

Agenda

Planning Decisions Committee Meeting

6:30 pm, Tuesday 28 October 2025

Richmond Town Hall

www.yarracity.vic.gov.au

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.

Addressing the Committee

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 who have registered to address the committee, to come forward to 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 and avoid repeating 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.

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

Access to the building is available either by the stairs or lift. Seating is provided to watch the meeting, and the room is wheelchair accessible. Accessible toilet facilities are available. Speakers at the meeting are invited to be seated at the table to address the Council, and all participants are amplified via an audio system. Meetings are conducted in English.

If you are unable to participate in this environment, we can make arrangements to accommodate you if sufficient notice is given. Some examples of adjustments are:

- a translator in your language;
- the presence of an Auslan interpreter;
- loan of a portable hearing loop; and
- reconfiguring the room to facilitate access.

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1. Acknowledgement of Country

"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."

2. Attendance, apologies and requests for leave of absence

Attendance

Councillors:

- Cr Stephen Jolly — Mayor
- Cr Sarah McKenzie — Deputy Mayor
- Cr Evangeline Aston
- Cr Edward Crossland
- Cr Andrew Davies
- Cr Kenneth Gomez
- Cr Sharron Harrison
- Cr Meca Ho
- Cr Sophie Wade

Council staff:

- Mary Osman — General Manager City Sustainability and Strategy
- Danielle Connell — Manager Statutory Planning (Acting)
- Erryn Megennis — Principal Statutory Planner

Governance

- Phil De Losa — Manager Governance and Integrity
- Patrick O'Gorman — Senior Governance Coordinator
- Mel Nikou — Governance Officer

3. 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.

4. Confirmation of Minutes

RECOMMENDATION

That the minutes of the Planning Decisions Committee held on Tuesday 23 September 2025 be confirmed.

5. Planning Committee Reports

5.1. – PLN24/0847 - 41-43 Stewart Street, Richmond

Author	Erryn Megennis – Senior Statutory Planner
Authoriser	General Manager City Sustainability and Strategy

Executive Summary



Property	41-43 Stewart St, Richmond
Ward	Lennox
Application number	PLN24/0847
Proposal	Buildings and works in association with the use of the rooftop for a bar, and a reduction in the car and bicycle parking requirements of the Yarra Planning Scheme
Zoning & Overlay/s	• Mixed Use Zone • Heritage Overlay – Schedule 322 ○ Heritage Grade: Individually Significant • Environmental Audit Overlay • Development Contributions Plan Overlay – Schedule 1
Strategic setting	• Mixed Use Zone identified as an area for future strategic work pursuant to Clause 02.04. • Moderate Change area
Submissions	77 objections, 1 letter of support
Key reasons for support	- The proposed use has strong strategic and policy support. - The subject site is a suitable location for the use. - The proposed hours of operation (subject to conditions) are acceptable and will not result in unreasonable amenity impacts. - The proposed use (subject to conditions) will not result in unreasonable amenity impacts.

Recommendation	That Council Issues a Notice of Decision to Grant a Planning Permit, with conditions. Key conditions include: - Operating hours between 12pm and 10pm Sunday to Wednesday and between 12pm and 11pm Thursday to Saturday; - The operable roof to be closed after 10pm, Thursday to Saturday - A maximum of 100 patrons, including 40 within the bar area and 60 within the dining area - Background music levels only - Requirement for a noise limiter and post-occupancy acoustic report to demonstrate compliance with relevant noise limits.
Contact Officer	Erryn Megennis – Principal Planner

Officer Recommendation

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN24/0847 at 41-43 Stewart St, Richmond for:

Control	Clause	Matter for which the permit has been granted
Mixed Use Zone	32.04-2	To use the land for a Food and Drinks Premises (Bar)
Mixed Use Zone	32.04-10	To construct a building and carry out works
Heritage Overlay	43.01-1	To construct a building and carry outworks
Car Parking	52.06-3	A reduction in the car parking requirements associated with the Bar
Bicycle Parking	52.34-2	A reduction in the bicycle parking requirement

subject to the following conditions:

Amended Plans

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and must be generally in accordance with the decision plans prepared by Studio Enes, Drawing Nos. 0103, 1100, 1500, 2002, 2004, 2005, 3001 & 8000 but modified to show:

   (a) The materials of the proposed solid walls notated on the elevations and included in the materials schedule;

(b) Removal of references to Gibsons Way for deliveries and waste collection; and

(c) Provision of a maximum of 40 seats in the "Bar" area and 60 in the dining area.

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.

Acoustic Reports

3. Concurrent with the submission of Condition 1 Plans, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Watson Moss Growcott Acoustics and dated 21 May 2025 but modified to show:

   (a) Hours of operation in accordance with Condition 13 of this permit;

   (b) Numbers of patrons to be a total of 100 patrons, with a maximum of 40 patrons in the bar area and maximum 60 patrons in the dining area.

   (c) Confirmation that the operable roof will be closed at 10pm, Thursdays to Saturdays; and

   (d) Confirmation that calibration measurements for music noise will be conducted at the most-affected receiver location.

4. Before the use commences, a Noise Limiter must be installed on the land. The Noise Limiter must:

   (a) Be set to ensure music volume does not exceed background music levels in the order of 68-71db(A)Leq, calibrated at the most-affected receiver location;

   (b) Be installed in a tamperproof box or have a software lock, not accessible to personnel other than the venue's acoustic consultant;

   (c) Control all audio amplification equipment and associated loudspeakers;

   (d) Following calibration of the limiter an acoustic report is to be submitted to Council and must include:

      (i) A description of the noise limiter, including make and model;

      (ii) A description of the means by which the system is locked to prevent access from unauthorised parties; and

      (iii) Confirmation that the noise limiter has been calibrated to background music l levels of 68-71db(A)Leq, at the most-affected receive location.

   (e) Confirmation that the device will be recalibrated as necessary to maintain compliance when any changes are made to the audio equipment or to the layout, which have the potential to affect the compliance status of the venue, to the satisfaction of the Responsible Authority.

5. 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, as may be amended from time to time.

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

7. The use and development must at all times comply with the noise limits specified in the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021), as may be amended from time to time.

Noise and Amenity Action Plan

8. Concurrent with the submission of Condition 1 Plans, an amended Noise and Amenity Action Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Noise and Amenity Action Plan will be endorsed and will form part of this permit. The amended Noise and Amenity and Action Plan must be modified to include:

   (a) Hours of operation consistent with Condition 13 of this permit;

   (b) Maximum patron numbers consistent with Condition 14 of this permit;

   (c) Reference to the licenced premises policy removed;

   (d) Confirmation that the operable roof will close at 10pm between Thursday and Saturday; and

   (e) Reference to the use of Gibsons Way for deliveries and waste collection removed and instead refer to the loading bays on Stewart Street for these activities.

9. The provisions, recommendation and requirements of the endorsed Noise and Amenity Action Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

10. Concurrent with the submission of Condition 1 Plans, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Leigh Design and dated 3 October 2024 but modified to include:

    (a) Reference to the use of Gibsons Way for waste collection removed and instead refer to the loading bays on Stewart Street for this activity.

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.

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

Use

13. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the following hours:
    (a) Sunday to Wednesday: 12pm – 10pm; and
    (b) Thursday to Saturday: 12pm – 11pm.
14. Except with the prior written consent of the Responsible Authority, no more than 100 patrons are permitted on the land at any one time, including a maximum of 40 patrons within the "Bar" area and a maximum 60 patrons in the dining area.
15. The operable louvre roof must be closed at 10pm between Thursday to Saturday.
16. The provision of music and entertainment on the land must be at a background noise level.
17. Emptying of bottles and cans into bins may only occur between 7am and 10pm on Monday to Saturday or between 9am and 10pm on a Sunday or public holiday.
18. 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.
19. Before the use commences the applicant must, to the satisfaction of the Responsible Authority, display a sign at the exit of the premises advising patrons to respect the amenity of adjacent residential areas and to leave in a quiet and orderly manner.
20. The amenity of the area must not be detrimentally affected by the use or development, including through:
    (a) The transport of materials, goods or commodities to or from land;
    (b) The appearance of any buildings, works or materials;
    (c) The emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
    (d) The presence of vermin.

    To the satisfaction of the Responsible Authority.

General

21. 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.
22. Before the use commences, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the basement car park, pedestrian walkway, laneway and dwelling entrances must be provided within the property boundary. Lighting must be:
    (a) Located;
    (b) Directed;
    (c) Shielded; and
    (d) Of limited intensity,

To the satisfaction of the Responsible Authority.

23. Within 2 months of the completion of the development, 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.
24. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
    (a) Monday to Friday (excluding public holidays) before 7 am or after 6 pm;
    (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
    (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
25. This permit will expire if:
    (a) The development is not commenced within two years of the date of this permit; or
    (b) The development is not completed within four years of the date of this permit; or
    (c) The use 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

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

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.

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.

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 business (whether as owners, lessees/tenants, occupiers) within a development approved under this planning permit, will not be eligible for business parking permits unless the development has heritage controls where parking would adversely affect the integrity of the heritage place, or if there's no increase in separate occupancies and the development does not reduce existing on-site parking. For more information refer to www.yarracity.vic.gov.au/residents/transport/parking/parking-permits.

History and Background

Planning Scheme Amendment VC286

1. This application originally required a permit for the sale and consumption of liquor, pursuant to Clause 52.27 of the Yarra Planning Scheme (the Scheme). Planning Scheme Amendment VC286 was gazetted on 1 July 2025. The amendment changed the Victorian Planning Provisions and all planning schemes in Victoria by removing the requirement for a planning permit for licensed premises. This consequently resulted in the removal of Clause 52.27 from all planning schemes in Victoria. Accordingly, a planning permit is no longer required for the sale and consumption of liquor. A licenced premises must still obtain a liquor licence from Liquor Control Victoria.

Section 57A Amendment

2. Following the gazettal of Amendment VC286, the application was amended under Section 57A of the *Planning and Environment Act* 1987 (the Act) on 13 August 2025 to remove permission for the sale and consumption of liquor. An amended acoustic report was also submitted as part of this amendment, to address outstanding concerns raised by Council's Acoustic Consultant, SLR.

Planning History

3. The site has the following planning history of note:

   (a) Planning Permit PL06/0648 was issued on 23 August 2006 for use of the site as a *Temporary Music Academy*. The permit expired on 31 October 2006;

   (b) Planning Permit PLN10/1004 was issued on 26 May 2011 for *Use of Level 3 as office space and a waiver of the car parking requirement*. Condition 3 of the permit allows the Office to operate between 9am and 6pm, Monday to Friday;

   (c) Planning Permit PLN11/0380 was issued on 27 September 2011 for *Use of the first floor as an office and waiver of the associated car parking requirement*. Condition 2 of the permit allows the Office to operate between the hours of 8am and 9:30pm, Monday to Friday and between 8am and 7pm, Saturday and Sunday;

   (d) Planning Permit PLN12/0013 was issued on 29 June 2012 for Use of Level 2 as an office and a waiver of the associated car parking requirement. Condition 3 of the permit allows the Office to operate between the hours of 7am and 9:30pm, Monday to Thursday and between 7am and 11:30pm, Thursday and Friday; and

   (e) Planning Permit PLN12/0233 was issued on 18 September 2012 for Use of Level 1 (southern half) as an office and waiver of the associated car parking requirement. Condition 2 of the permit allows the Office to operate between the hours of 8am and 9:30pm, Monday to Friday.

Site Context

Site

4. The subject site is located on the northern side of Stewart Street, between Tennyson Street to the east and Margaret Street to the west, in Richmond. The site is an irregular-shaped lot with a frontage of 29.62m, maximum depth of 60.9m and an overall area of 1,333sqm. The site comprises a 4 storey brick building formerly occupied by the

Australian Knitting Mills. The building contains a number of commercial tenancies, with details outlined in the 'planning history' section above.

5. For the purposes of this application, the subject site is limited to the rooftop of the building. There are no changes proposed to the existing commercial tenancies occupying the remainder of the building. The rooftop is currently vacant except for telecommunications infrastructure and plant equipment (see image at Figure 2).

6. The site is graded 'Individually Significant' to the Richmond Hill Heritage Precinct. Contributory features within this industrial area of the heritage precinct include:

   (a) Industrial buildings from the early decades of the 20th century with typically:

   (b) Wall heights ranging from 1-5 levels;

   (c) Facade parapets, sometimes with proprietary logos, with pitched roofs behind;

   (d) Limited or no setback from street frontages; and

   (e) Walls of face red brick (some over-painted) with rendered bands.



Figure 1 - Subject site, viewed from Stewart St (Planning Officer, September 2025)



Figure 2 - Applicant aerial photo of subject site, looking north

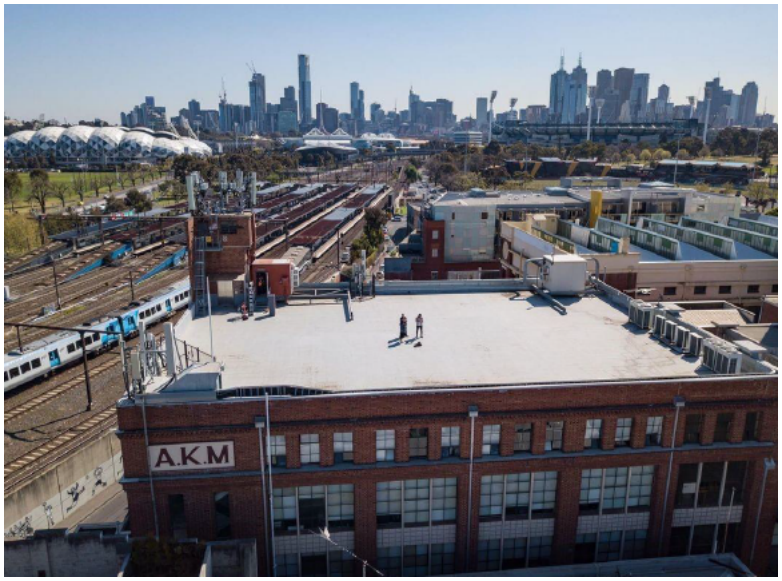


Figure 3 - Applicant aerial photo of subject site, looking west

Surrounds

7. Consistent with the zoning, the surrounding area contains a mix of uses including commercial, industrial and residential. The land to the south of Stewart Street falls within the Swan Street Major Activity Centre (MAC) and Core Entertainment Precinct (CEP) as identified in Clause 02.04 (Strategic Framework Plan) of the Yarra Planning Scheme (the Scheme). Surrounding industrial buildings to the north and east of the site have been converted into dwellings. A review of data from Liquor Control Victoria confirms that the nearest On-Premises and / or General Licences are located on Swan Street.

8. The site is well-serviced by various public transport options, with Richmond Station located approximately 100m to the south-west. Buses along Hoddle Street, and trams along Swan Street and Church Street all within walking distance. Stewart Street is partly a Shared Zone further west. The section of the street within the immediate vicinity of the site has time-restricted parking on the northern side, between 7am and 11pm, seven

days a week. A loading zone with 3 parking spaces is also located in front of the site on Stewart Street.

9. The immediate interfaces are as follows:

   (a) To the north of the site is No. 24 Tanner Street, a 3-4 storey warehouse building which has been converted into dwellings. A number of these dwellings feature rooftop gardens;

   (b) To the east of the site is No. 16 – 24 Tennyson Street and No. 49-51 Stewart Street, consisting of two storey warehouse buildings occupied by offices and dwellings. There are two rooftop gardens located on this building. There are a number of west-facing windows that interface with the subject site;

   (c) To the south of the site is Stewart Street. On the opposite side of the street is an elevated railway line servicing various routes between the city and south and eastern suburbs; and

   (d) To the west of the site is No. 33-35 Stewart Street, an 8 storey mixed use building comprising a food and drinks premises (café/restaurant) at ground level, and offices with a rooftop terrace. The development was approved under Planning Permit PLN16/0807. Condition 6 of the permit allows the café/restaurant to operate between 6am and 9pm, Monday to Sunday. Condition 4 allows a maximum of 110 patrons and Condition 8 of the permit restricts the use of the roof terrace to office tenants only. The ground level food and drinks premises hold a Limited Liquor Licence (No. 36174742) which allows liquor to be sold on the premises alongside food. The licence hours are 10:30am to 3:30pm, seven days a week, except for Good Friday and Anzac Day where the hours are restricted to 12pm until 3:30pm.



Figure 4 - Nearmap aerial imagery of subject site and surrounds (August 2025)

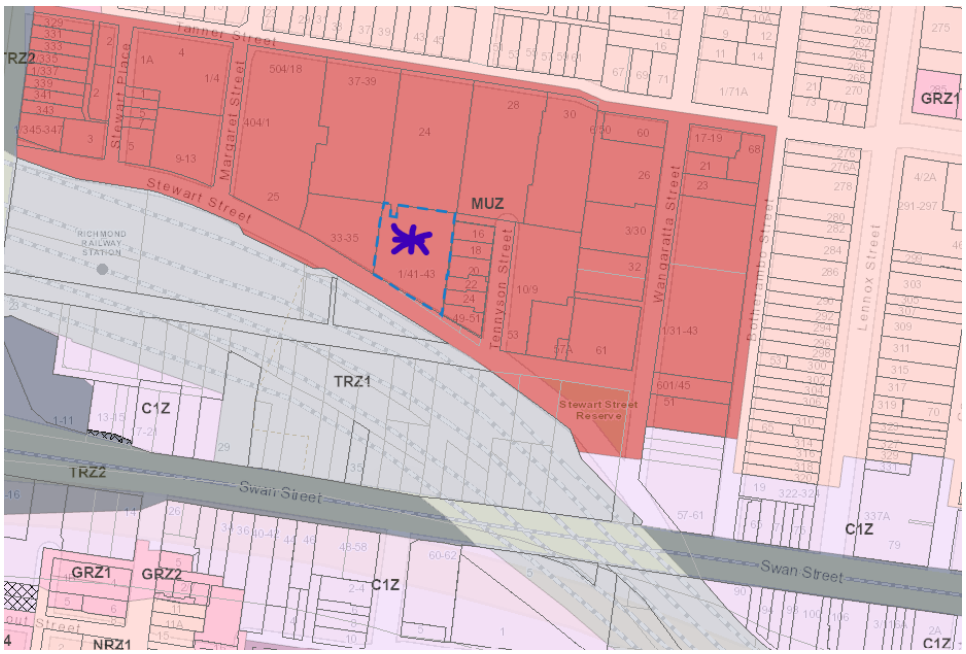


Figure 5 - Zoning map of subject site and surrounds (VicPlan, September 2025)

Title Information

10. The title submitted with the application does not show any covenants or restrictions. A number of easements affect the land, including:

    (a) A 6.92m – 7.03m drainage easement along the western boundary (E-1);

    (b) A 0.35m wide, 5.51m long party wall easement along the western boundary at the northern end (E-2 & E-6);

    (c) A 1.83m wide sewerage easement along the northern boundary (E-3);

    (d) A 2.76m – 2.99m wide drainage easement along the eastern boundary (E-4); and

    (e) A 1.68m – 1.83m wide light and drainage easement along the eastern boundary (E-5).

11. The proposed works will not affect these easements.

Proposal

12. The application is for buildings and works in association with the use of the rooftop for a bar, and a reduction in the car and bicycle parking requirements of the Yarra Planning Scheme. Further details of the proposal are as follows:

13. <u>Bar Use:</u>

    (a) Hours of operation:

        (i) Sunday – Wednesday: 12pm (midday) – 10pm;

        (ii) Thursdays: 12pm (midday) – 11pm;

        (iii) Friday – Saturday: 12pm (midday) – 12am (midnight);

(b) Maximum patrons: 100, including 60 in the enclosed dining area and 40 in the bar area all seated;

(c) Maximum staff: 5;

(d) Food will be available at all times; and

(e) Background music only.

14. Access is proposed via an existing lift at the south-west corner of the building. Access is also permitted via the fire stairs in case of fire on the south-east corner of the building.

15. Waste will be stored in the bin room at ground level and collected by a private contractor. The application proposes that waste vehicles will prop in Gibsons Way (west of the site) during collection times.

16. Deliveries are proposed to occur within Gibsons Way and within the on-street loading bays on Stewart Street.

Buildings and Works

17. Construction of a rooftop bar as follows:

(a) The bar would be set back a minimum 1.5m from the southern edge of the building, 6.55m from the western edge, 3.4m from the northern edge and 2m from the eastern edge, with a floor area of 420sqm;

(b) Maximum height of 2.8m above existing roof floor level (20m above ground level), measured to the top of the bar roof;

(c) Construction of a raised floor, approximately 0.4m above the existing roof level;

(d) Built structures include the bar, some built-in seating, bathrooms, kitchen and storage room;

(e) The surrounding wall structures will be constructed of a combination of clear glazing and solid acoustic walls;

(f) The acoustic walls are proposed along the eastern section of the bar area. The applicant's acoustic report confirms that the walls will have a minimum weight of 12kg per square metre, and recommends the use of glass, stud wall, cement sheet or similar. The plans currently do not specify what material the wall will be; and

(g) A solid Colourbond roof is proposed over the enclosed dining area and an operable louvre roof over the bar. No ceiling is proposed over an approximate 95sqm section of the bar at the southern end of the site.

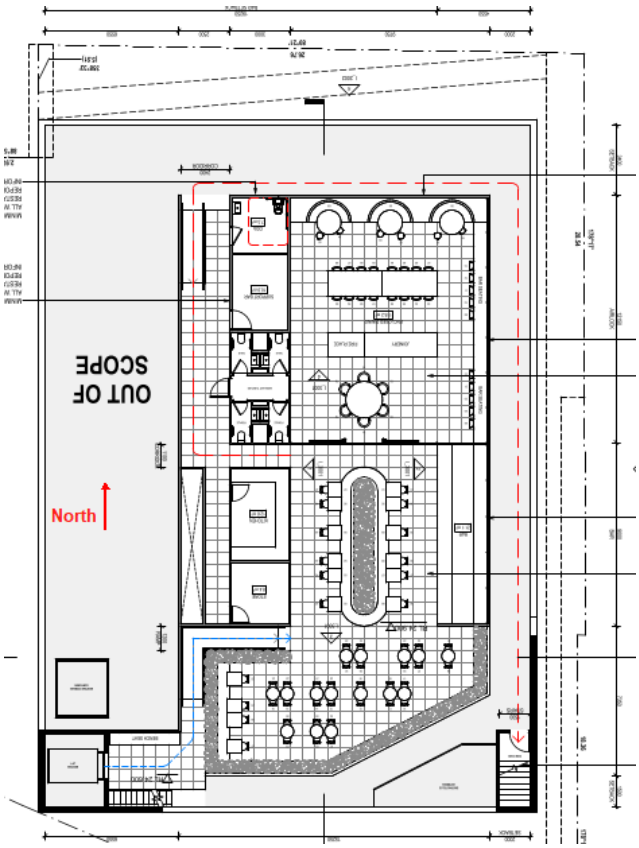


Figure 6 - Proposed floor plan

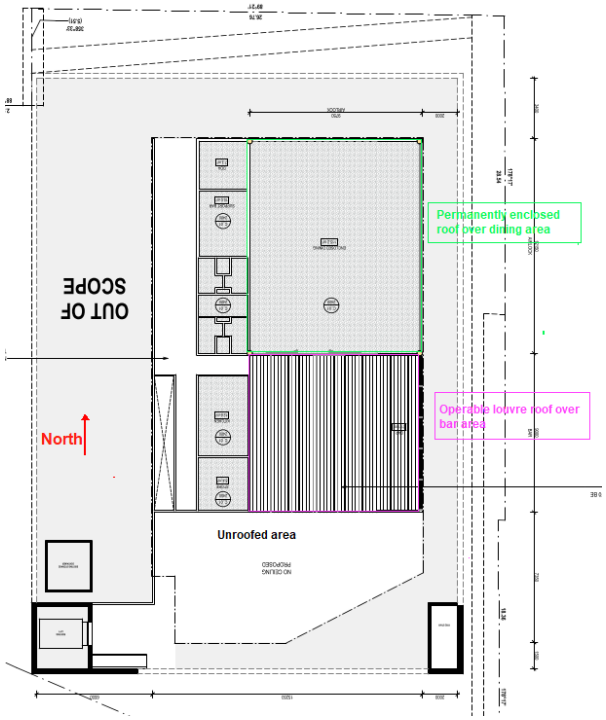


Figure 7 - Proposed roof plan, showing permanent roof in green, operable roof in pink and unroofed area white

Statutory controls

18. The table contained in the Officer Recommendation sets out why a planning permit is required for this matter.

19. The following Clauses of the Yarra Planning Scheme are also relevant to the proposal:

(a) **Clause 32.04 – Mixed Use Zone (MUZ**) – A Food and Drinks Premises (i.e. bar) is a Section 1, permit not required use if the leasable floor area is no more than 150sqm. As the bar will be 420sqm, a planning permit is required for the use. A planning permit is also required for buildings and works associated with Section 2, permit required uses pursuant to Clause 32.04-10;

(b) **Clause 43.01 – Heritage Overlay, Schedule HO332 (HO332) –** A planning permit is required to construct a building and carry out works. The site is graded 'individually significant' to the Richmond Hill Heritage Precinct;

(c) **Clause 45.03-1 – Environmental Audit Overlay (EAO**) – The requirements of this Overlay do not apply as the proposed bar is not a sensitive use as identified at Clause 45.03-1;

(d) **Clause 45.06 – Development Contributions Plan Overlay, Schedule 1 (DCPO1) –** The DCPO1 sets out mandatory development contributions for particular types of development where this an increase in commercial floor area. The proposed development results in an additional 420sqm of commercial floor area. The subject site is located in Charge Area 9 (Central Richmond). It is recommended that Council's standard condition be included to ensure that the applicable Development Infrastructure Levy is paid as required;

(e) **Clause 52.06 – Car Parking –** Before a new use commences, the required car parking spaces must be provided on the land as set out at Clause 52.06-5. The following table outlines the car parking requirements associated with the application:

Use	Size	Statutory parking rate*	No. spaces required	No. spaces allocated	Reduction sought
Bar	420sqm	3.5 per 100sqm leasable floor area	14	0	14

*Site is within the Principal Public Transport Network – Column B parking rates apply

Given the above and that no car parking is being provided on site for the bar, a planning permit is required for a full reduction of the statutory car parking requirements; and

(f) **Clause 52.34 – Bicycle Parking –** 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 requirements under Clause 52.34-3:

Use	Size	Statutory parking rate	No. spaces required	No. spaces allocated	Reduction sought
Bar (Retail Premises)	420sqm	1 employee space to each 300sqm of leasable floor area	1 employee space	0	1
		1 visitor space to each 500sqm of leasable floor area	1 visitor space	0	1

Given the above and that no bicycle parking is being provided on site for the bar, a planning permit is required for a full reduction of the statutory bicycle parking requirements.

Internal and External Consultation

Advertising

20. The application was advertised under the provisions of Section 52 of the *Planning and Environment Act (1987)* by 437 letters sent to surrounding owners and occupiers and by 1 sign displayed along the Stewart Street frontage.

21. Council received 77 objections from individual properties, on the following key grounds:

    (a) Excessive patron noise;

    (b) Inappropriate hours of operation;

    (c) Overlooking to existing dwellings;

    (d) Lack of parking and impacts on traffic movement;

    (e) Exacerbation of existing anti-social behaviour;

    (f) Exacerbation of existing litter issues in area;

    (g) Safety impacts on existing residents;

    (h) Impacts to heritage significance of building;

    (i) Odours from kitchen;

    (j) Increased risk of break-ins and theft to existing residential properties;

    (k) Application was not sufficiently advertised;

    (l) Inaccuracies in acoustic report and acoustic testing not undertaken from within dwellings;

    (m) Insufficient acoustic testing from nearby dwellings;

    (n) Use of Gibsons Way for loading and waste collection;

    (o) Impacts from waste collection;

    (p) Potential for patrons to gain access into adjoining residential buildings from the roof;

    (q) Devaluation of property;

    (r) Existing noise disturbances from building; and

    (s) Light spill.

22. One letter of support was received, on the following grounds:

    (a) The proposal provides an additional hospitality offering for the surrounding community.

23. Following lodgement of the Section 57A amendment on 13 August 2025, the application was not advertised under the provisions of Section 57B of the Act. The application was granted a discretionary advertising exemption on 18 August 2025 on the basis that the sale and consumption of liquor is not a planning permit trigger. The amended acoustic

report submitted as part of the Section 57A amendment has been included as an attachment to this report.

Internal and external referrals

24. The proposal was referred to the following external consultants and internal business units:

Internal Business Unit/ External consultant	Comments
Heritage	Fully supportive of proposed works from a heritage perspective.
Social Planning	Supportive of proposal subject to the outdoor areas closing by 10pm and an amended Noise and Amenity Action Plan to include further details on how patron number limits will be managed in each area of the venue, the management of off-site smokers and details on how the movement and exit of patrons will be managed.
Compliance	Supportive of proposal subject to the outdoor areas closing at 10pm and all windows and doors being closed for the dining area from 10pm.
Development Engineering	Supportive of full car parking reduction.
Waste Management	Supportive of waste management plan
Strategic Transport	Not supportive of bicycle parking reduction, and recommends a bicycle parking survey be undertaken to determine current bicycle parking demand to inform the provision of on-street bicycle parking spaces within vicinity of the site. Note that the bicycle parking calculations incorrectly use the Restaurant rate and not the rate for a Bar (nested under Retail premises)
Acoustic Consultant (SLR)	In response to the Acoustic Report dated 19 February 2025: • Further information requested in relation to sensitive receiver locations used to determine noise levels, details of the calculations to determine zoning levels and the background noise levels for the night period assessment; • Concerns raised with assumed patron noise source levels being too low (i.e. based on a restaurant use rather than a bar); • Recommendation to develop patron management procedures to control patron limits in the bar and dining areas and to close the operable roof after 10pm;

	• Façade correction to be applied to measured background noise levels in accordance with EPA requirements; and • Calibration of music noise prior to the venue opening to ensure compliance with background noise limits. In response to amended Acoustic Report dated 21 May 2025, SLR are supportive of the proposal, subject to: • Development of management procedures to ensure no more than 40 patrons in the bar area; • The operable roof closed after 10pm; • Calibration of music noise prior to the venue opening, and measurements taken from the nearest sensitive receiver to ensure compliance with background noise limits.

25. The referral responses have been included as attachments to this report, including the amended Acoustic Report dated 21 May 2025.

Policy Implications

Planning Policy Framework (PPF)

26. The following policies are of most relevance to this application:

- Clause 2 - Municipal Planning Strategic, including:
  - Clause 02.01 – Context:
    - Clause 02.01-1 – Location
    - Clause 02.01-6 – Built Environment and Heritage
    - Clause 02.01-8 – Economic Development
    - Clause 02.01-9 – Transport
  - Clause 02.02 – Vision
  - Clause 02.03-1 – Settlement:
    - Clause 02.03-3 – Environmental Risks and Amenity
    - Clause 02.03-4 – Built Environment and Heritage
    - Clause 02.03-6 – Economic Development
    - Clause 02.03-7 – Transport
  - Clause 02.04 – Strategic Framework Plan
- Clause 11 – Settlement:
  - Clause 11.01-S – Settlement
  - Clause 11.02-1S – Supply of Urban Land
- Clause 13 – Environmental risks and amenity:
  - Clause 13.05-1S – Noise Management
  - Clause 13.07-1S – Land Use Compatibility
  - Clause 13.07-1L – Interfaces and Amenity
- Clause 15 – Built environment and heritage:
  - Clause 15.01-1S – Urban Design
  - Clause 15.01-1L – Urban Design

  - Clause 15.01-2S – Building Design
  - Clause 15.01-2L – Building Design
  - Clause 15.03-1S – Heritage Conservation
  - Clause 15.03-1L-01 - Heritage
- Clause 17 - Economic Development:
  - Clause 17.01-1S – Diversified Economy
  - Clause 17.01-1L – Employment
  - Cause 17.02-1S – Business
  - Clause 17.02-1L – Retail
- Clause 18 – Transport:
  - Clause 18.02-4L-01 – Car Parking
- Clause 19 – Development infrastructure:
  - Clause 19.03-5L – Waste Management

Other Reference Documents

Plan Melbourne

27. Released in May 2017, Plan Melbourne 2017-2050 (Plan Melbourne) outlines the key strategic directions with regard to the provision of housing and commercial activity within Melbourne's urban areas. The strategic outcomes outlined in the document are required to be considered as part of Council's decision-making process and include (inter-alia):

    (a) Outcome 1: *'Melbourne is a productive city that attracts investment, supports innovation and creates jobs.'*

        (i) Direction 1.1 of Plan Melbourne is to *'Plan for the redevelopment of major urban renewal precincts in and around the central city to deliver high-quality, distinct and diverse neighbourhoods offering a mix of uses; and*

    (b) Outcome 5: *'Melbourne is a city of inclusive, vibrant and healthy neighbourhoods:*

        (i) Direction 5.1 of Plan Melbourne is to *'Create a city of 20-minute neighbourhoods'; and*

        (ii) Policy 5.1.1 seeks to create mixed-use neighbourhoods offering more housing choice and creating opportunities for local businesses and new jobs.

Officer Assessment

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

    (a) Strategic support;

    (b) Use;

    (c) Heritage and Built Form;

    (d) Car Parking, Traffic and Bicycle Parking; and

    (e) Objector concerns.

Strategic Support

29. The subject site is in the Mixed Use Zone (MUZ), and fully surrounded by sites also within this zone, which seeks to *provide a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality*. Whilst the use of the land as a bar (e.g. a Food and Drinks Premises) triggers a planning permit in this instance, if

the leasable floor area of the venue did not exceed 150sqm, the bar would be an as-of-right (no permit required) use. This attests to a level of support within the Planning Scheme for Food and Drinks Premises within the MUZ.

30. There is strong support within the Yarra Planning Scheme for a bar in this location. Clause 02.03-8 (Economic Development) of the Municipal Planning Strategy recognises the importance of the night-time economy (e.g. bars and restaurants), observing their *social, cultural and economic benefits that make Yarra an attractive place to live, work and visit.*

31. The proposed use and development will support new employment opportunities, including the provision of jobs closer to where people live, as encouraged at Clause 17.01-1S (Diversified Economy) and Clause 17.01-1S (Business). These provisions recognise and support land uses and development that contributes towards the increase in the number and diversity of local employment opportunities.

32. At a broader State level, the metropolitan planning strategy and Plan Melbourne seek to create 20-minute neighbourhoods, where people can access most of their everyday needs (including employment and entertainment) within a 20-minute walk, cycle or public transport commute. These neighbourhoods must be safe, accessible and well connected for pedestrians and cyclists.

33. The subject site fulfils these criteria, given its proximity to various public transport services and being within 100m of the Swan Street MAC and Core Entertainment Precinct, where a number of late night and entertainment venues are located, including the Corner Hotel (120m south-east). A number of hospitality and entertainment venues are also within proximity of the subject site, including three other cafes located within the surrounding Mixed Use precinct. Land uses within the surrounding area are therefore diverse and include a mix of office, food and drinks premises, retail premises and dwellings.

34. Clause 02.03-8 also recognises that different land uses often overlap or vary within short distances. This mix of residential, commercial, industrial and entertainment in proximity creates a challenge as well as opportunities to manage environmental and amenity impacts and enhance activity centres and precincts. Amenity considerations of the proposed use and development will be discussed within the subsequent sections of this report.

Use

35. As previously stated, the proposed bar only triggers a planning permit given its leasable floor area exceeds 150sqm. There is otherwise strong strategic support for this use given its mixed-use zoning and proximity to a MAC and public transport. However, whilst the use enjoys broad strategic and policy support, this must be balanced against site constraints and amenity impacts to nearby sensitive uses.

36. Notwithstanding, there is an established precedent that residents in the Mixed Use Zone cannot expect the same level of amenity as those in a Neighbourhood or General Residential Zone. This position is widely accepted, as observed in *Alexander v Bayside CC [2007] VCAT 2300* and in *Deal Corporation (Rose Street Pty Ltd v Yarra CC [2025] VCAT 329* where the Tribunal Member observed:

> *From these purposes* (of the MUZ), *it is clear that the MUZ is a zone which expects a greater extent of uses and of a higher degree of built form. It is*

inherent through this that impacts to surrounding properties and the broader area are expected to be greater than in other residential zones - Rose Street Pty Ltd v Yarra CC [113]

37. The above decision goes on to observe that "*the context of each area needs to be considered and there needs to be a balance*" [114].

38. Having regard to the surrounding context, there is a number of existing dwellings within proximity to the subject site. These dwellings are also located in the MUZ. Clause 13.07-1S (Land Use Compatibility) seeks to ensure that *use and development is compatible with adjoining and nearby land uses* and to *avoid or otherwise minimise off-site impacts from commercial and other uses through land use separation, siting, building design and operational measures*. Clause 13.07-1L-01 (Interfaces and Amenity) provides further guidance on the assessment of amenity impacts for non-residential use and development, through considerations of noise, fumes and air emissions, storage and waste, light spill, overlooking and unsightly views.

39. The bar is proposed to operate as follows:

    (a) Hours of operation:

        (i) Sunday – Wednesday: 12pm – 10pm;

        (ii) Thursdays: 12pm – 11pm;

        (iii) Friday – Saturday: 12pm – 12am (midnight);

    (b) Maximum patrons: 100, including 60 in the enclosed dining area and 40 in the bar area, all seated;

    (c) Maximum staff: 5

    (d) Food will be available at all times (a restaurant-style menu will be provided);

    (e) Background music only;

    (f) Access is proposed via an existing lift at the south-west corner of the building; and

    (g) Access is also permitted via the fire stairs on the south-east corner of the building (in the case of fire).

40. There is limited policy guidance surrounding preferred operating hours for non-residential uses in residential zones. Clause 13.07-1L-01 supports commercial uses within a residential zone (excluding the Mixed Use Zone) between 8am to 8pm. Prior to Amendment VC286, Clause 13.07-1L-02 (Council's local licenced premises policy) identified that for licenced premises in the MUZ, the sale and consumption of liquor should be limited to between 9am and 10pm, unless the Responsible Authority was satisfied that the proposed hours were consistent with the purposes of the zone, appropriately responded to the nature of surrounding land uses and would not adversely affect the amenity of the surrounding area.

41. However, this policy is now redundant due to the repeal of Clause 52.27 from Victorian planning schemes. The appropriateness of the proposed use, including hours of operation and patron numbers, will therefore be considered having regard to the context of the surrounding area and policy guidance within Clause 13.07-1L-01.

Noise

42. In relation to noise, Clause 13.07-1L-01 seeks to:

(a) *Locate noise generating uses, including plant and equipment, away from noise-sensitive habitable rooms (in particular, bedrooms) and private open space and where appropriate incorporate acoustic attenuation measures; and*

(b) *Ensure that noise emissions in residential zones (except the Mixed Use Zone) are compatible with a residential environment.*

43. In addition, consideration should be given to whether music noise meets the requirements of the EPA Victoria, *Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues, Part II: Entertainment venues and events (Noise Protocol, Part II).*

44. An acoustic report has been submitted to facilitate the assessment of noise impacts of the proposed use on the surrounding area. The originally-submitted acoustic report (dated 19 February 2025) concluded that the bar would not result in unreasonable noise impacts to nearby sensitive receivers given:

(a) *Noise emissions associated with patrons occupying the venue can be adequately controlled through patron noise management, in conjunction with closing the louvred roof between 10pm and 12am;*

(b) *Noise emissions associated with venue music can be adequately controlled by ensuring that the music volume is set to align with 'background music' noise levels in the order of 71-74 db(A)Leq. The music must also not include low frequency 'doof-doof' style music which may exceed octave band specific noise limits applicable during the 'night' period; and*

(c) *Mechanical services noise emissions will be reviewed by an acoustic consultant to ensure compliance with relevant noise criteria at sensitive receptors.*

45. Council's Acoustic Consultant (SLR) reviewed this acoustic report and identified a number of deficiencies with the assessment of noise impacts, including that the patron noise assessment was incorrectly modelled on a restaurant style operation rather than a bar and that the location of the sensitive receiver used to determine the relevant noise limits was unclear. These comments are detailed in the attached acoustic review.

46. The applicant submitted an amended acoustic report (included in the attachments) as part of their Section 57A amendment, which sought to address SLR's identified deficiencies. This report (dated 21 May 2025) reached the same conclusions as detailed above, with the background music noise levels reduced to a more conservative volume of 68-71 dB(A)Leq.

47. SLR reviewed the updated acoustic report and is satisfied that the proposed venue will result in acceptable noise impacts to the surrounding area, provided that:

(a) *Management procedures should be developed to ensure that no more than 40 patrons are present in the bar area, as per the assumed operations for the patron noise assessment;*

(b) *The roof above the bar area shall remain closed after 10pm, in order to achieve predicted compliance with the patron noise criteria; and*

(c) *Calibration measures for music noise should be conducted at the most-affected receiver location. Prior to the venue opening, an acoustic report detailing the measurement results and noise limiter settings required to achieve compliance shall be submitted to Council for approval.*

48. Accordingly, SLR are comfortable with the proposed operating hours, subject to the mitigation measures identified above. This would result in the venue operating until 11pm Thursdays, and 12 midnight on Fridays and Saturdays.

49. The application was referred to Council's Compliance Unit and Social Planning Unit. While both units were generally supportive of the proposal, they took a more conservative approach, recommending that the bar area (not just the roof) be closed at 10pm every night, with the indoor dining area permitted to remain open until 11pm on Thursday and 12 midnight, Fridays & Saturdays.

50. This recommendation relies on staff to ensure that the bar area is vacated by 10pm between Thursday and Saturday. This would effectively result in up to 40 patrons having to leave the bar area at the same time. This management measure is considered challenging to implement on evenings where higher patronage is expected (e.g. between Thursday and Saturday). Further, it could result in up to 100 patrons within the dining area. The applicant's patron capacity report has not confirmed whether 100 patrons could be accommodated within this dining area, nor has acoustic testing been undertaken to determine the impacts of patron noise based on there being 100 patrons within the dining area. It is therefore considered that a consistent closing time for both the bar and dining area be established to allow for more efficient patron management and dispersal.

51. As previously discussed, for non-residential uses in the GRZ and NRZ, the planning scheme considers that operating hours between 8am and 8pm are acceptable and strike the right balance between protecting residential amenity and allowing a limited variety of commercial uses to feasibly operate in these locations. As has been discussed extensively in this report, the MUZ contemplates a greater degree of commercial uses and as such, it is reasonable to contemplate operating hours beyond 8pm in order to support the objectives of the MUZ. Council's past licenced premises policy supported licenced venues operating until 10pm in the MUZ. Whilst this policy is now redundant, there have been no changes to the surrounding context of this MUZ and as such, Council still considers the proposed trading until 10pm, Sunday to Wednesday as appropriate.

52. Planning officers agree with SLR's acoustic assessment that the proposed operating hours would not result in an unreasonable noise impact subject to their recommendations discussed above. However while the subject site is within the MUZ, regard must be given to the surrounding conditions. The subject site is not located within the Swan Street MAC or the Core Entertainment Precinct and is surrounded by dwellings. For these reasons, and taking into consideration the recommendations of SLR, a condition will restrict the operating hours of the entire venue to no later than 11pm Thursday to Saturday, with the roof above the bar area to be closed from 10pm onwards every night.

53. Closing at 11pm (Thursday - Saturday) is considered to strike an appropriate balance of maintaining a reasonable level of residential amenity and achieving the objectives of the MUZ and planning policy framework, which encourage commercial uses that support economic viability and provide access to jobs and services close to where people live. A closure time of 11pm is also considered to appropriately address the noise concerns raised by objectors. As previously discussed, it is widely accepted that residents in the MUZ are not afforded the same degree of residential amenity as those in the GRZ or NRZ. Some audibility of commercial uses should be expected and the recommendations within the acoustic peer review will ensure the use does not result in unreasonable acoustic

impacts. A condition for a post-occupancy acoustic report will also ensure that the venue will comply with the applicable noise limits.

54. Objectors raised concerns about existing noise emissions from the subject site, including events hosted on the rooftop running late into the evening. Supporting video evidence has also been submitted. There are no records of planning permits for the use of the rooftop. These events appear to be hosted by other occupants of the building and are not hosted by the permit applicant. Council records confirm that this site has been subject to numerous Planning Enforcement and Compliance requests.

55. While there have been issues regarding use of the rooftop over the years, the proposed bar would be partly enclosed (particularly along the northern interface) and conditions would restrict the operating hours and patron numbers of the venue; such that ad-hoc events could no longer occur. There would also be a condition for a Noise and Amenity Action Plan (NAAP), to detail various measures to ensure the amenity of the surrounding area would not be unreasonably impacted (discussed further throughout this report). A condition would also require ongoing compliance with the endorsed acoustic report.

56. In addition, the application material confirms the venue would be a seated venue with food service available throughout the entire trading period. The venue is not considered to be aligned with a more traditional bar where food does not form a primary part of the service and could otherwise be associated with a “vertical drinking” environment. A condition will also require the NAAP to be updated to refer to the operating hours consistent with this decision, and to reflect the maximum 100 patrons, with maximum 40 in the bar area and maximum 60 in the dining area..

Patron numbers

57. The application proposes a maximum of 100 patrons, with a maximum of 40 in the bar area and 60 in the dining area. The submitted Patron Capacity Report confirms that the maximum safe operating capacity for the venue (based on the Building Code of Australia minimum exit width requirements) is 150 persons. The proposed maximum patron number is less than the maximum identified by this standard. It is also noted that applying Liquor Control Victoria’s method of 1 person per 0.75sqm floor area would allow up to 345 patrons on site. Planning officers therefore consider the maximum patron numbers are within the safe operating criteria for this venue.

58. A number of objections raised concerns with patron dispersal and in particular, dispersal towards the north of the site which would pass by existing dwellings. The NAAP includes the following practices for managing patron dispersal:

    (a) Duty manager to announce closing time 30 minutes prior to the actual closing time, to give patrons time to prepare for departure;

    (b) Duty manager to ensure patrons leave quietly when exiting on to Stewart Street;

    (c) Display of signage requesting patrons to leave in a quiet and orderly manner and not to congregate on the footpath in front of the premises;

    (d) Staff to observe patron departure and ensure they leave in an orderly and respectful manner and to ensure they do not congregate on the street; and

    (e) Staff to direct patrons towards public transport and ride share options.

59. Planning officers support these measures. In addition, the site’s proximity to Richmond Railway Station, the Swan Street MAC and other public transport services will result in

the majority of patrons dispersing towards these areas and not north towards Tanner Street. Whilst some patrons may leave the venue in this direction, they are likely to be locals and not of a volume that would result in large groups travelling in this direction.

60. The applicant's NAAP also includes a commitment to display a sign out the front of the venue when at capacity to ensure that patrons do not queue on the street. Furthermore, large group bookings will be required to leave the venue by 10pm. This is supported and will ensure that larger groups do not unreasonably impact the surrounding amenity even on more active nights of the week (e.g. Thursday - Saturday).

61. Whilst the applicant proposes a maximum of 40 patrons in the bar area and 60 within the dining area, these numbers are not reflected in the seating arrangements shown on the floor plan. A condition will require the plans to show a maximum of 40 seats within the bar area and 60 within the enclosed dining area. A further condition will ensure these maximums are maintained.

Fumes, Air Emissions and Light Spill

62. The proposed use would not result in unreasonable fumes or air emissions, noting that it is a hospitality use and not identified on the list of uses with adverse amenity potential at Clause 53.10 of the Scheme. Air emissions / odours arising from the preparation of food will be required to be managed in accordance with the Environmental Protection Authority's regulations.

63. The proposed operating hours (including the changes required via condition) will ensure there is no unreasonable light spill from the venue. Any light spill is considered to be commensurate with the site's location in the MUZ and the office uses at the lower levels of the building. The venue will also be partially enclosed, ensuring that lighting is partly contained within the building. A condition will require lighting to be appropriately baffled and directed to ensure light spill onto adjoining properties will be appropriately managed.

Storage, Waste and Deliveries

64. The proposed bar includes provision for on-site storage on the roof top. This will be an enclosed space and will ensure that the storage of goods does not obstruct pathways or roads.

65. Deliveries are proposed to take place between 7am and 8pm weekdays and 9am and 8pm on weekends. This is in accordance with Council's local law and is acceptable. The applicant's NAAP states that delivery vehicles will prop in Gibsons Way (or on designated loading areas in Stewart Street). However, whilst Gibsons Way is a carriageway easement, the Title Plan confirms that the subject site is not a beneficiary of this easement. A condition will require this reference to be removed from the NAAP. A loading zone with three parking spaces is located immediately in front of the subject site which will suitably accommodate deliveries for the Bar.

66. A Waste Management Plan (WMP) has been submitted with the application and confirms waste will be collected by a private contractor. The NAAP confirms that waste collection will take place in accordance with Council's local law (currently restricting collection between 7am and 8pm on weekdays and 9am and 8pm on weekends). The waste collection times will also form a condition.

67. The NAAP confirms that glass bottles will not be emptied from smaller to larger bins on the rooftop. This will need to take place within the bin storage area located at ground

level. A condition will also restrict the hours that this activity can occur between 7am and 10pm Monday to Saturday and between 9am and 10pm on a public holiday.

68. The WMP and NAAP state that the waste collection vehicle will prop in Gibsons Way. However, the subject site is not a beneficiary of this carriageway easement. Conditions will require these references to be removed from the ground floor plan, WMP and NAAP and updated to state that waste collection will take place on Stewart Street within the designated loading zones.

69. Council's Waste Management unit have reviewed the applicant's WMP and confirms the waste management arrangements are satisfactory.

70. Overall, and subject to the conditions outlined above, the proposed bar will not result in unreasonable amenity impacts to the surrounding area. Off-site amenity impacts (including overlooking) associated with the proposed built form will be discussed in the following section of the report.

Heritage and Built Form

71. The following assessment is informed by the built form objectives and decision guidelines of the Heritage Overlay and local heritage policy at Clause 15.03-1L as well as the Mixed Use Zone and local built form policy at Clause 15.01-2L of the Scheme.

Buildings and works

72. Clause 15.03-1L (Heritage) seeks to ensure that new development respects the scale and massing of a heritage place and does not adversely affect the heritage significance of a heritage place. New additions should be visually recessive and maintain views of contributory and individually significant heritage fabric. Clause 15.01-2L seeks for new development to respect the built form character of the surrounding area.

73. The proposed structures for the bar have been appropriately sited having regard to the 'individually-significant' grading of the existing building. The balustrading will be set back a minimum 1.5m from the southern parapet of the building, which is consistent with Clause 15.03-1L, which seeks for roof terraces and roof decks to be set back a minimum of 1m behind the parapet.

74. The southern balustrading will extend 0.8m in height above the parapet. Given the narrowness of Stewart Street, views of the roof bar will be limited as illustrated in Section 1 on Drawing No. 4001 and reproduced below. This sectional diagram confirms that the façade parapet will obstruct views of the terrace from nearby views along Stewart Street.

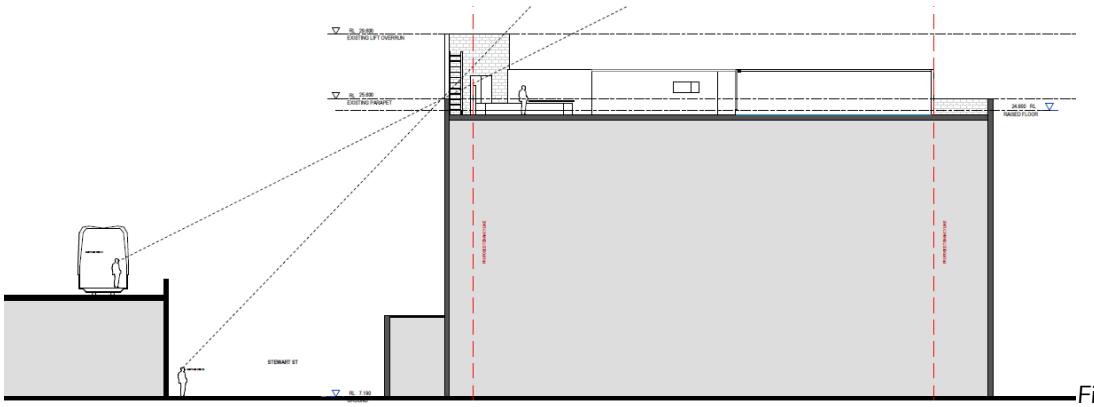


Figure 8 - Section 1 showing restricted views from Stewart St and the railway line

75. The above sectional diagram illustrates limited views from the railway line as well. The application also includes sightline diagrams from more distant views south-east along Stewart Street, confirming that views of the rooftop bar would again be obstructed by the façade parapet, as shown below:

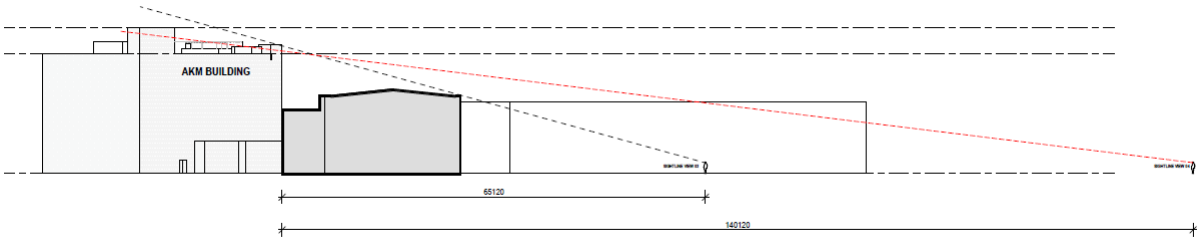


Figure 9 - Section 2 showing restricted views from further south-east along Stewart Street

76. The roofed structures of the proposed bar which form the tallest part of the proposed works would be further set back from the street. As shown in the images above these structures would have limited, if any, visibility and are considered to be appropriately recessive to the original building. The recently completed development at No. 31-33 Stewart Street will also obscure views of the roof bar when viewed further west along Stewart Street, as shown below:



Figure 10 - View of subject site, looking east from No. 31-33 Stewart Street (Planning Officer, September 2025)

77. Heritage and built form policies seek materials and finishes to be respectful of the heritage place. The predominant colours of the proposed wall and roof materials (dark reds, cream/beiges) will be consistent with the colouring of the concrete and red brickwork of the main building. Although the materials will not be the same as the heritage fabric, the proposed colours will harmonise with the surrounding heritage fabric and would ensure that the new structures are visually distinct from original heritage buildings. Given the sightline diagrams earlier in the report, the use of glass balustrading to a height of 1.8m near the street frontage rising to a height of 2.5m would have limited, if any, visual impact on the character and appearance of the main heritage building.

78. Although notations confirm the finishes of solid walls of the bar structures, the materials have not been notated and will be required via condition.

79. Council's heritage advisor has reviewed the proposed works and is supportive of the proposal. Overall, the proposed works demonstrate an acceptable response having regard to the heritage character of the wider area and have been sensitively designed to ensure they do not detract from the 'individually-significant' heritage building.

Off-site amenity

80. Off-site amenity impacts are guided by the Decision Guidelines at Clause 15.01-2L (Building design) and the requirements of the MUZ. Key considerations are overshadowing, visual bulk and overlooking. Off-site amenity impacts associated with the bar have been discussed in the previous section of the report.

Overshadowing

81. The submitted shadow diagrams are incorrect. These diagrams are orientated so that south is at the top of the page. However, the shadows have been drawn based on the north point being at the top of the page.

82. Although the shadow diagrams are incorrect, the proposed works would not result in any additional overshadowing of the public realm or secluded private open space (SPOS). Planning Officers undertook a shadow assessment using the computer program Objective Trapeze. As shown in the following mark-up of the roof plan, any additional shadows would fall over the roof or within the title boundaries of the subject site at the September equinox:

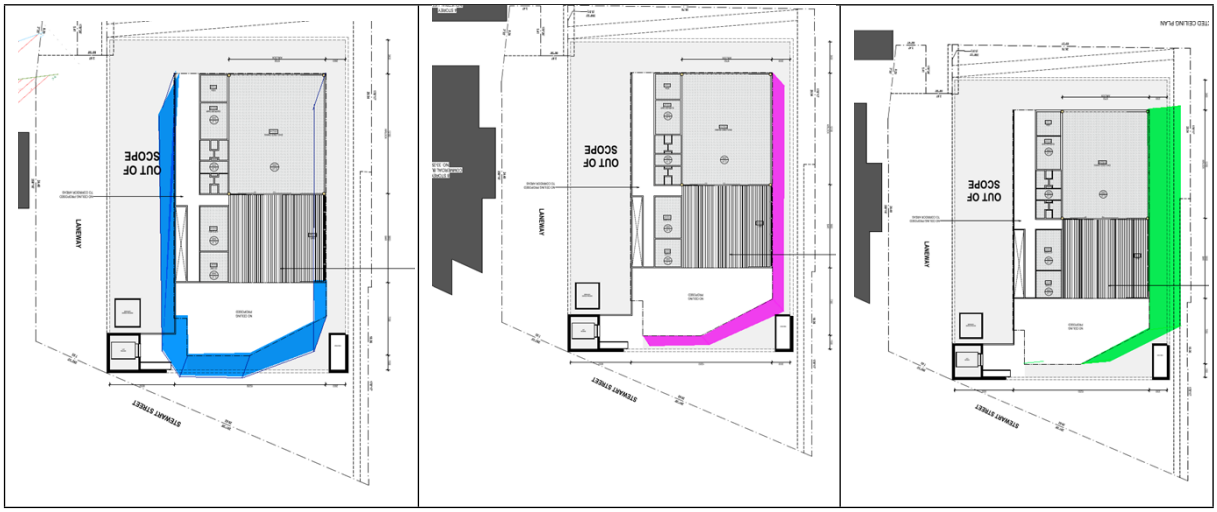


Figure 11 - 9am, 12pm and 3pm shadow diagrams (left to right), prepared in Objective Trapeze

Visual bulk

83. The proposed works would not result in unreasonable visual bulk impacts. The bar would be set back from the site boundaries as follows (measured in Objective Trapeze):

    (a) 7m from the northern boundary;

    (b) 4.8m from the eastern boundary;

    (c) Between 5.5m up to 15m from the southern boundary; and

    (d) 14m from the western boundary.

84. Given the height of the existing building, the proposed setbacks would ensure there will be no direct views of the rooftop bar from nearby habitable room windows (HRWs) and SPOS. The roof terraces to the north at No. 24 Tanner Street and roof terraces to the east

at No. 16-24 Tennyson Street are below the height of the subject site's roof. Views of the bar will therefore largely be obscured by the existing building parapets.

Overlooking

85. Although not applicable in this instance (as it is not a consideration in the MUZ), the overlooking objective of Clause 55 specifies that new residential development should be designed to avoid direct views into HRWs and SPOS of dwellings within a radius of 9m and 45 degree arc. Critically, the objective does not seek to prevent all overlooking. Rather, the objective is to ensure that there is no unreasonable overlooking to existing HRWs and SPOS.

86. The only SPOS/HRWs that fall within 9m of the proposed rooftop bar is a roof terrace at No. 16-24 Tennyson Street, as shown below.

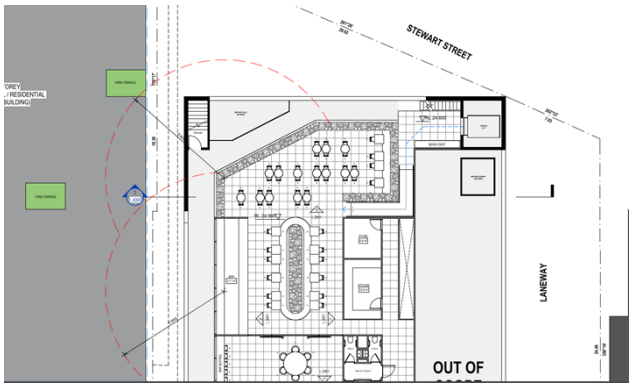


Figure 12 – Proposed plan showing 9m overlooking view lines

87. Along this south-eastern perimeter of the roof terrace the balustrade would be constructed of a solid wall 1.6m above floor level, with this balustrade set back 2m from the parapet. The overlooking diagram on drawing 4000 confirms that downward views towards this courtyard would be obstructed by the 1.6m high balustrade and parapet of the host building. As such there would be no direct views into this courtyard.

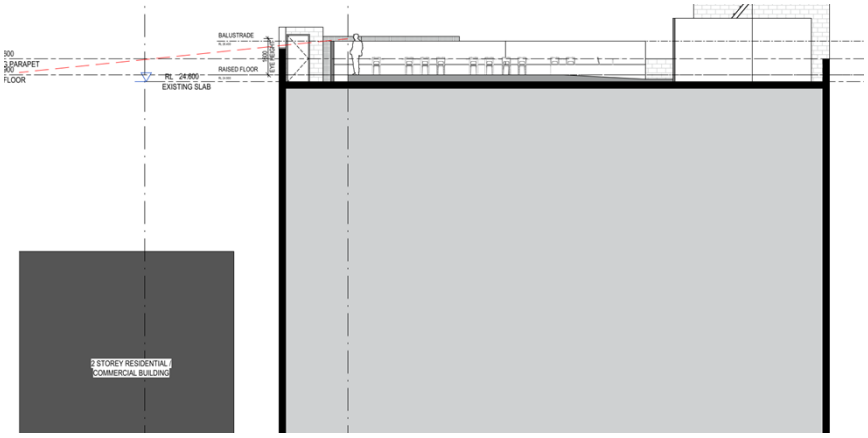


Figure 13 - Drawing 4000 showing view line from south-east perimeter of bar obstructed by solid balustrade and building parapet

88. Nearmap aerial imagery shows a roof terrace north of the site at No. 24 Tanner Street, as shown in the mark-up below. A solid, 2.5m high wall is proposed along the northern perimeter which would appropriately obstruct views in this direction.



Figure 14 - Nearmap aerial imagery showing roof terrace (outlined in red) north of the site (August 2025)

89. All other nearby SPOS /HRWs are located outside the 9m radius measured from the perimeter of the bar.

Car Parking, Traffic and Bicycle Parking

90. Under Clause 52.06-3 of the Scheme, the applicant is seeking a car parking reduction of 14 spaces. This reduction is supported for the following reasons:

Parking demand

91. With regards to the car parking demand generated by the proposed use, it is acknowledged that the statutory car parking rates outlined in the Scheme are conservative when applied, particularly given the inner-city location of the subject site and proximity to alternative transport.

92. It is well documented though VCAT decisions that modal shifts to reduce the reliance on the use of private motor vehicles are not only welcomed but required, to ensure that a holistic planning approach to precincts that are designated for greater change is applied.

93. In a local policy context, Clause 18.02-4L-01 (Car Parking) supports car parking reductions where alternative modes of transport are available, and the subject land is located within walking or cycling distance to shops, jobs and amenities. Council's Engineering unit consider the proposed car parking reduction for the bar is acceptable, considering the location of the site and the sustainable transport options offered.

94. Furthermore, the provision of no on-site car parking would encourage a modal shift from private vehicle use to more sustainable travel. Specifically in relation to the particular benefits of the site location, the reduction being sought by the proposal is further supported by the following:

    (a) The site is well serviced by public transport, including:

        (i) Swan Street trams – 220m;

        (ii) Punt Road buses – 90m; and

(iii) Richmond Railway Station – 100m.

(b) Patrons would be aware of the car parking constraints in the area. Further, the time restrictions for the surrounding on-street parking would result in a regular turnover of car parking spaces;

(c) The time-restricted parking within the surrounding area would act as a disincentive for employees to travel to work by car. Occupant or visitor parking permits will not be issued for the proposed bar, and building tenants would be entering into a lease aware of the on-site parking availability. Businesses with a high reliance on car parking are unlikely to take up a lease at the site;

(d) Council's Engineering Unit are supportive of the application on the basis that it is in line with the objectives of Council's Strategic Transport Statement noting that the site is ideally located with regard to sustainable transport alternatives and the reduced provision of on-site parking would discourage private motor vehicle use. They also observe patrons as drivers to licensed premises account for some 10% to 20% of total patron numbers. Since no on-site parking would be provided, patrons who choose to drive would park on-street; and

(e) The development is located close to the Swan Street activity centre/retail precinct. The Department of Transport and Planning's *Practice Note 22 – Using the Car Parking Provisions* indicates that car parking should be considered on a centre-basis rather than on a site/individual basis. This is applicable to activity centres and the area immediately surrounding activity centres, such as the Swan Street MAC where on-street car parking capacity would be shared amongst sites within and around the activity centres.

Parking availability

95. It is understood that on-street parking demand is very high and close to saturation point, however existing patterns of car parking usage are not useful given policy within Clause 52.06 which encourages the use of other forms of transport. Council's Engineering Unit were supportive of the proposed reduction, stating the following:

"From a traffic engineering perspective, the waiver of parking associated with the bar use is considered appropriate in the context of the development and the surrounding area. The operation of the development should not adversely impact on the existing on-street parking conditions in the area. The Engineering Referral team has no objection to the reduction in the car parking requirement for this site."

96. Overall, a car parking reduction of 14 spaces is supported and would not result in an adverse impact on the surrounding road network.

Bicycle parking

97. The application proposes a full bicycle parking reduction of 1 visitor space and 1 employee space. Council's Strategic Transport unit are not supportive of the bicycle parking reduction and recommend that the provision of on-street bicycle parking spaces be investigated through a bicycle parking survey.

98. This recommendation will not be adopted, given the limited scale of the development and the relatively small number of bicycle parking spaces required under Clause 52.34 (one employee and one visitor). The site is located approximately 100m from Richmond Railway Station, where a number of public bicycle parking hoops are located. The site's

proximity to various public transport options also ensures that alternative transportation to the site is available.

99. Further, there are 8 shared employee/visitor bicycle parking racks available, which are located on the site's Stewart Street frontage. While these bicycle hoops are shared with other tenancies, they are publicly accessible and can be used by employees and patrons of the proposed bar.

100. The provision of on-site bicycle parking is not feasible in this instance as the proposed buildings and works are limited to the rooftop only and there are no alterations proposed to the remainder of the building. The provision of bicycle parking on the rooftop is inappropriate as it would not be conveniently accessible from the street. A full waiver of the bicycle parking requirements is therefore supported.

Objector Concerns

101. The following objector concerns have been addressed in the body of the report:

(a) Patron noise and behaviour are discussed at paragraphs 45 to 61;

(b) Hours of operation are discussed at paragraphs 39 to 61;

(c) Overlooking is discussed at paragraphs 85 to 89;

(d) Car parking is discussed at paragraphs 90 to 100;

(e) Heritage is discussed at paragraphs 71 to 79;

(f) Odour and light spill are discussed at paragraphs 62 to 63;

(g) The use of Gibsons Way for loading and waste is discussed at paragraphs 64 to 70; and

(h) Waste collection impacts are discussed at paragraphs 72 to 75.

102. Outstanding objector concerns are addressed as follows:

(a) *Exacerbation of existing anti-social behaviour and existing noise disturbances from the building's occupants:*

(i) This application has not been made by an existing occupant of the building. Council must assess an application based on its own merits and not based on existing activities undertaken on the land. However, should a permit for the proposed bar issue, conditions would restrict how the bar operates;

(ii) The operators of the venue will be required to comply with the conditions of the permit. Any breaches can be investigated by Council's Planning Enforcement unit; and

(iii) Council's Social Planning and Compliance units and Acoustic Consultant are generally supportive of the application and as has been assessed throughout the body of the report, the use would not result in unreasonable amenity impacts having regard to the site's context;

(b) *Safety and break ins:*

(i) There is no evidence to substantiate that a bar results in increased rates of crime. As has been discussed throughout the report, conditions limiting the hours of operation, patron numbers and patron dispersal would ensure the

proposed bar would not result in unreasonable amenity impacts to the surrounding area;

(c) *Exacerbation of existing litter issues:*

(i) Waste disposal and collection would be undertaken in accordance with the endorsed Waste Management Plan. There is no evidence to substantiate that a bar results in increased littering in a given area. Staff would be responsible for ensuring waste was disposed of correctly;

(d) *Application was not sufficiently advertised:*

(i) The application was advertised to surrounding owners and occupiers in accordance with Section 52 of the Act. One sign was displayed at the front of the site, and 437 letters were sent out. Section 52 of the Act requires that Council undertakes notice for a period of 14 days and must not decide on an application within that timeframe. Submissions can be lodged right up to the date that a decision is made on the application. Council received 77 objections and 1 letter of support;

(e) *Inaccuracies in acoustic report and acoustic testing not undertaken from within dwellings:*

(i) The applicant's acoustic reports were peer reviewed by Council's acoustic consultant – SLR Consulting who's comments are included as attachments to this report and conclude that the proposed use would not have an unreasonable acoustic impact, subject to conditions which have been included in the officer's recommendation; and

(ii) Council's acoustic consultant in their review of the amended acoustic report, did not raise any concerns with the testing methods used; and

(f) *Devaluation of property:*

(i) The Victorian Civil and Administrative Tribunal has consistently found that property values are speculative and not a planning matter. Fluctuations in property prices are not a relevant consideration in assessing an application under the provisions of the Act or the Yarra Planning Scheme.

Conclusion

103. The proposed use and development, subject to the conditions discussed throughout this report, is considered to demonstrate a high level of compliance with policy objectives contained within the Planning Policy Framework and Municipal Strategic Statement.

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

Legal and Legislative Obligations

Conflict of interest disclosure

105. Section 130 of the Local Government Act 2020 requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any conflicts of interest in a matter to which the advice relates.

106. The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

Report Attachments

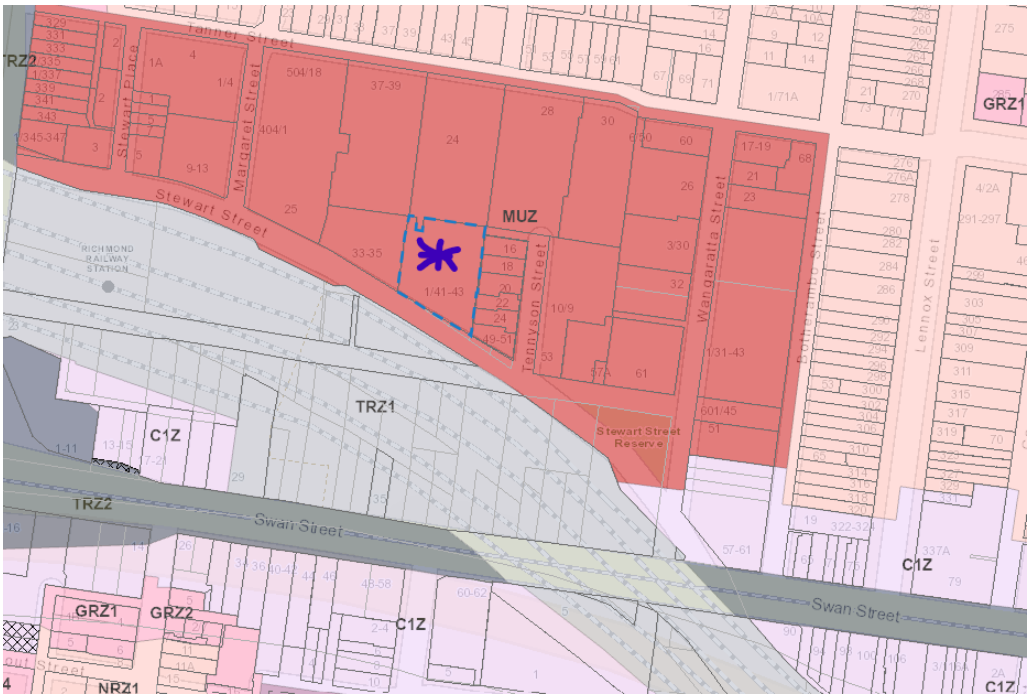
1. 5.1.1 PLN24/0847_41-43 Stewart Street Richmond - Site Context Map
2. 5.1.2 PLN24/0847_41-43 Stewart Street Richmond - Decision Plans
3. 5.1.3 PLN24/0847_41-43 Stewart Street Richmond - Decision Acoustic Report
4. 5.1.4 PLN24/0847_41-43 Stewart Street Richmond - Noise and Amenity Action Plan
5. 5.1.5 PLN24/0847_41-43 Stewart Street Richmond - Referral Comments
6. 5.1.6 PLN24/0847_41-43 Stewart Street Richmond - Objections (CONFIDENTIAL)

7. This attachment is confidential information for the purposes of section 3(1) of the Local Government Act 2020 for the following reason:
8.

   (f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

PLN24/0847 – 41-43 Stewart St Richmond

Site Context Map



VicPlan, September 2025

41-43 STEWART STREET, RICHMOND 3121
PROPOSED ROOFTOP BAR - TOWN PLANNING APPLICATION

AKM ROOFTOP - DRAWING REGISTER	
Sheet Number	Sheet Name
I_0000	COVER PAGE
I_0100	SITE PLAN
I_0101	SITE PLAN
I_0102	ROOFTOP - EXISTING CONDITIONS
I_0103	GROUND - EXISTING CONDITIONS
I_1100	ROOFTOP - GENERAL ARRANGEMENT FLOOR PLAN
I_1101	ROOFTOP - PROPOSED RED LINE FLOOR PLAN
I_1102	ROOFTOP - PROPOSED LOUNGE FLOOR AREA PLAN
I_1500	ROOFTOP - REFLECTED CEILING PLAN
I_1600	ROOFTOP - PLAN - SIGHTLINES
I_2000	ROOFTOP - EXTERNAL ELEVATIONS - EXISTING
I_2002	ROOFTOP - EXTERNAL ELEVATIONS - PROPOSED
I_2004	EXTERNAL ELEVATIONS - PROPOSED
I_2005	EXTERNAL ELEVATIONS - PROPOSED
I_3000	ROOFTOP - INTERNAL ELEVATIONS - EXISTING
I_3001	ROOFTOP - INTERNAL ELEVATIONS - PROPOSED
I_4000	GA SECTION - SIGHTLINES
I_4001	GA SECTION - SIGHTLINE DIAGRAM
I_5000	SHADOW DIAGRAMS - EXISTING
I_5001	SHADOW DIAGRAMS - PROPOSED
I_8000	MATERIALS SCHEDULE

STUDIO ENES

NORTH

1:100

0m 2m 4m 6m 8m

NOTES

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2. All dimensions are in millimeters unless noted otherwise
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REV DESCRIPTION DATE

NOT FOR CONSTRUCTION

CLIENT
POTO GROUP

PROJECT
AKM ROOFTOP

41-43 STEWART STREET, RICHMOND

STATUS
FOR TOWN PLANNING

DRAWING TITLE
COVER PAGE

REVIEWED
LN

SCALE @ A1

APPROVED
SS

PROJECT NO.
002500

DRAWING NO.
I_0000

REV NO.

LEGEND

01	SIGHTLINE VIEW 01 TAKEN FROM THE TRAINLINE (I_4001)
02	SIGHTLINE VIEW 02 TAKEN FROM STEWART STREET, DIRECT ADJACENT THE BUILDING (I_4001)
03	SIGHTLINE VIEW 03 TAKEN FROM STEWART STREET RESERVE (I_4002)
04	SIGHTLINE VIEW 04 TAKEN FROM THE CORNER OF STEWART AND SWAN STREET (I_4002)
RED PIN	SITE (41-43 STEWART STREET, RICHMOND, 3121)

R	RESIDENTIAL (SURROUNDING BUILDINGS)
MU	MIXED USE (SURROUNDING BUILDINGS)
I	INDUSTRIAL (SURROUNDING BUILDINGS)
O	OFFICE (SURROUNDING BUILDINGS)



STUDIO ENES

NORTH

1:100

0m 2m 4m 6m 8m

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POTO GROUP

PROJECT
AKM ROOFTOP
41-43 STEWART STREET, RICHMOND

STATUS
FOR TOWN PLANNING

DRAWING TITLE
SITE PLAN

REVIEWED
SS

SCALE @ A1

APPROVED
LN

PROJECT NO.
002500

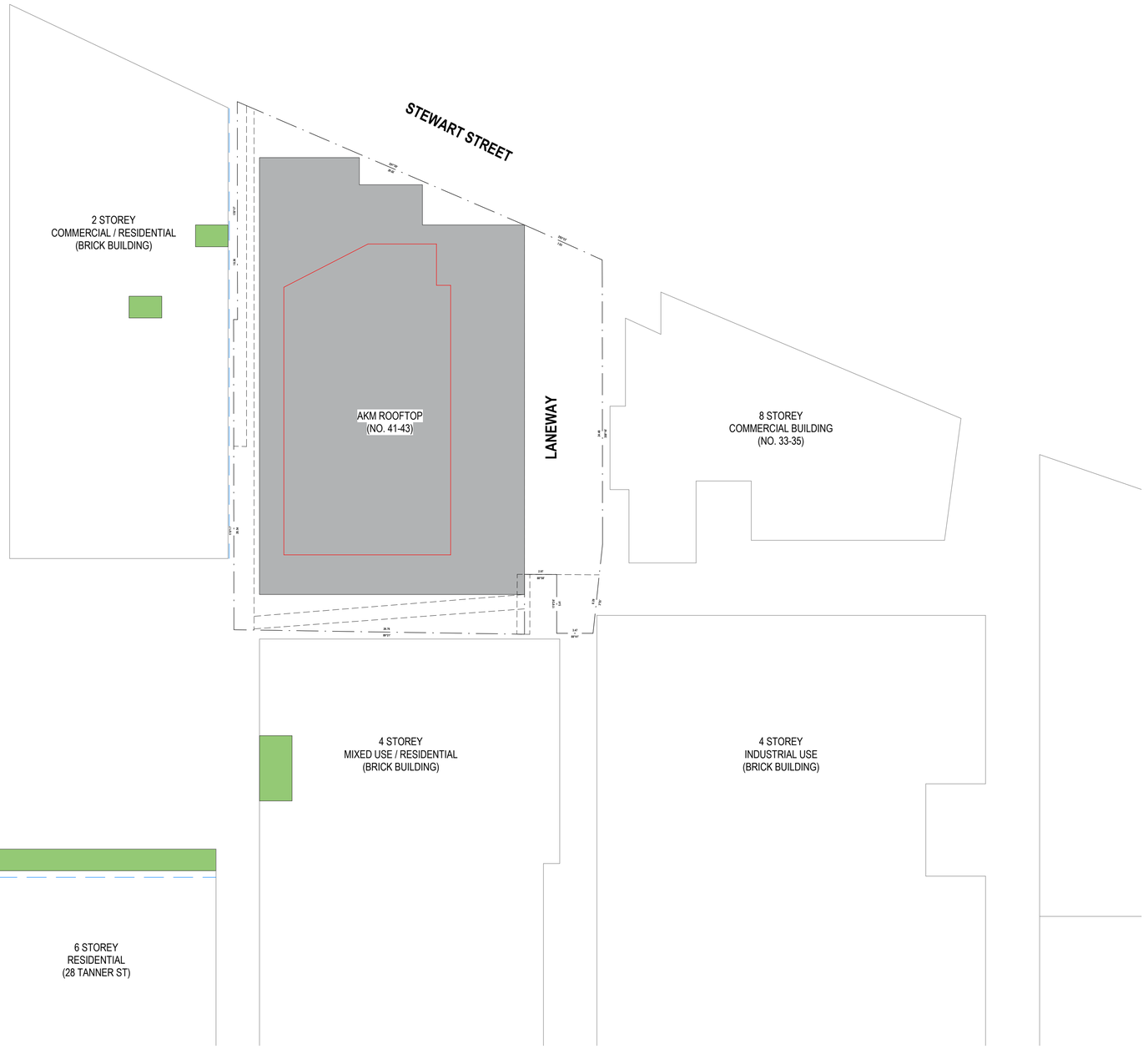
DRAWING NO.
I_0100

REV NO.

LEGEND

GREEN HATCH INDICATES PRIVATE OPEN SPACE

BLUE DASHED LINE INDICATES WINDOWS OF HABITABLE ROOMS



1 I_2004 SITE PLAN 1 : 200

STUDIO ENES

NORTH

1:100

0m 2m 4m 6m 8m

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REV	DESCRIPTION	DATE

NOT FOR CONSTRUCTION

CLIENT
POTO GROUP

PROJECT
AKM ROOFTOP
41-43 STEWART STREET, RICHMOND

STATUS

DRAWING TITLE
SITE PLAN

REVIEWED
Checker

SCALE @ A1
1 : 200

APPROVED
Approver

PROJECT NO.
002500

DRAWING NO.
I_0101

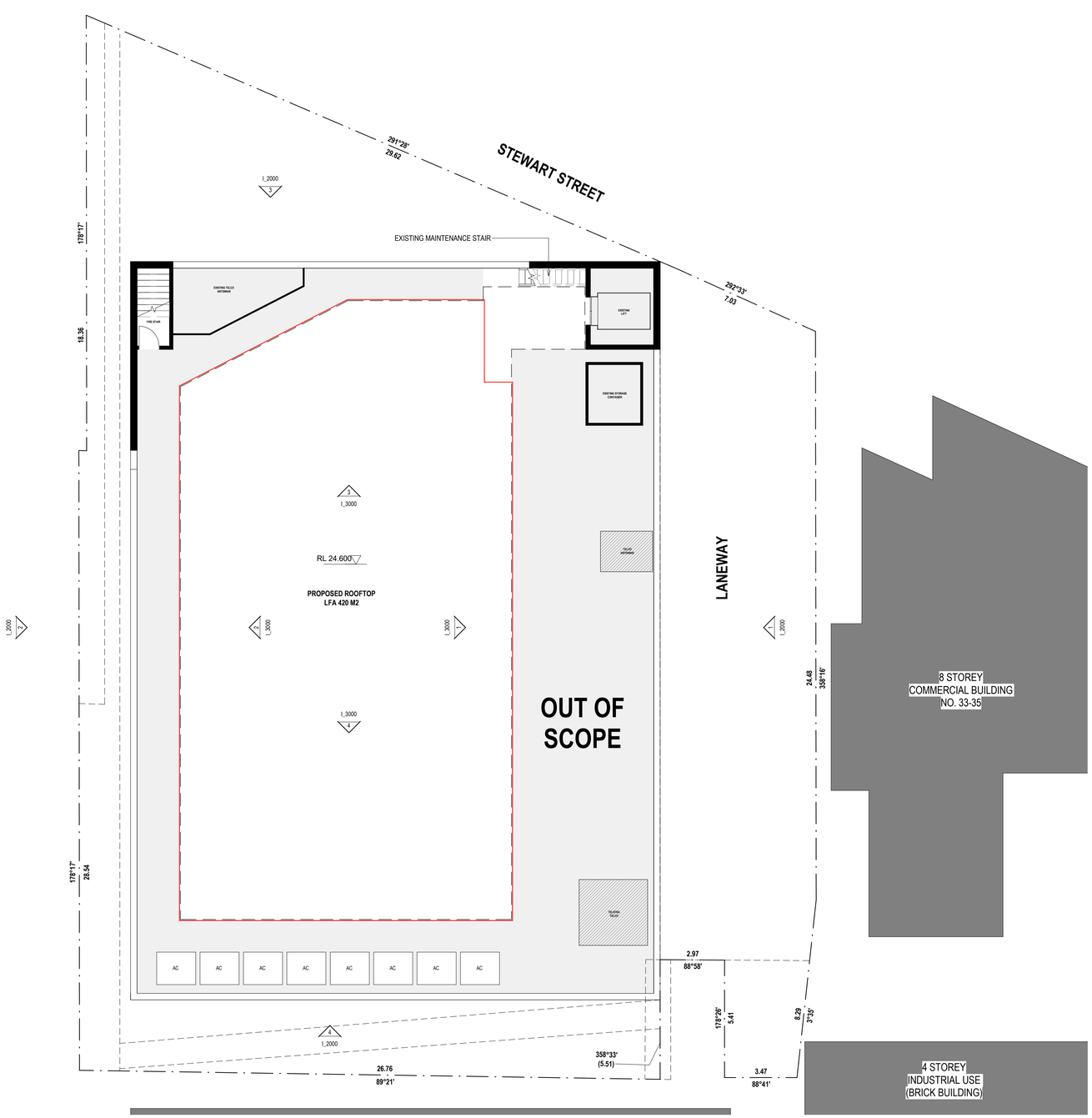
REV NO.

LEGEND

RED LINE INDICATES LEASABLE FLOOR AREA

DASHED LINE INDICATES SCOPE OF WORKS

GENERAL NOTE:
FFL IS INDICATIVE ONLY AND NOT BASED ON EXISTING DRAWINGS. ARCHITECT ADVISES CLIENT TO CONDUCT A SITE SURVEY TO CONFIRM EXISTING FFL's



1 / 6000 ROOFTOP - EXISTING CONDITIONS
1 : 100

STUDIO ENES

NORTH

1:100
0m 2m 4m 6m 8m

NOTES

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REV	DESCRIPTION	DATE

NOT FOR CONSTRUCTION

CLIENT
POTO GROUP

PROJECT
AKM ROOFTOP
41-43 STEWART STREET, RICHMOND

STATUS
FOR TOWN PLANNING

DRAWING TITLE
ROOFTOP - EXISTING CONDITIONS

REVIEWED
LN

SCALE @ A1
1 : 100

APPROVED
SS

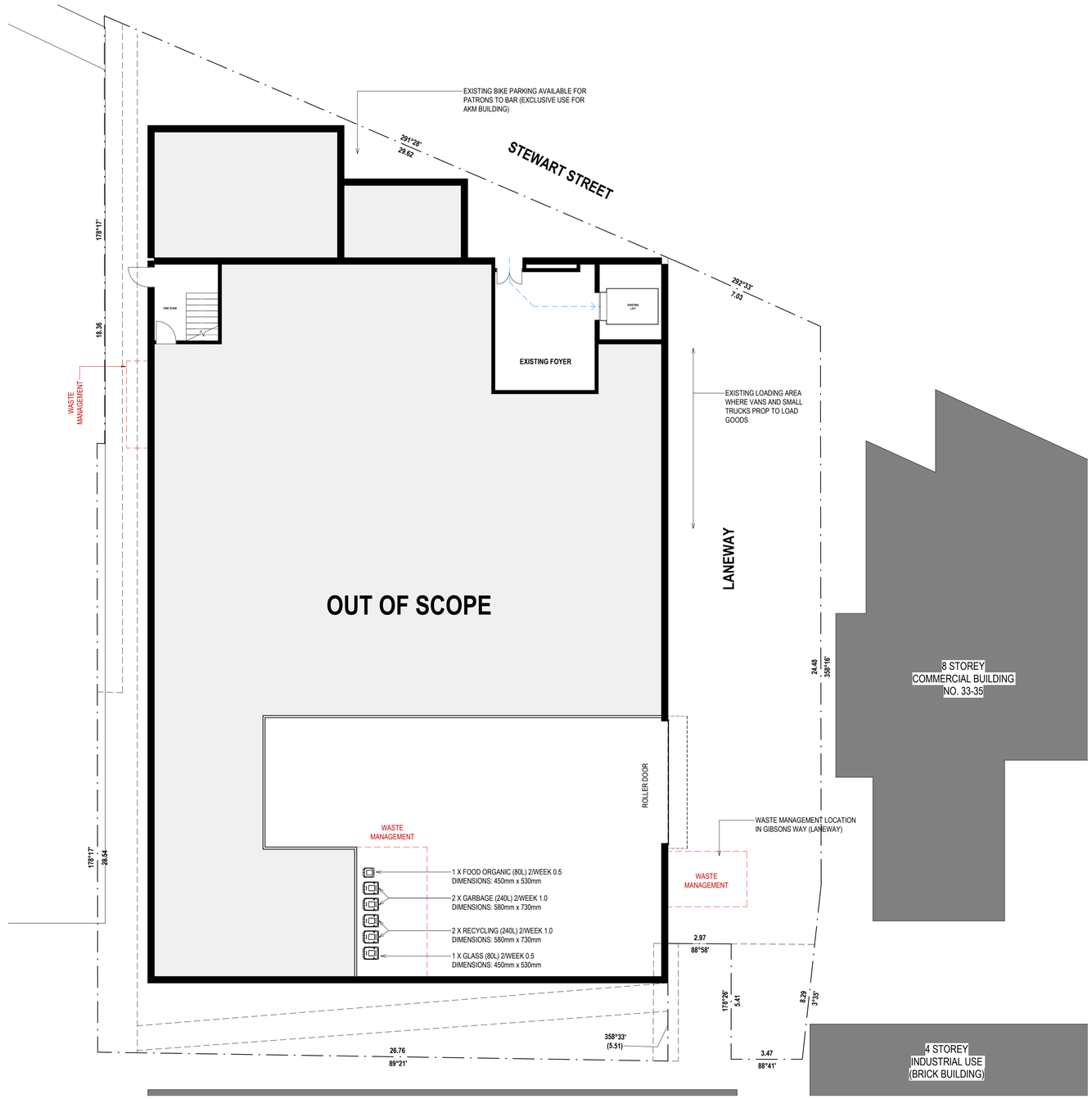
PROJECT NO.
002500

DRAWING NO.
I_0102

REV NO.

LEGEND

— — BLUE DASHED LINE INDICATES PATH OF TRAVEL TO PREMISES



1 GROUND FLOOR - EXISTING CONDITIONS
I_2004 1 : 100

STUDIO ENES

NORTH

1:100
0m 2m 4m 6m 8m

NOTES

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CLIENT
POTO GROUP

PROJECT
AKM ROOFTOP

41-43 STEWART STREET, RICHMOND

STATUS
FOR TOWN PLANNING

DRAWING TITLE
GROUND - EXISTING CONDITIONS

REVIEWED
LN

SCALE @ A1
1 : 100

APPROVED
SS

PROJECT NO.
002500

DRAWING NO.
I_0103

REV NO.

LEGEND

— — BLUE DASHED LINE INDICATES PATH OF TRAVEL TO PREMISES

RED DASHED LINE INDICATES PATH OF TRAVEL TO FIRE STAIRS

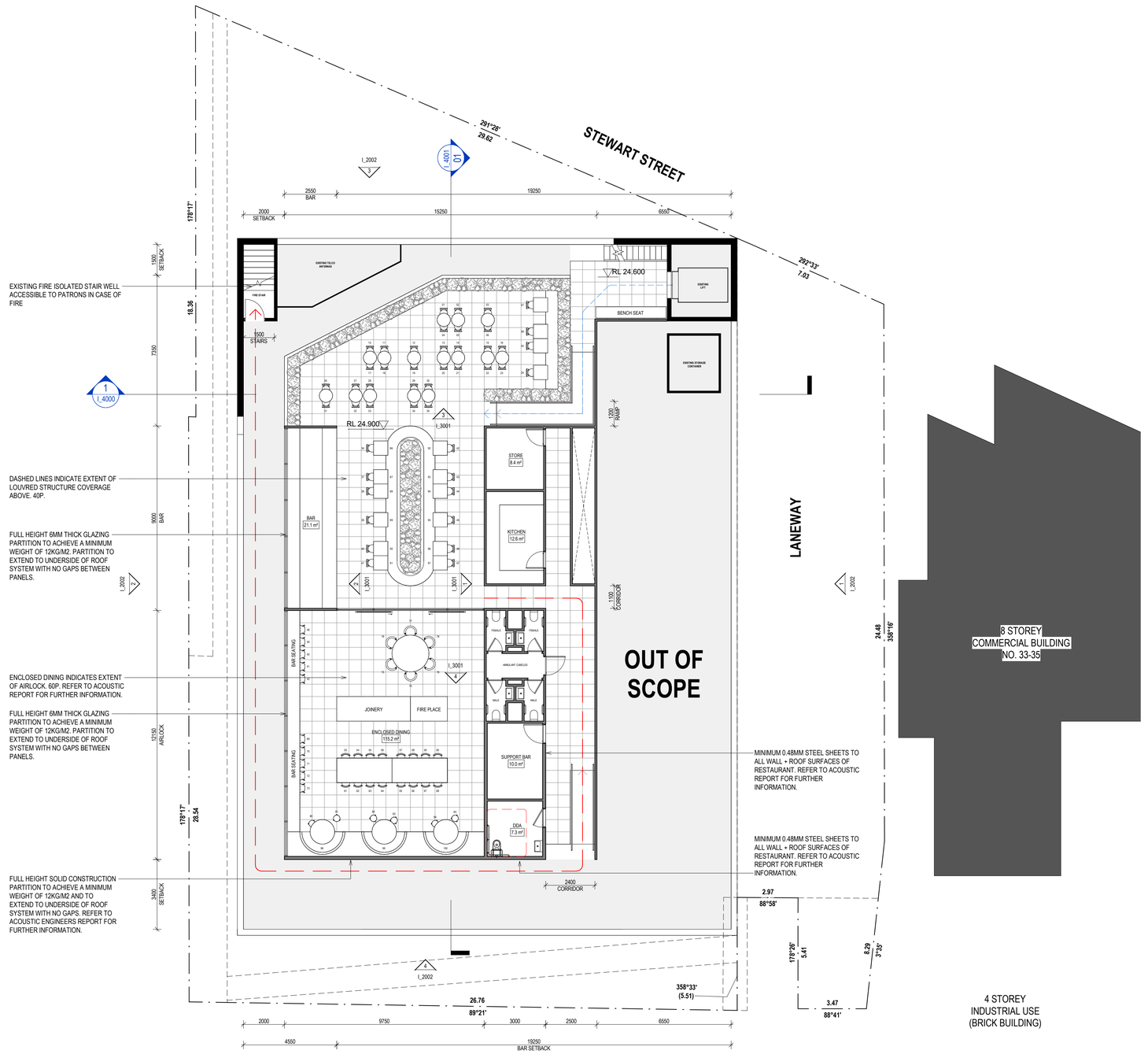
NOTE: PARTITION HEIGHTS VARY - REFER TO ELEVATIONS FOR CONFIRMATION OF STUD WALL HEIGHTS

PATRONS: 100

HOURS OF OPERATION

SUNDAY-WEDNESDAY: 12PM - 10PM
THURSDAY: 12PM - 11PM
FRIDAY-SATURDAY: 12PM - 12AM

GENERAL NOTE:
FFL's ARE INDICATIVE ONLY AND NOT BASED ON EXISTING DRAWINGS. ARCHITECT ADVISES CLIENT TO CONDUCT A SITE SURVEY TO CONFIRM EXISTING + PROPOSED FFL's



1 / 6000 ROOFTOP - GENERAL ARRANGEMENT FLOOR PLAN
1 : 100

STUDIO ENES

NORTH

1:100
0m 2m 4m 6m 8m

NOTES

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REV	DESCRIPTION	DATE

NOT FOR CONSTRUCTION

CLIENT
POTO GROUP

PROJECT
AKM ROOFTOP
41-43 STEWART STREET, RICHMOND

STATUS
FOR TOWN PLANNING

DRAWING TITLE
ROOFTOP - GENERAL ARRANGEMENT FLOOR PLAN

REVIEWED LN
SCALE @ A1 1 : 100
APPROVED SS
PROJECT NO. 002500
DRAWING NO. I_1100
REV NO.

LEGEND

RED LINE INDICATES LICENSED AREA

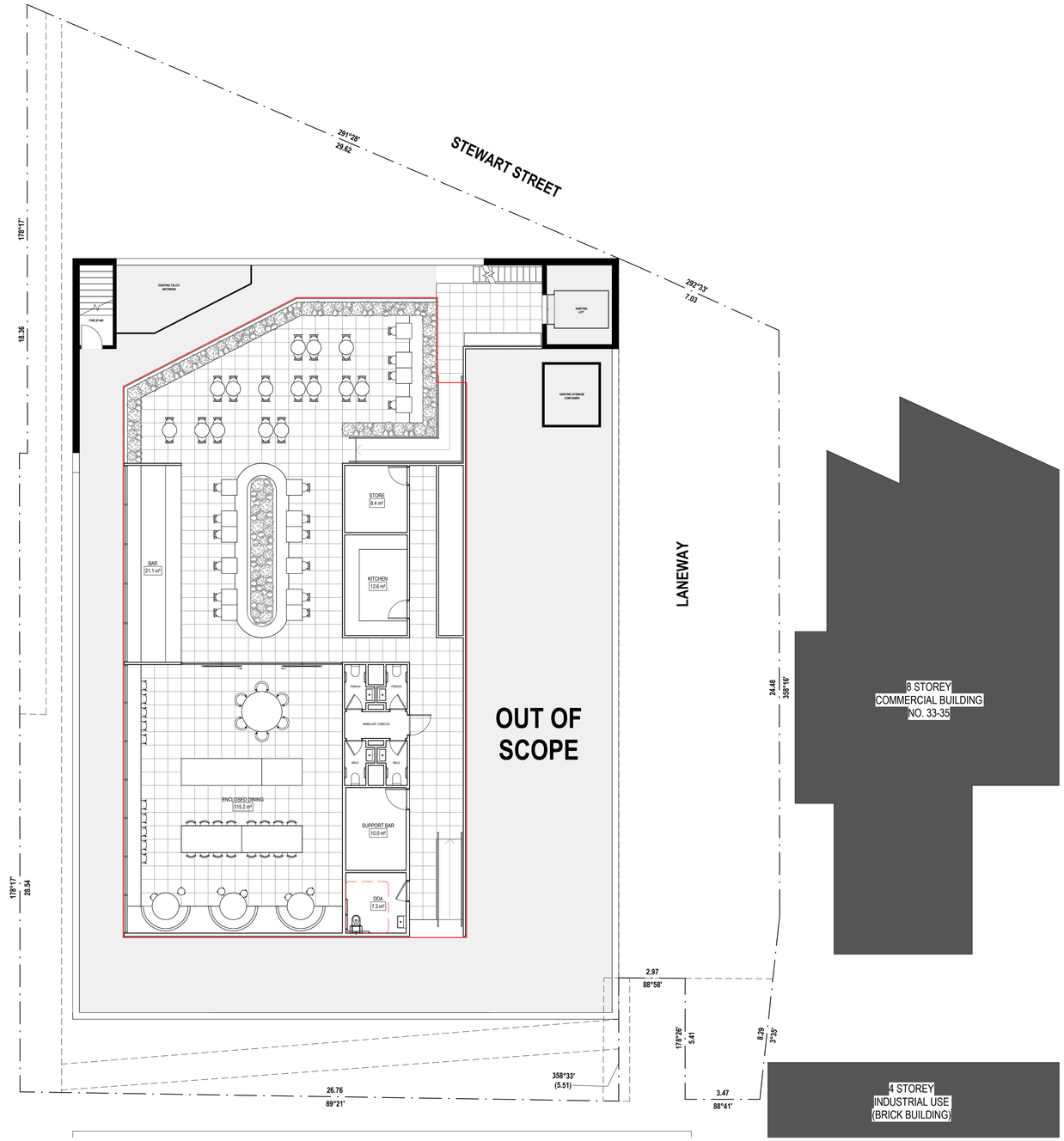
TOTAL LICENSED AREA

PROPOSED LICENSED AREA = 420 M2

PATRONS: 100

HOURS OF OPERATION

SUNDAY-WEDNESDAY: 12PM - 10PM
THURSDAY: 12PM - 11PM
FRIDAY-SATURDAY: 12PM - 12AM



1 / 6000 ROOFTOP - RED LINE FLOOR PLAN
1 : 100

STUDIO ENES

NORTH

1:100
0m 2m 4m 6m 8m

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REV	DESCRIPTION	DATE

NOT FOR CONSTRUCTION

CLIENT
POTO GROUP

PROJECT
AKM ROOFTOP
41-43 STEWART STREET, RICHMOND

STATUS
FOR TOWN PLANNING

DRAWING TITLE
ROOFTOP - PROPOSED RED LINE FLOOR PLAN

REVIEWED LN
SCALE @ A1 1 : 100
APPROVED SS
PROJECT NO. 002500
DRAWING NO. I_1101
REV NO.

LEGEND

BLUE LINE INDICATES LOUNGE FLOOR AREA

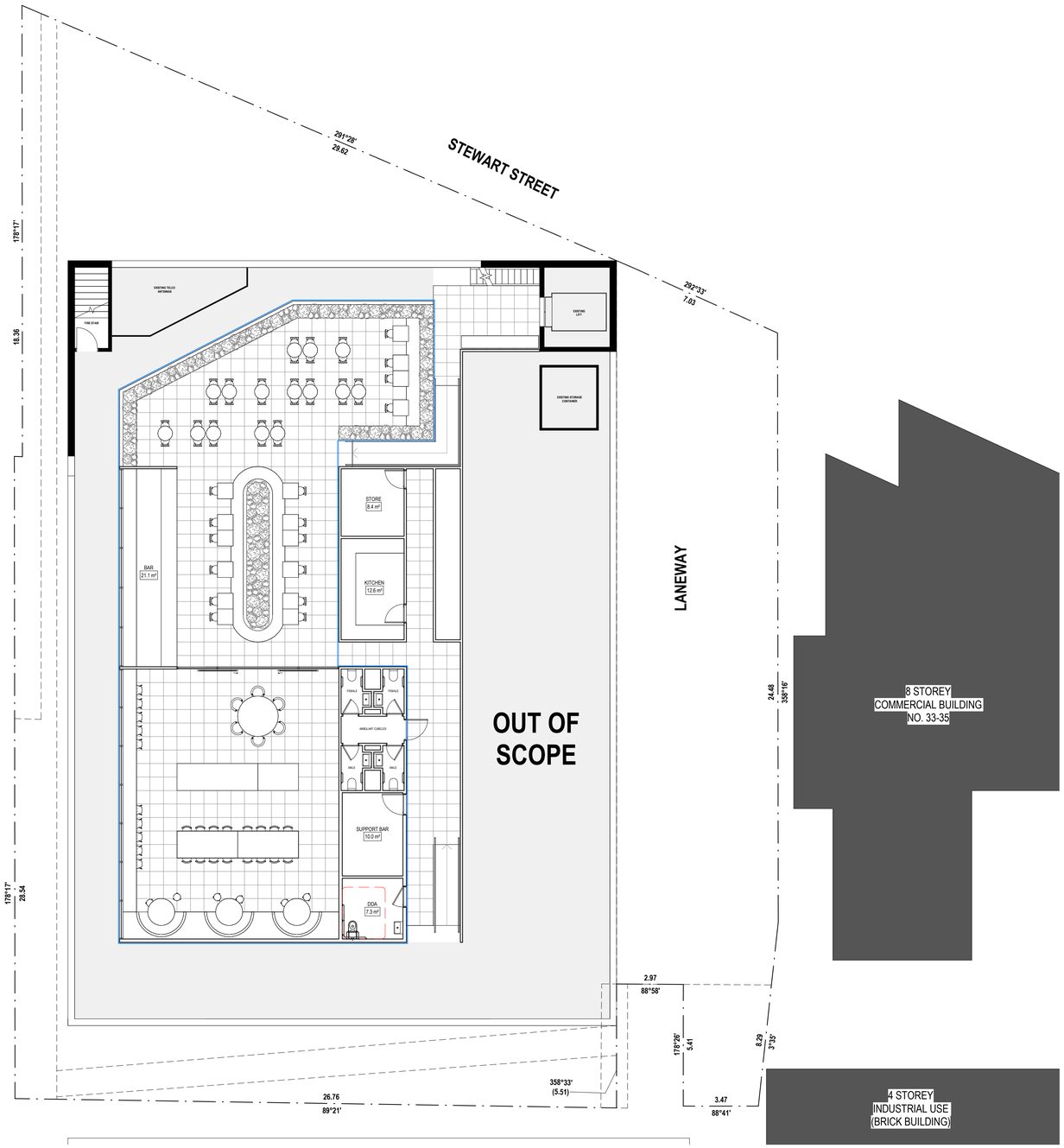
LOUNGE FLOOR AREA

PROPOSED LOUNGE FLOOR AREA = 330 M2

PATRONS: 100

HOURS OF OPERATION

SUNDAY-WEDNESDAY: 12PM - 10PM
THURSDAY: 12PM - 11PM
FRIDAY-SATURDAY: 12PM - 12AM



1 / 6000 ROOFTOP - LOUNGE AREA PLAN
1 : 100

STUDIO ENES

NORTH

1:100
0m 2m 4m 6m 8m

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REV	DESCRIPTION	DATE

NOT FOR CONSTRUCTION

CLIENT
POTO GROUP

PROJECT
AKM ROOFTOP

41-43 STEWART STREET, RICHMOND

STATUS
FOR TOWN PLANNING

DRAWING TITLE
ROOFTOP - PROPOSED LOUNGE FLOOR AREA PLAN

REVIEWED
LN

SCALE @ A1
1 : 100

APPROVED
SS

PROJECT NO.
002500

DRAWING NO.
I_1102

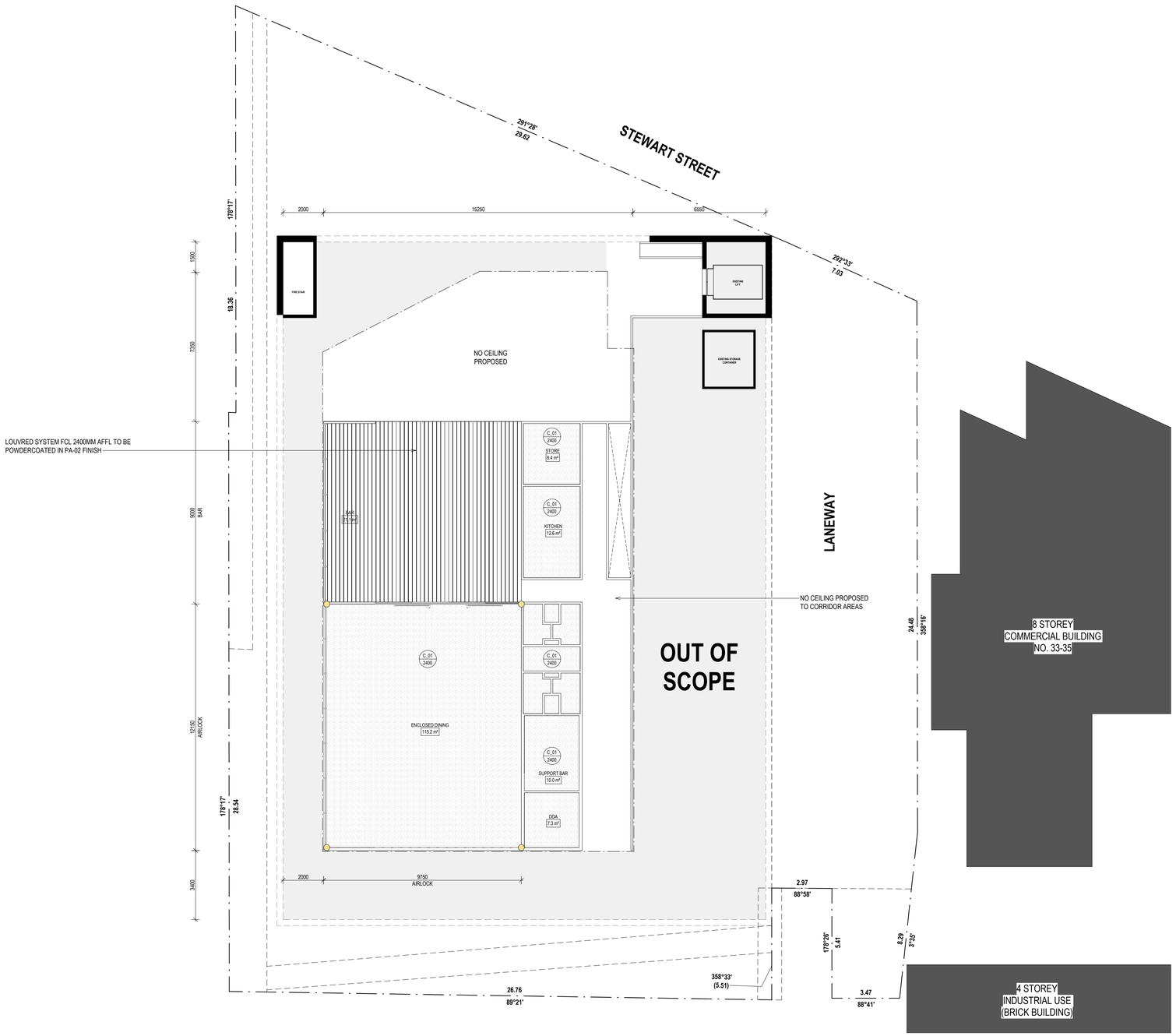
REV NO.

LEGEND

YELLOW HATCH INDICATES PROPOSED LOCATION FOR EXTERNAL SPEAKER.

NOTE: EXTERNAL SPEAKERS ARE FOR AMBIENT MUSIC ONLY AND WILL NOT EXCEED 40DB AT ANY GIVEN TIME.

GENERAL NOTE:
ALL EXTERIOR ROOFING MATERIALS ABOVE C_01 TO BE COLOURBOND STEEL CLADDING IN PA-05 FINISH (MANOR RED). REFER TO THE FINISHES SCHEDULE FOR MORE INFORMATION.



1 / I_3001 ROOFTOP - REFLECTED CEILING PLAN
1 : 100

STUDIO ENES

NORTH

1:100
0m 2m 4m 6m 8m

NOTES

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REV	DESCRIPTION	DATE

NOT FOR CONSTRUCTION

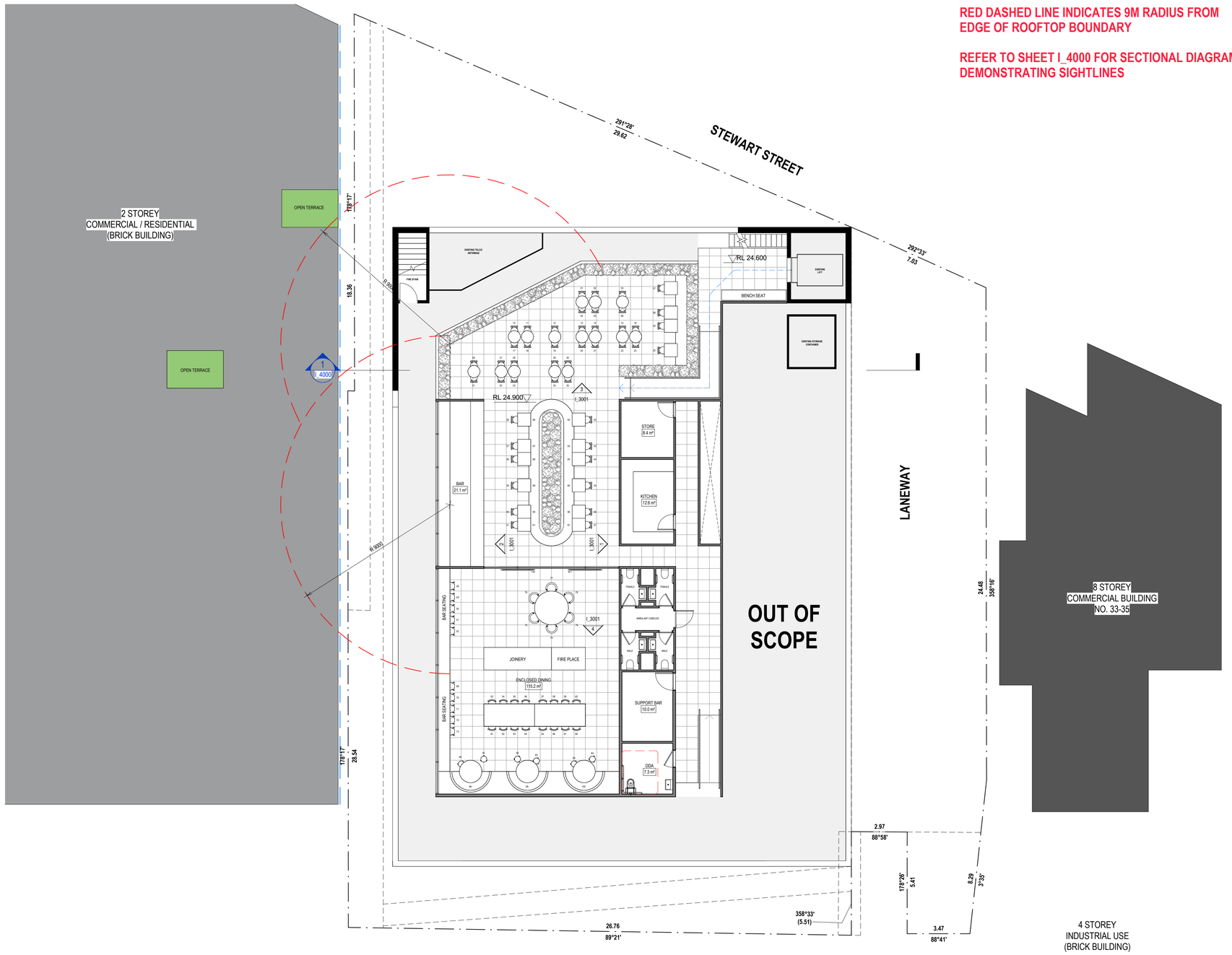
CLIENT
POTO GROUP

PROJECT
AKM ROOFTOP
41-43 STEWART STREET, RICHMOND

STATUS
FOR TOWN PLANNING

DRAWING TITLE
ROOFTOP - REFLECTED CEILING PLAN

REVIEWED	SCALE @ A1
LN	1 : 100
APPROVED	**PROJECT NO.**
SS	002500
DRAWING NO.	**REV NO.**
I_1500	



RED DASHED LINE INDICATES 9M RADIUS FROM EDGE OF ROOFTOP BOUNDARY

REFER TO SHEET I_4000 FOR SECTIONAL DIAGRAM DEMONSTRATING SIGHTLINES

1 / 6000 ROOFTOP - GENERAL ARRANGEMENT FLOOR PLAN - SIGHTLINE STUDY
1 : 100

STUDIO ENES

NORTH

1:100
0m 2m 4m 6m 8m

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REV	DESCRIPTION	DATE

NOT FOR CONSTRUCTION

CLIENT
POTO GROUP

PROJECT
AKM ROOFTOP
41-43 STEWART STREET, RICHMOND

STATUS

DRAWING TITLE
ROOFTOP - PLAN - SIGHTLINES

REVIEWED
Checker

SCALE @ A1
1 : 100

APPROVED
Approver

PROJECT NO.
002500

DRAWING NO.
I_1600

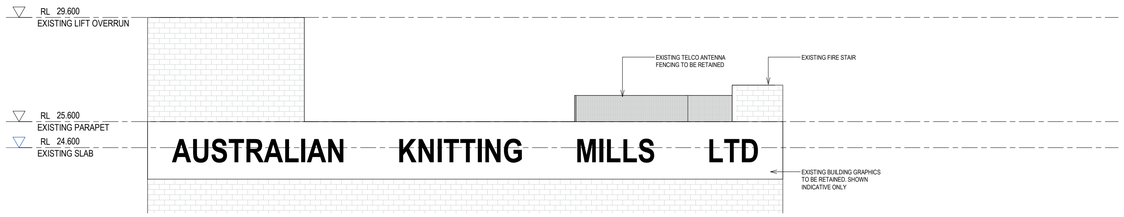
REV NO.



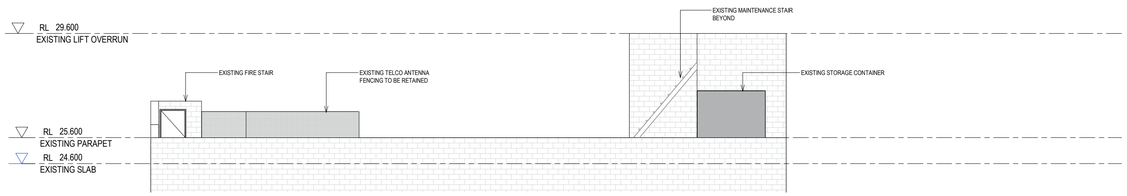
1 EXISTING EXTERNAL ELEVATION 01 - WEST
1 : 100



2 EXISTING EXTERNAL ELEVATION 02 - EAST
1 : 100



3 EXISTING EXTERNAL ELEVATION 03 - SOUTH
1 : 100



4 EXISTING EXTERNAL ELEVATION 04 - NORTH
1 : 100

STUDIO ENES

NORTH

1:100
0m 2m 4m 6m 8m

NOTES

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REV	DESCRIPTION	DATE

NOT FOR CONSTRUCTION

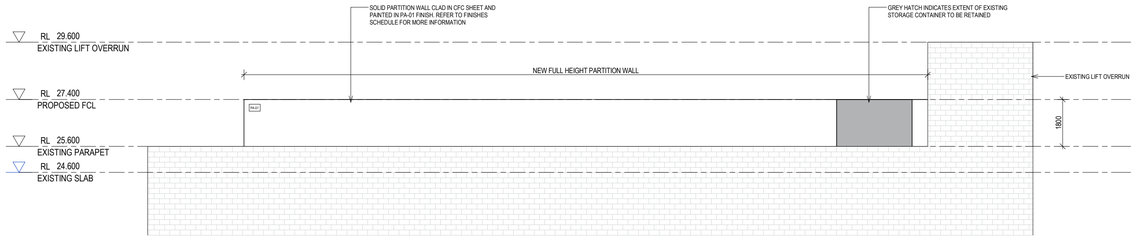
CLIENT
POTO GROUP

PROJECT
AKM ROOFTOP
41-43 STEWART STREET, RICHMOND

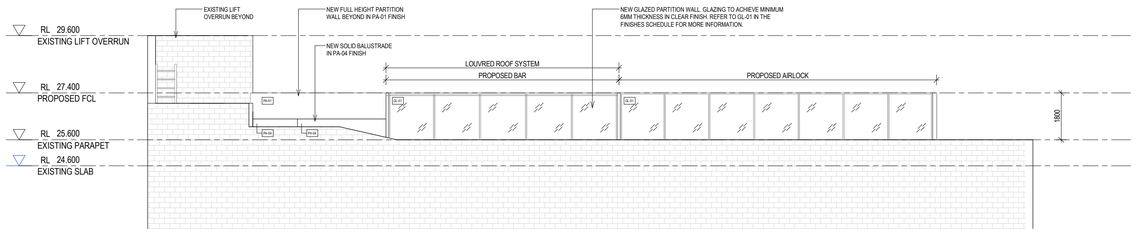
STATUS
FOR TOWN PLANNING

DRAWING TITLE
ROOFTOP - EXTERNAL ELEVATIONS - EXISTING

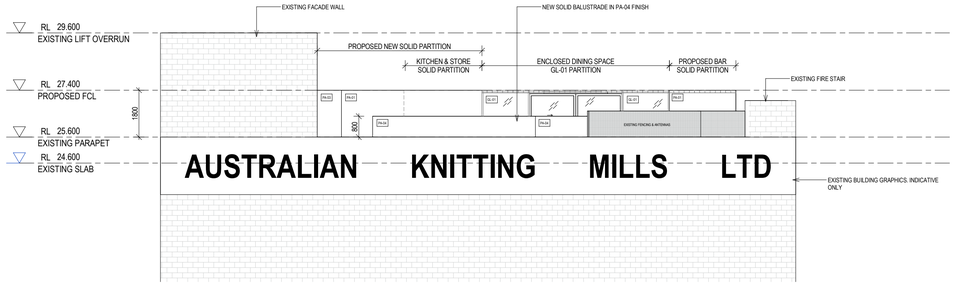
REVIEWED	SCALE @ A1
SS	1 : 100
APPROVED	**PROJECT NO.**
LN	002500
DRAWING NO.	**REV NO.**
I_2000	



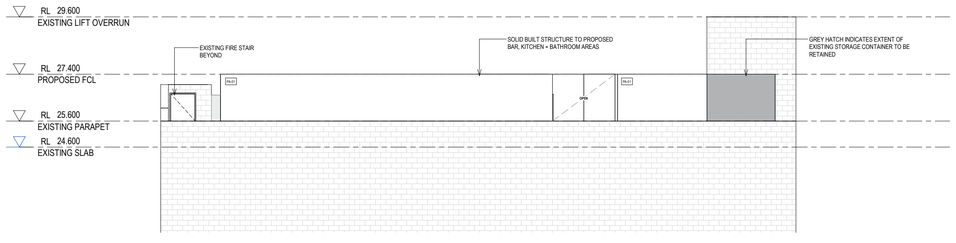
1 PROPOSED EXTERNAL ELEVATION 01 - WEST
1 : 100



2 PROPOSED EXTERNAL ELEVATION 02 - EAST
1 : 100



3 PROPOSED EXTERNAL ELEVATION 03 - SOUTH
1 : 100



4 EXTERNAL ELEVATION 04 - NORTH
1 : 100

STUDIO ENES

NORTH

1:100
0m 2m 4m 6m 8m

NOTES

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REV	DESCRIPTION	DATE

NOT FOR CONSTRUCTION

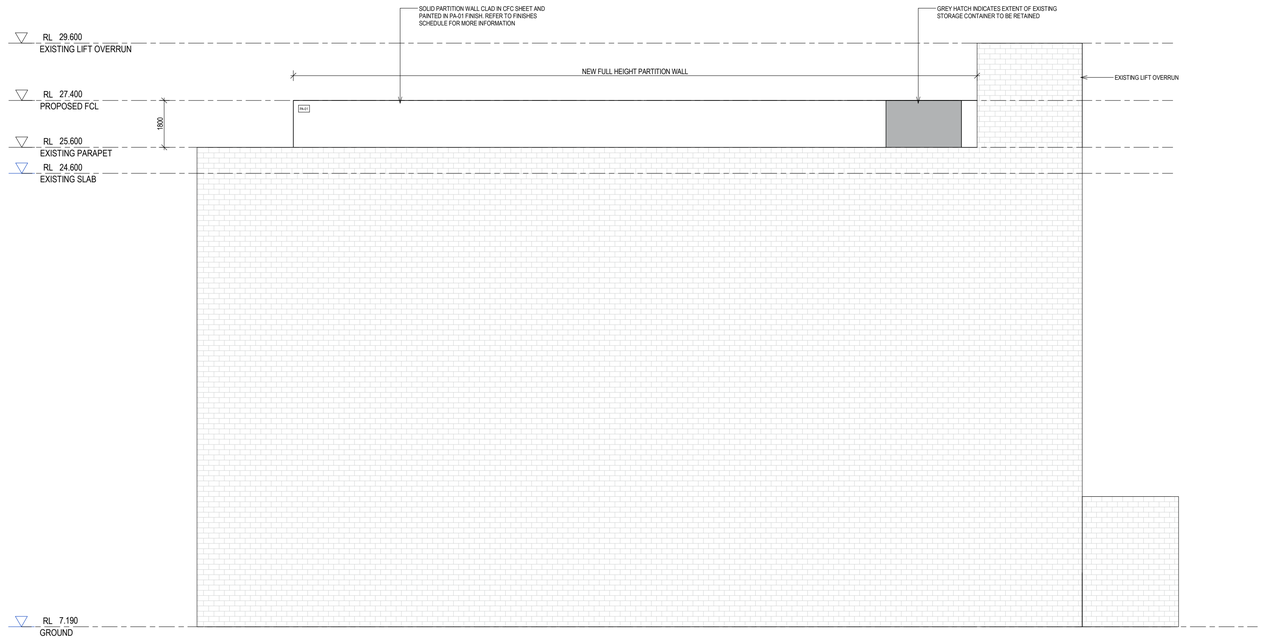
CLIENT
POTO GROUP

PROJECT
AKM ROOFTOP
41-43 STEWART STREET, RICHMOND

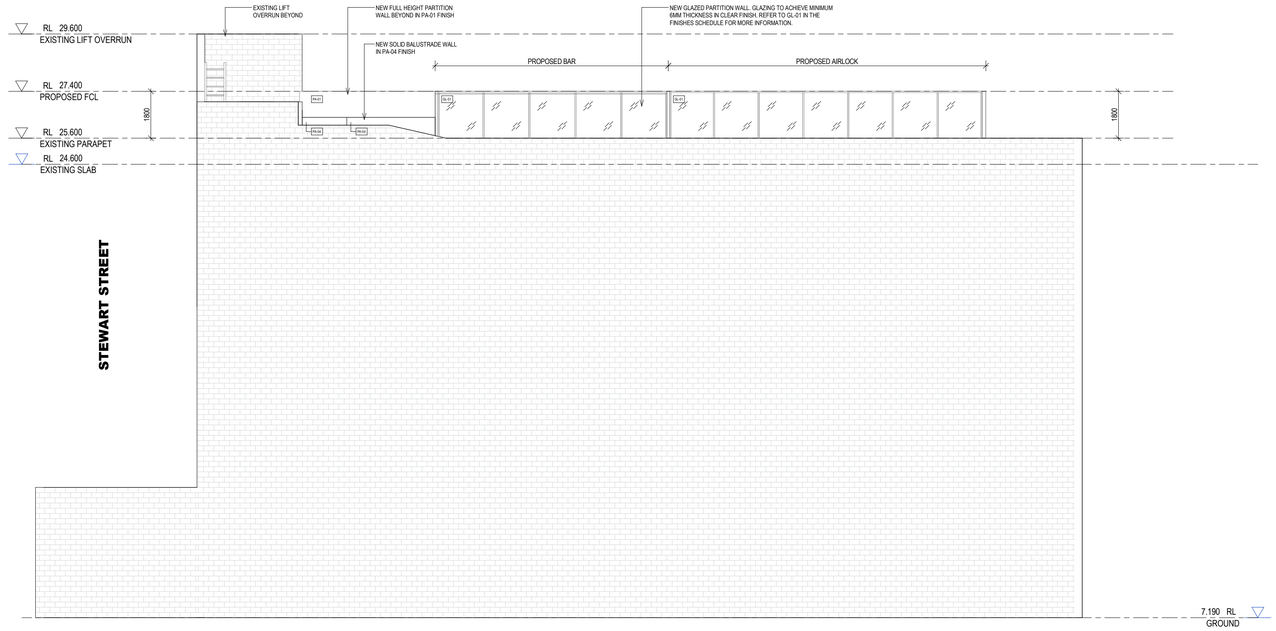
STATUS
FOR TOWN PLANNING

DRAWING TITLE
ROOFTOP - EXTERNAL ELEVATIONS - PROPOSED

REVIEWED	SCALE @ A1
LN	1 : 100
APPROVED	**PROJECT NO.**
SS	002500
DRAWING NO.	**REV NO.**
I_2002	



1 PROPOSED EXTERNAL ELEVATION - WEST
1 : 100



2 PROPOSED EXTERNAL ELEVATION - EAST
1 : 100

STUDIO ENES

NORTH

1:100
0m 2m 4m 6m 8m

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REV	DESCRIPTION	DATE

CLIENT
POTO GROUP

PROJECT
AKM ROOFTOP
41-43 STEWART STREET, RICHMOND

STATUS

DRAWING TITLE
EXTERNAL ELEVATIONS - PROPOSED

REVIEWED
Checker

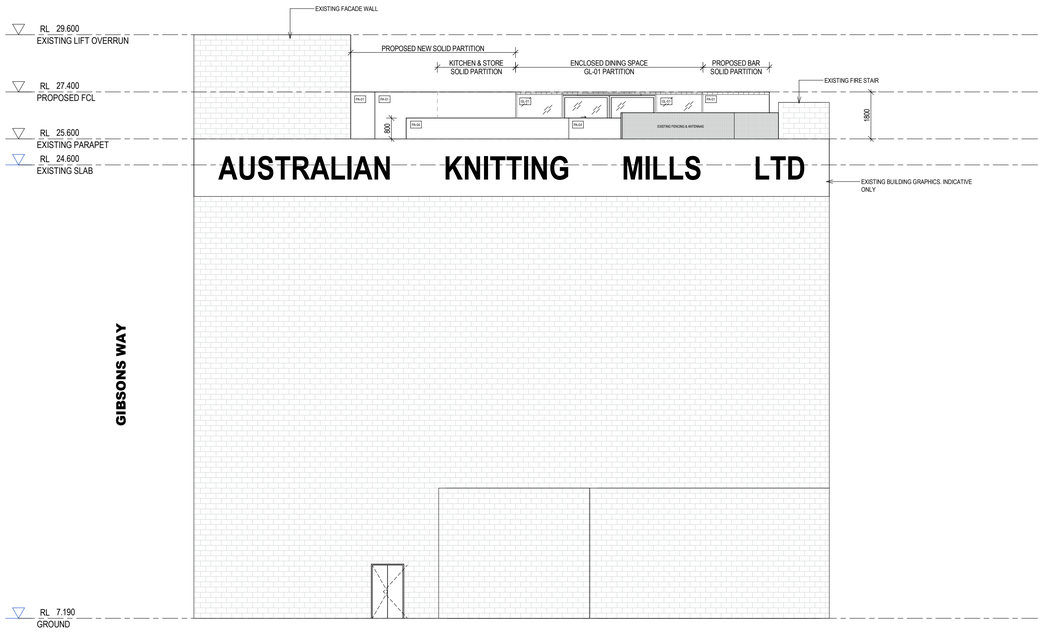
SCALE @ A1
1 : 100

APPROVED
Approver

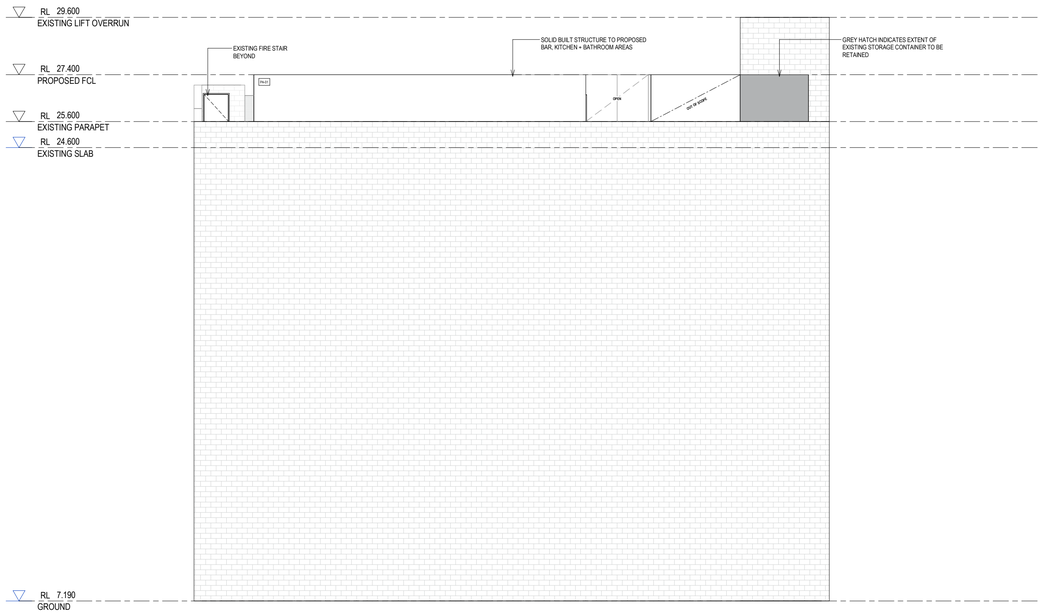
PROJECT NO.
002500

DRAWING NO.
I_2004

REV NO.



1 PROPOSED EXTERNAL ELEVATION - SOUTH
1 : 100



2 PROPOSED EXTERNAL ELEVATION - NORTH
1 : 100

STUDIO ENES

NORTH

1:100

0m 2m 4m 6m 8m

NOTES

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REV	DESCRIPTION	DATE

NOT FOR CONSTRUCTION

CLIENT
POTO GROUP

PROJECT
AKM ROOFTOP
41-43 STEWART STREET, RICHMOND

STATUS

DRAWING TITLE
EXTERNAL ELEVATIONS - PROPOSED

REVIEWED
Checker

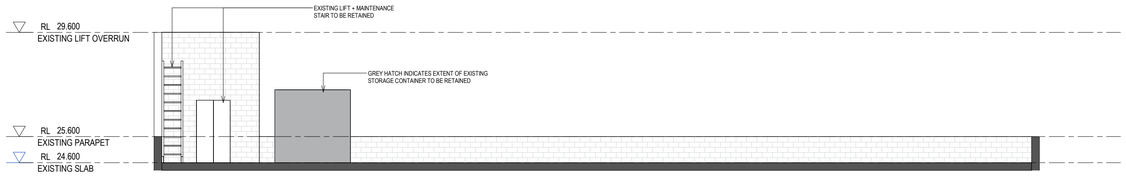
SCALE @ A1
1 : 100

APPROVED
Approver

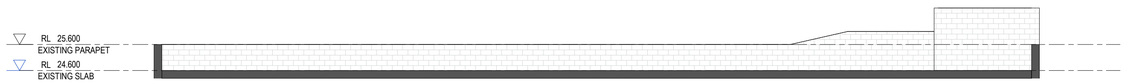
PROJECT NO.
002500

DRAWING NO.
I_2005

REV NO.



1 EXISTING INTERNAL ELEVATION - EAST
1 : 100



2 EXISTING INTERNAL ELEVATION - WEST
1 : 100



3 EXISTING INTERNAL ELEVATION - NORTH
1 : 100



4 EXISTING INTERNAL ELEVATION - SOUTH
1 : 100

STUDIO ENES

NORTH

1:100
0m 2m 4m 6m 8m

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REV	DESCRIPTION	DATE

NOT FOR CONSTRUCTION

CLIENT
POTO GROUP

PROJECT
AKM ROOFTOP

41-43 STEWART STREET, RICHMOND

STATUS
FOR TOWN PLANNING

DRAWING TITLE
ROOFTOP - INTERNAL ELEVATIONS - EXISTING

REVIEWED
LN

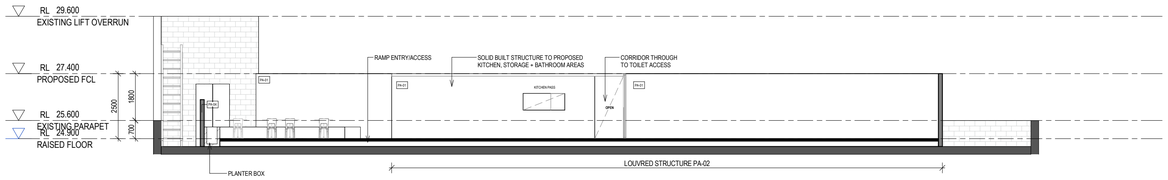
SCALE @ A1
1 : 100

APPROVED
SS

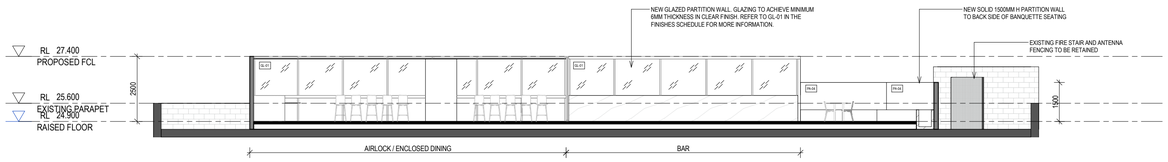
PROJECT NO.
002500

DRAWING NO.
I_3000

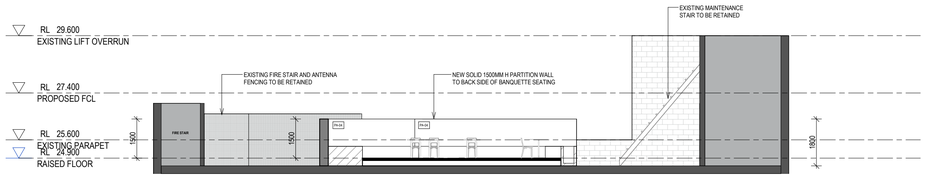
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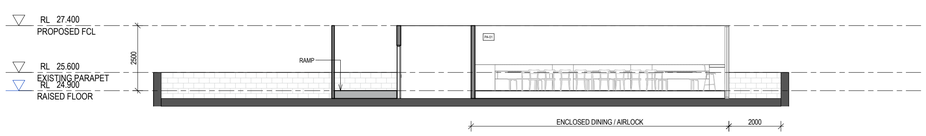
1 PROPOSED INTERNAL ELEVATION - EAST
1 : 100



2 PROPOSED INTERAL ELEVATION - WEST
1 : 100



3 PROPOSED INTERNAL ELEVATION - NORTH
1 : 100



4 PROPOSED INTERNAL ELEVATION - SOUTH
1 : 100

STUDIO ENES

NORTH

1:100
0m 2m 4m 6m 8m

NOTES

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REV	DESCRIPTION	DATE

NOT FOR CONSTRUCTION

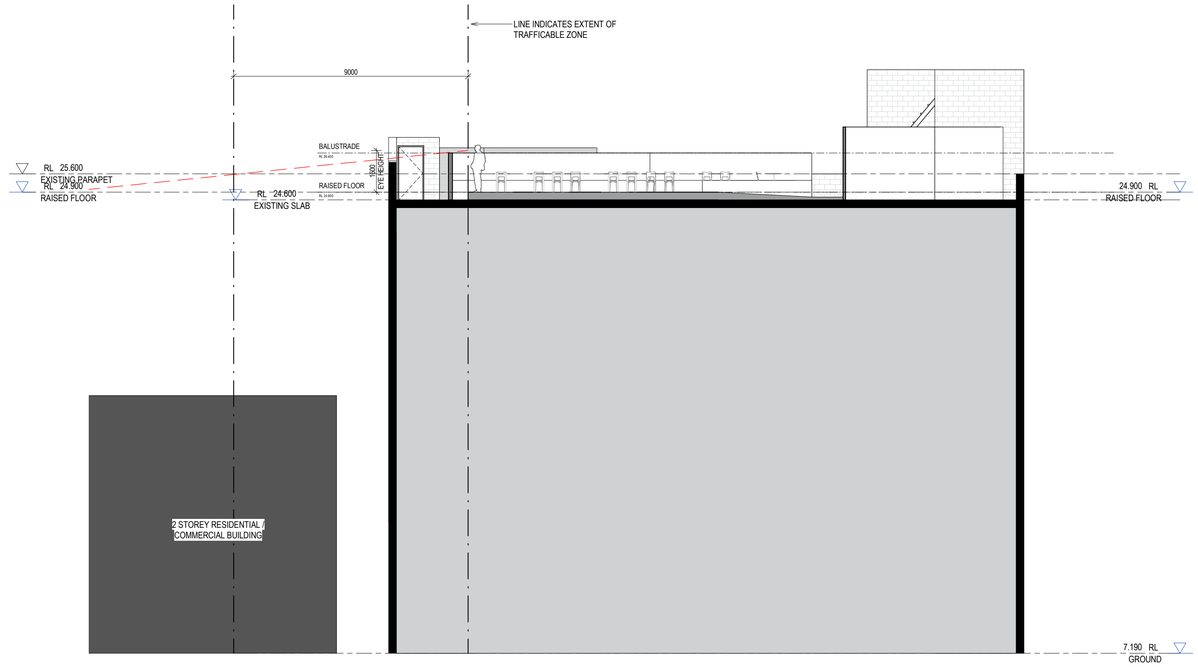
CLIENT
POTO GROUP

PROJECT
AKM ROOFTOP
41-43 STEWART STREET, RICHMOND

STATUS
FOR TOWN PLANNING

DRAWING TITLE
ROOFTOP - INTERNAL ELEVATIONS - PROPOSED

REVIEWED	SCALE @ A1
LN	1 : 100
APPROVED	**PROJECT NO.**
SS	002500
DRAWING NO.	**REV NO.**
I_3001	



1 GA SECTION - SIGHTLINE DIAGRAM
6000 1 : 100

STUDIO ENES

NORTH

1:100
0m 2m 4m 6m 8m

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REV	DESCRIPTION	DATE

NOT FOR CONSTRUCTION

CLIENT
POTO GROUP

PROJECT
AKM ROOFTOP
41-43 STEWART STREET, RICHMOND

STATUS

DRAWING TITLE
GA SECTION - SIGHTLINES

REVIEWED
Checker

SCALE @ A1
1 : 100

APPROVED
Approver

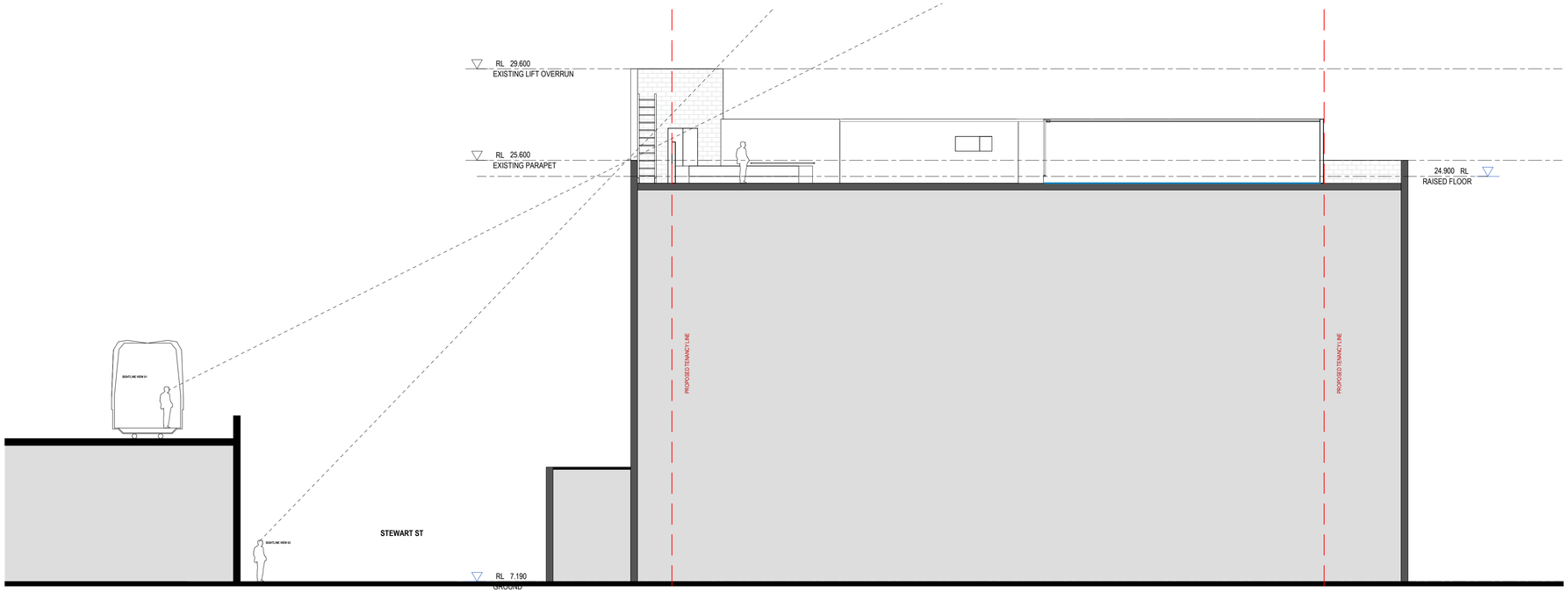
PROJECT NO.
002500

DRAWING NO.
I_4000

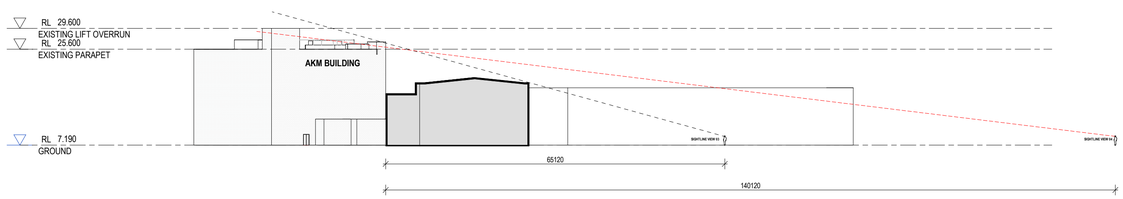
REV NO.

DRAWING NOTE:

SIGHTLINE DIAGRAM IS INDICATIVE ONLY & FOR ILLUSTRATIVE PURPOSES. DRAWING NOT BASED ON A SITE SURVEY.
FOR AN ACCURATE REVISION, IT IS RECOMMENDED THE CLIENT ENGAGES THE RELEVANT CONSULTANTS AND CONDUCTS A SITE SURVEY.



01 SECTION THROUGH STEWART STREET
I_1100 1 : 100



2 SECTIONAL ELEVATION VIEW ALONG STEWART STREET
1 : 500

STUDIO ENES

NORTH

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REV	DESCRIPTION	DATE

NOT FOR CONSTRUCTION

CLIENT
POTO GROUP

PROJECT
AKM ROOFTOP
41-43 STEWART STREET, RICHMOND

STATUS

DRAWING TITLE
GA SECTION - SIGHTLINE DIAGRAM

REVIEWED
LN

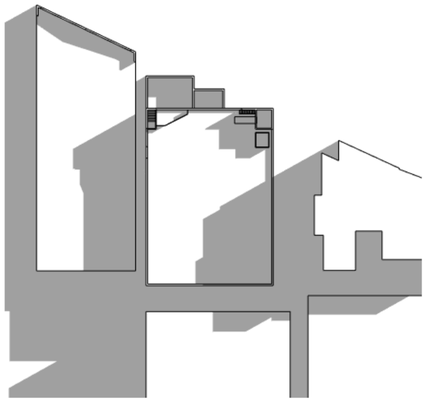
SCALE @ A1
As indicated

APPROVED
SS

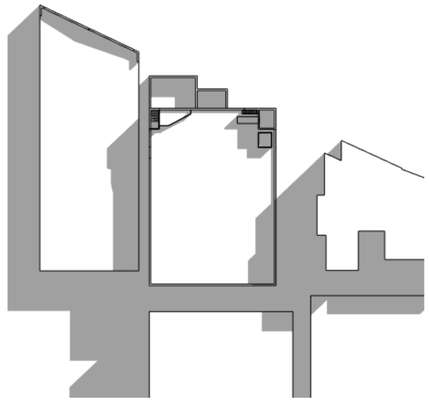
PROJECT NO.
002500

DRAWING NO.
I_4001

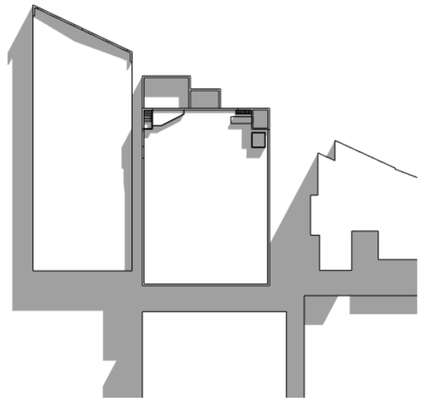
REV NO.



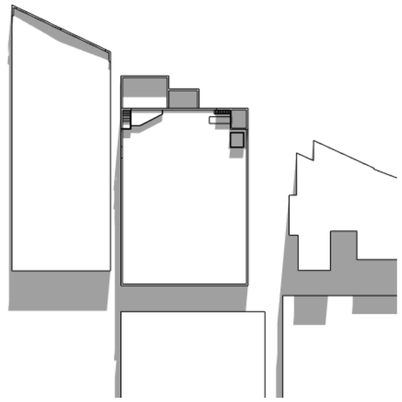
1 SEPT EQUINOX - 9AM EXISTING



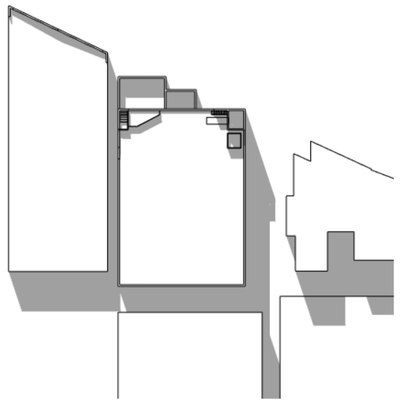
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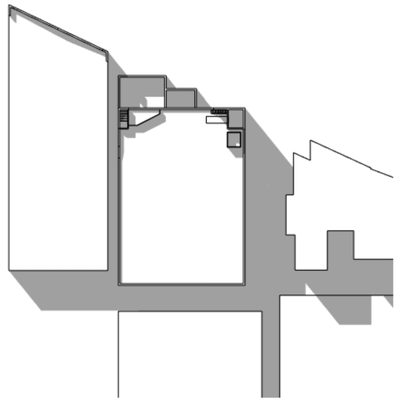
3 SEPT EQUINOX - 11AM EXISTING



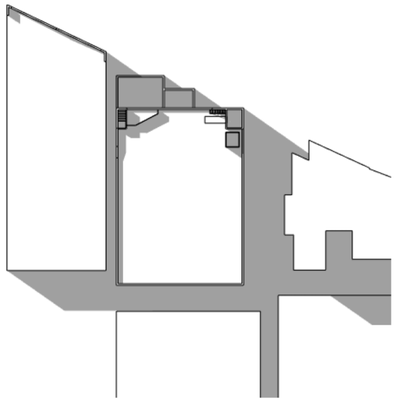
4 SEPT EQUINOX - 12PM EXISTING



5 SEPT EQUINOX - 1PM EXISTING



6 SEPT EQUINOX - 2PM EXISTING



7 SEPT EQUINOX - 3PM EXISTING

STUDIO ENES

NORTH

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REV	DESCRIPTION	DATE

NOT FOR CONSTRUCTION

CLIENT
POTO GROUP

PROJECT
AKM ROOFTOP
41-43 STEWART STREET, RICHMOND

STATUS

DRAWING TITLE
SHADOW DIAGRAMS - EXISTING

REVIEWED
Checker

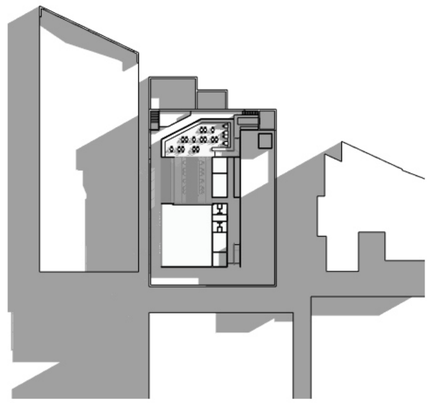
SCALE @ A1

APPROVED
Approver

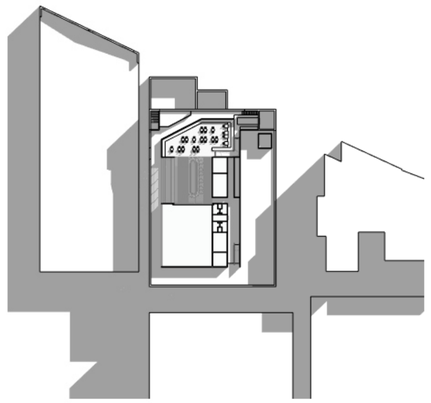
PROJECT NO.
002500

DRAWING NO.
I_5000

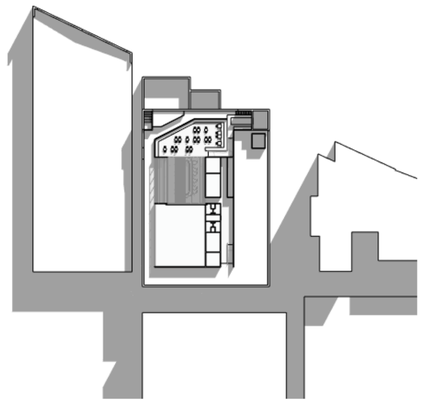
REV NO.



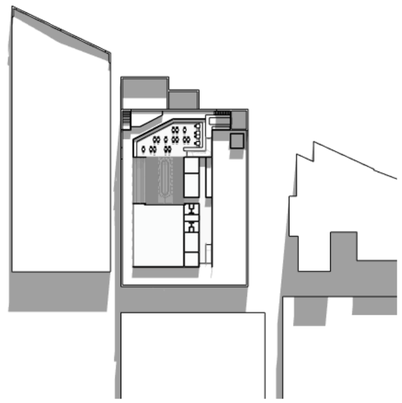
1 SEPT EQUINOX - 9AM PROPOSED



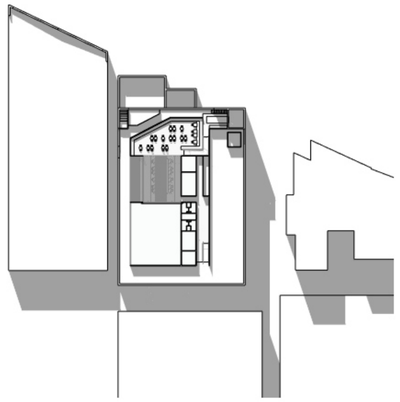
2 SEPT EQUINOX - 10AM PROPOSED



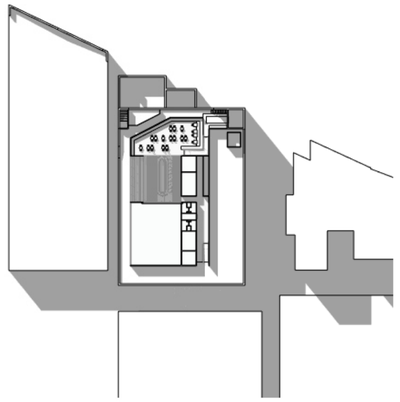
3 SEPT EQUINOX - 11AM PROPOSED



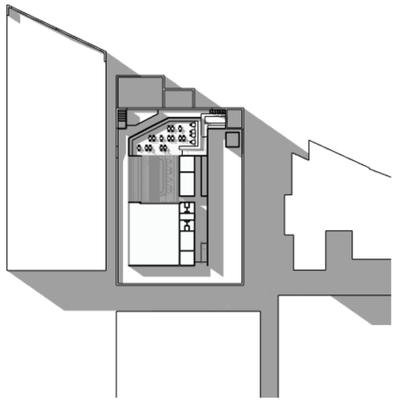
4 SEPT EQUINOX - 12PM PROPOSED



5 SEPT EQUINOX - 1PM PROPOSED



6 SEPT EQUINOX - 2PM PROPOSED



7 SEPT EQUINOX - 3PM PROPOSED

STUDIO ENES

NORTH

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REV	DESCRIPTION	DATE

NOT FOR CONSTRUCTION

CLIENT
POTO GROUP

PROJECT
AKM ROOFTOP
41-43 STEWART STREET, RICHMOND

STATUS

DRAWING TITLE
SHADOW DIAGRAMS - PROPOSED

REVIEWED
Checker

SCALE @ A1

APPROVED
Approver

PROJECT NO.
002500

DRAWING NO.
I_5001

REV NO.



PA-01

DESCRIPTION: TEXTURED EXTERIOR PAINT

RANGE: TEXTURE FULL COVER ROLL
COLOUR: CASHMERE
SUPPLIER: DULUX

LOCATION: WALLS WHERE NOTED

PA-02

DESCRIPTION: POWDERCOAT

RANGE: DURALLOY
COLOUR: WHITE
FINISH: SATIN
SUPPLIER: DULUX

LOCATION: LOUVRED ROOF STRUCTURE

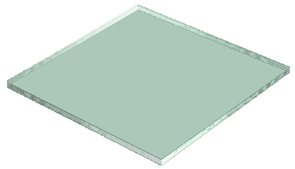


PA-03

DESCRIPTION: POWDERCOAT

RANGE: ELECTRO
COLOUR: DARK BRONZE
SUPPLIER: DULUX

LOCATION: RAMP HANDRAILS



GL-01

DESCRIPTION: PARTITION GLAZING

RANGE: VIRIDIAN VTOUGH
COLOUR: CLEAR (LOW IRON)
SUPPLIER: VIRIDIAN

LOCATION: GLAZED PARTITIONS



PA-04

DESCRIPTION: TEXTURED EXTERIOR PAINT

RANGE: TEXTURE FULL COVER ROLL
COLOUR: MURRAY RED
SUPPLIER: DULUX

LOCATION: WALLS WHERE NOTED



PA-05 (EXTERIOR ROOF FINISH FOR C_01)

DESCRIPTION: COLOURBOND POWDERCAT

RANGE: DULUX COLOURBOND ROOFING CLASSIC
COLOUR: MANNOR RED
SUPPLIER: DULUX

LOCATION: EXTERIOR ROOF CLADDING

STUDIO ENES

NORTH

NOTES

1. Do not scale drawing. Written dimensions govern
2. All dimensions are in millimeters unless noted otherwise
3. All dimensions shall be verified on site before proceeding with the work. Studio Enes shall be notified in writing of any discrepancies.
4. This drawing must be read in conjunction with all relevant contracts, specifications and drawings

This drawing is an uncontrolled copy. Unless noted otherwise

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REV	DESCRIPTION	DATE

NOT FOR CONSTRUCTION

CLIENT
POTO GROUP

PROJECT
AKM ROOFTOP
41-43 STEWART STREET, RICHMOND

STATUS

DRAWING TITLE
MATERIALS SCHEDULE

REVIEWED
Checker

SCALE @ A1

APPROVED
Approver

PROJECT NO.
002500

DRAWING NO.
I_8000

REV NO.

Watson Moss Growcott Acoustics Pty Ltd
ACN 005 446 579
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Suite 7, 696 High St,
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Fulcrum Urban Planning
PO Box 1363
Central Park, VIC 3145

Proposed Rooftop Bar/Restaurant – 41-43 Stewart Street, Richmond
Residential Receptor – 24/9 Tennyson Street, Richmond

From:	Jordan Growcott	jordan@wmgacoustics.com.au	Wednesday, 21 May 2025
To:	Penelope Smith	Fulcrum Urban Planning	pene@fulcrumplanning.com.au

Document Reference: 13153-4jg

Hi Pene,

As requested, Watson Moss Growcott Acoustics (WMG) has reviewed the objection received from Dianne King.

The objection relates to the property located at 9 Tennyson Street which is understood to be a four-storey building in the order of 30m to the east of the subject site building.

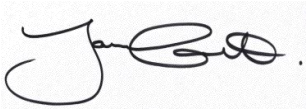
The building is understood to include residential dwellings which incorporate western facing building facades toward the upper levels of the building.

The acoustic report prepared by WMG addresses potential noise impacts at the closest, and in this case, most relevant receptors in proximity to the subject site. The receptors identified within the acoustic report are considered to be the critical when addressing potential noise emissions from the venue.

In consideration of the above, whilst the 9 Tennyson Street property is relevant to the assessment, the findings of the acoustic report confirm that compliance with relevant noise criteria at the receptors identified within the report will also result in compliance at the 9 Tennyson Street property.

I trust the above satisfies your requirements and await your further instructions.

Best Regards,



JORDAN GROWCOTT
WATSON MOSS GROWCOTT
ACOUSTICS PTY LTD

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WatsonMossGrowcott Acoustics

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Proposed Rooftop Bar / Restaurant

41-43 Stewart Street, Richmond

Acoustic Report

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Project	Proposed Rooftop Bar/Restaurant – 41-43 Stewart Street, Richmond
Project No.	13153
Document Reference	13153-3.3ja
Document Status	Revision 3
Date	Wednesday, May 21, 2025
Author	Jose Amat Y Leon
Client Details	**Potó Hospitality Group** 420 Burke Street Camberwell, VIC 3124

Disclaimer

Watson Moss Growcott Acoustics Pty Ltd has prepared this document for the sole use of the Client and based on a specific scope of works and relevant limitations as agreed between Watson Moss Growcott Acoustics Pty Ltd and the Client.

The information contained within this report and adopted as the basis for any assessment has been provided by the Client.

The findings of any assessment and/or recommendations provided within this document are based on noise and vibration factors only. Any proposal/recommendation nominated within this document must be reviewed and approved by Relevant Authorities, and third-party consultants, as necessary. This may include but is not limited to structural engineers, mechanical services engineers etc.

The information contained within the report should not be used by or relied upon by any other parties other than the Client without the written approval of Watson Moss Growcott Acoustics Pty Ltd.

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1. Introduction

The proposal includes the operation of a bar/restaurant above the roof of the existing commercial building located at the site described as 41-43 Stewart Street, Richmond.

The new venue will include an open-air seating area as well as a fully enclosed restaurant space suitable for patrons in combination with background music as part of their general operations.

Due to the proximity of residential receptors within the surrounding area, there will be potential for noise emissions from the proposed use to impact on the acoustic environment at the sensitive receptors.

In consideration of the above Watson Moss Growcott Acoustics (WMG) was engaged to review the proposal and assess potential noise impacts at nearby existing residential receptors in accordance with relevant legislative and guideline criteria.

Following submission of the initial report, Council engaged the services of SLR Consulting to undertake a peer review of the WMG acoustic report (ref. 13153-3ja). The SLR report is referenced *640.030695.00107-L01-v1 41-43 Stewart St* and dated 15 April 2025.

This report presents the outcomes of the noise assessment, and includes commentary in response to the items raised within the SLR Consulting peer review report.

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2. Noise Assessment Terminology

Noise assessment terminology used within this report is defined within Table 1 below.

Table 1: Noise Assessment Terminology

Terminology	Definition
dB(A)	Decibels recorded on a sound level meter, which has had its frequency response modified electronically to an international standard, to quantify the average human loudness response to sounds of different character
L_{eq}	The equivalent continuous level that would have the same total acoustic energy over the measurement period as the actual varying noise level under consideration. It is the noise measure defined by the EPA as the measure of the noise to use in assessing compliance with noise limits.
L_{90}	The level exceeded for 90% of the measurement period, which is representative of the typical lower levels in a varying noise environment. It is the noise measure defined by the EPA as the measure of the background noise level to use in determining noise limits.
Sound Power Level (Lw)	The sound power level of a source is a measure of the amount of energy in the form of sound emitted from the source. The sound power level of a source is an inherent characteristic of that source and does not vary with distance from the source or with a different acoustic environment. The sound power level equals the sound pressure level at a distance from the source plus 10 times the logarithm (to base 10) of the measurement surface area (m^2), and is relative to a reference sound power of 1pW, (10-12 Watts).
Sound Pressure Level (Lp)	Sound that we can hear with our ears or measure with a sound level meter is actually small variations in the pressure of the air around us. The magnitude of the pressure fluctuations vary over a very wide range from the very lowest levels we can just hear to the very high levels we need to be protected from, and for that reason sound is measured on a logarithmic scale. The sound pressure level equals 10 times the logarithm (to base 10) of the sound pressure divided by a reference pressure, which is 20 µPa. The sound pressure level reduces with increasing distance from a source and is influenced by the surroundings.

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3. Measurement Equipment

As part of the assessment works, WMG used the equipment described in Table 2 below.

Table 2: Measurement Equipment List

Equipment Designation	Use of Equipment
Ngara Real Time Sound Acquisition System	Fixed Position Noise Logging Measurements
Rion NA27 Precision Sound Level Meter	Handheld Noise Measurements

The field calibration of the measurement equipment was checked with a Bruel & Kjaer Type 4230 Sound Level Calibrator at the commencement and completion of the noise measurements and found to be within the correct calibration range.

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4. Site and Surrounding Environment

The subject site is located at 41-43 Stewart Street, Richmond.

The site forms part of the mixed use zone (MUZ) precinct to the north of Swan Street and abuts Stewart Street to the south, residential apartment buildings to the east and north, and a commercial office building which is currently under construction to the west.

When addressing noise emissions from the proposal, the closest and in this case, most relevant receptors will include:

- **R1** – 24 Tanner Street residential apartments – 3 levels.
- **R2 –** 16-24 Tennyson Street residential apartments – 2 levels.
- **R3 –** 28 Tanner Street residential apartments – 6 levels.
- **R4 –** 30 Tanner Street residential apartments – 4 levels.

Figure 1 provides an aerial photo of the site and surrounds including the properties of relevance.

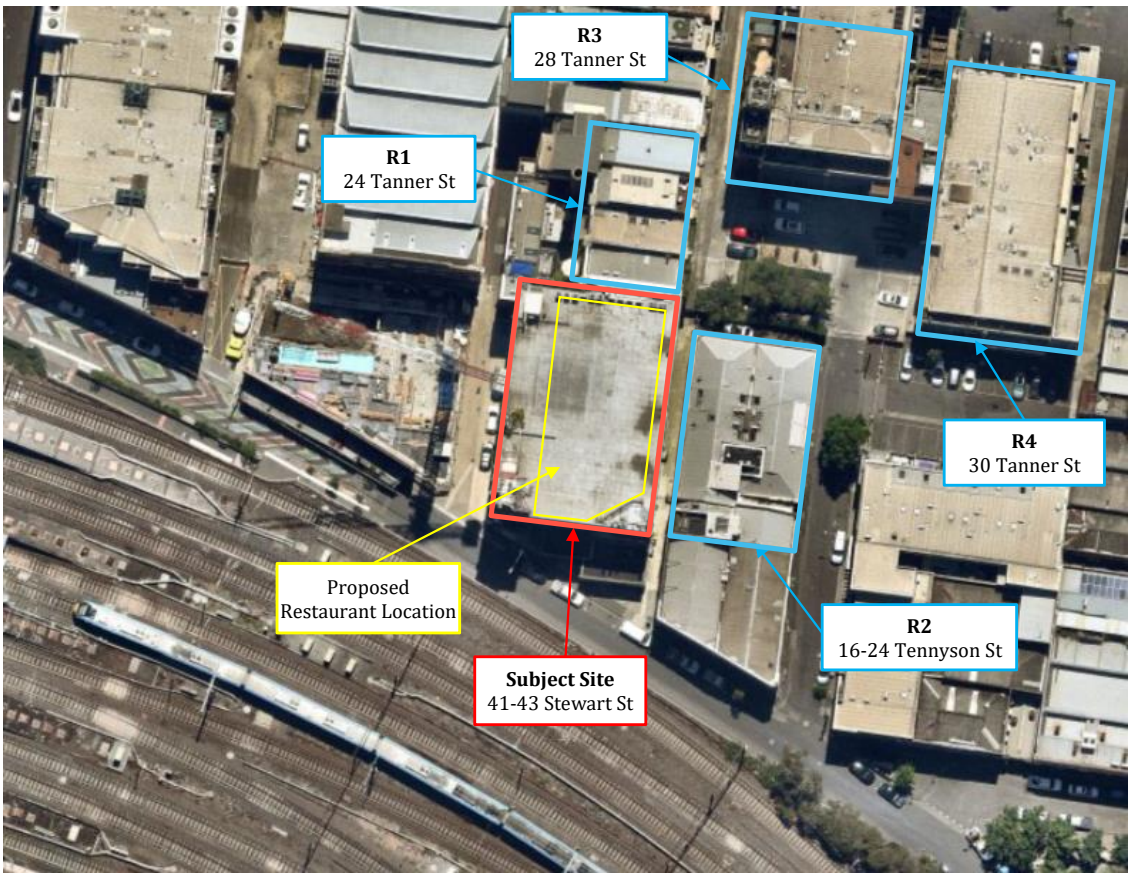


Figure 1: Aerial photo of subject site and surrounding environment

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5. Proposed Site Operations

Preparation of this assessment has been based on guidance regarding the proposed operating parameters provided by the client, as well as the town planning issue drawings prepared by Studio Enes received on 23.09.24.

Based on the drawings provided, the proposal will include the following:

- Fully enclosed restaurant space.
- Outdoor seating area partially covered by a louvred roof system.
- Partially enclosed kitchen and bar area.
- Dedicated amenity areas and storage areas which are accessible from the rooftop.

It is understood that the proposed venue will accommodate a maximum of 100 patrons. Based on advice provided by the client, 40 patrons will occupy the outdoor open air seating area toward the southern end of the building, and up to 60 patrons will occupy the enclosed restaurant space toward the northern end of the building.

The client has advised that general site operations will be focused on food accompanied by alcohol consumption, with background music incorporated within the venue.

The proposed operating hours will be as follows:

- 12:00pm to 10:00pm, Sunday to Wednesday.
- 12:00pm to 11:00pm, Thursday.
- 12:00pm and 12:00am, Friday and Saturday.

Access to the rooftop will be provided by the lift shaft which services the existing site building.

The floor plan for the rooftop is included below.

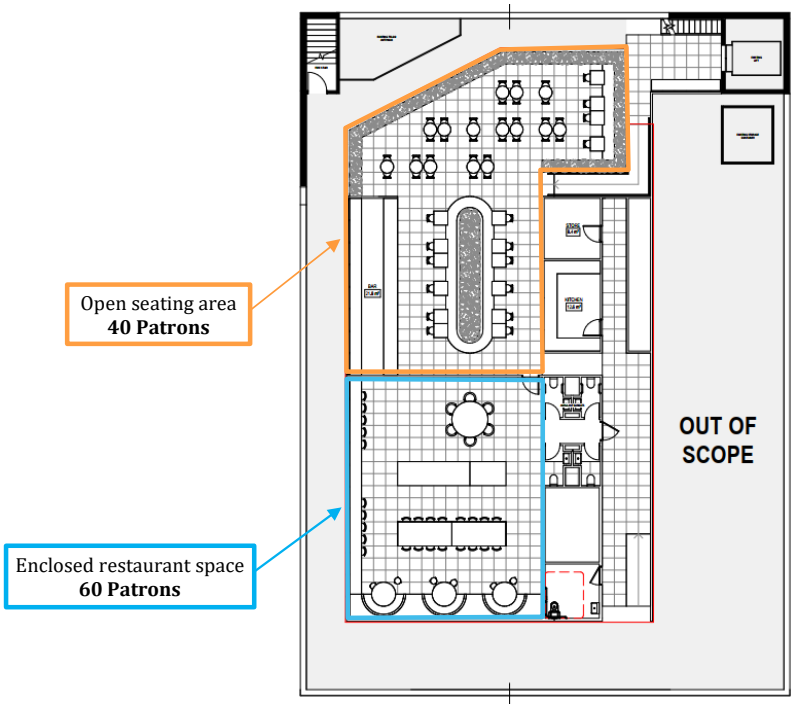


Figure 2: Proposed venue roof plan

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6. Existing Acoustic Environment and Site Noise Monitoring

A component of addressing the potential noise emissions from the proposal will require consideration of the existing acoustic environment in the surrounding area including at sensitive receptor locations.

In consideration of the above, WMG has undertaken attended and unattended noise monitoring at the subject site to measure the existing ambient noise levels and determine what contributes to the existing acoustic environment.

The attended and unattended noise monitoring was undertaken during the following dates and times.

- Attended noise monitoring during the period 10:30am to 11:30am on Monday 12th February 2024.
- Unattended noise monitoring during the period Monday 5th February to Wednesday 7th February 2024.
- Unattended noise monitoring during the period Thursday 7th March to Tuesday 12th March 2024.

The unattended noise monitoring device was positioned within the level three stairwell located at the north-eastern corner of the existing building located at the site and protruded through an openable window toward the east.

This monitoring location was selected as it was considered to be representative of the acoustic environment at the closest residential receptors **R1-R4.** Supplementary attended noise measurements were taken further north-east of the site at ground level to consider the acoustic environment at residential receptors **R1-R4** ground level occupancies.

The measurement locations are identified in Figure 3.



Figure 3: Attended and unattended noise monitoring locations

Through analysis of the audio files recorded by the noise monitoring equipment, and based on site observations, the acoustic environment at the subject site is generally dominated by traffic movements along nearby and distant roads.

Noise due to mechanical services equipment, and nearby train passby events was also audible and contributed to the acoustic environment in the surrounding area intermittently throughout the monitoring period.

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7. Consideration of Potential Site Noise Emissions

When addressing noise emissions associated with the proposed operations, WMG has considered assessment criteria which has been adopted within previous independent, but similar assessments. The assessment criteria are based on the general principles discussed in the Environment Protection Act 2017 (The Act) which introduces the concept of 'unreasonable noise' and provides specific guidance regarding assessment of unreasonable noise within the following documentation:

- Environment Protection Regulations 2021 (The Regulations).
- EPA Publication 1826.4 'Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues' (Noise Protocol).
- Environmental Reference Standard (ERS).
- EPA Publication 1996 Noise Guideline – assessing low frequency noise.
- EPA Publication 1856 Reasonably practicable.

The approach within The Act focuses on prevention of pollution impacts rather than managing the impacts after they have occurred and is based on a person or entities General Environmental Duty (GED) for the protection of human health and the environment from pollution and waste. The GED is explained within Part 3.2 of The Act and stipulates that 'a person who is engaging in an activity that may give rise to risks of harm to human health or the environment from pollution or waste must minimise those risks, so far as reasonably practicable'.

Determining what is deemed 'reasonably practicable' is explained within Environment Protection Authority (EPA) Publication 1856 and relates to the implementation of controls that are proportionate to the potential risk. It relates to the potential for harm to occur, the potential impacts on the environment, and considers what controls are available to reduce the risk, and their associated costs. It is deemed the responsibility of the operator to understand and assess the risks which their operations may pose on human health or the environment, and once understood, implement proportionate controls to mitigate or minimise the risk of harm.

With the above considered, whilst evaluating potential risks and implementing reasonably practicable measures are considered as a necessity to comply with the GED, the basis for noise assessment investigations will be ensuring that noise emissions are not deemed 'unreasonable'.

For commercial, industrial and trade premises noise impacts on noise sensitive areas, the Regulations under the Act essentially define unreasonable noise as noise that exceeds the noise limit that applies under the Noise Protocol at the time the noise is emitted.

Commercial noise sources which will form part of the proposal and are considered under the Noise Protocol, and The Act will include commercial mechanical services equipment noise and commercial music noise. Noise due to patrons occupying a commercial venue are not regulated within Victoria, however, would be expected to be captured by the GED and should therefore be considered within the assessment.

In consideration of the above, the WMG has adopted the following assessment methodologies for addressing potential noise emissions from the subject site operations.

Table 3: Adopted assessment methodology

Noise Source	Assessment Methodology	Status
Commercial operational noise (inc. mechanical services equipment)	The Act, The Regulations, Noise Protocol – Part I	Legislation
Commercial patron noise	Noise Protocol – Part I	Guidance for consideration
Commercial music noise	The Act, The Regulations, Noise Protocol – Part II	Legislation

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7.1. EPA Publication 1826.4 – Noise Protocol

7.1.1. Part I: Commercial, Industrial and Trade premises

7.1.1.1. General methodologies

The subject site and the relevant receptors are located within a 'major urban area'.

In accordance with the Noise Protocol, noise limits for part of the site operations will be determined in accordance with Part I, A1 of the Noise Protocol document referenced as the 'urban area method'.

Using the 'urban area method', relevant 'zoning levels' are calculated using the area of differing land zoning types surrounding residential receptors as described in Clause 17-15 of the Noise Protocol.

The calculated 'zoning levels' vary depending on the time of the day, evening, or night with the highest permitted values occurring during day periods and the lowest during night periods.

The relevant day, evening, and night assessment periods are shown in Table 4.

Table 4: Details of EPA Assessment Periods

EPA Assessment Period	Relevant Days	Relevant Time Periods
Day	Monday to Saturday	7:00am to 6:00pm
Evening	Monday to Saturday	6:00pm to 10:00pm
	Sunday, Public Holidays	7:00am to 10:00pm
Night	All Days	10:00pm to 7:00am

Further derivation of the 'noise limits' applicable for the site operations are based on measurement of the existing ambient background noise level at nearby sensitive receptors in accordance with Clause 39-51 of the Noise Protocol.

Where ambient background noise levels at sensitive receptors fall within the range considered 'neutral' in accordance with the Noise Protocol methodologies, the calculated 'zoning levels' will apply as noise limits for the site operations.

The 'neutral' range represents an ambient background noise level which is considered 'typical' for the relevant land zoning types surrounding the receptor location.

Where ambient background noise levels are measured to be higher or lower than the 'neutral range', background level adjusted noise limits will apply for the site operations.

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7.1.1.2. Commercial Noise – Noise Protocol – Part I Noise Limits

The proposed operations will be as follows:

- 12:00pm to 10:00pm, Sunday to Wednesday.
- 12:00pm to 11:00pm, Thursday.
- 12:00pm and 12:00am, Friday and Saturday.

In consideration of the above, WMG has analysed the data obtained as part of the site noise monitoring to determine the typical levels of ambient background noise occurring during the described periods. WMG has also considered the data measured at a nearby site during 2018 to supplement the data obtained during the 2024 noise measurements.

A summary of the measured ambient background noise levels is included below.

Table 5: Summary of measured ambient background noise levels

Day / Date	Measurement Period	Measured Noise Levels (L_{90})
Monday 5th February 2024	Day Period – 12:00pm to 6:00pm	53 dB(A)
	Evening Period – 6:00pm to 10:00pm	47 dB(A)
	Night Period – 10:00pm to 12:00am	45 dB(A)
Tuesday 6th February 2024	Day Period – 12:00pm to 6:00pm	51 dB(A)
	Evening Period – 6:00pm to 10:00pm	48 dB(A)
	Night Period – 10:00pm to 12:00am	45 dB(A)
Thursday 7th March 2024	Day Period – 12:00pm to 6:00pm	-
	Evening Period – 6:00pm to 10:00pm	50 dB(A)
	Night Period – 10:00pm to 12:00am	44 dB(A)
Friday 8th March 2024	Day Period – 12:00pm to 6:00pm	50 dB(A)
	Evening Period – 6:00pm to 10:00pm	50 dB(A)
	Night Period – 10:00pm to 12:00am	45 dB(A)
Saturday 9th March 2024	Day Period – 12:00pm to 6:00pm	46 dB(A)
	Evening Period – 6:00pm to 10:00pm	47 dB(A)
	Night Period – 10:00pm to 12:00am	50 dB(A)*
Sunday 10th March 2024	Day Period – 12:00pm to 6:00pm	45 dB(A)
	Evening Period – 6:00pm to 10:00pm	46 dB(A)
	Night Period – 10:00pm to 12:00am	47 dB(A)*
Monday 11th March 2024	Day Period – 12:00pm to 6:00pm	47 dB(A)**
	Evening Period – 6:00pm to 10:00pm	44 dB(A)**
	Night Period – 10:00pm to 12:00am	43 dB(A)**

** included extraneous noise due to a nearby function and insects.*
*** Public holiday.*

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In response to item 1) of the SLR Consulting Peer Review report and based on the elevation of the receptor location relative to the subject site building, WMG has used the R3 receptor as the basis for determining Noise Protocol noise limits for the subject site operations.

The Noise Protocol 'circles' surrounding the receptor adopted as the basis for the assessment are shown below.



Figure 4: Noise Protocol 'circles' surrounding sensitive receptor

The measured values during the day, evening and night periods generally align with the Noise Protocol 'neutral' range for each of the nearby sensitive receptors.

In consideration of the above, and for the purposes of this assessment, WMG has adopted that the background noise levels for the surrounding area are 'neutral', and, based on a review of the SLR Consulting peer review, the applicable noise limits will be as follows.

Table 6: Calculated Noise Protocol Noise Limits

Assessment Period	Relevant Days	Time Periods (operating period)	Noise Protocol Limits
Day	Monday to Saturday	12:00pm to 6:00pm	56 dB(A) L_{eq}
Evening	All Days	6:00pm to 10:00pm	50 dB(A) L_{eq}
	Sunday, Public Hols.	12:00pm to 10:00pm	
Night	Thursday	10:00pm to 11:00pm	45 dB(A) L_{eq}
	Friday to Saturday	10:00pm to 12:00am	

The noise limits must be met within a 'noise sensitive area', which for this site will be within the boundary of any of the nearby sensitive receptors, and within 10 metres of the outside of the external walls of the dwelling or building.

The relevant assessment period will be 30 minutes.

7.1.2. Commercial Patron Noise – Noise Protocol – Part I

There is currently no regulated assessment procedure for considering the noise being emitted from patrons gathered in indoor/outdoor areas at commercial premises.

In the opinion of the writer, patron noise from indoor/outdoor areas can be assessed like other noise sources ie. the acceptability or otherwise of patron noise will rely on a comparison of the patron noise levels with the ambient noise occurring at residential locations at sensitive times.

The writer's firm has considered possible criteria and believes, by observation, that the noise emitted from groups of patrons in indoor / outdoor areas of licensed venues will be relatively constant in level and be observed as "babble" by offsite listeners rather than individual voices.

Further, if the individual voices can be identified within a patron group, then the number of patrons will be very small (likely to be less than ten). The overall patron noise levels for such small groups will be measurably lower than for larger patron groups expected at the proposed venue.

Hence, the effective noise of a small patron group, ie. lower absolute noise level plus individual voice character, is expected to have similar noise impact than a larger group with the more constant babble noise character.

In consideration of the above, WMG adopts the methodologies and procedures within the Noise Protocol (formerly State Environment Protection Policy N-1) as a reasonable assessment criterion.

This statement is made in the knowledge that the Noise Protocol documentation indicates that the EPA did not intend at the time of development, to use the document for assessing individual voices or the noise from (sporting) crowds.

However, the Noise Protocol methodology provides the following suitable attributes for assessing patron noise:

- It has been a good predictor for many years of the subjective response from residential communities exposed to noise sources of many differing characters, and in the opinion of the writer, noise sources with the character of groups of a socialising club or hotel patrons.
- It provides the ability to determine different noise limits for day, evening, and night periods.
- Night-time noise limits have as a prime consideration the protection of residential locations especially those used for sleeping.

In addition to the above, the methodology for determining relevant noise limits has as a first step consideration of the mix of Planning Scheme zonings within a radius of 200 m of the relevant residential premises. This approach therefore takes into account the reasonable amenity expectations of residents as reflected in the zoning mix in the immediate neighbourhood, something that is lacking in noise limits based purely on a margin above the background level.

In consideration of the above, WMG has adopted the noise limits summarised in Table 6 as the basis for addressing potential noise impacts at the surrounding sensitive receptors.

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7.1.3. Noise Protocol – Part II: Entertainment Venues and Events

7.1.3.1. General methodologies

The client has advised that the intention is for the bar/restaurant to play 'background music' during the hours of operation previously specified. Part II of the Noise Protocol addresses music noise emissions from commercial premises within noise sensitive areas.

When addressing noise associated with music, the Noise Protocol requires compliance with two noise criteria which vary based on the operating hours during which music will occur. The periods are defined as the 'day /evening' and 'night' periods as shown below in Table 7.

Table 7: Summary of Assessment Periods

Period	Relevant Days	Time Periods
Day / Evening	Monday to Saturday (other than a public holiday)	7:00am to 11:00pm
	Sunday or a public holiday (other than if either is preceding a public holiday)	9:00am to 10:00pm
	Sunday or a public holiday (if either is preceding a public holiday)	9:00am to 11:00pm
Night	Monday to Friday (other than a public holiday or a day preceding a public holiday)	11:00pm to 7:00am
	Saturday or any day preceding a public holiday	11:00pm to 9:00am
	Sunday or a public holiday (if neither is preceding a public holiday)	10:00pm to 7:00am

Based on the operating hours nominated by the venue operator, the following Noise Protocol assessment periods will be relevant for each weekday and weekend.

Table 8: Operating periods and corresponding assessment period

Day	Music stop time	Typical Operation Assessment Period
Sunday - Wednesday	Up to 10:00pm	Day/evening
Thursday	Up to 11:00pm	Day/evening
Friday - Saturday	Up to 12:00am	Day/evening period up to 11:00pm Night period between 11:00pm and 12:00am

Table 9 below presents the methodology associated with determining relevant noise limits during the day/evening period and during the night period.

Table 9: Methodology to determine noise limits for each period

Relevant Period	Noise Protocol Assessment Methodology
Day / Evening Period	Music noise levels measured in dB(A) L_{eq} associated with the operation of the commercial venue to not exceed the ambient background noise levels measured as dB L_{90} by more than 5 dB(A).
Night Period	The higher peaks of music noise measured in octave band dB L_{10} associated with the operation of the commercial venue to not exceed the ambient background noise levels measured in octave band dB L_{90} by more than 8 dB(A).

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7.1.3.2. Commercial Music Noise – Noise Protocol – Part II Noise Limits

Based on the data obtained by the monitoring equipment, WMG provide the following comments regarding ambient background noise levels for the applicable operating hours during the day/evening period.

In response to item 5) of the SLR Consulting Peer Review report, WMG has provided SLR Consulting with justification in relation to the measured ambient background noise levels not adopting a Noise Protocol 'reflection adjustment', however, SLR continues to recommend this to Council.

In the interest of progressing the project, WMG has adjusted the ambient background noise levels to incorporate the reflection adjustment.

Day/evening period

During the time periods when the day/evening noise limit will be applicable, the lowest ambient background noise levels were measured to be as follows:

- Sunday to Wednesday – 12:00pm-10:00pm. 43dB(A) L_{90} (with façade reflection removed).
- Thursday – 12:00pm – 11:00pm 43 dB(A) L_{90} (with façade reflection removed).
- Friday to Saturday – 12:00pm-11:00pm. 43dB(A) L_{90} (with façade reflection removed).

It was noted that on Monday 11th March 2024, which was a public holiday, the lower levels of ambient noise were measured to be 41dB (A) L_{90} (with façade correction removed) between 12:00pm and 10:00pm. Should the venue intend to operate on public holidays, there may be specific noise limits which would be applicable on these days.

Night period

During the time periods when the night noise limit will be applicable (11:00pm to 12:00am – Friday to Saturday), the lowest ambient background noise levels were measured to be in the order of 43 dB(A) L_{90} (with façade reflection removed).

Based on the determined ambient background noise levels at the nearby noise sensitive receptors, the Noise Protocol noise limits adopted as the basis for the assessment will be as shown below in Table 10.

Table 10: Calculated Noise Protocol Noise Limits for the Day / Evening and Night Period

Description	dB(A)	Octave Band Centre Frequency						
		63Hz	125Hz	250Hz	500Hz	1kHz	2kHz	4kHZ
Day / Evening Period – All days dB(A) L_{eq}	48	-	-	-	-	-	-	-
Night Period - Friday to Saturday dB L_{10}	-	60	57	50	48	45	40	37

The noise limit must be met within a 'noise sensitive area', which for this site will be within the boundary of any of the nearby sensitive receptors, and within 10 metres of the outside of the external walls of the dwelling or building.

The relevant assessment period will be 15 minutes.

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7.2. Environment Reference Standard

The ERS provides environmental values which have been developed to reflect the ambient soundscape associated with different land use settings, from highly urbanised areas to natural environments.

Through consideration of land zoning types, and varying assessment periods for the day and night, it is understood that the ERS intends to provide consideration of noise levels which may impact on:

- Sleep during the night.
- Domestic and recreational activities.
- Normal conversation.
- Child learning and development.
- Human tranquillity and enjoyment outdoors in natural areas.
- Musical entertainment.

Whilst being included within the Act, the ERS is not a compliance standard and clearly states that 'the objectives for each land use category are typical ambient sound level values and are neither noise limits nor noise design criteria'.

It understood that the primary function of the ERS is to provide environmental assessment benchmarks to assist 'decision makers' with evaluating noise emissions within areas not already captured within the Regulations and Noise Protocol.

Given the proximity of the residential receptors to the subject site, noise emissions due to the site will be governed by the requirements of the Noise Protocol. The ERS has therefore not been considered further.

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7.3. EPA Noise Guideline – Assessing Low Frequency Noise

As defined in the Act, *a person must not, from a place or premises that are not residential premises emit an unreasonable noise or permit an unreasonable noise to be emitted.*

In the Regulations, unreasonable noise is based on exceedances determined in accordance with the Noise Protocol, however, the Regulations also include consideration of the frequency spectrum associated with a noise emission.

To provide some basis for addressing low frequency noise emissions and determining whether the noise emission is deemed 'unreasonable' the EPA released Publication 1996 Noise Guideline – assessing low frequency noise.

The guideline document provides 'threshold levels for assessing low frequency noise' which are not set limits, but levels that indicate a potential risk of problematic low frequency noise.

The threshold levels for indoor and outdoor measurements are included within Table 11 below.

Table 11: Indoor and outdoor measurement one-third octave band noise level thresholds

Measurement Location	One-third octave band noise levels Hz												
	10	12.5	16	20	25	31.5	40	50	63	80	100	125	160
Indoor noise dB L_{eq}	92	87	83	74	64	56	49	43	42	40	38	36	34
Outdoor noise dB L_{eq}	92	89	86	77	69	61	54	50	50	48	48	46	44

Whilst Publication 1996 is presented as a guideline, it is understood that the EPA will require reasonably practicable measures to be considered where values are measured or predicted to be higher than the thresholds.

For this project, the source which may include low frequency noise will include newly installed mechanical services equipment. It is envisaged that this can be captured as part of the design review process and any issues resolved prior to the selection and installation of equipment.

In consideration of the above, low frequency noise has not been considered further within the assessment.

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8. Operational Noise Emission Assessment

8.1. Consideration of mechanical services equipment noise emissions

Given the early stages of the design, the equipment selections and configuration have not been finalised.

Seeing as the venue will include a fully enclosed restaurant space with no openable windows, it is expected that there will be equipment installed to regulate heating/cooling as well as circulation fans for ventilation.

The kitchen and toilet facilities however may include roof mounted exhaust fans which, if not properly selected may generate unreasonable noise emissions.

It should be noted that the rooftop currently contains multiple roof plant located along the northern boundary servicing the existing building.

With the proposed site configuration and distance separation from the adjoining residential receptors, it is anticipated that with low noise equipment selections, residual noise impacts at sensitive receptors can be adequately controlled to comply with relevant noise criteria.

It is recommended that once the equipment selections are finalised, an acoustic consultant is engaged to review the proposal.

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8.2. Consideration of patron noise emissions from the venue

8.2.1. Patron source noise levels

Experience has shown that noise due to patrons at different commercial venues can vary based on the collection of patrons, and the environment at the venue.

Generally, the approach to addressing potential patron noise impacts at sensitive receptors is to adopt suitable source noise level calculation methodologies and consider predicted values as a risk assessment tool. Practical noise control measures including limiting the number of patrons, limiting the times during which outdoor areas are occupied and introducing noise reducing elements (ie barriers) are then introduced so that predicted values comply with adopted design objectives.

When addressing noise emissions due to patrons at the venue, WMG has considered previous observations and noise measurements of groups of patrons in smoking/alcohol consumption areas associated within bar/restaurant venues.

Through extensive testing and analysis carried out by WMG, noise emissions due to patrons and commercial venues have been calculated using the following formula.

Patron Noise dB(A) L_{eq} = 20 log (patron Numbers) + 43 dB(A)
(measured in the area 2-3 metres above an area enclosing a group of hotel patrons).

The further refinement of this formula is that once patron numbers exceed nominally 100, then the noise per unit area will be relatively constant.

The above calculation methodology is based on groups of patrons within bar/restaurant venue areas consistent with the likes of a beer garden or function room, where the primary focus is alcohol consumption and socialising.

For bar/restaurant venue outdoor areas where the primary focus is meals and not alcohol, WMG has considered values in the order of 5 decibels lower than those calculated by the above formula. For bar/restaurant spaces, where dining is the focus of the occupation, values in the order of 10 decibels lower than those calculated by the above formula, have been considered by WMG and others as being representative of patron noise emissions.

The client has advised that the focus of the venue will be meals accompanied by alcohol, and hence in consideration of the above, and for the purposes of this assessment, WMG has adopted the following sound pressure levels:

- **Outdoor seating area:** 65-70dB(A) L_{eq} for the proposed 40 patrons.
- **Enclosed space:** 69-74dB(A) L_{eq} for the proposed 60 patrons.

WMG notes that the SLR Consulting peer review document has requested that the assessment adopt the Marshall Day Acoustics (MDA) patron source noise level algorithm for determining the source levels for the subject site operations.

Item 2) of the peer review document recommendations indicates that the appropriate sound level for the outdoor bar area will be halfway between the *'restaurant dining'* and *'taverns with significant food offerings'* categories of the MDA methodology. Based on the drawings provided, the occupiable area associated with the outdoor bar is in the order of 140m^2, hence, the calculated sound pressure levels within the outdoor area will be as follows.

Table 12: Summary of source sound pressure levels for outdoor bar area (using MDA methodology)

MDA Methodology reference	Reference Sound Power Level	Sound Pressure Level
Restaurant Dining	78 dB(A)	68 dB(A)
Taverns with significant food offerings	83 dB(A)	73 dB(A)

In consideration of the above, the sound pressure level for the outdoor bar area will be in the order of 70dB(A)L_{eq} and hence will align with the upper end of the range adopted by WMG within the assessment.

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8.2.2. Patron noise emission assessment

Due to the location of the subject site, the critical receptors for the assessment will be the upper levels of R2-R4, which in some instances, will receive direct line of sight to the rooftop patrons, and hence unobstructed noise emissions.

The design includes portable buildings for the bar, kitchen, storage, and bathrooms, as well as perimeter balustrade sections which will not generally assist with reducing noise impacts in the direction of the R3-R4 receptors, however, will provide shielding to the R2 receptor immediately to the east.

The restaurant space will be fully enclosed with no openable façade sections other than a hinged door which provides access from the adjoining outdoor seating area. The design also includes a louvred roof section above the outdoor seating area which, when closed, would be expected to reduce potential noise impacts.

These areas are identified in Figure 5 below.

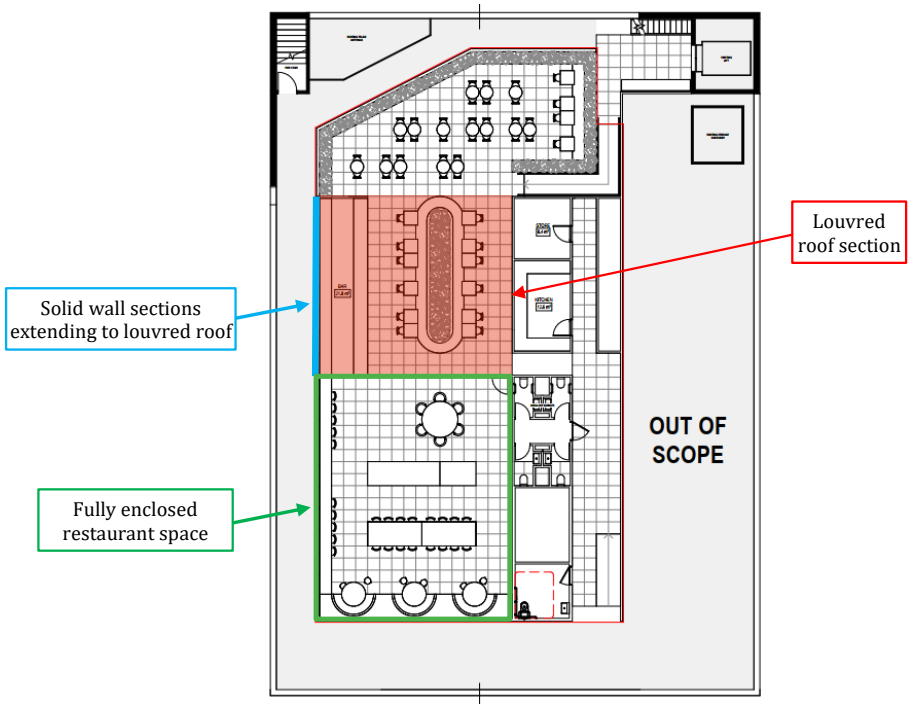


Figure 6: Floor plan including outdoor patron area and restaurant space

The client has advised that the louvred roof will generally be open during the day and evening periods but will have the capacity to be closed during the night period if necessary.

In order to consider noise emissions from the proposal, WMG has prepared a 3D noise model for the subject site and surrounding environment using DataKustik CadnaA environmental noise modelling software.

For this assessment, the modelling software has implemented the calculation procedures defined in International Standard ISO 9613-2: 1996 Acoustics – Attenuation of sound during propagation outdoors – Part 2: General method of calculation (ISO 9613).

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The results of the noise model are presented below.

Table 13: Predicted noise levels at the critical receptor locations

Relevant description	Relevant noise level – R2-R4 receptors (assuming MDA methodology)
Predicted noise levels – roof open	50 dB(A) L_{eq}
Predicted noise levels – roof closed	45 dB(A) L_{eq}

Based on the outcomes summarised above, the predicted noise levels comply with the Noise Protocol day and evening period noise limits during times when the roof is open. During times when the roof section is closed, the predicted values comply with the night period noise limit.

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8.3. Consideration of music noise emissions

8.3.1. Source noise levels and noise emission assessment

The client has advised that the intent will be for the rooftop bar/restaurant to include background music.

Guidance regarding the noise levels attributable to 'background music' is included within the Licensed Premises Noise Assessment Technical Guideline Version 2.0 which is dated November 2020 and was prepared by the Association of Australasian Acoustical Consultants (AAAC).

Figure 6 below includes an extract from the guideline which nominates two noise levels associated with background music. The levels are based on the patron vocal effort required to communicate with a 600mm separation distance.

Type	Internal Level (LAeq)	Comment
Background Music	67-74 dBA	Allows for conversation at normal vocal effort at 600 mm separation.
	70-77 dBA	Allows for conversation at raised vocal effort at 600 mm separation.

Figure 7: Guidance regarding amplified music noise levels (sourced from AAAC Guideline Document)

Further to the above, in the experience of the writer, background music will typically not include low frequency 'doof doof' style bass beats which are commonly of concern when addressing noise emissions from commercial venues with 'foreground' style music.

Based on the results of noise level calculations, WMG has determined that the background level music at the venue will need to be in the order of 68-71 dB(A) L_{eq} in order to comply with the Noise Protocol noise limits.

The described range aligns with the range nominated within the AAAC guideline document.

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9. Noise Control Strategies

The findings of the assessment have identified that in the absence of any noise control, there is potential for noise due to patrons occupying the rooftop venue to exceed suitable noise criteria at off-site sensitive receptors.

The proposed venue is partly 'outdoor' in nature, and hence it will not be reasonably practicable to relocate all 100 patrons to the indoor restaurant space, however the client has introduced a louvred roof section which is expected to provide some noise reduction to nearby receptors when in the closed position.

With the introduction of the louvred roof in conjunction with controls regarding patron numbers and behaviours via a venue noise management plan, the assessment has determined compliance with relevant criteria can be achieved at nearby receptors.

WMG provide the following commentary in relation to allowable operating parameters, the construction of solid wall sections, the construction of the enclosed seating area and the construction of the louvred roof at the venue.

9.1. Patron Operating Limitations

Based on information provided the client, it is understood that the proposal will include in the order of 40 patrons occupying the outdoor seating area, and in the order of 60 patrons occupying the enclosed restaurant space. The patrons are understood to be generally seated with the focus of the bar/restaurant on food accompanied by alcohol.

The assessment outcomes indicate that with the adopted operating parameters, including closing the louvred roof at 10:00pm, the predicted noise levels at off-site receptors will comply with suitable criteria.

As per item 4) of the peer review prepared by SLR Consulting, WMG agree that a permit condition could be included for the proposal which requires closure of the roof after 10:00pm.

Despite the above, the operator must be aware that part of controlling patron noise emissions will rely on facility management being active and aware of potential issues. General guideline recommendations relating to control of potential future noise emissions will include the following:

- Provide event specific management systems for non-typical events (eg. patrons shouting) within semi-enclosed rooftop areas to ensure that the events are resolved promptly.
- Communicate with patrons to ensure that they are aware of their expected behaviour during arrival/departure from the venue. This will include minimising loud communication, and operating vehicles in 'reasonably'.
- Providing clear signage within the venue that notifies patrons to be aware of their surroundings and to conduct themselves in a 'reasonable' manner.

It would be envisaged that the above would be introduced within a noise management plan.

9.2. Music Noise

The outcomes of the assessment confirm that music noise emissions can comply with Noise Protocol noise limits at the off-site sensitive receptors by ensuring that the noise levels are generally kept to in the order of 71-74 dB(A) L_{eq}.

It would be recommended that the background music is run through an in-house system which will include spectrum shaping capabilities. The music noise levels must be achieved as a general 'pool' of noise within rooftop area. It would be recommended however than speakers are angled downward and to the south away from the nearest sensitive receptors. Calibration of the in-house system to achieve music noise levels consistent with acoustic requirements can be carried out by WMG or another acoustic consultancy firm.

As per item 6) of the SLR Consulting peer review, '*calibration measurements for music noise should be conducted prior to the venue opening, to reduce the risk of music noise impacts to nearby dwellings. These calibration measurements should be conducted at the most-affected receiver location*'.

9.3. Motorised Louvred Roof

The louvred roof section proposed for installation at the subject site will be a Stratco 'sunroof' system.

The system comprises aluminium style rotating louvres which when closed interconnect using a tongue and groove system. This results in the system being weatherproof when closed, and hence is expected to provide the modest level of noise reduction require to comply with suitable design objectives at off-site locations.

9.4. Solid wall sections

In order to reduce noise impacts on off-site receptors, the eastern wall section of the louvered area will need to be of solid construction and achieve have a minimum weight of 12kg/m^2. This can include cement sheet, glass, stud walls or the like.

The wall must be constructed so that there are no gaps between panels or between the panels and the roof below.

The wall should also extend to the underside of the motorised louvred roof with no gaps.

A markup of the locations where the walls are required is included below.

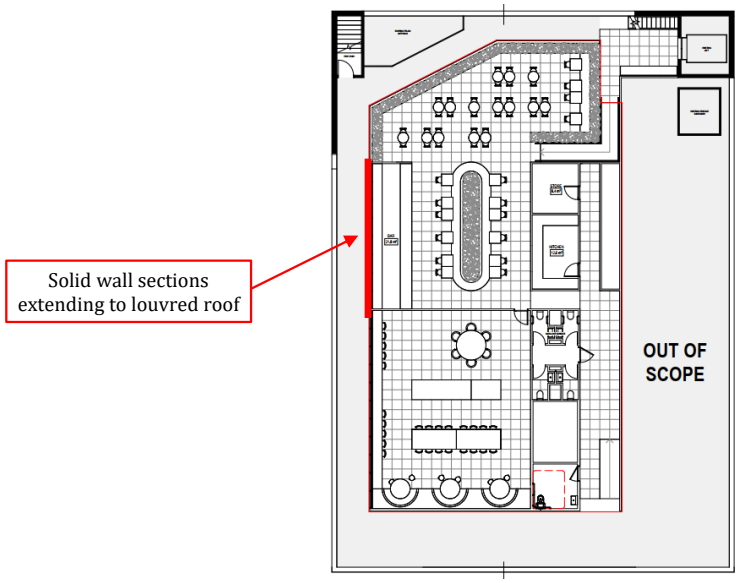


Figure 8: Markup of locations where solid walls are required

9.5. Enclosed Restaurant Space

For the purposes of the noise model and assessment, WMG adopted that the enclosed restaurant is constructed using 0.48mm steel sheet to all wall and roof surfaces, and that all openable sections are closed.

Should the client wish to incorporate glazing within the enclosed area external facades, the system must be not less than 6mm thick and be well sealed. Alternative construction materials may also be suitable pending review.

10. General Environment Duty

In accordance with the requirements of The Act, the client would be in breach of the GED if the client fails to do any of the following in the course of conducting the business or the undertaking so far as reasonably practicable:

- use and maintain plant, equipment, processes and systems in a manner that minimises risks of harm to human health and the environment from pollution and waste;
- use and maintain systems for identification, assessment and control of risks of harm to human health and the environment from pollution and waste that may arise in connection with the activity, and for the evaluation of the effectiveness of controls;
- use and maintain adequate systems to ensure that if a risk of harm to human health or the environment from pollution or waste were to eventuate, its harmful effects would be minimised;
- ensure that all substances are handled, stored, used or transported in a manner that minimises risks of harm to human health and the environment from pollution and waste;
- provide information, instruction, supervision and training to any person engaging in the activity to enable those persons to comply with the general environmental duty.

The described items will likely be internal processes involving training and documentation to address any potential emissions from the site in the event that they occur.

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11. Conclusion

WMG has undertaken an assessment to consider potential noise emissions from the operation of a new bar/restaurant above the roof of the existing building located at 41-43 Stewart Street, Richmond.

As part of the assessment, WMG has undertaken attended and unattended monitoring at the subject site to form a basis for calculating relevant noise criteria at sensitive nearby receptors.

WMG has then modelled noise emissions from the proposed operations and compared the predicted values with the determined noise criteria.

Based on the findings of the assessment, WMG has concluded the following:

- Noise emissions associated with patrons occupying the venue can be adequately controlled through patron noise management, in conjunction with closing the louvred roof between 10:00pm and 12:00am.
- Noise emissions associated with venue music can be adequately controlled by ensuring that the music volume is set to align with 'background music' noise levels in the order of 68-71 dB(A) L_{eq}. The music must also not include low frequency 'doof doof' style music which may exceed octave band specific noise limits applicable during the 'night' period.

When addressing mechanical services noise emissions from the subject site, WMG would recommend that the final proposal including equipment selections and locations are reviewed by an acoustic consultant to ensure compliance with relevant noise criteria at sensitive receptors.

I trust that the above satisfies your requirements and await your further instruction.

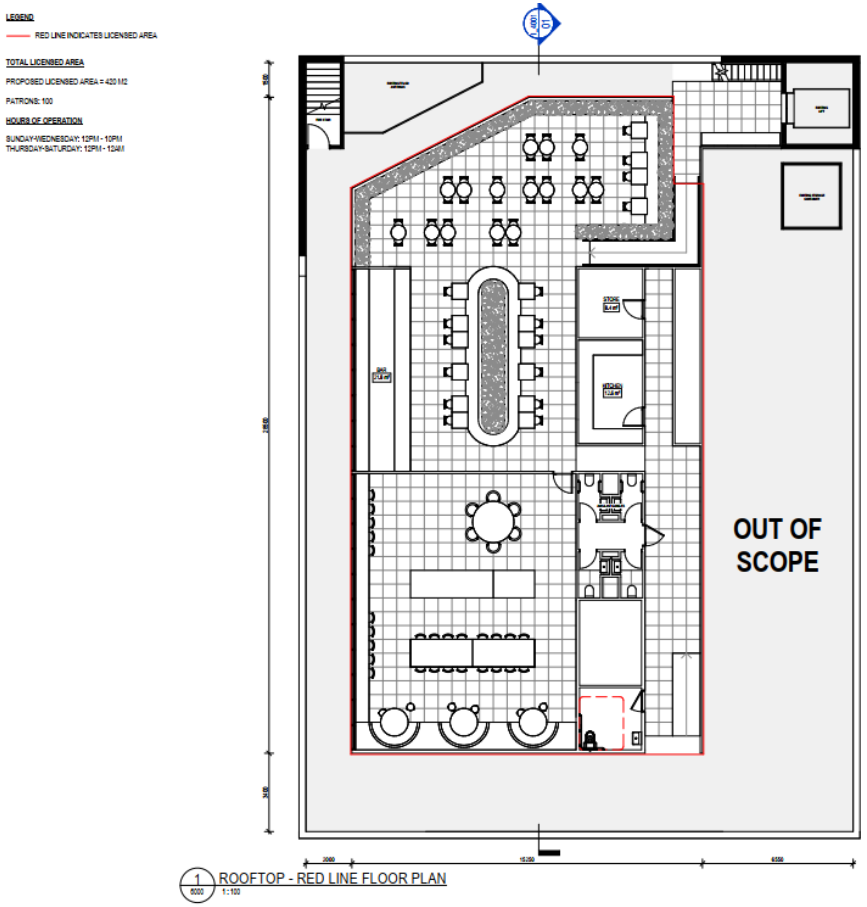


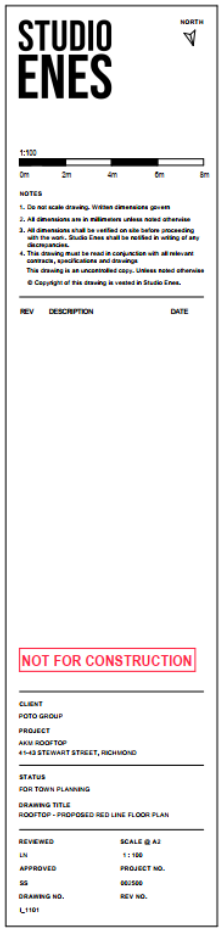
JOSE AMAT Y LEON
WATSON MOSS GROWCOTT
ACOUSTICS PTY LTD

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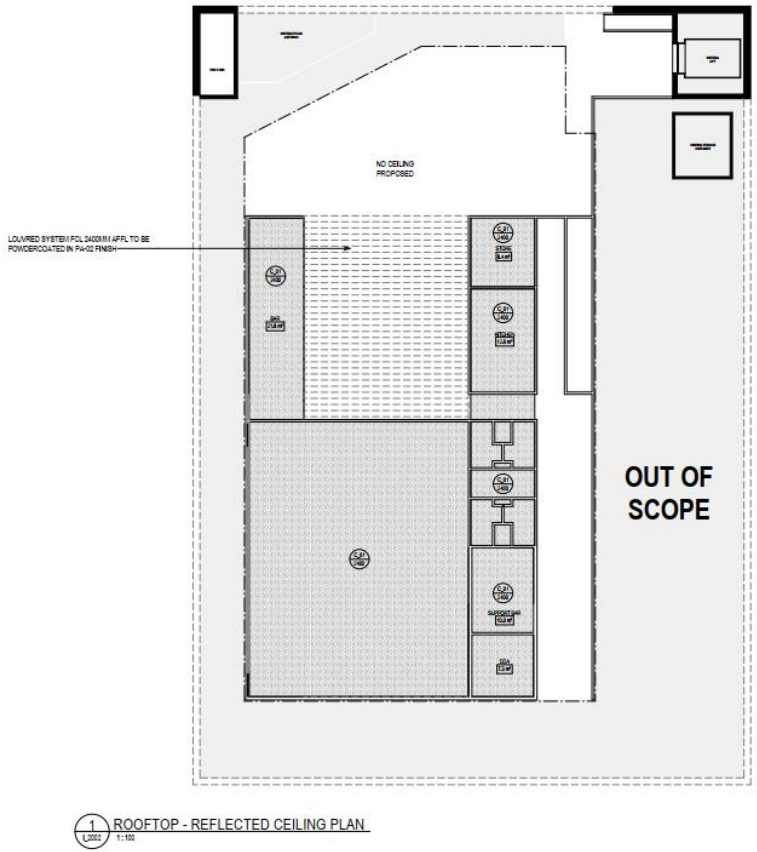
WatsonMossGrowcott Acoustics

Appendix 1 – Project Drawings

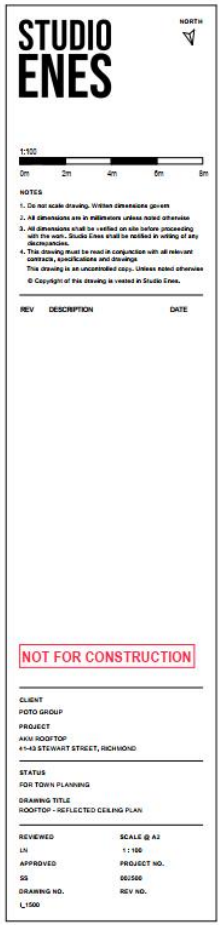




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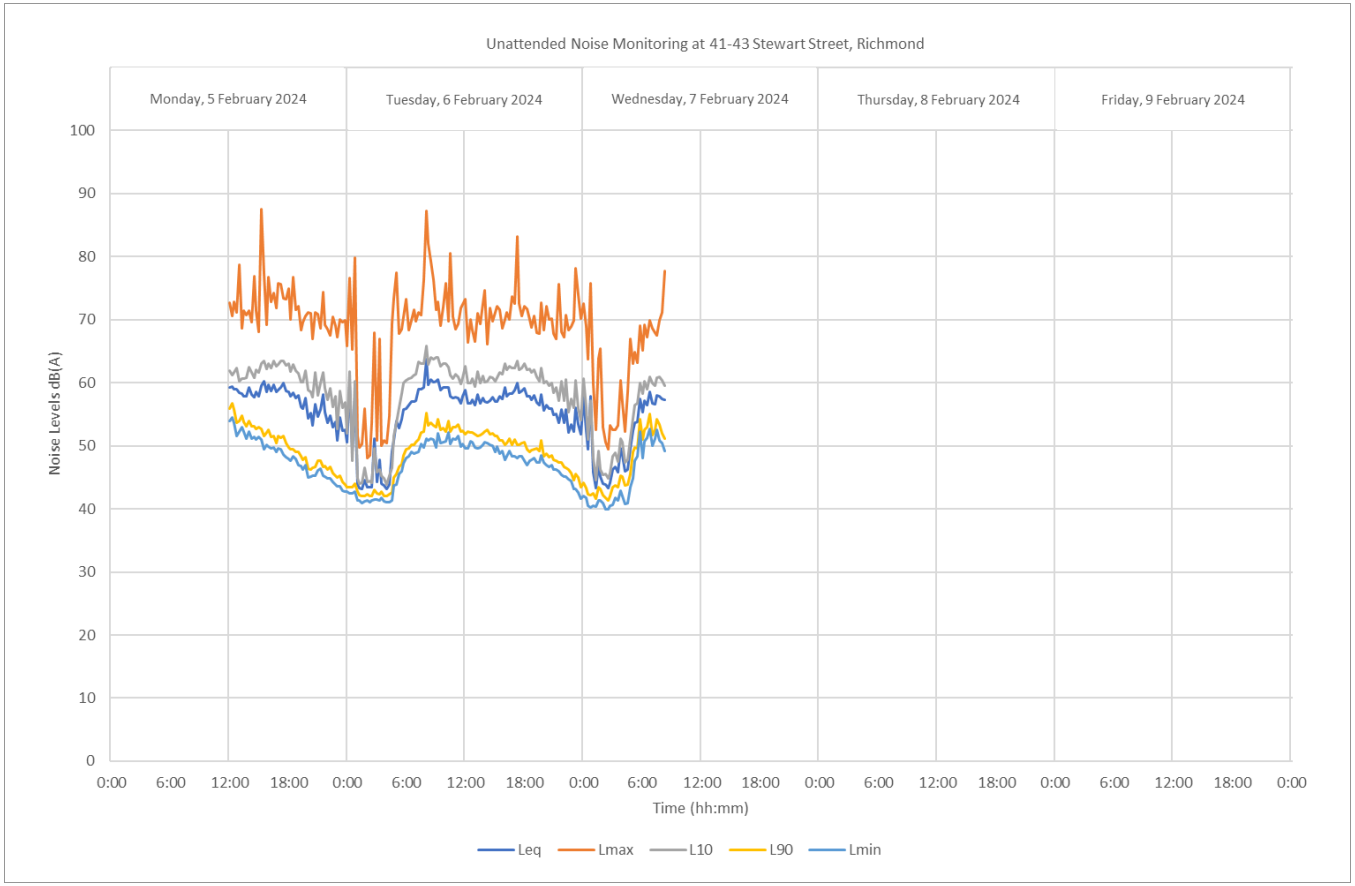
1 ROOFTOP - REFLECTED CEILING PLAN
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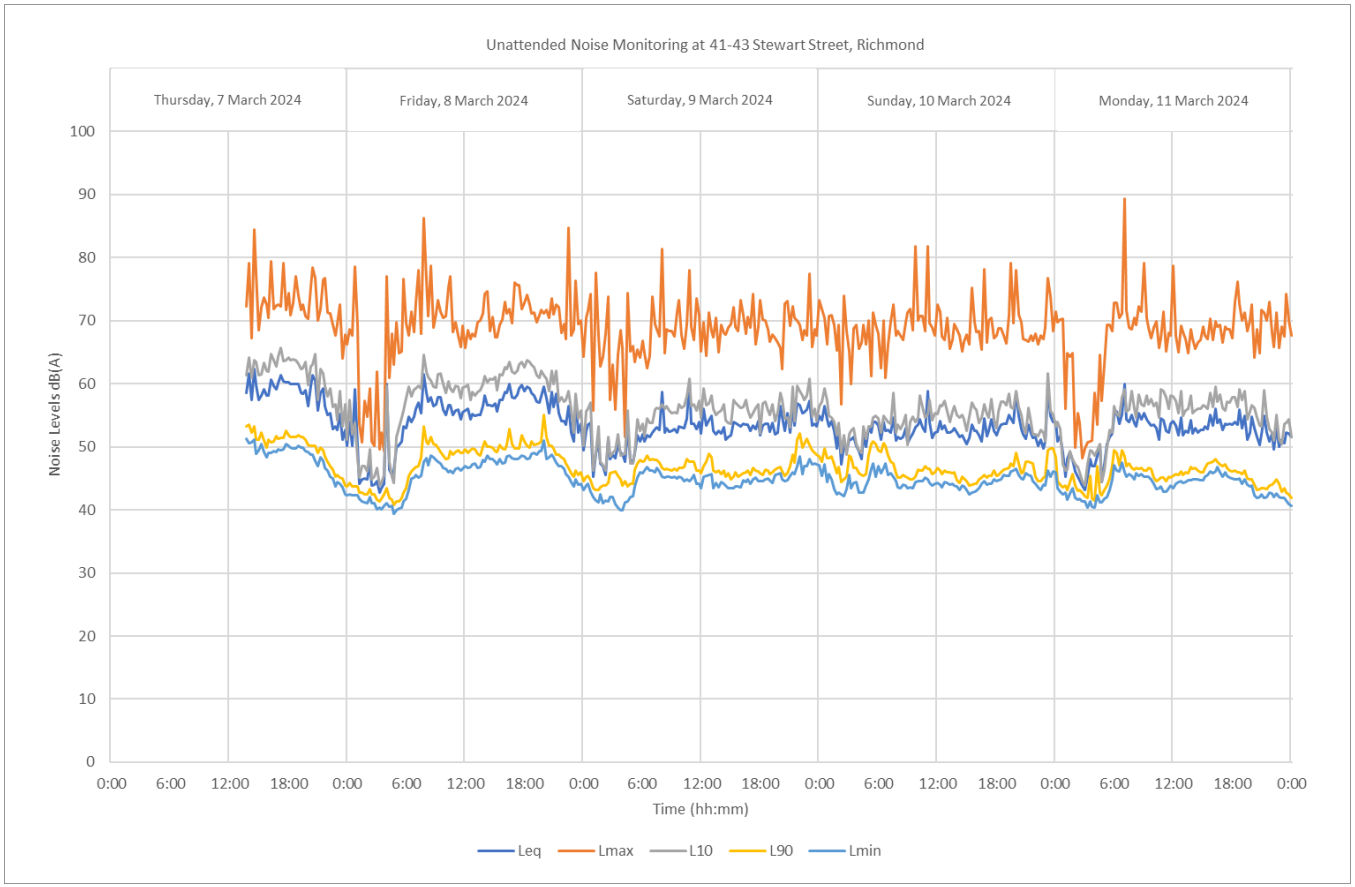
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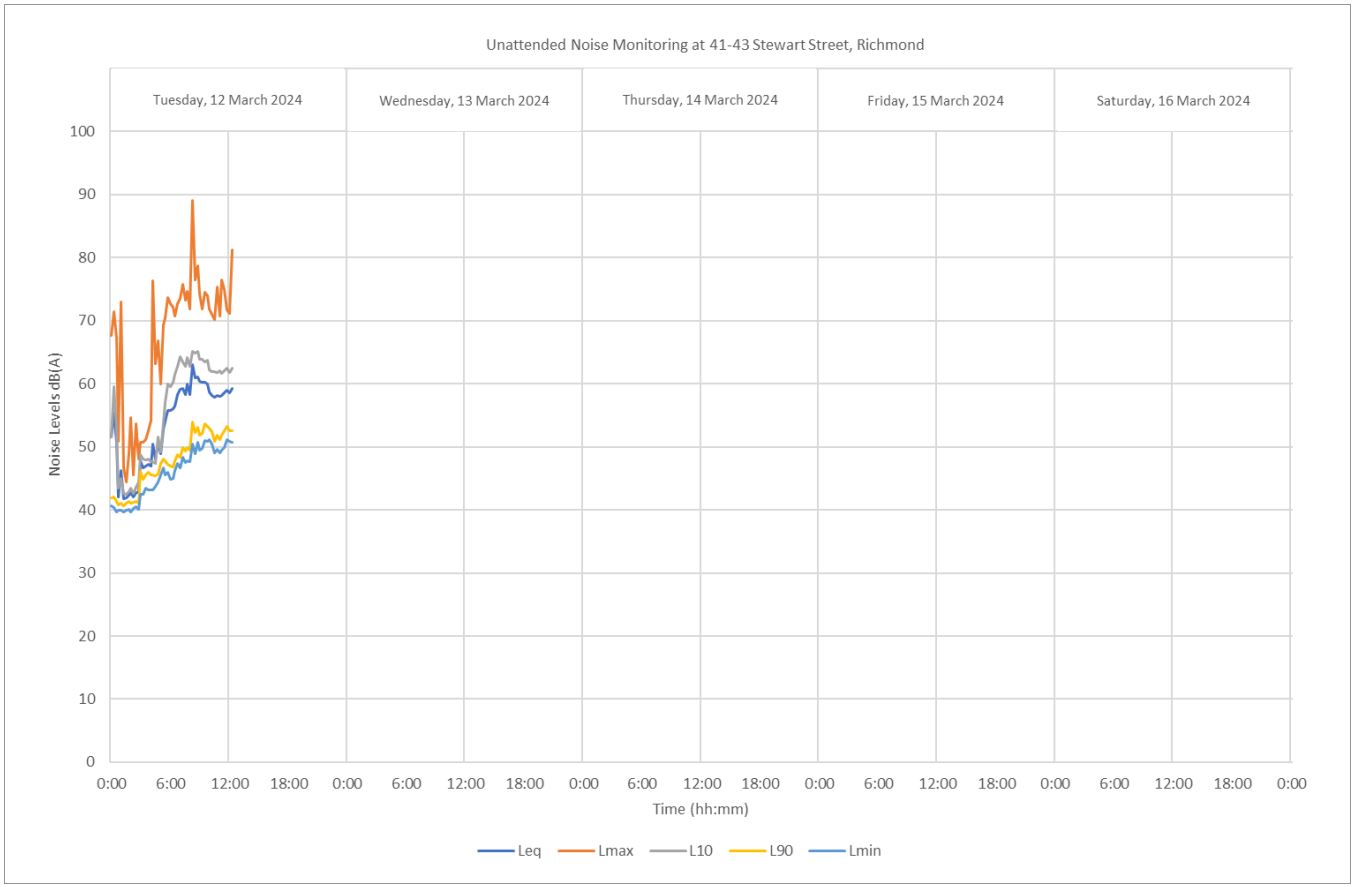
Appendix 2 – Unattended Noise Monitoring Data



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Noise & Amenity Action Plan
Rooftop, 41-43 Stewart Street Richmond

This Noise and Amenity Action Plan (NAAP[1]) relates to the use of the rooftop area at 41-43 Stewart Street Richmond as a bar with an on-premises liquor licence ("the licensed premises"). It acknowledges the proximity of sensitive noise receptors (residences) near the licensed premises and seeks to mitigate the potential for nuisance to these residents, particularly from noise from the premises itself or from patrons leaving the premises. It also acknowledges the mixed-use nature of the host building (' the AKM building') and surrounding environs.

It is intended to be endorsed under a planning permit issued by Council and is to be read in conjunction with all conditions of the Permit and the endorsed documents forming part of the Permit.

The NAAP is also intended to allow the licensed premises to provide an appropriate standard of service to its patrons.

Current and future operators will abide by, and have ownership, of the Plan.

The NAAP is to form the basis of the sustainable business operation of the licensed premises, allowing the licensed premises operator/permit holder/licensee, neighbours and the Yarra City Council (the Responsible Authority) to coexist peacefully.

Details of the Plan

Considerations	Response
Procedures to be undertaken by staff in the event of complaints by a member of the public, the Victoria Police, an 'authorised officer' of Council or the Victorian Commission for Gambling and Liquor Regulation.	The venue manager, duty manager and staff will deal directly with any complaints against the licensed premises in a professional and courteous manner. Neighbours of the immediate area will be provided with a mobile phone number and email of the owner and venue manager so as to maintain open communication regarding any issues they may have with the licensed premises. Upon receiving a complaint, a staff member at management level will immediately seek to determine the cause of the issue and take appropriate steps to address it if it is found to be associated with the use of the premises. Contact will be made with the complainant directly to communicate the outcome. The permit holder will keep an up-to-date register of any complaints received, including: • the time and date; • the name, address and phone number of the person lodging the complaint; • nature of the complaint; • measures taken to address the complaint;

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	• the time, date and method of communicating back to the complainant. The register will be kept on the premises and made available for inspection to: • Officers of Victoria Police; • The responsible authority (Yarra City Council); and/or • Authorised Officers of VCGLR during all hours of operation.
The management and dispersal of patrons, including patrons loitering around the venue after the venue has closed	Prevention of noise and nuisance is preferred to reaction to incidents. <u>Patron arrival:</u> Patrons will not be allowed to queue on Stewart Street. The duty Manager is responsible for observing and ensuring no queuing on the street. Once full, a sign will be placed at the Stewart Street entry to advise that the venue is full, and that no queuing will be allowed. Seated service only. <u>Closure and patron dispersal:</u> The duty Manager will announce closing time 30 minutes before actual closing time to allow patrons time to prepare for their departure. The duty manager will also monitor patron dispersal to Stewart Street, and will encourage patrons to leave quietly. Signage is prominently displayed at the rooftop doorway, advising patrons leave in a quiet and orderly manner and not to congregate on the footpath in front of the premises. The signage will also advise patrons that the premises depends on good relations with residents living nearby and their amenity must be respected. Staff members will use all reasonable and practical methods to ensure that patrons leave the premises in an orderly and respectful manner at all times. If required, staff will assist patrons leaving the premises directing them to public transport and ride share options. Patrons will also be requested not to linger on Stewart Street in front of the site.

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	Staff are encouraged to remain aware and report to the Manager any actual or potential issue that may impact upon the safety or security of patrons in the venue.
The management of large group bookings.	Large group bookings (greater than 12) will be required to leave by 10pm. This will be communicated at booking time. Bookings will not be taken that require the whole premises.
The identification of all noise sources associated with the licensed premises	Refer to acoustic report prepared by Watson Moss Growcott. <u>Routine operational requirements</u> • Hours of operation as per Permit requirements Sunday-Wednesday: noon-10pm Thursday: noon-11pm Friday-Saturday: noon – midnight • Motorised louvered roof closed at 10pm each day. • Maximum 100 patrons to be monitored by duty Manager. • All patrons to be seated • No smoking allowed. • Background music set to acoustic consultant specifications. Staff not to change controls or location/direction of speakers. • No live music allowed. • No 'doof doof' style music. • Food always available to patrons (except 30 mins before closing). • Waste collection during set times only – see below • Deliveries / loading during set times only – see below <u>Operational requirements – atypical events</u> • All service staff trained in how to manage problem patron behaviour – this includes communication, de-escalation, and patron eviction strategies. <u>Operational requirements – annual</u> • Music / sound system to be checked & calibrated by acoustic consultant. • Motorised louvered roof checked by Manager for optimal operation. Repair as required. • All eastern walls checked for gaps by manager. Repair as required. • All signage requirements checked by manager. Replace as required.

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Waste Disposal	The Waste management plan prepared by Leigh Design sets out the method, location and times of waste collection. Waste is stored in the building's bin room (ground floor) and is to be collected by a private contractor via Gibsons Way. Collection of waste is to be in accordance with local laws (currently restricting collection to between 7am – 8pm Weekdays and 9am-8pm weekends) AND at a time to minimize disruption to the surrounding road network ie when traffic levels are low. Bottles must not be 'tipped' from smaller bins into larger bins within the rooftop area. The manager shall ensure that staff and the waste contractor are informed of this policy.
Deliveries	The delivery of goods must only occur between 7am-8pm weekdays and 9am-8pm weekends. Vans and small trucks can prop to the side of the building on Gibson Way (or on designated loading areas on Stewart Street) and take deliveries to the rooftop via the front door. The Manager shall ensure that suppliers are informed of this policy.

1. This document has been prepared pursuant to the Licensed Premises policy of the Yarra Planning Scheme

SLR Consulting Australia
Level 11, 176 Wellington Parade, East Melbourne VIC 3002, Australia

15 April 2025
SLR Ref: 640.030695.00107-L01-v1 41-43 Stewart St.docx

Attention: Erryn Megennis
City of Yarra
PO Box 168
Richmond, VIC 3121

RE: Development Application – Acoustic Review
41-43 Stewart Street, Richmond

1.0 Introduction

SLR Consulting Pty Ltd (SLR) has been retained by the City of Yarra to provide a review of the acoustic assessment report for the planning application at 41-43 Stewart Street, Richmond.

Details of the report are as follows:

- Title: Proposed Rooftop Bar / Restaurant – 41-43 Stewart St, Richmond
- Date: 19th February 2025 (Revision 1)
- Prepared for: Potó Hospitality Group
- Prepared by: Watson Moss Growcott Acoustics

The report has been prepared as part of the planning application for a rooftop bar/restaurant on the roof of an existing four-storey building.

2.0 Acoustic Peer Review

2.1 Proposal and site context

Summary of the Application

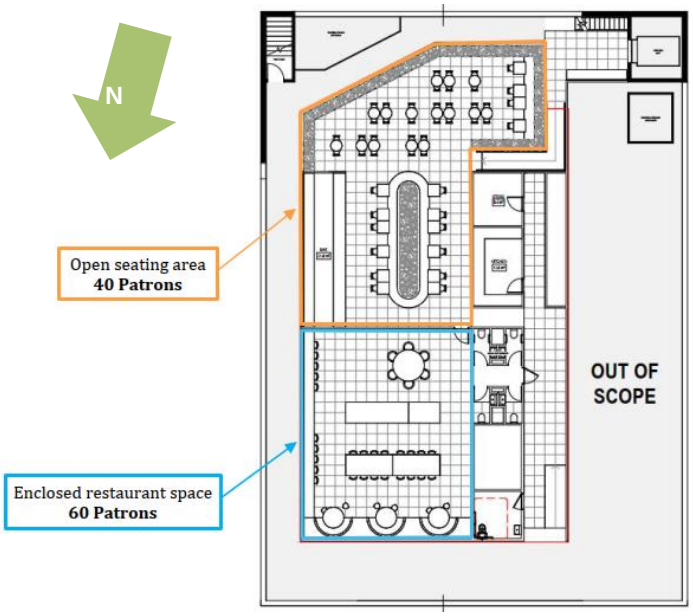
Page 8 of the acoustic report states that the venue includes an enclosed restaurant space, an outdoor patron area (partially covered by a louvred roof), a kitchen and bar area, and amenity/storage areas. The venue is located at the roof level of the existing building on the subject site.

The capacity of the venue is 100 patrons and background music is proposed.

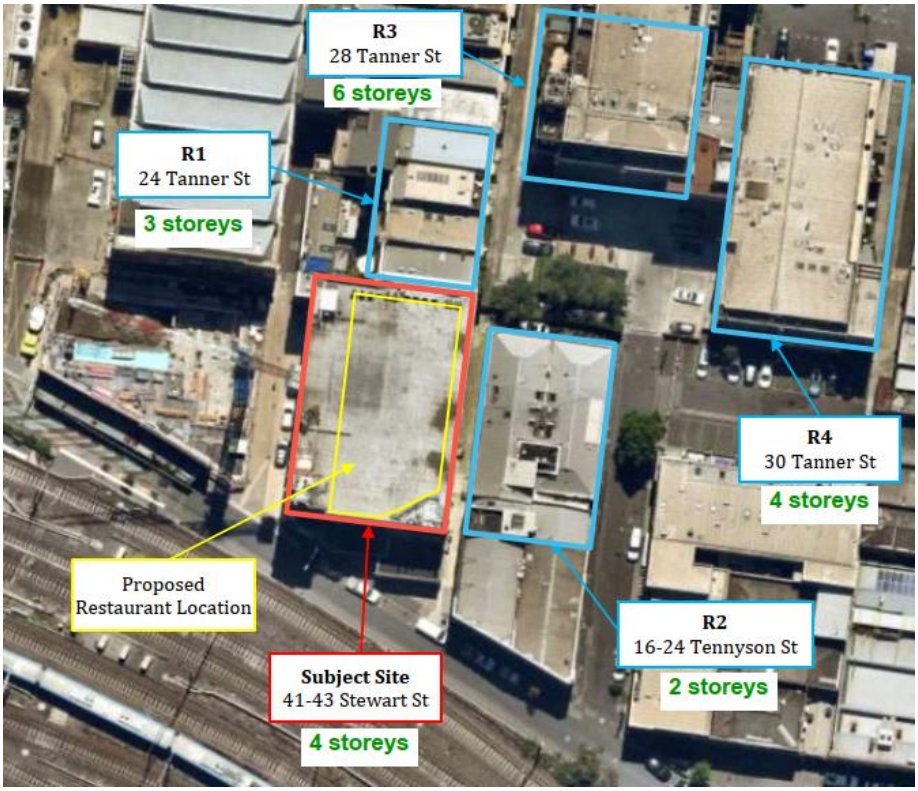
The proposed closing times are:

- 10 pm on Sunday to Wednesday
- 11 pm on Thursdays
- Midnight on Saturdays and Sundays

A floorplan of the venue is shown below.



The nearest noise sensitive receivers are identified in the figure shown below (adopted from the acoustic report).



SLR Comments

The site location and applicant's proposed operations have been identified. The proposed enclosed area provides shielding of the outdoor area for the receivers to the north.

2.2 Background noise levels

Summary of the Acoustic Report

Unattended background noise monitoring was conducted in February and March of 2024. The monitoring location – discussed on page 10 of the report – was on level 3 of the stairwell in the northeast corner of the subject site, with the microphone protruding out of a window.

The measured background noise levels are:

- 46-53 dBA L_{90} during the day period
- 46-50 dBA L_{90} during the evening period
- 44-45 dBA L_{90} during the night period

SLR Comments

Please see Section 2.6.1 of this review below.

2.3 EPA Publication 1826 Part I noise limits

Summary of the Acoustic Report

EPA Protocol Part I noise limits for the nearest noise sensitive receiver have been calculated based on the measured background noise levels and the planning zones. Page 13 of the report states that the measured background levels are "generally" within the range of 'neutral' background noise levels.

The following noise limits (based on a 'neutral background' classification) are presented on page 13 of the report:

- 58 dBA L_{eq} during the day period
- 52 dBA L_{eq} during the evening period
- 47 dBA L_{eq} during the night period

SLR Comments

We have spoken with the consultant, who has clarified that a 'neutral background' classification was determined based on the range of daily background noise values for each period (shown in the table on page 5 of the report) being mostly within the 'neutral' range of noise levels based on their calculated zoning levels. This range is not presented in the report, however we have back-calculated the 'influencing factor' to be approx. 0.45, which results in the following ranges of neutral background levels:

- *46-52 dBA for the day period*
- *43-49 dBA for the evening period*
- *38-44 dBA for the night period*

The use of zoning levels therefore would be correct for the 'influencing factor' assumed for the assessment. However, our calculated 'influencing factor' for the receivers to the north of the subject site is approx. 0.35, resulting in lower zoning levels.



To resolve this issue, we request the following:

- *clarification of the sensitive receiver location used to determine the EPA Publication 1826 Part I noise limits*
- *details of the calculations used to determine the Zoning Levels*
- *a nominated background noise level (as a single figure rather than a range) for the night period*

If the noise limits are reduced, we note that there may be flow-on effects for the patron noise assessment.

2.4 Mechanical equipment noise

Summary of the Acoustic Report

The last paragraph on page 19 recommends that "once the equipment selections are finalised, an acoustic consultant is engaged to review the proposal".

SLR Comments

We agree with the proposed approach.

2.5 Patron noise

2.5.1 Criteria and source levels

Summary of the Acoustic Report

Patron noise has been assessed according to EPA Publication 1826 Part I noise limits.

The patron noise assessment has been conducted the venue capacity of 100 patrons being distributed as 60 patrons within the enclosed restaurant space and the remaining 40 patrons within the bar area (which is partially covered by an operable louvred roof).

The following source levels (assumed to be sound pressure levels) have been assumed for the assessment:

- 65-70 dBA L_{eq} for 40 patrons in the bar area
- 69-74 dBA L_{eq} for 60 patrons in the enclosed restaurant area

SLR Comments

We are concerned that the assumed patron noise source level for the bar area is too low. SLR considers that an appropriate source level for this space would be halfway between the 'restaurant dining' and 'taverns with significant food offerings' categories of the Marshall Day methodology.

Management procedures should be developed to ensure that no more than 40 patrons are present in the bar area, as per the assumed operations for the patron noise assessment.

We note that the floorplan shows significantly less seating in the restaurant than the assumed number of patrons in the acoustic report (approx. 38 seats, compared with a capacity of 60 patrons). If the proportion of patrons in the bar area is greater than assumed, this is expected to result in higher patron noise levels at the sensitive receivers.

2.5.2 Assessment

Summary of the Acoustic Report

Page 22 of the report presents predicted noise levels at receivers R2 to R4 of up to 50 dBA with the venue's roof open, and up to 45 dBA with the venue's roof closed. The second paragraph in Section 9.1 states that closing the roof at 10 pm is included in "the adopted operating parameters" for the venue.

Based on the roof being closed during the night period, patron noise is predicted to comply with the criteria by 2 dBA during the evening and night periods.

Several guidelines regarding patron behaviours are presented in the dot points in Section 9.1 of the report.

SLR Comments

We recommend that the requirement for the roof to be closed after 10 pm should be included in the permit conditions.

During our phone call with the consultant, they advised that the predicted patron noise level at the most-affected receiver is 50 dBA at receiver R3 (which has line-of-sight to the venue) when the venue's roof is open. The consultant has also advised that the proposed northern building is modelled as providing approx. 4 dB of shielding for noise from the outdoor patron area to receiver R3.

Our indicative propagation calculations are consistent with the acoustic report.

Ideally, the assessment would include sensitive receiver R1 (24 Tanner Street). However, given that this receiver is at lower level than the venue, we expect that it will not represent the most-affected receiver.

2.6 Music noise

2.6.1 Criteria

Summary of the Acoustic Report

Page 9 of the report states that the following background noise level monitoring was conducted in February and March of 2024:

- Unattended monitoring for approx. 1.8 days beginning at midday on Monday 5/2
- Unattended monitoring for approx. 5 days beginning at 2 pm on Thursday 7/3
- Attended monitoring for 1 hour at 10:30 am on Monday 12/2

The minimum background noise level during the day/evening period operating hours of the venue is 46 dBA L_{90}, as shown on page 16 of the report. The minimum background noise level during the night period operating hours (11 pm to midnight on Fridays and Saturdays) is 45 dBA L_{90}.

The resulting noise limits are as follows:

Description	dB(A)	Octave Band Centre Frequency						
		63Hz	125Hz	250Hz	500Hz	1kHz	2kHz	4kHZ
Day / Evening Period – All days dB(A) L_{eq}	51	-	-	-	-	-	-	-
Night Period - Friday to Saturday dB L_{10}	-	62	59	52	50	48	43	40

SLR Comments

Based on the graphs in Appendix 2, the adopted background noise levels (46 dBA during the day/evening period and 45 dBA during the night period) appear to accurately represent the minimum background levels during the proposed operating hours.

The consultant has provided a photo of the measurement location (see below) and clarified that no adjustment for facade reflections has been applied to the measurement results. The reasons for not applying this adjustment are that the measurement location is obscured from the major background noise sources and that the height of the most-affected sensitive receiver is above the roof of the subject site.

SLR considers that the facade correction should be applied to the measured background noise levels, in accordance with EPA requirements. This is expected to result in slightly more onerous music noise limits.



During our phone call with the consultant, they advised that the attended monitoring was conducted for comparison purposes only, and not specifically used for the assessment.

2.6.2 Assessment

Summary of the Acoustic Report

Background music is proposed for the venue. Music noise levels of up to approx. 71-74 dBA L_{eq} are predicted to comply with the EPA limits for music noise at the nearby sensitive receivers (stated on page 23 of the report).

Section 9.2 of the report states that the venue's sound system should include spectrum shaping capability *[presumably to reduce low-frequency noise levels]*. The report states that "calibration of the in-house system… can be carried out" by an acoustic consulting company.

SLR Comments

The consultant has clarified that the calibration measurements are not intended as a recommendation, however they would not be opposed to such a requirement. We consider that calibration measurements for music noise should be conducted prior to the venue opening, to reduce the risk of music noise impacts to the nearby dwellings. These calibration measurements should be conducted at the most-affected receiver location.

This issue could be resolved via a permit condition if needed.

2.7 Proposed wall & roof constructions

Summary of the Acoustic Report

The operable louvred roof is proposed (in Section 9.3) to be a Stratco 'sunroof' system, which consists of rotating aluminium louvres. The roof is predicted to provide "a modest level of noise reduction" when closed *[which the consultant has clarified during our phone call to mean a 5dB reduction at speech frequencies]*.

A solid construction is proposed (in Section 9.4) for the eastern wall of the area covered by the louvred roof. A minimum surface weight of 12 kg/m^2 is for this wall.

For the restaurant area, Section 9.5 of the report states that a sheet steel construction (0.48 mm thick) has been assumed for the walls and roof. Any glazing for the restaurant walls or roof is recommended to be at least 6 mm thick and well sealed. The report also states that "alternative construction materials may also be suitable pending review".

SLR Comments

The proposed wall and roof constructions seem appropriate for controlling patron noise. The sound insulation provided by these constructions for music noise is expected to be accounted for by the music noise calibration measurements.

3.0 Recommendations

A review of the acoustic report prepared for the planning application at 41-43 Stewart Street, Richmond has been completed. In summary, our recommendations are:

1) *Regarding the EPA Publication 1826 Part I noise limits, the following are requested:*
   - *clarification of the sensitive receiver location used to determine the noise limits*
   - *details of the calculations used to determine the Zoning Levels.*
   - *a nominated background noise level (as a single figure rather than a range) for the night period*
2) *We are concerned that the assumed patron noise source level for the bar area is too low. SLR considers that an appropriate source level for this space would be halfway between the 'restaurant dining' and 'taverns with significant food offerings' categories of the Marshall Day methodology.*
3) *Management procedures should be developed to ensure that no more than 40 patrons are present in the bar area, as per the assumed operations for the patron noise assessment.*
4) *Closure of the roof after 10 pm is required to achieve compliance with the patron noise criteria. Therefore we recommend that this requirement be included in the permit conditions.*
5) *The facade correction should be applied to the measured background noise levels, in accordance with EPA requirements. This is expected to result in slightly more onerous music noise limits.*
6) *Calibration measurements for music noise should be conducted prior to the venue opening, to reduce the risk of music noise impacts to the nearby dwellings. These calibration measurements should be conducted at the most-affected receiver location. This issue could be resolved via a permit condition if needed.*

Further details are presented in the previous sections of this letter.

Regards,

SLR Consulting Australia

SDL

Checked/
Authorised by: DW

Simon de Lisle
Associate- Acoustics

SLR Consulting Australia
Level 11, 176 Wellington Parade, East Melbourne VIC 3002, Australia

28 August 2025
SLR Ref: 640.030695.00107-L02-v1 41-43 Stewart St.docx

Attention: Erryn Megennis
City of Yarra
PO Box 168
Richmond, VIC 3121

RE: Development Application – Acoustic Review
41-43 Stewart Street, Richmond

Introduction

SLR Consulting Australia Pty Ltd (SLR) has been retained by the City of Yarra to provide a review of the acoustic assessment report for the planning application for 41-43 Stewart Street, Richmond.

Details of the report are as follows:

- Title: Proposed Rooftop Bar / Restaurant – 41-43 Stewart Street, Richmond
- Date: 21st May 2025 (Revision 3)
- Prepared for: Poto Hospitality Group
- Prepared by: Watson Moss Growcott Acoustics

The report has been prepared as part of the planning application to operate a bar/restaurant on the roof of an existing four-storey building.

SLR has previously conducted a peer review of an earlier revision of the report. The current revision of the acoustic report has been prepared following SLR's previous review (dated 16th April 2025).

The recommendations of SLR's previous review are as follows:

1 *Regarding the EPA Publication 1826 Part I noise limits, the following are requested:*
   - *clarification of the sensitive receiver location used to determine the noise limits*
   - *details of the calculations used to determine the Zoning Levels.*
   - *a nominated background noise level (as a single figure rather than a range) for the night period*

2 *We are concerned that the assumed patron noise source level for the bar area is too low. SLR considers that an appropriate source level for this space would be halfway between the 'restaurant dining' and 'taverns with significant food offerings' categories of the Marshall Day methodology*

3 *Management procedures should be developed to ensure that no more than 40 patrons are present in the bar area, as per the assumed operations for the patron noise assessment.*

4 *Closure of the roof after 10 pm is required to achieve compliance with the patron noise criteria. Therefore we recommend that this requirement be included in the permit conditions.*

5 *The facade correction should be applied to the measured background noise levels, in accordance with EPA requirements. This is expected to result in slightly more onerous music noise limits.*

6 *Calibration measurements for music noise should be conducted prior to the venue opening, to reduce the risk of music noise impacts to the nearby dwellings. These calibration measurements should be conducted at the most-affected receiver location. This issue could be resolved via a permit condition if needed.*

Acoustic Peer Review

Item 1: EPA Publication 1826 Part I noise limits

Summary of the acoustic report

Page 13 of the report shows that the assessed sensitive receiver location is the southern facade of the building at 28 Tanner Street (receptor R3).

Revised noise limits are shown on page 13 are shown as 56 dBA for the day period, 50 dBA for the evening period and 45 dBA for the night period (i.e. 2 dB lower than the previous revision).

SLR comments

The first dot point of SLR's request (i.e. the sensitive receiver location) has been clarified and we agree that the location is appropriate. It appears that the second and third dot point of our request have not been addressed. Nonetheless, the revised noise limits are similar to our indicative calculations, therefore this item is resolved.

Item 2: Patron noise source level for the bar area

Summary of the acoustic report

The last sentence on page 20 states "the proposed sound pressure level for the outdoor bar area will be in the order of 70dB(A)L_{eq}". The table of predicted noise levels (on page 22) has been updated based on this source level.

SLR comments

This item is resolved.

Item 3: Controls for patron numbers in the bar area

Summary of the acoustic report

As far as we can tell, this item is not discussed in the updated report.

SLR comments

Predicted compliance with the patron noise criteria is based on the assumption that no more than 40 patrons will be present in the bar area, therefore we suggest the following permit condition: "Management procedures should be developed to ensure that no more than 40 patrons are present in the bar area, as per the assumed operations for the patron noise assessment."

Item 4: Closure of the roof after 10 pm

Summary of the acoustic report

The third paragraph in Section 9.1 states that the consultant agrees that a permit condition could be included that requires closure of the roof after 10 pm.

SLR comments

We suggest the following permit condition: "The roof shall remain closed after 10 pm, in order to achieve predicted compliance with the patron noise criteria."

Item 5: Facade adjustment for background noise levels

Summary of the acoustic report

The background noise levels presented on page 16 are now reduced by 2-3 dB due to the facade reflection being removed. The resulting music noise limits have been reduced by the same amount, as has the maximum music level that is predicted to achieve compliance (shown in the second last paragraph on page 23).

SLR comments

This item is resolved.

Item 6: Calibration measurements for music noise

Summary of the acoustic report

The last paragraph on page 24 refers to SLR's recommendation for music noise calibration measurements.

SLR comments

We suggest the following permit condition: "Calibration measurements for music noise should be conducted at the most-affected receiver location. Prior to the venue opening, an acoustic report detailing the measurement results and noise limiter settings required to achieve compliance shall be submitted to Council for approval."

Recommendations

A review of the acoustic report prepared for the planning application at 41-43 Stewart Street, Richmond has been completed. In order to manage patron and music noise impacts, we recommend that the following permit conditions are included:

- Management procedures should be developed to ensure that no more than 40 patrons are present in the bar area, as per the assumed operations for the patron noise assessment.
- The roof shall remain closed after 10 pm, in order to achieve predicted compliance with the patron noise criteria.
- Calibration measurements for music noise should be conducted at the most-affected receiver location. Prior to the venue opening, an acoustic report detailing the measurement results and noise limiter settings required to achieve compliance shall be submitted to Council for approval.

Further details of these issues are presented in the previous sections of this review.

Regards,

SLR Consulting Australia

SDL

Checked/
Authorised by: DW

Simon de Lisle
Associate- Acoustics

Social Planning
Formal Referral Response

Application Information:

Referral Officer:	Tara Bewley
Officer:	Erryn Megennis
Council Reference:	PLN24/0847
Address:	41-43 Stewart St, Richmond VIC 3121
Proposal:	Buildings and works in association with the use of the rooftop for a Food and Drinks Premises, including the sale and consumption of liquor (On-Premises Licence) and a reduction in the car parking requirements of the Yarra Planning Scheme
Comments Sought:	Click here to view referral memo: Insert CM Link here to referral request memo (which will include a hyperlink to all relevant plans / information)
Disclaimer:	Council's Social Planning Unit provides the following information which is based on the information provided in the referral request memo referenced above.
Prev. Responses:	

Recommendation:

Social Planning were requested to make comments on the proposal from a social planning perspective.

- The applicant proposes to be licensed and open after 11pm and is an area where there is a cluster of licensed premises. A cumulative impact assessment is therefore required and has been provided.

Hours of operation

- The applicant proposes the hours of operation as follows:
  - 12pm – 10pm, Sunday – Wednesday
  - 12pm – 11pm, Thursday
  - 12pm – 12am (midnight), Friday - Saturday
- Clause 13.07-1L-02 recommends "*limiting the sale and consumption of liquor from licensed premises to no later than 10pm in the Mixed Use Zone*". However, Social Planning can support extended indoor trading hours until 12am where it is considered that the indoor operations are unlikely to compromise residential amenity.
- Social Planning recommends that the outdoor area close by 10pm to minimise potential impacts on residential amenity, for the following reasons:
- The peer reviewed Acoustic Report by SLR Consulting states *"that the closure of the roof after 10 pm is required to achieve compliance with the patron noise criteria".*

- Clause 13.07-1L-02 states to *consider "to limit the sale and consumption of liquor from licensed premises to no later than 10pm for outdoor areas including smoking areas, rooftops and open courtyards*".

Patron numbers and seating

Table 1

Area	Floor area m^2	No. of patrons using Liquor Licensing Ratio – m^2 / 0.75	No. of Patrons proposed as per Venue Management plan
Indoor area	n/a	n/a	60
Outdoor area	n/a	n/a	40
Total	259	345	100

- The proposed maximum patron capacity for 100 people is in line with Liquor Licensing Ratio, as indicated in Table 1, and can therefore be supported.
- While the planning report states that patrons will be seated only, the provided floor plan does not demonstrate sufficient seating for all patrons. However, the seating demonstrated is sufficient for at least 75 per cent of patrons, which can be considered favourably. It is noted that PPN61: Licensed premises: assessing cumulative impact (PPN1) states, "*Premises that provide little or no seating are associated with excessive alcohol consumption and potential for increased violence. Patrons from these venues are therefore more likely to have an adverse impact on the surrounding area*".

Noise and amenity action plan (NAAP)

- It is suggested that management procedures should be developed to ensure
  - *that no more than 40 patrons (or the final maximum number of patrons) are present in the bar area, as per the assumed operations for the patron noise assessment*, as recommended by the peer review of the Acoustic Report.
- While the venue is a non-smoking venue, it is recommended that the NAAP should consider:
  - *The management of smokers in off-site smoking areas.*
- If the decision is made to close the rooftop at an earlier time than the application proposal, the NAAP should include a response to the following:
  - *How the movement and exit of patrons is to be managed, particularly where there is a requirement to close a different section of the venue at different times.*

Food and seating

- The applicant states that a restaurant-style menu to complement wines will be available at all times. This can be supported as PPN61 states, *"Venues that serve food or meals are shown to be less at risk of excessive alcohol consumption".*

Music and Patron noise:

- The applicant proposes background music only, this can be supported.
- It is suggested to follow all recommendations of the Acoustic Report and/or peer review of the Acoustic Report in relation to music and noise as appropriate.

Social Planner: Tara Bewley

Date: 22 April 2025

Compliance & Parking - Compliance Formal Referral Response

Application Information:

Referral Officer:	Steve Alexander
Officer:	Erryn Megennis
Council Reference:	PLN24/0847
Address:	41-43 Stewart St, Richmond VIC 3121
Proposal:	Buildings and works in association with the use of the rooftop for a Food and Drinks Premises, including the sale and consumption of liquor (On-Premises Licence) and a reduction in the car parking requirements of the Yarra Planning Scheme
Comments Sought:	Click here to view the referral memo: Insert CM Link here to referral request memo (which will include a hyperlink to all relevant plans / information)
Disclaimer:	Council's Compliance & Parking – Compliance Team provides the following information which is based on the information provided in the referral request memo referenced above.
Prev. Responses:	

Comments and Recommendations

The Compliance branch has reviewed the application including the acoustic report. Historically at this location pre-COVID and the recent development, council officers received number on noise related complaints, mainly associated with alleged rooftop parties:

- 25/11/19
- 21/11/19
- 25/02/19
- 5/02/19
- 8/12/18

Given the proximity to the residential area, experience tells us that any open roof type decking will create noise levels that will disturb the comfort of residents. With this in mind, the compliance branch, supports the indoor proposal, however, does not support any outdoor area operating after 10pm all days.

It is recommended that all outdoor areas to close at 10pm and that all windows and doors to be closed at 10pm for the restaurant part of the building.

Compliance Officer: Steve Alexander
Date: 04 April 2025

Heritage Formal Referral Response

APPLICATION INFORMATION:

Referral Officer:	Diahnn McIntosh
Officer:	Erryn Megennis
Council Reference:	PLN24/0847
Address:	41-43 Stewart St, Richmond VIC 3121
Proposal:	Buildings and works in association with the use of the rooftop for a food and drink premises, including the sale and consumption of liquor (On-Premises Licence) and a reduction in the car and bicycle parking requirements of the Yarra Planning Scheme
Relevant Overlays	**Heritage Overlay – HO332 Richmond Hill (Sub-area E -South industrial)** **Heritage Grade: Individually Significant (Australian Knitting Mills Ltd. Knitted goods manufacturers factory, former)** Environmental Audit Overlay Development Contributions Plan Overlay – DCPO1
Relevant Polices	• Clause 02.01-6 Municipal planning strategy - Built environment and heritage • Clause 02.03-4 Strategic directions – Built environment and heritage • Clause 15.03-1S Heritage conservation • Clause 15.03-1L Heritage • Clause 43.01 Heritage Overlay As per the Schedule to the Heritage Overlay, there are no internal alteration, external paint, or tree controls. Solar energy system controls apply.
Comments Sought:	Comments on the application from a Heritage perspective are requested on the following: • The proposed buildings and works and their impact on the individually-significant building • Whether the materials and finishes are acceptable
Disclaimer:	Council's Heritage Advisor provides the following information which is based on the information provided in the referral request memo referenced above.
Prev. Responses:	

Context Images	
Street Frontage:	
Oblique Images:	

Aerial:



HERITAGE CONTEXT:

The purposes of the Heritage Overlay at clause 43.01 include 'to implement the Municipal Planning Strategy and the Planning Policy Framework.' The local heritage policy at clause 15.03-1L, the state heritage policy at clause 15.03-1S and clause 43.01 (Heritage Overlay) have been considered in preparing a response to this application. It is noted that *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance, 2013* is a policy guideline at clause 15.03-1S.

Significance of site and surrounds

Under clause 43.01-8 of the Heritage Overlay, a relevant decision guideline is that any applicable statement of significance, heritage study and any applicable conservation policy must be considered before deciding an application (as appropriate).

The Richmond Hill Heritage Overlay Area (south industrial sub-area) is significant:

- *. As a distinctive and visually related group of externally well-preserved factories and warehouses, associated with the growth of the clothing manufacturing industry in the City, dating from the early decades of the 20th century and symbolic of Richmond's special role in the development of key manufacturing centres in the first half of the 20th century.*
- *. For the precinct's strategic location, next to major transport links (railway, Punt Road) and the resultant distinctive angled siting of key buildings to face the railway.*

ASSESSMENT OF PROPOSED WORKS

Proposed Demolition Works:

No demolition is proposed by this application.

Proposed Alterations and Additions:

The proposed alterations and additions to the existing building's roof top include:

- Construction of a large seating area which is partially enclosed with a bar, kitchen, and toilets

In accordance with *Clause 43.01-8*, the key consideration for alterations is:

- *Whether the external alteration will adversely affect the significance of the heritage place.*

Clause 15.03-1S of the planning scheme states that it is policy to:

- *Provide for the conservation and enhancement of those places that are of aesthetic, archaeological, architectural, cultural, scientific or social significance*
- *Encourage the conservation and restoration of contributory elements of a heritage place.*

Clause 15.03-1L of the planning scheme states that its objective is:

- *To ensure the adaptation of heritage places is consistent with the principles of good conservation practices.*

Specific strategies regarding alterations and additions to heritage buildings are also set out in *Clause 15.03-1L*.

Proposed new works:	***Heritage comments***
Construction of a large seating area which is partially enclosed with a bar, kitchen, and toilets	*Clause 15.03-1L states that it is policy to:* • *Set back roof terraces/roof decks so that they are concealed when viewed from the street and where on a corner, when viewed from the side street.* • *Encourage roof terraces/roof decks that are set back a minimum of one metre from chimneys and parapets.* • *Ensure that stairwells, lift wells and lift overruns are not visible when viewed from the public realm.* *The proposed roof top works will be concealed when viewed from the street due to the height of the host building.* *The proposed works will be setback from the existing building's principal parapet at least 1.5m, the east parapet 2m, the west parapet 6.5m and the northern parapet 3.4m. These setbacks will be consistent with the policy requirements.* *The rooftop area is already accessed by a stair and lift so there are no proposed additional forms of access that will be visible from the public realm.* *Although the proposed roof top development will be partially open and partially enclosed, the roofed areas will be setback sufficiently to not be visible from the*

	street frontage.
Materials and finishes	*The predominant colours of the proposed wall and roof materials will be consistent with the colouring of the concrete and the brickwork of the main building. Although the materials will not be the same as the heritage fabric, from a distance, where it is possible that some glimpses of the roof top development may be possible, the proposed external colours will harmonise with the surrounding heritage fabric – not contrast with it.* *The use of glass balustrading to a height of 1.8m near the street frontage rising to a height of 2.5m will have limited, if any, visual impact on the character and appearance of the main heritage building.*

The proposed alterations/additions to the remaining heritage house are acceptable as they will be concealed from the street and blend in visually with the predominant colouring of the heritage building.

SUMMARY OF RECOMMENDATIONS

On heritage grounds, the works proposed in this application are supported without specific heritage conditions.

Diahnn McIntosh

Heritage Adviser

Signature:



Date: 29 April 2025

Development Engineering Formal Referral Response

Application Information:

Referral Officer:	Erryn Megennis
Officer:	Mark Pisani
Council Reference:	PLN24/0847
Referral Number:	IREF25/00484
Address:	41-43 Stewart Street, Richmond
Proposal:	Buildings and works in association with the use of the rooftop for a food and drink premises, including the sale and consumption of liquor (On-Premises Licence) and a reduction in the car and bicycle parking requirements of the Yarra Planning Scheme
Comments Sought:	Car parking reduction associated with a rooftop bar
Disclaimer:	Council's Development Engineering unit provides the following advice based on information provided in the referral request memo referenced above.

Engineering Referral Details

Council's Engineering Referral team has reviewed the drawings and documents provided by the Statutory Planning department, as outlined in ***Table 1*** below.

Note: the engineering related matters highlighted in the Planning referral have been assessed and included in the response.

Table 1 - Drawings and Documents reviewed by Engineering

Author / Consultant	Drawing No. or Document	Revision	Dated
Fulcrum Planning	Town Planning Application Report		October 2024
Studio Enes	Proposed Rooftop Bar drawing set		No date
	Car Parking - Response to Item 3, Request for Further information		

SECTION 1: Engineering Detailed Assessment

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
Bar	420 m^2 100 patrons	3.5 spaces per 100 m^2 of leasable floor area	14	0

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

To reduce the number of car parking spaces required under Clause 52.06-5 (including to reduce to zero spaces), the application for the car parking reduction must be accompanied by a Car Parking Demand Assessment.

Car Parking Demand Assessment

In reducing the number of parking spaces required for the proposed development, the Car Parking Demand Assessment would assess the following:

Parking Demand Consideration	Details
Parking Demand for Bar Use	The proposed rooftop bar would have a car parking demand of 14 spaces. Anecdotally, travel mode studies we have reviewed in the past have indicated that patrons as drivers to licensed premises account for some 10 to 20% of total patron numbers. Since no on-site parking would be provided, patrons who choose to drive would park on-street.
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: ▪ Swan Street trams – 220 metre walk ▪ Punt Road buses – 90 metre walk ▪ Richmond railway station – 250 metre walk
Multi-purpose Trips within the Area	Customers and clients to the development could combine their visit by engaging in other activities or business whilst in the area.
Convenience of Pedestrian and Cyclist Access	The site is very well positioned in terms of pedestrian access to public transport nodes, shops, other venues of entertainment and essential facilities. The site also has good connectivity to the on-road bicycle network.

Appropriateness of Providing Fewer Spaces than the Likely Parking Demand

Clause 52.06 lists a number of considerations for deciding whether the required number of spaces should be reduced. For the subject site, the following considerations are as follows:

Consideration	Details
Availability of Car Parking	The level of on-street parking in this part of Richmond is very high during business hours. The area surrounding the subject site is blanketed in time-based parking restrictions. Although in limited supply, vacant short-stay parking spaces should be available to the public when visiting the site.
Relevant Local Policy or Incorporated Document	In terms of transport, the proposed development is considered to be in line with the objectives contained in Council's *Moving Forward – Yarra's Transport Strategy 2022-32*. 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 Future Growth and Development of an Activity Centre	The development is located close to the Swan Street activity centre/retail precinct. The Department of Transport and Planning's *Practice Note 22 – Using the Car Parking Provisions* indicates that car parking should be considered on a centre-basis rather than on a site/individual basis. This is applicable to activity centres, such as the Swan Street retail precinct, where spare on-street car parking capacity would be shared amongst sites within the activity centres. Any parking generated by this development will not be noticeable in the surrounding street network.
Other Relevant Considerations	Patrons to licensed and entertainment venues in an activity centre would often visit other sites whilst in the area. We believe that a sizeable proportion of patrons would be drawn from the surrounding area (such as other businesses and residences).

Adequacy of Car Parking

From a traffic engineering perspective, the waiver of parking associated with the bar use is considered appropriate in the context of the development and the surrounding area.

The operation of the development should not adversely impact on the existing on-street parking conditions in the area.

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

SECTION 2: Acknowledgement

Engineer: Mark Pisani

Signature: 

Date: 30 April 2025

City Works
Formal Referral Response

Application Information:

Referral Officer:	Atha Athanasi
Officer:	Erryn Megennis
Council Reference:	PLN24/0847
Address:	41-43 Stewart St, Richmond VIC 3121
Proposal:	Buildings and works in association with the use of the rooftop for a Food and Drinks Premises, including the sale and consumption of liquor (On-Premises Licence) and a reduction in the car parking requirements of the Yarra Planning Scheme
Comments Sought:	Click here to view referral memo: Record D25/123266: IREF25/00487 - Internal Referral Request
Disclaimer:	Council's City Works Unit provides the following information which is based on the information provided in the referral request memo referenced above.
Prev. Responses:	

Comments:

The waste management plan for 41-43 Stewart St, Richmond authored by Leigh Design and dated 3/10/24 is satisfactory from a City Works Branch's perspective

Waste Management Officer: Atha Athanasi

Signature: Atha Athanasi

Date:11/04/2025

Strategic Transport Formal Referral Response

Application Information:

Referral Officer:	Davina Bright
Officer:	Erryn Megennis
Council Reference:	PLN24/0847
Address:	41-43 Stewart St, Richmond VIC 3121
Proposal:	Buildings and works in association with the use of the rooftop for a Food and Drinks Premises, including the sale and consumption of liquor (On-Premises Licence) and a reduction in the car parking requirements of the Yarra Planning Scheme
Comments Sought:	Click here to view referral memo: Insert CM Link here to referral request memo (which will include a hyperlink to all relevant plans / information)
Disclaimer:	Council's Strategic Transport unit provides the following information which is based on the information provided in the referral request memo referenced above.
Prev. Responses:	

Comments

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
Restaurant	259 sqm	1 employee space to each 100 sqm of floor area available to the public	3 employee spaces	0
		2 plus 1 visitor space to each 200 sqm of floor area available to the public if the floor area exceeds 400 sqm	2 visitor space	
Bicycle Parking Spaces Total			**3 employee spaces**	**0 employee spaces**
			2 visitor spaces	**0 visitor spaces**

Showers / Change rooms	1 to the first 5 employee spaces and 1 to each additional 10 employee spaces	**0 showers / change rooms**	**0 showers / change rooms**

No bicycle parking is proposed as part of the development. This does not meet the statutory requirements of 2 visitor spaces and 3 employee spaces.

The proposed rooftop food and drink premises is situated within a short distance of Richmond Train Station. Richmond Station had the 7th highest patronage of all metropolitan stations in Victoria in 2023/24 indicating a busy environment.

With the exception of the Stewart St shared zone, streets immediately surrounding the site are narrow and footpath widths less than 1.5 metres representing a compromised walking environment. By not adequately designing and providing bicycle parking within the area risks bicycles being inappropriately parked (ie. on signposts) in the surrounding streets and creating an obstruction to the footpaths.

It is noted that the proposal does not include any changes to the public realm.

Recommendations

It is recommended that a bicycle parking survey to determine current demand be completed before endorsement of plan including:

- Identifying number and location for existing designated bicycle parking spaces within the vicinity of the site.
- Providing approximate distance to designated bicycle parking from the site entrance.
- Recording occupancy rate for bicycle parking within the vicinity of the sites at 6pm on a Thursday and Saturday.

It is further recommended that options for location where 2 visitor bicycle parking spaces (ie.1 horizontal hoop) be identified within the vicinity of the site, with minimum footpath width of 2600mm (maintain a clear width of 1500mm on the footpath) or other locations where additional bike parking minimises negative impact on the footpaths.

Strategic Transport Planner: Davina Bright

Date: 09 April 2025

5.2. – PLN24/1007 - 117-119 Dover Street, Cremorne

Author	Erryn Megennis – Senior Statutory Planner
Authoriser	General Manager City Sustainability and Strategy

Executive Summary



Property	117-119 Dover Street Cremorne
Ward	Lennox
Application number	PLN24/1007
Proposal	Use and development of an 11-storey residential hotel plus basement and roof terrace, a reduction in the statutory car parking rate associated with a food and drink premises (permit not required for food and drink use) and a reduction in the visitor bicycle parking rate associated with the hotel.
Zoning & Overlay/s	• Commercial 2 Zone (C2Z) • Design and Development Overlay – Schedule 51 (DDO51) • Development Contributions Plan Overlay - Schedule 1 (DCPO1)
Strategic setting	• Major employment precinct
Submissions	11 objections
Key reasons for support	• The proposal generally complies with the key built form requirements of the Design and Development Overlay and would make a positive contribution to the area; • The proposal provides a good quality design outcome; • The proposal will not result in any unreasonable off-site amenity impacts,

Recommendation	That Council Issues a Notice of Decision to Grant a Planning Permit, with conditions. Key conditions include: - Removal of one level from either levels 6, 7 or 8. - Submission of a Hotel Management Plan. - Submission of a Public Realm Plan.
Contact Officer	Erryn Megennis, Principal Planner

Officer Recommendation

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN24/1007 at 117-119 Dover Street Cremorne for:

Control	Clause	Matter for which the permit has been granted
Commercial 2 Zone	34.02-1	Use of the land as a residential hotel
Commercial 2 Zone	34.02-4	To construct a building
Design and Development Overlay	43.02-2	To construct a building
Car Parking	52.06-3	A reduction in the car parking requirement associated with the food and drink premises
Bicycle Parking	52.34-2	A reduction in the visitor bicycle requirement associated with the hotel

subject to the following conditions:

1. Before the use and development commence, 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 generally in accordance with the decision plans prepared by Tristan Wong Architecture and Design, dated 28 February 2025 (SD01_01 - SD01_03, SD02_02 - SD02_12, SD05_03, SD05_07, SD05_09, SD14_01 - SD14_15) and 1 August 2025 (SD00_01, SD02_00, SD02_01, SD05_01, SD05_02, SD05_04, SD05_05, SD05_06, SD05_08, SD06_01, SD06_02, SD40_01) but modified to include/show;
   (a) Deletion of one level, with this level to be level 6, 7 or 8;
   (b) The service equipment and lift core to occupy less than 50% of the overall roof area (except for solar panels/green roofs) and to be no higher than 3.6m above the maximum building height.;
   (c) The ground floor plan updated to include;
      (i) A notation for the service cupboard within the front setback;

(ii) Confirmation that the substation doors will not obstruct the laneway when opened;

(iii) A minimum of two electric bicycle charging points within the employee bicycle storage;

(iv) A notation confirming that the maximum size of the vehicle using the hotel drop-off zone must be no greater than a B99 design vehicle; and

(v) The location of lighting to hotel/café entrance;

(d) Deletion of the northern on-boundary window at level 10;

(e) The roof plan updated to include details on how the roof garden/landscaped areas will be accessed;

(f) Heights of all balustrades and planter boxes within all balconies and the roof terrace to be dimensioned, with these to be consistent with heights required in the amended Wind Report at Condition 13;

(g) Any changes required by the Façade Strategy at Condition 4;

(h) Any changes required by the amended Sustainable Management Plan at Condition 7;

(i) Any changes required by the amended Waste Management Plan at Condition 10;

(j) Any changes required by the amended Wind Assessment Report at Condition 13;

(k) Any changes required by the amended Landscape Plan at Condition 15; and

(l) Any changes required by the Public Realm Plan at Condition 19.

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

3. As part of the ongoing progress and development of the site, Tristan Wong Architecture and Design, or an architectural firm to the satisfaction of the Responsible Authority, must be engaged to:

(a) Oversee design and construction of the development; and

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

Façade Strategy

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

(a) Elevations at a scale of 1:50 illustrating typical street wall and upper level details, entries and doors;

(b) Section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;

(c) Details of the ground floor frontage;

(d) Details of all services proposed along Dover Street, with these to be integrated into the overall design of the building;

(e) A sample board and coloured renders outlining colours, materials and finishes;

(f) Confirmation that the glazing materials used on all external walls must be of a type that does not reflect more than 20% of visible light, when measured at an angle of 90 degrees to the glass surface; and

(g) Information about how the façade and vegetation will be maintained.

Hotel Management Plan

5. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 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 this permit. This must detail:

   (a) Reception operating procedures, including staffing numbers and hours;

   (b) Confirmation that the gym, conference facilities and roof terrace is for hotel guest use only;

   (c) Operating hours of the gym and conference facilities;

   (d) Confirmation that the roof terrace will be closed at 10pm every night;

   (e) Cleaning and maintenance details;

   (f) Hours of deliveries;

   (g) Security measures;

   (h) The maintenance of a complaint register; and,

   (i) Confirmation that the Hotel Management Plan will be reviewed periodically to identify if/where operational and safety practices can be improved.

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

Sustainable Management Plan

7. In conjunction with the submission of development plans under Condition 1, an amended Sustainable Management Plan 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 Low Impact Development Consulting and dated 7 March 2025, but updated to include the following:

   (a) All changes included within the S57A amended plans, and any further changes required by the amended plans referred to in Condition 1; and

   (b) The size of the rainwater tank increased (if necessary) to allow irrigation by rainwater only.

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

9. Prior to the occupation of the development approved under this permit, a report from the author of the Sustainable Management Plan, approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the Sustainable Management Plan have been implemented in accordance with the approved plan.

Waste Management Plan

10. In conjunction with the submission of development plans under Condition 1, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Traverse Transport and dated 5 March 2025, but modified to include:
    (a) All changes included within the S57A amended plans, and any further changes required by the amended plans referred to in Condition 1;
    (b) A risk assessment of waste management procedures; and
    (c) Reference to specific Council officers removed.
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.
12. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

Wind Assessment report

13. In conjunction with the submission of development plans under Condition 1, an amended Wind Impact Assessment Report to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the amended Wind Impact Assessment Report will be endorsed and will form part of this permit. The Wind Impact Assessment Report must be generally in accordance with the Wind Impact Assessment Report prepared by Windtech Consultants, dated 28 November 2024, but modified to include:
    (a) All changes included within the S57A amended plans, and any further changes required by the amended plans referred to in Condition 1;
    (b) Confirmation that safe wind conditions will be achieved in all outdoor areas, with clarification that the following specific criteria are achieved for each area as follows:
        (i) Dover Street footpath – Walking criterion;
        (ii) Level 4, 9 and 10 balconies – Walking criterion; and
        (iii) Roof terrace – Standing criterion; and
    (c) Consistent details for all mitigation measures shown in the Wind Report, Landscape Plan and Architectural Plans.
14. The provisions, recommendations and requirements of the endorsed Wind Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscape Plan

15. In conjunction with the submission of development plans under Condition 1, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the amended Landscape Plan will then form part of this permit. The plan must be generally in accordance with the Landscape Concept Plan, prepared by Ratio and dated 6 March 2025, but modified to show:

    (a) All changes included within the S57A amended plans, and any further changes required by the amended plans referred to in Condition 1; and

    (b) All details/heights of balustrades and planter boxes to be consistent with heights required in the Wind Report at Condition,

    to the satisfaction of the Responsible Authority.

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

    (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.

Green Travel Plan

17. Before the development is occupied, an amended Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Green Travel plan will be endorsed and will form part of this permit. The plan must be generally in accordance with the Green Travel Plan, prepared by Traverse Transport and dated 27 November 2024, but modified to show:

    (a) All changes included within the S57A amended plans, and any further changes required by the amended plans referred to in Condition 1.

18. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Public Realm Plan

19. Concurrent with the submission of Condition 1 plans, or by such later date as approved in writing by the Responsible Authority, a Public Realm Plan of all public realm improvements associated with the development must be prepared, submitted and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The Public Realm Plan must show, but not be limited to, the following:

    (a) All changes included within the S57A amended plans, and any further changes required by the amended plans referred to in Condition 1;

(b) The Dover Street footpath along the property's frontage to be reconstructed in concrete and have DDA compliant grades (cross & longitudinal);

(c) Details of internal finished floor levels (FFL) aligned to the proposed DDA compliant footpath levels at the interface with the property boundary;

(d) Any civil and landscape aspects within the public realm, indicating general dimensions and providing annotations where relevant;

(e) All paving compliant with Australian Standards for slip resistance and DDA;

(f) The reconstruction of the laneway along the property's southern and eastern boundaries;

(g) The reconstruction of kerb and channel along the property's Dover Street frontage;

(h) Any associated drainage works; and

(i) Details of any re-located street infrastructure.

All at the permit holders cost and to the satisfaction of the Responsible Authority.

20. Before the building is occupied, all associated works shown on the endorsed detailed design plans for the public realm (as required by Condition 19) must be fully constructed and completed to the satisfaction of the Council's Civil Engineering Department and at no cost to the Responsible Authority.

General

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

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

23. Before the buildings is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to pedestrian entries must be provided within the property boundary. Lighting must be:

(a) located;

(b) directed;

(c) shielded; and

(d) of limited intensity,

to the satisfaction of the Responsible Authority.

24. 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.

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

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

27. The amenity of the area must not be detrimentally affected by the construction, including through:
    (a) the transport of materials, goods or commodities to or from land;
    (b) the appearance of any buildings, works or materials;
    (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; or
    (d) the presence of vermin.
28. The development must at all times comply with the noise limits specified in the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021), as may be amended from time to time.
29. 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.

Road infrastructure

30. 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.
31. Before the building is occupied or by such later date as approved in writing by the Responsible Authority, the footpath along the property's Dover Street frontage must be re-sheeted in asphalt:
    (a) at the permit holder's cost; and
    (b) to the satisfaction of the Responsible Authority.
32. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the kerb and channel along the property's Dover Street frontage must be reconstructed:
    (a) at the permit holder's cost; and
    (b) to the satisfaction of the Responsible Authority.
33. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the laneway along the property's southern and eastern boundaries must be reconstructed:
    (a) at the permit holder's cost; and
    (b) 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, the road pavement along the property's Dover Street frontage must be reconstructed:
    (a) at the permit holder's cost; and
    (b) to the satisfaction of the Responsible Authority.

35. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
    (a) at the permit holder's cost; and
    (b) to the satisfaction of the Responsible Authority.
36. Within 2 months of the completion 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) in accordance with Yarra Standard Drawings;
    (b) at the permit holder's cost; and
    (c) to the satisfaction of the Responsible Authority.

Development Contributions

37. 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.

Construction Management

38. 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.
39. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
    (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
    (b) works necessary to protect road and other infrastructure;
    (c) remediation of any damage to road and other infrastructure;
    (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
    (e) facilities for vehicle washing, which must be located on the land;
    (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
    (g) site security;
    (h) management of any environmental hazards including, but not limited to,:
        (i) contaminated soil;

(ii) materials and waste;

(iii) dust;

(iv) stormwater contamination from run-off and wash-waters;

(v) sediment from the land on roads;

(vi) washing of concrete trucks and other vehicles and machinery; and

(vii) spillage from refuelling cranes and other vehicles and machinery;

(i) the construction program;

(j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;

(k) parking facilities for construction workers;

(l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;

(m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;

(n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;

(o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads; and

(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

(vi) any site-specific requirements.

40. 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.

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

Permit Expiry

42. 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; and

(c) the hotel 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.

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 employees within the development approved under this permit will not be permitted to obtain resident, employee or visitor parking permits.

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.

The site stormwater must be directed to the nominated legal point of discharge (LPD) and shall be limited to equivalent predevelopment levels or 70% impervious coverage, whichever is lowest, for a 20% AEP rainfall event.

The development must detain onsite, at a minimum, the 10% AEP storm event. For cases where a safe overland flow path cannot be provided or where flows exceeding pipe capacity may impact the development or adjacent, upstream, or downstream properties, the requirement will be to detain the 1% AEP storm event.

All redundant property drain outlets are to be demolished and reinstated to Council's satisfaction and at the Permit Holder's cost.

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

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

Any service poles, structures or pits located within the public realm areas that interfere with the proposal, must be adjusted accordingly:
(a) at the permit holder's cost; and
(b) to the satisfaction of the Responsible Authority.

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.

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.

Legal duties and obligations to protect human health and the environment from pollution and waste are set out in the Environment Protection Act 2017. Please refer to the Environment Protection Authority Victoria website www.epa.vic.gov.au/meeting-your-obligations for more information on identifying potential contamination and complying with your duty to manage contaminated land under the Environment Protection Act 2017.

History and Background

1. The site has no planning history.

Section 57A

2. The application was submitted to Council on 4 December 2024. Following the referral and notification process, amended plans were lodged via Section 57A of the *Planning and Environment* Act 1987 (the Act) on 4 August 2025. These plans included the following changes;

   (a) Reconfiguration of basement layout including rearrangement of services and bicycle facilities;

   (b) Reconfiguration of ground floor layout including:

      (i) Increase in cut out to Dover Street and southern laneway interface;

      (ii) Reduction in floor area of food and drink premises from 84.4sqm to 46.8sqm;

      (iii) Relocation of visitor bicycle parking from front setback to side setback, with integrated seating provided within front setback;

      (iv) Splay provided to south-east corner for vehicle manoeuvrability;

      (v) Reconfiguration of staff bicycle parking allowing internal access and inclusion of separate entrance from laneway, with all staff bicycle parking spaces removed from the basement level;

      (vi) Reconfiguration of bin room to allow for internal access; and

      (vii) Increased provision of landscaping; and

   (c) Nomination of 8 x 50 watt solar panels to rooftop.

3. Following lodgement of the Section 57A amendment, the application was not re-advertised under the provisions of Section 57B of the Act. The application was granted a discretionary advertising exemption on 19 September 2025 on the basis that the amended proposal would not result in increased material detriment to the surrounding area and there was no increase in the number of hotel rooms proposed.

4. A second exemption from advertising was approved on 30 September 2025 for the reduction in car parking component. The original application required a reduction of three spaces associated with the food and drink premises; this element was not advertised. The amended plans reduced the floor area of the food and drink premises, therefore reducing the requirement to one space. Given the one car parking space required, it was considered that an exemption from advertising this requirement was acceptable.

Site Context

5. The subject site is located on the eastern side of Dover Street and is a consolidated parcel, rectangular in shape. The site includes Nos. 117 and 119 Dover Street, Cremorne. Both sites contain single-storey Victorian-era cottages. The consolidated site has a frontage of 12.25m to Dover Street and a depth of 25m, with an overall site area of 325sqm.

6. An unnamed laneway wraps around the site along its southern and eastern (rear) boundaries, which connects to Dover Street in the south, and to Kelso Street at its northern end. Vehicle access to both sites is currently available from this laneway.
7. The sites are formally known as Lot 1 on Title Plan 420554 and Lot 1 on Title Plan 231859 and are not affected by any easements or covenants.



Figure 1: View of subject site from Dover Street. Source: Town Planning Report, Ratio (2024)



Figure 2: View of subject site looking east along the laneway. Source: Town Planning Report, Ratio (2024)



Figure 3: Rear of site to unnamed lane. *Source: Town Planning Report, Ratio (2024)*

Surrounds

8. The site is located within the established commercial precinct of Cremorne, which is undergoing significant change in terms of land use and built form evolution. The area surrounding the site is predominantly commercial and industrial in nature, with a small number of dwellings interspersed throughout. The nearest residential zones are over 100m to the south and west.

9. Broadly surrounding the site is Swan Street, approximately 410m to the north, Punt Road approximately 300m to the west and Church Street approximately 460m to the east. The subject site is located approximately 530m from East Richmond Train Station and approximately 450m from the Richmond Train Station. Bus routes frequent Punt Road, with tram services along both Swan and Church Streets.

10. This site is located in an area of Cremorne that comprises midrise commercial developments with a built form typology of predominantly commercial office, warehouses (often repurposed) and pockets of original era dwellings, albeit zoned Commercial 2. Buildings are varied in their architectural styles and generally constructed to the street edge and side/rear boundaries.

11. This includes the recent approval and construction of a number of larger commercial buildings in the order of 7 to 13 storeys. These buildings include predominately commercial office uses and retail uses (particularly food and drink premises). The emergence of short-stay residential hotel style development is also occurring within Cremorne, with a recent permit for a 12-storey residential hotel (render at Figure 4) granted for No. 14-18 Cremorne Street (PLN22/0991) and a 7-storey hotel shown in Figure 5, currently under development at No. 74 Cubitt Street (PLN21/0530).



Figure 4: Render of approved hotel at No. 14-18 Cremorne Street.

Source: Design Response Report (2022)



Figure 5: Residential hotel under construction at No. 74 Cubitt Street.

Source: Officer photo (2025)

12. Below is a list of recent/current developments within proximity of the site:
    (a) 1-11 Gordan Street (PLN21/0404)- 8-storey mixed-use commercial office development (constructed);
    (b) 9-11 Cremorne Street (PLN16/0171) -8-storey office building (constructed);
    (c) 1-3 Newton Street (PLN18/0042) - 7-storey office (constructed);
    (d) 118-124 Balmain Street (PLN18/0989) - 9-storey development under construction;
    (e) 60-88 Cremorne Street (PLN17/0626) - 8-storey development (constructed);
    (f) 506 & 508-510 Church Street (PLN17/0278)- 10-storey development (constructed);
    (g) 594-612 Church Street (PLN17/0456) - 8-storey development (constructed);
    (h) 57 Balmain Street (PLN17/0177) - 7-storey development (constructed);
    (i) 77 Stephenson Street (PLN12/0894) - 7-storey development (constructed);
    (j) 84 Cubitt Street (PLN18/0756) - 7-storey development (constructed);
    (k) 7 Dover Street (PLN18/0619) - 8-storey development (constructed);
    (l) 4-6 Cubitt Street & 13 Dover Street (PLN19/0657) - 10-storey development (constructed);
    (m) 22 Gordon Street (PLN19/0527) - 8-storey development (constructed);
    (n) 30-32 Cremorne Street (PLN20/0533) - 9-storey office development (approved);
    (o) 34-42 Cremorne Street (PLN22/0562) - 9-storey mixed-use office building (approved);
    (p) 31-53 Cremorne Street (PLN22/0172) - 11-storey mixed-use office development (constructed);
    (q) 16 Stephenson Street (PLN19/0657) - 11 storey mixed use office development (constructed);
    (r) 65-81 Dover Street (PLN20/0229) - 9-storey mixed-use commercial office development (constructed); and
    (s) 68-88 Green Street (PLN18/0913) - 8-storey mixed-use commercial office development (constructed).



Figure 6: Subject site and surrounds. Source: Town Planning Report Ratio (2024)

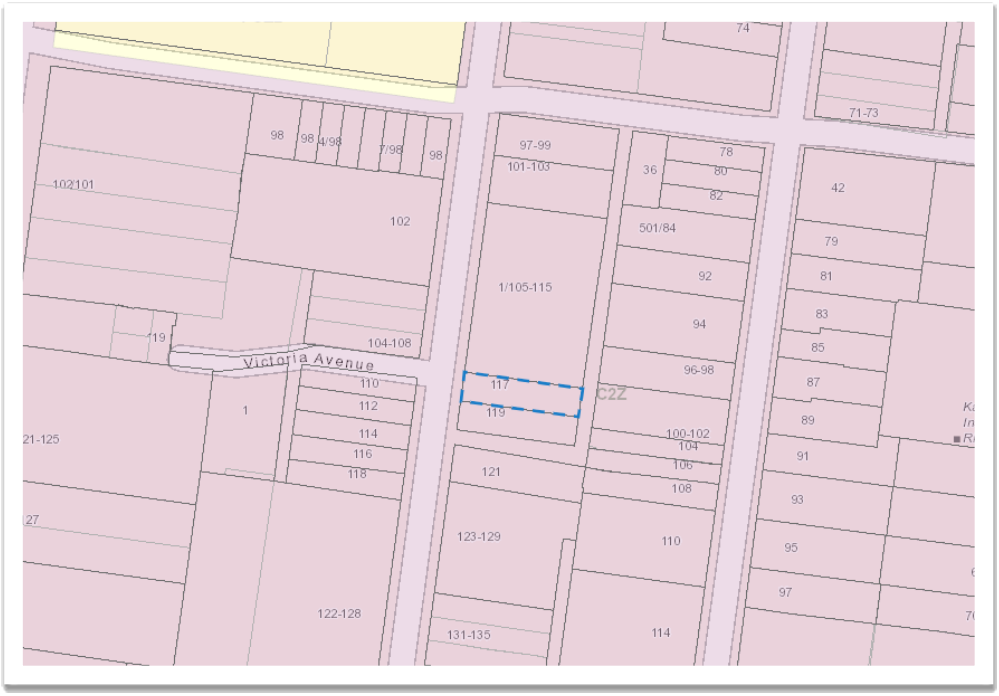


Figure 7: Commercial 2 Zoning surrounding site. Source: Vicplan (2025)

13. To the north of the subject site is No. 105-115 Dover Street. The site is historically known as the 'Slade Knitwear' building, and is affected by Heritage Overlay - Schedule 343. H0343 relates solely to the 'Slade Knitwear' sign, which has been removed. Further details on the status of this sign will be provided later within this report.

14. The site contains a four-storey commercial building, currently used for office space. The building is constructed of light-coloured brown brick and is built to all four boundaries.

The majority of the site frontage serves as a crossover to Dover Street, providing vehicular access to the building's 'undercroft' style car parking area.

15. To the immediate south is an unnamed laneway. The laneway measures approximately 3m to 3.8m wide.

16. On the opposite side of the laneway is No. 121 Dover Street, which contains a double storey commercial building, with offices at first floor, and a ground floor workshop / warehouse area. The building is setback approximately 8.4m from Dover Street, with on-site car parking provided within this setback. The building abuts the remaining three boundaries.

17. To the immediate east of the subject site is the unnamed laneway, which runs in an 'L' shape, connecting to Kelso Street to the north. On the opposite side of the laneway near the site is No. 96-102 Cubitt Street and No. 104 Cubitt Street.

18. No. 96-102 Cubitt Street contains a 5-storey commercial building, constructed to all four boundaries. A significant level of glazing faces the subject site, within its west-facing wall.

19. No. 104 Cubitt Street is a single-storey dwelling. This dwelling is within the Commercial 2 Zone; however it has established existing use rights as a dwelling with Planning Permit PLN24/0864 issued in August 2025 to allow a double-storey addition at the rear.

20. The site abuts Dover Street to its immediate west. Dover Street is a narrow, one-way, south travelling road, connecting Stephenson Street (north) and Balmain Street (south).

21. Along the western side of Dover Street is a row of Victorian style single storey dwellings, known as 'Madeline Terrace'. The five dwellings are attached, with small front setbacks. Of these, two have established existing use rights as dwellings (Nos. 112 and 116).

22. Further to the southwest is No. 122-128 Dover Street, which currently supports a two-storey warehouse building. A Planning Permit (PLN23/0724) was issued for this site on 10 April 2025 for the construction of an 8-storey building (Figure 8).



Figure 8: Render of proposed podium at No. 122-128 Dover Street

Proposal

23. The proposal is for the construction of an 11-storey building (plus one basement level and terrace) with a food and drink premises (café) and residential hotel. A reduction in the statutory car parking rate associated with a food and drink premises and a reduction in the visitor bicycle parking rate associated with the hotel is sought. Further details are outlined below:

Use

24. Food and drink premises (café) – 46.8sqm floor area (no permit required for use) at ground level.
25. Residential hotel – 105 hotel rooms, with the following breakdown;
    (a) 3 x King Suite;
    (b) 22 x King Standard;
    (c) 23 x King Deluxe;
    (d) 52 x Queen Standard; and
    (e) 5 x DDA King.

Development

26. Full demolition of two dwellings on site and removal of all vegetation (no permit required).

Basement

27. Communal gym facilities for hotel residents (19sqm), Conference room (15.8sqm), employee end of trip (EoT) facility, building services (main comms, switch room; fire pump room; water tank room; water meter assembly room), housekeeping area and lift/stairs to levels above.

Ground level

28. 'Food and drink premises' (café) – 46.8sqm, residential hotel lobby including concierge area with front desk and luggage storage space; separate bicycle store for 11 employee spaces; DDA bathroom, kitchen, waste storage and substation to the side/rear laneway.
29. Hotel 'drop-off' vehicle zone adjacent to southern laneway.
30. External seating within front setback and 6 external visitor bicycle parking spaces adjacent to southern laneway.

Levels 1-10

31. Hotel rooms, with west-facing rooms at Levels 4, 9 & 10 provided with balconies.

Roof

32. External terrace (32.6sqm), DDA bathroom, productive garden, landscaping, storeroom and services.

General

33. Height to parapet of 33.95m, with maximum overall height of 37.5m to lift overrun. This equates to 11 storeys, plus roof terrace.

34. A four storey, 12.95m streetwall is proposed.
35. Basement constructed to all boundaries.
36. Ground floor constructed along northern boundary and part of east/south boundary, with 1.5m to 3m front setback (west), and a 2.16m setback from laneway for vehicle 'drop-off' zone and splay in south-east corner.
37. Levels 1-3 constructed to all boundaries;
38. Level 4 constructed to north, south and east boundaries, with a 3m setback from the front (west) boundary. Four balconies (2.7sqm-3.4sqm) will be located within this setback.
39. Levels 5-8 constructed to north, south and east boundaries, with a 3m setback from the front (west) boundary.
40. Level 9 constructed to north, south and east boundaries, with a 3m setback from the front (west) boundary and circular balconies (1.2sqm) located within this setback.
41. Level 10 constructed to north and east boundaries, with a strip of landscaping extending along the southern boundary and a 4.56m setback from the front (west) boundary. Balconies for 3 hotel rooms (2.2sqm-2.6sqm) located within this setback.
42. Roof setback 4.15m from front (west) boundary, with landscaping extending around the perimeter of the roof terrace, DDA toilet and services.

Materials and finishes

43. Contemporary architectural form with a range of building materials including light coloured face brickwork, smooth and textured precast finishes, bronze and metal panel finishes, bronze metal details and glazing.

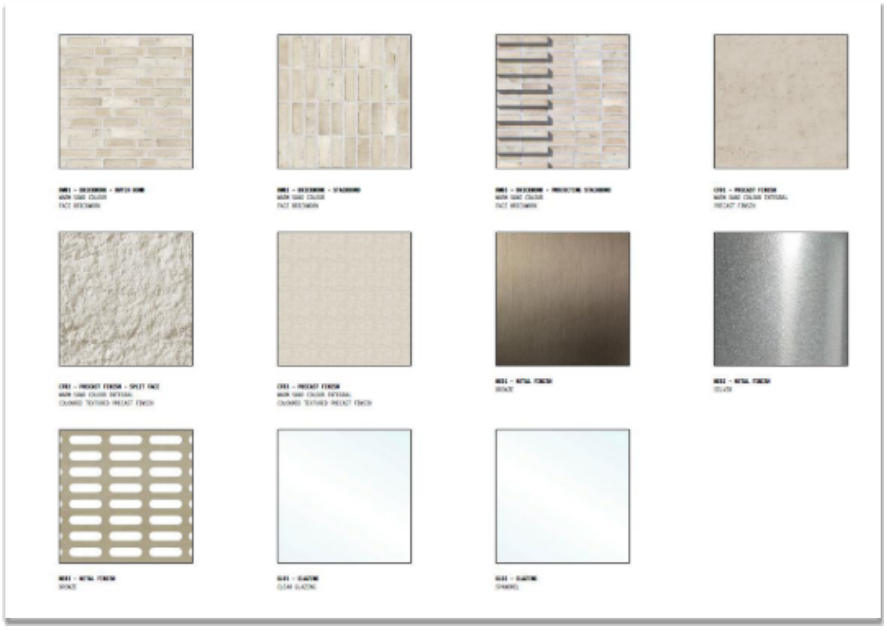


Figure 9: Material and Finishes Schedule. Source: Architectural Plans (2025)

44. The architectural design features a modular brick façade with strong vertical articulation and recessed detailing. Large glazed windows are provided at all levels within the east, west and southern facades, with circular elements at the top floor of the western facade.

A fully glazed ground floor frontage addresses Dover Street, with significant glazing addressing the southern laneway.



Figure 10: Render of proposal. Source: Urban Context Plan (2025)

45. An external staircase abuts the northern boundary; this staircase is clad in metal balustrades and open to the sky.

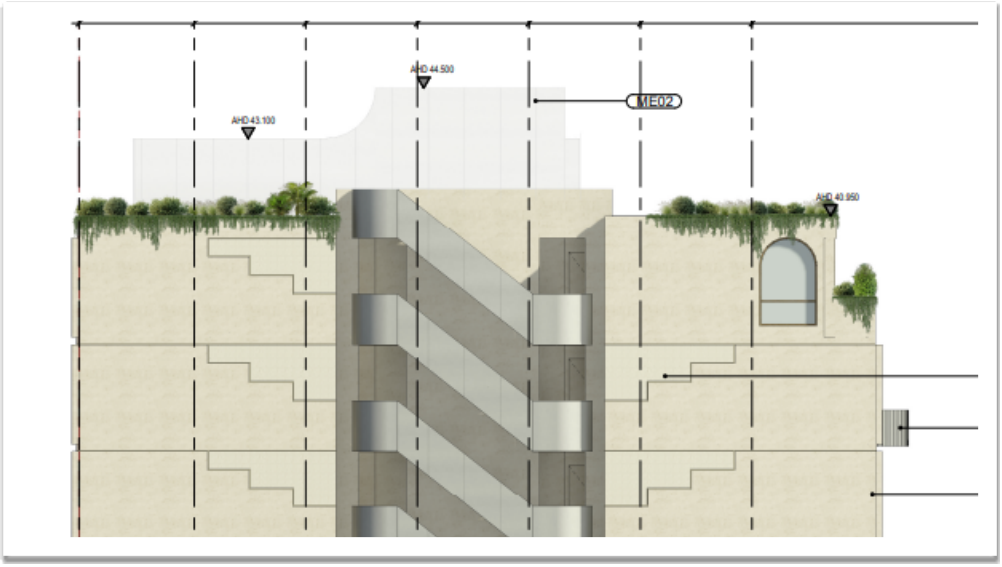


Figure 11: Render of northern wall with external staircase. Source: Urban Context Plan (2025)

Statutory controls

46. The table contained in the Officer Recommendation sets out why a planning permit is required for this matter.

47. The following Clauses of the Yarra Planning Scheme (the Scheme) are also relevant to the proposal:

    (a) **Clause 34.02 – Commercial 2 Zone (C2Z):**

        (i) Pursuant to clause 34.02-1 of the Scheme, a permit is required for a 'residential hotel'. The gym and conference room in the basement are for use by hotel guests only and are therefore considered to be 'ancillary' uses to the hotel;

        (ii) Pursuant to clause 34.02-1 of the Scheme, a planning permit is required for a 'food and drink premise' if the leasable floor area exceeds 100sqm. As the proposed café is 46.8sqm, a permit is not required for this use; and

        (iii) Pursuant to clause 34.02-4 of the Scheme, a permit is required to construct a building. The decision guidelines are set out at Clause 34.02-7;

    (b) **Clause 43.02 - Design and Development Overlay – Schedule 51 (DDO51):**

        (i) Pursuant to Clause 43.02-2, a planning permit is required to construct a building, unless a Schedule to this overlay specially states a permit is not required; and

        (ii) Schedule 51 of the DDO contains no exemptions from this requirement;

    (c) **Clause 45.06 - Development Contributions Plan Overlay – Schedule 1 (DCPO1):**

        (i) The DCPO1 sets out mandatory development contributions for particular types of development where this an increase in commercial floor area; given the new commercial floor area to be introduced, this clause applies. The subject site is located in Charge Area 11 (Cremorne). Council's standard condition will be recommended to ensure that the applicable Development Infrastructure Levy is paid, as required;

    (d) **Clause 52.06 – Car Parking:**

        (i) Before a new use commences, the required car parking spaces must be provided on the land as set out at Clause 52.06-5. The following table outlines the car parking requirements associated with the application:

Proposed Use	Quantity/size	Statutory Parking rate*	No. of spaces required	No. of spaces allocated
Residential Hotel	105 rooms	Parking rate not specified in Clause 52.06-5	To the satisfaction of the Responsible Authority	0
Food and Drink	46.8sqm	3.5 spaces per 100sqm of leasable floor area	1	0

		Total	**1**	**0**

*Site is within the Principal Public Transport Network – Column B parking rates apply

(ii) Given the above, a planning permit is required for a full reduction of the statutory car parking requirements; and

(e) **Clause 52.34 – Bicycle Parking:**

(i) In accordance with Clause 52.34-1 of the Scheme, a new use must not commence until the required bicycle facilities and associated signage have been provided on the land. The following table outlines the bicycle parking requirements associated with the application:

Proposed Use	**Quantity/size**	**Statutory Parking rate**	**No. of spaces required**	**No. of spaces allocated**
Residential Hotel/Residential building other than specified in this table	105 rooms	In developments of four or more storeys, 1 to each 10 lodging rooms	11 employee spaces	11 employee spaces
		In developments of four or more storeys, 1 to each 10 lodging rooms	11 guest spaces	6 guest spaces
Food and Drink	46.8sqm	1 to each 300 sq m of leasable floor area	0 employee space	0 spaces
		1 to each 500 sq m of leasable floor area	0 customer space	
		Total	**22**	**17**
Showers/Change rooms		1 to the first 5 employee spaces and 1 to each additional 10 employee spaces	1 shower/change room	1 shower/change room

50. Based on the above, a reduction of 5 visitor bicycle spaces is required. A permit may be granted to vary, reduce or waive any requirement.

Internal and External Consultation

Advertising

51. The application was advertised under the provisions of Section 52 of the *Planning and Environment Act (1987)* by 277 letters sent to surrounding owners and occupiers and by two signs displayed on the Dover Street frontage.

52. Pursuant to Clause 34.02-6, an application to construct a building is 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. This exemption does not apply to land within 30m of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

53. The subject site meets these criteria, and therefore the building and works component of the proposal are exempt from notice and review.

54. An application for a reduction in bicycle spaces is 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.

55. The requirement for notification for the reduction in the statutory car parking rate was exempt at a Development Approvals Panel meeting on 30 September 2025, as the reduction of 1 space was not considered to cause detriment to surrounding sites.

56. The residential hotel use is not exempt from notification.

57. Council originally received 16 objections; following the submission of amended plans, 5 of these were withdrawn.

58. A total of 11 objections remain, on the following key grounds:

    (a) Disrupted access to the surrounding street network during construction;

    (b) Proposed height;

    (c) Lack of on-site car parking provision;

    (d) Removal of vegetation;

    (e) Internal space of hotel rooms insufficient;

    (f) Potential off-site amenity impacts (overshadowing, wind, loss of daylight, loss of views); and

    (g) Traffic and access concerns.

59. Following lodgement of the Section 57A amendment on 4 August 2025, the application was not re-advertised under the provisions of Section 57B of the Act. The application was granted a discretionary advertising exemption on 19 September 2025 on the basis that the amended proposal would not result in increased material detriment to the surrounding area and there was no increase in the number of hotel rooms proposed.

Internal and external referrals

60. The original proposal was referred to the following internal business units and external consultants:

Internal Business Unit/ External consultant	Comments
Heritage Advisor	The site is not located within the Heritage Overlay, however comments were sought with regard to potential impacts to the 'Slade Knitwear' sign, should it be reinstated. Heritage was supportive of the proposal.
Strategic Transport	Support, subject to conditions which were met in the amended plans.
ESD	Support, subject to conditions.
Urban Design (internal)	Support, subject to conditions
Development Engineering	Support, subject to conditions
Waste	Support, subject to conditions
Strategic Planning	Support, subject to full compliance with DDO51.
Urban Design (Hansen)	Support, subject to conditions
Wind	Support, subject to conditions

61. The referral responses have been included as attachments to this report.

Policy Implications

Planning Policy Framework (PPF)

62. The following policies are of most relevance to this application:

- Clause 2 - Municipal Planning Strategic, including:
  - Clause 02.01 – Context:
    - Clause 02.01-1 – Location
    - Clause 02.01-6 – Built Environment and Heritage
    - Clause 02.01-9 – Transport
  - Clause 02.02 – Vision
  - Clause 02.03-1 – Settlement:
    - Clause 02.03-3 – Environmental Risks and Amenity
    - Clause 02.03-4 – Built Environment and Heritage
    - Clause 02.03-6 – Economic Development
    - Clause 02.03-7 – Transport
  - Clause 02.04 – Strategic Framework Plan
- Clause 11 – Settlement , including:
  - Clause 11.01-S – Settlement
- Clause 13 – Environmental risks and amenity:
  - Clause 13.07-1L – Interfaces and Amenity
- Clause 15 – Built environment and heritage:
  - Clause 15.01-1L – Urban Design

  - Clause 15.01-2L – Building Design
  - Clause 15.01-2L-01 – Environmental Sustainable Development
  - Clause 15.01-5S – Neighbourhood Character
- Clause 17 - Economic Development:
  - Clause 17.01-1L – Employment
  - Cause 17.02-1S – Business
- Clause 18 – Transport:
  - Clause 18.01-1S – Land Use and Transport Integration
  - Clause 18.02-1S - Walking
  - Clause 18.02-2L – Cycling
  - Clause 18.02-3S – Public Transport
- Clause 19 – Development infrastructure:
  - Clause 19.03-3L – Water Sensitive Urban Design

Other relevant documents

Cremorne Place Implementation Plan

63. The Cremorne Place Implementation Plan (CPIP), released in December 2020 by the Victorian Planning Authority and City of Yarra, sets a vision for Cremorne as a global innovation and technology precinct with a vibrant, sustainable, and liveable "village feel". The CPIP includes an action plan to guide development, manage change, and enhance the precinct's strengths for businesses, workers, residents, and visitors.

64. Key elements involve developing an Urban Design Framework (UDF) to provide detailed directions for future growth and built form, improving public spaces, sustainable transport and fostering a purpose-built digital hub.

Draft Cremorne Urban Design Framework

65. The Draft Urban Design Framework (UDF) builds on the CPIP's vision to provide detailed directions for the future of Cremorne's look and feel, including specific built form controls and design principles. The UDF was adopted by Council in September 2022 and resulted in Amendment C317yara and C318yara, which were designed to apply the Design and Development Overlay (DDO) to C2Z areas of the Cremorne West Precinct (DDO51), Railway Precinct (DDO52) and Church Street Precinct (DDO53) on interim and permanent basis. Further information on these amendments is provided below.

Spatial Economic and Employment Strategy

66. The Spatial Economic and Employment Strategy (SEES) was adopted by Council in September 2018 and includes 6 directions which will inform future policy for the Scheme.

67. The strategic direction contained within the SEES supersedes that contained within the Yarra Business and Industrial Land Strategy (BILS), adopted by Council in June 2012. In regard to the site, the Strategy 2 of the SEES aims to retain and grow Yarra's Major Employment Precincts, providing the following:

68. *To accommodate projected demand for commercial floor space Yarra's two large, consolidated employment precincts at Gipps Street, Collingwood and Cremorne/Church Street South, Richmond should be retained for employment activities. These areas have made a gradual transition from predominantly industrial uses to a wider mix of activities*

that include professional services, creative industries, medical-related activities and small-scale manufacturing. Zoning should continue to exclude residential development to retain the core employment function of these precincts.

Plan Melbourne

69. Released in May 2017, Plan Melbourne 2017-2050 (Plan Melbourne) outlines the key strategic directions with regard to the provision of housing and commercial activity within Melbourne's urban areas. The strategic outcomes outlined in the document are required to be considered as part of Council's decision-making process and include (inter-alia):

    (a) Outcome 1: 'Melbourne is a productive city that attracts investment, supports innovation and creates jobs':

        (i) Direction 1.1 of Plan Melbourne is to 'Plan for the redevelopment of major urban renewal precincts in and around the central city to deliver high-quality, distinct and diverse neighbourhoods offering a mix of uses; and

    (b) Outcome 5: 'Melbourne is a city of inclusive, vibrant and healthy neighbourhoods':

        (i) Direction 5.1 of Plan Melbourne is to 'Create a city of 20-minute neighbourhoods'; and

        (ii) Policy 5.1.1 seeks to create mixed-use neighbourhoods offering more housing choice and creating opportunities for local businesses and new jobs.

70. The plan outlines the vision for Melbourne's growth to the year 2050. It seeks to define what kind of city Melbourne will be and identifies the infrastructure, services and major projects which need to be put in place to underpin the city's growth. It is a blueprint for Melbourne's future prosperity, liveability and sustainability.

71. The document identifies that increased diversity and density of development is encouraged within areas covered by the Principal Public Transport Network particularly at interchanges, activity centres and where principal public transport routes intersect.

Planning Scheme Amendments

Amendment C317yara

72. On 25 September 2025, the Minister for Planning approved Amendment C317yara, which applies the Design and Development Overlay (DDO) to C2Z areas of the Cremorne West Precinct (DDO51), Railway Precinct (DDO52) and Church Street Precinct (DDO53) on an interim basis.

73. The subject site is located within the Cremorne West Precinct under DDO51.

74. The interim DDOs will apply while permanent controls for the precinct are progressed through Amendment C318yara

Amendment C318yara

75. On 25 September 2025 the Minister for Planning provided consent for Council to exhibit draft Amendment C318yara. Amendment C318yara implements the recommendations of the Cremorne UDF by:

    (a) applying permanent DDOs to C2Z areas of the Cremorne West Precinct (DDO51), Railway Precinct (DDO52) and Church Street Precinct (DDO53);

    (b) applying the Schedule to 45.09 (Parking Overlay) (PO3);

(c) updating local policy in the Municipal Planning Strategy at Clause 11.03-6L-01 (Cremorne Enterprise Precinct);

(d) correcting zoning anomalies for two properties; and

(e) makes other consequential changes to the Yarra Planning Scheme.

76. Draft Amendment C318yara is due to go out on exhibition in early November, along with the revised UDF. Following exhibition, Council will consider submissions in early 2026 and decide on Council's preferred version for the Yarra Activity Centre Standing Advisory Committee to consider.

Officer Assessment

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

(a) Strategic support;

(b) Land Use;

(c) Building design;

(d) On-site amenity and facilities;

(e) Off-site amenity impacts;

(f) Car parking and traffic;

(g) Bicycle provision and facilities;

(h) Waste; and

(i) Objector concerns.

Strategic Support

78. The proposal enjoys considerable support from both State and local policy for accommodating increased development in the given location. The site is appropriately placed for the proposal, due to its proximity to Swan Street, Church Street and the Melbourne CBD, along with numerous public transportation options, including train stations, multiple bus routes, tram routes and key arterial roads.

79. A purpose of the C2Z is '*To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services*'. The zone also seeks to ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses. The site is entirely surrounded by land within the C2Z, with the only dwellings within proximity being non-conforming uses.

80. As outlined within the 'site and surrounds' section, a row of five dwellings is located to the south-west of the site on Dover Street, with a dwelling directly to the east. Of these dwellings, three have established existing use rights as dwellings. Irrespective of this, these properties are located within the C2Z and are surrounded by commercial uses. While it is not anticipated that the use of the land as a hotel would result in further detriment to the amenity of these properties, further discussion on this aspect, with particular reference to the established dwelling uses, will be undertaken later within this report.

81. There is sound strategic basis for the redevelopment of the site for the purpose of a multi-storey building incorporating food and drink premises and a residential hotel. This outcome is acceptable for the following reasons:

    (a) The site is located within proximity to the Swan Street MAC and Church Street, and is within an identified commercial/industrial area where an intensification of employment generating uses and commercial development are encouraged;

    (b) The site is located within walking distance of a variety of sports and entertainment venues;

    (c) The site is located within a precinct that is rapidly undergoing land use and built form change in recognition of the significant urban renewal opportunities available in the area;

    (d) There is evidence (proposed, approved and constructed) of a higher built form character emerging in the locality, a character which is both acknowledged and supported by the Planning Scheme. Many examples of this development have been demonstrated earlier within this report;

    (e) The site is in proximity to various forms of public transport and a dedicated bicycle network, ensuring it is highly accessible;

    (f) Bicycle spaces and end-of-trip facilities are provided on-site, which satisfy the statutory requirements, and in turn will meet the projected needs of future occupants of the building and seek to encourage sustainable modes of transport; and

    (g) The site has limited sensitive interfaces, and any potential off-site impacts can be reasonably managed.

82. The proposal is consistent with strategies outlined in Clause 11.01-1S (Settlement) and Clause 11.03-1R (Activity Centres – Metropolitan Melbourne) of the Scheme, which aim to '*promote and capitalise on opportunities for urban renewal and infill redevelopment*' and '*support the development and growth of Metropolitan activity centres….by ensuring they are able to accommodate significant growth for a broad range of land uses*'.

83. The proposal is also consistent with objectives outlined in Clause 11.03-1L (Activity Centres) which seek to '*encourage uses and development in activity centres that support the employment areas, health and education precincts shown in clause 02.04 (Strategic Framework Plan), support use and development which contribute to the night-time economies of activity centres, while limiting adverse amenity impacts within the centres and surrounding residential neighbourhoods and promote use and development that support street level activation and passive surveillance of the public realm*'.

84. Relevant design objectives of DDO51 seek;

    (a) *To create a thriving enterprise precinct which delivers high quality, innovative and environmentally sustainable development to support commercial and employment opportunities; and*

    (b) *To ensure development enhances the public realm and contributes to a network of pedestrian orientated streets through street activation, human scale development, sunlight access to Cremorne Street and Balmain Street and open spaces, comfortable wind conditions, and street setbacks at ground level.*

85. As will be discussed throughout this report, the proposal is considered to achieve these outcomes.

Land Use

86. The proposed use as a residential hotel triggers the requirement for a planning permit within the C2Z. As set out above, the hotel will generate employment opportunities and support the local business environment within Cremorne. The primary frontage of the hotel to Dover Street ensures that all additional pedestrian activity will be maintained within the most active thoroughfare, with the combined presence of the hotel entrance and ground floor café ensuring a lively and engaging environment is provided at this interface.

87. Clause 17.04-1R seeks to maintain and develop Metropolitan Melbourne as a desirable tourist destination, with Clause 17.04-1L (Tourism, arts and culture) within the MPS supporting proposals for visitor accommodation (including hotels and serviced apartments) where they contribute to the area's economic role or tourism offer, have good access to public transport, and are designed to avoid amenity impacts on the surrounding area. The provision of a residential hotel will contribute to the availability of accommodation within the locality, while supporting the local economy through additional visitors to the area.

88. Given the proximity to Swan Street, the CBD and Melbourne's major sporting precinct, this area is considered an appropriate location for temporary accommodation. The gym and conference room within the lower levels of the hotel are for use by hotel guests only and are therefore ancillary to the hotel use. The roof terrace is also proposed for the hotel use only.

89. A VCAT decision relating to an approved residential hotel in Collingwood *(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 the following:

    (a) *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.*

90. A hotel provider has not yet been finalised, and as such, the details outlined above have not been confirmed. To ensure that the use of the hotel is appropriately managed and will not result in any unreasonable off-site amenity impacts, the preparation of a Hotel Management Plan (HMP) which outlines the following aspects of the hotel use should be required via condition;

    (a) Reception operating procedures, including staffing numbers and hours;

    (b) Operating hours of the gym and conference facilities, with the HMP confirming that these uses will only be accessible to hotel guests;

    (c) Operating hours of the roof terrace, again with confirmation that this space will only be accessible to hotel guests;

    (d) Cleaning and maintenance details;

    (e) Hours of deliveries;

    (f) Security measures;

(g) The maintenance of a complaint register; and,

(h) Confirmation that the HMP will be reviewed periodically to identify if/where operational and safety practices can be improved.

91. Previous HMPs required by the City of Yarra have sought to restrict the duration of stays within hotel rooms to a maximum of 30 days, to ensure that these buildings are not used for more traditional long term residential purposes. In those instances, the hotel rooms were significantly larger and could have comfortably been used for longer term accommodation.

92. However, a recent VCAT decision for a residential hotel at No. 14-18 Cremorne Street (PLN22/0991) removed this requirement from the permit, noting the following:

(a) *The definition of 'Residential hotel' includes providing 'accommodation in serviced rooms for persons away from their normal place of residence'. We are cognisant that there can be reasons why a person may wish to stay in a residential hotel longer than 30 days (e.g. moving from interstate or overseas or staying for the duration of a work-related project). There is nothing in the Residential hotel definition that places a limit on how long a person can stay. We have not been referred to any policies in the planning scheme that seek or encourage a limit being placed on how long a person can stay in a residential hotel. We are not aware of any legislation that places a limit on how long a person can stay. We are aware that some hotel operators choose to have their own code or rules about how long a person can stay. For these reasons, we are not persuaded that this requirement should form part of a planning permit condition for this land use on the review site.*

93. Based on the above, it is considered that a restriction on the duration of stays within the hotel is not required, and given the requirement for a HMP it is considered that the hotel use would not result in unreasonable detriment to the surrounding area which is commercially zoned. Relevant off-site amenity impacts will be discussed further within this report.

Building design

94. An assessment of the proposed building design is guided by the decision guidelines of both State and local policy for Building Design (Clause 15.01-2S and Clause 15.01-2L) and the requirements outlined in Schedule 51 to the Design and Development Overlay (DDO51). The height, massing, design and public realm response of the building will be discussed in detail below, with reference to the above provisions.

95. These provisions and guidelines seek a development that responds to the existing and preferred neighbourhood character and provides a contextual urban design response reflective of the aspirations of the area. Particular regard must be given to the height and massing, street setbacks and the proposal's relationship to adjoining buildings. These considerations will be addressed separately below.

Height

96. The building is proposed to extend to a height of 33.95m, with a maximum overall height of 37.5m to the lift overrun. This equates to an eleven storey building, with a roof terrace above. The proposal sits in a mid-block location, with adjacent built form ranging from two to four storeys in scale. Clause 15.01-2L (Building Heights) seeks to ensure the height of new buildings respond to the building height requirements set out in the Planning Scheme, adjoining development building height or where there are no specified

building height requirements, have regard to the physical and strategic context of the site.

97. For this site, DDO51 provides specific guidance on height expectations, with the property located within the *Cremorne Enterprise Precinct – Cremorne West*, which is designated as 'CW-C' in the Building Height, Setbacks and Interface Plan at Section 2.6 of Schedule 51. This plan is provided below, with the site directly to the south of the Slade Knitwear Sign identified. There are no mandatory requirements; all height, setback and streetwall parameters outlined in this section are discretionary.

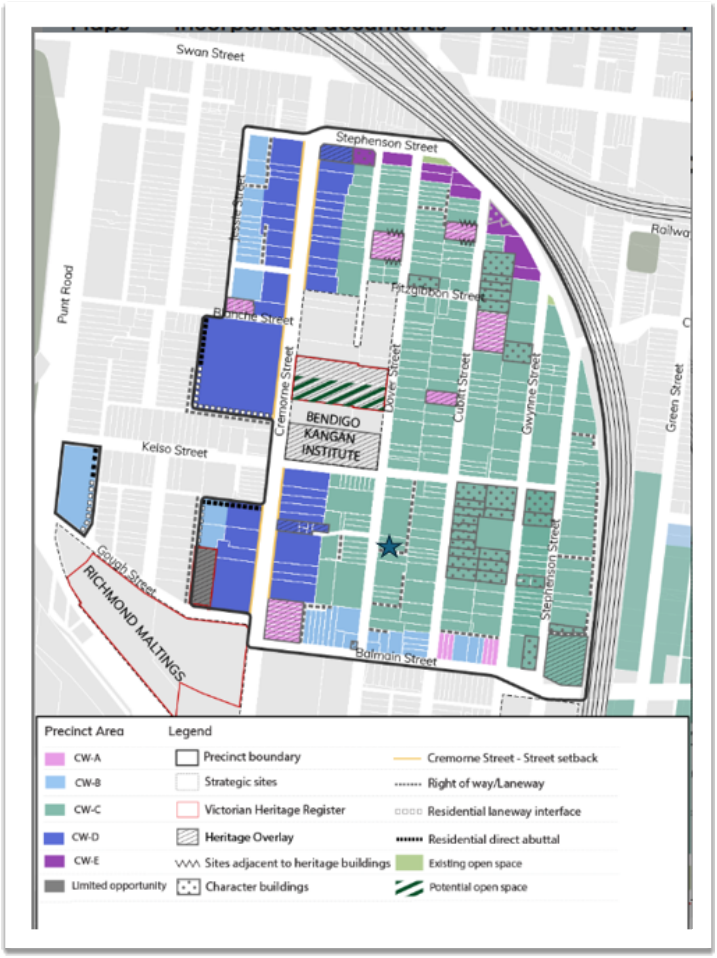


Figure 12: Section 2.6 of DDO51 - Cremorne West precinct heights, setbacks and interface plan. Source: Yarra Planning Scheme

98. DDO51 specifies that the preferred building height for this site is 28m. This results in a variance of 5.95m above the preferred height.

99. To assist with the assessment, Council sought Urban Design advice from Hansen Consultants (Hansen). In their review, Hansen noted that '*there is an emerging trend of mid-rise and taller development in Cremorne West, with buildings of 5 storeys and above becoming increasingly prevalent. Taller forms ranging from 7 to 12 storeys are also evident. Notable examples include the approved 8 storey developments at 131–135 Dover Street (to the south) and 85 Dover Street (to the north), and the 12 storey mixed-use building at 101 Cremorne Street (to the west). These approvals are contributing to an emerging pattern of mid-to-high rise built form within the immediate context of the subject site*'. It is therefore clear that higher built form is anticipated in this location.

100. At the time this advice was prepared, DDO51 had not been approved and did not form part of the Scheme. However, the Cremorne Draft Urban Design Framework (UDF) upon which DDO51 is based, also specified a preferred maximum overall height of 28m for this site. Whilst acknowledging the Draft UDF had limited policy weight, Hansen relied on this document and the surrounding context when undertaking their review.

101. There is strategic justification for significant intensification of the site and surrounds as set out earlier in the report however, as outlined in Hansen's advice '*the subject site sits within a low-rise portion of Dover Street, flanked by a 2 storey warehouse to the south and a 4 storey commercial building to the north, with the broader block remaining relatively fine-grain in scale*'. It can be safely assumed that higher development within the adjacent sites will occur in the future, however within the existing context the proposed height introduces a considerable scale jump, with limited transition.

102. The Building Height Requirements at Section 2.3 of DDO51 stipulate that a permit should only be granted to construct a building which exceeds the preferred building height if the following criteria are met:

    (a) The building elements permitted by the proposed variation satisfies the general design objectives in Clause 1.0 of this schedule and the relevant design requirements specified in this schedule; and

    (b) The development achieves design excellence through each of the following:

        (i) Greater building separation than the minimum requirement in this schedule;

        (ii) Provide safe and generous ground level setbacks and publicly accessible spaces to enhance the public realm and accommodate building entrances, spaces for outdoor dining, landscaping or street level bicycle parking;

        (iii) No additional overshadowing of residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height; and

        (iv) Where a site contains a character building it should be retained and incorporated within the design of a future building.

103. Of the above, the proposal meets point (ii), with (iii) and (iv) not applicable to this site. The proposal does not meet point (i), as it does not provide greater building separation than that required in the schedule. According to Council's Strategic Planning Unit, the building elements permitted by the proposed variation do not satisfy the relevant design objectives specified in Clause 1.0. On this basis, Strategic Planning recommended a reduction in height to a maximum of 28m.

104. In support of the proposed height, Hansen noted that the proposal's narrow frontage, articulated façade, and landscaped rooftop are positive features that assist in softening its perceived scale. However, they also noted that '*given Dover Street's narrow width of only 9.6m, the overall building height results in a high level of enclosure that diminishes pedestrian comfort and undermines the Framework's objective of achieving a human-scaled, walkable street environment*'.

105. To reduce this visual bulk and better align with the emerging Dover Street streetscape, Hansen recommended a reduction in height of 1 level, with this level preferably taken from levels 6, 7 or 8. They concluded that this reduction would establish a more appropriate scale for the area, by creating a comfortable level of enclosure along the street and providing a building height that is more closely aligned with the strategic

vision stipulated in DDO51. A 'mark-up' of where a level should be removed from is provided in Figure 13.

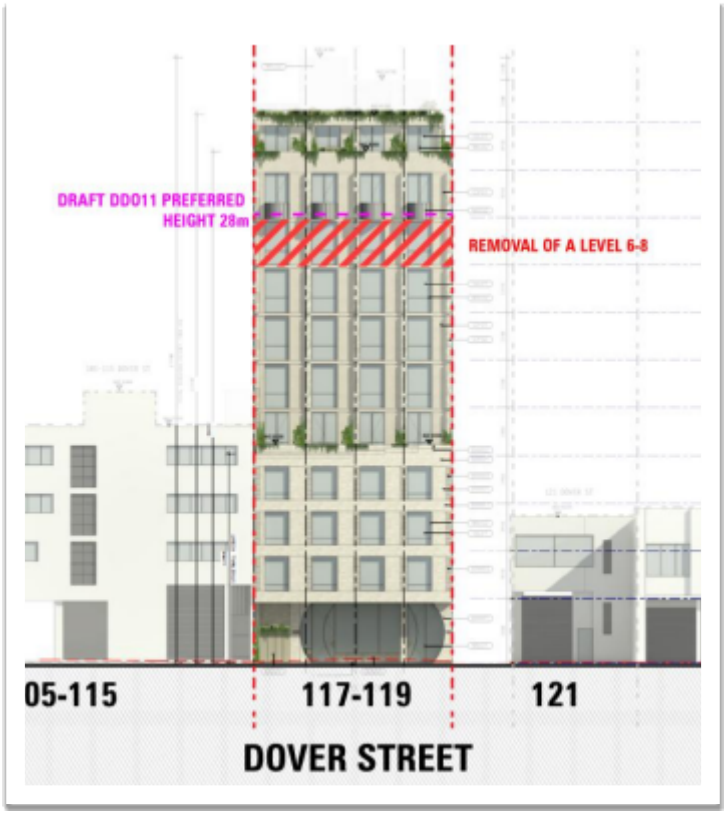


Figure 13: Recommended removal of one level outcome. Source: Hansen report (2025)

106. A reduction of one level would result in an overall building height of 31m. While this would continue to exceed the preferred building height by 3m, it is considered that this level of exceedance would allow the building to respond to the emerging pattern of higher built form which is encouraged in this precinct. A minor variation to the preferred height in this instance is supported by the proposed setbacks of the upper levels from Dover Street, the public realm offering at ground level and the visual separation provided by the laneway along the southern boundary. The additional setback at Level 10, which would be retained via an amended design, further reduces visibility of this level and would reduce the perceived height when viewed from the street frontage.

107. In addition, the architectural expression and articulation provided by vegetation and the stairwell in the northern wall, all contribute to providing a well-designed building that will not appear visually intrusive or bulky when viewed from surrounding vantage points.

108. Planning officers agree with Hansan's recommendation and consider that the amended proposal would strike a reasonable balance between the efficient development of the land and the outcomes sought by relevant planning policy.

109. While it is acknowledged that buildings exceeding the preferred heights outlined in the Draft UDF have been approved within proximity to the site, these approvals occurred prior to the implementation of DDO51, with the Draft UDF having limited statutory weight. Further to this, many of these buildings are located on larger, consolidated lots, with greater street frontages, or on corner sites, where taller built form can 'hold' the street corner. The mid-block location of this land and the narrow street frontage place

limitations on development potential. As such a condition will require the removal of a level (from levels 6, 7 or 8).

110. Section 2.3 of DDO51 notes that service equipment and structures, including balustrades, unenclosed pergolas for communal areas, shading devices, plant rooms, lift overruns, stair wells, structures associated with pedestrian access, green roof areas and other such equipment may exceed the preferred height provided that each of the following criteria are met for the equipment or structure:

    (a) Less than 50 per cent of the roof area is occupied by equipment or structures (other than solar panels and green roofs);

    (b) The equipment and/or structures do not cause additional overshadowing on 22 September of secluded private open space to residential land, opposite footpaths, kerb outstands, or planting areas in the public realm; and

    (c) The equipment or structures do not extend higher than 3.6 metres above the maximum building height.

111. The proposed services occupy approximately 50% of the area, and currently extend 2.2m above the roof height, with the lift overrun 3.6m above. A condition will require these to ensure these outcomes are retained in an amended design.

Street wall

112. The proposal presents a street wall height of 12.95m or 4 storeys to Dover Street. DDO51 stipulates a preferred street wall height of 12m. While this marginally exceeds the preferred height, it remains generally consistent with the intended scale and aligns with the street wall scale of adjoining developments, sitting lower than the 4-storey commercial building to the north. This is demonstrated in Figure 14.

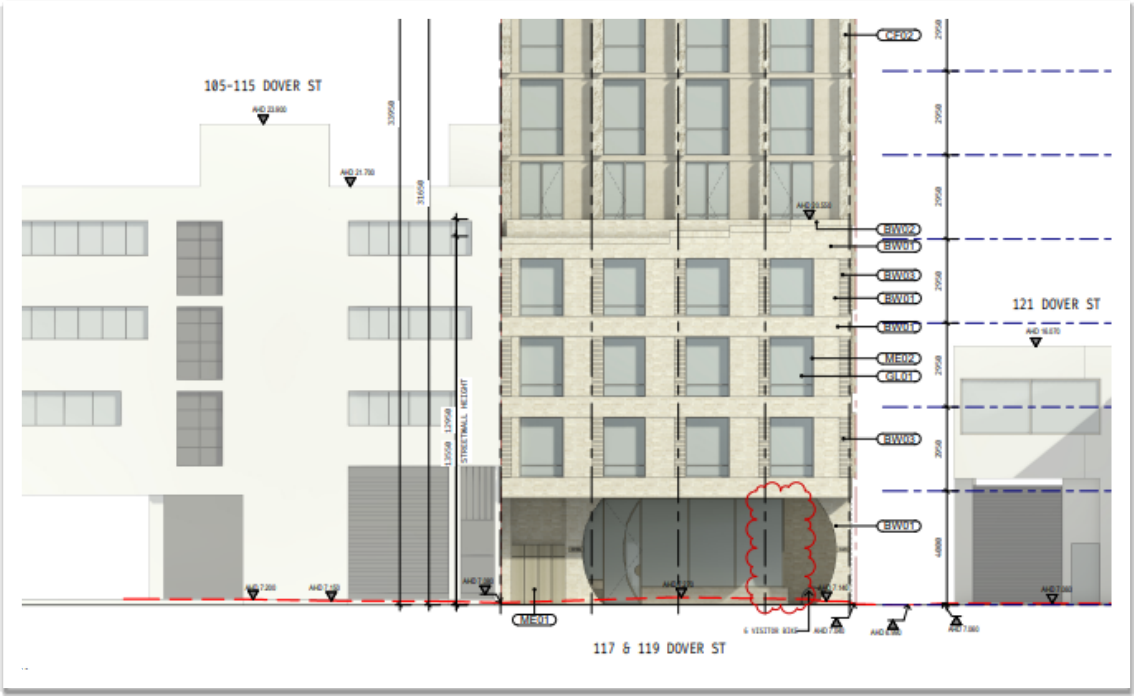


Figure 14: Scale of streetwalls along Dover Street. Source: Architectural Plans (2025)

113. Section 2.4 of DDO51 notes that a permit should not be granted to construct a building which exceeds the relevant preferred maximum street wall height unless the following requirements are met, to the satisfaction of the responsible authority:

    (a) The built form outcome that results from the proposed variation satisfies the design objectives in Clause 1.0 of this schedule; and

    (b) The built form outcome that results from the proposed variation satisfies the relevant design requirements specified in this schedule.

114. The provisions also note that street walls should:

    (a) *Be designed to reinforce a pedestrian scale along streets and laneways; and*

    (b) *Include architectural detailing such as high quality tactile materials and depth and articulation to provide visual interest to pedestrians.*

115. And development should:

    (a) *Provide chamfered building corners at intersections to create additional public space at points of pedestrian congestion, where appropriate; and*

    (b) *Expand the public realm through inset building entrances and integrated seating with foot clearance, where appropriate.*

116. In response to the above, and with particular reference to the Building Design requirements at Section 2.11 of DDO51, the proposal provides a well-designed entrance space, which creates a transition between the public and private realm and encourages activity to occur at the street interface. It also activates the street at ground level by creating a pedestrian-oriented environment and enhancing passive surveillance of the public realm. The ground floor setback and integrated seating further achieves these outcomes.

117. The height of the street wall offers a transition from north to south, with the southern laneway allowing for a visual break and providing an appropriate transition to the lower built form to the south. In their review, Hansen were supportive of the proposed height, noting that '*above the street wall, the building incorporates a 3m setback to the rising tower form, which visually separates the tower from the street level massing. This setback slightly reduces the perceived bulk at upper levels and reinforces the prominence of the street wall*'.

118. With the above in mind, and in the context of existing and emerging street wall heights, the minor variance in height is supported.

Upper-level Setbacks

119. The proposal incorporates upper level setbacks of 3m from Dover Street, with an additional 1.5m setback at Level 10. DDO51 contains a preferred requirement for an 11m front setback for this site, given its previous abuttal to the heritage Slade Knitwear sign directly to the north. As noted earlier, the adjacent site is affected by Heritage Overlay HO343 (Slade Knitwear Sign).



Figure 15: View of Slade Knitwear Sign (before its removal in 2023). Source: Google Streetview, 2019.

120. This setback was based on the sign being identified as a 'Landmark' within Table 1 at Clause 15.01-2L-02 of the Scheme, with Section 2.12 of DDO51 noting that a permit must not be granted to construct a building that would encroach upon views to the Slade Knitwear Sign when viewed from the north-west corner of Dover Street and Kelso Street. It also stipulates that development should provide adequate setbacks and building separation to maintain clear sky between the identified architectural elements of the landmark and any new development.

121. Further to this, relevant strategies at Clause 15.01-2L-02 seek to maintain primary views to landmarks; site, scale and set back new development to minimise encroachment of views to the identified landmarks and provide adequate setback and building separation to maintain clear sky between the identified significant elements of the landmark.

122. However, this sign was removed in 2023 under an Emergency Order issued by Council due to public safety concerns, and it is unlikely that it will be reinstated, as it is irreparably damaged and unsuitable for long-term retention. It is understood that the sign has been placed in storage, and while Council encourages the restoration and replacement of the sign, there are no immediate plans for this to occur.



Figure 16: View of current sign structure. Source: Officer photo (2025)

123. While it is considered unlikely that the sign will be reinstated, heritage advice was sought to ascertain whether the proposed development would be appropriate if the sign was restored to its original location. Heritage advice concluded that the location, setbacks and design of the proposal is acceptable from a heritage perspective having regard to the following:

    (a) The proposal would not encroach on views to the sign from the primary viewpoint identified at Table 1 at clause 15.01-2L-02 (northwest corner of the intersection of Kelso Street and Dover Street). Given the 3m setback of the proposed development from the western boundary (above the podium levels) the proposed development would not significantly encroach on views to the sign from the south (in Dover Street). This outcome is consistent with strategies at clause 15.01-2L-02 (outlined above);

    (b) The proposed development (above the podium levels) would be separated from the sign by approximately 10m, which would maintain clear sky between the sign and the proposal. This is also consistent with strategies at clause 15.01-2L-02; and

    (c) Whilst the proposal has openings and windows on the west elevation, it has only 1 window in the north elevation (at Level 10). It is anticipated that the open stairs on the north elevation will be illuminated at night for safety. However, it is not anticipated that the stair lights would generate a significant amount of light spill which would detract from the visual prominence of the sign at night. This is consistent with the strategy at clause 15.01-2L-02 which seeks to minimise light spill from new development which would reduce the visual prominence of identified illuminated landmark signs at night.

124. Therefore, from a heritage perspective, the impact of the proposed development on the sign (should it be restored and reinstated) is consistent with relevant objectives and strategies in the Scheme.

125. Further to this, Council's Strategic Planning team offered the following;

(a) *The sign has been removed for reasons of public safety via an Emergency Order and will not be reinstated (as it is badly damaged and is beyond repair for any long-term use). The 11-metre requirement is therefore no longer appropriate and the 3m upper-level setback that applies to Precinct Area CW-C should apply.*

126. The proposed 3m setback also complies with relevant provisions outlined in Section 2.5 of DDO51, with the setback reducing the visual impact of the upper levels, the architectural expression of the upper levels being distinct from but complementary to the street wall, and the upper levels including no more than two steps to minimise repetitive stepping of the built form. This outcome is demonstrated in Figure 17. Given the above, the 3m setback is supported.



Figure 17: Image of proposed setbacks above street wall.

Source: Urban Context Report (2025)

Building separation/Side & rear setbacks

127. Section 2.7 of DDO51 notes that development should be well spaced and sited to avoid visual bulk and provide equitable access to an outlook, good daylight, sunlight penetration and views to the sky above the street wall. Under DDO51, development can be built to the boundary up to a height of 20m, after which setbacks are required for three interfaces. The DDO allows development to be built to the boundary on one side only. In this case, the application proposes no setbacks above the boundary wall along the north, south or east boundaries.

128. The site benefits from laneway abuttal to the south and east, with the southern laneway relatively wide, extending between 3m to 3.8m. This interface provides opportunities for the proposal to achieve the outcomes outlined above, by providing a visual break between upper level built form, views to the sky from Dover Street, and reduced impacts upon future daylight access should the site to the south develop in the future. Given this separation, the southern site could incorporate significant glazing into its northern wall, thereby achieving excellent internal amenity, without the proposal incorporating any further setbacks from the south.

129. The introduction of side setbacks in taller buildings also seeks to provide additional articulation to side walls, which are often blank interfaces with limited texture/design. Given the laneway location, the southern wall of the proposal contains a generous extent of glazing, with three distinct façade elements which become more light weight as building height increases. The solid to void ratio reduces, and the southern elevation presents a visually interesting design, as demonstrated in Figure 18.



Figure 18: View of southern wall. Source: Architectural Plans (2025)

130. Further to this, Clause 15.01-2L (Building design) discourages blank walls, and encourages the use of articulation, massing or change of surface treatment, or a combination of these, to minimise visual bulk and integrate with the surrounding

character. The proposal is considered to achieve this. Given the narrow width of the site (12m), strict application of this requirement would also unreasonably compromise the development potential of this site, particularly given DDO51 envisions buildings up to 28m in height.

131. With these attributes, it is considered that a setback from the south for the upper levels is not required to achieve the intent of this provision.

132. The direct abuttal of the rear laneway for the full height of the building is also considered acceptable. The rear laneway is not a public accessway and is not identified as a future thoroughfare for public use. It will therefore remain as a service laneway for 'back of house' functions. The existing separation provided by the laneway ensures a visual break is maintained between development addressing Cubitt Street. The laneway also ensures daylight to the hotel windows and existing (and any future) windows within the development to the east will be protected. Views to the building will also be reduced once surrounding sites are developed as envisioned under DDO51. Based on the above, the current rear interface is supported.

Architectural quality

133. The architectural design features a modular brick façade with strong vertical articulation and recessed detailing, creating rhythm and depth within the street frontage. This design response is replicated in the southern and eastern walls, with the laneway abuttal providing opportunities for more visually interesting outcomes to be incorporated into these elevations.

134. The façade incorporates a high degree of glazing at all levels and contains a mixture of concrete finishes in a palette of greys and natural finishes. The development proposes high quality materials, with the combination of detailed brickwork, precast finishes and metal panels integrating in a positive manner. The use of silver metal for the balconies and external staircase adds further interest to the design.

135. The addition of the external staircase on the northern wall is a significant departure from common boundary wall responses, which are typically blank, sheer interfaces. This element will provide a welcome degree of visual articulation to this wall, until such time that the property to the north may be developed. Equitable development opportunities associated with the location of this staircase, and the upper level north-facing window as demonstrated in Figure 19, will be discussed later within this report.



Figure 19: Image of upper level design. Source: Urban Context Report (2025)

136. Hansen are supportive of the architectural treatments and proposed materials, noting that the selection of building materials and colour palette integrates well with the modern industrial fabric of Dover Street and surrounding streetscapes. The use of light-coloured bricks with modular glazing creates an appropriate and balanced visual identity.

137. The introduction of greenery along horizontal façade elements is supported, with this design approach softening the streetscape presentation.

138. The proposal is consistent with the building design requirements outlined at Section 2.11 of DDO51, by reinforcing the industrial character of the precinct through robust and durable materials which reference industrial typologies. This provision also discourages facade treatments which create unacceptable glare to the public realm and neighbouring properties. There are a generous number of windows within three of the four interfaces; with Planning Practice Note 96 (Glare and Reflectivity) acknowledging that extensive use of glass is more likely to cause reflected glare than other materials in the built environment. The percentage reflectivity of the proposed glazing has not been nominated, with west-facing glazing directly exposed to sunlight.

139. To ensure this outcome is appropriately managed, a condition will require the submission of a Façade Strategy, with this document to include details to demonstrate that the materials will not result in unreasonable glare.

Public realm interface

140. Section 2.11 of DDO51 seeks to;

    (a) *Provide well-designed entrance spaces to create a transition between the public and private realm and encourage activity to occur at the street interface; and*

    (b) *Activate the street at ground level to create a pedestrian-oriented environment and enhance passive surveillance of the public realm.*

141. The activation of the ground floor frontage is well considered, with generous glazing and outdoor seating creating an active and pedestrian friendly interface. The integration of

street level planting further enhances the public realm, contributing to a vibrant and engaging streetscape.



Figure 20: Image of upper level design. Source: Urban Context Report (2025)

142. The development proposes a glazed frontage at ground level, with the café and hotel entrance occupying the majority of the street level façade and providing a good degree of visual interaction to the public ream. The setback of the ground floor wall from the front boundary allows a broadening of the public realm across the site, with the cantilevered levels above providing integrated weather protection for guests.

143. The visitor bicycle spaces have been relocated to the side setback, as opposed to within the front setback as demonstrated in the image of the previous design at Figure 20. This relocation was recommended by Council's Urban Design team, who noted that the permanent structures in this location limited the circulation space within this setback.

144. Integrated seating associated with the café has been incorporated into part of the front setback; this outcome is supported as it will add to the active use of this space. The entrance to the hotel and café has also been combined, with the seating located to ensure access is not obstructed.

145. Hansen were supportive of the public realm outcome, noting that the street setback, seating and café fronting Dover Street contribute positively to pedestrian activation and passive surveillance.

146. The hotel drop-off and loading area is appropriately located along the southern laneway, effectively separating back of house servicing from the public realm on Dover Street and activating this edge. With regard to this setback, DDO51 encourages ground floor setbacks, where a site spans the full length of a laneway, to achieve a minimum clear width of 6.1m, in order to support vehicle access, building services and pedestrian amenity.

147. In this instance, over half of the southern wall at ground level is setback 2.16m from the southern boundary to provide a 'drop-off' zone for the hotel. The amended plans have also incorporated a splay in the south-east corner, to allow for vehicle manoeuvrability around this corner. It is considered that further widening of the laneway would

compromise the layout and function of key service and activation elements at ground level. This includes the location of essential infrastructure such as the substation, as well as the café, which is designed to activate the laneway frontage. Relocating or removing these elements to accommodate a greater setback would significantly diminish the site's capacity to provide active edges and essential services.

148. In this context, the proposed interface achieves an appropriate balance between built form and laneway function. It is considered acceptable given the laneway's constrained role, limited connectivity, and the provision of a functional and well-designed interface that supports the development's operational needs.

149. Council's Urban Designer is supportive of the 'drop-off' zone, noting that this will provide some activation along the laneway. As demonstrated in Figure 21, the southern wall of the café adjacent to this area will be fully glazed. This outcome is supported.

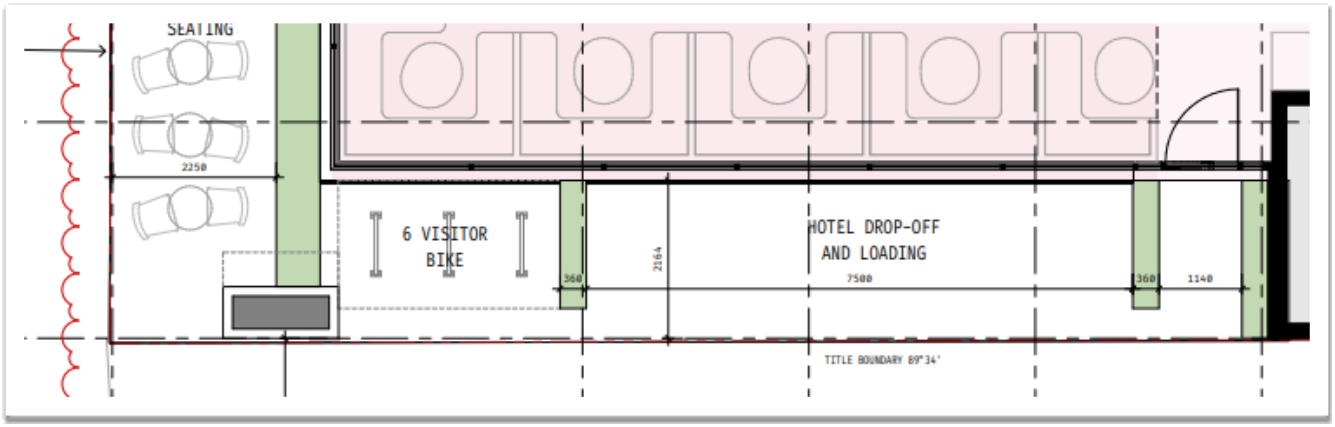


Figure 21: Layout of ground level laneway interface. Source: Architectural Plans (2025)

150. The addition of the splay in the south-east corner was requested by Council Engineers, who also noted that the setback area should be vested in Council (both at ground level and below ground with no basement/building structures). The requirement to vest this space to Council is not considered necessary with the basement extending below this splay. Further to this, the splay is associated with the proposed hotel use. If the site was to be developed with a different use in the future, the design would change accordingly, and the splay may not be required in that location or to the same specifications.

151. With regards to services, Section 2.11 of DDO51 notes the following:

    (a) *Building services should not be visible on primary building facades, occupy less than 40 percent of the ground floor area of the site, and be integrated into the building design;*

    (b) *Services should occupy a minimal proportion of any facade including the primary facade, if it is not possible to locate them elsewhere; and,*

    (c) *Development should locate sub-stations underground, where possible, and access should be provided from right of ways, laneways or located off the primary street.*

152. Minimal services will disrupt the principal façade; the west elevation indicates a service cabinet will be located at the northern end of the ground floor frontage; however the ground floor plan shows landscaping in this location. The Landscape Plan confirms that a service cabinet will sit below overhanging vegetation. For consistency, the ground floor plan should be updated to clearly notate the service cabinet.

153. A substation will be located at the rear of the site, addressing the southern laneway. DDO51 encourages the locating of substations underground. This option was explored with CitiPower by the applicant, who noted that a basement substation requires a significantly larger room than a substation located at ground level. In addition, CitiPower would require a secondary basement below basement 1 due to the risk of flooding. Based on the design constraints set by CitiPower and the absence of a secondary basement, a basement substation is not feasible for the project.

154. Given the substation is not highly visible from the street frontage, its location at ground level is acceptable. A condition will require that access to the substation will not obstruct movements along the laneway.

155. Upon review of the application, Council Engineers recommended the submission of a Public Realm Plan and a Public Lighting Plan. The Public Realm Plan would require the reconstruction of the footpath along the Dover Street frontage, as well as the reconstruction of the laneway. Given the construction will impact the condition of both, and the use of the laneway will increase as a result of the development, these requirements are considered acceptable and should be added as a condition.

156. With regard to a Public Lighting Plan, there is an electricity pole/streetlight directly adjacent to the north-west corner of the site. The plans note that this will not be removed or relocated. As external lighting within the site adjacent to the hotel/café entrances will be required, and as the existing streetlight will be retained it is not considered necessary for a Public Lighting Plan to be submitted.

Landscaping

157. The development incorporates landscaping at ground level, with plants above the service cabinet as previously mentioned, and a mixture of ground cover and vertical planting within the vehicle ‘drop-off’ zone adjacent to the southern laneway. Planter boxes are proposed at Levels 4 and 10, with a generous roof garden and productive garden located on the roof. Vertical landscaping is also proposed along the southern elevation.

158. The extent and location of landscaping is supported, with the ground level landscaping in particular providing a good degree of integration with the public realm. This is consistent with Section 2.11 of DDO51, which notes that development should provide opportunities for greening, especially at the lower levels of the building.

159. It is not clear how the roof garden and landscaped areas will be accessed, with neither the roof plan nor the Landscape Plan identifying direct access to these areas. The heights of balustrades surrounding the roof terrace, and edging around the perimeter of the landscaping are also not defined. As such a condition will require these details. The Landscape Plan would also need updating to reflect the changes incorporated into the amended ‘decision plans’. Conditions would ensure this occurs.

On-site amenity and facilities

160. The Planning report prepared by Ratio Consultants and submitted with the application notes that the proposed use is for short-stay accommodation, designed for people working within office / business employments within the surrounding area and those who may be visiting the nearby Melbourne Sports Precinct to the north-west of the site (including the MCG; Melbourne Tennis Complex; AAMI Park etc.). The hotel will provide a roof terrace, gym and conference room spaces, with a number of the hotel rooms having access to private balconies addressing Dover Street.

161. It has been 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.

162. In the matter of *Tribe v Whitehorse CC [2014] VCAT 212*, the Tribunal made the following observations regarding 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.*

163. While 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 at No. 42-44 Oxford Street, 61-63 Cambridge Street and 16 Langridge Street, in *Langridge and Cambridge Funding Development Pty Ltd v Yarra CC [2018] VCAT 703*, which 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. In this case, the Tribunal was not persuaded that the daylight access or size of the hotel rooms were adequate. 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 vary in size, with a number of smaller rooms, and some larger spaces with more generous proportions.*

164. This proposal provides a range of room layouts and sizes, with the smallest room being a 'Queen Standard' (between 14.4sqm to 16.2sqm) and the largest a 'King Deluxe', at 26sqm. The smaller rooms referenced in the Tribunal decision above were approximately 10sqm. The layout of all room types in this proposal allows for adequate space for occupants, with the majority including designated luggage and seating areas.

165. On balance, this outcome is acceptable, with guests able to choose from a range of sizes according to their requirements and budget.

166. The other aspects that should be considered, including daylight, ventilation, safety and communal spaces, will be discussed in turn.

Daylight

167. Each hotel room will have access to one large window, with the Sustainable Management Plan (SMP) submitted with the application confirming that the development will achieve good daylight access to all regularly use areas.

Ventilation

168. While each hotel room will be provided with a window, it is assumed that the majority of these windows are not operable, given the proposed use. The SMP confirms that high quality internal air quality will be provided by providing fresh air supply 50% above the minimum AS1668 rates with CO2 monitoring and control.

169. The rooms provided with balconies will receive access to fresh air and natural ventilation.

Communal Spaces

170. Communal amenities are provided across the building in the form of a roof garden and common area; conference facilities; gymnasium; and a café that can be used by guests of the hotel.

Safety

171. Given the restricted use of the hotel facilities, it is assumed that some form of restricted access will be provided to hotel guests (i.e., swipe cards). Details of how this will be achieved will be required within the HMP discussed previously. This will ensure a safe and secure environment is maintained for all hotel guests.

172. External lighting to the hotel/café entrance will be required and a condition will ensure this lighting is suitably located and baffled.

Wind

173. A desktop wind impact assessment was undertaken by Windtech Consultants and reviewed on behalf of Council by Vipac Engineers. The critical outdoor trafficable areas associated with the proposed development are listed as follows:

    (a) Ground level trafficable areas and Dover Street footpath;

    (b) Level 4, 9 and 10 balconies; and,

    (c) The external stairwell on the northern wall.

174. The results of the assessment indicate that the development has incorporated several design features and wind mitigating strategies throughout and is expected to be suitable for the intended use for some of the outdoor trafficable areas with comfortable wind conditions achieved. However, there are areas that are likely to be exposed to stronger winds. The report notes that the wind speed criteria for pedestrian comfort can range from walking, standing and sitting, however it does not confirm which criterion is met in each location. Each area will be discussed in turn.

    Ground Level Trafficable Areas and Pedestrian Footpath

175. The footpath along Dover Street benefits from the shielding provided by the neighbouring buildings to the prevailing westerly winds. Down-wash wind effects off the tower façade are expected to be minimal along Dover Street and the proposed building setback is expected to be effective in providing wind amelioration to any potential down-washing wind effects to both the pedestrian footpath and seated ground level areas. The Wind Assessment does not confirm whether the walking criterion is met; a condition will require this.

Level 4, 9 and 10 balconies:

176. The west-facing balconies will be exposed to direct wind effects from the prevailing wind directions due to their elevated locations relative to the surrounding streetscape, which currently offers minimal forms of shielding.

177. Planter boxes will surround the perimeter of these balconies; however the height of balustrades and planter boxes varies between the architectural drawings, the Landscape Plan and the details referenced in the Wind Assessment. While not dimensioned, based on RL levels on the relevant elevations, the planter boxes/balustrades around these balconies appear to be 0.7m in height. The Landscape Plan however notes that planter boxes will be 1m, with 1.5m high dense vegetation above, resulting in a total height of 2.5m above the balcony floor levels. The Wind Assessment states that 0.2m high planter boxes will sit above 1.6m high impermeable balustrades along the southern perimeter of the balconies.

178. In their review, Vipac noted this discrepancy, stating that the elevations show that the balustrade at the southern perimeter of the Level 4 balconies is 0.7m high only (not 1.6m). It is acknowledged that these balconies will not be used to the same degree as permanent dwellings. While planning officers would usually require the standing criterion to be met, in this instance it is considered reasonable for the walking criterion to be achieved. The Wind Assessment and plans should be updated to show consistent heights for balustrades and planter boxes in order to achieve this criterion.

179. The Wind Assessment states that 0.4m planter boxes will sit on top of 1.1m high impermeable balustrades along the southern perimeter of the Level 10 balconies. Again, these details are not clearly shown on the architectural drawings and will be required via a condition. The walking criterion should be achieved for these terraces.

180. Wind impacts to the Level 9 balconies and roof top terrace have not been assessed. As such a condition will require the Wind Assessment to be updated to ensure safe wind conditions are achieved in these areas. While the walking criterion should be met for the Level 9 balconies, it is considered that the standing criterion should be met for the roof terrace. It is likely that this space would be utilised more than the individual terraces. Conditions can require this outcome.

External Fire Escape Stairwell

181. The wind conditions within the north-facing external stairwell are expected to be suitable for their intended use due to the shielding provided by the subject building and the recessed design of the stairwell. The proposed impermeable balustrade will provide some additional form of wind amelioration. Given the limited use of this stairwell, this outcome is acceptable.

Energy and Resource Efficiency

182. Policy at Clauses 02.03 (Strategic Directions), 15.01-2S (Building Design), 15.01-2L (Building Design), 15.01-2L-01 (Environmentally Sustainable Development) and 19.03-3L (Water Sensitive Urban Design) of the Scheme encourage environmentally sustainable development (ESD), with regard to water and energy efficiency, building construction and ongoing management.

183. A Sustainable Management Plan (SMP) prepared by Low Impact Development Consulting was provided with the original proposal and referred to Council's ESD Advisor, who confirmed that the ESD commitments outlined in this document were

supported from an ESD perspective and will contribute positively to the energy efficiency of the proposal. The positive ESD attributes include the following:

(a) Bess score of 70%;

(b) 4 kw of solar PV on rooftop;

(c) All electric building, with no gas connected;

(d) 6,000kL of rainwater storage connected to toilets for flushing, resulting in a STORM rating of 102%;

(e) A daylight factor of <2% for 62% of regularly used areas;

(f) Additional fresh air supply 50% above the minimum AS1668 rates with CO2 monitoring and control;

(g) Low VOC paints, sealants, adhesives, carpets and low formaldehyde engineered timber to be used throughout, with building fabric thermal performance to exceed the minimum NCC2022 requirements;

(h) Spandrel glazing panels to reduce solar heat gain;

(i) Energy efficient heating and cooling, lighting and water fittings, along with energy efficient electric heat pump hot water;

(j) No on-site car parking provided;

(k) 11 bicycle spaces for staff and 11 for visitors;

(l) End of trip facilities in basement including 11 lockers and 1 shower;

(m) A minimum of 80% of construction and demolition waste recycled or re-used, with a significant degree of construction material to be recycled;

(n) 4 waste streams accommodated, general waste, recycling, FOGO and glass; and,

(o) Ecological value will be enhanced through vegetation landscaping to 30% of total site area. This will assist in heat island mitigation, with the green roof/rooftop garden and cascading plants in planter boxes to add element of vertical greening.

184. The extent of ESD measures is significant, and as noted by Council's ESD Advisor, nearly meets Council's ESD standards. Two deficiencies were identified:

(a) There is extensive vegetation that appears to be irrigated with mains potable water. Council's ESD Advisor recommends using rainwater for irrigation, with the size of the rainwater tank increased to enable irrigation by rainwater only. The cover letter submitted with the amended plans states that the notation associated with the rainwater tank was amended to include reference to landscape irrigation, however the plans continue to only reference connectivity to toilets. A condition can be added to any permit issued to ensure the above is achieved; and

(b) The original drawings did not specifically note the capacity of the solar PV array. The amended drawings provided this detail on the updated roof plan.

185. Based on the information provided, and the condition as noted, the proposal is considered to satisfactorily address the requirements of the policy outlined above.

Off-site amenity impacts

186. Off-site amenity impacts are guided by the Decision Guidelines at Clause 15.01-2L (Building design) and the requirements of the C2Z.

187. Clause 13.07-1L-01 – *Interfaces and amenity* specifies that Council should consider (as appropriate) the extent to which the proposed buildings or uses may cause overlooking, overshadowing, noise, fumes and air emissions, light spillage, waste management and other operational disturbances that may cause unreasonable detriment to the residential amenity of nearby residential properties.

188. The subject site is zoned C2Z as are all surrounding properties, including the dwellings that have established existing use rights on Dover Street and Cubitt Street. The most sensitive interface is to the east, with No. 104 Cubitt Street directly opposite the site's rear boundary. Secluded private open space (SPOS) associated with this site is located within 9m of the site's boundary, however this is separated from the proposal by the existing laneway.

189. Impacts to these sites should be considered, however the extent of consideration must be tempered by the zoning of the land. This issue is discussed at length within the Tribunal matter of *Krolikowski & Anor v Yarra CC & Anor [2014] VCAT 350*, which applied to a site within the C2Z in the Cremorne neighbourhood. In this decision, Member Sibonis noted at paragraph 10:

> *[10] There is a clear emphasis within the zone provisions on encouraging a range of commercial and industrial land uses. Pursuant to the provisions of this zone, residential land use (with the exception of a caretaker's house) is prohibited.*

190. With policy outlined at paragraph 13 stating that:

> *[13] In order to maintain the viability of industrial and business areas there is a need to ensure that new residents do not have unrealistic expectations of the level of amenity that can be achieved. New dwellings must be constructed to protect residents as much as reasonably possible from the inherent conflicts. There is also a need to ensure that commercial and industrial activities are well managed having regard to their proximity to residential uses.*

191. This issue was also addressed in *Burrett v Yarra CC [2005] VCAT 978 (24 May 2005)*, with the Member stating;

> *[23] I am not suggesting that residential amenity considerations are irrelevant; however, expectations need to be tempered against the purpose of the Business 3 zone which does not include providing for residential use. On the contrary residential use is "prohibited", with caretaker's house being the exception. If the protection of the residential amenity of caretaker's houses is elevated to a matter of primary or significant importance in this type of zone, this could stifle the proper development of the area for its primary purpose.*

192. Based on the above, non-conforming residential uses cannot expect the same level of amenity as a dwelling within a residentially zoned area. The application of policies to protect their amenity to a standard associated with residential areas would result in an unreasonable limitation of the development potential of the subject site. The vision for the area under the current zoning and Council's strategic planning is for increased

development to contribute to accommodating employment growth, supporting economic viability and enhancing the employment precinct.

193. With the above in mind, the following assessment is provided.

Noise

194. The proposal is unlikely to result in unacceptable noise emissions to adjacent uses, given its use as a residential hotel. The surrounding uses will generally operate during business hours, given their commercial nature, with the residential hotel likely to be at its busiest during the evening. The majority of the use is internal; the communal roof terrace is the only large external space within the site.

195. The HMP required via condition will specify that only hotel guests can be accommodated within this space. To ensure that no unreasonable noise impacts will occur from this, a further requirement of the HMP will be that the roof terrace can only operate until 10pm each night.

196. This will ensure noise impacts can be appropriately limited during more sensitive times. The location of services/plant equipment is demonstrated on the roof, with services also located within the basement/ground levels. These locations will limit off-site noise impacts to adjacent land.

Visual bulk

197. As discussed within the 'architectural expression' section of this report, the proposal provides a significant extent of articulation to all four interfaces.

198. In terms of visual impact, while the proposed building will undoubtedly change the outlook from the public realm, the ability to see a taller building does not in itself constitute a negative visual impact, unless buildings of that scale are out-of-place. As this is a context that is rapidly evolving and where buildings of a comparable scale already exist and continue to emerge, the scale of the proposed building will not be incongruous within the immediate neighbourhood.

199. With the reduction of one level as recommended, and the setbacks proposed, the building will not impose an unreasonable level of visual bulk along Dover Street. As sites around it are redeveloped, the visibility of its upper levels will reduce from closer range views.

200. From within the pedestrian environment surrounding the site, the primary pedestrian experience of the building will be of the street walls of the building, which will provide a fine-grain rhythm along the street frontages and activity and visual interest at street level. As noted by Hansen and demonstrated in Figure 22:

    (a) *The northern boundary interface is treated with a reasonable level of visual interest through the incorporation of an expressed stairwell. This feature introduces articulation and material variation to what might otherwise present as a blank façade, helping to mitigate potential visual impacts when viewed from the north. Given the 4 storey abuttal, views looking obliquely south towards the proposal will largely be blocked by the neighbouring form. Therefore, we are not concerned about the visual impacts to the north elevation.*



Figure 22: Northern elevation. Source: Architectural Plans (2025)

201. Similarly, the western, southern and eastern elevation all contain visually interesting designs, with the front setbacks assisting in reducing visual impacts from surrounding sites.

Overlooking

202. Overlooking only occurs between habitable rooms (i.e. bedrooms and living rooms) and SPOS and not between commercial land uses and dwellings. With that said, it is acknowledged that the SPOS of No. 104 Cubitt Street may be located within 9m of the eastern wall of the hotel (9m being the accepted test for overlooking between residential properties). There is only one window at each level that may result in unreasonable overlooking to this space, with the internal configuration of the hotel rooms restricting access to this window. However given the commercial use within a commercial zone, and given the surrounding commercial buildings are not screened no condition will be required in this instance.

Overshadowing

203. The subject site is located in a predominantly commercial location, where overshadowing within the public realm is inevitable due to the hard-edge built form character which has been established. The narrow width of Dover Street also contributes to overshadowing of this space.

204. Consideration is given to managing overshadowing impacts in DDO51; however, the site is not within the areas specifically highlighted in this section which primarily relate to highly utilised areas of public realm throughout Cremorne.

205. At 10am and 11am, the proposal casts shadow onto the western footpath of Dover Street. While this introduces some morning shadowing, it is considered acceptable within the context of the C2Z, where increased height and scale are anticipated as part of the precinct's strategic transition.

206. From 1pm to 2pm, shadows extend across the SPOS of No. 104 Cubitt Street to the east, however this area is already significantly impacted by the existing four-storey wall extending along the entire length of its northern boundary.

207. Although a reduction in height of one level will marginally reduce shadow impacts, it is not considered that the additional shadowing from the development would affect the usability of the public realm.

Equitable Development

208. From an equitable development viewpoint, the site has only one direct abuttal which is the commercial property to the immediate north at No. 105-115 Dover Street. All other interfaces are to streets or laneways. The existing commercial building at No. 105-115 Dover Street is four-storeys in height and constructed against all boundaries, including that abutting the subject site.

209. This lot is located within Heritage Overlay Schedule 343; however this heritage protection relates predominantly to the former 'Slade Knitwear' sign that was located on the building's roof. Unless this overlay is removed, it is likely that any future development of this building will require significant front setbacks at the upper levels. Nevertheless, it is acknowledged that the site could be developed to a height in the realm of 28m under the provisions of DDO51. Therefore, equitable development opportunities for this site must be considered.

210. The development proposes a partially open stair arrangement on the northern boundary. As noted in the applicant's Town Planning report, 'this is contained solely to the building's stairs/fire access; in the event the adjacent site is developed to its full potential, there will be no issue or limitations with future development being constructed adjacent to this transitional/circulation space (i.e. there will be no legal right to air or light access to this space)'.

211. Planning officers agree with this view, noting that the staircase does not rely on daylight to be functional. Until such time that the adjacent site may be developed, the staircase adds a degree of visual interest that is supported.

212. One north-facing window is located at Level 10. This is a secondary window for the associated hotel room. As noted, it is likely that additional setbacks from the front boundary may be required for any development to the north; this outcome would leave this window unimpeded. However, there is no reason to support a window on a boundary and it would impede development opportunities which is inequitable.

213. The laneway abuttal along the southern and eastern boundaries ensure that development opportunities for adjacent lots will not be unreasonably impacted by the proposal. These buffers will allow daylight to access north or west-facing windows within any future development of these sites, with the proposed east and south-facing hotel windows maintaining daylight and outlook should the adjacent sites be developed.

Car parking and traffic

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	105 rooms	Parking rate not specified in Clause 52.06-5	To the satisfaction of the Responsible Authority	0

Food and Drink	46.8sqm	3.5 spaces per 100sqm of leasable floor area	1	0
		Total	**1**	**0**

215. 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.

Parking Demand Residential hotel

216. The statutory car parking rate for residential hotels is not specified in Clause 52.06-5. The car parking for this use would need to be provided to the satisfaction of the Responsible Authority. Residential Hotels 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* provides a parking rate of one space per four bedrooms (0.25 spaces per one-room apartment). For the proposed residential hotel, the parking demand would therefore equate to 26 spaces. Guests would know when reserving a room that the hotel contains no on-site car parking, and it is expected that guests would arrive by taxi, Uber, private driver services and public transport.

217. On this basis, it is considered that the hotel would be heavily dependent on a drop-off facility, which is provided on the southern side of the building via the laneway.

Parking Demand for the Food and Drink Use

218. To assess the car parking demand of the food and drink use, Council Engineers recommend that a staff parking rate of 1 space per 100sqm of floor area could be adopted. Based on the limited floor area of this space, this would equate to less than one space being required.

219. In support of this reduction, the following site attributes were outlined in advice received by Council Engineers.

(a) The following public transport services can be accessed to and from the site by foot:

(i) Church Street trams – 600m;

(ii) Swan Street trams – 690m;

(iii) Punt Road buses – 750m;

(iv) Richmond railway station – 650m; and

(v) East Richmond railway station – 700m;

(b) Customers and clients to the development could combine their visit by engaging in other activities or business whilst in the area;

(c) The site is well positioned in terms of pedestrian access to public transport nodes, shops, supermarket, places of employment and education and other essential facilities; and

(d) The site has good connectivity to the on- and off-road bicycle network.

220. The demand for on-street parking in the Cremorne area is very high and is often close to saturation point. All the streets in the area contain time based parking restrictions. The introduction of parking sensors along Cremorne Street and nearby roads would facilitate the parking turnover of short-stay bays. The high parking demand in Cremorne would be a disincentive to visitors, customers or employees to drive.

221. In terms of transport, the proposed development is considered to be in line with the objectives contained in Council's *Moving Forward – Yarra's Transport Strategy 2022-32*. The site is ideally located with regard to sustainable transport alternatives, and the lack of on-site car parking would discourage vehicle use.

222. From a traffic engineering perspective, the waiver of the car parking requirement associated with the food and drink use is considered appropriate in the context of the development and the surrounding area.

Access

223. Section 2.13 of DDO51 (Vehicle Access and Laneways Requirements) notes that vehicle access should be achieved from right of way/laneways or side streets.

224. The original proposal was reviewed by Council Engineers, who highlighted potential issues with the vehicle manoeuvrability along the laneway. It was recommended that a ground level building splay be provided at the southeast corner, to ensure vehicles can negotiate the ninety-degree bend in the laneway.

225. As outlined earlier, the amended plans were updated to incorporate this detail, with Council's Engineers concluding that the swept path diagrams confirm that a B85 and B99 design vehicle can demonstrate satisfactory turning movements (from west to north) around this corner.

226. There were no issues raised with the proposed hotel 'drop-off' zone adjacent to the southern laneway, however given the size of this area, an annotation should be added to the relevant plan indicating that the maximum size of the vehicle using the hotel drop-off and loading facility must be no greater than a B99 design vehicle. A condition will require this.

Traffic

227. The trip generation for the site (pick up and drop off for the residential hotel) is anticipated to be in the realm of 19/20 trips within the AM/PM peak, based on 0.18 vehicle trips per hotel room.

228. This rate is adopted from a rate used by Traffix Group for a number of approved residential hotels in the municipality (including 128-144 Wellington Street, Collingwood and 375 Punt Road, Cremorne). Applying the rate of 0.18 vehicle trips per room would equate to 19/20 pick-up/drop-off events. This would equate to 10 entry trips and 10 exit trips. This volume of traffic is low and should not adversely impact the traffic operation of the laneway.

229. As assessed in previous reports for residential hotels within the City of Yarra, the peak times are generally as follows:

    (a) Check-out times – 9:00am to 11:00am; and

    (b) Check-in times – 2:00pm to 4:00pm.

230. These times do not coincide with normal AM and PM peak hours, and it is expected that the additional traffic will not impact on existing traffic conditions.

Engineering requirements

231. The Engineering advice included a number of infrastructure related requirements that should be undertaken in association with the development of the site. These relate to reconstruction of adjacent footpaths, kerbs and channels, along with public realm works. These will be included as conditions and notes.

Bicycle provision and facilities

232. In accordance with Clause 52.34 of the Scheme, the following bicycle spaces are required. The provision outlined in the table below is based on the amended design, however the below discussion references comments from Council's Strategic Transport Unit which relate to the original provision.

Proposed Use	Quantity/size	Statutory Parking rate	No. of spaces required	No. of spaces allocated
Residential Hotel/Residential building other than specified in this table	105 rooms	In developments of four or more storeys, 1 to each 10 lodging rooms	11 employee spaces	11 employee spaces
		In developments of four or more storeys, 1 to each 10 lodging rooms	11 guest spaces	6 guest spaces
Food and Drink	46.8sqm	1 to each 300 sq m of leasable floor area	0 employee space	0 spaces
		1 to each 500 sq m of leasable floor area	0 customer space	
		Total	22	17
Showers/Change rooms		1 to the first 5 employee spaces and 1 to each additional 10 employee spaces	1 shower/change room	1 shower/change room

233. Based on the above, a reduction of 5 visitor bicycle spaces is required.

234. On the original drawings, 7 employee spaces were provided in the basement, with the remaining 4 at ground level. Of the visitor spaces, 4 were within the front setback, with 7 located internally, adjacent to the employee spaces and with separate access from the rear laneway. End of trip (EoT) facilities were provided within the basement, including 11 lockers and one shower/change room.

235. Upon review, Council's Strategic Transport officer raised concerns with this arrangement, noting that Clause 52.34-3 of the Scheme states; *bicycle spaces for an employee or resident must be provided either in a bicycle locker or at a bicycle rail in a lockable compound*. To have the visitor parking amalgamated with employee bicycle parking makes this area inherently insecure. Based on this outcome, the review concluded that the 7 spaces annotated as visitor parking spaces should be considered as additional employee spaces, thereby resulting in a shortfall of 7 visitor spaces below the requirements of the Scheme.

236. It was recommended that, at a minimum, 6 visitor spaces should be provided for the following reasons:

    (a) No car parking is to be provided onsite; and

    (b) Best practice requires a rate of 0.25 visitor spaces to each dwelling, requiring 6 spaces for the 105 dwellings (hotel rooms).

237. In addition, it was noted that the 2 visitor bicycle parking rails at the front of the building interfere with reasonable access to the hotel entrance and should be relocated.

238. In response, the amended plans provide 6 visitor spaces within the southern setback, adjacent to the laneway, with these spaces all at-grade. This ensures the design guidelines at clause 52.34-3 are met. While this results in a shortfall of 5 visitor spaces, this arrangement is supported by Council's Strategic Transport Unit.

239. Whilst the original proposal included a surplus of 7 employee spaces above the requirements of the Scheme, these spaces were inadequately located and designed for the following reasons:

    (a) The employee bicycle parking is split across two locations;

    (b) Pursuant to Clause 52.34-3 & Australian Standard AS2890.3, a minimum 20% of staff bicycle parking spaces should be horizontal. Currently all spaces are designed as vertical bicycle parking spaces;

    (c) Dimensions of all bicycle storage spaces, lifts, corridors and relevant access ways are missing from the plans;

    (d) There is no convenient access to the basement bicycle parking facilities. A person with a bicycle in the current design would be required to walk the bike through the hotel lobby and past the café, or carry the bicycle down a set of stairs accessed from the rear laneway; and

    (e) The end of trip facilities were split into two separate areas, with no direct access between the locker area and shower.

240. Strategic Transport noted that in any future iterations of the proposal, a minimum of 11 employee bicycle parking spaces should be provided. The updated plans have achieved this outcome, with the following changes also incorporated into the design;

    (a) All employee spaces are located at ground level, within one secure compound, and with direct access via rear and side entrances;

    (b) A total of 36% (4) spaces are provided as horizontal;

    (c) Dimensions are provided on the plans; and,

(d) The change room and shower rooms are directly adjacent to each other within the basement.

241. In addition to the above, Section 2.14 (Pedestrian and Bicycle Design Requirements) of DDO51 notes that developments should ensure pedestrian entrances are clearly visible, secure and have an identifiable sense of address. It also states that development should provide well-designed bicycle infrastructure and end-of-trip facilities, and visitor and staff bicycle parking should be located and designed to be secure and conveniently accessible from the street and associated uses.

242. The amended plans are considered to comply with the above requirement and provide an acceptable outcome.

243. To further improve bicycle facilities, it was recommended that a minimum of 2 electric bicycle charging points should be provided. A condition will be added accordingly.

244. The original application included a Green Travel Plan (GTP). The GTP provides all the required information, however it will require updating to reflect the changes incorporated into the amended plans. A condition will facilitate this.

Waste

245. As highlighted within the ESD section of this report, 4 waste streams will be accommodated within the building (general waste, recycling, FOGO and glass). A Waste Management Plan (WMP) prepared by Traverse Transport estimates the waste generated for each stream, and outlines procedures by which the waste will be stored, managed and collected. This WMP was reviewed by Council's City Works Waste Officer, with the following concerns raised;

(a) The original plans had no internal access to the waste storage room; to dispose of waste, employees would have external laneway access only;

(b) Given this arrangement, it was considered that the WMP should include relevant risk assessments with regards to waste management at the site; and

(c) The WMP included reference to a specific Council officer. This should be removed.

246. While the WMP has not been updated, the amended plans addressed the main concern, with the internal rearrangement at ground level providing direct internal access for employees. A condition will require the WMP to be updated to address all requirements outlined above.

247. Waste is proposed to be collected by a private contractor from within the laneway; the waste vehicle will prop temporarily in a location adjacent to the waste room, with the waste contractor responsible for transferring bins to and from the vehicle. The WMP states that it is considered acceptable for the vehicle to temporarily prop within the laneway, noting the low level of vehicular traffic currently using this thoroughfare (relying on the traffic surveys presented in Section 2.4 of the Traffic Impact Assessment, which did not record a single vehicle movement within the laneway during the AM or PM peak hours).

248. The waste collection vehicle will approach the site from Dover Street, reverse into the laneway, then depart in a forward direction onto Dover Street. Council's Waste officer raised no concern with this arrangement, and Council Engineers concluded that the swept path diagrams for the waste collection vehicle entering the laneway via Dover

Street by undertaking a reverse-in movement and exiting onto Dover Street in forward direction are satisfactory.

249. The amended plans incorporate a splay in the south-east corner of the site; this will provide a safer environment within the laneway by increasing visibility between the waste storage room and waste vehicle location.

250. On the basis that an updated WMP is provided, the waste arrangements are supported.

Objector Concerns

251. Key objector concerns have been addressed in the assessment above, with the relevant paragraphs referenced;

    (a) Proposed height discussed at paragraphs 96 to 111;

    (b) Lack of on-site car parking provision discussed at paragraphs 214 to 222;

    (c) Internal space of hotel rooms is insufficient is discussed at paragraphs 160 to 166;

    (d) Potential off-site amenity impacts (overshadowing, wind, loss of daylight, loss of views) discussed at paragraphs 186 to 213; and

    (e) Traffic concerns discussed at paragraphs 223 to 246.

252. Other matters raised are addressed as follows:

    (a) Disrupted access to the surrounding street network during construction:

        (i) The applicant will be required to submit a Construction Management Plan, outlining the key events of the construction phase, including the expected length of construction and the hours of construction. Vehicle access along Dover Street should be maintained at all times; if access is disrupted for any period of time, this will be managed via Council's Local Laws Unit; and

    (b) Removal of vegetation:

        (i) There are no vegetation overlays affecting the site, and the land is not located within an area where vegetation is a common characteristic. A generous degree of landscaping is proposed within the new development.

Conclusion

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

Legal and Legislative Obligations

Conflict of interest disclosure

254. Section 130 of the Local Government Act 2020 requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any conflicts of interest in a matter to which the advice relates.

255. The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

Report Attachments

1. 5.2.1 PLN24/1007 - 117-119 Dover Street Cremorne - Site Context Map
2. 5.2.2 PLN24/1007 - 117-119 Dover Street Cremorne - Decision Plans
3. 5.2.3 PLN24/1007 - 117-119 Dover Street Cremorne - Referral Comments (Combined)
4. 5.2.4 PLN24/1007 - 117-119 Dover Street Cremorne - Objections (CONFIDENTIAL)

   This attachment is confidential information for the purposes of section 3(1) of the Local Government Act 2020 for the following reason:

5. (f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

PLN24/1007 – 117-119 Dover St Cremorne

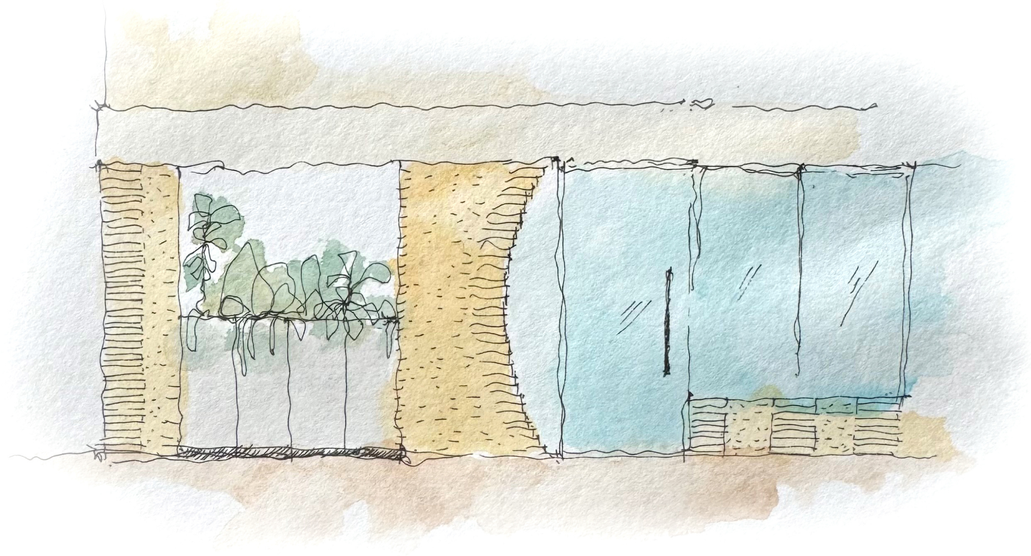
Site Context Map



Vic Plan, September 2025

117 & 119 DOVER ST CREMORNE

Number	Sheet Name	Current Revision
SD00_01	COVER PAGE	3
SD01_01	EXISTING CONDITIONS PLAN	3
SD01_02	DEMOLITION PLAN	3
SD01_03	OVERALL SITE PLAN	3
SD02_00	BASEMENT FLOOR PLAN	12
SD02_01	GROUND FLOOR PLAN	12
SD02_02	LEVEL 1 FLOOR PLAN	8
SD02_03	LEVEL 2 FLOOR PLAN	8
SD02_04	LEVEL 3 FLOOR PLAN	8
SD02_05	LEVEL 4 FLOOR PLAN	6
SD02_06	LEVEL 5 FLOOR PLAN	8
SD02_07	LEVEL 6 FLOOR PLAN	8
SD02_08	LEVEL 7 FLOOR PLAN	8
SD02_09	LEVEL 8 FLOOR PLAN	8
SD02_10	LEVEL 9 FLOOR PLAN	8
SD02_11	LEVEL 10 FLOOR PLAN	8
SD02_12	LEVEL ROOF PLAN	8
SD05_01	EAST ELEVATION	8
SD05_02	WEST ELEVATION	8
SD05_03	NORTH ELEVATION	7
SD05_04	SOUTH ELEVATION	8
SD05_05	EAST ELEVATION NO VEGETATION	6
SD05_06	WEST ELEVATION NO VEGETATION	6
SD05_07	NORTH ELEVATION NO VEGETATION	5
SD05_08	SOUTH ELEVATION NO VEGETATION	6
SD05_09	MATERIAL SCHEDULE	5
SD06_01	SECTIONS	6
SD06_02	SECTIONS	6
SD14_01	UNIT TYPE LAYOUTS	3
SD14_02	UNIT TYPE LAYOUTS	3
SD14_03	UNIT TYPE LAYOUTS	3
SD14_04	UNIT TYPE LAYOUTS	3
SD14_05	UNIT TYPE LAYOUTS	3
SD14_06	UNIT TYPE LAYOUTS	3
SD14_07	UNIT TYPE LAYOUTS	3
SD14_08	UNIT TYPE LAYOUTS	3
SD14_09	UNIT TYPE LAYOUTS	3
SD14_10	UNIT TYPE LAYOUTS	3
SD14_11	UNIT TYPE LAYOUTS	3
SD14_12	UNIT TYPE LAYOUTS	3
SD14_13	UNIT TYPE LAYOUTS	3
SD14_14	UNIT TYPE LAYOUTS	3
SD14_15	UNIT TYPE LAYOUTS	3
SD30_01	22 SEPT - EQUINOX - 10AM	3
SD30_02	22 SEPT - EQUINOX - 11AM	3
SD30_03	22 SEPT - EQUINOX - 12PM	3
SD30_04	22 SEPT - EQUINOX - 1PM	3
SD30_05	22 SEPT - EQUINOX - 2PM	3
SD40_01	DEVELOPMENT SUMMARY SCHEDULE	6



Project
117 & 119 DOVER ST CREMORNE

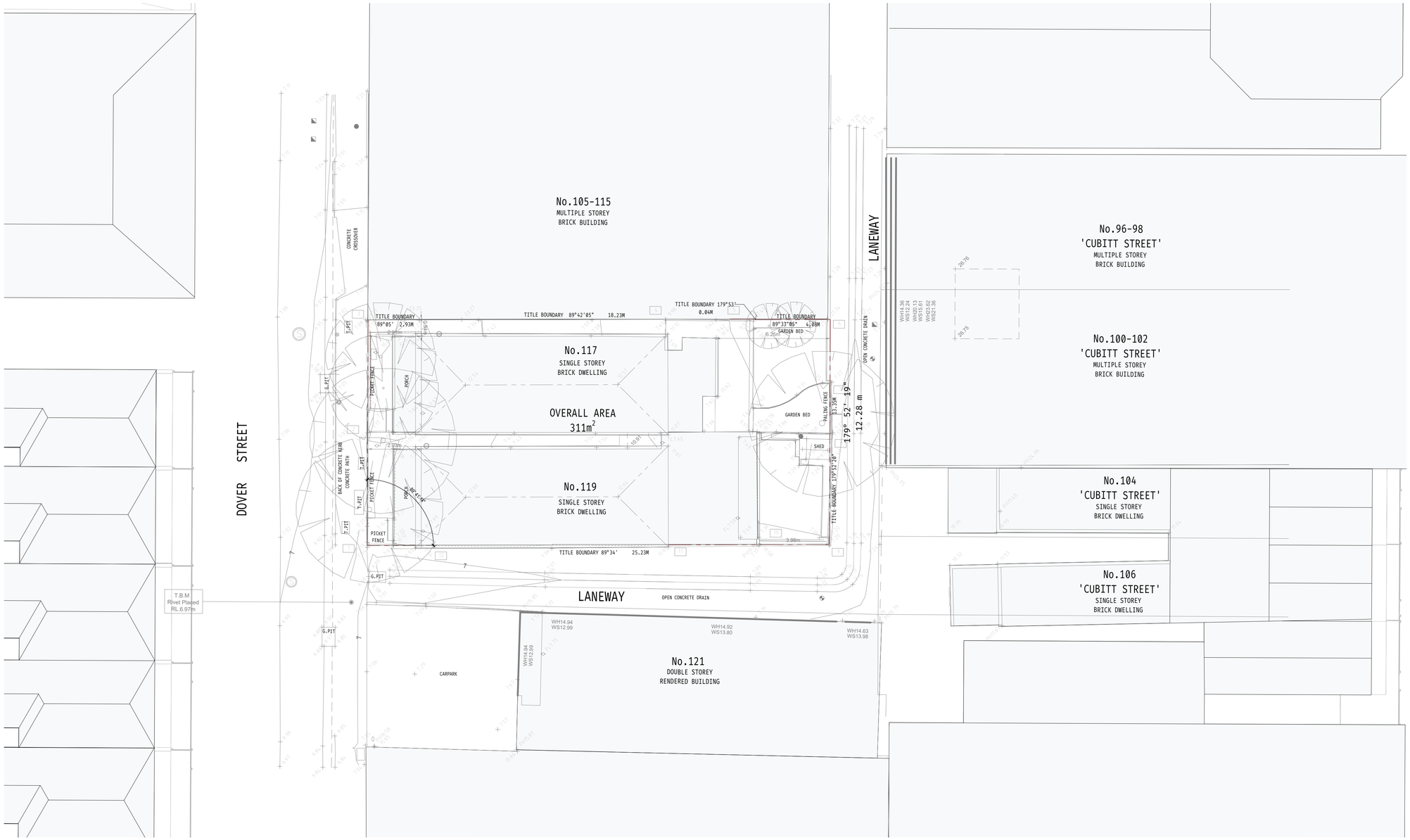
Job No.
23004

Scale

Drawing
SD00_01
COVER PAGE

Revision
3
01/08/25

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Project
117 & 119 DOVER ST CREMORNE

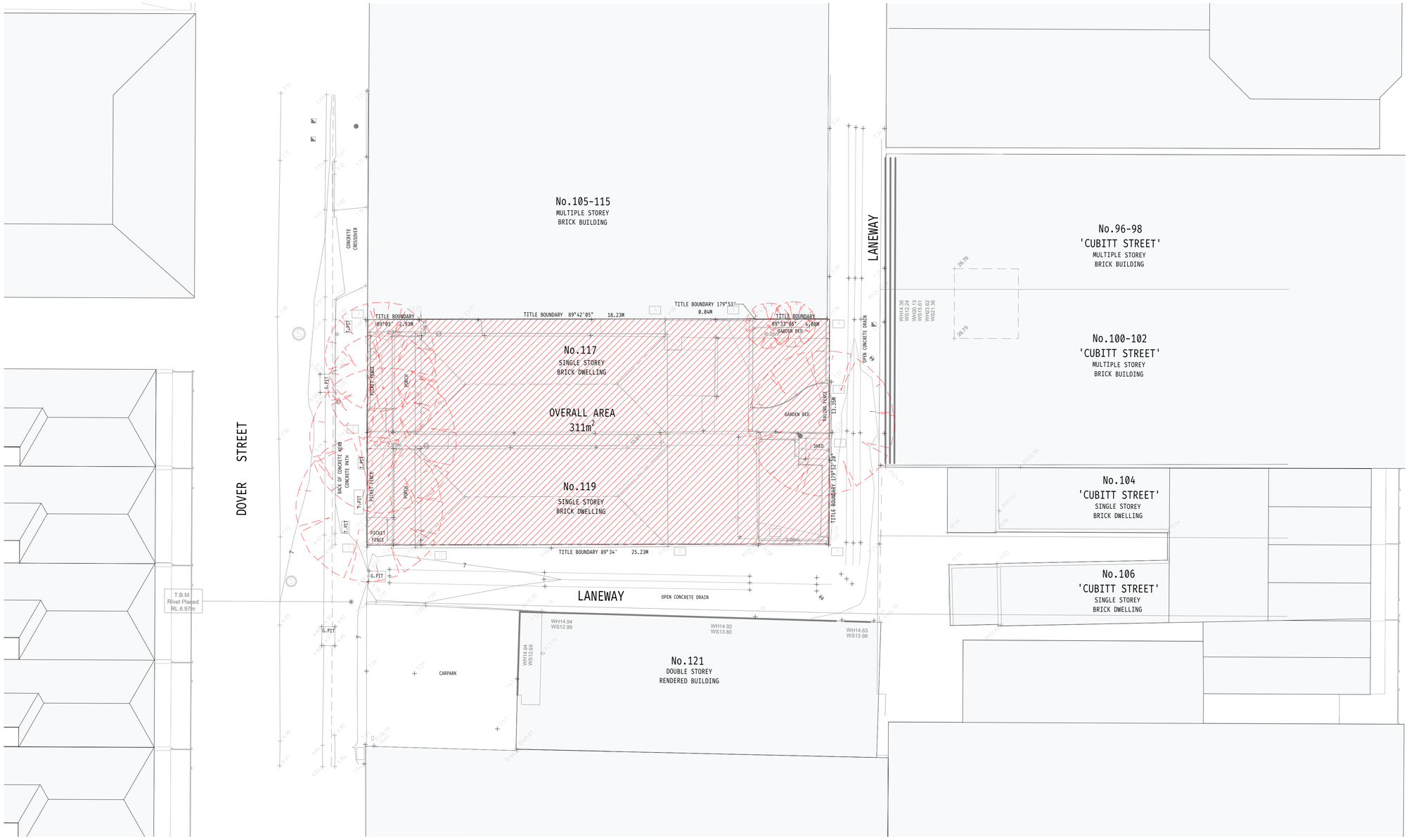
Job No.
23004

Scale
1 : 100 @A1 OR 1 : 200 @A3

Drawing
SD01_01
EXISTING CONDITIONS PLAN

Revision
3
28/02/25

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Project
117 & 119 DOVER ST
CREMORNE

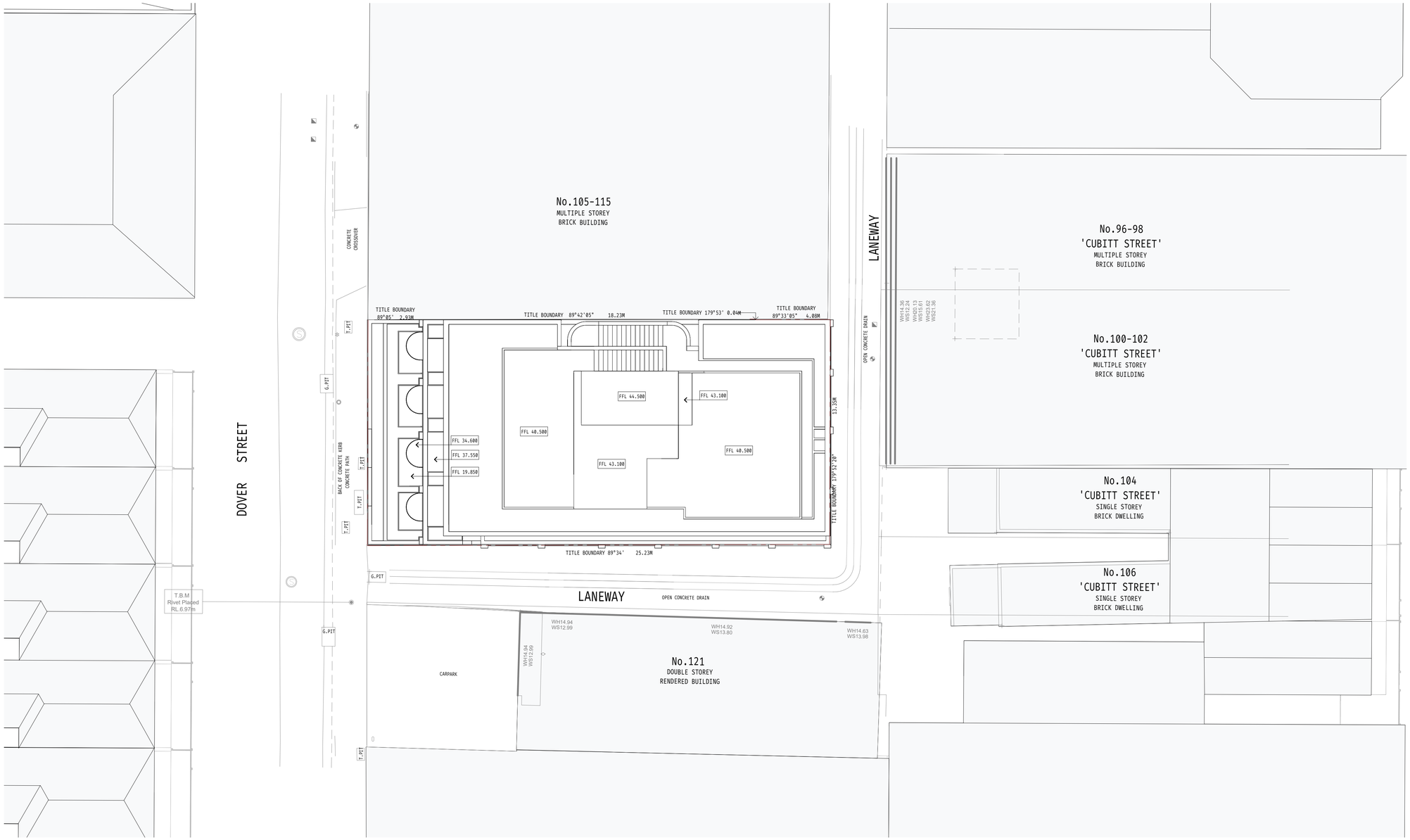
Job No.
23004

Scale
1 : 100 @A1 OR 1 : 200 @A3
0 1 2 3 4 5 m

Drawing
SD01_02
DEMOLITION PLAN

Revision
3
28/02/25

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117 & 119 DOVER ST
CREMORNE

Job No.
23004

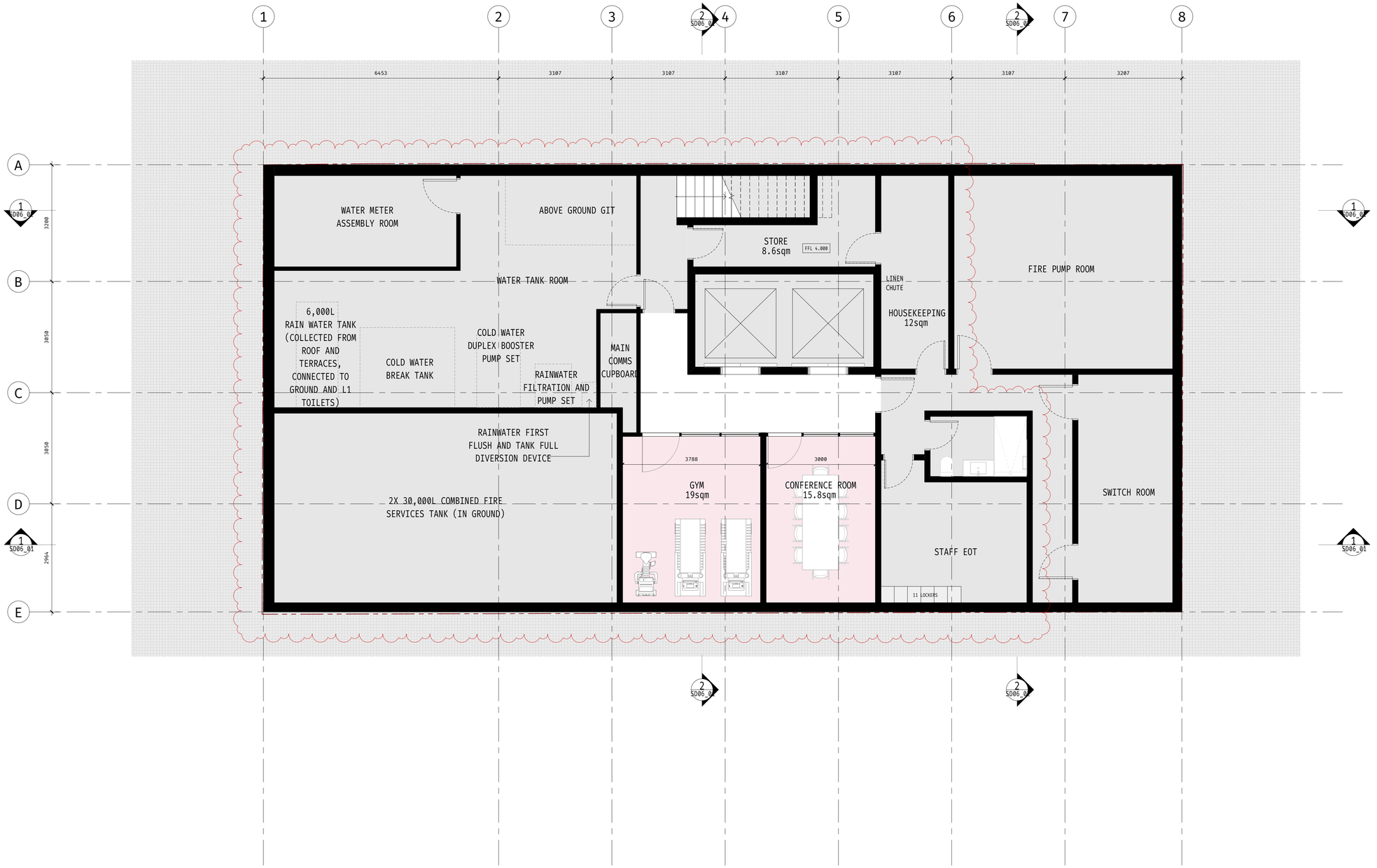
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Drawing
SD01_03
OVERALL SITE PLAN

Revision
3
28/02/25

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117 & 119 DOVER ST
CREMORNE

Job No.
23004

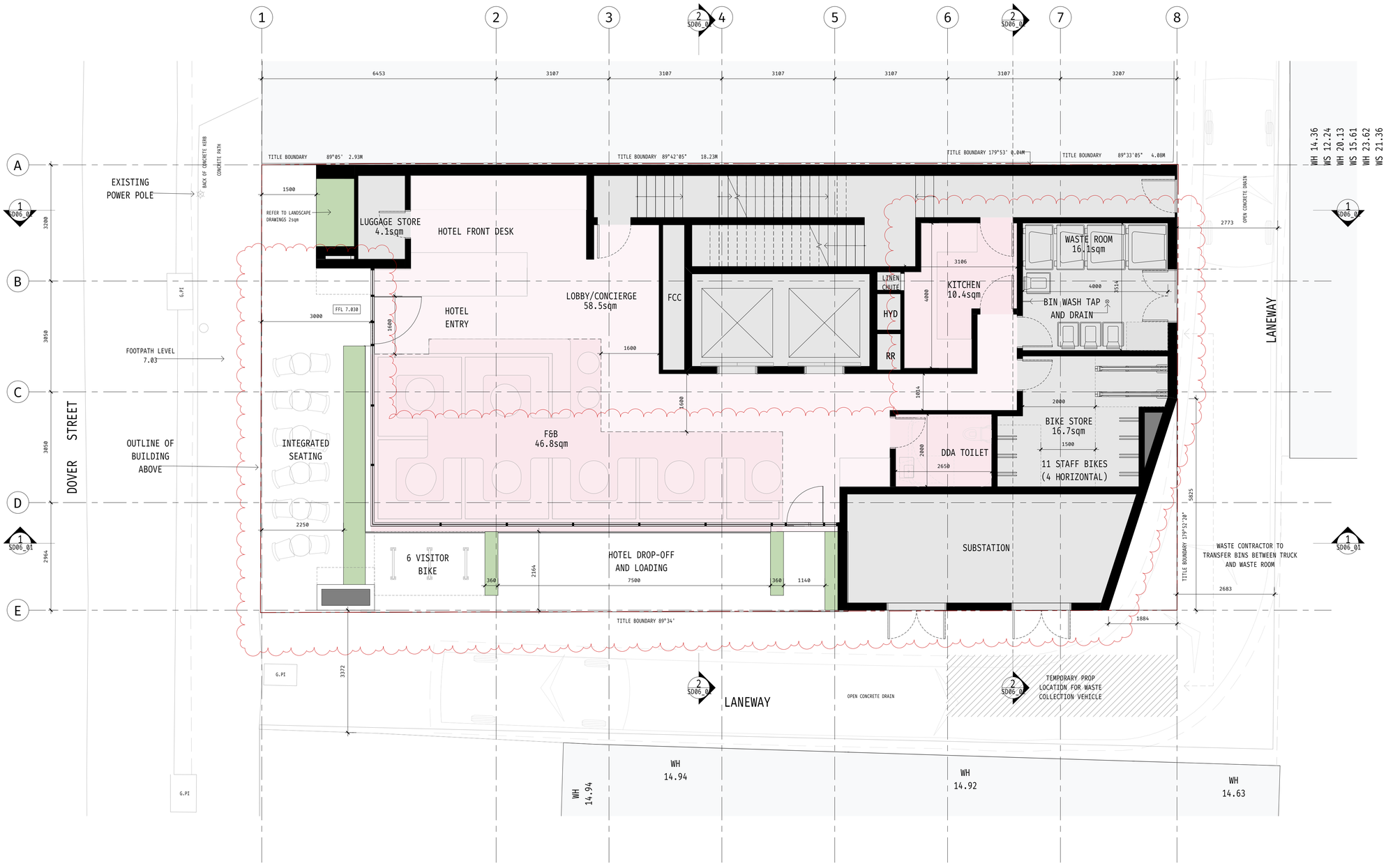
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Notes:
-Electric induction cooking in kitchen
-Electric heat pump reverse cycle heating/cooling
-Electric heat pump hot water system
-Refer to ESD report for WELS ratings of fixtures and fittings

Drawing
SD02_00
BASEMENT FLOOR PLAN

Revision
12
01/08/25

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Project
117 & 119 DOVER ST
CREMORNE

Job No.
23004

Scale
1 : 50 @A1 OR 1 : 100 @A3

Notes:
-Electric induction cooking in kitchen
-Electric heat pump reverse cycle heating/cooling
-Electric heat pump hot water system
-Refer to ESD report for WELS ratings of fixtures and fittings

Drawing
SD02_01
GROUND FLOOR PLAN

Revision
12
01/08/25

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Project
117 & 119 DOVER ST
CREMORNE

Job No.
23004

Scale
1 : 50 @A1 OR 1 : 100 @A3
0 1 2 3 4 5 m

Notes:
-Electric induction cooking in kitchen
-Electric heat pump reverse cycle heating/cooling
-Electric heat pump hot water system
-Refer to ESD report for WELS ratings of fixtures and fittings

Drawing
SD02_02
LEVEL 1 FLOOR PLAN

Revision
8
28/02/25

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Project
117 & 119 DOVER ST
CREMORNE

Job No.
23004

Scale
1 : 50 @A1 OR 1 : 100 @A3
0 1 2 3 4 5 m

Notes:
-Electric induction cooking in kitchen
-Electric heat pump reverse cycle heating/cooling
-Electric heat pump hot water system
-Refer to ESD report for WELS ratings of fixtures and fittings

Drawing
SD02_03
LEVEL 2 FLOOR PLAN

Revision
8
28/02/25

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117 & 119 DOVER ST
CREMORNE

Job No.
23004

Scale
1 : 50 @A1 OR 1 : 100 @A3
0 1 2 3 4 5 m

Notes:
-Electric induction cooking in kitchen
-Electric heat pump reverse cycle heating/cooling
-Electric heat pump hot water system
-Refer to ESD report for WELS ratings of fixtures and fittings

Drawing
SD02_04
LEVEL 3 FLOOR PLAN

Revision
8
28/02/25

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Project 117 & 119 DOVER ST CREMORNE	Job No. 23004	Scale 1 : 50 @A1 OR 1 : 100 @A3	Notes: -Electric induction cooking in kitchen -Electric heat pump reverse cycle heating/cooling -Electric heat pump hot water system -Refer to ESD report for WELS ratings of fixtures and fittings	Drawing SD02_05 LEVEL 4 FLOOR PLAN	Revision 6 28/02/25	Tristan Wong | Architecture + Design ARBV 18127 NSWARB 12655 89 Islington St, Collingwood tristanwongdesign.com	



Project
117 & 119 DOVER ST
CREMORNE

Job No.
23004

Scale
1 : 50 @A1 OR 1 : 100 @A3

Notes:
-Electric induction cooking in kitchen
-Electric heat pump reverse cycle heating/cooling
-Electric heat pump hot water system
-Refer to ESD report for WELS ratings of fixtures and fittings

Drawing
SD02_06
LEVEL 5 FLOOR PLAN

Revision
8
28/02/25

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117 & 119 DOVER ST
CREMORNE

Job No.
23004

Scale
1 : 50 @A1 OR 1 : 100 @A3

Notes:
-Electric induction cooking in kitchen
-Electric heat pump reverse cycle heating/cooling
-Electric heat pump hot water system
-Refer to ESD report for WELS ratings of fixtures and fittings

Drawing
SD02_07
LEVEL 6 FLOOR PLAN

Revision
8
28/02/25

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Project
117 & 119 DOVER ST
CREMORNE

Job No.
23004

Scale
1 : 50 @A1 OR 1 : 100 @A3

Notes:
-Electric induction cooking in kitchen
-Electric heat pump reverse cycle heating/cooling
-Electric heat pump hot water system
-Refer to ESD report for WELS ratings of fixtures and fittings

Drawing
SD02_08
LEVEL 7 FLOOR PLAN

Revision
8
28/02/25

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Project
117 & 119 DOVER ST
CREMORNE

Job No.
23004

Scale
1 : 50 @A1 OR 1 : 100 @A3

Notes:
-Electric induction cooking in kitchen
-Electric heat pump reverse cycle heating/cooling
-Electric heat pump hot water system
-Refer to ESD report for WELS ratings of fixtures and fittings

Drawing
SD02_09
LEVEL 8 FLOOR PLAN

Revision
8
28/02/25

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Project
117 & 119 DOVER ST
CREMORNE

Job No.
23004

Scale
1 : 50 @A1 OR 1 : 100 @A3

Notes:
-Electric induction cooking in kitchen
-Electric heat pump reverse cycle heating/cooling
-Electric heat pump hot water system
-Refer to ESD report for WELS ratings of fixtures and fittings

Drawing
SD02_10
LEVEL 9 FLOOR PLAN

Revision
8
28/02/25

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Project
117 & 119 DOVER ST
CREMORNE

Job No.
23004

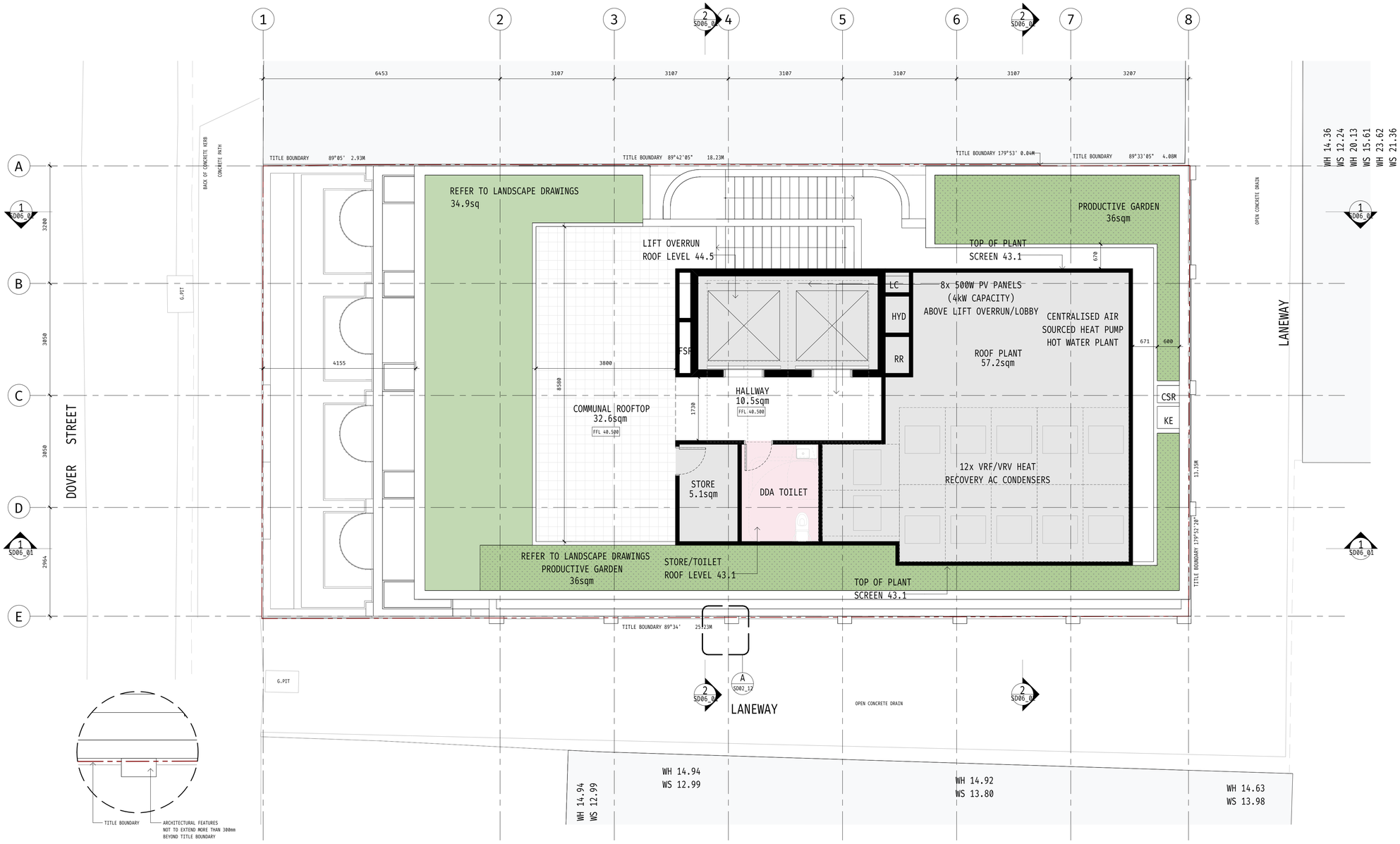
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Notes:
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-Electric heat pump reverse cycle heating/cooling
-Electric heat pump hot water system
-Refer to ESD report for WELS ratings of fixtures and fittings

Drawing
SD02_11
LEVEL 10 FLOOR PLAN

Revision
8
28/02/25

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A SD02_12 ARCHITECTURAL FEATURES PLAN DETAIL
SCALE 1 : 20

Project
117 & 119 DOVER ST
CREMORNE

Job No.
23004

Scale
1 : 50 @A1 OR 1 : 100 @A3
0 1 2 3 4 5 m

Notes:
-Electric induction cooking in kitchen
-Electric heat pump reverse cycle heating/cooling
-Electric heat pump hot water system
-Refer to ESD report for WELS ratings of fixtures and fittings

Drawing
SD02_12
LEVEL ROOF PLAN

Revision
8
28/02/25

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BW01: FACE BRICKWORK - DUTCHBOND

BW02: FACE BRICKWORK - STACKBOND

BW03 - BRICKWORK - PROJECTING STACKBOND

CF01: PRECAST FINISH

CF02: PRECAST FINISH SPLIT FACE TEXTURED

CF03: PRECAST FINISH TEXTURED

CF04: UNCOLOURED NATURAL CONCRETE

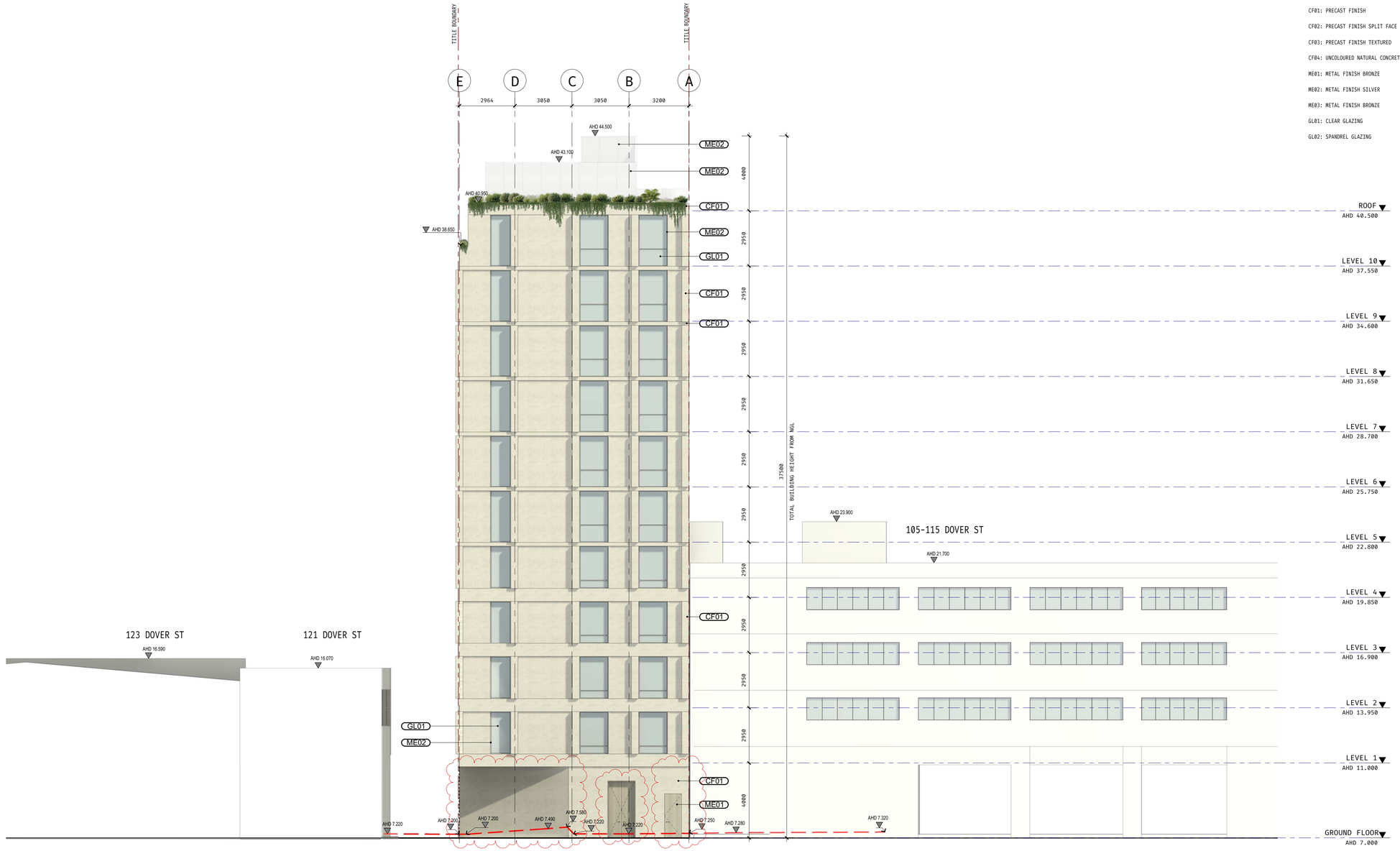
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ME02: METAL FINISH SILVER

ME03: METAL FINISH BRONZE

GL01: CLEAR GLAZING

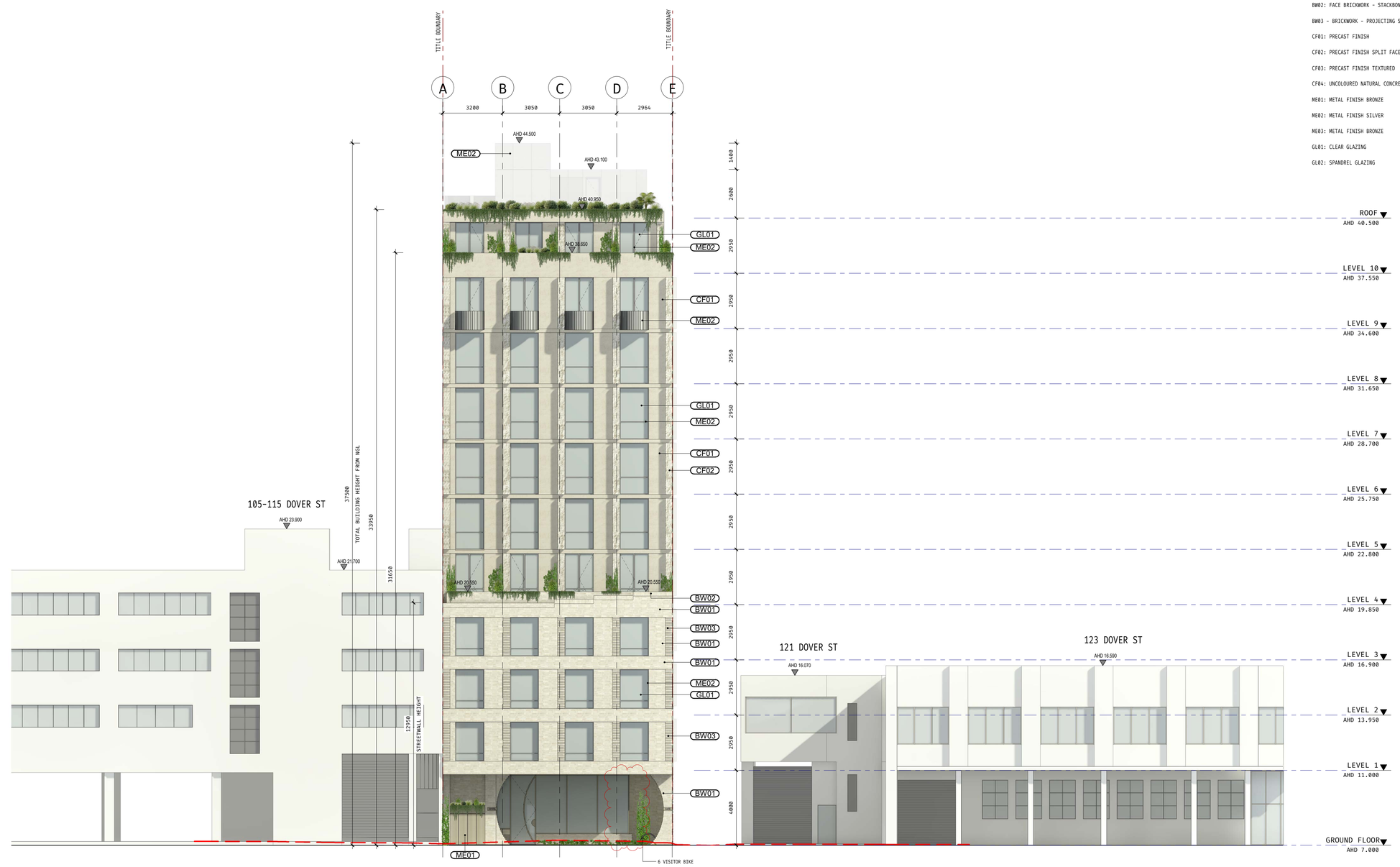
GL02: SPANDREL GLAZING



1 / - EAST ELEVATION
SCALE 1 : 100

Project 117 & 119 DOVER ST CREMORNE	Job No. 23004	Scale 1 : 100 @A1 OR 1 : 200 @A3 0 1 2 3 4 5 m	Drawing SD05_01 EAST ELEVATION	Revision 8 01/08/25	Tristan Wong | Architecture + Design ARBV 18127 NSWARB 12655 89 Islington St, Collingwood tristanwongdesign.com	

BW01: FACE BRICKWORK - DUTCHBOND
BW02: FACE BRICKWORK - STACKBOND
BW03 - BRICKWORK - PROJECTING STACKBOND
CF01: PRECAST FINISH
CF02: PRECAST FINISH SPLIT FACE TEXTURED
CF03: PRECAST FINISH TEXTURED
CF04: UNCOLOURED NATURAL CONCRETE
ME01: METAL FINISH BRONZE
ME02: METAL FINISH SILVER
ME03: METAL FINISH BRONZE
GL01: CLEAR GLAZING
GL02: SPANDREL GLAZING



1 / - WEST ELEVATION
SCALE 1 : 100

Project	Job No.	Scale	Drawing	Revision
117 & 119 DOVER ST CREMORNE	23004	1 : 100 @A1 OR 1 : 200 @A3 0 1 2 3 4 5 m	SD05_02 WEST ELEVATION	8 01/08/25

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BW01: FACE BRICKWORK - DUTCHBOND

BW02: FACE BRICKWORK - STACKBOND

BW03 - BRICKWORK - PROJECTING STACKBOND

CF01: PRECAST FINISH

CF02: PRECAST FINISH SPLIT FACE TEXTURED

CF03: PRECAST FINISH TEXTURED

CF04: UNCOLOURED NATURAL CONCRETE

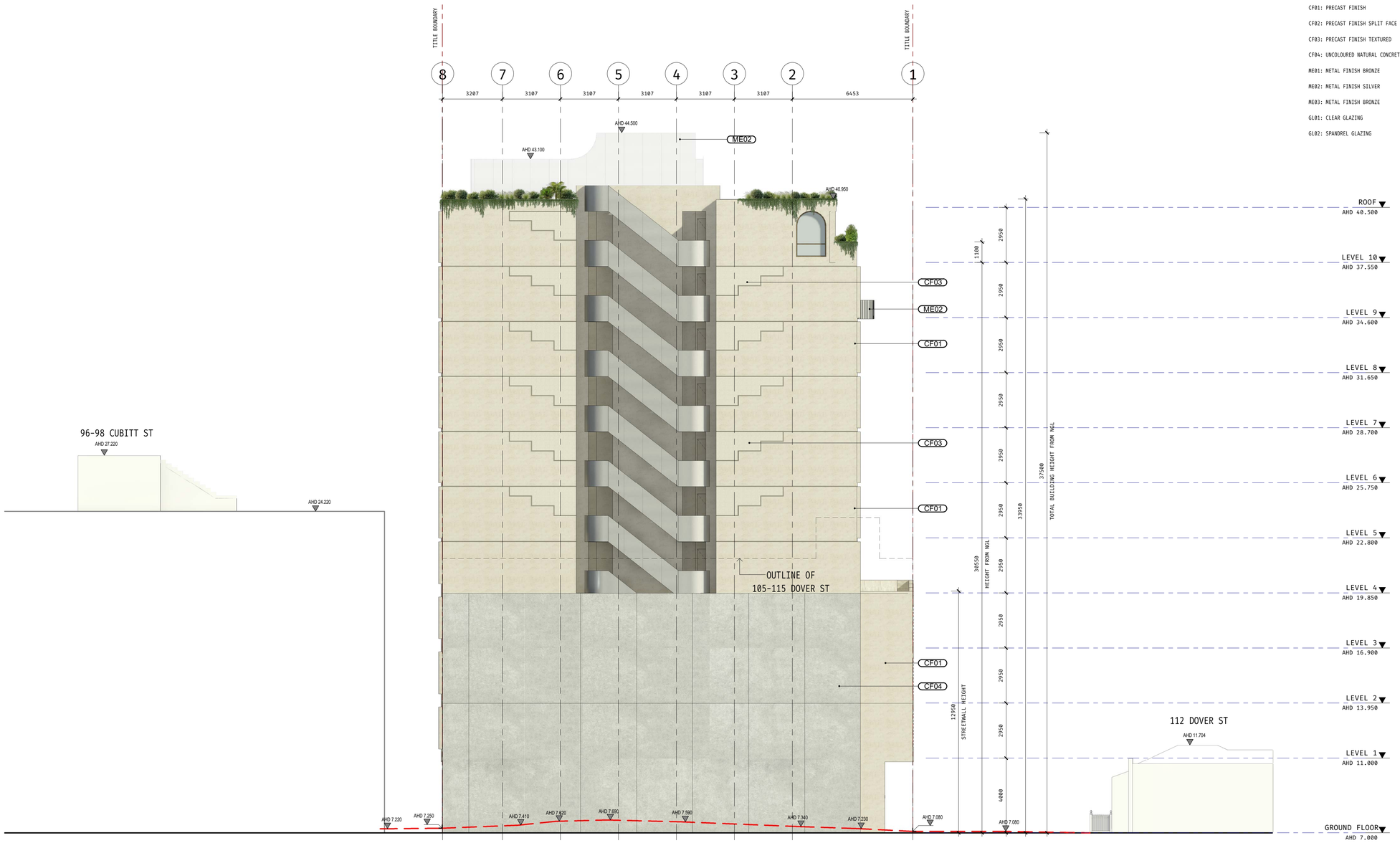
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ME02: METAL FINISH SILVER

ME03: METAL FINISH BRONZE

GL01: CLEAR GLAZING

GL02: SPANDREL GLAZING



1 - NORTH ELEVATION
SCALE 1 : 100

Project 117 & 119 DOVER ST CREMORNE	Job No. 23004	Scale 1 : 100 @A1 OR 1 : 200 @A3 0 1 2 3 4 5 m	Drawing SD05_03 NORTH ELEVATION	Revision 7 28/02/25	Tristan Wong | Architecture + Design ARBV 18127 NSWARB 12655 89 Islington St, Collingwood tristanwongdesign.com		

BW01: FACE BRICKWORK - DUTCHBOND

BW02: FACE BRICKWORK - STACKBOND

BW03 - BRICKWORK - PROJECTING STACKBOND

CF01: PRECAST FINISH

CF02: PRECAST FINISH SPLIT FACE TEXTURED

CF03: PRECAST FINISH TEXTURED

CF04: UNCOLOURED NATURAL CONCRETE

ME01: METAL FINISH BRONZE

ME02: METAL FINISH SILVER

ME03: METAL FINISH BRONZE

GL01: CLEAR GLAZING

GL02: SPANDREL GLAZING



1 / - SOUTH ELEVATION
SCALE 1 : 100

Project 117 & 119 DOVER ST CREMORNE	Job No. 23004	Scale 1 : 100 @A1 OR 1 : 200 @A3	Drawing SD05_04 SOUTH ELEVATION	Revision 8 01/08/25	Tristan Wong | Architecture + Design ARBV 18127 NSWARB 12655 89 Islington St, Collingwood tristanwongdesign.com	

BW01: FACE BRICKWORK - DUTCHBOND

BW02: FACE BRICKWORK - STACKBOND

BW03 - BRICKWORK - PROJECTING STACKBOND

CF01: PRECAST FINISH

CF02: PRECAST FINISH SPLIT FACE TEXTURED

CF03: PRECAST FINISH TEXTURED

CF04: UNCOLOURED NATURAL CONCRETE

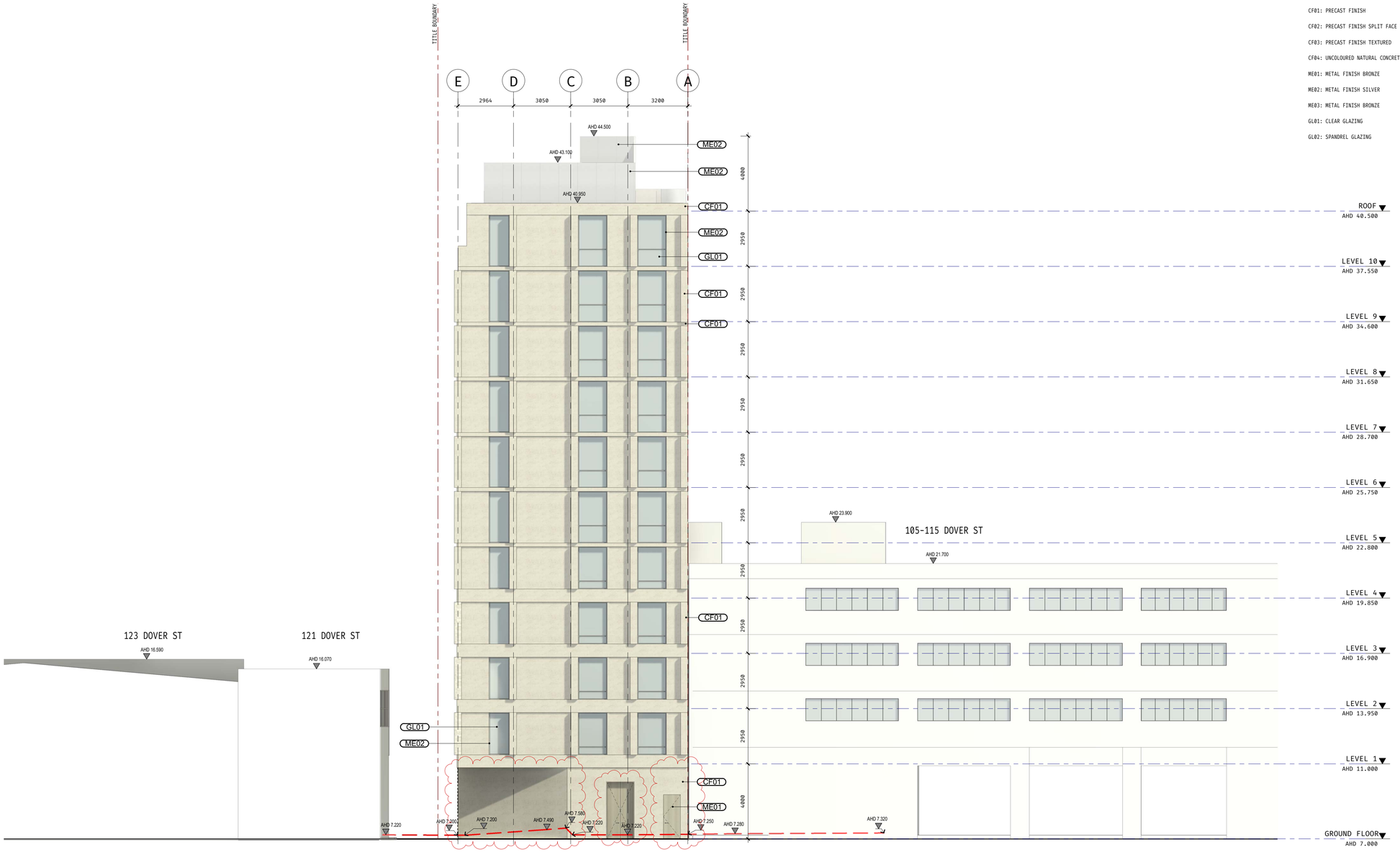
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ME02: METAL FINISH SILVER

ME03: METAL FINISH BRONZE

GL01: CLEAR GLAZING

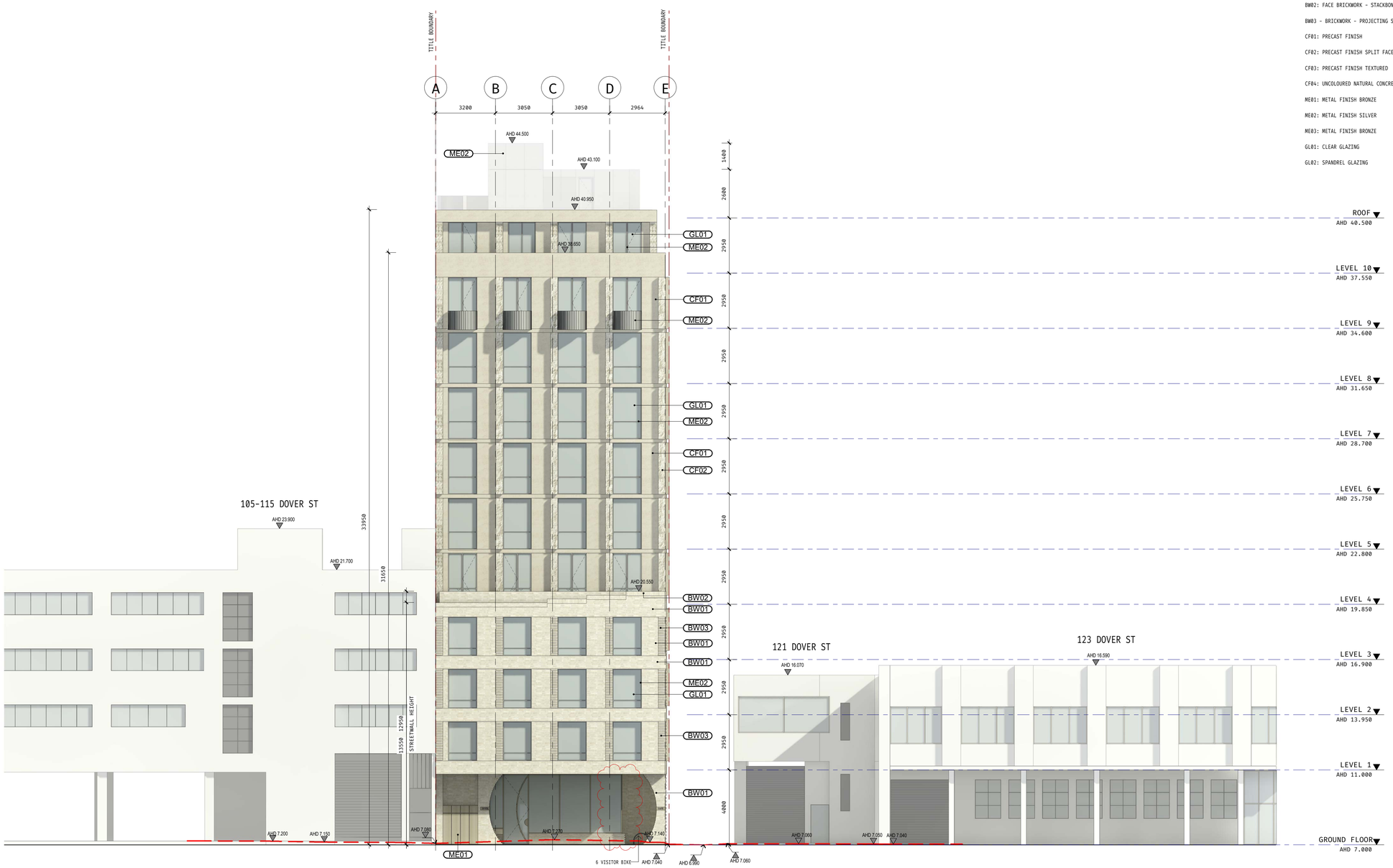
GL02: SPANDREL GLAZING



1 / - EAST ELEVATION
SCALE 1 : 100

Project 117 & 119 DOVER ST CREMORNE	Job No. 23004	Scale 1 : 100 @A1 OR 1 : 200 @A3 0 1 2 3 4 5 m	Drawing SD05_05 EAST ELEVATION NO VEGETATION	Revision 6 01/08/25	Tristan Wong | Architecture + Design ARBV 18127 NSWARB 12655 89 Islington St, Collingwood tristanwongdesign.com

BW01: FACE BRICKWORK - DUTCHBOND
BW02: FACE BRICKWORK - STACKBOND
BW03 - BRICKWORK - PROJECTING STACKBOND
CF01: PRECAST FINISH
CF02: PRECAST FINISH SPLIT FACE TEXTURED
CF03: PRECAST FINISH TEXTURED
CF04: UNCOLOURED NATURAL CONCRETE
ME01: METAL FINISH BRONZE
ME02: METAL FINISH SILVER
ME03: METAL FINISH BRONZE
GL01: CLEAR GLAZING
GL02: SPANDREL GLAZING



1 / - WEST ELEVATION
SCALE 1 : 100

Project 117 & 119 DOVER ST CREMORNE	Job No. 23004	Scale 1 : 100 @A1 OR 1 : 200 @A3 0 1 2 3 4 5 m	Drawing SD05_06 WEST ELEVATION NO VEGETATION	Revision 6 01/08/25	Tristan Wong | Architecture + Design ARBV 18127 NSWARB 12655 89 Islington St, Collingwood tristanwongdesign.com	

BW01: FACE BRICKWORK - DUTCHBOND

BW02: FACE BRICKWORK - STACKBOND

BW03 - BRICKWORK - PROJECTING STACKBOND

CF01: PRECAST FINISH

CF02: PRECAST FINISH SPLIT FACE TEXTURED

CF03: PRECAST FINISH TEXTURED

CF04: UNCOLOURED NATURAL CONCRETE

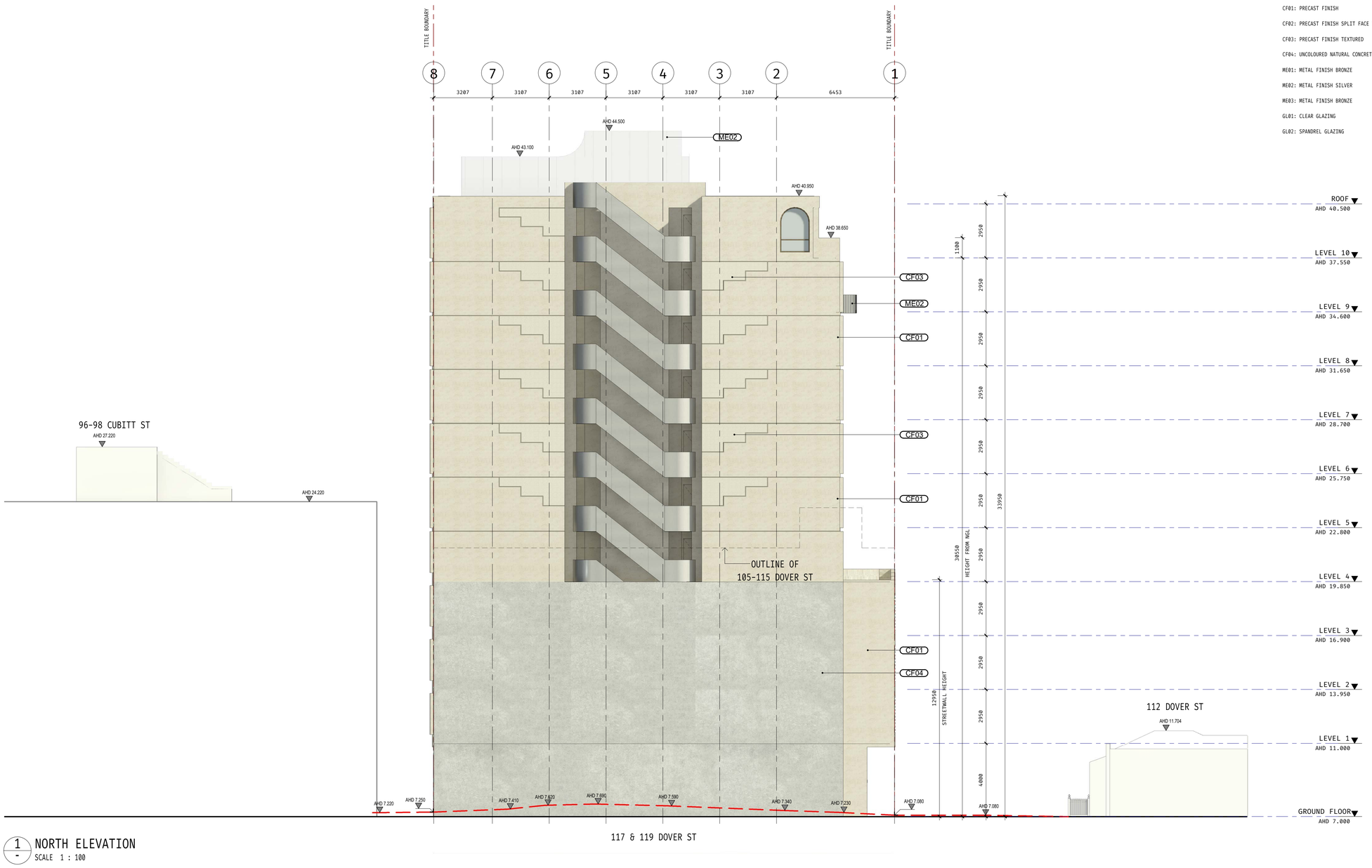
ME01: METAL FINISH BRONZE

ME02: METAL FINISH SILVER

ME03: METAL FINISH BRONZE

GL01: CLEAR GLAZING

GL02: SPANDREL GLAZING



1 / - NORTH ELEVATION
SCALE 1 : 100

Project
117 & 119 DOVER ST
CREMORNE

Job No.
23004

Scale
1 : 100 @A1 OR 1 : 200 @A3
0 1 2 3 4 5 m

Drawing
SD05_07
NORTH ELEVATION
NO VEGETATION

Revision
5
28/02/25

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BW01: FACE BRICKWORK - DUTCHBOND

BW02: FACE BRICKWORK - STACKBOND

BW03 - BRICKWORK - PROJECTING STACKBOND

CF01: PRECAST FINISH

CF02: PRECAST FINISH SPLIT FACE TEXTURED

CF03: PRECAST FINISH TEXTURED

CF04: UNCOLOURED NATURAL CONCRETE

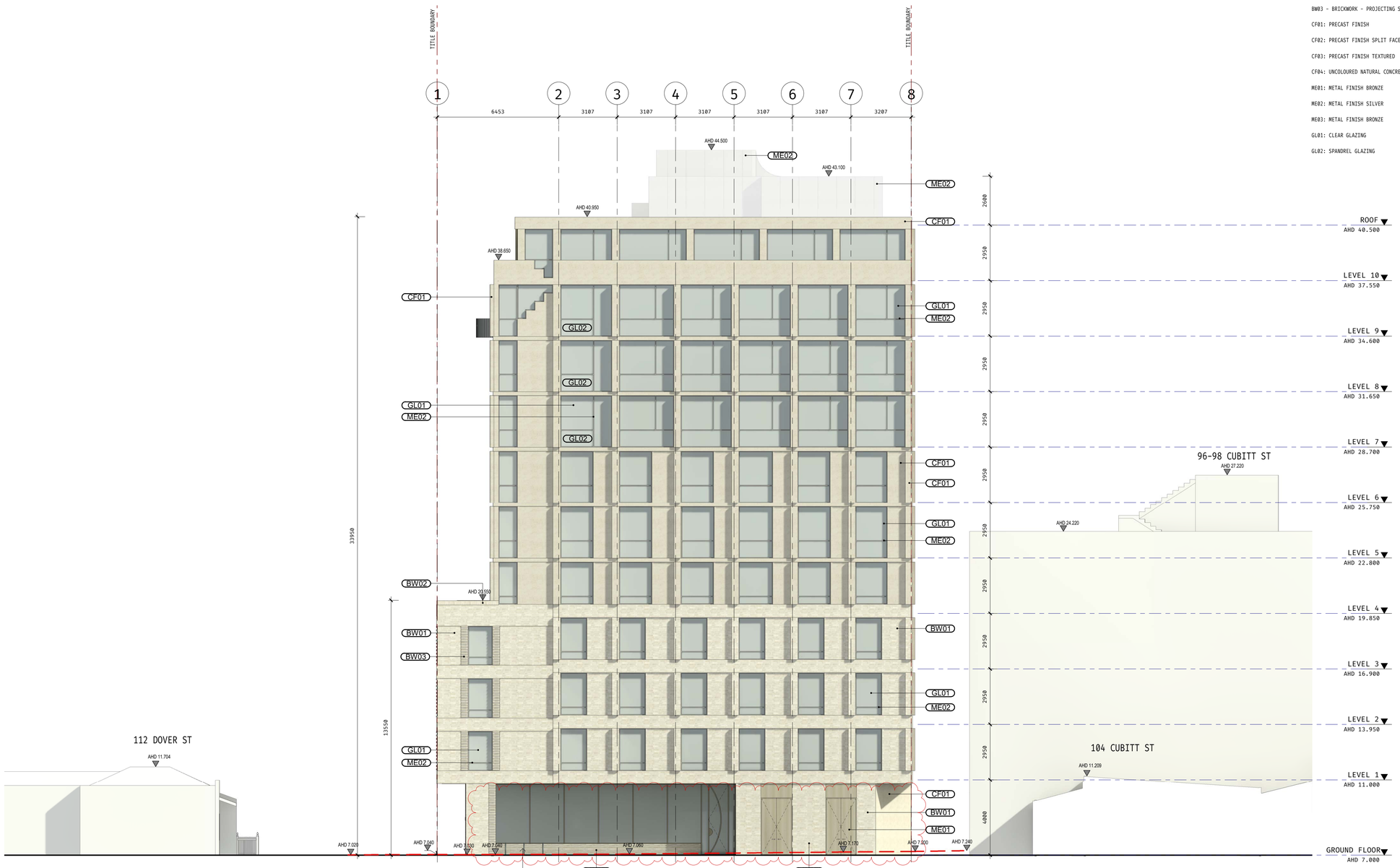
ME01: METAL FINISH BRONZE

ME02: METAL FINISH SILVER

ME03: METAL FINISH BRONZE

GL01: CLEAR GLAZING

GL02: SPANDREL GLAZING



1 - SOUTH ELEVATION
SCALE 1 : 100

Project 117 & 119 DOVER ST CREMORNE	Job No. 23004	Scale 1 : 100 @A1 OR 1 : 200 @A3	Drawing SD05_08 SOUTH ELEVATION NO VEGETATION

Revision
6
01/08/25

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BW01 - BRICKWORK - DUTCH BOND
WARM SAND COLOUR
FACE BRICKWORK



BW02 - BRICKWORK - STACKBOND
WARM SAND COLOUR
FACE BRICKWORK



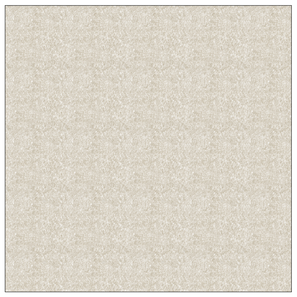
BW03 - BRICKWORK - PROJECTING STACKBOND
WARM SAND COLOUR
FACE BRICKWORK



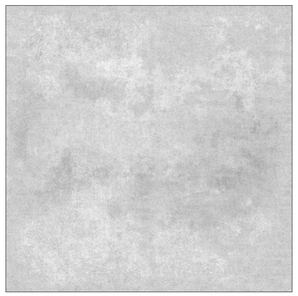
CF01 - PRECAST FINISH
WARM SAND COLOUR INTEGRAL
PRECAST FINSIH



CF02 - PRECAST FINISH - SPLIT FACE
WARM SAND COLOUR INTEGRAL
COLOURED TEXTURED PRECAST FINSIH



CF03 - PRECAST FINISH
WARM SAND COLOUR INTEGRAL
COLOURED TEXTURED PRECAST FINSIH



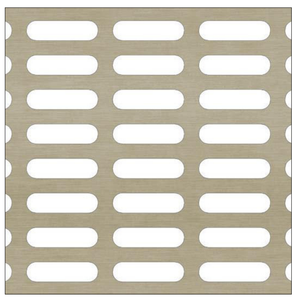
CF04 - UNCOLOURED NATURAL CONCRETE



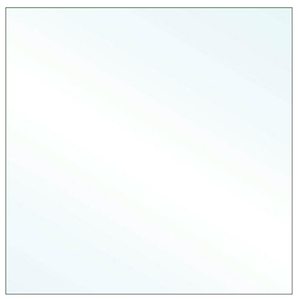
ME01 - METAL FINISH
BRONZE



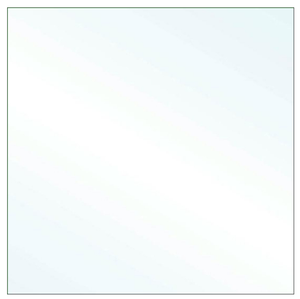
ME02 - METAL FINISH
SILVER



ME03 - METAL FINISH
BRONZE



GL01 - GLAZING
CLEAR GLAZING

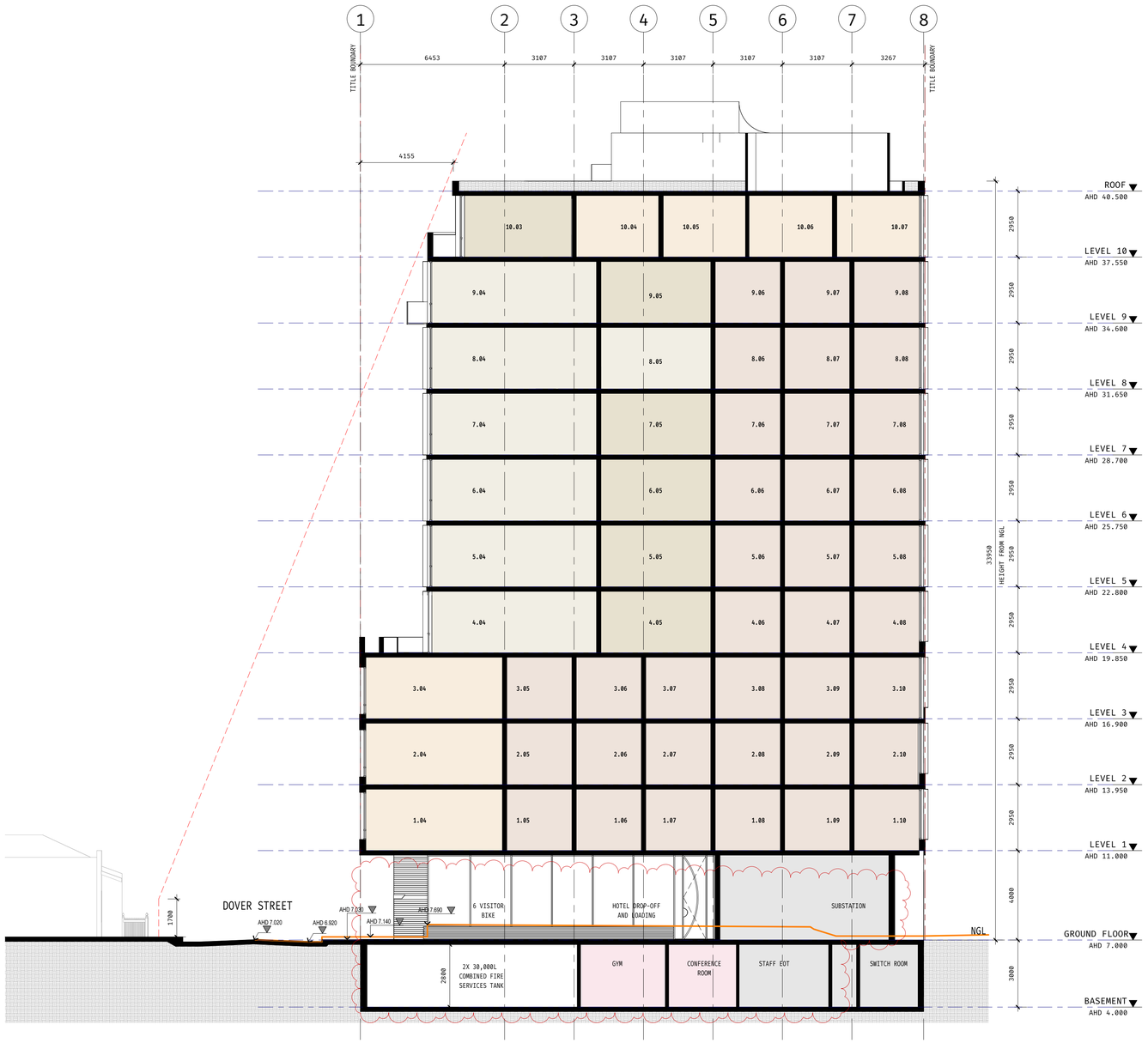


GL02 - GLAZING
SPANDREL

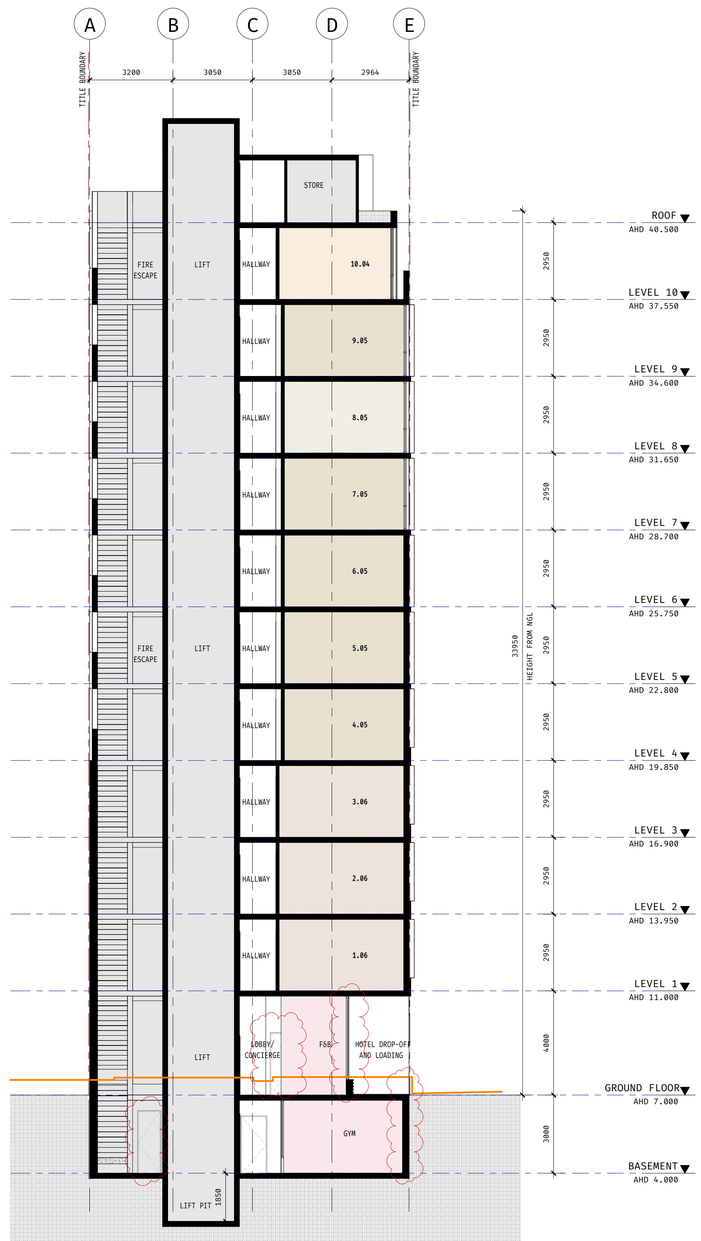
Project	Job No.	Scale
117 & 119 DOVER ST CREMORNE	23004	

Drawing	Revision
SD05_09 MATERIAL SCHEDULE	5 28/02/25

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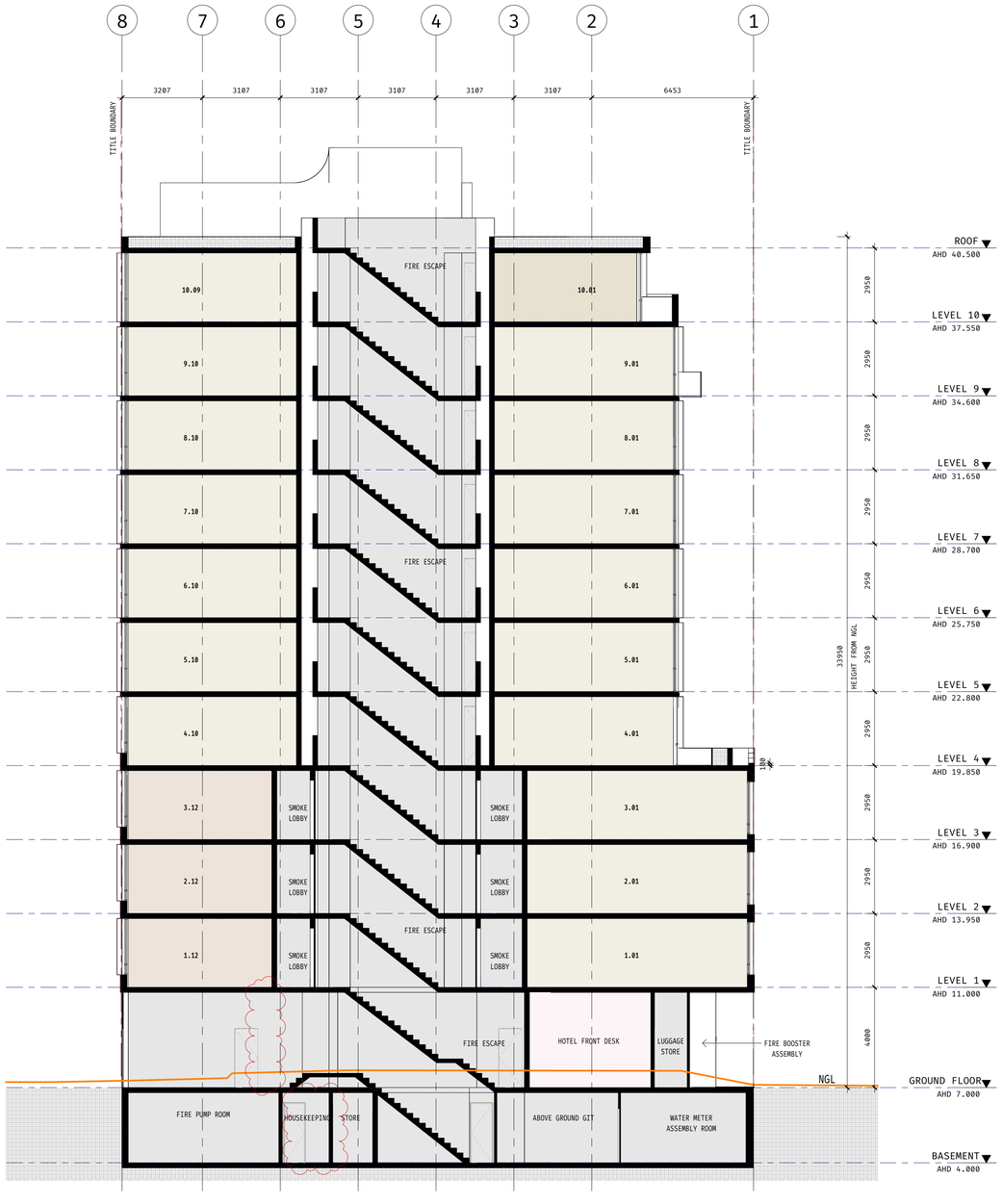
1 SD02_00 SITE SECTION - EAST-WEST
SCALE 1 : 100



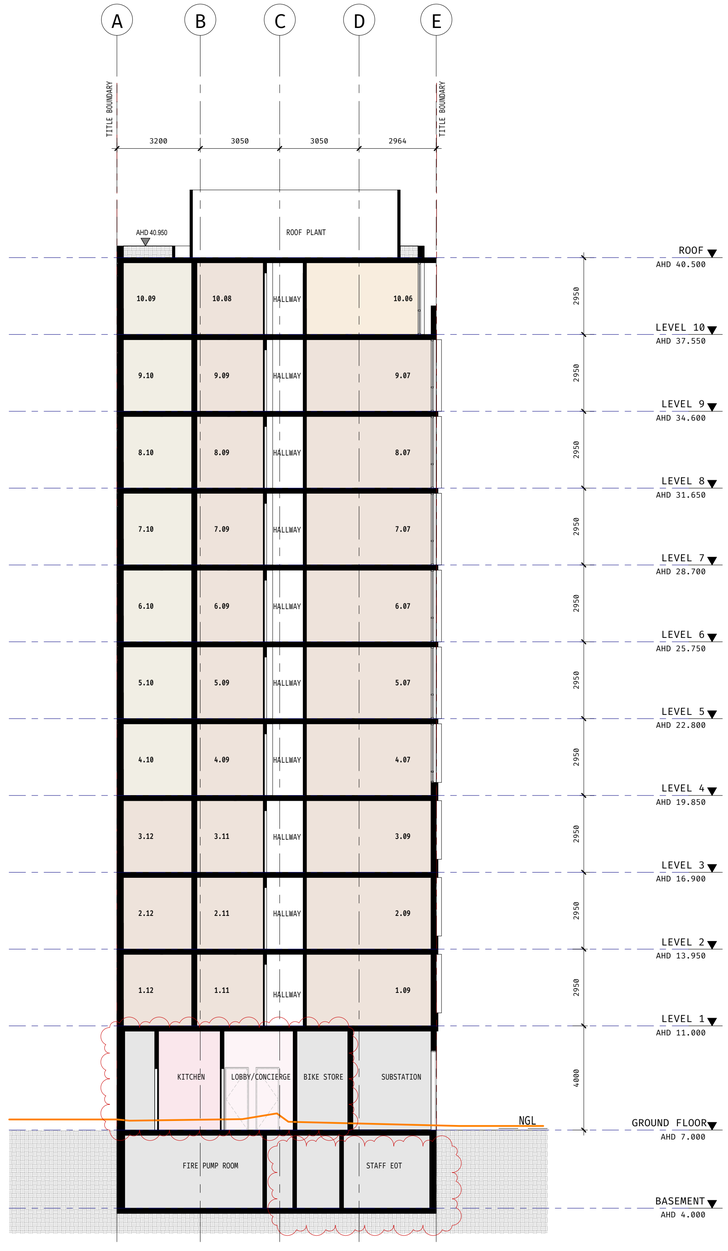
2 SD02_00 SITE SECTION - NORTH-SOUTH
SCALE 1 : 100

Project	Job No.	Scale	Drawing	Revision
117 & 119 DOVER ST CREMORNE	23004	1 : 100 @A1 OR 1 : 200 @A3	SD06_01 SECTIONS	6 01/08/25

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1 SD02_00 SITE SECTION - EAST-WEST
SCALE 1 : 100



2 SD02_00 SITE SECTION - NORTH-SOUTH
SCALE 1 : 100

Project
117 & 119 DOVER ST
CREMORNE

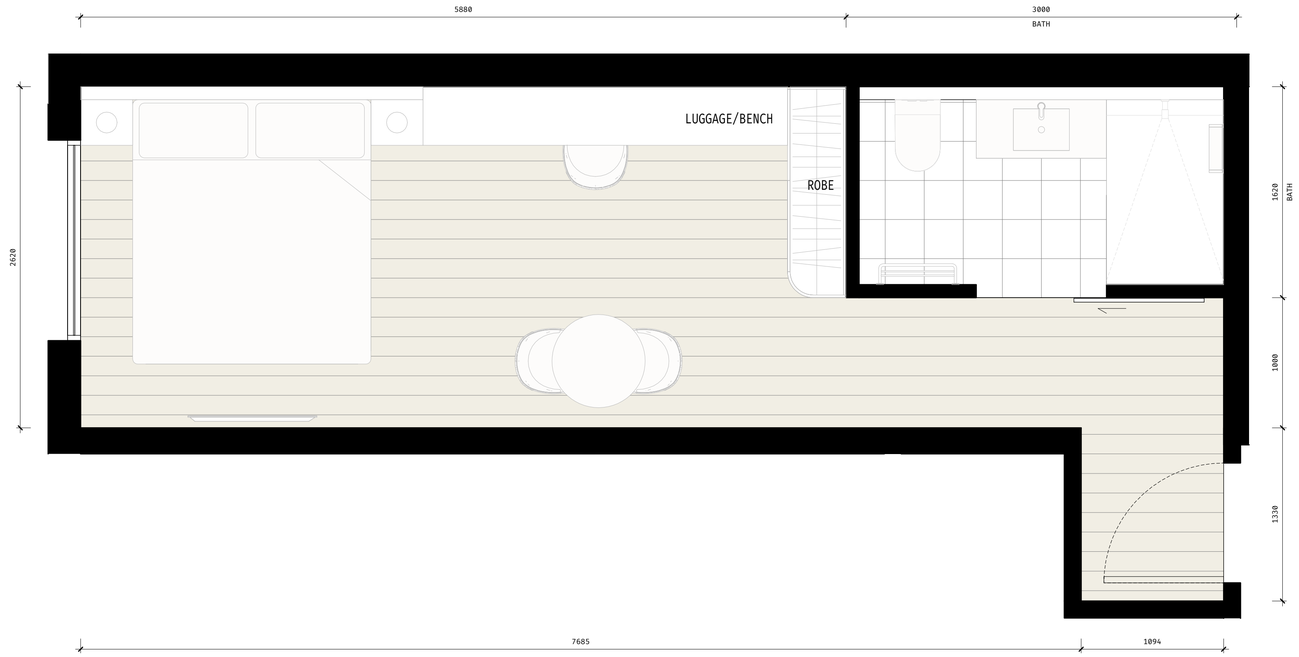
Job No.
23004

Scale
1 : 100 @A1 OR 1 : 200 @A3
0 1 2 3 4 5 m

Drawing
SD06_02
SECTIONS

Revision
6
01/08/25

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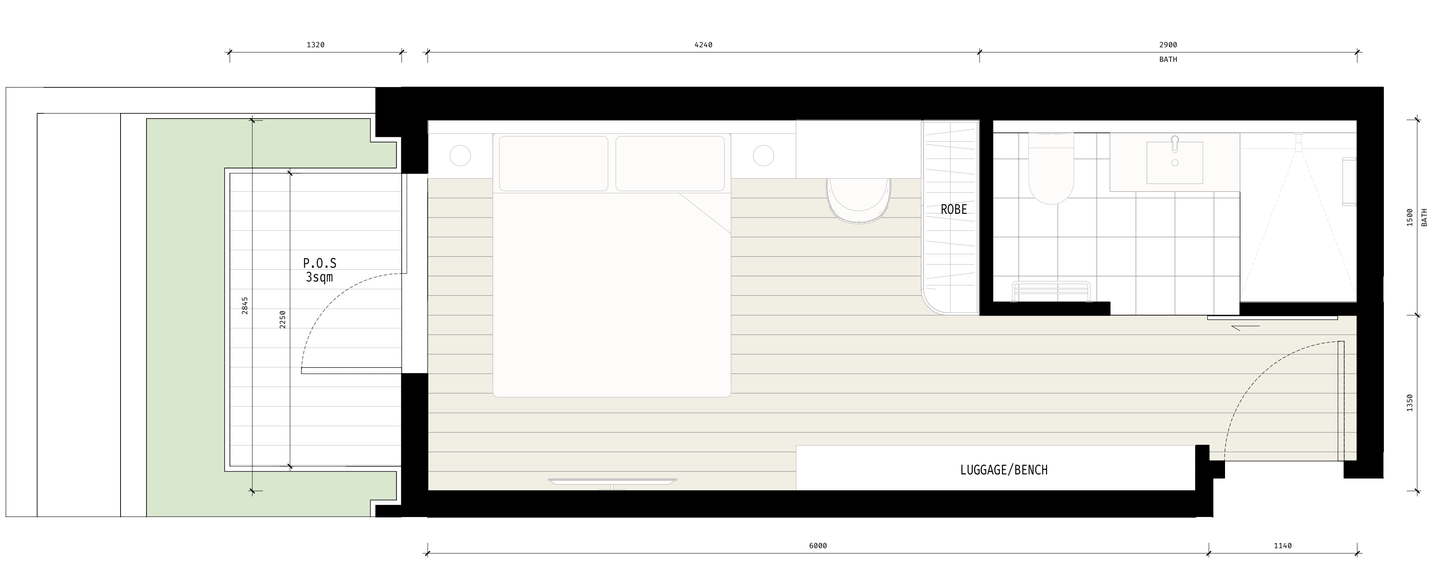
TYPE 1 - KING DELUXE

FLOOR AREA: 25.1m²

APPLICABLE TO:

1F-3F

TOTAL NO. ROOM: 3



TYPE 2 - KING DELUXE

FLOOR AREA: 23.6m² (INCLUDE P.O.S)

APPLICABLE TO:

4F

TOTAL NO. ROOM: 1

Project
117 & 119 DOVER ST
CREMORNE

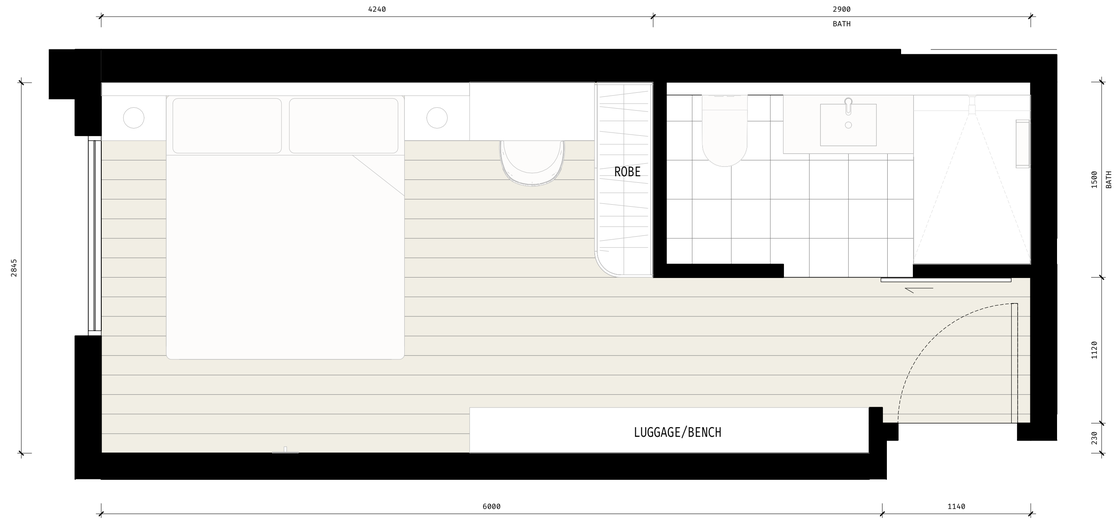
Job No.
23004

Scale
1 : 20 @A1 OR 1 : 40 @A3
0 200 400 600 800 1000 mm

Drawing
SD14_01
UNIT TYPE LAYOUTS

Revision
3
28/02/25

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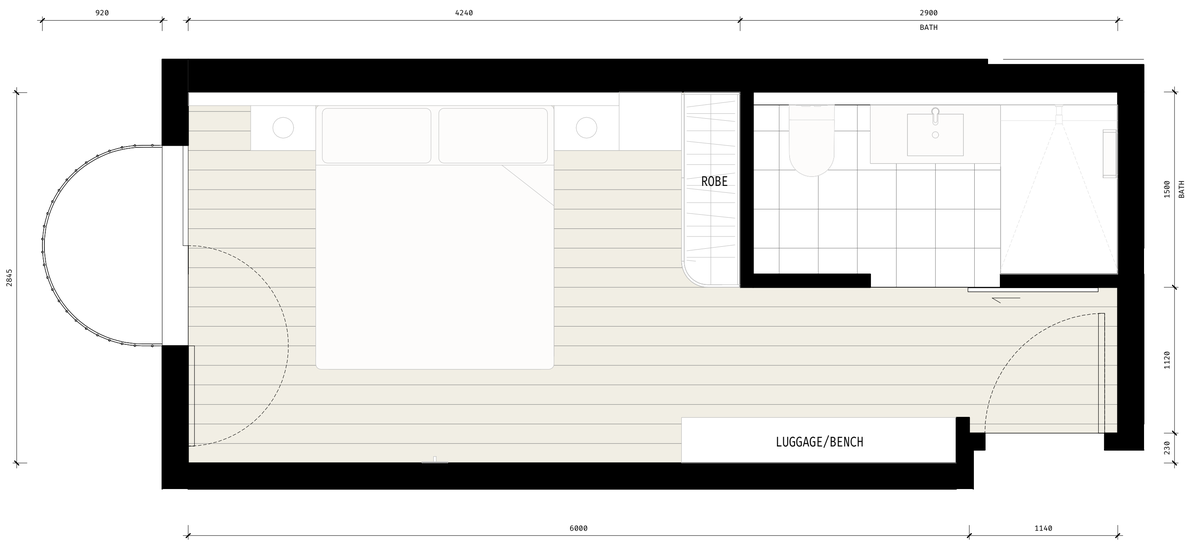
TYPE 2A - KING DELUXE

FLOOR AREA: 20.7m²

APPLICABLE TO:

5F-8F

TOTAL NO. ROOM: 4



TYPE 2B - KING DELUXE

FLOOR AREA: 21.8m² (INCLUDE P.O.S)

APPLICABLE TO:

9F

TOTAL NO. ROOM: 1

Project
117 & 119 DOVER ST
CREMORNE

Job No.
23004

Scale
1 : 20 @A1 OR 1 : 40 @A3
0 200 400 600 800 1000 mm

Drawing
SD14_02
UNIT TYPE LAYOUTS

Revision
3
28/02/25

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TYPE 3 - KING DELUXE

FLOOR AREA: 26.1m²(INCLUDE P.O.S)

APPLICABLE TO:

4F

TOTAL NO. ROOM: 1

TYPE 3A - KING DELUXE

FLOOR AREA: 23.4m²

APPLICABLE TO:

5F-8F

TOTAL NO. ROOM: 4

Project
117 & 119 DOVER ST
CREMORNE

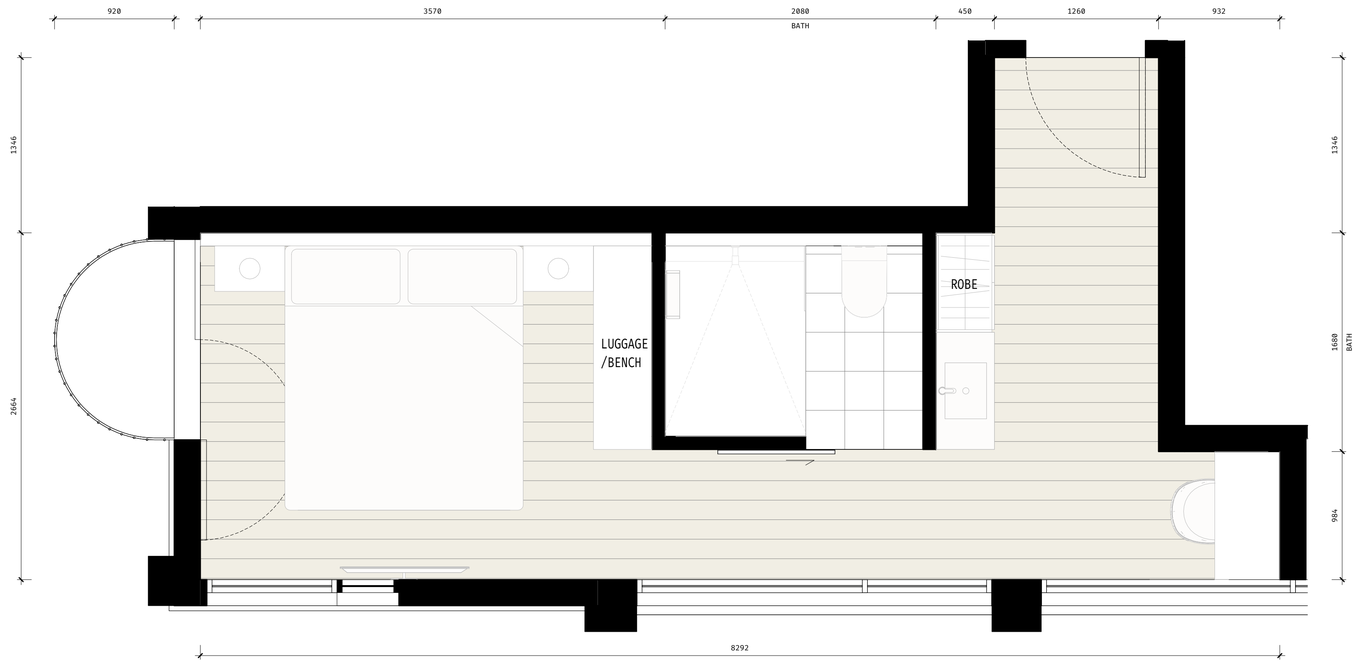
Job No.
23004

Scale
1 : 20 @A1 OR 1 : 40 @A3
0 200 400 600 800 1000 mm

Drawing
SD14_03
UNIT TYPE LAYOUTS

Revision
3
28/02/25

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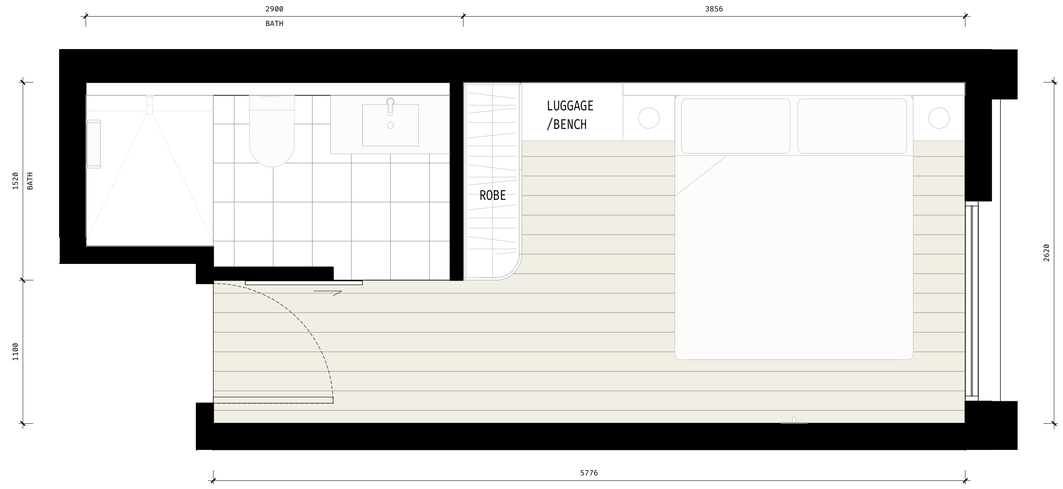
TYPE 3B - KING DELUXE

FLOOR AREA: 24.6m² (INCLUDE P.O.S)

APPLICABLE TO:

9F

TOTAL NO. ROOM: 1



TYPE 4 - KING DELUXE

FLOOR AREA: 16.9m²

APPLICABLE TO:

4F-10F

TOTAL NO. ROOM: 7

Project
117 & 119 DOVER ST
CREMORNE

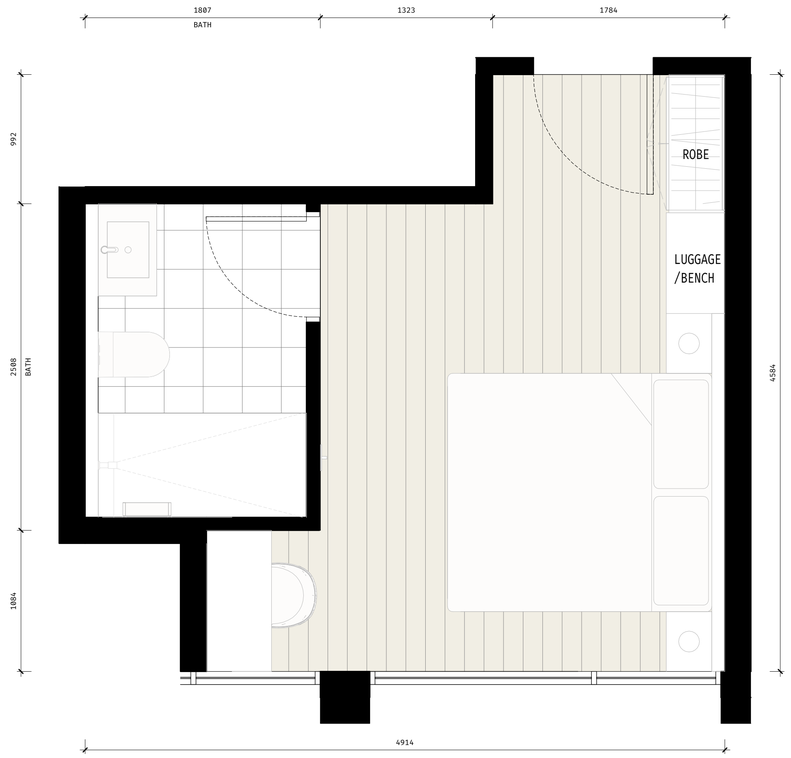
Job No.
23004

Scale
1 : 20 @A1 OR 1 : 40 @A3
0 200 400 600 800 1000 mm

Drawing
SD14_04
UNIT TYPE LAYOUTS

Revision
3
28/02/25

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TYPE 1 - KING DELUXE

FLOOR AREA: 18.5m²

APPLICABLE TO:

8F

TOTAL NO. ROOM: 1

Project
117 & 119 DOVER ST
CREMORNE

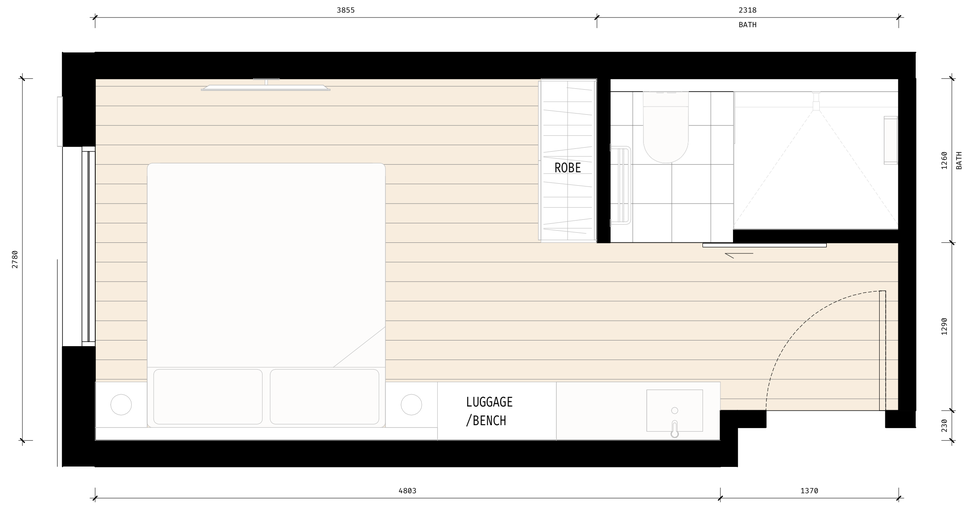
Job No.
23004

Scale
1 : 20 @A1 OR 1 : 40 @A3
0 200 400 600 800 1000 mm

Drawing
SD14_05
UNIT TYPE LAYOUTS

Revision
3
28/02/25

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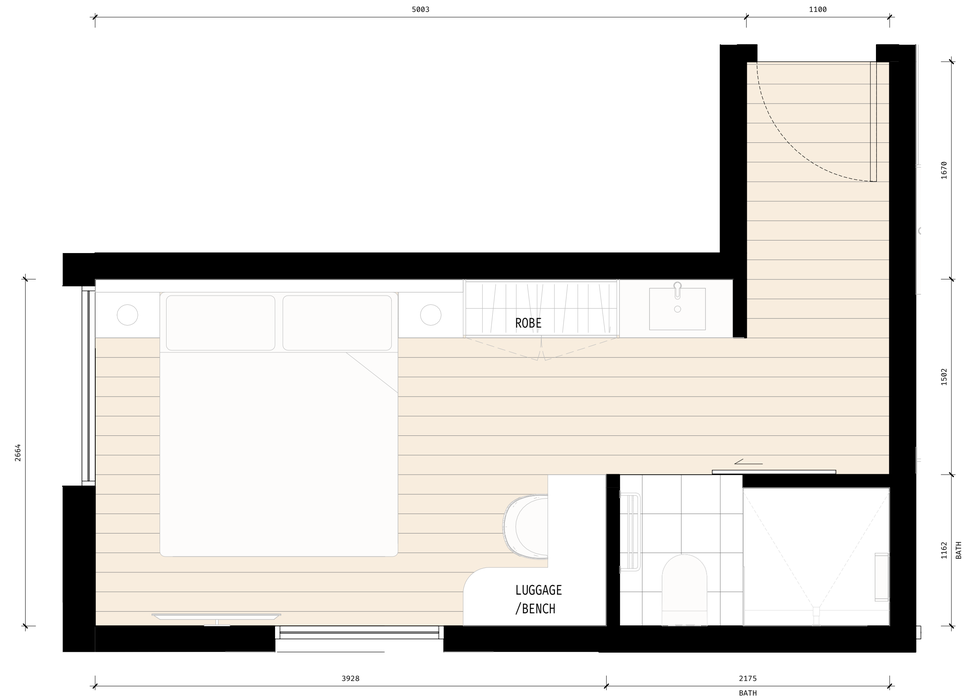
TYPE 1 - KING STANDARD

FLOOR AREA: 17.9m²

APPLICABLE TO:

1F-3F

TOTAL NO. ROOM: 3



TYPE 2 - KING STANDARD

FLOOR AREA: 19.2m²

APPLICABLE TO:

1F-3F

TOTAL NO. ROOM: 3

Project
117 & 119 DOVER ST
CREMORNE

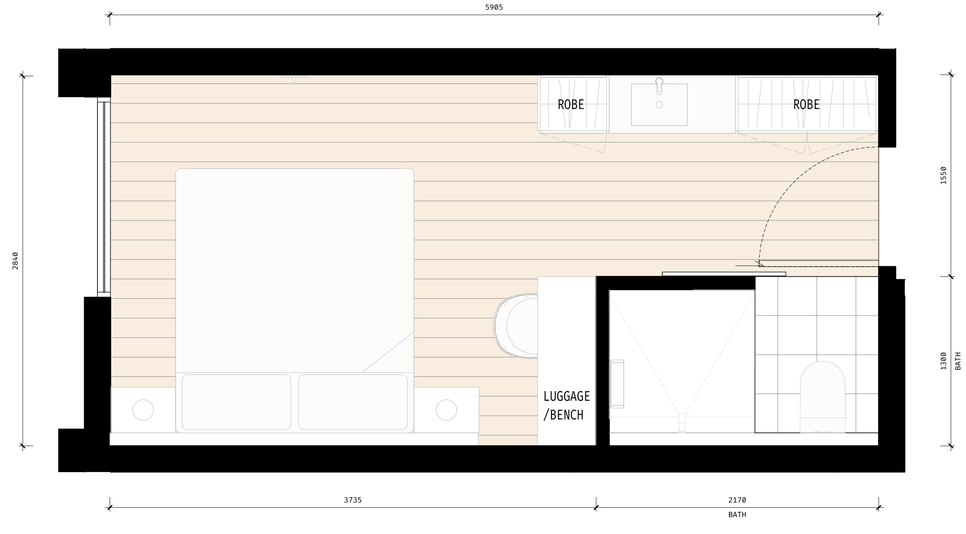
Job No.
23004

Scale
1 : 20 @A1 OR 1 : 40 @A3
0 200 400 600 800 1000 mm

Drawing
SD14_06
UNIT TYPE LAYOUTS

Revision
3
28/02/25

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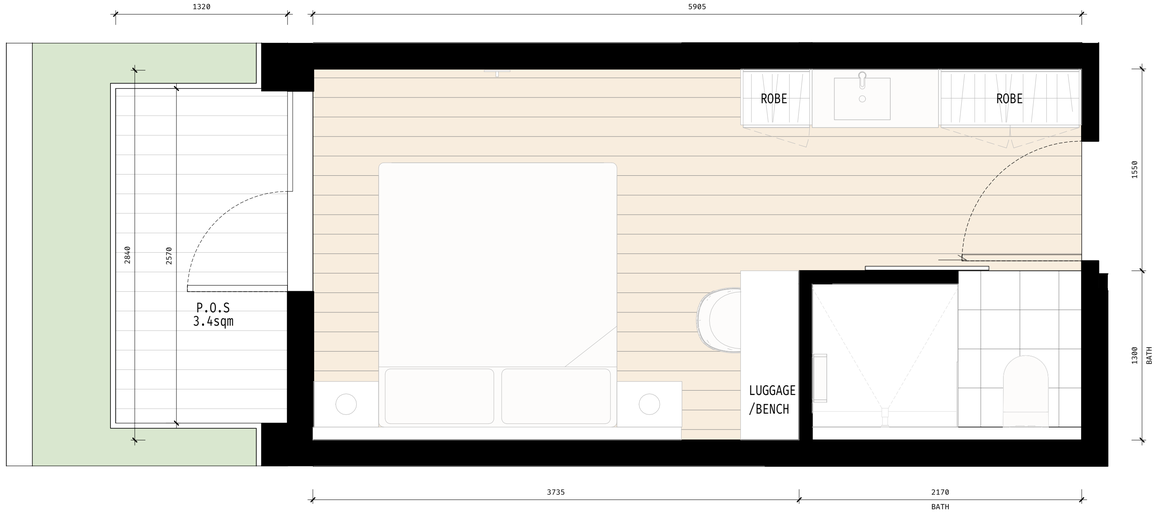
TYPE 3 - KING STANDARD

FLOOR AREA: 18.1m²

APPLICABLE TO:

5F-8F

TOTAL NO. ROOM: 8



TYPE 4 - KING STANDARD

FLOOR AREA: 21.5m²(INCLUDE P.O.S)

APPLICABLE TO:

4F

TOTAL NO. ROOM: 2

Project
117 & 119 DOVER ST
CREMORNE

Job No.
23004

Scale
1 : 20 @A1 OR 1 : 40 @A3
0 200 400 600 800 1000 mm

Drawing
SD14_07
UNIT TYPE LAYOUTS

Revision
3
28/02/25

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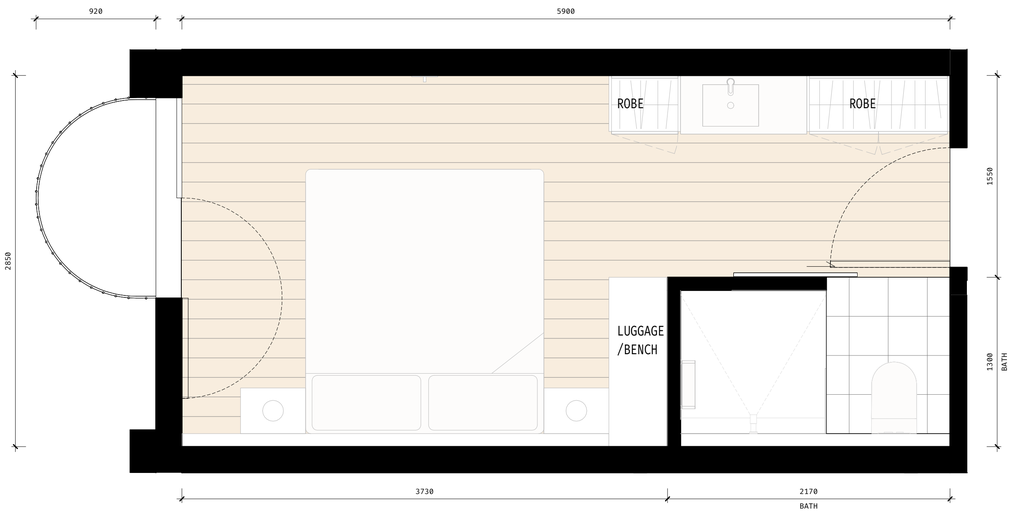
TYPE 5 - KING STANDARD

FLOOR AREA: 19.3m²(INCLUDE P.O.S)

APPLICABLE TO:

9F

TOTAL NO. ROOM: 2



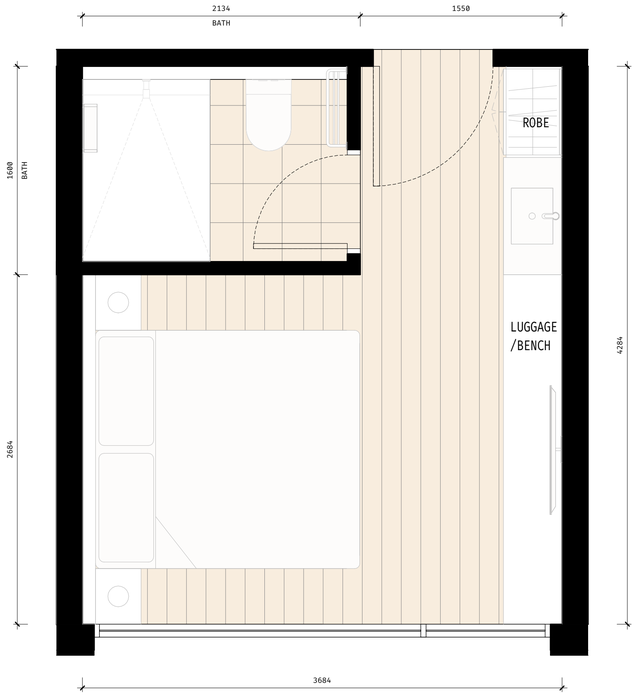
TYPE 6 - KING STANDARD

FLOOR AREA: 16.6m²

APPLICABLE TO:

10F

TOTAL NO. ROOM: 4



Project
117 & 119 DOVER ST
CREMORNE

Job No.
23004

Scale
1 : 20 @A1 OR 1 : 40 @A3
0 200 400 600 800 1000 mm

Drawing
SD14_08
UNIT TYPE LAYOUTS

Revision
3
28/02/25

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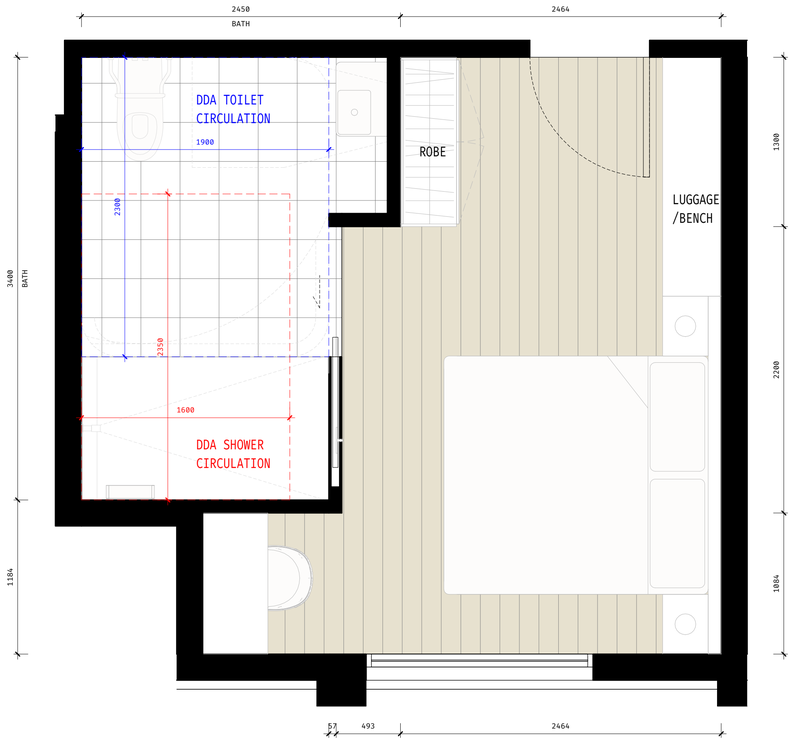
TYPE 1 - DDA KING

FLOOR AREA: 21.6m²

APPLICABLE TO:

4F-7F, 9F

TOTAL NO. ROOM: 5



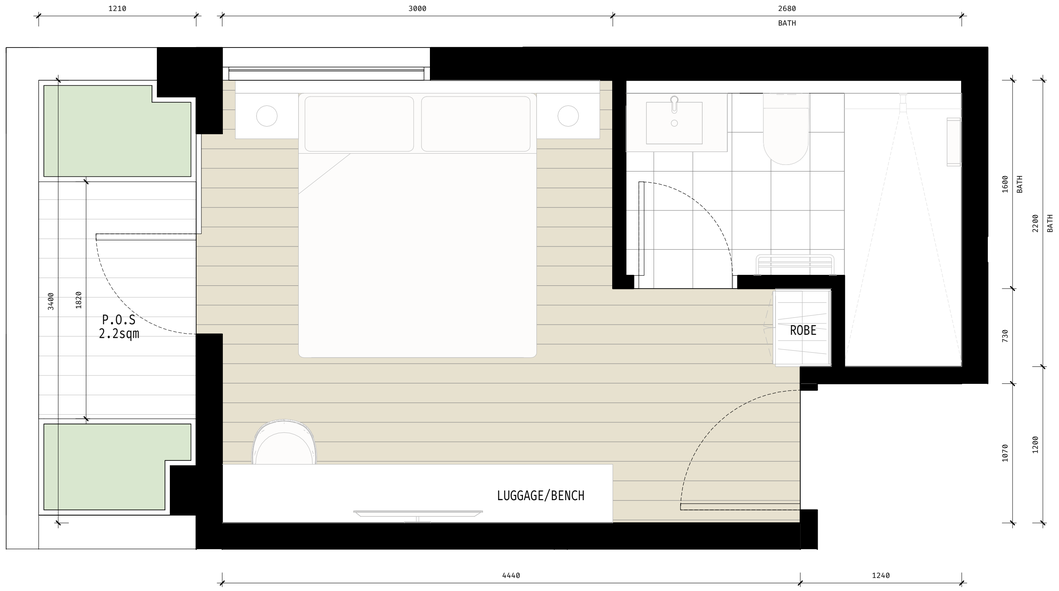
TYPE 1 - KING SUITE

FLOOR AREA: 20.4m²

APPLICABLE TO:

10F

TOTAL NO. ROOM: 1



Project
117 & 119 DOVER ST
CREMORNE

Job No.
23004

Scale
1 : 20 @A1 OR 1 : 40 @A3
0 200 400 600 800 1000 mm

Drawing
SD14_09
UNIT TYPE LAYOUTS

Revision
3
28/02/25

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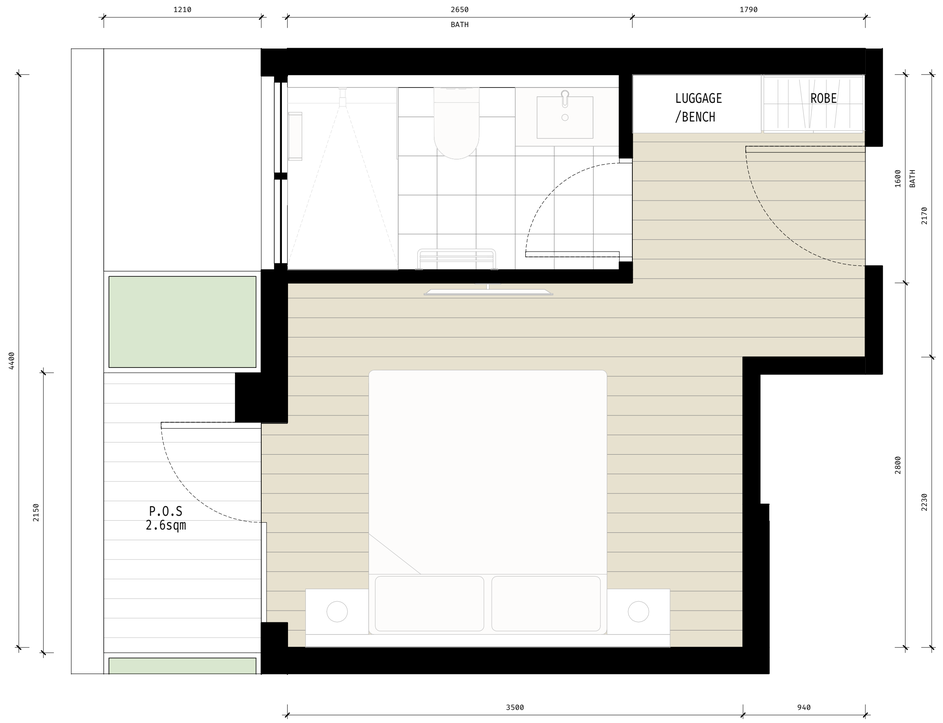
TYPE 2 - KING SUITE

FLOOR AREA: 20.9m²(INCLUDE P.O.S)

APPLICABLE TO:

10F

TOTAL NO. ROOM: 1



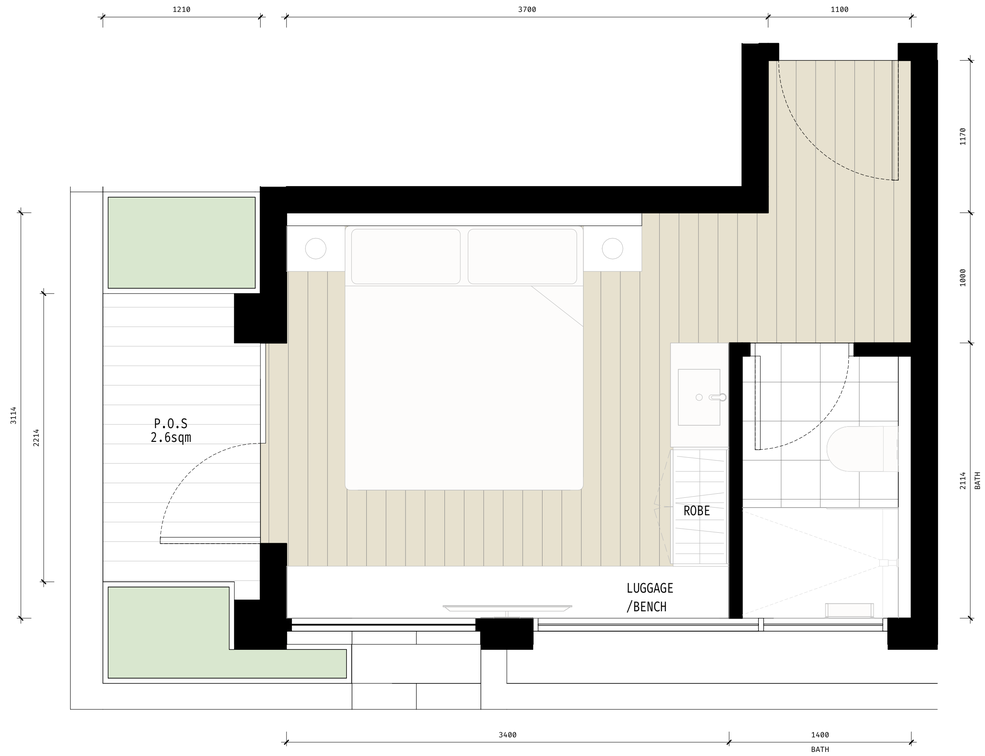
TYPE 3 - KING SUITE

FLOOR AREA: 19.3m²

APPLICABLE TO:

10F

TOTAL NO. ROOM: 1



Project
117 & 119 DOVER ST
CREMORNE

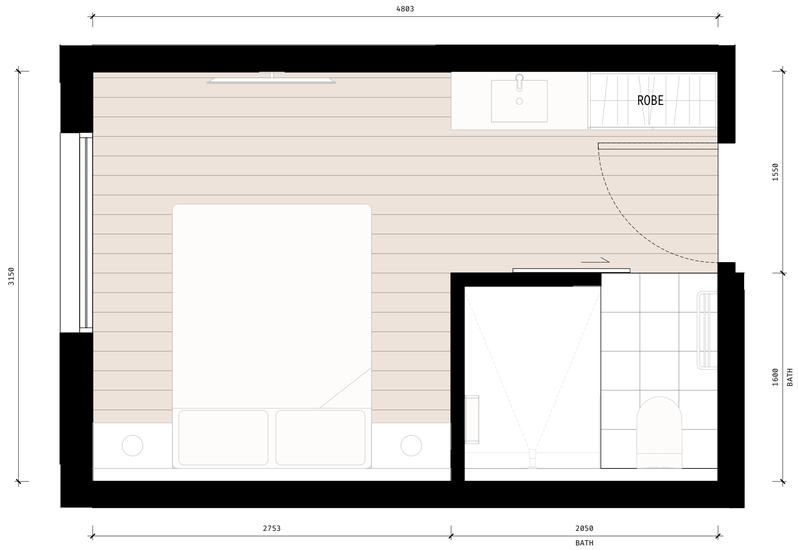
Job No.
23004

Scale
1 : 20 @A1 OR 1 : 40 @A3
0 200 400 600 800 1000 mm

Drawing
SD14_10
UNIT TYPE LAYOUTS

Revision
3
28/02/25

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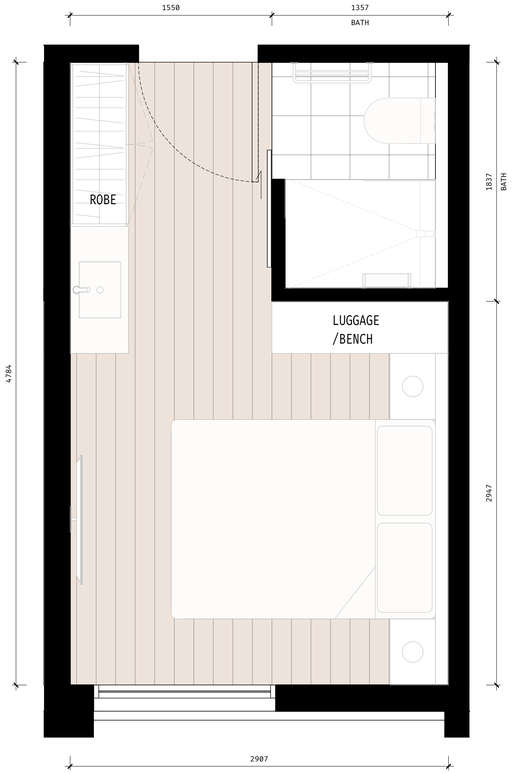
TYPE 1 - QUEEN STANDARD

FLOOR AREA: 16.2m²

APPLICABLE TO:

1F-3F

TOTAL NO. ROOM: 3



TYPE 2 - QUEEN STANDARD

FLOOR AREA: 14.9m²

APPLICABLE TO:

1F-3F

TOTAL NO. ROOM: 15

Project
117 & 119 DOVER ST
CREMORNE

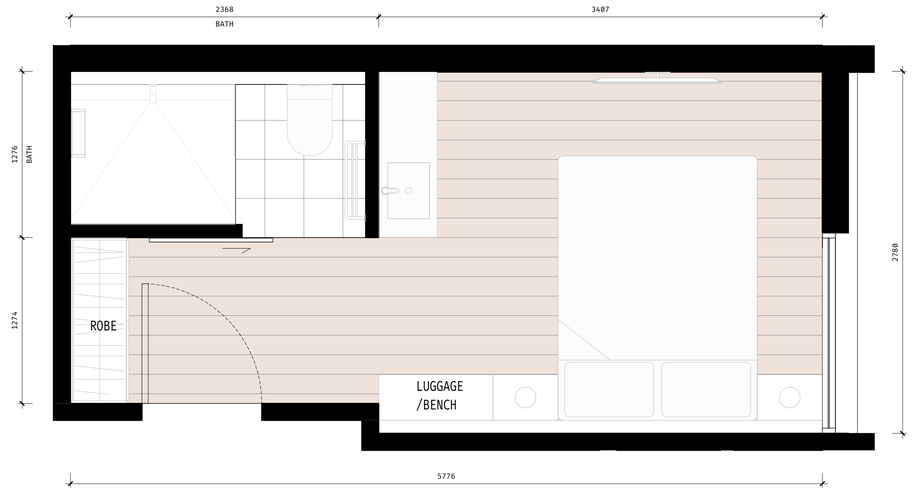
Job No.
23004

Scale
1 : 20 @A1 OR 1 : 40 @A3
0 200 400 600 800 1000 mm

Drawing
SD14_11
UNIT TYPE LAYOUTS

Revision
3
28/02/25

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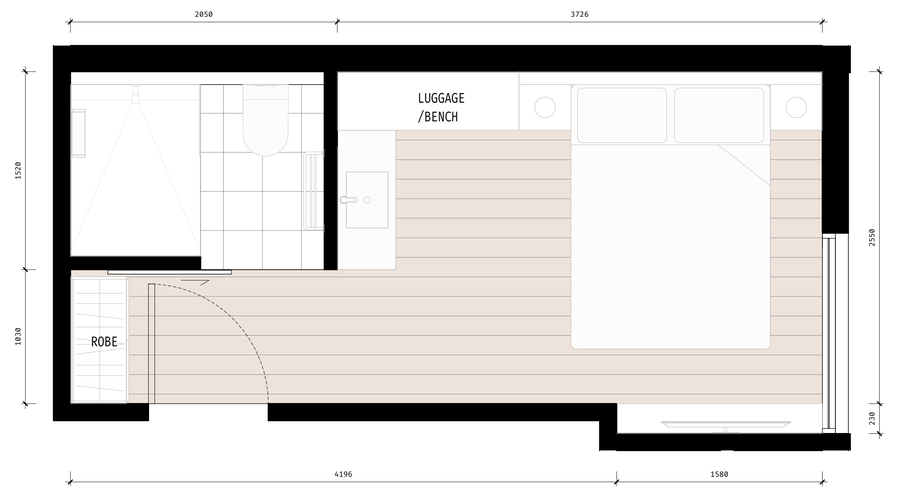
TYPE 3 - QUEEN STANDARD

FLOOR AREA: 16.1m²

APPLICABLE TO:

4F-10F

TOTAL NO. ROOM: 7



TYPE 4 - QUEEN STANDARD

FLOOR AREA: 15.7m²

APPLICABLE TO:

1F-3F

TOTAL NO. ROOM: 3

Project
117 & 119 DOVER ST
CREMORNE

Job No.
23004

Scale
1 : 20 @A1 OR 1 : 40 @A3
0 200 400 600 800 1000 mm

Drawing
SD14_12
UNIT TYPE LAYOUTS

Revision
3
28/02/25

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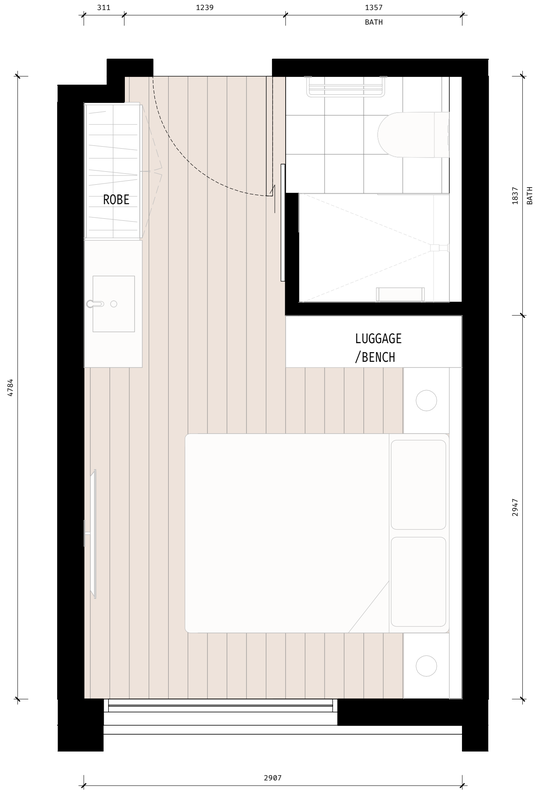
TYPE 5 - QUEEN STANDARD

FLOOR AREA: 15.7m²

APPLICABLE TO:

1F-3F

TOTAL NO. ROOM: 3



TYPE 6 - QUEEN STANDARD

FLOOR AREA: 15m²

APPLICABLE TO:

4F-9F

TOTAL NO. ROOM: 6

Project
117 & 119 DOVER ST
CREMORNE

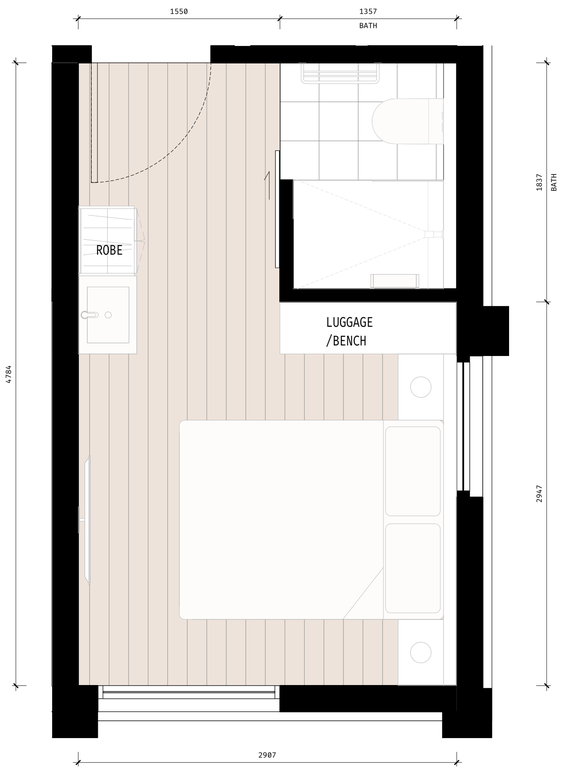
Job No.
23004

Scale
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Drawing
SD14_13
UNIT TYPE LAYOUTS

Revision
3
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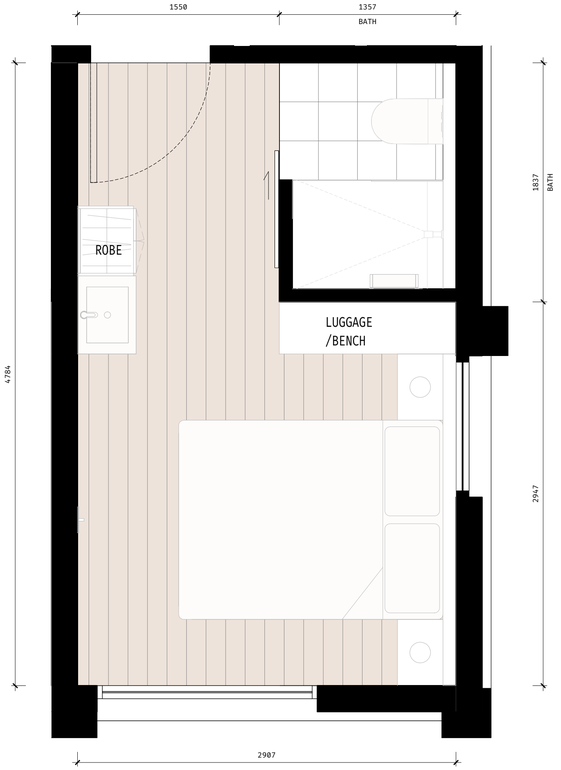
TYPE 7 - QUEEN STANDARD

FLOOR AREA: 14.4m²

APPLICABLE TO:

1F-3F

TOTAL NO. ROOM: 3



TYPE 8 - QUEEN STANDARD

FLOOR AREA: 15m²

APPLICABLE TO:

4F-9F

TOTAL NO. ROOM: 6

Project
117 & 119 DOVER ST
CREMORNE

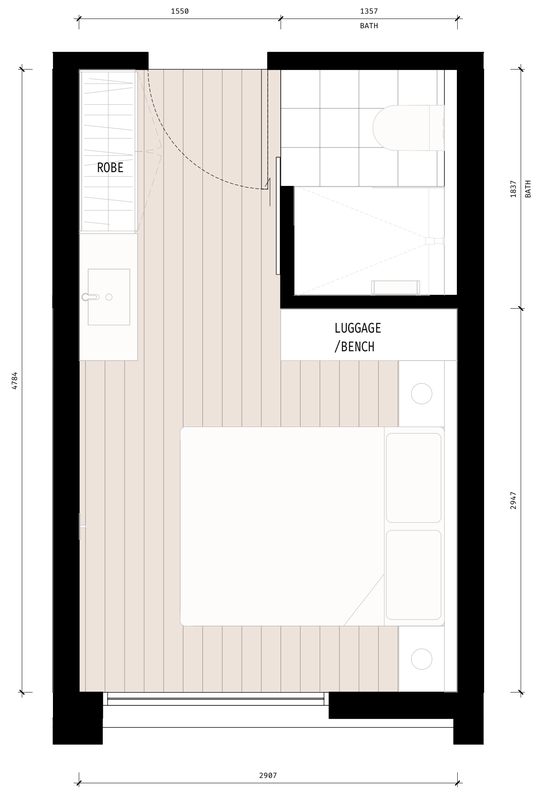
Job No.
23004

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Drawing
SD14_14
UNIT TYPE LAYOUTS

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3
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TYPE 9 - QUEEN STANDARD

FLOOR AREA: 15m²

APPLICABLE TO:

4F-9F

TOTAL NO. ROOM: 6

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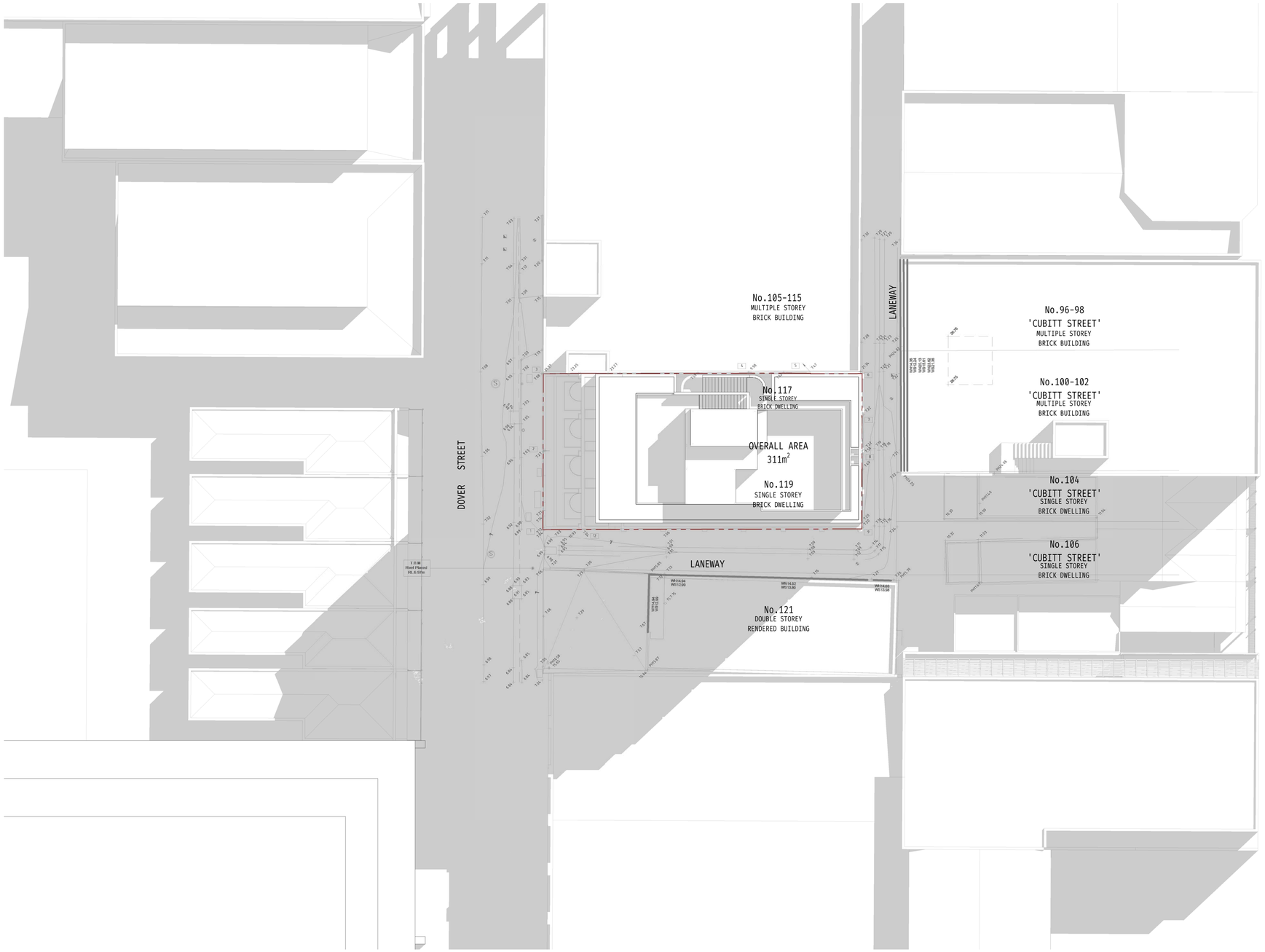
Job No.
23004

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Drawing
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UNIT TYPE LAYOUTS

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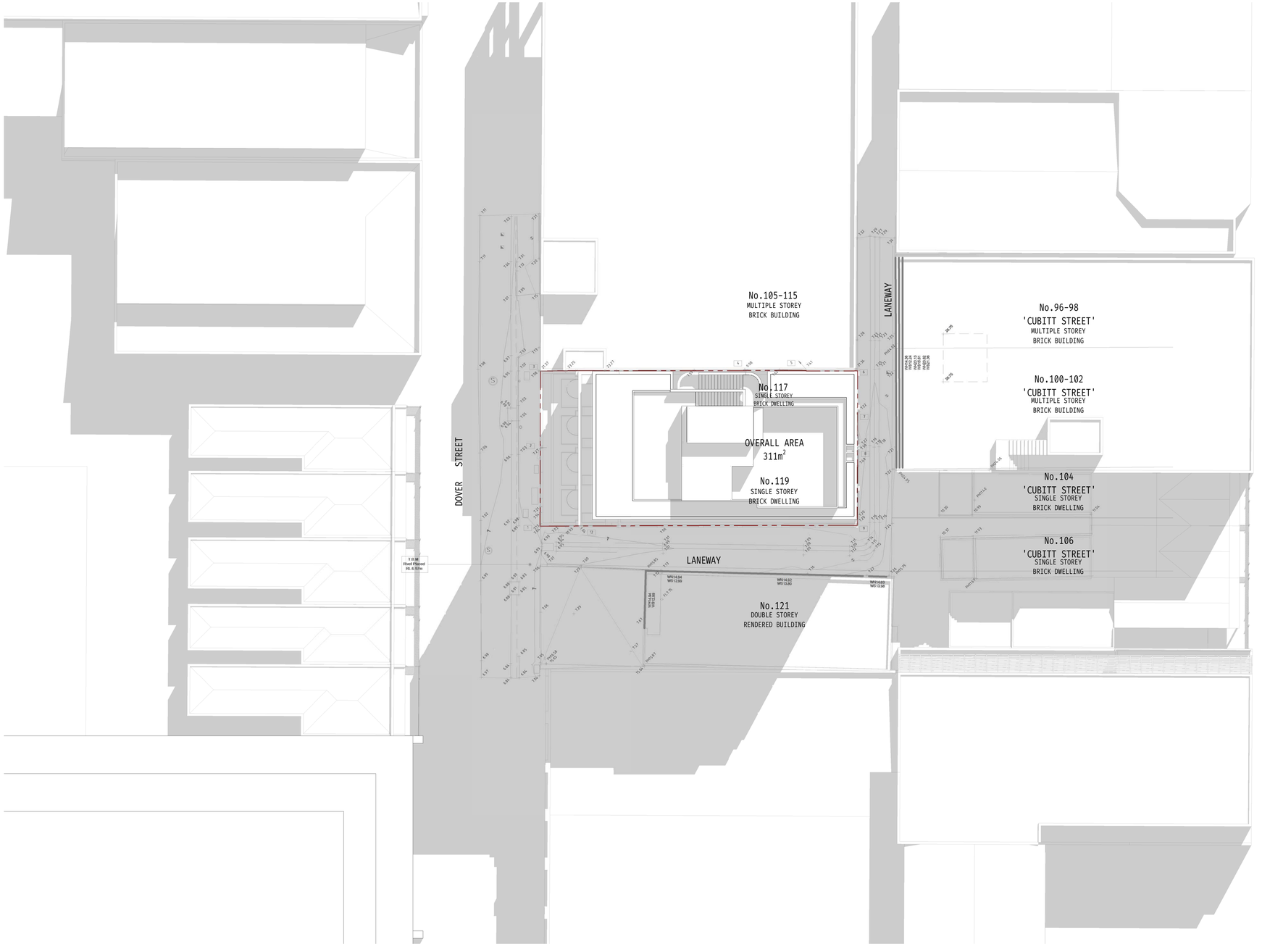
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Drawing
SD30_01
22 SEPT - EQUINOX - 10AM

Revision
3
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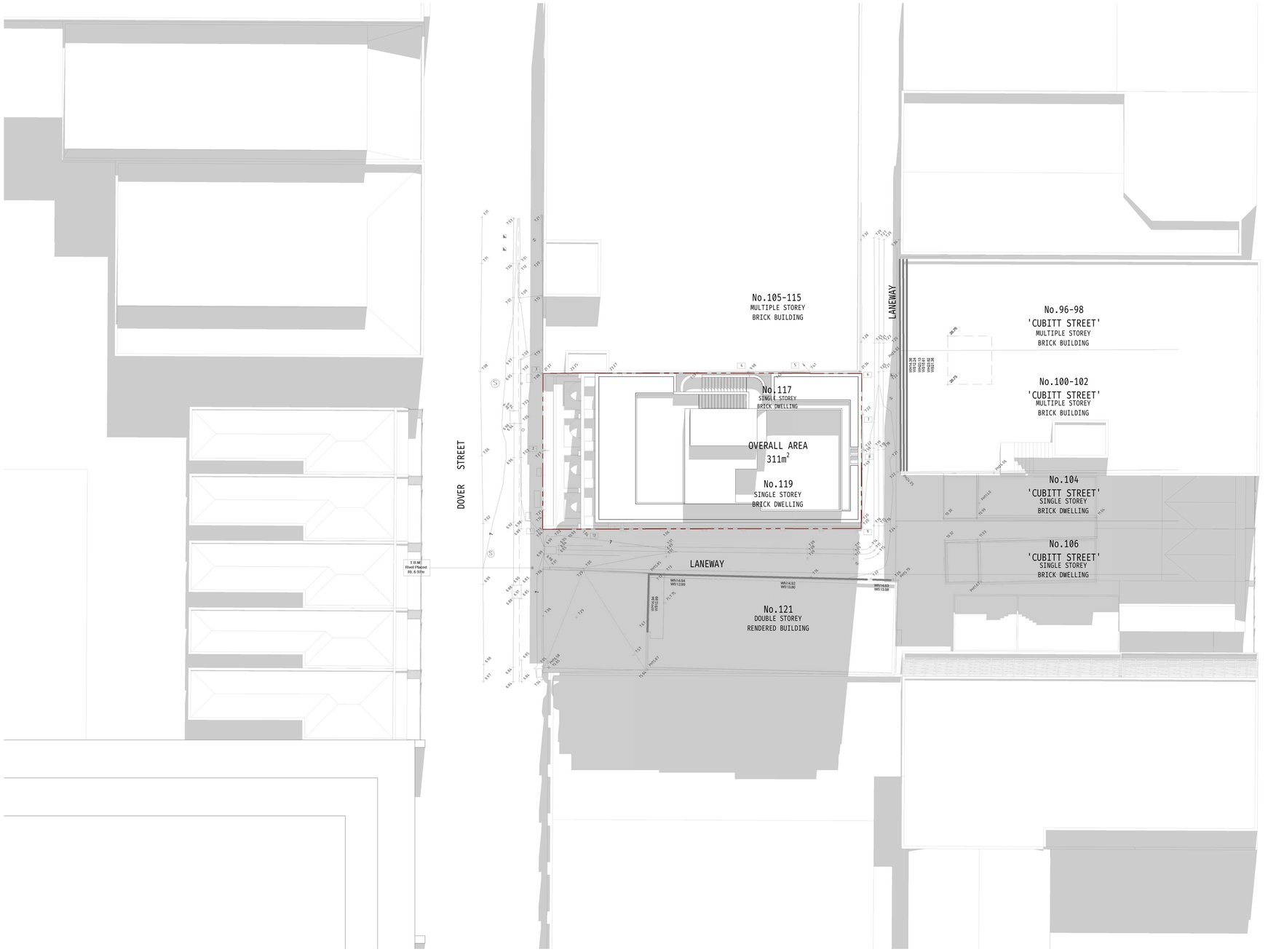
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Drawing
SD30_02
22 SEPT - EQUINOX - 11AM

Revision
3
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CREMORNE

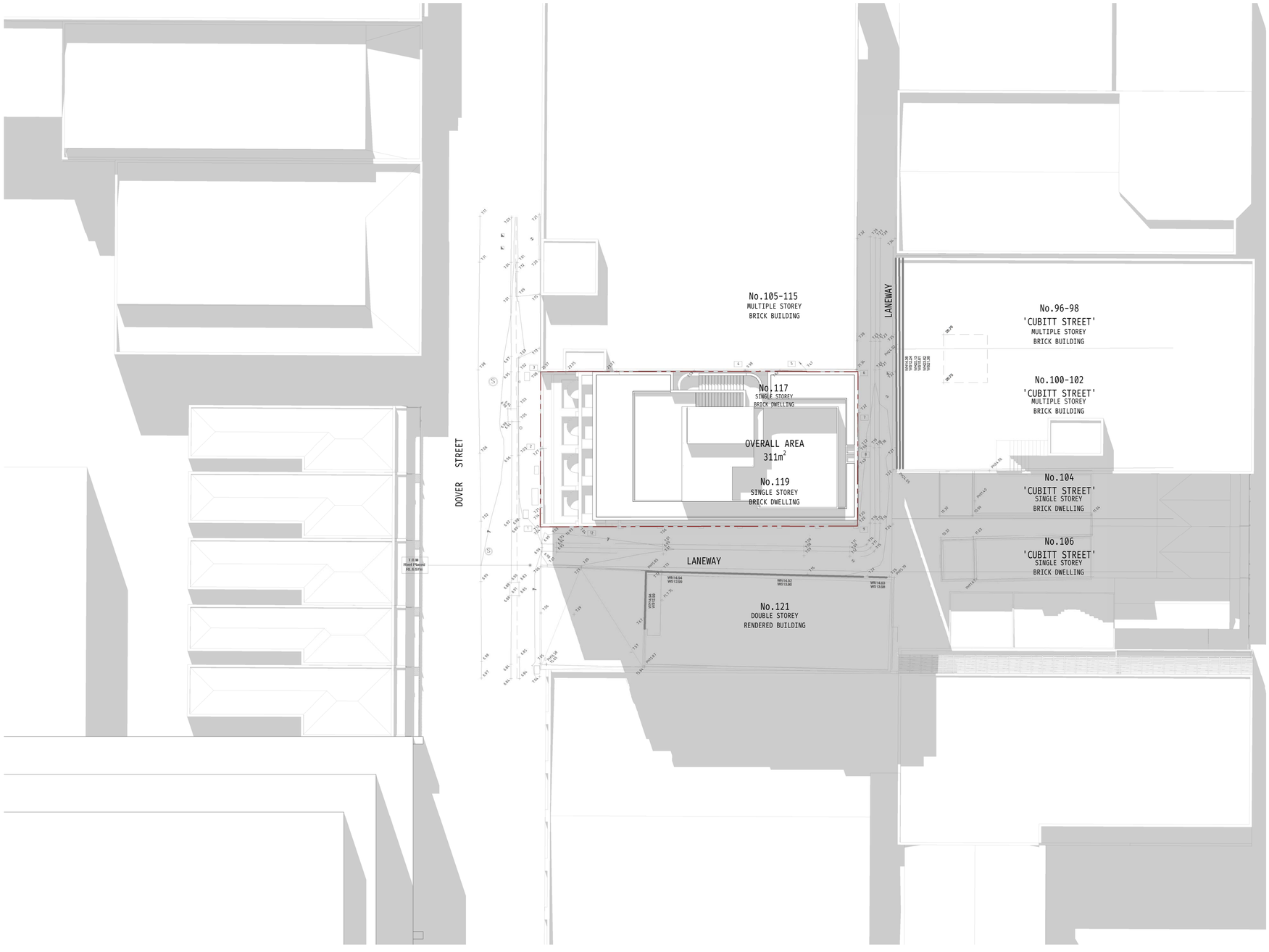
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Drawing
SD30_03
22 SEPT - EQUINOX - 12PM

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3
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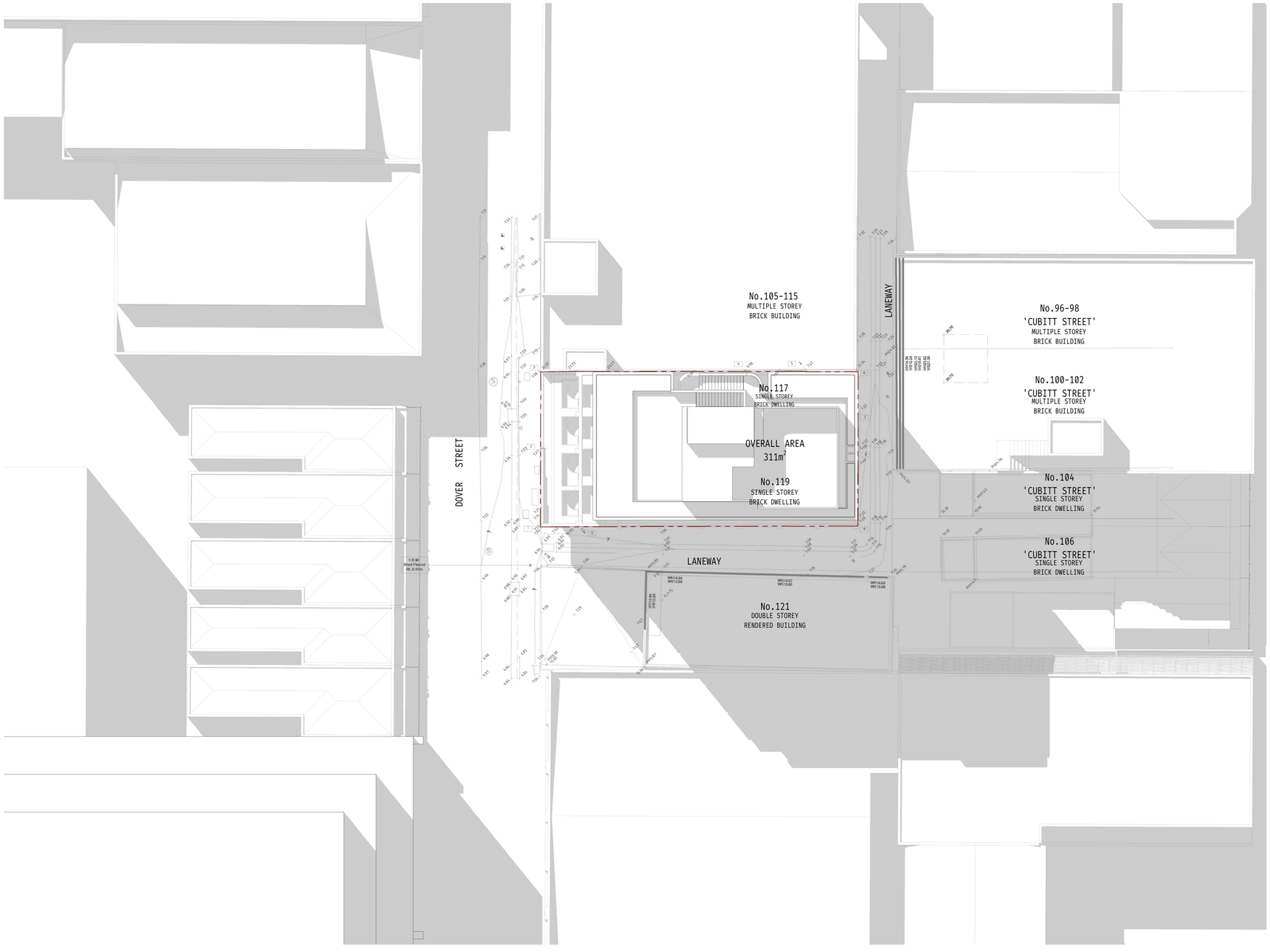
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23004

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Drawing
SD30_04
22 SEPT - EQUINOX - 1PM

Revision
3
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CREMORNE

Job No.
23004

Scale
1 : 100 @A1 OR 1 : 200 @A3
0 1 2 3 4 5 m

Drawing
SD30_05
22 SEPT - EQUINOX - 2PM

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3
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	F&B	HOTEL				COMMON	CORE	SERVICES	TOTAL
	GFA	AMENITIES GFA	KEYS	ROOMS NSA	INTERNAL AREA	GFA	GFA	GFA	GFA
BASEMENT		34.8 m²				12.8 m²	15.6 m²	101.7 m²	309.13 m²
GROUND	46.8 m²					58.5 m²	48.8 m²	55.7 m²	243.13 m²
LEVEL 1			12	216.4 m²	198.5 m²	50.0 m²	34.7 m²	7.9 m²	308.99 m²
LEVEL 2			12	216.4 m²	198.5 m²	50.0 m²	34.7 m²	7.9 m²	308.99 m²
LEVEL 3			12	216.4 m²	198.5 m²	43.8 m²	34.7 m²	14.2 m²	308.99 m²
LEVEL 4			10	196.7 m²	179.8 m²	32.3 m²	34.6 m²	6.4 m²	269.94 m²
LEVEL 5			10	196.7 m²	179.8 m²	32.3 m²	34.6 m²	6.4 m²	269.94 m²
LEVEL 6			10	196.7 m²	179.8 m²	32.3 m²	34.6 m²	6.4 m²	269.94 m²
LEVEL 7			10	196.7 m²	179.8 m²	32.3 m²	34.6 m²	6.4 m²	269.94 m²
LEVEL 8			10	193.0 m²	176.6 m²	32.3 m²	34.6 m²	10.0 m²	269.94 m²
LEVEL 9			10	196.7 m²	179.8 m²	32.3 m²	34.6 m²	6.4 m²	269.94 m²
LEVEL 10			9	169.2 m²	152.9 m²	31.5 m²	34.6 m²	6.4 m²	241.67 m²
ROOF						16.5 m²	33.5 m²	7.3 m²	57.26 m²
TOTAL	46.8 m²	34.8 m²	105	1994.8 m²	1823.8 m²	456.6 m²	444.0 m²	243.2 m²	3397.81 m²

FLOOR	KEY	KING DELUXE	KING STANDARD	QUEEN STANDARD	DDA	SUITE
GROUND						
LEVEL 1	12	1	2	9		
LEVEL 2	12	1	2	9		
LEVEL 3	12	1	2	9		
LEVEL 4	10	3	2	4	1	
LEVEL 5	10	3	2	4	1	
LEVEL 6	10	3	2	4	1	
LEVEL 7	10	3	2	4	1	
LEVEL 8	10	4	2	4		
LEVEL 9	10	3	2	4	1	
LEVEL 10	9	1	4	1		3
TOTAL	105	23	22	52	5	3
%		21.9%	21%	49.5%	4.8%	2.8%

GFA - Gross Floor Area	Includes all roofed areas. Excludes balconies/terraces and facade projections
Hotel	Includes F&B, kitchen, hotel front desk, gym and conference room
Common	Includes public circulation, corridors and lobbies
Core	Includes stairs and lifts
Services	Includes all BOH services and corridors including admin offices, housekeeping linen and stores
Disclaimer	The areas noted in this summary are approximate and based on Concept Design plans. They are preliminary only, and may alter as work progresses. This summary is not intended to form part of any contract or guarantee by Tristan Wong Design.

Project
117 & 119 DOVER ST
CREMORNE

Job No.
23004

Scale

Drawing
SD40_01
DEVELOPMENT SUMMARY SCHEDULE

Revision
6
01/08/25

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hansen

Urban Design Memo

To:	Paul Lacuone	Date:	04.06.2025
Company:	City of Yarra	From:	Hansen Urban Design Team
Re:	**117-119 Dover Street, Cremorne**		

Thank you for the opportunity to review the application package for this 11 storey residential hotel (including roof terrace, and roof services) development at **117-119 Dover Street, Cremorne**. Following our site inspection, we have reviewed the relevant Planning Scheme provisions and Architectural Plans Rev 2 prepared by Tristan Wong Architecture & Design Pty Ltd Architects dated 28 February 2025 and undertaken an analysis of the urban context and on our own intimate knowledge of the Cremorne Precinct.

We provide the following assessment in relation to urban design matters:

Site and context

The subject site is a consolidated parcel, rectangular in shape, positioned mid-block with frontage to Dover Street and abuts a Right of Way along the eastern and southern boundaries. The primary frontage is 12.25m along Dover Street and a side depth of 25.09m directly abutting the southern boundary. A 3-4m wide rear Right of Way extends along the immediate southern boundary and wraps the eastern boundary towards Kelso Street to the north at approximately 3-4m wide, providing access and separation from adjoining properties. Resulting in a total site area of 306.6m^2. The site comprises of two single storey Victorian era residential dwellings, both with an approximate landscape setback of 2.4m to Dover Street. The site is relatively flat with little vegetation, except for 4 trees at the front and a tree to the rear of 17 Dover Street within the secluded private open space.

The subject site is located within the inner urban neighbourhood of Cremorne which is undergoing urban renewal and changes. The area is identified as a major employment precinct of creative industry, light industry, and commercial offices. It is well serviced by public transport, with Bus Route 246 on Punt Road, Tram Route 70 on Swan Street, and Richmond Station, a key metropolitan transport hub, located approximately 500m to the northwest.



Site Context (nearmap)

The key site interface conditions are as follows:

- To the immediate **north** is a 4 storey brick building located at 105-115 Dover Street, with a recessed Ground Floor for carparking and 3 levels of offices above. Historically, the site has been known as the 'Slade Knitwear' building covered by HO343 protecting the 'Slade Knitwear' sign, a landmark commercial sign identified in the Yarra Planning Scheme, which has now been removed, leaving the frame structure. Adjacent at 101-103 Dover Street is a single storey warehouse, currently unoccupied. Further north, located at 97-99 Dover Street, is a 3 storey mixed use building with Ground Floor café and residential dwellings above. The building is a corner lot abutting Kelso Street, a two-way local street running east west with a road reserve of 7.8m, narrow footpaths and on street parking along the south.
- To the immediate **west**, is a Dover Street, a one-way local street with southbound movements within a road reserve of 9.6m, with parallel parking on the west side of the street and narrow footpaths on both sides. Further west, are 5 single storey Victorian era residential dwellings, located at 110-118 Dover Street, each with a picket fence and small landscaped front setback. To the north of the dwellings is Victoria Avenue, a 4m RoW heading west servicing the rear of buildings along Dover and Cremorne Street.
- To the immediate **south** is a RoW, which extends along the immediate southern boundary of the subject site approximately 3-4m wide and wraps around the eastern boundary heading north towards Kelso Street. Further south, located at 121 Dover Street is a 2 storey commercial building with a factory warehouse on the Ground Floor and offices on the upper floor. It has a deep landscaped setback of approximately 8m, accommodating 8 car parking spaces. Abutting that is 123–129 Dover Street, a 2 storey brick building with a deep setback for car parking with Level 1 cantilevering over the parking area, supported by 3 structural beams and columns. The space offers 7 customer parking spaces and is currently occupied by the retailer 'Siricco'.
- To the immediate **east** is a two-way Right of Way (RoW) approximately 3m wide heading north to Kelso Street, it also wraps the southern boundary heading east to Dover Street. Adjacent to the RoW is 98-102 Cubitt Street, a 5 storey concrete commercial building, with Ground Floor carparking and offices above. South at 108, 106 and 104 Cubitt Street are single storey residential dwellings with white picket fences and landscape setback with a timber deck.



Subject site, Dover Street frontage



North looking southeast along Dover Street at 101-103 and 105-115 Dover Street with the Slade Knitwear frame above



West –114, 112 and 110 Dover Street



South looking west towards the RoW and 121 Dover Street



East looking northwest towards 108, 106, 104 and 100-102 Cubitt Street

Planning Policy

The subject site is located within the **Commercial 2 Zone (C2Z)** which seeks to:

- *To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.*
- *To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses*

The review site is located within **Development Contributions Plan Overlay – Schedule 1 (DCPO1)** however this has no built form implications and therefore are considered irrelevant from an urban design perspective.

The review site is also located adjacent to a site specific **Heritage Overlay – Schedule 343 (HO343)**, which relates to the Slade Knitwear sky sign. However, this overlay does not affect the review site, and the heritage sign as been removed.

The following State and Local planning policies are considered relevant:

- *Clause 02.03-1 – Settlement;*
- *Clause 02.03-4 – Built Environment & Heritage;*
- *Clause 11 – Settlement;*
- *Clause 15 – Built Environment and Heritage;*
- *Clause 15.01-1S – Urban Design;*
- *Clause 15.01-1L - Urban Design;*
- *Clause 15.01-2S – Building Design;*
- *Clause 15.01-2L - Building Design;*
- *Clause 15.01-2L-02 – Landmarks; and*
- *Clause 15.01-2S – Neighbourhood Character.*



Zones



DCPO



Heritage Overlay

Other relevant documents include:

- **Draft DDO51 (Cremorne Enterprise Precinct – Cremorne West)** which seeks the following design objectives:
  - *To create a thriving enterprise precinct that delivers high quality, innovative and environmentally sustainable development to support a wide range of commercial and employment opportunities.*
  - *To support a new mid-rise built form character with taller built form on the Cremorne Street activity spine and the northern portion of Stephenson Street, lower built form on narrow streets and a lower mid-rise form at the interfaces with adjoining low rise residential areas.*
  - *To reinforce Cremorne West's industrial character through a mix of innovative architecture and heritage places and identified character buildings that reinforce a human scale, reflect the fine grain character and do not overwhelm narrow streets.*
  - *To ensure new development enhances the public realm and contributes to a network of pedestrian friendly streets through street activation, sunlight access to Cremorne Street and Balmain Street and open spaces, comfortable wind conditions, and street setbacks at ground level.*
  - *To ensure development responds to interfaces with residential precincts by providing a suitable transition in scale and form that minimises amenity impacts through visual bulk, overlooking and overshadowing.*
- The Swan Street Structure Plan (2014);
- The Draft Cremorne Urban Design Framework (2022);
- Landmarks & Views Assessment (2019);
- Victorian Urban Design Charter (2010); and
- Urban Design Guidelines for Victoria (2017).



Extract of site location within the DDO51 (2014) p4

The Swan Street Structure Plan (2014) identifies the subject site within Precinct 6 – Cremorne Mixed Commercial Precinct providing direction for commercial development around a preferred height of 4 storeys (13-16m). It seeks to *'protect the role and function of Cremorne as an important employment and economic area for the City of Yarra'* while, allowing *'redevelopment of existing sites in Cremorne to respond to broader industry change as manufacturing contracts and knowledge economy expands'.* It also notes *'the predominance of the narrow street network combined with narrow and deep lot sizes provides constraints on the intensity of development.'*



Extract of site location within the Swan Street Structure Plan (2014) p48 – prepared by (formerly) David Lock Associates

The Revised Cremorne Urban Design Framework (2023) (UDF) has been endorsed by Yarra City Council but does not yet form part of the Planning Scheme and consequently cannot be referred to as a policy document, it is also yet to be independently tested by a Panel Process. The built form and height guidance contained within the UDF however can offer some direction to what may be considered acceptable based on background work undertaken by Council and supports recent VCAT decisions that underpin its guidance. A preferred maximum height of 28m (7 storeys) is identified for the subject site.



Extract of p102 of Cremorne Revised UDF demonstrating preferred building heights

The Proposal

The proposal seeks the construction of an 11 storey residential hotel development, with a gym at Basement Level, a food and amenity tenancy, along with the hotel front desk and concierge on the Ground Floor. From Level 1 onwards, the upper floors will be dedicated entirely to hotel rooms and associated guest amenity. Specifically, key components of the proposal are as follows:

- The Basement includes gym (23.7m^2) and End of Trip for staff including 7 bicycle parking spaces.
- The Ground Floor includes a food and beverage tenancy (84.4m^2), conference room (15.2m^2), lobby and concierge (46.2m^2), luggage storage (4.1m^2), waste room (17.1m^2), and 15 bicycle parking spaces. A dedicated hotel drop-off area is located on the southern boundary, accessed via the Right of Way entrance south of Dover Street.
- From Levels 1-3, there are 12 hotel rooms per level, Levels 4-9 have 10 hotel rooms each and Level 10 has 9 hotel guest rooms. The rooftop includes a communal rooftop (32.6m^2), productive garden (36m^2), landscaped terrace (34.9m^2), with amenities and storage space.
- The building's core is centrally located, with an open air stairwell positioned along the northern boundary, immediately north of the core. King rooms front Dover Street, while Queen rooms are oriented toward the rear of the site.
- The building reaches an overall height of 33.95m, as measured from the West Elevation fronting Dover Street with a 4 storey street wall rising to 12.95m. Above the street wall, upper levels are setback 3m with an additional setback of 1.5m on Level 10.
- The rear profile is built to the boundary and rises sheer to the overall height.
- The architectural design features a modular brick façade with strong vertical articulation and recessed detailing, creating rhythm and depth. Large glazed windows enhance transparency, while integrated planter boxes and rooftop and podium level greenery soften the elevation. The light-toned brickwork complements the surrounding built form and adds texture. A fully glazed Ground Floor frontage with rounded openings activates the street and enhances pedestrian engagement.



Artist's Render of the proposal as viewed from Dover St looking east.

Strategic Context & Urban Form

- At a strategic level, the Yarra Planning Scheme seeks to reinforce Yarra's low-rise neighbourhoods by directing mid-rise buildings to appropriate locations, within major neighbourhood activity centres, employment areas, major regeneration areas and along boulevards. Clause 02.03-4 also seeks to '*ensure mid-rise buildings are in accordance with any building height requirements set out in the relevant zone or overlay, or where there are no building height requirements specified, having regard to the physical and strategic context of the site.'* Given the site is located in a Major Employment Precinct a mid-rise building is sought in this location.
- Councils' ambitions regarding building form and scale is further contemplated in Clause 15.01-2L (Building Height) and seeks to *'design development to reflect and respond to streetscape elements, including pattern of development and building spacing'*. Additionally, regarding building height it seeks to *'support mid-rise development that provides a transitional scale to the building in adjoining low-rise neighbourhoods to protect amenity and discourage visual bulk'*.
- Although the site is located outside an Activity Centre and is not identified as a Strategic Redevelopment Site, the surrounding precinct is undergoing significant transformation. As noted in the Municipal Strategic Statement (MSS), this former low-rise industrial area is emerging as one of several inner-urban precincts experiencing intensification. Recent approvals and development demonstrate this pattern of change.
- In the absence of specific height controls, the assessment of taller development will need to be assessed against urban design tests to determine a site-specific rationale for the acceptable maximum height. Observations of the site's physical context reveals an emerging character with the evolution of taller building forms in this traditionally low-rise industrial context. A number of recent planning approvals are setting the benchmark for change and influencing the urban morphology of the area – and provides a 'guide' to the anticipated building heights.
- There is an emerging trend of mid-rise and taller development in Cremorne West, with buildings of 5 storeys and above becoming increasingly prevalent. Taller forms ranging from 7 to 12 storeys are also evident. Notable examples include the approved 8 storey developments at 131–135 Dover Street (to the south) and 85 Dover Street (to the north), and the 12 storey mixed-use building at 101 Cremorne Street (to the west). These approvals are contributing to an emerging pattern of mid-to-high rise built form within the immediate context of the subject site.



131–135 Dover Street (8 Storey)



85 Dover Street (8 Storey)



101 Cremorne Street (12 Storey)

- Cremorne has been subject to significant investment in development and change over more than a decade, most recently guided by the Council's built form Revised Cremorne Urban Design Framework (2023) (UDF), which designates the Cremorne area as a nationally important employment precinct with capacity for transformative change.
- The Revised UDF identifies the subject land with a preferred height of to 28m (7 storeys), though this has not been ratified through any statutory measure. These built form directions have informed Draft Design and Development Overlay Schedule 51 (DDO51), to be introduced via Amendment C317yara, which seeks to apply interim planning controls across Cremorne West. While DDO51 is currently in draft form and has not yet been formally exhibited or adopted, it reflects Council's intended built form outcomes and provides additional context to the UDF's aspirations.
- Our urban design assessment has given limited weight to the Revised UDF (2023) and Design Development Overlay – Schedule 51 as they are not yet implemented into the Planning Scheme. It has instead been informed by various urban design principles and site-responsive tests to determine an appropriate built form outcome, consistent with the strategic context and physical character of Cremorne West.

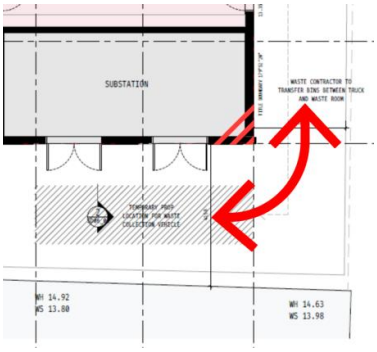


Dover Street Elevation

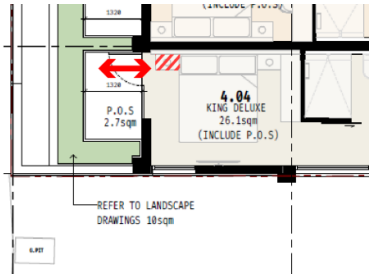
Site Plan

We are generally supportive of the overall site planning, setback and make the following comments:

- We are broadly supportive of the proposed site plan, finding it to be well resolved, functional, and logical from a site planning perspective and acknowledge the rather tight site dimensions and overall size. We particularly support the Food and Beverage space which fronts Dover Street with a prominent entry and corner glazing, contributing positively to pedestrian activation and passive surveillance.
- The hotel drop-off and loading area is appropriately located along the southern laneway, effectively separating back of house servicing from the public realm on Dover Street and activating this edge.
- The street setback along Dover Street is supported and contributes positively to the pedestrian realm.
- The secure bicycle storage at the eastern edge of the site is supported, as it responds to staff and visitor needs.
- The waste and utility services are located along the rear (eastern) laneway, facilitating efficient servicing and minimising visual and functional impacts to the main and secondary frontages.
- The internal arrangement of rooms is logical and maximises opportunities for outlook, which has informed the location of the building core. Larger king rooms are appropriately placed to take advantage of the best views, and room sizes increase at higher levels, which is a positive aspect of the design.
- While we support the overall layout approach, we do make a few recommendations to further refine the site planning response and its overall functionality and integration into the streetscape including;
  - The south eastern corner of the site, within the Right of Way (RoW), is notably narrow and may not accommodate safe or efficient turning movements. Therefore, we recommended that Council's traffic engineers assess truck and car manoeuvring to confirm feasibility, and determine whether a splay is required.
  - We recommend relocating the communications room on Levels 1-3 to the adjacent store room to enable a window within the corridor. This would improve hallway amenity and allow natural light.
  - Room access to the private balconies for Rooms 4.04 and 9.04 should be reviewed. In Room 4.04, furniture is likely to obstruct access, while in Room 9.04, the door swing conflicts with the bed. Adjustments are required either by relocating or modifying the door or repositioning the furniture to ensure clear and functional access to the private open space.
  - The South Elevation shows planting on Levels 1 and 2, but this is not shown in the corresponding floor plans provided. It's not clear where these landscape elements are growing from.



Review vehicle manoeuvring around ROW corner



Room 404 location of furniture obstructing door

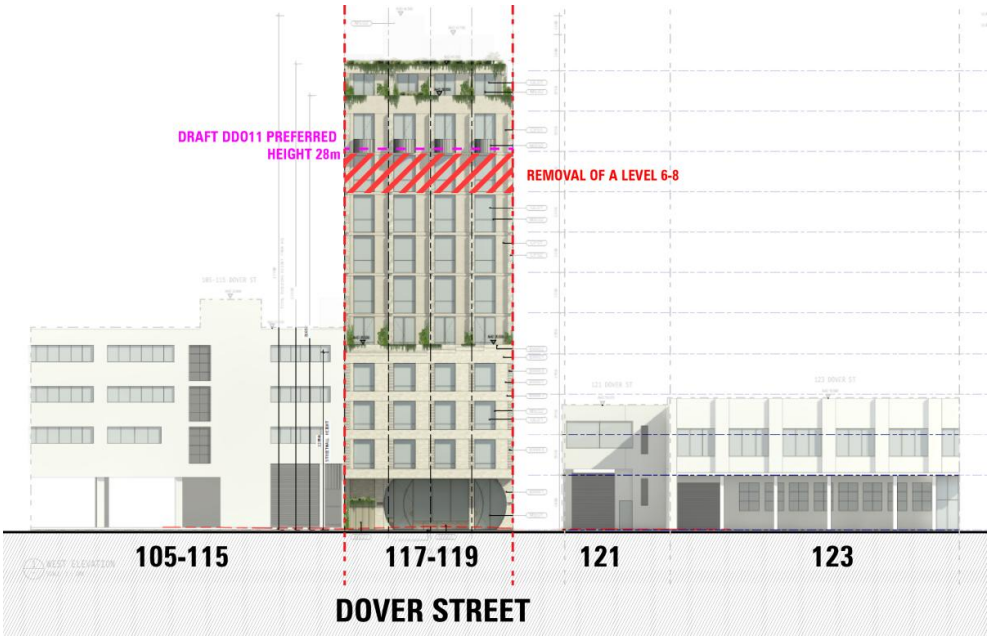


South Perspective – Level 1 planting

Overall height and massing

Overall Height

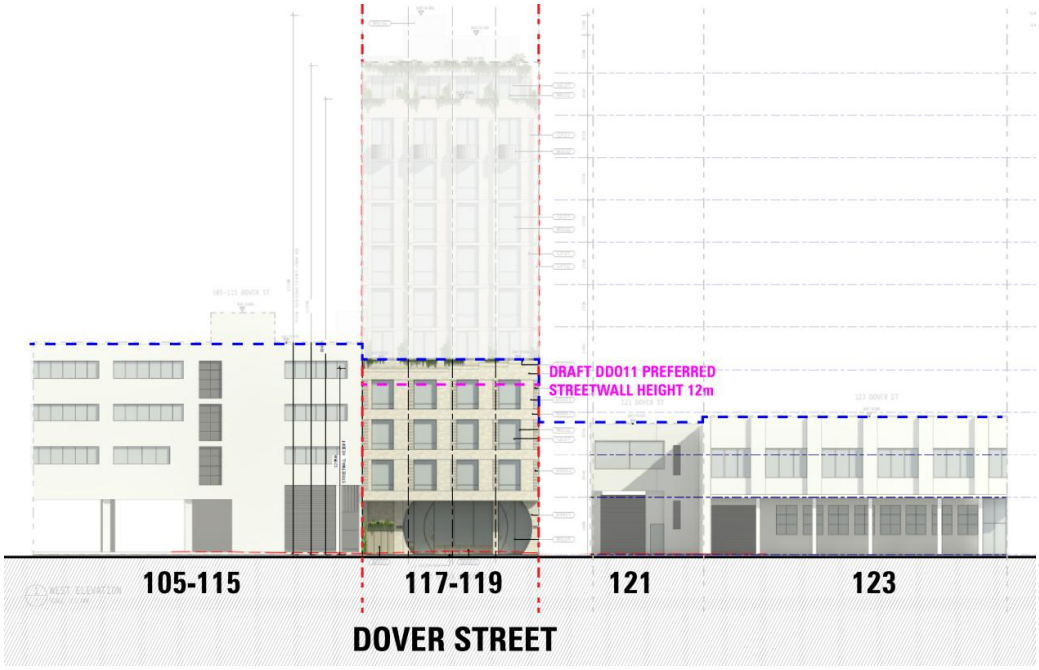
- The revised Urban Design Framework (2023) specifies a preferred maximum overall height of 28m to Dover Street, while the proposal seeks to exceed this limit by reaching 33.95m, a variance of 5.95m. While, the UDF height control is discretionary and has not yet been incorporated into the Planning Scheme, this variance remains significant and impacts the surrounding context.
- The subject site sits within a low-rise portion of Dover Street, flanked by a 2 storey warehouse to the south and a 4 storey commercial building to the north, with the broader block remaining relatively fine-grain in scale. While we acknowledge the strategic direction for significant intensification across Cremorne, we also note that this proposal is effectively positioned mid-block and well away from Swan Street and the principal transport corridors, meaning it does not benefit from a corner location or close proximity to major movement routes. In this context, the 11-storey height introduces a considerable scale jump, with limited transition to its immediate neighbours.
- The proposal's narrow frontage, articulated façade, and landscaped rooftop are positive features that assist in softening its perceived scale. However, given Dover Street's narrow width of only 9.6m, the overall building height results in a high level of enclosure that diminishes pedestrian comfort and undermines the Framework's objective of achieving a human-scaled, walkable street environment.
- To reduce this visual bulk and better align with the emerging Dover Street streetscape, **we recommend a reduction in height of 1 storeys, preferably either Level 6-8**. This would establish a more appropriate scale for the area, creating a comfortable level of enclosure along the street and forming a building height that is more closely aligned with the Councils strategic vision for the area.



West Elevation Building Height diagram

Street walls

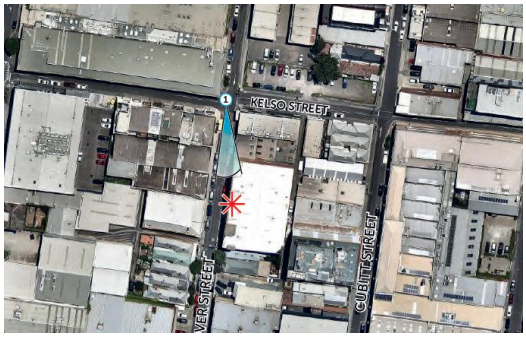
- The revised UDF specifies a preferred street wall height of 12m or 3 storeys along Dover Street to support a consistent low- to mid-rise character and reinforce a pedestrian-scaled streetscape.
- The proposal presents a street wall height of 12.95m or 4 storeys to Dover Street. While this marginally exceeds the preferred height, it remains generally consistent with the intended scale and aligns with the street wall condition of adjoining developments, including the 4-storey commercial building to the north.
- Above the street wall, the building incorporates a 3m setback to the rising tower form, which visually separate the tower from the street level massing. This setback slightly reduces the perceived bulk at upper levels and reinforces the prominence of the street wall.
- The proposal also incorporates a stepped interface towards the 2 storey warehouse to the south, helping to moderate its visual impact and provide an appropriate transition to neighbouring built form.
- We believe the proposal's street wall profile is consistent with the abutting and nearby developments and are closely aligned with the guidelines outlined in the revised UDF. Therefore, the Dover Street street wall is considered acceptable.



West Elevation showing Dover Street street wall presentation and the proposal's street wall

Upper-Level Setbacks

- We note that the heritage Slade Knitwear sign was previously identified in the Yarra Planning Scheme at Clause 15.01.2L-02 as a landmark commercial sign, with a high level of visibility from the intersection of Kelso Street and Dover Street. Policy seeks to '*maintain the visual prominence of and protect primary views to Yarra's valued landmark*.' The proposed DDO51 includes a mandatory 11m upper-level setback to preserve blue sky views behind the sign. However, the sign has since been removed under an Emergency Order due to public safety concerns, and it will not be reinstated, as it is irreparably damaged and unsuitable for long-term retention. In light of this we consider that, the 11m setback requirement is no longer warranted. It is therefore appropriate that the upper level setback provisions that apply to Precinct Area CW-C - specifically a 3m setback - also apply to this proposal.



Extract of Landmarks & Views Assessment (2019), p. 72



Now removed Slade Knitwear sign (2018)

- The proposed upper-level setback is 3m at Level 4, which accords with the built form character of the precinct and contributes to a spatial separation above the street wall.
- The proposal includes an additional 1.5m setback at Level 10. While modest, this upper-level setback provides a slight modulation to the building's form without significantly altering its overall massing.
- Therefore, given the removal of the Slade sign we consider the proposed upper level setback to Dover Street, appropriate.

Architectural Expression

We are supportive of the architectural treatments and proposed materials in general and make the following comments:

- We commend the thoughtful selection of building materials and the colour palette, which integrates well with the modern industrial fabric of Dover Street and surrounding streetscapes. The use of a light-colored bricks with modular glazing creates an appropriate and balanced visual identity.
- The introduction greenery along horizontal façade elements is noteworthy. This design approach softens the streetscape presentation.
- The activation of the ground plane is well considered, with generous glazing and outdoor seating creating an active and pedestrian friendly interface. The integration of street level planting further enhances the public realm, contributing to a vibrant and engaging streetscape.

Visual Bulk

- The proposal is situated effectively mid-block (setting aside the RoW), occupying a site that is bounded to the north by a 4 storey commercial building at 105–115 Dover Street. While this neighbouring development currently presents as a relatively low-scale built form, it establishes an emerging mid-rise character within this section of the street.
- The northern boundary interface is treated with a reasonable level of visual interest through the incorporation of an expressed stairwell. This feature introduces articulation and material variation to what might otherwise present as a blank façade, helping to mitigate potential visual impacts when viewed from the north.
- Given the 4 storey abuttal, views looking obliquely south towards the proposal will largely be blocked by the neighbouring form. Therefore, we are not concerned about the visual impacts to the north elevation.



North Elevation

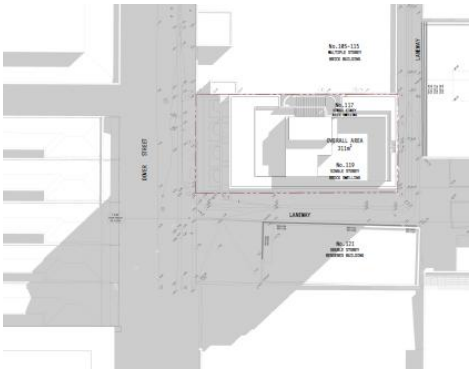


North Elevation open air stairwell 3D model

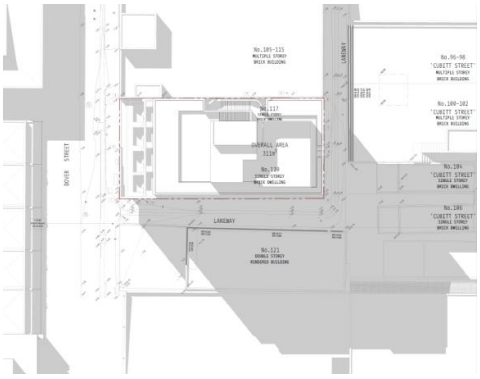
Off-site Amenity Considerations

Shadows

- Consideration is given to managing overshadowing impacts in DDO51, it seeks *'to ensure new development enhances the public realm and contributes to a network of pedestrian-friendly streets through street activation, sunlight access to Cremorne Street and Balmain Street and open spaces, comfortable wind conditions, and street setbacks at ground level.'*
- At 10am, the proposal casts shadow onto the eastern footpath of Dover Street and partially affects the adjoining dwellings to the west. While this introduces some morning shadowing, it is considered acceptable within the context of a Commercial 2 Zone (C2Z), where increased height and scale are anticipated as part of the precinct's strategic transition.
- From 1pm to 2pm, shadows extend across 104-106 Cubitt Street and partially affect the secluded private open space (SPOS) of properties located to the west. While this impact is noted, it is again considered acceptable given the site's zoning, the emerging mid-rise character of the area, and the strategic intent to accommodate higher-density development within this inner-urban setting.
- We note that the removal of one storey would result in a modest reduction in overshadowing, particularly improving morning sun access to the Dover Street footpath and marginally lessening the extent of shadow on adjoining western dwellings. While the proposed impacts were deemed acceptable, the reduced building height would enhance amenity outcomes and better align with DDO51's objectives for public realm sunlight access and transitional built form.



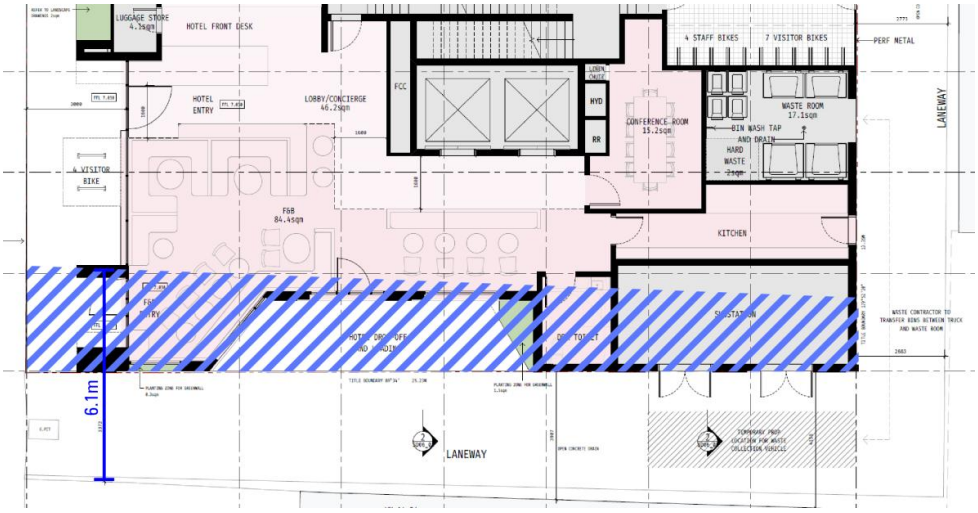
Extract of 10am Shadow impacting 14-18 Dover St



Extract of 2pm Shadow impacting 104-106 Cubitt St

Right of Way

- The RoW along the southern boundary of the site varies in width between approximately 3.72m and 4.15m broadening as it moves eastward. It is a low-traffic laneway that wraps to the north ending at Kelso Street and only spans the width of the southern edge of the subject site. As such, it is not considered a key movement corridor within the local access network.
- The Revised Urban Design Framework (2023) encourages Ground Floor setbacks where a site spans the full length of a laneway to achieve a minimum clear width of 6.1m, in order to support vehicle access, building services and pedestrian amenity. However, we consider that this guidance is intended for laneways with greater connectivity and higher levels of use than the one adjoining the subject site. Therefore, we believe the laneway widening is not necessary in this instance.
- The proposal consolidates two former fine grain lots into a single development and includes a slight Ground Floor setback along the southern boundary to accommodate a hotel drop-off zone. This ensures a functional interface with the laneway while maintaining operational efficiency and safe vehicle movement.
- Further widening the laneway through additional Ground Floor setbacks would compromise the layout and function of key service and activation elements at ground level. This includes the location of essential infrastructure such as the substation and public amenities, as well as a food and beverage tenancy designed to activate the laneway frontage. Relocating or removing these elements to accommodate a greater setback would significantly diminish the site's capacity to provide active edges and essential services.
- In this context, the proposed interface achieves an appropriate balance between built form and laneway function. It is considered acceptable given the laneway's constrained role, limited connectivity, and the provision of a functional and well-designed interface that supports the development's operational needs.



Extract showing Ground Floor Plan potential impact of total 6.1m laneway widening

Conclusion

In summary, while we are broadly supportive of the proposal, we are mindful of its overall height, relative to Council's UDF and Draft DDO51 and impacts on overall enclosure to Dover Street. Therefore, we have outlined a series of recommendations in order to further refine the proposal and to ensure it more closely aligns with the strategic ambitions and principles of good urban design, while also ensuring a suitable 'fit' into the evolving Cremorne West Precinct.

Our recommendations are summarised as follows:

- **Reduce the overall building height by 1 storey to better align with the overall urban profile of the Cremorne West Precinct.**

Additionally, we suggest the following to be considered and reviewed:

- The south eastern corner of the site within the RoW is notably narrow and may not support safe turning movements. A traffic engineer should confirm manoeuvring feasibility and whether a splay is required.
- Relocate the communications room on Levels 1–3 to the adjacent store room, allowing for the introduction of a window within the corridor and improving internal amenity through access to natural light.
- Revise the internal layouts of Rooms 4.04 and 9.04 to ensure clear and functional access to the private balconies.
- Ensure consistency between the South Elevation and Floor Plans - confirm or demonstrate soil provision or remove landscape shown on the elevation and renders.

We would be happy to liaise with the design team directly to progress these refinements in a timely manner. Should you have any further enquiries, please don't hesitate to contact us on 9664 9836.

Yours faithfully,

Hansen Partnership Pty Ltd

Urban Design Team 04/06/2025

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City of Yarra

9 September 2025

Ref: 30N-25-0347-GCO-117604-0

333 Bridge Road Richmond, Victoria, 3121, Australia

Dear Erryn Megennis,

117-119 Dover St Cremorne - Peer Review

This peer review of WINDTECH CONSULTANTS "PEDESTRIAN WIND ENVIRONMENT STATEMENT" (Report WJ186-01F02(REV2)- WS REPORT) is based on Vipac's experience as a wind engineering consultancy. No wind tunnel studies have been undertaken to support this review.

Vipac has reviewed the assessment as well as the drawings provided (see References attached) and has the following comments:

i. The WINDTECH CONSULTANTS PEDESTRIAN WIND ENVIRONMENT STATEMENT has been prepared based on drawings received date of 13th November 2024 and consultancy experience. No wind tunnel testing has been carried out to support their assessment. We have no issues with this method for a desktop study as this is a common approach to provide architects, developers, and responsible authorities advice on the wind impact of the proposed design.
a) The register date of the drawings (Revision 3) listed in the Appendix A is 28 Feb 2025. Windtech should confirm that the assessment report is still valid to the updated design or update their report to the latest design.

ii. We have no issues with the analysis approach or description of the wind environment. Windtech Consultants have clearly described the process for a desktop assessment, and this is consistent with the approach that Vipac would take.

iii. The report has used the assessment criteria from the *City of Yarra Planning Scheme Clause 58.04-4 (Standard D17)*, Vipac has no issues with this.

iv. The report analysed the wind effects, indented the problematic areas and recommended the following treatments:

a) *If the southern laneway is converted into a potential alfresco zone, the inclusion of localised screening or densely foliating vegetation such as hedges/shrubs and canopies within and around the alfresco zone.*
The updated drawing shows that without conversion of alfresco zone along the southern laneway, instead, an alfresco zone along Dover Street has been proposed. As such, this recommendation is no longer necessary. However, Windtech should comment the proposed alfresco zone along Dover Street.

b) *The inclusion of planter boxes at least 0.2m high on top of the proposed 1.6m high impermeable balustrade along the southern perimeter of the Level 4 private open space. The planter boxes are to be populated with densely foliating vegetation (e.g. shrubs/vegetation) of an evergreen species. The combined height of the balustrade/planter box/vegetation is to be at least 1.8m above the finish floor level.*
The updated drawing shows that the balustrade at the southern perimeter of the Level 4 private open space is 0.7m high only (not 1.6m). Therefore, Windtech should re-assess the wind conditions at these areas.

c) *The inclusion of planter boxes at least 0.4m high on top of the proposed 1.1m high impermeable balustrade along the southern perimeter of the Level 10 private open space. The planter boxes are to be populated with densely foliating vegetation (e.g. shrubs/vegetation) of an evergreen species. The combined height of the balustrade/planter box/vegetation is to be at least1.8m above the finish floor level.*
Vipac have no issues with this.

d) *Retention of the proposed impermeable intertenancy screening throughout Level 4 and 10 private open spaces as indicated the architectural drawings; Retention of the proposed impermeable balustrades along the northern perimeter edges of the Level 4 private open spaces as indicated the architectural drawings; Retention of the proposed impermeable balustrades along the remaining western perimeter edges of the Level 4, 9 and 10 private open spaces as indicated the architectural drawings and Retention of the impermeable balustrades, as indicated the architectural drawings, along the exposed perimeter of the external fire escape stairwells.*
Vipac have no issues with these.

v. Vipac have noted that there are open spaces/terraces at the roof top (above Level 10) on the updated drawings without any comments in the assessment report. **Windtech should comment these terraces**.

In conclusion, the Windtech Consultants PEDESTRIAN WIND ENVIRONMENT STATEMENT report uses the proper analysis and methodology to analyse the wind effects on the pedestrian level surrounding the proposed development. The report identified high wind speed areas and recommended some treatments. Vipac agrees the conclusions and recommendations.

Vipac has reviewed the updated design dated 28 Feb 2025 and noticed that some changes might alter the assessment conclusions. Windtech should confirm that the assessment report is still valid to the updated design or update their report to the latest drawings.

Yours sincerely,

Vipac Engineers & Scientists Ltd

Zhuyun Xu
Principal Engineer

Mark Leondaraki
Wind Team Coordinator

References:

1. Tristan Wong Architecture + Design, 117 & 119 DOVER STREET,, Architectural Drawings, Revision 3, 28 Feb 2025
2. C T, T H, WINDTECH CONSULTANTS, PEDESTRIAN WIND ENVIRONMENT STATEMENT, 117 & 119 DOVER STREET, CREMORNE (Report WJ186-01F02(REV2)- WS REPORT) 28 November 2024

Heritage Formal Referral Response

Application Information:

Referral Officer:	Juliette Halliday
Officer:	Paul Iacuone
Council Reference:	PLN24/1007
Address:	117 Dover St, Cremorne VIC 3121
Proposal:	Use and development of an 11-storey residential hotel plus basement, roof terrace and roof services.
Relevant Zone and Overlays	Clause 34.02 Commercial 2 Zone Clause 45.06 Development Contributions Plan Overlay
Yarra Planning Scheme References	• Clause 02.01-6 Built environment and heritage • Clause 02.03-4 Built environment and heritage • Clause 15.01-2S Building design • Clause 15.01-2L-02 Landmarks
Comments Sought:	Comments on the application from a heritage perspective are requested on the following: The subject site is not within a Heritage Overlay however the site sits next to the ex Slade sign.
Disclaimer:	Council's Heritage Advisor provides the following information which is based on the information provided in the referral request memo.
Pre-application advice given/ Previous responses:	None to the knowledge of the writer.

Context Images

Street Frontage:



Figure 1 View of Slade Knitwear Sign (before its removal in 2023). Source: Google Streetview, 2019.

Aerial:



Figure 2 Aerial photograph showing location of Slade Knitwear Sign marked with blue arrow before its removal in 2023. Source: Google Maps.

Landmarks and heritage context:

The subject site at 117-119 Dover Street, Cremorne is not affected by the Heritage Overlay. However, the site to the north at 105-115 Dover Street Cremorne is affected by HO343 (Slade Knitwear Sign). Under HO343, no external paint, internal alteration or tree controls apply. Solar energy system controls apply.

Significance of Slade Knitwear Sign

The Statement of Significance for the Slade Knitwear Sign (HO343) states that it is of heritage significance to the City of Yarra for the following reasons:

The Slade sign appears to be important at the local level for its historic associations with the post war development of the City of Richmond (now incorporated in the City of Yarra) and as a continuum of the development of the garment industry in this quadrant of Richmond. The sign is also a part of a continuum of historic skysigns, of which the City of Yarra now has the major collection, and which mark out the industrial base of the City. This industrial base formed a substantive part of the national economy.

Criteria A : historical association at local level

The Slade Skysign is of importance at the local level for its historic associations with the garment industry which was a dominant force not only in the economy of the former City of Richmond but also contributed to the well being of the national economy.

Criteria D: representative nature of object at local level

The Slade Skysign is of importance at the local level as a form of product advertising, which has become rare. The Slade sign is part of a continuum of this art form. The greatest collection of this type of sky sign is now found in the former City of Richmond and together the signs portray the industrial basis of the economy of Richmond and the limited albeit eye-catching variations which were possible in this art form.

With respect to the Slade Knitwear Sign, the planning report submitted with the permit application states as follows:

… the sign has been removed, and it is unknown as to the status of this sign;

-From our review of the Council's planning register, it does not appear that a planning permit has been issued for the removal of the historic signage at this site. It is our understanding, however that Council is aware of the sign's removal, but unaware of when or if it will be formally reinstated. Nevertheless, the application has had appropriate regards to the adjoining property, and it is submitted that the 'existing conditions' are that the sign is no longer erected, and thus no consideration should be given to its (sic) heritage value of this site as they are now null and void when having regard to the relevant heritage citation of HO343.

(Refer to page 7 of report prepared by Ratio Consultants Pty Ltd dated 2 December 2024 titled 'Planning report. Application for a planning permit – 117-119 Dover Street, Cremorne').

It is understood that the Slade Knitwear sign was removed from the site in 2023 as structural engineers had advised the owner that in the interests of public safety the sign was unstable and needed to be removed. It is understood that the sign has been placed in storage and that every effort will be made by the Council to encourage the owner to restore and reinstate the sign. (Refer to City of Yarra website ' Slade Knitwear sign removal in Cremorne': https://www.yarracity.vic.gov.au/about-us/news-and-media/slade-knitwear-sign-removal-cremorne#:~:text=26%20May%202023-,Cremorne's%20iconic%20Slade%20Knitwear%20rooftop%20sign%20will%20be%20removed%20in,and%20needs%20to%20be%20removed).

The following assessment of the impact of the proposed development of 117-119 Dover Street, Cremorne on the Slade Knitwear Sign is provided on the basis of information on Council's website that the owner of 105-115 Dover Street, Cremorne may restore and reinstate the Slade Knitwear Sign, presumably in the same position as it was located before its removal in 2023.

Yarra Planning Scheme: Landmarks

The Slade Knitwear sign is identified as a 'Landmark' at clause 15.01-2L-02 of the Scheme.

The provisions referred to below are relevant to 'Landmarks' identified under the Scheme.

Clause 02.01-6 (Built environment and heritage) which states:

*Heritage is an important feature of Yarra's identity, which comprises historic buildings, landscapes, **landmarks**, streetscapes, subdivision pattern (made up of its streets, lanes and boulevards), and cultural heritage, including indigenous heritage.*

Clause 02.03-4 (Built environment and heritage) which has the following strategic direction:

Manage development and growth in Yarra to maintain and enhance the unique character and heritage of the city: Respect Yarra's distinctive features and landmarks, including:

- *Significant landmarks and tall structures, including church spires, clock towers, industrial structures and heritage signs.*

Clause 15.01-2S (Building design) which contains the following strategy:
Ensure development is designed to protect and enhance valued landmarks, views and vistas.
Clause 15.01-2L-02 Landmarks, the objective of which is to maintain the visual prominence of and protect primary views to Yarra's valued landmarks.
Strategies at clause 15.01-2L-02 Landmarks are as follows:

- *Maintain primary views to landmarks identified in Table 1.*
- *Site, scale and set back new development to minimise encroachment of views to the identified significant elements of landmarks in Table 1.*
- *Provide adequate setback and building separation to maintain clear sky between the identified significant elements of the landmark in Table 1 and new development.*
- *Minimise light spill from new development to reduce the visual prominence of identified illuminated landmark signs at night.*

Relevantly, the 'Landmark primary viewpoints and architectural significant elements' at Table 1 include the following:

Table 1: Landmark primary viewpoints and architectural significant elements

Landmark	Primary views	Significant elements
Slade Knitware sign **105-115 Dover Street, Cremorne**	▪ North-west corner of intersection of Kelso Street and Dover Street	Sign

Assessment of impact of proposal

The proposed development includes the following:

- Development of an 11-storey mixed use residential hotel building with an overall height up to 33.95 metres;
- The proposed building includes a four-storey podium, the top of which is lower than the roof of the adjoining Slade Knitwear building to the north;
- Setbacks to Dover Street are proposed to be approximately:
  – 3 metres at ground floor;
  – zero for levels 1-3;
  – 3 metres for levels 4 to 9 and
  – 4.1 metres at the levels above (with balconies and architectural features protruding into the setbacks above the podium);
- A sheer wall built to the north boundary to a height of approximately 33.95 metres is proposed to the north elevation comprising smooth and textured pre-cast concrete with only one window on this boundary at level 10 (at the interface with the Slade Knitwear site);
- An open stair arrangement is proposed adjacent to the northern boundary across all levels of the proposal which presumably will have some form of lighting at night for safety reasons.

Comments from a heritage perspective

The impact of the proposed development of 117-119 Dover Street on the Slade Knitwear sign (should it be restored and reinstated as discussed above) is acceptable from a heritage perspective having regard to the following:

- the proposal would not encroach on views to the Slade Knitwear sign from the primary view point identified at Table 1 at clause 15.01-2L-02 (northwest corner of the intersection of Kelso Street and Dover Street). Given the 3 metre setback of proposed development from the west boundary (above the podium levels) the proposed development would not significantly encroach on views to the Slade Knitwear sign from the south (in Dover Street). This outcome is consistent with strategies at clause 15.01-2L-02 which seek to:
  - maintain primary views to the landmarks identified in Table 1; and
  - site, scale and setback new development to minimise encroachment of views to the identified significant elements of landmarks at Table 1;
- the proposed development (above the podium levels) would be separated from the Slade Knitwear sign by approximately 10 metres which would maintain clear sky between the Slade Knitwear sign and the proposed development. This would be consistent with the strategy at clause 15.01-2L-02 which seeks to provide adequate setback and building separation to maintain clear sky between the identified significant elements of the landmark in Table 1 and new development;
- Whilst the proposal has openings and windows on the west elevation, it has only 1 window in the north elevation (at Level 10). It is anticipated that the open stairs on the north elevation will be illuminated at night for safety. However, it is not anticipated that the stair lights would generate a significant amount of light spill which would detract from the visual prominence of the sign at night. The design of the north elevation would minimise the light spill from the new development at the interface with the Slade Knitwear Sign which could reduce the visual prominence of the sign (should the sign be illuminated at night). The sign would be physically separated from the windows casting light at night on the west elevation by at least 10 metres. This would minimise the impact of the light spill from the west facing windows on the visual prominence of the sign at night (should it be illuminated). These outcomes would be consistent with the strategy at clause 15.01-2L-02 which seeks to minimise light spill from new development which would reduce the visual prominence of identified illuminated landmark signs at night.

On this basis the impact of the proposed development of 117-119 Dover Street on the Slade Knitwear Sign (should it be restored and reinstated as discussed above) is consistent with relevant objectives and strategies in the Scheme, including those which seek to maintain the visual prominence of and protect primary views to Yarra's landmarks, which include the Slade Knitwear Sign (should it be reinstated).

Heritage Advisor: Juliette Halliday
Date: 06 May 202

Development Engineering Formal Referral Response

Application Information:

Referral Officer:	Paul Iacuone
Officer:	Mark Pisani
Council Reference:	PLN24/1007
Referral Number:	IREF25/00597
Address:	117 -119 Dover Street, Cremorne
Proposal:	Use and development of an 11-storey residential hotel plus basement, roof terrace and roof services.
Comments Sought:	Reduction in car parking; infrastructure
Disclaimer:	Council's Development Engineering unit provides the following advice based on information provided in the referral request memo referenced above.

Engineering Referral Details

Council's Engineering Referral team has reviewed the drawings and documents provided by the Statutory Planning department, as outlined in ***Table 1*** below.

A list of requirements for the applicant and proposed conditions to be included in the Planning Permit have been outlined in ***Section 1 – Engineering Requirements*** and ***Section 2 – Engineering Conditions*** respectively. Specific details of the engineering assessment are provided in ***Section 3 – Engineering Detailed Assessment*** and have informed the requirements and conditions.

Note: the engineering related matters highlighted in the Planning referral have been assessed and included in the response.

Table 1 - Drawings and Documents reviewed by Engineering

Author / Consultant	Drawing No. or Document	Revision	Dated
Tristan Wong | Architecture + Design	SD01_01 *Existing Conditions Plan*	3	28 February 2025
	SD02_00 *Basement Floor Plan*	8	28 February 2025
	SD02_01 *Ground Floor Plan*	8	28 February 2025
	SD05_01 *East Elevation*	7	28 February 2025
	SD05_02 *West Elevation*	7	28 February 2025
	SD05_03 *North Elevation*	7	28 February 2025
	SD05_04 *South Elevation*	7	28 February 2025
	SD05_05 *East Elevation No Vegetation*	5	28 February 2025

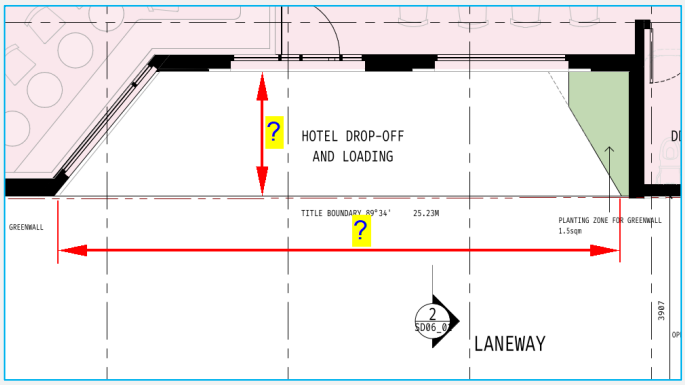
Author / Consultant	Drawing No. or Document	Revision	Dated
	SD05_06 *West Elevation No Vegetation* SD05_07 *North Elevation No Vegetation* SD05_08 *South Elevation No Vegetation* SD06_01 *Sections* SD06_02 *Sections*	5 5 5 5 5	28 February 2025 28 February 2025 28 February 2025 28 February 2025 28 February 2025
Ratio Consultants	Planning Report Landscape Concept Plan	 B	2 December 2024 6 March 2025
Traverse	Traffic Impact Assessment	F02	5 March 2025

SECTION 1: Engineering Requirements – Issue to the Applicant

The applicant must satisfy the engineering items outlined in ***Table 2*** below. A written response must be provided for each requirement, and the action is to be completed prior to resubmission.

Any amendments to plans/drawings or updates to reports/documents must be highlighted using a *red cloud* around the relevant section. In the written response, indicate the relevant sheet/pages of each document which have been amended.

Table 2 - Engineering Requirements for Applicant

Item	Engineering Requirement	Action for Applicant
1	Provide the dimensions of the drop off facility, as shown below: 	Update the drawings.
2	Provide an annotation on the drawing indicating that the maximum size of the vehicle using the hotel drop-off and loading facility must be no greater than a B99 design vehicle.	Update the drawings.
3	Provide a splay at the south east corner of the property at ground level, to ensure vehicles can negotiate the ninety-degree bend in the laneway. The splay must be designed and tested for the B99 design vehicle.	Update the drawings.
4	Provide a functional layout plan (FLP) for all proposed works within the public realm areas, required as part of the development. The FLP must include all civil and landscape aspects within the public realm, indicating general dimensions and providing annotations where relevant. The FLP must be consistent with the details outlined in the relevant sheets of the architectural plans and must comprise all Council requirements.	Provide a FLP of the proposed works within the public realm areas. The FLP must be reviewed and approved by Council prior to endorsement of Condition 1 plans.
5	All footpaths adjacent to the development must have DDA compliant grades (cross & longitudinal). *Note: existing conditions do not set a precedent – all footpaths must be brought up to current standards.*	Update the relevant sheets within the architectural plans to include the relevant annotations.

Item	Engineering Requirement	Action for Applicant
	The footpath immediately outside the Dover Street frontage of the site must be finished in concrete, requiring the following grades for DDA: *Cross* – max steepness of 1 in 40 (2.5%) from the property boundary *Longitudinal* – varies dependant on lengths of sections (see DDA guidelines)	

SECTION 2: Engineering Conditions – Planning Permit

The conditions outlined in ***Table 3*** below must be included in the Planning Permit to ensure the specific engineering requirements are complied with.

Note: further conditions may be required if any of the items in Table 2 are not fulfilled prior to the issuing of the Planning Permit.

Table 3 - Engineering conditions to be included in the Planning Permit

Condition related to…	Engineering condition
Public lighting: *Design*	Before the use and/or development commences, or by such later date as approved in writing by the Responsible Authority, a Public Lighting Plan must be submitted to and approved by Council's Civil Engineering Department. When approved, the Public Lighting Plan will be endorsed and will form part of this permit. The Public Lighting Plan must be designed: (a) address lighting along the Dover Street frontage and at the entrance to the approved building. (b) to comply with uniformity, access and maintenance requirements as per standard AS1158.3.1; (c) to control light spillage in accordance with the requirements of AS 4282 – 2019," *Control of the obtrusive effects of outdoor lighting*"; *and* (d) to the satisfaction of the Responsible Authority.
Public lighting: *Construction*	The provisions, recommendations and requirements of the endorsed Public Lighting Plan must be implemented and complied with at no cost to Council and to the satisfaction of the Responsible Authority.
Public lighting: *Temporary lighting*	Before any existing public lighting is removed a temporary lighting plan to the satisfaction of the Responsible Authority must be submitted and approved by Council's Civil Engineering Department. The temporary lighting plan is to be installed at the permit holder's cost and must remain operational until a new permanent lighting scheme is installed and operational to the satisfaction of the Responsible Authority.

Condition related to…	Engineering condition
Public Realm: *Footpath specific*	Before the building/s is/are occupied or by such later date as approved in writing by the Responsible Authority, the footpath along the property's Dover Street frontage must be reconstructed in concrete: (a) at the permit holder's cost; *and* (b) to the satisfaction of the Responsible Authority(s).
Public Realm: *Kerb & channel specific*	Before the building/s is/are occupied, or by such later date as approved in writing by the Responsible Authority, the kerb and channel along the property's Dover Street frontage must be reconstructed: (a) at the permit holder's cost; *and* (b) to the satisfaction of the Responsible Authority(s).
Public Realm: *Functional layout plan* *[High level details]*	Concurrent with the submission of Condition 1 plans, or by such later date as approved in writing by the Responsible Authority, a Public Realm Plan of all public realm improvements associated with the development must be prepared, submitted and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The Public Realm Plan must show, but not be limited to, the following: (a) the reconstructed footpath along the property's Dover Street frontage; (b) the reconstructed kerb and channel along the property's Dover Street frontage (c) the reconstruction of the laneway along the property's southern and eastern boundaries; (d) the provision of a splay at the south east corner of the site at ground level; (e) any associated drainage works; (f) at the permit holder's cost; *and* (g) to the satisfaction of the Responsible Authority.
Public Realm: *Detailed design plans*	Before the development commences (excluding site preparations, demolition and bulk excavation), or by such later date as approved in writing by the Responsible Authority, detailed design drawings of the works approved under the Public Realm Plan (as required by Condition XX) addressing all road infrastructure works (including soft/hard landscaping), must be submitted to and approved by Council's Civil Engineering Department. Once approved, the detailed design drawings will be endorsed and will then form part of the permit.
Public Realm:	Before the building is occupied, all associated works shown on the endorsed detailed design plans for the public realm (as

Condition related to…	Engineering condition
Construction & handover	required by Condition XX) must be fully constructed and completed to the satisfaction of the Council's Civil Engineering Department and at no cost to the Responsible Authority.

Condition related to…	Engineering condition
Reinstatement of damages caused during development works	Within 2 months of the completion 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) In accordance with Yarra Standard Drawings | Yarra City Council (b) at the permit holder's cost; and (c) To the satisfaction of the Responsible Authority.

Table 4 - Notes to be included in the Planning Permit

Note related to…	Engineering note
Stormwater: Site discharge	The site stormwater must be directed to the nominated legal point of discharge (LPD) and shall be limited to equivalent pre-development levels *or* 70% impervious coverage, whichever is lowest, for a 20% AEP rainfall event.
Stormwater: Onsite detention	The development must detain onsite, at a minimum, the 10% AEP storm event. For cases where a safe overland flow path cannot be provided or where flows exceeding pipe capacity may impact the development or adjacent, upstream, or downstream properties, the requirement will be to detain the 1% AEP storm event.
Redundant stormwater outlets	All redundant property drain outlets are to be demolished and reinstated to Council's satisfaction and at the Permit Holder's cost.
Service infrastructure adjustment to suit finished grades, alignments, etc.	Any service poles, structures or pits located within the public realm areas that interfere with the proposal, must be adjusted accordingly: (a) at the permit holder's cost; and (b) to the satisfaction of the Responsible Authority.
Existing parking infrastructure	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.

Note related to…	Engineering note
Private utility assets	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.
Adjusting utility infrastructure	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.
Existing parking infrastructure	Any on-street parking reinstated as a result of development works must be approved by Council's Parking Management unit.
Parking sensors	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.

SECTION 3: Engineering Detailed Assessment

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	105 rooms	Parking rate not specified in Clause 52.06-5	To the Satisfaction of the Responsible Authority	0
Food and Drink	89 m^2	3.5 spaces per 100 m^2 of leasable floor area	3	0
		Total	**3 spaces, plus residential hotel parking to the satisfaction of the RA**	**0 spaces**

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

To reduce the number of car parking spaces required under Clause 52.06-5 (including to reduce to zero spaces), the application for the car parking reduction must be accompanied by a Car Parking Demand Assessment.

Car Parking Demand Assessment

In reducing the number of parking spaces required for the proposed development, the Car Parking Demand Assessment would assess the following:

Parking Demand Consideration	Details
Parking Demand for Residential Hotel	The statutory car parking rate for residential hotels is not specified in Clause 52.06-5. The car parking for this use would need to be provided to the satisfaction of the Responsible Authority. Residential Hotels 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). For the proposed residential hotel the parking demand would equate to 26 spaces. Guests to the residential hotel would know upfront that the premises contains no on-site car parking. It is expected that guests would arrive by taxi, Uber, private driver services and public transport. The

Parking Demand Consideration	Details
	residential hotel would be heavily dependent on a drop-off facility, which would be provided on the south side of the building via the laneway.
Parking Demand for the Food and Drink Use	To assess the car parking demand of the food and drink use, a staff parking rate of 1.0 space per 100 square metres of floor area could be adopted. This would equate to a staff parking demand of one space. Both staff parking and customer parking (short-stay) would be generated off-site.
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: ▪ Church Street trams - 600 metre walk ▪ Swan Street trams - 690 metres ▪ Punt Road buses - 750 metre walk ▪ Richmond railway station - 650 metre walk ▪ East Richmond railway station - 700 metre walk
Multi-purpose Trips within the Area	Customers and clients to the development could combine their visit by engaging in other activities or business whilst in the area.
Convenience of Pedestrian and Cyclist Access	The site is well positioned in terms of pedestrian access to public transport nodes, shops, supermarket, places of employment and education and other essential facilities. The site also has good connectivity to the on- and off-road bicycle network.

Appropriateness of Providing Fewer Spaces than the Likely Parking Demand

Clause 52.06 lists a number of considerations for deciding whether the required number of spaces should be reduced. For the subject site, the following considerations are as follows:

Consideration	Details
Availability of Car Parking	The demand for on-street parking in the Cremorne area is very high and is often close to saturation point. All the streets in the area contain time based parking restrictions. The introduction of parking sensors along Cremorne Street and nearby roads would facilitate the parking turnover of short-stay bays. The high parking demand in Cremorne would be a disincentive to visitors, customers or employees to drive.
Relevant Local Policy or Incorporated Document	In terms of transport, the proposed development is considered to be in line with the objectives contained in Council's *Moving Forward – Yarra's Transport Strategy 2022-32*. The site is ideally located with regard to sustainable transport alternatives and the reduced provision of on-site car parking would potentially discourage private motor vehicle ownership and use.

Adequacy of Car Parking

From a traffic engineering perspective, the waiver of the car parking requirement associated with the food and drink use is considered appropriate in the context of the development and the surrounding area.

The parking associated with the residential hotel is primarily short-stay/pick-up and drop-off parking of guests to and from the hotel. The peak times for residential hotel pick up and drop off times are often outside of regular AM and PM peak hour traffic movements.

TRAFFIC IMPACT

Trip Generation

The trip generation for the site (pick up and drop off for the residential hotel) could be adopted as follows:

Proposed Use	Adopted Traffic Generation Rate	AM Peak Hour	PM Peak Hour
Residential Hotel (105 rooms)	0.18 vehicle trips (pick-up and drop-off)	19 trips	19 trips

The above rate is adopted from a rate used by Traffix Group consultants for a number of approved residential hotels in the municipality (128-144 Wellington Street, Collingwood and 375 Punt Road, Cremorne, to name a few).

Applying the rate of 0.18 vehicle trips per room would equate to 19, say 20 pick-up/drop-off events. This would equate to 10 entry trips and 10 exit trips. This volume of traffic is low and should not adversely impact the traffic operation of the laneway.

DEVELOPMENT LAYOUT DESIGN

Layout Design Assessment

Item	Assessment
Car Parking Modules	
On-Site Drop-Off Facility	The on-site drop-off facility has not been dimensioned on the drawings. The applicant is to dimension the length and width of the drop-off facility.
Swept Path Assessment	
Vehicle Entry and Exit Movements Drop-off Facility via Dover Street 152T-SK12/JM* Sheet No. 1 of 3 152T-SK12/JM Sheet No. 2 of 3	The swept path diagrams for a B85 design vehicle and a B99 design vehicle entering the laneway from Dover Street and manoeuvring into the drop-off facility are considered satisfactory. Although possible, vehicle reversing out of the laneway is generally not encouraged. It recommended that all vehicles undertaking drop-offs and pick-ups from the residential hotel exit the laneway via Kelso Street to the north. This would necessitate the creation of a splay at the south east corner of the property.
Waste Collection Vehicle Movements Via Dover Street 152T-SK12/JM Sheet No. 3 of 3	The swept path diagrams of a 6.345 metre long waste collection vehicle undertaking a reverse-in manoeuvre into the laneway via Dover Street and exiting back onto Dover Street in a forward direction, are considered satisfactory.
Other Items	
Loading Arrangements	The drop-off facility is only suitable for vehicles up to the size of a B99 design vehicle. The use of the drop-off area must not be used for vehicles greater in size than a B99 design vehicle.
Provision of a Corner Splay	As mentioned earlier, it is recommended that vehicles engaged in picking up and setting down guests at the residential hotel exit the laneway via Kelso Street. The applicant must provide a splay at the south east corner of the site. The splay is to be created at ground level and be vested in Council (both at ground level and below ground with no basement/building structures). The splay must be designed and tested with swept path diagrams using the B99 design vehicle.
Electrical Substation Access	The electrical substation, located at the south eastern corner of the site, would require access by service vehicles. The applicant is to confirm how services vehicles would access the substation for maintenance purposes.

INFRASTRUCTURE ITEMS AND CONSTRUCTION ACTIVITIES

Item	Details
General	
Impact on Council Road Assets during Construction	The construction of the new buildings/retrofitting of existing buildings, the provision of underground utilities and construction traffic servicing and transporting materials to the site will impact on Council assets. Trenching and areas of excavation for underground services invariably deteriorates the condition and integrity of footpaths, kerb and channel, laneways and road pavements of the adjacent roads to the site. It is essential that the developer rehabilitates/restores laneways, footpaths, kerbing and other road related items, as recommended by Council, to ensure that the Council infrastructure surrounding the site has a high level of serviceability for employees, visitors and other users of the site.
Dover Street Road Frontage	
Footpath Reconstruction Kerb and Channel Reconstruction	Construction works at the site and the occupation of the footpath during works will impact on the footpath and kerb and channel of Dover Street. The footpath and kerb and channel immediately outside the property's Dover Street frontage will require reconstruction to Council standard prior to the development being operational.
Drainage Pit Grate	The existing drainage pit grate outside the property frontage will need to be replaced with a galvanised safety grate.
Laneway	
Laneway Reconstruction	The excavation and building works at the site would deteriorate the condition of the laneway. Upon the completion of the works, the laneway (along the property's southern and eastern boundaries) is to be reconstructed to Council's satisfaction.
Engineering Design	
Detailed Civil Engineering Drawings	The applicant must submit detailed engineering design drawings of all infrastructure works associated with the development to Council for assessment and approval. All on-road line markings, traffic management treatments, and traffic and parking signs (existing and proposed) are to be depicted on the detailed design. The design must also show the stormwater drainage discharge points.

SECTION 4: Acknowledgement

Engineer: Mark Pisani

Signature: 

Date: 19 June 2025

Megennis, Erryn

From: James McKenzie <james@traversetransport.com.au>
Sent: Thursday, 10 July 2025 9:26 AM
To: Pisani, Mark
Cc: Iacuone, Paul
Subject: RE: Planning Application – 117-119 Dover Street, Cremorne

Hi Mark,

Thanks a lot for confirming, much appreciated. We'll pass on the message to the architects to ensure the corner splay is dimensioned.

Kind regards,

James McKenzie RPEng (Civil)
Traffic Engineer & Transport Planner
Director

Phone: 0435 267 778
Email: james@traversetransport.com.au
Web: www.traversetransport.com.au
Address: 425 Smith Street,
Fitzroy VIC 3065

traverse

From: Pisani, Mark <Mark.Pisani@yarracity.vic.gov.au>
Sent: Thursday, July 10, 2025 9:24 AM
To: James McKenzie <james@traversetransport.com.au>
Cc: Iacuone, Paul <Paul.Iacuone@yarracity.vic.gov.au>
Subject: RE: Planning Application – 117-119 Dover Street, Cremorne

Hi James

Thank you for your email and the attached swept path assessment in relation to 117-119 Dover Street, Cremorne.

The swept path diagrams for the B85 design vehicle and the B99 design vehicle demonstrate satisfactory turning movements (from west to north) around the ninety-degree bend of the laneway at the proposed splayed corner of the property.

The swept path diagrams for the waste collection vehicle entering the laneway via Dover Street by undertaking a reverse-in movement and exiting onto Dover Street in forward direction are also considered satisfactory.

In providing a splay, the architectural drawings should dimension the splay along the southern and northern title boundaries.

I hope this information is helpful.

Regards
Mark

Mark Pisani
MIEAust CPEng NER APEC Engineer IntPE(Aus)
Senior Development Engineer
Traffic and Civil Engineering

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Follow us on Facebook, Instagram and Twitter



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

From: James McKenzie <james@traversetransport.com.au>
Sent: Friday, 4 July 2025 2:47 PM
To: Pisani, Mark <Mark.Pisani@yarracity.vic.gov.au>
Subject: RE: Planning Application – 117-119 Dover Street, Cremorne

Hi Mark,

Hope you're going well.

Following receipt of the engineering referral comments for the planning application at 117-119 Dover Street, Cremorne (PLN24/1007), the architectural plans have been updated to address the following comment:

"Provide a splay at the south east corner of the property at ground level, to ensure vehicles can negotiate the ninety-degree bend in the laneway. The splay must be designed and tested for the B99 design vehicle."

We've attached the updated architectural plans which incorporate a splay on the south-east corner of the property and prepared a swept path assessment demonstrating B99 vehicle access around the ninety-degree bend in the laneway. Would you be able to review the attached design and advise if this change would be sufficient to address Council's comment? The swept path assessment demonstrates that the B99 vehicle

(inclusive of the 300mm clearance envelope) can turn through the laneway whilst staying clear of the neighbouring buildings.

Appreciate your assistance.

Kind regards,

James McKenzie RPEng (Civil)
Traffic Engineer & Transport Planner
Director

Phone: 0435 267 778
Email: james@traversetransport.com.au
Web: www.traversetransport.com.au
Address: 425 Smith Street,
Fitzroy VIC 3065

traverse

From: Pisani, Mark <Mark.Pisani@yarracity.vic.gov.au>
Sent: Wednesday, June 18, 2025 9:42 AM
To: James McKenzie <james@traversetransport.com.au>
Subject: RE: Planning Application – 117-119 Dover Street, Cremorne

Hi James

Thank you for your email.

The engineering referral response for this development should be completed by the end of this week.

Regards
Mark

Mark Pisani
MIEAust CPEng NER APEC Engineer IntPE(Aus)
Senior Development Engineer
Traffic and Civil Engineering

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Follow us on Facebook, Instagram and Twitter

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

From: James McKenzie <james@traversetransport.com.au>
Sent: Wednesday, 18 June 2025 9:37 AM
To: Pisani, Mark <Mark.Pisani@yarracity.vic.gov.au>
Subject: RE: Planning Application – 117-119 Dover Street, Cremorne

Hi Mark,

Hope you're going well.

I'm not sure whether you're directly involved with this application, however the project team for the planning application at 117–119 Dover Street, Cremorne (PLN24/1007) has asked me to follow up regarding the status of the statutory transport referral. We understand that all other referral responses have now been received, so we're just keen to understand how this one is progressing.

Appreciate your assistance as always.

Kind regards,

James McKenzie RPEng (Civil)
Traffic Engineer & Transport Planner
Director

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traverse

From: Pisani, Mark <Mark.Pisani@yarracity.vic.gov.au>
Sent: Monday, February 3, 2025 8:27 AM
To: James McKenzie <james@traversetransport.com.au>
Subject: RE: Planning Application – 117-119 Dover Street, Cremorne

Hi James

Good to talk to you the other week. Thank you for your email and the attached documents.

The Engineering Referral team is generally supportive of the items listed in your email.

As discussed, any proposal to alter on-street parking would need to be assessed and considered by Council's Parking Management team, who are responsible for amending or introducing on-street parking restrictions.

During the Planning referral phase, the relevant planner looking after this application would refer the proposal to Council City Works team who would assess the waste management of the site.

Hope this information is helpful.

Regards
Mark

Mark Pisani
MIEAust CPEng NER APEC Engineer IntPE(Aus)
Senior Development Engineer
Traffic and Civil Engineering

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Follow us on Facebook, Instagram and Twitter

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From: James McKenzie <james@traversetransport.com.au>
Sent: Thursday, 30 January 2025 2:48 PM
To: Pisani, Mark <Mark.Pisani@yarracity.vic.gov.au>
Subject: Planning Application – 117-119 Dover Street, Cremorne

> You don't often get email from james@traversetransport.com.au. Learn why this is important

Hi Mark,

Thanks again for the preliminary discussion last week regarding the planning application for the residential hotel at 117-119 Dover Street, Cremorne. To summarise, the application seeks approval for a residential hotel comprising 112 rooms and a small food and drink premises on the ground floor, with an approximate floor area of 120sqm. The application has been lodged and an RFI has been received, highlighting several traffic engineering matters, including the absence of on-site car parking, pick-up / drop-off facilities, and on-site loading / waste facilities. Please find attached the architectural plans submitted to the Council, the RFI, and the original TIA for your reference.

Following further discussions with the project team, we would like to confirm your general support for the following aspects of the development to ensure we are progressing the application appropriately:

- **No on-site staff or visitor car parking**. The site's location within Cremorne offers excellent access to sustainable transport alternatives, including public transport services, bicycle lanes, pedestrian pathways, car share facilities, and ride-share services. This will enable staff and visitors to travel to and from the site without reliance on private vehicles.
- **On-street loading activities**. Given the nature of the development, the majority of loading and unloading activities are expected to be undertaken by passenger vehicles, vans, and small trucks. The surrounding on-street parking supply is largely subject to short-term restrictions, promoting turnover and creating availability for loading and unloading. Additionally, these activities can be scheduled outside of weekday business hours when on-street parking demand is lower. This approach is consistent with similar commercial developments in Cremorne.
- **On-street pick-up and drop-off:** As per the above, a large portion of the surrounding on-street car parking supply is subject to short-term restrictions which will encourage the turnover of car parking and create capacity for the pick-up and drop-off of guests of the hotel by Taxi and ride-sharing services (such as Uber). Furthermore, guest pick-up and drop-off will occur sporadically throughout the week with many guests arriving / departing on the weekend, evenings and early mornings, which includes periods where the surrounding on-street parking supply is known to have more availability.
- **Waste collection within the laneway**. The adjacent laneway currently experiences minimal vehicular traffic, allowing waste collection to occur outside peak periods to minimise potential conflicts with other road users.

As discussed, we will provide additional information within the RFI response to demonstrate how these operational aspects will be effectively managed. This will include examples of similar residential hotels with comparable arrangements, where available.

Appreciate your assistance and please let me know if would like to discuss the above further.

Kind regards,

James McKenzie RPEng (Civil)
Traffic Engineer & Transport Planner
Director

Phone: 0435 267 778
Email: james@traversetransport.com.au
Web: www.traversetransport.com.au
Address: 222 Hoddle Street,
Collingwood VIC 3067

traverse

City Works
Formal Referral Response

Application Information:

Referral Officer:	Atha Athanasi
Officer:	Paul Iacuone
Council Reference:	PLN24/1007
Address:	117 Dover St, Cremorne VIC 3121
Proposal:	Use and development of an 11-storey residential hotel plus basement, roof terrace and roof services.
Comments Sought:	Click here to view referral memo: Record D25/149002: IREF25/00598 - Internal Referral Request
Disclaimer:	Council's City Works Unit provides the following information which is based on the information provided in the referral request memo referenced above.
Prev. Responses:	

Comments:

The waste management plan for 117 -119 Dover St, Cremorne authored by Traverse Transport and dated 5/3/25 is not satisfactory from a City Works Branch's perspective.

Issues to be rectified include, but may not be limited to the following:

1. The plan illustrates external access only to the bin storage area, please provide further details regarding the expected process and transfer routes for staff when transferring waste.
2. The plan should include relevant risk assessments with regards to waste management at the site.
3. Please remove reference to council officer.

Waste Management Officer: Atha Athanasi

Signature: Atha Athanasi

Date:13/05/2025

ESD Formal Referral Response

Application Information:

Referral Officer:	Euan Williamson
Officer:	Paul Iacuone
Council Reference:	PLN24/1007
Address:	117 Dover St, Cremorne VIC 3121
Proposal:	Use and development of an 11-storey residential hotel plus basement, roof terrace and roof services.
Comments Sought:	Click here to view referral memo: Record D25/149022: IREF25/00599 - Internal Referral Request
Disclaimer:	Council's ESD Officer provides the following information which is based on the information provided in the referral request memo referenced above.
Prev. Responses:	

ESD comments were requested on the following:

- New referral

In assessing this application, the following documents were reviewed:

- SMP prepared by LID dated 7/3/2025
- WSUD report prepared by LID dated 7/3/2025
- Architectural drawings prepared by Tristan Wong Architecture and Design dated 28/2/2025

Comments

The standard of the submitted ESD nearly meets Council's Environmentally Sustainable Design (ESD) standards.

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

Should a permit be issued, the following ESD commitments (1) and deficiencies (2) should be conditioned as part of a planning permit to ensure Council's ESD standards are fully met:

1. Applicant ESD Commitments
   - Good daylight to all regularly use areas. A daylight factor of <2% to 62% of regularly used areas.
   - Additional fresh air supply 50% above the minimum AS1668 rates with CO_2 monitoring and control.
   - Low VOC paints, sealants, adhesives, carpets and low formaldehyde engineered timber.

- Building fabric thermal performance to exceed the minimum NCC2022 requirements.
- Energy efficient electric heat pump hot water.
- Spandrel glazing panels to reduce solar heat gain.
- Energy efficient heating and cooling within 85% of best in relevant capacity system.
- Energy efficient lighting.
- 4 kw of solar PV of rooftop above lift overrun and lobby.
- All electric building, no gas connected.
- WELS rated water efficient fittings, taps and fixtures.
- 6,000 litres of rainwater storage connected to toilets for flushing.
- A 103% STORM rating has been submitted, relying on 186m^2 of roof connected to a minimum 6,000 litres rainwater tank for toilet flushing.
- Pipe bedding from 100% recycled glass sand.
- Recycled carpet underlay and recycled glass-wool insulation.
- Recycled aggregate, sand and water in concrete mixes.
- Accredited sustainable timber (FSC, PEFC) for framing timber.
- No car parking provided.
- 11 bicycle spaces for staff and 11 of visitors.
- End of trip facilities in basement including 11 lockers and 1 shower.
- A minimum of 80% of construction and demolition waste recycled or re-used.
- 4 waste streams accommodated, general waste, recycling, FOGO and glass.
- Ecological value will be enhanced through vegetation landscaping to 30% of total site area.
- Heat island mitigated through pale building materials and vegetated landscaping.
- Green roof/rooftop garden proposed.
- Cascading plants in planter boxes to add element of vertical greening.

2. Application ESD Deficiencies
   - There is extensive vegetation that appears to be irrigated with mains potable water. Recommend using rainwater for irrigation and increase the size of the rainwater tank to enable irrigation by rainwater only.

3. Outstanding Information
   - Please update drawings to include an upper roof drawing clearly showing the solar PV array.

4. ESD Improvement Opportunities
   - Consider increasing the solar PV array to generate a larger proportion of onsite electricity needs.
   - Consider purchasing 100% renewable energy for all grid-imported electricity demands.
   - Consider avoiding the use of PVC throughout the development.
   - Recommend comprehensive commissioning and tuning of all major building services to ensure efficient operation.

ESD Advisor: Euan Williamson
Date: 14 May 2025

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



ESD in the Planning Permit Application Process

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

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

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

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

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

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

Assessment Process:

The applicant's town planning drawings provide the basis for Council's ESD assessment. Through the provided drawings and the SMP, Council requires the applicant to demonstrate best practice.

1. Indoor Environment Quality (IEQ)

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Natural Ventilation and Night Purging	Additional fresh air supply 50% above the minimum AS1668 rates with CO_2 monitoring and control.	Satisfactory	1
Daylight & Solar Access	Good daylight to all regularly use areas. A daylight factor of <2% to 62% of regularly used areas.	Satisfactory	1
External Views	-	-	-
Hazardous Materials and VOC	Low VOC paints, sealants, adhesives, carpets and low formaldehyde engineered timber	Satisfactory	1
Thermal Comfort	-	-	-

* Council Assessment Ratings:

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

References and useful information:

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

2. Energy Efficiency

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
NCC Energy Efficiency Requirements	Energy efficiency to exceed the minimum NCC2022 requirements	Satisfactory	1
Thermal Performance	Building fabric thermal performance to exceed the minimum NCC2022 requirements	Satisfactory	1
Hot Water System	Energy efficient electric heat pump hot water	Satisfactory	1
Peak Energy Demand	Various measures will reduce peak demand	Satisfactory	1
Effective Shading	Spandrel panels to reduce solar heat gain	Satisfactory	1
Efficient HVAC system	Energy efficient heating and cooling within 85% of best in relevant capacity system	Satisfactory	1
Car Park Ventilation	NA	NA	-
Efficient Lighting	Energy efficient lighting	Satisfactory	1
Electricity Generation	4 kw of solar PV of rooftop above lift overrun and lobby.	Please update drawings to include an upper roof drawing clearly showing the solar PV array	3
Other	All electric building	Consider purchasing 100% renewable energy for all grid-imported electricity demands.	1, 4

* Council Assessment Ratings:

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

References and useful information:

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

3. Water Efficiency

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Minimising Amenity Water Demand	WELS rated water efficient fittings as follows; - 6 star rated taps, dishwashers and washing machines. - 5 Star rated toilets - 5 Star rated showers	Satisfactory	1
Water for Toilet Flushing	6,000 litres of rainwater storage connected to toilets for flushing	Satisfactory	1
Water Meter	Water metering for all major services and any separate tenancies	Satisfactory	1
Landscape Irrigation	No information has been provided.	Extensive vegetation that appears to be irrigated with mains potable water. Recommend using rainwater for irrigation and increase the size of the rainwater tank to enable this.	2
Other	-	-	-

* Council Assessment Ratings:

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

References and useful information:

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

4. Stormwater Management

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
STORM Rating	A 103% STORM rating has been submitted, relying on 186m^2 of roof connected to a minimum 6,000 litres rainwater tank for toilet flushing.	Satisfactory	1
Discharge to sewer	-	-	-
Stormwater Diversion	-	-	-
Stormwater Detention	-	-	-
Stormwater Treatment	-	-	-
Others	-	-	-

* Council Assessment Ratings:

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

References and useful information:

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

5. Building Materials

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Reuse of Recycled Materials	Pipe bedding from 100% recycled glass sand. Recycled carpet underlay and recycled glass-wool insulation.	Satisfactory	1
Embodied Energy of Concrete and Steel	Recycled aggregate, sand and water in concrete mixes.	Satisfactory	1
Sustainable Timber	Accredited sustainable timber (FSC, PEFC) for framing timber.	Satisfactory	1
Design for Disassembly	No specific information provided.	Satisfactory	1
PVC	No specific information provided.	Recommend avoiding the use of PVC throughout the development.	4

*Council Assessment Ratings:

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

References and useful information:

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

6. Transport

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Minimising the Provision of Car Parks	No carparking proposed.	Satisfactory	1
Bike Parking Spaces	11 bicycle spaces for staff and 11 of visitors.	Satisfactory	1
End of Trip Facilities	End of trip facilities in basement including 11 lockers and 1 shower.	Satisfactory	1
Electric vehicle charging	NA	-	-
Green Travel Plan	NA	-	-

*Council Assessment Ratings:

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

References and useful information:

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

7. Waste Management

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Construction Waste Management	A minimum of 80% of construction and demolition waste recycled or re-used.	Satisfactory	1
Operational Waste Management	4 waste streams accommodated, general waste, recycling, FOGO and glass.	Satisfactory	1
Storage Spaces for Recycling and Green Waste	Space for 4 waste streams identified on plans.	Satisfactory	1
Others	-	-	-

*Council Assessment Ratings:

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

References and useful information:

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

8. Urban Ecology

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Maintaining / Enhancing Ecological Value	Ecological value will be enhanced through vegetation landscaping to 30% of total site area.	Satisfactory	1
Heat Island Effect	Heat island mitigated through pale building materials and green roof.	Satisfactory	1
Green wall, roofs, facades	Green roof/rooftop garden proposed. Cascading plants in planter boxes to add element of vertical greening.	Satisfactory	1
Other	-	-	-

*Council Assessment Ratings:

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

References and useful information:

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

9. Innovation

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Improving on Green Star Benchmarks	-	-	-
Global Sustainability	-	-	-
Others	-	-	-

*Council Assessment Ratings:

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

References and useful information:

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

10. Construction and Building Management

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Building Tuning	No specific information has been provided.	Recommend comprehensive commissioning and tuning of all major building services to ensure efficient operation.	4
Building Users Guide	A building users guide will be produced for building users and management.	Satisfactory	1
Contractor has Valid ISO14001 Accreditation	No specific information has been provided.	Satisfactory	1
Construction Management Plan	A CMP will be produced to management environmental impacts during construction.	Satisfactory	1
Others	-	-	-

*Council Assessment Ratings:

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

References and useful information:

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

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



Applicant Response Guidelines

Project Information:

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

Environmental Categories:

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

Objectives:

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

Issues:

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

Assessment Method Description:

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

Benchmarks Description:

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

How does the proposal comply with the benchmarks?

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

ESD Matters on Architectural Drawings:

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

Strategic Planning
Formal Referral Response

Application Information:

Referral Officer:	**Greta Stevens**
Officer:	Paul Lacuone
Council Reference:	PLN24/1007
Address:	117 Dover St, Cremorne VIC 3121
Proposal:	Use and development of an 11-storey residential hotel plus basement, roof terrace and roof services.
Comments Sought:	Click here to view referral memo: D25/149067 - IREF25/00600 - Referral Request
Disclaimer:	Council's Strategic Planning Unit provides the following information which is based on the information provided in the Statutory Planning referral request memo referenced above. The Strategic Planning comments in this assessment focus on compliance with the following clauses in the Yarra Planning Scheme: Proposed/Draft Schedule 51 to the Design and Development Overlay (DDO51). They do not provide commentary on other sections of the Planning Scheme or fully assess the internal amenity of the application.
Prev. Responses:	N/A

Development Details:

Relevant amendment and status:	Amendment C317yara – Interim planning controls.

	Amendment C318yara – Permanent planning controls. Council resolved at its meeting on 12 September 2023 to request the Minister for Planning: Provide consent to prepare and exhibit amendment C318yara. To prepare and approve amendment C317yara to the Yarra Planning Scheme. More information on these amendments can be found: **https://yoursayyarra.com.au/designcremorne**
Existing and proposed controls:	Commercial 2 Zone Development Contributions Plan Overlay
Subject Site Plan:	D25/148192 - PLN24/1007 - 117-119 Dover Street Cremorne - S52 Advertising - Plans

Strategic Planning Comments and Recommendations:

The application does not comply with a number of provisions within the proposed DDO51 Cremorne West Precinct.

If an application was assessed against DDO51 a permit should not be granted in its current form. There are numerous amendments required to the design to achieve the built form outcome envisioned in DDO51 (see full comments for further detail). Notably, building height, street wall height, upper level setbacks, building separation, building design requirements and vehicle access and laneway requirements.

The proposed DDO51 includes a mandatory 11-metre upper-level setback to preserve blue sky views behind the Slade Knitwear sign. The sign has been removed for reasons of public safety via an Emergency Order and will not be reinstated (as it is badly damaged and is beyond repair for any long-term use). The 11-metre requirement is therefore no longer appropriate and the 3m upper-level setback that applies to Precinct Area CW-C should apply.

Please refer to Strategic Planning's full comments for further detail.

Built Form Requirements	Draft DDO51	PLN24/1007	Compliance with Proposed DDOXX
Building Height	Maximum 28m (preferred).	33.95m (37.5m inclusive of services).	The application exceeds with the preferred height set out in 2.6 Cremorne West Precinct heights, setbacks and interface plan, Table 1. It also does not comply with the requirements to grant a permit to exceed the preferred height. **Recommendation**

			For the application to comply with the draft DDO51 it is recommended that building height match the preferred height within DDO51 of 28m.
Street wall height and setback	12m (preferred) street wall height. No street wall setback specified.	13.5m (including balustrade) street wall height.	The application exceeds the street wall height set out in 2.6 Cremorne West Precinct heights, setbacks and interface plan, Table 1. It also does not comply with the requirements to grant a permit to exceed the preferred height. The application meets the street wall setback requirements set out in Section 2.4 street wall height and setback requirements. **Recommendation** For the application to comply with the draft DDO51 it is recommended that the street wall height matches the preferred height within DDO51 of 12m.
Upper-level setback requirements	3m preferred requirement (11m mandatory upper level setback reverts to 3m preferred given status of Slade Knitwear Sign. See further explanation in Upper-level setback Requirements).	2.80m (Levels 4-9) 4m (Level 10)	The application does not meet the preferred upper-level setback requirement set out in Section 2.6 Cremorne West Precinct Heights, Setbacks and Interface Plan. **Recommendation** For the application to comply with the draft DDO51 it is recommended that the upper levels are set back 3m above the street wall as per the preferred provisions of the DDO51.
Building separation requirements	20m boundary wall (preferred) Minimum side setback 4.5m. See DDO51 for building separation provisions.	Setbacks above the boundary wall height are not provided on the common boundaries to the north, east, or south.	The application does not meet the preferred requirements listed in Table 2 of 2.7 building separation requirements. Nor does it meet the design requirements of 2.7 building separation. **Recommendation** To comply with DDO51, it is recommended that the upper levels above Level 6 be set back 4.5 metres from the common boundary or the centreline of the laneway on two of the three shared boundaries.
Overshadowing	No additional overshadowing	N/A	N/A

	requirements apply to the site.		
Interface to properties in the NRZ or GRZ requirements.	-	N/A Site does not adjoin any properties in the NRZ or GRZ.	N/A
Character Building Requirements	Site is not identified as a character building.	N/A	N/A
Building Design and Quality Requirements	See DDO51 for building design provisions.	See PLN24/1007 plans.	The application does not meet all the building design and quality requirements of the DDO51. **Recommendation** For the application to comply with the DDO51, it is recommended that the final design incorporates the recommendations of the wind report, relocates the substation underground where feasible, and explores further opportunities for greening.
Views to landmarks	A permit must not be granted to construct a building that would encroach upon views to the entire Slade Knitwear Sign when viewed from the footpath on the north west corner of Dover Street.	Site is located south of the view line therefore it is N/A. Note that the Slade Knitwear Sign has also been taken down.	N/A
Vehicle access and laneways requirements	See DDO51.	See PLN24/1007 plans.	The application does not meet all the vehicle access and laneway requirements of the DDO51. **Recommendation**

			For the application to comply with DDO51, it should be amended to provide a 3m x 3m splay at the south-eastern corner of the development to facilitate vehicle access. In addition, further ground floor setbacks are required to ensure the laneway maintains a minimum width of 6.1 metres along the site frontage.
Pedestrian and Bicycle design requirements	See DDO51.	See PLN24/1007 plans.	The application meets the pedestrian and bicycle design requirements of the DDO51. No changes recommended.

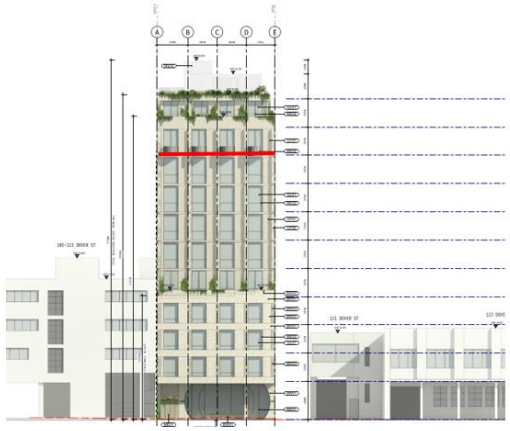
Strategic Planning full comments

Building Height Requirements

The proposed height of the development does not comply with the provisions and exceeds the height set out in DDO51 Cremorne West precinct (See Table 1 and Figure 1).

The application does not meet all relevant criteria to exceed the preferred height. In particular:

- The design objectives that support lower built form on narrow streets and human scale development as not to overwhelm these narrow streets.
- Greater building separation than the minimum requirement in the schedule. See **The application does** not comply with the provisions and exceeds the preferred upper-level setback requirements of DDO51 (refer to Table 1).



DDO51 requires an 11-metre mandatory upper-level setback above the street wall on Dover Street to preserve sky views behind the significant Slade Knitwear sign, in line with the Cremorne Urban Design Framework (UDF), which seeks to retain these views through built form controls.

We note that the Slade Knitwear sign has been removed for public safety reasons due to its deteriorated condition and will not be reinstated. As a result, the justification for the 11-metre setback no longer applies, and the upper-level setback requirement reverts to the preferred 3-metre standard in Precinct Area CW-C.

Strategic Planning acknowledges that the upper levels are provided in two distinct steps and are visually distinct yet complementary to the street wall, which is supported.

Strategic Planning does not support the proposed upper-level setbacks. Although the setbacks fall within 200mm of compliance, this—when considered alongside other issues outlined in this report—does not justify a reduction from the preferred 3-metre setback.

For the application to comply with the DDO51 it is recommended that the upper levels be set back 3m above the street wall to align with the preferred setback in the DDO51.

- Building Separation Requirements section for more details.

Strategic planning does not support the height proposed in the application. It combined with the other issues outlined in this report do not warrant a height in exceedance of the preferred 28m.

For the application to comply with DDO51 it is recommended that the overall building height is lowered to match the preferred height of 28m.

Street wall height and setback requirements

The proposed street wall height does not comply with the provisions and exceeds the preferred street wall height set out in DDO51 (see Figure 2 and Table 1).

The application does not meet all relevant criteria to exceed the preferred street wall height. Particularly:

- The design objective regarding narrow streets and human scale development as mentioned above; and
- The design requirements (see
- **Building Design and/or Façade Design** Requirements for further detail)

The site adjoins 105-115 Dover Street Richmond to the north which is covered by the Heritage Overlay (HO) relating to the Slade Knitwear Sign. The statement of significance does not include the building on the site but rather relates solely to the sign. DDO51 does not require a development to match the street wall height of the adjoining building despite the presence of a HO.

Note that the application provides an inset building entrance on Dover Street to expand the public realm which is supported.

Strategic planning does not support the street wall height proposed in the application. This, combined with other issues outlined in this report, do not warrant a street wall height in exceedance of the preferred 12m.

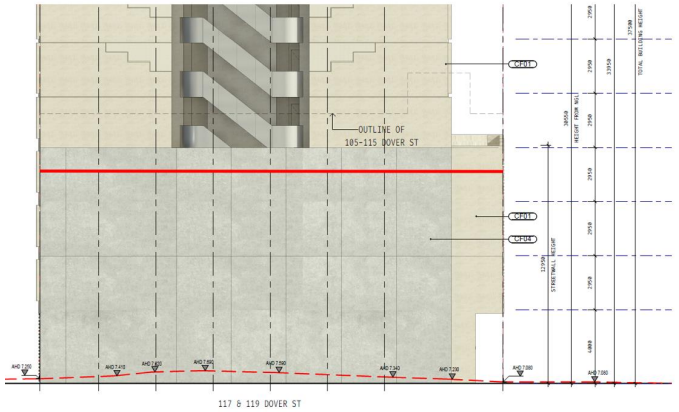


Figure 2 street wall height compared to DDO51 (shown as red line)

For the application to comply with the DDO51 it is recommended that the overall street wall height is lowered to match the preferred height of 12m.

Upper-level setback Requirements

The application does not comply with the provisions and exceeds the preferred upper-level setback requirements of DDO51 (refer to Table 1).

DDO51 requires an 11-metre mandatory upper-level setback above the street wall on Dover Street to preserve sky views behind the significant Slade Knitwear sign, in line with the Cremorne Urban Design Framework (UDF), which seeks to retain these views through built form controls.

We note that the Slade Knitwear sign has been removed for public safety reasons due to its deteriorated condition and will not be reinstated. As a result, the justification for the 11-metre setback no longer applies, and the upper-level setback requirement reverts to the preferred 3-metre standard in Precinct Area CW-C.

Strategic Planning acknowledges that the upper levels are provided in two distinct steps and are visually distinct yet complementary to the street wall, which is supported.

Strategic Planning does not support the proposed upper-level setbacks. Although the setbacks fall within 200mm of compliance, this—when considered alongside other issues outlined in this report—does not justify a reduction from the preferred 3-metre setback.

For the application to comply with the DDO51 it is recommended that the upper levels be set back 3m above the street wall to align with the preferred setback in the DDO51.

Building Separation Requirements

The application does not comply with the building separation provisions of DDO51 (refer to Table 1 and Figures 3-4).

Building separation requirements apply to the northern, eastern, and southern boundaries, as the site shares a common boundary with 105–115 Dover Street and is bordered by laneways on two sides. Under DDO51, development can be built to the boundary up to a height of 20 metres, after which setbacks are required. In this case, the application proposes no setbacks above the boundary wall along any of these three boundaries.

The DDO allows development to be built to the boundary on one side only, at the applicant's discretion. In this instance, it would be preferable for the development to be built to the boundary shared with the adjoining building (see Figure 5), which presents a blank wall. Furthermore, the presence of two adjoining laneways offers an opportunity to apply smaller setbacks, as the requirement is measured from the centreline of the laneway.

Table 1 specifies a 20-metre preferred boundary wall height. The application proposes an additional 4.5 storeys above this height. As such, a minimum 4.5m setback is required from either the common property boundary or the centreline of the laneway.

Figures 3 and 4 illustrate the building separation requirements in relation to the proposed development.

To comply with DDO51, it is recommended that the upper levels above Level 6 on two of the boundaries are set back a minimum of 4.5 metres.

It is noted that if the application complied with the preferred building height, the required setback would reduce to 3 metres rather than 4.5 metres.

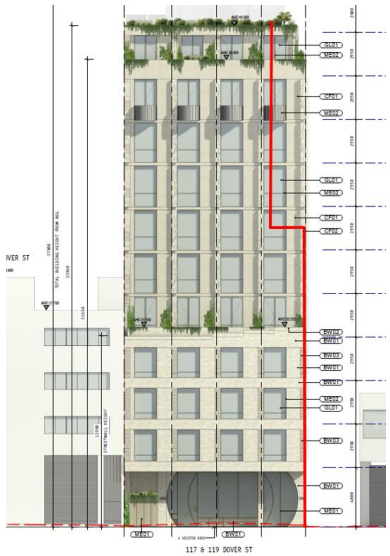


Figure 5 southern boundary compared to DDO51 (shown in red)

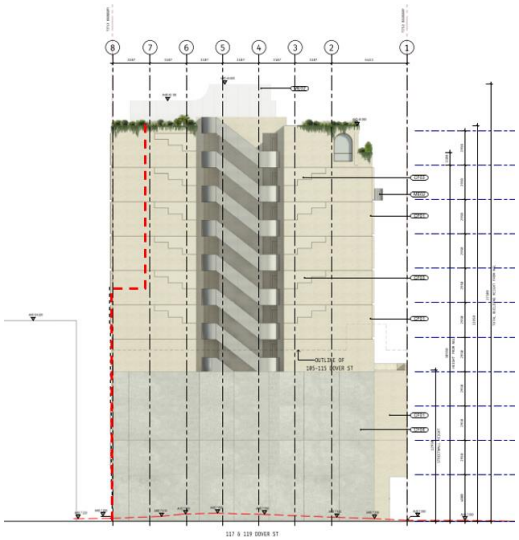


Figure 4 eastern boundary compared to DDO51 (shown in red)



Figure 3 northern boundary blank wall on adjoining property.

The application generally meets the building design requirements of the DDO51. However, there are some design provisions within Section 2.11 that do not align with the proposal.

A wind report was submitted with the application, identifying areas likely to be exposed to stronger winds and recommending mitigation strategies. These strategies should be incorporated into the final design where appropriate. If the recommendations are adopted to the satisfaction of the wind consultant, the proposal is expected to meet the relevant design guidelines.

The substation is located at the rear of the property, away from the primary street frontage, which is supported. However, in accordance with the building design requirements of DDO51, it would be more appropriate for the substation to be located underground.

The application offers limited opportunities for greening, which is concerning given the number of existing trees proposed for removal. It is recommended that further greening opportunities be explored, particularly at ground level, to enhance the public realm and support urban cooling. Please refer to the urban design advice for specific advice regarding the public realm interface.

For the application to comply with the DDO51, it is recommended that the final design incorporates the recommendations of the wind report, relocates the substation underground where feasible, and explores further opportunities for greening.

Vehicle Access and Laneway Requirements

Vehicle access is proposed via the rear laneway, which is supported given the narrow width of Dover Street and it's limited on-street parking availability.

Given that the proposal extends the full length of the laneway, the applicant should provide additional ground floor setbacks to increase the laneway width to a minimum of 6.1 metres along the entire laneway. Currently, the laneway width varies—from 3.4 metres at the Dover Street frontage to 4.2 metres at the southern rear boundary, and narrows to 2.7 metres along the eastern boundary. This does not meet the 6.1-metre requirement.

A 1m x 1m splay has been provided at the front of the site to improve pedestrian sightlines, which is supported. The absence of on-site car parking is also supported, given the strategic direction of the Urban Design Framework (UDF) and the proposed Parking Overlay, both of which provide strong justification for reduced car parking provision. See urban design advice for whether the proposed laneway access retains the continuity of the public realm.

A 3m x 3m splay has not been provided at the bend in the laneway, which may impede vehicle manoeuvrability around the corner. This is particularly important given the nature of the use, the expected volume of vehicles accessing the laneway to drop off and pick up hotel patrons, and the likelihood that drivers will be unfamiliar with the site.

For the application to comply with DDO51, it should be amended to provide a 3m x 3m splay at the south-eastern corner of the development to facilitate vehicle access. In addition, further ground floor setbacks are required to ensure the laneway maintains a minimum width of 6.1 metres along the site frontage.

Pedestrian and Bicycle access Requirements

The application complies fully with the design requirements of 2.13 of DDO53.

No recommendations made from Strategic Planning in relation to this provision.

Strategic Planner: Greta Stevens
Date: 30 May 2025

Strategic Transport Formal Referral Response

Application Information:

Referral Officer:	Davina Bright
Officer:	Paul Iacuone
Council Reference:	PLN24/1007
Address:	117 Dover St, Cremorne VIC 3121
Proposal:	Use and development of an 11-storey residential hotel plus basement, roof terrace and roof services.
Comments Sought:	Click here to view referral memo:
Disclaimer:	Council's Strategic Transport unit provides the following information which is based on the information provided in the referral request memo referenced above.
Prev. Responses:	

Comments

Access and Safety

The following safety and access concerns should be addressed:

Issue One: Rear Bicycle Parking Facilities

- There is a lack of passive surveillance for the entrance to this bicycle parking facility raising concern for personal safety particularly during darkness.
- The proximity of the waste room and bicycle parking facilities and the narrow nature of the lane mean that there is likely to be interaction between waste disposal services and cyclist which further make the entrances to the bicycle storage facilities unattractive.

Issue Two: Basement Bicycle Parking Facilities

- There is no convenient access to the basement bicycle parking facilities. A person with a bicycle in the current design would be required to walk the bike through busy pedestrian throughfare in the hotel lobby, past food and beverage area and requires use of building lift. Causing likely conflict with pedestrians / hotel users.
- The end of trip facilities are split; there is a hall between the locker area and shower area creating. The design would be improved by ensuring the shower room can be accessed from the locker area and prevents people having to walk back and forth between areas.

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 Hotel / Residential building other than specified in this table	105 Rooms	In development of four or more storeys, 1 to each 10 lodging rooms	11 employee spaces	
		In development of four or more storeys, 1 to each 10 lodging rooms	11 visitor spaces.	
Bicycle Parking Spaces Total			**11 resident / employee spaces**	**18 resident / employee spaces**
			11 visitor spaces	**4 visitor spaces**
Showers / Change rooms		1 to the first 5 employee spaces and 1 to each additional 10 employee spaces	**1 showers / change rooms**	**1 showers / change rooms**

Note: although there is a food & beverage area, the square meterage is below threshold (site: 84.4sqm & threshold: 100sqm) and there are not additional employee/ visitor bike parking requirements.

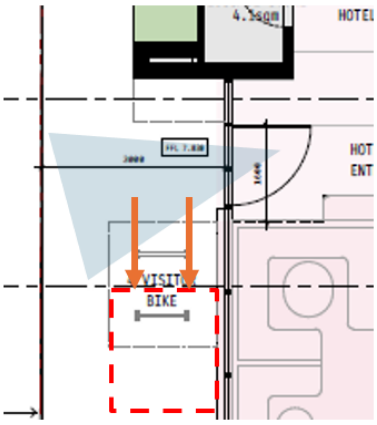
Note: 11 spaces are annotated as visitor bicycle parking spaces within the submitted plans; 4 spaces at the front of the building and 7 spaces within the bicycle storage area accessed from the rear / eastern laneway with 4 x staff bike parking spaces. However Clause 52.34-3 of the Yarra Planning Scheme requires 'bicycle space for an employee or resident must be provided either in a bicycle locker or at a bicycle rail in a lockable compound', to have the visitor parking mixed in with resident / staff bicycle parking makes this area inherently insecure. For the purposes of this assessment those 7 spaces annotated as visitor parking spaces are considered as additional staff spaces.

The development provides a total of **7 additional resident/employee spaces** above the requirements of the Scheme and a **shortfall of 7 visitor spaces** below the requirements of the Scheme.

Adequacy of visitor spaces

The provision of the visitor spaces **inadequate** for the follow reasons:

- 4 spaces does not meet the statutory requirement of 11 visitor spaces, nor does it cater for Yarra's current or predicted future cycling demand. At minimum 6 visitor spaces should be provided for the following reasons:
  - No car parking is to be provided onsite
  - Best-practice requires a rate of 0.25 visitor spaces to each dwelling, requiring 6 spaces for the 105 dwellings



In addition the 2 x visitor bicycle parking rails at the front of the building interfere with reasonable access to the hotel entrance and should be relocated south (or other solution identified) to not cause an obstruction. This is particularly important in the context of hotel visitors arriving/ departing with luggage and/or in large parties. Consideration should be given to pedestrian desire line (see beside).

Also noteworthy for review of design/ arrangement:

- Pursuant to clause 52.34-3 all visitor spaces must be provided as horizontal bicycle rail.

Adequacy of employee spaces

Number of spaces

Whilst the proposal includes a surplus of 7 resident/employee spaces above the requirements of the planning scheme, it is noted:

- There are no car parking spaces on site.
- the subject site is located in an inner-urban area with already high cycling-to-work demand, and trends indicate demand will continue to increase; and
    - both local and state planning policies include objectives to promote sustainable transport modes, including cycling.

In all future iterations of the development plans a minimum of 11employee/ resident bicycle parking spaces be maintained.

Design and location of employee spaces and facilities

Employee and resident spaces are **inadequately** located and designed for the following reasons:

- The resident/employee bike parking is split across two locations and should be consolidated into a single facility to ensure that finding an empty bicycle parking space is easy. Especially given the entrances to the two internal bicycle parking facilities are on opposite sides of the building (ie. from lane on the east side of the site and through front lobby (west) the lobby via the lift to the basement). See above comments in 'Access & Safety' section.
- Pursuant to Clause 52.34-3 & Australian Standard AS2890.3 a minimum 20% of staff bicycle parking spaces be ground level horizontal. Currently all spaces are design as vertical bicycle parking spaces.
- Dimensions of all bicycle storage spaces, lifts, corridors and relevant access ways are missing from the plans.

Electric Bicycles

At least 2 electric bicycle charging point should be provided in the bicycle parking spaces adjacent to spaces suitable for electric bicycles to use (i.e horizontal on-ground spaces with sufficient widths to accommodate a larger electric bicycle, as per AS2890.3 Appendix A – 'cargo bicycle' and Section 2.2.8).

Green Travel Plan

The application includes a Green Travel Plan (GTP). The GTP provides all the required information noting the GTP will require to be updated to reflect any changes in the plans.

Yarra's key bicycle corridors

The site is located adjacent to a key bicycle corridor.
Explain why relevant / important and insert CM links to relevant information

Recommendations

The following should be shown on the plans before endorsement:

- Staff bicycle parking compound be consolidated into a single secure lockable compound on the ground level.
- The entrance to staff bicycle parking compound be relocated to as close as possible to Dover Street, and at a minimum be located on lane to the south of the site to improve passive surveillance and safety to access the facility.
- The EOT facility be located within easy access to the bike parking facilities.
- At least 2 electric bicycle charging point should be provided in the bicycle parking spaces adjacent to spaces suitable for electric bicycles to use (i.e horizontal on-ground spaces with sufficient widths to accommodate a larger electric bicycle, as per AS2890.3 Appendix A – 'cargo bicycle' and Section 2.2.8).
- At least 20% of employee bicycle parking to be provided as a ground level (horizontal) hoop and comply with Clause 52.34 and AS2890.3.
- At minimum 6 visitor bicycle parking spaces, be provided that are located so as to be highly visible from Dover Street and to not interfere with reasonable access to the building entrance/s.
- All visitor bicycle parking to be ground level (horizontal) hoops and comply with Clause 52.34 and AS2890.3.
- Dimensions of all bicycle storage spaces, lifts, corridors and relevant access ways noted to demonstrate compliance with Australian Standard AS2890.3 or to the satisfaction of the Responsible Authority.
- The GTP be updated to reflect changes in the plans.

Principal Strategic Transport Planner: Davina Bright

Date: 27 May 2025

Urban Design
Formal Referral Response

Application Information:

Referral Officer:	Ben Thorp
Officer:	Paul Iacuone
Council Reference:	PLN24/1007
Address:	117 Dover St, Cremorne VIC 3121
Proposal:	Use and development of an 11-storey residential hotel plus basement, roof terrace and roof services.
Comments Sought:	Click here to view referral memo: Record D25/149068: IREF25/00602 - Referral Request
Disclaimer:	Council's Urban Designer provides the following information which is based on the information provided in the referral request memo referenced above.
Prev. Responses:	N/A

Recommendation

- The proposal is not supported in its current form.

Comment Summary

- The proposal makes an attempt at contribution to the street through setbacks and activation of frontages but there are many issues. These are detailed in Table 1 below.
- The building program is ambitious for such a small site, considering the conditions in the interfacing public realm (ROW and Dover Street).
- The proposal does not adequately address policy imperatives to enhance public realm quality and is not supported.

Public Realm Interface

Urban Context

- The site sits in a part of Cremorne that is undergoing considerable change transitioning from industrial/warehousing functions to high-end commercial office space use.
- The Cremorne UDF describes this area (Cremorne West Precinct):

  This precinct is characterised by a network of narrow one-way north-south streets. Predominantly, low-rise industrial, interspersed with residential terrace typologies with mid-rise contemporary office development. Recent development activity has shifted towards a scale of seven to eight storeys, with some larger sites accommodating up to nine storeys.

- The site is around 300 m^2 which is a small development site in the Cremorne context. The site has a frontage to Dover Street and secondary frontages to a ROW to the South and East.
- Dover Street is a narrow street of 9 metres and with narrow footpaths between 1 and 1.5 metres. Electrical and other infrastructure presents barriers to pedestrian movement on these footpaths.

Policy Context

- Amendment C317 gives effect to the Cremorne UDF and is currently with the Minister for Planning having been endorsed by Council. As part of this amendment DDO 51 covers the subject site.
- An objective of DDO 51 is:

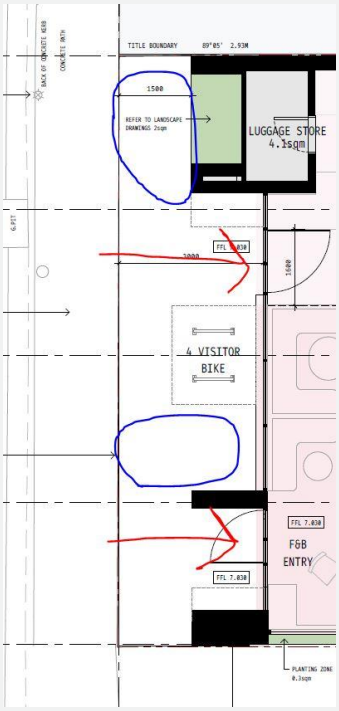
  To ensure new development enhances the public realm and contributes to a network of pedestrian friendly streets through street activation, sunlight access to Cremorne Street and Balmain Street and open spaces, comfortable wind conditions, and street setbacks at ground level.

- The Cremorne UDF specifies for the Cremorne West Precinct that:
  - *Buildings will provide generous entrances and integrated seating, with ground floor setbacks and landscaped spaces.*
  - *New street trees and landscaping will contribute to the amenity of streets and ensure a climate ready precinct.*
- Also relevant are the following overall objectives of the UDF:
  - *Objective 3.2 Deliver a safe and attractive local cycling and pedestrian network which connects strategic corridors, major trails and key destinations.* This includes widening footpaths, increased tree canopy and street furniture.
  - *Objective 4.3 Create a network of streets and spaces for people.* This includes requirements to enhance streetscapes as well as building entrances, mitigating the impacts of vehicle movement and creating “lively and interesting” ground floors.
  - *Objective 5.1 Create a comfortable and engaging public realm***.** This includes advice to use ground floor setbacks to create a transition between the public and private realm. These spaces can include seating, outdoor dining and bike parking.

The Proposal

- The proposed building is an 11 storey hotel.
- Ground floor uses include hotel lobby, café, substation, waste and bike parking entry.
- There are entrances at all three frontages and the West and South frontages are setback at ground level.

Table1:

Issue	Recommendation
1.1 Pedestrian amenity. Dover Street features very narrow footpaths considering the development occurring on this street and likely future pedestrian loads. The footpath adjacent to the site is less than 1.5 metres. On the opposite side of Dover the footpath is similarly narrow. The proposed development of 3,337 m^2 with 105 apartments will have a large building population generating much increased pedestrian loads. It is appreciated that the ground floor has been setback however, considering the future pedestrian traffic UD believes that further efforts should be made. The current setback to Dover Street is welcome but programming of bike parking, service cabinets and circulation space leaves little effective gathering/breakout space (circles blue below): 	• Noting DDO51, 2.11 Building design and entry requirements: *provide well-designed entrance spaces to buildings that create a transition between the public and private realm and encourage activity to occur at the street interface. provide for street activation at ground level to create a pedestrian-oriented environment and enhance passive surveillance of the public realm.* • It is recommended that further ground floor setback area is provided to relieve pressure on constrained footpath space.

1.2 Passive Surveillance Hotel drop-off and area and entrance with setback has been programmed on the Southern interface to the laneway and this will provide some activation. However, for this area to be safe it needs good passive surveillance as well from the street. If the site to the South of the lane is redeveloped there will be poor sightlines into this space from Dover Street.  There are also issues with safety and passive surveillance of bicycle parking entry (see below).	• Noting DDO51, 2.11 Building design and entry requirements: *provide for street activation at ground level to create a pedestrian-oriented environment and enhance passive surveillance of the public realm.* • It is recommended the setback area identified on the Southern frontage as Hotel lobby parking is either removed OR the built form is opened up through to Dover Street to enhance view-lines. It cannot be assumed that visibility will be possible through the glazed South-West corner café space.
1.3 Bike Parking. Access to visitor and staff bike parking is programmed at the East frontage to the laneway. We would question both the safety and amenity of this entrance location. Bicycle parking must be located where there is adequate passive surveillance at across the day and evening and this currently un-activated laneway is not providing such passive surveillance.	• Noting DDO51, 2.14 Pedestrian and Bicycle Design requirements: *Development should provide well-designed bicycle infrastructure and end-of-trip facilities.* • It is recommended that the bicycle parking entrance is relocated as close as possible to Dover Street.
1.4 Loss of greenery The current site features a large amount of greenery in the front setback to Dover Street:	• Provide more substantial greening in setback areas interfacing with the public realm.

 As these trees are removed to facilitate the development, replacement greenery must be provided. Current design features small planters and creepers only.	
1.5 Integrated seating not provided Considering the large future population of the building it is reasonable to expect some level of publicly available seating within the setback area.	• Noting DDO51, 2.4 Street wall Height and Setback Requirements: *expand the public realm through inset building entrances and integrated seating with foot clearance (where appropriate).* • Proposal should provide integrated seating in setback areas.
1.6 Underground Substation The Cremorne UDF and DDO51 encourage the locating of substations underground. Undergrounding of substation will allow for greater activation opportunities in the laneway.	• Noting DDO51, 2.11 Building design and entry requirements: *Development should locate sub-stations below ground, where possible. Access should be provided from right of ways/laneways or located off the primary street.* • Substation should be relocated underground. The applicant must fully investigate all access to the undergrounded substation including by crane trucks for servicing or replacement of transformer.

The proposal is not supported in principle as the issues cannot be dealt with via permit conditions.

- Substantial redesign of ground floor is required including:
  - Enlarged usable setback space
  - Improved passive surveillance from public realm to laneway setbacks
  - Relocated bike parking entrance to improve safety and amenity
  - Improved greening
  - Underground substation

These comments exclude comments from the following teams, and they will be providing separate referral comments:

- Open Space Services
- Heritage
- Strategic Transport
- Strategic Planning
- ESD
- City Works – Waste Management
- Development Engineering

Capital Works:

There are no known planned / approved capital works around the site being led by the Urban Design Team.

Urban Designer: Ben Thorp
Date: 07 May 2025

6. DTP Applications

Nil.

7. Confidential Planning Decisions Committee Reports

Nil.