

499 St Kilda Road Melbourne

Planning Permit Application 2013/008668

1 Application Details

Land /Address:	499 St Kilda Road (Fawkner Centre), Melbourne
Application No:	2013/008668
Proposal:	Use and development of the land for dwellings, alteration of access in a Road Zone Category and a reduction in the car parking requirements
Applicant:	Fawkner Centre Pty Ltd C/- Contour Consultants
Zone:	Commercial 1 Zone (Former B5Z)
Overlay(s):	Schedule 17 to the Design and Development Overlay (DDO17) Schedule 19 to the Design and Development Overlay – Area 42 (DDO19-A42)
Restrictive Covenants and/or Agreements	N/A
Notification	The permit application has been advertised with objections.
Recommendation	Permit subject to conditions

1.1 [REDACTED]

SIGNATURE:

[REDACTED]

DATE: 25 July 2014

Ph: [REDACTED]

2 Background

The permit application was lodged on 2 October 2013. Further information was requested of the applicant on 28 October 2013 (within 28 days of lodgement) and a response was provided on 20 November 2013 (within 2 months of the request).

The applicant submitted amended concept plans on 13 March 2014 to comply with the Shrine Vista control formula. Modification to the plans were limited to the upper most level of the building and have no consequence on the overall planning and architectural expression. The amended plans were not formally lodged or re-advertised as it was considered that the changes are of no material interest or detriment to third parties other than City of Melbourne and the Shrine of Remembrance. To this end, the plans were provided to the City of Melbourne and the Shrine of Remembrance to verify compliance with the Shrine Vista Height Control Formula.



3 Site and Surrounds

The subject site is located on the east side of St Kilda Road, north of Commercial Road and south of Armadale Street and back onto Fawkner Park. The site has a street frontage to St Kilda Road of approximately 60.35 metres, a depth of approximately 100.58 metres and an overall site area of approximately 6,070m². The site is currently being used as a commercial building known as the Fawkner Centre, which is comprised of a seven storey building towards the front of the site and an 18 storey component at the rear of the site. The existing building is set back from the St Kilda Road property frontage by approximately 24.5 metres.

The building is L-shaped, with a paved communal area located on the northern side of the building. The building is set back approximately 4.6 metres from the northern boundary, 6.0 metres from the southern boundary and 10.9 metres from the eastern boundary.

Vehicle access to the site is provided via two crossovers from St Kilda Road and an existing double level basement car park can be accessed along the southern site boundary.

The subject site is located within the commercial precinct of St Kilda Road. The area is characterised by a mix of commercial offices, residential apartment buildings, educational facilities, medical facilities and food and drink premises. The immediate site interfaces are as follows:

To the North – A five storey commercial building at 493 St Kilda Road. Further to the north is a four storey block of units.

To the South – Are two residential towers at 505 St Kilda Road.

To the East - Fawkner Park which contains sports ovals, playgrounds, barbeque areas and other facilities.

To the West – St Kilda Road Boulevard, beyond which are commercial buildings ranging from 2 to 17 storeys in height.

Figure 1 – Site Locality Plan

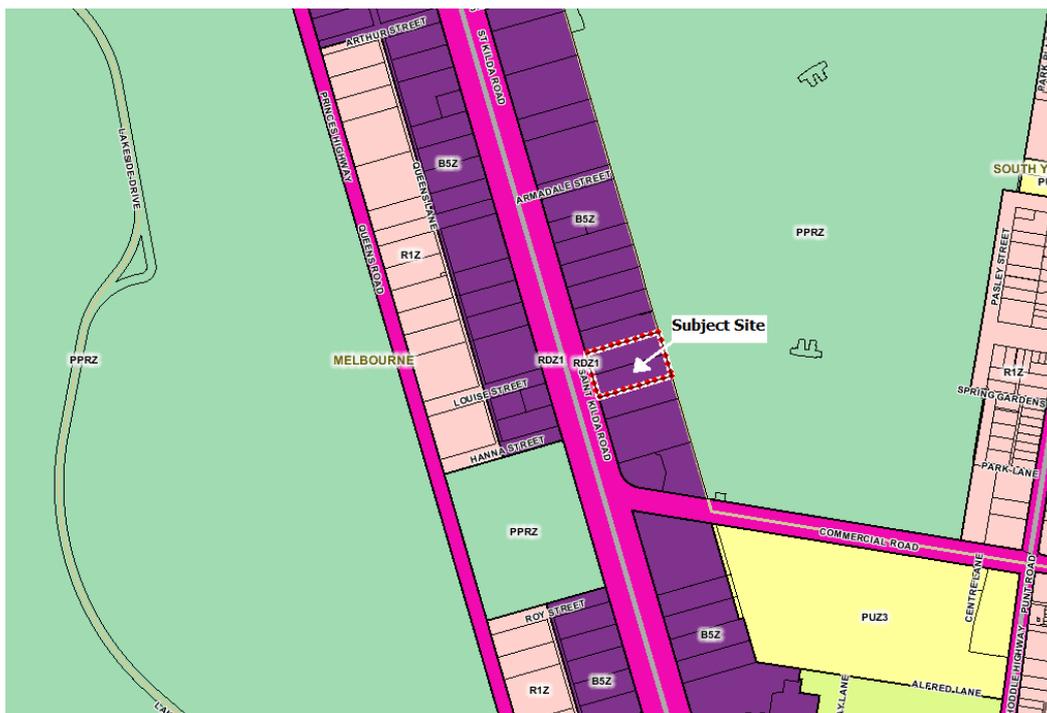
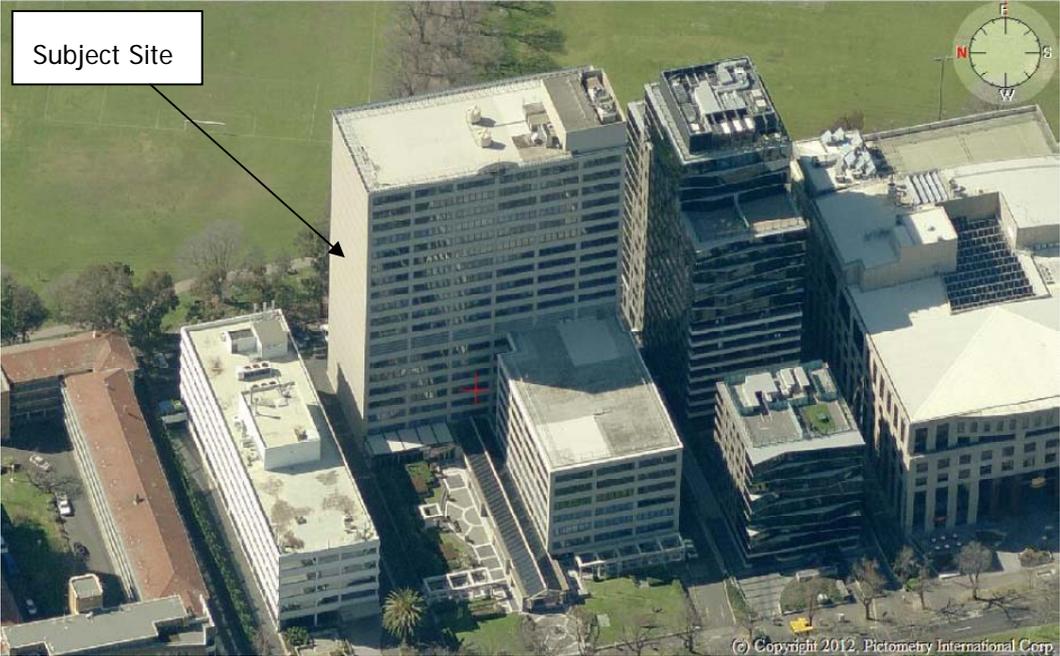


Figure 2 - Aerial Photo 1



Figure 3 – Aerial Photo 2



4 Proposal

The proposal is to retain and convert the existing commercial building and create 245 luxury residential apartments. This involves the following:

- Extension to the front of the building at levels 0-7 with a setback of 13.7 metres from the St Kilda Road frontage
- A communal rooftop addition to the seven storey module for communal residential facilities.
- An additional level of penthouse residential apartments to the 18 storey component at the rear.
- The construction of a new 'lightweight' structure external to the building at ground level in the form of an canopy within the site frontage, and pergola and planting structures within the south and east setbacks.
- New architectural treatments to the building facade to provide an architectural language commensurate to a residential building. Proposed finishes are predominantly a mix of dark render, dark and clear glass with dark, silver and mirror finish metal.
- A reconfigured basement car parking area over two levels. There are to be 307 car parking spaces (including 15 tandem spaces), 270 bicycle spaces, storage, access and servicing areas.
- Access to the basement car park is provided via the existing southern crossover to St Kilda Road.
- A porte-cochere is proposed along the frontage of the site, connecting the existing northern and southern crossovers. It is proposed to construct a canopy over the porte-cochere within the front setback and along the title boundary to St Kilda Road.

Refer to the Architectural Plans

5 Planning Policies and Controls

Unlike the requirements of zones and overlays, all planning policies provide guidance for development and are not intended to be interpreted as prescriptive mandatory controls. A guidance based approach encourages innovative development solutions responding to site specific constraints and opportunities and having regard to the objectives and requirements of the relevant zone and overlay.

5.1 State Planning Policy Framework

The State Planning Policy Framework (SPPF) provides the broad policy direction within the Victorian Planning Provisions. The planning principles set out under the SPPF are to be used to guide decision making on planning proposals across the State.

The following policies are considered relevant to this application.

- Clause 11 (Settlement)
- Clause 15 (Built Environment and Heritage)
- Clause 16 (Housing)
- Clause 18 (Transport)
- Clause 19 (Infrastructure)

The thrust of the above policies is to encourage appropriate land use and development which enhances the built environment and delivers diversity in housing supply to meet existing and future needs and integrates transport and infrastructure planning.

5.2 Local Planning Policy Framework

The Municipal Strategic Statements (MSS) and Local Planning Policy Framework (LPPF) within Planning Schemes across Victoria outline principal characteristics of a given municipality (municipal profile) and provide specific visions, goals, objectives, strategies and implementation plans. The MSS within the Melbourne Planning Scheme identifies several key themes for housing, economic development, built environment and heritage and infrastructure as per Clause 21.

In particular the MSS at Clause 21.06 describes St Kilda and South Yarra area as remaining a premier boulevard containing high density office and residential development. The continued development of the area has necessitated the introduction of a wide range of uses and services to support residents, workers and businesses in the area.

The following key local planning policies (Clause 22) are relevant to the proposal:

- 22.02 Sunlight to Public Spaces
- 22.17 Urban Design outside of the Capital City Zone
- 22.19 Energy, Water and Waste Efficiency
- 22.23 Stormwater Management (Water Sensitive Urban Design)

The thrust of the above policies is to encourage high quality urban design outcomes and to ensure that development is environmentally sustainable and recognises its impact on the public realm.

An assessment against the above policies is provided in section 8 of this report.

5.3 Statutory Controls (Permit Triggers)

The following controls apply to the site, with planning permit triggers and requirements described below:

Planning Control	Permit / Application Requirement(s)
<i>Commercial 1 Zone (Clause 34.01)</i>	Under Clause 34.01-4, a permit is required to construct a building or construct or carry out works within the Commercial 1 Zone. In this case, the residential frontage exceeds 2 metres and therefore a permit is required to use the land for residential purposes.
<i>Design and Development Overlay-Schedule 17 Shrine Vista Control (Clause 43.02)</i>	Under Schedule 17 to Clause 43.02, a permit is required for buildings and works constructed 33 metres in height above the Australian Height Datum (AHD) within the boundaries of the overlay. The height of buildings and works <u>must</u> be in compliance with the Shrine Vista Height Control Formula. Schedule 17 of Clause 43.02 exempts buildings and works from third party notice and appeal requirements.
<i>Design and Development Overlay-Schedule 19 – St Kilda Road Area (Area 42) (Clause 43.02)</i>	Under Schedule 19 of Clause 43.02 a permit is required to construct a building or carry out works. The provisions of the overlay relate to building height, plot ratio, setbacks and landscaping to protect the boulevard appearance of St Kilda Road and the vista of the Shrine of Remembrance.

	<p>More specifically the overlay provides for a:</p> <ul style="list-style-type: none"> ▪ Discretionary maximum building height of 60 metres. ▪ Discretionary setbacks of 13.7 metres from St Kilda Road. ▪ Discretionary setbacks to any other boundary of 4.5 metres. ▪ Discretionary plot ratio of 4. <p>Schedule 19 of Clause 43.02 does not specifically exempt buildings and works from third party notice and appeal requirements.</p>
<p><i>Car Parking (Clause 52.06)</i></p>	<p>A permit is required to reduce the number of car parking spaces required under clause 52.06-5.</p> <p>A total of 330 car parking spaces, including 281 resident spaces and 49 visitor spaces, are required and 307 car parking spaces are provided.</p> <p>A reduction of 23 car parking spaces is proposed.</p> <p>The proposal does not meet the criteria specified under Clause 52.06-4 and therefore is not exempt from third party notice and review.</p>
<p><i>Land Adjacent to a Road Zone, Category 1 (Clause 52.29)</i></p>	<p>Under Clause 52.29, a permit is required to create or alter access to a road in Road Zone, Category 1.</p> <p>The application was referred to VicRoads for comment.</p>
<p><i>Bicycle Facilities (Clause 52.34)</i></p>	<p>Under Clause 52.34-1 a new use must not commence until the required bicycle facilities and associated signage have been provided on the land. The standard requirement for dwellings with four or more storeys is:</p> <ul style="list-style-type: none"> - 1 bicycle space to each 5 dwellings for residents - 1 bicycle space to each 10 dwellings for visitors <p>This generates a statutory requirement of 49 bicycle spaces for residents and 25 bicycle spaces for visitors, with a total of 74 bicycle spaces for the proposal.</p> <p>The application provides for 270 bicycle spaces. A permit is not triggered to reduce this requirement.</p>
<p><i>Urban Context Report and Design Response for Residential Development of Four or More Storeys (Clause 52.35)</i></p>	<p>Under Clause 52.35-1 an application for a residential development of four or more storeys must be accompanied by an urban context report and design response. The application was accompanied by an urban context and design report. DTPLI confirmed receipt of this information with the applicant.</p>
<p><i>Integrated Public Transport Planning (Clause 52.36)</i></p>	<p>Under Clause 52.36-1 an application must be referred in accordance with Section 55 of the Act to the Director of Public Transport (Public Transport Victoria) for a residential development comprising 60 or more dwellings or lots.</p> <p>On 18 October 2013 the application was referred to Public Transport Victoria for comment.</p>

<p><i>General Provisions (Clause 61.01)</i></p>	<p>The proposal includes a redevelopment of 41,010 sqm of GFA, calculated to include the existing building footprint; therefore the Minister for Planning is the Responsible Authority for determining the permit application.</p>
<p><i>Decision Guidelines (65.01)</i></p>	<p>Under Clause 65.01 before deciding on an application the responsible authority must consider as appropriate a number of matters, including Section 60 of the Act.</p>
<p><i>Referral and Notice Provisions (Clause 66.03)</i></p>	<p>Clause 66.03 works in conjunction with Clause 52.36 (amongst other requirements) and requires an application to be referred to the person or body specified as the referral authority. As previously stated, a referral must be made to Public Transport Victoria, the determining referral authority.</p>
<p><i>Relevant Reference Documents / Guidelines</i></p>	<p>Guidelines for High Density Residential Development</p> <p>The Guidelines for Higher Density Residential Development (“the Guidelines”) have been developed to assist designers and planners apply design principles to proposals for higher density residential development. The Guidelines provide ‘better practice’ design advice for higher density residential development that promotes high quality public and private amenity and good design.</p> <p>The Guidelines are structure around six elements of design consideration including:</p> <ul style="list-style-type: none"> ■ Urban Context, ■ Building Envelope, ■ Street Pattern and Street-edge quality, ■ Circulation and services, ■ Building layout and design, ■ Open space and landscape design

6 Notification

The permit application is not 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. In this case, the following required planning permit permissions trigger third party notice:

- Commercial 1 Zone – Use of the land for residential purposes
- Design and Development Overlay Schedule 19 – Building and Works
- Clause 52.06 (Car Parking) – Reduction in the car parking requirements as a permit is triggered under other provisions of the scheme and with respect to these permissions sought, the application is not exempt from third party notice and appeal rights.

The applicant was directed to advertise on 23 January 2014 and five objections were received. The objectors’ views can be summarised as follows:

- The proposal will create shadows and limit day light access and limit views for residents of dwellings located to the south.

- The proposal will result in unreasonable overlooking into apartments to the south.
- Conversion of the building to residential will increase traffic and generate higher demand for car parking.

7 Referrals

The application was referred to DTPLI Urban Design Unit, the City of Melbourne, the Director of Public Transport, the Shrine of Remembrance and VicRoads. The following comments were provided:

City of Melbourne: The permit application was considered at Council's Future Melbourne Committee Meeting of 6 May 2014. Council resolved to support the application subject to permit conditions recommended within the delegate officer report of 10 April 2014.

Shrine of Remembrance: No objection to the proposal with no proposed permit conditions. It is noted that revised concept plans were prepared post public advertising to demonstrate compliance with the Shrine Vista Control. The assessment of the Shrine of Remembrance was based upon the amended plans.

VicRoads: No objection to the proposal subject to conditions relating to the construction of a crossover and driveway prior to commencement of the use and the continued maintenance of the driveway.

Urban Design (DTPLI): DTPLI urban design is generally supportive of the proposal however raised issues regarding wind, overlooking and the interface with St Kilda Road. All these issues can be addressed by permit conditions and are discussed further in this report.

Public Transport Victoria: No objection to the proposal. No permit conditions offered.

8 Assessment

The key issues in this matter relate to the consistency with planning policies, land use, built form response, interface/internal amenity, microclimate and car parking and traffic impacts. These matters are discussed as follows.

8.1 Consistency with Planning Policy

State Planning Policy Framework

The proposal is consistent with the applicable key State planning policies and objectives by:

- Locating new housing on a redevelopment site that has excellent access to the public transport, public open space (i.e Fawkner Park) and the Central Business District (CBD).
- Supporting the role and function of Melbourne's capital city functions through high scale and high density residential development opportunities.
- Providing diversity in dwelling sizes and types that will contribute to well located housing options for Melbourne's increasing population.
- Providing appropriately designed bicycle and car parking facilities and efficient use of existing infrastructure including the Principal Public Transport Network (PPTN) through urban consolidation.
- Creating a safe and functional urban environment which improves the existing site conditions.

- Revitalises an ageing building and implements sustainable development by reusing the existing structure. The redevelopment of the building will result in a more sensitive and engaging built form.
- Improving the public realm through surveillance and connections to Fawkner Park at the rear of the site.
- Responding to key criteria outlined within Clause 16.01-3 of the State Planning Policy Framework for strategic redevelopment, the site can be described as a strategic redevelopment site where more intensive urban development is encouraged. To this end, the proposal responds to the direction of Plan Melbourne by re-developing an underutilised strategic redevelopment site for more intensive uses close to existing public transport and community infrastructure.

Local Planning Policy Framework

The proposal is consistent with the Municipal Strategic Statement (in particular Clause 21.16-1) and key local planning policies and objectives by:

- Enhancing the boulevard quality of St Kilda Road. The proposal achieves this by redeveloping a dilapidated building and constructing a high quality residential development complimenting the streetscape and enhancing the visual importance of this boulevard.
- The proposal does however seek to construct a canopy up to the street edge which is contrary to the established and desired open and landscaped boulevard along St Kilda Road. It is recommended that the canopy be setback and from the front boundary. This can be achieved by way of permit condition.
- Accommodating the municipality's anticipated growth over the next 20-30 years
- Protecting the existing built form character and heritage, in addition to providing an attractive and liveable built environment in high growth areas.
- Creating an environmentally sustainable urban environment with reduced greenhouse emissions, including the reuse of embodied energy captured in the existing building.
- Protecting iconic views of the City, the Arts Spire and from the Shrine of Remembrance
- Promoting high rise development outside of the City to be consistent with existing areas.
- Preserving and enhancing the quality and recreational role of Fawkner Park through increased activation and direct access.
- *Responding to Clause 22.02 (Sunlight to Public Spaces)* by ensuring that the building and works allow good sun penetration to public spaces and achieving a comfortable and enjoyable street and park environment along St Kilda Road and from within Fawkner Park.
- *Responding to Clause 22.17 (Urban Design outside the Capital City Zone)* by delivering a residential development consistent with the objectives listed in the clause. In particular, the development:
 - Enhances the built form character of the area by ensuring that the scale, siting, massing and bulk of the development complements the adjoining built form.
 - Maintains existing setbacks from the southern boundary of in the order of 10 metres where the site interfaces with dwellings to ensure reasonable amenity outcomes.
 - Largely maintains the existing building envelope and configuration with the exception of modest increases to the height in both the front setback and at the upper levels above the existing building footprint. Where the building will be seen from the public realm and/or adjacent dwellings, the proposal uses design detail to ensure that all visible facades provide a rich contribution to the built environment.
 - Provides for the use of material and activities at the ground floor frontage to create a visually interesting and inviting development superior to the existing building.
 - Maintains the silhouette of the Shrine of Remembrance and will not impact on key views to the City or Arts Spire.
 - Enhances the landscape boulevard appearance along St Kilda Road.

- *Responding to Clause 22.19 (Energy, Waster and Water) by including environmentally sustainable building initiatives within the design of the development to ensure energy and water efficiently. A key initiative which is supported in this proposal is the reuse of the existing building. While the structural elements of the building which have been designed for a commercial floor plate can result in limiting internal planning, the overall reuse of a building significantly contributes to sustainability objectives in that it retains the captured embodied energy initially used when constructing the building. Notwithstanding this, a permit condition is recommended to require further work to demonstrate how the proposal meets the specific objectives of Clause 22.19.*
- *Responding to Clause 22.23 Stormwater Management (Water Sensitive Urban Design) by providing a 50,000 litre rainwater tank to collect runoff from all roof areas and be used to provide toilet flushing to 90 bedrooms as well as irrigation to landscaped areas and planter boxes. An additional 10 m2 of rain gardens will treat at least 1000 m2 of the drained courtyard areas, achieving a total STORM score of 110%. This successfully demonstrates how the development achieves the objectives of this policy.*

8.2 Land Use

The site is located within the Commercial 1 Zone for which the purpose is to:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.*
- *To provide for residential uses at densities complementary to the role and scale of the commercial centre.*

The St Kilda Road commercial precinct (on the east site of St Kilda Road within the City of Melbourne) is generally bounded by Toorak Road in the north and Moubay Street in the south extending for some 1.24 kilometres. The scale and type of the St Kilda Road commercial precinct is unique and differs to the atypical 'strip' centre such as Chapel Street, South Yarra where maintaining a hard and continuous activate edge of office, retail and entertainment uses at the ground level is desired.

Commercial site's along St Kilda Road are provided in the form of large buildings setback from the street and adjoining boundaries. A diverse range of commercial and residential developments have evolved over time along St Kilda Road adding to the vibrancy and activity within the area.

The proposal is in a location and at a density that is complementary to the role and scale of St Kilda Road as a commercial and residential boulevard and therefore compatible with the objectives of the zone.

8.3 Built Form

Shrine Vista Control

The Design and Development Overlay (Schedule 17) requires that the height of the proposal must be in compliance with the Shrine Vista Height control formula as prescribed in the Shrine Vista Computations Engineering Manual, June 1986 (Melbourne Metropolitan Board of Works E-023).

The plans submitted with the application do not comply with the Shrine Vista height control, as the new built form at level 19 results in minor impacts on the Shrine Vista as calculated from the viewing point in the centre of Swanston Street in front of the State Library.

The revised concept plans provided on 13 March 2014 demonstrate that the proposal, with minor amendments to the roof of penthouse apartments is able to comply with the Shrine Vista Height control. The applicant has requested that the changes shown in the amended plans be required by

way or permit condition therefore not requiring a formal amendment to the application and recommencement of the statutory assessment process.

This approach is considered reasonable given the limited scope of the changes. The amended plans were assessed by the City of Melbourne and the Shrine of Remembrance. Both parties are supportive of the amended compliant scheme. Therefore a condition of any permit to issued should require the formal submission of plans for endorsement.

Height

The preferred built form character of the St Kilda Road Area is identified in Design and Development Overlay - Schedule 19 (DDO19). The design objectives relate to encouraging development that will enhance the appearance and spaciousness of St Kilda Road while protecting the amenity of Fawkner Park and the Shrine of Remembrance.

DDO19 specifies a discretionary height control of 60 metres, a setback of 13.7 metres from St Kilda Road and side-age to any other boundary of 4.5 metres and a discretionary plot ration of 4.

Excluding the existing services area which is being retained, the existing 18 storey building has a maximum height of 64.81 metres. The proposed addition at level 19 will increase the building height to 68.31 metres. The total height of the building, including existing mechanical plant room and lift overrun located at roof level, is proposed to remain as it currently exists at 71.72 metres. The roof top addition is approximately 3.5 metres taller than the existing roof level but approximately 3.4 metres lower than the top of the large services element on the roof. The proposal although exceeding the 60 metre discretionary height, the 68 metre height of the building is considered acceptable given the current built form and will achieve the desired DDO19 outcomes identified above by enhancing an otherwise dilapidated commercial building. Subject to minor changes to the roof profile of Level 19 the proposal will comply with the Shrine Vista Height control.

Setbacks / Street Level Frontages

The proposed extension to the front of the building (at Levels 00 – 07) will maintain a front setback of 13.7 metres. The front setback complies with the setback requirement of DDO19 with the exception of a 7.8 metre wide canopy projecting into this space. The canopy is located at ground floor level and will be constructed of light weight materials. Council in its assessment of the proposal recommended the canopy be reduced in length so as to exceed no more than 4.5 metres into the front setback in accordance with DDO19 requirements. Its reduction in length is considered appropriate as it will respond to adjoining site's and maintain the distinctive open boulevard character desired for St Kilda Road.

The landscape plan forming part of the application includes a concrete 'garden wall' with climber planting located within the north eastern setback and fronting St Kilda Road. This wall appears to be located within the required 13.7 metre setback consistent with the existing building and will obscure/treat the existing basement stair access from the street. This minor (approximately 700mm) encroachment into the preferred front setback is appropriate in this instance given the location of the existing stair and the contribution to the landscaped garden frontage to St Kilda Road.

The plans also indicate two 'wall art installations' located within the St Kilda Road setback and in front of the main entry of the building. These walls will obscure visibility of planting within the St Kilda Road frontage. It is considered that the two 'wall art installations' be deleted from the plans which is consistent with Council's recommendation.

Side and rear setbacks are proposed to remain as per the existing building. Existing side and rear setbacks range from 4.6-10.9 metres, thus complying with the side and rear setback requirements of DDO19 and maintains the 'status quo' with respect to building separation.

The plot ratio figure has been increased from 4.22 to 4.98 due to the internal rearrangement of the building and the inclusion of the additions at the front and rooftop level of the building which is largely within the same building footprint. For this reason and having regard to the modest increase, the proposed outcome is considered reasonable.

8.4 Amenity

Several submissions were received from owners and occupiers of [REDACTED] during the formal advertising process. A majority of the objections were from [REDACTED].

In considering residential amenity, matters often relate to how a building responds to its surrounding context and how it achieves a balanced outcome having regard to the relevant planning policies that apply and constraints and opportunities of the land.

Key issues to be considered relate to; building interface (including response to, and connection with public spaces), overlooking, overshadowing and acoustic privacy. All of these issues were raised as points of contention by objectors. These matters are discussed as follows.

Building Interface

The architectural treatment and internal layout to the front, rear and side facades provides for improved articulation, visual interest and greater connection to the public realm. Direct pedestrian access to Fawkner Park is proposed at the rear of the site which will increase activation and use of a key public open space. The orientation of apartments with outlook towards Fawkner Park will also improve public safety by increasing visual surveillance.

As previously mentioned the side and rear setbacks are maintained and therefore resulting in minimal to no change of building separation. It is acknowledged that the additions at the front of the building between Levels 00 – 07 will modify the views from north facing lower level apartments located at 505 St Kilda Road. However this change is not considered unreasonable within a City context and for a site located in a zone where development is encouraged. The proposed buildings and works maintain a 10 metre building separation from 505 St Kilda Road which is generally accepted as an appropriate distance to achieve residential amenity.

Overlooking

It is considered that the proposal appropriately responds to its context and will not result in unreasonable overlooking into adjoining properties as a result of the following:

- By maintaining a minimum building separation of not less than 10 metres. This setback exceeds ResCode standards which sets a minimum horizontal distance of up to 9 metres from a window or edge of balcony as the threshold in which screens or obscured glazing is required to prevent direct views, and;
- The proposal does not seek to introduce the potential for increased overlooking when compared to the existing office building which currently provides windows already facing existing residential development to the south. The conversion of the building to residential will likely reduce the extent of overlooking compared to that of a commercial building. This is due to the likelihood of residents seeking to control privacy within their own apartments.

Overshadowing

The proposal will not result in any unreasonable shadow beyond that already experienced by surrounding land as demonstrated by the submitted shadow plans. It is noted that the existing dwellings [REDACTED] already experience overshadowing from the existing building at various times throughout the day. The critical measure

in this case enabling reasonable amenity outcomes is the retention of a 10 metre building separation which will allow adequate daylight to penetrate between buildings.

Acoustic

The conversion of an office building for the purpose of residential land use is compatible with surrounding land. Any noise emanating from dwellings will be associated with normal residential activities not dissimilar to those undertaken [REDACTED]. Permit conditions can be used to ensure that the new dwellings within the proposal are acoustically treated to provide a high degree of internal amenity with respect to mitigating external noise experienced within a City environment.

8.5 Wind

The application was accompanied by a wind effect statement and wind tunnel test prepared by ViPac. In summary, the statement found that wind levels in most ground level areas adjacent to the redevelopment remained the same or improved when compared with the existing development.

The balcony and rooftop terraces are expected to experience wind conditions close to or above the recommended walking criterion. Recommendations were made to reduce the wind levels to within the recommended criteria for both areas such as in creased planting and raising of balustrade heights. These treatments can be addressed by way of permit condition.

8.6 Car Parking, Bicycles, Traffic and Loading

The car parking requirement for the proposal of 245 apartments is a total of 330 car parking spaces, including 281 resident car spaces and 49 visitor car spaces. The proposed on-site parking provision of 307 car parking spaces does not meet this requirement, however is deemed appropriate given the availability of public transport.

The Cardno Traffic and Transport Assessment analysed the 2011 Census data from the Australian Bureau of Statistics. The report revealed that car ownership in the city of Melbourne is typically less than 1 vehicle for one and two bedroom apartments and 1-2 vehicles for two-bedroom apartments.

The report also identified current car parking rates for the existing office. The current office use generates a statutory requirement to provide 700 car spaces, however the site only provides 370 spaces. Council's Engineering services Group in its assessment of the proposal concluded that they were generally supportive of the proposal and that the traffic generated is unlikely to detrimentally impact the surrounding road network.

The statutory requirement for bicycle spaces is 1 to each 5 dwellings for residents and 1 to each 10 dwellings for visitors. This generates a total requirement of 49 bicycle spaces for residents and 25 bicycle spaces for visitors. There will be a total of 245 bicycle spaces available with the new proposal for residents and visitors.

Although nearby residents have highlighted the issue of traffic congestion and car parking shortages in the area and are opposed to the application to reduce car parking, there is sufficient evidence to suggest that the proposal will have ample car parking and bicycle parking facilities to support the development.

Clause 52.07 of the Melbourne Planning Scheme outlines the requirements for the loading and unloading of vehicles, and specifies loading requirements for developments which include the manufacture, servicing, storage or sale of goods or materials.

As a residential development, the proposed development does not generate a loading bay requirement. Regardless, a loading area is proposed within the development to accommodate garbage collection. As a result of the height restrictions throughout the basement car park, the size of the garbage collection vehicle is limited to specific vehicles. Additionally, a porte-cochere is proposed connecting the northern and southern vehicle crossovers. This can accommodate passenger vehicles,

taxis and smaller delivery vehicles, providing a suitable off-street location for short term loading and unloading.

Overall, the provision and number of bicycle parking, car parking, traffic generation, loading, car park layout and access arrangements are acceptable subject to minor changes identified by the City of Melbourne which can be addressed by permit condition.

9 Recommendation

That planning permit 2013/008668 for the use and development of the land for dwellings, alteration of access in a Road Zone Category and a reduction in the statutory car parking requirements be issued subject to conditions which adopt the revised plans to ensure compliance with the Shrine Vista Height Control Formula.

Prepared by:

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Title: [REDACTED]
Phone: [REDACTED]
Date: 25 July 2014

Approved by:

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Date: 28 July 2014

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