes the use of sustainable personal transport by providing 20 on-site bicycle spaces and associated end-of-trip facilities, as sought by Clause 18.02-1S (Sustainable personal transport). In addition, compliance with clause 18.01-2S (Integrated Transport) is achieved, with the development providing for communities' needs for commercial services by locating facilities within an existing activity centre with an established public transport system. This provides for a sustainable outcome with regards to land-use and transport integration.

91. This is also consistent with clause 21.06 (Transport), which aims to reduce car dependency by promoting walking, cycling and public transport use as viable and preferable alternatives. The site's proximity to public transport and lack of on-site car parking assists in achieving this objective.

Land Use

92. The proposal includes two main uses, a restaurant and residential hotel, with an ancillary gym/yoga studio within the basement. The gym and yoga studios will only be available to hotel guests, with a condition of any permit issued confirming this. Whilst the hotel and restaurant uses require a planning permit under the MUZ, the restaurant only triggers this requirement given the floor area exceeds 150sqm. The proposed hours of operation for the restaurant are 7am to 11pm, with no details provided regarding patron numbers (discussed further below).

Patrons will access the restaurant via the main hotel entrance, with the location of the entrance and the basement location of the restaurant aiming to limit impacts to residential sites to the west.

93. An external terrace associated with the restaurant is proposed in the site's north-west corner; this terrace has a direct interface with dwellings at Nos. 54 & 56 Oxford Street. This planning application does not seek a liquor licence for the restaurant; however, it is acknowledged that policy at clause 22.09-3 (Licensed Premises) specifies the following;
    (a) *Licensed premises in a Mixed Use Zone should not provide for the sale and consumption of liquor beyond 10pm, unless the responsible authority is satisfied that it will not adversely affect the amenity of the area.*
    (b) *For outdoor areas, including smoking areas, rooftops and open courtyards, the sale and consumption of liquor should not occur after 10pm, unless the responsible authority is satisfied that it will not adversely affect the amenity of the area.*
    (c) *Licensed premises (including packaged liquor outlets) should not commence the sale and consumption of liquor before 9am.*

94. As this application is only considering the use as a restaurant, the proposed operating hours of 7am to 11pm are considered reasonable, based on a detailed assessment of noise impacts to the adjacent residential sites. Noise impacts associated with the restaurant use (both on-site and off-site) will be assessed in detail within the relevant sections of this report. If a liquor licence is sought in the future, the above provisions outlined in clause 22.09 will be assessed at that point.

95. With regards to the number of patrons, the acoustic report prepared by Enfield Consultants confirms that a maximum of 20 patrons will be accommodated in the outdoor terrace. The overall number of patrons however within the restaurant is not specified. A permit condition will require the final patron numbers be determined via the provision of a patron capacity report which would conclude how many patrons can be accommodated in the space, based on floor area and amenities. An additional condition will also ensure that a minimum 75% of seating for patrons will be provided in both areas; this requirement may impact the overall numbers of patrons that can be accommodated.

96. As outlined within the Strategic justification section, the subject site is considered an appropriate location for a residential hotel based on its proximity to key activity centres (Smith and Brunswick Streets) and the Gipps Street Employment Precinct. The proposed hotel will contribute to the street activity and will provide a vibrant and effective development outcome.

97. The VCAT decision referenced earlier *(Langridge and Cambridge Funding Development Pty Ltd v Yarra CC [2018] VCAT 703)* provides guidance regarding the appropriate provision of amenity for residential hotel rooms and communal residential hotel facilities, and noted at paragraph 128;

> *[128] An application should be accompanied with a likely operator and a draft management plan that provides details of the levels of service and safety that can be expected or if an operator is not involved, appropriate expert evidence.*

98. The planning application does not include a standalone 'Management Plan' however the Town Planning Report provided with the application notes that an electronic key pass will be provided to each guest upon arrival which grants them access to the level in which their room is situated, their room and the basement and rooftop level. Based on this statement, it is understood that the gym/yoga rooms at basement level and the communal roof terrace will be restricted to hotel guests. However further information on how the hotel will operate would be required via the provision of a detailed Management Plan. The following information would be required within this document;

(a) All staffing arrangements, including how the hotel reception will be managed and during which hours it will operate;
(b) Security measures to be implemented;
(c) Hours of operation of the gym/yoga room and hours of access to the roof terrace, with the exclusive use of these spaces by hotel guests confirmed; and,
(d) Details of a complaints register.

99. Other matters relating to the operation of the residential hotel, such as noise, waste management and deliveries, will be discussed in greater detail within the relevant sections of this report.

100. In terms of land uses, the supporting mix of uses is consistent with policy at Clauses 11.03-1S, 21.03 and 21.04-2 as they will complement the role and function of the Smith Street MAC and surrounding area, as well as strengthening its long term viability as a destination for the local and broader community.

Built form

101. In considering the design and built form of the proposed development, the most relevant aspects of the Scheme are provided at clause 15.01-1R (Urban Design – Metropolitan Melbourne), clause 22.10 (Built Form and Design Policy) and clause 43.02 - Design and Development Overlay (Schedule 23).

102. All of these provisions and guidelines support a development outcome that responds to the existing or preferred neighbourhood character and provides a contextual urban design response reflective of the aspirations for the area. Particular regard must be given to the acceptability of the design in terms of height and massing, street setbacks and relationship to adjoining buildings. These aspects will be addressed in the following discussion.

Context

103. The context of the surrounding built form has been briefly discussed in the 'site and surrounds' section of this report, where it was acknowledged that a significant degree of higher-density development is occurring within the immediate neighbourhood. The image in Figure 11 demonstrates the view from the intersection of Cambridge Street and Peel Street (to the north of the subject site). This image provides context of the development currently under construction directly to the south and east of the subject site. It is clear from this image that the emerging scale in the immediate area is consistent with the height being sought upon the subject land.

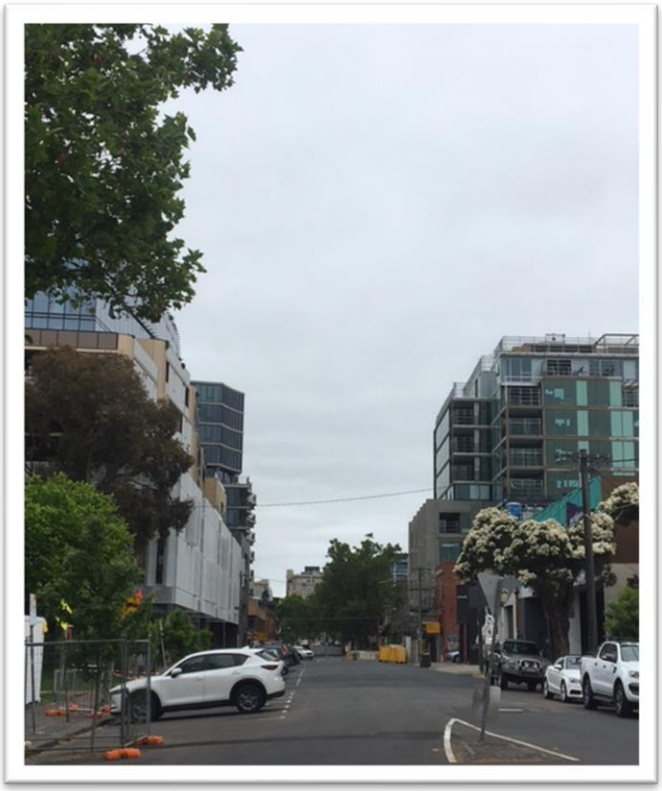


Figure 11: View from the north along Cambridge Street

Height

104. The relevant objective of clause 22.10 (Built Form and Design Policy) is to *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.* Design guidelines recommend this be achieved via the use of massing or articulation or changes of surface treatment, or a combination of these, to relate taller buildings to the scale of their surrounds, and to diminish visual bulk.

105. More specific guidance with regard to height is provided in Schedule 23 to the DDO, with this policy seeking a mid-rise scale for new built form in the area and noting that new buildings should be within the range of 3 to 12 storeys in height. Specific building height requirements are set out in *Plan 1: Building Heights Framework Plan* of this schedule.

    This plan notes the preferred maximum building height for new development on this site is 20m. The development seeks a building height of 26.65m, thereby exceeding this stipulated scale by approximately 2 levels (6.65m).

106. Section 2.2 of DDO23 states that *'a permit cannot be granted to vary a building height specified in Plan 1: Building Heights Framework Plan, unless all of the following requirements are met* (relevant sections underlined):
    (a) *the built form outcome as a result of the proposed variation satisfies the Design Objectives in Clause 1.0, the Heritage Building Design Requirements and the Overshadowing and Solar Access (Public Realm) Requirements;*
    (b) *the proposal will achieve each of the following:*
        (i) greater building separation than the minimum requirement in this schedule;
        (ii) housing for diverse households types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations;
        (iii) universal access, and communal and/or private open space provision that exceeds the minimum standards in Clauses 55.07 and 58; and

(iv) *excellence for environmental sustainable design measured as a minimum BESS project score of 70%.*

107. Given the land is not within a heritage overlay and the use is not for residential dwellings, not all the requirements outlined above are relevant to this discussion. The applicable requirements will be addressed in detail below.

Section 2.2 (a) Design Objectives in Clause 1.0

108. These five design objectives are intended to guide future development in the precinct and as outlined above, they must be met if Council is to support a development higher than the maximum height specified in the DDO. Each objective will be discussed in turn.

Objective 1

109. *To foster an emerging, contemporary, mixed-use character with a prominent street-wall edge, incorporating upper level setbacks and design features that create a distinction between lower and upper levels*

(a) The design incorporates a 4-storey street wall built directly to the Cambridge Street footpath; this results in a prominent street wall edge and reflects the emerging character of similarly scaled street walls within the surrounding precinct. The *Building Heights Framework Plan* in Schedule 23 of the DDO specifies a maximum street wall height of 14m for this section of Cambridge Street. The proposed street wall height of 13.85m will meet this requirement and will provide a suitable transition to the lower-scale built form to its north.

(b) *Table 1 – Minimum Upper Level Setbacks for Non-Heritage Sites* at Section 2.2 of the DDO specifies that the minimum upper-level setbacks for non-heritage sites is 6m. The upper levels of the proposed development will achieve a consistent setback of 6m, thereby meeting this requirement.

(c) As demonstrated in Figure 12, the design will provide a clear delineation between the podium and tower elements. The street wall façade will be composed of a mixture of concrete finishes (light and dark grey), interspersed with bronze glazing and planter boxes. The upper levels have a lighter finish, with off-white concrete and clear glazing. Comments on the proposed design of the proposal were sought externally from Simon McPherson of Global South Consulting. With regards to this aspect of the design, and in particular the design of the upper levels, Mr McPherson stated *'I accept this approach in that it is related yet distinct from the lower-level facades, providing a visually lighter expression which is appropriate'.*

(d) The proposal is considered to achieve an acceptable contemporary response that will integrate well with emerging contemporary development within the neighbourhood. This objective is met.



Figure 12: Façade design

Objective 2

110. *To ensure that the overall scale and form of new buildings is mid-rise (ranging from 3 to 12 storeys) and responds to the topography of the precinct, by providing a suitable transition in height as the land slopes upwards, whilst minimising amenity impacts on existing residential properties, including visual bulk, overlooking and overshadowing.*

(a) The proposed 8-storey scale of the development sits within the range specified and successfully responds to the topography of the precinct, with various setbacks from each interface aimed at reducing off-site amenity impacts within the surrounding sites. These are discussed in turn.

Visual bulk

(b) The only residential interface with the subject site is to the west, with 4 dwellings addressing Oxford Street. Views to the development will be available from these sites from east-facing windows and within the adjacent secluded private open space (SPOS). The siting and size of the built form has been guided by the requirements of DDO23 which includes mandatory and discretionary design objectives that seek to ensure that new developments do not unreasonably visually impede on abutting or surrounding properties.

(c) The existing single-storey wall along the shared boundary with these sites will be replaced with a combination of wall and fencing, composed of concrete and extending to a height of 4.2m. The remaining ground floor wall will be set back 4.5m from this interface. This setback will be maintained from levels 1-3, with an increased setback provided from level 4 and above.

(d) The north-west corner of the proposed building is chamfered from level 3 upwards and achieves a minimum setback of 9m, providing a generous built form separation from the SPOS to the west.

(e) The sloping topography of the land between Oxford Street and Cambridge Street assists in minimising the extent of built form visible from the Oxford Street streetscape, resulting in the building reading as a seven-storey building, as opposed to an eight-storey building, from Oxford Street.

(f) On this basis, it is considered that the proposed development does not result in any unreasonable visual impacts upon the residential interfaces to the west, with acceptable setbacks provided for all levels of the development and the additional setbacks of the upper-most levels further reducing visibility from this interface.

Overlooking

(g) Whilst technically not applicable to this development given its proposed use, it is an accepted principle that unreasonable overlooking should be limited to habitable rooms (i.e. bedrooms and living rooms) and private open spaces within a 9m radius. Whilst there are no habitable room windows within 9m of any of the hotel windows; areas of SPOS have a direct interface with the subject site to the west.

(h) The potential for unreasonable overlooking of existing and future development has been appropriately considered. This, for the most part, has been achieved via setbacks to existing and future built form, in accordance with specifications outlined in Schedule 23 to the DDO.

(i) The north and south-facing hotel windows are set back 4.5m from these respective boundaries. This accords with the requirements of DDO23, which notes that upper level development must be set back a minimum of 4.5m from the boundary, if a habitable room window or balcony is proposed in that wall. If any future development on the adjacent sites contained habitable room windows or balconies addressing the subject land, the expectation is that a 4.5m setback would also be provided to accord with the DDO. This would provide a 9m separation between windows or balconies, which would appropriately manage overlooking impacts.



Figure 13: Interface with residential dwellings

(j) Given the proximity of the open space to the west, there is the potential for unreasonable views from west-facing hotel rooms to occur. To alleviate this, projecting privacy screens have been incorporated into the western wall from Level 3 upwards, to mitigate downward views into the adjacent SPOS. At ground level and Level 1, the height of the rear boundary fence will obscure views to the west, with the outline of this fence demonstrated in the overlooking diagram at Figure 14.

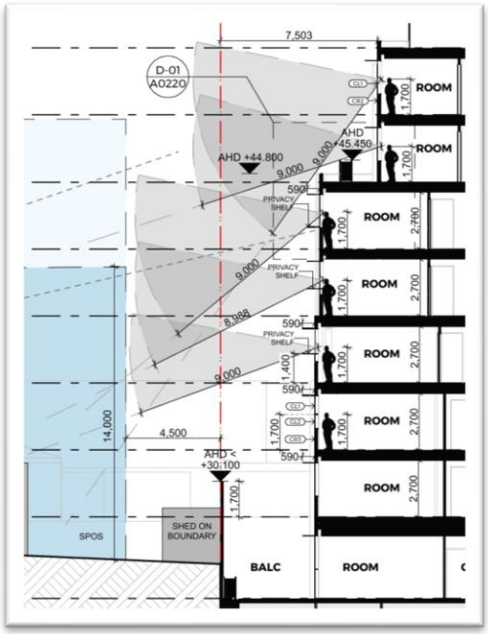


Figure 14: Overlooking diagram to the west

(k) At Level 2, a combination of concrete and fluted glazing will extend to a height of 1.7m above the finished floor level. The transparency of the glazing is not specified, and the height of these materials are not clearly depicted on the western elevation. To ensure that unreasonable overlooking is mitigated, a permit condition can require this information be added to the relevant drawings.

Overshadowing

(l) Additional shadows will affect SPOS to the west at 9am. The extent of the new shadows at the September equinox is demonstrated in Figure 15.

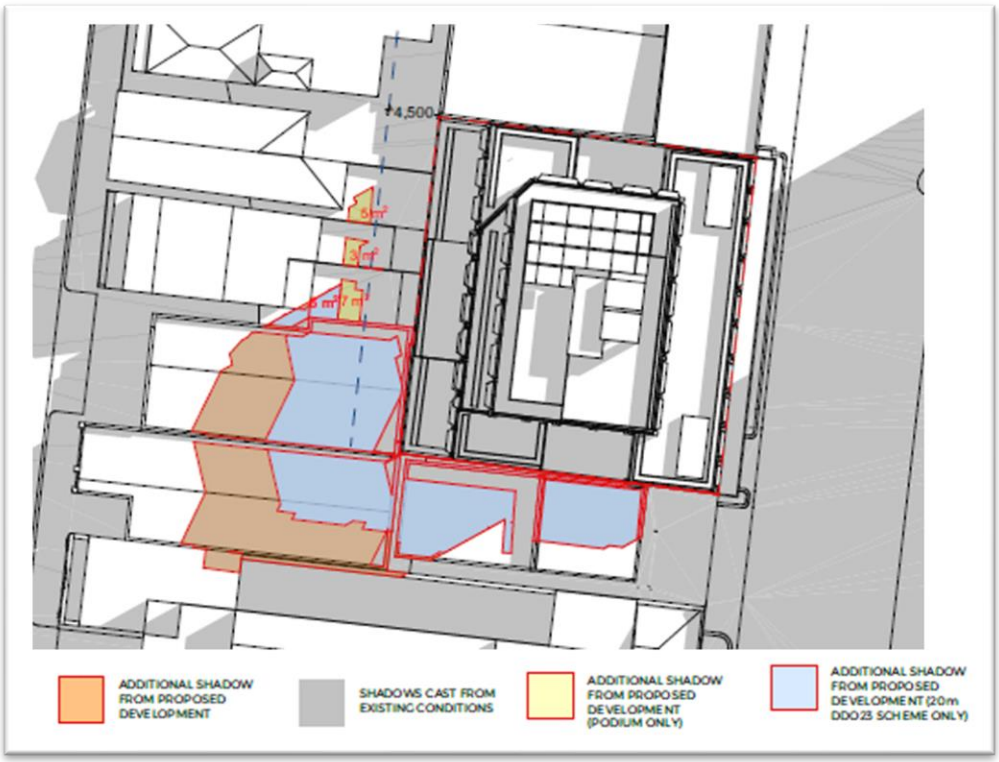


Figure 15: 9am shadows

(m) This diagram indicates that the podium level (ground to Level 3) will cast additional shadow of 7sqm, 3sqm and 5sqm to the SPOS of Nos. 50, 52 & 54 Oxford Street, respectively, at 9am (noted as the yellow areas on the shadow diagram). It is noted that the height of the podium complies with the requirements of the DDO and therefore this additional overshadowing is caused by a scale of built form that is anticipated under the Scheme.

(n) The DDO23 compliant built form (to a max. height of 20m) above the podium (shown in blue in Figure 15) will cast an additional shadow of 6sqm to No. 50 Oxford Street at 9am. The proposed height above the 20m height specified in the DDO will have no impact upon additional overshadowing to SPOS (shown in orange in Figure 15). As can be seen, shadows cast by the additional height being sought will fall upon the roofs of adjacent properties.

(o) Further to this, no additional shadows will affect any of the residential properties from 10am onwards, with all new shadows from this time falling upon the roofs of commercial buildings to the south-west (Figure 16).

(p) It is noted that Council's Strategic Planning unit initially raised concerns with the increased detriment to these sites with regards to morning shadows, however based on the diagram provided at Figure 15, they conceded that *the new shadow diagrams provide better differentiation on where the issue lies. In short, the upper form may not be the issue from an assessment perspective, so based on the current interim DDO23 a permit could be issued should statutory planning find the proposal adequate."*

(q) Given the limited extent and duration of these additional shadows, and as the only area of additional shadow is cast by the area of compliant built form, this outcome is considered acceptable.



Figure 16: Proposed 10am shadows

(r) A substantial array of solar panels is located on the commercial building to the south-west of the site (No. 46 Oxford Street). These are highlighted in Figure 17, with a circle demonstrating their indicative location in Figure 16. As demonstrated, shadows will not impact these panels from 10am onwards at the equinox, and therefore will not impact their operability and effectiveness to an unreasonable degree.



Figure 17: Solar panels to south-west of site

111. Based on the above, this objective is considered to be met.

Objective 3

112. *To maintain the prominence of the corner heritage buildings on Wellington Street, and respect both individual and groups of low-scale heritage buildings through recessive upper level development and a transition in scale from taller form towards the interface with heritage buildings.*

(a) The subject site has a direct interface with dwellings located within a site-specific heritage overlay (HO123) to the west (Nos. 50 & 52 Oxford Street). Figure 18 has been provided to demonstrate views of the western wall of the proposal from Oxford Street, with the massing of the two heritage dwellings in the foreground.



Figure 18 – View from Oxford Street

(b) Whilst the development will be visible from this vantage point, the additional height of built form above the heritage dwellings is not considered to overwhelm these buildings. At the upper levels, the 7.5m setback from the shared boundary, in conjunction with the depth of SPOS associated with the heritage dwellings, will provide a generous degree of separation between the dwellings and new development. This will allow the proposal to read as an adequately removed backdrop, as opposed to being in competition with the prominence of the existing heritage built form.

(c) Further to this, the topography of the area will result in the 8-storey development reading as 7-storey in scale when viewed from Oxford Street, reducing its potential for visual dominance. It is also considered likely the terraces may be developed with rear additions in the future; thereby providing further separation between the heritage fabric and adjacent built form. The transition to the new development is considered to achieve this objective.

Objective 4

113. *To promote and encourage pedestrian activity through street edge activation and the protection of footpaths and public open spaces from loss of amenity through overshadowing.*

(a) This objective is met, with a detailed discussion on the integration of the development with the public realm and overshadowing of the public realm to be undertaken later within this report.

Objective 5

114. *To ensure that development provides for equitable development outcomes through building separation and a design response that considers the development opportunities of neighbouring properties.*

(a) This objective is met, with the separation of the building and subsequent equitable development opportunities discussed in detail below.

Section 2.2 (a) Overshadowing and solar access (public realm) requirements

115. This criterion specifies which of the surrounding streets must be protected from overshadowing at certain times. Of relevance to the subject site is the following;
(a) *For streets that extend in a north-south direction, development must not overshadow:*

(i) the eastern footpath to a distance of 2.0 metres from the kerb between 10am and 2pm on September 22;
(ii) the western footpath to a distance of 2.0 metres from the kerb from 10am to 2pm on September 22.

(b) *Development must be designed to minimise overshadowing of the following areas of open space between 10am and 2pm on September 22:*
(i) Cambridge Street Reserve.

116. As demonstrated in Figures 19 & 20, at 10am no additional shadows will affect either footpath on Cambridge Street, with the 2pm shadows from the development setback 3.13m from the eastern footpath on September 22. There will also be no additional overshadowing to Cambridge Street Reserve (demonstrated via the star on Figure 20) at any time throughout the day. This requirement is therefore met.



Figure 19: Proposed 10am shadows



Figure 20: Proposed 2pm shadows

117. The remaining requirements that must be met from Section 2.2 in order to exceed the preferred 20m height are outlined below;
    (a) *The proposal will achieve each of the following:*
        (i) greater building separation than the minimum requirement in this schedule; and,
        (ii) excellence for environmental sustainable design measured as a minimum BESS project score of 70%.

118. With regards to building separation, the DDO specifies the following;
    (a) *Where development shares a common boundary, upper level development must:*
        (i) be setback a minimum of 4.5m from the common boundary, where a habitable window or balcony is proposed;
        (ii) be setback a minimum of 3.0m from the common boundary where a commercial or non-habitable window is proposed.

119. The site abuts two commercial buildings to the north and south, with no windows addressing the site in either of the adjacent walls. The development will be set back 4.5m from both side boundaries from Level 4 and above, with these setbacks increasing at roof level. This setback will exceed the requirements outlined above and will ensure that equitable development opportunities are maintained to these sites.

120. To the rear of the site are a number of residential interfaces. At Levels 4 & 5, the rear wall is set back between 4.75m to 5m from the rear (western) boundary, with a greater setback of 8.857m in the north-west corner. At the upper-most levels, and most importantly those levels that exceed the 20m height requirement outlined in DDO23, this setback increases to 7.5m. The rooftop plant is set back 9m from the western boundary, with the roof terrace set back 14m from this interface. All of these upper-level setbacks clearly exceed the minimum 4.5m specified above, ensuring that the proposal will achieve a greater building separation than the minimum requirement in this schedule from all boundaries. The rear setbacks will also ensure that equitable development opportunities will be afforded to the western sites, should this land be consolidated and developed in the future.

121. It is acknowledged that Council's Strategic Planner recommended greater setbacks from the rear boundary, with their preference to provide an additional 3m setback at Levels 4 & 5 than that specified in the DDO (resulting in overall setbacks of 7.5m). The DDO notes that in order to exceed the preferred height, the upper levels should achieve a '*greater building separation than the minimum requirement in this schedule',* which, as outlined above, is 4.5m.

    As noted, Levels 4 & 5 will be setback between 4.75m to 5m from this boundary, with Levels 6 & 7 increasing to 7.5m.

122. There are no specific dimensions provided in the controls, with the only guidance being that a 'greater' separation should be provided. In this instance, all of the levels above the podium achieve a greater separation than 4.5m, and thereby achieve this outcome.

    Excellence for environmental sustainable design measured as a minimum BESS project score of 70%.

123. In addition to the requirement outlined above, policy at clauses 15.01-2S, 21.07, 22.16 and 22.17 of the Scheme encourages a high standard of ecological sustainable development in new proposals. A Sustainable Management Plan (SMP) was prepared by Ark Resources (Rev B – 03.03.2021). It is noted that the SMP has used a Green Star pathway, rather than a BESS pathway to demonstrate 'excellence' in ESD. Council's ESD Advisor therefore relied on the Green Star pathway to determine whether the specific requirement outlined above was met.

124. The original SMP outlined the following positive attributes within the development;

(a) The proposal achieves a Green Star 5-star equivalent rating using the Design & As Built tool;
(b) The proposal is aiming for a minimum 10% improvement over NCC Section J DTS provisions, with modelling undertaken to ensure energy and greenhouse gas emissions reduction target for 1 point, a 10kW rooftop solar system and procurement of 100% off-site renewable electricity for a minimum period of ten years immediately after completion;
(c) A STORM report with a 130% STORM score that demonstrates best practice and relies on ~617 m2 of roof connected to a 20,000-litre rainwater tank connected to toilet flushing and landscape irrigation;
(d) Water efficient fixtures and fittings, including a water-efficient sub-soil drip irrigation system with moisture sensors and timers will be provided;
(e) A Services and Maintainability Review will be undertaken during design stage, along with comprehensive commissioning and tuning of building systems;
(f) The head contractor will have current ISO 14001 certification and a climate adaptation plan will be prepared;
(g) The SMP specifies that low VOC paints, adhesives, sealants and carpets, low formaldehyde engineered wood products, and PVC that meets best practice guidelines will be utilised;
(h) 90% of demolition and construction waste will be diverted from landfill;
(i) Native planting for (at least) 2.5% of the site will be provided, and all non-trafficable roofs will have initial solar reflectance index of 82, and,
(j) The SMP achieves innovation credits including: 20% dematerialised PV array, site-wide leak detection, 4 electric pedal-assist bikes, EV charging for the disables and air-tight performance.

125. Upon review of the SMP, Council's ESD Advisor highlighted some deficiencies and outlined where further clarification was required. These items related to (amongst others) natural ventilation, daylight accessibility, information on hot water systems, Greenhouse gas emissions, peak energy demand and bicycle parking. An amended SMP (Rev C – 20.10.2021) was submitted with the S57A plans, with a further amended SMP (Rev D – 10.12.2021) subsequently provided.

126. Upon further review, Council's ESD Advisor noted that the updated SMP addressed all concerns to a satisfactory standard and was satisfied that the development achieved an excellent standard of environmental sustainable design in accordance with the requirements of Schedule 23 of the DDO, albeit with Green Star rather than BESS tool.

The only further requirement was for the SMP to be updated to clearly reference the Green Star Innovation points claimed via Green Star As Built V1.3. This will be facilitated via a permit condition.

Summary

127. Based on the above assessment and given the context of the site, it is considered that the necessary requirements at Section 2.2 of Schedule 23 to the DDO have been met, and in this instance, it is acceptable for a permit to be granted to allow the development to exceed the building height as specified in *Plan 1: Building Heights Framework Plan.* Other attributes of the development, including architectural expression, landscaping and its integration with the public realm, will be discussed below.

Public realm/Architectural expression

128. Specific design requirements regarding how the proposal interacts with the public realm are outlined in Section 2.2 of the DDO, as follows (where relevant);

129. *The street frontage of development must:*

(a) *provide a prominent, well-articulated street-wall edge that provides a distinction between the lower and the upper levels of the building;*
(b) *address all street frontages and, where heritage elements are not a constraint, incorporate design elements/features that contribute to an engaging streetscape, avoiding blank walls and provide active frontages, where appropriate to the proposed use at ground level;*
(c) *be designed to accommodate (or can be adapted to accommodate) commercial activity at the ground floor incorporating a suitable commercial floor height, where heritage elements are not a constraint;*
(d) *locate service entries/access doors away from the primary street frontage, or where not possible, be sensitively designed to integrate into the façade of the building.*

130. These design requirements aim to enhance the visual and social experience of the user, whilst providing an activated frontage that achieves a good level of passive on-street surveillance and opportunities for views into and out of the building. The use of ground floor as the hotel entrance and lobby will provide a good level of activity at this level.

131. As can be seen in Figure 21, the proposed ground floor façade incorporates full-height glazing (in bronze tinted glass) to the hotel reception, with a half-height fire booster cabinet (northern end of façade) and gas meter (central façade) and a full height substation and car park door finished in sold metal cladding at the southern end of the façade. A notation on the ground floor plan confirms that the doors of the service cabinets will swing fully open when in use to avoid obstruction of the adjacent footpath.



Figure 21: Proposed street wall design

132. In the initial urban design review, Mr McPherson noted that the extent of building services at the street frontage was quite substantial, with the combined loading area, substation and two service cupboards occupying more than 50% of the frontage length. He recommended that opportunities be explored to consolidate and reduce the extent of building services, thereby increasing the portion of active, visually permeable frontage.

133. In the Amended Plans, which are the plans shown in Figure 21, the car park/loading space at the southern end of the façade has been reduced in size/width, given the relocation of bicycle parking from ground level to the basement. This has allowed the substation to be repositioned by 2.5m to the south and has subsequently increased the extent of active, visually permeable frontage by 2.5m. Whilst Mr McPherson recommended that further refinement of the gas and fire cupboards be undertaken, he acknowledged that the final dimensions of these services are dictated by the relevant service authorities. The use of permeable glazing above these elements allows them to integrate successfully into the remainder of the façade. On balance, this outcome is supported by Mr McPherson and the amended plans provide an acceptable design response.

134. Council's Urban Design team were supportive of the ground floor façade, noting that care has been taken to minimise in-active façade/street frontage allocated to services cabinets and access.

135. To further enhance the visual activation of the frontage, Mr McPherson requested confirmation that the bronze glass (GL4) proposed for the ground floor frontage be lightly tinted and highly visually permeable. The amended plans indicate that the proposed glazing will have a minimum 40% visual light transmission (VLT), however the cover letter submitted by the applicant along with the amended plans specified a 50% VLT. To ensure that the permeability of the façade is as high as possible, the greater VLT is preferred. A condition can specify that a minimum of 50% VLT be provided, if a permit is to issue.

136. Another aspect highlighted by Mr McPherson in his initial review was that the street wall component would benefit from an increased sense of mass through more masonry materiality, to create a more robust and solid expression and to provide for an increased contrast to the lighter expression of the upper-level form.

137. The amended plans responded to this recommendation via the replacement of areas of spandrel glazing with planter boxes in concrete finish (CR3) at all levels of the podium façade. Vertical sections of glazing within the tower element were also replaced with a concrete finish, of a light grey shade.

138. This revised design approach achieves a greater sense of mass and solidity, particularly within the street wall, with the planter boxes at the lower levels increasing the sense of texture and tactility to the façade. It also makes the façade appear more 'gridded' and 'structural', rather than a predominantly glass façade with interspersed stone columns.

139. These revisions achieve the recommendation for a more solid and robust appearance, in response to the local context and character. Mr McPherson was supportive of these changes, with the amended design providing a prominent, well-articulated street-wall edge that provides a distinction between the lower and the upper levels of the building.

140. With regards to the upper levels of development, Schedule 23 articulates that the following design requirements must be achieved;
    (a) *be well-designed and articulated to break up the building mass across sites with a wide frontage;*
    (b) *distinguish between the lower and upper levels through materials and articulation;*
    (c) *be designed so that side walls are articulated and read as part of the overall building design and not detract from the streetscape when viewed from direct and oblique views along the streetscape;*
    (d) *provide passive surveillance of adjacent streets and public open space.*

141. The design of the tower element has been appropriately articulated via the use of contrasting materials including clear glazing and vertical concrete banding, with the 4.5m side setbacks to the north and south reducing the overall extent of frontage to an acceptable degree. These setbacks will provide substantial breaks between built form if the adjacent sites are developed to a similar scale. The side walls have been similarly articulated, with the 4.5m setbacks from the north and south boundaries allowing windows within these elevations. This provides a visually interesting outcome when the building is viewed from oblique angles.

142. The verticality afforded to the upper level façade is consistent with the design of the podium, providing a consistent approach. However, the lighter colour palette adopted for the upper levels clearly distinguishes the higher built form from the street wall below, which is supported by DDO23. The contrasting colour scheme results in a more recessive and lightweight finish within the streetscape. This outcome is supported.

143. The final element of this design requirement is for the upper levels to provide passive surveillance of adjacent streets and public open space. The 6m setback from the front boundary will restrict surveillance from the upper levels to a degree. In his original advice, Mr McPherson recommended the provision of a terrace at level 4, with this roof area previously inaccessible in the original plans. The amended plans have incorporated this change, with two private and one public terrace added to this setback. The location of these areas will allow for a good degree of passive surveillance from this level, whilst providing further visual interest to the building's façade. This outcome is supported.

144. Mr McPherson's amended review concludes as follows;

    (a) *The proposed development at 67-77 Cambridge Street, Collingwood, reflects an appropriately configured built form response to the strategic and physical context, and is expected to contribute positively to the Cambridge Street public realm through increased activity, amenity and visual interest. The design is appropriately considered and resolved, and I consider that my previous recommendations have generally been effectively addressed in the Amended Plans.*

145. Council Officers agree that the design is an acceptable response to the site and achieves a good level of quality and refinement.

146. To ensure that the desired architectural quality is achieved, a Facade Strategy and Materials and Finishes Plan is recommended via a permit condition. Overall, based on the conditions discussed, it is considered that the proposed development achieves a high level of architectural quality and provides an appealing aesthetic and visually interesting design response.

147. Aspects of the development not directly addressed within the DDO23 discussion will be explored in detail below.

    Pavements

148. The vehicle crossover which extends across the front boundary of the site will be removed, with the footpath, kerb and channel reinstated. Council's Urban Design team has stipulated that these elements are to be reinstated as asphalt footpaths with dressed bluestone kerb and concrete channel, to match other sections along Cambridge Street. Further to this, confirmation of the threshold paving material (circled in Figure 22) is required, with this to be clearly distinguishable from the footpath material.

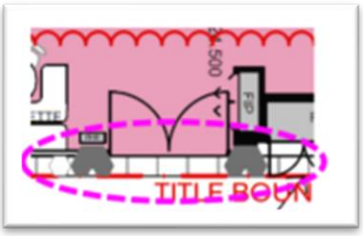


Figure 22: Location of paved threshold adjacent to facade

149. In addition, spot levels are required along the footpath to demonstrate that seamless and compliant levels transitions are achieved between the footpath and the proposed entrance. These requirements will be facilitated via permit conditions.

150. Urban Design comments reference 'footpath seating' and note that any proposed seating within the public realm must be approved via a separate process under local laws. There is no seating specifically referenced on the drawings, however the ground level landscape plan and a façade render include small objects that are not specified. These are demonstrated in Figure 23. A condition of the permit will ensure these are removed.

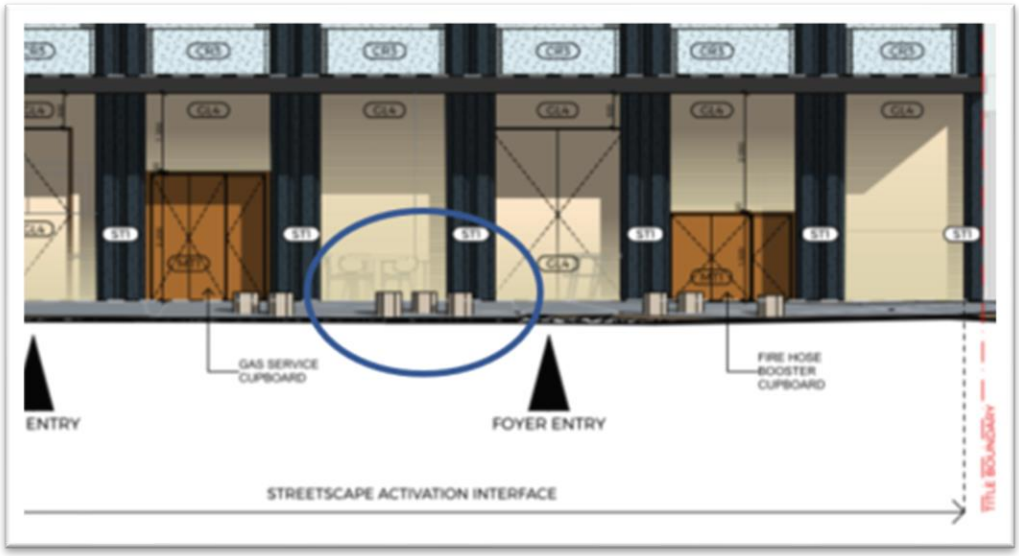


Figure 23: Objects on Cambridge Street footpath

Canopy

151. The proposal incorporates a continuous canopy above the footpath to 1.75m deep from the front boundary line (with a setback of 0.761m from the kerb). The height of the canopy will average 3.6m above ground level. The addition of the canopy is supported, with the dimensions meeting building regulation requirements and thereby providing weather protection to the public realm.

Street trees

152. It is proposed to plant two new street trees (Watergums) within the footpath adjacent to the development. Council's Arborist has confirmed that these species are suitable, with Council's Urban Design team recommending that this number be increased to four. Given the extent of canopy across the footpath, the species of tree is relatively small so they can sit partially beneath this structure. This would allow additional trees within this space, with Figure 24 demonstrating the indicative location of where these trees could be planted.

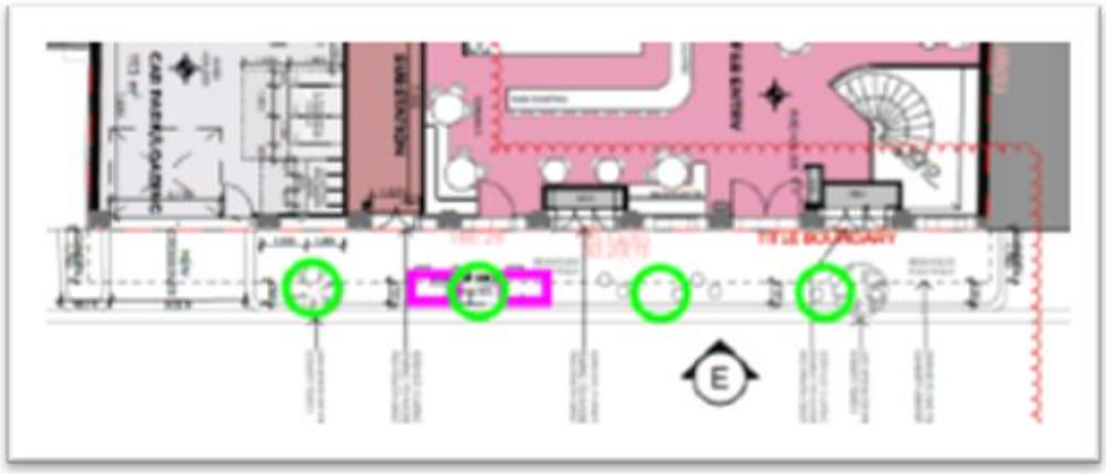


Figure 24: Indicative location of new street trees

153. This outcome is largely supported by planning officers, with the exception of the central tree between the two bicycle hoops. It is preferred that the location of the proposed bicycle hoops is maintained, and three new trees be planted. The final location of the trees will be subject to Council approval, with the permit holder contributing to the cost of sourcing, planting and maintaining the trees (for a period of 2 years). These requirements will be incorporated into a permit condition.

Landscaping

154. A generous degree of landscaping is proposed throughout the development, with planter boxes extending along the full extent of the podium and visible vegetation within the level 4 and roof terraces. Planting and vertical climbers are also proposed within the lower-ground floor courtyards adjacent to the restaurant and gym.

155. A Landscape Plan, prepared by John Patrick Landscape Architects, outlines the planting schedule for each area, as well as specifications relating to mulch, irrigation and the composition of planter boxes. A separate Maintenance Plan outlines further details on these elements and specifies that access to the landscaping through hotel rooms and from roof anchor points (via abseiling) will be required.

156. The original and amended landscape plans were assessed by Council's Open Space unit. A number of additional requirements/further details were noted, these include the following;
    (a) Wall anchors have been proposed to enable abseiling for planter maintenance, however these have not been shown on the plans. These details will be required to be clearly demonstrated on the Landscape Plan, with appropriate engineer certification;
    (b) Clarification on how the plants within the balcony planters will be supported and encouraged to trail beyond the planter box to cover the balcony balustrade is required; and,
    (c) Further details on how the soil volume for the tree planting has been calculated will be required.

157. In addition to these, it was recommended that additional planting is provided in the roof terrace, to increase the amenity of this space, with planting also recommended within the podium levels on the western façade.

158. All of these items are supported and can be facilitated via conditions of the permit and an updated Landscape Plan.

159. The original advice from the Open Space team requested that the public realm proposal at ground level reference some of the design elements proposed for the works within the Cambridge Street Reserve expansion, such as consistent paving treatments, planting typology and if possible, artwork. However, the amended advice acknowledged that these works were still under review with no final design endorsed. On this basis, this outcome is unable to be pursued at this time.

<u>On-site amenity</u>

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

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

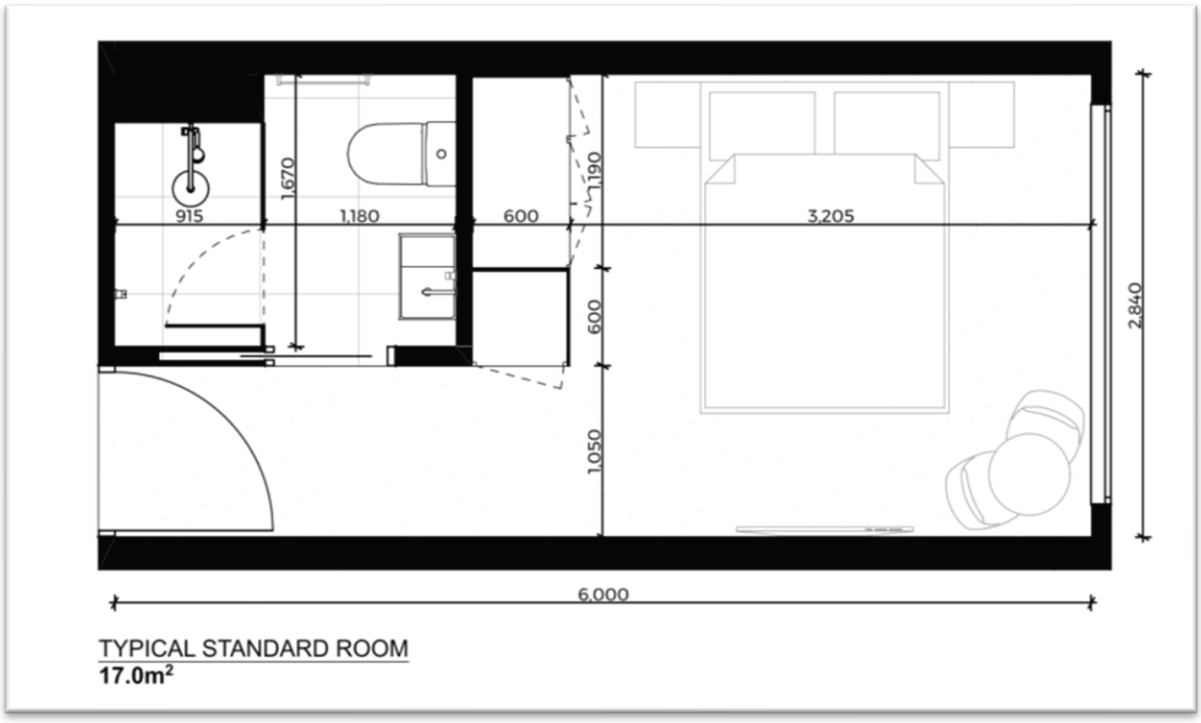
[59] The proposed apartments do not have layouts or facilities consistent with what would typically be provided for dwellings. As noted by the objectors, some apartments do not have balconies or ground level courtyards for open space, living spaces rather than some bedrooms are 'internalised' within the unit layout and facilities like storage and areas to dry clothes are not provided. The 'apartments' are, in many cases small, and more akin to a motel unit with cooking facilities.

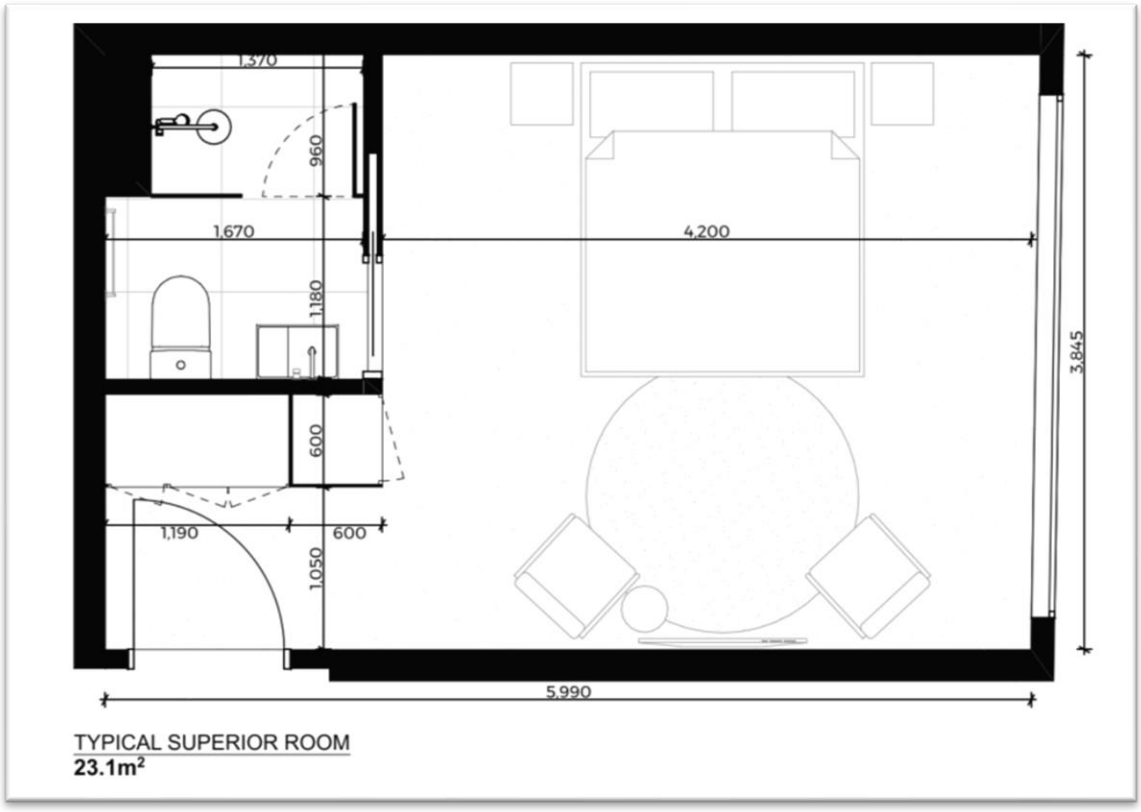
[62] By and large, I do not see any difficulty with apartments of the size and type proposed being used for temporary accommodation. However, I would not approve them for dwellings providing permanent accommodation given the standard of amenity they provide. The absence of open space for some apartments, the internal layouts and absence of facilities do not make the proposed units suitable for permanent accommodation

162. However, whilst serviced apartments and residential hotels are not expected to provide the same level of internal amenity as permanent accommodation, a level of amenity commensurate with the expectations of temporary accommodation still needs to be considered. This was explored through the VCAT decision already discussed for the site to the south in *Langridge and Cambridge Funding Development Pty Ltd v Yarra CC [2018] VCAT 703,* which at paragraph 126 stated:

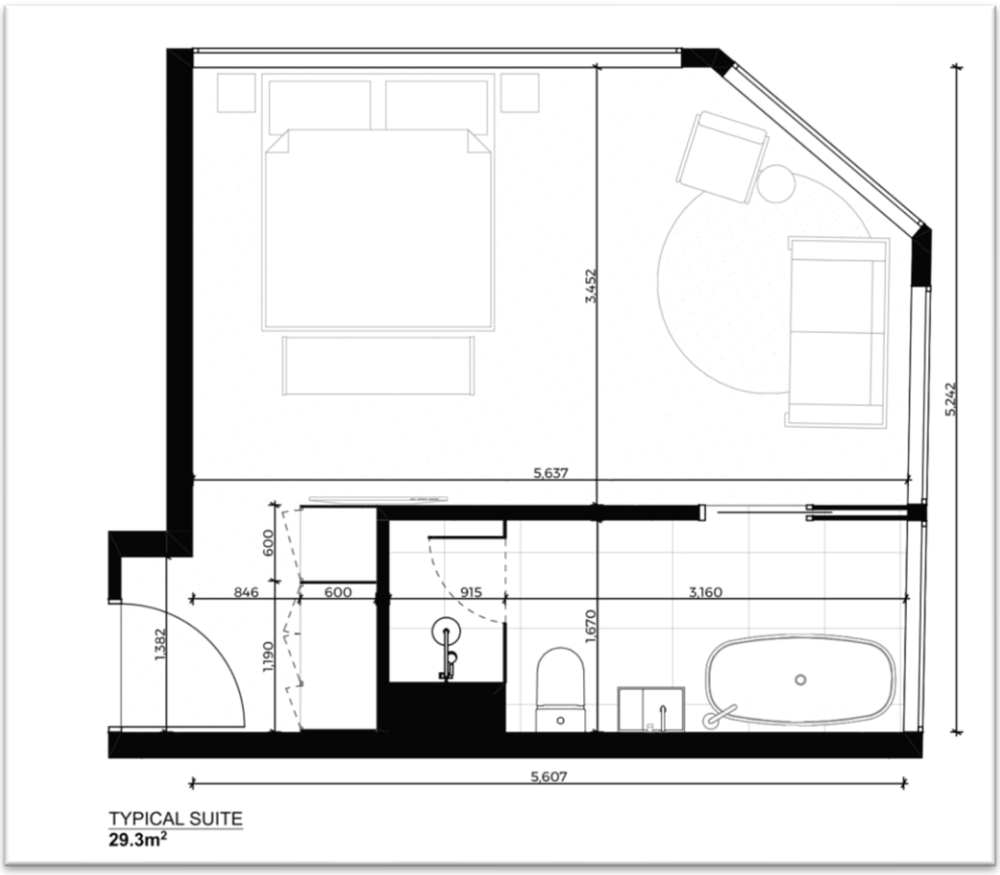
[126] We accept there is limited guidance in the scheme as to the benchmarks that would demonstrate that a hotel room provides acceptable amenity. Clearly daylight, ventilation, safety and communal spaces are necessary starting points.

163. In this case, the Tribunal was not persuaded that the daylight access or size of the hotel rooms were adequate, resulting in the planning permit being refused (with other factors also contributing to this outcome). The smaller rooms in that development dimensioned at 2.2m by 4.9m and failed to provide enough chairs for the occupants of the room. In this application, the proposed hotel rooms are one-bedroom and designed in a studio arrangement with seating provided for all rooms, and the larger of the rooms including couches. The rooms range in size from 17sqm at the smallest, to 29.3sqm. The different types of layouts are provided in the images below (Figure 25).





TYPICAL SUPERIOR ROOM
23.1m²



TYPICAL SUITE
29.3m²

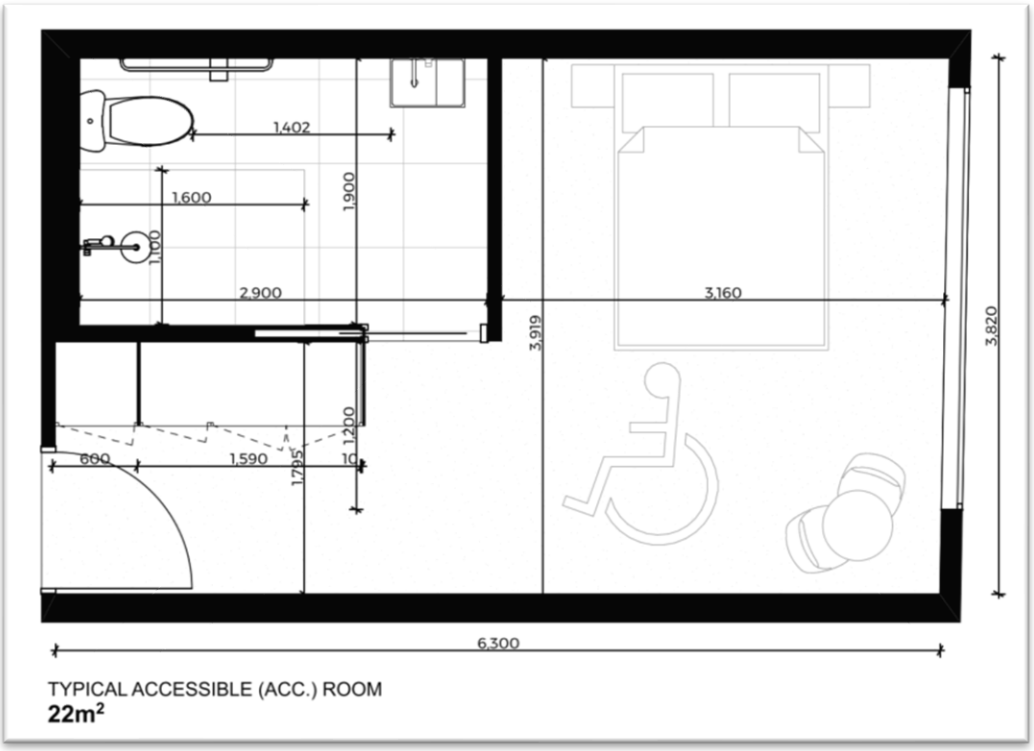


Figure 25: Dimensions of proposed hotel rooms

164. Whilst it is acknowledged that the width of the Standard hotel room is relatively limited, it is considered that the depth is acceptable, and given these rooms are not for permanent residential accommodation, it is not necessary for additional furniture (i.e. desks) to be provided. These rooms will comfortably accommodate a large bed, seating and wardrobe facilities.

165. Furthermore, the hotel provides a variety of different room types, including 6% of accessible rooms.

166. The remaining requirements, as referenced in the VCAT decision will be discussed in turn. Other on-site amenity issues, such as wind and noise, will also be addressed.

Daylight

167. Each of the proposed hotel rooms is provided with at least one external window, with daylight modelling undertaken, using a sample of rooms within the ground floor and levels 1, 3 and 4. This daylight study demonstrated that 90% of bedrooms within this sample group achieve a daylight factor greater than 0.5%, by utilising glazing with high Visual Light Transmittance (VLT). This meets the objective of category 1.2 of BESS, which seeks to provide a high level of amenity and energy efficiency through design for natural light. The extent of daylight increases from Level 1 to Level 4, with all rooms at Level 4 achieving 100% daylight factor greater than 0.5%. Whilst the daylight modelling was only undertaken to this level, given the elevated location of the levels above, it is assumed that the same level of daylight will be achieved for the higher floors. This outcome is considered acceptable.

Ventilation

168. Fresh air will be supplied mechanically to each room, with all hotel windows to be fixed. JV3 energy modelling has been undertaken to demonstrate thermal comfort outcomes, with Council's ESD Advisor reviewing this information and concluding that this outcome is acceptable. It is acknowledged that hotel room windows are generally not operable.

Safety

169. As outlined earlier, access to the hotel components, including the gym and roof terrace, will be restricted via the use of an electronic key pass. This will provide a safe and secure environment for all hotel guests.

Communal Spaces

170. A communal roof terrace for hotel guests will be provided; this offers guests the opportunity for sunlight, ventilation and a recreational space, further enhancing the amenity of the hotel. As noted previously. Mr McPherson recommended the inclusion of an additional external terrace at Level 4, highlighting that there may be opportunity to utilise the roof space at this level as a communal deck, thereby further increasing the internal amenity and providing surveillance of the streetscape from the podium level. The amended plans incorporated this recommendation by providing two private and one communal terrace within the front setback at this level. This outcome is supported.

171. A separate gym and yoga room, along with another external terrace is provided within the basement level. This offers additional recreational areas for future guests.

Wind - Outdoor terraces

172. A desktop wind impact assessment was undertaken by Vipac Engineers (Vipac) and reviewed on behalf of Council by MEL Consultants (MEL).

This report noted that the proposed roof terrace is exposed to south, east and westerly winds which are expected to have high mean velocities, however Vipac concluded that with the proposed balustrades and landscaping within the terrace, it is expected that wind conditions will be within the recommended walking comfort criterion.

173. This space will be used only for hotel guests and based on this, Vipac determined that it was acceptable for this space to meet the criterion for walking (as opposed to standing/sitting) given the following;
    (a) these areas are not public spaces;
    (b) the use of these areas is optional, and only intended to be used on fair weather days with calm winds;
    (c) the use of this terrace is limited in duration; and,
    (d) many similar developments in Melbourne and other Australian capital cities experience wind conditions on balconies and elevated deck areas in the vicinity of the criterion for walking.

174. In their review, MEL agreed that this criterion would be met and also raised no issue with the level of comfort to be reached. Whilst more stringent criterion would be expected by Council if this development contained dwellings, in this instance the walking criterion is acceptable given the limited use of this space by temporary hotel guests.

175. The wind assessment was not updated to reference the new terrace at Level 4. To ensure that wind impacts within this space are acceptable, an updated review of potential impacts via an amended wind report will be required via a permit condition.

Noise

176. An acoustic report, prepared by Enfield Consultants (Enfield), was submitted with the application and reviewed on Council's behalf by SLR Consulting. This report assessed potential noise impacts to the proposed hotel rooms from nearby non-residential uses, traffic and the proposed on-site restaurant and gym, to determine whether satisfactory internal noise amenity would be achieved. Based on initial comments from SLR Consulting (SLR), an updated report (dated 22.12.2021) was submitted. The findings of both reports and the SLR review will be provided below.

Traffic noise

177. Enfield notes that the internal noise amenity resulting from traffic impacts is typically designed to *AS2107/2016: Acoustics – Recommended design sound levels and reverberation times for building interiors,* and states that in their experience, the noise guidelines are often superseded by a residential hotel's internal quality standards. They also note that it is typical for residential hotels to have fixed glazing and rely on centralised air-conditioning, thereby ensuring that even standard forms of construction for hotels often have reasonable acoustic performance by default.

178. Traffic noise measurements undertaken at 10pm indicate that noise levels from adjacent streets (Cambridge Street to the east and Oxford Street to the west) were observed to be relatively low during the night, and subsequently no specific acoustic controls were recommended for the façade. Enfield determined that glazing as standard forms of construction (such as 6.38mm single or double glazing) would likely result in compliance with the recommended noise levels by a considerable margin, with a low risk of adverse noise impacts from traffic. In their review, SLR agreed that the road traffic noise impacts are unlikely to be significant and could be addressed by standard glazing.

Restaurant noise

179. The original acoustic report did not specify the overall patron numbers or operating times of the proposed restaurant. Whilst the overall number of patrons has not been clarified (this will occur via a permit condition) the updated report states that a total of 20 patrons would be accommodated in the outdoor terrace, and the restaurant would operate until 1am. This closing time is inconsistent with the 11pm time provided by the Applicant. Given the use is specified as a restaurant (as opposed to a bar/nightclub) and the site has a direct interface with dwellings to the west (rear), the 11pm closing time will be used for this review and will be specified in a permit condition.

180. The most affected hotel rooms from potential restaurant noise (patron and music) will be the row of west-facing ground floor rooms which have direct views to the restaurant's external courtyard. Patron and music noise impacts to these rooms will be discussed in turn.

Patron noise

181. Given that residential hotel windows are typically fixed and there are no balconies proposed, Enfield note that it is reasonable to consider internal noise levels as opposed to external noise levels within the hotel rooms. Desktop modelling indicates that standard forms of glazing (such as 6.38mm single or double glazing) would result in internal patron noise levels that would achieve a large margin of compliance with the recommended indoor patron noise targets.

182. Enfield also noted that as residential hotels typically self-regulate noise emissions to not disturb hotel guests, no further controls are required on the planning permit beyond the standard noise protocol limits. On this basis, Enfield were satisfied that the risk of adverse noise impacts from the use of the restaurant to hotel rooms is low.

183. In contrast, SLR predictions of patron noise to hotel rooms are in the order of 10 dB higher than Enfield's. On this basis, their initial review stated that further consideration should be given to controlling patron noise to hotel rooms, and that a specification should be provided for façade upgrade treatments including a recommended minimum acoustic rating and recommended minimum glazing configurations.

184. SLR also requested clarification as to whether the restaurant will be operated by the hotel management (as inferred by Enfield's assessment) or whether it will be an independent entity. The amended acoustic report confirmed that the restaurant will be operated separately. On this basis, SLR recommended that the façade be designed to ensure internal levels do not exceed 30 dBA at night and 35 dBA during the day/evening period. If the businesses were not operated independently, it would be acceptable for levels up to 5 dB higher to be targeted, on the understanding that the hotel will manage impacts. However, in this instance, the lower targets are recommended.

185. The amended Enfield report updated the assessment with more conservative inputs that correlated with SLR's method of assessment. To achieve SLR's recommended internal noise criteria, Enfield recommended that glazing to affected hotel rooms should be upgraded to double glazed construction having 10.38mm glass I 12mm airgap I 6mm glass (>Rw38). It was also recommended that all doors to the restaurant be installed with acoustic seals to the perimeter and be constructed with no less than 6.38mm laminated glass to ensure that a reasonable level of mitigation is provided. Further recommendations included the closing of all doors to the external terrace after 10pm, with no more than 20 patrons permitted within this outdoor space. SLR agree with these recommendations and confirmed that they should be added as conditions of any permit issued.

186. As noted earlier, clause 22.09-3 (Licensed Premises) specifies the following;
    (a) *Licensed premises in a Mixed Use Zone should not provide for the sale and consumption of liquor beyond 10pm, unless the responsible authority is satisfied that it will not adversely affect the amenity of the area.*
    (b) *For outdoor areas, including smoking areas, rooftops and open courtyards, the sale and consumption of liquor should not occur after 10pm, unless the responsible authority is satisfied that it will not adversely affect the amenity of the area.*

187. As this application is only considering the use as a restaurant, the proposed operating hours until 11pm for the internal section of the restaurant is considered reasonable. Whilst the recommendation from Enfield indicates that the doors to the terrace should be closed at 10pm, this does not specify that the terrace cannot be used after 10pm. Given the proximity to the hotel rooms directly above this space (and the proximity to dwellings which will be discussed later) it is considered reasonable for no patrons to be allowed in the external terrace after 10pm. This will ensure that there will be no unreasonable noise impacts during the 'night-time' period, which commences at 10pm. This requirement will be incorporated into the conditions discussed above.

Music noise

188. The application proposes the playing of background music within both the internal and external areas of the restaurant. Desktop modelling in the original Enfield report indicated that standard forms of glazing to the most affected hotel rooms would result in low internal levels of music noise, with these levels unlikely to cause adverse noise impacts to hotel guests. In their review, SLR noted that since that report was prepared, SEPP N-2 was replaced by Part /I of the Victorian EPA *'Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues'*, Publication 1826 (the Noise Protocol).

Noise limits under the Noise Protocol are the same as under SEPP N-2, however definitions of the day/evening and night periods vary slightly, with octave band night limits only applying after 11 pm Monday to Saturday and after 10 pm Sundays. The external limits identified in the report are still relevant.

189. As with patron noise, SLR were satisfied that if the restaurant and the hotel were operated by the same entity, potential noise impacts could be managed by the operator. However, as it has been confirmed that the restaurant will be operated independently, SLR recommend that music levels are set via the use of a noise limiter to ensure that the Noise Protocol limits are met internally, with windows closed.

190. SLR also noted that the predicted music noise reductions through the facade are much greater than they would anticipate, given the size of the windows and the assumed standard glazing and that the predicted music levels within hotel rooms are lower than they would anticipate for standard glazing. On this basis, it was recommended that the calculations of music through the façade be reviewed, with the report updated to provide guidance for music played within the restaurant to ensure that environmental limits are not exceeded in the hotel guest rooms.

191. Enfield updated their report, and accepted SLR's recommendation that amplification shall be provided via a noise limiter, to be calibrated by a suitably qualified acoustic consultant prior to commencement of use. This inherently reduces the risk of adverse noise impacts occurring at both on-site and off-site sensitive uses. A condition of the permit can ensure this occurs.

192. Façade music noise levels were also re-modelled in the Enfield report, with the worst-case internal noise level from music noise predicted to comply with the 'Day/Evening' period, but not with the 'Night' period, after 10pm. On this basis, Enfield recommended that the music within the outdoor courtyard should cease by 11pm (Monday to Saturday) and by 10pm (Sundays and Public Holidays). Given that a permit condition will require the courtyard to be closed and emptied of patrons each night by 10pm, the non-compliant period will be effectively managed.

193. To further mitigate music noise to the hotel room directly above the restaurant, SLR recommended that an updated report should include advice for controlling noise via the common floor/ceiling, particularly if these entities are operated independently. In their amended report, Enfield subsequently conducted a sensitivity analysis to determine the mitigation likely required to the floor/ceiling construction, with the following specifications provided;
    (a) Minimum 180mm concrete slab;
    (b) 200mm cavity with 50mm thick 11kg/m3 insulation;
    (c) 13mm thick fire-rated plasterboard.

194. SLR found this outcome acceptable. A condition of the permit can ensure that these specifications are incorporated into the development, with a notation to be added to the relevant plans referencing that all of the recommendations outlined in the amended Acoustic Report will be met

Gym noise

195. The basement gym is proposed to be used only by hotel guests. To control structure borne noise and vibration to the hotel rooms above, Enfield propose that the free weights areas include a floating floor with 25mm static deflection. All remaining floor areas will be covered with 15-30mm thick rubber gym tile. A plasterboard ceiling with insulation to the cavity is also specified. The report notes that the risk of adverse music noise impacts is low when operated at background levels, however it is recommended in the report that all surface mounted speakers are isolated from walls using a rubber isolator.

196. SLR agree that the proposed treatments can be expected to adequately manage noise and vibration from the proposed gym. A condition of the permit will ensure that these measures are incorporated into the design of the gym. A further condition will require the external terrace adjacent to the gym be closed from 10pm onwards, with the external doors to this terrace be installed with acoustic seals to the perimeter and be constructed with no less than 6.38mm laminated glass to ensure that a reasonable level of mitigation is provided. These conditions will require notations be added to the relevant plans confirming that these outcomes will be implemented.

Other

197. The hotel will abut a commercial kitchen (Deliveroo) to the north, with hotel rooms directly overlooking rooftop mechanical plant and equipment on that premises. None of the hotel rooms will have balconies addressing this site, and as outlined previously, it is standard for hotel room windows to be non-operable. On this basis, the Enfield assessment only considers internal noise impacts to these rooms.

198. Enfield state in their assessment that they have previously carried out assessment of Deliveroo's rooftop mechanical plant in 2020 (PLN17/0836.01 – 81-85 Cambridge Street) and based on this data, desktop modelling has been conducted to estimate internal noise levels within the hotel bedrooms. The result of this modelling indicates that calculated noise levels inside the proposed hotel rooms would not result in adverse noise impacts to hotel guests and is expected to be inaudible. Further, it is understood that Deliveroo does not operate the plant after 10pm.

199. SLR provided review services on the original assessment of mechanical plant from the Deliveroo roof and approved that assessment. They note that the predicted levels only marginally exceed the evening noise limit of 49 dBA identified in that report (the equipment does not operate after 10 pm) and the provision of an internal assessment to hotel rooms (i.e. assuming windows are fixed closed) is considered reasonable.

200. Overall, it is considered that the risk of adverse noise impacts from nearby non-sensitive uses is low.

<u>Off-site amenity</u>

201. The policy framework for external amenity considerations is contained within 22.05 (Interface uses policy) of the Scheme, with this policy noting that new non-residential use and development within the MUZ should be designed to minimise noise and visual amenity impacts upon nearby, existing residential properties.

202. Off-site amenity impacts relating to overshadowing, overlooking and visual bulk have previously been discussed in this report, in response to particular design objectives outlined in DDO23. Other potential off-site impacts relate to noise and wind. These will be discussed below.

Noise

203. The most sensitive uses adjacent to the land are the residential sites to the west. These sites will have a direct interface with the proposed restaurant and gym; however, these uses will be located within the basement and will be largely enclosed. As outlined earlier, small external courtyards will be located within the north-west and south-west corners; only the courtyard associated with the restaurant to the north-west will abut residential uses.

204. The plans and acoustic report indicate that a wall/fence and acoustic screen will extend along this rear boundary, as demonstrated in Figure 26. The specific composition of this fence is outlined in the acoustic report.

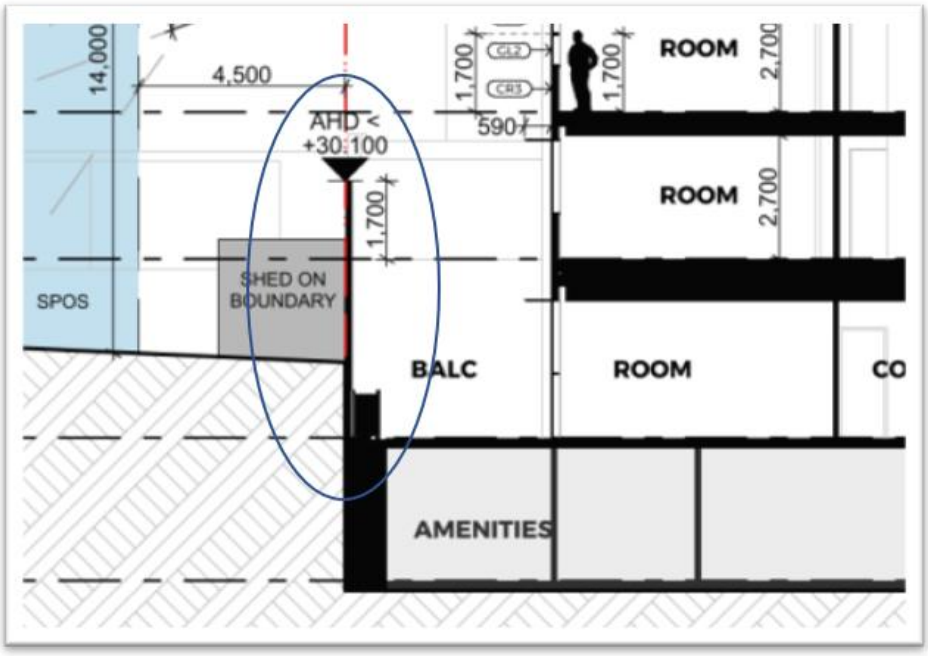


Figure 26: Details of acoustic screen

205. The provision of this screen, along with the conditions already discussed within the report with regards to operating hours, restricted number of patrons within the courtyards and the use of a noise limiter, will all ensure that unreasonable noise impacts from the proposed restaurant will be appropriately managed to the adjacent residential sites.

206. The acoustic report notes that the gym use is considered unlikely to result in unacceptable noise emissions to the nearby residential properties. The gym is located within the basement; this will limit noise impacts from this space to the residential sites to the west, with the report noting that it can reasonably be expected to be inaudible at surrounding dwellings.

    The noise mitigation measures already outlined in this report which are designed to limit gym noise within the hotel rooms above, will also adequately manage off-site noise levels.

207. Given the majority of the building would be used for hotel rooms, with the hotel windows fixed, it is unlikely that the adjacent residential sites will be unduly affected from noise emanating from hotel rooms.

208. All waste and deliveries will be undertaken via the loading zone accessed from Cambridge Street. Standard conditions can be added to the permit to control the timing of deliveries and collection, however given the lack of direct interface with the residential sites and the on-site space provided, noise from these sources are expected to be suitably mitigated.

209. The location of services/plant equipment is demonstrated on the roof, with services also located within the basement levels. A condition will require that the noise and emissions from plant equipment comply at all times with the relevant Noise Protocols.

210. In light of the above it is considered unlikely that the uses proposed within the development would result in any unreasonable noise impacts to the adjacent residential sites.

Wind

211. The desktop wind assessment undertaken by Vipac concluded that wind conditions in the ground level footpath areas and access ways would be expected to be within the walking comfort criterion, with the lobby entrance expected to be within the standing comfort criterion.

212. The entrance to the hotel/restaurant is on the eastern side of the building. The site is surrounded by predominately 1-2 storey developments with taller developments across Cambridge Street to the east, which will provide shielding from easterly winds. There are a number of emerging developments surrounding the building, which will also provide additional shielding. Potential downwash effects are expected to be mitigated by the setbacks of the tower from the east and the awning above. As such, the entrance is expected to be within the recommended standing comfort criterion.

213. MEL Consultants raised no issue with this assessment as the design of the building and shielding would result in little significant additional wind effects along Cambridge Street. Furthermore, they agree with the assessment of the wind conditions outside the building entrances satisfying the standing criterion.

Car Parking

214. 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	127 guests / rooms	Rate not specified in Clause 52.06-5	To the satisfaction of the Responsible Authority	1
Food and drink premises	314m^2	3.5 spaces per 100 m^2 of leasable floor area	10	
		Total	**10 Spaces plus Spaces for the Residential Accommodation**	**1**

215. Pursuant to clause 52.06-3, a planning permit is required to reduce 9 car parking spaces. The site provides a single accessible space which will be allocated to staff, located on the ground level within a servicing/loading area accessed from Cambridge Street in the south-east corner.

216. Before a requirement for car parking is reduced, the applicant must satisfy the Responsible Authority that the provision of car parking is justified having regard to the assessment requirements of Clause 52.06-6.

Availability of Car Parking

217. The site is surrounded by local roads which provide kerbside parking subject to a variety of restrictions, with a high proportion of ticketed parking. The Traffic Assessment prepared by Onemilegrid Traffic Engineering indicates that there is limited opportunity for long term parking in the area. As a result, staff and visitors to the proposed development will be discouraged from driving to the area, instead relying on other alternate transport means, which may include cycling or walking, public transport, or taxi/uber.

218. It is noted that an expansion of the Cambridge Street Reserve, directly opposite the site, will be undertaken by Council in 2022. The park expansion will align to the northern boundary of the proposed development and will close off the roadway at the northern end of Cambridge Street. These works will result in the removal of 17 car parking bays, further restricting the number of available on-street parking in the immediate area.

219. The development of the site will involve the removal of the existing vehicle crossover and reinstatement of kerb along the Cambridge Street boundary. This will allow for 3 on-street car parking spaces to be provided directly adjacent to the proposal.

Parking Demand

220. The Onemilegrid report referenced studies undertaken on car parking demands generated by hotels and serviced apartment developments, with these surveys indicating peak parking demands of between 0.2 - 0.33 spaces per occupied room. The traffic report notes that residential hotel parking demands generally peak overnight for guests, with employee parking typically peaking during the day. Hotel occupancy varies during the week and is typically less than 100% occupied, except at peak times, such as during large events and holiday periods.

221. Given the location of the site within proximity to a variety of public transport options, a rate of 0.2 spaces per room was adopted and a conservative 100% occupancy rate was assumed. Application of these rates to the proposed 127 rooms equates to a demand for 25 spaces.

222. As with the hotel, the car parking demand of a food and drink tenancy is broken up into two components: staff demand and customer demand. With regards to employees, it is expected that modes of transport other than vehicles will be used, given the lack of on-site parking, the availability of bicycle parking and end-of-trip facilities, and the proximity to public transport. This is consistent with travel behaviour for the majority of employees within the municipality.

223. In relation to customers, short term parking is available in the vicinity to accommodate these demands, with it assumed that a generous portion of customers to the restaurant will consist of guests of the hotel, or other commercial or residential uses nearby. This will therefore not generate additional parking demands.

224. The report adopted a staff parking demand of 1 space per 100sqm of floor area, resulting in a total of 3 spaces. This reflects the precinct approach for similar restaurants/cafes and acknowledges that a proportion of customers will be drawn from employees and residents from surrounding businesses and residences. Council's Engineers agreed with this approach.

Car parking reduction

225. There is clear support for changes to private motor vehicle reliance demonstrated in a Red Dot VCAT decision (*Ronge v Moreland CC [2017]* VCAT 550). In this decision, the Member advocated for a reduction in the statutory car parking provision in inner-city sites such as this. Whilst this decision pertains to a site in Brunswick, the context is similar, being located in an inner-city suburb within proximity to public transport opportunities. Relevant statements within the summary of this decision are applicable to this application, as follows;

    (a) *State and local planning policies are already acknowledging the change that is required in the way in which people travel with Plan Melbourne 2017-2050 and State policies referring to 20-minute neighbourhoods and greater reliance on walking and cycling*

(b) *Our roads are already congested and will be unimaginably so if a 'business-as-usual' approach is accepted through until 2050. The stark reality is that the way people move around Melbourne will have to radically change, particularly in suburbs so well served by different modes of public transport and where cycling and walking are practical alternatives to car-based travel.*

(c) *A car parking demand assessment is called for by Clause 52.06-6 when there is an intention to provide less car parking than that required by Clause 52.06-5.*

(d) *However, discussion around existing patterns of car parking is considered to be of marginal value given the strong policy imperatives about relying less on motor vehicles and more on public transport, walking and cycling. Census data from 2011 or 2016 is simply a snapshot in time, a base point, but such data should not be given much weight in determining what number of car spaces should be provided in future, for dwellings with different bedroom numbers.*

(e) *Policy tells us the future must be different.*

(f) *Oversupplying parking, whether or not to comply with Clause 52.06, has the real potential to undermine the encouragement being given to reduce car based travel in favour of public transport, walking and cycling.*

(g) *One of the significant benefits of providing less car parking is a lower volume of vehicle movements and hence a reduced increase in traffic movements on the road network*.

226. The final statement is particularly relevant to this proposal, given the future expansion of Cambridge Street Reserve and the discontinuation of Cambridge Street. A reduction in traffic within this environment will be a welcome outcome, with Council Engineers stating that the closure of the northern end of Cambridge Street would have no material impact on the traffic generated by the development. Appropriate traffic signage such as a 'No Through Road' sign would be installed to inform motorists of the road closure and prevent motorists from utilising Cambridge Street as a through traffic route.

227. The reduction of on-site car parking for this proposal is further supported by the following;
    (a) The constrained parking environment (with particular regard to long-term parking) in Collingwood would discourage employees and guests from driving or attempting to park on-street;
    (b) The site is ideally located with regard to sustainable transport alternatives and the lack of on-site car parking would discourage private motor vehicle use;
    (c) The site has good pedestrian access to public transport nodes and the Smith Street MAC. The site is ideally located with regards to sustainable transport alternatives as follows;
        (i) Smith Street-Gertrude Street tram services – 70m;
        (ii) Victoria Parade tram/bus services – 200m to the south;
        (iii) Brunswick street tram services – 300m to the west;
        (iv) Nicholson Street tram services – 500m to the west;
        (v) Punt Road bus services – 810m to the east;
        (vi) North Richmond railway station – 900m to the east;
        (vii) Parliament railway station – 960m to the south-west.
    (d) The site has the advantage of being within walking distance of rail, tram and bus services, and within walking distance of the Melbourne CBD;
    (e) The proposal includes secure bicycle parking spaces in excess of rates specified within the Scheme, with end-of-trip facilities incorporated into the design. Future employees would be able to take advantage of the nearby bicycle infrastructure, with on-road and informal bicycle lanes surrounding the site. The site has good connectivity to the on-road bicycle network;

(f) Employee or visitor parking permits will not be issued for the development, which will discourage people from driving to the site given the high utilisation of existing on-street car parking, and as noted earlier;
(g) The lack of on-site car parking will limit traffic impacts within the surrounding street networks.

Relevant Local Policy or Incorporated Document.

228. In addition to the above, the proposed reduction in car parking aligns with objectives contained in Council's *Strategic Transport Statement* (2006) and relevant policy within the Yarra Planning Scheme. The following excerpts from the *Strategic Transport Statement* highlight the future vision for transport within the municipality;

(a) *Yarra's Council Plan, its Municipal Strategic Statement and Municipal Public Health Plan all strongly reinforce the need to reduce car dependence in the City of Yarra by promoting walking, cycling and public transport use as viable and preferable alternatives. This is also a key message of the State Government's plan for Metropolitan Melbourne - Melbourne 2030.*
(b) *To improve our community's way of life, we must increase the range of personal transport options. The more sustainable transport choices people make, the better the environment will be for everyone's health and well-being. Sustainable transport, by definition, puts the emphasis on walking, cycling and public transport.*

229. 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. The increased provision of bicycles within the development also foster this change. This outcome is consistent with Clauses 18.02-1S and 21.06-1 of the Scheme, and particularly with relevant objectives and strategies as follows;

(a) *Clause 18.02-1S (Sustainable personal transport) – Ensure provision of bicycle end-of-trip facilities in commercial buildings.*

230. The development offers end-of-trip facilities for cyclists, with separate change rooms/showers provided.

(a) *Clause 21.06 (Transport) – Yarra needs to reduce car dependence by promoting walking, cycling and public transport use as viable and preferable alternatives.*
(b) *Clause 21.06-1 (Walking and cycling)*
    (i) Objective 30 To provide safe and convenient pedestrian and bicycle environments.
    (ii) Strategy 30.2 Minimise vehicle crossovers on street frontages.

231. As previously noted, the site is within proximity to a number of public transport options, and within easy walking distance to the CBD. The development will also remove the majority of the vehicle crossover extending along the Cambridge Street boundary.

232. *Clause 21.06-3 (The road system and parking)*
(a) *Objective 32 To reduce the reliance on the private motor car;*
(b) *Objective 33 To reduce the impact of traffic.*

233. The lack of on-site car parking will have positive effects on traffic congestion in the nearby streets.

234. *Practice Note 22 – Using the Car Parking Provisions* (June 2015) indicates that car parking should be considered on a centre-basis rather than on a site/individual basis. This is applicable to activity centres, where spare on-street car parking capacity would be shared amongst sites within the activity centre.

235. From a traffic engineering perspective, the reduction in parking associated with the site is considered appropriate in the context of the development and the surrounding area. The Engineering team has no objection to the reduction in the car parking requirement for this site.

236. The arrangements for a drop off/pick up zone for hotel guests has not been confirmed; this may be proposed on-street or on-site (i.e. loading bay). Further details of what is proposed will be required via a permit condition. If on-street drop-off/pick up is proposed, the applicant/manager must liaise with Council's Parking Management unit prior to occupation to determine an appropriate parking restriction. This requirement will be incorporated into the Hotel Management Plan.

Car parking layout

237. An assessment of the carpark/loading bay was undertaken by Council Engineers, who noted that the dimensions of the accessible car parking space and the loading bay were acceptable. The loading bay has been specifically designed to cater for 6.4m length Small Rigid Vehicles (SRVs). As such, the proposed loading area is expected to accommodate all loading requirements generated by the site and is therefore considered appropriate for the proposed use.

238. Other elements assessed by Council Engineers included the width of the proposed vehicle crossing, which is considered too wide at 4.5m, and the lack of visibility sight triangles provided at the car park/loading bay entry. To alleviate these concerns, the width of the vehicle crossing should be reduced to span the same width as the car park/loading bay entrance door, and in-lieu of visibility sight triangles, it is recommended that a convex mirror be installed on the southern side of the car park/loading bay entrance. These requirements can be facilitated via conditions, if a planning permit is to issue.

239. A Vehicle Crossing Ground Clearance Assessment was submitted with the amended plans. Council Engineers confirmed that this demonstrates adequate clearance for the B99 design vehicle template and will not result in a vehicle to bottom-out when entering or exiting the site.

240. A number of additional conditions, largely relating to civil works, were recommended to be placed on any permit issued. These relate primarily to the re-sheeting of footpaths, electrical poles, parking signs and sensors and stormwater pits and can be readily addressed via conditions or notes of the permit.

<u>Bicycle parking</u>

241. 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	127 lodging rooms	In developments of four or more storeys, 1 resident space to each 10 lodging rooms	12 resident spaces	
		In developments of four or more storeys, 1 visitor space to each 10 lodging rooms	12 visitor spaces	
Retail premises	314m^2	1 employee space to each 300 sqm of leasable floor area	2 employee spaces	

		1visitor space to each 500 sqm of leasable floor area	1 visitor spaces	
Bicycle Parking Spaces Total			**14 resident / employee spaces**	**20 resident / employee spaces**
			13 visitor spaces	**0 (4 visitor spaces proposed on-street)**
Showers / Change rooms		1 to the first 5 employee spaces and 1 to each additional 10 employee spaces	**0 showers / change rooms**	**2 showers / change rooms**

Resident/Employee spaces

242. A total of 16 resident/employee bicycle spaces are located within a secure area at basement level 1, with access via the lift and hotel lobby entrance at Cambridge Street. An additional 4 spaces are proposed at ground level adjacent to the loading area.

243. The 4 spaces at ground level are provided as bicycle hoops, which satisfies the requirement of AS2890.3 for at least 20% of bicycle storage spaces to be provided as horizontal spaces. Further to this, the dimensions of the layout of the employee/resident bicycle spaces are noted on the plans and demonstrate compliance with access and clearance requirements of AS2890.3.

Visitor Spaces

244. Two bicycle hoops, providing a total of 4 visitor spaces, are provided at the Cambridge Street footpath (it is noted that the plan demonstrate space for 2 bicycle hoops, however a notation states that 2 spaces will be provided). A condition of the permit can require this be amended to read 2 bicycle hoops. As these spaces are not located on-site, they do not count toward the bicycle facility requirement under Clause 52.34. However, the provision of easily accessible and visible spaces directly in front of the site supports the reduction in visitor bicycle spaces being sought.

245. To further support this reduction, it is acknowledgement that the statutory rate relied upon in this instance is based on that required for residential buildings. Unlike more permanent residential buildings, hotel guests are less likely to have external visitors and are less likely to have a bicycle themselves. The 20 on-site spaces are available to both guests and employees, as outlined above. This provision is considered ample to meet the expected demand for bicycle parking. Council's Strategic Transport Officer was satisfied with this outcome.

246. To ensure that these visitor spaces comply with the necessary specifications, a permit condition can also ensure that the visitor bicycle spaces on Cambridge Street are positioned in accordance with clearance and access-way requirements of AS2890.3. and Council's Standard Detail for Bicycle Hoops.

<u>Waste management</u>

247. A bin storage room of 16sqm is proposed at the rear of the DDA parking space at ground level. The collection of waste will be undertaken via the loading bay from Cambridge Street, thereby ensuring that all waste collection will occur onsite. The waste store currently provides space for regular waste, recycling and organic waste, however Council's City Works officer noted that the size of the bin storage area must be increased to accommodate 4 waste streams (including glass).

248. To ensure that an effective waste stream can be provided, the waste storeroom must be reconfigured and enlarged. It is noted also that the amended Waste Management Plan (prepared by Onemilegrid and dated 17 September 2021) shows the original location of the waste storage room; this aspect would require updating to demonstrate the layout/location of the enlarged waste storage space. A permit condition can facilitate this.

Objector concerns

249. *Impacts on the potential equitable development opportunities of adjacent sites;*

(a) This issue has been discussed within the report at paragraphs 117 to 122.

250. *Excessive height;*

(a) This issue has been discussed within the report at paragraphs 104 to 110.

251. *Proposed use as a residential hotel;*

(a) This issue has been discussed within the report at paragraphs 96 to 100.

252. *Architectural expression;*

(a) This issue has been discussed within the report at paragraphs 128 to 147.

253. *Lack of integration with existing neighbourhood character;*

(a) This issue has been discussed within the report at paragraphs 128 to 147.

254. *Lack of activation with the street at ground level;*

(a) This issue has been discussed within the report at paragraphs 128 to 147

255. *Potential off-site amenity impacts (overlooking, loss of daylight, overshadowing, visual bulk, noise, light-spill, wind);*

(a) These issues have been discussed within the report at paragraphs 110, 111 and 203 to 213.

256. *Structural impacts to adjacent dwellings;*

(a) Building impacts are not a planning consideration and will managed during the construction phase of the development.

257. *Unreasonable impacts to heritage dwellings to the west;*

(a) This issue has been discussed within the report at paragraph 112.

258. *Insufficient on-site car parking;*

(a) This issue has been discussed within the report at paragraphs 214 to 235.

259. *Increased traffic;*

(a) Additional traffic impacts will be limited to guest drop offs and pickups, with the closure of the northern end of Cambridge Street limiting through traffic impacts.

260. *Over-crowding and increased pedestrians within immediate area;*

    (a) The site is within proximity to a Major Activity Centre and within a densely populated inner-urban area. As noted within this assessment, there is strong strategic justification for increased density within this neighbourhood.

261. *Increase to urban heat impacts;*

    (a) The ESD benefits of the proposal are discussed in paragraphs 123 to 126 of this report.

262. *Lack of vegetation.*

    (a) The amended plans and amended landscape plan demonstrate a substantial increase in vegetation throughout the development in the form of planter boxes.

263. *Lack of proximity to public transport.*

    (a) As outlined in paragraph 227 of this report, the site is located within proximity to a large number of public transport options.

Conclusion

264. Based on the above report, the proposal is considered to substantially comply with the relevant planning policy and therefore should be supported.

RECOMMENDATION

That having considered all objections and relevant planning policies, the Planning Development Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN21/0194 for *Construction of a multi-storey building (with roof terrace and basement) use as a residential hotel (with ancillary gym/offices) and food and drink premises (restaurant) and a reduction in the statutory car parking and bicycle facility requirements* at 67-77 Cambridge Street, Collingwood 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 Telha Clarke and dated 13 October 2021 but modified to show:
    (a) The transparency (maximum 25%) and height (minimum 1.7m above FFL of Level 2) of the proposed fluted glazing to the Level 2 west-facing windows;

    (b) Seating for a minimum 75% of patrons within the internal and external areas of the restaurant, with the internal area seating capacity determined by the Patron Capacity Report required at Condition 3;
    (c) An amended ground floor plan to include the following;
        (i) Spot levels along the Cambridge Street footpath to demonstrate that seamless and compliant levels transitions are achieved between the footpath and the proposed entrance;
        (ii) The notation regarding ‘2 bicycle spaces’ amended to read ‘2 bicycle hoops’, with the bicycle hoops to be positioned in accordance with clearance and access-way requirements of AS2890.3. and Council’s Standard Detail for Bicycle Hoops;

(iii) The waste storage enlarged to accommodate an effective waste stream, as outlined in the submitted Waste Management Plan;
(iv) The provision of a convex mirror on the southern side of the carpark entrance;
(v) The dimension of the vehicle crossover reduced to only span the width of the garage door;
(vi) The removal of any proposed 'seating' or other structures on the footpath (excluding bicycle hoops);
(vii) Confirmation of the proposed threshold paving material, with this material to be clearly distinguishable from the footpath material

(d) A notation confirming that the ground floor glazing will have a minimum visual light transmission of 50%;
(e) Notations on relevant drawings confirming that all construction requirements as outlined in the Enfield Acoustic Report (dated 22 December 2021) will be implemented;
(f) Any changes required by the endorsed Façade Strategy at Condition 4;
(g) Any changes required by the endorsed Hotel Management at Condition 6;
(h) Any changes required by the endorsed Sustainable Management Plan at Condition 8;
(i) Any changes required by the endorsed Waste Management Plan at Condition 10;
(j) Any changes required by the endorsed Acoustic Report at Condition 12;
(k) Any changes required by the endorsed Landscape Plan at Condition 15;
(l) Any changes required by the endorsed Wind Report at Condition 17.

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

3. A Patron Capacity Report, prepared by a suitably qualified Building Surveyor, confirming the overall number of patrons that can be accommodated in the proposed restaurant.

Façade Strategy

4. In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:
(a) elevation drawings at a scale of 1:20 illustrating typical podium details, entries and doors, and utilities and typical tower facade details;
(b) section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
(c) information about how the façade will be maintained; and
(d) a sample board and coloured drawings outlining colours, materials and finishes.

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

Hotel Management Plan

6. Before the residential hotel use starts, a Hotel Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Hotel Management Plan will be endorsed and will then form part of the permit. The Hotel Management Plan must detail the following:
(a) All staffing arrangements, including how the hotel reception will be managed and during which hours it will operate;
(b) Security measures to be implemented;
(c) Hours of operation of the gym/yoga room and hours of access to the roof terrace, with the exclusive use of these spaces by hotel guests confirmed;

(d) Drop off/pick up arrangements, with any on-street parking arrangements to be discussed and approved by Council's Parking Management Unit; and,
(e) Details of a complaints register.

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

Sustainability Management Plan

8. Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Ark Resources and dated 10 December 2021, but modified to include:
(a) Clear reference to the Green Star Innovation points claimed via Green Star As Built V1.3.

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

Waste Management Plan

10. Before the development commences, an amended Waste Management Plan 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 Onemilegrid and dated 17 September 2021, but modified to include:
(a) An increased area for waste storage to effectively accommodate all waste streams outlined in the report;
(b) An amended layout plan to reference the updated layout details; and,
(c) Any changes required by Condition 1 requirements of this permit.

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

Acoustic Report

12. Before the development commences, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Enfield Acoustics and dated 22 December 2021, but modified to confirm that the following conditions will be met;
(a) The external terraces associated with the restaurant and the gym will be closed to patrons/guests from 10pm each night;
(b) All music associated with the restaurant use shall be provided via a noise limiter, which shall be calibrated by a suitably qualified acoustic consultant prior to commencement of use;
(c) Noise from proposed mechanical plant and equipment and music on site will comply with the Noise Protocol at all times.

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

14. Within 3 months of the commencement of the use, an Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The acoustic report must assess the compliance of the use and, where necessary, make recommendations to limit the noise impacts in accordance with Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021) or any other requirement to the satisfaction of the Responsible Authority.

Landscape Plan

15. Before the development commences, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Plan will be endorsed and will form part of this permit. The amended Landscape Plan must be generally in accordance with the Landscape Plan prepared by John Patrick Landscape Architects and dated 22 September 2021, but modified to include;
    (a) The details and location of proposed wall anchors to enable abseiling for planter maintenance;
    (b) Clarification on how the plants within the balcony planters will be supported and encouraged to trail beyond the planter box to cover the balcony;
    (c) Further details on how the soil volume for the tree planting has been calculated;
    (d) The provision of additional planting on the roof terrace; and,
    (e) The provision of planter boxes within the podium levels on the western façade.

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

Wind Impact Assessment

17. Before the development commences, an amended Wind Impact Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Impact Assessment will be endorsed and will form part of this permit. The amended Wind Impact Assessment must be generally in accordance with the Wind Impact Assessment prepared by Vipac Engineers and dated 3 March 2021, but modified to include;
    (a) Potential wind conditions within the new Level 4 terraces addressing Cambridge Street, with recommendations for mitigation measures if required.

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

19. Before the development commences, the permit holder must make a one-off contribution of $2,097.81 to the Responsible Authority to be used for the new street tree plantings that are required as a result of the development.

Uses

20. Except with the prior written consent of the Responsible Authority, the restaurant use authorised by this planning permit may only operate between
    (a) Internal - 7am to 11pm – Monday to Sunday; and,
    (b) External courtyard – 7am to 10pm – Monday to Sunday.

21. No more than the maximum number of patrons specified in the Patron Capacity Report at Condition 3 of this planning permit are permitted within the restaurant at any one time.

22. No more than 20 patrons are permitted within the external restaurant courtyard at any one time.

23. A minimum of 75% seating for patrons must be provided for both internal and external areas of the restaurant when in use.

24. The doors to the ground floor external terraces (restaurant and gym) must be closed after 10pm**.**

25. The gym/yoga studio must only be used by hotel guests**.**

26. 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.

27. Music must be at background music levels only, with no external speakers provided.

28. The use and development must comply at all times with the Noise Protocol.

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

30. 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.

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.

General

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

    to the satisfaction of the Responsible Authority.

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

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

35. Before the building is occupied, any wall located facing public land must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.

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

Civil Works

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

38. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, two bike racks must be installed:
    (a) at the permit holder's cost; and
    (b) in a location and manner,
    to the satisfaction of the Responsible Authority.

39. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 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.

40. Before the building is occupied, or by such later date as approved, in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
    (a) at the permit holder's cost; and
    (b) to the satisfaction of the Responsible Authority.

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

42. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the following works must be undertaken, at the permit holder's cost and to the satisfaction of the Responsible Authority:
    (a) The footpath immediately outside the site on Cambridge Street must be stripped and re-sheeted.

Development Infrastructure Levy

43. Prior to the commencement of the development, the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan; or the Owner must enter into an agreement with Yarra City Council to pay the Development Infrastructure Levy within a time specified in the agreement.

Construction Management Plan

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

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

If required, the Construction Management Plan may be approved in stages. Construction of each stage must not commence until a Construction Management Plan has been endorsed for that stage, to the satisfaction of the Responsible Authority.

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

Construction hours & noise

47. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
    (a) Monday to Friday (excluding public holidays) before 7:00am or after 6:00pm.
    (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9:00am or after 3:00pm.
    (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time

Permit Expiry

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

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

Notes:

A building permit may be required before development is commenced. Please contact Council's building services on 9205 5555 to confirm.

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

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

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's building services on 9205 5555 for further information.

A vehicle crossing permit is required for the construction of the vehicle crossing. Please contact Council's Construction Management Branch 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.

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

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

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

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

Attachments

1 PLN21/0194 - 67 - 77 Cambridge Street Collingwood - S57A Amendment - Plans

2 PLN21 0194 - 67-77 Cambridge Street, Collingwood - Site Location Plan

3 PLN21/0194 - 67 - 77 Cambridge Street Collingwood - Strategic Transport referral comments

4 PLN21/0194 - 67-77 Cambridge Street, Collingwood - Street tree referral comments

5 PLN21/0194 - 67-77 Cambridge Street, Collingwood - Waste referral comments

6 PLN21/0194 - 67-77 Cambridge Street, Collingwood - Engineering referral comments

7 PLN21/0194 - 67-77 Cambridge Street, Collingwood - Open Space referral comments

8 PLN21/0194 - 67-77 Cambridge Street, Collingwood - Department of Transport referral comments

9 PLN21/0194 - 67-77 Cambridge Street, Collingwood - Acoustic review

10 PLN21/0194 - 67-77 Cambridge Street, Collingwood - Additional acoustic memo

11 PLN21/0194 - 67-77 Cambridge Street, Collingwood - File Note - ESD Advisor

12 PLN21/0194 - 67-77 Cambridge Street, Collingwood - Final UD Review

13 PLN21/0194 - 67-77 Cambridge Street Collingwood - File Note - Strategic Planning

Attachment 1 - PLN21/0194 - 67 - 77 Cambridge Street Collingwood - S57A Amendment - Plans

67-77 CAMBRIDGE ST, COLLINGWOOD 3066

CAMBRIDGE STREET HOTEL

PRE-APPLICATION

JOB #	DATE	REVISION
20013	13/10/21	2

DRAWING LIST

SHEET NO.	SHEET NAME	REV.
TP1.1	COVER	2
TP2.1	RENDER	2
TP2.2	RENDER	2
TP2.3	RENDER	2
TP2.4	RENDER	2
TP2.5	RENDER	2
TP2.6	RENDER	2
TP2.7	RENDER	2
TP2.8	RENDER - OXFORD ST. PERSPECTIVE	2
TP3.0	SUN STUDIES 9AM	2
TP3.1	SUN STUDIES 10AM	2
TP3.2	SUN STUDIES 11AM	2
TP3.3	SUN STUDIES 12PM	2
TP3.4	SUN STUDIES 1PM	2
TP3.5	SUN STUDIES 2PM	2
TP3.6	SUN STUDIES 3PM	2
TP4.0	MATERIALS	2
TP5.0	DEVELOPMENT SUMMARY	2
TP6.0	HOTEL ROOM TYPES	2
TP099	BASEMENT 01 PLAN	2
TP100	GROUND FLOOR PLAN	2
TP101	LEVEL 01 PLAN	2
TP102	LEVEL 02 PLAN	2
TP103	LEVEL 03 PLAN	2
TP104	LEVEL 04 PLAN	2
TP105	LEVEL 05 PLAN	2
TP106	LEVEL 06 PLAN	2
TP107	LEVEL 07 PLAN	2
TP108	ROOF TERRACE PLAN	2
TP109	ROOF PLAN	2
TP200	NORTH ELEVATION	2
TP201	EAST ELEVATION	2
TP202	SOUTH ELEVATION	2
TP203	WEST ELEVATION	2
TP204	WEST ELEVATION 2	2
TP210	EAST ELEVATION - PODIUM INTERFACE	2
TP220	SECTION A	2
TP221	DETAIL SECTION 01	2
TP222	DETAIL SECTION 02	2

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Attachment 1 - PLN21/0194 - 67 - 77 Cambridge Street Collingwood - S57A Amendment - Plans



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02

TP2.1 RENDER

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TP2.2 RENDER

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NOTE:

SIGNAGE INDICATIVE. NOT PART OF PLANNING APPLICATION.

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TP2.3 RENDER

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NOTE:

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TP2.4 RENDER

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Attachment 1 - PLN21/0194 - 67 - 77 Cambridge Street Collingwood - S57A Amendment - Plans



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02

TP2.5 RENDER

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NOTE:

SIGNAGE INDICATIVE. NOT PART OF PLANNING APPLICATION.

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TP2.6 RENDER

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NOTE:

VIEW FROM OXFORD ST.

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TP2.7 RENDER

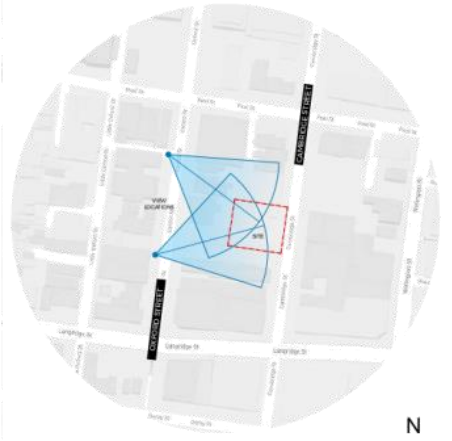
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EXISTING PERSPECTIVE:

STANDING ON THE WESTERN SIDE
OF OXFORD STREET LOOKING EAST





EXISTING PERSPECTIVE:

STANDING ON THE WESTERN SIDE
OF OXFORD STREET LOOKING
SOUTH EAST

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TP2.8 RENDER - OXFORD ST. PERSPECTIVE

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TP3.0 SUN STUDIES 9AM
Drawing Scale 1:500 @ A3

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TP3.1 SUN STUDIES 10AM
Drawing Scale 1:500 @ A3

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TP3.2 SUN STUDIES 11AM
Drawing Scale 1:500 @ A3

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TP3.3 SUN STUDIES 12PM
Drawing Scale 1:500 @ A3

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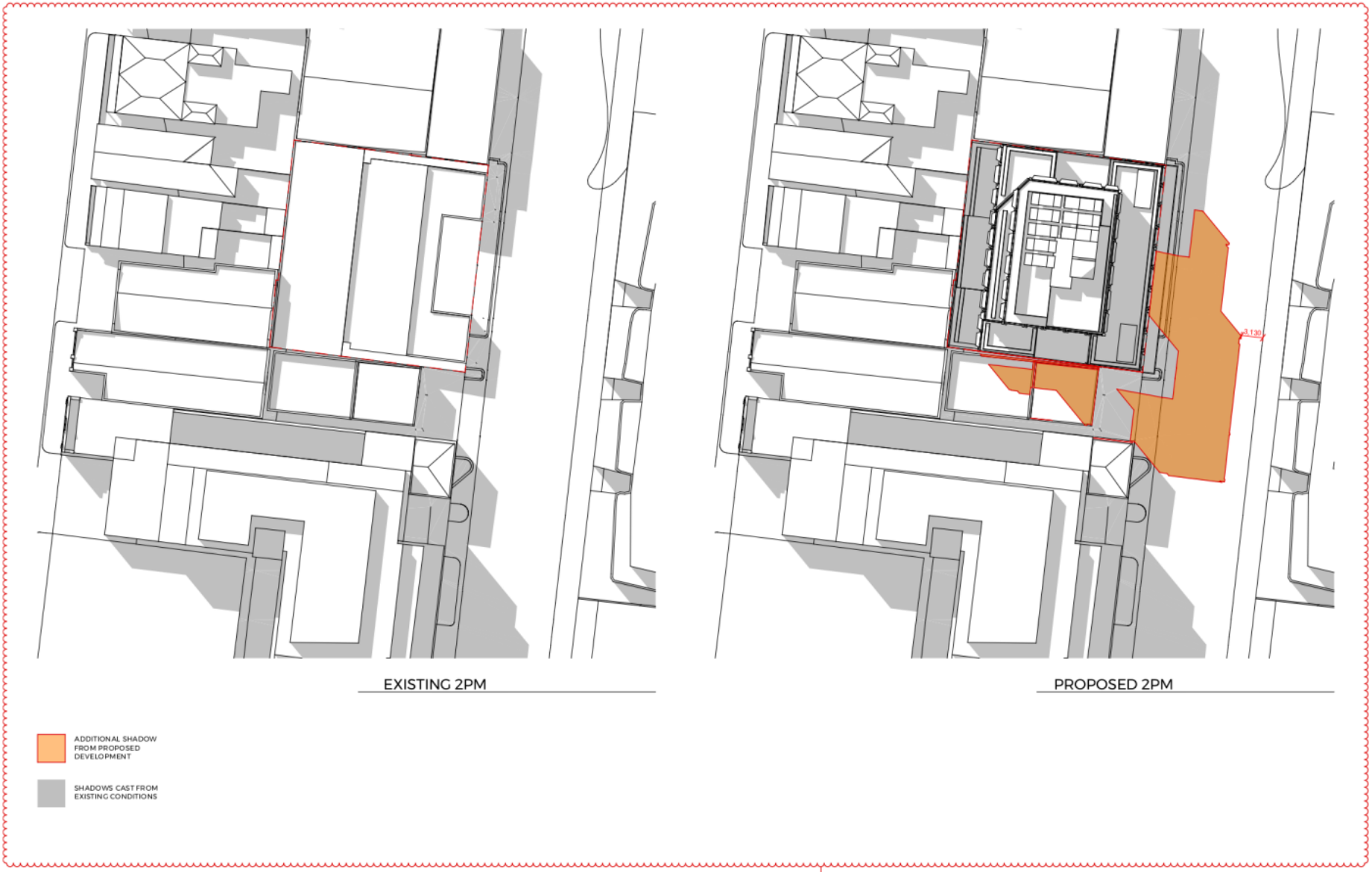
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TP3.4 SUN STUDIES 1PM
Drawing Scale 1:500 @ A3

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TP3.5 SUN STUDIES 2PM
Drawing Scale 1:500 @ A3

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TP3.6 SUN STUDIES 3PM
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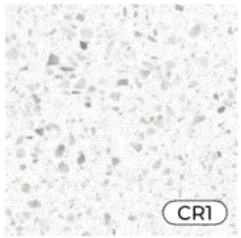
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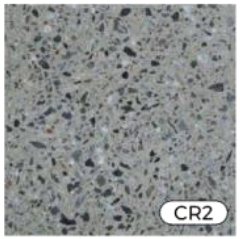

GL1

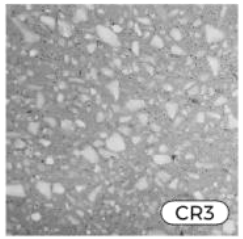

GL2

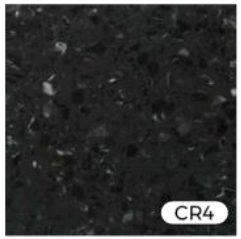

GL3


GL4


CR1

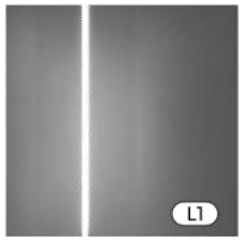

CR2


CR3


CR4

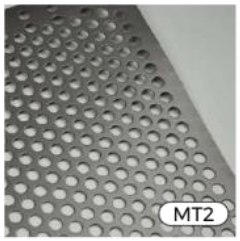

AF1

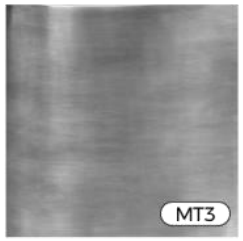

AF2


L1


CR5


MT1


MT2


MT3

GL1	GLASS - CLEAR
GL2	GLASS - FLUTED
GL3	GLASS - SPANDREL TO MATCH GL1
GL4	GLASS - BRONZE (min. 40% VLT)
CR1	CONCRETE - LIGHT WITH TEXTURE
CR2	CONCRETE FINISH - GREY WITH TEXTURE
CR3	CONCRETE - LIGHT GREY WITH TEXTURE
CR4	CONCRETE - DARK WITH TEXTURE
CR5	CONCRETE - BRICK FORMLINER
AF1	APPLIED FINISH - DARK
AF2	APPLIED FINISH - LIGHT
MT1	METAL - BRONZE FINISH
MT2	METAL PERFORATED - LIGHT
MT3	METAL - LIGHT
L1	NEON LIGHTING - WHITE

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TP4.0 MATERIALS

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Attachment 1 - PLN21/0194 - 67 - 77 Cambridge Street Collingwood - S57A Amendment - Plans

TELHA CLARKE

DEVELOPMENT SCHEDULE

PROJECT:	Cambridge Street Hotel	JOB NO:	20013
ADDRESS:	67-77 Cambridge Street, Collingwood, VIC, 3066	DATE:	13/10/21
CLIENT:		REVISION:	TP02

NOTE

Net Sellable Area (NSA) and Gross Floor Area (GFA) excludes terraces. Efficiency is calculated by taking the GFA and dividing it by the services/circulation.
Areas are calculated using the property council method of measurement.

Level	CAR PARKING	CAR PARK	SERVICES/CIRCULATION	F&B/LOBBY/GYM	APT	HOTEL	HOTEL MIX				TERRACE	NSA*	GFA*
	no.	m2	m2	m2	m2	m2	STD (16-19m2)	SUP (20-24m2)	SUITE (29-30m2)	ACC.	m2	m2	m2
Basement 01			320	378							89	378	698
Ground Floor	1	92	166	232		174	10					406	664
Level 1			138			449	19	5		1		449	587
Level 2			138			449	19	5		1		449	587
Level 3			128			414	17	5		1		414	542
Level 4			102			228	10		1	1	67	228	330
Level 5			102			228	10		1	1		228	330
Level 6			94			191	8		1	1		191	285
Level 7			94			191	8		1	1		191	285
Roof Terrace			162								65	0	162
TOTAL	**1**	**92**	**1444**	**610**	**0**	**2324**	**101**	**15**	**4**	**7**	**221**	**2934**	**4470**
									TOTAL SHORT STAY UNITS =	**127**			
							80%	12%	3%	6%			

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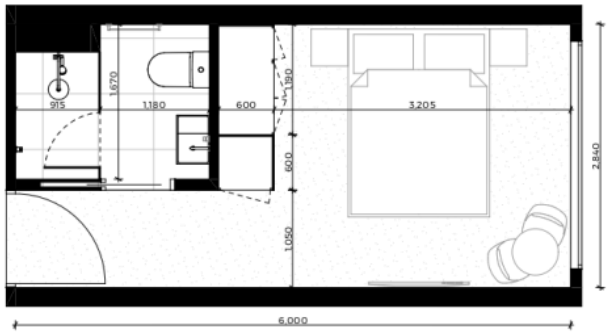
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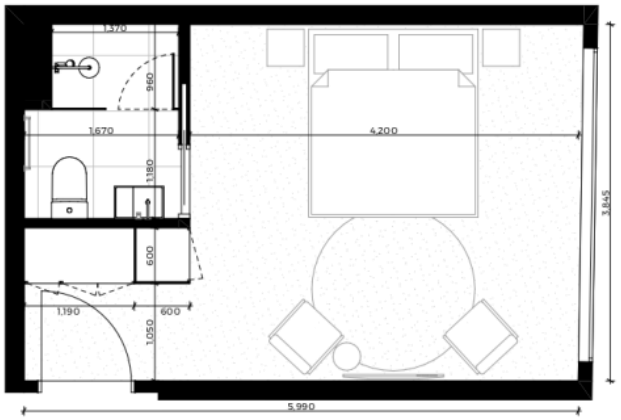
TP5.0 DEVELOPMENT SUMMARY

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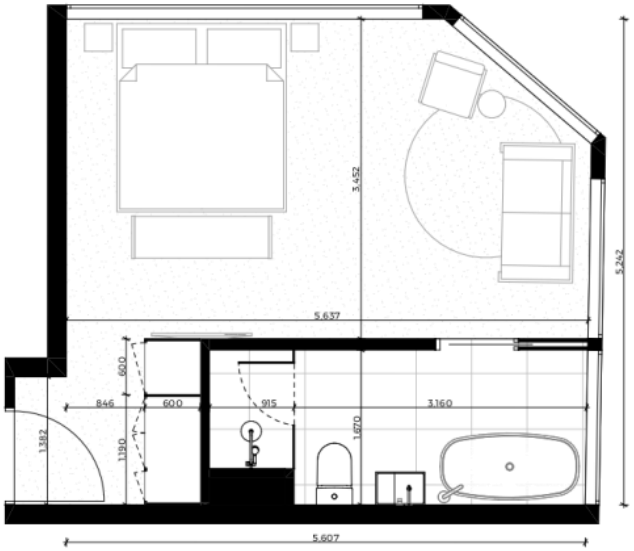
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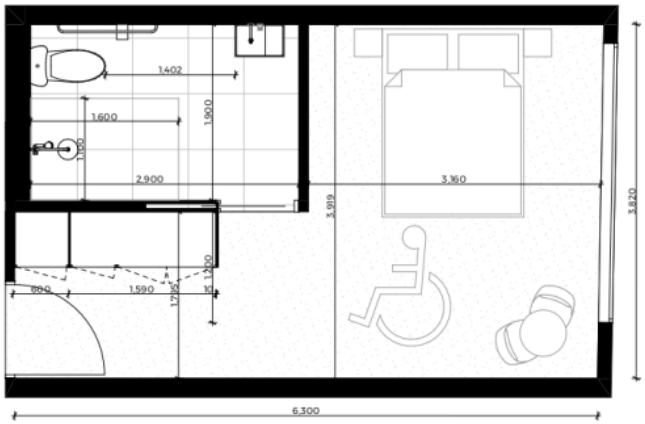
TYPICAL STANDARD ROOM
17.0m²



TYPICAL SUPERIOR ROOM
23.1m²



TYPICAL SUITE
29.3m²



TYPICAL ACCESSIBLE (ACC.) ROOM
22m²

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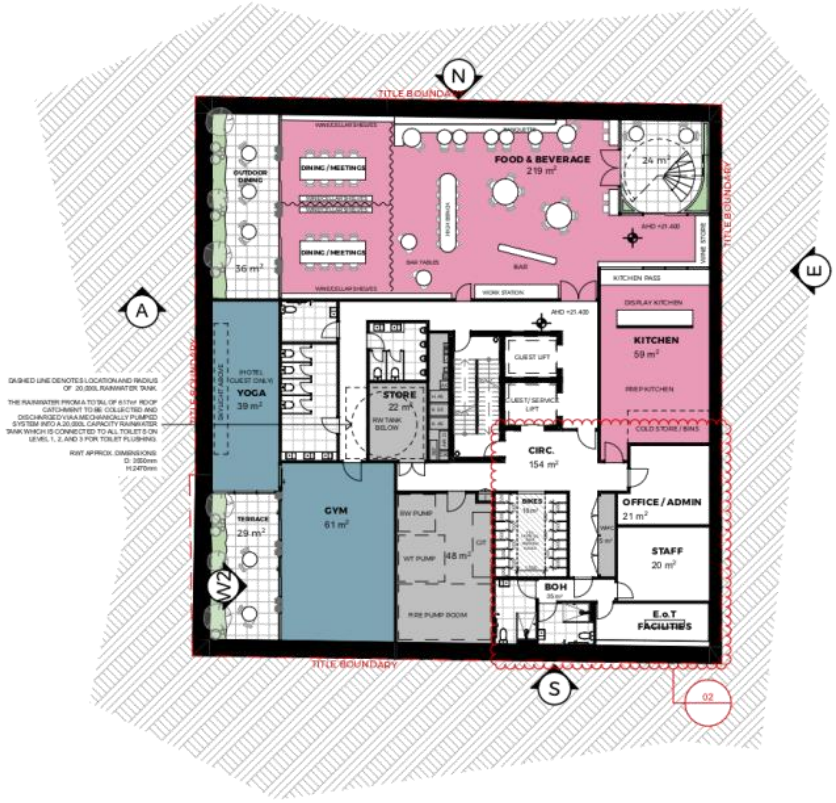
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TP6.0 HOTEL ROOM TYPES
Drawing Scale 1:50 @ A3

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02	19/10/21	RFI - 2	RL	TC

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FOR TOWN PLANNING

PROJECT: **CAMBRIDGE STREET HOTEL**
67-77 CAMBRIDGE ST COLLINGWOOD VIC 3066

DRAWING TITLE: **BASEMENT 01 PLAN**

SCALE: 1:200 @A3
DATE: 13/10/21
PLOT DATE: 13/10/21
DRAWN: RL
CHECKED: TC
JOB NO.: 20013
DRAWING NO.: TP099
REVISION: 02

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PROJECT: CAMBRIDGE STREET HOTEL
67-77 CAMBRIDGE ST COLLINGWOOD VIC 3066

DRAWING TITLE: GROUND FLOOR PLAN

SCALE: 1:200 @A3
DATE: 13/10/21
PLOT DATE: 13/10/21
DRAWN: RL
CHECKED: TC
JOB NO.: 20013
DRAWING NO.: TP100
REVISION: 02

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PROJECT: CAMBRIDGE STREET HOTEL
67-77 CAMBRIDGE ST
COLLINGWOOD VIC 3066

DRAWING TITLE: LEVEL 01 PLAN

SCALE: 1:200 @A3
DATE: 13/10/21
PLOT DATE: 13/10/21
DRAWN: RL
CHECKED: TC
JOB NO.: 20013
DRAWING NO.: TP101
REVISION: 02

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PROJECT: CAMBRIDGE STREET HOTEL
67-77 CAMBRIDGE ST
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DRAWING TITLE: LEVEL 02 PLAN

SCALE: 1:200 @A3
DATE: 13/10/21
PLOT DATE: 13/10/21
DRAWN: RL
CHECKED: TC
JOB NO.: 20013
DRAWING NO.: TP102
REVISION: 02

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DRAWING TITLE: LEVEL 03 PLAN

SCALE: 1:200 @A3
DATE: 13/10/21
PLOT DATE: 13/10/21
DRAWN: RL
CHECKED: TC
JOB NO.: 20013
DRAWING NO.: TP103
REVISION: 02

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67-77 CAMBRIDGE ST COLLINGWOOD VIC 3066

DRAWING TITLE: LEVEL 04 PLAN

SCALE: 1:200 @A3
DATE: 13/10/21
PLOT DATE: 13/10/21
DRAWN: RL
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JOB NO.: 20013
DRAWING NO.: TP104
REVISION: 02

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DRAWING TITLE: LEVEL 05 PLAN

SCALE: 1:200 @A3
DATE: 13/10/21
PLOT DATE: 13/10/21
DRAWN: RL
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JOB NO.: 20013
DRAWING NO.: TP105
REVISION: 02

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02	19/10/21	RFI - 2	RL	TC

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67-77 CAMBRIDGE ST COLLINGWOOD VIC 3066

DRAWING TITLE: LEVEL 06 PLAN

SCALE: 1:200 @A3
DATE: 13/10/21
PLOT DATE: 13/10/21
DRAWN: RL
CHECKED: TC
JOB NO.: 20013
DRAWING NO.: TP106
REVISION: 02

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02	19/10/21	RFI - 2	RL	TC

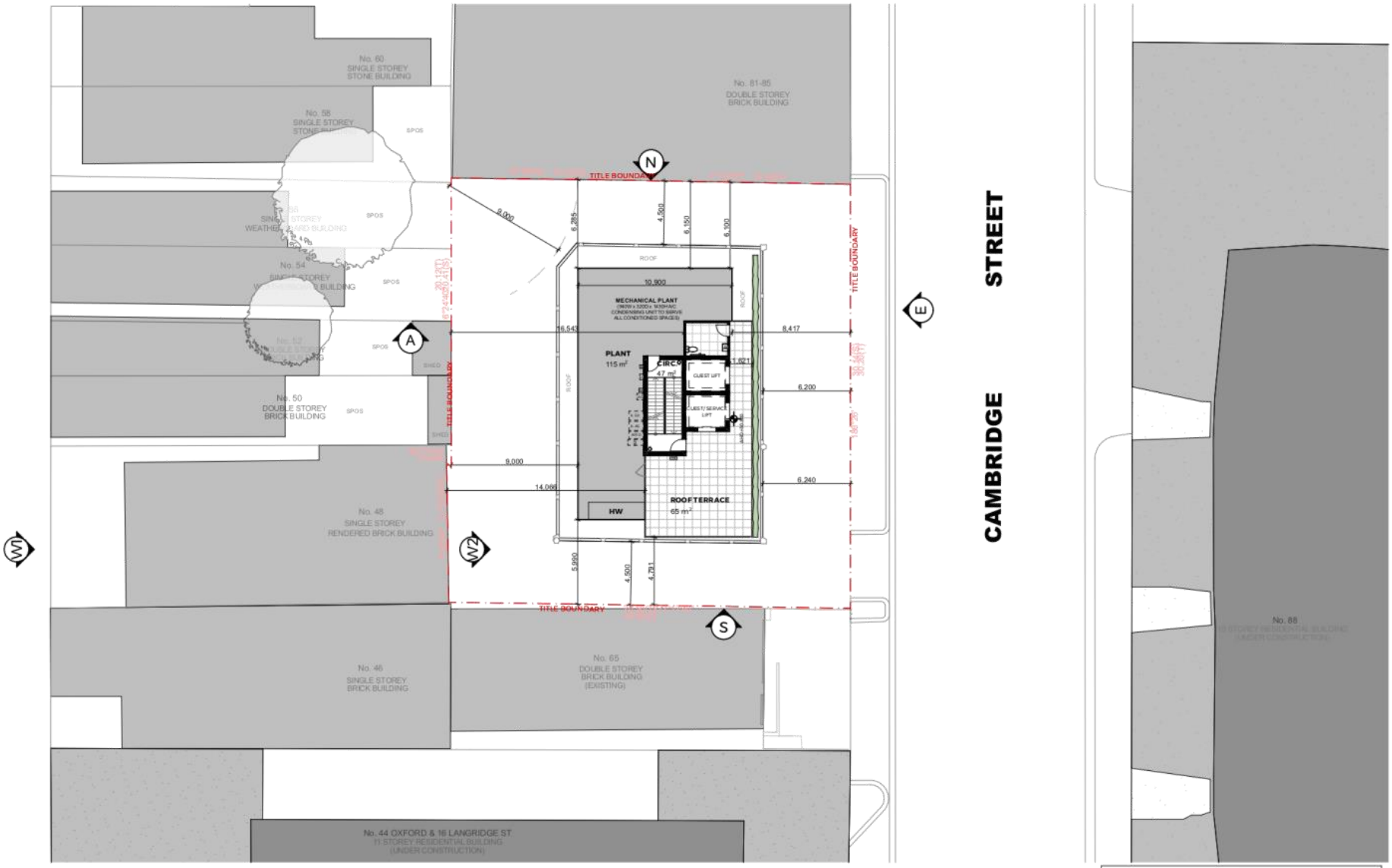
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PROJECT: CAMBRIDGE STREET HOTEL
67-77 CAMBRIDGE ST COLLINGWOOD VIC 3066

DRAWING TITLE: LEVEL 07 PLAN

SCALE: 1:200 @A3
DATE: 13/10/21
PLOT DATE: 13/10/21
DRAWN: RL
CHECKED: TC
JOB NO.: 20013
DRAWING NO.: TP107
REVISION: 02

Attachment 1 - PLN21/0194 - 67 - 77 Cambridge Street Collingwood - S57A Amendment - Plans



FOR TOWN PLANNING

REV.	DATE	ISSUED FOR	DRAWN	CHECKED
01	15/5/21	RFI - 1	OF	TC
02	19/10/21	RFI - 2	RL	TC

TELHA CLARKE
59 GARDEN STREET
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PROJECT: CAMBRIDGE STREET HOTEL
67-77 CAMBRIDGE ST
COLLINGWOOD VIC 3066

DRAWING TITLE: ROOF TERRACE PLAN

SCALE: 1:200 @A3
DATE: 13/10/21
PLOT DATE: 13/10/21
DRAWN: RL
CHECKED: TC
JOB NO.: 20013
DRAWING NO.: TP108
REVISION: 02

Attachment 1 - PLN21/0194 - 67 - 77 Cambridge Street Collingwood - S57A Amendment - Plans



FOR TOWN PLANNING

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02	19/10/21	RFI - 2	RL	TC

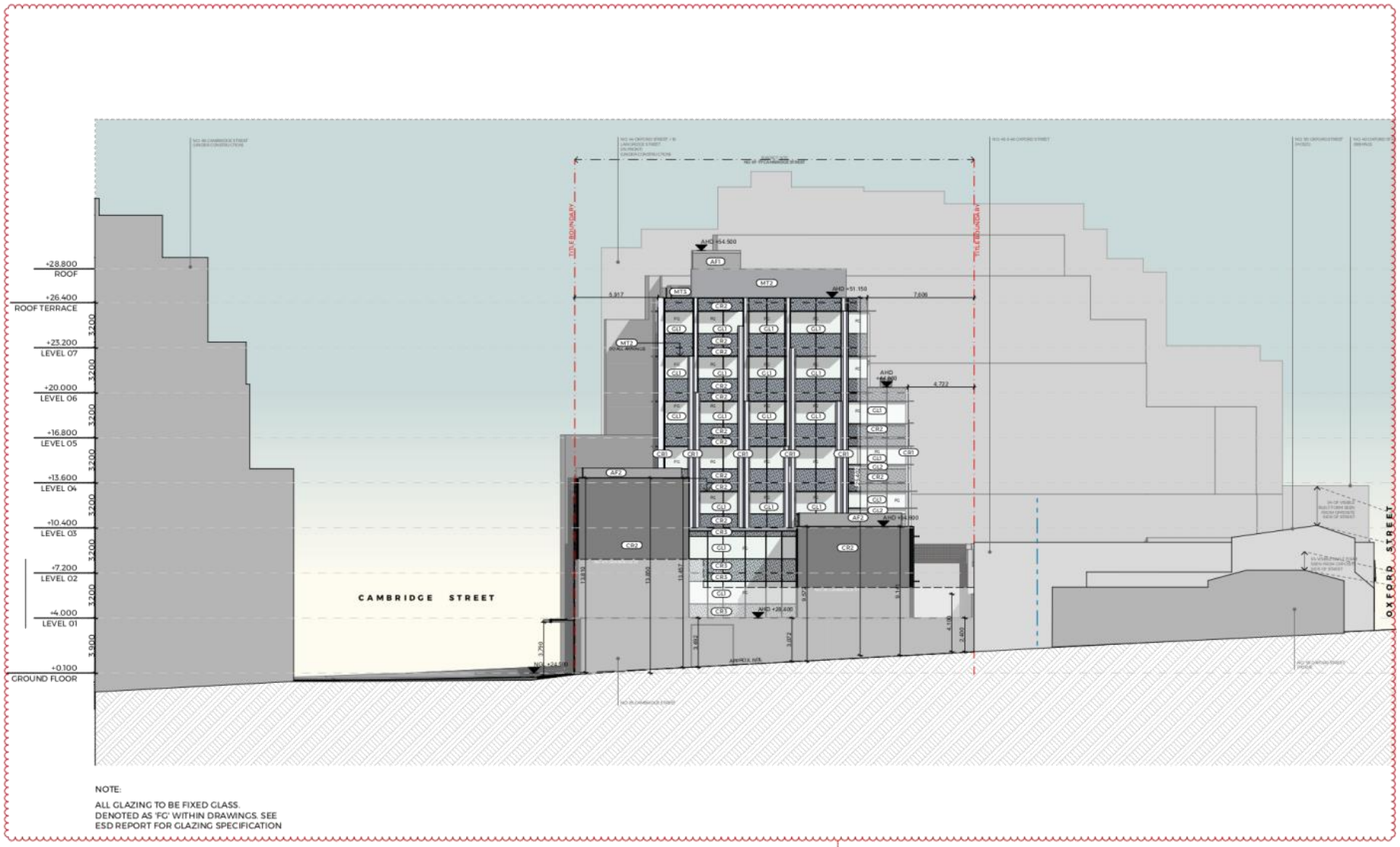
TELHA CLARKE
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PROJECT: CAMBRIDGE STREET HOTEL
67-77 CAMBRIDGE ST COLLINGWOOD VIC 3066

DRAWING TITLE: ROOF PLAN

SCALE: 1:200 @A3
DATE: 13/10/21
PLOT DATE: 13/10/21
DRAWN: RL
CHECKED: TC
JOB NO.: 20013
DRAWING NO.: TP109
REVISION: 02

Attachment 1 - PLN21/0194 - 67 - 77 Cambridge Street Collingwood - S57A Amendment - Plans



02

FOR TOWN PLANNING

REV.	DATE	ISSUED FOR	DRAWN	CHECKED
01	15/5/21	RFI - 1	OF	TC
02	19/10/21	RFI - 2	RL	TC

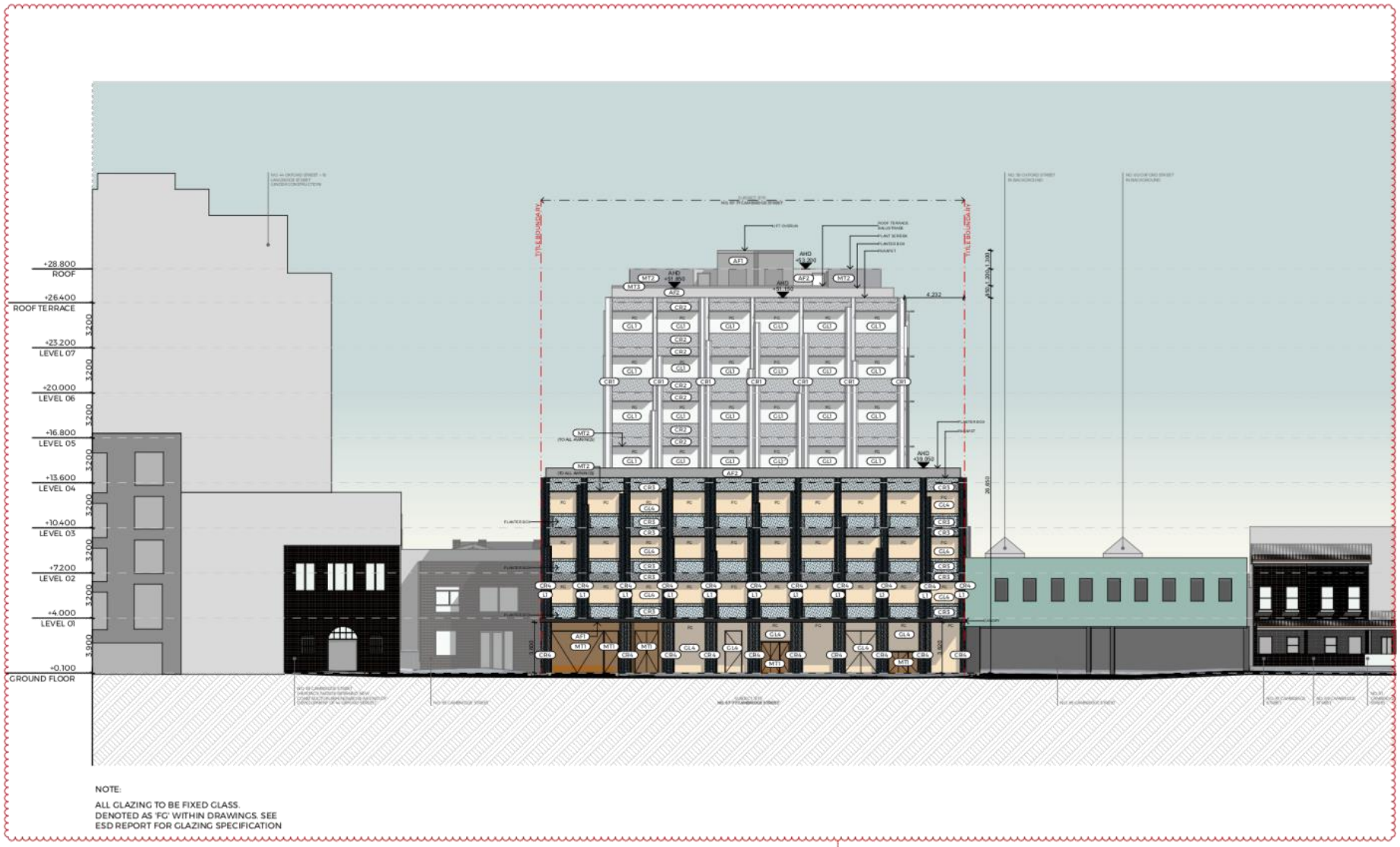
TELHA CLARKE
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PROJECT: CAMBRIDGE STREET HOTEL
67-77 CAMBRIDGE ST COLLINGWOOD VIC 3066

DRAWING TITLE: NORTH ELEVATION

SCALE: 1:200 @A3
DATE: 12/10/21
PLOT DATE: 12/10/21
DRAWN: RL
CHECKED: TC
JOB NO.: 20013
DRAWING NO.: TP200
REVISION: 02

Attachment 1 - PLN21/0194 - 67 - 77 Cambridge Street Collingwood - S57A Amendment - Plans



02

FOR TOWN PLANNING

REV.	DATE	ISSUED FOR	DRAWN	CHECKED
01	13/5/21	RFI - 1	OF	TC
02	19/10/21	RFI - 2	RL	TC

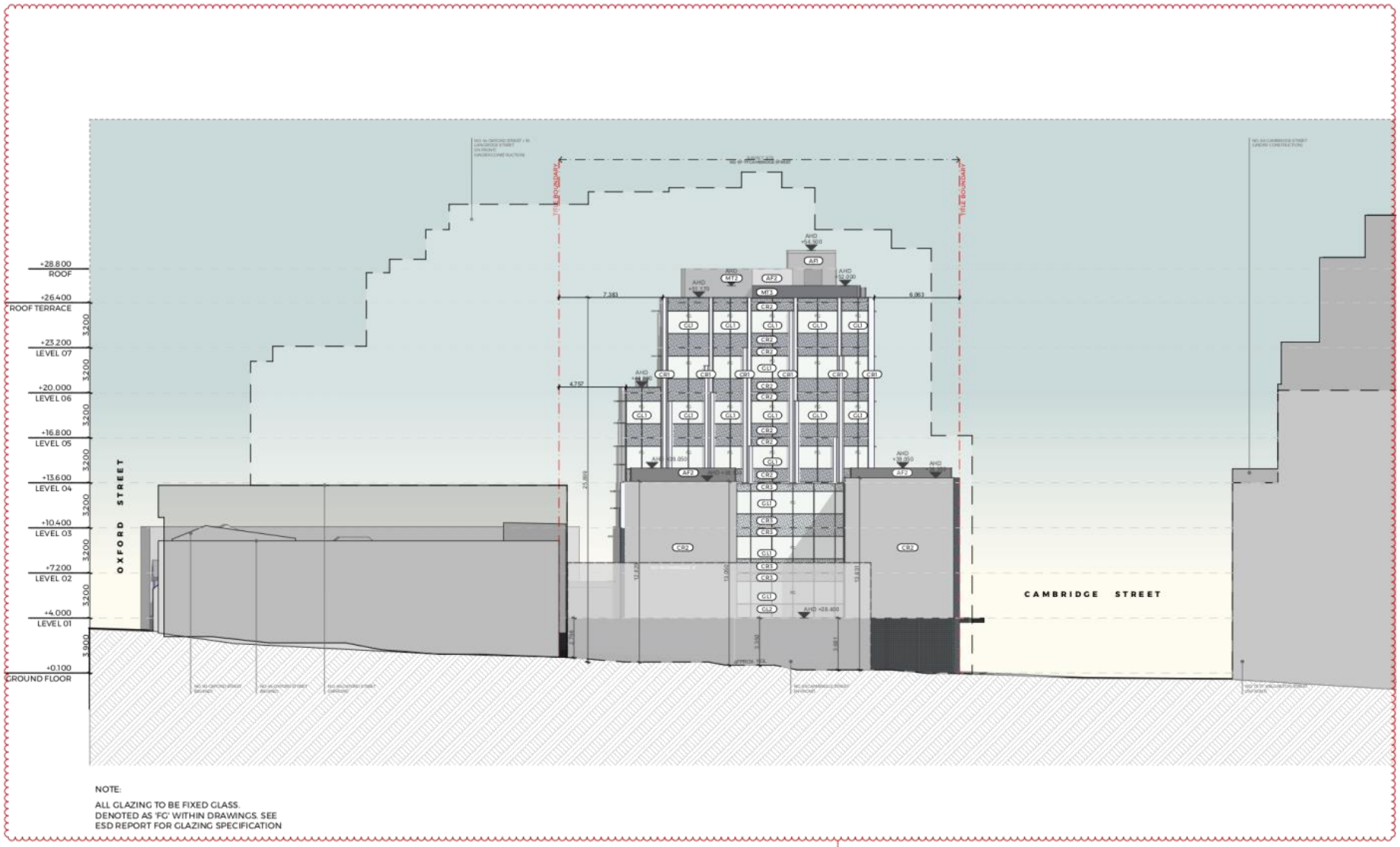
TELHA CLARKE
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PROJECT: CAMBRIDGE STREET HOTEL
67-77 CAMBRIDGE ST COLLINGWOOD VIC 3066

DRAWING TITLE: EAST ELEVATION

SCALE: 1:200 @A3
DATE: 13/10/21
PLOT DATE: 13/10/21
DRAWN: RL
CHECKED: TC
JOB NO.: 20013
DRAWING NO.: TP201
REVISION: 02

Attachment 1 - PLN21/0194 - 67 - 77 Cambridge Street Collingwood - S57A Amendment - Plans



02

FOR TOWN PLANNING

REV.	DATE	ISSUED FOR	DRAWN	CHECKED
01	15/5/21	RFI - 1	OF	TC
02	19/10/21	RFI - 2	RL	TC

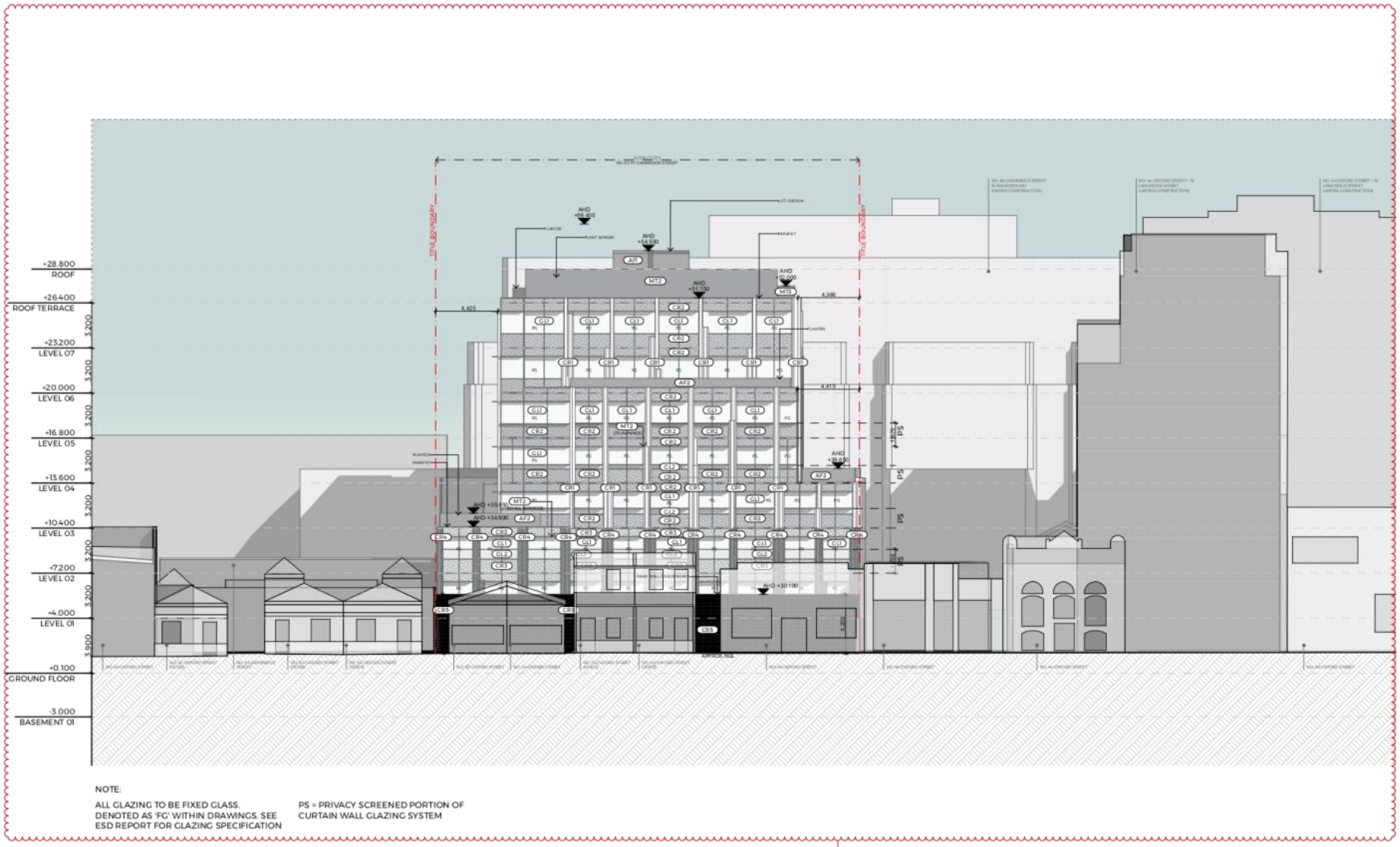
TELHA CLARKE
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PROJECT: CAMBRIDGE STREET HOTEL
67-77 CAMBRIDGE ST COLLINGWOOD VIC 3066

DRAWING TITLE: SOUTH ELEVATION

SCALE: 1:200 @A3
DATE: 13/10/21
PLOT DATE: 13/10/21
DRAWN: RL
CHECKED: TC
JOB NO: 20013
DRAWING NO: TP202
REVISION: 02

Attachment 1 - PLN21/0194 - 67 - 77 Cambridge Street Collingwood - S57A Amendment - Plans



02

FOR TOWN PLANNING

REV.	DATE	ISSUED FOR	DRAWN	CHECKED
01	15/5/21	RFI - 1	OF	TC
02	19/10/21	RFI - 2	RL	TC

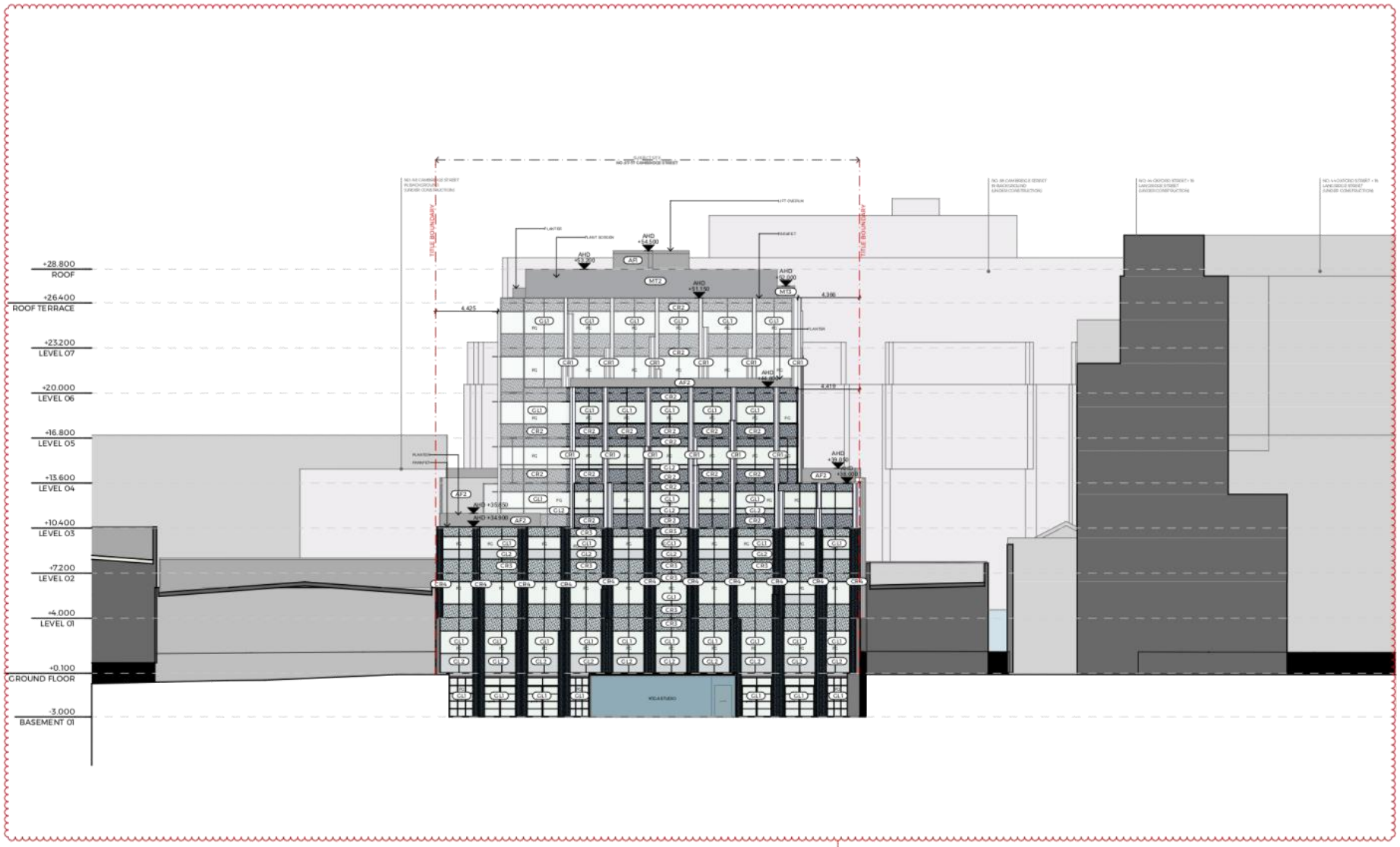
TELHA CLARKE
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PROJECT: CAMBRIDGE STREET HOTEL
67-77 CAMBRIDGE ST COLLINGWOOD VIC 3066

DRAWING TITLE: WEST ELEVATION

SCALE: 1:200 @A3
DATE: 12/10/21
PLOT DATE: 12/10/21
DRAWN: RL
CHECKED: TC
JOB NO: 20013
DRAWING NO: TP203
REVISION: 02

Attachment 1 - PLN21/0194 - 67 - 77 Cambridge Street Collingwood - S57A Amendment - Plans



02

FOR TOWN PLANNING

REV.	DATE	ISSUED FOR	DRAWN	CHECKED
01	15/5/21	RFI - 1	OF	TC
02	19/10/21	RFI - 2	RL	TC

TELHA CLARKE
59 GARDEN STREET
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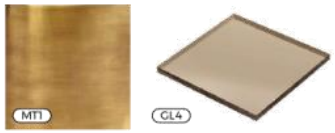
PROJECT: CAMBRIDGE STREET HOTEL
67-77 CAMBRIDGE ST COLLINGWOOD VIC 3066

DRAWING TITLE: WEST ELEVATION 2

SCALE: 1:200 @A3
DATE: 13/10/21
PLOT DATE: 13/10/21
DRAWN: RL
CHECKED: TC
JOB NO.: 20013
DRAWING NO.: TP204
REVISION: 02

Attachment 1 - PLN21/0194 - 67 - 77 Cambridge Street Collingwood - S57A Amendment - Plans

MATERIAL FINISHES:



MT1 METAL - BRONZE FINISH

GL4 GLASS - BRONZE (min. 40% VLT)

MATERIAL REFERENCE:



BRONZE GLASS TO BE SEE THROUGH - GLASS, NOT TO BE APPLIED WITH MIRRORED TINT

RENDERED PERSPECTIVE:





02

FOR TOWN PLANNING

REV.	DATE	ISSUED FOR	DRAWN	CHECKED
01	15/5/21	RFI - 1	OF	TC
02	19/10/21	RFI - 2	RL	TC

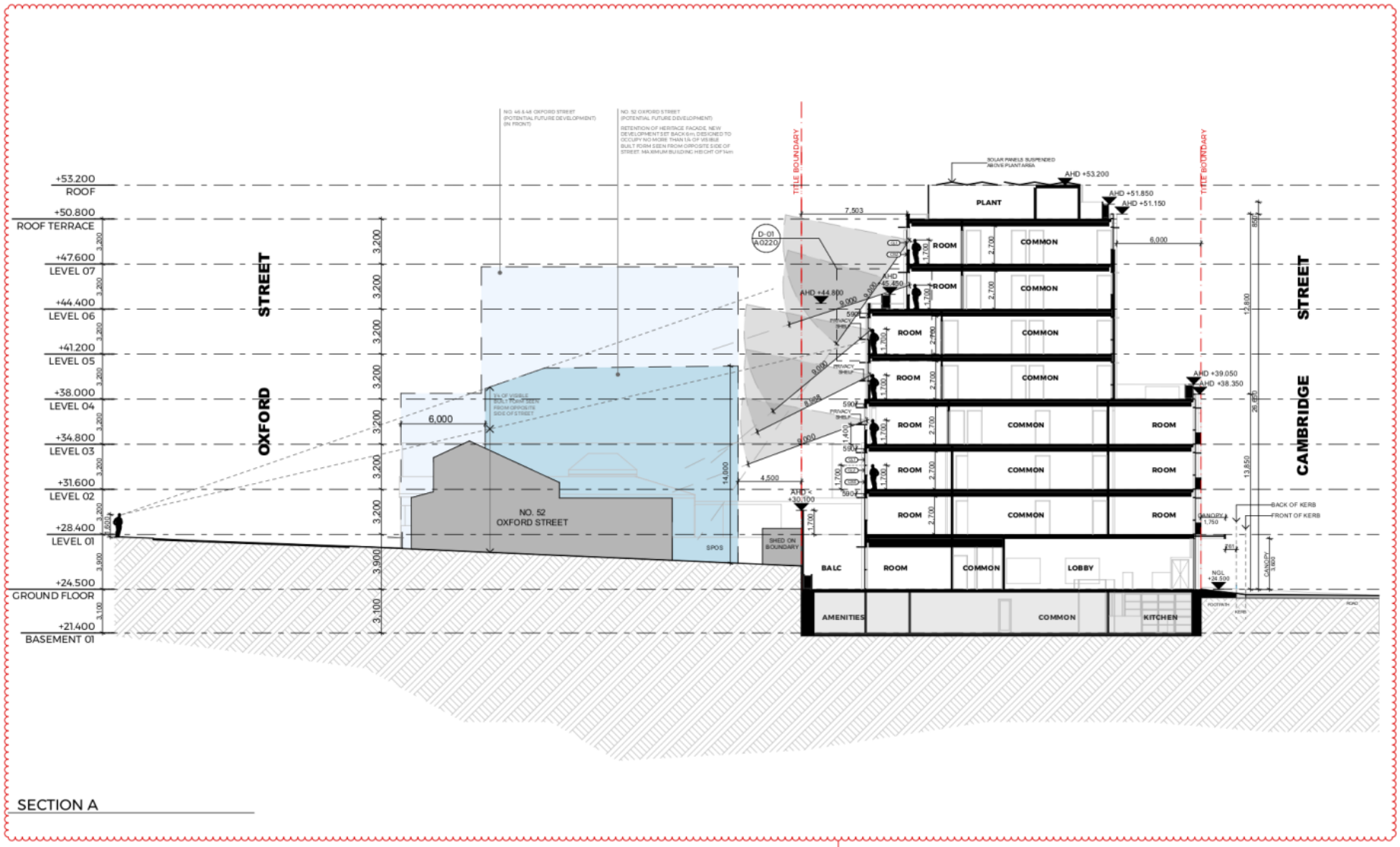
TELHA CLARKE
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PROJECT: CAMBRIDGE STREET HOTEL
67-77 CAMBRIDGE ST COLLINGWOOD VIC 3066

DRAWING TITLE: EAST ELEVATION - PODIUM INTERFACE

SCALE		
1:100		
DATE: 12/10/21	PLOT DATE: 12/10/21	
DRAWN: RL	CHECKED: TC	
JOB NO.	DRAWING NO.	REVISION
20013	TP210	02

Attachment 1 - PLN21/0194 - 67 - 77 Cambridge Street Collingwood - S57A Amendment - Plans



REV.	DATE	ISSUED FOR	DRAWN	CHECKED
01	15/5/21	RFI - 1	OF	TC
02	19/10/21	RFI - 2	RL	TC

FOR TOWN PLANNING

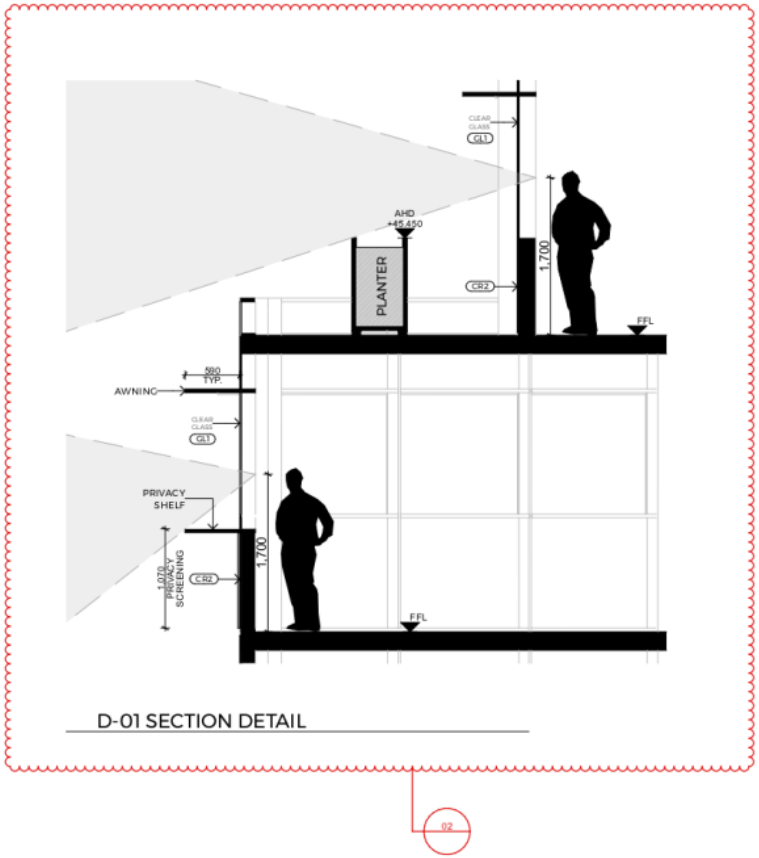
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PROJECT: CAMBRIDGE STREET HOTEL
67-77 CAMBRIDGE ST COLLINGWOOD VIC 3066

DRAWING TITLE: SECTION A

SCALE: 1:200 @A3
DATE: 13/10/21
PLOT DATE: 13/10/21
DRAWN: RL
CHECKED: TC
JOB NO.: 20013
DRAWING NO.: TP220
REVISION: 02

Attachment 1 - PLN21/0194 - 67 - 77 Cambridge Street Collingwood - S57A Amendment - Plans



REV.	DATE	ISSUED FOR	DRAWN	CHECKED
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FOR TOWN PLANNING

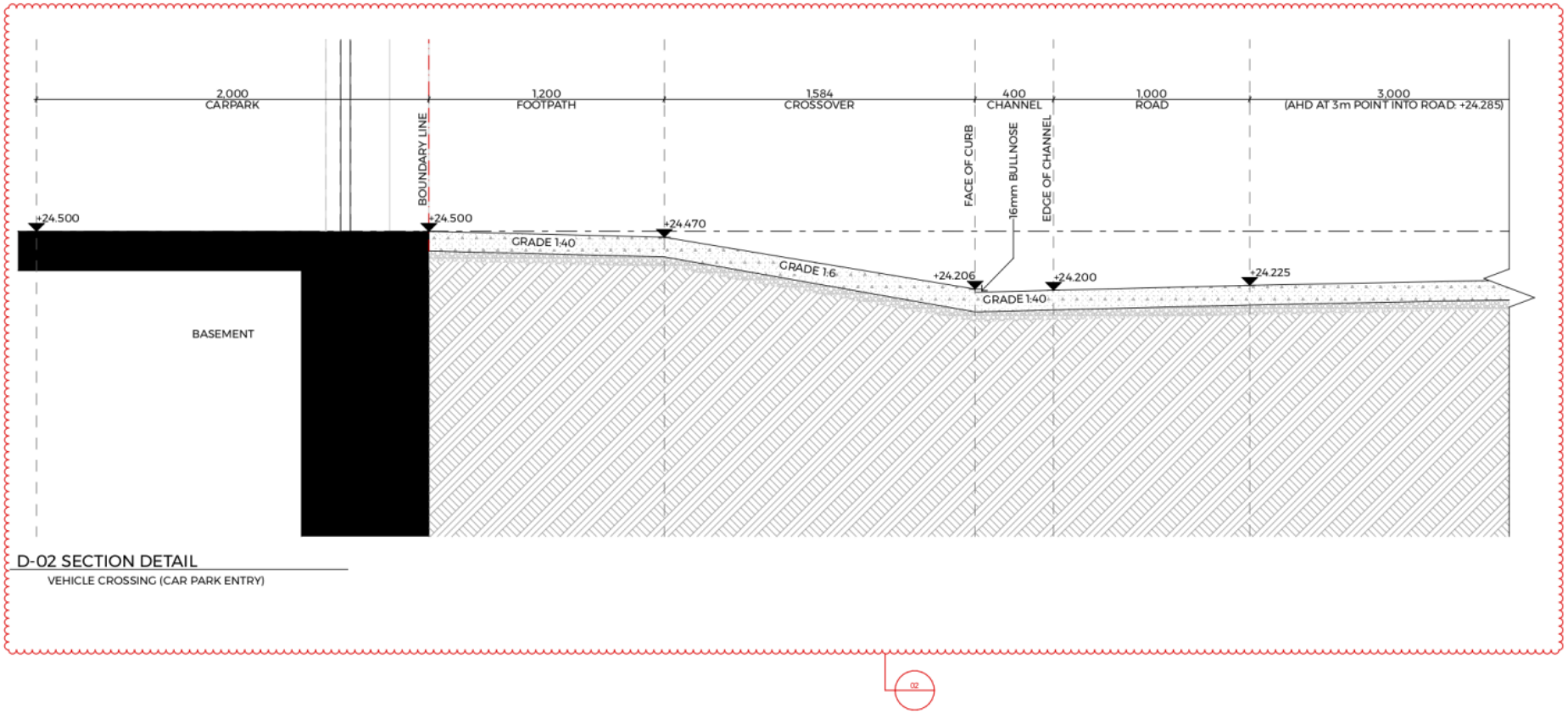
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PROJECT: CAMBRIDGE STREET HOTEL
67-77 CAMBRIDGE ST COLLINGWOOD VIC 3066

DRAWING TITLE: DETAIL SECTION 01

SCALE: 1:50 @A3
DATE: 13/10/21
PLOT DATE: 13/10/21
DRAWN: RL
CHECKED: TC
JOB NO.: 20013
DRAWING NO.: TP221
REVISION: 02

Attachment 1 - PLN21/0194 - 67 - 77 Cambridge Street Collingwood - S57A Amendment - Plans



FOR TOWN PLANNING

REV.	DATE	ISSUED FOR	DRAWN	CHECKED
02	13/10/21	RFI - 2	RL	TC

TELHA CLARKE
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PROJECT: CAMBRIDGE STREET HOTEL
67-77 CAMBRIDGE ST COLLINGWOOD VIC 3066

DRAWING TITLE: DETAIL SECTION 02

SCALE: 1:20 @A3
DATE: 13/10/21
PLOT DATE: 13/10/21
DRAWN: RL
CHECKED: TC
JOB NO.: 20013
DRAWING NO.: TP222
REVISION: 02

Attachment 2 - PLN21 0194 - 67-77 Cambridge Street, Collingwood - Site Location Plan

67-77 Cambridge Street, Collingwood



Attachment 3 - PLN21/0194 - 67 - 77 Cambridge Street Collingwood - Strategic Transport referral comments

Planning Referral

To:	Lara Fiscalini
From:	Chloe Wright
Date:	29/10/2021
Subject:	Strategic Transport Comments
Application No:	PLN21/0194
Description:	Development of the land for the construction of a multi-storey building (with roof terrace and basement) use as a residential hotel (with ancillary gym/offices) and food and drink premises (restaurant) and a reduction in the statutory car parking requirement.
Site Address	67 – 77 Cambridge Street, Collingwood

I refer to the amended plans in relation to the proposed development at 67 – 77 Cambridge Street, Collingwood. Council's Strategic Transport unit provides the following information:

Access and Safety

No access or safety issues have been identified.

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	127 lodging rooms	In developments of four or more storeys, 1 resident space to each 10 lodging rooms	12 resident spaces	
		In developments of four or more storeys, 1 visitor space to each 10 lodging rooms	12 visitor spaces	
Retail premises	451 sqm	1 employee space to each 300 sqm of leasable floor area	2 employee spaces	
		1visitor space to each 500 sqm of leasable floor area	1 visitor spaces	
Bicycle Parking Spaces Total			**14 resident / employee spaces**	**20 resident / employee spaces**
			13 visitor spaces	**4 visitor spaces**
Showers / Change rooms		1 to the first 5 employee spaces and 1 to each additional 10 employee spaces	**0 showers / change rooms**	**2 showers / change rooms**

Adequacy of visitor spaces

Attachment 3 - PLN21/0194 - 67 - 77 Cambridge Street Collingwood - Strategic Transport referral comments

The following comments are provided in relation to the provision of visitor bicycle spaces:

- 4 visitor spaces are provided at the Cambridge Street footpath. This does not meet the statutory requirement of 13 visitor spaces, however, given a total of 20 bicycle spaces are provided within the property (6 above the statutory rate for employee / resident spaces), this is considered acceptable.
- Dimensions of visitor bicycle spaces at Cambridge Street are not shown on the plans, however the layout of bicycle hoops appears to be in accordance with clearance and access requirements of AS2890.3.
- The visitor spaces at the Cambridge Street footpath must be installed in accordance with Council's Urban Design bicycle hoop standard detail (attached).

Adequacy of residential/employee spaces

Number of spaces

20 resident / employee spaces are provided, which exceeds the statutory rate of 14 resident / employee spaces and is supported.

Design and location of employee spaces and facilities

The following comments are provided in relation to the provision of resident / employee bicycle parking:

- 16 resident / employee bicycle spaces have been relocated to a secure area at basement level 1, with access via the lift and hotel lobby entrance at Cambridge Street.
- 4 resident / employee bicycle spaces are provided at the ground level adjacent to the loading area.
- 4 spaces are provided as bicycle hoops, which satisfies the requirement of AS2890.3 for at least 20% of bicycle storage spaces to be provided as horizontal at ground-level spaces.
- Dimensions of the layout of employee / resident bicycle spaces are noted on the plans and demonstrate compliance with access and clearance requirements of AS2890.3.

Recommendations

The following should be shown on the plans before endorsement:

1. Visitor bicycle spaces at Cambridge Street positioned in accordance with clearance and access-way requirements of AS2890.3. and Council's Standard Detail for Bicycle Hoops.

Regards

Chloe Wright

Sustainable Transport Officer

Attachment 4 - PLN21/0194 - 67-77 Cambridge Street, Collingwood - Street tree referral comments

CITY OF YaRRA **File Note**

Date: 12 January 2022

Property Address: 67-77 Cambridge Street, Collingwood

Application No: PLN21/0194

STREETSCAPES AND NATURAL VALUES COMMENTS ON STREET TREES

COMMENTS:

The total cost to supply, plant & 2 years establishment maintenance of 3 x new street trees at this location is **$2,097.81.**

This is the current 2022 costs from our planting contractors.

Glen Williames
Coordinator - Open Space Services
City Works

Attachment 5 - PLN21/0194 - 67-77 Cambridge Street, Collingwood - Waste referral comments

CITY OF YARRA **File Note**

Date: 11 November 2021

Property Address: 67-77 Cambridge Street, Collingwood

Application No: PLN21/0194

CITY WORKS BRANCH – COMMENTS ON WMP

COMMENTS:

The waste management plan for 67-77 Cambridge St, Collingwood authored by One Mile Grid and dated 17/9/2021 is not satisfactory from a City Works Branch's perspective. Issues to be rectified include, but may not be limited to the following:

The size of the bin storage area is not large enough to form an effective waste system, it must be sized to accommodate the 4 waste streams and ensure adequate space for extra bins that will be required (Glass separation).

Regards,

Atha Athanasi
Contract Management Officer

Service Contracts and Waste Services - City Works Branch

Attachment 6 - PLN21/0194 - 67-77 Cambridge Street, Collingwood - Engineering referral comments

CITY OF YARRA

MEMO

To: **Lara Fiscalini**

From: **Artemis Bacani**

Date: **1 July 2021**

Subject: **Application No:** **PLN21/0194**
Description: **Eight Storey Residential Hotel**
Site Address: **67-77 Cambridge Street, Collingwood**

I refer to the above Planning Application received on 3 June 2021 in relation to the proposed development at 67-77 Cambridge Street, Collingwood. Council's Engineering Referral team provides the following information:

Drawings and Documents Reviewed

	Drawing No. or Document	Revision	Dated
Telha Clarke	TP100 *Ground Floor Plan* TP200 *North Elevation* TP201 *East Elevation* TP220 *Section A*		3 March 2021 3 March 2021 3 March 2021 3 March 2021
One Mile Grid	*Transport Impact Assessment*		3 March 2021

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	127 guests / rooms	Rate not specified in Clause 52.06-5	To the satisfaction of the Responsible Authority	1
Food and drink premises	272 m²	3.5 spaces per 100 m² of leasable floor area	9	
		Total	**9 Spaces plus Spaces for the Residential Accommodation**	**1**

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

Attachment 6 - PLN21/0194 - 67-77 Cambridge Street, Collingwood - Engineering referral comments

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 Use*.
  The accessible car space would be allocated for staff use. Residential accommodation can be classified as tourist accommodation facilities. In terms of parking provision for this type of accommodation, the NSW Roads and Maritime Services' *Guide to Traffic Generating Developments* version 2.2 provides a parking rate of one off-street space per four bedrooms (0.25 spaces per one-room apartment). Applying a rate of 0.25 spaces per room would result in a car parking demand of 31 car spaces. The actual parking demand for the residential accommodation would be off-set by the lack of available long-stay on-street parking, the proximity to public transport services and access to on-street car share pods.

- *Parking Demand for the Food & Drink Use*
  A staff parking demand of 1 space per 100 square metres of floor area for each use could be adopted. Using this rate would equate to 2 spaces. This reflects the precinct approach for similar food and drink and restaurant uses and acknowledges that a proportion of customers for this use will be drawn from employees and residents from surrounding businesses and residences.

- *Availability of Public Transport in the Locality of the Land*.
  The following public transport services can be accessed to and from the site by foot:

  - Smith Street-Gertrude Street tram services – 160 metre walk
  - Victoria Parade bus services – 330 metre walk
  - Victoria Parade tram services – 380 metre walk
  - Hoddle Street bus services – 600 metre walk
  - Brunswick Street tram services – 660 metre walk

- *Multi-Purpose Trips within the Area*.
  Guests to the residential hotel might combine their trips by engaging in other activities or business whilst in the area.

- *Variation of Car Parking Demand over Time*.
  The peak parking demand for the residential hotel would be expected to occur during guest check-in and check-out times.

- *Convenience of Pedestrian and Cyclist Access*.
  The site is within walking distance of public transport nodes, essential facilities, shops and amenities. The on-road bicycle network is also easily accessible from the site.

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*.
  Due to the COVID-19 restrictions, car parking occupancy surveys cannot be undertaken at this time as it would not provide an accurate representation of the 'normal' car parking demands in the surrounding area.

  The on-street parking in this part of Collingwood is high during business hours. The majority of streets in Collingwood contain short-stay parking restrictions which ensure that parking turns over frequently. Guests to the site during business hours should consider commuting by sustainable transportation modes such as catching public transport, riding a bicycle, or walking

- measures that are in line with Council's position on promoting sustainable and active transport.

- *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.

- *Other Relevant Considerations.*
  It is assumed that guests staying at residential hotel or serviced apartments would stay for short durations and originate from outside the area, such as interstate. Use of alternative transport modes, taxis, private driver services and other transportation vehicles would influence the car parking demand of the accommodation.

Adequacy of Car Parking
From a traffic engineering perspective, the reduction of parking for the development is considered appropriate in the context of the development and the surrounding area. We expect that many of the guests to the accommodation would not be arriving to the site in private motor vehicles and would be using other modes of transportation such as public transport, taxis, private driver services etc.

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

DEVELOPMENT LAYOUT DESIGN
Layout Design Assessment

Item	Assessment
Access Arrangements	
Width of Car Park/Loading Bay Entrance	The entrance to the car park/loading bay is 3.7 metres in width.
Vehicle Crossing	A 4.5 metre wide vehicle crossing is proposed off Cambridge Street. The width of the vehicle crossing is considered too wide.
Visibility	Visibility sight triangles have not been provided at the entrance to the car park/loading bay.
Vehicle Turning Movements – 6.4 metre Long Waste Wise Mini	The swept path diagrams for a B99 design vehicle and a 6.4 metre long Small Rigid Vehicle demonstrates adequate access into the and out of the site off Cambridge Street.
Headroom Clearance	The headroom clearance at the car park/loading bay entrance is 3.6 metres and is considered adequate to accommodate a 6.4 metre long Small Rigid Vehicle.
Car Parking Module	
Accessible Car Space	The dimensions of the accessible car space and associated shared area of 2.6 metres by 5.4 metres satisfy *Australian/New Zealand Standard AS/NZS 2890.6:2009*.
Other Items	
Loading Bay Dimensions	The dimensions of the loading bay of 5.0 metres by 7.6 metres is adequate to accommodate a 6.4 metre long Small Rigid Vehicle as per *Australian/New Zealand Standard AS/NZS 2890.2:2002*.

Attachment 6 - PLN21/0194 - 67-77 Cambridge Street, Collingwood - Engineering referral comments

Other Items	
Canopy – Cambridge Street Frontage	The canopy along the Cambridge Street frontage has a clearance height above the footpath of 3.825 metres. The setback from the edge of kerb is not dimensioned on the drawings.
Vehicle Crossing Ground Clearance Check – Via Cambridge Street	A clearance check for the car park/loading bay entrance is to be undertaken by the applicant's designer to confirm that a B99 design vehicle can enter and exit the property without scraping or bottoming-out (Please see under '*Design Items to be Addressed*' section).

Engineering Advice for Design Items to be Addressed by the Applicant

Item	Details
Vehicle Crossing	The width of the vehicle crossing is to be reduced to span the same width as the car park/loading bay entrance door.
Visibility	In-lieu of visibility sight triangles, it is recommended for the applicant to consider the installation of a convex mirror on the southern side of the car park/loading bay entrance.
Canopy – Cambridge Street Frontage	The setback of the canopy from the edge of the kerb is to be dimensioned on the drawings. A minimum setback of 750 millimetres would be required to satisfy the *Building Regulation – Reg 103*.
Vehicle Crossing Ground Clearance Check – Via Cambridge Street	To assist the applicant, a *Vehicle Crossing Information Sheet* has been appended to this memo. The cross-sectional diagram requires the applicant to obtain a number of spot levels which includes: - the reduced level 2.0 metres inside the property; - the property boundary level; - the bottom of kerb (invert) level; - the lip of the channel level and a few levels on the road pavement – in this case, for Cambridge Street. These levels are to be shown on a 1 in 20 scale cross-sectional drawing, with dimensions and the B99 ground clearance template. Providing the cross-sectional diagram early in the design phase can also determine whether further modification works are required, such as lowering the finished floor level inside the property or making any adjustments to Council's footpaths or road infrastructure.
Service Cabinet Doors	Any service cabinet door opening onto a Public Highway must swing180-degrees and be latched to the building when opened.
Bicycle Considerations	The bicycle requirements for this development are to be referred to Council's Strategic Transport unit for assessment.
Loading/Drop-Off Bays	The annotation "LOADING/DROP-OFF BAY' along the site's Cambridge Street frontage is to be deleted from the drawings. Prior to the occupation of the residential hotel, the applicant/manager is to liaise with Council's Parking Management unit to determine an appropriate parking restriction for the drop-off/pick-up arrangements in Cambridge Street

Attachment 6 - PLN21/0194 - 67-77 Cambridge Street, Collingwood - Engineering referral comments

Additional Engineering Advice

Item	Details
Proposed Expansion of Cambridge Street Reserve and Road Closure	The closure of the northern end of Cambridge Street, at the Peel Street intersection, would have no material impact on the traffic generated by the development. The operation of the development would not be adversely affected by the road closure. Appropriate traffic signage such as a 'No Through Road' sign would be installed to inform motorists of the road closure and prevent motorists from utilising Cambridge Street as a through traffic route.

ENGINEERING CONDITIONS
Civil Works

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

- The kerb and channel along the property's Cambridge Street frontage must be reconstructed to Council's satisfaction and at the Permit Holder's cost.
- The footpath along the property's Cambridge Street frontage must be reconstructed to Council's satisfaction and at the Permit Holder's cost. The footpath must have a cross-fall of 1 in 33 (for asphalt) or unless otherwise specified by Council.
- All portions of redundant vehicle crossing are to be reinstated with pavement and kerb and channel to Council's satisfaction and at the Permit Holder's cost.

Vehicle Crossing

Before the development commences, or by such later date as approved in writing by the Responsible Authority, the new vehicle crossings must be designed and constructed:

- In accordance with any requirements or conditions imposed by Council;
- Demonstrating satisfactory access into and out of the site with a vehicle ground clearance check using the B99 design vehicle from AS/NZS 2890.1:2004, and be fully dimensioned with actual reduced levels (to three decimal places) as per Council's Vehicle Crossing Information Sheet;
- At the Permit Holder's cost; and
- To the satisfaction of Council.

Road Asset Protection

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

Construction Management Plan

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

Attachment 6 - PLN21/0194 - 67-77 Cambridge Street, Collingwood - Engineering referral comments

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, boundary traps, valves or meters on Council property will be accepted.

Discharge of Water from Development

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

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.
Clearances to Electrical Assets	Overhead power lines run along the west side of Cambridge Street, close to the property boundary. The developer needs to ensure that the building has adequate clearances from overhead power cables, transformers, substations or any other electrical assets where applicable. Energy Safe Victoria has published an information brochure, *Building design near powerlines*, which can be obtained from their website: http://www.esv.vic.gov.au/About-ESV/Reports-and-publications/Brochures-stickers-and-DVDs

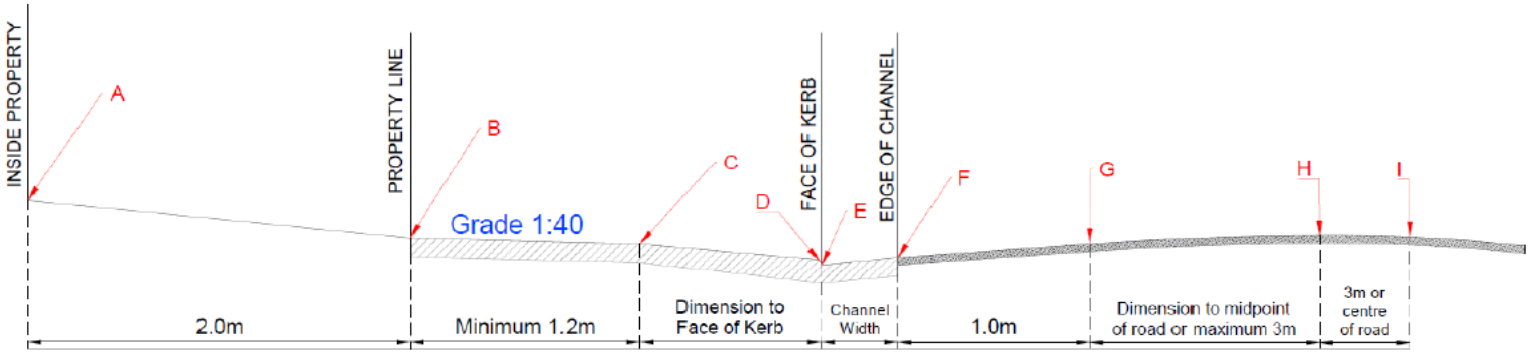
Attachment 6 - PLN21/0194 - 67-77 Cambridge Street, Collingwood - Engineering referral comments

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.



Attachment 7 - PLN21/0194 - 67-77 Cambridge Street, Collingwood - Open Space referral comments

Memo

To:	**Lara Fiscalini**
Cc:	
From:	**Lisa Monaghan**
Date:	**26 October 2021**
Subject:	**PLN21/0194 - 67-77 Cambridge Street, Collingwood - Response OS Planning**

Dear Lara

Thank you for forwarding Rev A of the above plans for open space planning review.

To provide some continuity from Julia's previous comments and any new comments, I have listed Julia's below, reviewed them against Rev A as best as I could. I have then added a few extra new comments towards the bottom of the table.

I hope all this makes sense. If not, please let me know.

FEEDBACK FROM JULIA JULY 2021	REVIEW OF FEEDBACK AGAINST REV A VERSION
Overall, I am supportive of the landscape concept and I think there will be benefit in adding vertical greening elements to the development given the shortage of green space in Collingwood. I also support including street trees in front of the development along Cambridge Street.	It seems that small street trees have been proposed adjacent to the development, possibly driven by the fact that half the tree canopy will be under the awning. This is a poor outcome for canopy cover and does little to provide shade over road pavement to assist in mitigating urban heat island impact. If it hasn't been reviewed by Urban Design yet I would suggest Clare Lee reviews the street tree planting.
The landscape plans provided include an adequate level of information to assure me the landscape concept can be realised. Please ensure the mulch specified is substituted for a material that will not blow off during high wind events.	The mulch specified in Rev A and in the Maintenance Plan seems to be adequate to minimize loss from wind. Very strong winds will blow chunky organic mulch so I think what they have proposed is reasonable.

Attachment 7 - PLN21/0194 - 67-77 Cambridge Street, Collingwood - Open Space referral comments

My main concerns for the landscape proposal is around maintenance access, especially for the planters proposed on levels 3, 4 and 6. I do not see any access doors or windows included in the plans to access any of these planter beds. We do not generally support vertical greening maintenance by abseiling. If this is to be the case, then some provisions for stays or the like should be included on the roof level in order for qualified maintenance staff to access the planter beds, particularly those on levels 3 and 6 which face the back of the property and cannot be accessed via cherry picker or other type of ground level machinery, given the lack of access for such equipment on that side of the proposed development.	Wall anchors have been proposed at a couple of locations to enabling abseiling for planter maintenance. These were not drawn on the Landscape Plans so would need to be shown on other relevant drawings with appropriate engineer certification.
As these balconies/roof gardens do not seem to be publicly accessible, I also request an increase in the planter bed width be considered to maximise opportunistic greening opportunities. This is small gesture that could provide long term environmental and amenity benefits to the broader area.	As revision clouds were not shown on Rev A so not possible to confirm if planter bed width has increased.
Is it possible to also increase the green provisions for the roof level of the proposed development? This space seems to be able to accommodate hotel guests and we think it could be a more vibrant space that carries positive environmental benefits if it includes more trees and planter boxes.	The planting on the roof level is minimal and may not have changed from the review in July. Unless there are any mandatory clauses with the Planning Scheme for min soft landscaping areas this will have to be left as a nice to have and noted as not incorporated by the developer.
I have some concerns around the vehicular traffic impact the development may pose to the park expansion and the broader area given we are aiming to close off the Cambridge Street intersection at Peel and will be seeking to start a road discontinuance process in late 2021. Are we able to request a Traffic Impact Assessment for this development that considers the road closure? I have attached a draft TIA we commissioned around the park expansion concept plan. As this study was undertaken prior to our awareness of this planning application submission, the impact of this development has not been included.	Has the traffic impact of the development taken into consideration the road closure for the park?
We have proposed the removal of 17 parking bays as part of the park expansion project and the impact of the increased number of visitors to the area through this development may exacerbate the impact of this loss. It may also deteriorate the community goodwill we currently have around the project, so suitable provisions should be made within the development boundary to potentially accommodate visitor parking	As per comment above for traffic assessment.
Given the development is south of the park, the shadow diagrams do not indicate an adverse impact on the park expansion proposal. The visual amenity of another tall building around the park will certainly create an impact to the amenity of the park however, and we want to reiterate the benefits	It is not clear on the extents of the vertical greening on the eastern elevation especially the contribution from the planters. An elevation view would help to illustrate the design intent of the greening provided by

Attachment 7 - PLN21/0194 - 67-77 Cambridge Street, Collingwood - Open Space referral comments

increased vertical greening in the development will provide to mitigate this	the planters. Will the plants in the balcony planters be supported and encouraged to trail beyond the planter box to cover the balcony balustrade.
We ask that the public realm proposal on the ground floor references some of the design elements proposed for the park expansions, for example consistent paving treatments, planting typology and if possible, artwork. We are still resolving the details of the park development project, but are happy to share this once we have resolved these components. We anticipate we will have this work completed later this year.	This request will have to be withdrawn as the paving treatments for the new park are still being worked through so there isn't anything to share with the developers at present.
NEW COMMENTS ON REV A VERSION	
Levels 1 – 4 & 6 don't have any plants specified in the planter boxes on the western side. This requires amendment in the next Landscape issue.	
Why is there no level 5?	
Has the soil volume for the tree planting being calculated? If so, can this be included on the drawings as minimum soil volume requirements.	

Kind regards

Lisa Monaghan
Open Space Planner

Attachment 8 - PLN21/0194 - 67-77 Cambridge Street, Collingwood - Department of Transport referral comments

Department of Transport

GPO Box 2392
Melbourne, VIC 3001 Australia
Telephone: +61 3 9651 9999
www.transport.vic.gov.au
DX 201292

Lara Fiscalini
Yarra City Council
PO BOX 168
RICHMOND VIC 3121

Dear Lara,

PLANNING APPLICATION NO.:	**PLN21/0194**
DEPARTMENT REFERENCE NO:	**PPR 38661/22**
PROPERTY ADDRESS:	**67-77 CAMBRIDGE STREET, COLLINGWOOD VIC 3066**

Section 55 – No Objection

Thank you for your referral dated 13 January 2022 of the above application to the Head, Transport for Victoria under Section 55 of the *Planning and Environment Act 1987.*

The Head, Transport for Victoria has considered this application and does not object to the grant of a permit.

Please forward a copy of any decision to this office as required under the *Planning and Environment Act 1987.*

Should you have any enquiries regarding this matter, please contact Kathy Aves on 03 7008 0693 or Kathy.Aves@transport.vic.gov.au.

Yours sincerely

Dwayne Singleton
Team Leader Statutory Planning MNW
Under delegation from the Head, Transport for Victoria
21/01/2022

VICTORIA State Government

9 December 2021

640.10090.07230 67-77 Cambridge St Collingwood 2021209.docx

Yarra City Council
PO Box 168
RICHMOND 3121

Attention: Lara Fiscalini

Dear Lara

67-77 Cambridge Street, Collingwood
Development Application Acoustic Review
PLN 21/0194

SLR Consulting Pty Ltd (SLR) has been retained by the City of Yarra to provide a review of the acoustic assessment report for the development proposed for 67-77 Cambridge Street, Collingwood.

Details of the report are as follows.

- Title: 67-77 Cambridge Street, Collingwood, Acoustic Report for Town Planning Application
- Reference: V391-01-P Acoustic Report (R0)
- Date: 3 March 2021
- Prepared for: SJB Planning
- Prepared by: Enfield Acoustics Pty Ltd

The report has been prepared to address noise impacts to and from the proposal.

1 Project background

The acoustically significant aspects of the project are described below:

- The project is an 8 level plus basement residential hotel consisting of:
  - Gym and restaurant in the basement.
  - Residential on eight levels
- Potential noise impacts to the subject development are identified as:
  - Mechanical plant on the roof of the neighbouring building (Deliveroo commercial kitchen at 81-85 Cambridge Street)
- Noise sensitive receivers are identified as:
  - Dwellings at 50-58 Oxford Street, west of the subject land
  - Apartments under construction at 72-92 Cambridge Street (opposite the subject development)
- Potential noise impacts from the subject development are identified in later sections of the report as:

SLR Consulting Australia Pty Ltd Level 11, 176 Wellington Parade East Melbourne VIC 3002 Australia
T: +61 3 9249 9400 E: melbourne@slrconsulting.com
www.slrconsulting.com ABN 29 001 584 612

- Patron and music noise from the proposed basement food and drink tenancy
- Noise from the proposed basement gym

SLR Comments: *The proposal, the nearest noise sensitive receivers and potential noise impacts have generally been identified.*

The food and drinks tenancy includes a basement level outdoor patron area on the western boundary, adjacent to existing residences and overlooked by hotel rooms. Noise from this area has been considered in the report.

The proposed hours of operation of the food and drinks tenancy is not explicitly provided, however later sections of the report indicate that operations up to 1 am are anticipated.

It is unclear whether the food and drinks tenancy will be operated by the hotel or by independent operators. Where the uses are controlled by the same business, demonstration of formal compliance with environmental noise limits at receivers within the development is less critical as it can assumed that noise impacts will be managed internally to some degree.

2 Background noise survey

(Section 2.1 and 2.2 of the report)

Background noise measurements were conducted in both Oxford Street and Cambridge Street, outside the potentially most impacted receiver locations, on Tuesday 19 January 2021, at 1 am (Monday night). The measured noise levels were 37 L_{A90} dB and 39 L_{A90}, dB respectively.

SLR Comment: *The measurement locations are appropriate. The timing of measurements is reasonable assuming the food and drink tenancies are proposing to operate up to 1 am.*

The duration of measurements is not included in the report. This information should be provided for transparency. We would anticipate measurement of background noise to be of at least 10 minutes duration (Enfield to confirm).

3 Patron noise

3.1 Criteria

(Section 2.3 of the report)

Patron noise to existing dwellings is proposed to be assessed to L_{Aeq} targets of 'background + 5dB' (i.e. 42 L_{Aeq} dB) and sleep disturbance criteria of 65 L_{Amax}, dB. Patron noise to the proposed hotel rooms is proposed to be assessed to the lower end of the relevant AS2107:2016 ranges, and 55 L_{Amax} dB indoors.

SLR Comment: *The proposed criteria for existing dwellings are appropriate. The design levels for the proposed hotel rooms are not explicitly nominated. AS/NZ2107 provides different levels for dwellings on major and minor roads. Given that the subject site is not on a major road, we assume the minor road criteria are intended to apply. These levels are 30 L_{Aeq}, dB in both bedrooms and living rooms (on this project all rooms are effectively bedrooms). This level aligns with the recommendations provided in the City of Yarra 'Guidelines – managing noise impacts in urban development'.*

However, the design levels used in the report should be confirmed with Enfield, as they are not explicitly stated, and it is possible that the levels for major roads, which are 5 dB higher, have been used.

The internal criterion of 55 L_{Amax}, dB is 10 dB lower than the external criterion for existing dwellings. This differential between outdoor and indoor levels (10 dB) is usually assumed for a 'windows open' scenario. Given that the internal L_{Aeq} levels are proposed to be met with windows closed, we would expect the L_{Amax} criterion to be presented for a windows closed scenario too. These levels are typically about 10 dB lower (e.g. 45 dBA). However, we acknowledge that the sleep disturbance L_{Amax} criteria are likely to comply with our recommended lower limit if the nominated L_{Aeq} criteria are met.

3.2 Patron noise assessment

(Section 3.2.1 of the acoustic report)

Patron noise in the outdoor courtyard has been modelled using data for 50 patrons in a restaurant dining situation. The sound power level for the noise source is 90 L_{Aeq}, dB. Enfield note that they have not been provided with a maximum number of patrons for this area.

A 1.9 m high fence is proposed for the western boundary of the outdoor patron area.

Noise from the area has been modelled using a 3D computational modelling package. The predicted noise levels are noted to comply with the noise limits. An aerial view of the noise model and predicted noise levels (both L_{Aeq} and L_{Amax}) are provided in **Appendix B**. The highest predicted levels are L_{Aeq} 42 dB (noise limit 42 L_{Aeq}, dB) and L_{Amax} 50 dB (noise limit 65 L_{Amax}, dB).

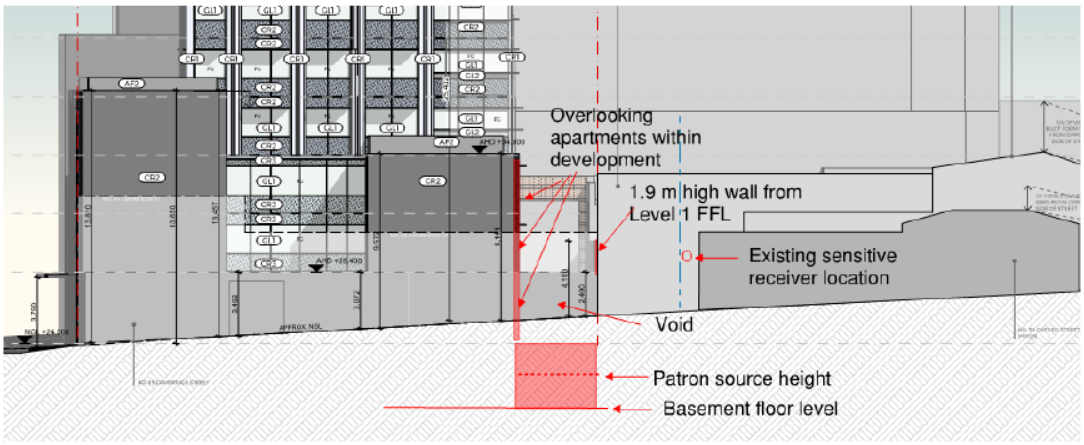
***SLR Comments**: We are concerned that the use of 'restaurant dining' sound power data is not appropriate for the courtyard. The space is shown as 36 m² and the accommodation of 50 patrons will result in a patron density of more than 0.8 people per square meter. This is commensurate with a crowded bar, rather than a restaurant dining scenario. The sound power data for a crowded bar / 'vertical consumption' scenario could be up to 10 dB higher (i.e. Patron voice noise levels in the outdoor area in the order of 84 L_{Aeq}, dB). It is also questionable whether the assumeption of 'restaurant dining' voice effort is appropriate for patrons outdoors late at night, when dining is unlikely to be taking place.*

Given the size of the outdoor area and its proximity to sensitive receivers, we would recommend limiting the number of patrons such that the lower sound power data is appropriate, at least for the night period. In our opinion the sound power power data would be reasonable for a maximum of 20 patrons outside area at night. .

The Enfield model does not attribute any noise to the internal components of the restaurant. If the doors onto the courtyard area are proposed to be left open, we would expect some contribution from this area.

*Our indicative calculations of noise from the outdoor area, considering only patrons in that space and the physical layout shown in **Figure 1**, are comparable to Enfield's. However confirmation should be provided that our assumptions are current, and in particular that the height of the proposed 1.9 m high barrier is given in reference to the building first floor level.*

Figure 1 North elevation



3.3 Control of patron noise to on-site receivers

(Section 3.2.3 of the report)

Enfield state that the predicted levels of patron noise at the façade of the hotel building will be controlled to hotel rooms provided standard glazing (either 6.38 mm laminated glass or thermal double glazing).

***SLR Comment**: Using Enfield's predicted noise levels outside hotel rooms windows of 65 dBA, our indicative calculations suggest internal levels in the order of 35 dBA for 6.38 mm thick laminated glass, and slightly lower levels for 6/12/6 thermal double glazing (however, a less thermal double glazed system could also be installed and meet Enfield's requirements). These levels are higher than the 30 dBA design level we understand to have been used for patron noise and in the order of 10 dB higher than Enfield's predicted levels.*

In summary, we are of the opinion that further consideration needs to be given to controlling patron noise to hotel rooms, and that a specification should be provided for façade upgrade treatments including a recommended minimum acoustic rating and recommended minimum glazing configurations (as it currently reads, there is no real requirement for the façade glazing to have an acoustic rating).

4 Music

4.1 Music criteria

(Section 2.3 of the report)

Music noise is proposed to be assessed to SEPP N-2. Noise limits have been calculated for the night periods, using the measured background levels and are presented in the table on page 5.

SLR Comment: *Subsequent to the report being prepared, SEPP N-2 was replaced by Part II of the Victorian EPA 'Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues', Publication 1826 (the Noise Protocol). Noise limits under the Noise Protocol are the same as under SEPP N-2, however definitions of the day/evening and night periods vary slightly, with octave band night limits only applying after 11 pm Monday to Saturday and after 10 pm Sundays. The external limits identified in the report are still relevant.*

Specific criteria have not been nominated for the hotel rooms that overlook the outdoor area and it is not clear what is proposed here. If the restaurant and the guest rooms are operated by the same entity, we are satisfied that impacts can be managed by the operator. However, if the restaurant is operated independently, we recommend that music levels are set to ensure that the Noise Protocol limits are met internally, with windows closed, in accordance with Clause 53.06 'Live music and entertainment noise' of the planning scheme.

4.2 Music levels

(Section 3.2.2 of the report)

Enfield have provided a music noise spectrum that is predicted to comply with the legislation at sensitive receiver locations (page 9 of the report). The provided levels are to be met in the centre of the outdoor area with two loud speakers operating. The overall level is 70 L_{A10}, dB. Enfield note that the level is consistent with background music as typically occurs in hotel food and drink premises, and is consistent with the expectations of the applicant. On these grounds, no advice for noise control is provided.

SLR Comment: *Our predictions of music to existing sensitive receiver locations are in general agreement with Enfield's, and we agree that music played at these levels are likely to be compliant. The proposed levels are, however, very low, and given the proximity of existing dwellings we recommend that Enfield provide advice for managing impacts. We suggest that a limiting device be installed and that the device be calibrated by a suitably qualified acoustic consultant to ensure that the identified levels are not exceeded.*

There is no specific reference to music from within the restaurant. Direction as to how these levels are to be managed also needs to be provided.

4.3 Music to hotel rooms

(Section 3.2.4 of the report)

Music to hotel rooms is predicted to be in the order of 26 dBA and non-intrusive, with standard glazing. Enfield's predictions are based on the assumption that music levels will be in the order of 66 L_{Aeq}, dB at the façade of the nearest hotel room.

They also state that music to hotel rooms will be self regulated to ensure that hotel guests are not disturbed.

SLR Comment: *The predicted music noise reductions through the facade are much greater than we would anticipate given the size of the windows and the assumed standard glazing.*

5 Gym

(Section 3.3.1 of the report)

The basement gym is proposed to be used by hotel guests. To control structureborne noise and vibration to the hotel rooms above, Enfield propose that the free weights areas include a floating floor with 25 mm static deflection. No floor treatment is proposed to other areas of the gym (i.e. under bikes, fixed weights, etc), however the report notes that impacts from fixed weight machines can be mitigated through the inclusion of springs below the weight stacks. A plasterboard ceiling with insulation to the cavity is also specified.

***SLR Comment**: The proposed treatments can be expected to adequately manage noise and vibration from the proposed gym.*

6 Existing mechanical plant noise (Deliveroo)

(Section 3.4 of the report)

Enfield conducted an assessment of noise from mechanical plant on the Deliveroo building roof in 2020.

The data obtained at that time has been used to predict noise to hotel guest rooms. An internal assessment has been proposed on the grounds that the hotel rooms will not have openable windows. The predicted noise level at the façade of the nearest hotel rooms is 51 dBA, and the internal noise level assuming standard glazing is predicted to be less than 20 dB.

***SLR Comments**: SLR provided review services on the assessment of mechanical plant from the Deliveroo roof and approved that assessment. The provision of an internal assessment to hotel rooms (i.e. assuming windows closed) is considered reasonable.*

We also note that the predicted levels only marginally exceed the evening noise limit of 49 dBA identified in that report (the equipment does not operate after 10 pm).

7 Road traffic noise

(Section 3.1 of the report)

Road traffic noise levels are noted to be low, and no specific facade upgrade treatments have been identified as necessary for achieving compliance with AS/NZS2107.

***SLR Comment**: We agree that road traffic noise impacts to the subject development are unlikely to be significant, and will be addressed by standard glazing.*

8 Project mechanical plant

(Section 3.5 of the report)

Project mechanical plant is proposed to be installed on the roof of the building, and may be overlooked by apartments in the building under construction at 72-94 Cambridge Street. Enfield recommend that the plant and equipment is reviewed during the design phase of the project, once selections have been made, to ensure that it complies with the relevant noise limits.

SLR Comment: *The advice provided is reasonable. We agree that the acoustical consultant should be retained to review noise from all acoustically significant plant and equipment during the detailed design phase.*

9 Other Matters – noise from food and drinks tenancy to hotel rooms above

The report does not provide advice for controlling noise from the food and drinks tenancy to the hotel guest rooms above, via the common floor / ceiling, and it is unclear whether a ceiling is proposed to be installed in that space. It is recommended that the report include advice on this matter.

10 Summary

SLR has reviewed the acoustic report for 67-77 Cambridge Street Collingwood. The items we consider require further attention are summarised below.

Background noise measurements

Measurement duration should be included in the report.

Patron Noise

- The report does not specify the assumed times of use of the outdoor patron area. Given that background noise measurements were conducted at 1 am, it is recommended that use of that space be limited to that time.
- The sound power data used for patrons in the outdoor area is based on a 'restaurant dining' scenario, whereas the assumed number of patrons is commensurate with 'vertical consumption'. Given the proximity to existing dwellings, we recommend that the number of patrons in the outdoor areas be restricted to 20 after 10 pm, such that the 'restaurant dining' assumption is reasonable. Lesser restrictions may be acceptable during the day / evening period, however Enfield have not provided a specific assessment of patron noise at these times (i.e. an assessment should be provided if different operating conditions are proposed for these times).
- The assessment should include consideration of noise from the internal areas of the restaurant, or guidance should be provided in relation to management of noise via the doors; eg doors between the restaurant and the outdoor area are kept closed from 10 pm, unless used for egress.
- Our predictions of patron noise to hotel guest rooms are in the order of 10 dB higher than Enfield's. This is a large difference, and likely to be due to a mistake in calculation or assumption on either our or Enfield's part. This needs to be cleared up. Regarding noise limits, if the hotel is operated independently from the restaurant, we recommend that the façade be designed to ensure internal levels do not exceed 30 dBA at night and 35 dBA during the day / evening period. If the businesses are not operated independently, it would be acceptable for levels up to 5 dB higher to be targeted, on the understanding that the hotel will manage impacts.

Music

- Low levels of music are proposed in the external courtyard. We recommend that Enfield provide advice for ensuring that these levels are not exceeded. Some form of electronic noise limiter is considered appropriate given the potential for exceeding Noise Protocol limits at existing dwellings.

- Music to hotel guest rooms should not exceed Noise Protocol limits if the residential component of the hotel is operated independently to the restaurant. If the uses are controlled by the same business, it would be reasonable for the operator to manage noise impacts.
- The predicted music levels within hotel rooms are lower than we would anticipate for standard glazing. We recommend that calculations of music through the façade be reviewed.
- The report should provide guidance for music played within the restaurant to ensure that environmental limits are not exceeded at existing dwellings, and to ensure that relevant noise limits are not exceeded in the hotel guest rooms.

Project mechanical plant

There is a risk of noise from project mechanical plant exceeding environmental noise limits, particularly at the apartments under construction at 72-94 Cambridge Street. Given this, we recommend that an assessment of all acoustically significant mechanical plant be undertaken during the detailed design phase of the project.

Noise from the food and drinks tenancy to hotel guest rooms above

It is recommended that the report include advice for controlling noise from the food and drinks tenancy to the hotel guest rooms above, via the common floor / ceiling, particularly if these entities are operated independently.

Regards,



Dianne Williams
Principal – Acoustics

Checked/
Authorised by: JA

Attachment 10 - PLN21/0194 - 67-77 Cambridge Street, Collingwood - Additional acoustic memo

CITY OF YARRA **File Note**

Date: 22 December 2022

Property Address: 67-77 Cambridge Street, Collingwood

Application No: PLN21/0194

SLR addendum comments on Acoustic report - *Enfield (dated 22/12/2022)*

COMMENTS:

I've read through their revised report. They have basically implemented all the recommendations we made, so no further issues from our end.

Regarding permit conditions, these could include the suggested conditions 1 to 7 provided in the summary section of the memo.

CITY OF YaRRA **File Note**

Property Address: 67-77 Cambridge Street, Collingwood

Application No: PLN21/0194

Summary of ESD Advisor referral comments

Comments on Amended Plans/SMP

26 November 2021

- As discussed previously this SMP has used a Green Star pathway, rather than a BESS pathway to demonstrate 'excellence' in ESD.
- The standard of ESD overall is good however, the report relies quite heavily on 'Innovation' category points to reach the 60 point threshold which is the minimum score for a 5 Star Green Star building.
- Furthermore, the claims of the 'innovation' in these items, although valuable, are not particularly innovative;
- An innovation point has been claimed for 'dematerialisation' of materials by using efficient solar panels. The 330W panels selected as part of the solar array however are fairly commonplace and are really an industry standard in the current solar market. Panels up to 350W are readily available. One point claimed here is not acceptable.
- Similarly, a point has been claimed for a water detection system which although is useful would be hard to describe as truly innovative. One point claimed here is not acceptable.
- Provision of electric bikes is probably acceptable as an innovative feature. (one point).
- 4 points for low-VOC paints is completely not innovative and standard in almost all new developments.
- Additional points for a 130% STORM is acceptable as innovative. (one point)
- After an analysis of these points of the 8 innovative points claimed is reduced to 2, the project score is pulled down to 54 points and therefore fails to meet the standard of ESD excellence.

16 December 2021

- Unfortunately, they are still claiming low-VOC paints as 'Innovation' points in their Green Star matrix. This is still not satisfactory.
- Please refer to my previous comments regarding the use of low-VOC credits in Innovation.
- Please advise the applicant to increase other Green Star points to reach the 5 Star standard of Excellence. If relying on 'Innovation' category points then the measures need to be either recognised by GBCA as innovative (GBCA Innovation Challenge) or agreed on by Council.
- Finally, many of the credits claimed in this draft SMP will need considerable amounts of evidence to support the claim and should be conditioned prior to occupation. Once the team get the standard right then I can advise which

elements should be tied to conditions including the JV3 energy model, UHI assessment, stormwater, etc.

20 December 2021

- I reviewed this claim for innovation, and it is acceptable.
- This concludes the outstanding issues in the response for this application.
- Please ask the applicant to update the SMP with a reference to the Green Star Innovation points claimed via Green Star As Built V1.3.

Global South

Independent Urban Design Review

Proposed hotel development, 67-77 Cambridge Street, Collingwood (Amended Plans) (PLN21/0194)

Prepared by Simon McPherson

27 January 2022

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1.0 Introduction

1.1 Process and involvement

In July 2021 I prepared a report for Yarra City Council, comprising urban design review and advice, regarding Amended Plans for the proposed residential hotel development at 67-77 Cambridge Street, Collingwood.

In September 2021 I prepared a concise review of 'work in progress' amended plans for the proposed development.

In October 2021 I was asked by Yarra City Council officers to prepare this review report, regarding submitted Amended Plans. This report builds on my previous reports regarding this application.

In preparing this review, I have:

- Accessed from the applicant's file transfer link and reviewed the application package, as follows:
  - Planning Submission report (SJB Planning, March 2021);
  - Architectural Plans (Telha Clarke, dated 13/10/2021);
  - Landscape Plan (John Patrick Landscape Architects, dated 22/09/2021);
  - Summary of Changes (Telha Clarke, dated 19/08/2021);
  - Section 57a Application letter, including response to my previous advice recommendations (SJB Planning, dated 21/10/2021)
- Reviewed the applicable provisions of the Yarra Planning Scheme relating to urban design;
- Visited the site and surrounding area on 21 June 2021. The photos in this report are my own, except where specified.

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1.2 Qualifications and experience to prepare this Review

1.2.1 Qualifications and registrations

My academic qualifications are as follows:

- **Executive Masters (MSc) in Cities (Distinction),** inaugural programme (September 2016 - February 2018), London School of Economics and Political Sciences (LSE Cities), UK;
- **Master of Science (MSc): Built Environment - Urban Design (Distinction),** The Bartlett School, University College London, 2005-06, UK;
- **Bachelor of Architecture (BArch) (First Class Honours),** The University of Melbourne, 1996-97;
- **Bachelor of Planning and Design (BPD) (Architecture)**, The University of Melbourne, 1992-94.

My professional registrations and memberships are as follows:

- **Registered Architect**, Architects Registration Board of Victoria: individual registration number 15838;

I am engaged on the following professional organisations:

- Member, **Melbourne Design Review Panel** (City of Melbourne, established 2021);
- Member, **Victorian Design Review Panel** (OVGA, since 2016);
- Member, **South Australian Design Review Panel** (ODASA, since 2011);
- Member, **Latrobe University Design Review Panel** (currently inactive);
- Global Advisor, United Nations Global Compact – Cities Programme (discontinued);
- Member, Built Environment Task Force, Smart Cities Council – Australia/New Zealand (discontinued).

1.2.2 Experience

Professional experience

I hold over 15 years of dedicated professional experience in urban design, including:

- Urban Designer, Victorian State Government (2002-2007, including study leave);
- Director, SJB Urban (2007-2016);
- Director, Global South (2016-present).

I hold approximately 5 years of prior experience in architectural practice, in Australia and the UK.

Project experience

My urban design experience includes the following projects:

- Policy and guidelines:
  - Author/contributor, *Better Placed*, NSW Architecture and Urban Design Policy, Government Architect NSW (2016-17). Benchmark design policy, winner Australia Award for Urban Design 2017;
  - Contributor (State Government employee), Design Guidelines for Higher Density Residential Development, Activity Centre Design Guidelines;
  - Contributor, SA Medium-Density Design Guidelines;
  - Lead consultant, Urban Design Guidelines, Bowden, SA (SJB Urban, 2015).

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- Urban Design Advice:
  - Eden/Haven/Sanctuary on the River, Abbotsford, for HAMPTON (complete), (SJB Urban, 2010). High-density, mid-rise (9-11 storeys) permeable courtyard development, winner UDIA President's Award, High-Density Housing Award (National, Victoria), Masterplanned Development Award (Victoria);
  - Richmond Plaza redevelopment, for Coles (SJB Urban, 2014);
  - Grocon FCAD redevelopment, Footscray Station Precinct (SJB Urban, 2011).
- Independent reviews:
  - Regular independent reviews of permit applications, for Councils including Melbourne, Yarra, Port Phillip, Banyule, Brimbank, Manningham and Casey.
- Strategic plans, structure plans and Urban Design Frameworks:
  - Sunshine NEIC Urban Design Analysis and Framework Plans, for Brimbank City Council, in collaboration with Kinetica;
  - Footscray Public Realm Plan, for Maribyrnong City Council;
  - Footscray Built Form Review 2020, for Maribyrnong City Council;
  - Tarneit Major Town Centre: Economic Impact Assessment and Design Review 2018, for Wyndham City Council;
  - Oakleigh Activity Centre Transport Precinct: Design Review 2018, for Monash City Council;
  - 1160 Sayers Road, Tarneit, Structure Plan for Wyndham City Council (landowner) (SJB Urban 2014-15). Innovative, integrated plan for high-density, walkable precinct in greenfield setting;
  - Footscray Station Precinct Planning and Urban Design Framework (SJB Urban, 2008-09). Winner, PIA Transport Planning Award 2008;
  - Brighton Toyota Site UDF, for LEFTA Corporation;
  - Frankston Transit Interchange Precinct UDF and Master Plan, for DPCD (SJB Urban 2009-2012);
  - Wise Foundation 'Wellness Village' UDF, Mulgrave, for landowners (SJB Urban, 2015-16).
- Master Plans and Concept Designs
  - Sunshine Station Master Plan 2021, for Department of Transport, in collaboration with Development Victoria;
  - Revitalising Central Dandenong (Sites 11-15) Master Plan/Development Plan, for Capital Alliance and Development Victoria, 2021;
  - Caulfield Village Master Plan, for Beck Property / Probuild (SJB Urban, 2012);
  - Greensborough Activity Centre Concept Master Plan, for Banyule City Council (2017);
  - 433 Smith Street (Fitzroy Gasworks) Master Plan, for Places Victoria (SJB Urban, 2015);
  - Master Plan, Binks Ford Site and over-rail deck, Footscray, for Places Victoria (SJB Urban, 2012);
  - Caulfield-Dandenong corridor concept/feasibility studies, for VicTrack (SJB Urban, 2015).

Experience preparing expert evidence

I have presented evidence at VCAT and Planning Panels Victoria on numerous occasions.

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2.0 Context

2.1 Strategic context

2.1.1 Zoning

The subject land is situated within the **Mixed Use Zone (MUZ).** The purposes of this Zone include:

- *To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.*
- *To provide for housing at higher densities.*
- *To encourage development that responds to the existing or preferred neighbourhood character of the area.*

2.1.2 Design and Development Overlay (DDO23)

The land falls within **Design and Development Overlay 23 (DDO23): Collingwood South (Mixed-Use) Precinct.**

I note that this DDO is an **interim control**, implemented through Amendment C250, and expires after 30 June 2021. However, my understanding is that it carries the same weight as a permanent control, being in place at the time of this application.

I am advised by Council officers that the Minister for Planning recently decided to prepare, adopt and approve Amendment C292yara – *Extension of the expiry clause within DDO23 (Collingwood South Mixed-Use Precinct).* The expiry date is set to be extended until 30 June 2022.

Design objectives

The design objectives of DDO23 include:

- *To foster an emerging, contemporary, mixed-use character with a prominent street-wall edge, incorporating upper level setbacks and design features that create a distinction between lower and upper levels.*
- *To ensure that the overall scale and form of new buildings is mid-rise (ranging from 3 to 12 storeys) and responds to the topography of the precinct, by providing a suitable transition in height as the land slopes upwards, whilst minimising amenity impacts on existing residential properties, including visual bulk, overlooking and overshadowing.*
- *To maintain the prominence of the corner heritage buildings on Wellington Street, and respect both individual and groups of low-scale heritage buildings through recessive upper-level development and a transition in scale from taller form towards the interface with heritage buildings.*
- *To promote and encourage pedestrian activity through street edge activation and the protection of footpaths and public open spaces from loss of amenity through overshadowing.*
- *To ensure that development provides for equitable development outcomes through building separation and a design response that considers the development opportunities of neighbouring properties.*

Building height

The subject land is in Area 1 under DDO23.

The DDO23 Building Heights Framework Plan nominates a preferred maximum building height on the subject land of **20m**, and preferred maximum street wall height of 14m.

It states that *a permit cannot be granted to vary a building height specified in Plan 1: Building Heights Framework Plan, unless **all of** the following requirements are met:*

- *the built form outcome as a result of the proposed variation satisfies the Design Objectives in Clause 1.0, the Heritage Building Design Requirements and the Overshadowing and Solar Access (Public Realm) Requirements;*
- *the proposal will achieve each of the following:*
  - *greater building separation than the minimum requirement in this schedule;*
  - *housing for diverse households types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations;*
  - *universal access, and communal and / or private open space provision that exceeds the minimum standards in Clauses 55.07 and 58; and*
  - *excellence for environmental sustainable design measured as a minimum BESS project score of 70%.*

This provision is a mandatory control.

I derive that the above points relating to housing diversity, universal access and private open space do not apply to the subject proposal, which is for a residential hotel building. I understand that Clause 58 does not apply.

Street wall height

DDO23 also states that *a permit cannot be granted to vary a street wall height specified in Plan 1: Building Heights Framework Plan unless **all of** the following are met:*

- *the built form outcome as a result of the proposed variation satisfies the Design Objectives at Clause 1.0 and the Heritage Building Design Requirements in this schedule;*
- *the proposed street wall height provides a transition, scaling down to the interface with heritage building, and is no more than two storeys higher than the street-wall height of the adjacent heritage building; and*
- *the proposed street wall height does not overwhelm the adjacent heritage building.*

Setbacks

On non-heritage sites, development should be built up to the front property boundary.

The subject land is in Area 1. The minimum upper-level setbacks for non-heritage sites in Area 1 is 6m.

Overshadowing

DDO23 states that development must not overshadow the footpaths of north-south streets to a distance of 2m from the kerb, between 10am and 2pm at the equinox. I derive that this is intended to mean that either of the footpaths must be in sunlight at any point during the stated time period.

Frontages

DDO23 guidance calls for prominent street wall edges, engaging and active street frontages, ground floor commercial activity where applicable, and appropriate location of services access.

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Upper levels are to be well-designed and articulated to break up the building mass, and to provide passive surveillance opportunities.

Building separation and equitable development

Development is required to consider future development opportunities on adjacent sites, and to provide minimum 4.5m upper-level setbacks from common boundaries where habitable room windows or balconies are proposed.

2.1.3 Planning Policy Framework

The following clauses are applicable to the subject site and proposal. Relevant content from these clauses is raised below in the context of my assessment of the proposal.

Clause 15 Built Environment discusses Urban Design objectives and strategies:

- **15.01-1S Urban Design** provides strategies for safe, healthy, functional and enjoyable urban environments. Strategies include:
  - *Require development to respond to its **context in terms of character, cultural identity**, natural features, surrounding landscape and climate.*
  - *Ensure development **contributes to community and cultural life** by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.*
  - *Ensure development **supports public realm amenity and safe access** to walking and cycling environments and public transport.*
  - *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.*
  - *Ensure that development provides **landscaping** that supports the amenity, attractiveness and safety of the public realm.*
- **15.01-2S Building design** guides buildings which contribute positively to context and enhance the public realm, including responding to the strategic and cultural context of the location.
- **15.01-4R Healthy neighbourhoods - Metropolitan Melbourne** seeks to create a city of 20-minute neighbourhoods;
- **15.01-5S Neighbourhood character** seeks to ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place, including by emphasising the heritage values and built form that reflect community identity.
- **15.02-1S Energy and resource efficiency** promotes consolidation of urban development and integration of land use and transport.
- **15.03-1S Heritage conservation** encourages *appropriate development that respects places with heritage values*, and seeks to *ensure an appropriate setting and context for heritage places is maintained or enhanced.*

Clause 17.02-1S Business encourages *development that meets the community's needs for retail, entertainment, office and other commercial services.* Strategies include *ensuring commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure*; and *locating commercial facilities in existing or planned activity centres.*

2.1.4 Local Planning Policy Framework

Yarra's Local Planning Policy Framework includes the following clauses applicable to the subject site and proposal.

Clause 21.03 Vision states that *Yarra will have a distinctive identity as a low-rise urban form, with areas of higher development and highly valued landmarks*, and that *all new development will demonstrate design excellence.*

Clause 21.04-3 Industry, office and commercial seeks to *increase the number and diversity of local employment opportunities.*

Clause 21.05-2 Urban Design includes the following objectives and strategies:

- *To ensure that new development contributes positively to Yarra's urban fabric.*
- *Reflect the fine grain of the subdivision pattern in building design where this is part of the original character of the area.*
- *To enhance the built form character of Yarra's activity centres.*
- *Require development within Yarra's activity centres to respect and not dominate existing built form.*
- *Support new development that contributes to the consolidation and viability of existing activity centres.*

Clause 21.05-3 Built form character seeks to improve the built form character of transport corridors.

Clause 21.08-5 Neighbourhoods – Collingwood identifies that much of Collingwood is industrial in character, with residential precincts surrounded by or interspersed with industrial buildings. The area south of Johnston Street (containing the subject land) is varied in built form and character, ranging from large Victorian factory buildings to small pockets of low-rise residential development.

Clause 22.10 Built Form and Design Policy seeks to:

- *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.*
- *Ensure that new development makes a positive contribution to the streetscape through high standards in architecture and urban design.*
- *Limit the impact of new development on the amenity of surrounding land, particularly residential land.*
- *Design buildings to increase the safety, convenience, attractiveness, inclusiveness, accessibility and 'walkability' of the City's streets and public spaces.*
- *Create a positive interface between the private domain and public spaces.*
- *Encourage environmentally sustainable development.*

This Clause then provides extensive guidance for urban design outcomes.

2.2 Built form context

2.2.1 Site location and local context

The subject land is located on the western side of Cambridge Street, approximately 50m north of Langridge Street, and 80m west of Wellington Street.

Cambridge Street extends from Victoria Parade to the south, to Stanley Street to the north, and is approximately 20m in width.

Cambridge Street forms part of Collingwood's mixed use area, and the locality around the subject site contains a mix of recent commercial office developments, older warehouse or industrial buildings, small cottages/houses, and cafes.

2.2.2 On-site built form

The subject site is occupied by a single-storey brick commercial/warehouse building with a low-angled sawtooth roof. The building contains a central recess in the frontage for car parking.

The building is recessed or set back from both side boundaries approximately 1m, creating narrow external walkaways to a depth of approximately 18m from the street frontage.



Figure 01: Subject site, Cambridge Street frontage.



Figure 02: Side recess / northern interface of the subject site, viewed from Cambridge Street.

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Figure 03: Side recess / southern interface of the subject site, viewed from Cambridge Street.



Figure 04: Subject site in the Cambridge Street context, looking south.



Figure 05: Aerial photo of the subject site (centre, red marker) in its wider context (image source: Google).

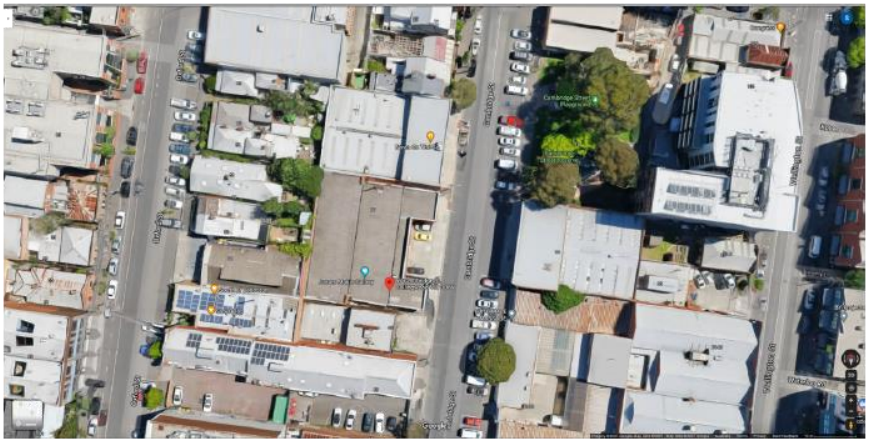


Figure 06: Aerial view of the subject site (centre, red marker) in the local context of Wellington Street (right) and Oxford Street (left) (image source: Google).

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2.2.3 Interfaces

The site's immediate interfaces comprise:

North:

Double-storey brick commercial building (with single-storey rear warehouse component) at 81-85 Cambridge Street, which is built to the front and side boundaries, but with recessed ground floor frontage to accommodate car parking.

North of that building, a row of four (4) terraced houses exists adjacent to a 2-storey café building at the corner of Peel Street.

West:

48 Oxford Street contains a single-storey brick commercial building.

50 and 52 Oxford Street comprises two adjoining 2-storey terraced houses, within Heritage Overlay HO123.

54 and 56 Oxford Street comprises two adjoining dwellings with a combined pitched roof.

South:

65 Cambridge Street contains a run-down 2-storey brick commercial building with front setback.

It is adjacent to the large redevelopment (under construction) at 42-44 Oxford Street and 61-63 Cambridge Street and 16-20 Langridge Street, Collingwood (Permit no. PLN18/0497), which is a 9-level building containing hotel and apartments with ground floor commercial spaces, plus roof top communal terrace.

East:

The development at 72-94 Cambridge Street appears to be nearing completion and comprises a 9-storey residential building with ground floor commercial spaces. Its interface with the Cambridge Street Reserve to the north, is on alignment with the subject site's northern boundary.

A recent 9-storey development to the south fronts onto Cambridge, Langridge and Wellington Streets.



Figure 07: 81-85 Cambridge Street (green brick building) adjoining the subject site's northern boundary, with terraced houses further north.



Figure 08: Houses and commercial building fronting Oxford Street, interfacing to the rear boundary of the subject site.

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Figure 09: Under-construction development at 42-44 Oxford Street and 61-63 Cambridge Street and 16-20 Langridge Street, with the subject site at right.



Figure 10: Development at 72-94 Cambridge Street, opposite the subject site, comprising a 9-storey residential building with commercial ground floor space.

2.2.4 Surrounding built form

As noted above, the Collingwood mixed-use area contains a range of building types and forms, including older commercial/warehouse buildings and fine-grain residential dwellings.



Figure 11:Houses fronting Cambridge Street, north of the subject site.



Figure 12: Looking south along Oxford Street, west of the subject site.





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Figure 13: Built form on Oxford Street, west of the subject site.

Figure 14: Looking north along Oxford Street.

2.2.5 Emerging development context

This locality is undergoing significant change through recent/current development, with a range of substantial mid-rise buildings in place or under construction nearby, as shown below. These buildings display a range of street wall heights between two (2) and seven (7) (or more) storeys, with building heights generally in the mid-rise range of 6-12 levels.

Some of the developments shown below fall under different planning controls than the subject site.



Figure 15: Development at 72-94 Cambridge Street, opposite the subject site



Figure 16: Contemporary development at corner Peel Street and Oxford Street.



Figure 17: Langridge Street looking east, with 9-storey development between Cambridge and Wellington Streets.

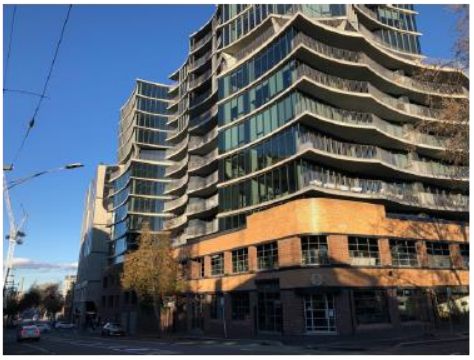


Figure 18: 61-71 Wellington Street, extending to Cambridge Street, looking east along Langridge Street towards Wellington Street.

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Figure 19: Cambridge Street, west side, looking north from Peel Street.



Figure 20: Wellington Street, corner Peel Street (at right), looking south.



Figure 21: Residential development at 51 Langridge Street (corner Wellington Street).



Figure 22: Commercial development on Wellington Street and Northumberland Street.

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2.3 The proposal

2.3.1 Configuration

The proposal is for an 8-storey building (plus basement and roof terrace) arranged as follows:

- Basement (1 level): Hotel dining spaces, kitchen, gym/yoga room, bike storage, office/admin and building services;
- Ground Floor: Hotel food and beverage space, reception, hotel rooms, loading bay, building services;
- Levels 1-7: Hotel rooms;
- Roof level: Outdoor terrace, mechanical plant.

The building form is configured as follows:

- Cambridge Street interface:
  - 4-storey street wall with zero/0m setback (Levels G-3), for full width of frontage;
  - Setback 6.0m to Levels 4-7 and roof level.
- Rear/west interface:
  - Zero (0m) setback for central component (single-storey);
  - 4.5m setback to hotel rooms, across Ground Floor and Levels 1-3;
  - 4.75m setback to hotel rooms to Levels 4-5;
  - 7.5m setback at Levels 6-7;
  - Increased setback at north-west corner from Level 3.
- Side (north) interface:
  - Zero (0m) setback (Levels G-3), with 4.5m deep central recess/light court;
  - 4.5m setback to upper levels (Levels 4-7);
  - 6.1m setback to rooftop mechanical plant enclosure;
  - Increased setback at north-west corner from Level 3.
- Side (south) interface:
  - Zero (0m) setback (Levels G-3), with 4.5m deep central recess/light court;
  - 4.5m setback to upper levels (Levels 4-7);
  - 6.0m setback to rooftop mechanical plant enclosure.

2.3.2 Heights

The overall building height at Cambridge Street is dimensioned as 26.650m to parapet level, plus balustrade (0.85m).

The street wall height is 13.850m to parapet at the top of Level 3, plus balustrade (0.7m).

Floor-to-floor heights are 3.9m at Ground Floor, and 3.2m at all other levels.

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3.0 Assessment against previous recommendations

3.1 Recommendation 1:

Explore opportunities to consolidate and reduce the Ground Floor frontage length of building services, and increase the extent of active, visually permeable frontage.

In the Amended Plans, the car park/loading space at the Cambridge Street frontage has been reduced in size/width, allowing the Substation to be repositioned by 2.5m to the south. This increases the extent of active, visually permeable frontage by 2.5m.

This reconfiguration has also resulted in some bike storage racks being related to the Basement level. It is assumed that this bike storage is for hotel staff (which is a reasonable expectation), and that access would be via the loading bay off Cambridge Street, then through the Back of House/Linen space to the Services Lift (rather than through the hotel reception area.

The other building services cupboards in the street frontage remain unchanged, but I note the applicant's advice that this extent and positioning reflects technical/authority requirements.

The front elevation and artist's impression renders indicate that these cupboards will be clad in bronze-finish metal cladding, to match the loading bay and substation frontages, and will have glass above within the Ground Floor frontage.

I support this apparent design integration of the services enclosures, and suggest that the two cupboards be minimised in their height, and potentially aligned to have the same height, to minimise visual interruption in the glazed frontage.

However, I accept this response to the above recommendation, recognising that it reflects an optimal frontage condition in response to technical and functional/operational requirements for the building.

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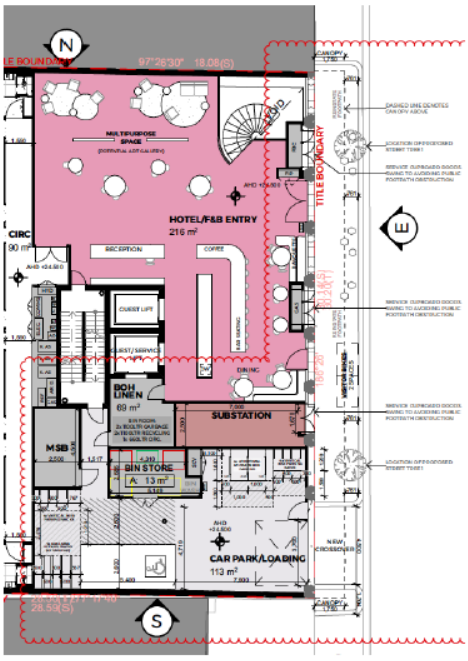


Figure 23: Original Application Plans: Ground Floor frontage to Cambridge Street.

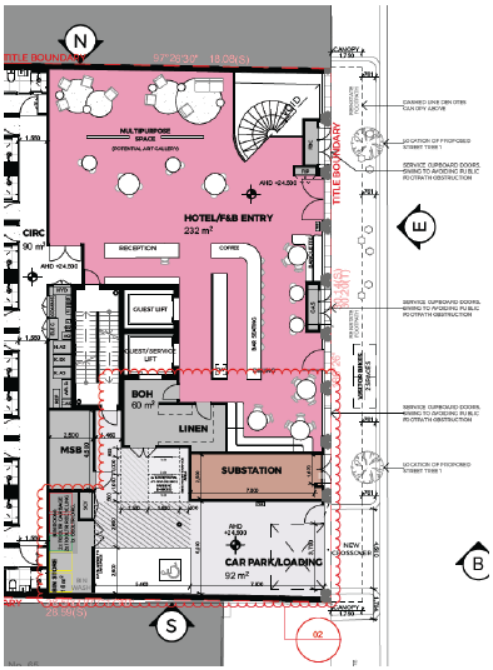


Figure 24: Amended Plans: Ground Floor frontage to Cambridge Street.

3.2 Recommendation 2:

Confirm that the bronze glass (GL4) proposed at the Ground Floor frontage is lightly tinted and highly visually permeable.

The Amended Plans (TP4.0 Materials) indicate the GL4 glazing will have minimum 40% visual light transmission (VLT).

The Section 57a letter by SJB Planning states this as 50% VLT. But in Section 2.0 of that report, it states 40% VLT (page 14).

The Artist Impressions in the Amended Plans indicate lighter glazing than previously proposed (see excerpts below).

The preceding 'Work in Progress' plans indicated 50% VLT.

In reviewing those plans, I stated that:

> *I cannot definitely assess the visual outcomes of this specification, but would reinforce that the ground floor glazing should be as visually permeable as possible, and being east facing, solar gain is not expected to be a major concern at Ground Floor level.*
>
> *Therefore I would suggest an even higher VLT if available, or to request samples or examples of the proposed glazing in completed buildings.*

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This position remains current, however I would recommend adopting at least 50% VLT rather than 40%, which indicates that less than half of available light is transmitted through the glass.



Figure 25: Application Plans artist impression of Ground Floor frontage, with bronze glazing.



Figure 26: Amended plans: artist impression of Ground Floor frontage, indicating lighter-colour and more visually permeable glazing.

3.3 Recommendation 3:

Consider providing a communal outdoor deck space at the Cambridge Street frontage at Level 4, rather than a highly visible but inaccessible roof space at the streetscape interface.

The Amended Plans incorporate a communal terrace or deck at Level 4, within the setback space at podium level, in front of the lift core, as recommended.,

This 37 sq.m space is limited in width by the adjacent hotel rooms (for privacy reasons), but provides an effective space for guests to occupy outdoor space overlooking the street.

This aspect of the proposal is supported.

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3.4 Recommendation 4:

I consider that the street wall component would benefit from an increased sense of mass, through more masonry materiality, perhaps within the opaque spandrel panels of the facade, to create a more robust and solid expression for the street wall, and increased contrast to the lighter expression of the upper-level form.

The street wall design has been modified as follows:

- Spandrel glazing (opaque) replaced by concrete (CR3 - light grey with texture)
- Bronze glass (GL4) across all podium/street wall levels (previously just to Ground Floor level);
- Introduction of planter boxes at all levels, in concrete finish (CR3);
- Limited refinement of columns, including removal of low-level column elements at ground floor level.

This revised design approach achieves a greater sense of mass and solidity in the street wall, while the façade planting increases the sense of texture and tactility, and reduces the previously more 'glossy' presentation. It also makes the façade appear more 'gridded' and 'structural', rather than a predominantly glass façade with interspersed stone columns.

The Landscape Maintenance Plan states that the raised planters at Levels 1-3 will have irrigation and drainage, and a dedicated maintenance and review program, with appropriately tolerant plant species.

The proposal also includes upper-level planting at roof terrace-level facing Cambridge Street, and facing west at the roof/setback space at Level 6. These planting areas provide further visual interest and softening, as well as amenity for guests, and so are supported.

The replacement of the previous bluestone tile cladding to the façade columns, with dark textured concrete, will also contribute to a more robust, textured and tactile finish, which integrates with the other concrete facade components, and a less 'glossy' finish ta the streetscape. This is more in keeping with the local urban context.

These revisions achieve the recommendation for a more solid and robust appearance, in response to the local context and character, and is therefore supported.

3.5 Recommendation 5:

Clarify and confirm the façade configurations to the upper levels, including the extent and visual nature of spandrel glass, and column and window framing details.

The Amended Plans are clearer in response to this recommendation.

The upper levels at the street frontage and rear facade comprise clear glass windows, concrete columns (as previously) and concrete balustrades (replacing the glass in the previous plans). This approach is generally reflected in the side facades.

I accept this approach in that it is related yet distinct from the lower-level facades, providing a visually lighter expression which is appropriate.

3.6 Recommendation 6:

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Clarify and/or review the façade expression to the west elevation, including colours and materials.

The West Elevation is labelled clearly, reflecting a facade design that is consistent with the street frontage, which I consider appropriate.

I accept this aspect of the proposal.

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4.0 Conclusion

The proposed development at 67-77 Cambridge Street, Collingwood, reflects an appropriately configured built form response to the strategic and physical context, and is expected to contribute positively to the Cambridge Street public realm through increased activity, amenity and visual interest.

The design is appropriately considered and resolved, and I consider that my previous recommendations have generally been effectively addressed in the Amended Plans.

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Attachment 13 - PLN21/0194 - 67-77 Cambridge Street Collingwood - File Note - Strategic Planning

CITY OF YARRA **File Note**

Property Address: 67-77 Cambridge Street, Collingwood

Application No: PLN21/0194

Summary of Strategic Planning Referral comments

Relevant comments on original plans

- *Height* – the proposal is 10m higher than the preferred height. If all conditions are met, the proposal could exceed the building heights. If not all conditions are met, the interim DDO23 states that a permit cannot be issued.
- *Street wall height* – appears to comply
- *Upper level setback* – appears to comply

Comments on amended S57A plans

- *Building Separation* - The increase in separation for the parts above the preferred is less than 3m. I am of the view this is not sufficient to justify 2 storeys extra. In my view it should be 3m per level extra to reduce the visibility and ensure the extra height causes no extra overshadowing, if it does. Averaging all the upper level setbacks into one figure is not reflective of the actual response.
  Depending on what windows are proposed towards the north, the separation of 4.2m may also need to be increased to 4.5m.

- *Overshadowing* - The new shadow diagrams provide better differentiation on where the issue lies. In short, the upper form may not be the issue from an assessment perspective, so based on the current interim DDO23 a permit could be issued should statutory planning find the proposal adequate. Strategic Planning is of the view that such a permit could condition a better outcome in relation to 50 Oxford St.

6.2 PLN21/0512 - 47 Gore Street Fitzroy - Full demolition, construction of one new dwelling and associated reduction in the car parking requirements of the Yarra Planning Scheme.

Executive Summary

Purpose

1. This report provides Council with an assessment of an application at No. 47 Gore Street Fitzroy for full demolition construction of one new dwelling and associated reduction in the car parking requirements of the Yarra Planning Scheme. The report recommends approval of the application subject to conditions.

Key Planning Considerations

2. Key planning considerations include:
   (a) Clause 32.09 – Neighbourhood Residential Zone (Schedule 1)
   (b) Clause 43.01 and clause 22.02 – Heritage
   (c) Clause 54 – One dwelling on a lot (Rescode)
   (d) Clause 52.06 – Car parking
   (e) Clause 22.09 – Development abutting laneways

Key Issues

3. The key issues for Council in considering the proposal relate to:
   (a) Heritage
   (b) Clause 54 – One dwelling on a lot
   (c) Car parking
   (d) Objector concerns

Submissions Received

4. Ten (10) objections were received to the application, these can be summarised as:
   (a) Heritage (removal of contributory building, inappropriate proposed design)
   (b) Not in keeping with neighbourhood character

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 conditions outlined in the recommendation of this report.

CONTACT OFFICER: **Jessica Sutherland**
TITLE: **Statutory Planner**
TEL: **9205 5365**

6.2 PLN21/0512 - 47 Gore Street Fitzroy - Full demolition, construction of one new dwelling and associated reduction in the car parking requirements of the Yarra Planning Scheme.

Reference	D22/2337
Author	Jessica Sutherland - Statutory Planner
Authoriser	Coordinator Statutory Planning

Ward:	Langridge Ward
Proposal:	Full demolition, construction of one new dwelling and associated reduction in the car parking requirements of the Yarra Planning Scheme.
Existing use:	Single dwelling
Applicant:	Rob Kennon Architects
Zoning / Overlays:	Neighbourhood Residential Zone (Schedule 1), Heritage Overlay (Schedule 334) and Development Contributions Plan Overlay (Schedule 1)
Date of Application:	13 July 2021
Application Number:	PLN21/0512

Planning History

1. There is no planning history for the site located in Council records.

Background

2. The application was received by Council on 13 July 2021, with further information provided in October 2021. The application was advertised in October 2021, with ten (10) objections received.

3. No consultation meeting was held.

Planning Scheme Amendments

Amendment C269

4. Amendment C269 was adopted by Council on 3 August 2021 and proposes to update the local policies in the Yarra Planning Scheme by replacing the Municipal Strategic Strategy (MSS) at Clause 21 and the Local Planning Policies at Clause 22 with a *Municipal Planning Strategy* and *Local Policies* with the *Planning Policy Framework (PPF)*, consistent with the structure recently introduced by the State Government. The amendment proceeded to a panel hearing in November of 2021.

5. The key changes proposed which relate to the subject application is the Housing Strategy which introduces a hierarchy of housing change areas for residential land in Yarra. These change areas are organised from lowest change to highest change in the following order:

   (a) Minimal

   (b) Incremental

   (c) Moderate

   (d) High

6. The subject site is in an area of Minimal change which are recognised to accommodate one or two dwellings in typically small individual lots. This is consistent with the existing policies which apply to the area.

7. Similarly, the heritage policy proposed through the amendment is generally consistent with the objectives of Clause 22.02 (heritage) and would not have a notable influence on the heritage assessment.

The Proposal

8. The application is for full demolition and construction of one new dwelling with a reduction in the car parking requirements of the Yarra Planning Scheme. Further details of the proposal are as follows:

Demolition

9. Full demolition of the dwelling, including the carport (associated roller door) and outbuilding, landscaping, ground materials and front and side fencing.

Proposed dwelling

10. Construction of a two storey dwelling (plus basement) and detached single storey garage at the rear, with the following details:

(a) The dwelling presents a double storey façade to the street which is set back 4.34 metres from the front title boundary. The ground floor of the façade is recessed to create a porch/alcove which is covered with a permeable screening, whilst the first floor is rendered with a single window with a protruding (500mm) awning.



Image 1: render of proposed dwelling (Decision plans)

(b) The ground floor of the dwelling is constructed to the north and south title boundaries for its length (22.92 metres), with the exception of a central courtyard (3.13 metres wide) along the northern boundary.

(c) The first floor is separated into two forms (accessed via separate stairs). The front portion (comprising of a masterbedroom, WIR and ensuite) is constructed to the north and south boundaries for a length of 6.55 metres and to a height of 7.64 metres).

(d) The rear portion (comprising of a bedroom, bathroom and study) is constructed to the northern boundary for a length of 2.62 metres and is then set back 960mm for the remainder, while it is set back 960mm from the southern boundary for its length.

(e) The dwelling has a flat roof with a maximum overall height of 7.64 metres (at the front).

(f) A single storey garage (with associated shed and store) is constructed to the rear boundary and to the north and south boundaries for a length of 6.26 metres. The garage has a flat roof and a maximum height of 3.27 metres.

(g) A basement (comprising of a laundry and store) is proposed, with a floor level 2.59 metres below natural ground level (**NGL**).

(h) An area of secluded private open space is located between the dwelling and garage and is 42sqm in area.

General

11. One (1) car parking space is provided in the garage.

12. A 1.2 metre high steel front fence.

13. A 5,000Lt rainwater tank located underground and a 3sqm, 100mm deep rain garden in the front setback.

14. Materials include, rendered masonry (light paint finish), face brickwork for the elevations, metal roof sheeting, steel fence (light paint), battens (light paint finish) façade screen, and exposed metal window awning.

Existing Conditions

Subject Site

15. The subject site is located on the western side of Gore Street, 100 metres south of Gertrude Street, in Fitzroy. The site has a frontage of 6.79 metres to Gore Street and a maximum depth along the northern boundary of 39.67 metres, yielding an overall site area of 266sqm. The site is bound by Little Gore Street, a 3.7 metre wide laneway, to the west.

16. The site is developed with a single storey, cream rendered dwelling with a bullnose verandah with timber beams and lace fretwork, a flat parapet, sash windows with timber shutters and an iron palisade fence with concrete plinth. The dwelling is categorised as Contributory to the South Fitzroy Heritage Precinct pursuant to the *City of Yarra review of Heritage Overlay Areas, Graeme Butler and Associates (2007)*. The front façade of the dwelling is setback 3.61 metres from the street frontage. The dwelling is constructed to the southern title boundary for its entire length (24.3 metres) and northern title boundary for a length of 14 metres (with the exception of a light court).

17. An outbuilding and car port are constructed at the rear of the site, with vehicle access provided via a roller door to the laneway. An area of secluded private open space (**SPOS**) is located between the dwelling and car port and is partially covered by a trellis.



Image 2: the subject site from Gore Street (source: Officer site visit, October 2021)



Image 3: subject site (source: realestate.com listing, October 2020)

Surrounding Land

18. The immediate area is characterised by residential dwellings from the Victorian/Edwardian-era and contemporary infill development. The subject site and surrounds are located in the South Fitzroy Heritage Precinct (Schedule 334).



Image 4: Aerial of the subject site and surrounds (source: NearMap, December 2021)

North

19. Immediately to the north of the subject site is No. 49 Gore Street which is developed with a two storey, Victorian/Edwardian-era terrace recognised as Individually Significant to the heritage precinct. The front wall of the dwelling is set back 4.33 metres from the street frontage and is constructed to the shared boundary for its length, with the exception of a 2.09 metre deep light court. Three habitable room windows (**HRW**) face the subject site from within this light court, two at ground floor (associated with the kitchen) and one at first floor. An area of SPOS is provided at the rear.

20. Further north is an attached two storey terrace, which mirrors the dwelling at No. 49 Gore Street, and is also recognised as Individually Significant to the precinct. Both dwellings have a metal palisade front fence approximately 1.5 metres in height.

21. Beyond these dwellings and up to Gertrude Street is contemporary infill development, generally presenting as a row of attached, two storey dwellings, constructed with concrete, rendered masonry and metal cladding. Front fences are generally 1.5 metres in height and metal/steel with concrete plinths.

South

22. Immediately to the south is No. 43 Gore Street which is developed with a two storey, double fronted Victorian-era dwelling with masonry finish, decorative mouldings and parapet. The dwelling is set back 900mm from the street frontage and has a 1.4 metre high steel palisade fence. Triple and double storey additions (as approved through PL09/0216, PLN18/0312 and PLN18/0631) are located to the rear, beyond the front parapet. The third storey additions are contained within a zincalume mansard roof form beyond the front parapet. The rear double storey additions are aligned at an oblique angle to the northern site boundary (shared with the subject site). The principal SPOS, 63sqm in area, is located at ground floor between the rear of the dwelling and a double car garage constructed to the rear boundary. Three (3) HRW obliquely face the subject site, two at ground floor (associated with a living and kitchen) and one large window at first floor (associated with a secondary living).

23. Further south are attached, two storey dwellings from the Victorian/Edwardian-era with a mixture of intactness. The dwellings on the western side of Gore Street maintain a setback of approximately 3.6 metres with the exception of No. 43 Gore Street.

East

24. Across Gore Street to the east is a row of notably intact two storey, attached Victorian/Edwardian-era dwelling, which like the western side of the street generally maintain a uniform setback. Image 5 below shows the heritage gradings of each site along Gore Street, with almost all dwellings along the eastern aspect of the street recognised as being Individually Significant to the heritage precinct.



***Figure 18.** Map showing heritage gradings for properties with frontage to this section of Gore Street (note other properties within HO334 have not been plotted). Pale orange properties are included in the Victorian Heritage Register.*

Image 5: the heritage grading of the properties along Gore Street (source: Heritage Impact Statement, prepared by gjm heritage and dated 13 July 2021)

25. To the west is Little Gore Street which is accessed via Little Victoria Street to the south.

26. Beyond which are the rear fences and outbuildings/garages associated with dwellings fronting west to George Street.

27. The property directly opposite the subject site is No. 48 George Street which presents a metal sheeting shed/garage to the laneway.

General

28. The subject site is 100 metres south of the Gertrude Street Neighbourhood Activity Centre (**NAC**) and 150 metres north of Victoria Parade, both of which provide for public transport options (tram lines and a bus route).

29. Parking along Gore Street includes:

    (a) 1P parallel spaces between 7am and 6pm Monday to Friday along the eastern side, with a permit zone allocated outside of these times.

    (b) A permit zone on the western side of the street.

Planning Scheme Provisions

Zoning

Neighbourhood Residential Zone (Schedule 1)

30. Pursuant to Clause 32.09-1 of the Yarra Planning Scheme (**the Scheme**), a permit is not required to use the land as a dwelling.

31. Pursuant to Clause 32.09-5, *a planning permit is required to construct or extend a dwelling on a lot less than 500sqm* (as specified in Schedule 1 of the Zone). The subject site is an area of 266sqm thus a permit is required to construct one dwelling on a lot.

32. Pursuant to Clause 32.09-4 of the Scheme, mandatory minimum garden area requirements applies to lots greater than 400sqm. As the subject site is a total area of 266sqm, the garden area requirements are not applicable.

33. Pursuant to Clause 32.09-10, *a building used as a dwelling or residential building must not exceed a height of 9 metres or two storeys at any point.*

34. The proposed dwelling which has a maximum height of 7.64 metres above NGL and is two storeys, thereby meeting the requirements of the mandatory provision.

35. Pursuant to Clause 32.09-5, a permit is required to construct a front fence if it is greater than 1.5 metres in height. The proposed front fence, thus, does not trigger a permit under the zone.

Overlays

Heritage Overlay (Schedule 334)

36. Pursuant to Clause 43.01-1, a planning permit is required to demolish or remove a building and to construct and carry out works, including to construct a fence which is visible from the street.

37. Pursuant to Clause 43.01-4, the following aspects of this application are exempt from the Notice Requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64 (1), (2) and (3) and the review rights of Section 82(1) of the Act:
    (a) Demolition of the car port and garage
    (b) Demolition of the front fence
    (c) Construction of the front fence

38. Appendix 8 to the City of Yarra Review of Heritage Areas, 2007 – The site is identified as being Contributory to the *South Fitzroy Heritage Precinct* (Schedule 334).

Development Contribution Plan Overlay (Schedule 1)

39. Pursuant to Clause 45.06-1 a permit granted must:
    (a) Be consistent with the provisions of the relevant development contributions plan.
    (b) Include any conditions required to give effect to any contributions or levies imposed, conditions or requirements set out in the relevant schedule to this overlay.

40. The proposal does not result in an increase in the number of dwellings; thus, the requirements of the Overlay do not apply.

Particular Provisions

Clause 54 – One dwelling on a lot (ResCode)

41. Pursuant to Clause 54 of the Scheme this provision applies to an application to construct a dwelling on a lot less than 500sqm. A development must meet the objectives of Clause 54.

Clause 52.06 – Car parking

42. Pursuant to Clause 52.06-2, before a new use commences, the required car parking spaces must be provided on the land. Clause 52.06 does not apply to the construction and use of one new dwelling in the Neighbourhood Residential Zone unless the zone specifies that a permit is required to construct the dwelling. As discussed, a permit is triggered under the zone to construct the dwelling, thus, Clause 52.06 is applicable.

43. Table 1 at Clause 52.06-5 specifies that two (2) car parking spaces should be provided to each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedroom). It is noted that the car parking rates of Column B apply as the subject site is identified as being within the Principal Public Transport Network Area.

44. As such, the two bedrooms plus study does not meet the required provision of car parking and a permit is triggered pursuant to Clause 52.06-3 to reduce the number of car parking spaces required by the Scheme.

General Provisions

45. 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.

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

Planning Policy Framework (PPF)

Clause 11.02 – Managing growth

47. The clause includes several strategies to achieve this objective including '*planning for urban growth should consider opportunities for the consolidation, redevelopment and intensification of* existing *urban areas.*

Clause 15 – Built Environment and Heritage

Clause 15.01-1S – Urban design

48. The objective of this clause is '*to create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity*'.

Clause 15.01-2S – Building design

49. The objective of this clause is:

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

50. The clause provides the following relevant Strategies to achieve its objective:

    (a) Ensure a comprehensive site analysis forms the starting point of the design process and provides the basis for the consideration of height, scale and massing of new development.

    (b) Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.

    (c) Ensure the buildings and their interface with the public realm support personal safety, perceptions of safety and property security.

    (d) Ensure development provides safe access and egress for pedestrians, cyclists and vehicles.

Clause 15.01-5S – Neighbourhood character

51. 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

52. 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 15.03-1S – Heritage conservation

53. The objective of this clause is '*to ensure the conservation of places of heritage significance'*.

Clause 16 – Housing

Clause 16.01-3S – Housing diversity

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

Clause 18.02-2R – Principal Public Transport Network

55. This clause provides the following relevant Strategy:

    (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.

Local Planning Policy Framework (LPPF)

Clause 21 – Municipal Strategic Statement (MSS)

Clause 21.03 – Vision

56. Clause 21.03 of the Scheme outlines strategic objectives for land use, built form, transport and environmental sustainability within the City. Strategies to achieve the objectives are set out in the following clauses of the MSS.

Clause 21.04 – Land Use

Clause 21.04-1 – Accommodation and housing

57. The relevant objectives and strategies of this clause are '*to retain a diverse population and household structure'* and to '*encourage the retention of dwellings in established residential areas that are suitable for families with children'*.

Clause 21.05 – Built form

Clause 21.05-5 – Heritage

58. The principal objective of this clause is '*to protect and enhance Yarra's heritage places'*.

Clause 21.05-6 – Urban Design

59. This clause incorporates the following relevant objectives:

    (a) *Maintain and strengthen the preferred character of each Built Form Character Type within Yarra*; and

    (b) *Ensure development is designed having particular regards to its urban context and specifically designed following a thorough analysis of the site, the neighbouring properties and its environs*.

Clause 21.08-7 – Fitzroy

60. The subject site is identified as 'Heritage Overlay' on the *Figure 18 (Built Form Character Map).* The objective for this area is to '*ensure that development does not adversely affect the significance of the heritage place*'.

Relevant Local Policies

Clause 22.02 – Development guidelines for sites under the heritage overlay

61. This policy applies to all land within a Heritage Overlay. The clause incorporates the following relevant objectives;

    (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 preserve the scale and pattern of streetscapes in heritage places;

    (d) To ensure that additions and new works to a heritage place respect the significance of the place; and

    (e) To encourage the retention of 'individually significant' and 'contributory' heritage places.

Clause 22.07 – Development abutting laneways

62. The policy applies to applications for development that is accessed from a laneway or has laneway abuttal. The clause incorporates the following relevant objectives;

    (a) To provide an environment what has a feeling of safety for users of the laneway;

    (b) To ensure that development along a laneway acknowledges the unique character of the laneway; and

    (c) To ensure that development along a laneway is provided with safe pedestrian and vehicular access.

Clause 22.16 – Stormwater Management (Water Sensitive Urban Design)

63. This policy applies to new dwellings. The objective of this clause is:

    (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).

Incorporated Document

64. Appendix 8 to the City of Yarra Review of Heritage Areas, 2007 (revised May 2017) – The site is identified as being Contributory to the *South Fitzroy Heritage Precinct* (Schedule 334).

Advertising

65. The application was advertised under the provisions of Section 52 of the *Planning and Environment Act (1987)* by 21 letters sent to surrounding owners and occupiers and by a sign displayed on site. Council received ten (10) objections, the grounds of which are summarised as follows):

    (a) Heritage (removal of contributory dwelling, inappropriate proposed design)

    (b) Not in keeping with neighbourhood character

66. Although the application was advertised, following aspects of this application are exempt from the Notice Requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64 (1), (2) and (3) and the review rights of Section 82(1) of the Act, under the Heritage Overlay:
    (a) Demolition of the car port and garage
    (b) Demolition of the front fence
    (c) Construction of the front fence

67. A planning consultation meeting was not held.

Referrals

Internal Referrals

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

    (a) Heritage Advisor (formal comments sought at the Further Information stage and informal comments provided after advertising)

    (b) Engineering Services Unit

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

OFFICER ASSESSMENT

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

    (a) Heritage

    (b) Clause 54 – One dwelling on a lot

    (c) Car parking

    (d) Objector concerns

Heritage

Demolition

71. The subject site is recognised as Contributory to the South Fitzroy Heritage Precinct.

72. Of relevance to the full demolition of the existing dwelling, Clause 22.02 (local heritage policy) states the following:

    (a) Generally encourage the retention of a contributory building in a heritage place, unless, evidence has become available to demonstrate that the building does not possess the level of heritage significance attributed to it and the building does not form part of a group of similar buildings.

    (b) Generally discourage the removal of part of a contributory building unless:

        (i) that part of the heritage place has been changed beyond recognition of its original or subsequent contributory character:

        (ii) that part is not visible from the street frontage (other than a laneway) and the main building form including the roof form is being retained:

        (iii) the removal of that part would not adversely affect the contribution of the building to the heritage place.

    (c) Encourage restoration of a heritage place or contributory element if evidence exists to support its accuracy.

    (d) Encourage the reconstruction of a building or works which previously existed in a heritage place.

73. The applicant has submitted a Heritage Impact Statement (prepared by GJM heritage and dated 13 July 2021) which has been reviewed by Council's Heritage Advisor. The statement submits that the front wall of the dwelling is fabric from the late-nineteenth century, however, has undergone substantial additions and alterations since. Of note, the statement submits that the following alterations have occurred:

    (a) Recladding of the roof in an industrial 'tray-deck' type profiled steel;

    (b) Removal of any nineteenth century decorative mouldings, architraves or other detail;

    (c) Addition of a saw-tooth brick detail on top of the parapet and single course of capping bricks;

    (d) Enlarging of the window openings to create French doors;

    (e) Addition of louvred timber shutters to the French doors;

    (f) Construction of a c.1980 bull nose verandah with historicist case aluminium detailing;

    (g) Addition of a tiled concrete verandah;

    (h) Replacement of the front door with a mid-twentieth century glazed door;

    (i) Replacement of the iron palisade fence with a tubular steel fence with cast aluminium.

74. In essence, the statement submits that other than the front wall itself (which has been altered to form new openings), none of the architectural details are original or contributory to the heritage place. As such, although the property was graded as Contributory by the Council wide assessment undertaken by Graeme Butler and Associates in 2007 (later revised in May 2017), new evidence has been provided to demonstrate that the building does not possess the level of heritage significance attributed to it, as discussed under Clause 22.02 (local heritage policy).



Image 7: visible alterations/additions including French doors and shutters, bullnose verandah and flat parapet with brick course work (source: Officer site visit, November 2021)

75. Nonetheless, in accepting the dwelling has been notably modified, Clause 22.02 does also encourage the restoration or reconstruction of a heritage place or contributory element where evidence exists to support its accuracy. At this time, no evidence has been submitted to Council to demonstrate the appearance of the original dwelling, or associated contributory elements, to ensure its accurate restoration.

76. Moreover, noting that the building does not form part of a similar group of buildings, the following statements made in the VCAT order (*Thomas v Yarra CC [2018]* VCAT 449) in relation to the demolition of an Individually Significant Building (highest heritage grading) are relevant to the possible reconstruction of the subject dwelling:

> 29] *…Local policy at clause 22.02-5.3 is to 'encourage the reconstruction of a building or works which previously existed in a heritage place if it will enhance the heritage significance of the heritage place'. Had the house formed one of a group of similar facades in a row, recreating a matching façade may give some greater weight to reproduction, so as to retain a streetscape pattern. However, this is an isolated site and I accept Mr Raworth's evidence that if the house were to be reconstructed, as is sought by the council, its heritage significance would no longer exist. This is because the significance only lies in its general contribution to architectural history as an early example of a worker's cottage. This is not identified as the only example, or a particularly special example. Nor is there overarching cultural or historical significance attached to the house that may warrant a reconstruction.*

30] *So, while as a starting point I agree that demolition is to be avoided due to the loss of heritage significance, I accept that in this instance, whether the house is demolished or reconstructed, its heritage significance is lost, not enhanced, and therefore demolition is acceptable if it is balanced out by the remainder of the proposal for a new building, that can contribute positively to broader planning policy.*

77. To this point, the dwelling no longer has notable contributory fabric or architectural detailing that should be preserved, it does not have any particular architectural or cultural value in its own right and does not form an integral part of the Gore Street heritage streetscape given that it is a single storey anomaly in a two storey streetscape. It should also be noted that although the subject site abuts Individually Significant dwellings, the intactness of the wider streetscape along the western aspect is diminished given that there has been extensive contemporary development in parts.

78. In reviewing the proposal and submitted Heritage Impact Statement, it is Council's Heritage Advisor's view that "the quality of the building's contribution to the street is low due to the number of modifications" and considers that there is a lack of evidence available to allow for a sympathetic reconstruction. They also note that the building does not form part of a group of similar buildings, given that the subject dwelling is the only single storey form in the streetscape, and therefore the loss will not have a significant impact on the contribution of the streetscape to the heritage precinct. As such, Council's Heritage Advisor accepts the demolition of the dwelling and front fence in this instance.

79. Council Officer's support the proposed demolition, in light of the evidence submitted by GJM Heritage in the submitted Heritage Impact Statement and the position of the VCAT in the aforementioned case law, subject to the appropriateness of a replacement dwelling.

Development

80. The relevant policy guidelines for new development and front fences are found at Clause 22.02-5.7.1 of the Scheme.

81. The proposed dwelling has a double storey sheer façade with no setbacks to the adjacent buildings, as is in keeping with both the Victorian/Edwardian-era dwellings and contemporary development within the streetscape. With regards to the front setback and height of the dwelling, the front setback aligns with the Individually Significant dwellings at No. 49 and 51 Gore Street and is set back behind the Individually Significant dwelling at No. 43 Gore Street. Moreover, the parapet of the front façade is lower than all adjacent Individually Significant buildings. As such, the dwelling is appropriately recessive with regards to its massing to ensure it will not compete with or dominate the heritage place or obscure views to the adjacent principal facades, as is encouraged by Clause 22.02-5.7.1.

82. Local heritage policy also encourages that new dwellings be designed to respect the pattern, rhythm, orientation to the street, spatial characteristics, fenestration, roof form, materials and heritage character of the surrounding streetscape. As is demonstrated in the below render perspectives, the proposed dwelling responds to the articulation of other dwellings in the street, particularly with regards to the parapet lines, and fenestration.



Image 8: render perspectives of proposed dwelling within the streetscape (Decision Plans)

83. Council's Heritage Advisor provided formal advice at lodgement and considered that the contemporary design response is not unacceptable provided that the design of the ground level façade is modified to avoid the appearance of being a blank wall, with no openings. The proposed openings should be clearly visible at all times and complement the size, proportions, and locations of windows and door openings in the nearby significant buildings in the streetscape.

84. The proposed dwelling incorporates a simple rendered façade, flat roof, single large window at first floor and a recessed porch at ground floor which will be covered by a semi-transparent screen. The screen is a contemporary response to the traditional fenestration of a Victorian/Edwardian-era dwelling and will allow for visibility of the ground floor window.



Image 9: example of the ground floor screening/fenestration (Decision Plans)

85. In response to the Council's Heritage Advisor's concerns, further renders and perspectives were provided to demonstrate that the dwelling would provide for depth and transparency and would not appear as a blank wall. Council's Heritage Advisor was supportive of the design but provided the following informal recommendations:

    (a) The first-floor window should be reduced in size to be closer to the size of openings (not inclusive of decorative features) of neighbouring contributory buildings.

    (b) The shutter should provide greater transparency where it is over the window so that the opening is much more apparent.

86. The Applicant has agreed that the screen be increased in transparency to 50% and as such, this change will be included as a condition on any permit issued. However, it is not considered that the first-floor window needs to be reduced in size, for the following reasons:

    (a) The location and proportions of the window align with the first-floor windows of the contemporary development to the north of the site, particularly the dwelling at No. 53 Gore Street which is three properties to the north.

    (b) A reduction in the size of the window would increase the extent of blank render which would look at odds with the rhythm and pattern of fenestration in the streetscape.

Front fence

87. The proposed front fence meets the policy requirements at Clause 22.02-5.7.2 for the following reasons:

    (a) The front fence is less than 1.5 metres in height and has transparency.

    (b) The front fence is a timber picket, sympathetic to the contributory front fences within the streetscape.

88. Overall, it is considered that the proposal adequately satisfies the policy guidelines of Clause 22.02 as well as the objectives and decision guidelines of the Heritage Overlay. The proposed demolition, new dwelling and new front fence are therefore supported from a heritage perspective.

Clause 54 – One dwelling on a lot

89. Clause 54 comprises 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:

Standard A1 - Neighbourhood Character and A19 – Design detail objectives

90. The immediate area is characterised by attached, double storey, Victorian/Edwardian-era dwellings and double storey contemporary infill development. High site coverage is a common characteristic of the area given the smaller lots sizes with most dwellings being constructed to both side boundaries for a length and having outbuildings/garages abutting rear laneways. Considering this context, the siting and massing of the proposed development, which has walls on boundaries and a high site coverage, is appropriate.

91. Pursuant to the Figure 18 in Built Form Character Map of Clause 21.08-7 (Fitzroy) the subject site is identified as being in a Heritage Overlay. The neighbourhood policy encourages that development within these areas *does not adversely affect the significance of the heritage place.*

92. The proposal, with a particular emphasis on the proposed demolition, has been assessed against the heritage policy of the Scheme earlier in this report. It is considered that the proposed scale and design of the dwelling is appropriate in the context of the rows of two storey attached dwellings along each side of Gore Street. As demonstrated in the submitted streetscape perspectives, the height of the façade parapet and fenestration is responsive to the pattern and rhythm of the streetscape.

93. As discussed, the dwelling incorporates a rendered façade, timber battens, face brickwork and metal roof sheeting, consistent with the materials within the streetscape.

94. For the reasons outlined, the proposal is considered to comply with the Neighbourhood Character Standard and Design Detail Standard.

Standard A2 - Integration with the street objective

95. The proposal meets the objectives of Standard A2 as follows:

    (a) The dwelling is orientated to front Gore Street.

    (b) The front fence is in keeping with the height and style of fencing in the streetscape and allows for passive surveillance to the street.

    (c) Similarly, the dwelling incorporates windows with screens into the ground floor front façade to allow for privacy for the dwelling occupants whilst providing for integration with, and passive surveillance, to the street. As will be discussed under *Heritage*, the transparency of the screen will be increased to 50% which will improve the street interface in this regard.

Standard A3 - Street setback objective

96. Standard A3 requires that the dwelling (front wall) be set back the average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street. Porches that are less than 3.6 metres high may encroach more than 2.5 metres in the setbacks of this standard.

97. The front wall of the abutting dwellings are set back 4.34 metres and 900mm. Therefore, the proposed dwelling should be set back a minimum of 2.62 metres from the front title boundary.

98. The front wall of the proposed dwelling is set back 4.34 metres, in line with the northern abutting dwelling. The standard is therefore exceeded and the proposed setback will be in keeping with the pattern of setbacks along the western aspect of Gore Street.

Standard A4 – Building Height

99. Standard A4 requires that *the maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.* Schedule 1 of the Zone specifies that the maximum building height is 9 metres.

100. The extension has a maximum height of 7.64 metres above NGL and therefore complies with the Standard.

Standard A5 – Site Coverage

101. As no minimum site coverage is specified in Schedule 1 of the Neighbourhood Residential Zone, the maximum site coverage under the Standard of 60% applies.

102. The proposal has an overall site coverage of 67% and therefore does not comply with the Standard; however, it is considered to meet the objectives of the Standard for the following reasons:

    (a) High site coverage is a prominent characteristic of the neighbourhood with higher site coverage visible on all neighbouring lots. The proposed dwelling is responsive to the pattern of siting and massing within the streetscape.

    (b) The proposal will not result in any detrimental off-site amenity impacts, such as visual bulk impacts, that can result from higher site coverage.

Standard A6 – Permeability

103. As no minimum permeability is specified in Schedule 1 of the Neighbourhood Residential Zone, pervious surfaces must cover at least 20% of the site. The proposed development will result in site permeability of 18% which does not meet the requirements of the Standard. However, the variation of 2% is modest and acceptable in this instance given the proposal incorporates generous rainwater catchment provisions.

104. Local policy Clause 22.16 (Stormwater Management), which applies to all new dwellings, and provides clear directive on how development can address stormwater run-off. A STORM Rating Report was submitted with the application which demonstrates a score of 104% through the inclusion of a 5000Lt rainwater tank and 3sqm of 100mm deep raingarden, both of which are shown in plans accordingly.

Standard A7 – Energy efficiency protection objective

105. A notable level of glazing has been incorporated into the design, including skylights, and east, west and north-facing glazing despite the constraints of the site. Various doors and operable windows have been incorporated to the ground and first floor, allowing for natural cross ventilation through the habitable spaces of the dwelling, thereby reducing the dwellings reliance on artificial cooling. No habitable rooms have been included in the basement to ensure that reliance on artificial lighting to this area is reasonably limited.

106. In light of the above, it is considered that a reasonable level of energy efficiency is achieved for the subject dwelling.

107. With regard to the energy efficiency impact on neighbouring dwellings, the proposed two storey portion of the dwelling has been massed to respond to the neighbouring dwellings and the location of HRW facing the subject site. The proposed elevations opposite the HRW have been designed to demonstrate compliance with Standard A11 (Walls on boundaries) and Standard A12 (Daylight to existing windows) to limit any impacts on the neighbouring dwelling's energy efficiency.

108. It is noted that the south elevations are not set of the boundary in accordance with the Standard A13 (North-facing windows), however, the dwelling at No. 43 Gore Street has extensive west, east and south-facing glazing and as such, any daylight restriction from the proposal will not unreasonably impact its energy efficiency.

109. In light of the above, the proposal meets the objectives of the Energy Efficiency Standard.

Standard A8 – Significant trees objective

110. The proposal includes the removal of small trees which is not categorised as or registered significant. Although the surrounding area has backyards with a range of foliage and landscaping, a definitive landscape character does not exist within the Fitzroy neighbourhood. The removal of trees is discouraged, but it does not warrant the refusal of a development.

111. A large, mature tree is located within the SPOS of No. 43 Gore Street near to the shared boundary with the subject site. As the trunk is opposite the proposed SPOS of the dwelling, it is not expected that the proposed dwelling will detrimentally impact the health of the tree. Nevertheless, a condition will be included in the recommendation to require an Arborist Report be provided and that it include any tree protection measures required to ensure the trees long term health during and after construction.

112. Subject to this condition, the proposal meets the objective of the standard.

Standard A10 - Side and rear setbacks and A11 - walls on boundaries objectives

Standard A10 Table

Proposed Wall	Wall height (m)	A10 Setback (m)	Proposed setback (m)	Difference	Compliance
FF north elevation	6.22	1.79	0.96	-0.83	No
FF west elevation	6.24	1.79	17.35	15.55	Yes
FF south elevation	6.24	1.79	1.06	-0.73	No

Standard A11 tables

Wall on Boundary	Length (m)	A11 Length (m)	Difference	Compliance
southern wall	29.18	17.42	-11.76	No
northern wall	26.05	17.42	-8.63	No

Wall on boundary	Max. Height (m)	A11 Max. Height (m)	Difference	Compliance
garage - north	3.27	3.60	0.33	Yes
garage - south	3.27	3.60	0.33	Yes
GF north	3.17	3.60	0.43	Yes
GF south	3.60	3.60	0.00	Yes
FF north	7.68	9.00*		Yes

FF south	7.56	3.60	-3.96	No

**approximate height of abutting boundary wall of No. 49 Gore Street*

113. As demonstrated in the above tables, the proposed dwelling demonstrates compliance with Standard A10 (side and rear setbacks) with regards to the prescribed maximum height of ground floor boundary walls. It is noted that the southern ground floor wall, which ranges in height from 3.17 metres (west) to 3.6 metres, exceeds the prescribed average height of 3.2 metres.

114. The dwelling does not comply with Standard A10 (side and rear setbacks) and Standard A11 (walls on boundary) with regards to the length of the boundary walls and the height of the north and south first floor walls. However, a variation to the average height is considered acceptable in the instance for the following reasons:

    (a) The southern elevations are considered to meet the objectives of Standard A13 (North-facing windows) as will be discussed in depth later in this report.

    (b) The ground floor southern wall, which requires a variation to the average height of Standard A10, has been contained to a height of 3.17 metres to limit any impacts to the north-facing window of the living room and nearby area of SPOS of No. 43 Gore Street.

    (c) Overshadowing to the SPOS of No. 43 Gore Street to the south has been appropriately limited by massing the first floor to the front of the site and lowering the ground floor to 3.17 metres in height where it is nearest the area.

    (d) No overshadowing can occur to No. 49 Gore Street to the north.

    (e) Given the narrowness of the subject (6.79 metres) full compliance with Standard A10 (Side and rear setbacks) from both the north and south boundaries would not allow for a reasonable first floor footprint.

    (f) Walls on boundaries are a prominent characteristic of the area with most dwellings being constructed to both boundaries for a length.

    (g) The first-floor north elevation complies with Standard A12 (Daylight to existing windows) or is opposite the blank boundary wall of No. 49 Gore Street and as such will not detrimentally impact the amenity of the adjacent dwelling.

Standard A12 - Daylight to existing windows objective and A13 – North facing windows objective

115. Clause 54 provides two standards in which to assess windows that face a development from immediately abutting sites.

116. Standard A13 (North facing windows) is only applicable to north-facing habitable room windows of an existing dwelling which is within 3 metres of a boundary on an abutting lot. To be applicable as north-facing, a window must have an axis perpendicular to the proposed walls surface or orientated north 20 degrees west to north 30 degrees east.

117. The habitable room windows of No. 43 Gore Street orientate to the north 6 degrees west and therefore are considered north-facing.

118. The below table assesses the south-facing windows of No. 49 Gore Street against standard A12 (daylight to existing windows), and demonstrates that the proposed dwelling is compliant with, or requires negligible variation, to the standard.

Standard A12 Table					
Proposed Wall	Wall height (m)	A12 Setback (m)	Proposed setback (m)	Difference	Compliance

GF window opposite GF wall	3.166	1.583	2.090	0.507	Yes
GF window opposite FF wall	6.22	3.11	3.05	-0.06	No
FF window opposite FF wall	3.22*	161.00	3.05	1.37	Yes

*assuming a first-floor level of approximately 3 metres above NGL for the dwelling at No. 49 Gore Street

119. The below table assesses the north-facing windows of No. 43 Gore Street against standard A13 (north-facing windows)

Standard A13 table					
Proposed Wall	Wall height (m)	A13 Setback from boundary (m)	Proposed setback from boundary (m)	Difference	Compliance
GF 1 window opposite GF wall	3.60	1.00	0.00	-1.00	No
GF 2 window opposite GF wall	3.20	1.00	0.00	-1.00	No
GF 1 window opposite FF wall	6.24	2.58	1.06	-1.52	No
FF window opposite FF wall	3.24*	1.00	1.06	0.06	Yes

*assuming a first-floor level of approximately 3 metres above NGL for the dwelling at No. 43 Gore Street

120. As demonstrated by the above table, the proposal does not comply with the setback requirements of Standard A13. However, it is considered to meet the objective of the standard, which is to *allow adequate solar access to existing north-facing habitable room windows*, for the following reasons:

(a) Unlike Standard A12, the north-facing window standard does not consider the setback of the windows on the abutting land. The setback of the proposed walls from the windows range between 1.09 and 2.09 when allowing for the setback on both properties. As such, the proposed walls would generally demonstrate compliance with Standard A12 (daylight to existing windows) and a reasonable distance between the windows and the proposed walls are achieved.

(b) Full compliance with the standard, which would require that the ground and first floor be setback between 1 – 2.58 metres from the southern boundary is not easily achieved in the context given the narrow width of the subject site (6.79 metres).

(c) Given the east-west orientation of the site, the proposed dwelling has responded to 3 north-facing windows and area of SPOS. Given that windows also face the subject site from the south-facing light court of the No. 49 Gore Street, the dwelling has been acceptably massed to respond to all of these sensitive interfaces.

(d) With regards to direct impact on the solar access of each window:

(i) GF window 1 (the window to the west) is associated with a kitchen which is provided a principal outlook via a large east-facing window (image 6). As such, the kitchen will continue to receive adequate daylight from the courtyard to the east, and the proposed variation to standard A13 will not unreasonably impact the amenity of the dwelling in this instance.

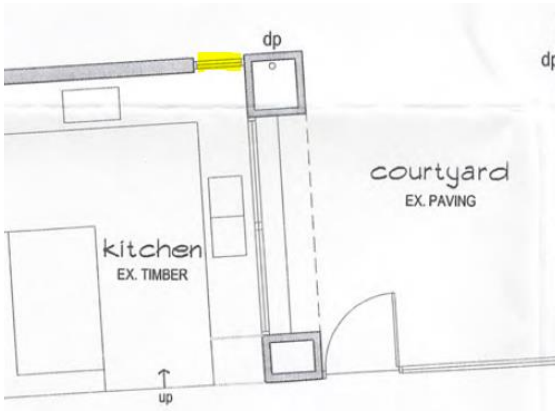


Image 6: north-facing window of No. 43 Gore Street (excerpt from Endorsed Plans for PLN18/0631)

(ii) GF window 2 (to the east) is set back 1.69 metres from a 3.2 metre high wall and is associated with a living room which has a principal outlook via large windows to the backyard to the west. It is not expected that the 3.2 metre high boundary wall will unreasonably restrict solar access at this distance and the room benefits from unrestricted daylight to the west. As such, the variation required to standard A13 will not unreasonably impact the amenity of the dwelling in this instance.

(iii) The FF window is associated with a living/play room which is setback 2.69 metres from the first floor of the proposed dwelling. Given the windows are located at first floor and are notably set back from the first floor of the proposed dwelling, the proposal will not unreasonably restrict solar access to these windows. The living/play room also benefits from large windows to the east, west and south and will continue to have a high level of amenity regardless.

Standard A14 - Overshadowing open space objective

121. Pursuant to Clause 54.04-5 (Standard A14), where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

122. If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

123. Due to the orientation of the subject site, the proposal will overshadow the SPOS of No. 43 Gore Street to the west between 9am (5.5sqm) and 12pm (1.6sqm) at the Equinox.

124. The SPOS of No. 43 Gore Street is 63 sqm in area and as such, must receive 40sqm of daylight for 5 hours at the equinox. The submitted shadow diagrams show that the proposal will allow for 10sqm of daylight at 9am, 48sqm at 12pm and 30sqm at 3pm. As such, the standard is not met. However, the objective of standard A14, which is *to ensure buildings do not unreasonably overshadow existing secluded private open space*, is considered to be met for the following reasons:

    (a) Overshadowing to the SPOS will be greatest at 9am but after 12noon the proposal will have no impact on solar access of the SPOS. Although, the proposal does not meet the minimum of 5 hours of unreduced sunlight, it leaves the rear area of POS at No. 43 Gore Street unimpeded after midday 12noon and 3pm, allowing for 30 – 48sqm of usable area with complete sunlight.

    (b) Given the orientation of the land and narrow lots, some overshadowing can be expected from development; however, the design response has attempted to minimise overshadowing by providing a notable setback of the first floor from the sensitive SPOS area and limiting the nearby boundary wall to a height of 3.2 metres.

Standard A15 - Overlooking objective

125. The ground floor has a finished floor level less than 800mm above NGL and all boundary fences exceed 1.8 metres in height. As such, the standard is not applicable to the ground floor windows.

126. The first floor of the dwelling has been designed as follows:

    (a) An east-facing window to the masterbderoom with no areas of SPOS or HRWs with a 9 metre radius.

    (b) A west-facing window to the masterbderoom with frosted glazing. A portion of the window will have clear glazing and will be operable; however, the adjacent two storey wall of No. 49 Gore Street will limit any views to the neighbouring property.

    (c) An east facing window to a bedroom with no areas of SPOS or HRWs with a 9 metre radius

    (d) A north-facing window to the bathroom and east-facing window to the ensuite both with sill heights of 1.7 metres above first floor level.

    (e) A west facing window associated with the bedroom with frosted glazing to a height of 1.7 metres above first floor level.

    (f) A west-facing window to the study with no screening. Overlooking diagrams have been provided to demonstrate that views within a 9 metre radius of the study to the neighbouring SPOS areas will limited by the proposed ground floor built form in accordance with the objective of Standard A15.

127. In light of the above, the proposal complies with Standard A15 (Overlooking).

Standard A16 – Daylight to new windows objective

128. The extension incorporates glazing where it is open to sky to the north, east and west or to the internal courtyard which is greater 3sqm in area and a minimum depth of 3.1 metres.

129. In consideration of the above, the proposal is considered to meet the objectives of the Daylight to New Windows Standard to provide an adequate amount of daylight to new windows.

Standard A17 – Daylight to new windows objective

130. Standard A17 requires that *a dwelling should have private open space consisting of an area of 80 square metres or 20 per cent of the area of the lot, whichever is the lesser, but not less than 40 square metres. At least one part of the private open space should consist of secluded private open space with a minimum area of 25 square metres and a minimum dimension of 3 metres at the side or rear of the dwelling with convenient access from a living room*.

131. The proposal has a principal area of secluded private open space at ground level of 25sqm with a minimum dimension of 3.2 metres. The overall POS for the site is 62sqm. The proposal therefore meets the Standard.

Standard A18 – Solar access to open space objective

132. Pursuant to Standard A18, SPOS should be located to the north where practicable and the southern boundary of the SPOS should be set back from any wall on the north of the space at least (2 + 0.9height) metres.

133. Due to the orientation of the site, the SPOS area is abutted by a boundary fence to the north and is over 6 metres deep (from north to south). As such, the SPOS will receive adequate solar access and the standard is met.

Standard A20 – front fence objective

134. Standard A20 requires that a front fence be no higher than 1.5 metres. The proposed fence is measured to a height of 1.2 metres, however, the measurement has not included the plinth. As such, a condition will require that the fence be dimensioned from NGL and to be no higher than 1.5 metres.

Car parking

135. As identified earlier in this report, a reduction of one (1) car parking space is sought pursuant to Clause 52.06-3, as one (1) car parking space is proposed to be provided on site for the three bedroom dwelling.

136. It is considered that a reduction of one (1) car parking space will not detrimentally affect parking within Gore Street or the surrounding road network. The dwelling is already provided with a car port, and as such the proposal is not altering the on-site car parking availability. The proposed dwelling is unlikely to substantially increase the demand for car parking. Furthermore, the site has good access to public/sustainable transport, in particular, trams along Gertrude Street, Smith Street, Brunswick Street and Victoria Parade and bicycle lanes along Wellington Street, which will encourage occupants to use alternative modes of transport to driving. Furthermore, Council's engineers have no objection to the proposed car parking reduction.

137. Council's standard note will be included on any permit issued to state that the property will not eligible for permit and visitor permit parking.

138. Clause 22.07-2 (development abutting laneways) requires any development along a laneway to be provided with safe vehicular access. Council's traffic engineers are satisfied with the vehicle entry with the laneway subject to the cross-sectional diagram be amended to show the level at the eastern edge of the footpath and the lip (difference in level of the eastern edge of the footpath and the western edge of the internal slab) no higher than 60 millimetres. A condition will be included accordingly.

139. In relation to the presentation of the dwelling and garage to the laneway, the proposal will meet the policy objectives of Clause 22.07-3 for the following reasons:

    (a) The principal entry for the dwelling will continue to be off Gore Street.

    (b) The laneway has existing development (traditional outbuildings as well as roller doors) along its length. Therefore, the proposal is in keeping with the pattern and scale of the laneway.

140. A condition will require that the garage doorway not project outwards into the laneway when opened to ensure it will not restrict access to other properties.

Objector concerns

141. *Heritage (removal of contributory building, inappropriate proposed design)*

This matter has been discussed at paragraphs 71 – 88 of this report and subject to condition it is considered that the proposal for full demolition and construction of one new dwelling meets the relevant policy objectives of Clause 43.01 (Heritage Overlay) and Clause 22.02 (local heritage policy) and will not adversely affect the significance of the South Fitzroy Heritage Precinct.

142. *Not in keeping with neighbourhood character*

This matter has been discussed at paragraphs 90 – 94 and it is considered that the design and materiality of the proposed dwelling is in keeping with the pattern, form and style of development along Gore Street.

Conclusion

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

RECOMMENDATION

That a Notice of Decision to Grant a Planning Permit PLN21/0512 be issued for the full demolition and construction of a two storey dwelling and a reduction in the car parking requirements of the Yarra Planning Scheme at No. 47 Gore Street Fitzroy, generally in accordance with the “decision plans” and subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans as prepared by Rob Kennon Architects, Drawings 0-100, 0-101, 0-201, 1-101, 1-102, 2-101, 2-102, 3-101 and 10-101 and dated 12 October 2021 but modified to show:

    (a) The ground floor screen of the front façade with a transparency of 50%.
    (b) The front fence dimensioned above NGL, with a height no greater than 1.5 metres.
    (c) The lip between the proposed garage and Little Gore Street no greater than 60mm.
    (d) A notation confirming the garage door will not protrude into Little Gore Street.

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 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.

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

6. Before the development commences, a Tree Management Plan to the satisfaction of the Responsible Authority must be prepared by a suitably qualified Arborist and must be submitted to and approved by the Responsible Authority. When approved the Tree Management Plan will be endorsed and will form part of this permit. The Tree Management Plan must make recommendations for:

   (a) the protection of the tree at No. 43 Gore Street:
       (i) pre-construction;
       (ii) during construction; and
       (iii) post construction
   (b) the provision of any barriers;
   (c) any pruning necessary; and
   (d) watering and maintenance regimes,

   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:

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5555 for further information.

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5555 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 5555 to confirm.

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

Attachments

1 PLN21/0512 - 47 Gore Street Fitzroy - Renders

2 PLN21/0512 - 47 Gore Street Fitzroy - Decision Plans

3 PLN21/0512 - 47 Gore Street Fitzroy - Heritage Impact Statement

4 PLN21/0512 - 47 Gore Street Fitzroy - Heritage Referral comments

5 PLN21/0512 - 47 Gore Street Fitzroy - Referral comments

Attachment 1 - PLN21/0512 - 47 Gore Street Fitzroy - Renders

PROPOSED SITE ELEVATION



PROPOSED DWELLING RENDER WITHIN SITE CONTEXT

Attachment 1 - PLN21/0512 - 47 Gore Street Fitzroy - Renders

PROPOSED SITE ELEVATION



CONSISTENT DESIGN SETOUT OF FENCE

Attachment 1 - PLN21/0512 - 47 Gore Street Fitzroy - Renders

PROPOSED SITE ELEVATION



CONSISTENT DESIGN VERANDA LINE

Attachment 1 - PLN21/0512 - 47 Gore Street Fitzroy - Renders

PROPOSED SITE ELEVATION



PROPORTION AND RHYTHM OF CONTEXT LINE MAINTAINED

Attachment 1 - PLN21/0512 - 47 Gore Street Fitzroy - Renders

PROPOSED SITE ELEVATION



PARAPET WALL LINE MAINTAINED

Attachment 1 - PLN21/0512 - 47 Gore Street Fitzroy - Renders

PROPOSED SITE ELEVATION



ALIGNMENT OF BOUNDARY WALLS

Attachment 1 - PLN21/0512 - 47 Gore Street Fitzroy - Renders

PROPOSED SITE ELEVATION



NEIGHBOURING WINDOWS

Attachment 1 - PLN21/0512 - 47 Gore Street Fitzroy - Renders

PROPOSED SITE ELEVATION



NEIGHBOURING VERANDA WINDOWS AND DOORS

Attachment 1 - PLN21/0512 - 47 Gore Street Fitzroy - Renders

PROPOSED SITE ELEVATION



PROPOSED DWELLING RENDER WITHIN SITE CONTEXT

Attachment 1 - PLN21/0512 - 47 Gore Street Fitzroy - Renders

PROPOSED SITE ELEVATION



PROPOSED DWELLING RENDER WITHIN SITE CONTEXT - ENLARGED

Attachment 2 - PLN21/0512 - 47 Gore Street Fitzroy - Decision Plans

DRAWING REGISTER

DRAWING NUMBER	DRAWING TITLE	SCALE
0-000	DRAWING REGISTER	
0-100	EXISTING SURVEY PLAN	1:100
0-101	EXISTING CONTEXT & DEMOLITION	1:100
0-201	DEMOLITION ELEVATIONS	1:100
1-101	PROPOSED CONTEXT & ROOF PLAN	1:100
1-102	PROPOSED FLOOR PLANS	1:100
2-101	PROPOSED ELEVATIONS	1:100
2-102	PROPOSED ELEVATIONS	1:100
3-101	OVERLOOKING DIAGRAMS & PROPOSED CROSSOVER	1:20, 1:50
10-101	EXISTING & PROPOSED SHADOW DIAGRAMS	1:200

47 GORE STREET, FITZROY
TOWN PLANNING APPLICATION

GENERAL NOTES

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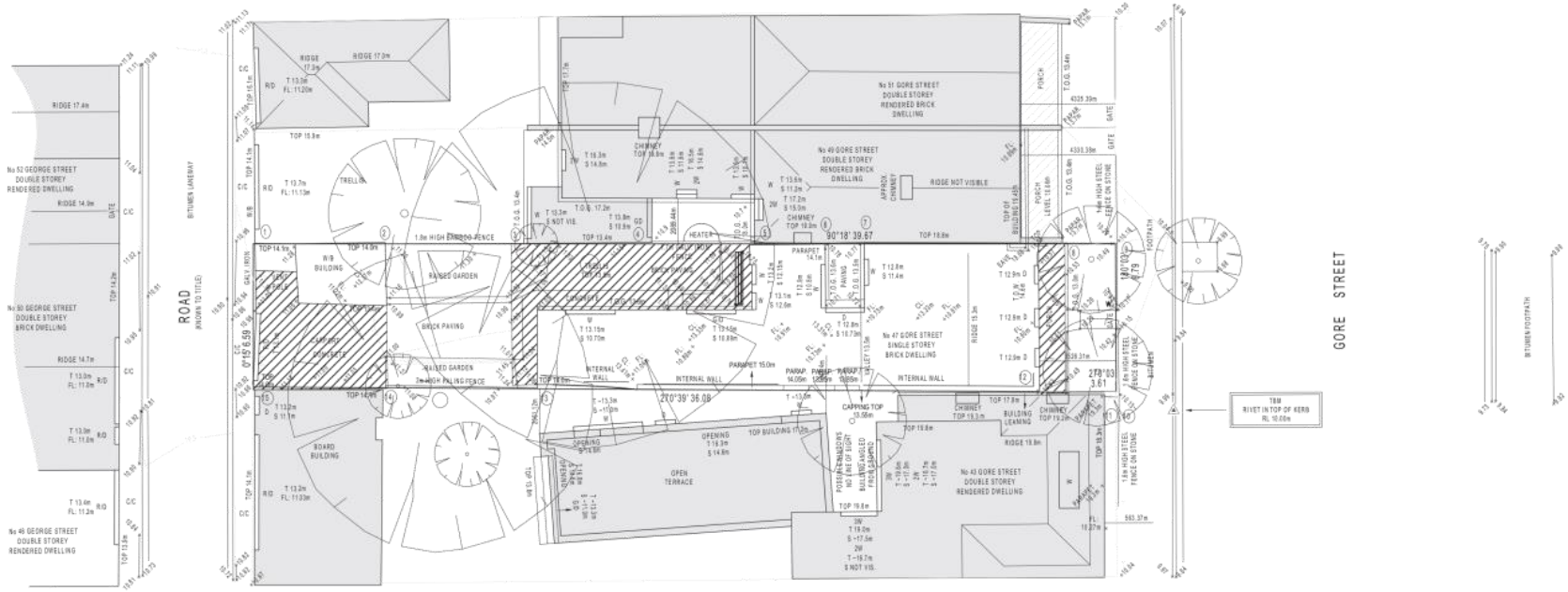
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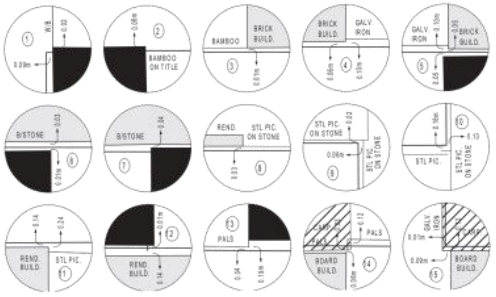
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Rev	Date	Dwn	Chk	Notes
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CLIENT
Julie & Michael Landvogt
PROJECT NAME
47 Gore
SITE ADDRESS
47 Gore Street Fitzroy VIC
PROJECT NUMBER
20015
DATE
October 2021
SCALE
STATUS
TOWN PLANNING APPLICATION
DRAWING TITLE
DRAWING REGISTER
DRAWING NUMBER
0-000
REVISION
A

Attachment 2 - PLN21/0512 - 47 Gore Street Fitzroy - Decision Plans





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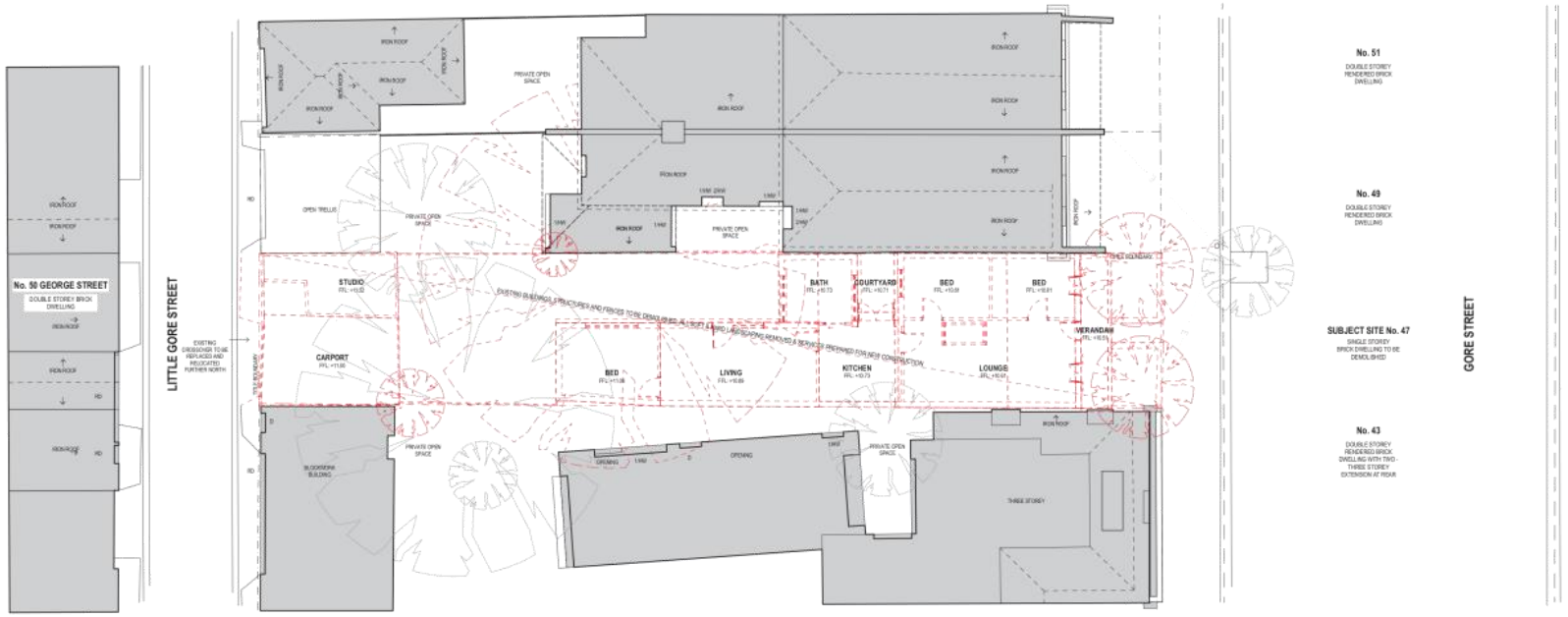
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TOWN PLANNING APPLICATION

DRAWING TITLE
EXISTING SURVEY PLAN

DRAWING NUMBER
0-100

REVISION
A

Attachment 2 - PLN21/0512 - 47 Gore Street Fitzroy - Decision Plans



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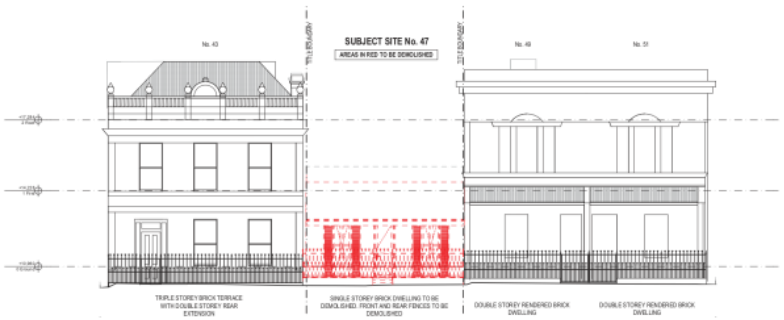
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DRAWING TITLE
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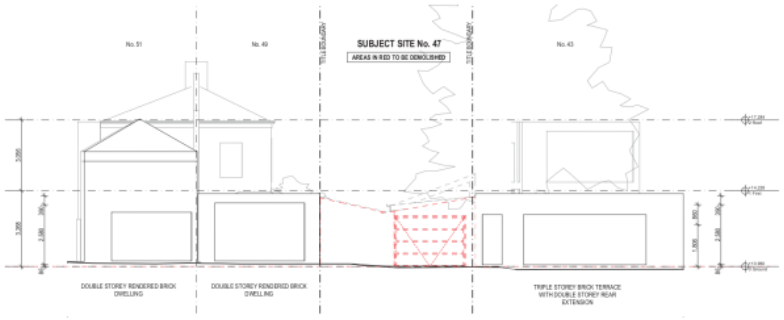
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0-101

REVISION
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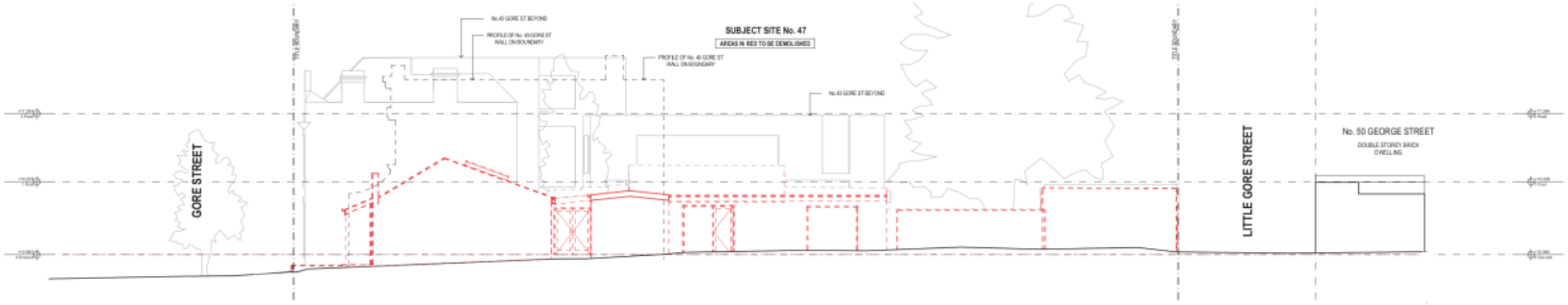
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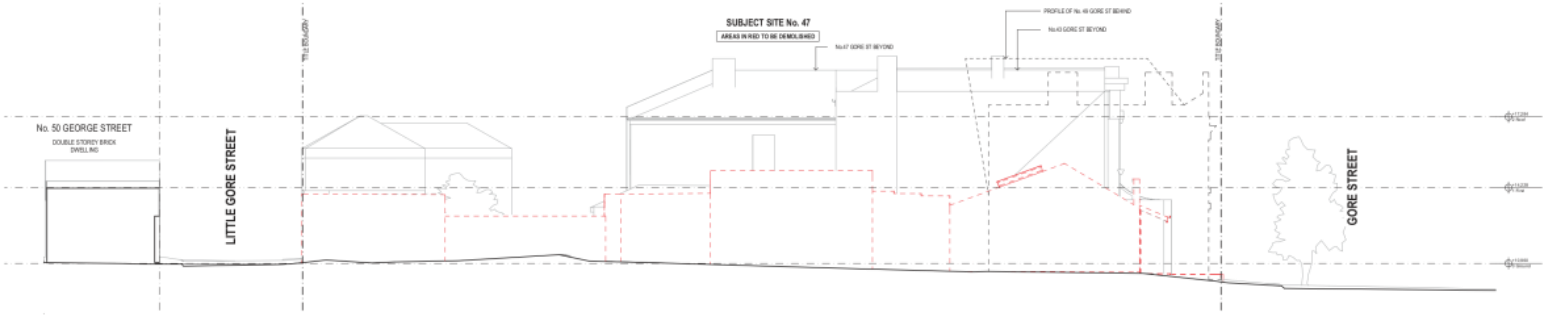
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02 WEST ELEVATION
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03 NORTH ELEVATION
1:100



04 SOUTH ELEVATION
1:100

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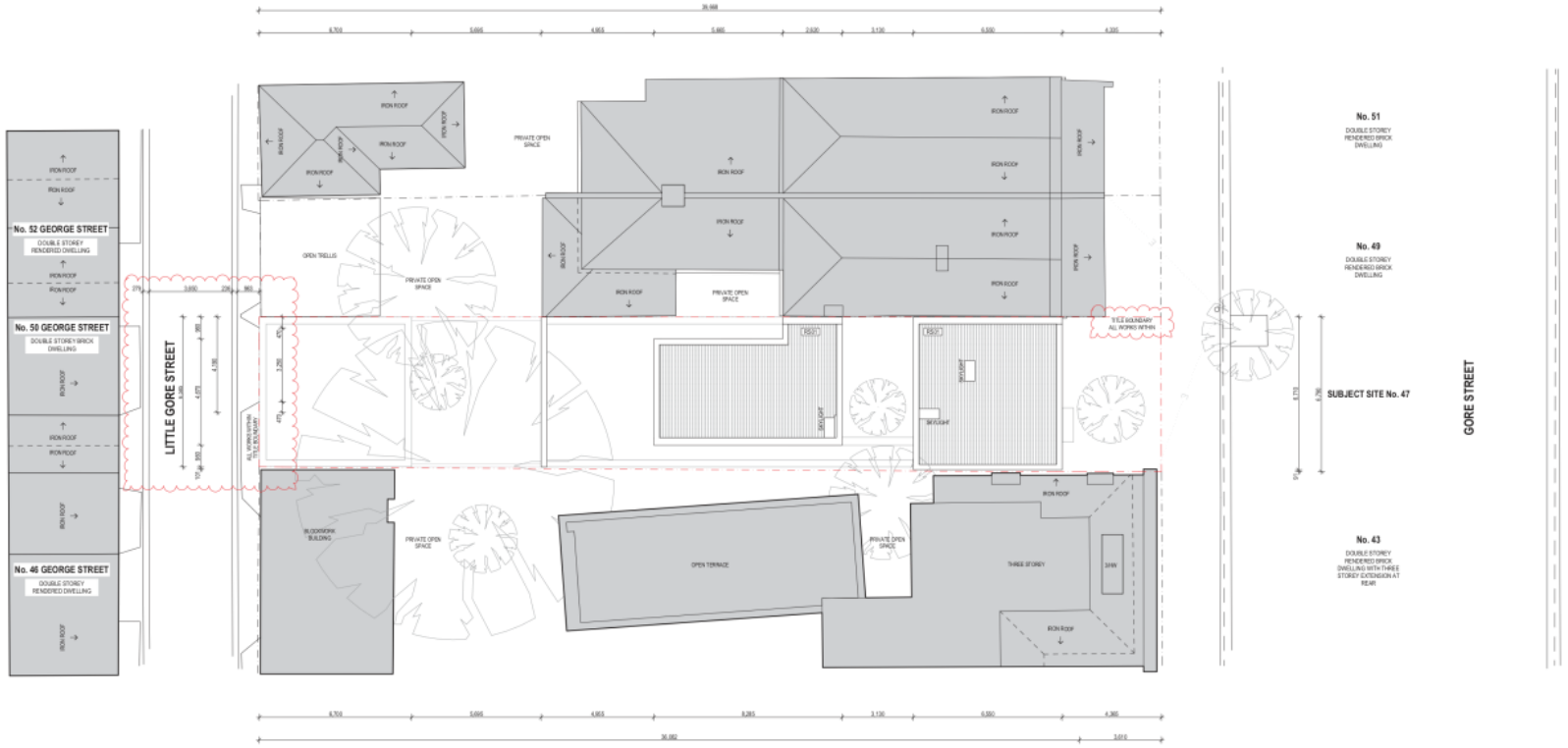
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DRAWING TITLE
DEMOLITION ELEVATIONS

DRAWING NUMBER
0-201

REVISION
A

Attachment 2 - PLN21/0512 - 47 Gore Street Fitzroy - Decision Plans



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EF01	MASONRY - RENDERED
EF02	MASONRY - FACE BRICK
EF03	PAINTED BATTENS
EF04	METAL
RS01	ROOF SHEETING
FEN01	STEEL FENCE
FEN02	TIMBER FENCE
LF01	MASONRY - FACE BRICK
LF02	CONCRETE

LEGEND - LABELS

HW	HABITABLE WINDOW
NHW	NON-HABITABLE WINDOW
SD	SOLID DOOR
FG	FIXED CLEAR GLAZING
FOG	FIXED OBSCURED GLAZING (25% MAX.)
OG	OPERABLE CLEAR GLAZING
OGD	OPERABLE CLEAR GLAZED DOOR

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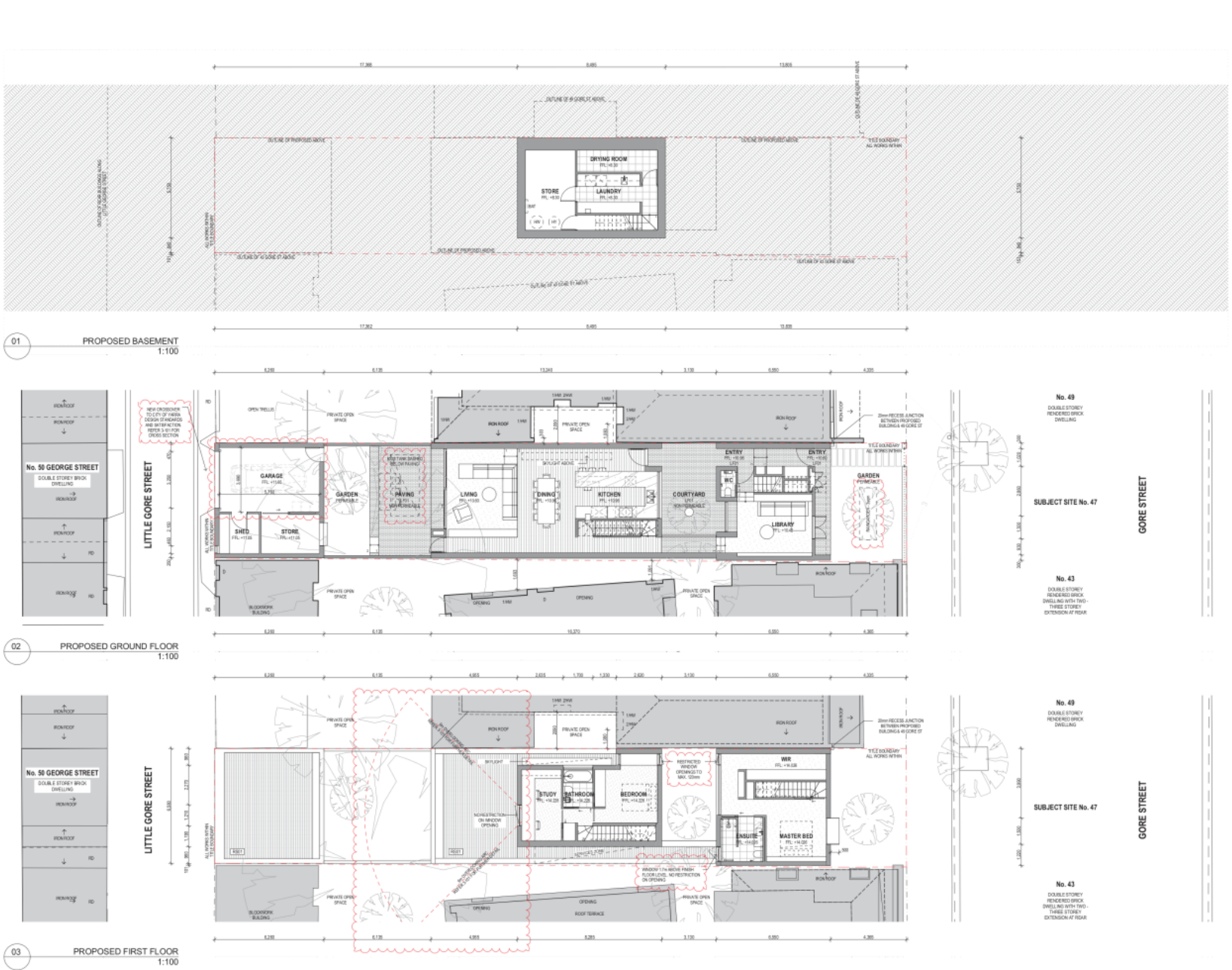
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DRAWING TITLE
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DRAWING NUMBER
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REVISION
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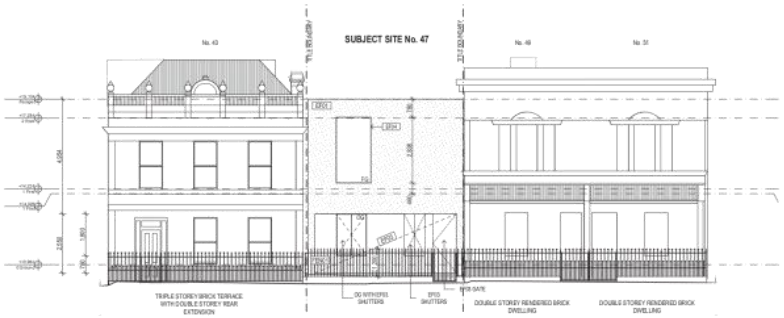
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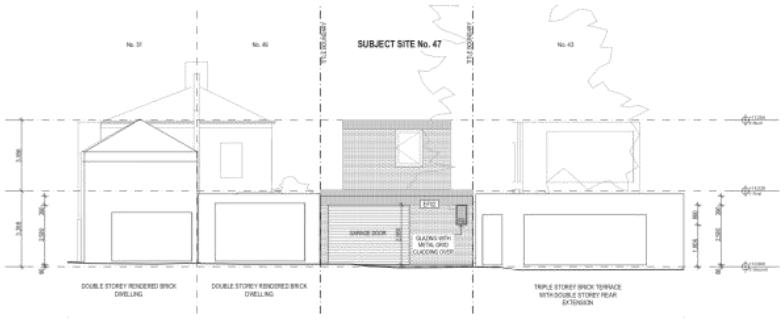
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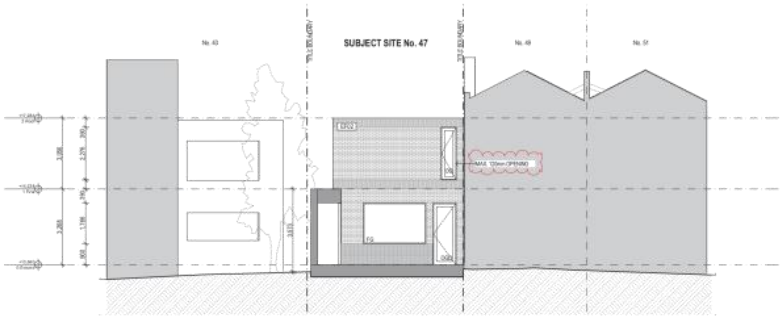
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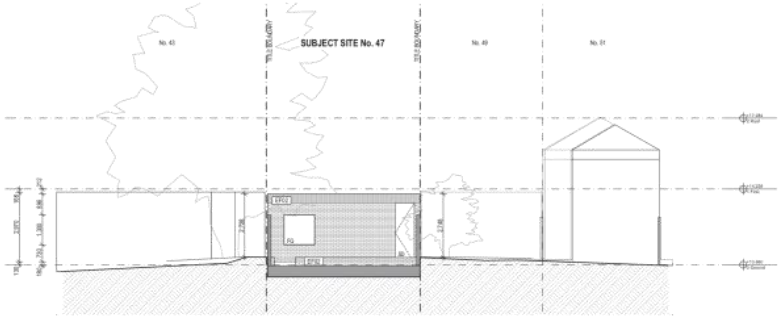
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03 WEST ELEVATION
1:100



04 EAST ELEVATION - COURTYARD
1:100



05 EAST ELEVATION - BACKYARD
1:100

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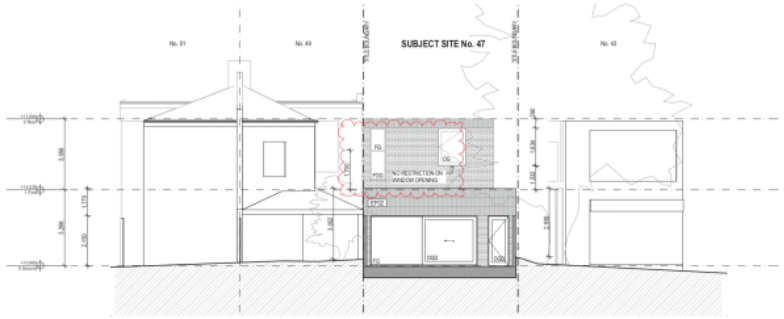
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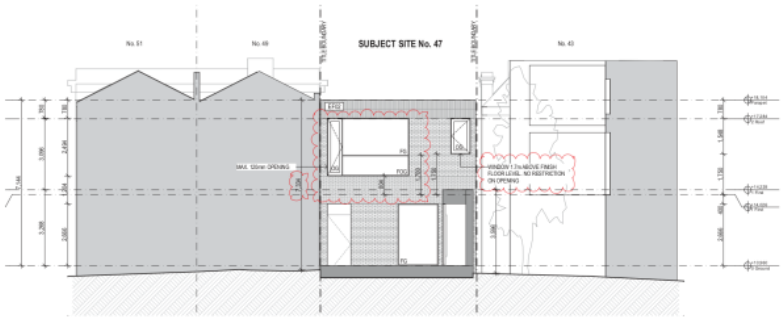
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SCALE
1:100 @ A1
STATUS
TOWN PLANNING APPLICATION
DRAWING TITLE
PROPOSED ELEVATIONS
DRAWING NUMBER
2-101
REVISION
A

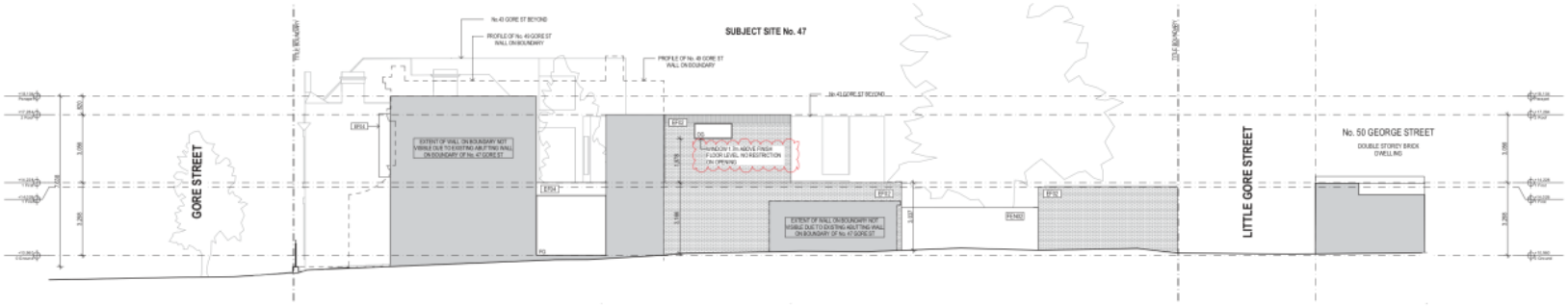
Attachment 2 - PLN21/0512 - 47 Gore Street Fitzroy - Decision Plans



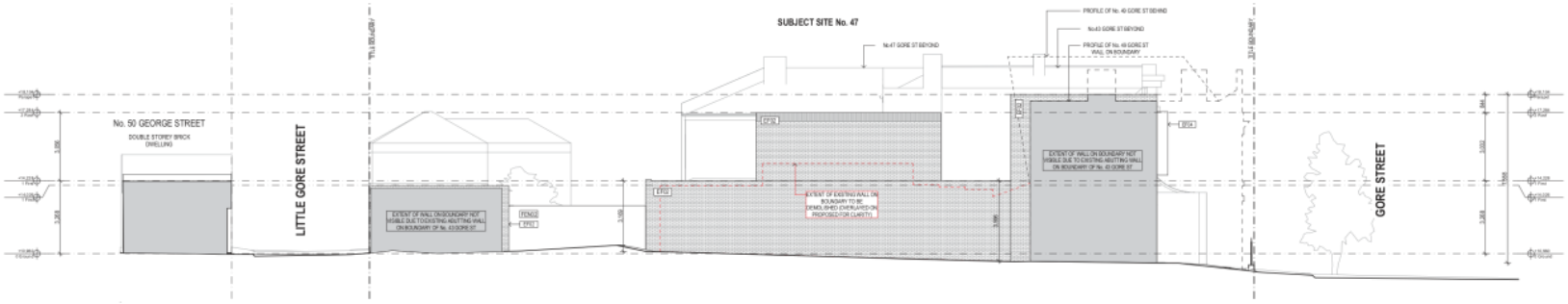
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02 WEST ELEVATION - COURTYARD
1:100



03 NORTH ELEVATION
1:100



04 SOUTH ELEVATION
1:100

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October 2021

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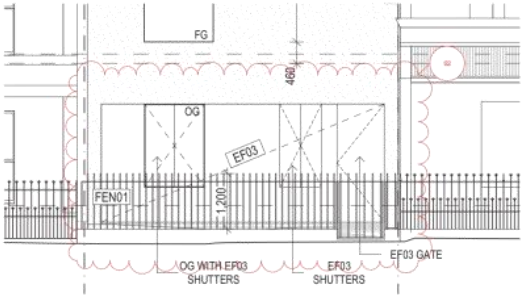
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PROPOSED ELEVATIONS

DRAWING NUMBER
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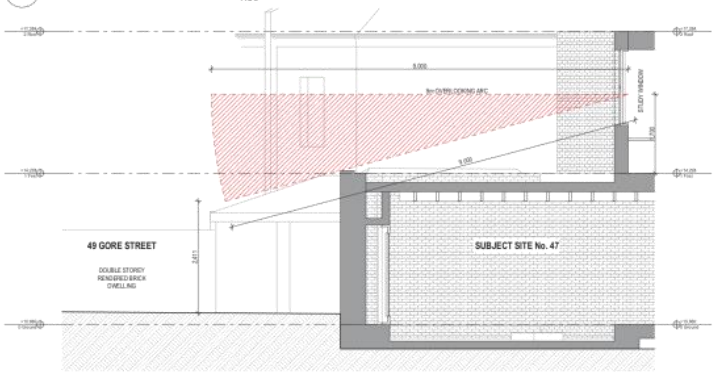
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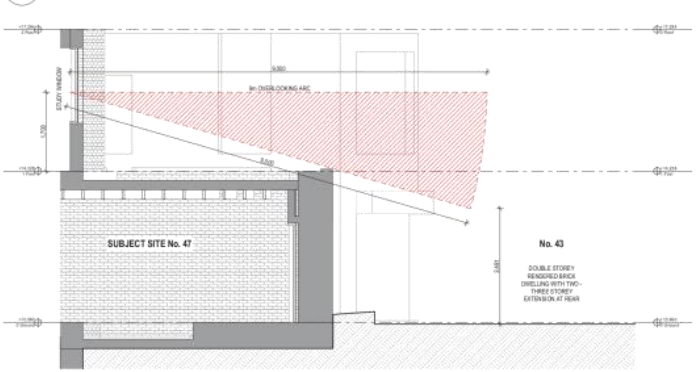




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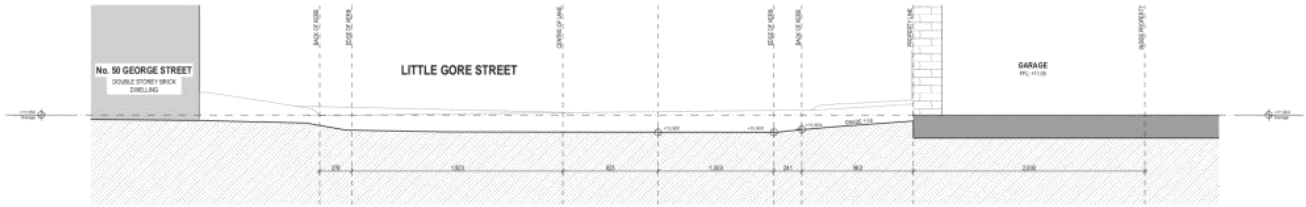


02 GROUND FLOOR FENESTRATION



03 49 GORE STREET - OVERLOOKING DIAGRAM
1:50

04 43 GORE STREET - OVERLOOKING DIAGRAM
1:50



05 VECHICLE CROSSING CROSS SECTION
1:20

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SCALE
1:20, 1:50

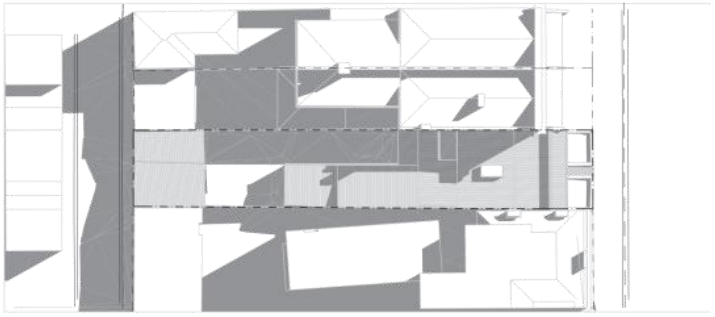
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TOWN PLANNING APPLICATION

DRAWING TITLE
OVERLOOKING DIAGRAMS & PROPOSED CROSSOVER

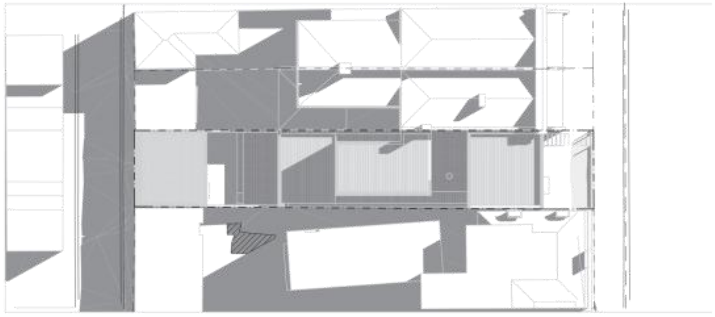
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REVISION
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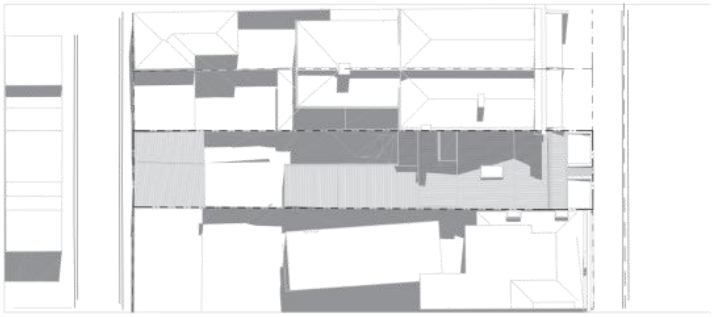
Attachment 2 - PLN21/0512 - 47 Gore Street Fitzroy - Decision Plans



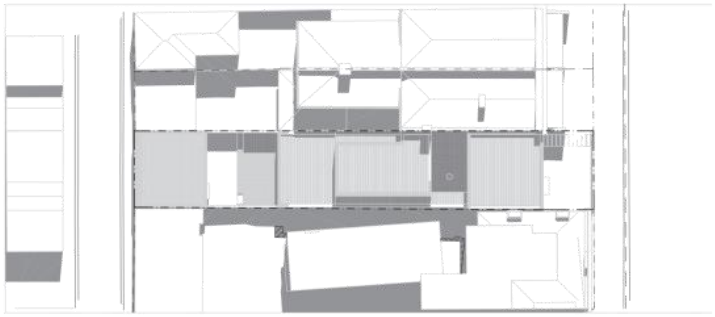
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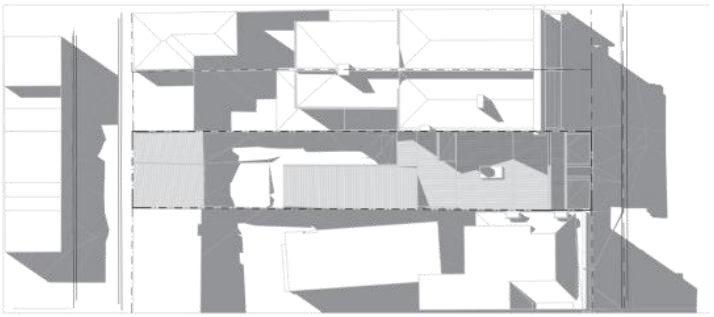
PR SHADOW DIAGRAM 22 SEPTEMBER 9:00AM
ADDITIONAL OVERSHADOWING: 5.5m²
1:200



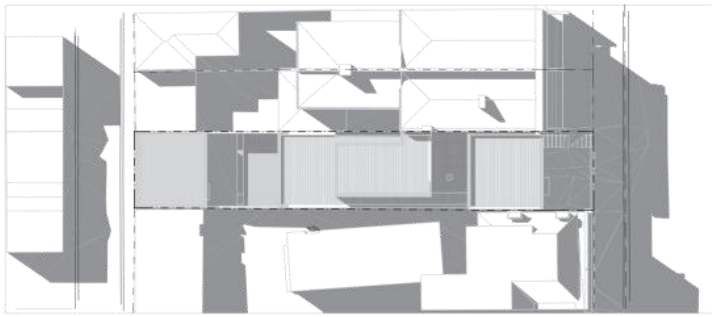
EX SHADOW DIAGRAM 22 SEPTEMBER 12:00PM
1:200



PR SHADOW DIAGRAM 22 SEPTEMBER 12:00PM
ADDITIONAL OVERSHADOWING: 1.6m²
1:200



EX SHADOW DIAGRAM 22 SEPTEMBER 3:00PM
1:200



PR SHADOW DIAGRAM 22 SEPTEMBER 3:00PM
ADDITIONAL OVERSHADOWING: 4m²
1:200

GENERAL NOTES

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REVISIONS

Rev	Date	Dwn	Chk	Notes
–	12/07/2021	JL	RK	TOWN PLANNING APPLICATION
A	13/10/2021	JL	RK	TOWN PLANNING RFI

CLIENT
Julie & Michael Landvogt

PROJECT NAME
47 Gore

SITE ADDRESS
47 Gore Street Fitzroy VIC

PROJECT NUMBER
20015

DATE
October 2021

SCALE
1:200 @ A1

STATUS
TOWN PLANNING APPLICATION

DRAWING TITLE
EXISTING & PROPOSED SHADOW DIAGRAMS

DRAWING NUMBER
10-101

REVISION
A

Attachment 3 - PLN21/0512 - 47 Gore Street Fitzroy - Heritage Impact Statement

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HERITAGE IMPACT STATEMENT:

47 GORE STREET, FITZROY

PREPARED FOR:	Julie Landvogt c/o Rob Kennon Architects
DATE:	13 July 2021
FILE:	2020-028

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PROJECT TEAM

Jim Gard'ner | Director

Felicity Coleman | Senior Heritage Consultant

Jessica Hogg | Heritage Consultant

Paul Webb | Heritage Consultant

The subject site forms part of the traditional lands of the Wurundjeri People, who are represented by the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation. This report is limited in its scope to consideration of post-contact cultural heritage and does not provide advice on any Aboriginal cultural heritage significance. Nonetheless, we acknowledge the Wurundjeri People as the Traditional Owners of the land at this place and pay our respects to their Elders past and present. For more information on the Wurundjeri People, please visit https://www.wurundjeri.com.au/.

DOCUMENT VERSIONS

Project No.	Version	Issued To	Date Issued
2020-028	Draft v0.1	Rob Kennon Architects	8 July 2021
2020-028	Final	Rob Kennon Architects	13 July 2021

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1.0 INTRODUCTION

This Heritage Impact Statement (HIS) has been prepared for Rob Kennon Architects on behalf of Julie Landvogt to support a planning permit application for the redevelopment of 47 Gore Street, Fitzroy (the subject site). The redevelopment proposes to completely demolish the existing 'contributory'-graded dwelling at the subject site, and the construction of a new dwelling in its stead.

47 Gore Street forms part of the large South Fitzroy Heritage Precinct, which is included in the Heritage Overlay of the Yarra Planning Scheme as HO334.

The proposal is informed by town planning drawings prepared by Rob Kennon Architects and dated June 2021.

A site inspection was conducted by GJM on 5 August 2020, and again on 14 June 2021. The site was viewed from the public realm only in fine weather; all photos of the site were taken during this site inspection unless otherwise stated.

2.0 THE SUBJECT SITE

The subject site is located on the west side of Gore Street in Fitzroy, to the northeast of Melbourne's Central Business District and in close proximity to Victoria Parade and Fitzroy Gardens. The lot extends from Gore Street to the east through to Little Gore Street to the west. The surrounding streetscape is characterised by a variety of attached (terraced) residential buildings from various periods spanning from the mid-late nineteenth to the early twenty-first century.

A single storey masonry dwelling currently occupies 47 Gore Street. The front wall of the dwelling dates from the late-nineteenth century and is in fair condition, however its legibility is substantially diminished by later additions and alterations. The property forms part of HO334 – South Fitzroy Precinct.



Figure 1. Location Plan – subject site shown with drop pin (Source: online.melway.com.au, accessed 2 June 2021).



Figure 2. Aerial image of 47 Gore Street (indicated) (Source: Nearmap dated 29 April 2021).

3.0 DESCRIPTION

3.1 CONTEXT

Gore Street, Fitzroy runs from Victoria Parade to the south and extends through to Alexandra Parade to the north. The length of the street is characteristic of the City of Yarra in that the building stock comprises a variety of typologies, including warehouses, commercial buildings, and small-lot residential development. The more immediate context of the subject site, where Gore Street extends between Little Victoria Street to the south and Gertrude Street to the north, comprises principally two-storey residential buildings from the mid- to late-nineteenth century on both the east and west sides of the street. The street retains a strong sense of visually cohesion, with the building stock sharing similar two storey form, housing typologies, forms and fence treatments.

Gore Street represents one of the wide principal streets that together with narrow service streets like Little Gore Street, form a regular pattern of alternating principal and service streets.





Figure 3 (left). *Looking northeast along Gore Street towards the subject site, showing general context of similar building typologies and styles.*

Figure 4 (right). *Looking southwest along Little Gore Street towards the rear boundary of the subject site, showing typical 'service lane' character and position of garages and other outbuildings at the rear of the house sites.*

3.2 47 GORE STREET, FITZROY

The house at 47 Gore Street, Fitzroy, occupies a rectangular block on the west side of Gore Street that extends through to Little Gore Street at the rear. The house is set back approximately 2.5m from the front (east) boundary, but directly abuts the north and south boundaries where it adjoins the side walls of the neighbouring houses at 43 and 49-51 Gore Street. The house is a single-storey pitched roofed building of masonry construction, with additions and outbuildings to the rear. The roof is clad in (later) 'tray-deck' profiled steel roof sheeting, with ridgeline parallel to the principal (east) elevation, and is partially concealed behind a shallow, flat parapet.

The later verandah and short garden path are paved in red bricks; the remainder of the setback is occupied by garden. None of the trees or plantings appear old enough to be contemporaneous with the house. The steel tubular fence, a later addition imitating palisades, is mounted on a concrete plinth.

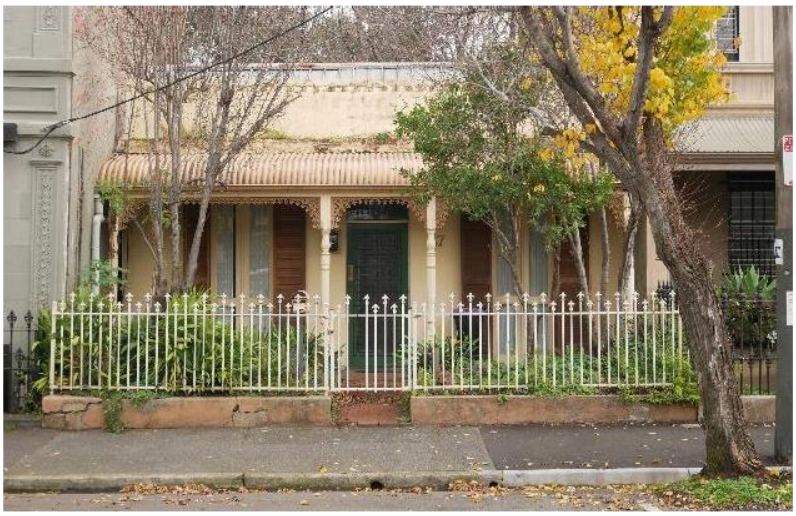


Figure 5. *Principal (east) elevation of 47 Gore Street.*



Figure 6. *Looking west to 47 Gore Street, showing adjacent two-storey Victoria terraces at 43 and 49-51 Gore Street.*



Figure 7. *Looking east to rear boundary of 47 Gore Street from Little Gore Street, showing outbuildings built to the boundary.*

3.3 CONDITION

The front wall of the dwelling dates from the late-nineteenth century and is in fair condition. Its legibility is substantially diminished by later additions and alterations (see Section 3.4 below).

3.4 INTEGRITY

Clause 22.02-2 of the Yarra Planning Scheme defines 'architectural integrity' as:

> *The quality of closely reflecting the architecture of the period in which a building was created.*

The site has been assessed in several local heritage studies, including most recently the *City of Yarra Review of Heritage Overlay Areas* by Graeme Butler & Associates (2007). The entry in the Hermes database for the property describes its integrity as 'low,' with a comment that the building has been 'defaced.'

The fabric of the dwelling has seen substantial alterations to its principal (east) elevation, which is the only public realm view of the property. These changes include:

- Recladding of the roof in an industrial 'tray-deck' type profiled steel (Figure 8);
- Removal of any nineteenth century decorative mouldings, architraves or other detail;
- Addition of a saw-tooth brick detail on top of the parapet and single course of capping bricks (likely to date from the early-mid twentieth century) – refer Figure 11;
- Enlarging of the window openings to create French doors (Figure 9);
- Addition of louvred timber shutters to the French doors (Figure 9);
- Construction of a c.1980s bull nose verandah with historicist cast aluminium detailing (Figures 8-11);
- Addition of a tiled concrete verandah (Figures 9 & 10);
- Replacement of the front door with a mid-twentieth century glazed door (Figure 10); and
- Replacement of the iron palisade fence with a tubular steel fence with cast aluminium *fleur-de-lis* capping (Figure 9 & 10).

These changes have diminished the architectural integrity of the place to such a degree that it does not, in our view, make a meaningful contribution to the Gore Street streetscape or the wider South Fitzroy Heritage Precinct.

Beyond the extant buildings siting, location within a historic streetscape and symmetrical composition it is difficult to identify the house at 47 Gore Street as a Victorian-era terrace and it now exhibits very few of the architectural elements identified as 'contributory' in the Statement of Significance for the South Fitzroy Precinct.



Figure 8. *47 Gore Street (centre) flanked by numbers 43 (left) and 49 & 51 (right), showing that the house makes little of no contribution to its immediate setting.*



Figure 9 (left). *Detail image of the principal (east) elevation, showing overpainting, substantial alterations to the window openings and surroundings, and the historicist verandah addition.*



Figure 10 (right). *Detail image of the principal (east) elevation, showing overpainting, substantial alterations to the window openings and surroundings, later door and the historicist verandah addition.*



Figure 11 (left). *Detail image of the showing the later sawtooth brick coping detail to the parapet and the historicist verandah detail. 49 Gore Street is to the right of the image.*

4.0 HISTORY

4.1 LOCAL AREA HISTORY

The following summary history of the South Fitzroy Precinct is drawn from the South Fitzroy Precinct Citation, accessed from the Victorian Heritage Database (VHD).

The first 'suburban' land allotments to be sold outside of the Melbourne town reserve were in the areas now known as Fitzroy, Collingwood, and Richmond. The allotments contained within the 'District of Collingwood' covered the area bounded in the west by Nicholson Street, to the east by the Yarra River, to the north by Reilly Street (now Alexandra Parade), and to the south by Victoria Parade (originally called Simpson's Road). The smaller portion of this `Collingwood' area, the land bounded by Nicholson Street, Smith Street, Victoria Parade and Alexandra Parade, came to be known as Fitzroy.

The original allotments in Fitzroy were of varying sizes, most falling between about 12 acres (facing Victoria Parade) and 28 acres, a size suitable for large estates, and small-scale rural or semi-industrial pursuits such as dairy farms, market gardens, and brickyards.

Land reserved by the Government for roads in the Fitzroy area consisted only of Nicholson Street, Victoria Parade, Alexandra Parade (known variously as Darebin or Reilly Street), Johnston Street and Smith Street. The first main non-Government streets to be laid out by landowners in Fitzroy were Brunswick and Gertrude Streets.

In 1838-39, following the first land sale there were no controls imposed upon the purchasers of land in Fitzroy in terms of the way they could subdivide and resell the land. Though the Government roads provided a framework for a regular pattern of roads which made it easy for speculators to proceed with subdivisions, the lack of controls on the size and orientation of subdivision allotments and the width of roads, together with a general lack of cooperation or coordination between landowners, led to the emergence of an ad-hoc street pattern and layout of allotments in South Fitzroy.

The Act for regulating Buildings and Party Walls, and for preventing mischiefs by fire in the City of Melbourne (1849) came into effect from the beginning of 1850, enforcing fireproof construction and minimum street widths in the City of Melbourne, then including Fitzroy (and excluding Collingwood and Richmond). Under the provisions of the Act wooden or iron buildings could only be constructed with a prescribed set-back from the adjacent buildings and from the street. Without a setback of at least one-third of its height (or eight feet, if the building was less than 24 feet in height), any new building was required to be constructed of brick and/or stone. As a result of the Melbourne Building Act, 1850s Fitzroy buildings were typically 'cement finished bluestone or brick, exposed rough-face bluestone, or exposed brick'. By 1891, 83% of houses in Fitzroy were constructed of brick or stone.

4.2 HISTORY OF THE SUBJECT SITE

The house at 47 Gore Street originally formed part of Crown Portion 51 at Fitzroy in the Parish of Jika Jika (Figures 12 & 13).[1] It is clear that it has been altered substantially since its original construction.

Rate books suggest that a house may have been constructed on the subject site at 47 Gore Street as early as the 1860s, though this is difficult to verify. By 1871, a six roomed brick house occupied the site.[2] At this time the house was addressed as 29 Gore Street and was owned and occupied by Mr James W Hines, accountant/ picture dealer.[3] The house had a Net Annual Value (NAV) of £40.[4]

Hines continued to own and occupy the house until 1886, at which point it was purchased by Hannibal Dutton, a wood dealer who had previously operated a wood and coal shop near the intersection of Gore and Gertrude streets.[5]

In 1887, the street numbering in Gore Street changed, with the subject property now listed variously as No.45 or No.47. The site continued to comprise a six roomed brick house with a NAV of £34.[6]

The property was purchased by Mrs Jane McPherson in 1890, who resided there until her death in 1903.[7] An MMBW Detail Plan of Fitzroy shows the footprint of the building in 1899 (Figure 14). The site extended from Gore Street through to Little Gore Street at the rear, with the house set back from the street to its current building line. The house comprised an L-shaped building which extended to the midpoint of the site with a series of outbuildings constructed to the northern boundary and brick paving to the rear. Note: the building in its late nineteenth century form did not have a verandah of any sort.

The property was advertised for auction the year following Mrs McPherson's death, at which time it was described as a 'splendid and well-built brick villa, containing 6 rooms, bathroom, every convenience…land having a frontage of 22ft. 6in to Gore Street, with a magnificent depth of 132ft. to r.o.w. at rear'.[8] Despite being auctioned in 1904, the house remained in the McPherson family and appears to have been used as a rental property, with rooms intermittently advertised for let.[9] The family sold the property ten years later in 1914. It has been sold numerous times in the ensuing years.[10]

A 1945 aerial photograph shows the subject property had a steeply pitched gabled roof form and front chimney located behind the pitch towards the south in the mid-twentieth century (Figure 15). This chimney has since been removed and the pitch of the roof altered.

---

[1] Landata Victoria, Certificate of Title, V2253/F450582.
[2] City of Fitzroy Rate Books, East Ward, 1871, Rate No. 1447.
[3] Sands and McDougall Directory, 1870.
[4] City of Fitzroy Rate Books, East Ward, 1871, Rate No. 1447.
[5] Sands and McDougall Directory, various dates.
[6] City of Fitzroy Rate Books, East Ward, 1887, Rate No. 988.
[7] *Age,* 19 October 1889, p.1616; *Argus,* 7 August 1903, p.1
[8] *Argus,* 12 November 1904, p.2.
[9] *Age,* 19 July 1907, p.9.
[10] Landata Victoria, Certificate of Title, V2253/F450582 and V4730/F943822.

In 1981, the house was described as a 'double fronted Victorian villa' with an 'appealing Victorian façade'.[11] The 'newly renovated' terrace comprised three bedrooms, lounge, family and dining rooms, a store room, and a carport and courtyard.[12]

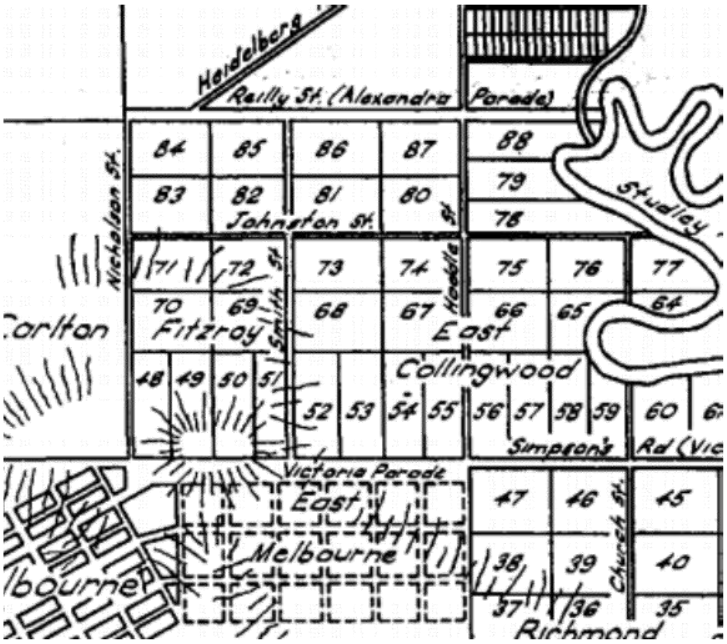


Figure 12. *Detail of plan showing Crown allotments sold in Melbourne, Fitzroy, Richmond and Collingwood in the 1830s. The subject site formed part of Allotment 51 (reproduced from City of Yarra Heritage Review, South Fitzroy Precinct citation).*

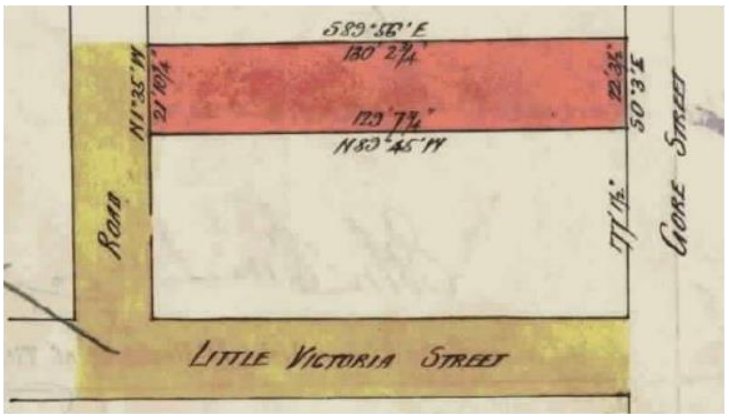


Figure 13*. Copy of plan from Certificate of Title Volume 2253 Folio 450582 showing the land at 47 Gore Street, 1890 (Landata).*

[11] *Age*, 13 June 1981, p.60.
[12] *Age*, 2 May 1981, p.150.

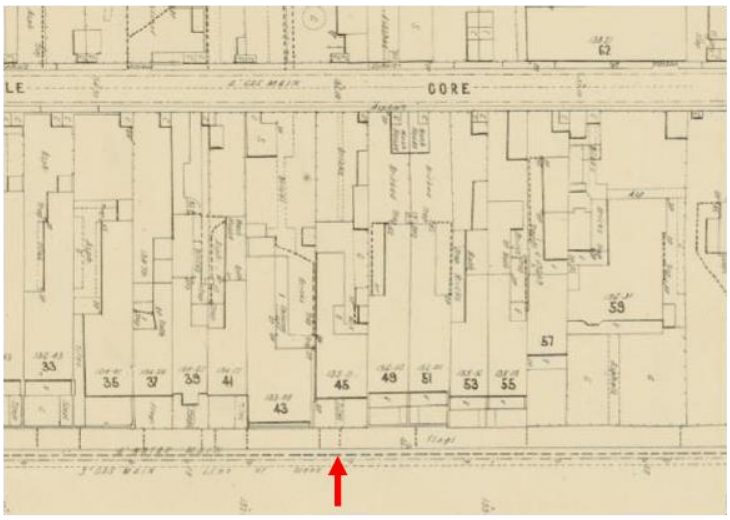


Figure 14. *MMBW Detail Plan No. 1207 of Fitzroy, showing the subject property at 45 Gore Street, 1899, indicated (SLV).*



Figure 15. *Aerial photograph showing the subject property at 47 Gore Street, 1945, indicated (Landata).*

5.0 HERITAGE CONTROLS

5.1 VICTORIAN HERITAGE REGISTER / VICTORIAN HERITAGE INVENTORY

The subject site is not included in the Victorian Heritage Register or the Victorian Heritage inventory.

5.2 NATIONAL TRUST / REGISTER OF THE NATIONAL ESTATE

The subject site is not classified by the National Trust of Australia (Victoria).

The subject site is not included individually on the Australian Government's (now non-statutory) Register of the National Estate. However, 47 Gore Street is located within the Gore / George / Napier Streets Conservation Area that was included on the Register of the National Estate on 21 October 1980 (Place ID 4943). The Conservation Area Statement of Significance notes, 'this area is significant because of its large number of substantially intact double storey Victorian terraces of very early date which forms consistent streetscapes.'

5.3 YARRA PLANNING SCHEME

47 Gore Street, Fitzroy forms part of the South Fitzroy Precinct, with is included in the Heritage Overlay of the Yarra Planning Scheme as HO334.



Figure 16. *Aerial image (with Heritage Overlay in pink) of HO3324 with subject site indicated (Source: Adapted from data.vic.gov.au, accessed 1 June 2021).*

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO334	South Fitzroy Precinct Incorporated plan: Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014	No	No	No	No	No	No	No

Figure 17. *Extract from the Schedule to the Heritage Overlay for HO334.*

The schedule to HO334 does not select 'External paint controls,' 'Internal alteration controls,' or 'Tree controls'. HO334 is subject to the *Incorporated Plan Under the Provisions of Clause 43.01 Heritage Overlay, Planning Permit Exemptions July 2014* ("the Incorporated Plan"). The Incorporated Plan establishes planning permit exemptions for properties within HO334. In accordance with Clause 43.01-2, no permit is required for works identified in the Incorporated Plan, such as general maintenance and the construction of small, detached outbuildings.

The City of Yarra Incorporated Document 'City of Yarra Review Database of Heritage Significant Areas' grades 47 Gore Street as 'contributory'. The definition of 'contributory' is defined at Clause 22.02-3 as:

> *The place is a contributory element within a larger heritage place. A contributory element could include a building, building groups and works, as well as building or landscape parts such as chimneys, wall openings, rooflines and paving.*

The streetscape of Gore Street between Little Victoria and Gertrude Streets is reasonably consistent, with a higher proportion of buildings graded 'contributory' or 'individually significant' located on the eastern side of Gore Street (refer Figure 18).



Figure 18. *Map showing heritage gradings for properties with frontage to this section of Gore Street (note other properties within HO334 have not been plotted). Pale orange properties are included in the Victorian Heritage Register.*

5.4 STATEMENT OF SIGNIFICANCE

The Statement of Significance for the South Fitzroy Precinct acknowledges the diversity of the building stock in the area. The Precinct is **aesthetically** and **historically** significant to the City of Yarra:

- *As the earliest urban area outside the Melbourne City grid to be settled in the Melbourne municipality, with several buildings from the mid nineteenth century surviving as testimony to its early establishment;*
- *For the unusually high number of early Victorian-era and some Regency period buildings, being generally simply detailed and a clear reflection of the early date of Fitzroy's settlement;*
- *As evidence of early government planning controls or Acts of Parliament, from the 1850s, that aimed to solve street alignment problems in this privately planned suburb, arising from a hitherto lack of co-ordination between neighbouring allotment owners;*
- *As a good example of the successful application of the Act for Regulating Buildings and Party Walls, and for Preventing Mischiefs by Fire in the City of Melbourne (Melbourne Building Act 1849), which forced the use of fireproof construction and gave South Fitzroy a character distinct from other inner suburbs such as Richmond and Collingwood, that have a greater proportion of Victorian-era timber buildings;*
- *As a substantially intact collection of predominantly mid to late nineteenth and early twentieth century building stock, interspersed with well preserved inter-war residential, commercial, retail and industrial buildings that contribute to the historical character of the area*;
- *For the relatively large number of individually significant buildings, being predominantly solid masonry rather than clad with timber, largely as a result of the Melbourne Building Act, 1849;*
- *For the ornate and exuberant detail of many late nineteenth and early twentieth century buildings in the suburb, reflecting the affluence of many of the inhabitants of this area, particularly in the late 19th century;*
- *For the early street, lane and allotment layouts, some original bluestone kerbs, paving and guttering, and some mature exotic street trees, providing an appropriate setting for this collection of residential, retail, commercial and industrial buildings;*
- *For the landmark qualities of some large factory and warehouse buildings from the late 19th and earlier 20th century, such as the MacRobertson confectionary complex which are significant features in the skyline of this predominantly low rise suburb;*
- *For the major early institutions that developed on its fringes, in particular, St Vincent's Hospital and The Convent of Mercy, as closely linked with the area's history, education and welfare within the metropolitan area.*

The citation for the South Fitzroy Precinct is appended in full to this Heritage Impact Statement.

6.0 HERITAGE STUDIES

6.1 CITY OF YARRA REVIEW OF HERITAGE OVERLAY AREAS (2007, UPDATED 2013)

The most current citation for the South Fitzroy Precinct was included in the *City of Yarra Review of Heritage Overlay Areas*, produced by Graeme Butler & Associates in 2007 and updated in 2013.

The South Fitzroy Precinct, as described in the 2013 *Review*, is a large, primarily residential heritage precinct that includes approximately 2563 properties, of which:

- 20% (523) are graded as individually significant
- 50% (1287) are graded as contributory
- 30% (753) are graded as not contributory

6.2 CITY OF YARRA HERITAGE REVIEW (1998)

The South Fitzroy Precinct was described in the *City of Yarra Heritage Review,* produced by Allom Lovell & Associates in 1998. This study lists properties of 'individual significance and/or make a particular contribution to the Precinct' in Appendix B; we note that the subject site is not included in this list.

6.3 SOUTH FITZROY CONSERVATION STUDY (1979)

The subject site was included in the *South Fitzroy Conservation Study*, produced by Jacob Lewis Vines Architects in conjunction with Dr M. B. Lewis in 1979. This study aimed to "make recommendations as to how the buildings and areas of particular historic and architectural importance may be preserved and enhanced."

47 Gore Street was included in the 'Gore Street South Precinct' proposed by this study, which included a building index of houses that were "considered to contribute to the character of the area," with a comment on the intactness of each included place; the comment on 47 Gore Street is simply "semi-intact façade."

7.0 LOCAL AREA PLANNING SCHEME PROVISIONS RELATING TO HERITAGE

7.1 CLAUSE 22.02 DEVELOPMENT GUIDELINES FOR SITES SUBJECT TO THE HERITAGE OVERLAY

This policy applies to all land within a Heritage Overlay. Two of the nine objectives at 22.04-2 relate in particular to this proposal:

To ensure that…new works to a heritage place respect the significance of the place.

To preserve the scale and pattern of streetscapes in heritage places.

In relation to demolition Clause 22.02-5.1 provides the following policy:

Generally encourage the retention of a building in a heritage place, unless

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

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

An application for demolition is to be accompanied by an application for new development.

Clause 22.02 also provides policy for New Development at 22.02-5.7:

Encourage the design of new development…to a heritage place to:

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

- *Consider the architectural integrity and context of the heritage place or contributory element.*

Encourage setbacks from the principal street frontage to be similar to those of adjoining contributory buildings; where there are different adjoining setbacks, the greater setback will apply.

Encourage similar façade heights to the adjoining contributory elements in the street. Where there are differing façade heights, the design should adopt the lesser height.

7.2 CLAUSE 15.03-1S HERITAGE CONSERVATION

The State Planning Policy at Clause 15.03-1S has the objective "To ensure the conservation of places of heritage significance". Of the strategies identified to achieve this the following are most relevant in relation to this application:

Provide for the conservation and enhancement of those places that are of aesthetic, archaeological, architectural, cultural, scientific or social significance.

Encourage appropriate development that respects places with identified heritage values.

Retain those elements that contribute to the importance of the heritage place.

Encourage the conservation and restoration of contributory elements of a heritage place.

Ensure an appropriate setting and context for heritage places is maintained or enhanced.

7.3 CLAUSE 43.01 HERITAGE OVERLAY

Clause 43.01 specifies that a planning application is required to demolish or remove a building and/or construct a [new] building on land subject to the heritage overlay.

The following Decision Guidelines at 43.01-8 are of particular relevance to this proposal:

- *Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.*
- *Where the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.*
- *Whether the demolition removal or external alteration will adversely affect the significance of the heritage place.*
- *Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.*

8.0 THE PROPOSAL

The application proposes to demolish the existing dwelling at 47 Gore Street in its entirety.

The proposed development includes the construction of a new two-storey dwelling with basement storage. The new two storey dwelling is setback from the Gore Street boundary to match the setback of the 'individually significant' graded buildings at numbers 49 and 51. It has a parapeted form and is finished in a textured render. The ground floor is recessed while the first floor has a window with steel surround.

A small courtyard separates the front part of the house from a second two storey brick-clad form. Vehicular access is provided off Little Gore Street to a detached brick-clad garage.

Rob Kennon Architects have provided the following design response statement:

> *The proposed demolition and construction at the abovementioned address aims to provide contemporary and innovative architecture whilst adding to existing diversity and layering of styles through time. It was on this basis and the following written response that the design was developed.*
>
> ***The proposed development***
>
> *The proposal involves demolition of the existing dwelling and construction of a new dwelling including rear garage, side and front fences and associated landscape works.*
>
> ***Demolition works***
>
> *The proposal seeks to demolish the existing dwelling including all rear buildings, fences and landscape elements.*
>
> ***New works***
>
> *Construct a new double storey dwelling separated into two distinct buildings linked by an enclosed walkway. The front building being a highly considered contextual response to the heritage streetscape. The rear two storey addition has considered the context and adjacent neighbours, through carefully considered alignment of setbacks and walls of the neighbouring structures to minimise any overshadowing and overlooking to neighbouring private open spaces and habitable windows. The proposed works will be a contemporary family home providing up to date amenities for inner city living.*

The town planning drawings prepared by Rob Kennon Architects dated June 2021 have informed our assessment below.

9.0 HERITAGE ASSESSMENT OF THE PROPOSAL

9.1 DEMOLITION

47 Gore Street is one of approximately 1287 properties included in HO334 that are listed in the Database of Heritage Significant Areas as 'contributory.' While it is discouraged in the policy at Clause 22.02-5.1 to demolish a contributory graded building, such demolition is allowable if:

- *new evidence has become available to demonstrate that the building does not possess the level of heritage significance attributed to it in the incorporated document…; and*
- *the building does not form part of a group of similar buildings.*

Given the extensive alterations that have occurred to its principal elevation, the house is not legible as a Victorian-era terrace and exhibits very few of the architectural elements identified as 'contributory' in the Statement of Significance for the South Fitzroy Precinct (bold added for emphasis where element is present at 47 Gore Street):

- ***Pitched** gabled or hipped **roofs**, with many facade parapets,*
- ***One** and two **storey wall heights** but with some isolated landmark 3-5 storey buildings,*
- *Face brick (red, dichrome and polychrome), bluestone or **stucco walls**, some weatherboard;*
- *Slate, corrugated iron roof cladding, some Marseilles pattern terra-cotta tiles;*
- *Chimneys of either stucco finish (with moulded caps) or of face matching brickwork with corbelled capping courses;*
- *Post-supported verandah elements facing the street, set out on two levels as required with cast-iron (typically mid to late Victorian-era) or timber detailing (typically Edwardian-era or early Victorian-era) also some use of arcaded masonry verandahs;*
- ***Less than 40% of the street wall face comprised with openings such as windows and doors**; and*
- **Front gardens**, originally bordered by typically timber or iron picket front fences of around 1m height.

In this case the building on subject site is substantially altered, and is not recognisable to its original or historic form. Together the building's single storey form – in a highly consistent two-storey context – and later additions means that it makes little or no contribution to the heritage values of this part of Gore Street or the wider South Fitzroy Precinct. In considering the relevant grading definitions at Clause 22.02-3 we consider that the 47 Gore Street does not meet the definition of 'contributory':

> *Contributory: The place is a contributory element within a larger heritage place. A contributory element could include a building, building groups and works, as well as building or landscape parts such as chimneys, wall openings, rooflines and paving.*

and is consistent with the definition of a 'not-contributory'-graded building, which reads:

> *Not contributory: The place is not individually significant and not contributory within the heritage place.*

Original historical research into the subject site was conducted as part of the preparation of this Heritage Impact Statement. The main objectives of this research was to establish the date of the changes to the built fabric, and to determine whether sufficient historical evidence was available that could inform the reconstruction of the building to its historic form. Ultimately, the research did not yield such evidence, and any attempt to reconstruct the building would be based on supposition.

In considering the existing fabric of the house and the inability to restore the building to any known historic form, it is our view that, on balance, the proposed demolition of the dwelling is acceptable.

The following table provides a summary of our analysis of the proposed demolition against the relevant sections of Clause 22.02 of the Yarra Planning Scheme:

POLICY	PROPOSED DEVELOPMENT	HERITAGE ASSESSMENT
Clause 22.02-5.1 Demolition		
Full Demolition or Removal of a Building: **Generally encourage the retention of a building in a heritage place.** **Generally discourage the demolition of part of an individually significant or contributory building or removal of contributory elements unless that part of the heritage place has been changed beyond recognition of its original or subsequent contributory character.** **For individually significant buildings or works, it can be demonstrated that the removal of part of the building or works does not negatively affect the significance of the place**	Proposes complete demolition of the extant contributory house on the site.	The demolition of the contributory dwelling is generally contrary to policy, however as discussed above, is in our view acceptable in this instance due to the extant fabric being heavily altered and making little or no contribution to the heritage precinct. The building at 47 Gore Street has, in our view, "been changed beyond recognition of its … contributory character" and its demolition will not negatively affect the significance of HO334.
Clause 22.02-5.3 Reconstruction and Restoration		
Encourage restoration of a heritage place or contributory element if evidence exists to support its accuracy. …	Does not propose to reconstruct the existing dwelling.	The accurate reconstruction of the dwelling is not possible in this instance, as historical research was unable to identify materials or evidence that could inform this exercise. As such, any reconstruction would be based on supposition and this is contrary to this Clause of the Yarra Planning Scheme. Additionally, the *Burra Charter* (2013) is a Reference Document of the Yarra Planning Scheme, and provides guidance for the conservation and management of places of cultural significance. Article 19 of the *Burra*

	Charter states that "restoration is appropriate only if there is sufficient evidence of an earlier state of the fabric [of a given cultural heritage place]."

9.2 NEW INFILL DEVELOPMENT

The development proposes the construction of a new two-storey dwelling including rear garage, side and front fences and associated landscape works. The design of the new building is contemporary in style and will provide modern living amenities for inner-city family life.

The following table provides a summary of our analysis of the proposed new building against the relevant 'Development Guidelines for Sites Subject to the Heritage Overlay' at Clause 22.02 of the Yarra Planning Scheme:

POLICY	PROPOSED DEVELOPMENT	HERITAGE ASSESSMENT
Clause 22.02-5.4 Painting and Surface Treatments		
Encourage paint colours to be consistent with the period of the heritage place. **Note: 'External Paint Controls Apply' is not selected in the Schedule to the Heritage Overlay for HO332.**	A materials and finishes schedule is included in the town planning application package, and is based on an interpretation of the pattern of finishes seen on the surrounding heritage buildings – i.e. exposed brick to the rear elevations and a rendered finish to the principal elevation.	This interpretive approach is consistent with this Clause, and also represents 'respect[ing] the pattern, rhythm, orientation to the street…materials and heritage character of the surrounding historic streetscape' as per Clause 22.02-5.7 of the Yarra Planning Scheme. The slight texture to the render proposed will moderate the contrast between the adjacent 'individually significant' houses at 43 and 49-51 Gore Street.
Clause 22.02-5.7 New Development, Alterations or Additions		
Encourage the design of new development and alterations and additions to a heritage place or a contributory element to a heritage place to: **Respect the pattern, rhythm, orientation to the street, spatial characteristics, fenestration, roof form, materials and heritage character of the surrounding historic streetscape.**	The proposed infill building directly references: • The two-storey height and massing of the surrounding heritage buildings; • The setback of the adjacent 'individually significant' building at 49-51 Gore Street; • Other siting features of the surrounding heritage buildings, such as garages/outbuildings to the rear, a garden behind a visually permeable low front boundary fence, and internal courtyards; • The parapet height of the adjacent 'individually significant' building at 43 Gore Street; • The windowhead height of the adjacent 'individually significant' building at 49-51 Gore Street;	The new infill building respects the pattern, rhythm, orientation to the street, spatial characteristics, window proportions, materiality and character of the surrounding heritage buildings by directly referencing them in the design language.

	• The window proportions, which are vertically-oriented, of the surrounding heritage buildings; • Window detailing, being a projecting steel surround, that interprets detailing to the windows of the surrounding heritage buildings • The materiality of the surrounding heritage buildings, being rendered masonry with an interpretation of an iron palisade fence in steel; • Entry offset to one side of the principal elevation, similar to the 'individually significant' terraces adjacent to the subject site.	
Be articulated and massed to correspond to the prevailing building form of the heritage place	The proposed infill building is a two-storey, parapeted dwelling of similar scale and massing to the prevailing built form of the South Fitzroy Precinct. The articulation of openings in the walls also reflects the patterns of the same evident in the surrounding heritage buildings. Living spaces are concentrated at the front (east) of the site, with courtyards and service buildings (i.e. a garage) located to the rear (west), which follows the pattern of the surrounding heritage buildings.	The new infill building complies with this policy.
Be visually recessive and not dominate the heritage place	The new infill building adopts the greater setback of the two adjacent 'individually significant' houses, has a lower parapet than either, and features a minimally ornamented principal elevation.	The articulation of the proposed new infill building is visually recessive to the heritage place.
Be distinguishable from the original heritage fabric	The new infill building adopts a modern design language that, whilst referencing key architectural features of the surrounding heritage buildings, does not imitate or reproduce these features in a historicist manner.	The new infill building is readily distinguishable from the original heritage fabric.
Not remove, cover, damage or change original historic fabric	The proposal involves the complete demolition of a building currently graded as 'contributory' to HO334.	The contributory elements of the existing building that is proposed to be demolished are limited to its parapeted form, siting and partially intact rendered masonry walls. All other detailing or fabric has been replaced, such as the roof sheeting, or obscured by later additions such as the front verandah. Its contribution to the precinct is therefore considered greatly compromised, and its demolition acceptable in this instance. Refer to Section 9.1 for detailed discussion.
Not obscure views of principal facades	The new infill building matches the greater setback of the adjacent heritage building at 49 & 51 Gore Street.	The new infill building does not obscure views of the principal facades of either of the adjacent 'individually significant' buildings.

Consider the architectural integrity and context of the heritage place or contributory element	The decision to demolish the existing building has been informed by thorough historical research and analysis of the extant fabric. The design team has carefully considered the architectural form and character of Gore Street and the wider South Fitzroy Heritage Precinct.	The proposal considers the architectural integrity of the existing dwelling. The proposal also considers the architectural integrity of the surrounding heritage precinct, from which it directly draws inspiration for the articulation of the new infill building.
Encourage setbacks from the principal street frontage to be similar to those of adjoining contributory buildings; where there are differing adjoining setbacks the greater setback will apply.	The new infill building matches the greater set back of the adjacent heritage building at 49 & 51 Gore Street.	The new infill building complies with this policy.
Encourage similar façade heights to the adjoining contributory elements in the street. Where there are differing façade heights, the design should adopt the lesser height.	The new infill building height matches the top of the balustrade of the adjacent 'individually significant' building at 43 Gore Street.	The new infill building complies with this policy.
Discourage elements which detract from the heritage fabric or are not contemporary with the era of the building such as unroofed or open upper level decks or balconies, reflective glass, glass balustrades and pedestrian entrance canopies	The new infill building does not propose any of these items, nor any other elements that may detract from the surrounding heritage fabric.	The new infill building complies with this policy.
Clause 22.02-5.7.2 Specific Requirements		
Corner Sites and Sites with Dual Frontages Encourage new building and additions on a site with frontages to two streets, being either a corner site or a site with dual street frontages, to respect the built form and character of the heritage place and adjoining or adjacent contributory elements to the heritage place.	The new built form extends from Gore Street to Little Gore Street at the rear (west) boundary.	The character of Little Gore Street is that of a service lane, with a variety of garages and utility buildings built to the Little Gore Street boundaries on both sides of the street. The proposal appropriately positions vehicular entry at this side of the site.
Carports, Car Spaces, Garages, and Outbuildings Encourage carports, car spaces, garages and outbuildings to be set back behind the front building line (excluding verandahs, porches, bay windows or similar projecting features) of the heritage place or contributory element or to be reasonably obscured. New works should be sited within the 'envelope' shown in Figure 1 of 22.02-5.7.1.	The new built form extends from Gore Street to Little Gore Street at the rear (west) boundary. The garage entry is located at the Little Gore Street boundary.	The character of Little Gore Street is that of a service lane, with a variety of garages and utility buildings built to the Little Gore Street boundaries on both sides of the street. The proposal appropriately positions vehicular entry at this side of the site.
Discourage: ▪ new vehicle crossovers in streets with few or no crossovers ▪ high fencing, doors and boundary treatments associated with car parking that are unrelated to the historic character of the area ▪ new vehicle crossovers in excess of 3 metres wide in residential streets.	See 'Front Fences and Gates' below.	Acceptable. The proposed development complies with this policy.
Front Fences and Gates	The proposed front (Gore Street) fence matches the height of the adjacent iron	The proposed front fence treatment height appropriately references the

Encourage front fences and gates to be designed to ▪ allow views to heritage places or contributory elements from surrounding streets ▪ be a maximum of 1.2 metres high if solid or 1.5 metres high if more than 50% transparent (excluding fence posts) ▪ be consistent with the architectural period of the heritage place or contributory element to the heritage place.	palisade fences at Nos. 43, and 49-51 Gore Street, which are graded as 'individually significant' places. The new fence treatment is proposed as 'FEN01 STEEL FENCE' and presents as a contemporary interpretation of the adjacent heritage fence typology.	heritage fences of the adjacent properties, and is visually permeable. The fence design references, but does not replicate, the iron palisade fences of the neighbouring houses.
Ancillaries and Services Encourage ancillaries or services such as satellite dishes, shade canopies and sails, access ladders, air conditioning plants, wall and roof top mounted lighting, roof top gardens and their associated planting, water meters, and as far as practical aerials, to contributory or significant buildings, to be concealed when viewed from street frontage.	No visible plant proposed.	Acceptable. The proposed development complies with this policy.

9.0 CONCLUSION

While noting that the proposed demolition of contributory-graded buildings is discouraged by the heritage policy at Clause 22.02-5.1 of the Yarra Planning Scheme, the low degree of intactness and integrity of 47 Gore Street, the lack of available historical evidence that might inform an attempt at reconstruction, and the marginal contribution it makes to HO334, it is our view that the proposed demolition is acceptable.

The proposed two-storey house at 47 Gore Street with single storey garage addressing Little Gore Street represents a sensitive and high-quality contemporary design that appropriately references and reinterprets the historic character of HO334 – South Fitzroy Precinct. The design, materials and finishes of the new building are respectful and recessive within its heritage context. The proposed development satisfactorily addresses the strategies within Clause 15.03-1S including providing for the conservation and enhancement of the South Fitzroy Precinct and encouraging "…appropriate development that respects places with identified heritage values".

Further, the proposed demolition of the existing building at 47 Gore Street and its replacement with a respectful contemporary two storey dwelling is consistent with the purposes of the Heritage Overlay at Clause 43.01 and responds to the decision guidelines at Clause 43.01-8, in particular:

- *Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.*
- *Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.*
- *Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.*

It is our view that the proposed development will positively contribute to Gore Street and the wider precinct and represents an acceptable outcome under the heritage provisions of the Yarra Planning Scheme.

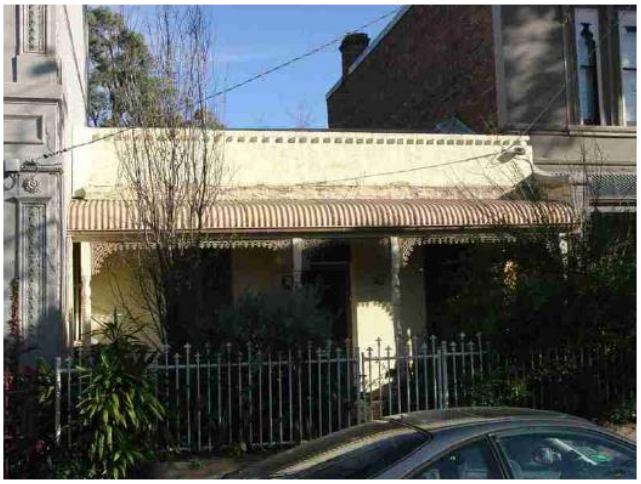
APPENDIX I – VICTORIAN HERITAGE DATABASE REPORT FOR 47 GORE STREET, FITZROY

Attachment 3 - PLN21/0512 - 47 Gore Street Fitzroy - Heritage Impact Statement

Victorian Heritage Database Report

47 Gore Street

NOTE: THE TEXT IN THIS DATABASE IS BASED ON INFORMATION FROM PAST HERITAGE STUDIES WHICH NOW FORM REFERENCE DOCUMENTS AT CLAUSE 22.02 OF THE YARRA PLANNING SCHEME. TO ENSURE ACCURACY, THE INFORMATION WITHIN THE STUDIES SHOULD BE RELIED UPON. IN THE EVENT OF ANY INCONSISTENCIES, THE INFORMATION IN THE STUDIES PREVAILS OVER THAT IN THIS DATABASE.



Location:
47 Gore Street, FITZROY VIC 3065 - Property No 258315

Heritage Status / Level of Significance:
Contributory

Heritage Overlay Number: HO334
Listing Authority: Yarra City

Precinct:
South Fitzroy Precinct

Statement of Significance:
Precinct statement of significance

Component streets include:

Alexandra Parade, Argyle Street, Bach Lane, Bell Street, Brunswick Place, Brunswick Street, Cecil Street, Chapel Street, Charles Place, Charles Street, Condell Street, Cremorne Street, Elliot Street, Fishers Lane, Fitzroy Street, Garfield Street, George Street, Gertrude Street, Gore Street, Graham Street, Greeves Street, Hanover Street, Hargreaves Street, Henry Street, Hertford Street, Highett Place, Hodgson Street, James Street, John Street, Johnston Street, Kent Street, Kerr Street, King William Street, Leicester Street, Little Charles Street, Little George Street, Little Gore Street, Little Hanover Street, Little Napier Street, Little Smith Street, Little Victoria Parade, Little Victoria Street, Mahoney Street, Marion Street, Moor Street, Napier Lane, Napier Place, Napier Street, Nicholson Street, Palmer Street, Princes Street, Regent Street, Rochester Street, Rose Street, Royal Lane, Smith Street, Spring Street, St David Street, Victoria Parade, Victoria Street, Webb Street, Westgarth Street, Wood Street, Young Street.

Statement of Significance

What is significant?

First subdivisions

The first 'suburban' land allotments to be sold outside of the Melbourne town reserve were in the areas now known as Fitzroy, Collingwood, and Richmond. The allotments were numbered 1 to 88. The first 47 made up what was to become the municipality of Richmond, while numbers 48 to 88 covered the area known colloquially in the mid-nineteenth century as the 'district of Collingwood'. These 'Collingwood' allotments lay to the north-east of the City of Melbourne, and covered the area bounded in the west by Nicholson Street, to the east by the Yarra River, to the north by Reilly Street (now Alexandra Parade), and to the south by Victoria Parade (originally called Simpson's Road). The smaller portion of this `Collingwood' area, the land bounded by Nicholson Street, Smith Street, Victoria Parade and Alexandra Parade, became to be known as Fitzroy.(117)

The original allotments in Fitzroy were of varying sizes, most falling between about 12 acres (facing Victoria Parade) and 28 acres, a size suitable for large estates, and small-scale rural or semi-industrial pursuits such as dairy farms, market gardens, and brickyards.(118) Accordingly, land reserved by the Government for roads in the Fitzroy area consisted only of Nicholson Street, Victoria Parade, Alexandra Parade (known variously as Darebin or Reilly Street), Johnston Street and Smith Street.(119) In 1838-39, following the first land sale there were no controls imposed upon the purchasers of land in Fitzroy in terms of the way they could subdivide and resell the land. As land changed hands and was progressively subdivided throughout the 1840s, a peculiar street layout emerged. Though the Government roads provided a framework for a regular pattern of roads which made it easy for speculators to proceed with subdivisions, the lack of controls on the size and orientation of subdivision allotments and the width of roads, together with a general lack of cooperation or coordination between landowners, led to the emergence of an ad-hoc street pattern and layout of allotments in South Fitzroy (120)

The first main non-Government streets to be laid out by landowners in Fitzroy were Brunswick and Gertrude Streets. These two streets became the most important non-Government streets in South Fitzroy, mainly because their original line and length were extended by a number of successive landowners and subdividers. This contrasted strongly with the disparate pattern of subdivision and street layout which developed in other allotments in South Fitzroy.

Alignment of Streets

In 1854, the Victorian Parliament passed a special Act of Parliament, known as the Act for Improvements in Fitz Roy Ward in the City of Melbourne, designed to solve the street alignment problems in South Fitzroy. In the 1850s and 1860s, local politics in the Fitzroy-Collingwood area were concerned largely with the realignment of the worst of these ad hoc streets.

Building Act

The Act for regulating Buildings and Party Walls, and for preventing mischiefs by fire in the City of Melbourne (1849) (121) came into effect from the beginning of 1850,(122) enforcing fireproof construction and minimum street widths in the City of Melbourne, then including Fitzroy (and excluding Collingwood and Richmond). Under the provisions of the Act wooden or iron buildings could only be constructed with a prescribed set-back from the adjacent buildings and from the street.(123) Without a setback of at least one-third of its height (or eight feet, if the building was less than 24 feet in height), any new building was required to be constructed of brick and/or stone. As a result of the Melbourne Building Act, 1850s Fitzroy buildings were typically 'cement finished bluestone or brick, exposed rough-face bluestone, or exposed brick'.(124) At this time, the influx of gold rush immigrants increased the demand for housing in the fledgling metropolis. The introduction of the Act considerably slowed the rate at which new houses could be built, with the result that supply fell far short of demand. (125) By 1891, only 51% of Collingwood's houses were brick or stone (outside of the Act) while in Fitzroy, the figure had risen to 83% as a direct outcome of the legislation.(126)

Consolidation

The 1860s-1870s was a period of consolidation in Fitzroy's commercial strips, as the rude structures of the early decades were replaced with more substantial premises. This is most apparent along Gertrude and Brunswick Streets, and along Smith Street. The 1870s and 1880s saw the replacement of many earlier single-fronted shop buildings with rows of shops.

Public transport

The first power driven public transport to be introduced to Fitzroy was the cable tram. One route through Fitzroy ran along Nicholson Street from the city and divided into two routes: one ran along Gertrude Street to Smith Street and the other continued northward along Nicholson Street. Another route ran down Brunswick Street.(127) These routes were established in 1886 and 1887. Unlike the pattern of urban development in some of Melbourne's then outer suburbs, where the location of tram routes facilitated and stimulated the development of those streets into major commercial strips, the tram routes in Fitzroy were located along streets which were already consolidated commercial precincts.

Industry

Industry, which had barely existed in Fitzroy in the 1850s had grown considerably by the 1870s and a number of major factories were being built and extended in the 20th century up to the Great War and beyond, including the famous MacRobertson Confectionary factory which started in Argyle Street in the 1880s.(128) The large factories and warehouses from this later period tower above the predominantly low rise nature of the early residential development.

Major Institutions

Along with the early development of the suburb and its proximity to Melbourne City, was the development of major institutions on its fringe, in particular, St Vincent's Hospital and The Convent of Mercy (Victorian Heritage Register), both of Roman Catholic origin.

The Convent of Mercy and Academy of Mary Immaculate was founded in 1857 and consists of a number of buildings constructed over a period of thirty years at the corner of Palmer and Nicholson Streets. The complex is significant for its long-term and continuing association with Catholic education in Victoria (129).

St Vincent's was founded in a Victoria Parade terrace house row by the Irish Order, The Sisters of Charity, in 1893; the complex eventually becoming the suburb's largest charitable institution. In 1905 they moved into a new four storey hospital building and by 1914 they were the second busiest hospital in Melbourne, benefiting from support provided by Fitzroy Council, the Fitzroy Football Club and the legendary John Wren. The Healy Wing was opened in 1928 and other wings followed, with the current complex covering a site bounded by Victoria Parade, Nicholson Street, Fitzroy Street and Gertrude Street. (130) A notable recent design was the St Vincent's Private Hospital since added to and altered.

Conclusion

An extraordinary amount of comparatively homogeneous nineteenth century building stock has survived in Fitzroy, as compared to either the City of Melbourne or neighbouring suburbs such as Collingwood or Richmond. Some 22% of the buildings in the Heritage Overlay Area are individually significant compared with, for example, other large residential areas such as 7% for North Fitzroy or 9% for North Carlton. Some 18% of South Fitzroy buildings were erected by the 1860s as a demonstration of its early origins.

Main development era

The main development period in the South Fitzroy Heritage Overlay Area is that of the Victorian era with a substantial contribution from the Edwardian period. There is also a contribution from some well preserved inter-war buildings and individually significant places of all eras.

Contributory elements

The Heritage Overlay Area contributory elements include (but not exclusively) mainly detached and attached Victorian-era and Edwardian-era houses, having typically:

. Pitched gabled or hipped roofs, with many facade parapets,

. One and two storey wall heights but with some isolated landmark 3-5 storey buildings,

. Face brick (red, dichrome and polychrome), bluestone or stucco walls, some weatherboard;

. Slate, corrugated iron roof cladding, some Marseilles pattern terra-cotta tiles;

. Chimneys of either stucco finish (with moulded caps) or of face matching brickwork with corbelled capping courses;

. Post-supported verandah elements facing the street, set out on two levels as required with cast-iron (typically mid to late Victorian-era) or timber detailing (typically Edwardian-era or early Victorian-era) also some use of arcaded masonry verandahs;

. Less than 40% of the street wall face comprised with openings such as windows and doors; and

. Front gardens, originally bordered by typically timber or iron picket front fences of around 1m height;

Contributory elements also include:

. Corner shops and residences with display windows and zero boundary setbacks.

. Well preserved buildings from the pre Second War era.

. Mature street tree plantings (plane and elm trees)

. Subdivision pattern that draws from Government surveyed rectangular lots, typically of between about 12 and 28 acres, and then developed privately but within a framework that encouraged continuity of street alignment and allotment size;

. Hoddle's early survey grid expressed as main roads, such as Nicholson Street, Victoria Parade, Alexandra Parade, Johnston Street and Smith Street;

. Public infrastructure, expressive of the Victorian and Edwardian-eras such as bluestone pitched road paving, crossings, stone kerbs, and channels, and asphalt paved footpaths;

. Some distinctive rear and side service lanes or rights-of-way, with substantial boundary walls, stable and loft structures, night soil hatches and privies;

. Early institutions such as St Vincent's Hospital and The Convent of Mercy.

How is it significant?

HO334 South Fitzroy Heritage Overlay Area is aesthetically and historically significant to the City of Yarra (National Estate Register [NER] Criteria E1, A4)

Why is it significant?

The South Fitzroy Heritage Overlay Area is significant:

. As the earliest urban area outside the Melbourne City grid to be settled in the Melbourne municipality, with several buildings from the mid nineteenth century surviving as testimony to its early establishment;

. For the unusually high number of early Victorian-era and some Regency period buildings, being generally simply detailed and a clear reflection of the early date of Fitzroy's settlement.

. As evidence of early government planning controls or Acts of Parliament, from the 1850s, that aimed to solve street alignment problems in this privately planned suburb, arising from a hitherto lack of co-ordination between neighbouring allotment owners;

. As a good example of the successful application of the Act for Regulating Buildings and Party Walls, and for Preventing Mischiefs by Fire in the City of Melbourne (Melbourne Building Act 1849), which forced the use of fireproof construction and gave South Fitzroy a character distinct from other inner suburbs such as Richmond and Collingwood, that have a greater proportion of Victorian-era timber buildings.

. As a substantially intact collection of predominantly mid to late nineteenth and early twentieth century building stock, interspersed with well preserved inter-war residential, commercial, retail and industrial buildings that contribute to the historical character of the area.

. For the relatively large number of individually significant buildings, being predominantly solid masonry rather

than clad with timber, largely as a result of the Melbourne Building Act, 1849

. For the ornate and exuberant detail of many late nineteenth and early twentieth century buildings in the suburb, reflecting the affluence of many of the inhabitants of this area, particularly in the late 19th century.

. For the early street, lane and allotment layouts, some original bluestone kerbs, paving and guttering, and some mature exotic street trees, providing an appropriate setting for this collection of residential, retail, commercial and industrial buildings.

. For the landmark qualities of some large factory and warehouse buildings from the late 19th and earlier 20th century, such as the MacRobertson confectionary complex which are significant features in the skyline of this predominantly low rise suburb; and

. For the major early institutions that developed on its fringes, in particular, St Vincent's Hospital and The Convent of Mercy, as closely linked with the area's history, education and welfare within the metropolitan area.

The South Fitzroy Precinct (HO334) is within close proximity to the Royal Exhibition Building and is adjacent to the World Heritage Environs Area precinct. The nineteenth century development and character of the South Fitzroy Precinct contributes to the broader setting and context of the Royal Exhibition Building. Views and vistas of the Royal Exhibition Building from within the South Fitzroy Precinct, including views to the dome from Gertrude Street, are also an important feature of the precinct.

References

117 B Barrett.The Inner Suburbs.p. 14.

118 B Barrett.The Inner Suburbs.p. 7

119 B Barrett.The Inner Suburbs.p. 7.

120 B Barrett. The Inner Suburbs.p.17, and Fitzroy History Society. p. 7.

121 referred to here as the Melbourne Building Act)

122 Fitzroy History Society. p.15.

123 Act for regulating Buildings and Party Walls, and for preventing mischiefs by fire in the City of Melbourne. (1949). Schedule b, Part 5, p. 235.

124 ibid. p. 20.

125 ibid. p. 24.

126 Figures quoted in B Barrett. The Inner Suburbs.p. 29.

127 See Sowerwine, Charles. 'Public Transport and the Fitzroy Identity', in Cutten History Committee of the Fitzroy History Society. Fitzroy: Melbourne's First Suburb. p. 11 6, see also Allom Lovell and Associates Pty Ltd. Hawthorn and Malvern Tramway Depots: Conservation Report. Prepared for the Public Transport Corporation, Melbourne, 1990. pp. 5-6.

128 See C Sowerwine .'Public Transport and the Fitzroy Identity'. pp. 116-117.

129 See Victorian Heritage Register citation

130 `Fitzroy Melbourne's First Suburb' : 53-4, 75, 85

END STATEMENT OF SIGNIFICANCE

SUPPLEMENTARY INFORMATION

Description

MMBW Detail Plan shows as 45; Edwardian-era character verandah; defaced

Integrity: Low

Heritage Study / Consultant	Yarra - South Fitzroy Conservation Study, Jacobs Lewis Vines, 1979; Yarra - Fitzroy Urban Conservation Study, Allom Lovell & Associates, 1992; Yarra - City of Yarra Heritage Review, Allom Lovell & Associates, 1998; Yarra - City of Yarra Review of Heritage Overlay Areas, Graeme Butler & Associates, 2007
Construction Date Range	1870 - 1900
Architect / Designer	
Municipality	YARRA CITY
Other names	
Hermes number	99825
Property number	258315

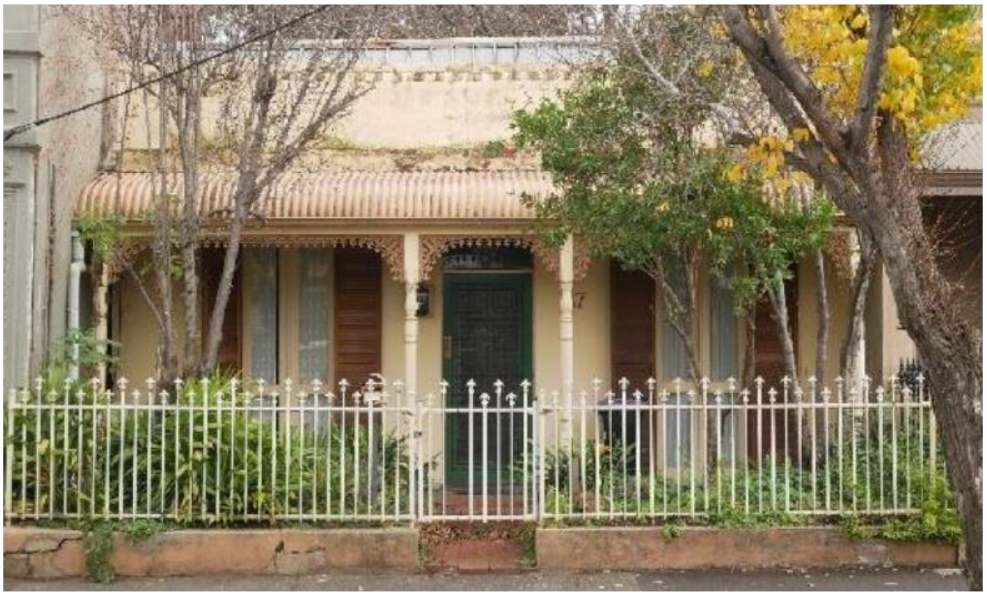
This place/object may also be State heritage listed. Check the Victorian Heritage Database. For further details, contact the local Council or go to Planning Schemes Online

Attachment 4 - PLN21/0512 - 47 Gore Street Fitzroy - Heritage Referral comments

City of Yarra
Heritage Advice

Application No.:	*PLN21/0512*
Address of Property:	***47 Gore Street Fitzroy***
Planner:	*Jessica Sutherland*
Yarra Planning Scheme References:	• *Clause 15.03 Heritage* • *Clause 21.05-1 Built Form (Heritage)* • *Clause 22.02 Development Guidelines for sites subject to the Heritage Overlay* • *Clause 43.01 Heritage Overlay* • *Clause 59.07 Applications Under a Heritage Overlay*
Heritage Overlay No. & Precinct:	*HO334 South Fitzroy Precinct*
Level of significance:	*Contributory, constructed 1870-1900 (City of Yarra, Database of Heritage Significant Areas, as updated from time to time).*
General description:	*Full demolition of the existing building and construction of a new two-storey dwelling with a basement*
Drawing Nos.:	*Set of nine drawings, entitled "47 Gore", prepared by Rob Kennon Architects, received by Council and dated July 2021* *Heritage Impact Statement, prepared by GJM Heritage, dated 13 July 2021*

CONTEXT IMAGES



Attachment 4 - PLN21/0512 - 47 Gore Street Fitzroy - Heritage Referral comments



ASSESSMENT OF PROPOSED WORKS

Comments regarding proposed demolition:

The extent of demolition proposed by this application includes the full demolition of the existing house and associated built structures.

The key consideration for assessing this aspect of the works is whether the proposed demolition will adversely affect the significance of the broader heritage precinct.

In regard to full demolition, Clause 22.02-5.1 of the Yarra Planning Scheme states 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.*
- *The building is identified as a contributory building, and*
- *new evidence has become available to demonstrate that the building does not possess the level of heritage significance attributed to it in the incorporated document, City of Yarra Review of Heritage Areas 2007 Appendix 8 (as updated from time to time) and*
- *the building does not form part of a group of similar buildings.*

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

The subject building has been identified as 'contributory' in the City of Yarra's Database of Heritage Significant Areas.

The Heritage Impact Statement (HIS) states that:

> Given the extensive alterations that have occurred to its principal elevation, the house is not legible as a Victorian-era terrace and exhibits very few of the architectural elements identified as 'contributory' in the Statement of Significance for the South Fitzroy Precinct (p.22)

The HIS also states that the building is 'not recognisable to its original or historic form'. I do not agree with this assessment however it is acknowledged that the quality of the building's contribution to the street is low due to the number of modifications. Whilst there may be insufficient evidence to support an accurate reconstruction of the building's original appearance, given that the existing building is claimed to be non-contributory, it would not be difficult to enhance the building's appearance within the streetscape through the introduction of appropriate style windows, etc.

In conclusion, it is agreed that the subject building has been modified to an extent that its contribution to the heritage precinct is poor. The building does not form part of a group of similar buildings. In a streetscape which is characterised by two-storey buildings, the loss of this atypical single-storey property will not have a detrimental impact on this part of Gore Street.

Full demolition of this non-contributory building is supported in accordance with Clause 22.02-5.1 subject to an approved replacement dwelling.

Comments regarding new development:

The extent of new works proposed by this application includes development of a new two-storey dwelling including rear garage, side and front fences and associated landscape works.





Regarding the new development:

The key consideration for assessing this aspect of the works is whether the proposed new building will adversely will:

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

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

- *Respect the pattern, rhythm, orientation to the street, spatial characteristics, fenestration, roof form, materials and heritage character of the surrounding historic streetscape.*
- *Be articulated and massed to correspond with the prevailing building form of the heritage place or contributory elements to the heritage place.*

- *Be visually recessive and not dominate the heritage place.*
- *Be distinguishable from the original historic fabric.*
- *Not remove, cover, damage or change original historic fabric.*
- *Not obscure views of principal façades.*
- *Consider the architectural integrity and context of the heritage place or contributory element*

Setbacks

With respect to the new building, Clause 22.02-5.7.1 of the Yarra Planning Scheme encourages:

> *setbacks from the principal street frontage to be similar to those of adjoining contributory buildings; where there are differing adjoining setbacks, the greater setback will apply.*

The new infill building adopts the greater front setback of the two adjacent 'individually significant' houses.

The lesser front setback of the upper floor level will create a recess which is not a typical built form in the heritage area.

The lack of side setbacks is consistent with other nearby properties.

Scale/height

Clause 22.02-5.7.1 of the Yarra Planning Scheme encourages:

> *similar façade heights to the adjoining contributory elements in the street. Where there are differing façade heights, the design should adopt the lesser height.*

The proposed building will have a lower parapet than either of the two adjacent 'individually significant' houses.

Roof form

Clause 22.02-5.7.1 states that the design of new development must respect, amongst a number of things, the roof form of the surrounding historic streetscape.

The proposed roof form of the new building will be concealed from the street frontage by a parapet, which is a consistent roof top element along this part of Gore Street.

Appearance

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

The façade of the proposed new building will be predominantly finished in textured render which from a distance, will be consistent with the appearance of the rendered facades of the adjacent buildings.

The ground level façade will consist of a front wall with a gate and shutters that will all be clad with battens painted pale grey. When closed, this part of the façade will have the appearance of being a blank wall, with no openings. This will not respond well to the pattern of fenestration in the street. Window and door openings of new developments should complement the size, proportions, and locations of windows and door openings in the nearby significant buildings in the streetscape.

The face brick finish of the rear is also consistent with the rears of the nearby buildings.

The single upper floor front window is of an acceptable traditional proportion and responds to the fenestration of the adjacent heritage buildings. It will be surrounded by steel which will give it a contemporary appearance.

Front fence

The proposed front fence will be of a consistent height and materiality with the adjacent front fences. Although the fence design is a modern interpretation of a traditional metal railing fence, it will maintain the pattern of front fences in this part of the street.

RECOMMENDATIONS

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

	Suggested condition	***Explanation***
1.	The design of the ground level façade must be modified to avoid the appearance of being a blank wall, with no openings. The proposed openings should be clearly visible at all times and complement the size, proportions, and locations of windows and door openings in the nearby significant buildings in the streetscape.	*When closed, the ground floor façade will have the appearance of being a blank wall, with no openings. This will not respond well to the pattern of fenestration in the street.*

SIGNED:

Diahnn McIntosh

DATED: 22 September 2021

Attachment 5 - PLN21/0512 - 47 Gore Street Fitzroy - Referral comments

PLN21/0512 – 47 Gore Street Fitzroy – Referral comments

Traffic Engineering Services (based on advertised plans)

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
Three-bedroom dwellings	1	2 spaces for each dwelling	2	1

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

A reduction of 1 car space in the car parking requirements of *Clause 52.05* is sought by the applicant.

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 Three-Bedroom Use*.
  The car ownership data from the 2016 Census conducted by the *Australian Bureau of Statistics* suggests that there is a strong market for dwellings that have no or reduced on-site car parking. It is recognised that car ownership is influenced by a number of factors (public transport access, proximity to employment and education centres, affordability issues, environmental concerns, and access to services) and that in inner areas many households do not own a car for a range of reasons. The future occupants of the dwellings would be ineligible to obtain a resident's parking permit. The surrounding streets from the site contain short-stay parking restrictions which would generate parking to turnover throughout the day. Visitors to the site should be able to find on-street parking in the surrounding streets.

- *Availability of Public Transport in the Locality of the Land*.
  The following public transport services can be accessed to and from the site by foot:

  - Gertrude Street/Smith Street tram services – 180 metre walk
  - Victoria Parade tram services – 200 metre walk
  - Victoria Parade bus services – 270 metre walk
  - Brunswick Street tram services – 410 metre walk
  - Nicholson Street tram services – 710 metre walk
  - Parliament railway station – 830 metre walk

- Hoddle Street bus services – 910 metre walk
- North Richmond railway station – 1,000 metre walk

- *Multi-Purpose Trips within the Area.*
  Visitors to the site might combine their visit by engaging in other activities or business whilst in the area.

- *Convenience of Pedestrian and Cyclist Access.*
  The site has very good access to shops, businesses, essential facilities and public transport nodes. The site also has good connectivity to the Principal Bicycle Network.

Appropriateness of Providing Fewer Spaces than the Likely Parking Demand

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

- *Availability of Car Parking.*
  Due to the COVID-19 restrictions, car parking occupancy surveys cannot be undertaken at this time as it would not provide an accurate representation of the 'normal' car parking demands in the surrounding area.

  The on-street parking in this part of Fitzroy is generally high during business hours. The area surrounding the subject site is blanketed in time-based parking restrictions which ensure that parking turns over frequently. Visitors to the site during business hours should be able to find an on-street car space near the site.

  In Fitzroy, the recent introduction of parking sensors such as in Smith Street, Gertrude Street, and Brunswick Street, would further discourage persons attempting to park all-day. The parking sensors also ensure that parking frequently turns over for short-stay parking users (visitor, client parking etc.).

- *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 reduction in the car parking requirements for the proposed development is considered appropriate in the context of the development and the surrounding area. Visitors to the site would be fully aware of the high parking demand in Fitzroy and choose to commute to and from the site by more sustainable transportation modes.

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

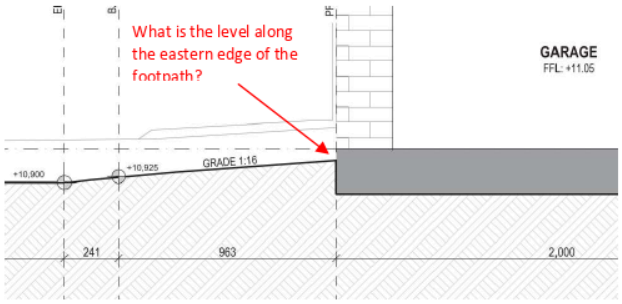
DEVELOPMENT LAYOUT DESIGN

Layout Design Assessment

Item	Assessment
Access Arrangements	

Width of Little Gore Street	Little Gore Street has a carriageway width of 4.16 metres and the width of the eastern footpath is 0.96 metres.
Width of Garage Door	The width of each garage door is 3.25 metres. Using the Objective Trapeze software, the turning movements into and out of the site for a B85 design vehicle was considered satisfactory.
Vehicle Crossing	A new vehicle crossing is proposed in Little Gore Street with a width of 3.25 metres.
Car Parking Modules	
Single Garage	The internal dimensions of the garage of 3.69 metres by 5.76 metres satisfy *AS/NZS 2890.1:2004.*
Other	
Vehicle Access – Ground Clearance Assessment	Using the Objective Trapeze software, the ground clearance for a B85 design vehicle was assessed. The access into and out of the site from Little Gore Street was considered satisfactory. The level of the eastern edge of the footpath was not shown on the cross-sectional drawings.

Engineering Advice for Design Items to be Addressed by the Applicant

Item	Details
Cross-Sectional Diagram	The applicant is to show on the cross-sectional diagram the level at the eastern edge of the footpath. The bullnose/lip (difference in level of the eastern edge of the footpath and the western edge of the internal slab) must not exceed 60 millimetres. 

Heritage (informal comments based on Advertised Plans)

- The first floor window should be reduced in size to be closer to the size of openings (not inclusive of decorative features) of neighbouring contributory buildings.
- The shutter should provide greater transparency where it is over the window so that the opening is much more apparent.